

The World Justice Project

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The World Justice Project

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PUTTING ANTI-CORRUPTION COMMITMENTS INTO PRACTICE
Transparency, Participation and Rule of Law

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Two Basic Premises

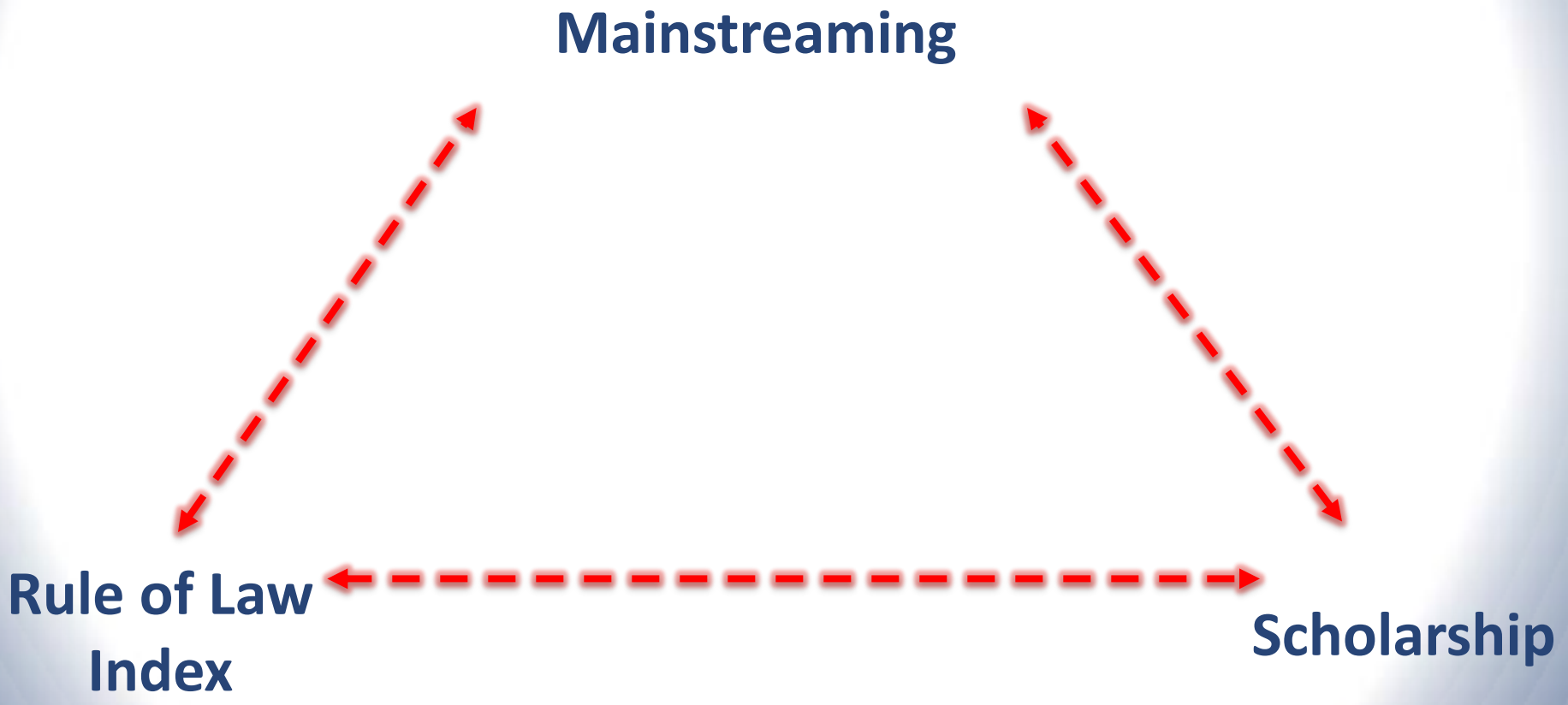
The World Justice Project is based on two complementary premises:

- The rule of law is the foundation for communities of opportunity and equity.
- Multidisciplinary collaboration is the most effective way to advance the rule of law.

Four Universal Principles

- The government and its officials and agents are accountable under the law;
- The laws are clear, publicized, stable and fair, and protect fundamental rights, including the security of persons and property;
- The process by which the laws are enacted, administered and enforced is accessible, fair, and efficient; and
- Justice is delivered by competent, independent and ethical representatives and judicial officers who are of sufficient number, have adequate resources, and reflect the makeup of the communities they serve.

Three Initiatives



Mainstreaming

- Mainstreaming is an initiative to bring the rule of law into the work of a variety of disciplines.

- The WJP's mainstreaming efforts include **action-oriented multidisciplinary meetings** and the **sharing of data on our website**.

Regional Meetings

- **Action-Oriented Approach**

  Forum participants work in breakout sessions to develop multidisciplinary action plans to strengthen the rule of law in communities around the region.

Regional Meetings (continued)

- **Multitude of Disciplines**

  The WJP encourages and engages professionals, from artists and doctors, to scientists and journalists, to view the world through the lens of the rule of law.

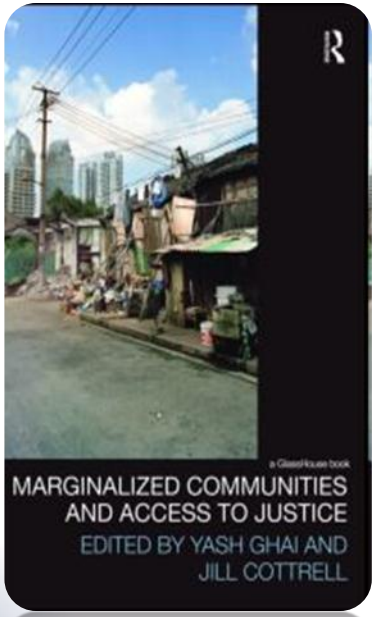
Regional Meetings (continued)

- 2007, Prague, Czech Republic
- 2007, Buenos Aires, Argentina
- 2007, Singapore
- 2008, Accra, Ghana
- 2009, Cape Town, South Africa
- 2010, Ifrane, Morocco
- 2010, Lima, Peru
- 2011, Kuala Lumpur, Malaysia

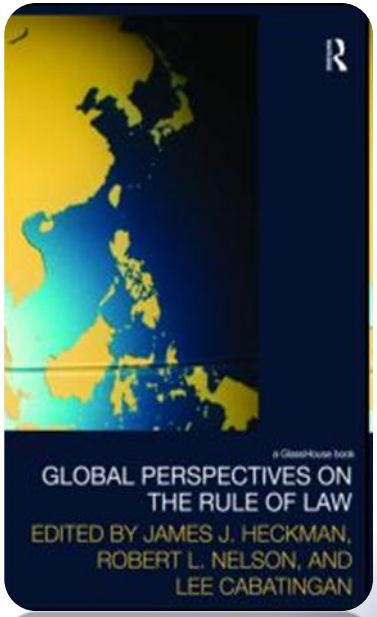
Scholarship

- The WJP supports rigorous scholarship examining the contributions of the rule of law to various aspects of economic, political and social development and shedding new light on how to strengthen the rule of law.

- The WJP disseminates and encourages the publication of such research for wide discussion.



- Nobel Laureates James Heckman and Amartya Sen

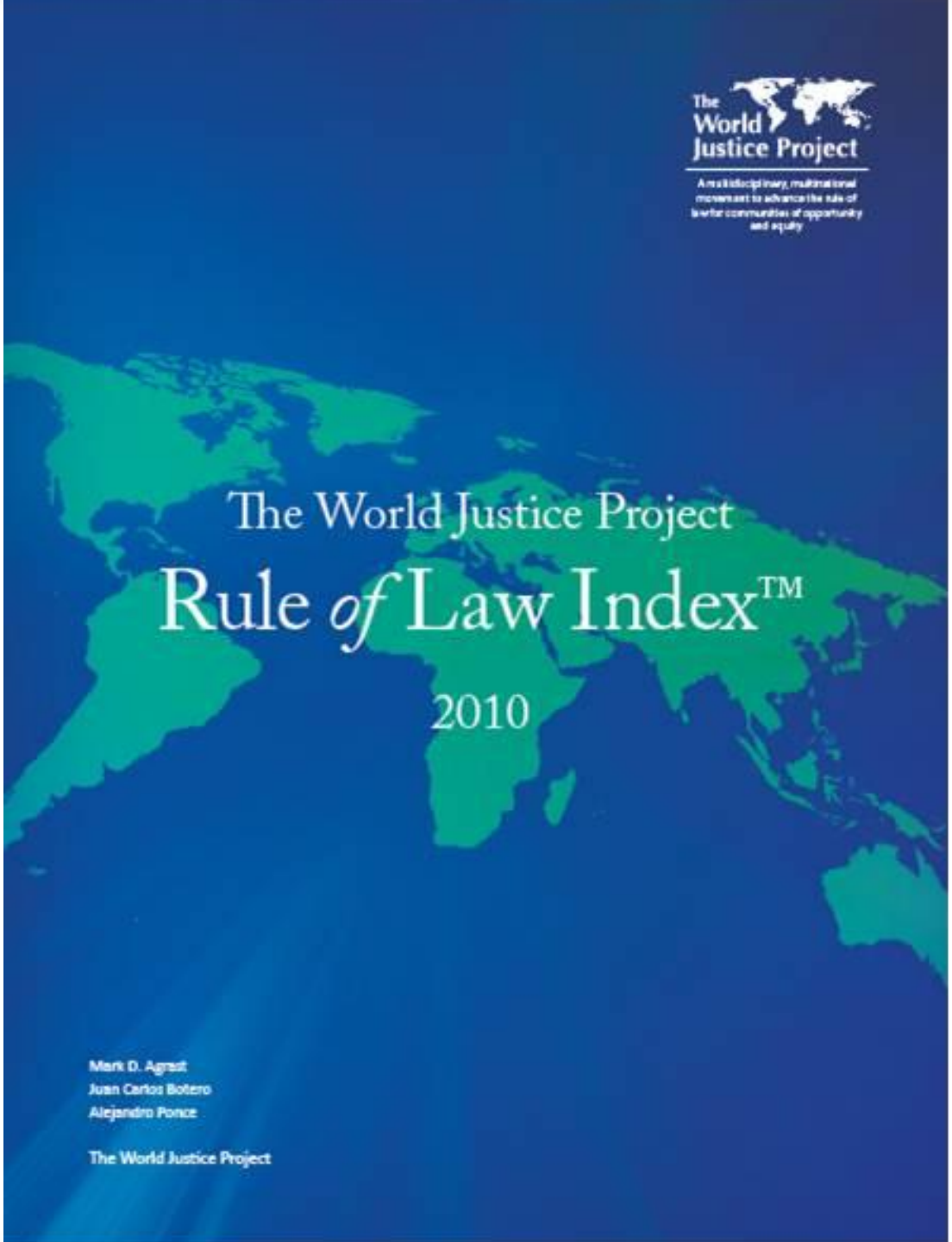


Rule of Law Index

- A new assessment tool designed by the World Justice Project to measure the extent to which countries around the world adhere to the rule of law.

- Provides detailed information regarding a variety of dimensions of the rule of law, which enables policymakers and other users to assess a nation's adherence to the rule of law in practice, identify a nation's strengths and weaknesses in comparison to similarly situated countries, and track changes over time.

- Data from the Index 2011 report, covering 66 countries, will be presented in Barcelona at the WJF III June 20 – 23


The World Justice Project
A multidisciplinary, multinational movement to advance the rule of law for communities of opportunity and equity
The World Justice Project
Rule of Law Index™
2010
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Factor 1: Limited Government Powers

Factor 2: Absence of Corruption

Factor 3: Order and Security

Factor 4: Fundamental Rights

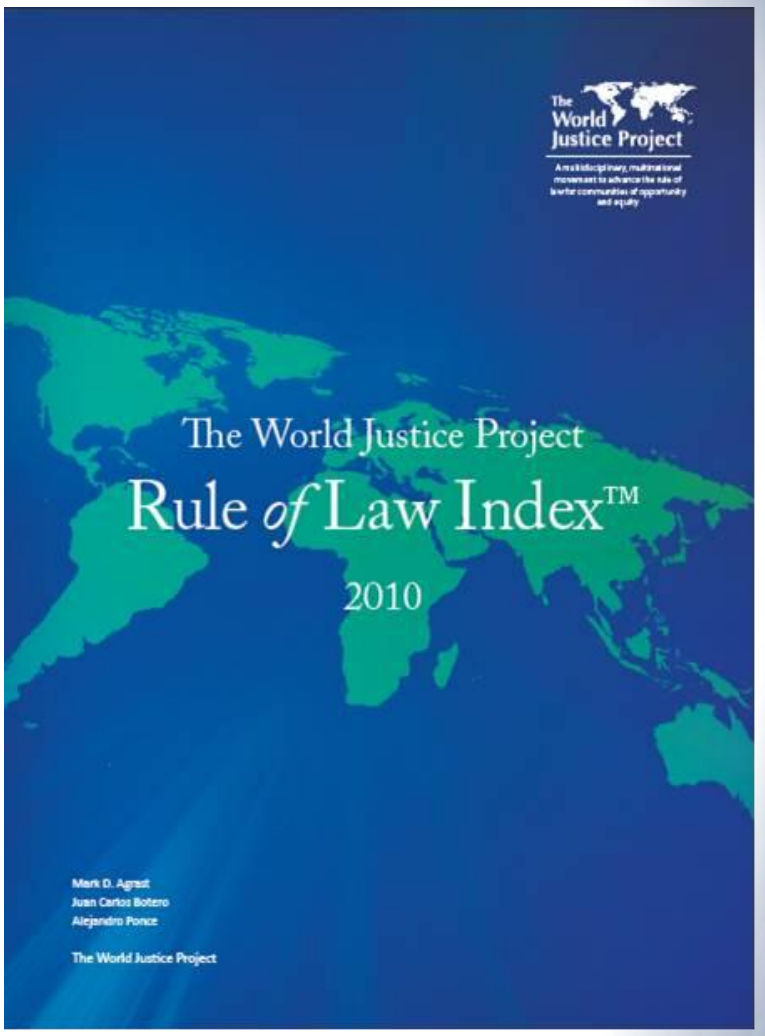
Factor 5: Open Government

Factor 6: Effective Regulatory Enforcement

Factor 7: Access to Civil Justice

Factor 8: Effective Criminal Justice

Factor 9: Informal Justice



Opportunity Fund

- Established in 2008 in order to support programs for action conceived by multidisciplinary coalitions formed at the World Justice Forum I (2008) and II (2009) and regional meetings to:

Strengthen the rule of law in communities, countries and regions around the world

Fostering a Rule of Law Culture in MENA: A Multidisciplinary Perspective

"To be truly effective the rule of law needs to form part of the legal and political culture of the country. I cannot stress enough the importance of such a culture, which, if respected, is the greatest protection against injustice. Hence the importance of mainstreaming emphasized by the World Justice Forum… Ultimately, the struggle for a better society is a political struggle. One of the virtues of the rule of law is that it provides space for such contestation to take place."

-Arthur Chaskalson, Chief Justice of the South African Supreme Court (ret.), World Justice Forum , 2008

- In MENA, as in other regions of the world, an important fact is not yet universally understood: the effort to promote the rule of law requires the steadfast commitment of not only lawyers and judges, but also of doctors and public health workers, educators, engineers, journalists, police officers, and many other professionals.



- With the convergence of an unparalleled number of regional leaders, the Middle East and North Africa Rule of Law Conference 2010 represented an unprecedented opportunity to encourage regional commitment to rule of law; promote interdisciplinary understanding of Rule of Law and access to justice issues in the broadest sense (legal, political, social, and economic); and develop the cross-fertilization of different ideas among participants through the prism of national, regional, and international standards.

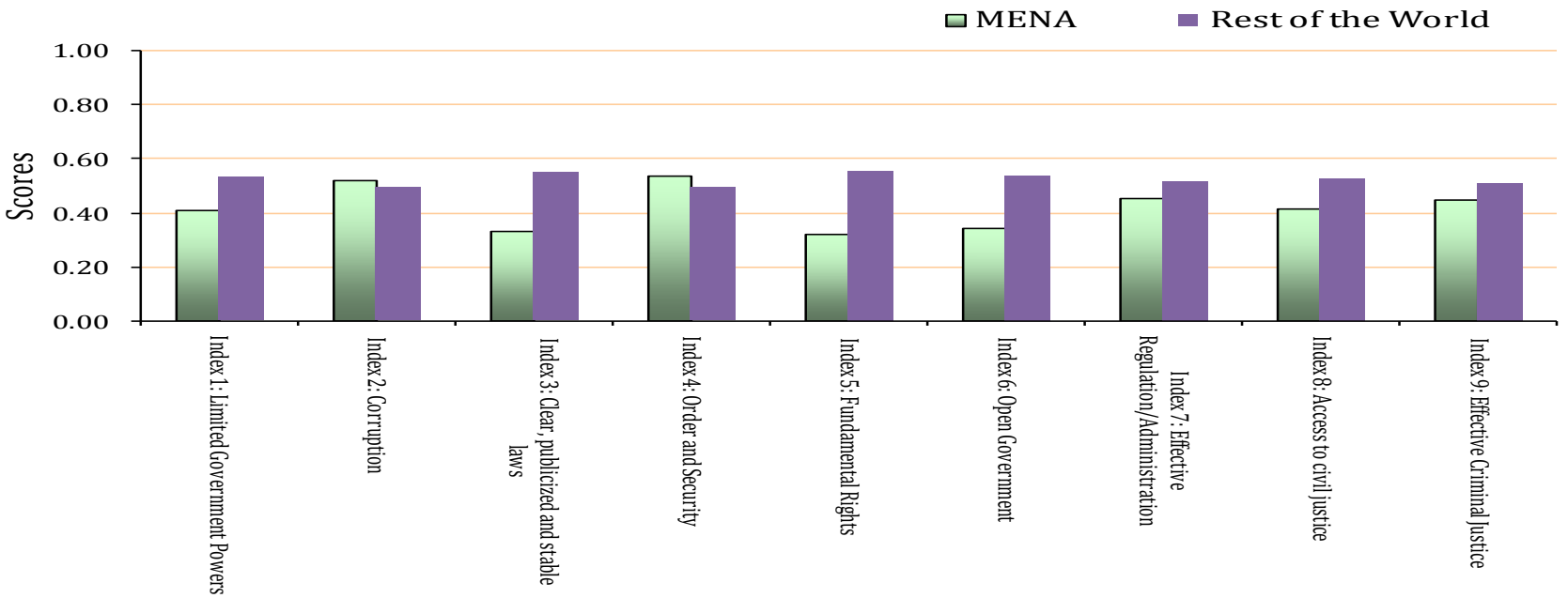
- **The MENA Rule of Law Network: http://www.mena2010wjp.org/**

  Starting point for establishing a comprehensive MENA Rule of Law network of regional stakeholders to strengthen cross-disciplinary partnerships initiated at the Conference.

Rule of Law in MENA

1) Focus on “Effectiveness of law” rather than “Law on books”
2) The WJP Rule of Law Index 3.0 focuses on “outcomes” rather than “inputs”

Figure 1: Rule of Law in the MENA Region as compared to the rest of the World (Presented at the MENA Rule of Law Conference, June 2010)



Rule of Law in MENA

❖Accountable Government (Indices 1 and 2)

Index 1. Limited Government Powers

1.2 Government powers are effectively limited by the legislature
1.3 Government powers are effectively limited by the judiciary

Index 2. Corruption

2.1 Government officials do not request or receive bribes
2.2 Government officials exercise their functions without improper influence
2.3 Government officials do not misappropriate entrusted public resources

Index 5: Open Government

5.1 Administrative proceedings are open to public participation
5.2 Official drafts of laws and regulations are available to the public

Rule of Law in MENA contd.

- **Open Government and Regulatory Enforcement (Indices 6 and 7)**

Index 7. Regulatory Enforcement

7.2 People can access and afford legal counsel in civil disputes

7.3 People can access and afford civil courts

7.4 Civil justice is impartial

- **Access to Justice (Indices 8, 9, 10)**

Index 8. Access to Civil Justice

Index 9. Effective Criminal Justice

Index 10. Informal Justice

Identifying Corrupt Practices

Corrupt practices flourish when public and private sector institutions operate in enabling environments characterized by systemic weaknesses in five key institutional areas:

- Transparency
- Accountability
- Prevention
- Enforcement
- Education



The Rule of Law and Access to Justice

"Access to justice means the ability to approach and influence decisions of those organs which exercise the authority of the state to make laws and to adjudicate on rights and obligations.

- Yash Pal Ghai, Former Special Representative of the UN Secretary General in Cambodia on Human Rights; Leader of WJP "Access to Justice" scholars Group I, World Justice Forum 2008

❖**WJP's Access to Justice Studies:**

Access to Justice Supply Side

❑Reform and strengthening of the machinery for the administration of justice and procedures for bringing disputes to courts

❑Aim: to enhance the capacity of legal and judicial systems to cope with the demands of the populations which they serve

Access to Justice Demand Side

❑Facilitation of the use of the courts, ombudspersons and other complaints mechanisms for the people

❑Aim: to overcome obstacles to make justice remedies accessible to all

Access to Justice in MENA: *De Jure* and *De Facto* Implementation

- Barriers to Access to Justice include:
  - Court Delays
  - Prohibitive Litigation Cost; Lack of available and affordable legal representation
  - Lack of awareness about basic legal rights
  - Lack of *de facto* protection, especially for vulnerable groups (women, children, disabled…)
  - Limited public participation in reform programs

- Promoting Access to Justice through Multidisciplinary Coalitions:
  - The WJP supports community-driven programs to bridge the gap between national commitments to access to justice standards and their implementation and enforcement in local communities
  - A multidisciplinary and respectful dialogue will inspire concerted actions and meaningful progress in advancing the rule of law

Recent WJP Projects in MENA

❖Improving Women's Access to Justice (Egypt)

❖Women's Access to Health Information
(Lebanon)

❖Anti-Corruption Education for Young Engineers
(MENA Region)

❖ Promoting the Administration of Civil Justice through Mediation
(Morocco)







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