



THE GLOBAL LEGAL EMPOWERMENT INITIATIVE

Legal empowerment is about strengthening the capacity of all people to exercise their rights, either as individuals or as members of a community. It's about grassroots justice – about ensuring that law is not confined to books or courtrooms, but rather is comprehensible and available to ordinary people.

What is the Global Legal Empowerment Initiative?

The UN Commission on Legal Empowerment estimated in 2008 that 4 billion people live outside the protection of the law. Building on the recommendations of the commission, the Open Society Foundations, the UK Department for International Development and Australia Aid joined efforts to strengthen and expand global legal empowerment efforts through establishment of the Global Legal Empowerment Initiative (GLEI) in 2011, in partnership with UNDP, and the Justice for the Poor Program at the World Bank.

The Global Legal Empowerment Initiative is an operational collaborative effort between Namati, a new international organization dedicated to legal empowerment and Open Society Justice Initiative, which has deepened and expanded its work in the field.

GLEI seeks to build the field of legal empowerment in a comprehensive and coordinated manner. It works to collect evidence on the impact of legal empowerment, explore the field with innovative interventions, and to facilitate the sharing of experiences among diverse legal empowerment practitioners around the world. It encourages and enables development agencies, foundations and governments to support legal empowerment efforts effectively and efficiently.

Together the Open Society Justice Initiative and Namati have established a Global Legal Empowerment Network of over 900 individuals from over 300 legal empowerment groups around the world, which is housed online at www.namati.org. The network is supported by [a steering committee comprising 14 leading legal empowerment groups](#) from around the world.

The initiative's efforts are guided by [an international advisory council](#) comprising Fazle Abed (chairman), Amartya Sen, Mo Ibrahim, Madeleine Albright, Helen Clark, Fernando Cardoso, James Wolfensohn and George Soros.

What 'Legal Empowerment' Means

Nearly all nations endorse human rights norms at least in name, but while governments can be shamed and cases can be won in international tribunals, these alone cannot address most breaches of basic rights, or help people solve their day to day justice problems. A new mother travels many miles to register the birth of her child only to find that she cannot afford the bribe required for registration; a juvenile is wrongfully detained and loses time in school; several villages' land is damaged by a mining company without compensation; an illiterate

widow is denied the inheritance she is entitled to and is forced to move to the city with her young children. By what consistent, systematic means can individuals and communities protect their rights in daily life?

The development movement has arrived at a kindred set of concerns. Governments and agencies seek to alleviate poverty by fostering economic growth and by improving essential services like health, education, and water. Increasingly those pursuing development recognize that success in reaching these goals depends on communities' ability to participate in them, and to hold public institutions accountable. Governments and donors can build clinics and schools. But what happens if the medicines and books aren't delivered, or if the nurses or teachers don't show up to work?

The emerging field of legal empowerment has pioneered practical methods for meeting these challenges. It embraces a range of approaches: from improving grievance mechanisms to deal with breaches in public service delivery, to working with civil society groups to help people find practical solutions to their own problems, informed by knowledge of the law. Legal empowerment programs often combine a small group of lawyers with a larger frontline of community paralegals who are trained in law and the workings of government. The paralegals can use mediation, organizing, legal education and advocacy to assist citizens in finding concrete solutions to instances of injustice.

Just as primary health workers are connected to doctors and the formal medical system, paralegals are connected to lawyers and the possibility of litigation and high-level advocacy when frontline methods fail. This enables justice to live beyond the reach of courts, bridging the gap between formal and customary justice systems, and beyond commonly understood 'legal' problems, into the realms of health, education, livelihoods and other basic needs.

The UN Commission on Legal Empowerment of the Poor estimated in 2008 that four billion people live outside the protection of the law. UNDP was tasked with implementation of the Commission report, and approached the Open Society Foundations to develop a way forward.

Activities:

Open Society Justice Initiative, which has deepened and expanded its work in the field

1. Establishment of Namati: Innovations in legal empowerment

[Namati](#) has been established as an independent initiative. It receives core financial support from UKAid, the Open Society Foundations and AusAid, and received initial institutional support from the Open Society Justice Initiative. Namati focuses on innovation and research, and on building a more robust international movement. It implements and evaluates innovative legal empowerment interventions in several countries. Current interventions include: using community monitoring to bridge the enforcement gap in environmental law in India; facilitating participation in community land titling mechanisms in Liberia, Mozambique, and Uganda, to strengthen the capacity of communities to manage their natural resources in the context of the "land grab" in Africa; and taking over from the Open Society Foundations in leading the development of a recognized, nationwide system of basic justice services in Sierra Leone, while adding an additional element of applying social accountability measures to improve the delivery of health services.

2. Global Legal Empowerment Network

Namati is hosting a [global network of legal empowerment practitioners](#), and providing support and capacity building in collaboration with Open Society Justice Initiative, UKaid, AusAid, UNDP and the World Bank. Many legal empowerment programs work in isolation, and do not benefit from empirical evidence or the experience of others. The network will provide a platform for sharing research findings, training materials, monitoring and evaluation tools, case management systems, and advocacy strategies. The network will combine extensive outreach, user-friendly technologies, and timely content to cultivate a vibrant, supportive community, which will in turn enrich and expand the legal empowerment field. The information and activity generated by the network will be further channeled by Namati to increase awareness and to inspire a greater global movement for legal empowerment.

Namati and Open Society Justice Initiative also support opportunities for network members to build capacity and inter-connectedness in-person. In 2011 it brought together members from groups across the region to workshops in Delhi (January 2011), Kyiv (August 2011, joint with UNDP), Rome (December 2011), Dhaka (April 2012), Kampala (July 2012), Buenos Aires (September 2012), focusing on a variety of topics, including monitoring and evaluation and managing paralegal programs. Further workshops will be held in Jakarta (November 2012) and the MENA region (2013). Open Society Justice Initiative is offering financial management training courses in a number of locations, and training for paralegal programs working on gender-based violence.

3. Legal empowerment innovations and research

The Open Society Justice Initiative is advancing a number of specific country projects, to test the boundaries of legal empowerment methodologies in a range of contexts, and learning from and strengthening work done across the Open Society Foundations globally.

Ukraine: Together with the International Renaissance Foundation, part of the Open Society Foundations, the project has since 2010 developed a network of 28 Community Law Centers (CLCs) across the country. The centers offer a range of legal services through a mixed model of lawyers and trained local paralegals, providing access to legal resources and helping increase community participation in governance and dispute resolution. In June 2011, the government passed a new legal aid law, and the project is now assisting the ministry of justice with designing implementation, likely modeled on the CLCs. This tests out the parameters of legal empowerment in a post-Soviet context in a deteriorating economy.

Indonesia: The Justice Initiative also works with other parts of the Open Society Foundations partners (Tifa Foundation, the Indonesia Project and the Rights Initiative) to develop a comprehensive system of legal aid and community justice services across the country. This explores legal empowerment potential in an emerging and strengthening economy. On October 4th 2011, the Indonesian government passed a law on legal assistance, representing a significant achievement based on a number of years of work. The Justice Initiative is working with universities, government and civil society to help shape and facilitate implementation.

Pakistan: The programme is working with Foundation Open Society – Pakistan (FOSIP) to pilot appropriate models of legal empowerment interventions in the challenging area of KP on the borders with Afghanistan working with Sarhad Rural Support Program.

Roma: Confronted by widespread prejudice and discrimination, marginalized Roma communities confront a number of barriers that restrict both individual's and communities'

access to justice services. In 2012, the programme will start working with the Open Society Foundations' Roma Initiatives to develop and institutionalize community-based paralegals in Roma communities.

Sister foundations: The wider Open Society Foundations network provides extensive grant making support to a range of civil society organizations undertaking legal empowerment work in all regions of the world. The Global Legal Empowerment Initiative offers support across and learns from the network in a number of ways. We are providing technical support in undertaking justiciable events studies in Georgia, Tajikistan, Kyrgyzstan, Kazakhstan, Macedonia, Moldova, Albania and Pakistan. Other initiatives include joint publications, providing advice on monitoring and evaluation and learning from existing studies, circulating experiences across the network on a needs-basis, and bringing practitioners into the global legal empowerment network. We are currently working in this regard with the Law and Health Initiative, International Migration Initiative, International Women's Program, Roma Initiative, South East Asia Initiative, as well as regional and country foundation and allied NGOs.

4. Improve exchange and learning among donors

Legal empowerment work is being done all across the world, under different guises: as legal empowerment *per se*, as access to justice, poverty reduction, women's empowerment, legal aid, human rights, governance, the environment and civil society, among others. It is done in an unsystematic manner, and there is relatively little coordination. There are significant opportunities to further develop the field, and to make it more evidence-based. We are working with DFID and other donors to explore the possibility of improving donor exchange and learning, building a stronger evidence base through a joint research agenda, and developing a coordinated finance mechanism for legal empowerment.