



## LIBERIA

### PROJECT HALF YEARLY PROGRESS UPDATE

**PERIOD COVERED: JANUARY – JUNE 2014**

<b>Project No &amp; Title:</b>	PBF/LBR/A-14: ENHANCING ACCESS TO JUSTICE AND SUPPORTING NATIONAL CAPACITIES FOR STRUCTURED LEGAL DRAFTING (Project ID: 00088956)		
<b>Recipient Organization(s)<sup>1</sup>:</b>	UNITED NATIONS DEVELOPMENT PROGRAMME (UNDP)		
<b>Implementing Partners (Government, UN agencies, NGOs etc):</b>	LAW REFORM COMMISSION (LRC)		
<b>Location:</b>	Monrovia and nationwide in Liberia		
<b>Total Approved Budget :<sup>2</sup></b>	US\$ 500,000.00		
<b>Preliminary data on funds committed :<sup>3</sup></b>	US\$ 500,000.00	<b>% of funds committed / total approved budget:</b>	100%
<b>Expenditure<sup>4</sup>:</b>	US\$ 94,942	<b>% of expenditure / total budget: Delivery rate</b>	19%
<b>Project Approval Date:</b>	4 October 2013	<b>Possible delay in operational closure date (Number of months)</b>	
<b>Project Start Date:</b>	1 January 2014		
<b>Expected Operational Project Closure Date:</b>	31 December 2015		
<b>Project Outcomes:</b>	CONSTITUTIONAL AND LEGAL REFORM TO FOSTER NATIONAL RECONCILIATION AND RESPECT FOR THE RULE OF LAW THROUGH A PARTICIPATORY CONSULTATIVE PROCESS		
<b>PBF Focus Area:</b>	RULE OF LAW AND DEMOCRATIC GOVERNANCE		

## Qualitative assessment of progress

<p><i>For each intended outcome, provide evidence of progress during the reporting period.</i></p> <p><i>In addition, for each outcome include the outputs achieved. (500 words max.)</i></p>	<p><b>Outcome 1: Constitutional and legal reform foster national reconciliation and respect for the rule of law through a participatory consultative process</b></p> <p>The project has contributed to the fostering of national reconciliation and respect for the rule of law through a participatory consultative process to review the legal framework of Liberia. This has been achieved through consultations with stakeholders to review and amend laws so that they become more responsive to the needs and aspiration of the people and to ensure that the people continue to enjoy relative peace and explore prospects for their own growth and development.</p> <p>Eleven separate consultations/meetings bringing together about 1,000 stakeholders representing women, youth, elders, traditional and political leaders, etc. were held to ascertain their views on the law reform concept and what steps could be taken to improve the law making process in the country, a catalyst for upholding set standards and respect for the rule of law. Apart from hearing from the people on the law making process which also incorporate views on what should be amended in the constitution, the consultations also serve as a legal clinic where people who don't understand certain portions of the law or don't know what their rights are under the law are provided the necessary advice.</p> <p>All of these efforts are helping to set the stage for a clearer understanding of the legal process and giving people the urge to always use the law to seek redress to their individual and collective problems and not to resort to violence as there are safeguards provided under the law for the safety and happiness of all. Through this effort, people will learn to eschew violence and resort to the rule of law, a perfect safeguard for healing, national unity and peace.</p> <p><b>Output 1: A National Law Reform Policy Framework formulated and endorsed by the people and government of Liberia</b></p> <p>A comprehensive desk review process which looked at 10 different instruments (local and external) to ascertain the nature and form of reform carried out in the region and other parts was carried out; additionally 15 existing laws were reviewed assessing drafting style, content, vocabulary etc, so as to make informed decisions on a uniformed and standardized drafting style. Eleven consultative meetings involving approximately 1,000 participants (57% male and 43% females) representing youth and women groups, CSOs, physically challenged, etc were held in 10 counties i.e. Margibi, Grand Bassa, River Gee, Grand Gedeh, Bomi, Cape Mount, Gbarpolu, Nimba, Bong and Lofa to solicit views from them on the proposed law reform policy. The result has been overwhelming as the people are speaking out and making concrete recommendations. A 12 member team</p>
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	<p>under the supervision of a Consultant and including lawyers, legal drafters and researchers was constituted and has begun work on drafting the zero draft of the policy while at the same time analyzing the outcomes and recommendations from the county consultations. It is expected that a zero draft of the Policy will be ready on or before the end of July.</p> <p><b>Output 2: Options paper on harmonization of the dual legal system in Liberia formulated</b>  This is the most challenging part of the project as the process is a hotbed of differing views. Meetings/consultation held thus far have generated intense debate but on the overall, the people are accepting the need for gradual adjustments to be made. Thirteen consultations/meetings were held in ten provincial capitals including three major towns (Kawenken, Tuzon and Neekleen).</p> <p><b>Output 3: Core group of 20 trained Legal Drafters created</b>  The criteria, syllabus and course contents have been drawn up and are being reviewed by the Management Team for approval. Selection and vetting of participants will begin in the third quarter.</p> <p><b>Output 4: Codified laws and opinions of the Supreme Court published</b>  Two hundred and nine different laws enacted by the 52nd Legislature (2005-2012) as well as eighteen opinions handed down by the Supreme Court were gathered, scanned and converted to word for proof reading, verification and editing. The process is 95% complete. Editing and indexing will begin in August and compilation and publication done before the close of the 3<sup>rd</sup> quarter.</p>
<p><i>Do you see evidence that the project is having a positive impact on peacebuilding? (250 words max.)</i></p>	<p>Marginalization and feelings of exclusion are potential triggers for conflict; since the commencement of the consultation process which emphasizes the bottom to top approach, the people are expressing appreciation of the inclusion of their views and welcoming the idea that they are being involved in this initial stage of the decision making process. These consultations are assuring them that their views are being heard for possible inclusion and reflection in national policies and the reform strategy. Consulting the people on issues as it relates to their everyday way of life, gives them a sense of belonging and acceptance of the legal framework and as such encourages peaceful co-existence; the project is contributing to a reduction of conflict triggers.</p> <p>The project is also helping to provide a platform where people are receiving the requisite guidance that will encourage them to always seek redress through the law once they feel aggrieved and not resort to violence. During the various consultations questions bordering on equal access and treatment under the law were asked; answers provided to some of the issues raised are giving people insights as it relates to the law being for the guidance and protection of all, no matter the status or position. With such assurances and the more people get to</p>

	<p>understand that peaceful co-existence and stability are guaranteed under the law, the less they will want to turn to unconventional means as a way forward.</p>
<p><i>Were there catalytic effects from the project in the period reported, including additional funding commitments or unleashing/ unblocking of any peace relevant processes? (250 words max.)</i></p>	<p>None as yet</p>
<p><i>If progress has been slow or inadequate, provide main reasons and what is being done to address them. (250 words max.)</i></p>	<p>The project is at its mid-term phase for the first year of implementation and like all policy undertakings there were some challenges which tended to slow down some program activities. Key amongst these challenges is the bad road condition experienced during this time of the year; traveling to certain parts of the country has become difficult if not impossible. Alternate routes/plans are being worked on to ensure that the consultations reach as many counties and communities as possible.</p> <p>Another key challenge is getting the people to fully understand that the sole intent of the exercise to harmonize the dual legal (customary and statutory) systems is to ensure equity and not a process to undo people's traditions and beliefs that they have practiced and held over centuries. Considering entrenched ethnicity and other factors, getting people, particularly those in the rural parts to accept some of the concepts being discussed is a challenge. However, the project team is providing sufficient awareness on the issue such that the exercise is intended to ensure that opportunities being enjoyed by one group should be extended to others. This is gradually paying off as the people, particularly elders are gradually reasoning with the concept.</p>
<p><i>What are the main activities/expected results for the rest of the year? (250 words max.)</i></p>	<p>During the next phase of the project (six months), the LRC (Project Office), intends undertaking the following activities:</p> <ul style="list-style-type: none"> <li>* Complete the consultation process both on the National Law Reform Policy and the Harmonization of the Dual Legal Systems.</li> <li>* Formulate the zero draft of the National Law Reform Policy, hold separate validation sessions with various stakeholders including CSOs, members of the Legislature, the Office of the President and the Cabinet.</li> <li>* Print 1,000 copies of the National Law Reform Policy for distribution to key stakeholders.</li> <li>* Finalize the course content, syllabus, recruitment/vetting process and begin the training program for twenty Legal Drafters.</li> </ul>

	<p>* Complete the editing, indexing and publication of laws and opinions of the 52<sup>nd</sup> Legislature and Supreme Court.</p> <p>* Undertake a perception survey on the dual legal system; conduct study tour of Sierra Leone and Ghana to ascertain best practices as it relates to the dual legal systems. Conduct a three-phase research exercise on the effect of the dual legal systems looking at the periods 1847-1944, 1944-1980 and 1986 to present.</p>
<p><i>Is there any need to adjust project strategies/ duration/budget etc.?</i> (500 words max.)</p>	<p>The budget was initially conceived for a duration of one year. It is apparent that issues that relate to the harmonization of customary and statutory laws are areas of contention and overlapping government mandate. As such there is need to ensure a deepening dialogue and consensus building to achieve an options paper acceptable to all interested parties.</p>
<p><i>Are there any lessons learned from the project in the period reported?</i> (500 words max.)</p>	<p>There are several valuable lessons being learned as the project unfolds, prominent among which are:</p> <p>There exists a burning desire within the people, particularly the women, to make their voices heard and to be included in key decisions that affect their wellbeing. In the past, women were always kept in the back and all major decisions were left with the men; from the various consultations and stakeholders meetings conducted, the women are speaking out the loudest and they are resolved that those laws and practices that subjugate women to being second class citizens or properties of men are revisited. At one of the sessions, there was a question as to whether a woman has the right to ownership of the property of her deceased husband; as per the new inheritance law, women are entitled to 1/3 of their deceased spouse's property be it under customary or statutory marriage. The men didn't take kindly to this and said in local phalange "it will not hold" and the women in response said "it will hold". This drama went on for about five minutes. In the past a woman couldn't stand up to challenge her husband on matters like these but times are indeed changing for the better.</p> <p>People revert to unconventional means to seek redress to their problems because they aren't aware that there are safeguards provided for them under the law. Laws need to be simplified and distributed among the people, this helps in enhancing access to justice and strengthening the rule of law, a recipe for peace and harmony. The representatives of the people aren't relating to them particularly as regards making laws or undertaking ventures that should benefit them such as entering into concession contracts. It is hoped that the proposed National Law Reform Policy will help to offset some of these pitfalls.</p> <p>A repeating concern especially in these consultations is about domestic relations in the traditional setting.</p>
<p><i>What is the project budget expenditure to date</i></p>	<p>US\$ 94,942 which represents 51% percent of the projected delivery of 2014 and 19% of the total project budget</p>

<p><i>(percentage of allocated project budget expended by the date of the report) – preliminary figures only? (250 words max.)</i></p>	
<p><i>Any other information that the project needs to convey to PBSO (and JSC) at this stage? (250 words max.)</i></p>	<p>The project as per the work plan is slightly behind schedule, a problem that can be attributed to a few operational issues such as the time required to recruit project staff. Some of which have been corrected. In view of this, the LRC assures that before the close of the 3<sup>rd</sup> quarter project implementation will be on schedule, the draft of the National Law Reform Policy would had been formulated and validated with key stakeholders and subsequently forwarded to the President for submission to the Legislature for its action.</p> <p>The project provided for two vehicles, both of which are currently in use; there was no provision made in the budget for drivers, however the LRC has undertaken to underwrite the cost of maintaining the two drivers hired as its own contribution to the project.</p> <p>The LRC is the lead technical consultant on the constitution review process and is coordinating the gathering and collation of data from consultations held and is currently supervising the process of drafting the zero drafts of amendments to be made to the constitution.</p>

**INDICATOR BASED PERFORMANCE ASSESSMENT:** *Using the Programme Results Framework as per the approved Project Document - provide an update on the achievement of key indicators at both the outcome and output level in the table below. Where it has not been possible to collect data on indicators, state this and provide any explanation in the qualitative text above (250 characters max per entry).*

<b>Outcome 1</b>	<b>Performance Indicators</b>	<b>Indicator Baselines</b>	<b>End of Project Indicator Targets</b>	<b>Current Indicator Progress</b>	<b>Reasons for Variance/Delay (if any)</b>	<b>Adjustment of targets (If any)</b>
<b>Outcome 1:</b> Constitutional and legal reform foster national reconciliation and respect for the rule of law through a participatory consultative process	<b>Indicator 1:</b> National Law Reform Policy validated and approved (including policy recommendations to harmonize the dual statutory and customary legal systems currently existing in Liberia)	<b>Baseline</b> (Sep 2013): Disjointed and uncoordinated law making process, dual legal system and lack of overall policy framework	<b>Target</b> (Sep 2015): National Law Reform Policy validated and approved following participatory stakeholder consultations and due process	A comprehensive desk review was undertaken to review reform (law); eleven consultations/ meetings were held to develop a framework.		
<b>Output 1:</b> A National Law Reform Policy Framework formulated and endorsed by the people and government of Liberia	<b>Indicator 1.1:</b> National Law Reform Policy Framework including gender and youth specific guidelines developed	<b>Baseline</b> (Dec 2013): No Policy Framework	<b>Target</b> (Dec 2015): Policy Framework available	11 consultations conducted and committee to formulate the zero draft of the policy has been constituted.		
	<b>Indicator 1.2:</b> Number of consultation meetings conducted (disaggregated by key stakeholders, i.e. CSOs, traditional leaders, women, youth, disabled, political parties, legislators)	<b>Baseline</b> (Dec 2013): 10	<b>Target</b> (Dec 2015): 15	11 consultative meetings involving approximately 1,000 participants were held. ( 43% female and 57% male)	Bad road conditions are hampering visitations to other counties	

	<b>Indicator 1.3:</b> Number of national validation meetings conducted (disaggregated by key stakeholders i.e. CSOs, traditional leaders, women, youth, disabled, political parties, legislators)	<b>Baseline</b> (Dec 2013): 0	<b>Target</b> (Dec 2015): 2	None	Pending the formulation of the draft of the policy	
<b>Output 2:</b> Options paper on harmonization of the dual legal system in Liberia formulated	<b>Indicator 2.1:</b> Options paper on harmonization of the dual legal system available	<b>Baseline</b> (Dec 2013): Report of Access to Justice workshop includes recommendations for actions	<b>Target</b> (Dec 2015): Options paper validated	Thirteen Town Hall meetings and other forum (including two radio talk shows) were held to solicit views on options for harmonizing the dual legal system		
	<b>Indicator 2.2:</b> Harmonization Policy available	<b>Baseline</b> (Dec 2013): No harmonized legal system	<b>Target</b> (Dec 2015): Harmonization Policy developed	Not done yet	Subject to formulation and validation of options paper	
<b>Output 3:</b> Core group of 20 trained Legal Drafters created	<b>Indicator 3.1:</b> Number of qualified legal drafters in Liberia (at the LRC, MOJ, Legislature, Law School, Liberia National Bar Association)	<b>Baseline</b> (Dec 2013): 5	<b>Target</b> (Dec 2015): 25	Course contents and syllabus as well as criteria for selection have been developed		
<b>Output 4:</b> Codified laws and opinions of the Supreme Court published	<b>Indicator 4.1:</b> Number of volumes of the Liberia Code of Laws Revised  <i>Note LRC: the target</i>	<b>Baseline</b> (Dec 2013): 5	<b>Target</b> (Dec 2015): to be confirmed	209 different laws enacted by the 52 <sup>nd</sup> Legislature and 18 opinions handed by the Supreme Court were collected, scanned, converted to word, proof read and verified.		

*cannot be realistically estimated since it depends on the number of Laws the Legislature will pass in 2014 and 2015. Laws are submitted by many interested parties to lawmakers at any given time.*

**Indicator 4.2:**  
Number of volumes of the Liberian Law Reports published

**Baseline** (Dec 2013): 41

**Target** (Dec 2015): 46

To be confirmed

