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Report No: PAD00217

INTERNATIONAL DEVELOPMENT ASSOCIATION

PROJECT APPRAISAL DOCUMENT

ON A

PROPOSED CREDIT

IN THE AMOUNT OF US\$30 MILLION

TO THE

UNITED REPUBLIC OF TANZANIA

FOR A

ZANZIBAR JUDICIAL MODERNIZATION PROJECT (Zi-JUMP)

APRIL 19, 2024

Governance Global Practice
Eastern and Southern Africa Region

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CURRENCY EQUIVALENTS

(Exchange Rate Effective {February 29, 2024})

Currency Unit = Tanzania Shillings
(TZS)

US\$1 = TZS 2,549.98

FISCAL YEAR
July 1 - June 30

Regional Vice President: Victoria Kwakwa

Regional Director: Hassan Zaman

Country Director: Nathan M. Belete

Practice Manager: Manuel Antonio Vargas Madrigal

Task Team Leaders: Benjamin Ndazi Mtesigwa, Donna Louise Andrews

ABBREVIATIONS AND ACRONYMS

ADR	Alternative Dispute Resolution
AM	Accountability Mechanism
CCJMP	Citizen-Centric Judicial Modernization and Justice Service Delivery Project
CJ	Chief Justice
CAT	Court of Appeal of Tanzania
CPF	Country Partnership Framework
DMC	District Magistrate Court
EHS	Environmental, Health and Safety
EHSG	Environmental, Health and Safety Guidelines
e-ProZ	e-Procurement Zanzibar
E&S	Environmental and Social
ESCP	Environmental and Social Commitment Plan
ESF	Environment and Social Framework
ESHS	Environmental, Social, Health and Safety
ESRM	Environmental and Social Risk Management
ESS	Environmental and Social Standards
FM	Financial Management
FY	Fiscal Year
GBV	Gender-Based Violence
GHG	Greenhouse gas
GRM	Grievance Redress Mechanisms
GRS	Grievance Redress Service
HC	High Court
IA	Implementing Agency
IBRD	International Bank for Reconstruction and Development
ICT	Information Communication Technology
IDA	International Development Association
IFR	Interim Financial Reporting
IJC	Integrated Justice Centers
IPF	Investment Project Financing
IT	Information Technology
JDU	Judicial Delivery Unit
JIMS	Judicial Information Management System
JoZ	Judiciary of Zanzibar
JRDU	Judicial Reform Delivery Unit
LMP	Labor Management Procedures
MDB	Multilateral Development Bank
M&E	Monitoring and Evaluation
NCCRS	National Climate Change Response Strategy
NDC	Nationally Determined Contribution
OCGS	Office of the Chief Government Statistician
PBA	Performance-Based Allocations

PBZ	Peoples Bank of Zanzibar
PC	Primary Court
PDMU	Procurement and Disposal Management Unit
PDO	Project Development Objective
PMS	Performance Management System
POM	Project Operations Manual
PP	Procurement Plan
PPSD	Project Procurement Strategy for Development
PWD	Persons With Disabilities
RMC	Regional Magistrate Court
RGoZ	Revolutionary Government of Zanzibar
SDGs	Sustainable Development Goals
SEA	Sexual Exploitation and Abuse
SEP	Stakeholder Engagement Plan
SH	Sexual Harassment
STEP	Systematic Tracking of Exchanges in Procurement
TB	Tender Bid
TEU	Tanzania Economic Updates
ToR	Terms of Reference
TV	Television
UNDB	United Nations Development Business
URT	United Republic of Tanzania
ZADEP	Zanzibar Development Plan
ZDV	Zanzibar Development Vision
Zi-JUMP	Zanzibar Judicial Modernization Project
ZPPDA	Zanzibar Public Procurement and Disposal Authority



TABLE OF CONTENTS

DATASHEET	ii
I. STRATEGIC CONTEXT	1
A. Country Context	1
B. Sectoral and Institutional Context	1
C. Relevance to Higher Level Objectives	3
II. PROJECT DESCRIPTION.....	4
A. Project Development Objective	4
B. Project Components	5
C. Project Beneficiaries	9
D. Results Chain.....	9
E. Rationale for Bank Involvement and Role of Partners.....	10
F. Lessons Learned and Reflected in the Project Design.....	11
III. IMPLEMENTATION ARRANGEMENTS	11
A. Institutional and Implementation Arrangements.....	11
B. Results Monitoring and Evaluation Arrangements.....	12
C. Sustainability	12
IV. PROJECT APPRAISAL SUMMARY	12
A. Technical, Economic and Financial Analysis	12
B. Fiduciary	15
C. Legal Operational Policies	16
D. Environmental and Social	16
V. GRIEVANCE REDRESS SERVICES	17
VI. KEY RISKS.....	18
VII. RESULTS FRAMEWORK AND MONITORING	19
ANNEX 1: Implementation Arrangements and Support Plan	26
ANNEX 2: Geomap – District Courts in Zanzibar	35



DATASHEET

BASIC INFORMATION

Project Beneficiary(ies) Tanzania	Operation Name Zanzibar Judicial Modernization Project (Zi-JUMP)	
Operation ID P500588	Financing Instrument Investment Project Financing (IPF)	Environmental and Social Risk Classification Moderate

Financing & Implementation Modalities

<input type="checkbox"/> Multiphase Programmatic Approach (MPA)	<input type="checkbox"/> Contingent Emergency Response Component (CERC)
<input type="checkbox"/> Series of Projects (SOP)	<input type="checkbox"/> Fragile State(s)
<input type="checkbox"/> Performance-Based Conditions (PBCs)	<input type="checkbox"/> Small State(s)
<input type="checkbox"/> Financial Intermediaries (FI)	<input type="checkbox"/> Fragile within a non-fragile Country
<input type="checkbox"/> Project-Based Guarantee	<input type="checkbox"/> Conflict
<input type="checkbox"/> Deferred Drawdown	<input type="checkbox"/> Responding to Natural or Man-made Disaster
<input type="checkbox"/> Alternative Procurement Arrangements (APA)	<input type="checkbox"/> Hands-on Expanded Implementation Support (HEIS)

Expected Approval Date 10-May-2024	Expected Closing Date 31-May-2029
Bank/IFC Collaboration No	

Proposed Development Objective(s)

To enhance the accessibility, efficiency, and transparency of selected citizen-centric judicial services, in Zanzibar

Components

Component Name	Cost (US\$)
Component 1: Access to Justice Services	14,700,000.00
Component 2: Court Efficiency	8,300,000.00



Component 3: Citizen and Stakeholders Engagement

7,000,000.00

Organizations

Borrower: United Republic of Tanzania
Implementing Agency: The Judiciary of Zanzibar (JoZ)

PROJECT FINANCING DATA (US\$, Millions)

Maximizing Finance for Development

Is this an MFD-Enabling Project (MFD-EP)? No

Is this project Private Capital Enabling (PCE)? No

SUMMARY

Total Operation Cost	30.00
Total Financing	30.00
of which IBRD/IDA	30.00
Financing Gap	0.00

DETAILS

World Bank Group Financing

International Development Association (IDA)	30.00
IDA Credit	30.00

IDA Resources (US\$, Millions)

	Credit Amount	Grant Amount	SML Amount	Guarantee Amount	Total Amount
National Performance-Based Allocations (PBA)	30.00	0.00	0.00	0.00	30.00
Total	30.00	0.00	0.00	0.00	30.00



Expected Disbursements (US\$, Millions)

WB Fiscal Year	2024	2025	2026	2027	2028	2029
Annual	0.00	4.00	10.00	8.00	5.00	3.00
Cumulative	0.00	4.00	14.00	22.00	27.00	30.00

PRACTICE AREA(S)

Practice Area (Lead)

Governance

Contributing Practice Areas

CLIMATE

Climate Change and Disaster Screening

Yes, it has been screened and the results are discussed in the Operation Document

SYSTEMATIC OPERATIONS RISK- RATING TOOL (SORT)

Risk Category	Rating
1. Political and Governance	● Moderate
2. Macroeconomic	● Moderate
3. Sector Strategies and Policies	● Moderate
4. Technical Design of Project or Program	● Moderate
5. Institutional Capacity for Implementation and Sustainability	● Substantial
6. Fiduciary	● Substantial
7. Environment and Social	● Moderate
8. Stakeholders	● Moderate
9. Overall	● Moderate

POLICY COMPLIANCE



Policy

Does the project depart from the CPF in content or in other significant respects?

Yes No

Does the project require any waivers of Bank policies?

Yes No

ENVIRONMENTAL AND SOCIAL

Environmental and Social Standards Relevance Given its Context at the Time of Appraisal

E & S Standards	Relevance
ESS 1: Assessment and Management of Environmental and Social Risks and Impacts	Relevant
ESS 10: Stakeholder Engagement and Information Disclosure	Relevant
ESS 2: Labor and Working Conditions	Relevant
ESS 3: Resource Efficiency and Pollution Prevention and Management	Relevant
ESS 4: Community Health and Safety	Relevant
ESS 5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement	Not Currently Relevant
ESS 6: Biodiversity Conservation and Sustainable Management of Living Natural Resources	Relevant
ESS 7: Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities	Not Currently Relevant
ESS 8: Cultural Heritage	Relevant
ESS 9: Financial Intermediaries	Not Currently Relevant

NOTE: For further information regarding the World Bank’s due diligence assessment of the Project’s potential environmental and social risks and impacts, please refer to the Project’s Appraisal Environmental and Social Review Summary (ESRS).

LEGAL

Legal Covenants

Sections and Description

Section I.A.3 of the Schedule 2 to the Financing Agreement: The Government of Tanzania shall establish not later than one (1) month after the Effective Date, and thereafter maintain throughout the implementation of the Project, a Judicial Reform Delivery Unit (“Judicial Reform Delivery Unit” or “JRDU”) within the Judiciary of Zanzibar - to be chaired by a Project coordinator, and comprising, amongst others, of a financial management officer, procurement officer,



environmental risk management officer, social risk management safeguards officers and a monitoring and evaluation officer - with mandate, powers and resources satisfactory to the Association. The JRDU shall be responsible for, inter alia, day-to-day implementation of the Project.

Conditions

Type	Citation	Description	Financing Source
Effectiveness	4.01(a)	The Project Agreement has been duly executed and delivered, and all conditions precedent to its effectiveness, other than the effectiveness of this Agreement, have been fulfilled	IBRD/IDA
Effectiveness	4.01(b)	The Subsidiary Agreement has been duly executed and delivered between the Recipient and the Project Implementing Entity, in form and substance satisfactory to the Association, and all conditions precedent to its effectiveness or to the right of the Project Implementing Entity to receive the proceeds of the Financing thereunder have been fulfilled	IBRD/IDA
Effectiveness	4.01(c)	The Project Operations Manual has been prepared and adopted in form and substance satisfactory to the Association.	IBRD/IDA



I. STRATEGIC CONTEXT

A. Country Context

1. Zanzibar is a semi-autonomous territory and jointly with Mainland Tanzania forms the United Republic of Tanzania. The Constitution of United Republic of Tanzania (URT) of 1977 provides for a presidential system of government and a two-tier government: the Revolutionary Government of Zanzibar (RGoZ), with authority in Zanzibar over all non-union matters, and the Government of the URT, responsible for union matters, including defense and security, citizenship, external trade and borrowing to name a few. The President of Zanzibar is the head of the RGoZ. The House of Representatives of Zanzibar has legislative authority in Zanzibar over all non-union matters and also has authority on behalf of the people of Zanzibar to oversee and advise RGoZ and all its organs in the discharge of their respective responsibilities. All judicial powers in Zanzibar are exercised by the judiciary of Zanzibar (JoZ), except that the Court of Appeal of Tanzania (CAT) has jurisdiction to hear appeals originating from the High Court (HC) of Zanzibar (other than those involving the interpretation of the Constitution of Zanzibar and matters arising from the Kadhi's Courts¹).

2. The RGoZ is strongly committed to the pursuit of sustainable economic and social development through economic transformation as envisioned in the Zanzibar Development Vision (ZDV) 2050. Substantial improvements in living conditions and a drop in poverty between 2009 and 2019 have been recorded, largely due to positive economic growth at an annual average growth rate of 6.1 percent over the past decade.² Despite these achievements, poverty reduction has been relatively slow and differences in the poverty rate between urban and rural areas have increased driven by large welfare gaps between Zanzibar's main islands of Pemba and Unguja.³

3. Implementation of the ZDV 2050 has been facilitated by a sequence of five-year-term Zanzibar Development Plans (ZADEP) with the current plan (2021-2026) focusing on the blue economy for inclusive growth and sustainable development. The envisioned economic transformation relies on the achievement of five key development goals: (i) fostering of growth, enhancing forward and backward linkages between and within the sector and ensuring positive spill-over effects of skills development and technology innovation; (ii) promotion of good governance; (iii) creation of decent jobs; (iv) ensuring environmental sustainability; and (v) active participation of the private sector in economic activities.

B. Sectoral and Institutional Context

4. Under the 1984 Constitution of Zanzibar, a 4-tier judicial structure was established, which is independent of the executive arm of Government (see also organigram in Annex 1). The legal system is largely based on common law and accommodates Islamic law; the latter source of law being called upon in personal or family matters within the Muslim community. The highest court is the CAT, comprising the Chief Justice of Tanzania and other Justices of Appeal. Below the CAT is the HC of Zanzibar with unlimited original jurisdiction and serving as the appeals instance for cases from subordinate courts. The subordinate courts comprise the Appellate Kadhi's Court, the Children's Courts, the Regional Magistrate Courts (RMC) and the District Magistrate Courts (DMC) which have jurisdiction over all cases except those tried in the Children's Courts and the Appellate Kadhi's Courts. At the lowest level are the Primary Courts (PC) and the District Kadhi's Courts which adjudicate family or personal matters for members of the Muslim community. Overall, the Zanzibar court system is

¹ The jurisdiction of Kadhi courts in Zanzibar is limited to some elements of the Islamic law, focusing on family and personal status matters, per the Constitution of Zanzibar and the Kadhi Court Act No 3 of 1985. According to the Act, only male Muslims can serve as Khadis.

² Zanzibar Statistical Abstract.

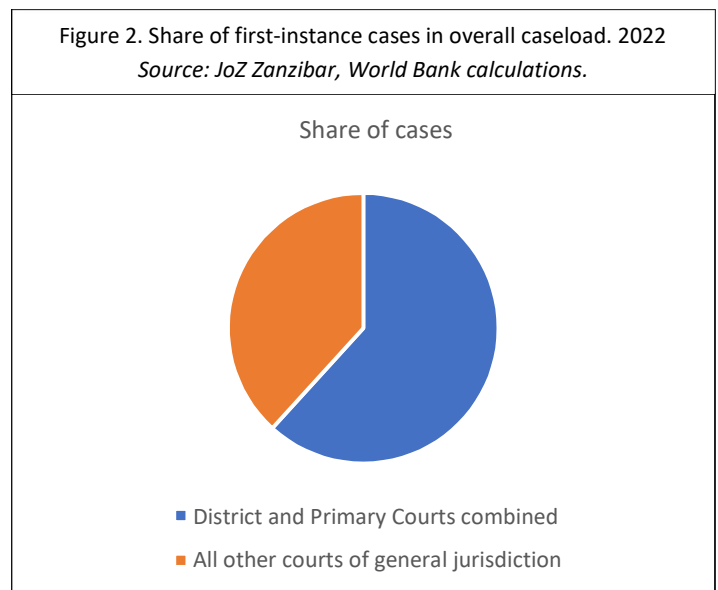
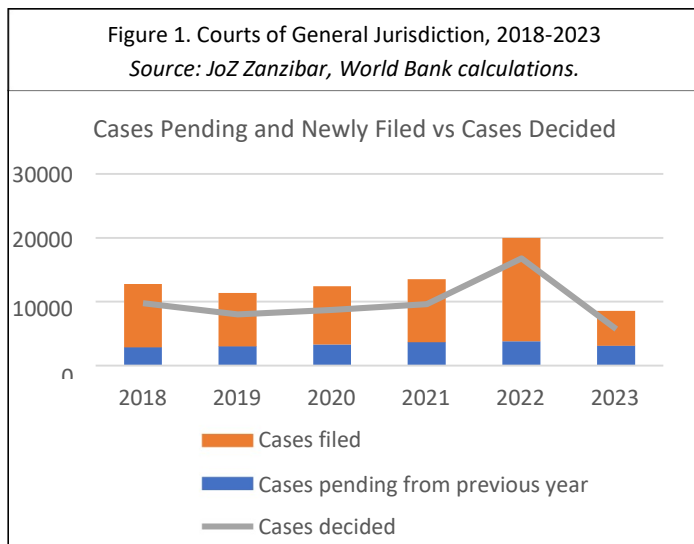
³ Towards a More Inclusive Zanzibar Economy: Zanzibar Poverty Assessment. World Bank. 2022.



similar to that of the Tanzania Mainland, except that Zanzibar retains Kadhi’s Courts.

5. Since the 1964 Revolution, the JoZ has undergone several transition periods and large-scale institutional and legislative reforms. Despite progress, fundamental challenges remain that prevent the JoZ from contributing to the attainment of the ZDV 2050, an enabling environment for private sector growth, and responding to socio-economic needs. The judiciary’s own needs assessment⁴ and the World Bank’s preliminary review of readily available data, infrastructure and management tools confirm: (i) inadequate court infrastructure and facilities; (ii) low adoption of technology in court administration and judicial services delivery; (iii) inadequate performance management system; and (iv) lengthy court procedures that create backlog risks and dissatisfaction among court users.

6. The JoZ has experienced an increase in caseload in recent years⁵ (Figure 1) while financial, human, and technical resources have remained relatively flat. Initiatives to streamline and fast-track misdemeanor cases, and re-focus on more complex, litigious cases are underway and resulted in declining case trends for 2023. A recent change in by-laws⁶ now permits the police to resolve simple traffic cases through on-spot fines, unless the fined party disagrees, and it becomes a litigious issue. As a result, a significant decrease in incoming misdemeanor criminal cases was recorded, benefitting the DMCs’ and PCs’ workloads. Despite this welcome change, the DMC and PC combined continue to see the bulk of the caseload – approximately 62 percent of the total caseload in 2023 (Figure 2) – and are likely to receive more cases (workload) as knowledge among citizens and businesses continue to increase. The DMCs and PCs are neither resourced nor technically equipped to address current and future demand for their services efficiently.



* Courts of general jurisdiction include all but Children’s Courts, Kadhi Courts and the CAT.

7. The JoZ struggles to respond to demand and efforts to address the workload seem insufficient and unsuccessful to fully address the courts’ case backlog. While an overall case clearance rate⁷ in 2023 of 104 percent for courts of general jurisdiction may indicate that courts are coping well with the influx of cases, a closer look reveals a different picture. Case clearance rates vary across court types with the RMCs achieving a clearance rate of 127 percent in 2023 vs. the HC with a clearance rate of 69 percent. There is also significant fluctuation in clearance rate over time. For example, in 2020 and

⁴ Judiciary of Zanzibar, Holistic Assessment of the Judiciary of Zanzibar. 2022.

⁵ Case data for 2023 is currently under review and will be added as soon as it becomes available.

⁶ Act No. 5 of 2022 introducing an amendment to the Road Transport Act, No. 7 of 2003.

⁷ Clearance rate is the proportion of cases decided versus cases filed. It is ideally larger than 100 percent, so courts also address any pending cases.



2021⁸ the RMCs reached a clearance rate of 81 percent only. The courts' average disposition rate⁹ is 66 percent with DMCs and PCs performing slightly better with 79 percent and 72 percent, respectively, still leaving 20 percent of the active cases unattended.

8. Against this background, citizens continue to express their dissatisfaction with judicial operations.¹⁰ Some of the persisting concerns relate to: (i) lengthy procedure and complexity of the legal process from filing to case decision; (ii) deteriorating trust attributed to perceived corruption in court operations; (iii) ineffective court management; (iv) low levels of knowledge among citizens concerning their rights and how to access judicial services; and (v) inadequate access to court information and court services due to long distances to access court buildings and lack of technological platforms.

9. Further, gender inequality is apparent within the JoZ and in women's access to justice in Zanzibar: Only 37 percent of judicial staff are female.¹¹ For other segments of the justice sector, the situation is not much different. For example, only one out of the 20 assessors in the land tribunal is a woman. In 2023, for example, only 17 percent of court users were female. While awareness for this imbalance is growing, the JoZ lacks a gender strategy to address gaps in the hiring and retention of women and to institutionalize gender sensitivity among its workforce to better serve women, particularly in cases related to gender-based violence (GBV), and other vulnerable groups. Access to justice for women and people with disabilities (PWD) in Zanzibar remains challenging due to a lack of knowledge and awareness, and limited legal aid services. Access is further challenged as most Zanzibaris utilize the all-male Kadhi's courts that have jurisdiction over personal and family matters that disproportionately address issues impacting women such as divorce, alimony, child custody and matters of inheritance.

C. Relevance to Higher Level Objectives

10. The project aligns with the new World Bank Vision to create a world free of poverty on a livable planet. It will pursue outcomes that support: (i) inclusion by promoting the role and participation of women in the justice system (outcome area 12: gender equality and youth inclusion); (ii) sustainability by promoting economic growth through strengthening the justice system (outcome area 15: more private investment); (iii) climate change mitigation through the construction of smart courts (outcome area 5: green and blue planet and resilient populations); and (iv) digital acceleration (outcome area 11: digital services). The project is also aligned with the World Bank Group Gender Equality Strategy (2024–2030) Strategic Outcome 6: Advance women's participation, decision-making and leadership. Furthermore, the project supports the achievement of the Africa Region priority of making institutions more efficient and accountable. These outcomes will contribute to achieving the Sustainable Development Goals (SDG), specifically SDGs 1, SDG 8, SDG 13, and SDG 16.

11. The project is aligned with the World Bank Group Country Partnership Framework (CPF) for Tanzania (FY18-22, Report No.121790-TZ). The CPF aims to support the URT's efforts toward reinforcing pathways to inclusive and sustainable job-creating growth and poverty reduction and recognizes that "strengthening capacity of government institutions for better service delivery and public investments" is a development priority (Focus Area 3). At the regional level, the project is aligned with a key strategic priority to improve governance and accountability in public institutions.

⁸ Courts in Zanzibar continued to operate during COVID-19 observing social distancing requirements.

⁹ Disposition rate is the proportion of cases decided versus cases filed and pending from previous year(s) (active workload).

¹⁰ Judiciary of Zanzibar, Holistic Assessment of the Judiciary of Zanzibar. 2022.

¹¹ Judiciary of Zanzibar Strategic Plan, 2024/25-2028/89: Judges: 5 out of 14 are female; Magistrates: 23 out of 66 are female; Legal officers: 17 out of 25.



12. The project is consistent with the country’s Nationally Determined Contribution (NDC), 2021. Tanzania has prioritized Greenhouse gas (GHG) emission reductions in four priority sectors (Energy, Transport, Forestry, and Waste). The NDC further prioritizes enhancing environmentally sound waste management practices and promoting climate resilience of existing and new infrastructure. The project contributes to the NDC by supporting: (a) the construction of energy-efficient and climate-resilient district courts to enhance access to justice; and (b) the integration of a sustainable waste management plan within the court infrastructure. Furthermore, the project is also consistent with the National Climate Change Response Strategy (NCCRS) 2021-2026, which also emphasizes promoting climate proof infrastructure across sectors. In addition, the NCCRS targets to embed learning of climate change issues in both formal and informal education systems. The project directly supports this objective by aiding the development of a training curriculum that incorporates education on climate change into the judicial program. A key objective of Zanzibar’s Climate Change Strategy 2014 is to build capacity, raise awareness, and promote climate aware and sustainable livelihoods for its citizens, specifically in the local communities. The project aligns to this objective by supporting a citizen and stakeholder education initiative, aiming to disseminate knowledge on climate change and foster climate-resilient practices.

13. Furthermore, the RGoZ recognizes the role of good governance in its ZDV 2050 and ZADep for inclusive growth and social wellbeing. Accountable and effective justice institutions and efficient procedures create the enabling environment for increased private sector investment and allow citizens and businesses to unlock their economic potential.¹² The ZDV 2050 and ZADep Goal II build on the Zanzibar Good Governance Policy 2011 which highlights the critical role of accountable justice institutions and efficient procedures in protecting citizens’ rights and freedoms and creating the enabling environment for increased private sector investment and allow citizens and businesses to unlock their economic potential.

II. PROJECT DESCRIPTION

A. Project Development Objective

14. The project development objective (PDO) is to enhance the accessibility, efficiency, and transparency of selected citizen-centric judicial services in Zanzibar.

15. The successful achievement of the PDO will be measured by the following outcome level indicators.

- a) Accessibility of court services – percentage reduction in average distance travelled by citizens to access DMC services in districts with newly constructed courts;
- b) Efficiency in delivering court services – court-wide (HC, RMC, DMC, PC) case disposal as a percentage of total cases;
- c) Citizen satisfaction with court services delivery – percentage of court users (citizens) satisfied with court services (disaggregated by gender);
- d) Transparency in court services delivery – percentage of HC decisions published..

¹² <https://www.worldbank.org/en/topic/governance/brief/justice-and-rule-of-law>



B. Project Components

Component 1: Access to Justice Services (US\$14.7 million)

16. This component aims to enhance access to justice by expanding the geographic coverage of DMC services and strengthening Alternative Dispute Resolution (ADR) mechanisms to bring these services closer to citizens and businesses.¹³ The JoZ suffers from outdated infrastructure which limits access, efficiency, transparency, and innovation while providing opportunities to exercise undue influence. The JoZ's needs assessment highlighted that court buildings in Zanzibar are few, old, and dilapidated. The situation is particularly dire at first instance courts. Currently, citizens and businesses struggle to access DMCs as key judicial services providers.¹⁴ A lack of user-friendly features, such as accessible buildings, waiting areas including, designated waiting areas for victims, paired with the buildings' current inability to host any IT, contribute to the challenges. Proposed activities under this component will fund the development of court infrastructure guidelines, consistent with the existing 2019 Public Building Guideline to ensure proper planning of court buildings; the construction of DMCs in select locations that can incorporate the anticipated change toward e-justice (see Component 2); and the renovation of two court buildings. To enhance the response to solving disputes at the local level the proposed project will support capacity building for the use of ADR and the development of a gender justice strategy.

Subcomponent 1.1 – Construction of Smart Courts in Select Areas (US\$12.8 million)

17. Out of the demand for the construction of 11 DMCs, the project will support the construction of five DMCs serving approximately 782,808 people (41.4 percent of the total population in Zanzibar) and one Integrated Justice Center (IJC) (see Geomap in Annex 2). The latter will house the HC and its commercial division, industrial/labor division, corruption and economic crimes division and land division, for which there is currently no dedicated building available. The construction will apply principles of universal design with a special focus on the needs of PWD, women and children and incorporate associated ICT equipment. Further, the court buildings will be climate-resilient and climate-responsive, including energy-efficient design, use of recycled materials, cooling measures such as green roofs, shading and reflective glazing (green certified); a construction waste management plan to recycle or reuse materials during and after construction; sustainable drainage systems using perimeter channels, and soft landscaping to reduce water run-off. A forward-looking and flexible design for the court buildings will facilitate the continued efficient use of new/renovated court infrastructure notwithstanding changes to demand and technology over time. Locations for the DMCs in Nungwi, Kinduni, Kijichi, Chwaka, and Makunduchi have been selected using well-established criteria, including but not limited to: (a) overall case load; (b) travel distance to existing courts (and quality of infrastructure within those courts); (c) local economic activity; (d) availability of government owned land; and (e) availability of associated facilities (e.g., electricity, water).

Subcomponent 1.2 – Renovation of Select Court Buildings (US\$1.25 million)

18. The project will further fund the renovation of two court buildings to complete the modernization of DMCs across Zanzibar and address the pressing needs for quality judicial services for children. The DMC in Wete, Pemba, is currently the only dedicated DMC in Zanzibar. The proposed court renovation will serve the most populated district in Pemba (148,712, or 7.9 percent of Zanzibar's population) and complete the journey of DMC-level modernization. Further,

¹³ Access to justice is defined as the ability of individuals and businesses to seek and obtain a just resolution of legal problems through a wide range of legal and justice services. These services include legal information, counsel and representation, formal (e.g., courts) and alternative dispute resolution, and enforcement mechanism (OECD, 2019). The project measures a number of these access dimensions across its PDO- and IR-level indicators.

¹⁴ In addition to serving as first instance courts, DMCs review appeals against PC decisions, hence influencing the court case decision-making and quality across the first-instance level.



the largest Children’s Court (Mahonda, Unguja), which is also the only court building dedicated to children, will benefit from renovation. Given its caseload, it plays a significant role in children’s cases and the proposed renovation will include creating a secure environment for magistrates and other court users to execute their tasks, enhancing child survivor-centered services, introducing witness protection rooms and appropriate waiting areas and rooms, cabling and enhancing IT infrastructure to support digitization. The proposed court renovation will incorporate climate-resilient and climate-responsive measures, such as energy-efficient measures (heating, ventilation and air-conditioning systems, “smart” lighting controls), water conservation, use of recycled materials, and soft landscaping as also foreseen subcomponent 1.1.

19. The need to construct and/or renovate the remaining five DMCs will be covered by the RGoZ and the World Bank’s Citizen-Centric Judicial Modernization and Justice Service Delivery Project (CCJMP -P155759). The RGoZ has committed to finance the construction of three new DMCs (Kisakasaka, Konde and Mkoani) whose construction has already begun and to renovate one RMC at Vuga. The World Bank, through the CCJMP will finance the construction of an IJC in Mfikiwa Chake Chake, Pemba, which will also host a DMC. By the credit closing date and if progress under the RGoZ-financed construction/renovation remains steady, the entire population of Zanzibar (1.89 million people) will have access to adequate court services at the district level.

Subcomponent 1.3 - Building Capacity to Strengthen the Use of Alternative Dispute Resolution (ADR) (US\$0.2 million)

20. In line with the available legislation, such as the Labor Relations Regulations L.N No. 107 of 2011 (mediation, arbitration), this sub-component will strengthen court-annexed ADR mechanisms. A new draft Arbitration Act 2024 is pending government consultation before introduction to the House of Representatives for the first reading.¹⁵ The proposed interventions will finance knowledge exchange around ADR, for disputes and procedures relating to family, investment/business disputes, land, and labor. Particular attention will be paid to Kadhi’s courts and their role in and jurisdiction over family cases in the Muslim community, including awareness of the possible roles of women in the Kadhi’s court system. Further, training will be provided to women to become mediators and address the stark gender imbalance in dispute resolution due to an all-male kadhi environment.

Subcomponent 1.4 – Development of a Gender Justice Strategy (US\$0.45 million)

21. The project will support the development of a gender justice strategy and accompanying action plan to support the promotion of female judicial professionals, and gender sensitive services to citizens. Only 33 percent of judges and magistrates are female, and only 17 percent of court users are female. Women, children, PWD and survivors of GBV continue to experience gender-biased social norms and pressure and show low levels of legal knowledge. Combined, this puts sustainable progress toward fairness, equality, legitimacy, reducing barriers in access to justice and bringing women’s voice and perspectives as well as those of other marginalized groups to the justice process at risk.¹⁶ The project will support the development of the first gender justice strategy and action plan for Zanzibar. This will include the design and implementation of pilots to provide standardized gender sensitivity training to different cadres of the judicial system as well as training on protocol in handling cases of sexual and gender-based violence (survivor-centered assistance) to the lower courts which are often the first point of contact for women.

Component 2: Court Efficiency (US\$8.3 million)

22. The JoZ’s needs assessment reveals that citizens and business in Zanzibar complain about gaps in efficiency and

¹⁵ The proposed Arbitration Act 2024 intends to replace the outdated Arbitration Decree Cap 25 of 1928.

¹⁶ Toolkit for Mainstreaming and Implementing Gender Equality, Gender Sensitive Practices in the Judiciary. OECD 2023.



quality of services with the delay in case disposition considered most critical. In parallel, the JoZ leadership and court management is also dissatisfied with lengthy court procedures, a growing stock of pending cases and an increasing risk of accumulating case backlog. To address the concerns shared, the component will focus on addressing court inefficiencies by increasing capacities through staff knowledge exchange and training programs, streamlining, and simplifying court procedures, introducing a case management tool to monitor and manage cases, and introducing and rolling-out a staff performance management system.

Subcomponent 2.1 – Staff Training and Knowledge Exchange Programs in Strategic Areas (US\$3.3 million)

23. The project will finance a training needs assessment for judicial staff, the preparation of a roadmap to address identified needs and carry out knowledge exchange and training within and outside the country. Initial discussions reveal priorities in aspects of decision writing, introduction and use of electronic evidence, and commercial law, including intellectual property, contract law, land and agriculture related disputes, where assets, livelihoods and alike are affected by climate change, and GBV survivor-centered assistance. Today, staff training and specialization in skills and expertise is carried out on an ad hoc basis unable to support sustainable improvements in the quality of service delivery. To develop a sustainable training model, options to leverage existing resources will be explored, such as the Institute of Judicial Administration supported by CCJMP. The project will also facilitate knowledge exchange visits to learn from good international practice, fund the development and implementation of a change management strategy for judicial staff to strengthen quality and citizen-centric approaches to judicial service delivery.

Subcomponent 2.2 – Improvement in Case and Backlog Clearance (US\$1 million)

24. The proposed activities under this subcomponent will support a “deep dive” into the root causes of inefficiencies, low disposition rates and potentially case backlog across all court levels. Based on the “deep dive” findings, recommendations to address identified inefficiencies will be developed and implemented. This will likely include the review, updating and streamlining of JoZ’s internal procedural rules and guidelines from case filing to issuing court judgements. Priority will be given to rules and guidelines pertaining to commercial cases, civil cases, and family cases. The subcomponent will also support regular and rapid impact assessments to review the progress toward improved access, efficiency, quality, and accountability, and to inform resource allocation. Discussion with the Mainland’s judiciary have already been initiated to learn from their experience in simplifying procedures. This is feeding into the JoZ-internal plans to adopt internal guidelines on case and backlog clearance (expected prior to credit effectiveness).

Subcomponent 2.3 – Introduction of a Judicial Information Management System (JIMS) (US\$3.5 million)

25. The project will finance the development and roll-out of the Judicial Information Management System (JIMS). The development of the JIMS will be based on streamlined/updated internal procedural rules and guidelines (subcomponent 2.2) and reduce reliance on paper-based procedures. Activities will prioritize the development of the following two modules: e-case management and e-analytical (business intelligence model). The ability to accommodate additional models in the future will be secured at the design stage. Further, experience and lessons from the successful development and rollout of the e-judiciary system under the CCJMP will be leveraged. It is foreseen that the JIMS will be linked to other existing systems including the JoZ’s website (ZanzibarLII) and facilitate the publication of court information, including court decisions. The JIMS’s design will allow to interface with other stakeholders’ IT systems for seamless data exchange and to support sector-wide digitalization efforts in the long-run. Moving toward electronic systems will not only lead to a reduced use of paper but also fewer demands for the transportation of paper documentation and people as some tasks will no longer require a physical presence.



Subcomponent 2.4 – Capacity Building to Operationalize a Staff Performance Management System (PMS) (US\$0.5 million)

26. The project will support the development and roll-out of processes, guidelines and staff training to build the foundation for future automation of the PMS for the JoZ. As of now, the JoZ does not have a PMS in place, causing ad hoc staff appraisal, promotions, and limited efforts to carry out meaningful performance reviews across the judiciary. The project will finance activities necessary to enable gradual introduction and adoption of performance management culture within JoZ. A PMS will help to institutionalize performance management and regular exchanges between supervisors and staff to discuss the latter’s performance and determine steps to be taken to strengthen their capabilities. The project will also support orientation and training to all staff to consider PMS as a process that fosters better work performance rather than a “control tool”. Combined, the activities will form the foundation for successful automation of PMS within the JoZ in future.

Component 3: Citizen and Stakeholders Engagement (US\$7 million)

27. Inadequate stakeholder engagement and lack of transparency in judicial service delivery has led to low levels of trust among citizens and the business community in Zanzibar. The project will address this through identifying and supporting initiatives that will foster citizen awareness and engagement, inter-institutional initiatives to improve court user experience, and change management initiatives to strengthen the understanding of judicial service delivery.

Subcomponent 3.1 – Capacity Building of Key Stakeholders (US\$1.8 million)

28. This subcomponent will support the design of capacity building interventions (Action Plan) followed by the implementation of select initiatives to enhance inter-institutional collaboration. While courts are the “face of justice”, a positive court user experience depends on the successful collaboration of multiple stakeholders in the justice ecosystem. In Zanzibar, this includes, among others, the Judicial Services Commission, the Director of Public Prosecutions, the Attorney General’s Office, and legal aid providers. The project will carry out a rapid needs assessment during the first year of implementation. Its findings will feed into the design and implementation of capacity building interventions to improve the overall court user experience.

Subcomponent 3.2 – Design and Roll-out of Public Engagement Initiatives (US\$ 2million)

29. The project will support public education/awareness and engagement programs to increase the understanding of judicial operations among the public. This will include the design and implementation of public education and engagement initiatives using various communication channels such as interactive radio and television (TV) programs, and *Zanzibar Law Week*.¹⁷ Furthermore, the project foresees to support workshops/roundtables with the broader justice sector community (community, traditional, religious leaders, civil society organization, women and youth organization, etc.) around “pain points” as experienced by different segments of court users. Information programs will focus on gender and equality, access, court and enforcement procedures, court fees, and select legal areas, such as probity and family matters as well as land and how assets and the environment can be protected against the impacts of climate change. Further, solutions for citizen information desks in court buildings across Zanzibar will be piloted and good practices will be scaled. In addition, select analytical work to complement perceived “pain points” with quantitative and qualitative data, for example, as it concerns the enforcement of court decisions, will be carried out. Findings and feedback collected as part of these engagements and interventions will be fed into project activities and regularly reported to the project’s Steering

¹⁷ The *Zanzibar Law Week* is an already institutionalized vehicle where the judiciary across all levels engages with citizens and businesses across Zanzibar. The main purpose is to familiarize the broader public with court functions and processes.



Committee (see also Institutional and Implementation Arrangements) to inform the judiciary's overall reform agenda.

Subcomponent 3.3 – Development and Implementation of Court User Satisfaction Surveys (US\$0.5 million)

30. The project will support the regular roll-out of Zanzibar-wide court user satisfaction surveys. Court user satisfaction surveys gather data on perception and experience in access, efficiency, transparency, and quality. The surveys will go beyond the immediate World Bank-supported operation and support the JoZ in steering its overall reform efforts in addition to feeding findings into the activities under the project. Currently foreseen is a “full” survey in the first (serving also as the baseline), third and fifth years of the project, with “light” (limited number of key questions to track progress) surveys in the second and fourth years. The survey will build on the methodology and questionnaire used in the CCJMP and be fast-tracked via advanced procurement to ensure currently missing baseline data is provided in a timely manner. The survey findings will be discussed among relevant stakeholders and aggregated survey results will be published on the JoZ's website.

Subcomponent 3.4 – Strengthen Court Administration and Support Project Management (US\$2.7 million)

31. The project will support project management and identify opportunities and support select initiatives to strengthen institutional capacity. This will include supporting the Judicial Reform Delivery Unit that will be responsible for overall project management as well as monitoring and evaluation (M&E) activities. Initial assessments revealed limited experience and capacity within the JoZ in managing large-scale projects. Initiatives will include project management trainings, and specialized onsite and off-site trainings in critical dimensions required to successfully implement this project including but not limited to procurement management, contract management, environmental and social risks management, monitoring and evaluation (M&E) and financial management to the project team. This will also cover capacity building support to the estate management unit under the JoZ to effectively oversee construction and renovation of court infrastructure; and the monitoring and statistics unit to enhance internal capacity to collect, analyze and manage data.

C. Project Beneficiaries

32. The project's impact will have direct and substantial reach, benefiting a population of approximately 1.89 million people in Zanzibar. Three target groups can be identified: First, immediate beneficiaries, including court users, i.e., citizens and businesses as well as lawyers participating in court cases, and those who work in the courts, i.e., judges, magistrates, and court staff (460 staff in total). Special attention will be given to the needs of vulnerable groups, including, among others, women (approximately 52 percent of the population), youth (approximately 20 percent of the population), and PWD (approximately 6.8 percent of the population). Second, beneficiaries that indirectly benefit from improved court performance, such as the Bar Association, police, prosecution, legal aid service providers and the broader business community. The group of secondary beneficiaries also includes Kadhis (currently 20). The third group of beneficiaries comprises traditional leaders, religious leaders, and elders, as custodians of cultures and traditions (approximately 220 people; estimated at 20 people per district court) who will participate in community engagement activities.

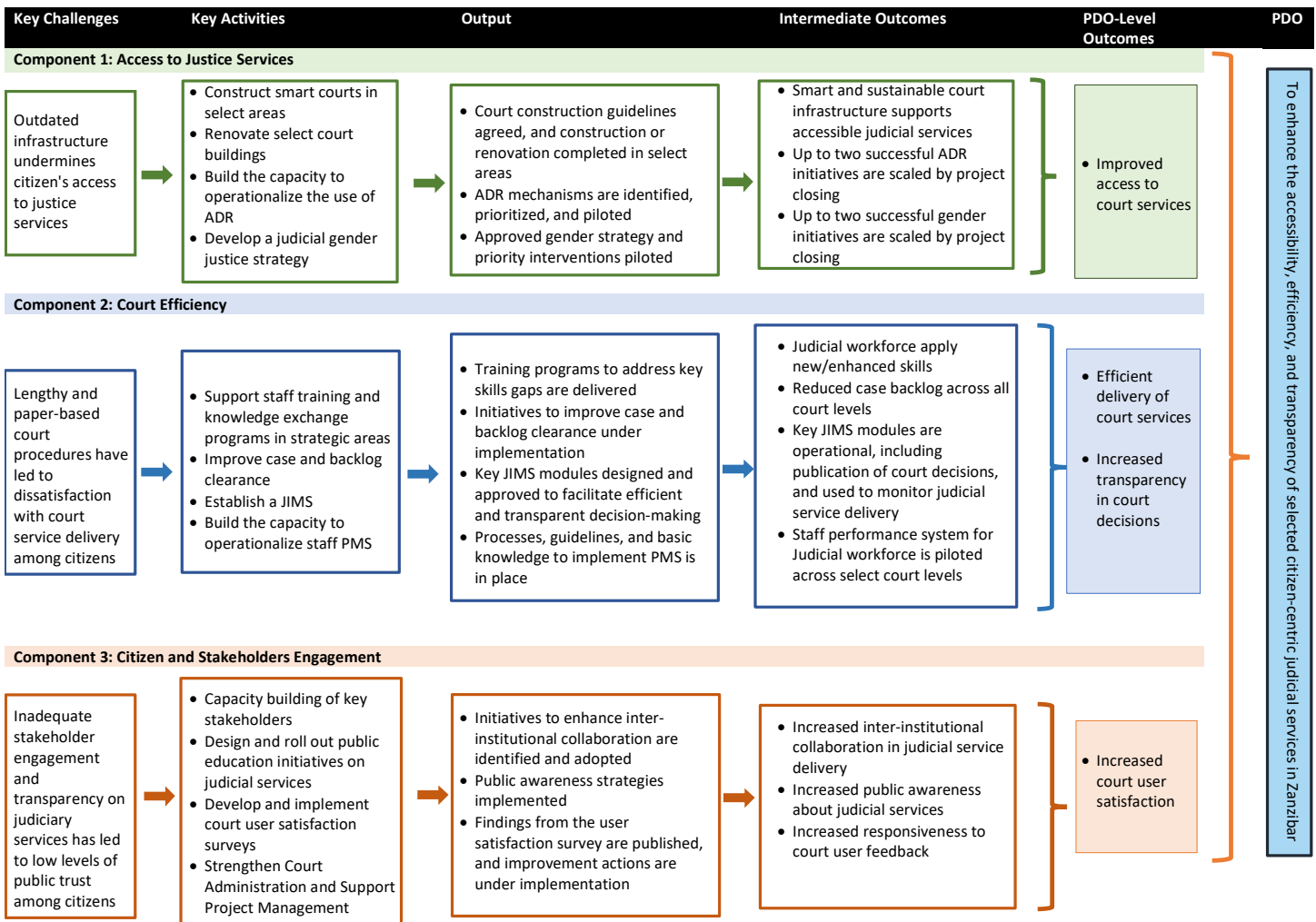
D. Results Chain

33. The project seeks to address three fundamental challenges the JoZ faces, namely accessibility, efficiency, and transparency in judicial services delivery. The expected results and impact of the project are presented in Figure 3 below. The results chain rests on a number of assumptions, namely: continued commitment of the RGoZ and the leadership of the JoZ in leading the transformation and change management initiatives, fruitful collaboration among key justice sector



stakeholders, the availability of input suppliers such as contractors and consultants, to deliver on the expected results.

Figure 3. Theory of Change – Zi-JUMP



E. Rationale for Bank Involvement and Role of Partners

34. The World Bank has established itself as the leading and trusted partner for judicial reforms in Tanzania for almost a decade now. Since 2016, the World Bank has been assisting Tanzania’s judiciary in improving the efficiency, transparency of, and access to, citizen-centric justice services. The CCJMP has supported the introduction of mobile court services (justice-on-wheels) for rural and hard-to-reach areas, providing easier and faster access to justice services for vulnerable groups such as women and the poor. Case clearance rates through mobile courts have dropped to only 30 days, compared to 120 days in a regular court, and time spent in a court is down to four hours from 96 hours.¹⁸ Access to court services has also increased through the construction of six IJCs, including the first ever IJC in Africa dedicated to matrimonial, probate and other justice services for women. Eighteen subordinate courts have been constructed across the country, serving over 13 million citizens. Citizens’ access to high court services has increased from 55 percent to 77 percent,

¹⁸ CCJMP, Court User Survey. Results 2023.



transparency has improved through increased online publication of high court and court of appeal decisions from below five percent to 85 percent, and the backlog in cases has reduced by 50 percent.¹⁹ The project has also led to a 33 percent increase in citizen confidence in justice services.²⁰ Current challenges in Zanzibar are similar to those that the Mainland faced a decade ago, and hence the World Bank is seen as an ideal partner to successfully address those in Zanzibar as well.

35. So far, judicial reforms in Zanzibar have chiefly been financed through government funds. The government has requested World Bank financial assistance to accelerate reform efforts and provide global expertise and experience in justice sector reform. The World Bank support will focus on supporting policy changes, for example, in gender, citizen engagement and court infrastructure through forward-looking planning and investments, such as court infrastructure in select locations, core elements of a court case management system and a performance management system. Combined, these elements will help the RGoZ and the JoZ to successfully continue their journey and complement the RGoZ's own pledge to continue funding judicial reforms to scale up existing efforts and further strengthen the rule of law, as witnessed in the RGoZs commitment to invest in court infrastructure (see reference under subcomponent 1.1).

36. There are currently no other development partners supporting the JoZ in its reform efforts. The World Bank will leverage the regular Governance Development Partners Working Group meetings to continue engaging and collaborating with the development partners to ensure complementarity in donor support, and to avoid potential overlaps should others seek to engage in the sector as well.

F. Lessons Learned and Reflected in the Project Design

37. The judiciary and citizens in Mainland Tanzania experienced similar challenges prior to a successful reform journey supported by the World Bank-financed CCJMP. To accelerate implementation and benefit from past experience, the design of Zi-JUMP reflects lessons learnt and good practices from the Mainland's CCJMP. This includes: (a) ensuring strong ownership and buy-in of the project by the JoZ leadership from the onset; (b) early involvement of key stakeholders to identify gaps in judicial service delivery and prioritizing interventions to address these challenges; (c) adopting a citizen-centric approach and supporting the institutionalization of public and stakeholder feedback mechanisms to inform decision-making and monitor performance; (d) strengthening data collection systems and analytics to provide information on service delivery bottlenecks; (e) incorporating an adaptive learning approach that will – to the extent possible – involve testing innovations before scaling up (e.g., the development of the JIMS and roll-out of the PMS); (f) strengthening inter-agency collaborative frameworks to address wider justice sector service delivery challenges; (g) comprehensive capacity building component that targets regularly identified gaps; and (h) supporting implementation of public education and awareness strategies to create demand driven accountability for improved service delivery.

III. IMPLEMENTATION ARRANGEMENTS

A. Institutional and Implementation Arrangements

38. The project will be implemented over a five-year period. The JoZ already has a Steering Committee to provide strategic guidance and oversight to all JoZ's operations and reform efforts and will include the project. The Steering Committee is chaired by the Chief Justice (CJ) of Zanzibar and includes the Chief Court Administrator, Registrar of the High

¹⁹ Ibid.

²⁰ Ibid.



Court, the Judge in charge of the Commercial Division of the High Court, the Chairman of the Judicial Service Commission, all Heads of Directorates, and the Chief Accountant. For the day-to-day operation of the project a Judicial Reform Delivery Unit (JRDU) will be formed, which will be fully embedded and institutionalized within the JoZ's organizational structure to further instill ownership and sustainability. The JRDU will be supported by consultants (specialized skills) as needed. The JRDU will comprise a dedicated project coordinator responsible for the day-to-day project management. The JRDU will also include a financial management (FM) officer, a procurement officer, an environmental risk management officer, a social risks management officer, and an M&E officer to strengthen implementation oversight. Arrangements will be made between the JRDU and the Judicial Delivery Unit (JDU) in the CCJMP to enable peer learning and address the JoZ's limited expertise and experience in working with the World Bank.

B. Results Monitoring and Evaluation Arrangements

39. The project results framework will be used as the basis for project monitoring and evaluation. The project coordinator, in collaboration with the M&E specialist in the JRDU and the Monitoring and Statistics Division of the JoZ will monitor progress under the project results indicators per the project's results framework. The JRDU will produce reports on implementation progress for each subcomponent and submit to the World Bank semi-annually (and as needed). The reports will also include regularly updated project execution estimates and disbursement projections. A mid-term review will be conducted to evaluate implementation progress and take appropriate action based on this evaluation.

C. Sustainability

40. Both the RGoZ and the JoZ have demonstrated strong commitment to the project, witnessed by high-level participation in all discussions. Planned stakeholder engagement, internal and external change management activities, and institutionalized implementation arrangements are expected to further deepen reform ownership within the JoZ. Existing collaboration and facilitation of peer learning opportunities with Mainland counterparts will be further leveraged to sustain project outcomes beyond the project's lifecycle. In addition, the planned trainings to the judiciary staff involved in project implementation, knowledge exchange programs, paired with select investments in infrastructure and IT will ensure institutional sustainability. Furthermore, citizen engagement through court user surveys and adoption of citizen feedback, planned public education/awareness and engagement programs, and publication of court information, will increase accountability and scrutiny to sustain JoZ's responsiveness and commitment to citizen needs.

IV. PROJECT APPRAISAL SUMMARY

A. Technical, Economic and Financial Analysis

Technical

41. The project is technically feasible and focused on key areas to enhance justice service delivery in Zanzibar. The proposed design responds to the gaps identified in the JoZ's own needs assessment report, confirmed by information and statistical data shared during project preparation. The project will strengthen the JoZ's ability to deliver quality services for citizens, businesses, and strengthen inter-institutional collaboration for enhanced user experience. Commitment to reform and change toward a citizen-centric approach among the RGoZ, the JoZ and relevant justice sector stakeholders is linked to the commitment to contribute toward inclusive economic growth and the RGoZ's ZDV 2050 agenda.



Economic and Financial Analysis

42. Expected economic benefits/returns associated with the proposed intervention are considered substantial in the medium- to long-term. Economic benefits are derived from improving court performance, key elements in creating an enabling environment for private sector growth and economic development. The proposed investments in judicial modernization and justice service delivery will further improve the efficiency, transparency, and accessibility of service provision to citizens. Targeted interventions to improve dispute resolution, e.g., through ADR and strengthened court procedures, are expected to increase trust in the judiciary and legal proceedings among the private sector and support Zanzibar's overall business investment climate.

43. Modernization of court infrastructure and the introduction and roll-out of key components of the JIMS will increase court efficiency as human, IT and financial resources will be deployed more effectively. It is estimated that up to 36 percent of staff time is currently spent on non-procedural interruptions, procedural inefficiencies related to archiving and retrieval of documents, and handling paper-based case procedures and case documents. Combined, a strengthened infrastructure and the deployment of the JIMS (e-case management, e-analytical (business intelligence)) will help to increase procedural efficiencies, protect judges and court staff from undue influences and pressure, free up scarce resources (judge and magistrate time) and direct attention to more productive tasks and complex cases while speeding up case processing times. In parallel, the support to roll out and operationalize the PMS will help to enhance workforce performance and productivity, thereby improving the overall functioning and efficiency of the JoZ. Freeing up 36 percent of judges and magistrates time could increase the number of decided cases by more than 20 percent.

44. The project will also produce a range of additional downstream economic benefits that are not immediately quantifiable. These benefits derive from: (i) a more inclusive economic growth and sustainable development due to the impacts of increased access to justice for women and other marginalized groups through ADR and a citizen-centric approach in justice service delivery; (ii) greater economic stability and an environment conducive to doing business; and (iii) time and monetary savings for citizens and businesses to access justice services, freeing up resources to potentially spend on investments and other economic activities.

Corporate Commitments

45. Paris Alignment. The project is aligned with the goals of the Paris Agreement on both mitigation and adaptation. Assessment and reduction of adaptation risks: The project will support physical investments, i.e., the construction of five DMC buildings (subcomponent 1.1) and the renovation of two court buildings (subcomponent 1.2). The Climate and Disaster Risk Screening for Zanzibar indicates a moderate risk for increase in flooding due to more and heavier rainfall days, drought due to less rainfall during dry seasons, rapidly increasing sea levels likely impacting all low-lying areas (below 5 meters above mean sea level), and anticipated increases in maximum temperature by up to 1.5 to 2 degrees Celsius by the 2050s. These risks could moderately impact the project's investments in infrastructure (physical damage, service disruption) due to higher storm surges, more frequent and severe flooding, eroding of Zanzibar's extensive coastlines and large low-lying areas (20 percent of Unguja and 30 percent of Pemba) potentially reducing the size of land. To mitigate these adaptation risks for investments under subcomponent 1.1 and 1.2, the project design incorporates various risk reduction measures: (a) climate-resilient and climate-responsive infrastructure, including engineering to withstand high winds, use of flood-proof materials, energy-efficient design, flexible and modular design concepts, use of recycled materials, and applying low-impact development techniques; (b) climate-informed land use and investment planning so



new infrastructure is not placed in highly exposed areas, in particular coastal and low-lying areas, while keeping a small, flexible building footprint to reduce any impact on communities against increasingly scarce land; (c) climate-resilient landscaping and water harvesting systems to address water challenges and flooding risks, such as installation of rainwater harvesting tanks to collect and store rainwater for landscape irrigation and toilet flushing, use of drought-resistant plants to reduce water consumption, and addressing potential stormwater runoff through permeable pavements; (d) adopting cooling measures such as green roofs, shading, and reflective glazing in buildings; and (e) undertaking regular structural audits for buildings located in hazard-prone areas. Combined, these mitigation measures will bring the adaptation risks to an acceptable (low) level, set new standards in public infrastructure in Zanzibar and likely positively influence changes in the current building code (public buildings). Further, subcomponent 2.1 will support enhancing judicial staff knowledge on land and agriculture related cases, and the connection between climate and legal issues, where assets, livelihoods and alike are affected by climate changes,²¹ and subcomponent 3.3 will support citizen awareness raising as the design and roll-out of public education initiative will include sessions on land cases and how to protect assets and the environment against climate change.²²

Assessment and reduction of mitigation risks. The project is expected to reduce the sector's GHG emissions and is aligned with the country's transition to low GHG emissions pathways. The project's design includes risk reduction measures to keep GHG emission at a minimum:

- (a) Certified "green" court buildings will incorporate energy-efficient designs to reduce the need for cooling, ventilation and lighting; a construction waste management plan to recycle or reuse materials during and after construction; and sustainable drainage systems through the use of perimeter channels, and soft landscaping to reduce water run-off. A forward-looking and flexible design of the court buildings will facilitate the continued efficient use of new/renovated court infrastructure should demand and technology change/advance over time (subcomponents 1.1, 1.2; accumulative: US\$ 14.05 million);
- (b) other activities under the project will provide technical, capacity building and operational strengthening, and are not expected to generate significant GHG emissions, or carbon lock-in.

Assessment of geophysical hazards. Wildfire occurrence is recognized as the main potential geophysical hazard in Zanzibar that could impact the project's infrastructures and stakeholders' safety. Climate projections suggest the region is susceptible to likely increase in the frequency of fire weather conditions such as increase in temperature and greater variance in rainfall in the future, as well as heightened fire severity. To mitigate the vulnerability of the project's assets against potential wildfire risks, the project aims to strengthen project infrastructures and promote community resilience through: (i) prioritizing the utilization of wildfire resistant construction materials and designs in hazard prone areas; (ii) support citizen awareness raising through the design and roll-out of public education initiatives, which will include sessions on how to protect assets and the environment against hazards; and (iii) establishing/operationalizing an emergency preparedness and response planning.

46. Gender. The project will address gender gaps within the judiciary (women's unequal access to hiring, retention and

²¹ This will include principles and norms of international environmental legislation as a pathway to climate justice, such as the- polluter-pays-principle, public trust doctrine, principle of preventative action etc.; strengthening of skills to assess the likelihood/gravity of likely impacts of climate change; community migration due to climate change and impact on host communities, including increased disputes; class action concerning deforestation, inefficient progress against national climate targets etc.

²² This will include existing environmental laws and link to climate change, responsibility, and failure to comply with environmental laws, e.g., illegal deforestation.



promotions at all levels of the judiciary) through the development of Zanzibar’s first gender justice strategy” that will be developed, rolled out through extensive consultations, and launched during the course of the project. In addition, the project will determine a few courts to pilot some of the recommendations from the strategy and consultations. The pilot will include the development and rollout of a standardized gender sensitivity training to different cadres of the judicial system. A second gap identified is related to survivor-centered care for female survivors of GBV when they access the court and justice systems. In order to bridge this gap, the project will provide training on protocols for handling cases of sexual violence and GBV to the lower courts which are often the first point of contact for women. The pilots are the first step to “learning by doing” but the gender justice strategy will ensure that a holistic range of actions are institutionalized and that there is buy-in for these recommendations at the highest levels. Further, training will be provided to women to become mediators and address the current imbalance in female voice and representation in dispute resolution. There are currently no female mediators in Zanzibar and the project aims to overcome this gap and promote and elevate the role of women in dispute resolution. For example, under component 2.1, the project will support knowledge exchange visit to countries such as Malaysia, Indonesia, and Türkiye that have female Kadhis. The knowledge and exposure from these visits will enhance skills and knowledge that will inform the policy level conversation on the possibilities of increasing the representation of female mediators in Zanzibar. In addition, the project will support JoZ to develop special procedures for hearing GBV and sexual exploitation and abuse (SEA)/sexual harassment (SH) cases and build the capacity of judges and magistrates to handle GBV cases.

47. Citizen Engagement. All proposed components promote citizen engagement by design, especially under component 3 where there is an explicit focus on citizen feedback through court user surveys and as part of public engagement initiatives, such as interactive radio and TV programs, the *Zanzibar Law Week* and piloting citizen information desks. The envisioned activities will serve as a two-way communication vehicle where the JoZ can provide information about court functions and proceedings as well as for citizens to express concerns and grievances. To further close the feedback loop, aggregated results of the survey feedback will be published online, and the entirety of feedback will be monitored and fed into project activities as well as into the judiciary’s decision-making process. This applies also to any feedback and concerns collected as part of the gender-specific engagements under the project. Citizen engagement will be further scaled up during implementation and monitoring of key project activities through focus group discussions and consultations with various groups including vulnerable groups of women, children, youth and PWD.

B. Fiduciary

(i) Financial Management

48. The financial management (FM) assessment was conducted for the JoZ in accordance with the World Bank Policy and Directives on Investment Project Financing and the Financial Management Manual for World Bank Investment Project Financing Projects issued on September 7, 2021. The assessment covered the six FM elements of budgeting, funds flows, accounting, internal controls, financial reporting, and audit. The objective of the FM assessment was to determine whether: (a) funds channeled to the project will be used for the intended purposes in an efficient and economical manner; (b) the project’s financial reports will be prepared in accurate, reliable and in a timely manner; and (c) the project’s assets and resources will be safeguarded.

49. The FM risk is rated as Substantial. The JoZ has no prior experience with World Bank operations and related World Bank FM policies and procedures. To mitigate associated risks, the World Bank will undertake capacity building of the JRDU, which will be responsible for managing the project’s designated account and establishing associated internal



controls, accounting and reporting mechanisms. The JRDU will be responsible for preparing the project’s annual financial statements that will be subject to audit, conducted by the Supreme Audit Institution – the Office of the Controller and Auditor General (OCAG) of Zanzibar under its constitutional mandate to audit all public funds. The JRDU will submit these audit reports to the World Bank within nine months after the end of the fiscal year. The World Bank will monitor performance throughout project implementation and offer continuous guidance to close capacity gaps.

(ii) Procurement

50. Procurements will be carried out by the JoZ as the Implementing Agency (IA) in accordance with the following World Bank procedures: (a) the World Bank Procurement Regulations for IPF Borrowers Fifth Edition, dated September 2023; (b) Guidelines on Preventing and Combating Fraud and Corruption in Projects Financed by IBRD Loans and IDA Credits and Grants dated July 1, 2016 (Anti-Corruption Guidelines); and (c) other provisions stipulated in the Financing Agreements. Procurement plans (PP) will emanate from the Project Procurement Strategy for Development (PPSD) prepared by the IA. According to the requirement of the Procurement Regulations, PPSD and the PP for at least the first 18 months of project implementation have been prepared. Elaboration on procurement and contract management processes will be reflected in the Project Operations Manual (POM). The World Bank’s Standard Procurement Documents will be used for all contracts subject to international competitive procurement and those contracts as specified in the PP tables in Systematic Tracking of Exchanges in Procurement (STEP). For the international competitive procurement, the rated criteria will apply, and the process will be conducted using two envelopes. High value and/or complex procurements and contracts identified in the PPSD will be given maximum attention by both the IA and the World Bank.

51. The overall procurement risk rating is High with a residual risk of Substantial. Summary of the capacity assessments of JoZ indicates no prior experience in implementing World Bank-funded projects. Procurement staff capacity is also limited with three procurement officers in Unguja and one in Pemba, all with limited experience in managing procurement of large and complex works, goods, and consulting services. Assessments will be continuous throughout the project cycle and the ratings will reflect the periodic assessments outcomes. The World Bank will provide continuous support, including procurement trainings and clinics to ensure effective and efficient procurement implementation.

C. Legal Operational Policies

Legal Operational Policies	Triggered?
Projects on International Waterways OP 7.50	No
Projects in Disputed Area OP 7.60	No

D. Environmental and Social

52. Environmental and social risks are rated as Moderate. The risks associated with the construction or renovation of ‘smart’ courts in select locations, including equipment and facilities are generally low, temporary and easily managed with the application of environmental, health and safety (EHS) mitigation measures. Some of the project impacts are related to: (i) traffic management during the construction phase; (ii) disposal and management of waste/spoil during the construction phase; (iii) occupational health and safety of workers; (iv) nuisances related to air and noise emissions from construction activities; (v) potential e-waste generation during the operation phase; and (vi) community health and safety.



The social risks are assessed to be moderate. All constructions and renovations are expected to be done on either existing structure or government-owned plots; therefore, land acquisition is not anticipated. However, planned activities under this project involve institutional capacity building and change management to address current gaps in access, efficiency and transparency in delivering justice services. These activities are also designed to address gender imbalance, promote fairness, equality, legitimacy, reduce barriers in access to justice and elevate women's voice in dispute resolution. Social risks include: (i) possible resistance to change; (ii) exclusion of PWD, women, the elderly, and other vulnerable groups, resulting from limited access to information and project benefits as well as bias and stigma toward these marginalized groups; (iii) occupational, health and safety risks related to construction/rehabilitation activities; and (iv) GBV/ SEA/ SH risks. Labor risks are expected to be moderate, and the project does not anticipate resettlement activities.

53. Furthermore, the project has prepared five instruments as per the Environment and Social Framework (ESF) guided by applicable Environmental and Social Standards (ESS). These are: (i) the Environmental and Social Management Framework; (ii) the Labor Management Procedures (LMP); (iii) the Stakeholder Engagement Plan (SEP); and (iv) the Environmental and Social Commitment Plan (ESCP) and separate Grievance Redress Mechanisms (GRM) which also form part of the LMP and SEP. The documents were disclosed on the JoZ's²³ and the World Bank's external websites on March 12, 2024. The instruments prepared incorporate relevant guidance from the World Bank's EHS Guidelines.

54. Inclusion of PWD in Legal Services and Access to Justice: To ensure people with disability have an effective access to justice, there is a need to ensure there is: (i) conducive environment such as access to court buildings; (ii) access to information in user-friendly formats, for example educational materials on court proceedings; (iii) effective communication and participation in legal proceedings; (iv) access to information about the rights and responsibilities of PWD within the justice system; and (v) awareness raising and training of relevant stakeholders to understand and accommodate the specific needs of PWD.

V. GRIEVANCE REDRESS SERVICES

55. Grievance Redress. Communities and individuals who believe that they are adversely affected by a project supported by the World Bank may submit complaints to existing project-level grievance mechanisms or the Bank's Grievance Redress Service (GRS). The GRS ensures that complaints received are promptly reviewed in order to address project-related concerns. Project affected communities and individuals may submit their complaint to the Bank's independent Accountability Mechanism (AM). The AM houses the Inspection Panel, which determines whether harm occurred, or could occur, as a result of Bank non-compliance with its policies and procedures, and the Dispute Resolution Service, which provides communities and borrowers with the opportunity to address complaints through dispute resolution. Complaints may be submitted to the AM at any time after concerns have been brought directly to the attention of Bank Management and after Management has been given an opportunity to respond. For information on how to submit complaints to the Bank's Grievance Redress Service (GRS), visit <http://www.worldbank.org/GRS>. For information on how to submit complaints to the Bank's Accountability Mechanism, visit <https://accountability.worldbank.org>.

²³ <https://judiciaryzanzibar.go.tz/web/zijump>



VI. KEY RISKS

56. The overall risk to achieving the PDO is Moderate. Zanzibar maintains a stable political, governance and macroeconomic atmosphere, and the RGoZ remains committed to inclusive economic growth. Zanzibar's economy continues to grow albeit moderately, with the service sector controlling at least two-third of the Gross Domestic Product (GDP) growth, exceeding pre-pandemic performance by over 13 percent.²⁴ The proposed judicial reforms are strongly supported by the RGoZ and deemed necessary to further catalyze economic growth by attracting investments and promoting Zanzibar as a conducive place for investment.

57. Institutional capacity for implementation and sustainability. The risk for institutional capacity for implementation and sustainability is rated as Substantial due to institutional and personnel capacity constraints. Currently, human and technical capacity at the JoZ to manage large scale reform projects is limited, coupled with a lack of experience in managing World Bank-funded projects. The risk will be mitigated through technical support and capacity building/trainings to the JRDU and key technical staff in the JoZ, including knowledge sharing, that are planned under this operation. Furthermore, the World Bank team will work with the JoZ to identify key technical expertise required within the JRDU and develop a roadmap to strengthen their capacity to coordinate and support program implementation.

58. Fiduciary. The fiduciary risk is rated as Substantial due to institutional and personnel capacity constraints. Currently, there is no formal process for budget revisions during the year, budget execution lack reliability due to changes in funds released at short notice, and both internal and external audit reviews experience delay due to personnel capacity constraints. Further, inefficiencies in processing procurement activities and shortcomings in office facilities, records filing, and management systems add to challenges in timely execution of procurement activities. The risk will be mitigated through technical support and capacity building/trainings to the JRDU and key fiduciary staff in the JoZ, preparation of financial reporting template, submission of IFRs on a quarterly basis, close support to fast-track activities with significant disbursements to mitigate against a low rate of disbursement early in the project, while also maintaining an appropriate sequencing of activities, and annual work plans and budget to be reviewed by the World Bank task team. Further, the judiciary will recruit additional staff with relevant fiduciary skills, appointing focal points responsible for reporting to the World Bank, and upgrading the existing records management system.

²⁴ World Bank Tanzania Economic Update. Issue 19, 2023; available at: <https://www.worldbank.org/en/news/feature/2023/09/19/tanzania-afe-economic-update-enhancing-fiscal-efficiency-and-effectiveness-for-a-more-inclusive-future>



VII. RESULTS FRAMEWORK AND MONITORING

PDO Indicators by PDO Outcomes

Baseline	Closing Period
Accessibility of court services	
% reduction in average distance travelled by citizens to access district magistrate court services in districts with newly constructed courts (Percentage)	
Dec/2023	Jun/2029
0	16
Efficient delivery of court services	
Court-wide (HC, RMC, DMC, PC) case disposals as a percentage of total cases (Percentage)	
Dec/2023	Jun/2029
63	85
➤ High Court case disposals as a percentage of total cases (Percentage)	
Dec/2023	Jun/2029
39	53
➤ District Magistrate Court case disposals as a percentage of total cases (Percentage)	
Dec/2023	Jun/2029
72	95
Citizen satisfaction with court services delivery	
% of court users (citizens) satisfied with court services (disaggregated by gender) (Percentage)	
Dec/2024	Jun/2029
TBD (To be set in Year 1 after conducting the first court user satisfaction survey)	TBD (To be set in Year 1 after establishing the baseline)
➤ % court user (citizens) satisfied with access to court services (disaggregated by gender) (Percentage)	
Dec/2024	Jun/2029
TBD (To be set in Year 1 after conducting the first court user satisfaction survey)	TBD (To be set in Year 1 after establishing the baseline)
➤ % court user (citizens) satisfied with efficiency of court services (disaggregated by gender) (Percentage)	
Dec/2024	Jun/2029
TBD (To be set in Year 1 after conducting the first court user satisfaction survey)	TBD (To be set in Year 1 after establishing the baseline)
➤ % court user (citizens) satisfied with transparency in court services (disaggregated by gender) (Percentage)	
Dec/2024	Jun/2029
TBD (To be set in Year 1 after conducting the first court user satisfaction survey)	TBD (To be set in Year 1 after establishing the baseline)



➤% court user (citizens) satisfied with the quality of court annexed ADR services (disaggregated by gender) (Percentage)	
Dec/2024	Jun/2029
TBD (To be set in Year 1 after conducting the first court user satisfaction survey)	TBD (To be set in Year 1 after establishing the baseline)
Transparency in court services delivery	
% of High Court decisions published (Percentage)	
Dec/2023	Jun/2029
35	90

Intermediate Indicators by Components

Baseline	Closing Period
Component 1: Access to Justice Services	
# of smart courts constructed and operational that include climate-resilient and/or energy efficient design measures (Number)	
Jan/2024	Jun/2029
0	6
# of courts renovated that include climate-resilient and/or energy efficient design measures (Number)	
Jan/2024	Jun/2029
0	2
Share of female ADR service providers (court-annexed) (Percentage)	
Jan/2024	Jun/2029
0	15
Component 2: Court Efficiency	
% of judicial and non-judicial staff receiving at least a four hour training once a year (data disaggregated by gender) (Percentage)	
Dec/2023	Jun/2029
30	70
Average case backlog as a percentage of total pending cases (Percentage)	
Dec/2023	Jun/2029
47	18
➤Case backlog as a percentage of total pending cases (High Court) (Percentage)	
Dec/2023	Jun/2029
43	18
➤Case backlog as a percentage of total pending cases (Regional Magistrate Court) (Percentage)	
Dec/2023	Jun/2029
37	18



➤ Case backlog as a percentage of total pending cases (District Magistrate Court) (Percentage)	
Dec/2023	Jun/2029
56	18
➤ Case backlog as a percentage of total pending cases (Primary Court) (Percentage)	
Dec/2023	Jun/2029
51	15
Average time taken from filing a case to decision (Days)	
Dec/2023	Jun/2029
456	280
➤ Average time taken from filing a case to decision (High Court) (Days)	
Dec/2023	Jun/2029
730	450
➤ Average time taken from filing a case to decision (High Court - Commercial Division) (Days)	
Dec/2023	Jun/2029
730	365
➤ Average time taken from filing a case to decision (High Court - Industrial Division) (Days)	
Dec/2023	Jun/2029
365	182
➤ Average time taken from filing a case to decision (Regional Magistrate Court) (Days)	
Dec/2023	Jun/2029
365	182
➤ Average time taken from filing a case to decision (District Magistrate Court) (Days)	
Dec/2023	Jun/2029
365	182
➤ Average time taken from filing a case to decision (Primary Court) (Days)	
Dec/2023	Jun/2029
351	180
JIMS developed and two modules are operational (Yes/No)	
Jan/2024	Jun/2029
No	Yes
Cumulative # of women receiving GBV survivor-centric assistance from trained staff (Number)	
Dec/2023	Jun/2029
0	500
Component 3: Citizen and Stakeholders Engagement	



Findings of the court user surveys discussed and aggregated results are published (Yes/No)

Dec/2023	Jun/2029
No	Yes



Monitoring & Evaluation Plan: PDO Indicators by PDO Outcomes

Accessibility of court services	
% reduction in average distance travelled by citizens to access district magistrate court services in districts with newly constructed courts	
Description	This measures the % reduction in average distance travelled by citizens. This is designed to assess the increase in accessibility of district courts by users from their respective districts.
Frequency	Annual
Data source	Office of the Chief Government Statistician (OCGS) Zanzibar statistics reports
Methodology for Data Collection	Secondary data collection from OCGS reports and JoZ performance report
Responsibility for Data Collection	Judicial Reform Delivery Unit (JRDU), Judiciary of Zanzibar
Efficiency in delivering court services	
Court-wide (HC, RMC, DMC, PC) case disposals as a percentage of total cases	
Description	This measures the % of cleared cases from the total case workload for that particular year across court levels. Case workload comprises of cases brought forward from last year and cases filled during that particular year.
Frequency	Annual
Data source	Annual Judiciary Case Statistics Report
Methodology for Data Collection	Review of the Court-wide registry and e-case management system
Responsibility for Data Collection	Judicial Reform Delivery Unit (JRDU), Judiciary of Zanzibar
Citizen satisfaction with court services delivery	
% increase in court user satisfaction (citizens) over baseline survey (disaggregated by gender)	
Description	This is designed to collect citizens' perception and experience with courts across multiple parameters including access to courts, affordability of justice services, efficiency in delivering justice services, transparency in accessing court information and awareness on court works.
Frequency	Biennial
Data source	Court user survey report
Methodology for Data Collection	An independent, competitively selected firm will administer the survey
Responsibility for Data Collection	Judicial Reform Delivery Unit (JRDU), Judiciary of Zanzibar
Transparency in court services delivery	
% of High Court decisions published	
Description	This is designed to reduce the hurdles faced by citizens and businesses in obtaining copies of court orders and decisions and to ensure that all court decisions are publicly available.
Frequency	Annual
Data source	JoZ Website
Methodology for Data Collection	Review of JoZ Website, section for publication of decisions
Responsibility for Data Collection	Judicial Reform Delivery Unit (JRDU), Judiciary of Zanzibar

Monitoring & Evaluation Plan: Intermediate Results Indicators by Components

Component #1: Access to justice	
# of smart courts constructed and operational that include climate-resilient and/or energy efficient design measures	
Description	This indicator is designed to measure the number of smart district courts which will be constructed and made operational using program funds
Frequency	Annual cumulative
Data source	JoZ Geomap, project progress reports, JoZ annual performance reports
Methodology for Data Collection	Review of secondary data (JoZ annual performance reports and Project progress report)



Responsibility for Data Collection	Judicial Reform Delivery Unit (JRDU), Judiciary of Zanzibar
Component #1: Access to justice	
# of courts renovated that include climate-resilient and/or energy efficient design measures	
Description	This indicator is designed to measure the number of courts which will be renovated and made operational using program funds
Frequency	Annual cumulative
Data source	JoZ Geomap, project progress reports, JoZ annual performance reports
Methodology for Data Collection	Review of secondary data (JoZ annual performance reports and Project progress report)
Responsibility for Data Collection	Judicial Reform Delivery Unit (JRDU), Judiciary of Zanzibar
Component #1: Access to justice	
Share of female ADR service providers (court-annexed)	
Description	This indicator measures the % of female involved in providing ADR services over the total number of individuals providing ADR services for court annexed ADR
Frequency	Annual non-cumulative
Data source	Project progress reports, JoZ annual performance reports
Methodology for Data Collection	Review of secondary data (JoZ annual performance reports and Project progress report)
Responsibility for Data Collection	Judicial Reform Delivery Unit (JRDU), Judiciary of Zanzibar
Component #2: Court Efficiency	
# of judicial and non-judicial staff trained (data disaggregated by gender)	
Description	This is designed to assess the number of individuals that have undergone at least four hours of training as part of the Judiciary Training Program
Frequency	Annual cumulative
Data source	Human Resource Progressive Report and JoZ annual Performance Report
Methodology for Data Collection	Review of secondary Data (Performance report of JoZ on Human Resource)
Responsibility for Data Collection	Judicial Reform Delivery Unit (JRDU), Judiciary of Zanzibar
Component #2: Court Efficiency	
Average case backlog as a percentage of total pending cases	
Description	This measures the % of total pending cases across all court levels (sub-level indicators: HC, RC, DC, PC) that will be classified as backlog. In calculating the backlog, cases that are pending in courts without jurisdiction will be excluded.
Frequency	Annual
Data source	Annual Judiciary Case Statistics Report
Methodology for Data Collection	Review of the Court-wide registry and e-case management system
Responsibility for Data Collection	Judicial Reform Delivery Unit (JRDU), Judiciary of Zanzibar
Component #2: Court Efficiency	
Average time taken from filing a case to decision	
Description	This measures the average number of days it takes from the date of filing a case to the date of decision across all court levels (sub-level indicators: HC, Commercial Court, Industrial Court, RC, DC, PC).
Frequency	Annual
Data source	Annual Judiciary Case Statistics Report
Methodology for Data Collection	Review of the Court-wide registry and e-case management system
Responsibility for Data Collection	Judicial Reform Delivery Unit (JRDU), Judiciary of Zanzibar
Component #2: Court Efficiency	
JIMS developed and two modules are operational	
Description	This is designed to ensure that the JoZ has a functional JIMS with at least two operational modules. Prioritized modules are the case management system and the analytics (business intelligence) system.
Frequency	Annual
Data source	Project progress reports, JoZ annual performance reports



Methodology for Data Collection	Secondary data – review of JoZ performance reports
Responsibility for Data Collection	Judicial Reform Delivery Unit (JRDU), Judiciary of Zanzibar
Component #2: Court Efficiency	
Number of women receiving GBV survivor-centric assistance from trained staff	
Description	This is designed to measure the number of GBV survivors who receive user-centric assistance from judicial staff sensitized and trained in handling GBV cases.
Frequency	Biannual cumulative
Data source	Project progress reports, JoZ annual performance reports
Methodology for Data Collection	Secondary data – review of JoZ performance reports
Responsibility for Data Collection	Judicial Reform Delivery Unit (JRDU), Judiciary of Zanzibar
Component #3: Citizen and Stakeholders Engagement	
Findings of the court user surveys discussed and aggregated results are published	
Description	This is designed to ensure that feedback from the citizens (court user survey) is discussed at the JoZ management level. Following the discussion, a road map is prepared on how citizen feedback and recommendations will be adopted by the JoZ. Lastly, a summary of the survey findings and the recommendations are published on the JoZ website.
Frequency	Biennial
Data source	Court user survey report
Methodology for Data Collection	An independent, competitively selected firm will administer the survey
Responsibility for Data Collection	Judicial Reform Delivery Unit (JRDU), Judiciary of Zanzibar

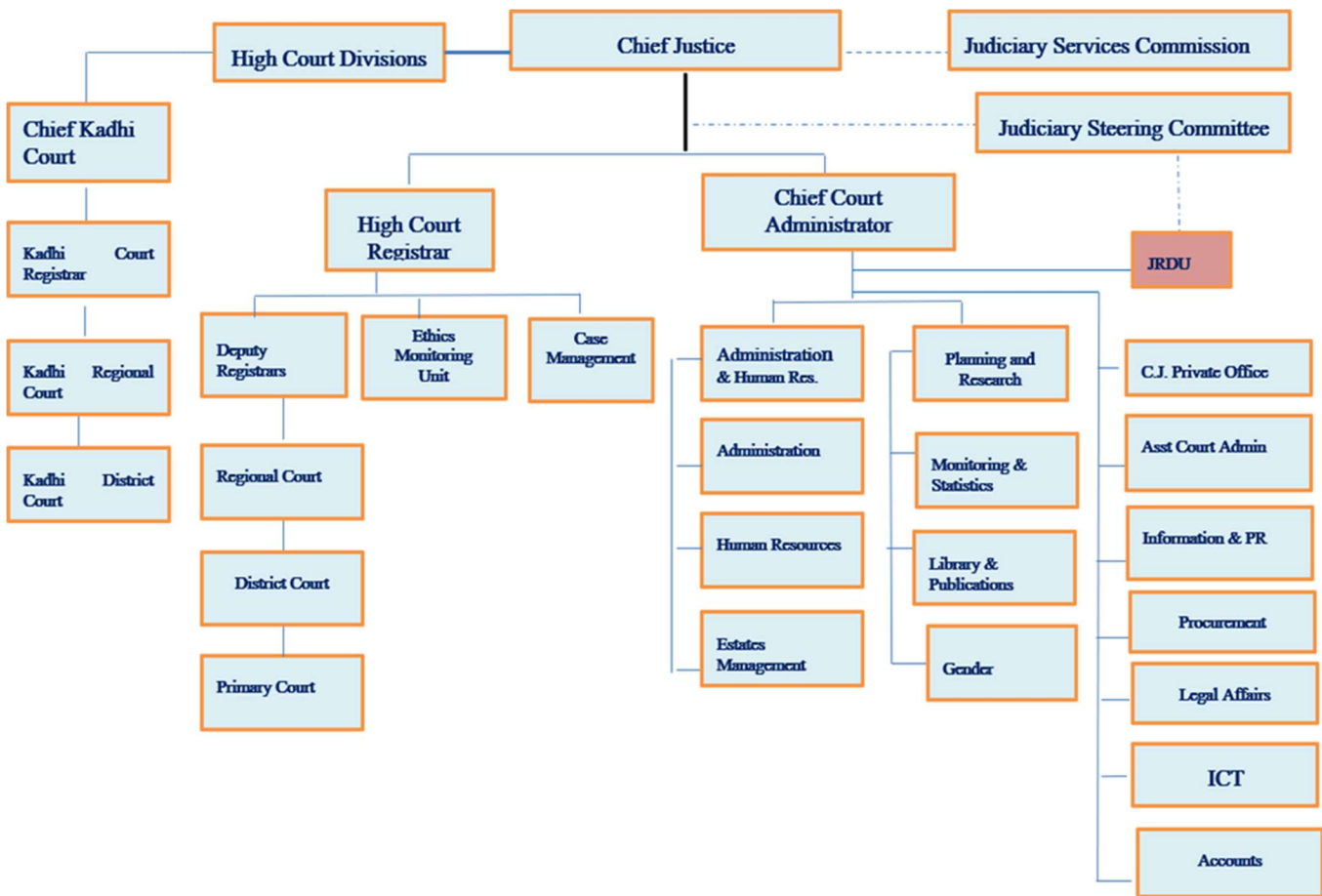


ANNEX 1: Implementation Arrangements and Support Plan

Project institutional and implementation arrangements

1. Institutional and organizational arrangements. The figure reflects the organizational structure of the Judiciary of Zanzibar. Embedded in the structure will be the Judiciary Steering Committee to provide strategic oversight and guidance to the project. The JRDU will coordinate the day-to-day management of the project and will also be embedded in the JoZ's overall structure.

Figure 1.1: Zanzibar Judiciary: Key Functionaries and Functional Units



Financial management risk assessment and arrangements

2. Key FM risks identified include: (i) no formal process for budget revisions during the year; (ii) funds released are generally lower than planned affecting the reliability of the budget execution; (iii) accountants have no experience in managing World Bank-financed projects; (iv) no accounting software to cater for project specific purpose, and



accounting records are maintained in excel worksheet hence prone to lack of audit trail; (v) only one internal auditor which could impact quality and frequency of audit reviews; and (vi) delays in completing external audit reviews.

3. **Mitigation measures proposed for the project include:** (i) detailed project budget outlining expenditure classification for project activities. Based on the classified expenditure categories, the World Bank will prepare a financial reporting template for maintenance and reporting of project records; (ii) annual work plan and budget will be submitted to the World Bank task team for review; (iii) project budget performance will be reported to the World Bank on a quarterly basis through IFRs. The same report will be used to request for funds disbursement; (iv) the JoZ's accounting team will be trained on the World Bank procedures. The Chief Accountant will assign one of the accountants as the focal point responsible for reporting to the World Bank; (v) the project will maintain project specific accounting records in the accounting system procured for that purpose; (vi) financial accounting procedures of the project will be established in the POM; (vii) additional internal audit staff will be added as needed; and (viii) external audit terms of reference (ToR) will be submitted to the World Bank for prior review.

Table 1: Financial Management Action Plan

	Required action	Due date	Responsible party
1.	Financial management procedures documented in the Program Operational Manual (POM) indicating: <ol style="list-style-type: none"> a. Budget process b. Accounting procedures including payments processes, banking arrangements, imprest management, assets management, stores management procedures. c. Financial reporting arrangements d. Nature of the project's eligible expenditure 	Condition for effectiveness	JoZ World Bank
2.	Procurement of accounting system for project purpose	Within six months after credit effectiveness.	JoZ
3.	Assigning/seconding of additional internal audit staff	Within six months after credit effectiveness.	JoZ
4.	Opening bank accounts for the projects and appointment of bank signatories	Upon credit effectiveness.	JoZ
5.	Subsidiary financing agreements between the Ministry of Finance and RGoZ	Condition for effectiveness	Ministry of Finance and President's Office Finance and Planning, Zanzibar
6.	Providing names and contacts of responsible Project Accountants to be registered in the client connection system.	Upon credit effectiveness.	JoZ
7.	Audit ToRs submitted to the World Bank for review.	Within six months after credit effectiveness.	JoZ



Disbursement

4. **Funds flow.** Request for funds from World Bank will be made on quarterly basis. A six-month cash forecast needs will be requested for disbursements along with the IFRs. Other disbursement methods (reimbursement, direct payments and special commitments) will be applicable when needed. IFR template will be provided and further explained in Disbursement and Financial Information Letter. Funds for project activities will be disbursed by the World Bank to the designated bank account maintained at the Bank of Tanzania (BOT) for project purposes in United States Dollars. Funds will be transferred to expenditure account at the Peoples Bank of Zanzibar (PBZ) In addition, disbursement and accountability of funds from World Bank to RGOZ will be guided by a subsidiary financing agreement. The subsidiary agreement will be acceptable to World Bank as a condition for effectiveness.

Procurement risk assessment and arrangements

5. **Procurement under Zi-JUMP would be carried out in accordance with the World Bank procedures:** (a) the World Bank Procurement Regulations for IPF Borrowers Fifth Edition, dated September 2023; (b) Guidelines on Preventing and Combating Fraud and Corruption in Projects Financed by IBRD Loans and IDA Credits and Grants, dated July 1, 2016 (Anti-Corruption Guidelines); and (c) other provisions stipulated in the Financing Agreements. The latest published World Bank Standard Procurement Documents will be used for international approach to the market, as reflected in the Regulation, which allows the use of National procedures and related procurement documents. Elaboration on procurement and contract management process will be reflected in the procurement section of the POM which will be agreed with the World Bank before credit effectiveness. Procurement approaches for each package will be recommended when it fits the purpose to achieve value for money while high value and/or complex procurements and contracts identified in the PPSD will be given maximum attention by both the IAs and the World Bank. For the international competitive procurement, the rated criteria will apply, and the process will be conducted using two envelopes.

6. **Project Procurement Strategy for Development (PPSD).** In line with the requirement of the Regulations, JoZ has prepared a PPSD for the project implementation which is acceptable by the World Bank. PPSD major activities will include construction of five DMC buildings; renovation/refurbishment of two court buildings; construction of one IJC building; ICT/ office equipment and furniture facilities; vehicles and several consultancies including environmental and social impact assessment, design and supervision of buildings, establishment of the judiciary case backlog strategies and development of e-performance management system.

7. **Procurement Plan (PP).** STEP will be used by the IA for all procurement activities, such as procurement planning, World Bank's review and no objection, as well as contract management information, and complaints handling. All prior and post review procurements will be uploaded in STEP. Procurement plans will emanate from the PPSD prepared by the IA. The JoZ has prepared the PP for the first 18 months and received clearance by the World Bank. PP may be revised periodically as and when required. Only procurement activities approved in STEP will be executed.

8. **Procurement templates.** The World Bank's standard procurement documents will be used for procurement of goods, works, and non-consulting services under the open international competitive procurement approach. Similarly, selection of consultant firms will use the standard procurement documents, in line with procedures described in the Procurement Regulations. While approaching the national market using national procurement procedures, the national



standard bidding documents may be used with appropriate modifications acceptable to the World Bank and additional annexes to incorporate the World Bank's Anti-Corruption Guidelines, universal eligibility, and the World Bank's right to inspection and audit.

9. National Open Competitive Procedures. National Open Competitive Procedures may also be used, provided that such procedures are consistent with the following requirements as provided in paragraph 5.4 of the Procurement Regulations: (a) there is open advertising of the procurement opportunity at the national level; (b) the procurement is open to eligible firms from any country; (c) the request for bids/request for proposals document shall require that bidders/proposers submitting bids/proposals present a signed acceptance at the time of bidding, to be incorporated in any resulting contracts, confirming application of, and compliance with, the World Bank's Anti-Corruption Guidelines, including without limitation the World Bank's right to sanction and the World Bank's inspection and audit rights; (d) the procurement documents include sufficient provisions, as agreed with the World Bank, to adequately mitigate against environmental and social (including SEA/SH), risks and impacts; (e) contracts have an appropriate allocation of responsibilities, risks, and liabilities; (f) publication of contract award information; (g) the World Bank has rights to review procurement documentation and activities; (h) there is an effective complaints handling mechanism; and (i) records of the procurement process are maintained. Other national procurement arrangements (other than national open competitive procedures), that may be applied by the Borrower (such as limited/restricted competitive bidding, request for quotations/shopping, direct contracting), will be consistent with the requirements set out in paragraphs 5.3 and 5.4d. of the Procurement Regulations as appropriate.

10. Publication (advertising). The borrower is required to prepare and submit to the World Bank a General Procurement Notice. The World Bank will arrange for its publication in United Nations Development Business online (UNDB online) and on the World Bank's external website. Specific Procurement Notices for all procurement under international competitive procedures and requests for expressions of interest for all consulting services estimated to equivalent to US\$300,000 and above will be published in UNDB online and the World Bank's external website and at least one newspaper of national circulation in the borrower's country or in the official gazette or on a widely used website or electronic portal with free national and international access.

11. Public procurement activities in Zanzibar are governed by the Public Procurement and Disposal of Public Assets Act No. 11 of 2016 and its Procurement Regulations of 2021. The act repealed the Public Procurement and Disposal of Public Assets Act, No. 9 of 2005. The Zanzibar Public Procurement and Disposal Authority (ZPPDA) issued some of the standard bidding documents in July 2021 which are in line with the Act and Regulations. All these documents are accessible on the ZPPDA's websites free of charge.

12. Zanzibar has established an e-Procurement System, E-Procurement Zanzibar (e-ProZ). From July 2022, all procurement activities which are funded by the government go through e-ProZ. For e-ProZ to be used for procurement activities under World Bank funded projects, the World Bank must assess and validate the system on its compliance with the MDB's e-Tendering Guidelines. At present, the World Bank is carrying out the assessment of the system and once the assessment is completed the World Bank will share the report with the government and its decision whether the system can be used on procurement activities under the World Bank funded projects.

13. Procurement implementation arrangements. The JoZ will be responsible for procurement implementation. JoZ has no prior experience in World Bank operations. The Judiciary Tender Boards is responsible for approving all procurement



matters. The JoZ will form a JRDU, which will be fully embedded and institutionalized within its organizational structure to instill ownership and sustainability. The JRDU will oversee general project coordination, procurement, financial management, monitoring and evaluation and environment and social risks supervision. The JRDU will be responsible for the day-to-day management of the procurement activities of the project. The JRDU will work closely with the user departments which will be involved in the project implementation. The user departments will be responsible for consolidating the needs and requirements, preparing specifications, terms of references, involved in evaluations, inspecting deliverables and managing the resulting contracts. Other responsibilities will include: (i) preparing and updating PP/PPSD; (ii) providing technical support in the procurement process including contract management; (iii) preparing user requirements, specification, procurement documents and submission to the World Bank for No Objection. The RDU will be supported by consultants (specialized skills) as needed.

14. Procurement capacity assessments of JoZ were carried out in December 2023 and January 2024. The assessments reviewed the organizational structure for implementing the project, functions, staff skills and experiences, adequacy for implementing the project, and the interaction between the project's staff responsible for procurement activities and the relevant documents such as internal audit reports; holistic assessment of the Judicial of Zanzibar FY2022 report; and ZPPDA compliance and value for money audit report at the High Court of Zanzibar FY 2020/2021. The JoZ has no prior experience in implementing World Bank funded projects; this will be the first. The JoZ has established all the necessary organs for adjudicating and managing procurement activities in accordance with the provisions of the Zanzibar Public Procurement and Disposal of Public Assets Act No 9 of 2005 and the re-enactment of the Zanzibar Public Procurement and Disposal of Public Assets Act No. 11 of 2016. Currently, the JoZ has three procurement officers in Unguja and one in Pemba with limited experience in managing procurement of large and complex works, goods, and consulting service. Considering the volume of procurement transactions, the JRDU will need to be strengthened with at least one experienced civil engineer and a procurement expert.

15. Summary of overall assessment indicated the following risks: (i) inefficiencies in processing procurement activities in terms of preparation of ToRs, specifications, bidding documents, request for proposals and bids/proposals evaluations; (ii) inadequate number of staff coupled with frequent transfers of procurement staff to other government entities; (iii) inadequate knowledge and skills/experience in contract management and World Bank regulations; (iv) inadequate office facilities, records filing and management system; (v) delayed issuing of payments to vendors; and (vi) lack of awareness and low capacity of the local construction industry to comply with ESHS requirements.

16. Proposed mitigation measures include: (i) recruitment of additional staff with relevant technical skills to support the procurement unit and the estate management unit; (ii) timely execution of the procurement plan; (iii) training for procurement and technical departments in contract management, claims management, procurement regulations/process including the use of STEP, ESHS compliance, and dispute resolution for works contracts; (iv) establishment of a sound filing, office facilities and records management system; and (v) ensure that vendors are paid on time per the terms of the contracts; ensure price adjustment provisions are incorporated in the contract to cater for the prices increases or decreases.

17. The overall procurement risk rating is High with a residual risk of Substantial after implementing the mitigations proposed in table below. Assessment will be continuous throughout the project cycle; the ratings will reflect the periodic assessments outcomes. The World Bank will provide continuous support, including procurement trainings and clinics to IAs to ensure effective and efficient procurement implementation.



Table 2: Project Risks Affecting Procurement

Risk	Mitigation Measure	Time Frame	Responsibility
The Procurement and Disposal Management Unit (PDMU) staff have inadequate experience in managing procurement of and complex works, goods, and consulting works, in accordance with World Bank procurement regulations and procedures.	Provide training on the World Bank Procurement Regulations and Procedures. For sustainability reasons, JoZ will prepare a capacity- building plan for the TBs, JRDU, PDMU and technical departments.	Throughout project implementation	JoZ
Staffing level is inadequate to cope with volume of procurement transactions and frequent staff transfers (currently three Procurement Officers in Unguja and one Officer in Pemba)	Deploy additional technical staffs and recruit a procurement specialists/expert to support and build capacity of the JoZ/JRDU apart from assisting in processing procurement activities. The strategy should be to build capacity of the PDMU and users departments and not o n l y staffs implementing project’s activities.	After credit effectiveness (initially 2 years contract)	JoZ
Inadequate skills and knowledge in contract management, disputes, and claims management	Conduct trainings tailored for contract management, disputes, and claims management for the PDMU/JRDU and technical staff (estimate management unit).	Throughout project implementation	JoZ
Inefficiencies in processing, approving, and managing procurement activities	Ensure procurements are processed as per the timelines in the procurement plans, including timely, tender board approvals, preparation of ToR and specifications by user and technical departments	Throughout project implementation	JoZ
Inadequate office facilities, records filing and management system	Establish a sound filing and records management system including provision of ICT equipment (computer, photocopiers, printers etc.)	Throughout project implementation	JoZ
Lack of awareness and low capacity of the local construction industry to comply with ESHS requirements	Create awareness and conduct a training on ESHS for the project staff, potential contractors, and consulting firms. Further, contracts should have adequate provisions of ESHS requirement, and effective contract management.	Throughout project implementation	JoZ
Delays in paying contractors, consultants, and suppliers on time per the terms of the contracts.	Expedite approving processes to ensure funds are released timely to the projects.	Throughout project implementation	MoF, JoZ
Price fluctuations in the global market	Ensure price adjustment provisions are incorporated in the contract to cater for the price increases or decrease.	Throughout project implementation	JoZ

18. **Procurement oversight and monitoring arrangements.** The World Bank exercises its procurement oversight through a risk-based approach comprising prior and post reviews as appropriate. The World Bank sets mandatory thresholds for prior review based on the procurement risk rating of the project. The requirement for a prior or post



review shall be specified in the PP. The World Bank will carry out post reviews of procurement activities undertaken by the borrower to determine whether they comply with the requirements of the Legal Agreement. The World Bank may also use the services of the PPRA and ZPPDA for carrying out post reviews for the project.

19. **Procurement thresholds.** The borrower shall seek the World Bank’s prior review for contracts of value equivalent to the thresholds, as detailed in the table below.

Table 3: Thresholds for Prior Review and Procurement Approaches and Methods

Category	Prior Review (US\$, millions) -	Procurement Approaches and Methods (US\$, millions)		
		Open International	Open National	Request for Quotation
Works	≥5	≥20	<20	≤0.2
Goods, IT, and non-consulting services	≥1.5	≥5	<5	≤0.1
A. Consulting Services				
Category	Prior Review (US\$, millions) -	Short List of National Consultants (US\$, millions)		
		Consulting Services	Engineering and Construction Supervision	
Consultants (Firms)	≥0.5	≤0.3	≤0.3	
Individual consultants	≥0.2	n.a.	n.a.	

20. **Terms of Reference:** ToR for all contracts will be cleared by the World Bank, regardless of whether the assignment is for prior or post review.

21. **Frequency of procurement supervision.** Two semi-annual missions are envisaged for procurement implementation support for the project with Procurement Risk Assessment and Management System assessments and contribution to AM. In addition to the prior review supervision which will be carried out by the World Bank, the procurement capacity assessment has recommended one supervision mission each year to visit the field to carry out post-review of procurement actions and technical review. Project should have a detailed procurement report in the Project Implementation Report and share with World Bank quarterly and provide an updated Procurement Status Report at least one week before Implementation Support Mission starts.

22. **Training and workshops.** The project will finance training and workshops, if required, based on an annual training plan and budget, which will be submitted to the World Bank for its prior review and approval. The annual training plan will identify, among other things: (a) the training envisaged; (b) the justification for the training; (c) the personnel to be trained, including staff in regional offices; (d) the duration for such training; and (e) the estimated cost of the training. At the time of the actual training, the request will be submitted to the World Bank for review and approval. Upon completion of the training, the trainees will be required to prepare and submit a report on the training received.



Strategy and approach for implementation support

23. **The World Bank will deploy a combination of strategies to support project implementation, including but not limited to (i) structured implementation support mission (ISM), (ii) technical missions, and (iii) regular check-ins with the implementing agent.** The ISM will focus on reviewing the overall implementation progress, evaluate how the project is progressing towards achieving the PDO, PDO indicators, and IRIs; evaluate if project risks are adequately managed; evaluate the effectiveness of the institutional and implementation arrangement; evaluate the adequacy and compliance with fiduciary and safeguards requirements; and provide technical guidance as necessary to address any implementation bottlenecks or to strengthen implementation capacity. The technical missions will be targeted and periodical. As needed, they will focus on specific project implementation aspects or provide detailed technical guidance on specific project implementation issues relevant to achieve project targets. Finally, regular check-ins (in-person, virtual) will also be done to trouble shoot minor implementation challenges which do not require a formal ISM. These check-ins will also serve to strengthen project communication, build the capacity of the JRDU team, and foster client relationships.

Implementation support plan and resource

24. **During the first year of project implementation, the task team will conduct quarterly ISMs to provide hands on guidance and technical support to the client team in light of the client team's limited implementation experience.** However, from the second year onward as implementation has gained momentum, and the JRDU has gained reasonable experience, ISMs will be conducted semi-annually. On the World Bank side, technical missions will involve but not be limited to the project TTLs, Social Specialist, Environmental Specialist, Financial Management Specialist, Procurement Specialist, and Public Sector (Subject Matter) Specialists. Technical missions will be conducted periodically as and when needed to provide deep dives on specific technical aspects. The composition of the task team during the technical missions will vary depending on the issues to be addressed. Check-in will be done by the task team members weekly during the initial six months, and once every two weeks from then on.

Environmental and social risks assessment and arrangements

25. **E&S Management:** To mitigate all the E&S risks associated with the project, the project will apply inclusion strategies, for instance: universal access in new buildings/construction, availability of tools and equipment accessible to PWD, and inclusive communication and outreach. Furthermore, the project has prepared five instruments as per the Environment and Social Framework (ESF) guided by applicable Environmental and Social Standards (ESS). These are: (i) the Environmental and Social Management Framework; (ii) the Labor Management Procedures (LMP); (iii) the Stakeholder Engagement Plan (SEP); and (iv) the Environmental and Social Commitment Plan (ESCP) and separate Grievance Redress Mechanisms (GRM) which also form part of the LMP and SEP. The documents were disclosed on the JoZ's²⁵ and the World Bank's websites on March 12, 2024. The instruments prepared incorporate relevant guidance from the World Bank's EHS Guidelines.

²⁵ <https://judiciaryzanzibar.go.tz/web/zijump>



26. **Institutional capacity for ESRM:** The JoZ has no experience with World Bank’s projects and implementing the ESF. To address capacity constraints in the preparation, monitoring and supervision of the E&S management instruments, grievance management and reporting, the JoZ has recruited one environmental and one social specialist to guide project preparation and supervise implementation of ESRM under the project. The specialists participated in the World Bank’s ESF training in Arusha (November 2023). Further capacity building of the E&S specialists is needed in particular in the following areas: (i) environmental assessments and monitoring of the implementation of Environmental and Social Management Plan; (ii) stakeholder engagement and grievances management; (iii) GBV and prevention of SEA-SH; (iv) occupational and community health and safety; (v) budget and resources allocation for management of environment and social risks; and (vi) labor management and compliance with legal, ESF policy requirements and World Bank EHS Guidelines.



ANNEX 2: Geomap – District Courts in Zanzibar

