

World Justice Challenge 2021: Advancing the Rule of Law in a Time of Crisis Outcome Report

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Thank you to Our Sponsors

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Individual Sponsors of Challenge awards:

Nancy Ward and Toby Bright

Sally and Bill Neukom

John Walsh

Special Thanks

Joel Martinez began his career in 2008, when the World Justice Project was just getting started. During his long service with WJP, he has played an instrumental role in all facets of our work. Joel helped grow the Rule of Law Index country coverage from six countries in 2008 to over 100 countries in 2016. He led the administration of the Qualified Respondents' Questionnaire for two years, collecting indepth survey data from thousands of practicing attorneys, and led the administration of the General Population Poll for five years, overseeing the collection of over 100,000 household surveys in more than 100 countries. After transitioning to the Engagement team in 2016, Joel helped grow WJP's network of grassroots organizations, develop strategic convenings such as the World Justice Forum, and led the development of the World Justice Challenge, taking it to new heights with our all-virtual edition in 2021.

As Joel transitions from his role as Director of Engagement at the World Justice Project to pursue graduate studies at Duke University, the entire WJP team would like to thank him for his steadfast dedication and invaluable contributions to our mission to advance the rule of law worldwide.



About the Challenge

The World Justice Challenge 2021: Advancing the Rule of Law in a Time of Crisis is a global competition organized by the World Justice Project to identify, recognize, and promote good practices and high-impact projects and policies that protect and advance the rule of law amidst an unprecedented global health crisis.

When the COVID-19 virus began crossing borders in early 2020, it did so amidst a continuing, global downturn in the rule of law—as reported in the latest <u>WJP Rule of Law Index</u>. Given the exceptional nature of these <u>twin crises of public</u> <u>health and rule of law</u>, the 2021 World Justice Challenge competition focused on how changemakers on the ground have responded to these crises and highlighted their essential role in defending and promoting the rule of law.

WJP received a remarkable global response, with 425 applications from 114 countries. Africa and the Middle East led regional applications, which were otherwise spread fairly evenly across the globe. Of all applications, 72% were submitted by civil society and/or non-profit organizations, a clear example of the role CSOs continue to play in upholding and strengthening the rule of law around the world. Applications were also submitted by local and national governments and judiciaries, social business entrepreneurs, law firms, multilateral organizations, and academic institutions.

Four Themes and Two Special Awards

The World Justice Challenge 2021 was organized around <u>four central rule of law themes</u>, with one project being awarded \$20,000 USD in recognition of their results and impact under each thematic category. The themes of the competition were:

- 1 Access to Justice for All
- 2 <u>Accountable Governance</u>
- 3 Anti-Corruption and Open Government
- 4 Fundamental Rights and Non-Discrimination

To set the context, WJP convened leading experts and practitioners in four webinar events focused on COVID-19 and

its effects on the rule of law around the world. In collaboration with its eight thematic partners, WJP's webinars examined the main problems and identified promising solutions for each of the four themes described above. Featured speakers also discussed recommendations for actions needed to address the crisis' underlying challenges, support an effective and just recovery process, and build back better rule-of-lawbased societies. You can find a summary of each event here.

A fifth, cross-cutting prize was established, focusing on the fight against inequality and gender-based discrimination. The <u>Ruth Bader Ginsburg Legacy Prize</u> was created to recognize former WJP Honorary Chair and U.S. Supreme Court Justice Ginsburg's lifelong work in service to the causes of justice, equality, and the rule of law, and in recognition of her tremendous inspiration to WJP's mission and work.

In March, WJP, with the help of its <u>thematic partners</u>, announced 30 <u>finalist</u> projects and 10 <u>honorable mentions</u> based on their impact, sustainability, and potential for scaling and replication. Each project was prominently featured on WJP's website, and on the <u>World Justice Challenge Com-</u> <u>munity Forum</u>, a platform created for people to engage with finalists, share resources, and network with members of the rule of law community.

The World Justice Challenge finalists were also featured on four <u>World Justice Challenge 2021 Regional Showcases</u>, organized in partnership with WJP's <u>seven regional partners</u>. During each showcase, WJP's partners highlighted the efforts underway in each region to respond to the challenges posed by the COVID-19 pandemic. The finalists presented their projects and shared key insights, before joining informal breakout sessions to answer questions about their work.

On April 15, WJP opened up a <u>Network Popular Vote</u>, inviting members of its rule of law network to vote for their favorite finalist project through the Community Forum. The selected project went on to win the sixth prize, the Network Popular Vote prize, in recognition of its impact on the wider rule of law community.

A <u>high-level panel of judges</u> from around the globe--each with decades of experience in leadership roles in the judiciary and at the United Nations, and as heads of state, lawyers and civil society campaigners--chose the ultimate winners, who learned the news during a live awards presentation on May 26.

World Justice Challenge 2021: Advancing the Rule of Law in a Time of Crisis Outcome Report

Challenge by the Numbers

Applicant Overview

Chart 1. Breakdown of the 425 Applications by Region

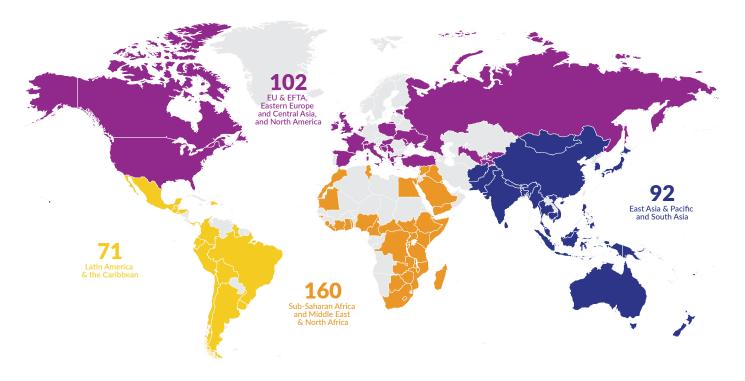


Chart 2. Breakdown of the 425 Applications by World Justice Challenge Theme

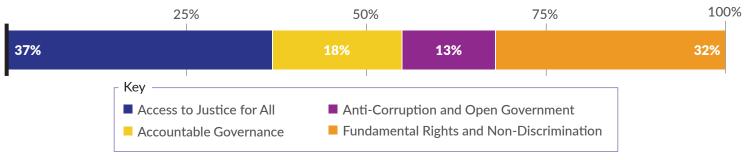
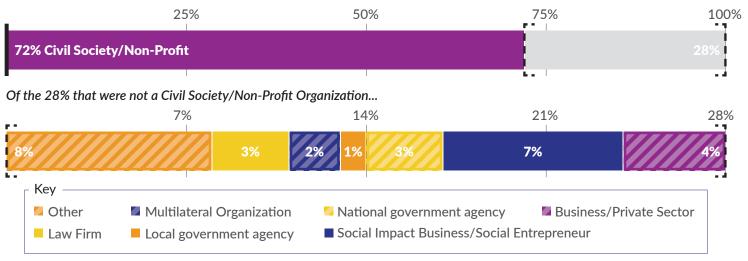
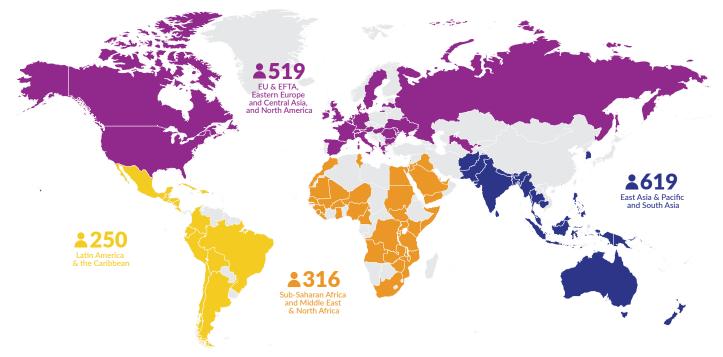


Chart 3. Breakdown of the 425 Applications by Type of Organization



Community Engagement

Chart 4. Breakdown of the 1704 Members of the World Justice Challenge Community Forum by Region



The Community Forum fostered interaction:

@Bettina

"[...]What do you recommend for a local civil society to do something with the situation?[...]"

@mligeti

[...]Besides coming forth with freedom of information requests, local groups can and should turn to members of the local council and to the mayor's office[...]"

Users were excited about the platform:

@wrberalde

"[...]Thank you so much for this nice platform and initiative for engaging and information through World Justice Challenge 2021 Community Forum.[...]"

@MSChang

"[...}We are not that much recognized, in the tech side, that's why we are grateful for this opportunity to showcase our work.[...]"

@nopara

"[...]I am pleased to be part of this community of impact-makers and look forward to learning, sharing and making positive connections![...]"

Chart 5. Overview of Webinars and Showcases



Challenge Judges

Chart 6. Judges Table

Name	Title and/or affiliation	Country
Access to Justice for All		
Hina Jilani	The EldersAdvocate of the Supreme Court of Pakistan	Pakistan
Beverly McLachlin	 Former Chief Justice of Canada Non-Permanent Judge of the Court of Final Appeal of Hong Kong 	Canada
David Steuer	• Partner (Litigation), Wilson Sonsini Goodrich & Rosati	United States of America
Accountable Governance	e	
Laura Chinchilla	Former President of Costa RicaVice President, Club de Madrid	Costa Rica
James R. Silkenat*	Member, Board of Directors, World Justice ProjectFormer President, American Bar Association	United States of America
Anti-Corruption and Op	en Government	
Kamel Ayadi	• Minister to the Head of the State of Tunisia, Authority on Financial and Administrative Control	Tunisia
Leslie Tsai	Director of Social Impact, Chandler Foundation	United States of America
Fundamental Rights and	Non-Discrimination	
Maina Kiai	 Former UN Special Rapporteur on Freedom of Peaceful Assembly and of Association Head of Alliances and Partnerships Initiative, Human Rights Watch 	Kenya
Lisa Tanzi	• Microsoft Corporate Vice President, Deputy General Counsel, Corporate, External & Legal Affairs	United States of America
Danilo Turk	Former President of SloveniaPresident, Club de Madrid	Slovenia
Ruth Bader Ginsburg Legacy Prize		
Ellen Gracie Northfleet	Former Chief Justice of the Supreme Federal Court of Brazil	Brazil
Dr. Aminata Touré	Former Prime Minister, Former Minister of Justice of Sénégal	Sénégal
Nancy Ward	Vice President, World Justice Project	United States of America

*Chair of the Panel of Judges

Access to Justice for All



Photo courtesy of Justice Defenders

"This recognition on a global scale and the prize money will allow us to facilitate more fair hearings for defenseless people. Every person deserves the chance to tell their story, and with your support, we enable people to have their day in court. This award will go a long way towards furthering our mission of providing one million people with access to a fair trial."

Justice Defenders Access To Justice for All Winner

Access to Justice for All: Summary of Problem Statement

The COVID-19 pandemic exposed significant barriers to achieving <u>UN Sustainable Development Goal 16</u> promise of "access to justice for all," and it significantly worsened an already serious global gap in access to justice. In 2019, prior to the pandemic, <u>WJP's research</u> estimated that 5.1 billion people globally had unmet justice needs. This number has certainly grown during the pandemic.

Moreover, the toll of the pandemic and the associated economic crisis has been most severe for those who fall in the justice gap—people who lack legal identity or have uncertain migration status; those without secure land tenure or housing rights; workers in the informal economy; and women and girls, minorities, and other vulnerable groups at risk of having their justice needs unmet. At the same time, the pandemic strained the capacity of justice systems to meet growing justice needs, in part due to the scaling down of justice services by justice institutions to comply with quarantines, social distancing and other public health measures.

<u>Click here</u> to read the full "Access to Justice for All" problem statement and to view the thematic webinar co-hosted by WJP, the International Development Law Organization (IDLO), and Pathfinders for Peaceful, Just, and Inclusive Societies.



Photo courtesy of Justice Defenders



Photo courtesy of Justice Defenders



Photo courtesy of Justice Defenders

Identifying Solutions to Build Back Better

To respond to this crisis, the World Justice Challenge encouraged project entries that sought to overcome the barriers to justice posed or exacerbated by the pandemic. These remedies included facilitating the functioning of justice systems disrupted by the pandemic, addressing the strained capacity of justice systems to meet growing justice demands, countering gender-based violence, and attending to the needs of migrants, refugees, and other forcibly displaced persons.

Countering gender-based violence emerged as the most prevalent justice issue in applications for the Access to Justice for All theme. Many applicants, including non-finalists, submitted projects addressing the rise in gender-based violence and domestic abuse cases that, as <u>experts not-</u> <u>ed</u>, increased throughout the course of the pandemic. These projects were considered for both the Access to Justice for All Prize and the <u>Ruth Bader Ginsburg Legacy Prize</u>, which had a particular focus on gender equality. A full summary of the Ruth Bader Ginsburg Legacy Prize is included later in this report.

Five Access to Justice for All finalists addressed gender-based violence issues directly.

Al for Good developed the "<u>rAlnbow</u>", a chatbot that has tailored conversations with women facing domestic abuse in South Africa.

The United Nations Development Programme (UNDP) in Mexico implemented "<u>COVID-19</u>: Women Safe at Home," a project that sought to address the domestic violence crisis in Mexico through five strategies: a hotline to assist women at risk and in emergency situations; a community and sorority network to support women; a series of recommendations to strengthen institutional coordination mechanisms; direct financial support for women at risk of violence; and an online training program for public servants.

The Digital Rights Foundation of Pakistan submitted a project aimed at addressing "<u>Online Violence Against Women and Gender Minorities in Pakistan</u>," which responds to gender-based violence and harassment that occurs online in Pakistan by providing support through three core services: digital security support, legal advice, and psychological assistance. The Women's Justice Initiative submitted the project "Improving Maya Women's Access to Justice in Rural Guatemala," which addresses service gaps and improves access to justice for indigenous women in Guatemala through a community-based, holistic legal empowerment approach, including through the provision of legal literacy education and legal services.

Finally, The Lotus Flower, which supports women and girl ISIS survivors, implemented the project "<u>Supporting Survivors</u>: <u>Women's Rights</u>." During the pandemic, the Lotus Flower shifted its support for survivors to remote and online delivery. The Lotus Flower provided digital access to psychologists and remotely delivered awareness sessions on gender-based violence and early marriage.

Technology played a prominent role in many of the Access to Justice for All approaches, as seen in the finalists below.

The Colombian Ministry of Justice developed the project "<u>LegalApp</u>," a free consultation app that uses easy-tounderstand language, offering information on how to follow "justice routes" for conflict resolution. Additionally, through a directory of institutions, the app highlights the relevant authority that users can engage, and allows users to schedule appointments at legal clinics throughout the country.

Global Justice Solutions submitted the project "Ability to Pay," an online platform that allows indigent defendants with legal financial obligations to request alternative sanctions instead of incarceration because of their inability to pay fines and fees. Defendants provide details of their circumstances to judges online. The tool then uses poverty guidelines and other calculations to make recommendations to judges who can accept the recommendations or modify them and send a judgment by email.

Finally, Justice Defenders implemented the program " Increasing Access to Justice and Providing Legal Education Through Online Learning Platforms and Virtual Courts," which pivoted its paralegal training program for inmates and prison officers in Kenya, Uganda, and The Gambia to an online format and further developed its virtual courts initiative.

Access to Justice for All: Winning Organization

Increasing Access to Justice and Providing Legal Education Through Online Learning Platforms and Virtual Courts

Justice Defenders

Kenya/Uganda/Gambia/Regional

Justice Defenders aims to make justice and fair trial accessible to prisoners in Africa through legal education, training, and practice. In 46 prisons across Kenya and Uganda, Justice Defenders trains prisoners and prison staff to become paralegals and lawyers, equipping them with legal skills and knowledge to assert their rights and provide legal services for themselves and others. During COVID-19, Justice Defenders made its paralegal training available virtually and linked prisons to courts so judges could hold virtual court sessions. Since launching its COVID-19 digital response, Justice Defenders facilitated 13,340 online court hearings; virtually trained 158 new paralegals in seven prisons; and delivered 320 virtual legal education, training and practice sessions across Uganda and Kenya, where there are now 250 active paralegals, across 23 prisons, equipped with the skills to prepare themselves and others in prison for court.

The judges selected this project as an impressive example of empowering prisoners and prison staff through legal training and education and facilitating access to the courts during the pandemic.

Other Finalists:



Accountable Governance



Photo courtesy of Horizontal

"This award will help us raise awareness about Tella and get it into the hands of more people who face repression. The cash prize will also enable us to continue developing Tella, adding features and improving the design to make it as accessible as possible to those with low tech literacy. Overall, this recognition will be instrumental in moving Tella forward, making it more secure and more useful to those who are on the front lines collecting evidence of human rights violations."

Tella

Accountable Governance Winner

Accountable Governance: Summary of Problem Statement

The COVID-19 crisis has presented an enormous stress test for accountable governance, on which an effective public health strategy depends. Responding to a public health emergency such as COVID-19 requires government institutions capable of delivering both preventive and emergency medical care while also maintaining other essential public services. Regardless of the exigencies of the crisis, governments must carry out these basic functions in accordance with the rule of law—open to the public, contestable in the courts and through elections governed by law, with the consent of the legislature, and reviewed by audit and other oversight bodies. Some executives have used emergency powers for purposes that have little to do with the pandemic, weakening constraints on their power. Legislatures and judiciaries have struggled to meet the challenge of continued operations amidst widespread restrictions on movements and gatherings. Periodic, transparent, free, and fair elections have been delayed or undermined by setbacks and challenges due to the pandemic. Finally, citizens, journalists, and civil society have faced an increasingly shrinking civic space to exercise their rights to assemble, protest, and monitor public authorities.

<u>Click here</u> to read the full Accountable Governance problem statement and to view the thematic webinar co-hosted by WJP, International IDEA, and the International Legal Assistance Consortium (ILAC).



Photo courtesy of Horizontal

Identifying Solutions to Build Back Better

The COVID-19 pandemic has laid bare the need to maintain strong accountability mechanisms despite immediate pressures of extraordinary crisis. In this context, government, business, and civil society organizations identified unique ways to maintain accountability for government overreach.

The seven selected finalists offer different types of solutions to their countries' accountable governance issues. Three of the projects focused on the importance of keeping courts open as a means to provide access to justice and accountability in the midst of the pandemic.

The Pacific Judicial Strengthening Initiative built systemic and human capacity to deliver digital court proceedings in Pacific Island nations by providing courts with remote hearing and case management software, training, and resources. This work has also helped lay the foundation for Pacific Island populations to access formal courts even after the pandemic is over.

In Bhutan, the <u>United Nations Development Programme</u> worked with the country's judiciary to initiate an e-litigation project to overcome Bhutan's difficult terrain, which makes travelling to courts near impossible for many remote populations. The COVID-19 pandemic exacerbated this issue by closing down in-person courts across the country. In response, UNDP developed new e-litigation rules and regulations and provided video conferencing equipment to 14 courts across the country, allowing 52% of courts to undertake virtual hearings between March and October 2020.

In Ecuador, the <u>Constitutional Court</u> created a mechanism to ensure access to the courts during extreme circumstances, such as COVID-19, and especially for vulnerable populations. In the first phase, which was recently completed, the Court developed an online platform to promote efficiency and transparency by allowing for easier access to documents, automatically assigning cases, and hosting virtual hearings with public audiences. This new platform resulted in 100% of cases being randomly assigned, thereby limiting opportunities for bias and corruption, and a 40% reduction in the length of time to resolve cases.

The pandemic hit prison populations harder than most, with few policies to address issues of overcrowding and the spread of the virus in detention centers. In Russia, visits and inquiries by family members and civil society organizations were restricted as the pandemic broke out, creating concern over the scale of the virus threat. To address this issue, the **Public Verdict Foundation** set up **Gray Zone**, a map that reports COVID-19 cases in prisons as reported by either detainees or their relatives, filling the information gap created by the authorities. As a result, lawyers and civil society organizations have been able to take up legal cases against the prison authorities.

In Brazil, the <u>Conselho Nacional de Justiça (CNJ)</u>, with support from <u>UNDP</u> and the <u>Making Justice Program</u>, approved a formal recommendation in March 2020 to incentivize judges to review cases with a focus on urgent releases and to provide technical support to prisons to ensure the rights and safety of prisoners. Because of this recommendation, 40,000 people received emergency release, and the recommendation was cited in 72% of local court regulations.

Finally, the use of emergency powers has reinforced long-standing concerns about shrinking civic space in many parts of the world. To address this, two of the finalist organizations developed distinct mechanisms to provide government oversight in different contexts.

In Latvia, the Foundation for Public Participation leveraged its MyVoice (ManaBalss) tool to provide citizen input to government measures during the pandemic. The project relied on a provision in Latvian law whereby a submission to parliament that receives more than 10,000 signatures must be reviewed for consideration. Gathering citizen perspectives through MyVoice, the Foundation was able to petition parliament to pass two COVID-related initiatives into law and others are under review.

Based in the United States but working around the world, Horizontal provided civil society groups, human rights organizations, and journalists with <u>Tella</u>, a documentation app that enables users to collect securely encrypted data about human rights violations. The technology does not require technical expertise, is designed to work offline in areas where users have no access to the internet, and provides protection from censorship, tampering, interception, and destruction of such records.

<u>Click here</u> to access the full project page of each Accountable Governance Finalist project.

Accountable Governance:

Winning Organization

Tella Horizontal United States/Global

Tella is a documentation app that ensures easier, safer, and more secure documentation of events such as human rights violations, corruption, and electoral fraud. Due to its configuration as an open-source application, Tella can be easily replicated and adapted by activists and civil society organizations across the world. Tella was launched in early 2019 to support election observation during the Nigerian general elections, and it has since been used in other electoral contests, including two elections in Belarus. Tella has also been used to collect data on gender-based violence in Cuba, on human rights violations in Myanmar and West Papua, and on attacks on indigenous defenders in Brazil.

The judges selected this project as a versatile, secure, and customizable tool to document government abuses, including violence, human rights violations, corruption, and electoral fraud, effectively holding governments accountable.

Other Finalists:



Anti-Corruption and Open Government



Photo courtesy of Asociación para una Sociedad más Justa

"The World Justice Challenge allowed us to bring a key message to a global audience: that Honduran civil society is generating structural changes in Honduran public institutions that benefit all of society, and especially the most marginalized. The experience also affirmed the power of civil society to work with a broad array of actors and successfully promote the rule of law."

Asociación para una Sociedad más Justa Anti-Corruption and Open Government Winner

Anti-Corruption and Open Government: Summary of Problem Statement

The COVID-19 pandemic gives rise to significant corruption risks. Governments have mobilized massive resources to respond to the health and economic crises. At the same time, many governments have enacted emergency procurement procedures and suspended corruption prevention and enforcement mechanisms.

Each of these measures increases risk for corruption and waste. This corruption risk is a rule of law problem in itself. It also compromises the pandemic response, undermining much-needed trust in public institutions, squandering supplies and resources, and impeding their flow to those in need. Watchdog organizations that normally carry out on-sight investigations and compliance work were forced to pause and adapt their auditing procedures, leading to more opportunities for corrupt practices. Additionally, governments used the pandemic as an excuse to restrict the role of the media. Freedom of speech guarantees were suspended or weakened in a number of countries, and reports rose of journalists being expelled from some countries or jailed in others, weakening the role of the media as a mechanism to hold governments accountable.

<u>Click here</u> to read the full Anti-Corruption and Open Government problem statement and to view the thematic webinar co-hosted by WJP, the Open Government Partnership, and the OECD.



Photo courtesy of Asociación para una Sociedad más Justa



Photo courtesy of Asociación para una Sociedad más Justa



Photo courtesy of SEMA

Identifying Solutions to Build Back Better

The corruption risks exacerbated by the pandemic exposed the need for stronger accountability and transparency mechanisms. To meet this need, civil society and the private sector adopted innovative practices to monitor emergency spending and increase access to information. The seven selected finalists exemplify successful approaches to address their countries' corruption challenges. They worked across sectors, utilized digital tools and e-procurement platforms, and increased citizen participation in oversight mechanisms.

Poder Ciudadano, OnData, and Layertech Software Labs used e-procurement databases to track emergency spending

and contracts, as well as to flag the misuse and mismanagement of public funds.

Similarly, the <u>Project on Government Oversight</u> developed a COVID-19 relief-spending tracker to analyze the distribution of money allocated in economic relief packages in the United States.

By publishing the data gathered on government spending, these projects also provide an important channel for citizen oversight. Layertech's OCDex platform, for example, "translates" government procurement datasets (often difficult for citizens to access and analyze) into insightful and easy to understand visualizations. OnData's project, <u>AppaltiPop</u>, is the first platform in Italy to collect data of public contracts from a number of municipalities, making it possible to analyze and draw comparisons between contracts, tenders, and suppliers. These four projects are excellent examples of the potential that digital tools have to increase accountability and transparency during a crisis. While e-procurement platforms became increasingly important to track emergency spending, some organizations found different routes to mitigate corruption and increase oversight.

Asociación para una Sociedad más Justa (the Association for a More Just Society - ASJ) created a social audit mechanism, made up of four teams of experts in Honduras and the U.S., to track emergency purchases of supplies and services.

In Uganda, in response to limited avenues for citizens to report inefficient services or corruption, <u>SEMA</u> implemented easy to use devices from which citizens could provide the government with direct feedback after interacting with a public service. During the COVID-19 pandemic, the organization expanded these response services, using data samples from over 100,000 citizens to inform recommendations to local authorities on how they could improve their facilities and services.

Finally, <u>Transparency International Hungary</u> reacted to restrictions on freedom of information and fundamental rights by creating an effective civil society advocacy campaign against corrupt practices carried out by the government during the pandemic. They successfully used freedom of information tools and litigation to incentivize the government to revoke arbitrary restrictive regulations created under the guise of emergency procedures.

Anti-Corruption and Open Government:

Winning Organization

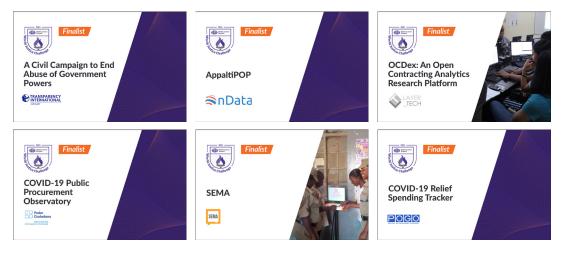
Constructing Transparency: Promoting Justice in Honduras through Good Governance and Strong Public Management

Asociación para una Sociedad más Justa Honduras

This project combats systemic corruption in Honduras by evaluating government institutions' human resources, purchases, and results. During COVID-19, the project used its innovative methodology to audit \$80 million of national emergency purchases. Its findings helped fuel an outcry for transparency and sparked changes in national decision-making that continue to benefit public health.

The judges selected this project as a strong example of an investigation into a healthcare system that produced specific, concrete results with government agencies, widespread media coverage, and prosecutions of corrupt actors. The project demonstrated an impressive ability to work with multiple stakeholders and harness media attention to press for accountability and obtain important, tangible results.

Other Finalists:



Fundamental Rights and Non-Discrimination



Photo courtesy of Adalah

"The prize money will certainly help Adalah to carry out our critical legal and advocacy work to ensure equal rights for the Arab minority, and in particular for the poorest and most marginalized communities among them, who have greatly suffered during the COVID-19 pandemic. Adalah's COVID-19 work has starkly revealed pre-existing inequalities and aggravated, deep discrimination against the Arab minority in Israel, particularly for the Arab Bedouin living in the Naqab."

Adalah - The Legal Center for Arab Minority Rights in Israel Fundamental Rights & Non-Discrimination Winner

Fundamental Rights and Non-Discrimination: Summary of Problem Statement

The COVID-19 pandemic is intensifying restrictions on a wide range of fundamental rights, which form a key pillar of the rule of law. This comes at a time when, according to the *World Justice Project Rule of Law Index*, more countries have regressed on their fundamental rights score than any other rule of law factor over both the last year and the last five years. Many governments have implemented measures that excessively infringe on key political and civil rights, such as freedoms of movement, peaceful assembly, speech, and expression, therefore damaging the ability of civil society and media to hold governments accountable.

Furthermore, state responses to the pandemic have been discriminatory and unequal, affecting vulnerable communities in particular, including migrants and asylum seekers, indigenous communities, racial and ethnic minorities, and low income groups. Women and girls have been disproportionately impacted, with a disturbing rise in domestic violence cases and economic hardships falling largely on women workers in informal sectors. The diminished functioning of courts and related criminal justice services has had direct negative impacts on the right to counsel, the provision of timely, open, and fair hearings, and the conditions in which prisoners and detainees are held. As the Covid-19 pandemic has underlined the fragility of rights-based systems around the world, WJP aimed to provide examples of innovative and sustainable projects that have risen to the challenge of promoting fundamental rights.

VIRTUAL EVENT SERIES

COVID-19: ADVANCING RIGHTS AND JUSTICE DURING A PANDEMIC

INNOVATING ADVOCACY: Legal Approaches in A New [pandemic] terrain

Tuesday, April 14, 2020 | 12:10 pm - 1:10 pm (ET)

How are justice-seeking movements and organizations adapting to the rapidly-changing environment created by the spread of COVID-19? What tools are proving most effective in their responses? And what role can lawyers and courts play to curb deepened and emerging justice challenges? Join this conversation with experts and advocates Amna Akbar (Ohio State), Hassan Jabareen (Adalah) and Purvi Shah (Movement Law Lab); moderated by JoAnn Kamuf Ward (Columbia).





Purvi Shah



JoAnn Kamuf

a Akbar ant Professor, College of Law,

College of Law, ate University Ado reen Found Director, Law L tive Ward Director, Human R in the U.S. Project, Columbia Law Sch Human Piahts Inst

tinyurl.com/COVID19JusticeSeries



Photo courtesy of Adalah



Photo courtesy of Forest People's Programme



Photo courtesy of The International Legal Foundation

<u>Click here</u> to learn more about the Fundamental Rights and Non-Discrimination thematic track and to view the thematic webinar co-hosted by WJP, CIVICUS, and the International Service for Human Rights (ISHR).

Identifying Solutions to Build Back Better

As governments grappled with the health impacts of the Covid-19 pandemic, local organizations around the world worked to protect vulnerable groups (often targeted by discriminatory policies or left out of economic recovery plans), fight restrictive measures that limited fundamental rights, and ensure equal access to key government services. While each project confronted these challenges with context-specific solutions, the eight selected finalists highlighted successful means of directly engaging with key constituents, implementing new or improved policies, and providing essential services.

Terre des Hommes (TdH), Burundi Bridges to Justice (BBJ), and the International Legal Foundation, Afghanistan all recognized the unique challenges prisoners and detainees faced during the pandemic, as courts restricted availability, prisons were shut down to external visitors, and access to legal aid was curtailed. Creating meaningful and productive relationships with government entities proved valuable in BBJ's work, as the Ministry of Justice designated them as one of the only organizations allowed to enter prisons, BBJ's advocacy efforts with the government led to expedited handling of numerous cases and increased visits by pro-bono counsel to prisons, and provided human rights trainings to judicial police officers to promote long-term reform.

Beyond those in custody, many Challenge applicants in this thematic category worked to address the urgent justice needs of other vulnerable populations that bore the brunt of Covid-19's impact. Adalah, the <u>Guatemalan Women's Association</u>, the <u>Samata Foundation</u>, and a <u>coalition of Peruvian</u> <u>organizations</u> (Forest Peoples Programme, The Federation of Native Communities of Ucayali, and The Institute of Legal Defense) identified how Palestinian minorities, refugees and immigrant women, the Dalit Caste, and indigenous tribes,

respectively, faced persecution and discrimination as they sought important resources and services. Adalah and the Peruvian coalition addressed structural discrimination by pursuing legal mechanisms and strategies to demand equal treatment and access. Adalah, for example, successfully petitioned the Israeli Supreme Court to secure \$57 million USD in state funds for Arab local municipalities to mitigate the effects of Covid-19 after the government had designated only 1.7% of funds to be given to Arab majority areas. The Peruvian government suspended a corporation's encroachment on Shipibo-Konibo land thanks to the coalition's development of an international solidarity network and advocacy efforts. The Samata Foundation implemented an impactful strategy using television and other media featuring celebrities and government officials to highlight the shortcomings of existing laws to address systemic caste-based violence and catalyze legislative reforms.

The Covid-19 pandemic also had a drastic impact on women and girls. Domestic violence has risen as support services have operated at a reduced capacity, and women have born the brunt of the economic downturn and the contraction of informal employment. As further explored under the "Ruth Bader Ginsburg Legacy Prize" theme, finalist projects such as the <u>Dhobi Women Network</u> and the <u>International Legal</u> <u>Foundation Afghanistan</u>, demonstrated impact in protecting women and girls affected by the reduced services, exclusion from recovery policies, and increased danger at home.

Fundamental Rights and Non-Discrimination: Winning Organization

Adalah's Emergency COVID-19 Project: Demanding Equal Treatment and Non-Discrimination for the Arab Minority Through the Israeli Legal System

Adalah - The Legal Center for Arab Minority Rights in Israel

Adalah's Emergency COVID-19 Project: Demanding Equal Treatment and Non-Discrimination for the Arab Minority through the Israeli Legal System. Adalah's winning project uses legal action before Israeli courts and state authorities, together with media outreach, to obtain remedies for discrimination faced by Arab minorities in Israel. Adalah has undertaken over 40 legal actions, including 15 Supreme Court petitions, and achieved positive legal results, including the provision of COVID-19 testing, more equitable allocation of public funds for Arab towns, and civil liberties protections. The judges selected this project for its effectiveness in using legal remedies to address the discriminatory effects of the pandemic crisis, leading to significant results in the struggle for fundamental rights and non-discrimination of Arab minorities in Israel.

Other Finalists:



Special Awards



Photo courtesy of WJP

"By [our] participating [in the World Justice Challenge] the world is cognizant that women domestic workers play a critical role, and their rights need to be protected."

Inua Mama Fua Ruth Bader Ginsburg Legacy Prize

Honoring Justice Ruth Bader Ginsburg and Her Fight for Equality and Justice

In the midst of a global pandemic and the rule of law challenges it has presented, we lost a true champion of equality and justice and a strong supporter of the World Justice Project, the Honorable U.S. Supreme Court Justice Ruth Bader Ginsburg. Justice Ginsburg was an honorary chair of the WJP since its founding and participated in numerous World Justice Forums. In order to honor her legacy and recognize the disproportionate impact of the pandemic on gender equality, WJP created the Ruth Bader Ginsburg Legacy Prize to be awarded to the Challenge finalist project that best exemplifies the fight against inequality and gender-based discrimination. A judging panel of esteemed justice and equality defenders was assembled to choose which of the 30 finalist projects would receive this award.

Gender Discrimination and Inequality in a Pandemic

The Covid-19 pandemic has had a dramatic impact on vulnerable populations all around the world as they were left out of recovery processes, lacked access to government services, and were discriminated against because of their identities. In particular, women and girls bore a significant portion of the pandemic's social, economic, and health impacts, deepening already existing inequalities. Disproportionately represented in many front-line, care-giving, hospitality, and service positions, women in many countries were more likely to risk exposure to the virus and to face unemployment and economic hardship. Particularly hard hit were the large number of women working in the informal sector, often without access to social protections. In Kenya, unequal enforcement of lockdown procedures led to the detention, arrest, and harassment of women domestic workers. In response, the Dhobi Women Network launched Inua Mama Fua to promote access to essential services, such as justice hotlines, job opportunities, and counseling, and to better track and report cases of worker rights violations.



Photo courtesy of Women's Justice Initiative

The Covid-19 pandemic also gave rise to a "shadow pandemic" of domestic and gender-based violence, as millions of women were stuck at home with their abusers and unable to access public services. In every region of the world, reports of violence and abuse have increased, yet many victim services have been shut down or deemed "non-essential." Organizations like the Lotus Flower (Iraq), the Women's Justice Initiative (Guatemala), UNDP and UN Women (Mexico), and the International Legal Foundation (Afghanistan) ramped up their mental health and legal services (including in some cases virtual and remote services), provided emergency help, and undertook capacity-building of authorities to protect endangered women and girls. Of particular note is AI for Good's innovative use of technology to create and launch the "rAInbow" chatbot, an application that delivers tailored conversations with those experiencing abuse and acts as a companion to support survivors. The judges also considered projects that addressed discrimination against other vulnerable populations, such as ethnic minorities (Jaat ko Prashna, Adalah), immigrants (Guatemalan Women's Association), and children (Terre des Hommes).

Honoring Justice Ruth Bader Ginsburg and Her Fight for Equality and Justice: Winning Organization

Inua Mama Fua

Dhobi Women Network

Kenya

The Ruth Bader Ginsburg Legacy Prize was awarded to the Dhobi Women Network's Inua Mama Fua, a project that defends the rights of women domestic workers in the suburbs of Nairobi. During the pandemic, many women working in the informal sector in Kenya lost their jobs and suffered increased harassment and detention by law enforcement officials. The Inua Mama Fua project linked many of these workers with social services, including psycho-social services, training on skills and stress management, and legal counseling. The Dhobi Women Network also provided food and personal protective equipment for the women, and facilitated workshops to educate and sensitize the local police officers on the hardships many of the female domestic workers are facing. The judges selected this project as an important example of a multifaceted approach to the fight against inequality and gender-based discrimination. The judges also felt that Justice Ginsburg would have particularly appreciated this project and its focus on developing creative approaches to ending workplace discrimination.



Photos courtesy of Dhobi Women Network

Network Popular Vote Prize

Winning Organization

Accelerate Release of Children; Protect Children from COVID-19

Terre des Hommes Foundation *Switzerland/Global*

In the context of a virtual World Justice Challenge, WJP created a <u>Network Popular Vote</u>, inviting members of its rule of law network to vote for their favorite project. Members were invited to sign up for the World Justice Challenge Community Forum, and over 1,400 voters registered for a ballot. The selected project went on to win the sixth prize, the Network Popular Vote prize, in recognition of its inspiration and impact on the wider rule of law community.

The Network Popular Vote prize was awarded to Terre des Hommes Foundation for its project "Accelerate Release of Children; Protect Children from COVID-19". This project is dedicated to building rapid knowledge and mobilizing interdisciplinary partnerships to foster a global advocacy campaign with a swift, targeted, and effective impact for children deprived of liberty. Terre des Hommes' project has led to the emergency release and reintegration care of hundreds of children worldwide. It has also boosted concrete child justice sector reform measures to make systems more resilient when facing crises, and it has supported the empowerment of child justice actors, including children.

Defending Rule of Law in a Pandemic: Cross-Cutting Insights from Practitioners

The twin crises of public health and the rule of law imposed intersecting challenges for justice champions working to implement their solutions during a pandemic. Measures to contain the COVID-19 virus imposed operational challenges for the delivery of justice. States of emergency introduced new opportunities for corruption, discrimination, and abuse. In many cases, the public health impacts of the virus fell heaviest on already vulnerable populations, but economic relief often failed to reach those most in need. Technological disparities limited access to life-saving information, and marginalized communities often lacked the capacity to demand accountability.

With these rule of law problems as the context, the World Justice Project opened its World Justice Challenge in September 2020 by inviting any organization - public or private - to submit projects with demonstrated impact and good potential for scaling and replication. While the specific justice needs of local communities varied according to existing societal conditions and the particular contours of the pandemic in each country, the World Justice Project nevertheless observed three broad trends from this year's global competition: 1) the acceleration of technological innovation, 2) the empowering of citizen voices, and 3) targeted support

for vulnerable populations. These solutions were present in communities at every level of economic development and irrespective of a country's ranking in the Rule of Law Index.

Digital technology and civic empowerment featured prominently in multifactor efforts to advance the rule of law. As government services moved online or were suspended, it became increasingly important to develop new channels for people to connect, to access reliable information, and voice their experiences. At the same time, new data tools empowered government and civil society to respond in more targeted and efficient ways to the unprecedented healthcare and humanitarian needs of their constituents. Cutting across these programmatic concerns was a common recognition that any effective response to the pandemic should address both the general public (as everyone was exposed to the risk of serious illness) and those specific communities where outbreaks, rights violations, or corrupt acts were of greatest concern.

With these dynamics in mind, the following section synthesizes key insights that we learned from practitioners in the field about implementing rule of law programs during a pandemic. It describes common approaches to effective program implementation, reflecting trends observed across 56 finalists and honorable mentions. In practice, these solutions reflect highly integrated theories of change. Nevertheless, they may be grouped into three broad categories:

1

2

3

- Technological Innovation Novel applications of information technology enabled finalists to make justice more efficient, accountable, accessible, and resilient. These include direct justice services, e-courts, open government initiatives, and documentation programs.
 - Empowering Citizen Voices Finalists layered networked and crowd-based solutions atop strategic litigation and education campaigns to build momentum for fundamental rights, transparent governance, and public accountability. These include citizen feedback mechanisms, civil society efforts to counter executive overreach, open platforms for policy reform, and social controls on relief, response, and recovery.
 - Reaching the Most Vulnerable Finalists used pro bono representation and auxiliary social services, alongside data collection and advocacy campaigns, to counter discrimination and ensure that women, children, minorities, migrants, and the incarcerated are not left behind. These include confronting gender based violence, building a better future for children, protecting the rights of incarcerated persons and detainees, and working to attain equal treatment for minorities.

Technology

Trend 1: Put Data at the Center: Using Open Datasets and Citizen Input to Craft Effective Policies

Getting the right data into the right hands in a timely way is essential for a nimble and efficient response. Disaggregated data and granular analyses are more actionable than country-level trends, so CSOs have been collaborating with academic institutions and local governments to produce analyses at the local, municipal, and sub-national levels. Data-centric projects are also turning to geospatial mapping and interactive dashboards to give users greater insight into where health and justice needs are most acute. In the United States, for example, the Project on Government Oversight (POGO) launched a spending tracker to account for \$1.6 trillion in assistance. The tool uses geospatial analysis to map spending at the zip code level. Planned and existing data overlays allow cross-referencing by sector, demographics, unemployment level, case count, eviction rates, and median income.

In particular, open procurement data has been essential to preventing COVID-related corruption. In Argentina, the national government has announced pandemic-related measures totaling about 6.5 percent of 2020 GDP. Responding to this unprecedented level of spending, Poder Ciudadano scrambled to analyze, track, and report shortcomings in the regulatory frameworks that govern how control agencies can intervene in purchasing and contracting. They built the COVID-19 Purchasing Observatory, a database that identified improper spending and mapped numerous risks at each stage of the procurement process - including the publication of information, the opening and evaluation of bids, and the contestation of decisions. In response, the Argentine government required all

registered companies to be summoned for each contract, and it began publishing records in an open data format.

Yet the most powerful analytic tools are only as effective as legislative frameworks allow. Among the 56 applicants who qualified for the judging round of competition, 14% referenced "open data" or "freedom of information" in their project descriptions. In particular, freedom of information laws presented a key opportunity to hold technology is playing a transformative role, allowing implementers to reach more targeted and remote stakeholders. Smartphone apps and chat-bots are coming online to bring digital communications to scale, but legacy information technologies such as SMS, TDD, and voice calls continue to play an important role in reaching lower income, rural, and incarcerated populations.

Finalists used novel communications technologies to translate citizen voice

Using Freedom of Information to Challenge Authoritarian Overreach in Hungary

Among a variety of authoritarian measures enacted in the wake of the pandemic, for example, the Hungarian government extended the deadline for responding to freedom of information requests from 30 to 90 days. This made it challenging to obtain, in a timely manner, the information necessary to conduct public oversight and pursue allegations of corruption. TI Hungary used strategic litigation and a public communications campaign to challenge the government's assertion that the pandemic made it necessary to restrict access information in the public interest.

governments accountable for pandemic-related spending. However, many finalists cited weak or inconsistent implementation of these laws as a significant impediment. Moreover, raw data streams often require significant effort to clean and standardize; the standardized use of open data formats is a crucial step in converting publicly available data into publicly actionable information. The most effective open data programs thus adopted widely utilized standards, such as the Open Data Kit (ODK).

The most reliable information about what is happening on the ground is often coming directly from citizens, whether they are reporting acts of corruption or identifying gaps in service delivery. A host of digitally connected tools is making it both easier and more secure to capture and report official misconduct – though public awareness campaigns are often necessary to sensitize communities to their rights. Here, too into quantitative and qualitative metrics for improving the quality of government services. In Uganda, for example, <u>SEMA</u> uses point-of-service technologies to gather user-generated feedback regarding the quality of justice sector services. Data collection included a hybrid network of digital devices, on-site surveys, and phone-based platforms, (e.g., USSD, WhatsApp, and Interactive Voice Response (IVR)). Data is cleaned, analyzed, and forwarded to a government taskforce with the authority to implement operational changes.

Trend 2 - Bring Justice Online: Using IT to Extend Service Delivery and Citizen Empowerment

In contexts of state fragility, courts and other justice sector bureaucracies have deployed novel technologies to amplify communications, increase citizen engagement, and provide remote hearings. Effective implementers took care, however, to ensure that citizens enjoy the same procedural rights whether in a traditional, a mobile, or a virtual court. In contexts where access to the Internet is sparse, such as Bhutan,

E-courts have been implemented within remote community centers. Working toward a new normal, digital courts are building more cost-effective, accessible, resilient, and transparent mechanisms for legal professionals to access records, arrange trial dates, and connect with clients in need

Supporting the Victims of Domestic Violence with rAInbow

Using the power of storytelling and artificial intelligence, the South African startup <u>AI For</u> <u>Good</u> built the rAInbow chat-bot to support victims of domestic violence. Moving forward, rAInbow will use Natural Language Understanding (NLU) and human handoff for users at high risk of experiencing gender-based violence .

of representation. Moreover, civil and administrative courts are working to reach beyond the bar, providing ADR, mediation, and documentation services directly to citizens.

In one noteworthy example, the **Constitutional Court of Ecuador built** the Automated System of the Constitutional Court (SACC) to bridge the gap between citizens and the Constitutional Court of Ecuador. In addition to pivoting the court's activities into a virtual format during COVID, the platform allows ordinary citizens to view and engage with judicial proceedings, increasing the reach of the court's communications to citizens. The virtual proceedings and intelligent search tools have led to increased efficiency, while public streaming and the use of social media have increased the number of viewers by an order of magnitude over in-person hearings. The court is planning to implement optical character recognition and text-to-speech features to increase accessibility for blind, deaf, and indigenous populations.

reflect the lesson that effective policy interventions should pair a detailed policy or legal analysis with robust efforts to communicate findings in a broader context. To this end, for Challenge finalists, data visualization, memorable slogans, and concrete analogies have all proven useful tools for conveying complex issues to the public.

Finally, online education was a key

component of public accountability

and legal empowerment. Implementers

trained journalists in the techniques of

data analysis and in tools for identifying

and reporting corruption. They worked

posed by corruption and impunity, as

to sensitize the public to the health risks

well as their

rights and

opportuni-

ties to access

health services

and economic

support. And

they helped

government

officials who

seek to uphold

the rule of law.

craft fair and ef-

fective policies,

and deliver on

the promise of

equal protec-

These efforts

tion for all.

Citizen Voice

Trend 3 - Organize to Survive: Empowering Citizen Voices to Demand Reform

The pandemic has made it difficult for courts and legislatures to check executive power. In response to exceptional powers granted to police and health authorities, much of which has piggybacked on ostensibly valid restrictions to freedom of movement and assembly in the name of public health, human rights organizations are engaged in strategic litigation and public campaigns to limit executive overreach. Finalists combined networked and crowd-based solutions with strategic litigation and education campaigns to build momentum for fundamental rights, transparent governance, and public accountability.

At the core of these initiatives are efforts to understand and respond to waves of emergency measures hastily enacted in the name of rapid procurement and economic stimulus. Even where solid legal frameworks do exist, the implementation of programs poses significant challenges for monitoring and evaluation. Advocates of accountability and transparency are therefore turning to networked and crowd-sourced solutions to ensure that government spending aligns with stated program goals, provides taxpayers with a fair value for their money, and reaches intended recipients without kickbacks going to corrupt officials or

Documenting Human Rights Abuses with TELLA

TELLA gives journalists, civil society groups, and human rights organizations a leg up in the technological arms race against a repressive state apparatus. It is a good example of an opensource technology that deploys encryption and distributed communications to allow smartphone users to circumvent improper censorship and surveillance. A future application would allow organizations to develop a custom version, granting an increased layer of security.

politically connected firms. Partnering with whistleblowers and law enforcement agencies charged with oversight, they have leveraged open budgeting mechanisms and procurement databases to aid in the prosecution of fraud and graft in COVID-related spending. Technology also played an important role in organizing during a pandemic. In Latvia, for example, Platform MyVoice provides for deliberation, publication, and submission of civic initiatives (petitions) to the parliament and relevant authorities via a digital participation platform. Civil society has substantially contributed in other ways to procedural responses to the Covid-19 emergency. Two national-level voter initiatives were implemented into law: rolling back the centralized exams for the 9th grade and granting credit holidays for borrowers. The creation of a popular platform also allowed MyVoice to build a sustainable funding stream from micro-donations.

In many communities, the pandemic worsened existing discrimination against social minorities. Creating public awareness was essential to resisting this discrimination. In Nepal, for example, the Dalit community experienced increased violence and unequal distribution of medical resources and relief funds. The Samata Foundation targeted caste discrimination at both the policy and community levels, forming a legislative committee to draft an empowerment bill and building awareness via national television broadcasts. The campaign also leveraged social media and laid the groundwork for a multi-stakeholder consortium.

Reaching the Most Vulnerable

Trend 4 - Step into the Breach: Reaching the Most Vulnerable with Representation and Support

Where intersecting forces have conspired to deprive groups of the most fundamental rights and protections, humanitarian organizations are stepping in to provide direct services and material support. Many finalists provided legal help combined with medical services, including pro bono representation and psychological counseling, to beneficiaries whose past exposure to violence and discrimination left them vulnerable to the effects of displacement, incarceration, or unemployment. In particular, programs aimed to reach women, children, migrant workers, indigenous communities, ethnic and religious

minorities, and undocumented or stateless persons. Transecting these groups was the uniquely vulnerable population of incarcerated persons and pretrial detainees, for whom the virus represented a grave threat to both health and due process.

The combined effects of economic precariousness, increased demands for childcare, and a greater incidence

of domestic violence have meant that women often bear the heaviest burdens of the pandemic. In the Kurdistan autonomous region of northern Iraq, many women and girls are still reeling from the 2014 genocide perpetrated by ISIS against the Yezidi ethnic and religious minority. Numerous victims of rape, slavery, forced marriage, and trafficking remain living in camps where they are vulnerable to rights abuses; many have been further subjected to sexual- and/or gender-based violence (SGBV) in domestic settings - a shadow epidemic to COVID-19 - as lockdowns and economic despair exact further social and psychological costs on their communities. The Lotus Flower has supported these conflict survivors with a variety of psychological and educational services. When camp authorities

restricted humanitarian access, the team at Lotus Flower quickly pivoted to provide services online and over the phone. They are working to build community awareness, decrease social stigma, and empower both male and female survivors to build healthier attitudes and social norms surrounding SGBV.

Within the prison population, the impacts of COVID-related restrictions

Protecting the Incarcerated in Russia's Gray Zone

In response to an emerging threat to health and safety in Russian prisons, the Public Verdict Foundation established a set of digital tools to support monitoring and responding to COVID-19 outbreaks in detention centers and penitentiaries. This monitoring system worked rapidly to gather, confirm, report, and then empower families and human rights defenders to act on new reported cases.

fell heavily on children, who suffer the psychological effects of isolation even under relatively normal circumstances. The consequences of quarantine were especially severe for incarcerated children cut off from their families and social networks. Terre des Hommes supported the release and reintegration of children back into their communities. They developed

systems to support non-custodial measures for children, including videoconferencing, telephone follow-ups, and activities designed to sensitize children and families to health needs.

