



Annual report 2013

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1. Message from the Directors

In 2013 was a year of consolidation of the office in The Hague and the Microjustice Country programs in East Africa, Latin America and Western Balkan. We continued the professionalization of administration, financial procedures and systems and our human resource policies.

At the same time, a strategy was prepared for the world-wide expansion of Microjustice on the basis of partnerships.

In the last seven years (2007-2013) the Microjustice4All model has been developed on three continents and the focus of the work was to develop a show case that has proven to be successful on three continents. Now the time has come to spread the much needed Microjustice model (a rights-based approach on development) around the world. Therefore, an additional focus for this year has been on the communication tools of Microjustice and entering into partnerships with all possible partners, present on the ground where people need to have their rights arranged: global business (UN Global Compact and its members), NGO's, and Governmental organizations. MJ4All has participated in a webinar of UN Global Compact on the rule of law in Myanmar, has developed a global partnership with the law firm Allen&Overy, and the UN (UNDEF) is now funding Microjusticia Peru.

On the basis of this partnership-approach, Microjustice4All has prepared its Policy Plan 2014-2016 (in Annex on page 21) aiming to further spread Microjustice over the world, promoting it as a horizontal issue, linked to other sustainable development activities.

Moreover, the Microjustice Country Organisations have made lot of progress with MJ Bolivia now also working extensively on real-estate property registration hand in hand with the relevant state institutions, having reached over 40.000 people; MJ Peru being recognized by the UN; MJ Kenya being the only organization acknowledged to help people in the Nairobi slumps to get their civil documentation, and; MJ Rwanda continued to implement a large cross border trade project.

MJ4All is eager to implement the partnership approach in 2014 and to finally reach as many people as possible to be legally empowered!

Founder and Development Director,
Patricia van Nispen tot Sevenaer

Business Director
Monique Mekenkamp

2. Microjustice Organisation

Per 31 December 2013:

2.1 Directors

Patricia van Nispen tot Sevenaer - Development Director
Monique Mekenkamp – Business Director

2.2 Supervisory Board

Tom Ottervanger - President
Rinske van Ramshorst-Crossen
Marc Wesseling
Kaarina Zimmer
Klaas Molenaar

2.3 Team

Caroline Leenaars – Office Manager
Niki Frencken – Regional Coordinator East Africa
Marieke van der Zon - Regional Coordinator Latin America
Pedrag Jergic – Regional Coordinator Western Balkan
Clarite Bos – Project Officer
Nadine Buijs – Communication Officer

The Microjustice Country organisations each have their own teams.

2.4 Financial Resources 2013

The Microjustice programs have been funded by:

- Achmea Foundation: **Bolivia**
- Banco FIE: **Bolivia**
- Ministry of Foreign Affairs of the Netherlands: **Peru**
- Future 21: **MJ operations in Latin America**
- United Nations Democracy Fund: **Peru**
- Allen & Overy: **Rwanda**
- TradeMark East Africa: **Rwanda and Uganda**
- Liberty Foundation: **Kenya and Uganda**
- Private donations

For more information, please refer to the Financial statements 2013

3. Microjustice in Latin America: Bolivia, Peru and Argentina

3.1 Microjusticia Bolivia

Microjustice Bolivia, hereafter MJB started in April 2007. From then on, MJB has advanced the methodology and found ways to be more efficient, to develop better processes, to run the program at a relatively low cost level. From 2008 on other Microjustice Country Organizations and programs were created on the basis of the model developed in Bolivia.

In 2013, the MJB team was composed of a Country Director, a Head of the Legal Area, a Head of the Social Area and two legal case coordinators, a lawyer specialized in property law, two communication specialists, and an accountant. Their work is supervised by a board of Bolivian and international professionals. In addition, a group of 16 law students in the last years of their academic careers work with MJB as legal case managers and facilitators.

MJB has **4 outlets** in La Paz, **5** in El Alto and **1** in Oruro. Most outlets in La Paz and El Alto are located in branches of the Microfinance Institution (MFI) Banco FIE. One is located in the office of the government institution PROREVI. Because of the large demand for services from MJB, the opening hours of several outlets was extended during 2013.

In 2013, MJB prioritized solving problems and legal cases related to property rights over houses and land in peri-urban areas where many migrants from rural areas live. Even though most of these migrants have lived in the city for at least a decade, many have not been able to obtain correct property documents over their house and land. This puts them in a highly vulnerable position.

Basic MJB needs

The National Development Plan of the current government of Bolivia includes the objective of changing justice and administration to make it easier for the Bolivian people to access their rights. Yet, the Bolivian judicial system remains characterized by excessive bureaucratic practices and corruption, thereby making it impossible for many to access and enjoy their rights, even if the government recognizes and guarantees these. The same applies to public offices where procedures are performed to correct identity documents and register property; excessive requests for evidence that, in most cases, the user cannot obtain, long duration of the process and a poor infrastructure, etc. create large obstacles for the population.

All these obstacles in the government systems combined with the lack of knowledge of people on procedures and legal processes prevent individuals in vulnerable groups of society from enjoying their rights. This leads to victimization, frustration, and massive resignation in these groups, as they cannot access the rights that the government has promised them. Such sentiments exist for example common regarding the new Property Law, Ley 247. While the government put this law in place at the end of 2012 to simplify obtaining correct housing property documents, its implementation was obstructed by the lack of coordination and agreement between the involved authorities. In addition, judges refused to accept the simplified requirements included in the law and kept asking for the same the complicated and extensive documents that were required under the previous law.

Despite these obstacles, MJB has been informing vulnerable people on their rights and the requirements for obtaining their property documentation. In many cases it has done so in collaboration with relevant government institutions. In addition, it has processed many legal cases and consults.

In 2013 the MJB team identified additional legal needs on which it will start focusing in 2014. These include 'legal personalities' and related documents for social organizations, federations and communities, which makes it possible to legally represent their members and participate in political decision-making processes. It also includes a varied set of legal documents (identity, legal personality, family related documents, property titles etc.) that women empower women socially, economically and politically empowered, and help prevent violence against women.

Target groups

- Migrants from rural areas: In the cities of La Paz, El Alto and Oruro MJB works on the correction of birth, marriage and death certificates and on the regularization of property rights of rural migrants living in peri-urban areas. It also executes many activities aimed at informing the migrants about their basic legal rights and how to obtain them.
- Women: With the objective of empowering women, MJB capacitates groups of women on the basic legal rights and documents (civil documentation, property rights, alimentation, legal personality of small businesses) that they need to strengthen their position in the household and in society, and helps them to actually obtain these.

Legal Services and Products

- Property rights: formal registration of housing and correction of errors in property documents, inheritance procedures
- Family law (with focus on protection of women and children's rights): legal recognition of partnership / living together contract and related rights and benefits, recognition of children, child support, maintenance allowance, divorce in mutual consent and other family related legal procedures that legally empower women and children.
- Migration and others: assistance with the regularization of the (civil) documentation of Bolivian migrants living abroad. Obtaining documents from other institutions using court orders

Partnerships

- Microfinance Institution Banco Fie: provision of space in their branch offices for outlets, financing of MJB facilitators and promotion materials
- Government agency PROREVI: provision of space for outlets, joint information campaigns on housing property rights, and referral of beneficiaries to MJB for consults or case resolution
- Neighborhood Organizations and Schools: joint organization of information and capacity building campaigns
- Ombudsman: refers beneficiaries to MJB for consults or case resolution
- Local and international development NGOs: organization of joint legal campaigns and capacity building sessions in urban areas and referral of beneficiaries to MJB outlets

- Public Notaries and engineers: provision of services at a low cost and/or fast
- Universities: making it possible for their students to work for a semester with MJB as facilitators or case managers and receive study credits for their work

Cases and consults

	Civil documentation	Property rights	Women & children's rights	Others	Total 2013
Consults	8,061	17,732	490	373	26,656
Cases	451	4,783	23	164	5,421

Of the total number of consults 7,580 were from new beneficiaries. It is important to mention that these beneficiaries came to the outlet with various consults about different basic rights.

Main achievements in 2013

- Collaboration with PROREVI. The collaboration with this government institution, responsible for the implementation of the new housing property law, allowed MJB obtain first hand knowledge on the implementation of this law and develop relevant legal services and capacity building activities for its beneficiaries. MJB also opened legal outlets in the offices of PROREVI, which allowed a large new group of people to know and trust MJB. Based on the many cases and consult MJB handles, it also identified several obstacles in the offices that implement the law, which it communicated constantly to PROREVI during meetings or in reports. With this information, PROREVI managed to solve various of these obstacles.
- Collaboration with neighborhoods and urbanisations. In collaboration with local leaders, MJP provided training on basic legal rights to large groups of people in neighborhoods and urbanisations in peru-urban areas of La Paz. It improved its base of beneficiaries and obtained better understanding of the legal needs in these peri-urban areas.
- Marketing. For the first time, MJB invested human and financial resources exclusively to work on the development and implementation of a marketing plan. MJB participated in TV, Radio and Newspaper interviews, and became much better known, especially in the city of El Alto.
- Forum on housing property. MJB organized a forum on the new law on housing property in the city of El Alto. Institutions like PROREVI, the Property Registry Office and the Cadastre explained their work and the problems they were dealing with. Around 500 local leaders from El Alto participated in the forum. The participating institutions acknowledged the importance of communication between all organizations involved in the implementation of the law, and agreed to intensify this.
- Efficiency in case solution. The MJB team used the 'mapping method' to identify bottlenecks and barriers in process of handing cases, and subsequent staff meetings to find solutions. The team also started using a new and more efficient Case Management System for case administration.

- **Agreements with Universities.** New agreements were signed with two universities and the agreement was renewed with another. These agreements make it possible for with law students in the last phase of their studies to obtain practical experience working for a period of 8 months as facilitators or legal managers with MJB.

3.2 Microjusticia Perú

Microjusticia Perú (MJP) informs individuals, families, rural associations and communities about their basic legal rights (birth certificates, identity cards, ownership of a house or land, legal identity etc.) and how to access these. It also solves their legal cases. In addition, it teaches people, who have obtained their basic documentation, on how to use this to become socially, politically and economically empowered, for example through participating in the formulation of a tender proposal, accessing social programs, or participating in political decision making processes to monitor government activities and propose projects for basic services in their communities. In 2013, through formal and informal agreements with notaries and government agencies, the MJP lawyers and case managers have, for example, helped hundreds of rural productive associations and indigenous communities and water boards to obtain and renew their legal personalities quickly and without errors.

In 2013, The MJP team was composed of an interim country director, three lawyers, two sociologists, an IT specialist, an administrator and an accountant. A group of around 20 paralegals, law and sociology/anthropology students in the last years of their academic careers, work with MJP as case managers and facilitators. In addition, MJP works with about 20 rural facilitators in remote communities. The work of the MJP team is supervised by a board of Peruvian and international professionals.

MJP has **three outlets** in Lima Norte and **twelve outlets** in the region of Puno. Outlets in Lima Norte are located in ADESA, a clinic for children with a handicap and the poor in general, and CEPEFODES, an NGO that works with vulnerable people to set up small businesses. In Puno, MJP has outlets in a Public Notary, a Municipal Agency and in the houses and businesses of its rural facilitators. In addition, it has mobile outlets during weekly rural markets. Every day groups of farmers and migrants visit the outlets to ask help with their legal problems, for example on the formal registration of an association of producers of alpaca wool so that they can start exporting their products and receive state benefits. The MJP facilitators do not just stay in their outlets but also visit neighborhoods and rural communities to provide vulnerable people with legal education and capacity building.

Basic legal needs

In Peru having an ID card is requirement for almost anything -- social rights (public services, education, social benefits), economic rights (labor rights, inheritance, business, loans), political rights (political participation) and property s rights (registration of housing and land). At first sight, obtaining such a card seems rather simple: one needs to pay €7 and provide a birth certificate, a picture, a water or electricity bill, and a declaration from a family member or friend stating that he/she knows the applicant at the National Identification and Civil Status Registry (RENIEC). The problem is with the birth certificate. Many parents never registered their children at birth, and even if they did, the registration often contains mistakes or was destroyed or lost during a fire, reorganization or move of the Municipality. The RENIEC does not help

with this paperwork, as it is the responsibility of the Municipalities. Municipalities often lack the capacity or the sheer will to assist in the matter. The problem is even more complicated for the many people who have migrated from remote rural areas to Lima or other cities. They have to travel back - sometimes for days - to their hometowns to obtain their birth certificates...only to hear at the RENIEC in Lima that contains errors and that they have to travel back to their hometowns.

Peasants who want to register the 'legal personalities' of their community boards, water boards or productive associations experience similar problems. They have to renew their registration every two years and need to travel to the capital of their region for the procedure. For rural productive associations registration opens the possibility to access benefits of the national government such as Sierra Exportador, a program that helps producer communities to export their products. For communities, proper registration is essential for the protection of their communal water and land tenure rights against mining companies and other public or private agencies interested in the using the water or land.

Registration of communal land also makes it possible to subdivide this land it into individually registered properties. Registered communities can also make proposals during the formulation of the budgets of their district municipalities and for example request budget lines for education and health projects in their communities. As the requirements for registration change frequently, the peasants never know what documents to hand in. In addition, government officials responsible for the procedure are not always aware of the newest requirements and tend to provide erratic information. MJP has been successfully lobbying to have the procedures for registration simplified, and several unnecessary bureaucratic requirements have been removed as a result. It also collaborates with the civil registry office in the department of Puno (RENIEC) to capacitate rural registers, so that they are better able to do their work without errors.

Generally, complex procedures, excessive bureaucracy, corruption, linguistic barriers and distant offices complicate access to justice for the urban and rural poor in Peru. The reality is that many people just give up and remain marginalized for generations.

Microjusticia Peru informs individuals, families, rural associations and communities about their basic legal rights and how to access these. It also solves their cases - at a very affordable price. The MJP lawyers and case managers have, for example, obtained numerous birth certificates from remote municipalities by mail, using effective communication strategies to convince to government officials. Through formal and informal agreements with notaries and government agencies, they have also been able to help countless rural associations of fishermen, alpaca wool producers, water boards etc. obtain and renew their legal personalities quickly and without errors. The work done by MJP in the last 5 years has demonstrated both the large unmet need for legal empowerment and the effectiveness of its services.

Target Groups

- Indigenous farmers Communities: In Puno, one of the poorest regions of Peru, located high in the Andean mountains at the shore of the Titicaca Lake, MJP serves as a bridge between the remote communities where the people live and the city where the legal paperwork has to be done. It helps the communities to register their board and individuals to get their identity papers and other basic documents. In addition, it provides them with training about how to participate in democratic processes.

- Migrants: In the cities of Lima and Juliaca, MJP helps migrants from rural areas of the country to obtain their identity and other basic legal documents. It also helps them to register their houses or lands.
- Small businesses and associations: MJP properly registers small businesses, productive and social associations in rural and urban areas.
- Women: The large majority of the beneficiaries of MJP are women. MJP helps many mothers to receive alimony from the father of their children. In addition, it capacitates rural women to participate and defend their rights in democratic processes

Legal Services and Products

- Civil documentation: registration and/or obtaining birth, marriage, and death certificates; obtaining an identity card; rectification of personal data in civil documentation
- Business and organization (legal entity): registration and renovation of legal personality of small businesses, rural communities, social organizations and farmer cooperatives; registration of patents for small and growing companies
- Property: formal registration of land and housing titles and corrections in these titles in urban and rural areas
- Family law (with a focus on children and women's rights): formal recognition of partnership/living together contract and related rights and benefits, alimentation/maintenance allowance and other family related legal procedures that legally empower children and women

Partnerships

- Development NGOs (ADESA, CEPEFODES, RED COORDINADORA, etc.): provision of a space for legal outlets at a strategic location; organization of joint legal campaigns and capacity building sessions in urban and rural areas; and referral of beneficiaries to MJP outlets for legal consults and legal case solution
- District municipalities: provision of a space for a legal outlet in a strategic location (Juliaca); facilitation of the organization of joint legal campaigns; capacity building of rural civil registers; and referral of beneficiaries to MJP outlets for legal consults and legal case solution (Comas, Huanacán, Ilave)
- Civil Registry (RENIEC): joint organization of training sessions for rural civil registers; collaboration in case solution
- Public Notaries and engineers: provision of space for an outlet in Puno and provision of their services at an accessible price and/or very fast
- Universities: making it possible for their students to work for a semester with MJP as facilitators or case managers and receive study credits for their work
- Ombudsman: referral of beneficiaries to MJP for consults or case resolution
- Law Firms: solution complex cases referred by MJP at an accessible price

Consults and Cases

	Civil Documentation	Property	Family right	Indigenous communities, legal entities, and SMEs	Other	TOTAL 2013
Consults	3,255	1,509	288	1,518*	1,115	6,590
Cases	87	3	5	272*	51	367

*A total of 19,180 persons benefited in 2013 from the cases related to legal entities; most of these are members of indigenous communities and community organizations.

Main achievements in 2013

- New and strengthened alliances: In Lima, MJP started new alliances with two NGOs (ADESA, CEPEFODES), a university and a district government (COMAS). In Puno, it started new alliances with the civil registry (RENIEC), several local governments and traditional leaders in the province of Huancané, and an NGO (SOS Aldeas Infantiles). In addition, it strengthened relationships with most of its existing partners. One such partner is the “JUNTOS”, a government program that manages social programs such as subsidies for vulnerable mothers and pensions for the elderly poor.
- New outlets: With funding of UNDEF, MJP opened 8 new outlets in the province of Huancané, Puno.
- Legal campaigns: MJP organized 8 legal campaigns in rural areas during which it provided legal assessment to around 500, and reached over 3000 persons.
- Capacity building: Over 900 people in rural areas in Puno participated in trainings on the advantages of having their basic legal documents (identity documents, legal personality, property documents) in order, and to how to get them or have them corrected.
- Case Management System. MJP started using a new and more efficient and complete Case Management System, which helps the organization solve cases and collect data in a more efficient way.

3.3 Microjusticia Argentina

Argentina suffered a deep economic crisis in 2001 that led to the deterioration of social conditions and plunged more than half of its population into poverty. In the wake of this crisis, rapid economic growth took place and today Argentina is considered a middle- to high-income country. However, the average income and GDP mask the wide disparity in the distribution of wealth. This disparity is apparent in the larger metropolitan areas, such as Buenos Aires, Rosario and Mendoza, where large “villas miserias” (slums) persist. People living in these areas are economically and socially marginalized, hampered by a lack of access to basic rights and documentation.

There are approximately 1.275.000 undocumented persons born and living in Argentina, who cannot effectively participate in society. In addition, Argentina is home to a large population of immigrants, including around 2 million Bolivians, most of them living in very precarious situations and without proper documentation.

Microjusticia Argentina aims to ensure the empowerment and inclusion of the marginalized populations who lack access to basic rights by providing them with legal support and with education aimed at raising their awareness on the rights and responsibilities they have. MJA helps people to strengthen their own capacities and potential to become active and responsible citizens who benefit from basic rights that are currently out of their reach. These rights include: formal education, participation in democratic processes, land ownership, formal employment and social integration.

Almost all members of the MJA team work as volunteers. The management is in the hands of a group of lawyers and a Board of Directors who have been working with MJA since its creation. The only remunerated staff is a full-time coordinator and a part time administrator. The coordinator is supported by two tutors responsible for training the facilitators, a group of around 15 law students in the last years of their academic careers.

MJA has **3 outlets** in marginalized neighborhoods of Buenos Aires, located in branches of FIE Gran Poder, which are staffed on a daily basis. In addition, every week the MJA facilitators visit slums and poor neighborhoods to provide vulnerable people with legal education and capacity building.

Basic legal needs

Many people in Argentina find themselves in a vulnerable position due to lack of access to basic legal rights, such as identity rights, property rights, labor rights and access to formal education and social security. It is especially difficult for the most vulnerable groups to exercise these rights, even though they are officially recognized and provided by the State. Bureaucratic difficulties, as well as cultural, economic and social factors impede the poorest from accessing these basic rights.

Unfortunately, in Argentina many people lack basic documentation:

- Approximately 1.275.000 undocumented persons live in Argentina, most of them in the city and Province of Buenos Aires.
- In the schools of the Province of Buenos Aires, some 70.000 children do not have birth certificates.

- Approximately 2 million Bolivian immigrants live in Argentina, most of them in very precarious situations and with inadequate documentation. There are also large populations of immigrants from Peru and Paraguay living in slums and informal settlements.
- The lack of documentation affects people in every aspect of their lives. Without an ID, they cannot have formal employment, receive social plans, open a bank account or receive credit, complete their education, receive student grants, circulate freely, vote or be elected.

Target Groups

MJA works in the slums of Buenos Aires. Its target groups include Argentinian and migrants living in these poor neighborhoods and many of its beneficiaries are women and children.

Legal Services and Products

Civil documentation: registration of birth, obtaining ID, rectification of personal data and other processes that serve the formal integration of people in society.

Family law (with a focus on children and women's rights): rights to adequate food, education and identity.

Disabilities and health related rights: Administrative processes related to Disability Certificates, pensions, work and health benefits for persons with health problems or disabilities.

Immigration: procedures to regularize the migration status through formal collaboration agreement with the National Immigration Authority.

Labor and taxes: registering people in AFIP (tax office).

Partnerships

- Microfinance Institution FIE Gran Poder: provision of space for outlets, financing of MJA facilitators and provision of necessary support materials.
- National Immigration Authority: working partnership provides direct access to Microjustice beneficiaries to immigration authority, as well as training and workshop opportunities.
- Local development NGOs that work in marginalized neighborhoods provide access to vulnerable populations (see <http://microjusticiaargentina.org/index.php/voluntarios/alianzas>)
- Public Notaries and Law firms: provision of services to Microjustice beneficiaries.
- Universidad Austral, Law School: formal partnership allows law students to work for a semester with MJA as facilitators and receive study credits for their work.

Consults and Cases

	Total 2013
Consults	1600
Cases	400

The number of consults and cases **grew exponentially during 2013** as MJA started to work with more paralegals. In addition, the organization is in de process or increasing its visibility in Buenos Aires. The team is regularly asked to participate in radio, television or newspaper interviews.

Achievements in 2013

- More volunteers: Thanks to the official agreement with Austral University, MJA was able to increase the number of volunteers, who acted as paralegals (facilitators and case managers).
- More staff: MJA was able to hire a full-time Executive Director and a part-time Legal Coordinator, which improved efficiency and the amount of cases received and solved.
- New alliances: In 2013, MJA increased the number of allied NGOs, thus reaching more slums and low-income neighborhoods and more people in vulnerable conditions.
- MJA was awarded the Grand Prize in the “Do Good Challenge”, which is a University of Maryland’s charity competition intended to raise funds and awareness for the presented charity. MJA developed a website, an awareness campaign, a Facebook profile and a donations campaign.
- Donations campaign: Two major campaigns took place in 2013. The first, during the “Do Good Challenge” competition, during which MJA’s volunteers succeeded in getting monthly donations (with credit or debit card) for over 50 people. The second, during November and December, in which MJA succeeded in getting more donors, as well as augmenting the amount donated every month by the existing donors.
- Improved visibility: In 2013, MJA appeared in several newspapers and magazines, as well as radio and TV shows (links: <http://www.microjusticiaargentina.org/index.php/voluntarios/prensa>).

4. Microjustice in East Africa: Rwanda-Uganda and Kenya

4.1 Microjustice Rwanda and Microjustice Uganda

In January 2012, Microjustice4All (MJ4All), Microjustice Rwanda (MJR) and a Microjustice team in Uganda started the implementation of the Microjustice EAC Cross-Border Trade Project titled “*Microjustice for EAC Integration and the Free Movement of Persons and Goods across Borders in Rwanda and Uganda*” which is funded by Trademark East Africa (TMEA). This project was put on hold towards the end of 2013, was redesigned and restarted on April 1st, 2013.

Ultimately, this redesigned pilot project aims to increase cross-border trade by reducing trade-related costs and removing Non-Tariff Barriers (NTBs) through four components:

- Providing direct support to small traders at the Gatuna/Katuna border through legal consults on cross-border procedures and requirements for persons and goods, complaint-handling and directly resolving problematic cases at the border;
- Organising awareness-raising activities and legal trainings on the requirements of cross-border trade together with partner organizations;
- Conducting (ongoing) NTB survey in order to gain bottom-up insights into Non-Tariff Barriers at the Gatuna/Katuna border;
- Engaging in evidence-based advocacy together with a CSO/PSO coalition for the reduction of NTBs at the Gatuna/Katuna border.

This pilot project (end date: 31 March 2014) is furthermore intended to generate “lessons learned” and “best practices” with the view to expanding to other border crossings, as well as expanding to other EAC members states, most notably where Microjustice organizations are already present, such as Kenya.

In July 2013, MJR started a second project titled “Capacity-building of Microjustice Rwanda and Access to Justice in Rwanda” with funding from Allen & Overy (end date 30-06-2014). This project aims to:

- I. Make legal documentation and services accessible, affordable and reliable to the vulnerable and the emerging middle-class through MJ-service provision;
- II. To raise awareness of basic rights through an awareness campaign for vulnerable persons;
- III. To strengthen and further develop the organizational and individual capacity of Microjustice Rwanda and the team.

Basic legal needs

Within East-Africa, Rwanda is developing rapidly and is at the front of the regional integration process, yet its growth is hampered by non-tariff barriers to trade along the main trade routes and border crossing. One of these border crossings is the Gatuna/Katuna border with Uganda.

The smaller-scale, uneducated enterprises and traders (especially women) at this border still experience many obstacles in crossing the border with their tradable goods and thus remain excluded from benefits that the EAC offers, creating a gap between 'levels' within society.

In order to close this gap, the unregistered part of the Rwandan and Ugandan population needs to become formalized, educated about cross-border procedures and equipped with knowledge and legal documents required to assert their rights and cross the border. For example, having a certificate of origin for goods produced in an EAC partner state enables exempts traders to pay certain tariffs and taxes and enables the free movement of goods. Having identity papers is necessary for going to school, getting a job, accessing health care and getting social benefits.

Registering a business or trade cooperative, opens opportunities to income and access to loans. This way, this group can access basic rights and the legal preconditions necessary to participate in the formal economy as well as in society. This will increase the number of people that will be able to trade and enjoy the increasing level of development in the country.

Although the legal infrastructure in Rwanda is largely in place, a large segment of the population can still not access legal documents. A lack of awareness, complex procedures and excessive bureaucracy continue to present obstacles to accessing justice. In addition, government officials at the border (most notably at Customs) are not always aware of the newest requirements within the EAC and provide erratic information. Moreover, people distrust government officials and are therefore suspicious of information provided by the government.

MJR and a Microjustice team in Uganda step in to tackle these obstacles to the access to justice and help (female) small-scale traders at the Gatuna/Katuna border with Uganda cross the border so that they can trade without complications. This is done through direct legal advice (consults) on trade rights and obligations (requirements and procedures), helping these traders obtain the legally required documents (eg. certificate of origin), by directly solving problematic cases that prevent traders from crossing the border with their goods and by raising awareness about legal requirements and procedures for cross-border trade.

Legal Services and Products

MJR engages in the provision of consults, cases, awareness-raising and legal education on:

- Trade rights, obligations and benefits of the EAC: such as guidelines on customs clearing procedures such as the payment of taxes and acquirement of certificates of origin (both simplified and full).
- Civil and travel documentation: birth certificates, identification and travel documents (ID-card, laissez-passer or passport).
- Registration of business and organizations: registration of co-operatives and small businesses from small-scale (women) traders who operate in the border region.

Target Groups

The Microjustice EAC cross-border trade pilot project focuses on (female) (in)formal, small-scale traders that are dependent on cross-border trade for their daily survival and livelihoods. In addition, the project also targets the general border population that live adjacent to the Gatuna/Katuna border crossing.

The project funded by Allen & Overy focuses on two client groups (in the Northern Gichumbi district):

1. The poorest people who have insufficient access to their basic rights. This places them in a vulnerable position since they are often either omitted from or incorrectly, registered in the civil registry. Moreover, they sometimes do not even possess valid identity documents, which prevent them from using public services such as social welfare and voting in elections. Similarly, they often lack land titles rendering permanent shelter and income from land uncertain. Microjustice services assist the vulnerable in obtaining and protecting these basic rights. People are enabled to participate better and safer in society, invest in housing and land, gain access to microcredit and develop economic activities.
2. Microjustice Rwanda will also target people in the emerging middle-class in order to contribute to strengthening the middle-class in Rwanda, which is considered to be a critical economic and social actor due to its potential as an engine of growth. Additionally, the middle-class is a high potential market for the Microjustice legal services and thus a manner to generate revenue and work towards achieving financial sustainability.

In the next three years, MJR wants to expand its set of standardized legal services. The final legal products depend on the progress and findings of the current projects and may well include products that:

- Specifically target women's (eg. certificates of marriage and divorce procedures) and children's rights (eg. birth certificates).
- Ensure food security and access to financial services through enhancing legal land ownership by assisting the vulnerable with transfer of land title deeds and other registration efforts.
- Assist the Microfinance industry to address consumer protection gaps through drafting fair and transparent loan agreements, develop debt restructuring and dispute resolution protocols.

Partnerships

- *Private Sector Organisations (PSOs)*: access to traders; referral of trade-related complaints to MJR outlets for consults and case solution. Amongst others MJR has partnered with: Private Sector Foundation as well as trade and transporters associations (members of the NTB Elimination Coalition), the Rwanda Cooperative Agency (registration of cooperatives)
- *Civil Society Organizations (CSOs) and Networks*: organization of joint legal campaigns, reach out to the beneficiaries and referral of beneficiaries to MJR outlets. MJR has mainly partnered with: EACSO (joint legal trainings, sharing of information material, evidence-based lobbying and advocacy), Legal Aid Forum (referral of cases that fall outside of MJR's mandate such as court representation), Law and Development Partnership, the Rwanda Bar Association (sharing of reports and monitoring of implementation of EAC law at the border), and CLADHO (awareness-raising and cooperative registration for female traders). In Uganda, the Microjustice team works with EASSI and Katuna Women Traders Association (joint outreach and awareness raising), the Uganda Export

and Promotions Board, the NGO Forum, EASSI, SEATINI-Southern and Eastern African Trade Information and Negotiation Institute, Katuna Marps Programme, ATGWU-Amalgamated Transport and General Workers Union.

- *Government:* Through establishment and building of partnerships, Microjustice Rwanda and in Uganda have managed to construct the basic infrastructure, network and contacts necessary to be able to reach the key individuals and institutions in positions to influence policy.
- Concretely, relations are built with NMC-National Monitoring Committee, Ministries of the East African Community as well as Trade and Commerce and Immigration. Microjustice and these government institutions will work together on reporting of complaints, cases of harassment, mistreatment and mismanagement encountered at the border in order to increase ease of transport and trade across the border.
- At the border, Microjustice works directly with officials from Immigration, Customs, Revenue Authorities and the Police to mediate and solve problems encountered by traders on day-to-day basis.

A partnership between Microjustice4All, Microjustice Rwanda and the Microjustice team in Uganda initiated the formation of a coalition for the removal of Non-Tariff Barriers (NTBs) in Rwanda (October 2013). The coalitions are formed to provide support to the National Monitoring Committee in order to remove NTBs along the Rwandan/Ugandan borders. Based on best practices and guided by the Rwandan and Ugandan coalitions (the latter is to be established in January 2014), other national NTB Elimination Coalitions can be formed in the other EAC Partner States to support regional efforts to remove NTBs along the main trade corridors.

Consults and Cases

	Total 2013
Consults	672
Cases	162

4.2 Microjustice Kenya

Microjustice Kenya's (MJK) services are developed for the most vulnerable people and therefore MJK operates in Nairobi's (3 million inhabitants) informal settlements (eg. the infamous Kibera slum). The overwhelming majority of inhabitants of these areas lack official documentation and access to justice.

Most of MJK's clientele are women with little or no formal education and who became mothers at a young age. The majority of these women, and other clients, live in slums, often paperless due to either unawareness, difficulty in reaching the right institutions or who lose their legal documents as a result of fires in the slums. In line with these needs, MJK has focused its standardized set of products on civil registration and helps vulnerable people obtain birth certificates and identification documents.

Basic legal needs

Generally in Kenya, access to basic rights is limited for vulnerable people due to a number of obstacles: the complexity and extensive length of the processes involved, excessive requisites, distance to public institutions, fear or distrust of public institutions and civil servants, lack of information, passivity of the population and corruption.

Access to justice for the poor is very difficult, if not impossible. The majority of vulnerable people are unaware of their basic rights and the opportunities these offer. Due to these obstacles, vulnerable people have limited access to legal rights identified which are a fundamental prerequisite to development and self-sustainability in Kenya.

Civil registration: In Kenya, the need for valid identity documents and registration is most pressing. People practically cannot access services without valid identity documents or birth certificates. This excludes them from all public amenities such as welfare, pension and education. It also makes them vulnerable to exploitation, human trafficking and child labour, especially in insecure areas such as Nairobi's slums. Registration is a first step to allow other steps to be made. It can for instance enable other organizations to track abducted children.

A rapid assessment of the Civil Registration and Vital Statistics (CRVS) system in Kenya in 2011 showed that Kenya has made significant progress of creating the legal framework for civil registration (85%), yet scores poorly on the coverage of birth and death registration (30%); an area of the CRVS system that constitutes Microjustice Kenya's core business thus far.

Target Groups

- *Vulnerable people in Nairobi's slums:* The overwhelming majority of inhabitants of these slum areas lack official documentation and access to justice, education and finance. For access to education, MJK targets young mothers to make sure they and their children are in possession of their birth certificates.
- A large proportion of these beneficiaries are women with little or no formal education and who are unaware of the value of a birth certificate for their children's future. The majority of these women and children live in slums. MJK provides solutions for their lack of civil documentation which arises due to unawareness, difficulty in reaching the right institutions or loss of the documents as a result of fires in the slums.

Implementation Progress

In 2013, the Kenyan organisation operated on a limited budget for the first six months. In the second half of the year, after the Westgate bombings, all organizations in Kenya working on identification-related issues (MJK works on civil documentation), were requested to stop operations in the field for a number of weeks. These two developments give rise to a smaller number of consults and cases in comparison to 2012. In 2013, a total number of 326 cases were filed and 640 consults were given. Towards the end of the year, the numbers increase which can be considered a positive prospect for 2014.

In October 2013, MJK started a campaign to increase awareness about basic legal rights by organizing legal trainings. From October – December 2013, 276 people's awareness was increased. This supports the legal empowerment of these people as they will be better equipped with knowledge and an ability to stand up for their rights which makes them less vulnerable due to exploitation as the result of a lack of knowledge.

Additionally, MJK managed to maintain a large network that consists of other CSOs, associations as well as government institutions. By partnering with some of these organizations, and through legal education workshops, MJK managed to reach out to people and inform them about their rights.

The organisation worked on the development of products which has resulted in more work on group registrations as well as succession related matters.

Partnerships

- *Churches, Community Centers and Local Chiefs:* provision of space for outlets in Nairobi's slum areas; referral of beneficiaries to the MJK outlets for consults and case solution.
- At the outlets, MJK has partnered with: Ruaraka Chief's Camp in Kasarani Constituency, Mukuru Chief's Camp in Nairobi's Industrial Area, Guadalupe church which mainly serves the sprawling Kibera slums and adjacent areas. Christ the King Church in the Kangemi outlet and a community centre run by Catholic Nuns in the Deep Sea and South B outlets.
- *Civil Society Organizations (CSOs) and Networks:* ABC Children's Aid Centre, Law Society of Kenya, CRADLE-Kenya, Refugee Consortium of Kenya, Zinduka Africa, CARTAS Nairobi, Sisters of Mercy, COYREP, METRO Kenya for organization of joint legal campaigns, reaching out to the beneficiaries and referral of beneficiaries to MJK outlets.
- *Government:* MJK works closely with the Civil Registry in order to work on efficient processing of birth certificate applications and increase the turnaround time.
- MJK also works with the Child Protection Unit to which it forwards cases of child abuse and mistreatment.
- In 2013, MJK has formed partnerships with schools in a way to increase efficiency of legal service provision and reach more children who need their birth certificates in order to sit for their exams and secure access to education.

Legal Services and Products

Product	Used for
Civil documentation	
Birth certificates	Education (required to sit exams), Prerequisite for obtaining ID-documentation, job interviews, access to finance, health care, social benefits, marriage, etc
Family	
Inheritance (consults)	Prevention of conflict and division of property in accordance to Kenya's succession laws. Safeguard access to property (and hence income) for women and children.
Business	
Group registration	Access to government funding for (youth and women) groups in order to pull funding and secure livelihoods through community-based projects initiated by the groups.

Consults and Cases

	Total 2013
Consults	640
Cases	326

5. Microjustice4All in the Western Balkan

Microjustice4All has started its activities in the former Yugoslavia since 1996 in the post-war rehabilitation of the displaced populations in Croatia, Serbia, and Macedonia. Over the years, MJ4All with its legal partner organisations, arranged over 100.000 legal problems, most of them on a cross-border basis, allowing people to go on with their lives.

Now, there MJ4All has still a small office in Vukovar/Croatia (in the Europe House) where 2 of its old staff are working on a part-time basis, in almost a self-sustainable way. In partnership with the Humanitarian Centre for Integration and Tolerance in Novi Sad/Serbia, (former) refugees are still serviced, and the MJ4All office in Vukovar arranges their civil documentation in Croatia.

Again in **2013** there were **400 documents** arranged in Croatia for people in Serbia, mainly: rodni list (birth certificate), domovnica (proof of Croatian citizenship), pension rights, workbooks and real property papers.

ANNEX I: Policy Plan 2014-2016



MICROJUSTICE4ALL
ZEESTRAAT 100
2518 AD THE HAGUE
THE NETHERLANDS
www.microjustice4all.org

MICROJUSTICE4ALL: LEGAL EMPOWERMENT OF THE POOR



POLICY 2014-2016: in building a worldwide network of Microjustice Country Organisations

April 2014

INTRODUCTION

Microjustice4All (MJ4All)¹ has developed the foundation for a worldwide network of Microjustice² Country Organisations. As a project-funded international expert organisation, MJ4All has set up Microjustice organisations in three continents. For MJ4All, 2014 is a transitional year. In anticipation of current changes in international development cooperation, we are shifting from the realisation of our goals through donor-funded programs to impact-oriented partnerships with the public and private sector, focusing on creating a self-sustainable network of Microjustice organisations. Seize the opportunity to participate in global sustainable change on the ground.



MISSION & ACHIEVEMENTS OF MICROJUSTICE4ALL

“Money won’t create success, the freedom to make it will”

Nelson Mandela

Have you ever wondered why at least 4 billion people around the world spend their entire lives struggling to move out of poverty and obtain access to basic rights? A key contributing factor is that many poor people lack the proper legal documentation to show they own their land, to run a business, to vote or to access education, health care, social benefits and microfinance. This means they are excluded from participating in society and sustainable development.

MJ4All is dedicated to help set up local legal infrastructures (Microjustice Country Organisations) that provide services to obtain these legal documents with a focus on:

- 1) Birth certificates and various civil documents to enable access to e.g. education, health care, social benefits, microfinance and voting;
- 2) Housing and land registration for property protection, access to collateral and investment opportunities;
- 3) Setting up businesses, cooperatives and other legal entities, and drafting contracts to increase income-generating activities and civil society participation; and
- 4) Legal issues related to the above, mostly related to family law and inheritance matters.

¹ *Microjustice4All* refers to the international Microjustice support organisation, based in The Hague

² *Microjustice* refers to the concept of legal services for the poor

MICROJUSTICE4ALL FILLS A GAP

MJ4All is a **unique organisation** that develops innovative methods in legal service provision to the poor:

- Having as objective inclusion in society with the enjoyment of public services and social benefits, as well as legal security and protection, enabling people to participate and invest in their land, houses and businesses;
- Hands-on, impact-oriented legal education through a combination of awareness-raising activities with the provision of practical legal solutions by its lawyers and paralegals on the ground;
- Using a **bottom-up approach** to institutional reform through evidence-based lobbying;
- Addressing funding challenges: Microjustice country organisations are sustainable social enterprises, following the **model of microfinance**; clients pay a small fee, which covers the costs of the legal service. However, external funding is needed for establishing new country organisations and complementary activities, such as product development, legal awareness-raising, legal capacity-building, and research; and
- Being a part of inclusive finance, MJ4All partners with the microfinance industry.

MICROJUSTICE4ALL'S VISION AND STRATEGY

The vision of MJ4All is a world where everyone lives in dignity, enjoys basic rights and is protected by a social system of justice. This vision is achieved by developing Microjustice organisations in countries where there is a need to integrate marginalised groups in society, in cooperation with local stakeholders and partners. These Microjustice country organisations exchange experiences, introduce new methods and mutually support one another through the coordinating role of MJ4All.

The work of each of the Microjustice country organisations has impact throughout the layers of the social pyramid:



Impact throughout the social pyramid through its bottom-up approach

IMPACT OF MICROJUSTICE4All

Per March 31, 2014

THE HAGUE, THE NETHERLANDS
Headquarters MJ4All

WESTERN BALKANS

Since 1997:
> **50,000** civil documents
> **100,000** consultations* & legal solutions relating to post-war legal rehabilitation

PERÚ

Since Nov. 2008:
17 outlets in Puno, and Lima
> **24,800** consultations
> **2,700** cases
> **1,000** indigenous communities formally recognized
> **920** civil documents obtained



UGANDA / RWANDA

Since Sept. 2012:
4 outlets in border regions
> **1,400** consultations
> **800** cases* & complaints
> **600** people trained
21 partnerships

ARGENTINA

Since 2010:
16 mobile outlets in the slums of Buenos Aires
> **700** cases
> **5,500** consultations

KENYA

Since Nov. 2011:
6 outlets in the slums of Nairobi
1 successful policy change
> **590** people trained
> **1,600** birth certificates obtained
> **2300** consults
16 partnerships

BOLIVIA

Since 2008: Micorjustice Bolivia has assisted directly **42,359** clients with **15,893** cases, and **90,400** consultations with the following effect:

64,309 consultations to get valid civil documentation, which clients needed to be able to obtain:

State pension or family allowance	25%
Property registration	38.5%
Birth certificate / ID	6%
Microfinance services	8.5%
Marriage registration	2.5%
Travelling abroad	1%
Education and a degree	15%
Medical insurance	1.5%
Pension benefits	1.5%
Small enterprise registration	0.5%

26,091 consultations related to property registration, which clients needed to be able to obtain:

Inherit property	23%
Sell property	5%
Protect real estate property rights	62%
Access credit/obtain mortgage	10%

*Consultation = provided personal legal advice (which is free)

*Case = legal solution developed by the lawyers of a Microjustice Country Organisation (in exchange for a small fee)

BUILDING A WORLDWIDE MICROJUSTICE NETWORK

- Over the past **17 years**, MJ4All has developed a new method for rights-based inclusive development, which has resulted in a ‘Microjustice toolkit’, providing tools (know-how, models and databases) for replication worldwide.
- MJ4All has a **strong global network** of contacts with local and international organisations, such as the UN, the EU, local governments, the private sector, the microfinance industry and civil society.
- With its efficient and focused international support organisation in The Hague, and large local teams in the Country Organisations, MJ4All has the capacity to scale-up and expand wherever its partners have the interest to create impact.
- Currently, MJ4All is developing **strategic partnerships** with organisations such as the International Development Law Organisation and the UN Global Compact as well as with various multinationals and global law firms.

TOWARDS INCLUSIVE DEVELOPMENT

THE UN POST -2015 SUSTAINABLE DEVELOPMENT GOALS

- The High-Level Panel of Eminent Persons on the Post-2015 Development Agenda³ has identified inclusive development, ‘leaving no one behind’ and legal empowerment of the poor as key agenda point.
- This requires a rights-based approach where all can participate and have the same legal rights and opportunities.

“Societies without a predictable legal framework are societies where people do not invest in their future, or the future of their country.”

Ban Ki-Moon, UN Secretary-General, New York, 19 September 2013

DEMAND FOR IMPACT-ORIENTATED TOOLS

- International development cooperation has shifted from traditional, government-initiated, top-down and project-based to impact-oriented, focusing on creating self-sustainable change.
- Global business and governments are joining forces by engaging in ‘public-private-partnerships’.

³ www.post2015hlp.org

FORWARD

MJ4All is now more timely than ever and is ready to further expand globally by engaging in partnerships. It is responding to changes in international development cooperation and to the demand for impact-oriented implementation tools for the new and rights-based approaches to inclusive growth and development.

MJ4All's strategy to roll out Microjustice over the world is by partnering with the public and private sector, international law organisations as well as civil society. These partnerships can have multiple forms, such as: financial contributions, cooperation in the distribution of the Microjustice services and sharing (legal) know-how. By working through independent Microjustice Country Organisations in cooperation with partners, MJ4All may remain an efficient and focused organisation that can swiftly develop its strategies, method and tools around the needs and circumstances encountered in the countries of operation.

See the Annex: "Programme & Aims 2014-16" for further details of our plans in the immediate future.

If you would like more information about the opportunities to participate, please contact us:

Microjustice4All
Zeestraat 100
2518 AD THE HAGUE
The Netherlands
www.microjustice4all.org

PROGRAMME & AIMS 2014-16

ACTIVITY SET 1 - Further develop existing Microjustice Country Organisations as sustainable social enterprises:

- Increase the number of service outlets throughout the country
- Expand the portfolio of legal services and products
- Scale-up awareness raising and education on basic rights for target groups (women, children, farmers, small businesses, indigenous peoples and victims of conflict)
- Build partnerships and encourage government institutions to improve the accessibility of administrative and legal procedures

ACTIVITY SET 2 - Establish new Microjustice Country organisations:

- MJ4All has identified opportunities in: Brazil, Colombia, Ecuador, Indonesia, Nigeria, Tanzania and Zambia
- Develop these opportunities in cooperation with partners internationally and locally (local groups, institutions, international corporations and law firms) and on the basis of the MJ4All Toolkit

ACTIVITY SET 3 - Capacity Building of Microjustice Network:

- Develop toolkits for specialised services for specific target groups, such as smallholder farmers (formalise legal entities, land registrations and water right protection) and women (inheritance, recognition of children and formalization of partnership, land and property right, small businesses)
- Evaluate impact (show how Microjustice is pivotal in sustainable human development)
- Research and disseminate data in key areas that affect the ability for vulnerable people to participate in society
- Develop expertise to improve legal systems in cooperation with relevant institutions locally and internationally
- Exchange information between MJ4All network members

AIMS

By the end of 2016 MJ4All aims to (I) reach 1,000,000 people, (II) be represented in 12 countries, (III) be a strong network organisation, providing expertise to its members, with the capacity to replicate MJ4All programs everywhere, and (IV) be recognized as a key player in the post-2015 Sustainable Development Goals-Agenda.