Launch of JUST-PAL for Europe and Central Asia

At an inaugural conference held in Athens in April, 2011, the World Bank sponsored the launch of the Justice Peer-Assisted Learning Network for Europe and Central Asia (to be known as JUST-PAL). The JUST-PAL network’s essential purpose is to provide a platform for justice sector professionals to exchange good practices and to promote peer-driven improvements to justice systems, a concept modeled on the successful Public Expenditure Management Peer-Assisted Network – PEM-PAL - that was launched in 2005. While some justice professionals’ networks already exist for EU member-states, JUST-PAL serves to also engage non-members of the EU where reforms and modernization are generally most needed.

The conference was attended by policy-level and technical participants from over 20 countries, as well as multilateral partners such as the Asian Development Bank and the Black Sea Trade and Development Bank.

World Bank Vice President for Europe and Central Asia, Philippe Le Houérou, offered delegates a welcome address by video recording; and the Bank’s Deputy General Counsel, Hans Jurgen Gruss, attended in person. The presidents of all three superior courts of Greece and the Greek prosecutor general also addressed the opening plenary session, along with other eminent representatives of justice institutions across the region.

The conference agenda featured a succession of presentations on behalf of the many delegations present. These proceeded mostly via four parallel sessions concerned respectively with developing communities of practice on court administration, budget management, infrastructure management and information technology systems in justice administration.

All delegates attending the conference strongly supported the JUST-PAL initiative and the associated website facility, ultimately endorsing a formal conference declaration that called for further meetings and associated learning exercises in the years ahead.

For further information, contact Amitabha Mukherjee, email: amukherjee@worldbank.org

JUST-PAL website homepage – www.justpal.org

The World Development Report 2011: Conflict, Security, and Development, which was released on April 10, 2011, examines the changing nature of violence in the Twenty-First Century and underscores the negative impact of repeated cycles of violence on the development prospects of any country or region. The report notes that the 1.5 billion people living in conflict-affected areas are twice as likely to be in poverty. No low-income fragile state has yet achieved a single Millennium Development Goal and poverty rates are more than twenty percentage points higher in conflict-affected countries than in other countries.

The WDR 2011 draws lessons from high, middle and low income countries that have made transitions away from violence. It concludes that in fragile situations, deliberate efforts are needed to build confidence between citizens and the state. This, in turn, requires political coalitions that are inclusive enough to generate broad national support for change. It also requires conscious efforts to signal a break from the past by achieving credible early results and measures that convincingly lock-in commitments to change.

Fast action to restore confidence is crucial. But the WDR also shows that institutional transformations require time. It took the fastest reformers of the Twentieth Century a generation to transform weak or illegitimate national institutions to become resilient to violence and instability. Societies that have succeeded in moving away from violence have gone through a sequence of transitions that took time.

The WDR 2011 provides a set of tools for national reformers that have been valuable in countries making successful transitions towards rebuilding confidence between citizens and the state. These include transparency measures, special budget allocations for disadvantaged groups, new appointments, removal of discriminatory laws as well as credible commitments to realistic timelines for longer-term reform. The report also outlines practical programs at the national level to link rapid confidence-building to longer-term institutional transformation – in job creation, in security and justice reform, in community empowerment, in the involvement of women and in action against corruption.

There is a need for a reorientation of international thinking away from an excessive emphasis on short-term, post-conflict reconstruction towards continuous risk reduction in a range of situations, say the report’s authors.

The report specifically recommends enhanced international support by

- providing more, and more integrated, assistance for citizen security, justice and jobs
- reforming internal agency systems to support rapid action to restore confidence and long-term institution-building
- acting at the regional and global levels on external stresses, such as the impact on fragile states of international corruption, trafficking and food insecurity
- forging a new international consensus on the norms of responsible leadership and encouraging exchange of knowledge that draws on the experience of middle-income countries.
Caseflow Management Reform in Tanzania

Using a multi-donor legal sector reform program basket fund in Tanzania, the World Bank is supporting caseflow management improvement reforms in the High Court of Tanzania. Financial assistance for this project from Canada, Denmark and UNICEF is augmented by the World Bank’s Accountability, Transparency and Integrity Project (P070544) to advance managerial improvements that are to be concerned with improving records management and court case workflow systems for faster case processing times and reduced backlogs.

The primary component of this project is an analytical and change program that is to focus on the facilities and systems of the High Court of Tanzania, the country’s major intermediate trial court. Project activity in this court was formally launched by the chief justice of Tanzania in May 2010 and is intended to achieve the following programmed tasks:

- improving working conditions and facilities in the court’s records management units
- introducing color-coded file covers, “out” cards, open shelf filing, bar-coding and associated new technology for managing court records
- analyzing workflows of existing cases to identify administrative and procedural bottlenecks that aggravate case delays
- purging dormant and inactive cases from pending caseload dockets
- analyzing case file processing histories to identify causes of current procedural delays and options for future procedural and legislative reforms
- re-engineering formal workflow processes by changes to rules and other guidelines as a prelude to introducing computerized systems for case tracking and management
- under the leadership of the chief justice and with the support of the local law society representing private legal advocates, the developing and piloting of an intensive backlog reduction program that will primarily focus on conducting settlement conferences to resolve very old cases.

For further information, contact Denis Biseko, email: dbiseko@worldbank.org

Training programs and seminars

Developing Common Business Laws in Africa

As part of its lunch-time seminar series, the Justice Reform Practice Group hosted a presentation in March 2011 by Dr Jimmy Kodo, a lecturer at the University of Paris-Est Creteil in France. Dr Kodo is a member of the Institut International de Droit d'Expression et d'Inspiration Françaises (IDEF) and a co-author of IDEF’s Annotated OHADA Code. A legal specialist with expert knowledge about the development of the Organization for the Harmonization of Business Laws and Africa (OHADA), his presentation profiled the expansion of the common business statutes treaty across 16 countries in sub-Saharan Francophone Africa. He also used his presentation to identify current and likely future challenges for the OHADA member countries in terms of the implementation of common business laws and the prospect of OHADA principles being extended to other African countries. A paper reviewing Dr Kodo’s research and conclusions is expected to be published later in 2011 For further information, contact Barry Walsh, email: bwalsh@worldbank.org
Law and Justice Lunch-time Seminar Series - June 2011 Event

A Justice System Performance Measurement Showcase – Comparing Four Research Methodologies

On the day this newsletter was scheduled for release (June 1), the Justice Reform Practice Group was due to facilitate a lunch-time seminar in Washington DC to examine and compare four different methodologies by four different institutions that are engaged in evaluating justice system performance. The seminar features speakers representing the American Bar Association Rule of Law Initiative, the National Center for State Courts (USA), The World Justice Project and the World Bank’s own Doing Business group. Materials published during the seminar are expected to be made available in the coming weeks via our Law and Justice Institutions website: [www.worldbank.org/lji](http://www.worldbank.org/lji)

For more information, contact Barry Walsh, email: bwalsh@worldbank.org

Publications

New Study Considers the Value of OECD Member Court System Reforms for Latin America

Improving the Performance of Justice Institutions: Recent Experiences from selected OECD countries relevant for Latin America by Klaus Decker, Christian Möhlen, David F. Varela.

This paper presents a selection of experiences of justice institutions in mostly European OECD countries that are considered to be most relevant to their counterpart institutions in Latin America. Terms such as client satisfaction, cost-benefit analysis, total quality management and performance evaluation, which originated in the private sector, are now increasingly applied to justice institutions in more advanced OECD countries – and other countries are beginning to follow suit. Justice institutions in OECD countries have been trying to improve the performance of their courts of justice for almost two decades. Some have had more success than others. That wealth of practical experience in enhancing court performance can be usefully shared with other countries with comparable systems of justice, such as those of Latin America. The focus of reform efforts within OECD country justice systems over that time has gradually shifted from a concern with narrow quantitative efficiency to a broader interest in managing quality. The organizational cultures of their justice institutions have also been radically changed in order to steer them towards the provision of better services for citizens and society as a whole.


For further information, contact Klaus Decker, email: kdecker@worldbank.org
Release of New Working Paper Titles

Two new papers published via the Law and Justice Institutions Working Papers series are now available via the Law and Justice Thematic Group website at: www.worldbank.org/lji:


The role of alternative dispute resolution (ADR) in efforts to strengthen the rule of law is attracting increased interest in international development cooperation. The principal interest in this question from a development perspective is a concern for expanding rights and opportunities for poor people who do not fully benefit from the protection of the law in their daily lives. Other interests in ADR, such as in commercial arbitration and court-annexed mediation in civil litigation, also have important positive implications for development. This paper reviews the concept of development and related international cooperation by examining how the rule of law has been addressed in development programs, offering thoughts about the contribution of ADR for the advancement of the rule of law and, in turn, its contribution to human security, well being and dignity. [Click here to link to paper: 12/2011](#)


This paper examines three systems of courts of justice, each in a different country in a region of the South Pacific known as Melanesia, where state legal systems have been adopted from former European colonial governments. The systems discussed are, by comparison, “hybrid”, each of them having been established with the intention of addressing disputes among small-scale social groups by less formal means or by taking greater heed of customary forms of dispute resolution. The paper applies a comparative analysis of these systems, covering their distinct history and the variances in structure, funding, personnel and jurisdictional coverage that impact on their effectiveness as state-sanctioned courts. Conclusions are offered with observations about the strengths and weaknesses of these hybrid systems and their potential for development as instruments of community-owned justice in Melanesia. [Click here to link to paper 13/2011](#)

For further information on obtaining a hard copy of these papers, contact Harold Epineuse, email: hepineuse@worldbank.org

The objectives of this newsletter are to provide information about justice reform activities across various World Bank units; to support communication and coordination about justice reform within the World Bank; to enhance knowledge exchange and learning across the World Bank; to provide information about related activities and knowledge development in related sectors; and to provide information about justice reform activities and knowledge development outside the World Bank.

Next edition: for September 2011 – please submit contributions by our first draft deadline on August 23, 2011. Email contributions may be sent to: bwalsh@worldbank.org