

EXECUTIVE SUMMARY

Since 2006, The Carter Center (TCC), in partnership with the Government of Liberia (GoL), has developed a multi-faceted programme to address some of the most important challenges to building public trust in the rule of law sector. From October 2009 to January 2010, the United Nation's Peacebuilding Fund (PBF), in partnership with the United Nations High Commissioner for Refugees (UNHCR), helped expand The Center's Access to Justice Project from five counties to eight counties in Liberia. The Center's project contributed to strengthen both state and non-state institutions of justice through (1) conducting civic education on the law and people's rights; (2) providing direct legal services to marginalized rural citizens in eight counties through a Community Legal Advisor (CLA) program; and (3) working to strengthen the capacity of local traditional leaders, women, and youth to better understand the law and to resolve local and national disputes.

Over the course of the 16-month project, 91,410 citizens in 689 rural communities in eight counties received civic education. In 2009, CLAs opened 1,445 cases and closed 851 of these. Of the 851 cases closed in 2009, 86 per cent, (731 cases), were recorded as resolved by the Justice and Peace Commission, the local NGO that implemented the CLA components in partnership with The Carter Center.

The results of the study, using a randomized controlled trial of the project,⁹ suggest that the intervention had strong and robust impact on justice outcomes, as well as significant downstream welfare benefits on three measures; increases in household, child food security, and proportion of households with single mothers receiving child support payments from absentee fathers. In addition, the results indicate that these gains can be achieved not by bringing the rural poor into the formal domain of magistrates' courts, government offices, and police stations, but by bringing the formal law into the organizational forms of the custom, through low-cost third-party mediation and advocacy.

The research showed that treated respondents' knowledge of the law improved significantly over the course of the three months of interaction with the CLAs. It is worth noting that the impact of the legal empowerment intervention on treated respondents' attitudes or behavior remained minimal.

I. Purpose

Due to historic abuses and the damage caused by the war, there has been little public trust in Liberia's justice system and very little capacity. The *Strengthening the Rule of Law in Post-Conflict Liberia* Project aimed to enhance access to justice in underserved rural areas by establishing a transitional mechanism of Community Legal Advisors (CLAs) and by educating all citizens (including traditional leaders) about their rights and obligations under the law.

The project intended to address three of the seven interrelated 'conflict factors' detailed in the Peacebuilding Fund (PBF) Priority Plan for Liberia, specifically: weak justice systems; lack of shared vision; and poor leadership and the misuse of power. The project was divided into three elemental objectives and they are as follows:

Increase Legal Literacy through Community Sensitization

The war seriously damaged the individual understanding of what justice is and how it should be dispensed thereby leading to local confusion as well as space for abuse. Effective, functioning institutions and methods of justice required an informed citizenry with knowledge of the rules, procedures, and outcomes within the fora of justice. Under a Memorandum of Understanding (MOU) with the Ministry of Justice (MOJ), this project worked with local civil society organization (CSO)

⁹ Justin Sandefur and Bilal Siddiqi. *Delivering justice to the poor: Theory and experimental evidence from Liberia*, March 12 2013. Accessible at https://editorialexpress.com/cgi-bin/conference/download.cgi?db_name=CSAE2013&paper_id=1014

partners to develop and implement innovative and effective capacity building programming based on a MOJ-approved training manual and in line with Poverty Reduction Strategy (PRS) deliverables. This public education, conducted by CSOs at the community level and through radio, aimed to provide the information with which citizens could begin to hold local leaders and institutions accountable.

Increase Access to Justice by Establishing Credible Transitional Tools to Help People Identify Appropriate Dispute Resolution Venues

The main element of the program was the creation of a sustainable cadre of CLAs in target counties. The CLAs were 33 individuals from local communities who were trained in mediation, advocacy, domestic laws, and the roles of the different legal agencies. Of these, 17 are “stationary monitors”, operating drop-in clinics at JPC offices based in 10 towns. A further 16 are “mobile monitors,” serving remote rural communities by motorbikes. They are provided with guidance and assistance by a team of four lead monitors, three of whom also handle cases (and are included in the 33 CLA total), and by JPC support staff in regional headquarters in Harper and Gbarnga. They can refer for legal advice to TCC staff attorneys. They were available at no cost to provide referrals, advice, and advocacy, or to help disputants negotiate local problems. They provided an immediate alternative in the transitional period to other local justice mechanisms that may not have been accessible or trusted by all. While the CLAs were not official agents of the Ministry of Justice (MOJ), their approach received the full support of the MoJ.

Promote the participation of traditional leadership in the rule of law

Effective institutions and methods of justice required the understanding, and support, of all the people they intended to protect. Historically, the chieftaincy system had been the bedrock of local community governance and still remained highly significant. Despite the destruction caused by the war, which led to the credibility and capacity of the institution being significantly weakened; chiefs retained a significant measure of local authority, either through formal local governance processes or through customary or secret society mechanisms. This notwithstanding, operational systems between traditional leaders and the youth were significantly weakened but not totally eroded. This project worked with the Ministry of Internal Affairs (MIA) and the National Traditional Council (NTC) to rebuild the capacity of traditional leaders through training on the rule of law in each county.

II. Assessment of Programme Results

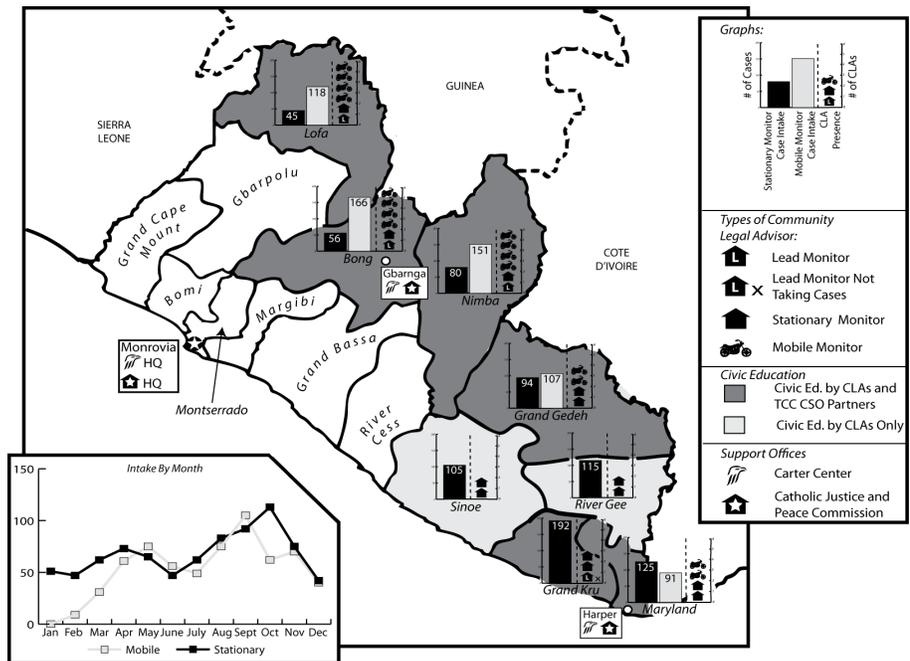
i) Narrative reporting on results:

Increase Legal Literacy through Community Sensitization

In collaboration with the Ministry of Justice (MoJ), The Carter Center reached an estimated 91,410 citizens in 689 rural communities in eight counties through direct civic education activities in 2009. This exceeded the initial target population of 84,000. The Center’s education strategy was developed with and approved by the MoJ. It has been implemented by the Center’s ten local civil society organization (CSO) partners who were trained and supported to use educational techniques, including drama, community fora, radio, and music for sensitization. Civic education radio programs were also recorded and disseminated through national and community radio stations; Star Radio and LUX FM (Monrovia), Radio Tamba Tailor and Radio Life (Lofa), Radio Gbarnga and Voice of Reconciliation (Bong), Radio Nimba (Nimba), Smile FM (Grand Gedeh), Radio Sinoe (Sinoe) and JAM FM (Maryland). This approach helped to “tell the story” of the rule of law and access to justice to rural Liberians. These CSO trainings have empowered rural populations with an understanding of their rights under the law. This community-based knowledge of the rule of law is essential for the success of CLA and traditional justice programs.

Increase Access to Justice by Establishing Credible Transitional Tools to Help People Identify Appropriate Dispute Resolution Venues

As rural communities become more aware of their rights through continued outreach through CSOs, The Carter Center partnered with the Catholic Justice and Peace Commission (JPC) to provide direct legal services through a network of CLAs. CLAs built upon the work of CSOs to disseminate accurate information about legal processes and offer citizens the means to address problems in ways consistent with Liberian law by providing pro bono advice, mediation, advocacy and civic education.



Overview of Community Legal Advisor Program for 2009 (The Carter Center)

While the peaceful resolution of individual or community disputes was undoubtedly a successful outcome, the CLA project also gave individuals and communities the rare opportunity to see the law working in practice. CLAs also provided incentives for statutory and customary justice providers alike to improve the quality of justice they dispense. In 2009, CLAs opened 1,445 cases and closed 851 of these. Throughout 2009, CLAs gradually became more efficient in resolving cases while the communities in which they operated also gained a better understanding of their operations. CLAs had tangible impact on closed cases. Of the 851 cases closed in 2009, 86 % (731 cases), were recorded as solved by the JPC. A significant outcome of this was the revelation from a greater proportion of disputes which suggested that many rural cases could be solved more effectively through the paralegal services in comparison to the formal court systems. Given the types of disputes brought to CLAs, the speed of their resolution in comparison with the courts, and the rate of resolution achieved, the CLA program delivered significant results and improved the access to justice in targeted communities.

Promote the participation of traditional leadership in the rule of law

At the invitation of the Ministry of Internal Affairs (MIA), The Carter Center also worked to increase traditional leaders’ knowledge and understanding of the law and to strengthen the capacity to resolve disputes at the local and national levels. Traditional leaders remained an important voice in their communities and over 1,000 chiefs, elders and Zoes¹⁰ attended county level TCC training and dialogue sessions on the rule of law. This collaborative process engaged chiefs, women and youth on practical application of the law and dispute resolution techniques. By being informed about national laws and constructive engagement in discussion of gender and harmful practices, the traditional leaders became increasingly engaged in the reform process. Training in dispute resolution, along with limited logistical support, provided a critical basis for preventing local disputes from escalating into larger ones in a society where the majority of the population assert that they daily governance emanates from traditional leaders.

Impact

The results of a randomized impact evaluation of the project¹¹ suggests that TCC’s legal empowerment intervention had strong and robust impact on justice outcomes, as well as significant downstream welfare benefits on three measures; increases in household, child food security, and proportion of households with single mothers receiving child support payments from absentee fathers. The intervention did not

¹⁰ A Zoe is a person responsible for customary rituals.

¹¹ Ibid.

appear to have any impact on the remaining two measures of household wellbeing, the amount of land respondents farmed on, and the incidence of gender-based violence. There is also some evidence that the quality of interaction with the overall justice system has changed. Treated respondents reported a 10 percent decrease in demands for bribes to police officers or public officials. This suggests that CLA's involvement indeed had an impact on corruption and access to justice. The evaluation is however not explicit on the related impact on harassment by public officials. The results also suggest that these gains can be achieved not by bringing the rural poor into the formal domain of magistrates' courts, government offices, and police stations, but by bringing the formal law into the organizational forms of the custom, through low-cost third-party mediation and advocacy.

The research shows that treated respondents' knowledge of the law improved significantly over the course of the three months of interaction with the CLAs. It is worth noting that the research also indicates that impact of the legal empowerment intervention on treated respondents' attitudes or behavior remained minimal.

Key partnerships and collaborations

The Carter Center maintained strong partnerships with a variety of national and international actors. The Center implemented this project with a variety of Liberian civil society organizations (CSOs). The CLA program was implemented in partnership with the Catholic Justice and Peace Commission. Legal education on the rule of law was implemented in partnership with the Bong Youth Association, Modia Drama Club, the Inter-Religious Council of Liberia, the South Eastern Women's Development Association, Flomo Theatre, Crusaders for Peace, and Traditional Women United for Peace. In addition to CSO noted above, The Carter Center maintained collaborative working relationships with the MoJ and MIA, the National Traditional Council, and the Judiciary. Traditional leaders reportedly gained a sense of ownership and were relevant in the reform process. The Ministry of Justice was a key partner in developing CLA project as well as a lead partner in the work of increasing legal literacy. The Ministry of Internal Affairs was also instrumental in working with the National Traditional Council, guiding implementation, supervising content, and evaluating activities. The Center also worked in tandem, with the Norwegian Refugee Council, Pacific Architects and Engineers, the American Bar Association (ABA), the International Legal Assistance Consortium (ILAC), and UNMIL's Legal and Judicial System Support Division.

Catalytic funding

The project completed its 16-month project period on 31 January 2010. In order to keep the momentum of the increased use of CLAs, The Carter Center was able to attract interim funding to continue the project; The Carter Center raised over \$800,000 for 2010 activities and committed \$400,000 of The Center's internal funds to bridge a funding gap between the PBF rounds.

ii) Indicator Based Performance Assessment:

Using the **Programme Results Framework from the Project Document / AWP**s - provide details of the achievement of indicators at both the output and outcome level in the table below. Where it has not been possible to collect data on indicators, clear explanation should be given explaining why.

	<u>Achieved Indicator Targets</u> (Cumulative over funding period)	Reasons for Variance with Planned Target (if any)	Source of Verification
Outcome 1¹² Institution/Behaviour: Citizens have and use more tools to resolve local disputes peacefully and to access justice through mediation or the courts. Indicator: Baseline: Planned Target:	In 2009, CLAs opened 1445 cases and closed 851 of these. Of the 851 cases closed in 2009, 86% were solved by the CLAs.	N/A	Case tracking records
Output 1.1 CLAs function in 8 target counties. Indicator 1.1.1 Baseline: Planned Target:	32 Community Legal Advisors (CLAs) are operating in 8 target counties.	N/A	Narrative report and on-site monitoring
Outcome 2 <i>Attitude/Value:</i> Citizens develop confidence the justice system. Indicator: Baseline: Planned Target:	Citizens' confidence has been somewhat bolstered by the presence of Community Legal Advisors and Civil Society Organizations.	N/A	Evaluation
Output 2.1 Indicator 2.1.1 Baseline: Planned Target:		N/A	
Outcome 3 <i>Knowledge:</i> Citizens in rural and underserved areas improve knowledge of the law, human rights, conflict resolution mechanisms, and their rights and responsibilities under the law Indicator: Baseline: Planned Target:	91,410 citizens educated on the rule of law	N/A	Narrative report and record of activities
Output 3.1 84,000 citizens educated on the rule of law. Indicator 3.1.1 Baseline: Planned Target: 84,000 citizens	91,410 citizens educated on the rule of law	N/A	

¹² Note: Outcomes, outputs, indicators and targets should be as outlines in the Project Document/Priority Plan or PMP specific so that you report on your actual cumulative achievements against planned targets. Add rows as required for Outcome 2, 3 etc.

<p>Output 3.2 1,520 hours of radio programming conducted in 8 target counties.</p> <p>Indicator 3.2.1</p> <p>Baseline:</p> <p>Planned Target:</p>		N/A	
<p>Outcome 4 <i>Knowledge/ Functioning/ Institutional:</i> The Ministry of Justice and others receive regular public feedback from CSO partners that is incorporated into reforms and which improves the decentralization of decision-making.</p> <p>Indicator:</p> <p>Baseline:</p> <p>Planned Target:</p>	<p>The Ministry of Justice (MoJ) is kept informed on rural realities and perceptions through the meetings with CSOs and has requested lower level working group meetings with CSOs, which implies that the MoJ sees that the feedback from the CSOs have been very useful. Through the exchange with the MoJ, CSOs were able to liaise with the Solicitor General, who then talked with the Chief Justice to stop a Justice of the Peace (an outdated position) from operating in Nimba county.</p>	N/A	Narrative report
<p>Output 4.1 CSO partners meet quarterly with the Ministry of Justice and other relevant ministries. (Oct., and Dec., 2008, March, June, and Sept., Dec. 2009).</p> <p>Indicator 4.1.1</p> <p>Baseline:</p> <p>Planned Target:</p>		N/A	
<p>Outcome 5 <i>Knowledge:</i> Traditional leaders improve knowledge of the law, human rights, conflict resolution mechanisms, and their rights and responsibilities under the law</p> <p>Indicator:</p> <p>Baseline:</p> <p>Planned Target:</p>	<p>Traditional leaders remain an important voice in their communities and to date over 1000 chiefs, elders and Zoes have attended county level TCC trainings and dialogue sessions on the rule of law. This collaborative process has engaged chiefs, women and youth on practical application of the law and dispute resolution techniques. By informing traditional leaders about national laws and constructively engaging them in discussion of gender and harmful practices, traditional leaders are increasingly engaged in the reform process rather than being left out.</p>	N/A	Narrative reports
<p>Output 5.1 County-level dialogues held in two regions (Northwest and Southeast) with the full range of rural justice stakeholders, including MOJ, MIA and other interested government partners.</p> <p>Indicator 5.1.1</p>	<p>Over 1,000, chiefs, elders and Zoes (Traditional Leaders) have attended county level trainings by The Carter Center and dialogue sessions on the rule of law.</p>	N/A	

Baseline: Planned Target:			
Outcome 6 <i>Attitude:</i> Traditional people feel ownership in and relevance of reform process. Indicator: Baseline: Planned Target:	Following the trainings, many of them voiced support for laws that they had previously either been unaware of or did not support. For instance, the rape law, although they tend to disagree with the age for statutory rape and the issue of marital rape. On trial by ordeal, although it is still contentious issue, many leaders are beginning to see the need to do away with harmful forms of trial by ordeal.	N/A	Narrative reports, anecdotal evidence through interview.
Outcome 7 <i>Institutional:</i> CLAs and CSOs build sustainable organizational capacity. Indicator: Baseline: Planned Target:	Some CSOs are found still weak in their technical capacities in conducting Civic Education as well as a managerial skill, such as budget development.	N/A	Narrative reports
Output 7.1 Office space and logistical support is provided for the National Traditional Council Indicator 7.1.1 Baseline: Planned Target:	The project provided the initial year of office rent for the National Traditional Council (NTC). Under the initial agreement, it was understood that the government would pay for subsequent rent; however, the government was unable to do so and submitted a formal request to the Carter Center to assist the NTC with office rent. The Carter Center submitted a request in late 2009 to re-appropriate a portion of the remaining funds from the PBF in order to cover the cost of the NTC's office rent for 2010. This was approved and will greatly improve the functioning of the NTC.	N/A	Narrative and financial reports

iii) Evaluation, Best Practices and Lessons Learned

Evaluation

The Carter Center and UNHCR partnered with Oxford University's Centre for the Study of African Economies (CSAE), led by Bilal Siddiqi to conduct an evaluation of program activities at the beginning, middle, and end of the project, focusing both on the CLAs and on civic education¹³. The main findings from the series of evaluation are summarized in the above section. Without such evaluations, it would have been very difficult to gauge the impact of the large scale intervention objectively and systematically, and in both qualitatively and quantitatively. The general understanding of the project impacts would have been limited to judgment from anecdotal evidences and statistical data; thereby missing the opportunity to capture parameters beyond the direct impact, such as unpredicted impact on welfare benefits.

Challenges

The project encountered number of challenges. Due to the financial system reform, UNHCR was not able to deliver the last tranche of the funds, equivalent to US\$ 46,516.36 to the Carter Center in a timely manner. However, the Center managed to pre-finance the activities. Logistical challenges were paramount. The activities in the counties placed extreme pressure on logistics i.e. vehicles and motorbikes, especially in rainy season. Some CSOs were weak in their technical capacities in conducting civic education and had poor managerial skill, such as budget development. The Center continues to provide coaching and mentoring for CSOs to enhance their technical and managerial capacity. Despite all the challenges mentioned above, the project remained on course and completed its 16-month project period on 31 January 2010 without delay.

In order to keep the momentum of the increased use of CLA's services, it is critical that the CLA services continue to be provided. Fortunately, the Carter Center was able to attract interim funding to continue the project for a while, but additional funding is needed for the continuation of the services otherwise critical gaps in the administration of justice may resurface.

¹³ *Law Without Lawyers; Assessing a Community- Based Mobile Paralegal Program in Liberia.*