Legal Aid Development Project in Kaduna State, Nigeria

The Nigeria: Access to Justice for the Poor project is to utilize $2.5 million from the Japan Social Development Fund to develop legal aid services in the large Nigerian state of Kaduna (population: 6 million). Becoming effective in 2011 and due to be completed by 2014, this project will resource capacity improvements aimed respectively at legal aid service providers and users in government, in non-government institutions and in the wider community.

The project’s main component is concerned with improving the capacities of the government, through the Legal Aid Council of Nigeria, to provide legal aid in civil cases. It will help establish a network of 16 legal aid clinics in association with city and rural local governments, which will be dedicated to providing accessible legal services to the poor, including counseling services.

The legal aid clinic network is to be supplemented by three legal aid service centers, one in each of Kaduna’s senatorial zones. In addition to providing a similar range of counseling services as the legal aid clinics, these service centers will also provide ongoing programs for dispute mediation and legal representation in courts and tribunals. Their mediation services will build on the model successfully introduced in 2000 by the Citizens Mediation Center of Lagos State and later adapted in other states.

The project will also support the growth of the legal aid clinic at the Ahmedu Bello University Law School. This feature of the project is designed to support the use of law schools to engender and sustain legal aid services, including a curriculum for new lawyer training that will focus on the effective use of the private bar and other legal actors for expanding legal aid options in Kaduna.

Enlivening powers under the Legal Aid Act 2011, the project will support increased accountability and improvements in the delivery of services by assisting citizens in making claims against public authorities. Other project components will offer capacity improvements for the benefit of non-government agencies and groups that act in some way as legal aid service providers, including personnel of non-government organizations, such as civil society groups, traditional leaders, paralegals employed in local level institutions, and private advocates.

Another feature of the project is a program to promote legal awareness and advocacy programs for the benefit of citizens in poor and vulnerable communities via mass media such as radio, television, and pamphlet campaigns in English and local languages. There will also be support given to the introduction of mobile legal aid clinics as well as programs that will be aimed at enhancing the capacity of legal aid providers to propose and secure resources for new programs to sustain and expand ongoing legal aid services.

For more information, contact Nicholas Menzies, email: nmenzies@worldbank.org
Justice Reform Programming in Africa – Senegal

The Senegal: Economic Governance Project is to utilize US$8 million of International Development Association funding in order to improve aspects of justice services that are relevant to the investment climate in Senegal (population: 12.6 million). Beginning implementation in 2011 and due to be completed by the middle of 2015, the project is expected to enhance the speed at which cases are judged, increase the enforcement rate of commercial court disputes and decrease the time taken to enforce commercial contracts. The project will improve the institutional effectiveness of key economic governance agencies and will also seek to increase the number of firms that agree to adopt a no bribes integrity pact and ethical business certification.

The largest component of the project by dollar value (US$3.1 million) is to be spent on improving court performance and user-friendliness. The project will provide technical assistance and capacity building to support the Tribunal regional hors classe de Dakar, in which 80 percent of all commercial cases in Senegal are received. This effort will be concerned with improving access to, and the user-friendliness of, the courts in Dakar by funding analytical work, improvement of user guidance and information, and by increased community outreach.

The project will also support a mix of legal and procedural reforms in courts that are to be explicitly aimed at making Senegal one of the top ten best countries for doing business in sub-Saharan Africa (i.e. in terms of the indicators reported in the annual World Bank Doing Business report). To this end, the project will focus on reforms expected to affect three of those indicators: enforcing contracts, closing a business, and protecting investors. Specific areas of improvement to be addressed will include: better case management, improving court hearing processes, speeding up the issuance of court decisions, and reducing the reliance of courts on experts, while also enhancing the general effectiveness of commercial courts. A key feature of this work will be focused on the development of legislative solutions to problems associated with insolvency and director self-dealing and liability. This will be facilitated by research and analytics that may propose changes to substantive laws and procedures in these areas. An expected outcome of this will be aimed at fostering interest in developing amendments to essential business laws and rules that will apply to Senegal – along with the other 15 African nations that are signatories to the OHADA treaty. That treaty, which mandates the adoption of a set of uniform business statutory laws among treaty states, is binding on Senegal as one of the founding OHADA members. In this way, it is expected that major business law reforms that may be fostered by this project will also carry benefits to other countries across the region.

Key outcomes expected from the project are: (i) reducing case processing delay and backlog by 30% between 2009 and 2014 at the Tribunal Régional de 1ere Instance de Dakar; (ii) reducing the average time to enforce a commercial contract from 780 to 365 days by 2014, and (iii) reducing the average time to close a business from 3 years to 1.5 years by 2014.

For more information, please contact Gilberto De Barros at gdebarros@worldbank.org
Dispute Resolution in Liberia

The Strengthening Governance in Liberia Project (US$1.5 million) is a trust fund project approved in July 2011 via the World Bank’s State and Peace-Building Fund. The project includes a justice component concerned with justice service delivery and associated improvements in integrity and accountability systems. As a recipient executed trust fund, the project will be directly managed by the Ministry of Justice of Liberia, with joint support from the World Bank’s Poverty Reduction and Economic Management (PREM) public sector team in Liberia and the Legal Vice Presidency’s Justice Reform Practice Group (LEGJR).

The project includes components on alternative dispute resolution and support to the Liberia Anti-Corruption Commission. The component supporting dispute resolution will enable the Ministry of Justice to coordinate the design and piloting of alternative dispute resolution and grievance mechanisms at the local level. The project will collaborate with existing government and civil society efforts, including the Land Dispute Resolution Taskforce, and build on promising models in the areas of alternative land dispute resolution, community-based justice, and existing legal empowerment initiatives.

With increased understanding of the efficacy of existing efforts, the Ministry of Justice will be better able to address some of the key gaps and deficiencies of the justice system, including delays, accessibility of forums for dispute resolution (in terms of cost, familiarity, proximity), enforcement of judgments, and accountability. This component will comprise the design and piloting of a dispute resolution and accountability project to promote equitable, transparent, and efficient dispute resolution services in rural areas.

For further information, contact Raymond Muhula (rmuhula@worldbank.org) or Peter Chapman (pchapman@worldbank.org).

Chinese judges visit the World Bank

A group of senior Chinese judges paid a visit to the World Bank in Washington D.C. on August 17, 2011 to learn about the Bank’s role in development generally, and justice sector development in particular. Part of a study tour of U.S. based justice institutions organized by the International Judicial Academy of Washington D.C., the group was led by Justice Han Yuanzheng, Deputy Director General of Foreign Affairs Bureau of Supreme People’s Court of China.

After being formally welcomed by World Bank Alternate Executive Director for China, Mr. Ciyong Zho, the group received presentations given by Legal Vice Presidency staff, in particular, Xin Liu, Barry Walsh, Jose Garrido and Mei Wang.

For more information, please contact Barry Walsh, email: bwalsh@worldbank.org
Justice Reform Exchange Newsletter – September 2011

Justice in Numbers 2010 launched in Brazil

The World Bank’s Deputy General Counsel for Knowledge Management, Mr. Hassane Cisse, addressed the Justice in Numbers Conference sponsored by the Brazilian judiciary on August 29, 2011 in Brasilia. The Justice in Numbers 2010 report was issued on behalf of the Brazilian judiciary to present aggregated statistics on the performance of all courts within the Brazilian federal system. The conference featured speakers representing justice development institutions across Latin America and beyond, including the Judicial Studies Center for the Americas (CEJA) and the European Commission for the Efficiency of Justice (CEPEJ).

In praising the initiative of its authors in producing Justice in Numbers as an annual event, Mr. Cisse pointed out the care taken in collecting and collating measures that focus on the efficiency of case processing, including the costs of administering justice services, numbers of judges and support staff, and data concerned with measuring the extent of court case backlogs. Elements of Justice in Numbers continue the refinement of measurement methods initially pioneered by justice institutions in North America and Europe which, according to Mr. Cisse, the World Bank is keen to continue encouraging.

“There is a manifest need for a tool that may be available to all justice systems across the world for measuring how courts are performing,” Mr. Cisse told the conference.

“The tool needs to be simple enough to be used in even the least developed court systems. It needs to detect performance shortfalls and to provide the means of evaluating improvements. We in the World Bank believe that such a tool can be developed using the experience and pioneering efforts shown in other parts of the world and in Brazil through Justice in Numbers. What is now needed is a process of ongoing dialogue and collaboration between institutions with enough momentum to produce truly international standards.”

The Justice in Numbers 2010 is published in Portuguese at this link: For further information, contact Barry Walsh, email: bwalsh@worldbank.org

Publications

Kyrgyz Republic Judicial System - Measuring Progress and Identifying Needs

This judicial diagnostic study was prepared by the World Bank in cooperation with the Swiss Cooperation Office in the Kyrgyz Republic. It analyzes the Kyrgyz judicial system using insights gained from a court user survey, a case-file analysis and expert assessments of legal education and judicial training, judicial infrastructure and alternative dispute resolution mechanisms in the country. The report was publicly launched in June 2011 via an event attended by justice sector officials, civil society representatives, members of the legal profession and donors in Bishkek, the capital of the Kyrgyz Republic. The report identifies strengths and weaknesses of the system and proposes actions to be taken to address current challenges. The report is available electronically in both English and Russian at www.worldbank.org/eca/justice

For further information, contact Klaus Decker, email: kdecker@worldbank.org
Customary Justice and the Rule of Law in War-Torn Societies

This book was published in July 2011 by the U.S. Institute for Peace (USIP) and edited by Deborah Isser, who now holds a senior counsel position in the World Bank’s Justice Reform Practice Group. The book presents seven in-depth case studies that take a broad interdisciplinary approach to the study of justice systems. Moving beyond the sometimes narrow lens of conventional legal analysis, the cases examine the larger historical, political, and social factors that shape the character and role of customary justice systems and their place in the overall justice sector. With contributions written by resident experts across the world, each case study provides advice for rule of law practitioners on how to engage effectively with customary laws. These include advice about concrete ways policymakers can bridge the common divides between state and customary systems. The collection especially highlights how customary justice systems can both contribute to, and also detract from, the stability of a country that is passing through a post-conflict period - advice that might be usefully applied in any country.

Prior to her joining the World Bank in January 2011, Deborah Isser was a senior rule of law advisor with USIP. She was also senior policy adviser at the Office of the High Representative in Bosnia and Herzegovina. Topical elements of the book include

- *Introduction* - Deborah H. Isser
- *Dilemmas of Articulation: Customary Legal Practice and Transitional Justice During Mozambique's First Post-Conflict Decade* - Stephen C. Lubkemann and Jennifer Garvey, with post-script by Helene Maria Kyed
- *Mayan Law in Post-Conflict Guatemala* - Jan Hessbruegge and Carlos Fredy Ochoa Garcia
- *The Clash of Two Goods: State and Non-State Dispute Resolution in Afghanistan* - Thomas Barfield, Neamat Nojumi, and J Alexander Thier
- *Tribal Customary Law and Legal Pluralism in Al-Anbar, Iraq* - Patricio Asfura-Heim
- *Customary Law in the Cross-Fire of Sudan's War of Identities* - Francis M. Deng
- *The Role of Customary Justice Systems in Post-Conflict Societies: Conclusions and Practical Guidance* - Deborah H. Isser


For further information, contact the editor, Deborah Isser, email: disser@worldbank.org
Two New Working Paper Titles

Two new papers are scheduled to be published via the Law and Justice Institutions Working Paper Series in mid September 2011, via the Law and Justice Thematic Group website at: www.worldbank.org/lji


This paper reproduces speeches delivered at the World Bank Legal Vice Presidency's Law, Justice and Development Week conference in November 2010 in Washington DC. The speakers were respectively Chief Justice Abdul Salam Azimi, Chief Justice of Afghanistan, and Ms. Christiana Tah, Minister of Justice, Republic of Liberia. Each paper offers a profile of progress made in justice sector development programming in Afghanistan and Liberia, along with their personal experiences as key participants in that process and their visions for the shape of future directions in justice sector development in each country.

Paper 15/2011: Preventing Corruption in Prosecution Offices: Understanding and Managing for Integrity by Dr. Heike Gramckow.

This paper outlines a range of special responses to detect, remedy, and prevent corruption within prosecution offices. While not entirely specific to prosecution agencies, the approaches outlined highlight the central importance of good management practices and a strong focus on preventing opportunities for corruption through effective policies and procedures, IT solutions, and transparent operations.

When released, each paper will also be emailed to those on our email list.

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 December 2011 – please submit contributions by our first draft deadline on November 16, 2011. Email contributions may be sent to: bwalsh@worldbank.org

Law and Justice Institutions: http://www.worldbank.org/lji