

Full Project Document -- Outline (14 Pages Max)

I. Background and problem statement

Provide brief and concise information on the background of the project. Give a brief description of the problem you will try to address and why it is significant. Include who it affects and state the implications for localized and national level peace. Who are the main beneficiaries, and how will they benefit? Are there other stakeholders who may gain or lose as a result of the Project/project?

Problem Statement

Liberia's post-conflict reconstruction, development and governance reform are unlikely to succeed without a working and popularly accepted justice system at all levels. Due to historic abuses and the damage caused by the war, today there is little public trust in Liberia's justice system and very little capacity. The situation is particularly difficult in rural areas where the law has been perceived as a tool of the ruling class to dominate country people and where the historic legitimacy of the traditional chiefs has been compromised in many ways. Today, a wide variety of formal and informal local justice mechanisms operate largely unregulated and unchecked. Government and international partners are targeting scarce resources toward the much needed reconstruction of the formal justice sector. However, the impact of this will take a long time to reach the villages and there is an equal and urgent need for citizens to see immediate and tangible change in how justice is dispensed. Without this, the government will continue to be seen as a distant body with little relevance in improving conditions for ordinary Liberians.

Today, much of the population remains largely ignorant of their rights, including important new laws aimed to protect and empower women. Without a concerted and coordinated national campaign to educate citizens and local leaders on the rule of law, people will be without the basic tools to protect themselves from injustice in the near-term. Without a parallel and integrated effort to improve access to justice at the grass roots, including at the traditional level, an educated population may still find no places to seek protection from abusive local leadership. During the transitional period, when legal reform is taking shape and when the Poverty Reduction Strategy (PRS) needs immediate local accountability and transparency in order to begin implementation of long-term development strategies, a sustained government effort to improve local justice systems is needed. This includes public awareness of rights and responsibilities. Such a process, in combination and coordination with other community-based initiatives, will provide Liberians with the tools to protect the peace and to begin to achieve economic development and good governance, the critical underpinnings for a sustainable and peaceful society. Without the participation of all elements of society, including historically marginalized traditional peoples, a major root cause of the conflict will persist.

Background

The Carter Center (TCC)/UNHCR proposed project, *Strengthening the Rule of Law in Post-Conflict Liberia*, builds on the successes of current Carter Center programming in Liberia. The proposal contains three inter-related elements developed over the past two years of working with the Ministry of Justice (MOJ), the Ministry of Internal Affairs (MIA) and rural communities, primarily in the southeast and Bong County.

The main element of this proposal is the creation of a sustainable cadre of Community Legal Advisors (CLA) in target counties. The goal of which is to 1) increase access to justice by establishing credible transitional tools to help people identify appropriate dispute resolution venues. The CLA model stems from a successful and on-going pilot program conducted in the five southeastern counties since October 2007 (see Appendix I for a detailed description of CLA activities and the CLA program to date). The CLAs are individuals from local communities who have been given training in mediation, advocacy, domestic laws, and the roles of the different legal agencies. They are available at no cost to provide referrals, advice, and advocacy, or to help disputants negotiate local problems. They provide an immediate alternative in the transitional period to other local justice mechanisms that may not be accessible or trusted by all. While not official agents of the MOJ, the CLA approach receives the MOJ's full support (see Appendix II).

The pilot CLA program, implemented in the southeast by the Catholic Justice and Peace Commission

(JPC) developed organically in response to community needs. Local Civil Society Organizations (CSO) working on a Ministry of Justice civic education project, supported by TCC, were increasingly seen by community members as trusted resources for information, and also as people to whom problems could be brought for advice or resolution. In addition, the pilot has benefited greatly from close consultation and collaboration with a similar but more advanced project in Sierra Leone called Timap for Justice.⁴ To date, the JPC's CLA program has resolved a significant number and wide range of disputes, operated as a check on both the formal and informal justice systems, and made visible to citizens tangible change in how justice is dispensed.

In 2006, Minister of Justice Frances Johnson Morris requested TCC's assistance in providing short term capacity support to the ministry, to 2) increase legal literacy through community sensitization, and in organizing dialogues between the different constituencies interested in legal reform, particularly those in rural areas. The war has seriously damaged people's own understanding of what justice is and how it should be dispensed, leading to local confusion as well as space for abuses.⁵ Effective, functioning institutions and methods of justice require an informed citizenry with a knowledge of the rules, procedures, and outcomes within the forums of justice. Under a Memorandum of Understanding (MOU) with the MOJ (see *Appendix III*), TCC has worked with local civil CSO partners to develop and implement innovative and effective capacity building programming based on an MOJ-approved training manual and in line with IPRS deliverables. This public education, conducted by CSOs at the community level and through radio, provides the information with which citizens can begin to hold local leaders and institutions to account. (See *Appendix IV* for a review of CSO activities to date) This public education is particularly effective when coupled with the increased access to justice provided by a gradually improving justice system and the emergences of alternative community opportunities for justice such as the CLAs.

The MOJ's foundational request to TCC to help organize dialogues with the range of constituents involved in legal reform has lead, in part, to TCC's collaboration with the Ministry of Internal Affairs (MIA) to 3) promote the participation of traditional leadership in the rule of law. Effective institutions and methods of justice require the understanding, if not support, of all the people they intend to protect. Historically, the chieftaincy system has been the bedrock of local community governance and still remains highly significant. Despite the destruction of the war, which lead to the institution's credibility and capacity being significantly weakened, chiefs retain a significant measure of local authority, either through formal local governance processes or through customary or secret society mechanisms. Yet the war significantly diminished the power of chieftains, as it was usurped by the power of the gun. Connections between traditional leaders and the youth have been broken, but remain in some forms. Following three regional workshops with the MIA and the National Traditional Council, both bodies have requested TCC to train traditional leaders in each county. Training on the rule of law has been requested, as has the provision of office space and logistical support for the National Traditional Council (See *Appendix V*). Other inputs will be devised in consultation with the MIA and traditional leaders.

Returning to the bigger picture, an April 2006 report by the International Crisis Group outlined the

⁴ In a 2006 paper on justice in Liberia, the International Crisis Group pointed to Timap for Justice as a regional example of a successful grass roots community legal support program in Sierra Leone. Timap is an innovative program that has placed "paralegals" in eight offices around the country to help clients - who are often poor or otherwise marginalized and have little access to the formal justice system - address problems facing them and their communities. The program sees its users as agents of change rather than as victims; they believe that by connecting these clients with appropriate tools, they can help to transform an attitude of resignation in the face of injustice and impunity into a culture of fairness in which everyday citizens know their rights and stand up for them when they are violated. Timap paralegals are drawn from the communities where they work and are equipped with an array of skills necessary for securing justice for those who solicit their help. When Timap was formed, not a single lawyer worked in civil society in Sierra Leone, according to a Timap co-director. The group began as a partnership between a coalition of Sierra Leonean human rights groups and an international non-governmental organization. Today it stands as an independent Sierra Leonean organization, supported and monitored by lawyers, and established with a board of eminent Sierra Leoneans.

⁵ As the current chair of the Governance Commission Amos Sawyer has written, "Reestablishing or strengthening a shared community of understanding at the village and township levels is a task of fundamental importance." Amos Sawyer, *Rebound Plunder: Toward Democratic Governance in Liberia*, Lynne Rienner, (Boulder, London 2005) p. 53

centrality of the justice system in Liberia's post-war reconstruction. Without justice, they argued, the peace will not hold. One of its key recommendations was that civil society put in place community-based justice programs with a particular focus on rural areas. These would be responsible for helping Liberians solve their problems through a variety of formal and informal means. Calling on funders to support such efforts, the report stressed the importance of engagement with customary systems of justice given that reforming the statutory system alone may have a limited impact on those in very remote parts of the country. At the same time, the customary system must also be viewed critically as it can be particularly subject to prejudices arising out of local power dynamics. Means must be found to help local leadership embrace government reform, particular in areas such as women's rights and the use of harmful traditional justice practices, such as sassywood. Recognition of the wide landscape of the Liberian justice system, and the need to develop effective local-level methods to engage with it, is a central theme of the Crisis Group paper.

Many, if not all, of these challenges remain today and are embodied within the Government of Liberia's Poverty Reduction Strategy report (PRS). The Center's CLA approach (informed by the experience and success of our community education work, by the requests of the MOJ and MIA, and by the regional experience of Timap), work to increase legal literacy, and engagement with traditional leaders is designed to fulfil PRS deliverables. As noted in the PRS:

"The Government's goal with respect to governance and rule of law is to work in partnership with all citizens to build and operate effective institutions and systems that will strengthen peace and promote and uphold democratic governance, accountability, and justice for all. Its efforts will be guided by four strategic objectives:

- enhancing citizen participation in and ownership of government policy formulation and implementation;
- building effective and efficient public institutions;
- strengthening and enhancing the integrity of legal and judicial institutions; and
- expanding access to justice, and enhancing the protection and promotion of human rights." p. 85

Also:

"To ensure effective access to justice, individuals must also have knowledge of their rights and be able to access both the administrators of justice and associated facilities. Feedback from the districts and counties during PRS consultations indicated that people's major concerns regarding rule of law included corruption, a lack of legal aid, limited knowledge of laws (particularly laws regarding rape) and the protection of the rights of women and children." p. 92

"The Government will work with all actors, including traditional leaders, to take steps to educate the public with respect to individuals' rights and obligations under the law, particularly the rape law. Together with the strengthening of legal and judicial institutions, public education initiatives will also seek to increase people's knowledge of the justice system and reduce the number of mob justice incidents. It will also take specific measures at the local level to improve dialogue between citizens and the justice sector, to improve accessibility and understanding and to increase the accountability of justice sector institutions." p. 92

The Ministry of Justice, which is heading the Rule of Law and Governance Pillar's PRS planning and implementation, has specifically requested the assistance of partners to achieve these objectives and these are exactly the areas to which our programming is targeted in a holistic and integrated way.

The CLA approach coupled with CSO legal literacy education has been tried and tested in the southeast, it is now ready to be expanded into other counties, where it will have a strong peacebuilding impact. The Center's current implementing partner in the southeast is the Catholic Justice and Peace Commission (JPC). The Center has worked for almost two years with the JPC to

support their mission of justice and human rights. Initially, the JPC were conducting civic education training, but they have now expanded their role and are providing ten CLAs in five counties, supported with training and funding by the Center. This proposal seeks to strengthen and expand the activities of the CLAs in the under-served southeast, including adding roving CLAs and additional lawyers for monitoring and training. The Carter Center has discussed this expansion with JPC National Director, Chf. J. Augustine Toe, and he is enthusiastic about future partnership. Also, the model will be extended to the high-need areas of Bong, Lofa and Nimba. The JPC is the logical partner in these areas as well.

It is worth noting that, during the life of the project, there will most likely be an effort to examine and standardize various community legal service approaches that have been tried or that are currently underway by the government and by international partners. For example, the Chief Justice has expressed an interest in developing a paralegal model based on strengthening the office of the public defender. Other community legal services projects such as those run at various times by FIND, ARC, and NRC focus on gender based violence or land issues. The CLA program will be adaptable to a national, unifying paralegal initiative that may possibly arise during the life of the project.

Main Beneficiaries and Other Stakeholders

The *Strengthening the Rule of Law in Post-Conflict Liberia* project has a range of beneficiaries and other winner/loser stakeholders, noted below:

Beneficiaries

1. The Ministry of Justice benefits from CSO and CLA activities on the ground that propagate the MOJ's agenda in rural communities and assist the MOJ in attaining PRS deliverables noted above.
2. CLAs benefit from the work of CSOs, who help to ensure that communities are amenable to the services provided by CLAs.
3. Citizens in the target counties benefit from the presence of CLAs and receive access to justice through the variety of roles that CLAs perform.
4. Citizens in communities visited by CSO partners benefit from rule of law education. The knowledge imparted to communities will aid them as they navigate informal and formal dispute resolution options. CLAs, available through mobile clinics² to each community that CSOs visit, ensure that citizens have access to justice in their role as advocates and with their direct linkages to ABA-trained pro-bono lawyers.
5. Traditional leaders benefit from rule of law education at county-level workshop consultations.
6. Traditional people benefit from their leaders' participation in the rule of law.
7. The Ministry of Justice and others benefit from the insights of traditional leaders expressed at the county-level workshop consultations as well as from quarterly consultations with CSO partners. The insights inform policy decisions.
8. Citizens nationwide benefit from possible legal reforms made in consideration of rural suggestions garnered from traditional leader workshop consultations and CSO partner quarterly consultations.

Other Stakeholders: Winners

1. CSO partners benefit, receiving direct capacity support from The Carter Center and UNHCR, increasing their sustainability as organizations. This in turn bolsters their ability to attract future funding, conduct rigorous programming, and better serve their fellow Liberians.
2. The Government of Liberia benefits from the security afforded by a working and responsive justice system. This in turn increases Liberia's stature on the world stage, demonstrating its commitment and follow-through regarding PRS deliverables, stimulating further investment.

Other Stakeholders: Losers

1. Legal and judicial mechanisms on the local level that currently operate unchecked and that abuse power and procedure suffer as a result of CLA advocacy and CSO quarterly

² Mobile Clinics would consist of the CLAs venturing to a certain village for a specific amount of time (i.e. one week) to provide their services, returning to the village at another specific time for case follow-up.

consultations with the MOJ, which then reinforces standards.

2. Project Rationale and expected results

Detail how the project addresses priorities identified in the Priority Plan, including how it will contribute to the PRS and capacity development of national institutions.

Describe the intended results chain from project outputs through outcomes to the ultimate peacebuilding impacts that are expected to result from the project. Please describe the causal linkages between Input -> Output -> Outcome -> Peacebuilding Impact, as well as any risks and assumptions.

The *Strengthening the Rule of Law in Post-Conflict Liberia* project, as noted above, contains three distinct yet interwoven elements and a comprehensive project rationale:

1. *Increasing Access to Justice by Establishing Credible Transitional Tools to Help People Identify Appropriate Justice Mechanisms*: As noted, while the formal justice system is being rebuilt, it is critical that people have access to improved justice *now*, whether through enhanced formal, informal, or traditional dispute resolution mechanisms. Through the systematic training of traditional leaders (detailed below) and CLAs, skills transferred into community leadership will include negotiation, mediation, and in-depth knowledge of the law, the court system and law enforcement procedures.

The Carter Center will expand its six month pilot CLA project with the Catholic Justice and Peace Commission (JPC). Drawing from the Sierra Leonean Timap for Justice model, the CLA project has had immediate impact by increasing access to reliable and informed information on dispute resolution resources in the counties which they serve. CLAs occupy a space between the informal and formal justice system. Thus, CLAs do not represent a government mechanism, but do enjoy the full support of the Ministry of Justice. As the Minister of Justice notes, "While Community Legal Advisers are not the same as formal government courts [...] Once people engage with Community Legal Advisers, they will be better able to access and feel comfortable with government courts." CLAs help achieve the mission of the Ministry of Justice through dissemination of accurate information about the legal process and offering citizens the means to redress problems in a manner consistent with the law at a local level. By local people having access to alternatives for advice and information, it is expected that the overall quality of formal institutions will be favourably impacted as citizens better know their rights and have advocates to support them.

CLAs will be trained to: 1) provide information and education on rights and the law; 2) assist people with interactions with government and court authorities; 3) assist with the negotiation of small-scale conflicts and teach negotiation and mediation skills; and 4) make referrals for litigation as needed. In the next 16 months, the project will support 32 CLAs, 2 CLAs in each of the five southeastern counties - with 4 CLAs conducting mobile clinics (see footnote 6) in that region; and 6 CLAs in each of Bong, Nimba, and Lofa counties - 2 located in each provincial capital and 4 conducting mobile clinics in each county. CLAs will be recruited by the JPC in consultation with UNHCR and The Carter Center to ensure their quality. All CLAs will be at least high-school graduates with the aptitude and skill set required to achieve optimal performance in the CLA job duties noted above. In addition, all CLAs will be from the county in which they will work and will speak local languages. Particular attention will be paid to ensure that CLAs will be of strong character and reputation within the community.

Why expansion into Bong, Lofa, and Nimba? These counties constitute a significant portion of the Liberian population, were particularly ravaged during the civil war, and ethnic tensions remain high. Land disputes are a particular concern to many communities. In addition, CLA services and CSO work would aid their self-expressed County Development Agendas (CDAs). As noted in the CDA for Bong, Lofa, and Nimba, each county has prioritized the provision of legal aid services as well as increasing their residents' knowledge of legislation and rights under the law. Community education activities in the rule of law would also seek to collaborate and integrate with other on-going related activities, such as UNHCR's proposed *Community Empowerment, Peace, Human Rights and Civic Participation Programme (CE)*.

⁷ See Appendix II

In each county, CLAs will interact with various authorities in the following manners:

o *Judiciary and Ministry of Justice Personnel*

CLAs will not be lawyers and are not able to represent clients in or out of court. They will be trained, however, to provide guidance to people facing justice problems that must be resolved through formal judicial channels. For instance, a CLA might advise a community faced with a serious crime, like murder or armed robbery, to report it to the police and explain to them how investigation, arrest, and prosecution would proceed. The CLA will also advise people on the court's proper procedure for collecting fines and fees and advise as to what fees are not legal, thereby deterring corrupt officials from extracting bribes or dubious "costs of court."

o *Informal, Traditional Justice System*

The main role of the CLA is to help people access justice. While much attention has been given to harmful traditional practices, CLAs, where appropriate, will encourage people to access informal and traditional means of justice. By interacting with both the formal and informal systems, CLAs will help to foster positive synergies and mutual understanding of appropriate roles and services. CLAs will not actively dissuade positive traditional dispute methods. The nature of this interaction is subject to change based on Government priorities.

o *Ministry of Internal Affairs Personnel*

CLAs will help people in their interactions with representatives of the Ministry of Internal Affairs, the ministry with the largest presence and widest administrative role in rural Liberia. CLAs can advise people as to the proper role of the ministry to help ameliorate the common confusion between its functions and that of the court system, and counsel them as to the standards these officials should uphold when performing their duties.

o *Liberian National Police (LNP)*

CLAs will advise communities of the importance of continued cooperation with police until justice has been secured. Most people do not understand how the police department is supposed to function, what are one's rights when under arrest, or the importance of following one's complaint from the police department to the courts. Many people fail to follow up on their case and then the police are not able to produce witnesses or collect further evidence, and suspects are released. Sometimes, when suspects are released after only a brief detention, people assume that the police are corrupt and do not realize that their failure to follow up on their case may instead be the reason for a suspect's release. The police also need to be monitored, as many of them are new and do not always know how the system is supposed to work. If local citizens know the basics of filing a police report, the rules of arrest, the need for a charge and arraignment within 48 hours, the need for the police to collaborate with the city solicitor or the county attorney at the court, and other things, they can then observe when these procedures are not being followed correctly and can report abuses. By walking through the process with people, and helping people to make police reports and follow their cases to court, CLAs can fill a critical gap in the system which will help it to operate more effectively.

TCC will work with the American Bar Association (ABA) to coordinate CLA efforts with ABA-funded rural legal aid lawyers. As possible, ABA legal aid lawyers will be placed in the county capitals with the CLAs (as happens now in Maryland County) in order to provide formal legal advice to the CLAs as needed, and to assist with training, oversight, and litigation. TCC's chief trainer and project manager, both lawyers, will offer further support to CLAs in addition to regular training.

It is important to be mindful that the CLAs placed in the communities do not perpetuate the problems that the program intends to resolve, as stipulated above and in the problem statement. CLAs cannot be corrupt, uninformed on the law, or insensitive to historically marginalized peoples. To ensure that CLAs uphold the sanctity of their offices, the project will set in place rigorous monitoring. First and foremost, CLAs will be subject to any monitoring mechanism developed by the Minister of Justice and MOJ. After the conclusion of the pilot phase, the Minister requested more involvement with CLA monitoring, a move greatly welcomed. In addition to MOJ oversight, in each community in

which CLAs have an office, the JPC will establish a Community Based Oversight Panel, comprised of local leaders and a cross-section of society to whom people can raise complaints about CLAs. This oversight will be coupled with UNHCR and Carter Center oversight, manifested by institutional review of CLA case forms, random follow-up interviews with CLA clients, and monthly CLA retreats where a comprehensive review of each CLA's activities will be completed. The UNHCR's various field offices and The Carter Center's offices in Harper and Gbarnga will serve as focal points in CLA monitoring. In addition, the external pre- mid- and end-of-project evaluation of the CLA program by the Centre for the Study of African Economics, detailed below, will also gauge any abuses by CLAs - abuses that will be, as will all other abuses identified through the processes noted above, swiftly dealt with.

The expansion of CLAs will have a significant impact on the number of people who have access to legal advice and advocacy, and to negotiation and mediation processes. Indicative of this potential impact, TCC's current six-month pilot has successfully assisted in the referral and resolution of disputes including cases dealing with assault, breach of contract, child abandonment, debt, marital problems, police abuse, and wrongful detention. As noted above, while CLAs are not official agents of the MOJ, the MOJ is fully supportive of this approach which is not designed to usurp any function of the judiciary or to challenge the value of customary mechanisms. Instead, CLAs provide alternative local fora that can help encourage improved services in both the informal and formal sectors.

2. Increasing Legal Literacy Through Sensitization and Training: In partnership with the MOJ, over the next 16 months CSO partners will visit approximately 150 communities in each of Lofa and Nimba counties to provide direct education on rule of law topics including national law, the role of local officials, the justice system, basic human rights, and local-level problem solving. They will visit or revisit 100 communities in each of Bong, Maryland, Grand Gedeh, River Gee, Grand Kru and Sinoe Counties. A lessons-learned county consultation, including stakeholders from all sectors, will be held in each of the 3 target counties.

Methodology: The Carter Center has developed an MOJ-approved rule of law training manual for training and for CSOs to use when conducting sensitization in the field. CSO partners will use a variety of educational tools, as long-standing experience has shown that a flexible and multi-pronged methodology, including repetition, is highly effective. Current and continuing partners include the Catholic Justice and Peace Commission (JPC), the Inter Religious Council of Liberia (IRCL), the Bong Youth Association (BYA), the Southeastern Women's Development Association (SEWODA), Flomo Theatre Company, and the Modia Drama Club (MDC). In addition, TCC anticipates expanding partnership with the JPC to Nimba, with the Traditional Women United for Peace in Lofa county, and with the National Traditional Council throughout the country. All activities will be complementary to, and cooperative with, existing or new efforts by other partners in all sectors.⁸ Activities will include:

Drama: CSO partners will use drama and role play to engage communities in a particular law or human rights issue. Dramas include scenarios such as a man beating his wife, a Justice of the Peace taking a bribe, a family compromising a rape case, or the sassywood man and the chief conspiring to 'catch' someone for witchcraft. The all-important process of community discussion and decision-making ensues when the drama stops at critical moments and the community is invited to act out their own endings. After several possible endings to the drama are suggested, community discussion will likely be followed by agreement on the best way to solve the problem. The CSO educators will guide the process, informing citizens of relevant laws and helping the community to articulate and understand why non-violent and transparent solutions consistent with national laws are in their best interests.

⁸ The Carter Center strives to work in a fully collaborative and transparent way. Current active international program partners include the UNMIL Legal and Judicial Division, American Bar Association (ABA), PAE, International Legal Assistance Consortium (ILAC), the United States Institute for Peace (USIP), Oxford University's Center for the Study of African Economics (CSAE), Leiner Center for International Law and Justice at Fordham University School of Law, Emory University's Institute for Developing Nations and Emory University Law School. Collaborations will also be sought with relevant UN institutions, including UNDP and UNICEF, where possible.

Town hall meetings: CSO partners will meet with town chiefs and elders to get their agreement to convene a town hall meeting on the role of the MOJ and the passage of new laws such as the Rape Law and the Inheritance Law. Community leaders will be invited to play an active role in the town hall meetings where they will help educate the community about the law, the legal system, and appropriate ways to solve conflicts locally. In this way, local leadership lends its authority to outcomes that support the rule of law.

Radio programming: The Carter Center, through its CSO partners, will support local and national radio programming on national and community radio stations to promote greater understanding of the rule of law. Radio stations at the county-level will be selected which cover the most suitable demographic of radio owners. This demographic will be determined through an analysis of data from International Alert, records from a UNHCR radio distribution program, and the advice of our CSO partners who have years of experience in the counties, substantial social networks, and have visited a majority of villages in each county. Community call-in shows are a particularly effective method to explain issues of practical importance to particular communities (moreover, utilizing radio programming is encouraged by the PRS). Initially, call-in shows will pair County Attorneys with CLAs and expand to include other willing participants from the legal community. In addition, Flomo Theatre Company, founded by the nation's top comedian, will record a mix of jingles and radio dramas covering key messages. Recordings will be made of town hall meetings and dramas. This mixture of programming can be replayed regularly on local radio at a very low cost and will provide significant public education and discussion even in places where civic educators and CLAs are not present.

The Carter Center will provide funding for the CSO activities, as well as training on the rule of law and administrative capacity building, including proposal writing, work-plan development, and financial management. To assist with this training and on-going close mentoring and monitoring, The Carter Center will establish a satellite office in Gbarnga. Individual CSO work plans will be tailored to their localities.

As one of the MOJ's voices within the community, CSOs will be in a unique position to observe the strengths and weaknesses of the laws and their implementation from the perspective of ordinary Liberians. The program will arrange quarterly meetings between CSO representatives and the MOJ to give and receive regular feedback on their work. The program will develop empirical measures of the overall state of the rural justice sector in partnership with the United States Institute of Peace (USIP) and Oxford University's Center for the Study of African Economics (CSAE) for use by the MOJ, MIA and other policy makers. This activity will help to increase the flow of information from rural areas to policy-makers in Monrovia. (For more details, see Full Project Document Question 4, below.)

3. *Promoting the Participation of Traditional Leadership in the Rule of Law:* Liberia's conflict is in many ways rooted in the historic marginalization of the 'country people,' and the continuing cleavages between settlers and the indigenous people, people with 'book' and 'no book', and 'civilized' and traditional people. Nation building will not succeed unless this dynamic is changed and, at a minimum, traditional people feel engaged as key constituents in local decision making and reform processes that affect their communities. As noted, during the pre-war years and particularly during the war, traditional leaders lost credibility in many communities, although they often continue to play a key role in the absence of alternative local mechanisms. There is need to work with the traditional leadership, particularly on the rule of law and dispute resolution techniques; this will be a critical interim step toward "restoring the reputation of the traditional leaders," as the Minister of Internal Affairs has said, regardless of what formal role is ultimately provided for them as the formal decentralization process unfolds. This work is not to promote a particular role for the chiefs, but rather to engage and update them on the new elements of the law and discuss with them ways that these can be incorporated at the local level.

At the invitation of the MIA, The Carter Center has helped to organize three large regional leadership

trainings for traditional leaders and provided a day-long training module on the rule of law that addressed issues of gender and harmful traditional practices in ways that elicited open discussion and counteracted the strong negative perception among many traditional leaders of "human rights people." These trainings yielded strong statements in support of government policy. Building from these successful events, further leadership training modules will be developed in collaboration with the MIA. Training will focus on rule of law sensitization, discuss positive cultural values and alternatives to harmful practices. Trainings will cover the law, the legal system, the chiefdom's proper role in local governance and the intent and implementation of gender-related and other legal reforms. A benefit of this model is that, as Liberians seek to find answers to questions of reform and to bridge historical divisions, it allows The Carter Center to bring the concerns of the various rural constituencies to the attention of policy and decision makers at the MOJ and MIA, who will then be able to incorporate traditional leaders' suggestions into the justice reform process. In this manner, traditional leaders will be able to offer suggestions on how the justice system can better respond to local needs. The Carter Center will conduct 18 three-day leadership training sessions for up to 100 people, holding three in each of the three regions and repeating the trainings after a six month interval. The participants for these training sessions will be determined by The Carter Center, the Ministry of Internal Affairs (MIA) and the National Traditional Council jointly, which will be reflected in anticipated MOU between The Carter Center and the MIA. Participants will reflect a cross-section of traditional leaders reflecting diversity in terms of age (youth, elderly, etc), gender, and ethnicity. Female traditional leaders will comprise an important contingent of each workshop. The make-up of all participants will ensure that no one group is over-represented or absent. In addition to this activity, to strengthen the capacity of the National Traditional Council and at the request of the MIA, the Center will provide office space and logistical support to the National Traditional Council.

Traditional leaders are a powerful voice in their communities. By training them on the rule of law and constructively addressing issues of gender and harmful traditional practices, and by providing them with the logistical support, traditional leaders can become part of the reform process and effect change within their communities.

How the project address priorities of the Priority Plan

The *Strengthening the Rule of Law in Post-Conflict Liberia* project addresses three of the seven interrelated 'conflict factors' detailed in the Priority Plan, specifically: weak justice systems, lack of shared vision, and poor leadership and the misuse of power. All three elements of the project reinforce delivery capacity for the MOJ in expanding activities to underserved areas and increasing number of cases reviewed.

How the project will contribute to the PRS

As explained in the response to Question 1, above, the *Strengthening the Rule of Law in Post-Conflict Liberia* project, building on current Carter Center programming, is in line with a number of deliverables and thematic elements throughout the PRS.

How the project will develop the capacity of national institutions

The project is explicitly designed to develop the capacity of the MOJ. Knowledge transfer through training is critical component of capacity building and sustainability. Counselor Lement Reeves, one of the country's top community legal trainers, has recently been hired by the Center to assist. The proposed work with the National Traditional Council, whose leaders are employed by the MIA, is being conducted in full partnership with the MIA. Training programs will be offered in each target county with the explicit aim of improving the ability of county chiefs to perform their functions, consistent with the law. Ministry personnel will participate in these trainings, both as trainers and participants and a goal of the process is to ensure that these trainings can be replicated and reinforced subsequently by MIA officials. Separately, the work with the JPC to expand its CLA project will further strengthen the JPC as a national institution, committed to promoting justice. Not only will the CLA's work deliver tangible results to citizens eager to see justice, but the feedback and consultations on rural experiences with the MOJ and other stakeholders will be of great value to developing good policy and strengthening the administration of justice. As noted, the request to the PBF is complementary to additional programming that the Carter Center is also undertaking. This programming is specifically aimed at capacity building in the MOJ, including training of county

magistrates and other ministry personnel and work with the James A.A. Pierce Judicial Institute to help train county magistrates.

Intended results change

As a result of the activities detailed above, the project will have the following outputs: CLAs will function in 8 target counties (Lofa, Nimba, Bong, Grand Gedeh, River Gee, Sinoe, Grand Kru, Maryland); traditional leaders in each of the target counties will receive 48 hours of workshop consultations on the rule of law; 84,000 citizens in target counties will be educated on the rule of law; there will be 1,520 hours of rule of law radio programming conducted in target counties and nationally; CSO partners will have 6 quarterly consultations with the Ministry of Justice and other relevant ministries, where they will offer feedback on their activities and inform the policy-making process; there will be a county-level dialogue held in each of the 8 target counties with the full range of rural justice stakeholders, including MOJ, MIA and other interested government partners.

The key outcome of the project will be that citizens have and use more tools to resolve local disputes peacefully and to access justice through mediation or the courts. Coupled with this, citizens will develop confidence in the justice system. Other outcomes include: citizens in rural and underserved areas and traditional leaders will improve their knowledge of the law, human rights, conflict resolution mechanisms, and their rights and responsibilities under the law; traditional people will feel ownership in and relevance of the reform process; CLAs and CSOs will build sustainable organizational capacity. A key element of programming, detailed above, is the two-way flow of information of the project activities: citizens and traditional leaders learn about the law while key actors in the Ministry of Justice and in other ministries receive input into future policy reform based on rural suggestions. Thus, another key outcome is that 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.

The causal linkages between outputs and outcomes reflect a significant combination of socio-political and individual change among "key" and "more" actors. They are crucial to the peacebuilding impact, are detailed in the logical framework, and are highlighted here:

1. The Ministry of Justice and other relevant ministries are willing to meet with CSO partners.
2. Sufficient financing is secured.
3. The government's commitment to 'inclusiveness' does not change.
4. The atmosphere of current government support for improving access to justice continues.

The causal linkages between outcomes and the peacebuilding impact - a working and responsive local justice system that historically marginalized demographics can use and trust - are the following:

1. Citizens educated on the rule of law and given appropriate, effective, and egalitarian justice options will use them.
2. The atmosphere of current government support for improving access to justice continues.
3. The project enjoys the support of all levels of government.
4. The socio-political and economic conditions of the country do not deteriorate to a critical level that compromises security.

3. Partnerships and Management Arrangement

Describe the relevance of project partnership in each step of the results chain described above. Refer to partnerships with government, UN entities, civil society organizations (CSOs) and other partners. Specify how the project will allow measuring its contribution to strengthening national capacities.

Describe project implementation and supervision arrangements; indicate in-country and region based capacity of organization including length of presence and staff, as well as track record and expertise of any implementing partners.

Give a brief description of project implementation and monitoring arrangements to ensure the cost-effective and efficient attainment of the outputs identified in the logical framework, including:

- Specific delivery mechanism chosen reflecting security conditions and in particular detailing
- Proposed use of international staff in Liberia both from private contractors and NGOs;

For Joint Projects, describe fund management option.

Describe legal basis of the relationship.

Relevance of project partnership

The breadth and strategic nature of project partnership is a crucial element in each step of the causal results chain:

--The MOJ is the key partner in CSO work and in increasing legal literacy, working with The Carter Center under an MOU to guide implementation, supervise content, and evaluate activities;

--The MIA is the key partner in working with the National Traditional Council, also guiding implementation, supervising content, and evaluating activities. An MOU will be negotiated with the MIA to govern PBF activities;

--UNHCR will be the funding recipient and will provide administrative and substantive guidance, monitoring, and support throughout the life of the project. UNHCR's comparative advantage is evident due to a number of factors. Primarily, support to the Rule of Law is a natural fit and in line with UNHCR's depth of knowledge and experience throughout Liberia, particularly in the field, as the IASC-cluster lead on protection coordination and response. UNHCR staff working in offices in Harper, Zwedru, Sclapea, and Voinjama shall provide on-the-ground coverage and support to the project. These staff have been closely working for the past years with protection actors in each of the areas. Each of these offices has a Liberian peacebuilding focal point who will coordinate UNHCR's monitoring and support to the project from the field. A National Professional Officer (Protection), a Liberian attorney based in UNHCR Monrovia, will also remain the project focal point throughout implementation period. UNHCR will ensure that this project leverages itself in relation to all UNHCR activities, not only those which are rule of law-specific. *All Key stakeholders in the current proposal will be target groups for the non-formal peace education, Community Empowerment Programme which UNHCR has submitted to the Peacebuilding Fund in partnership with the MIA and JPC.* UNHCR and The Carter Center will utilise expertise with community radio structures through UNHCR's partnership with International Alert. The network of UNHCR/NRC-supported protection monitors throughout the area of implementation shall assist in providing case referrals to CLAs. With UNHCR support, Protection Core Groups ("PCGs") in the areas of implementation will bolster their coordination and cooperation with the CLA programme, while the PCGs will help to point out key focus areas (geographic and topical) for implementation of all three elements of the project. UNHCR also has well-placed human resources to ensure the necessary programmatic, administrative, and financial reporting support both in the field and in Monrovia. UNHCR will additionally provide logistics support to the project through provision of three light vehicles and assistance with trucks as needed;

--CLA implementation will be conducted by the JPC throughout the southeast who will be funded, trained and monitored by The Carter Center, as will the CLA implementing partners in Bong, Lofa and Nimba counties;

--County-specific civic education will be conducted by IRCL, BYA, SEWODA, and the Modia Drama Club, the Traditional Women United for Peace and other county-based community organizations to be identified (noted in the workplan). These groups will receive funding to support organizational costs including transportation and materials, along with capacity building support and training on the rule of law and messaging techniques. Regular oversight will be provided by TOC's four rural monitors and Monrovia-based staff;

--The National Traditional Council will be a convening partner, along with the MIA, of the rule of law and leadership training workshops for traditional leaders. They will receive core sub-grant support to assist with office space (a request of the Council supported by the Minister of Internal Affairs) and transportation. Council leadership will promote the goals of the rule of law training as "peace ambassadors" and help to facilitate other civic education efforts on the ground and on the radio;

--Traditional women's groups, such as Traditional Women United for Peace, will be an important part of both civic education outreach and the training of traditional leaders. The dialogue on gender issues within the traditional leadership is particularly critical to working toward a new national consensus on the gender-related violence;

--Flomo Theatre Company will be sub-contracted by The Carter Center to produce jingles and radio dramas for broadcast, and will participate in major training sessions;

--There is strong collaboration on both implementation and evaluation between The Carter Center and the international partners including: the American Bar Association (ABA), PAE, International Legal Assistance Consortium (ILAC), the United States Institute for Peace (USIP), Oxford University's

Center for the Study of African Economies (CSAE), Leitner Center for International Law and Justice at Fordham University School of Law, and Emory University's Institute for Developing Nations, all allowing for collaborative strategic planning and resource sharing;

--The Carter Center will provide legal and conflict resolution training, capacity building, sub-grants, and oversight for the projects. Further, The Carter Center will provide a strategic link between the rural activities and the policy process. The Carter Center project infrastructure has already been developed, including programming, relationships, staff and vehicles. Therefore, PBF funds can be quickly directed to providing critical services;

--The Carter Center will ensure that programming will lead to reflection and inputs into reform, including short term discussions on possible national paralegal models, along with longer term discussions on the grass roots participation, decentralization and any possible revisions of roles and responsibilities in local governance.

Project implementation and supervision arrangements

The project will be implemented by the Carter Center under the standard UNHCR sub-agreement applicable to all UNHCR IPs.

The Carter Center will deliver project outputs through its CSO and government partnerships. The Carter Center has the history and experience to effectively expand its programming to tackle these pressing issues. Starting in 1992, the Carter Center has worked in Liberia to support peacemaking and to develop NGO and human rights capacity. The Carter Center observed elections in 1997 and 2005. The Carter Center will draw on the expertise of its entire in-country staff during the course of the project. In-country staff includes a Monrovia-based Project Manager, a Senior Legal Associate (for training), a Project Coordinator, Program Associate, Finance and Administration Officer, and Logistical Assistant. In addition, the Carter Center has a Field Office in Harper to service the southeast, staffed by two Legal Assistants, who will both be central to implementation of the proposed project. A second regional office will be opened in Gbarnga to service activities in Bong, Nimba and Lofa and will be staffed also by two legal assistants. Five of the eight substantive positions are filled by Liberians. In-country activities will be supported from the Carter Center's Atlanta headquarters by the overall Project Manager and administrative support staff.

4. Monitoring & Evaluation

Systems for project monitoring (including financial tracking and accounting audits), quality control (including lesson learning), and impact assessment; methods for data collection and monitoring. What are the indicators that will be used to measure the impact of the project? Will a baseline study be conducted, and what partners are being considered for M&E activities?

Projects should indicate interest in rigorous project evaluation. Interested project teams should also work with the evaluation consultants to describe (1) a proposed approach for pre- and post-project data collection; (2) potential control groups for comparison purposes (including method of selection); and (3) cost-sharing of monitoring and evaluation expenses with the independent evaluators.

Monitoring and evaluation are integral to the program model. In order for the project to be adaptive, it is critical to understand what progress is being made using different kinds and combinations of education, how effective the CLAs are, and how rule of law training of traditional leaders is affecting conditions on the ground. Internal evaluation will be conducted quarterly through rapid appraisal methods, such as focus groups and key informant interviews. Regular communication with stakeholders, including MOJ and MIA will ensure critical input.

In addition, the Centre for the Study of African Economies (CSAE) at Oxford University will conduct an external evaluation of activities at the beginning, middle, and end of the project, focusing both on civic education and on the CLAs. These evaluations will be partially funded by the PBF, but largely funded by Oxford University. At the start of the project, CSAE will gather substantive baseline data. They will conduct household surveys at the beginning and after a year in order to compare key indicators at different times and between the varying approaches being used in different geographic areas. Indicators will include: respondents' knowledge of their legal rights; familiarity with the justice system; incidence of conflict and/or legal disputes, including victimization, inheritance, and land disputes, domestic violence, rape and others; choice of legal forum; experience with legal forum, including costs incurred and subjective perceptions of

various legal institutions, including perceptions of recent change. The household survey will involve several hundred households, including two dozen or more communities where The Carter Center is not currently working and also where traditional leaders trained by The Carter Center are working. Evaluation of CLA work will be conducted through key informant interviews of people who chose the CLA process and those who did not. Indicators will include perception of the effectiveness and fairness of the process; reasons for choosing the CLA process over other processes; the quality and sustainability of any outcome; and the likelihood that the participant will use the same process again. In addition, the CLA process is attracting interest from the World Bank which is conducting a comparative impact study of paralegal activities in eight countries testing the theory that these projects are especially valuable in post-conflict environments.

5. Sustainability of the project

Describe the mechanism for long-term sustainability (or the exit strategy) after the project is completed, to ensure future sustainability of impacts of the initiative. Also describe the possibilities for replication or expansion of the project.

Knowledge and capacity building are critical elements of the program's contribution to government, civil society and citizens. Both of these elements foster sustainability. Once people have an understanding of their rights, they are unlikely to forget them. Once public entities are aware that the citizens have knowledge about what is right and wrong, it becomes progressively harder for these entities to trample on rights. The civic education to be provided by CSO's will, therefore, provide critical support to the work of the MOJ by providing a citizenry capable of defending their rights and thus supporting the work of the police and prosecutors locally. The CLA program will have a similar impact. As noted, the request to the PBF is complementary to additional programming that the Carter Center is also undertaking. This programming is specifically aimed at capacity building in the MOJ, through training of county attorneys and other ministry personnel and work with the James A.A. Pierce Judicial Institute to help train county magistrates.

Broadly, there are three scenarios for sustainability of the CLA program: 1) The Ministry of Justice and Judiciary incorporate the CLA program and make it a government mechanism; 2) The CLA program receives further funding from different sources and remains a non-government program enjoying the support of the government; 3) The CLA program is a transitional mechanism and as critical capacity gaps are filled in the next 16 months, the program winds down as the government identifies other means to fill these gaps. Determining which exit strategy is most appropriate will be a fundamental activity during the life of the project. UNHCR, Carter Center and other relevant stakeholders will hold at least three meetings with the Ministry of Justice and at least three meetings with the Judiciary to take place during the second, fifth, and tenth months of the project, to discuss the various sustainability strategies noted above. By month six, formal recommendations for sustainability options will be made. They will include concrete steps for implementation. By month 12, a sustainability option will be elected by stakeholders and implemented in the following months. Notwithstanding the above timeline, feasible sustainability options are being pro-actively investigated as discussed below.

The CLA program will be adaptive during its lifetime to any national policy decisions to standardize community legal support activities. The methodology to achieve sustainability is a decision that will be equally as dependent on the effectiveness of the CLAs as on the lessons learned from comparative CLA-type programs across Africa. On the first point, this project has a strong monitoring and evaluation arm to measure CLA impact; on the second point, the Carter Center has an agreement with the Leitner Legal Clinic at Fordham Law School in New York, headed by Dr Chi Mgbako, a noted African community justice expert and former West Africa officer for the International Crisis Group, to examine comparative models across Africa, including the funding basis of different models. In the fall, the Leitner Legal Clinic will assess various paralegal models in the field and will compile their findings and relevant data in a report to be made available to the Carter Center by mid-December. This report and the lessons learned from monitoring and pre- and mid-project evaluations by the Centre for the Study of African Economies will inform discussions with the Judiciary and the Ministry of Justice and provide solid empirically derived options as to how to sustain (or not sustain) the Community Legal Adviser program.

Briefly looking at the larger picture, optimally, the eight county model can expand to the entire country. Should the CLA program remain a non-government program, we have a prime example of how to achieve continuation and expansion. In Sierra Leone, the Timap for Justice model began with similar modest roots to the CLA program and its successes have led to sustainable international donor investment (Timap for Justice is currently supported by World Bank funding and continues to receive accolades). This is merely one illustration of how non-government sustainability might be achieved.

6. Project Implementation with timeline

Describe (i) the methodology and (ii) list the key proposed project activities (including roles of partners), and planned outputs/milestones, including the timeline for delivering these outputs.

See Annex 2.3

7. Project/Budget (Annex 2.4)

8. Detailed workplan (Annex 2.5)