



## Annual report 2012

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## 1. Message from the Founder

2012 was a year of substantial growth and organisational transition for Microjustice4All.

In Africa, a new Microjustice Country Organisation was opened in Rwanda in the context of providing legal services to small traders related to cross-border trade with Uganda. This Cross-Border Microjustice Programme between Rwanda and Uganda has been funded by the donor Trade Mark East Africa since January 2012.

Microjustice Kenya which started at the end of 2011 has expanded and developed its activities within most of the slums of Nairobi and its environs.

In Latin America, the Microjustice Country Organisations in Bolivia, Peru and Argentina have continued to gradually increase their degree of self-sustainability.

Microjustice4All in The Hague has adapted its legal structure and name to its position of supporting and coordinating a broad network of Microjustice country-organisations in the world. In May 2012, the Articles of Association were modified to reflect this:

- The name change from International Legal Alliances into Microjustice4All, which refers to legal empowerment on a micro-level for all (people), and to being the network and support organisation for all Microjustice country-organisations.
- The foundation now has a statutory director and a supervisory board (instead of board of trustees with a director by delegation)

The year 2012 was closed with the perspective of further development and growth of the Microjustice Organisations in Latin America and Africa, to be achieved in close partnership with relevant stakeholders while the support structure of MJ4All in The Hague is adapted to the increased scale of the Microjustice Programs worldwide.

**Founder and Development Director,**

**Patricia van Nispen tot Sevenaer**

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## 2. Organizational

Per 31 December 2012:

### 2.1 Directors

Patricia van Nispen tot Sevenaer - Development Director  
Cees Budding - Business Director

### 2.2 Supervisory Board

Tom Ottervanger - President  
Frederik Schutte  
Rinske van Ramshorst-Crossen

### 2.3 Team

Caroline Leenaars - Office Manager  
Niki Frencken - Regional Coordinator Africa  
Anaelba Palacios- Regional Coordinator Latin America  
Pedrag Jergic - Regional Coordinator Western Balkan

The Microjustice Country organizations have each their own teams.

### 2.4 Financial Sources 2012

See Financial Statements 2012

The Microjustice programs have been funded by:

- **Clifford Chance: Kenya**
- **Eureko Achmea Foundation: Bolivia**
- **Dutch Ministry of Foreign Affairs: Peru**
- **TRADE MARK EAST AFRICA: Rwanda and Uganda**
- **Liberty Foundation: Kenya and Uganda**
- **Private donations**

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

### 3.1 Microjusticia Bolivia

Microjusticia 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 2012, 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. Their work is supervised by a board of Bolivian and international professionals. In addition, a group of around 15 law students in the last years of their academic careers work with MJB as legal case managers and facilitators.

MJB has **3 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) BancoFIE.

#### Basic MJB needs

In Bolivia the judicial system is characterized by excessive bureaucratic practices and corruption, thereby making it impossible for many to access and enjoy their rights. 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.

Until 2011 the main problem in Bolivia was the lack of access to valid civil documentation, which blocked the enjoyment of many socio-economic benefits. In 2008 the government started offering new social benefits, including the 'renta dignidad', a basic pension for the elderly. While these social benefits aimed at improving the socio-economic conditions of Bolivia's urban and rural poor, many poor people did not access them.

To register for a social benefit one needs to show correct identity documents. However, the large majority of people had inconsistencies in them, and having these corrected meant going through a long, cumbersome and complicated process that included court procedures. MJB helped thousands of persons to correct their civil documentation and obtain their social benefits. Based on its experience in doing so, MJB published lobbying reports and participated in meetings aimed at simplifying the procedures.

In 2011, these efforts contributed to a change in the laws and the creation of a new government institution responsible for civil documentation (Servicio de Registro Civico, SERECI). Since, the procedures have been much easier and people can generally correct their papers without the help of MJB – at least in La Paz and El Alto. In Oruro and other smaller cities SERECI sometimes refuses to help people from rural areas with their paperwork. Here MJB still helps people and continues lobbying activities to improve the situation.

Since 2012 MJB has shifted its main focus to property registration (of housing), another 'basic right' that has been historically hard to obtain. Around 600.000 urban homeowners have incomplete legal property documentation or no documentation at all, and about 80% of the existing titles contain errors - and are thus invalid. This puts homeowners in a vulnerable position, as they are at constant risk of losing their property. Regularizing property documentation used to be merely impossible: a long and expensive process, often in court.

Luckily, in 2012 a new law came into force that gave homeowners three years to regularize their housing papers through a much easier mostly administrative process. While this is a huge step forward, officially registering one's home is still not easy. In 2012 MJB started collaborating with PROREVI, the government agency responsible for the implementation of the new law, and provides advice and assistance to a fast increasing number of people who want to use the opportunity to regularize their papers once and for all.

### Legal Services and Products

- Civil documentation: correction of mistakes in birth, marriage and death certificates.
- Property rights: formal registration of housing and correction of errors in property documents, inheritance procedures (also related to family law).
- 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 (also related to property rights) and other family related legal procedures that legally empower women and children.
- Migration: assistance with the regularization of the (civil) documentation of Bolivian migrants living abroad.

### Partnerships

- Awareness-raising, in which training and seminars are provided to the target groups of the partner. Among these organizations, MJB works with Microfinance Institutions like Pro Mujer and Crecer. Other groups are International Child fund which works with children and their families, World Vision, which also works with family groups.
- Outlet opening: MJB also signs partnerships to open outlets. The partner institutions grant space in its own building, some partners like MFI Fie Bank grant space, a computer, a desk and then MJB pays the facilitator who sits in the outlet. Others simply provide a desk within the organization for the MJB facilitator, which was the case of ADEPCOCA, association of coca producer's. The latter unfortunately was closed in July 2012 due to a change of management and of priorities. In order to overcome this and make sure that regular clients of ADEPCOCA have the follow-up required, a temporary outlet was opened with the Mancomunidad de Municipios de los Yungas, Association of Municipalities of Yungas. This office is located close to the former outlet. Marketing is done via the radio to relocate the clients' consults and cases. The objective of this office is to serve as a reference point for the transition of clients from the ADEPCOCA outlet to the central office and will thus open for a semester only.
- Campaigns: the partnerships for campaigns aim to solve cases of a defined territory or target group. The campaigns are set for a determined time or the number of beneficiaries and are accompanied by the partner institution which prepares the setting for MJB to provide its services and guidance. Campaigns with Municipalities of Patacamaya, Escoma, Child fund, Caritas to mention some have been undertaken.

### Cases and consults

	<i>Civil documentation</i>	<i>Property rights</i>	<i>Women &amp; children's rights</i>	<i>Migration &amp; others</i>	<i>Total 2007- /2012</i>
<b>Consults</b>	44154	11372	2849	5781	<b>64.156</b>
<b>Cases</b>	8772	1184	64	124	<b>10.144</b>

## 3.2 Microjusticia Perú

Microjusticia Perú (MJP) informs individuals, families, rural associations and communities about their basic legal rights and how to access them. MJP also solves their cases - at a very affordable price. In 2012 The MJP lawyers and case managers have, for example, obtained hundreds of birth certificates from remote municipalities by mail, using effective communication strategies to convince government officials. Through formal and informal agreements with notaries and government agencies, MJP has also been able to help large numbers of associations of fishermen, alpaca wool producers, water boards to obtain and renew their legal personalities quickly and without errors.

In 2012, MJP team is composed of a country director, two lawyers, a sociologist, an IT specialist and an administrative assistant. A group of around 20 law students in the last year of their degree work with MJP as legal case managers and facilitators. Their work is supervised by a board of Peruvian directors and international professionals from various fields.

MJP has **five outlets** in Lima Norte and **three** in the region of Puno. Most outlets in Lima Norte are located in branches of the Microfinance Institution (MFI) MiBanco. In Puno, MJP has outlets in a Public Notary and a Municipal Agency. 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

**Civil Documentation:** In Peru, having an ID card is requirement for almost everything: social rights (public services, education, social benefits), economic rights (labour rights, inheritance, business, loans), political rights (political participation) and property 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 contained 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 it contains errors and that they have to travel back to their hometowns.

**Registration of Cooperatives & other local communities:** Peasants who want to register a 'legal entity' of their community board, water board or a productive association experience similar problems. They have to renew their registration every two years and need to travel to the capital of their region for this 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 using the water or land. Registration of communal land also makes it possible to subdivide this land into individually registered properties. Registered communities can also make proposals during the formulation of 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.

In 2012, MJP successfully lobbied to have the procedures for registration simplified, and as a result, several unnecessary bureaucratic requirements were removed.

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.

### 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.
- 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.

### Legal Services and Products

- Civil documentation: birth, marriage and death certificates, identity card and 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, farmer cooperatives and the registration of patents.
- Property: Formal registration of land and housing titles and corrections in these titles.
- Family law (with a focus on children and women's rights): formal recognition of partnership/living together contracts and related rights and benefits, recognition of children, alimentation/maintenance allowance and other family related legal procedures that legally empower children and women, inheritance procedures and wills.

### Partnerships

- Microfinance Institution MiBanco: joint implementation of the program 'Microjusticia' in four branches in Lima Norte (MiBanco provides space for outlets, finances facilitators and participates in outreach activities).
- District municipalities: provision of space for an outlet in Puno; referral of beneficiaries to the MJP outlets for consults and case solution in Puno and Comas, Lima.
- Local development NGOs: organization of joint legal campaigns and capacity building sessions in urban and rural areas and referral of beneficiaries to MJP outlets.
- Public Notaries and engineers: provision of space for an outlet in Puno; provision of their services at a low cost and/or very short notice.
- 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 and youth ombudsman: referral of beneficiaries to MJP for consults or case resolution
- Law Firms: solution of complex cases referred by MJP.

### Consults and Cases

	<i>Civil documentation</i>	<i>Property</i>	<i>Family law</i>	<i>Business, organization</i>	<i>TOTAL 2008-2011</i>	<i>TOTAL 2012</i>
<b>Consults</b>	<b>7,180</b>	<b>3,267</b>	<b>1,573</b>	<b>6,013</b>	<b>13,330</b>	<b>3,209</b>
<b>Cases</b>	<b>934</b>	<b>113</b>	<b>142</b>	<b>1,168</b>	<b>1,820</b>	<b>431</b>



### 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 neighbourhoods 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 neighbourhoods 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, labour 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 MJB 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

	2012
Consults	700
Cases	300

The number of consults and cases started to **increase rapidly at the end of 2012** and it is expected to keep growing in 2013 as MJA starts to work with more volunteers. 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.

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

### 4.1 Microjustice Rwanda and Microjustice in 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).

Ultimately, this 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.

#### 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 steps in to tackle these obstacles to the access to justice and helps (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**

In the next three years, MJR wants to expand its set of standardized legal services. The final legal products depend on the outcome of the needs assessment and context analysis, but based on current engagement with the beneficiaries the legal products 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 (registration of cooperatives), Goldman Sachs – 10,000 Women (access to women traders), Reseau Interdiocesan de Microfinance (sharing of office space and access to potential beneficiaries).
- *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: EACSOF (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 Kigali Bar Association (sharing of reports and monitoring of implementation of EAC law at the border), UN Women, CLADHO and Search for Common Ground (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.

**Consults and Cases**

	2012
Consults	667
Cases	198

## 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 2012, some significant results were made. In Kenya, a total number of 890 cases were filed and 1134 consults were given. Additionally, MJK managed to establish 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 a product manual (written in cooperation with and supported by Clifford Chance). Based on the work with the communities, MJ Kenya has provided three advocacy organizations (CEFA, Refugee Consortium and URAIA) with reports to substantiate lobbying efforts aimed towards improving access to basic human rights.

**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, CARITAS 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.

**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

**Consults and Cases**

	2012
<b>Consults</b>	<b>1134</b>
<b>Cases</b>	<b>890</b>

## 5. Microjustice4All in the Former Yugoslavia

MJ4All started its work in 1997 in the post-war rehabilitation of the Former Yugoslavia with programmes in Croatia, Serbia and Macedonia.

The wars in the former Yugoslavia left millions displaced; MJ4All has worked on their legal rehabilitation with a focus on the refugees in Serbia, originating from Croatia. Their problems were numerous: they had no valid civil documentation, which they only could get in their places of origin in Croatia, but due to lack of travel papers they could not cross the border and return to their country. They also had to reclaim their housing and land rights.

Also labor-related legal issues were important: workbooks, pension rights, re-employment.

Banking issues: banks in Croatia started to claim large sums of pretended debts accrued during the war years when the Serbs in the Krajina had no access to their banks in Croatia proper. There was also war crime prosecution of innocent people to deter men from returning to Croatia. This had the effect that Serbs from Croatia remained for a long time apathic in Serbia without any hope of either return or integration in their new places of residence in Serbia.

To date, MJ4All has helped over **100.000 refugees and IDPs** in these issues in partnership with the Humanitarian Centre for Integration and Tolerance (HCIT). Through the help of Cross-Border Legal Rehabilitation Program, the majorities have their basic legal situations or problems solved but there is still a need to occasionally arrange a number of civil documents and/or work books, property papers in Croatia for various reasons.

MJ4All is still helping the people to arrange their civil documentation, which is a precondition for durable solutions. Since 2008, the MJ4All cross-border document service is paid for by the clients on a cost-recovery basis.

In **2012** there were **10.000 clients** (4000 clients in main office in Novi Sad and 6000 in the field in smaller towns in northern Serbia) and **400 documents** arranged in Croatia for people in Serbia, mainly: radni list (birth certificate), domovnica (proof of Croatian citizenship), pension rights, workbooks and real property papers.