



INTEGRATING ACCESS TO JUSTICE INTO DEVELOPMENT AGENDA, RULE OF LAW AND LEGAL AID SERVICES INTO THE DEVELOPMENT AGENDA

8:30-9:30am: Breakfast / welcoming

9:30-11:00am: Panel One: Academic focused-discussion addressing the knowledge gap of empirical evidences showing access to justice program impacts

- Does legal aid services delivery to the poor lead to improve effective access to justice in fragile states? Lessons from an impact evaluation of a large scale legal aid program in Burundi ((working paper)
Julien Moriceau (Research Coordinator at Avocats Sans Frontières and PHD Student at the Université Catholique de Louvain) and **Jean Benoit Falisse** (DPhil candidate, Oxford Department of International Development);

The presentation looks at the impact of a legal aid programme for the population of rural Burundi on access to justice and rule of law effectiveness. The literature and theory has presented access to legal aid services and the right to counsel as key components of the rule of law. The study aims to provide empirical and evidence-based data linking legal aid to effective access to justice.

- Understanding the impact of legal problems on poverty at the individual and household level.
Paul Prettitore (Senior Public Sector Specialist at the World Bank)
Bilal Murtaza Siddiqi (Economist at the World Bank's Development Research Group)
- The role of impact litigation in advancing access to justice among vulnerable populations
Macarena Sáez (Faculty Director at WCL Center for Human Rights and Humanitarian Law)

The term impact litigation describes the strategy of selecting and pursuing lawsuits as a tool to achieve broad and lasting effects, beyond the particular case involved, on both public policy and legislation. At the same time, impact litigation supports the rule of law, provides a foundation for future litigation, serves as a means for documenting human rights and other violations, promotes government accountability, and fosters public awareness and education by attracting domestic and international media attention to the important issues involved.

11:00-11:15am: Break

11:15am-12:45pm: Panel Two: Policy focused-discussion about experiences connecting rule of law and access to justice initiatives

- Implementing the Development Agenda's Access to Justice Goal in the United States
Maha Jweied (Deputy Director for the Office for Access to Justice at the US Department of Justice)

Universality is a key feature of the 2030 Agenda on Sustainable Development. One of the clearest examples of the United States commitment to this principle is found in the President's establishment of the White House Legal Aid Interagency Roundtable and its mandate to help the US implement Global Goal 16. This presentation will provide an overview of the Roundtable's activities and its connection to the Development Agenda.

- Bottom-up Approaches to Measuring and Advancing Access to Justice
Elizabeth Andersen
(Director at ABA Rule of Law Initiative)

Measuring and advancing access to justice in the context of the Sustainable Development Goals, and Goal 16.3 in particular, will require collection and evaluation of data that capture the experience and perspective of the communities that justice systems serve. This presentation will highlight relevant lessons learned from ABA ROLI's experience doing so in developing and implementing its Access to Justice Assessment Tool, as well as designing, implementing and evaluating programs intended to expand access to justice.

- Rediscovery Law and Reclaiming Justice in Myanmar: The Successes and Challenges of a Nascent Client-Centered Legal Aid Movement
Jake Stevens (Senior Capacity Development Expert at Avocats sans Frontières)

After 50 years of military dictatorship the Myanmar legal professionals and civil society organizations are reconnecting to the world and to their own traditions of seeking justice through law. In doing so they struggle to overcome the destruction of the education system, the break-down of trust between the legal profession and rights-bearers, and difficulties in accessing the law, let alone justice. Several initiatives, inspired internally, regionally and globally, are beginning to address that. But much work must be done to build a coherent and relevant strategy for a sustainable legal aid system oriented towards access to justice and empowerment of vulnerable communities.

- Pre-trial detention in Sub-Saharan Africa: Its socio-economic impact and consequences
Martin Schoenteich (Senior Legal Officer at Open Society Justice Initiative)

Sub-Saharan Africa faces acute developmental needs. A significant number of individuals and households in the region eke out a precarious existence where even slight financial setbacks can push families into abject poverty. A large proportion of Sub-Saharan Africa's prisoners are pre-trial detainees – some 40 per cent on average. Largely unexplored is the impact the widespread use of pre-trial detention has on the region's socio-economic development. The presentation reviews the results of country-based surveys in three West African countries (Ghana, Guinea-Conakry, Sierra Leone) and ethnographic case studies of individual detainees and their families in Malawi, focusing on the socio-economic impacts of pre-trial detention at the individual and household levels.

Speakers Biography

Elizabeth Andersen

Elizabeth joined the ABA ROLI in September 2014. She has more than 20 years of experience in international law, international human rights and rule of law development. She previously served for eight years as executive director and executive vice president of the American Society of International Law; for three years as director of ABA ROLI's Europe and Eurasia Division (previously known as ABA CEELI); and for eight years at Human Rights Watch, as a researcher, as director of advocacy and, ultimately, as executive director of its Europe and Central Asia Division. Elizabeth began her legal career in clerkships with Judge Kimba M. Wood of the U.S. District Court for the Southern District of New York and with Judge Georges Abi-Saab of the International Criminal Tribunal for the former Yugoslavia. She received a B.A. from Williams College, an M.P.A. from Princeton University's Woodrow Wilson School of Public and International Affairs, and a J.D. from Yale Law School. She currently serves as a member of the Board of Trustees of Williams College, and on the governing and advisory boards of several international non-profit organizations.

Jean Benoît Falisse

Jean-Benoît is a DPhil candidate at the Oxford Department of International Development. Jean-Benoît's current research focus is on the provision of basic social services in fragile states. His doctoral research looks at the community governance of health centres in Burundi and South Kivu using experimental methods, and he is involved in other projects on corruption in the public service, access to the justice sector, and the local determinants of the current Burundi crisis.

Maha Jweied

Maha is a Deputy Director for the Office for Access to Justice at the US Department of Justice where she oversees the office's tribal justice and international work. Previously, she was a senior attorney-advisor at the US Commission on Civil Rights, a litigation associate at Arent Fox LLP, and spent time at Mizan Law Group for Human Rights, a legal aid office in Amman, Jordan. She served as a law clerk to Judge Shahabuddeen of the Appeals Chamber of the International Criminal Tribunal for the former Yugoslavia. Jweied received her J.D. from Columbia Law School, LL.M. from the London School of Economics, and B.A. from The George Washington University.

Julien Moriceau

Julien Moriceau is employed by ASF as a researcher and M&E coordinator since 2011. He has 10 years' experience in socio-legal analysis and evaluation of justice sector's development programs in fragile states. He was notably principle investigator of an EU program's impact evaluation on local justice, and supervisor of various legal studies and evaluations (Burundi, Democratic Republic of Congo and Nepal). He has experience in collecting and analyzing quantitative and qualitative data (legal analysis, interviews and focus groups). He has law and sociology education background.

Paul Prettitore

Paul is Senior public sector specialist at the World Bank.

Macarena Sáez

Macarena is a Fellow in the International Legal Studies Program and teaches at WCL in the areas of Family Law, Comparative Law, and International Human Rights. Her main areas of research are gender discrimination in Latin America, and comparative family law. Professor Sáez is also the Faculty Director of the Center for Human Rights and Humanitarian Law at American University Washington College of Law, since September 2015. She is member of the Executive Committee of the Network of Latin American Scholars on Gender, Sexuality and Legal Education ALAS, organization that provides trainings to law professors in Latin America on mainstreaming gender and sexuality

perspectives in legal education. She is also member of Libertades Públicas, an organization that promotes civil liberties in Latin America. With this organization she was one of the lead counsels for the victims in the first case on sexual orientation before the Inter American System of Human Rights *Atala and daughters v. Chile*.

Martin Schönteich

Based in Washington, D.C., Martin Schönteich directs the Open Society Justice Initiative's National Criminal Justice Reform program which promotes fair and effective justice systems based on the rule of law through hands-on technical assistance, policy development and advocacy, research and documentation, network building, and litigation. Focus areas of Martin's work include pretrial justice and prosecutorial accountability. Martin recently published a book through the Justice Initiative, entitled *Presumption of Guilt: The Global Overuse of Pretrial Detention*.

Martin previously worked as a senior researcher at the Institute for Security Studies (ISS) in South Africa, and as parliamentary affairs manager for the South African Institute of Race Relations where he undertook policy related advocacy and research work on issues affecting criminal justice and civil liberties. In the mid-1990s, he worked as a public prosecutor for the South African Department of Justice. Martin is an Advocate of the High Court of South Africa, and holds a Masters' degree in Criminal Justice from the City University of New York and an LLB from the University of KwaZulu-Natal in South Africa.

Bilal Siddiqi

Bilal is an Economist at the World Bank's Development Research Group. My research focuses on public sector governance and justice reform, particularly in fragile and conflict-affected situations. He is involved in a range of field experiments in Africa and South Asia, involving legal aid and mediation, post-conflict reconciliation, and citizen-led accountability of public service providers and commercial investors. He received his Ph.D. and M.Phil. in economics from Oxford University. Prior to joining the World Bank, he was a postdoctoral fellow at the Center on Democracy, Development, and the Rule of Law at Stanford University. He has also spent time at the Institute for International Economic Studies as a Marie Curie-AMID Scholar, and at the Center for Global Development.

Jake Stevens

Jake is the Senior Capacity Development Expert for ASF in Myanmar at the Rule of Law Centres Project. In that role he is the primary international training supervisor and in-country curriculum developer for a legal professional development and community education project in 4 cities. For over twenty years, Jake has dedicated himself to implementing rule of law principles and to defending the individual against the power of the state. He began his legal career as a criminal defense attorney in innovative legal aid projects such as the Bronx Defenders. For three years he was a clinical law professor at Hofstra University, directing the criminal justice clinic. Prior to his work with ASF, he worked with the International Legal Foundation, International Seniors Lawyers, and Bridges Across Borders Southeast Asia Clinical Legal Education Initiative (BABSEACLE) as an international rule of law capacity builder, trainer, and educator helping countries in transition develop the capacity and resources to develop a working and credible criminal justice system, and to expand access to justice and participatory decision making.