



Legal Empowerment of vulnerable people: Microjustice4All Legal Inclusion Mapping & Empowerment Methods

Start in your country of
interest legal empowerment!

April 2019

Why : Mission Statement

- The mission of Microjustice4All is to legally empower marginalized people and victims of humanitarian disaster in order to achieve their legal inclusion.
- MJ4All believes that legal inclusion of all individuals and groups in society is a prerequisite for sustainable peace, democracy, and further development.

What: Legal Inclusion Program to support SDG 16

Global Goal for Sustainable Development 16 (SDG 16) provides an opportunity to get the legal empowerment work on the international agenda:

- (A) To promote peaceful and inclusive societies for sustainable development,*
- (B) provide access to justice for all, and*
- (C) build effective, accountable and inclusive institutions at all levels*

Legal Inclusion is a central issue in these 3 objectives which can be measured through a legal inclusion indicator framework

How : Legal Inclusion Program – 3 parts

I. Legal Inclusion Mapping per country

to make legal exclusion tangible and actionable, making clear what issues need to be addressed for inclusion of the excluded groups

II. The Comprehensive Legal Empowerment Plan per country for legal empowerment of the marginalized groups within their country

III. Providing a progress monitoring framework for the implementation of SDG 16 per country

WHERE? – the MJ4All Network

THE HAGUE, THE NETHERLANDS
Microjustice4All

WESTERN BALKAN
Croatia
Serbia



MICROJUSTICE EAST AFRICA
Kenya
Rwanda
Uganda



MICROJUSTICE LATIN AMERICA
Bolivia
Perú
Argentina

Key Performance Indicators per 31 October 2017

- (1) The Case Management System of MJ4All (CMS) is the source of information of these numbers
- (2) The numbers are based on the reports of the MJ4All Country Organizations, The CMS is not the information source
- (3) Consults = provided personal legal advice (which is free)
- (4) Case = Legal solution developed by the lawyers of a MJ4All Country Organization (for a fee on a cost basis)
- (5) Events = Legal training, awareness raising un legal rights, community working, etc.

BOLIVIA

Since 2008 ⁽¹⁾

- 20 Outlets in La Paz, Oruro and Cochabamba
- 168,333 consults ⁽³⁾ of which 84,236 are new and 84,097 are connected to a case
- 30,438 cases ⁽⁴⁾
- 61,755 Persons directly assisted
- 261,081 beneficiaries from legal solutions
- 7,333 people reached on 143 events⁽⁵⁾

PERÚ

Since Nov. 2008 ⁽¹⁾

- 18 Outlets in Puno, Pisco, Iquitos and Lima
- 58,584 Consults⁽³⁾ of which 50,684 are new and 7,900 are connected to a case
- 6,121 Cases ⁽⁴⁾
- 32,022 Persons directly assisted
- 100,938 beneficiaries from legal solutions
- 17,688 people reached on 488 events⁽⁵⁾

THE HAGUE, THE NETHERLANDS

Headquarters MJ4All



WESTERN BALKANS

Since 1998: ⁽²⁾

- 50,360 civil documents arranged cross-border
 - More than 100,000 consults⁽³⁾ & legal solutions relating to post-war legal rehabilitation
- 2001 - 2008: ⁽¹⁾
- 30,717 administrative documents cross border in Croatia for Refugees of Serbia

KENYA

Since March 2015 ⁽²⁾

- 6 Outlets in the slums of Nairobi
- 5,322 consults⁽³⁾
- 468 cases⁽⁴⁾
- 3,921 Persons directly assisted
- 2,466 people reached on 25 events ⁽⁵⁾

ARGENTINA

Since 2010 ⁽²⁾

- 16 mobile outlets in slums of Buenos Aires
- 700 cases⁽⁴⁾
- 5,500 consults⁽³⁾

RWANDA

Since Oct. 2014: ⁽²⁾

- 4 outlets in border regions
- 5,852 consults⁽³⁾
- 702 cases⁽⁴⁾ solved
- 57,221 people reached on 199 events⁽⁵⁾

Timeline Microjustice4All



Start Microjustice4All in the Former Yugoslavia with cross-border Legal Empowerment Program for the post-war legal rehabilitation of the refugees

Solved Catch 22 situation of the refugees

- through cross-border legal services
- with network of lawyers and paralegals across-borders

97- 2006 hundred thousands legal and administrative issues resolved related to identity, property, banking, pensions, housing, reconstruction programs, etcetera

As of 2007 smaller scale; now 400 cases per year

Microjustice4All Sustainable Legal Empowerment Methodology developed as of 2006/7

1. 97-2006 cross border legal aid in the post-war rehabilitation of the former Yugoslavia was a **humanitarian program, fully funded by the donors**
2. Assessment missions in Sudan, Georgia, Iraq, Colombia showed that arranging basic legal needs is needed everywhere for the victims of conflict and marginalized groups but that no-one is structurally doing this, and no budget lines are available.
3. With the goal to expand globally and to become sustainable: started to develop the Microjustice4All Legal Empowerment Methodology:
 - inspired by Microfinance, legal services for the poor, with a sustainable model, where legal services are delivered with economies of scale, as a product.
 - developing the issues that were also being defined by the Report of the Commission on the Legal Empowerment of the Poor 2008
 - Start in Bolivia to develop the method in practice in 2007.

Microjusticia Bolivia – since 2007



The aim: the marginalized groups access to social-economic, political empowerment policies:

1. New state pension and other social benefits. To access these, MJB has helped 10.000s people to obtain correct Civil Documentation
2. Housing-property registration program promulgated by Government to ease the procedure; MJB has massively prepared the paperwork for people to get correct property registration.
3. Government empowers the Indigenous communities; MJB helps all over Altiplano (highlands) leaders to get correct civil documents and legal personality to be able to participate and access government programs. Very difficult, institutions put up so many obstacles

Legal Empowerment Methodology (1 of 4)

Key basic legal needs for Legal Inclusion

MJ4All focuses on **non-litigious private and administrative legal matters**. MJ4All offers **practical, legal solutions** which often takes the form of a legal document, in the issues identified as well by the Commission for the Legal Empowerment of the Poor:

- **Civil documents:** birth certificates and other documents relating to personal identity;
- **Documents relating to property and housing:** property registration, property transfer;
- **Documents and issues relating to income-generating activities:** setting up businesses, co-operatives and other legal entities;
- **Documents and issues relating to family law and inheritance matters;** and
- **Documents and issues relevant to the specific geographic context,** for example, post-conflict, natural disasters, refugee crises and environmental issues.

Legal Empowerment Methodology (2 of 4)

What is the essence?

The limbs of the MJ4All Concept in practice:

- The provision of standardized legal services
- To marginalized target groups
- With a view to their social, economic and political inclusion
- While undertaking bottom-up institutional capacity-building, and building a bridge between the people and their government
- Financed in a cost-efficient and sustainable way which can be scaled up; business case



Legal Empowerment Methodology (3 out of 4) Process

	Business Case	Distribution	Marketing	Product development	HR/Social/support
1	Write business case	Logistical plan	Write strategy	Choose Products	
2					Setup core team
3				Develop products	
4				Develop service portfolio	
5		Setup distribution network		Product testing	
6				Analyse findings & improve	Setup ICT systems
			Start marketing		Instruct/train service providers
7	Go live Stage 1: Pilot				
8	Evaluation				
9	Adjust pricing	Expand network	Analyse findings	Improve products	Implement changes & Expand network
10	Go live Stage 2: sustainability				
11	Evaluation				
12	Implement findings/make adjustments				
13	Handover				
14	Go live stage 3: Independent				

Legal Empowerment Methodology (4 of 4)

The “Value Added” of the Legal Inclusion Program:

- People’s focus; the excluded people are the point of departure for mapping the legal system and institutional framework of a country, connected to concrete practical recommendations and Programs on how to enhance their legal inclusion.
- Technical legal approach: ‘big injustice’ is cut into bite-sized pieces that can be solved. The low-hanging fruit are tackled first, developing simple legal solutions before embarking on the more complex ones.
- Sustainability and quality guaranteed through standardized legal services in basic legal needs in civil and administrative law issues, provided with economies of scale for an affordable price.

The big Challenge towards the future: to get Legal Empowerment work on the international priority Agenda

As structural implementation of Legal Empowerment of the 'excluded' was a forgotten issue, MJ4All just started to develop a sustainable business model for a Legal Empowerment Program, allowing to independently develop a sustainable Legal Empowerment Methodology.

The world is now ready for this legal inclusion approach with the UN Sustainable Development Goal Agenda 2030 and more specifically SDG 16.

1997-2017 – the MJ4All legal empowerment method has been

- Developed to foresee in basic legal needs of all (not necessarily linked to a court procedure) through a sustainable business model
- Tested in three continents and proven to be successful

As of 2018 with the Legal Inclusion Program

- Country-specific mapping of legal inclusion with stakeholders around the globe
- Define and implement country-specific Comprehensive Legal Empowerment Plans to identified include the marginalized groups
- Support implementation of SDG 16

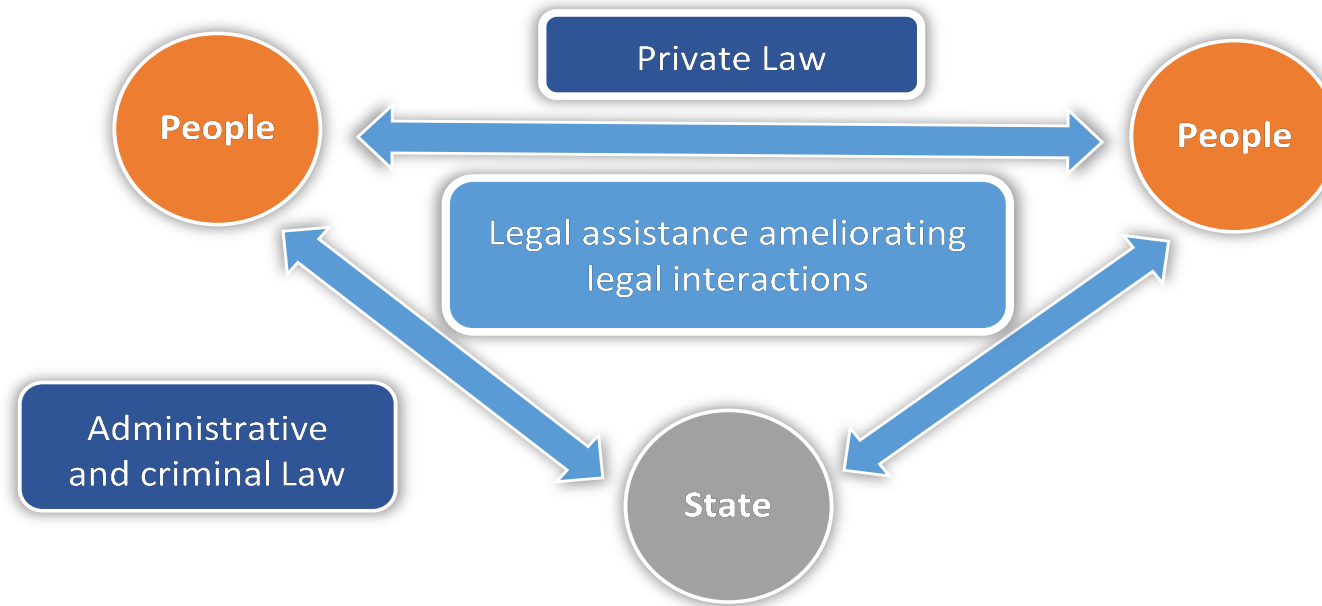


The Legal Inclusion Program (started in 2018)

- I. **Legal Inclusion Mapping** per country
to make legal exclusion tangible and actionable, making clear what issues need to be addressed for inclusion of the excluded groups
- II. **The Comprehensive Legal Empowerment Plan** per country for legal empowerment of the marginalized groups within their country
- III. **Providing a progress monitoring framework for the implementation of SDG 16** per country

Legal Inclusion Mapping Method (1 of 4)

Indicator framework for agents of legal inclusion



Legal Inclusion is the result of easy legal interactions between the actors: State – People – Legal Assistance

Legal Inclusion Mapping Method (2 of 4) Indicator Framework for mapping

Agents of legal interactions	Mapping legal inclusion: indicators on country level	Mapping inclusion situation of Excluded Groups per group	SDG 16
People	<p>Society:</p> <ul style="list-style-type: none"> • Poverty level • Education Level • Groups at risk 	Description of the vulnerability of the specific excluded group	Peaceful and Inclusive Societies for Sustainable Development
State	Accessibility, affordability, transparency and quality of the legal and institutional framework	Legal and Institutional framework applied to the specific group, and research into the legal tools available for their legal empowerment	Effective, accountable and inclusive institutions on all levels
Legal Assistance	Accessibility and quality of legal assistance	Legal assistance available per excluded group	Access to Justice for All
Outputs			
	<p>Comprehensive Legal Empowerment Plan to achieve Legal Inclusion with the stakeholders:</p> <ul style="list-style-type: none"> • Recommendations for legal empowerment at the state level • Legal Empowerment Service Provision for excluded groups 		Implementation Tool & Progress Monitoring Framework for SDG 16

Legal Inclusion Mapping Method (3 of 4)

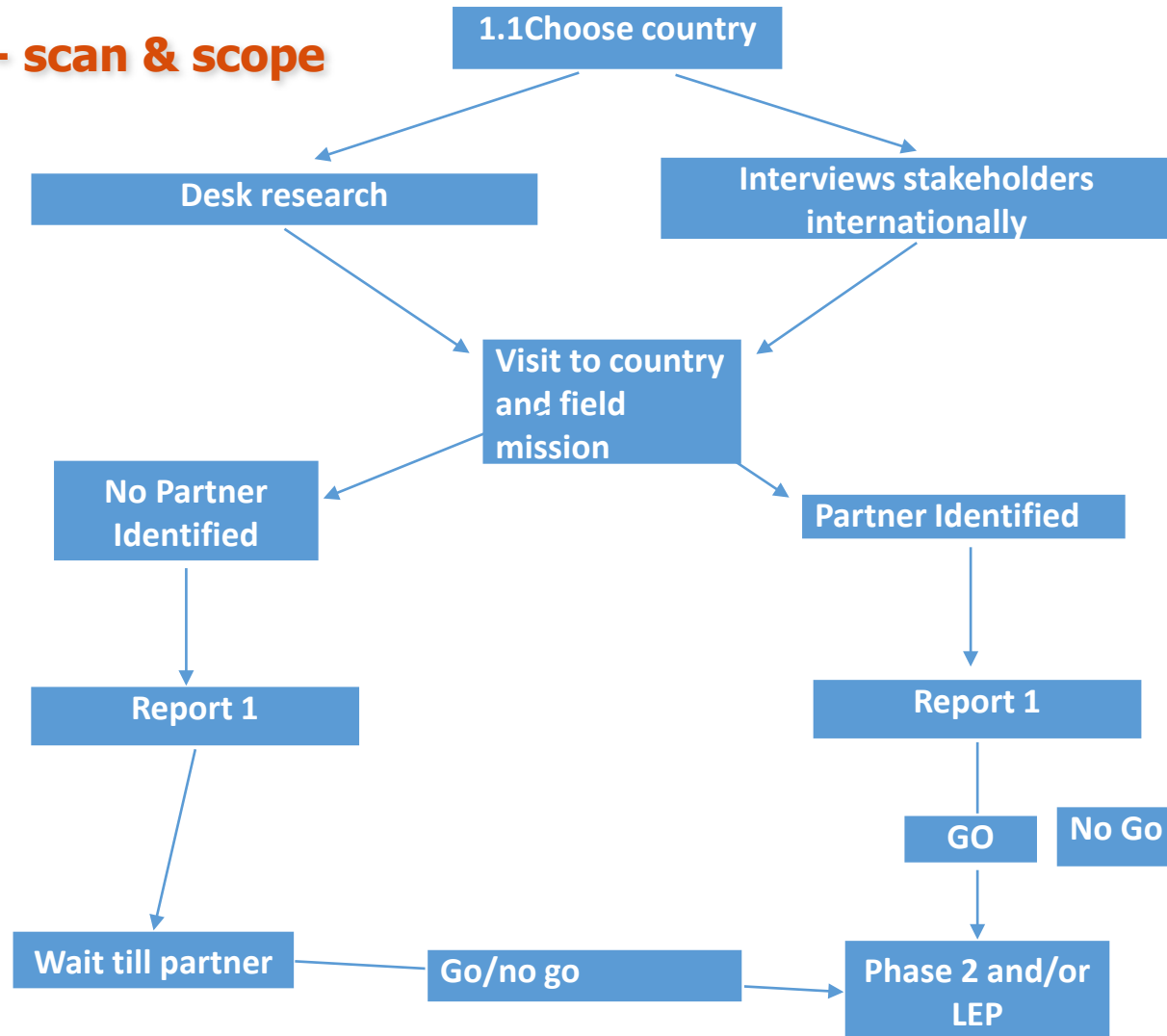
Mapping & Measuring per country

Applied research:

- 1) Identifying the excluded communities;
- 2) Their legal needs in relationship to their exclusion;
- 3) the legal-institutional framework related to those rights,
- 4) the accessibility in practice and the obstacles, including accessibility of legal services
- 5) what is needed to include these people (recommendations), leading to the Comprehensive Legal Empowerment Plan

Legal Inclusion Mapping Method (4 of 4)

Mapping - scan & scope



II Output of the Mapping: Legal Empowerment Plan for the country

- Institutional Capacity Building Activities:
to make the legal and administrative system of a country more effective, accountable and inclusive for all its inhabitants
- Legal Empowerment Programs
Formulation, funding and implementation of Legal Empowerment Programs, first on pilot-scale

Example : Legal Inclusion Mapping and empowerment plan in Kenya

- Main finding was that large part of the population is legally excluded due to lack of accessible and affordable quality legal services, specially in rural areas
- Land related issues is concern number 1 with women as the primary excluded group
- Simplification and digitisation of the administrative-legal answer has started as an answer to many obstacles, and needs to be further implemented
- We met Legal Resources Foundation as the partner to set up a sustainable infrastructure for legal service provision
- Empowerment Plan developed with LRF:
 - to start with 3 products: child maintenance, marriage certificate, title deed transfer and test the products in the field through the field offices of LRF
 - Gradually increase the number of services and distribution
 - Set up Legal Resources Centres throughout Kenya

Example: Bolivia Legal Inclusion Mapping – main findings

- The current Constitution of the Pluri-national State of Bolivia (2010) recognizes the rights of the most vulnerable groups of society, especially the indigenous. The Government of Evo Morales that is in power since 2006 has been making serious efforts to include the marginalized groups by creating social policies and programs, consisting of economic benefits, pensions and subsidies.
- To access these social policies, the basic requirements are paper related to identity, property, marital status and others, which marginalized people in general do not have in order, and which, due to a lack of legal empowerment, are unable to obtain them. As a result of their legal exclusion, in practice they do not access these social programs.

Example: Recommended Legal Empowerment Plan Bolivia

- To set up a national legal services program to access basic legal needs and legally empower the marginalized people,
- To make the judicial and administrative legal system in Bolivia more efficient and transparent; through simplification and digitalization of all judicial and administrative processes
- To open a cooperation between the groups involved in the process of legal inclusion for all: Government, relevant institutions and legal service providers

III Progress monitoring framework for the implementation of SDG 16 per country

- The Comprehensive Legal Empowerment Plan for a country is developed to achieve 100% legal inclusion by 2030.
- In year one the Comprehensive Legal Empowerment Plan is piloted through a smaller scale Legal Empowerment Program (LEP)
- On the basis of the results of the pilot LEP, an activity plan will be developed until 2030, providing a framework for monitoring progress.

MJ4All seeks partnerships to deploy the mapping and the sustainable empowerment program

- Legal Inclusion Mapping
 - Role MJ4All: expertise in research, mapping tools & methodology
 - Role partner: network, local knowledge on issues and legal framework
- Sustainable Empowerment program
 - Role MJ4All : start up funding pilot, methods, formats, handbooks, tools and advisory help “not reinvent the wheel”
 - Role partner organization: marketing & business plan, run the program from pilot stage to sustainability stage

Funding needs to be secured in partnership

Questions: How to start a LIM in other countries

- What are topics in access to justice in your country; what basic legal needs do people or specific groups have?
- Which vulnerable groups in your country?
- How is the administrative-legal framework organized in your country related to the basic legal needs of vulnerable people?
- What legal service provision is available?
- Which current activities to address the issues & which parties involved?
- How can research method LIM help to address the issue?
- Who is the go-to-contact in your country ? and how to support you in this step?

Questions: How to set up Legal Empowerment Program?

- Which issues for which groups?
- Key question ! ? for which legal services would people (fee for the service) or stakeholders (donors and/or state agencies) be able and willing to pay?

Next steps: Call for Action?!

- MJ4All is organisation that has been working over 20 years:
 - Role / support of MJ4All, role of country (partner organization)
 - Operational excellent proof standards & process maps
- How to do LIM and LEP in country of your interest: supporting role MJ4All, providing handbooks and tools
- Your action & your support needed

Do you want to know more?

- Please go to www.microjustice4all.org
- Or email: pvnispen@microjustice4all.org
- We are very happy to help to do legal inclusion mappings any where in the world with the developed handbooks and toolkits. This will be the start of important legal empowerment activities in your country!

MICROJUSTICE4ALL

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