



Microjustice Handbook

**Initial Experiences & Best Practices
in Bolivia, Peru and Croatia/Serbia**

August 2009

Microjustice Handbook
Initial experiences & Best Practices in Bolivia, Peru and Croatia/Serbia

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Table of Contents

PREFACE	4
EXECUTIVE SUMMARY	5
INTRODUCTION	9
I. INTRODUCTION TO MICROJUSTICE	11
1.1 <i>What is Microjustice</i>	12
1.2 <i>Origins of Microjustice</i>	14
1.3 <i>Why Microjustice and what is its Added Value</i>	15
1.4 <i>Microjustice as a basis for Sustainable Development</i>	16
1.5 <i>Needs of People</i>	17
1.6 <i>Microjustice and its relation to Microfinance</i>	20
1.7 <i>Justice for those at the Bottom of the Pyramid (BoP)</i>	22
II. METHODOLOGY: HOW TO DEVELOP MICROJUSTICE COUNTRY PROGRAMS	24
INTRODUCTION	25
I) LEGAL AREA	27
1.1 <i>Evaluation and Identification of Basic Legal Needs</i>	27
1.2 <i>Product Development</i>	28
1.3 <i>Solution of Cases: Case Management</i>	31
1.4 <i>Obstacles in the solution of cases</i>	32
1.5 <i>Lobbying and Institutional Reform</i>	33
II) SOCIAL AREA	37
2.1 <i>Product Distribution through the Facilitators Program</i>	37
2.2 <i>How does the Facilitator carry out the work?</i>	40
2.3 <i>Involving Civil Society</i>	41
2.4 <i>Awareness building within the population</i>	42
III) ORGANIZATION OF WORK AND TECHNICAL SUPPORT	43
3.1 <i>Organizational Chart</i>	43
3.2 <i>Support Services</i>	44
3.3 <i>Optimization and Standardization of Processes to increase Efficiency</i>	46
III. BEST PRACTICES IN BOLIVIA, PERU AND CROATIA/SERBIA	47
INTRODUCTION	48
FIRST TWO YEARS OF EXPERIENCE MICROJUSTICE IN BOLIVIA	49
INTRODUCTION	49
I) LEGAL AREA	50
1.1 <i>Evaluation and identification of basic legal needs and obstacles to access rights</i>	50
1.2 <i>Product development</i>	51
1.3 <i>Solution of cases: case management</i>	53
1.4 <i>Obstacles in the solution of cases</i>	55
1.5 <i>Lobbying</i>	55
1.6 <i>Obtained results</i>	57
II) SOCIAL AREA	58
2.1 <i>Facilitators' program</i>	58
2.2 <i>Co-operation of institutions with the facilitators' program</i>	60
2.3 <i>Results</i>	61
III) ORGANIZATION OF MICROJUSTICE BOLIVIA	62

MICROJUSTICE PERU - PILOT PROJECT	66
INTRODUCTION	66
I) LEGAL AREA	67
1.1 <i>Evaluation and identification of the basic legal needs and obstacles in Access to rights</i>	67
1.2 <i>Product Development</i>	68
1.3 <i>Solution of cases / Case Management</i>	69
1.4 <i>Obstacles in the solution of cases</i>	70
1.5 <i>Lobbying</i>	71
II) SOCIAL AREA	71
2.1 <i>Distribution of the products by Facilitators</i>	71
III) ORGANIZATION OF MJP	75
3.1 <i>Organization</i>	75
3.2 <i>Partners and co-operation agreements</i>	75
3.3 <i>Support Unit</i>	77
3.4 <i>International support</i>	78
CROSS-BORDER LEGAL PROGRAM SERBIA-CROATIA	79
INTRODUCTION	79
I) LEGAL AREA	80
1.1 <i>Legal Needs</i>	80
1.2 <i>Product development and solution of cases</i>	81
1.3 <i>The obstacles and lobbying</i>	82
1.4 <i>Results</i>	83
II) SOCIAL AREA	85
2.1 <i>Facilitators' Program</i>	85
2.2 <i>Organization of Training and Meetings of the Lawyers Network</i>	86
III) PROGRAM ORGANISATION	86
AUTHORS AND ACKNOWLEDGMENTS	88

Preface

International Legal Alliances – Microjustice for All (ILA) - the pioneer in Microjustice for the poor and marginalized - has done us a great favor by sharing their rich experience in this first-of-its-kind Handbook. UNDP is very pleased with the thorough practice-oriented material it provides. These tools, -- developed at grass root level to help provide Microjustice - Legal Empowerment of the Poor -- support the implementation of the Report of the Commission on Legal Empowerment of the Poor (CLEP) and UNDP: 'Making the Law Work for Everyone', which was launched in 2008.

The aim of the CLEP, co-chaired by Madeleine Albright and Hernando de Soto, was to make legal protection and economic opportunity not the privilege of the few but the right of all. The key question then becomes: How can the law be made to work for all? And how can it be made to work, in particular, for the poor and excluded, the disadvantaged men, women and children of this world? These people know all too well the often repressive and exploitative faces of law. But they are yet to discover the opportunities law can create and the protection it can offer.

The report of the Commission draws attention to this very urgent problem. It offers an analysis of the situation and suggests directions in which solutions can be found. But quite a few practical steps still remain to be taken between the suggested direction and the resolution of the problems on the ground. And that is where Microjustice, as it was developed by ILA in their field programmes, comes into the picture. Microjustice is an invaluable contribution to the bottom-up and participatory implementation of the CLEP-UNDP Agenda for Legal Empowerment of the poor. It combines recent insights and inspiration and uses innovative approaches to make the law work for the poor. By standardizing procedures and making them affordable and accessible, Microjustice develops a concrete way to make the concept of legal empowerment operational. The practical set of tools for Microjustice that ILA offers, is universal. But the legal needs that are most pressing are identified in each specific situation. Likewise, specific solutions -- the standardized products of Microjustice -- are tailor-made to the context for which they are designed.

This handbook is an important step in generalizing from the experiences in Serbia, Bolivia and Peru, and in defining and refining the methodology.

I trust that this manual will inspire people and groups all over the world to set up Microjustice programs of their own, adapted to their specific context, which will lead to the Legal Empowerment of the Poor and Marginalized in their countries and regions.

Olav Kjørven,
Assistant Secretary-General of the UN and Director of the Bureau for Development Policy, Responsible for the Secretariat of the CLEP

Executive Summary

International Legal Alliances – Microjustice for All (ILA) is an international network organization, registered in The Netherlands, with a supporting back office in The Hague. Patricia van Nispen initiated ILA in 1996 with the intention to enable poor and marginalized citizens in complex post-conflict situations to make use of their lawful rights and to strive for better rights if needed. Legal empowerment of the poor was the key mission from the start. After the first steps in former Yugoslavia the initiative developed into a co-ordinating and networking organization that assists local initiatives to set up their own Microjustice programs worldwide. It encourages and stimulates new locally owned initiatives, and disseminates Microjustice knowledge in local communities. Today ILA-Microjustice for All has antennas in the Balkans and in the Andes-countries. Others are in preparation for Asia and Africa.

This handbook presents lessons drawn from these initial experiences and presents best practices from Bolivia, Peru and Serbia. It leads the reader through the conceptualization, the development of vision and strategy, and the key lessons on methodology and methods of approach of the day-to-day work. These are illustrated by concrete examples from the countries of operation.

The vision:

- The bottom billion people in this world have the full right to enjoy accessible and affordable legal services as well as the other 5.77 billion people. In practice the basic legal needs of the poor and marginalized are seldom met by the formal legal system of the countries they live in. This gap must and can be bridged with enough political will, commitment, and professionalism.
- Any sustainable change in the interest of the poor can only be accomplished with their own full participation and their ownership of the processes that must be gone through to reach the objectives; this includes their financial participation to some degree as well. Any program for legal empowerment must involve themselves, their communities and the institutions around them. So local bridge builders and change agents must be drawn into the work, and links must be made with existing legal, administrative and juridical institutions.
- Legal empowerment of the poor must be part of the integrated approaches to the development of nation and society, especially so in processes of peace building, conflict prevention, democratization and protection of the environment. In this way a bottom-up approach of civil society will meet a top-down approach of state and government.
- Microjustice follows the principles of Microfinance and Microcredit: individual and local level work, limitation to the very basic needs of people as defined by themselves, cheap and affordable products and services, standardization of methodology, economies of scale and light supportive structure.

The overall strategy lines:

- From local initiatives to a global program through the development of country programs.
- Countries of operation and partners are selected depending on the local initiatives and opportunities.
- Open source information sharing (handbooks, formats), accessible on internet for any new and existing initiative, with quality control by assigned team.
- ILA-Microjustice for All becomes the centre of excellence for programs and program support in the field of legal empowerment of the poor.
- Networking, alliance building, exchange and co-operation with similar and/or complementary initiatives for more outreach and better quality.

- Investment in training of people and organizations and maintenance of the networks.
- Long term financial self reliance and short and middle term funding strategies.
- Strengthening branding, slogan and logo: International legal Alliances – Micro-justice for All: for the Legal Empowerment of the Poor.
- Promotion of Microjustice as a Policy tool, especially in post-war reconstruction efforts.

Methodology development:

I. IN THE LEGAL AREA

1. Evaluation and identification of basic legal needs

Examples and instructions on how the basic needs of the client groups will be identified and what their contents are in the different projects. Participatory own needs inventory combined with more formal identification of basic legal needs by professionals and academics. Obtaining civil documentation which is proof of civil identity is key for access to all other legal rights.

2. Product development

Through in-depth research a list of potential micro-justice products and services to be offered is compiled and prioritized. Once research is finished and costs estimated, the products and services are offered to the users. The facilitators and case managers obtain more realistic experience on the distribution and solution of cases through real experience with the users, institutions, etceteras. Microjustice central research and quality control unit uses monitoring and research for further product development. Availability on internet.

3. Case management and solution of cases

At the level of the clients the facilitator is the contact person, the advisor, and mediator and the case manager. She/he works with standard forms and procedures and makes products and services available, and is not a legal expert. A group of facilitators is guided, supervised and backed by a case manager who if needed also can refer to and make use of services of lawyers, magistrates, administrators and the like. Good co-operation with members of the judiciary is promoted. Obstacles are always met, both at the level of the legal system and on the level of the clients. They are both practical like logistics, time management, processes and procedures, and they are personal and cultural, like discrimination, lack of willingness, sloppiness, lack of attention, non-compliance, corruption and the like. Facilitators and case managers learn how to discuss and handle these without giving in to negative tendencies.

4. Lobbying, institutional reform and capacity building

If the law is not good enough, or if accessibility for the poor and marginalized is blocked, more is needed than just offering products and services to the clients. Political arenas and state institutions will be influenced in an informal but effective way. Good day-to-day co-operation with institutions and players in them is promoted as normal practice. If needed solid and reliable files and reports are produced and presented. State institutions will be helped to initiate reforms and build capacities.

II. IN THE SOCIAL AREA

1. Facilitator's program for product distribution

Distribution of products and services is the essence of the fieldwork. This section deals with standard tasks, rules, training, procedures, and interactions between facilitators and the clients and between facilitators and the case managers and support mechanisms. The reality per country defines the profile of the facilitators; interns, social workers, community leaders, free lancers, specialized NGOs, and justices of peace are the facilitators in the several programs. They earn some income by fees, by contribution in nature or otherwise, based on careful consultations and calculations. The support unit provides training for facilitators as well as a handbook, a toolbox and standardized instructions and formats. There is continuous follow-up co-ordination and supervision with feed-back by case manager, support office and headquarters.

2. The how of the work of the facilitator

The facilitator is the responsible person who is in touch with the clients. This section deals with the practicalities of the interaction with clients and users, other people and institutions like municipalities, banks, civil administration offices etceteras. It describes the establishment of a centre or an outlet and the added value of combining this with the location of other service providers. It describes the support offered by case managers, data base, support unit and internet.

3. Involving civil society

A special paragraph explains on the usefulness and practices of involvement with other sections of civil society like NGOs, religious groups, micro finance banks, municipalities, and the like. You never walk alone in this field of work, and making allies and development of local support capacity is key to the approach.

4. Awareness building within the population

This section explains a bit more about awareness, promotion and outreach to families, communities, schools and youth groups: people must know their rights, their opportunities and possibilities. The messages must be seen by the target population as responding to their felt needs. Awareness building in the environment of the clients is important as well: civil administration, social workers, lawyers etc. need to better understand the needs and potentials of the poor and marginalized in the field of legal access.

III. ORGANIZATION AND TECHNICAL SUPPORT

1. Organizational chart

An organizational chart explains how field offices, support units and central office relate and communicate. The chart explains mandates, rights and obligations and interactions, both in the LEGAL AREA, the SOCIAL AREA, and the SUPPORT UNIT. This is essential for clarity between all participants and units.

2. Support services

This part explains about the websites, the database, the ways to co-operate and to arrive at agreements. It also elaborates about marketing, advertising and funding, starting from the underlying principles and entering into prescriptions and practicalities. This adds to transparency for all participants and to more effective and efficient interactions. People know what they can expect and what not, and that is important.

3. Optimization and standardization of processes

This is an ongoing activity for any cost-effective professional organization. International Alliances- Microjustice for All has identified proper software to enable its offices to make the best possible out of this.

Introduction

Microjustice aims to meet basic legal needs for the poorest section of the population, by providing accessible and affordable legal services. The purpose is to enable these people to have access to the same enjoyment of rights as the rest of the population.

With this handbook, we want to share the first steps we have taken towards developing Microjustice. We will guide you through our experiences and what we consider best practices in Microjustice, as well as the lessons that have been learned along the way in our aim to bring Justice closer to the people.

The Challenge

In practice a very large share of basic legal needs of the poorest section of society is not met by the formal legal system, because people cannot access their rights. This is true in developed as well as developing countries. Microjustice aims to develop a sustainable system of legal assistance that ensures that everyone, especially those most disadvantaged, has access to their basic and most urgent rights.

Two main issues have shaped the Microjustice approach. The first is on the demand side and is financial. Poor people often lack the financial resources needed to access their rights through the formal system. The typical answer is external aid, but Microjustice seeks to address this at a more fundamental level. Microjustice aims to ensure that people have constant access to their (basic/urgent) rights without having to rely on foreign financial aid. In order to achieve this, Microjustice seeks to reduce the costs of legal services and has found ways for members of the community to be able to contribute on the basis of solidarity through in kind contributions, collaboration and possibly donations. Another important consequence of this is that Microjustice includes a mandatory (though minimal) payment required from the users of the service.

The second main issue is on the supply side and concerns the legal framework where Microjustice operates: The quality and speed with which services can be delivered are subject to the legal and administrative framework of a particular country where Microjustice operates. In order to increase efficiency in the system and make it more transparent, lobbying activities in the administrative and legal framework where Microjustice operates are essential to achieve the change.

The concept of Microjustice, as an innovative approach to justice and access to rights, was born at a conference in Madrid in 2006, where these two main issues were discussed.

To address the first main issue, sustainability, Microjustice follows the principles of Microfinance (including Microcredit), where the greatest efficiency is achieved by offering standardized services. Moreover, economic principles, such as economies of scale and 'products', are used by Microjustice in its pursuit of greater efficiency and efficacy.

With regard to the second, improving the legal framework, Microjustice seeks to lobby for the optimization of the efficiency and transparency in national administrative and legal frameworks where it operates.

We also seek to put Microjustice on the international political agenda with the objective of integrating Microjustice in processes of peace-building and conflict prevention, democratization and environmental-protection.

Enjoyment of Rights

Microjustice aims to be an integral part of the socio-economic development to empower people. As part of the Microservices it aims to provide enjoyment of basic rights to the people. These rights include the right to civil documentation (identity) and through it access to education, social benefits, pensions, property, family and labor law, etc

Thus, Microjustice's primary focus is to secure that the identity of a person is established (legally) contributing to his/her economic, social and political integration and eliminating their marginalization.

Background

As a result of the Madrid Conference (2006) the Dutch Foundation International Legal Alliances (ILA) Microjustice for All, and the University of Tilburg decided to develop their respective work in enjoyment of legal protection as Microjustice.

ILA had already started to work on access to rights of the poor and vulnerable within the peace-building efforts in the former Yugoslavia. Since 1998 ILA has facilitated the cross-border provision of identity papers, restoration of property and other rights to tens of thousands of IDPs and refugees.

Since the start of 2007 ILA has developed a Pilot Microjustice Program in Bolivia to develop a methodology to confront the mentioned challenge. A group of young lawyers established the foundation 'Microjusticia Bolivia', and developed standardized legal services, posted on a website and distributed through a Facilitators' program in the local communities. Mid-2008 on the basis of the experience in Bolivia, the Association 'Microjusticia Perú' started a country program in Peru.

Two years have passed since ILA started the first Microjustice Program in Bolivia, and results are starting to be evident. Although we are still developing the methodology and consolidating the system, we want to share in this Handbook the first experiences, lessons learned and identified best practices.

Through this Handbook we are compiling various experiences across the countries where Microjustice is being developed. Since Microjustice continuously offers new challenges and learning experiences, this Handbook is to be constantly updated, learning from each others' experiences in the field. This Handbook therefore contains a first version, and it is of paramount importance to continue sharing experiences, including with new country programs.

The Handbook is divided into three parts. The first part explains the concepts, the second the methodology and the third part details the experiences in the various country programs. The third part has also an interactive element featured in our Website for the continuous update of the best practices.

The Handbook provides the methodology and experiences on a more general level, providing the general framework. However, each of the Microjustice Country Programs works in a specific context with its own particular context related handbooks, protocols and toolbox, which can be found on the digital version of the Handbook on our website.

The Handbook is available at our Website <http://www.microjustice4all/handbook/>

I. INTRODUCTION TO MICROJUSTICE

1.1 What is Microjustice

Microjustice aims to facilitate access to services that meet basic legal needs for the poorest sector of the population and, in doing so, allowing them the same enjoyment of rights as the rest of the population. Microjustice is an important instrument for the legal empowerment of the poor. Microjustice is based in the principles of solidarity and sustainability.

Why use the term *Micro*?

Micro does not refer to Justice itself, which is an all encompassing term that can neither be 'micro' nor 'macro', rather we chose *Micro* referring to:

1. Legal services provided on an individual level, developing individualized solutions
2. The minimum or basic needs of people for them to feel citizens in full enjoyment of their rights
3. Emphasize the parallel that exists between Microjustice and Microfinance

In general, in developing countries where a large part of the population lacks sufficient resources to subsist, access to a series of basic rights (like civil documentation, registration of property) often becomes a very difficult task; full of obstacles, lacking information and often financially inaccessible. In other words, those at the bottom of the pyramid (BoP) and the most vulnerable find it especially difficult to exercise rights which are officially recognized and provided by the State.

Innovative Initiative

Microjustice is an innovative approach that aims at being the legal link between those most disadvantaged and the institutions, encouraging the latter to adapt their procedures to better serve the social, educational, cultural and economic reality of the most vulnerable. Microjustice provides its services at prices that are accessible even for those at the Bottom of the Pyramid (BoP) and in this way, aiming to reach the largest possible group of people. In this way, Microjustice realizes economies of scale, which is an important element in the search for self-sustainability in the mid to long term.

Solving the legal problems of the people at the bottom of society, where resources are in short supply, and in countries where the capacities of formal institutions are limited, is not easy. Microjustice sees its role as a bridge, intending to reinforce the institutional legal capacity to allow people better access to their most basic rights. It aims to develop concrete, effective and pragmatic solutions based on addressing the basic (legal) needs of people. Microjustice seeks to develop institutional capacity through demand-driven legal reform. This is an ongoing and everlasting process.

How is Microjustice developed?

Microjustice is developed through country programs which act independently but which are part of an international support network where experiences are shared.

A Country Program works in two main Areas:

1) *The Legal Area: Development of legal products and solutions*

In a more economic perspective of law, Microjustice calls its services 'products', which are developed to fulfill a specific legal need, identified through a basic needs assessment. Thus, these are legal solutions that are put at the disposal of the population. These products contain a series of standardized procedures which will produce a practical legal solution.

2) *The Social Area: distribution of the products (reaching the people in need)*

Those in charge of disseminating Microjustice do not necessarily have to have a legal background; rather they can be community leaders or anyone willing to get involved. They are engaged as 'Microjustice facilitators', working directly with Microjustice or through NGOs, institutions, etc. Through these facilitators, Microjustice products are made available to the people. Standardized procedures are put in place so that the facilitator can act as an effective *middle (wo)man* between the user and the Microjustice Office that will take up the solution to a legal problem. Thus, the Microjustice facilitator does not have to be a lawyer.

Microjustice: between International Development Co-operation and Business Development

Microjustice in its logic and working method has been inspired by Microfinance. Microjustice, as Microfinance, may be seen as a form of international development co-operation, using business models to guarantee its sustainability.

Microjustice's main objective is working towards social inclusion of the most disadvantaged. However, in order to attain this goal in a structural and sustainable way, it is imperative to work according to market principles. Microjustice needs to work on the basis of supply & demand, and has to charge a (nominal) fee for its services, notwithstanding that it remains a not-for-profit activity. Not always the beneficiary (user) has to pay for the service. In the spirit of solidarity (external) organizations or institutions can directly engage the services of Microjustice, in which case the (nominal) costs associated will be borne by the organization or institution for the benefit of a particular group of people. This could for example be the case in post-war rehabilitation of war victims (e.g. refugees and internally displaced persons)

Interactive Development through the Microjustice International Network

The idea is that Microjustice will be developed in as many countries as possible through country programs, run by local groups that function autonomously. At the same time, these country programs mutually support each other in the huge challenge of developing Microjustice through an exchange and support network. Through the contribution of the various members of the Microjustice international network, a comprehensive handbook is developed which, in turn, can be used by those newly establishing Microjustice Country Programs elsewhere. This Handbook is a *live* document, constantly being updated. It further guarantees proper flow of information between all and the inclusion of lessons learned, best practices, etc across the globe.

Characteristics of Microjustice

Accessibility

Due to the vulnerable situation in which the majority of the target market finds itself, Microjustice aims to be accessible to all. Costs are kept at the bare minimum. In specific situations of extreme poverty, post-conflict, etc the costs can be borne by others to benefit the population.

Solidarity & Sustainability

Sustainability is achieved by applying economies of scale, standardization and asking for a nominal fee from the user. Also the principle of solidarity is contributing to the Sustainability of the microjustice services. As mentioned through 'social co-operation' various groups, organizations, institutions and individuals are making the microjustice service possible for an accessible price.

Social Inclusion and Cohesion

Microjustice contributes to the social inclusion of people to society so that they feel they are citizens in the full enjoyment of their rights. Microjustice is an important tool in fighting inequality, favoring social cohesion and empowering the most disadvantaged.

1.2 Origins of Microjustice

Microjustice has its origins in the work that ILA conducted in Croatia and Serbia following the wars of the 1990s. ILA identified the need to find cross-border solutions for the judicial and administrative problems that refugees were facing. ILA established a network of lawyers on both sides of the border to allow the refugees from Croatia (300.000) access to their personal documents as they had none and without them could not cross the border to Croatia to request them. Through the use of powers of attorney (certified in Serbia), their documents were requested in Croatia. In this way, ILA has helped over 30.000 refugees to re-establish their identity. In addition, through the network of lawyers, ILA managed over 500 court cases regarding restitution of property, post-war debt collection, and many more post-war legal problems. Parallel, lobbying campaigns on various political levels were undertaken to tackle special issues in obstacles that were found in restoring the rights of the refugees. Since Croatia was in the process of applying for EU membership, lobbying with the EU had some leverage since Croatia had an interest to comply with the required democratic standards.

In doing this work, ILA wished to develop a more structural approach:

- To extend the service to the entire population of a country
- At the same time to make the legal service (self) sustainable
- To involve the international community, to develop microjustice instruments (specially in post-war situations) and to have leverage to solve the obstacles encountered in access to rights in the legal system and practices of a country

In trying to find answers to these questions, ILA organized a Roundtable in 2006 in Madrid under the title: *Derechos para Todos; Is Access to Rights a Luxury Item?*, in co-operation with MPDL (Movimiento por la Paz) under the auspices of the Dutch Embassy in Spain and the Spanish International Development Agency (AECI). The purpose of the Roundtable was to debate and reflect on identifying the most efficient method to allow enjoyment of their rights to all marginalized people and people who are victims of conflict.

The participants, of various backgrounds and coming from all corners of the world, came up with the following conclusions:

- There is an increasing need for everyone (and especially the marginalized) to have legal and valid documentation in order to access rights.
- There is a need to create practical legal solutions to assist people in accessing and enjoying their rights.
- There is a need to do legal reforms and build legal institutions inspired by the needs of people.

- There is a need for donors to include in their strategic planning programs that facilitate the enjoyment of rights for the marginalized.
- There is a need for the work that is done in defense and promotion of human rights and security to be complemented by focusing on access and enjoyment of basic rights for all.

As a follow-up to the Madrid Roundtable at the end of 2006 Microjustice was born. ILA and the University of Tilburg decided to establish an initiative that would put the ideas and recommendations of the Roundtable in practice, bringing together field experience (ILA) and academic research (Tilburg University).

In April of 2007 ILA started to implement the first pilot project which explicitly was called Microjustice in Bolivia. Its aim was to develop a method and instruments for the implementation of Microjustice Projects worldwide. The concept of learning by doing was applied.

On October 26, 2007, at the seat in the Peace Palace of the UN International Court of Justice (ICJ) in The Hague and sponsored by The Hague Institute for Internationalization of Law (HiiL) the presentation and launch of Microjustice took place.

1.3 Why Microjustice and what is its Added Value

Microjustice vis-à-vis International Policies

Microjustice in its aim to bring justice closer to the poorer sections of the population supports other international policies and initiatives, such as:

- The 2008 report of the Commission for the Empowerment of the Poor (<http://www.undp.org/legalempowerment/>), which was hosted by UNDP. The Commission argues that legal empowerment of the poor is crucial to poverty reduction and the creation of an inclusive Rule of Law. It defines four specific areas, or pillars of legal empowerment 1) Access to justice and Rule of Law. 2) Property rights. 3) Labor rights 4) Business rights.
- The Report on the *Responsibility to Protect* of the International Commission on Intervention and State Sovereignty (<http://www.iciss.ca/menu-en.asp>) which principles were endorsed at the Millennium Summit of 2005. This report highlights the moral obligation of the international community to protect those sectors of the population that a particular State is unable or unwilling to safeguard. Access to rights is a basic tool in this protection and, as highlighted in the Report, an integral part in any peace-building effort.
- The Rules of Brasilia which address the specific legal situation in which those most vulnerable find themselves in Latin America. Adopted in 2008 at the XIV Iberoamerican Judicial Summit, the Rules of Brasilia deal with access to justice for the most vulnerable.

Microjustice in relation to other legal programs and services

Legal assistance provided by Governmental organizations (GOs) and NGOs in post-war reconstruction and/or development work is often limited to legal advice, not necessarily take into account filing legal cases or doing paperwork for people to effectively access their rights. Lawyers and other people providing these services are, in the eyes of the population, usually very costly and not very efficient. These services are often perceived to be pointless, frustrating and are, therefore, not appealing to the poorest sector of the population.

Microjustice provides practical legal solutions, using economies of scale, while counting on institutional support and lobbying for change so that in the medium to long term legal solutions can be developed more effectively.

Microjustice works in the area of Human Rights. However it has a more practical and pragmatic approach as it seeks to develop concrete and specific solutions in legal needs that the population at large encounters.

1.4 Microjustice as a basis for Sustainable Development

Microjustice is an important precondition for development and, therefore, it is recommended to include Microjustice as an integral part of any development program.

Good Governance and Democracy

Without valid identification papers, which is a common problem in many less developed countries, people cannot enjoy their civil and political rights. Moreover, lack of deeds for property could lead to expropriation by an arbitrary decision.

Microjustice may help in institutional reform and capacity building to facilitate a swift access to the basic rights of the people, working with the relevant institutions.

Microjustice and Economic Development

Efforts in international development are often aimed at strengthening the development of infrastructure within the institutional framework of the host country. This poverty-fighting approach assumes that the citizens of the host country are well connected with the institutions of the State and with the services it provides. Nevertheless, the reality is that those with *no rights* are not benefiting from this approach as they are not plugged into the system. Microjustice is therefore a bridge between the donations aimed at strengthening the State institutions and the Millennium Development Goals (MDG)

Hernando de Soto in his book, *The Mystery of Capital*, states that capital disappears when people, enterprises and their property are not legally recognized, and that this hampers economic development in a country. Inspired by his work, the Commission on Legal Empowerment of the Poor, of which Hernando de Soto was co-chair jointly with former US Secretary of State Madeleine Albright, was established to help better understand the link between exclusion, poverty and law. Access to rights is a precondition for the economic development of any country. A person working and lacking any civil and property documentation or the informal operation of a business merely represents a subsistence activity and does not contribute to the economic development of a country.

Microjustice and Humanitarian Aid

Microjustice aims at ensuring that all those who currently depend on humanitarian aid can become citizens in full standing and able to do without humanitarian aid.

Victims of war or natural disaster often lose, through no fault of their own, all or part of their rights, properties and social benefits. Following the thinking of the *Responsibility to Protect*, the State must guarantee the restoration of rights to all its citizens. Where it is unable or unwilling to do so, this moral responsibility falls in the hands of the international community.

In post-conflict/crisis situations, the socio-economic rights of victims are usually dealt with as a matter of urgency, but are not dealt with within the context of the legal structures of the country. As a result, basic needs such as health and food are addressed but the victims are not empowered. Once the crisis is over, Microjustice

seeks to help the affected population by allowing them permanent access to their rights and, in that way, permitting them to take control of their livelihoods so as to no longer have to depend on humanitarian aid.

Conflict Prevention and Peace Building

Following a period of war and in the interest of peace building and conflict prevention, protection of the legal rights of people is essential. In post-conflict situations IDPs and refugees lose their property, documents, pensions, savings, etc. It is, therefore, important to work towards their legal reintegration in society and the protection and accession to their rights.

1.5 Needs of People

Based on recent studies¹ by the University of Tilburg in The Netherlands, the basic legal needs of people vary depending on the person and the various stages of economic development. Thus, even within the same country the basic legal needs of people can be different. Nevertheless, this study provided a list of general concepts that can be separated from the local context and allow us to come up with a preliminary list of basic legal needs.

List of Basic Legal Needs

Categories	Examples
The Need to Subsist	Subsistence needs like water, food, heating, medicine, etc.
The Need for Personal Security	Crimes relating to and against people, illegal detention.
The Need to Protect Property Rights	Crimes against property, deeds, expropriation.
Civil Documentation	Recognition of identity and citizenship.
Problems relating to the use of the Land.	Eviction and general problems relating to the use of the land or rent of property.
Problems relating to Labor Relations	Dismissal, security at work, job security.
Problems relating to Family Relations	Divorce, domestic violence, violence against women and children.
Problems relating to Neighbourly Relations.	Disturbances, damages in the surroundings.
Problems relating to the sellers of goods and services	Relating to the quality of goods and services.
Business Problems	Problems when establishing a business, unjust norms and taxes, problems among partners or with the suppliers.
Debt Problems	Defaulting in debt payment.
Problems with the Financial Service providers	Savings, insurances, pensions.

¹ Maurits Barendrecht, Peter Kamminga, Jin Ho Verdonschot & The Study Group Access to Justice Indications of Legal Needs: A Bottom Up Approach to Rule of Law and Access to Justice. Faculty of Law, Tilburg University (The Netherlands). August 2007.

The researchers of Tilburg University established three pre-conditions when creating the above table:

1. The need needs to be formulated from the point of view of the person asking for it and must signify a sufficiently important interest to grant the intervention of a third party.
2. The need must be general and urgent enough. In other words, large groups of people must (at some point in their lives) feel the same need.
3. Those needs that are included in certain decision making processes have been excluded. Therefore, the needs relating to democratic participation (for example) have been excluded.

Legal needs as identified by Microjustice Country Programs

Taking the University of Tilburg study into account, Microjustice's country-programs are based on the needs that facilitate the socio-economic integration of people. Moreover, following the Commission on Legal Empowerment of the Poor's thinking, Microjustice developed the following points as the basic legal needs for the people:

1. Personal identity: A personal identification document through which the bearer can establish his/her identity and the State has the obligation to recognize the existence of such person, including all rights, responsibilities and benefits.
2. The right to live somewhere: property and housing protection, which may include protected rental relations.
3. Income: People need an income in order to subsist, which can be generated through a privately-run business, working as an employee, or working the land. Thus Microjustice would work on protection of labor rights, land rights and business.
4. A specific need that would vary according to the geographic location and reality. For example post-war context, specific environmental problems, specific development context and/org project etc.

Legal needs which are not covered by Microjustice Country Programs

Not all basic legal needs as identified by Tilburg (in the table above) are included into the Microjustice Country Programs. Especially basic needs related to criminal law and dispute resolution between citizens are not part of the programs. This has many reasons:

1) In the first place, the primary aim of the Microjustice Country Programs is creating a basis for social-economic integration of the poor. The described needs as identified by ILA concern the basic condition to be a respected citizen. The work in fulfilling these needs in general encompasses registrations related to the person, his/her property, business, agreements (rental, labor etc). Actually, this approach tackles the problem at the basis and prevents conflicts. Only in exceptions, private dispute settlement and penal law have to be structurally applied to a group for their social-economic integration, such as for property restoration after a war, or in case of wide-spread abuse. However in general private law conflicts between spouses, neighbours do not concern the needs that all people face and do not affect the social-economic integration.

2) In most development countries there are excellent traditional conflict management systems in place, based on mediation and conciliation by village

elders, peace justices etcetera, applying techniques that are culturally embedded. Furthermore, private conflicts depend largely on emotions, and the parties need a more individualized process for their solution.

3) in criminal law many organizations have developed excellent paralegal programs, who imply already some type of Microjustice.

4) to guarantee the neutrality of Microjustice, it is recommendable that it is not working in private conflicts.

1.6 Microjustice and its relation to Microfinance

People who have no access to justice or who have a very restricted access to it are also often deprived from enjoying other rights, like accessing the health system. In the last decades several initiatives have been developed to find viable solutions to address the most basic needs of the poor, using free market methodology.

One of the most famous of these initiatives is that of Microfinance, which groups financial services for the poorest of which microcredit and microsavings are the most important.

Microjustice aims to be an integral part of the Microservices. Although microfinance has allowed people access to credits and to improve their income, the legal problems for the most disadvantaged remain. Following the steps of microfinance, Microjustice has started to offer legal services to the most disadvantaged which are affordable, accessible and sustainable.

Microfinance allows impoverished people (especially in less developed countries) to be able to finance a business venture and therefore empowers them as they become their own employers and reduces marginalization encouraging social cohesion. These are the same principles that Microjustice seeks to implement.

Microfinance was born in the 1970s and was popularly documented by the Economics Professor Dr. Muhammad Yunus, (founder, in 1976, of the Grameen Bank in Bangladesh). Yunus discovered that small loans could make a substantial difference in the livelihoods of people without any other resources to subsist. At the same time, there were other similar initiatives like the Bank Dagang in Indonesia (1970), Opportunity International in Colombia (1971), ACCION International in Brazil (1973) and various institutions in Bolivia. Currently, Bangladesh and Bolivia are flagship countries in microcredits. Therefore, it should come as no surprise that the first pilot project of Microjustice was launched in one of these countries (Bolivia). We intend Bangladesh to follow as well.

The Link between Microjustice and Microfinance

Microjustice products and services, like Microcredits are:

- Large-scale distribution and with maximum efficiency
- Easily accessible and easy for people to use
- Standardized products focused to the most common needs of people

However, Microjustice is not only benefiting from Microfinance. We believe that microfinance could also benefit from Microjustice as the most disadvantaged would be reached and their micro-businesses protected. Microfinance banks could see their client-base increase if their rights would be protected (land and other property protected, identification documents in order etc) as they would then have a better capacity to ask for the microcredit. Furthermore, as already explained, it is of importance that microjustice is integrated into any development activity to guarantee its sustainability in time.

Microjustice and Co-operation with the Microfinance Bank FIE- Bolivia

The Microjustice Program has, from the onset, co-operated with the microfinance bank FIE². This bank offers space within its branches to be used by the Microjustice facilitators. For the Bank; support to Microjustice is part of its social responsibility and is also important to increase the number of clients from the poorest segments, because valid documentation is required to enjoy the services of the Microfinance institutions in Bolivia.

Microjustice is linked to the public administration, legal institutions and practices of a country. If they do not work properly, the success of Microjustice will be very limited. Microjustice needs to work intimately with the institutions and exert pressure on them to bring about change. Microjustice's approach to work includes:

1. Co-operation and communication with relevant institutions of the country and with national and international organizations
2. Public awareness campaigns on the lack of efficiency of the current system
3. Transparency on any irregularities

Through this, Microjustice can have a positive impact in bringing about change as no institution would like to be featured in the Microjustice website for its inefficiency. To avoid this, in first instance Microjustice tries to co-operate with the relevant institutions to improve its services.

Microsave

Microsave is a method used by Microfinance to increase the efficiency, optimize and standardize its processes. Microsave has developed tools that can also serve the optimisation and standardisation of the processes of microjustice, as for example in the mapping processes, market research etc, as it is being done now in Bolivia where certified MicroSave consultants are advising MJB in optimising the efficiency of their procedures and operation.

Micro-insurance

Insurances are other types of services traditionally inaccessible to the poorest sectors of the population, in spite of being the most vulnerable to accidents, catastrophes and violence. Microjustice can help in obtaining access to these as without valid identification papers; people cannot access a health insurance or a pension.

Micro-insurance provides protection against certain risks for those most disadvantaged, in exchange for a fee (calculated on the probability of the risk and the number of policies) to be paid on a regular basis. This differs from the traditional insurance schemes in that it is aimed specifically at people with very limited purchasing power (most disadvantaged). For micro-insurance to be appealing to the most disadvantaged, it needs to address its main needs regarding protection against risks (health, accidents, life insurances, etc), it should be easy to understand and economically accessible.

Like in Microjustice, micro-insurances combine technical and economic elements with social aspects and therefore have the potential to reduce the vulnerability of the most disadvantaged. In the same way, both of these concepts require a series of efforts in research and innovation of strategies to look beyond the traditional schemes and bring these products to the most disadvantaged.

² FIE is a Fondo Financiero Privado which was established as an NGO in 1988, but is now working as a bank offering financial services to the lower income groups.

In the last 10 years, research and experimentation in micro-insurances has led to successes and failures. One of the most basic principles of successful implementation of micro-insurance is that it needs to be tied to the demand from potential users.

Common denominators between Microjustice and Micro-insurance

There are many types of micro-insurance, but those in greater demand are health and life insurances. Like in Microjustice, for these products to be effective they need to be of mass-distribution and offered at low costs. Like in Microjustice, the principle of solidarity is applied in micro-insurances; where each member of the community pays a small contribution to ensure that the community as a whole is insured. Another common denominator between Microjustice and microcredit is that they are both aimed at poorer and marginalized sectors of the population and therefore, the products are designed bearing their needs in mind.

1.7 Justice for those at the Bottom of the Pyramid (BoP)

The Bottom of the Pyramid (BoP)³ refers to those people at the lowest (economic) sector of society, those with little or no means to subsist. According to Paul Collier approximately 1 billion people across the globe are at the BoP.

Most businesses have traditionally ignored people at the BoP, as they were perceived to be too poor to be viable consumers. However, in order to survive they need a minimal consumption; which in turn opens a market of, 1 billion albeit for very low priced products.

In order to penetrate the BoP market a new and innovative approach is required, one that caters to the specificities of the market and which has a simple organization, making it easy to understand.

The BoP theory suggests that those wanting to penetrate the BoP market need to have three concepts:

1. Be ready to collaborate with non-traditional partners
2. Include local partners that can actively contribute to identify the needs of the potential consumers.
3. Must enable local partners to build the business based on their own capacities.

The philosophy behind the BoP theory is that innovative businesses that apply ground-breaking models can be created to reduce poverty and which are, in addition, supportive of the social reality and the environment. While this can be achieved by creating employment opportunities for the poor, they can also be considered partners and as a valuable resource for innovative technology. It must be recognized, however, that these are long processes which do not offer immediate results⁴.

Taking into account that Microjustice also aims to reach those at the BoP, principles of this theory can also be applied to Microjustice, using the same reasoning as BoP to bring Justice to people with limited resources. It is, thus, bringing the rights of

³ 'The Bottom Billion' as defined and described by Paul Collier in his book of 2007

⁴ C.K Prahalad, The Fortune at the Bottom of the Pyramid, 2005, Stuart Hart Capitalism at the Crossroads, 2005.

those most disadvantaged closer to them allowing them to fully enjoy them. One of the most urgent needs is addressed by allowing people access to their identity documents.

In order to make access to rights a BoP product, it is imperative that those at the BoP show interest in accessing these rights. Traditionally, these people have been excluded from the system and, therefore, there is no culture of access to rights. Those at the BoP see that access to rights is either impossible or unnecessary and do not see a need for it. In order to change the culture of exclusion, the rights need to be connected to a specific benefit through an effective campaign in raising awareness so that people can realize that they too can benefit.

BoP principles have been transmissioned to Microjustice. For example:

- Defining prices: since those at the BoP have very limited resources, it is necessary that prices for Microjustice products and services are adjusted to the reality at the BoP, and thus need to be drastically reduced.
- The joint development of Microjustice Products: One of the principles of BoP is that the services and products must be created and developed within the specific community as they are in the best position to identify their needs. Microjustice must aim to establish a frank dialogue with members of the community to find adequate solutions to their needs and leave behind any pre-conceived ideas as to what are the basic needs of people.
- Innovation: Microjustice can reach the BoP offering innovative products and services, tailored to the needs of people. This requires a deep understanding of the needs of the target group. Microjustice should propose hybrid solutions that incorporate emerging technologies with existing infrastructures. In this way, Microjustice can develop further utilizing elements of the traditional formal legal system and the latest models of information technology.
- While the methodology should be able to be transmissioned to other countries and cultures, the solutions to the legal needs must cater to the local reality.
- Microjustice must seek low-cost solutions that utilize little resources but adapt innovative technology. Establishing a website, for instance, is cheaper than systematically paying lawyers for services. At the same time, using facilitators who work with pre-established models and procedures is less expensive than hiring a legal expert for these services.
- There needs to be a profound knowledge, not only of the form, but also the functionality of the legal services and products. In order to develop Microjustice, it simply is not enough to make marginal changes to the services offered to those in a more advantageous position.
- Microjustice must adapt to local surroundings with little or no infrastructure and with limited knowledge and resources.
- Invest in Education: Developing products and services for the BoP market requires a commitment to invest in educating the people on the benefits of these. Most people at the BoP have no legal education and cannot be expected to be conscious of the benefits that these products and services can bring to them.

The products and services of Microjustice must be able to be transmissioned to hostile environments, such as post conflict situations.

II. METHODOLOGY: HOW TO DEVELOP MICROJUSTICE COUNTRY PROGRAMS

Introduction

A Microjustice Country Program works in two distinctive areas

1. - The Legal Area; Product development and case management

Which encompasses the development of Microjustice products and services based on the actual legal needs of the population. This requires an in-depth study, carried out by legal experts (lawyers, interns, etc) on the legal needs and related legal fields. The legal area also develops the legal solutions through 'case management'.

2. - The Social Area; distribution network and awareness raising

Reaching the poor segments of the population relates to social and community work and encompasses the distribution of the Microjustice products and services through a facilitator's network and raising the awareness among the population about their legal needs and the possibility to access their rights through the Microjustice services.

Steps to develop a Country Program

Identification of Needs

1. The first step is to identify the main legal needs of the poorest sector of the population. This is both a participatory process with the poor and a process with professionals and civil servants. In order to achieve this, field research, involving those living there as well as institutions (local, national, religious, NGOs, etc), is necessary
2. The field research should allow for the prioritization of the needs of the poor and marginalized. Depending on the context, history and state of affairs; each country will have a different list of priorities
3. In order to start providing Microjustice services, the most important need, which has the most probable and massive solution will be selected as the first one to launch microjustice products. Once the first products have been developed successfully in one particular legal need, products may be developed in additional basic legal needs.

Development of Microjustice Products within a Specific Need.

4. In the selected need, an in-depth study is conducted. The study takes into account local legislation, customary practices, the role of local institutions, obstacles, proposed solutions, etc. On the basis of the research, products and services are identified and developed. Related handbooks provide the needed standardized information for the facilitators in their role as advisors and to the case managers for the solution of the problems.

Co-operation with relevant Institutions

5. It is important to secure the co-operation and assistance of local institutions for solving the cases through the case managers using economies of scale. This can be done through signing of agreements of co-operation or memoranda of understanding (MoU). In that way we also can help them to improve their services and to eliminate obstacles.

Solution of Cases: case management

6. Once the users have selected a Microjustice product, the facilitators or the case managers in the central office work on the solution according to standardized procedures. If the solution to the problem is not covered by the Microjustice products and requires legal proceedings, a lawyer from the corresponding network will be made available. In finding a solution to the problem, obstacles in the legal system will be identified.

7. Based on the legal obstacles found, a lobbying strategy is defined. This strategy may also include informing the general public on a particular problem/obstacle in order to create transparency and aiming at improving efficiency of the process.

8. With the gained experience, the Microjustice products and services will be ameliorated. Thus the development of products is an ongoing activity.

Distribution

9. Once the products and services are developed they will be distributed and made available through the website (carefully describing the product) and/or through the network of facilitators for which a distribution network has to be set up in co-operation with other organizations.

Awareness & Training

10. The low-income sector of the population, which represents Microjustice's target market, is often not aware of their rights nor the need to have access to them. It is for this reason that there is a need to have activities to inform the population and raise their awareness.

I) LEGAL AREA

1.1 Evaluation and Identification of Basic Legal Needs

Thorough research on the basic legal needs of the target population is required in order to properly develop a Microjustice program.

List of Needs in Bolivia - 2008

1. Civil Documentation (a precondition to access rights): Birth Certificates, Marriage Licenses, Death Certificates, Personal Identification Documents (PID)
2. Access to *Bono de Dignidad*, a new pension established by the State in 2008, for which a correct and up-to-date PID is required
3. Access to heritage
4. Protection of Property (Land rights)
5. Certificates of Education
6. Retirement Pension
7. Family Affairs (divorce, alimony/child-support, recognition of children)
8. Labor rights
9. Unrecovered debts
10. To formalize microbusinesses
11. Measures against domestic violence

List of Needs in Puno (Peru) - 2009

1. Civil Documentation
2. Common Law Marriage/Partnership
3. Family Assistance
4. Access to heritage
5. Insurance Claims
6. Retirement Pension
7. Protection of Property (Land Rights)
8. Microbusinesses
9. Personal Guarantees
10. Applications for various administrative procedures
11. Measures against domestic Violence

Practice in need identification

In both, Bolivia and in Puno (Peru), the facilitators did a needs assessment through interviews and surveys in order to identify the needs of the target population. These surveys and interviews were conducted in various facilitators' outlets as well as on the street. Nevertheless, the target population (mostly indigenous) was reluctant to speak about their needs. It is here where the work of the pioneering facilitators (who were members of the central Microjustice team) became evidently crucial. (S)he did the need assessment in a more hidden way, talking with the users about their lifes, and in this way searching for their legal needs.

Each country program must adapt its Microjustice program to its social context in order to properly identify the (basic) legal needs of the population. Moreover, co-operation with social sciences, non-lawyers, may be developed for a more formal need assessment.

1.2 Product Development

What are Microjustice Products?

In applying market strategies, Microjustice offers *products* which in fact are standardised legal solutions to a specific problem, fulfilling the identified legal needs. Microjustice products contain a series of procedures, maximizing the efficiency through economies of scale. To implement a product several microjustice services may be needed for various procedures and/or legal/administrative actions. For example registering property in the Latin world in general requests many procedures, and not all users need to follow exactly the same procedures.

Research

Once the legal needs have been identified, research starts in order to develop the Microjustice products and services to be offered. This is done following a pre-determined format and pre-established templates to ensure consistency in the results.

Research Format

There are three phases to the research

Phase I.- Preliminary Research

This initial phase focuses on the legal framework in a particular country as well as the actions that any given citizen needs to take to access a specific right. It also takes into account any mechanism that may exist within the public administration to launch complaints. In addition to a thorough understanding of the laws of the country, this phase is carried out conducting surveys and interviews with relevant officials and potential customers.

Phase II.- Research based on Identified Problems

This phase aims to identify the problems, obstacles and difficulties that a customer or user of the service faces when trying to access a particular right or request a specific document. The idea is to contrast theory with practice, i.e. the right with the actual process of accessing it.

On the basis of these 2 research phases, handbooks and protocols are developed and the products and services are offered to the target groups.

Phase III.- Analysis of legal framework and functioning of relevant institutions

On the basis of the experience gained in practice while solving legal cases with economies of scale, the obstacles in the system are identified. This phase focuses on analyzing the functioning of the public institutions and legal framework, whether efficient or not. The efficacy of the institution and the level of accessibility to a particular right by all citizens are studied during this phase. The analysis will identify any obstacles found while trying to access a right, the length of time required for the process and the costs.

The results of this research are the basis for the lobbying efforts to render access to rights more effective.

Identification of Microjustice products and services

Once the investigation conducted, products and services are defined by the MJ-team, and further developed through their implementation.

Microjustice products can only be developed when the legal actions and procedures represent a basic legal need for many people and can be arranged through economies of scale and standardization of procedures. For example in Bolivia, often civil registration and documentation, - which is a precondition to access most rights -, is faulty or totally lacking. Through standardized procedures, Microjustice can ensure that a large number of people can procure their civil documentation correctly.

Referral to the Microjustice legal network is needed when a case of the user is more complex and unable to be dealt with by a standardized Microjustice product (such as litigation in court, etc).

Practice

Although Microjustice Bolivia started its program developing simultaneously Microjustice products in six legal needs, it soon discovered that there was a massive and immediate need to focus just on the need for civil documentation. Therefore it started to focus in developing products to target this need. As soon as all products surrounding civil documentation were developed, tested and implemented; work has began in products to satisfy other identified needs.

Establishing the Price

The price for a product needs to be established which is composed of external costs (taxes, administrative fees, etc) as well as internal costs generated by Microjustice in providing the product (or service). These are then compounded and adjusted to the local reality, based on an estimate of the number of potential cases per month. In the initial stages self-sustainability is not necessary; however transparency in pricing a product is essential with a view to gaining self-sustainability (following an initial external investment).

During a second phase the price is adjusted based on experience and the applicability to a local reality, including any costs incurred by the Program. During this phase the necessary number of cases required to make the product or service self-sustainable becomes apparent. If the number of cases is insufficient to cover costs and make the product self-sufficient, thought must be given to improve the facilitators' network, improve external legal procedures and structures (through lobbying) or adjust the price.

Each product must be self-sustainable so that external funding is limited to the launch phase, research and development (innovation) and to cover general costs of the central office.

Through the use of spreadsheets (Microsoft Excel®) variables are introduced to calculate the price:

- Internal and external costs
- Monthly costs – including salaries & rent
- And the minimum number of cases to be dealt with per month

Obstacle in charging cost compensation

In the world of development co-operation there too often exists the perception that all services must be free to assist the target population. We have met this problem in Serbia/Croatia (with the State and UNHCR) and it is the general mentality as well in Peru (Puno) and in Bolivia (not so much with the users but more so with the public institutions). However, no program can be long-lasting and sustainable without a contribution by the users of the service, however small or reduced this may be. It has to be explained to all involved that the costs are not for profit, rather to ensure the continuity of the program. Microcredit has experienced a similar difficulty and apprehension and continues to educate and emphasize, through awareness building, that the interest charged on credits is purely to ensure continuity and self-sustainability of the microcredit bank. This is the same approach that Microjustice must take, convincing the institutions, development world and users of the service demonstrating to them that the costs are purely to guarantee the long-term existence of the service.

Continuous Research

As the research is based on changing elements (laws, legislation, institutional procedures, etc) it must be continuously revised. But the research also has to be updated to practice. The MJ legal analyst(s) is (are) in constant contact with the case managers, facilitators, the users, the institutions, the laws/legislation and therefore should bring about updates as often as necessary.

Website Products

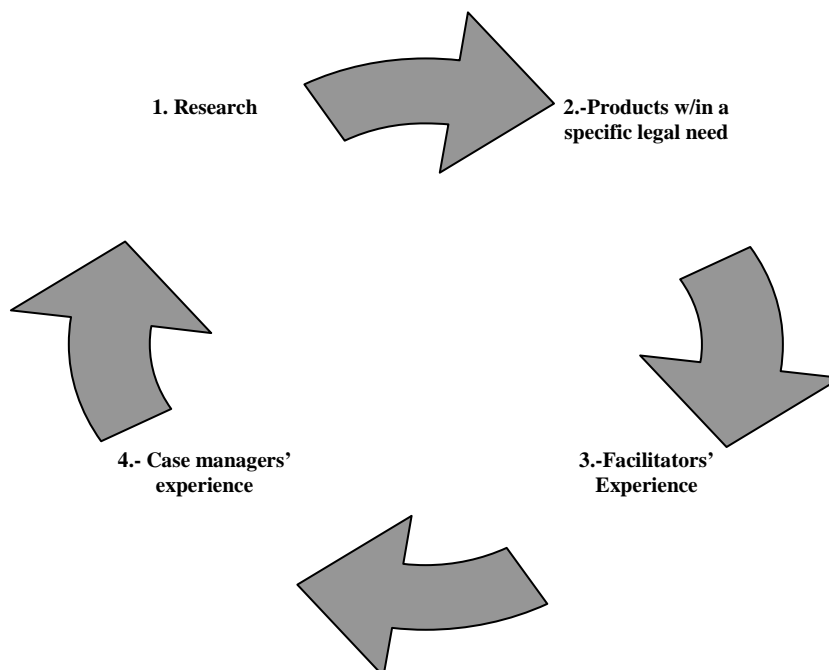
Once all prior steps have been taken, the products are offered through the website (immediate and continuous access to all pertinent and current information). For those who have no access to internet, the products are offered through the network of facilitators. The facilitator has, in most cases, access to internet and can consult for latest updates.

Summary

Products are developed as follows:

1. Through in-depth research a list of potential microjustice products and services to be offered is compiled and prioritized
2. Once research is finished and costs estimated, the products and services are offered to the users
3. The facilitators and case managers obtain more realistic experience on the distribution and solution of cases through real experience with the users, institutions, etc.
4. Microjustice central office (research unit) uses for further product development.

Product Development



1.3 Solution of Cases: Case Management

Three functions are involved in case management:

1. The Facilitator who acts as a case manager receiving and accepting cases and acting as an advisor
2. The Case Manager, working in the central office, who manages several similar cases before the institutions (economies of scale),
3. The Lawyers *specialized* in Microjustice from the lawyers' network.

Facilitators and Case Managers

Facilitator

The facilitator is the first point of contact for the user of the service. S/he will provide the user with all relevant information and will process cases. Once a week the cases are sent to the paralegals (or case managers) so that, by applying economies of scale, these can be grouped and solved in their dealings with the public institutions. Templates and forms are used to ensure consistency and maximize efficiency. Should a case fall outside the standard Microjustice products, the case can be deferred to the lawyers' network.

Case Manager

The paralegal processes the cases before the public institutions and groups them accordingly to maximize efficiency and reduce processing times. In Bolivia and in Puno (Peru) the paralegals are often students of the law faculties. Agreements with relevant institutions are useful in order to speed up the processing

Once the case is solved, it is transferred back to the facilitator so that the user can be contacted and informed of the results.

Database

All data pertaining to a case is entered into a database by the facilitator. This is then updated by the paralegal so that information on progress is readily available.

This database serves to document all cases and to produce statistics.

Practices

- In order to maximize efficiency in solving cases, Microjustice needs to have agreements with the institutions concerned, explaining the needs of the users. Moreover, good working relationships with public servants are important and should be one of the aims of the case managers/paralegals.
- Microjustice should aim to find practical legal solutions and should establish good co-operation with members of the judiciary, which is a difficult task. Judges that are found to be open to the program should be approached and relationships forged to ensure speedy processing of cases.

Lawyers' Network

When a case does not fall within the products offered by Microjustice or when due to its complexity it requires the intervention of the courts, it may be deferred to the network of lawyers. Through a large amount of cases deferred to this network and the application of economies of scale, lawyers can start to specialize in cases of the most destitute. The lawyers' network will inform Microjustice of the processes that were followed when solving a case so that products can be improved and best practices consolidated

What Benefit can Microjustice provide the Lawyers?

Through Microjustice lawyers have access to a completely new market which previously was unavailable to them. Through economies of scale, though the prices per user are lower than average ones, the overall earnings are comparable.

1.4 Obstacles in the solution of cases

We have encountered two types of obstacles while managing the solution of the cases:

1. Those related to the legal framework.
 - Complicated procedures and requirements.
 - Costly taxes and fees to be paid.
 - Lack of legislation for a specific need to be met.
 - Lack of speedy processes.
2. Those related to public civil servants and the functioning of the institutions
 - a) Obstacles for the users
 - Discrimination
 - Long lines and lack of clear procedures
 - Lack of proper information resulting in many users desisting from pursuing the process
 - Lack of willingness on the part of the civil servants to provide solutions or to be helpful
 - The distance between the place of residence of the user and the location of the institution and the impossibility to finish all paperwork within one day.
 - Civil servants often demand more than what the law establishes

- Rudeness on the part of the civil servants
- Lack of attention to detail on the part of the public servants who, for example, will not check if there are additional mistakes when correcting one, resulting in the need for the user to start a whole new procedure – with the corresponding delays and obstacles
- Judges constantly asking for proofs, even when evidently unnecessary
- Unnecessary fees
- Non-compliance with established legal timeframes
- Misplacement or loss of documents (or an entire file) by the public servant
- Requests for corruptive payments or services

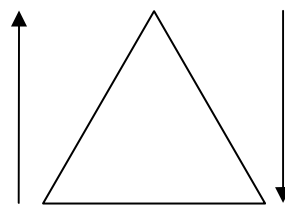
b) Obstacles for Microjustice

- Non compliance of the agreement between the institution concerned and Microjustice
- Slow processing of files if a bribe is not made available to the public servant
- Unwillingness to receive more than one case at a time
- Rejection of Microjustice’s case managers, requesting the presence of the Microjustice attorney who has signed the cases
- Requirement of personal presence in some procedures (representation not allowed)

1.5 Lobbying and Institutional Reform

Lobbying

Lobbying, in our case, is the pressure that is exerted on various political areas and State institutions in order to start eliminating obstacles and increase efficiency so that people can have access to their rights. In this way Microjustice works simultaneously with those at the Bottom of the Pyramid (BoP) and with those in decision-making positions (bottom-up and top-down approaches).



Lobbying

Lobbying or influencing is a rather informal approach, but effective – nonetheless – in bringing about change and a crucial instrument in increasing efficiency and eliminating obstacles.

a) Co-operation with institutions

An important element in the development of microjustice products is the contact and co-operation with (persons in) the various institutions as well as the interviews with the public civil servants. Throughout the process they should be made aware of the improvements to be recommended in order to eliminate obstacles and increase the efficiency of a particular process.

In Bolivia, for example, Microjustice signed an agreement with the Civil Registry (Corte Departamental Electoral) to ensure that cases can be grouped and processed

as a bundle and that Microjustice can act on behalf of the users without the need for a power of attorney. Moreover, access to the national database was granted so that information of those registered in Bolivia is available to Microjustice and contributes to optimizing the efficiency of the process.

b) Influencing the Institutions

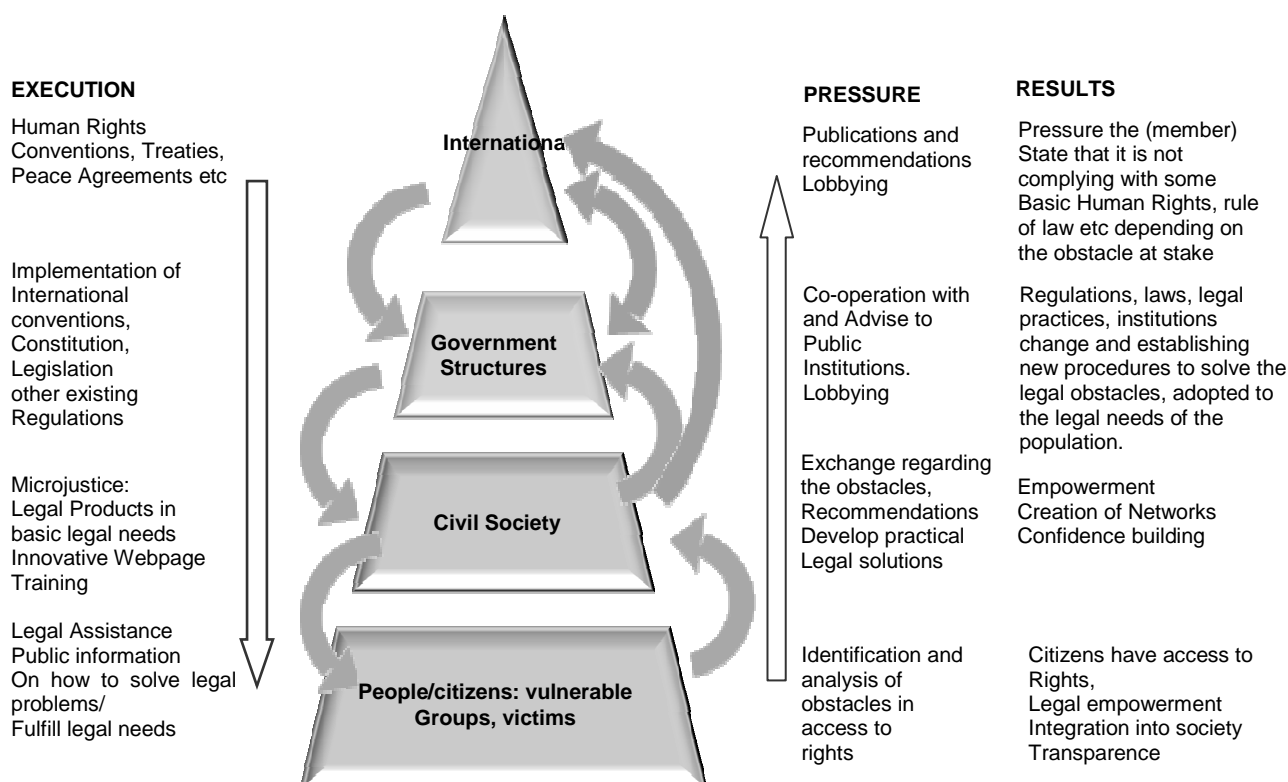
This is not limited to contacts with the public civil servants, but also encompasses specific actions aimed at exerting pressure to bring about change. In this light, Microjustice can:

- Send a detailed report (copied to other relevant players) highlighting the problems and obstacles in accessing a right and thereby bringing transparency and exerting pressure on the institution to improve the process.
- Publish to the website (including names, dates, times) any obstacles imposed by the public servant with a view to ensuring that this will be a sufficient deterrent to correct the situation.
- Have a good talk with the one who can decide to change rules and behavior.

Institutional Legal Reform and Capacity Building

Another way of changing the system is helping the State institutions initiate reforms and build capacity in such a way that people can easily access their rights. Co-operation has to be developed with the relevant institutions (civil registry, property registration, courts, ministries etc). This can be done in various forms as a consultancy, but it can also be part of the lobbying efforts.

LOBBYING PYRAMID



Structural approach to legal reform in the basis of the needs

Explanation of the Pyramid

Through lobbying activities Microjustice aims to:

- Top-down implementation: Develop Microjustice practices within the legal framework, training the facilitators, case managers and lawyers to provide efficient services and promoting Microjustice products
- Solving legal needs to those at the BoP, identifying the obstacles encountered in accessing rights
- A bottom-up approach that aims to synchronize legal practices and the legal framework with the needs of people, eliminating obstacles and making the legal system more accessible to all. Microjustice may be used as a tool in international relations

Post-war Collecting of Pre-war debts; the case of Slavonska Banka In the post-war reintegration of Eastern Slavonia (Vukovar) into Croatia

When the UN left Eastern Slavonia early 1998 and this part of Croatia was completely reintegrated into Croatia after it has been controlled by the Serbs from Croatia in the period 1991-98, some banks in Eastern Slavonia started to collect relatively large sums of money from the Serbs in the region as a pretended debt from before the war. The idea was that people could not pay back the debt, and that the bank could sell their houses executively. The result would be post-war ethnic cleansing through the use of legal means.

This practice was started by Slavonska Banka in the month of January 1998, just in the days after the UN Transitional Administration left the region. Branimir Glavash was at that time the President of this bank and was also prefect of Osijek (and in May 2009 he has been condemned for war crimes against Serbs by the Zagreb Court).

In reaction to this practice, ILA wrote a concept paper, explaining the legal situation, and how force majeure should be applied. On the basis of this report, various activities, meetings and lobbying activities were organized in close co-operation with the OSCE field office in Vukovar:

- 1) A common meeting with the direction of the Slavonska Banka
- 2) The Head of Mission of OSCE in Zagreb sent the report to the Minister of Finance
- 3) Sending the report to and meeting with the European Bank for Reconstruction and Development who just had become 49% shareholder
- 4) Taking up the defence in Court for a number of people affected by this post-war debt collecting by the banks in the region.

As a result, with time this practice ceased.

How to deal with Corruption?

Corruption is common in developing countries and it is even considered normal when salaries of public civil servants are often very low. Corruption is so widespread that it is often difficult to resist this temptation in order to speed up the process

Microjustice cannot fall into this temptation as:

- Microjustice aims to make the system more accessible and transparent, including posting evidence of corruption when necessary.
- Microjustice aims to help the poorest sector of the population to gain access to their rights, if corruption prevails, only those with monetary means will have access to justice, perpetuating the belief in some countries that justice only exists for the rich
- 'Salaries' of public civil servants in most developing countries, place them above those of the average 'income' (however, not above the average salary) and consequently negating any need to accept or demand bribes. It is moreover part of the legal culture.

Practice: Bolivia

In Bolivia it is a common (almost institutionalised) practice that lawyers and clients give a little extra money to court staff, saying "This is for your 'refresco' (drink) or 'salteña' (empanada from La Paz). MJB do not participate in this practice.

Court staff requests 10 to 15 bolivianos (around 1 to 1,5 Euro) for a notification of the other party or witness, and for other legal acts. This is not written in any norm and one does not receive a receipt. However, if one does not pay this amount, the notification or other legal act will never be done. Thus, MJB cannot escape this payment, which seems to be an unwritten law.

On the other hand, Microjustice works closely with public civil servants (judges, police, etc) to ensure a smooth relation. For example these public servants are invited to deliver workshops to Microjustice staff to familiarize them with the functioning of their institutions and in that way forging relations.

II) SOCIAL AREA

Once the research and development phase is over, the products and services are made available to the users.

Distribution of the Product by the Facilitators

Product distribution is part of the social commitment of Microjustice and is an integral and important part of the field work. This distribution is to be carried out by the facilitators who are ideally intrinsically linked to the community. Therefore, the facilitators are community leaders, grassroots organizations, NGOs, religious institutions, prominent members of the community, etc who are in charge of product distribution

Distribution of the Product through the website

All relevant, pertinent and current information on the products is available to the users through the website. This information is for the moment not so much destined for the poor and marginalized in the communities since they often are not literate and do not have access to computers. However on the basis of the information on the website emigrants often contact the offices of Microjusticia Peru and Microjusticia Bolivia, which results in many requests for help with civil documentation from Peruvians and Bolivians living in Spain, the USA and Argentina. Also the website serves as a guideline for the facilitators to have access to the latest updates.

2.1 Product Distribution through the Facilitators Program

This program defines the profile of the facilitator. Rules are established and training needs are defined. Procedures for the co-ordination among the facilitators and between the facilitators and the central office are established as well as supervision and certification parameters

The Facilitator

The facilitator provides services to the users at the various service centers. In addition, the facilitator:

- Completes the relevant forms and takes in the case to be solved by the case managers in the central office
- If the case is within her/his competence the facilitator may undertake to file the case without further intervention – eventually to be forwarded to the case manager
- Should the complexity of the case require judicial intervention, the facilitator forwards the case to the lawyers' network normally through the intervention of the central office

Due to their position within the community, facilitators are ideally positioned to gather further information on basic legal needs to be used in further research to develop additional products for Microjustice.

The facilitator has a key role within the Microjustice programs and therefore needs to be a well acknowledged member of the community or a well-respected individual or organization/institution.

Who can be Facilitators?

1.- Interns from universities and high schools

The interns obtain valuable working experience towards their degree and Microjustice can benefit from their knowledge and insight at comparatively lower costs.

2.- Social Workers and Community Leaders (working in NGOs)

These are individuals already working the field and usually involved in development projects. In this way, Microjustice becomes part of the development project as well.

3.- Free Lancers

Community leaders and prominent persons of the community, who want to get involved in Microjustice. This is for example the case in Achacachi and Vilaque (Bolivia).

4.- Justices of Peace

These are individuals working in their communities and as such are perfectly positioned to be facilitators. In Puno (Peru), they are elected officials who do their job *ad honorem* but who are provided various tools to deliver justice in the rural areas. As it is non-remunerated, they usually perform other paid jobs to have some economic solvency.

5.- Other organizations or individuals depending on the reality of each country

In Bolivia and in Puno (Peru) ads were placed in the newspapers, faculties and the radio as well as contacts established with NGOs to identify potential facilitators.

Self-Sustainability of the Facilitator and support from Microjustice

A fee (commission) for each case received is paid out to the independent facilitator. In the case of interns, the amount is calculated based on the cases received at the outlets. The facilitator receives training and a toolbox to enable her/him to conduct the work efficiently.

Training

Once the facilitators have been selected or a memorandum of understanding has been signed with a particular institution for its staff to fulfill this role, Microjustice will proceed to start training the facilitators. The social area in co-operation with the support unit will be in charge of carrying out this training.

Once trained the facilitator should have:

- Knowledge on how to deal with the users of the service bearing in mind that in some institutions they are treated in a condescending and discriminating manner.
- Knowledge on how to best advise the users on how to solve their problem.
- Knowledge on how to enter relevant data into the database and follow up its progress.
- Knowledge on how to conduct outreach activities and public awareness campaigns.
- The capacity to be familiar with all Microjustice products.
- Knowledge on how to obtain information on the basic legal needs of people so that further Microjustice products can be developed.

All these functions are explained in standard documents and templates

The handbook, which is handed over during the training, will be constantly updated based on new experiences.

Toolbox

The toolbox (handbook) comprises all the necessary documents and tools to properly carry out her/his work.

General contents of the handbook:

- Terms of reference, responsibilities, goals (i.e. receive 100 users month, 20 cases received per month, etc) as well as a list of the competencies of the facilitator.
- Product list with the corresponding prices.
- Handbooks for specific products (i.e. civil documentation) that Microjustice offers in a particular country.
- Procedures for distribution and templates for case reception return of cases, payment methods, etc.
- List of the lawyers' network in the particular area as well as costs for cases that need further legal intervention.
- List of related professionals (i.e. notaries).
- Relevant forms for entering data into the Microjustice database.
- Other administrative forms (i.e. those related to civil registry).
- Format of the weekly report on case management.
- Outreach material.
- Other forms, including invoices, etc

Templates and Forms

Microjustice, - based on past experience and in order to provide an effective and efficient means to gather all relevant information -, develops templates and forms. Thanks to these templates and forms, it is not essential that the facilitators have a juridical background

Co-ordination and Supervision

The facilitator works using the guidelines established in the handbook and the goals therein set forth. These goals are established so as to ensure that the facilitators will find self-sustainability for their work in the future. These are the main parameters used for co-ordination and supervision of the work.

A supervisory guideline is currently being developed (inspired in the Microsave model). Currently in Bolivia, the supervisor must:

- Guarantee optimal quality for the Microjustice product through her/his work and ensure a successful solution to the problems presented
- Co-ordinate well the work of the facilitator with that of the Central Office.

In order to achieve this, constant contact with the facilitator (through personal visits, emails, telephone calls – using Skype®™ for example -) is necessary. The facilitator should provide regular reports and updates to the supervisor

The supervision of facilitators varies depending on the type of facilitator (of which there are two):

1. Internal Facilitators: in urban areas, usually law interns in urban areas and having constant contact with the the Microjustice Country Program Office. They work in the service centers or in the institutions themselves (if allowed).
2. External Facilitators: in rural areas, usually those who collaborate with the program as part of their other duties (community leaders, NGO staff, religious leaders, etc)

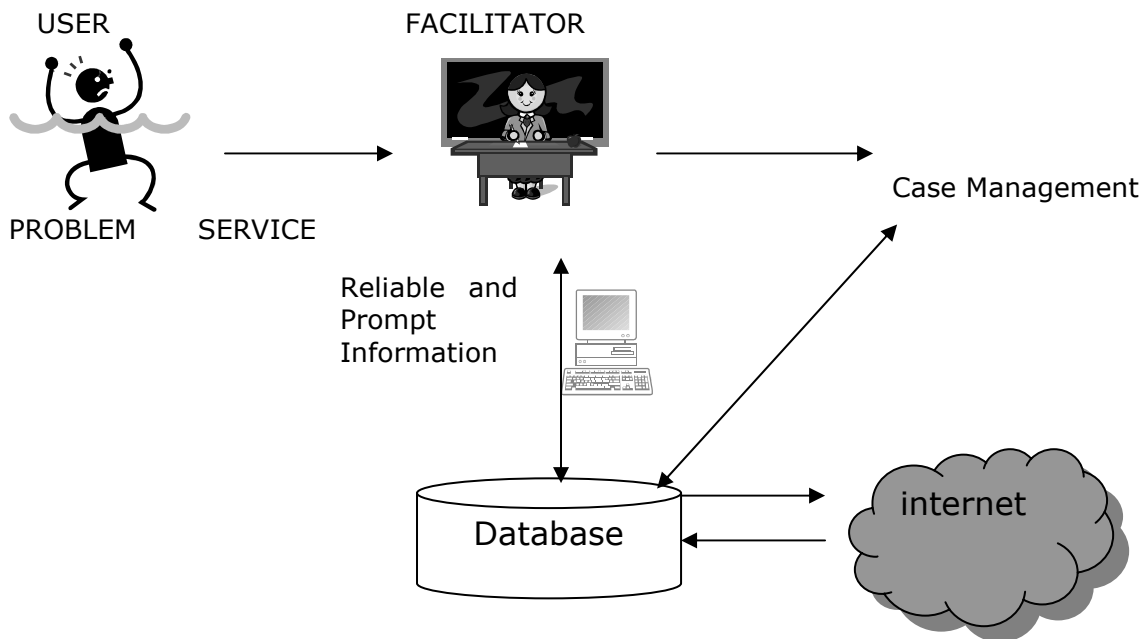
The second group is located away from the location of the main office and supervision of this group is usually more difficult

2.2 How does the Facilitator carry out the work?

Outlet

The facilitator meets with potential users at the outlet and provides clear advice, including potential obstacles to be found. The Facilitators' Handbook, the website and other tools are available so that s/he can provide a clear, transparent and consistent service and advice.

The Service Center/outlet should be centrally located and easily recognizable. It could be within another organization (municipality, bank, etc) but should clearly be defined as a Microjustice office and not confused with another activity. The only exception is when Microjustice is part of another (larger) project.



Website

In order to further support the facilitator, information is made available through the website. Doubts can be clarified through email or telephone (Skype®™) calls. Should Internet not be available, other means of communication will be established – depending on the area – and always ensuring a flow of communication with the supervisor.

Database

Each case must be registered in the database to ensure constant follow up. In this way the case manager can be in constant contact – through the facilitator – with the user and the facilitator can be promptly made aware if the case manager requires additional information or documentation

Awareness and Outreach

Public awareness and outreach campaigns in the community where they work are an integral part of the work of the facilitator.

Public awareness campaigns can be conducted as follows:

- In fairs or markets where large numbers of people are gathered
- Radio campaigns (interviews or announcements)

- Participate in workshops of other organizations and thereby raise awareness of Microjustice within these organizations.
- Directly target those queuing up outside public institutions
- Other activities at own initiative
- Use of local vernacular and languages is important

Awareness can also be raised through members of the community that are in contact with large numbers of people (newsstands, coffee shops, etc). These members of the community can be compensated for promoting the work of Microjustice.

2.3 Involving Civil Society

A sizeable number of local participants is necessary for the effective distribution of Microjustice Products and Services, in that way, reach the most number of people. Sustainability is based on the distribution of products to a large user base. In order to achieve this, it is important to involve all possible members of civil society: schools, bar associations, municipalities, religious institutions, ombudsmen, consumer defense organizations, NGOs, banks, etc

There are two ways in which stakeholders can collaborate in the Microjustice Facilitators' Program:

1. Collaboration with the various entities of civil society to identify/provide the facilitators (as described above)
2. Collaboration contains providing adequate office space and technical support for the Microjustice service centers.

Below are listed the type of co-operation which has been established so far in the various Microjustice Country programs.

Examples of organizations that can be involved in the Facilitators' Program

NGOs and religious groups

Products can be distributed through NGOs and religious groups working with the target groups in the field. Their community workers or leaders can be trained to work as facilitators in addition to their usual work.

Microfinance Banks

As Microjustice is inspired by Microfinance, these provide a natural partner for the dissemination of products.

An agreement of co-operation with Microfinance bank can prove to be mutually beneficial. The bank can make a space available for Microjustice and through the solution of the legal problems (i.e. civil documentation) can see its client base expanded.

Municipalities

Municipalities tend to welcome Microjustice Products and Services as it has a positive impact on the community and, in turn, on the image of the mayor. They can provide office space and also act as intermediaries with other public institutions.

Public and semi-public institutions

As mentioned in the previous paragraph, in Peru, Microjustice works in cooperation with the Judiciary involving the peace justices in the local communities in the distribution of the Microjustice Products and Services. In Serbia the Centers for Social Work and the Offices of the Commissioner for Refugees and IDPs in the local communities receive the requests for the Microjustice Products and Services and send them to the main Microjustice office in the region.

2.4 Awareness building within the population

One of the roles of the facilitators is to train and educate the potential users of the program. Since there has been a culture of exclusion of those at the BoP, they are not aware that they should have a need to access their rights. It becomes a vicious circle since as long as they are unaware of the possibility to realize their rights they will not ask for help. Those at the BoP are unaware of their rights and submit to the apparent fact that their problems have no solution. Once the people at the BoP become aware of the solutions that Microjustice offers to them, the vicious circle will be opened and the process of their inclusion can start.

An awareness building program is fundamental to bring about a change in this culture and it is carried out in collaboration with other partners that work with the target population (municipalities, microcredit organizations, social workers, etc). Awareness building is done in simple workshops where awareness is raised and people informed and educated on their rights and how to access them. Awareness is also raised on the right and the possibility to participate in the democratic process, through voting, and on how education can provide for a better life to their children. Theater workshops conducted in squares, streets and places where large crowds gather are also developed to raise awareness

Awareness building programs are also prepared for children and young adults so that they are made aware of their rights with a view to empower them to forge their future. School programs, in collaboration with the Ministry of Education, are planned to be introduced

The discussion forum on the website is another tool to raise awareness as people exchange information and opinions. The marginalized population is then provided with an area where to vent their frustrations with the public institutions, post their complaints and in general exchange experiences

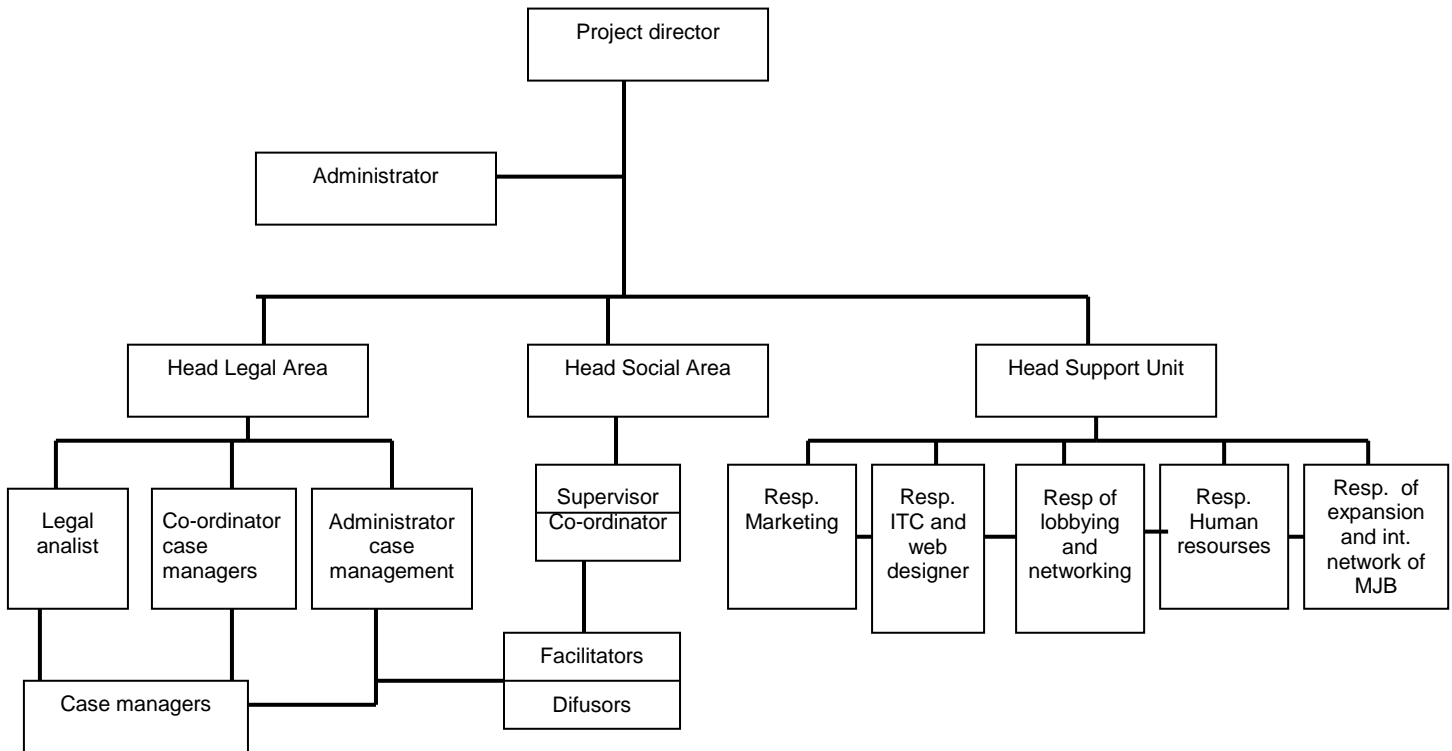
Practice

In order to raise awareness of their rights, these must be connected with an immediate benefit in order to interest the users. In Bolivia, for example, obtaining civil documentation is the right but it is connected with being able to claim the State Pension (Bono Dignidad).

III) ORGANIZATION OF WORK AND TECHNICAL SUPPORT

Work is organized in the country programs from the Central Office where there are three main Sections: Legal, Social and the Support Unit. The latter is in charge of marketing and advertising, information and communication technology and fund raising.

3.1 Organizational Chart



A) Legal Area

As previously stated the legal area is in charge of developing all products. This area is composed of

- Legal analysts that conduct research to develop products
- Co-ordinator Case Management
- Case managers who solve cases and are subordinate to the co-ordinator
- Administrator case management, who does the financial administration of the case solution/management

b) Social Area

Responsible for:

- Selection, training, co-ordination and supervision of facilitators
- Continuously enlarging the network of collaborators
- Marketing strategies

c) Support Unit

The support unit, as its name indicates, "supports" all activities of Microjustice and also encompasses those responsible for human resources, marketing, lobbying & networking and IT.

3.2 Support Services

Website

The website is designed with the user in mind and is easy to navigate through it, it is aimed at people with limited IT knowledge and is not designed from an institutional perspective. As a collaborative tool, registered users are able to share and exchange information and in that way further develop the Microjustice concept.

The Microjustice website has several functions:

- Provides tools and information for the facilitator who can find current and reliable information in it
- It is a self-service site for users searching for information on how to deal with a particular problem
- Is a forum to exchange information and post complaints
- Provides an analysis on the functioning of the institutions which can be used to further lobby for change

How to design the Website

The IT technician has to work with all other staff of Microjustice to combine all information gathered during research and based on experiences dealing with real cases. The information must be presented in a clear and understandable way for the users.

The website is launched in two phases: an experimental one and a second phase that is modified based on the needs and interests of the users

Mostly, open-source software is used to allow the most number of people access to the information, editing of articles, etc

Before developing the website it is essential that:

- There is a clear idea of what needs to be achieved and the message to be conveyed
- Team work between collaborators, IT Technicians and facilitators
- That the researchers prioritize the steps so that these are clearly reflected in the information provided in the website.
- That a discussion forum for the exchange of information is provided.

The Database

The facilitator input all relevant information concerning a case into the database through the proper form, which guarantees that all necessary information is properly grabbed. Therefore, the IT technician must have the support and collaboration of the staff in the legal and social areas

Why and how is a database used?

- When a potential user has a problem s/he consults the facilitator.
- The facilitator enters all pertinent information on to the database which is accessible to the case manager.
- Through this automated process the facilitator has access to clear and current information
- Once the case is received, the information is also accessible and updated at the central office (by the case manager). In this manner the facilitator is always able to have access to current and up-to-date information on the progress of the case.
- Through queries, the database is able to provide statistics

Co-operation and Agreements

An effective Microjustice program requires that agreements are reached with institutions and organizations in the field. This co-operation is important because:

1. It allows the development of Microjustice products and through optimal collaboration with public institutions allows for speedy resolution of the problems
2. It permits the use of office space within the institutions and organizations to serve as service centers for Microjustice
3. Raising awareness and disseminate information (pamphlets) on Microjustice.
4. Training of facilitators and case managers
5. Propose change in legislation
6. Lobbying

Marketing and Advertising

The Marketing and Advertising Strategy must take into account:

- A clear message leaving no room for misinterpretation
- The social and cultural context of the target market
- The available resources. New campaigns can only be effective if there are sufficient resources to deal with an increased workload.

Funding

Following an initial development phase, all Microjustice programs have to eventually become self-sustainable.

1. In order to achieve this, Microjustice aims to reduce costs to the bare minimum so as to allow the most number of people access to its products. In order to achieve this, Microjustice
 - Uses economies of scale to solve cases
 - Maximizes efficiency using IT technology (databases, Skype[®]™, etc). Moreover, potential users do not have to travel to the central office as there are facilitators in their areas who can receive and process their cases.
 - Co-operates with civil society which, in turn, contributes in-kind or otherwise to the program
2. Furthermore, Microjustice recovers costs through:
 - Fees (minimal) paid by the users
 - Fees paid by organizations that seek to solve problems that their target population faces. These are pre-established minimal and sustainable fees at a medium/long term.
 - Consultancy services to further expand the scope of Microjustice
 - International consultancies to introduce Microjustice elsewhere
 - Training sessions to civil society
 - Other activities

Funds by donors are only required in the initial phases as Microjustice is aimed at generating a self-sustainable program.

3.3 Optimization and Standardization of Processes to increase Efficiency

Work is carried out based on standard procedures, processes and established templates in order to maximize efficiency. Microjustice has found inspiration in the Microsave model, for process mapping but also regarding human resources policies (system of incentives and results-oriented payments).

Mapping of Processes

This tool (also used by the institutions) uses VISIO®™ software to create flow charts graphically displaying each of the steps to be followed within a specific process. Symbols are used to display activities, timeframes, documents, delays and other elements part of the process

Once the *modus operandi* of the process is graphically displayed, the shortcomings in the working processes can be easily identified and efficiency improved. Through mapping of processes improvements can be brought about the various products that Microjustice offers and in that way optimize results. It further contributes to the standardization of all work elements of Microjustice.

III. BEST PRACTICES IN BOLIVIA, PERU AND CROATIA/SERBIA

Introduction

A Cross-Border Legal Program between Serbia and Croatia to help the refugees in their post-war rehabilitation has been implemented since 2000. This experience has been on the basis for the development of Microjustice.

Microjustice has been developed since early 2007 in Bolivia and on this experience in Bolivia a Microjustice Program has started in Peru from August 2008.

In the next chapter the experiences with Microjustice in these countries are shared.

First Two Years of Experience Microjustice in Bolivia

April 2007 – March 2009

Introduction

At the end of 2006 the concept Microjustice was born as a follow-up of the Madrid Round Table of May the same year “derechos para todos, is access to rights a luxury article”, which had been organized by ILA and Spanish NGO MPDL under the auspices of the Spanish Development Co-operation (AECID) and the Dutch Embassy.

After several months of investigation, preparation and meetings on this topic with people such as former General Director of the UNESCO, Federico Mayor Zaragoza and present Dutch Minister of Social Affairs / former Minister of Justice, Jan Piet Hein Donner, Microjustice is being put into practice in Bolivia.

How did this happen? ILA’s Executive Director Patricia van Nispen discussed Microjustice with an acquaintance Anne Marie van Swinderen, who is an expert in microfinance. She proposed to develop Microjustice in Bolivia, where she is living. Doing microfinance consultancies, she has observed that the Bolivians have a great number of problems in accessing their basic rights (including Microfinance services) due to mistakes in civil documentation, property registration etc. Anne Marie thought that Microjustice could be developed using the same method as microfinance:

- Optimizing efficiency to lower the costs to a maximum,
- Cost covering from the users, and
- Revenue to cover the costs is not based in large margins between costs and price (which in microfinance is minimum), but in having large volumes of users

Conditions to develop Microjustice in Bolivia are quite optimal. Firstly, the Government of Evo Morales is open to any type of project dealing with the access of the most destitute to their rights. On the other hand, there are a significant number of young people willing to change a bureaucratic blocked legal system through the use of a new innovative method.

The Microjustice program starts early 2007 in the town of La Paz. Since there is no local organization working in line with the identified principles of Microjustice (inspired by those of Microfinance, such as proper contribution of the users to enable sustainability of the program), the Foundation Microjustice Bolivia (MJB) has been established. From its very beginning, it has had a team of young enthusiastic lawyers. The project was financed by ILA to set it in motion, and in the course of the second year, it was mainly financed by the Eureka Achmea Foundation, the Netherlands Embassy in Bolivia, and some other private donors.

The methodology of work used in the beginning was to learn from experience (“learning-by-doing”). Despite the ‘learning-through-doing’ initiation, searching for new ways and methods to allow people access to their rights, Microjustice has made a swift start in Bolivia.

From the second half of 2008, the program has had a basic structure, successfully developed services in terms of civil documentation and established a facilitators’ program in a large number of outlets. From this moment, MJB has been developing as a Microjustice regional center, and has opened in August 2008 Microjustice Country Program Peru in Puno on the border between Peru and Bolivia.

I) LEGAL AREA

1.1 Evaluation and identification of basic legal needs and obstacles to access rights

In the beginning of the program early 2007, Microjusticia Bolivia (MJB) was investigating many procedures at a time related to: civil documentation, property protection, social and labor rights, education certificates, driving/transit documents. It seemed essential to encompass all these needs to let people exercise their basic rights.

Two months later (in June 2007), MJB started to gain experience by opening the first facilitators' outlet in the town of El Alto. In this phase, the facilitators gathered a lot of information on the legal needs from the people through direct contact with the public.

List of Needs

On the basis of the demand, the basic registration needs came out as most urgent:

- a) civil documentation,
- b) protection of the property/property rights
- c) rights that can be exercised solely with legal and valid documentation in order, such as the benefits granted by the State (e.g. pension and medical insurance for the elderly, child allowances, etc.), access to public institutions (schools, etc.), and other legal actions such as access to inheritance, property register, obtaining diplomas.

To serve this important demand MJB decided to focus firstly on the development of products to fulfill this most immediate need: civil documentation as it impacts all other identified legal needs.

Legal and Valid Documentation

According to the data of the World Bank⁵ one out of every five Bolivians from the urban area and every four from the rural area do not have valid birth certificates. As a result, these persons have no right to vote, cannot conclude basic contracts and, are excluded from the services provided for by the State. Being such a serious and fundamental problem, valid civil documentation is defined as the first basic legal need of every person. At the same time, the obstacles the persons are facing when they want to access this right are numerous, such as large queues, bad treatment in the public institutions, lack of information, corruption etc...

The Government of Evo Morales has stated its intention to help the most vulnerable through various measures, such as the providing a universal state pension (*Bono Dignidad*) to all those above 60. Nevertheless, in order to accede to this pension, people need to have their civil documentation in order, which is not the case for the majority of them (either they don't have it or the one they have contains mistakes). Therefore, the first step is to focus on solving the problem and allowing people to have access to legal and valid documentation. The reality has shown that this is not easy for them since they have to face a lot of obstacles.

⁵ (P.2 Interim Strategy Report for the Republic of Bolivia of 24.10.2006)

Obstacles for the people in arranging irregularities in their civil documentation:

- a) Logistics: many times people without any resources have to travel from their community to La Paz in order to get their civil documentation. Sometimes, this entails staying overnight in the city, paying for accommodation, queuing from very early in the day, and in many cases, coming several times until the problem is solved.
- b) Identification of the problem; many times, due to lack of professionalism by officials, the user does usually not receive concise information regarding the way to solve the problem. The case becomes worse when the user is an adult person, with little education, who in many cases does not speak Spanish, and, in addition, makes a huge effort to come to the city and appear before the institutions.
- c) Evidence/Proof: to be able to realize any procedures to correct mistakes in documents, it is necessary to provide evidence such as a baptism certificate or any other document with the correct information. Many people do not have the needed proof, or they do not have it with them at that moment due to the lack of adequate information. Consequently, this results in making new trips to the place where they live, or to their place of origin to get the required documentation, or even to file cases before the Archbishopric (in case of having been baptized) or the Department of Identification to get the appropriate proof.
- d) Where to go to solve the problem: many people do not know what to do or where to go to solve the problem related to their documentation, since the institutions that are checking their documents in many cases, are not telling them what to do and simply suggest them to obtain legal assistance. Some people return to their communities without any solution, whereas others look for a lawyer, which can sometimes make them fall into the hands of lawyers with no scruples.
- e) Lack of resources: when the solution of the problem related to documentation requires judicial proceedings, many people with scarce resources cannot face these expenses, which entail courts costs, administrative costs and professional lawyers' fees.

1.2 Product development

Investigation form

In order to develop Microjustice products and services on the basis of identified needs, the format of investigation has been elaborated, and encompasses research in three different aspects:

1. Preliminary investigation of legal framework in relation to the specific need: what procedures, requisites, etc.
2. Real situation in practice; while solving cases one finds out how it really works
3. Functionality of the procedures to fulfill the legal need; identify problems and obstacles so that activities can be undertaken to ameliorate the relevant procedures.

First Microjustice Products and Services

The following products and services have been identified on the basis of the investigation:

- Legal guidance in civil documentation.
- Administrative and judicial procedures to correct documents and registers, such as birth, marital, and death certificates.

- Administrative and judicial procedures to correct documents and registration of personal identity.
- Investigation in the Civil Registry to check the situation of a user.
- Obtaining of certificates and copies of official documents

MJB offers an integral solution to the problem of civil documentation of a person. Therefore, it not only analyzes the specific problem for which the users addresses MJB, but also carries out thorough reviews of documents and certificates in order to identify all possible existing errors and to process them jointly.

Microjustice Product & Services MJB March 2009

1	Guiding and in co-ordination in registering the recognition of a child by the father in the Civil Registry (CR)
2	Pre-imprints Civil Register - note from the database of the CR stating the data under which one is registered, which allows to see if there are problems in the registration (no legal value)
3	Requests of Copy of Certificates and formal report (with legal value) of the data from Civil Registry
4	Investigations of case with the Civil Registry, Police (for ID) and the Property Registry (for property registration) - to verify with these institutions what the exact problem is
5	Administrative proceedings before Civil Registry - to correct small mistakes in personal registration
6	Judicial proceedings in Court (formally against Civil Registry) to correct a more important mistake (change date of birth, name etc)
7	Judicial proceedings in Court (formally against the Police) to correct any kind of mistake in ID
8	Declaration of Inheritors / heritage procedure in the court; in Bolivia to to be appointed as heritor (when there is not testament, which is in 99,9%) one needs to file a court procedure
9	Judicial Orders for an attested copy; when one needs a legalized copy of a formal document from some institutions or a report on the state of one's real estate, an attorney needs to request to the court that a Judge gives the order to the relevant institution to provide the needed document and information
10	Draft legal petitions (memorial) - a lawyer needs to sign requests to obtain some official documents such as educational diplomas, driving license
11	Request for attested copies - In some other cases an attested copy can be asked directly to the relevant institution
12	Minuta Compra-Venta; Private agreement between seller and buyer , signed by attorney
13	Judicial proceedings in court against the Property Registry to correct mistakes in official property documents, to complement registration, etcetera
14	Verification of legal situation to collect the Renta Dignidad with the pension fund

Also, services related to the state pension (*Bono de Dignidad*) and the State health insurance for elderly people (*seguro medico universal de vejez*) are being developed by MJB. MJB not only would help the people with correcting mistakes in

their documents but also with the relevant procedures to obtain a pension and health insurance for the people over 60. This combination of products is called a 'package of products', which can found in the Annex.

Costs of Microjustice products and services

Together with the identification of the MJ products and services, the costs for every one of them have to be determined. These costs cover expenses of the proceedings themselves (taxes, fiscal stamps, tickets, telephone calls, etc.), a small sum for the facilitator and a minimum compensation of expenses for MJB. The costs as determined first, are adjusted to the experience as defined by the Microjustice price calculation method. The prices vary from Euro 1 for a simple service to max Euro 60 for a complicated court procedure. Consults are free.

Chart with received cost compensation for the MJ services

Month	Year	Payments	External Costs	Income for Program costs	
				Bolivianos	Euro
April	2008	576	267	309	34,33
May	2008	195,5	82	113,5	12,61
June	2008	286	202,2	83,8	9,31
July	2008	802	507,6	294,4	32,71
August	2008	102	42	58	6,44
September & October	2008	2621	1439	1181,6	131,29
November	2008	938	589,7	348,3	38,70
December	2008	3030	1526,3	1503,7	167,08
January	2000	940	498	442	49,11
February	2009	3630	2019,4	1610,6	178,96
March	2009	2270	1643,8	626,2	69,58
at average in 2008/09 the exchange rate:1 euro = 9 Bs			Total 12 months		730,12

1.3 Solution of cases: case management

As the program developed and the facilitators' outlets opened for the citizens and the demand for cases of civil documentation started to increase, a team of case managers was formed in the central Microjustice office, whose function is to solve the cases in the Court rooms of the courtrooms of the Electoral Departmental Court (CDE) and normal Courts etc.

Starting from July 2008, MJB has signed an agreement with CDE solving some important obstacles (representation without power of attorney, to be enabled to process various cases at the same time, etc.) New facilitator's outlets have been opened and the case managers' team has been enlarged. The processing of cases has been standardized through the creation of standard memorandums, applications and other necessary documents for the case processing. Likewise, starting from September 2008, the number of received and solved cases has significantly increased.

Procedures for solving cases: case management

Once a week, facilitators located away from the central office sent their cases received in the course of one week to the Central Office. Such cases are distributed among the case managers (paralegals) to process them. The case managers enter

into the database all actions taken in relation with a case so that the facilitators can trace them and inform the users. At the same time, facilitators also register all processes and actions realized by the user. In that way, agents and facilitators, as well as users, are kept updated in regard to the situation of the case. In case there is some internet connection, facilitators also maintain contact with the case managers via e-mail or telephone contact (for example: Skype®™).

Administrative procedures can last for two or three weeks until they are solved; on the other hand, judicial procedures take three, six or sometimes up to eight months.

Handbooks and Protocols

On the basis of the information obtained during the investigation phase, the Legal Area has elaborated a set of Microjustice Product's handbooks. These handbooks contain clear and accurate information and practices on services offered by Microjustice and are fundamental working tools for the facilitators and case managers.

At the moment, the Microjustice staff has access to the following Handbooks:

1. Microjustice Handbook
2. Civil Documentation Handbook
3. Dignity Income Handbook
4. Property Rights Handbook
5. Basic Rules of the Civil Register
6. Judicial Proceedings Handbook

These handbooks are used during training sessions of the case managers and facilitators in order to get them acquainted with the rules and procedures of the MJB services.

On the other hand all the activities developed by case managers in the Central Office are uniformed in the following Protocols:

1. Protocol on filling-in the files of Case Register
2. Protocol on Register Books
3. Protocol on filling-in the tracking files of the Judicial Actions in the Civil Register
4. Protocol on filling-in the tracking files of the Administrative Proceedings in the Civil Register
5. Protocol on Return of Cases
6. Protocol on Report by Agents

Agreement with the Corte Departamental Electoral (CDE - Electoral Departmental Court)

At the beginning of the program, after completing administrative procedures, case managers were supposed to present a power of attorney granted by the users before the Departmental Court. In order to lower the users' expenses, MJB arranged joint powers of attorney so that several users granted a power of attorneys to one case manager to handle their procedures.

From the signing of the agreement with the CDE, it has been enough just to present the credentials by MJB so that the case manager can file different cases at once; in other words the application of economies of scale has begun. Thanks to this agreement, MJB has access to the databases of this institution and can directly check the type of observation a person has in its document (pre-impressions).

In addition to this, MJB has facilitators who provide their services to the general public within the facilities of the CDE.

1.4 Obstacles in the solution of cases

- a) *Within the institution where the civil documents are administratively processed: courtroom of the Electoral Departmental Court:*
- Lack of awareness of the existence of the agreement between the CDE and MJB
 - Distrust on the part of some CDE officials of the work of MJB as this affects the payment for procedural expenses.
 - There are contradictions in the application of some Civil Register rules, because different solutions are given to similar cases (sometimes they are solved in administrative procedure and sometimes in judicial procedures).
 - Limitation in accepting a lot of procedures at the same time
 - Some officials request a letter from the user authorizing the case manager to effect the procedure.
- b) *In the institution where the identity documents are processed: Identification (Police stations):*
- In 40% of the cases, they request the presence of a lawyer for the presentation and reception of cases.
- c) *In the Courts:*
- In some cases, the presence of a lawyer is required for simple court actions, such as reception of a statement (summaries of process) or a breakdown of documents.
 - It takes a lot of time to review (or not to review) the sent applications related to the cases.
 - Request of additional proofs, many times unnecessary or unreal.
 - Failing in meeting time limits established by the Law for each proceeding before the Courts.
 - Courts establish different prices for the same procedure, which created distrust towards MJB by the users.

1.5 Lobbying

MJB carries out lobbying by means of co-operation with the relevant institutions and also by applying pressure on them.

- a) Lobbying starts with co-operation between relevant institutions in the course of the development of a product by MJ and while solving the cases. One example of co-operation is the one already mentioned carried out with the Electoral Departmental Court in La Paz, and the National Service for Personal Identification (institution in charge of issuing identity cards= Police).
- b) Publication on the web page of the obstacles faced while administrating the cases, under the slogan: "transparency leads to proper transformation".
- c) Lobbying campaigns on specific subjects, such as State Pension (Bono Dignidad) entitled "Obstacles in accessing the Bono Dignidad". The objective the following recommendations have is the reform of the legal and administrative system:
1. *Exempt the citizen from paying for administrative and judicial proceedings for the correction of errors in those cases where the competent institutions are responsible for such errors.*
Why?: The great majority of the errors in the documents (identity cards, birth certificates, marriage certificates etc.) are due to bad performance of

the State officials. In such cases, the State should correct documentation free of charge for its citizens.

2. *Subject a document to administrative proceedings and not judicial when the shown errors are obvious.*

Why? There are many simple and obvious errors that are to be solved through complex judicial proceedings. These processes are usually long and the plaintiff (person) and the defendant (institutions) have to take part in them, but in practice they do not appear in the proceedings. Examples of obvious errors:

- Correction of the date of birth. In a birth certificate of a person, a wrong date was entered while in the other documents the date was correct.
- Ratification of date of birth (the date in the document is smudged; nevertheless there are enough proofs so that it can be confirmed).
- The case is the same when the last name is incorrectly written.

3. *Judicial proceedings regarding documents when the simple things are in question (such as obvious errors) or which are urgent, should be resolved in brief proceedings.*

Why? In the present day, judicial proceedings are litigious and long, and do not make a distinction between real legal cases and simple administrative procedures.

4. *Develop a system for evaluation of the work performed by a public official and establish a system to measure results (for example: the number of solved cases per month).*

Why?: The counters in the court rooms of CDE have neither proven to be organized nor efficient: there are long queues, misleading information, bureaucratic obstacles, bad customer service, etc...In addition, MJB, while performing its work, has to face obstacles posed by the official as well. For example, institutions do not allow representing various people at the same time and do not take into account that the people live in far away communities.

5. *To allow, in the pension (for life) related instances, representation by institutions, persons authorized by the users and accredited lawyers.*

Why? Elderly people, including the sick and disabled, from the far away communities have to travel to personally appear before the Departmental Capital, first to get information and then to carry out the update of the paperwork, without any possibility to have someone else representing them.

1.6 Obtained results

Cases solved by Microjustice Bolivia from Sept. 2008 to 31 March 2009			
Services	Reception of cases	Ongoing cases	Concluded cases
Pre-imprints Civil Register (RC)	711	2	709
Investigations of case before RC	38	6	32
Administrative proceedings before RC	83	28	55
Judicial proceedings before RC	160	147	13
Investigations in Identifications	17	1	16
Administrative proceedings related to Identification	3	1	2
Judicial proceedings related Identification	19	14	5
Declaration of Inheritors / heritage procedure	7	2	5
Judicial orders	39	5	34
Copy of Certificates	12	4	8
Request for reports	32	10	22
Request for attested copies	5	1	4
Request for certificates	9	5	4
Total	1135	226	909

II) SOCIAL AREA

2.1 Facilitators' program

The facilitator's program started in July 2007, with the opening of one facilitators' outlet in the town of El Alto⁶. This outlet is located in one of the branch offices of the microfinance bank FIE, with whom MJB has signed a co-operation agreement.

In the course of the first months of work, facilitators dealt with an average of 90 consultations per month and solved between 4 and 5 administrative proceedings. Consultations they used to receive concerned different issues until, little by little, MJB identifies its work related to civil documentation as a priority.

Types of Facilitators

At the beginning of the program facilitators were people, who worked in the Central Office in order to gain experience, identify main needs and develop working methods. As the program was growing, two types of facilitators were defined:

- a) "Internal" Facilitators are those working in the city (mainly in La Paz). They are mostly interns (recently graduated or completing their last year at a law faculty) who are working in the branch offices of the FIE Bank and in courtrooms of the Departmental Courts (CDE). These institutions allocate space and equipment for MJ in their branches. Currently, the program has 10 interns, who signed part-time internship contract for MJB for the duration of 6 months.
- b) "External" Facilitators are those working in a more independent way as compared to the internal ones, and gain commissions (are paid a fee) for each received case. Among them are NGO staff (from organization such as Christian Childrens' Fund), as well as people from the communities and religious institutions (such as Asamblea de Dios). The first facilitators of this kind started their work in the town of Achacachi.

In the course of this phase of the program, a dissemination program is being elaborated so as to identify and train MJ promoters. The main idea of the program is to work with MJ promoters who would work in schools, hospitals, banks and other organizations, and also community leaders.

Opening of other Facilitators' outlets

At the beginning of 2008, the second facilitators' service center was opened (also in co-operation with FIE Bank) in the town of El Alto. One month later, after a study of the legal needs in the rural area, the first facilitators' service center was opened in co-operation with the municipal government in Achacachi⁷. This is the originating office for the so called external facilitator, who is working in the rural areas; working on commission-basis per each received case.

In August of the same year, facilitators' outlets were opened within the court rooms of the Civil Register (CDE). Through its people in the CDE, MJB can reach the people when they try to arrange their civil documentation themselves, precisely in

⁶ El Alto is the third largest town in Bolivia. It has 800,000 inhabitants, mostly natives. One fourth of the population lives with less than 0.8 \$ per day, and 60% lives at the minimum subsistence level. A significant legal problem is the lack of a property register.

⁷ Achacachi is a town situated 80 km from La Paz, bordering La Paz. It has 85,000 inhabitants. The great majority belongs to the Aymara ethnic group. More than half of its population live with less than 0.6 \$ per day. The main legal problems: documentation, property registration and family affairs.

the offices where the persons who need to sort out their civil documentation are attended, thus enabling them to gain time and process a large amount of cases; that is.

Facilitators' outlets and their opening dates:

1. Office Pacajes (in the town of El Alto). June 2007
2. Outlet 16th of July (in the town of El Alto). January 2008
3. Outlet Achacachi (in the province of Omasuyos, in the La Paz Department). January 2008
4. Outlet Camacho (in the town of La Paz). October 2008
5. Outlet Courtroom Murillo (CDE in the town of La Paz). August 2008
6. Outlet Sala Provincias (CDE in the town of La Paz). September 2008
7. Outlet Courtroom El CEIBO (CDE in the town of El Alto). September 2008
8. Outlet Iglesia Asambleas de Dios (in the town of La Paz). October 2008
9. Outlet CCF (8 in the town and 6 in the rural area in the La Paz Department). October 2008
10. Outlet Villaque (in the province of Los Andes, in the La Paz Department). November 2008

In the present day, the program has 28 facilitators of which 10 are interns.

Supervision and Interaction of the Central Office

The program currently has one supervisor for the facilitators, who periodically carries out field visits, thoroughly follows the work of facilitators, organizes trainings for them and resolves all doubts. The Central Office is currently elaborating a specific program for supervision.

Handbooks and Protocols – Toolbox

As the program develops and the number of cases increases, the elaboration of uniform Handbooks and Protocols has become inevitable. The facilitators use the same Product and Services Handbooks as are developed for the Case Manager (previous chapter), In addition, the facilitator program has its own protocols and document.

The facilitators receive the following documents:

1. Consultation file
2. Case reception and return file
3. File stating which documents have been received from the user and how much has been paid
4. Note book to follow cases and administration in the office

In order to fill-in these files and to avoid any discrepancies, the following Protocols have been elaborated:

1. Protocol on dissemination
2. Protocol on customer service
3. Protocol on reception of cases
4. Protocol on return of concluded proceedings
5. Protocol on charging of the users and administration of the offices

These Protocols instruct and systematize activities of facilitators and enable them to know the way in which to develop their work from the very beginning.

The objective of these documents is to organize the facilitators work. Apart from these documents and handbooks, facilitators and case managers have the web page (www.Microjusticiabolivia.org) to help them in their work. This web-page is a supporting instrument, and it contains specifications for all steps entailed in each proceeding, obstacles one can face while solving cases and types of information related to the MJ services. All these documents, Protocols and Handbooks are the

basic working tools that a facilitator needs (as well as the case manager) to do his/her work. Those tools together are a tool box which is given to facilitators and case managers.

2.2 Co-operation of institutions with the facilitators' program

Institutions that provide MJB with space within its branches and at the same time offer other types of collaboration

- a) Fondo Financiero Privado FIE (Microfinance bank) - During the MJB pilot phase, this entity provided it with a space located in the town of El Alto, but due to the achieved accomplishments and results, it currently provides MJB with three other spaces within its three agencies: Agency Pacajes, Agency 16 de Julio and Agency Camacho (the first two are located in the town of El Alto and the last one in the town of La Paz). Likewise, FIE co-operates in the elaboration of advertising material for the spreading of Microjustice services.
- b) Departmental Electoral Court in La Paz.- The already mentioned agreement with this institution enabled MJB to be present (through its facilitators) in three offices of the Civil Register (courtrooms).
- c) Asociación of Elderly People Tupac Katari and Bartolina Sisa – This association provided Microjustice with a space within its offices. Within that space, a facilitator attends not only to the elderly people, but also to people in general two times per week. In that way, they facilitated with the contact of the organizations within the zone, such as the Board of neighbors, schools, universities, market.
- d) Municipality of Achacachi - The agreement with the Municipality of Achacachi enabled MJB to open the first facilitators' office in a rural area. Two facilitators from the community attend to users on Sunday.
- e) Municipality of Villa Vilaque – Likewise, it provides MJB with a space within its offices. A facilitator (who is a member of this rural community and a Microjustice case manager) attends to people on market days.

The Microjustice Bolivia managed to come into the rural area of the Department of La Paz through these two agreements. Thanks to that, people from nearby communities can also be addressed both in the office in Achacachi and in the office in Vilaque.

Institutions that co-operate with its staff and offices, for the development of the facilitators' program

- a) Christian Children's Fund. (CCF Bolivia Reg. La Paz).- At the end of 2008, an agreement with the NGO Christian Children's Fund was signed. As a result, MJB trained 13 promoters who worked in the outskirts zone of La Paz and provinces of Gualberto Villarroel, Aroma and Loayza of the same department. Promoters are members of the same community, have their own incomes and what they get for processing cases is an additional sum to their income.
- b) Asambleas de Dios de Bolivia (A religious Institution). Two members of the Church Asambleas de Dios were trained as facilitators of the MJB. They receive cases of people with whom they have every day contact (mostly members of the church) and send them to the Central MJ Office for their further processing.

2.3 Results

Facilitators' capacity created

- a) In FIE – 6
- b) In Court rooms of Civil Registry: 4
- c) In municipalities: 3
- d) Through Christian Children's Fund: 13 promoters + trained by MJ 300 parents
- e) Church God's Assembly: 2
- f) Many more facilitators will start soon through:
 - MJB is preparing co-operation with all microfinance institutions in the Department of La Paz, that part of their branches office staff works as facilitators of MJB
 - MJB has planned to involve in this way many other organizations working in rural areas.
 - MJB is preparing a program for MJ in schools and school program.

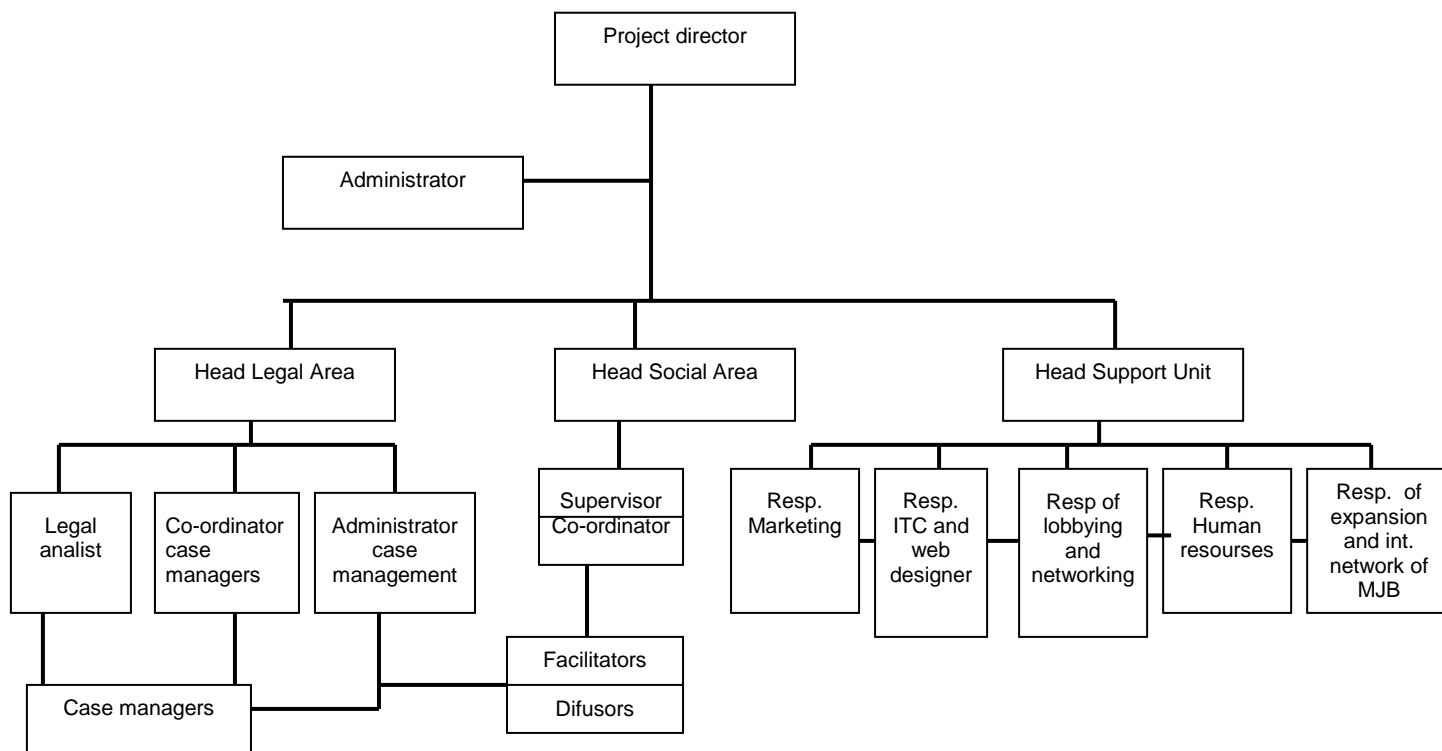
Users and the type of Consults - in Outlets Microjusticia Bolivia 1 June 07 – 31 March 09				
Services	Outlets in FIE	Outlets in CDE (Courtrooms of the Civil Register)	Outlets in rural areas	TOTAL
Child Recognition by father	448	15	60	523
Registration of marriage	100	22	27	149
Registration of death	36	12	14	62
Investigations of cases in Civil Registry (CR)	43	8	30	81
Administrative proceedings in the CR	731	779	110	1620
Judicial proceedings in civil documentation	560	1193	124	1877
Administrative proceedings related to Identity	163	24	8	195
Judicial proceedings related to Identifications	95	12	13	120
Heritage procedure	154	3	3	160
Property rights	549	4	8	561
Family assistance	210	3	5	218
Payment of debt	201	0	4	205
Penalty	32	0	8	40
Consultations related to AFPs	284	0	7	291
Assistance over the phone	98	0	0	98
Car documents & driving licence	50	0	2	52
Obtaining a copy of an official document	40	0	1	41
TOTAL	3794	2075	424	6293

Observation:

- It is important to observe that many of users come back many times, especially when they have a case being managed and resolved by MJB Central. This table contains merely the number of users, but not the amount of consults.
- The majority of the users have come since September 2008.

III) ORGANIZATION OF MICROJUSTICE BOLIVIA

Organizational Structure and central office



Staff: 8 lawyers, 1 IT engineer; some staff members have more than one post.
Case managers: 3 interns, in last phase of their law study.

Website

As the MJB program develops, its website (www.Microjusticiabolivia.org) is continuously being updated and developed. This site was designed as an experimental one, using the open source system Joomla, which allows for easy replication elsewhere and swift updating by the staff (including the non-IT staff).

In addition to the support tools for the facilitators on the website, this website also absorbs consultations by people living Bolivia (who need to get practical information on how to solve their cases) but also from Bolivians living abroad. Currently, as an example, a case of one Bolivian woman living in Spain is in process and, queries by Bolivians living in Germany, Brazil and Argentina are also being resolved.

Database

In order to be able to track cases in a centralized and organized way, a database is being used. All facilitators and case managers have access to this database with the purpose to get updated information on the case. In the course of the program, the database has undergone various changes and has been improved on the basis of the practice.

How does it function?

When the facilitator receives a consultation, (s)he enters the most relevant information on the case in the database: first and last name of the user, type of consultation and aspect, whether it is or it is not a customer of the Fondo

Financiero FIE, need to be satisfied, Microjustice product needed etc. Both the case manager and facilitator update the database. In this way, the main actors (facilitators, case managers and users) are kept informed on the case at every moment. The database also serves to produce statistics that include numbers and types of cases processed.

Training of Facilitators and Case Managers

Up to now, various trainings, of both facilitators (internal and external) and case managers, have been organized. These trainings are given by the MJB staff and officials from the relevant institutions, such as Departmental Court (CDE), Identification (Police), and others.

Evaluation of Functioning: Standardization and Optimization of the Efficiency of Working Processes

As previously described in Part II of the Handbook as regards the methodology, MJB is being advised by certified Microsave consultants (Parity Consultants Bolivia) to evaluate the work procedures, improve the efficiency and uniform procedures so as to lower the prices to the minimum.

Development of Microjustice Methods and Mechanisms of Co-operation with ILA

ILA has initiated the MJB program and still is supporting its development. From the beginning of the MJB Program, ILA has promoted its development through support to its initial team based on its experience, knowledge and contacts, which formed part of a manual of the first progresses of the program. As the time goes by, the local MJB foundation is more and more in charge of the program. However, there remains a close co-operation and support from ILA within the international Microjustice network. The role of ILA is in the technical assistance in the development of the MJ methods and instruments, lobbying, fundraising, project management, therefore during this early phase of developing out of scratch MJ and its methods, there has been strong international presence with 3 experts from ILA (2 Spanish, 1 Dutch).

Microjustice Bolivia as Regional Microjustice Center / MJ International Network

Microjustice is setting up an international network in Latin America through which different country-programs of Microjustice can use the advantages of being part of the exchange network of information, reception and reference solutions, training and learning based on practices in other countries, etc... MJB is being constituted as the Regional Office for Latin America. At the present day, MJ Peru is part of this network (located in the border area of Puno, 300 km away from La Paz, on the other side of the Titicaca Lake) and has been set up with the help of MJB, which has been training the Peruvians MJ colleagues. Microjustice Colombia is in its preparatory phase, and there are contacts with persons who are preparing projects in other countries of Latin America.

Location of the Central Office and Facilitators' Offices

Central MJ Office: H. Manchego Street no. 2550 San Jorge Zone. La Paz.

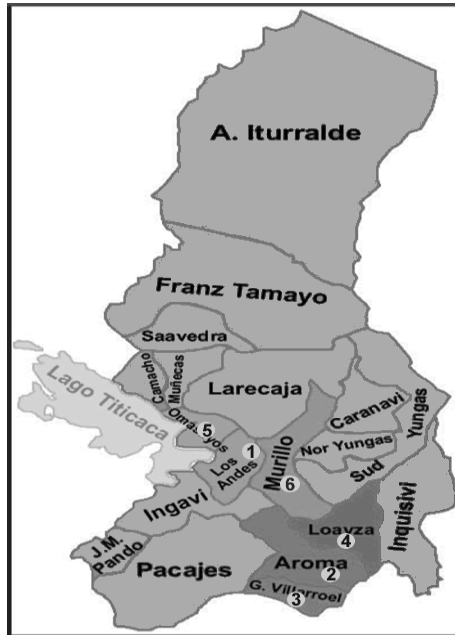
Tel: 591-2430048

info@Microjusticiabolivia.org

Location of the MJB facilitators' outlets in rural areas in the Department of La Paz:

1. Villa Vilaque, Los Andes Province
2. Huari Belén, Provincia Aroma Province
3. Papelpampa Gualberto Villarroel Province

- 4. Jachapampa, Loayza Province
- 5. Achacachi, Omasuyos Province



Location of Facilitators' outlets in La Paz and El Alto



**LIST OF ANNEXES TO THE HANDBOOK MICROJUSTICE
(CD-ROM and on microjustice4all.org/manual)**

1. Contacts and partners of MJB
2. Investigation format
3. Investigation protocol
4. Packages of Products and Services
5. Details of products and services MJB
6. Case managers and facilitators Handbooks
 - Civil Documentation Handbook
 - Dignity Income Handbook
 - Property Rights Handbook
7. Protocols of managers and facilitators
 - Protocol on dissemination
 - Protocol on customer service
 - Protocol on reception of cases
 - Protocol on return of concluded proceedings
 - Protocol on charging of the users and administration of the offices

MICROJUSTICE PERU - Pilot Project

September 2008- March 2009

Introduction

In June 2008, the Association Microjustice Peru (MJP) was created as result of co-operation among various Peruvian lawyers, Microjusticia Bolivia and ILA. Following the Microjustice model developed in Bolivia, in August 2008, they managed to get funding by the Netherlands Embassy in Lima and were able to start a Pilot Microjustice Program in Peru in the Department of Puno⁸ in order to identify the forms of a long-term program.

Since Puno is located on the other side of the Titicaca Lake (4 hours from La Paz), the Bolivian team, together with the ILA team, could be in charge of the project during the preparation and initiation phase. During this phase, the execution of activities was co-ordinated with NGOs with a long experience in the field, such as "DDHH y Medio Ambiente" (Human Rights and Environment) in Puno and Association for Legal Defense (ADL) in Juliaca, as well as with the Universities in Puno and Juliaca. As a consequence, co-operation agreements were signed with these organizations. The Pilot Project had duration of 8 months (August 2008 - March 2009).

On the basis of the results of the Pilot, a more structural program is implemented with the objective to develop more products in more needs, to extend the distribution network, to cover most provinces of Puno and to expand to other departments.

Why Microjustice in Puno - Peru?

The reasons for which the MJ Project was initiated in Peru were similar to the Bolivian ones: excessive bureaucracy, mistreatment by functionaries, predominant corruption, long queues, ignorance of the procedures by the citizens, etc. An evaluation of the region showed that even though Peru has a decentralized administrative structure, unfortunately this is not the case in the practice. In the departmental capitals Puno and Juliaca legal assistance services are offered by state and non-state agencies, but in rural areas no legal services are offered. Additionally these services do not offer solutions by realizing proceedings or other actions necessary to facilitate the access to the rights. They are limited to rendering legal advice.

Through the facilitators' program (more precisely through the Justices of Peace), the Association Microjustice Peru reaches these rural sectors. The case management realising procedures is done through the case managers in the central office.

During the development of the program, in October the first three facilitators' outlets were opened in the towns of Puno, Juliaca and district of Capachica. From thereon, the project has been successfully developed and in the final phase of the Pilot Project well organized central office was in place, which has identified the basic legal needs and has developed basic products and services to fulfill some of the identified needs. At the moment there are 13 operational facilitators' outlets for the citizens.

⁸ Puno is one of south departments of the country, with 1,320,075 inhabitants and annual growth rate of 1,3%.

I) LEGAL AREA

1.1 Evaluation and identification of the basic legal needs and obstacles in Access to rights

In order to identify the legal needs, the team of the MJP has realized different activities:

- The MJP team got in touch with the authorities and functionaries of the public and private institutions/organizations attending to the public.
- Several small surveys of rural and urban population were conducted as regards to their legal needs; nevertheless, this method did not seem to be very efficient, due to the reluctance of the Andean population to talk in general.
- Interviews with the target population who came to the facilitators' outlets
- In the urban zones, in public places with large numbers of people the Microjustice services were offered as well, which has given input to the legal needs (squares, green markets, public transportation stops, queues in institutions, etc).
- In the rural zones, Justices of Peace were contacted, which enabled MJP to get to know the most common legal needs of their clients, and thus the needs in the rural areas.

As a result of these activities, the following list of needs was elaborated:

List of legal needs identified by the Microjustice Peru

Nº	Identified needs	Examples
1	Family affairs	Mainly referred to the violence in a family,
2	Property rights	Possession, property registration, mortgage
3	Criminal problems	Victims of felonies and misdemeanors
4	Family assistance	Alimonies for the underage and elderly,
5	Civil documentation	Registration of birth, matrimony, death, rectification of certificated by administrative, notary and judicial proceedings, ID cards, and other
6	Land-related problems	Delimitation, rectification of areas and boundaries, other
7	Inheritance	Successions without a will, confirmation of will, division and partition
8	Child Recognition	Child recognition by mother and father on a voluntary and judicial basis
9	Money loans and debts	Banks, microfinance institutes, cajas rurales, etc. and other particulars
10	Insurance against traffic accident	When one is victim of a traffic accident to get compensation from the obliged insurance (SOAT and AFOCAT)
11	Dissolution and annulment of marriage (vinculi matrimonii)	By notary, municipal and judicial proceedings
12		Legal establishment of micro and small

	Micro-enterprises and Associations	Enterprises, organizations, associations, rural communities
13	Neighbor Problems	Domestic problems
14	Tax-related problems	Fines
15	Labor Affairs	Remunerations, vacation, dismissing and other
16	Retirement pension	National System for Pensions, AFP
17	Contracts	Selling and buying, rent, exchange/borrowing of money in exchange of goods, other
18	Social insurance	Health and other

Obstacles in reaching these needs:

Where to go to solve the problem

When people have a legal problem, they do not know where to go or whom to ask and when they appear before the public institutions related to the case, the functionaries only indicate them to request for the advice of a lawyer. People in many cases do not have money to pay for the professional fees of a lawyer and/or do not find a trustworthy. They end up in resignation and with no opportunity to make their rights prevail.

Lack of economic resources

People do not have economic resources to realize administrative, notary and judicial proceedings, because they live in poverty. That is, they do not have any possibilities to pay for the processing of certificates, ID cards, etc, let alone for the fees of notaries and judicial proceedings. In addition, people hardly can cover their travel expenses to the City.

1.2 Product Development

The investigation form developed by MJB has been used for the product developed in the basis of the identified needs.

Based on the investigation of the legal needs, MJP decided to work on the following needs for developing its services:

- Civil documentation: Since it is an indispensable requisite to have access to all other rights, it represents one of the priority problems to be resolved. MJP has identified that a large number of people do not have any identity document, or there are some errors in the registered data – either in birth, matrimony or death related documents. In addition, this problem is made even worse in many cases because registers or certificates have been burned during the time of the guerilla (the Lighting Path).
- Child recognition and child support. It is common in Altiplano that people do not get married, and as a consequence there child recognition is needed to establish fatherhood, which is needed to establish the identity.
- Heritage succession procedure. In many cases the problem is connected with lack of identity documentation. As a result, it is impossible to carry out any procedure without having previously rectified all correction in the documents.

- To claim the insurance compensation if one is a victim of a car accident (SOAT). In many cases people are not able to effectively claim the insurance, and lawyers are taking advantage of this situation by using high fees.
- Retirement pension. The resolution of the pension requests is centralized in Lima, in the Office for Provisional Standardization (ONP). A lot of requests of pensioners are not accepted for not fulfilling all the requirements.
- Protection of property rights. Many of the properties in Peru are not legally registered and formalized. Many people do not know the advantage of having its property formalized and protected, and consequently do not carry out necessary steps to protect it.
- Micro-enterprises. People feel a need (especially in the rural areas) for creation of small enterprises. Nevertheless, people do not have access to the needed legal and economic advice needed to legalize an enterprise.

In order to increase the demand of the products in civil documentation, the MJP Program realized that it was necessary to present its products in civil documentation connected with benefits and complementary needs, such as: cash assistance and food support programs JUNTOS, program Vaso de Leche (Glass of milk), reimbursement of the integral health insurance, etc. It is all due to the fact that people are still not aware of the importance to be correctly registered that they have no access to these benefits.

Costs

During the Pilot Program, MJP only has charged the users for the external costs and fees. This was important to gain experience in case management to solve the legal problems in order to be able to set the definite price per each product once the product has been well developed. To gain experience, in some cases MJP also paid the external costs.

With more experience gained, it was possible to calculate the prices, which will be applied in MJP program after the pilot phase.

1.3 Solution of cases / Case Management

The facilitators, located in the facilitators' outlets, receive cases. However, the facilitators interns in Juliaca and Puno do not only receive cases, but also cooperate as case managers in the management of case for their solution.

Drafts of demands, requests and documents are elaborated by the case managers. The Head of the Legal Area, who is an attorney, revises and signs these documents.

Economies of scale have not yet been made developed for all products since there has been a demand in a great range of legal needs, and relatively few cases for every product. However, in all products standardization of the case management takes place: standard demands, requests and documents are elaborated by MJP. Procedures and actions to be realized in case management, content of demands and request schemes were uniformed; the most rapid ways to solve the cases were defined; in case of any doubt regarding the case, respective functionaries should be contacted.

Procedure of case management in urban and in rural areas

Facilitators in towns: law interns

In the town of Juliaca the facilitators are law interns. They are also engaged as case managers in constant co-ordination with Head of the Legal Area. Once, having received a case, all information is introduced in database and then, they are in charge of its updating and of the database with the follow-up. If the case management is to be realized in Juliaca, then the facilitators solve the case themselves. If the proceedings are to be carried out in some institution of Puno, then case managers in Puno are in charge in co-operation with the Head of the Legal Area.

Management of cases received in the rural areas by the Justices of Peace

In the rural zones, the facilitators are Justices of Peace. There are two ways of solving cases in rural areas: a) When the cases need to be solved in the same district, the Justices of Peace are in charge of the case management. In this case MJP only provides the MJ products, which are tools for providing more services than the Justices of Peace could provide without MJ. b) If the solution of the case is to be realized in some institution in the main towns, then they only receive the case, filling-out a file with all the information and necessary documents. They accumulate the cases and every fifteen, twenty days they go to town to deliver the cases. They do not enter the cases in the database, because there is no internet connection in their districts or communities. In some cases, they do not even have a computer. The case managers (interns) from the town are in charge of the updating of the database. In case of legal problems for which no MJ products have been developed, the Justices of Peace send the people to the offices of MJP in Puno or Juliaca, where they are guided and referred to a specialized attorney.

Lawyers' network

A network of lawyers is being setting up for cases that need court representation and/or cases for which no Microjustice products have been developed. These professionals render their services to people who come in any of the MJP outlets.

The advantage for users are to find a reliable lawyer who charges low fees for his/her services (in some cases, it might be free of charge). Currently, two experienced, prominent litigation lawyers, who are above all willing to give social help, have accepted our proposal.

1.4 Obstacles in the solution of cases

Administrative bureaucracy

The formalism and bureaucracy are prevailing in the administrative institutions. The initiation of administrative proceedings has to pass through a lot of offices, and if there is no approval of one functionary in chain, the entire proceedings stops. A lot of functionaries do not provide adequate information for the solution of a case. The functionaries often fail to meet time limits. Often the functionaries ask for extra documentation and other things which are not included in the formal requirements provided in the TUPA (Unique Text of Administrative Proceedings) in contravention with the administrative principles.

Difficulties in Obtaining Evidence/Proof

The MJP users have difficulties gathering all necessary documents for the processing of their cases, either because documents must be requested in a place which is not the place they live and/or, they must collect enough money to obtain the relevant document. As a result the case cannot be initiated until all evidence/proof is gathered.

1.5 Lobbying

MJP has started co-operation with some relevant state institutions or institutions directly involved in the development of the products and solutions of the cases. For instance, a case manager can obtain direct communication regarding how to solve more complex cases with the Head of the Civil Register Office, consultations are held directly also with the Office that provides IDs (REINIC) prior to the initiation of a case, MJP also has open communication with a Judge in charge of the solving of some cases initiated by the MJP, etc. On the other hand, if a functionary, does not do his/her work as (s)he should be, MJP looks for support or back up by another institution of the State, which has certain influence, such as Ombudsman Office or Prosecutor's Office.

II) SOCIAL AREA

2.1 Distribution of the products by Facilitators

Development of the facilitators' program

The idea at the beginning of the program was to copy the MJB model, i.e., in the towns to have law students that might co-operate within this initiative and at the same time gain professional experiences. Nevertheless, it was necessary to find facilitators in the rural areas, as well. A field assessment took place to identify the potential facilitators in the rural area. After extensive consultations, the figure of the Justice of Peace was identified as the ideal facilitator.

Who are facilitators?

In the urban zones - interns

Students completing their last year at the Law Faculty are offering Microjustice Products in the urban areas with guidance, legal consulting and case solving. They are young people who are trying to gain professional experience, earning a small stipend this way, who would get certificates after finishing his/her professional practice within the MJP.

Once the facilitators were selected, two facilitators' outlets were opened in October in the urban areas:

- In the town of Juliaca. The facilitators' outlet was set up in the office of the Legal Defense Association with two facilitators providing services (interns).
- In the town of Puno. The central MJP office, functioned as facilitators' outlet as well working with one one facilitator (intern).

In the rural zones - Justice of Peace

Justices of Peace in Peru are at the lower hierarchical level in the organization of the Justice Department. Each district of the country has one Justice of Peace. Justice of Peace is not a lawyer, but a distinguished citizen who enjoys the trust of its community, who has some notary functions (compra-venta (buy-and-sell) etc), as well as mediation in family matters, establishing of land limits and light crimes. The Justice of Peace is a citizen elected by his/her community, who neither receives any commission nor any logistics support by the State for his work.

Microjustice would give the Justice of Peace extra instruments to help the rural population with their legal needs.

Co-operation started first with a Justice of Peace in the District of Capachica, followed by the recruitment of more Justices of Peace in other communities. In November, MJP thus opened four new outlets in other districts of Puno: Huata, Coata, Chucuito and Huayrapata. It is envisaged to open additional outlets in the entire district of Puno. These Justices of Peace operate as facilitators providing legal guidance and consulting to the people in their communities.

The reason for implementing a network of Justices of Peace as facilitators is mainly due to the fact that there are several Justices of Peace in each district, rural center or community (in total 5000 in Peru). They have a permanent structure for access of basic justice in the rural areas. MJP works with them, providing them with necessary tools (handbooks, protocols, products, etc), so that they can help the people also in other legal issues, for which people normally had to travel to the departmental capitals.

Strategy for the development of the co-operation with the Justices of Peace in a structural way:

- a) Have a clear *brochure, explaining clearly* its principles and objectives, especially the reasons why a contribution by the users is needed to attain auto-sustainability, so that a permanent justice program can be developed. The brochure should help to convince the local authorities and people about the importance of Microjustice and its working method.
- b) Prepare a stable and clear program of Justices of Peace which will contain the following:
 - List with clear products and prices;
 - Necessary tools so that the Justices of Peace, in case they themselves manage the solution of the cases (delivery of well developed products, protocols, handbooks, etc.).
 - Ways of payment and compensation for the reception and transfer of cases to the Central Office.
 - Joint and numerous trainings of Justices of Peace in different places, in co-operation with the Judiciary (Office of the Support to the Justices of Peace) and other organizations that are working with the Justices of Peace (Instituto de Defensa Legal).

MJP has already developed co-operation with the Judiciary of Puno, to do joint training.

Facilitators' outlets

Currently, Microjustice Peru has the following facilitators' outlets in the Department of Puno:

In the province of Puno:

- In Puno: 2 facilitators
- Courts of Peace in the district of Capachica: One facilitator.
- Courts of Peace in the district of Coata: One facilitator
- Courts of Peace in the district of Huatta. One facilitator
- Courts of Peace in the district of Chucuito: One facilitator
- Courts of Peace in the district of Tiquillaca: One facilitator
- Courts of Peace in the center of Huayrapata: One facilitator

In the province of San Roman:

- In Juliaca: Two facilitators
- Courts of Peace in the district of Cabana: One facilitator
- Courts of Peace in the district of Caracoto: One facilitator
- Courts of Peace in the district of Cabanillas: One facilitator

Total: Thirteen (13) facilitators

Handbooks and protocols

In order to help the facilitators and case managers in their work, a set of handbooks and protocols has been elaborated to standardize all activities and economize efforts.

Products Handbooks:

- Civil Documentation Handbook
- Child recognition (Part regarding Voluntary Acknowledgment) Handbook
- Child allowance Handbook (the first version)
- Insurance Compensation Handbook (SOAT and AFOCAT)
- Legalization of Micro enterprises Handbook (the first version)
- Forming legal entity of Farmers' Communities Handbook (the first version)
- Conventional separation and subsequent divorce in administrative way (or Uncontested divorce) Handbook
- Pension for Retirement Handbook (in the phase of elaboration of the first version)
- Heritage Handbook (in the phase of elaboration of the first version)

Likewise, in the basis of the protocols developed by Microjustice Bolivia, MJP has developed the following protocols developed:

- Protocol on customer service
- Protocol on dissemination
- Protocol on how to register the new user in the users' file and case assignment
- Protocol on reception of cases

Supervision

The Head of Facilitators coordinates directly with the interns in Juliaca and Puno. The Justices of Peace are under direct supervision and co-ordination of Justice of Peace from Capachica, because he is a pioneer in the implementation of the Microjustice in the rural area. In his turn, he coordinates the activities with the Head of Facilitators, who is his supervisor.

2.2 Results

Table of consults and cases received/solved in the pilot phase

Consults and Attended cases by MJP from October 2008 to March 2009				
Issue/Products	Consults	Reception of cases	Ongoing cases	Concluded cases
Civil. Doc				
Gathering of information	15	2	1	1
Proceedings for untimely birth registration	38	4	4	
Proceedings for rectification of certificates in administrative way	17	6	2	4
Certificate rectification proceedings before Court	22	3	3	
Proceedings for replacing an invalid birth certificate for a new valid one	4	1	1	
Obtaining ID card	13	1		1
Proceedings for ID Cards when the time limits for requesting it properly have not been respected	20	4		4
Proceedings for duplicate of ID card	2	4	1	3

Obtaining ID card for minors	6	2	2	
Proceeding for change of the name before the Court	22	3	2	1
Child recognition				
Proceedings for voluntary paternity and /or maternity acknowledgment	10	55	2	53
Proceedings for child recognition before the Court	11	1	1	
Child allowance				
Proceedings to request child allowance before the Court	20	2	2	
Proceedings for payment of child allowance before the Court	55	1	1	
Property Rights				
Gathering of information	95	13	6	7
SOAT Products				
Proceedings for indemnization of temporary disability	11	3	3	
Heritage procedure				
Gathering of information	0	1	1	
Heritage without a will	10	2	2	
Proceedings for verification of will	0	1	1	
Other				
Gathering of other documents	120	10	3	7
Proceedings for Personal Guarantees	3	2	1	1
Elaboration of other kind of requests (Simple)	0	1	1	
Writing of affidavits	0	0		
Registration and reorganization of Board of Directors of Rural Communities	0	1	1	
Total	494	123	41	82

III) ORGANIZATION OF MJP

3.1 Organization

Microjustice Peru is working with young lawyers and one IT engineer, who have experience with the work of promoting and defense of human rights, and who are committed to social service for the population. In the team there are also interns of Law School and Justices of Peace from the district of Puno.

Collaborating with the persons implicated in the Microjustice network (ILA, International Microjustice and MJB), the MJP team initiated its activities in August 2008, selecting the staff and establishing the central office, as well as institutional contacts. In September, staff training was organized by MJB in the town of La Paz. Since then, working guidelines for the 2 areas and the organizational structure have been consolidated.

The MJP organizational structure is based on the MJB organizational structure. Presently, the program has the following posts:

- Director
- Head of Legal Area
- Head of Social Area
- Head of Support Area
- Case Managers (interns) - 2
- Investigators (interns) - 2
- Facilitators (interns and Justices of Peace) - 13

Training and Co-ordination

Training of the MJP team represents a crucial element, and is provided on a permanent basis. A meeting with the Justices of Peace is organized on a monthly basis in order to share their experiences, progresses and difficulties; visits to district are planned and new MJ products are proposed. In this way the team of the central office maintains in contact and co-operation with them.

3.2 Partners and co-operation agreements

In order to effectively develop the Microjustice Program, the co-operation with related organizations is formalised. During the first phase of the implementation of the Pilot Project, MJP received the support of the following institutions/organizations:

- National Register of Identification and Marital Status.
- Office of the Civil Register of the Municipality of the Province of Puno
- Office of the Civil Register of the Municipality of the Province of San Román
- Ombudsman Office of Puno
- Ombudsman Office of Juliaca
- Program for Cash Assistance and Food Support JUNTOS
- Other non-governmental organization, such as Association of Faith and Human Rights, Center for Human Development. Meetings were held and contacts were made with them in order to present the MJP work to them.

During the second phase of the program, while doing the investigations to develop products and while processing cases, new contacts with the other institutions/organizations were established, for instance with: National Institute for

Protection of Consumers and Intellectual Property (INDECOPI), Regional Archive of Puno, Office of the Public Register in Puno of the National Superintendent and National Public Register (SUNARP).

On the other hand, taking into account that Microjustice is closely related to the world of Microfinance and in the basis of the good results obtained in Bolivia through the co-operation with the Microfinance bank FIE, MJP has made steps towards the signing of a cooperation agreement with the microcredit financial organization Pro Mujer Perú. Moreover, it is planned that other financial organizations of this kind would be found and agreements with them would be signed, as well.

Co-operation

Presently, co-operation agreements with three non-governmental organizations have been prepared:

- Association of Legal Defense (ADL)
- The Southern Institute of Andean Research Action for Development of Human Rights (ISADH)
- Association of Human Rights and Environment (DDHH y MA.)

And a state institution:

- Ombudsman Offices of Puno.

It was not possible to sign agreements with some state institutions/organizations directly involved in the solving of needs, which is exactly the field where MJP is trying to work, due to the fact that the state institutions/organizations *“solely make alliance with private entities if the service they offer is totally free of charges, because otherwise they would be a target of criticisms which could be a source of conflict”*

Although no agreements are signed, MJP co-operates well with these institutions.

The second table shows the organizations/institutions that the program co-operates with and what the co-operation consists of:

INSTITUTION	TYPE OF CO-OPERATION
Association of Legal Defense (ADL)	<ul style="list-style-type: none"> ▪ An Agreement on Inter-institutional Co-operation was signed. ▪ Opening of one MJP facilitators' outlet in the ADL offices. ▪ Separation of judicial and administrative cases. ▪ Consulting in the solving of complex judicial and administrative cases. ▪ Facilitation of contracts with organizations it is working with. ▪ Advertising space at the radio station.
Southern Institute of Andean of Human Rights (ISADH)	<ul style="list-style-type: none"> ▪ An Agreement on Inter-institutional Co-operation was signed. ▪ Referral of administrative and judicial cases. ▪ Contact with provinces where they develop their work. ▪ Joint training program of the population in the provinces where they work. ▪ MJP proposes to train its leaders so as to work as facilitators.
Association of Human Rights and Environment	<ul style="list-style-type: none"> ▪ Agreement on Inter-institutional Co-operation prepared ▪ Referral of judicial and administrative cases. ▪ Joint training program of the population in the provinces where they work. ▪ Information on provinces where MJP could develop their work.

Ombudsman Offices of Puno and San Román	<ul style="list-style-type: none"> ▪ An Agreement on Inter-institutional Co-operation was signed ▪ Referral of administrative and judicial cases in civil documentation. ▪ Provide for the information on the zones with the most people with different legal needs.
National Register of Identification and Marital Status (RENIEC) of Puno and San Román	<ul style="list-style-type: none"> ▪ The institute is referring judicial cases to the MJP ▪ Training of MJP team ▪ Consulting in the solving of complex judicial and administrative cases.
Office of the Civil Register of the Municipal de Puno	<ul style="list-style-type: none"> ▪ Referral of administrative and judicial cases in civil documentation. ▪ Consulting in the solving of complex judicial and administrative cases.
Association of Faith and Human Rights (FEDERH)	<ul style="list-style-type: none"> ▪ Referral of administrative and judicial cases. ▪ Provide for advertising space to MJP in its radio broadcasting.
Center for Human Development (CEDEH)	<ul style="list-style-type: none"> ▪ Referral of administrative and judicial cases. ▪ Joint training program of the population in the provinces where they work.
Municipal Office for Child and Adolescent Protection (DEMUNA) in Juliaca	<ul style="list-style-type: none"> ▪ Referral of administrative and judicial cases. ▪ Support in disseminating the MJP project within its offices.
Program for Cash Assistance and Food Support JUNTOS	<ul style="list-style-type: none"> ▪ Provide information about the zones where most people with problems related to the civil documentation and other legal problems are located. ▪ Proposes to its promoters to work as MJP facilitators. ▪ MJP provides legal assistance to the beneficiaries of its new support program dedicated to productive micro-enterprises.

3.3 Support Unit

Website

During the Pilot Program, the first version of the Website (www.microjusticiaperu.org) was designed. This website is a useful tool for offering information, legal advice, and distribution of products, communication and solving of cases, for both the population, facilitators and case managers.

It is also relevant for some organizations both public and private, because it has posted handbooks, list of products, activities realized by MJP, etc. Until March 2009, the website was visited 3435 times and received two queries from other Departments of Peru.

During the design of the website, the importance was not only focused on its creation and design, but the maintenance as well. Therefore, the *content Management Systems* or CMS was chosen. It is a tool that allows easy designing and maintaining of the website.

Database

Through database, the cases and follow-up are registered. In this way, information on the situation of proceedings can be obtained easily and rapidly. Through this database it is possible to visualize in a practical way a general or particular report (as requested) of all consults and received cases.

3.4 International support

MJP receives constant support by:

- International Legal Alliances (ILA) – It co-operates in: a) supervision and co-ordination; b) management support technical assistance; c) support in fundraising; d) international network; e) elaboration of MJ International Handbook
- Microjustice Bolivia (MJB) - It co-operates in: staff training sessions; b) management and technical support; c) elaboration of plans and strategies; d) co-ordination of activities.

List of annexes to the Microjustice's Handbook (CD-ROM and on microjustice4all.org/manual)

1. Contacts and Partners of MJP.
2. Research Form.
3. Research format Protocol.
4. MJP's products pack.
5. MJP's products and services detail.
6. Facilitators' Manual//handbook.
 - Civil documentation Manual/handbook.
 - Extramarital filiation Manual/handbook.
 - Family Assistance Manual/handbook.
 - Divorce and conventional Separation Manual//handbook.
 - Traffic Accidents Compensation Manual//handbook.
 - Declaration of Heirs Manual//handbook.
 - Retirement Pension Manual//handbook.
 - Microbusiness Formalization Manual//handbook.
 - Renewal of rural Communities directive Boards Manual//handbook.
7. Facilitators' Protocols.
 - Diffusion Protocol.
 - Attend user Protocol.
 - Receipt of case Protocol.
8. Forms
 - Attend user form
 - Receipt of case form

CROSS-BORDER LEGAL PROGRAM SERBIA-CROATIA

Legal rehabilitation of the refugees 2000/2009

Introduction

When Croatia declared its independence from Yugoslavia in 1991, the majority Serb areas in Croatia declared in their turn independence within Croatia. The latter was not accepted by the international community, and the Croatian army expelled the Serbs from these areas in 1995. As a result around 300.000 left their homes and fled in majority to Serbia. The region of Vukovar at the border of Serbia was the only region in Croatia that was still Serb-hold, but in the period 1996-1998 also Vukovar was reintegrated into Croatia, however in a peaceful way in the transitional administration of the UN (UNTAES).

ILA started its programs January 1998 when the UN was withdrawing as transitional administration and this Serb-hold area became again an integral part of Croatia. At this moment the Croat internally displaced persons (IDPs) returned to their pre-war homes and reintegrated with the Serbs living there (to the extent that they had not left for Serbia). This reintegration process of former neighbors, who had been separated since 1991 by the war, was hard. A lot of discrimination took place against these Serbs, also from the part of the legal system. The more so, many Serbs living in Croatia did not yet have their Croatian paper work in order (since they never had lived in an independent Croatia; before the war it was part of Yugoslavia, and from 1991 they had lived in an illegal Serb-hold state). One of the activities was to arrange the legal and document issues of the Serb IDPs who were still living in the Vukovar area after the reintegration.

From 2000 onwards the focus of ILA shifted to the refugees from Croatia in Serbia (around 300.000 at that moment), and developed a cross-border legal program for the restitution of the rights of these uprooted people.

ILA in co-operation with its partners, lawyers and case managers' networks in Serbia and Croatia, has been providing legal solutions to the target group to retake their lives after the war, either by going back to their places of origin or by integrating in Serbia. Until 2005 ILA worked on a wide scale of legal needs. Until present, ILA is still helping the people to arrange their civil documentation, which is a precondition for durable solutions.

The program has been implemented with the financial support of various donors, of which are most important the Dutch Ministry of Foreign Affairs, UNHCR, private charities (Foundations: Meerle, Liberty, Dijkverzwareing, private persons etc) and initially also the EU.

Until July 2008, the microjustice program has been funded completely through the contributions of these donors, without any own contributions of the users. Since a post-war rehabilitation process is limited in time, the own contribution to guarantee sustainability is not always necessary. The more so, victims of the war are not responsible for losing everything and there is a responsibility of their state and the international community to help in the rehabilitation of their rights. However, the document service is needed for much longer, and since 2008 the users are providing their contribution in the costs.

Since the largest part of the problems has already been resolved and the large-scale Microjustice program was implemented in the period 2000-2004, the manual focuses on this period.

I) LEGAL AREA

1.1 Legal Needs

Legal needs of the refugees in 2000-2004

An important aspect of the peace process in the former Yugoslavia was the overwhelming need for cross-border solutions for the legal and administrative problems of the refugees. The falling apart of Yugoslavia into six new republics did not only result in huge waves of refugees, but also into many new borders and frontiers. In order to solve their legal and administrative problems, most refugees had to cross borders that until recently were closed to them.

ILA's local partner organization Humanitarian Center for Integration and Tolerance (HCIT) in Novi Sad/Serbia, was providing legal assistance to the refugees from Croatia and Bosnia-Herzegovina (BiH) in communities in the North of Serbia with large refugee concentrations. The legal needs of the refugees, identified through the field work, were related to their places of origin in Croatia and BiH:

1. Property / Housing
 - Reclaim of Private Property.
 - Solution for pre-war Occupancy/Tenancy Rights.
 - Compensation for Property / Housing damaged as a result of 'terrorist acts ':
 - Reconstruction loans.
2. Administrative and/or declaratory proceedings to access basic rights
 - Inheritance proceedings.
 - E/ Extra-judicial proceedings.
3. War-related obligatory claims:
 - Force majeure, abuse of circumstance, duress, delayed payment of debts etc.
 - Annulment of contract cases
 - Pensions: Debt payment litigations
 - Employment relation's litigations
4. War Crime Prosecution and the implementation of the Amnesty Law

Legal needs of the refugees in 2008

The local Microjustice partner HCIT is the only organization still providing legal assistance to the refugees from Croatia and BiH. The main need which remains unchanged is to obtain civil and other documents on a cross-border basis in the places of origin. Furthermore, there is a need to have access to property (especially socially owned flats, which issue is still not solved in a satisfactory way), reconstruction loan, pensions (requiring work books), etc; all these needs require administrative procedures (forms filled out with the help of HCIT lawyers) and sent by mail to the relevant instances in Croatia.

Need for documentation on a cross-border basis

Thus, the demand for legal documentation is constant, and, although on a smaller scale, still exists in 2008/09.

The refugees from Croatia did not have Croatian documentation; only invalid papers from the former Yugoslavia and from the Serb Republic of Krajina within Croatia. Furthermore, with the desintegration of Yugoslavia and because of the wars many administrative records have been lost or damaged. Therefore it is often very

difficult to obtain these documents. This has far reaching consequences: without proper documents, no travel document can be obtained. And without a travel document, the refugee is unable to cross the border to obtain other documents for him/herself. But the Croatian documentation is also needed for the integration in Serbia of the refugees. He or she has to present proof of place of birth and of present nationality.

1.2 Product development and solution of cases

In the year 2000, ILA created a network of lawyers, case managers and volunteers on both sides of the border (Serbia-Croatia). Since then ILA has been able to supply thousands of refugees with documents like e.g. birth-certificates, citizenship-certificates and proof of property. Most of these documents are necessary to prepare return to the country of origin or to start a new life in the host country.

In the identified other legal needs of the refugees in Serbia, ILA through its lawyer's network in Croatia has developed around 500 court cases, which were complemented by lobby activities.

More specifically, there has been obtained a significant number of ownership and possession certificates and extracts from land books in Croatia. In this way, refugees were enabled to accelerate the application proceedings on the reconstruction of houses or apartments in Croatia, initiate proceedings for the protection of ownership rights, to have the real estate property at their disposal, and to be able to perform all types of real estate transactions (purchase, transfer of ownership, etc.). They could also initiate proceedings for compensation for damage, apply for compensation on the basis of the expropriation regulations, finalize the proceedings for an invalid allowance, exercise their right to be freed from paying the court fees and expenses, etc.

Cross-border document service 2000-2009

The most basic and massive product has been obtaining civil documentation for the refugees in Serbia in their places of origin in Croatia.

Until June 2008, the mechanism has been as follows: network lawyers/facilitators in Serbia (mainly lawyers of the implementing partner HCIT, but also the local Red Cross, Commissioner for refugees and IDPs and other local organisations) get certified power of attorney of the refugee. The ILA office in Vukovar (at the border with Serbia in Croatia) collects the documents, and sends them to case managers in Croatia for their resolution in the relevant instances, and the obtained documents are returned in the same way. The costs of the processes have been completely covered by donations.

Simplification and cost compensation since June 2008

Since 2008 the procedure has been simplified. Most document requests are related to the Civil Registry, and according to the new organisation one can obtain its documents in any place in Croatia. This means that ILA's Vukovar office at the border with Serbia can get the documents directly without the intervention of a case manager in the places of origin.

Since 2008 the users are also contributing in the costs of the procedures; all external costs (mainly taxes) and a symbolic contribution into the programs' costs. As of June 2008, averages of 80 applications per month have been requested. This average did not change significantly despite the beneficiaries started paying a little amount for the service.

Network of case managers in Croatia who obtain more complicated documents in the places of origin

The program also involves a network of case managers in Croatia, who through a power of attorney obtain the documents for the refugees in Serbia:

- Cancelling residence in Croatian
- Birth certificates in case that an additional register is needed
- Labour history certificate / work book
- Onwnership books
- Diplomas

1.3 The obstacles and lobbying

In the years just after the wars, restoration of rights related to property, tenancy rights and settling old debts was not easy. There were many legal obstacles on the way. Intensive co-operation with lawyers and courts on both sides of the border was mandatory. One needs a lot of patience to find structural legal solutions for problems related to e.g. housing and ownership. A lot of 'pushing and pulling' needs to be done. This means a combination of test court cases, writing comprehensive reports, lobbying, organising seminars and thematic meetings and everything else that is necessary to come to solutions for unresolved conflicts.

Double obstacles

The refugees in Serbia were facing double obstacles in having their rights in Croatia returned. Refugees must undertake legal and administrative procedures across the border in Croatia to access their property and acquired rights for the following reasons:

- Croatia is a "new country" for them, requiring new citizenship documentation etc.
- Refugees have lost their houses, land, movables, and many other acquired rights due to their forced displacement

In these procedures, they face a great number of obstacles in the legal system in Croatia, which is not only inefficient in general but is functioning in a discriminatory way towards the refugees.

Lobbying campaigns to resolve legal obstacles

Legal obstacle Report

At the end of 2004, ILA drafted an overview of legal challenges and obstacles to the refugees' return and access to exercise a wide range of rights of refugees from Serbia to Croatia. The report describes and points out the importance of a regional approach and the further development of a cross-border legal mechanism to restore the property and acquired rights of the refugees. The document has been made on the basis of experiences and information collected by ILA and its partners during the implementation of Cross-Border Legal Program 2001 – 2004, as well as on the basis of the latest reports and information collected by relevant international organizations. The document represents a simple overview of problems, a statistic overview of work and results, as well as a set of recommendations for overcoming the detected problems.

ILA presented this report to the EU just before finishing its position paper on the possible accession of Croatia to the EU.

In the late 1990s, successful lobby campaigns were also undertaken on the basis of other reports ILA published on special issues as: "Post-war debt collecting, and the case of force majeure " and "War Crime Prosecution" as a reaction to the arrest of many innocent Serbs for so-called war crimes in Croatia.

1.4 Results

The break-through: the cross-border network of ILA

Since 2001 ILA supplied over thirty thousand refugees with documents. The multiplier effect is enormous since every person who obtains his/her documents can travel to Croatia and arrange the documentation of family members and friends.

Once obtained their documents, the refugees are no longer dependent on humanitarian aid and can build up their lives independently, go to school, to university, to apply for a job or a elderly pension or to marry. Some of them returned to Croatia and were able to reoccupy their property thanks to the documents they obtained through ILA's cross-border legal network. Others successfully applied for financial support for the reconstruction of their destroyed houses. But the majority has chosen to get the Serbian citizenship and settle in Serbia.

Through the court cases ILA has been able to remove a number of legal obstacles. Structural solutions were obtained through a combined approach of creating jurisprudence and of lobby-activities in close co-operation with local organisations of lawyers.

Results in cross-border legal representation in court cases

Due to limited financial and human resources ILA has not been able to provide support to all clients in need. Selection of legal cases that were assisted by ILA's partner lawyers and represented before the Croatian courts has being done by ILA's co-ordinators and partner organizations attorneys based on agreed criteria as positive legal diagnosis and nature of a case; difficulty of violated right and consequences for a client; social position of a client; expected expenses and length of a procedure etc. In this context, to have the greatest return on investment, the Program has been trying to select and deal with the various kinds of cases in a balanced manner.

2001- 2004 - court cases in Croatia

Group of cases	Total Number prepared cases	Number of closed cases		No. of cases filed European Court for Human Rights
		Positive	Negative	
1. Damage compensation	32	20%		2
2. Occupancy / Tenancy rights	37	14,3%	14,2%	2
3. Property cases	87	61,5%		1
4. Criminal proceedings	18	26.6 %	6,7%	-
5. Debt payments	21			-
6. Inheritance procedures	62	48,5%		-
7. Extra judiciary procedures	16	77,8%		-
8. Employment litigations	10	100%		-
9. Contract annulments	19			-
TOTAL	302*	40,6%	2,3%	

*This is the result of the program executed with the Serb partner HCIT. Parallely, around 200 legal cases in similar issues were undertaken in collaboration with the Croatian partner ToD.

Results on issuance of administrative documents Period 2001 to 2008	
Citizenship certificates (Domovnica)	7668
Birth certificates	10365
Death certificates	178
Marriage certificates	1267
Ownership certificates	873
Working booklets	848
School diplomas	483
Various attestations	6428
Other certificates	2607
TOTAL	30.717

II) SOCIAL AREA

2.1 Facilitators' Program

Legal network in Serbia through co-operation with local networks on the field in Serbia and Croatia

2000-2004

First of all the network was made up of lawyers of HCIT who themselves are refugees from Croatia, with the combined UNHCR/ILA funded field program to provide legal assistance in the communities with refugee concentrations.

Cases from Central and South Serbia were referred through co-operation in a network of organizations as the Serb Commission for Refugees, local Red Cross, Serb Democratic Forum (SDF), Danish Refugee Council, and Swiss Development Cooperation. In this way a wide-spread network was created of offices and antennas in remote areas as well as in areas with larger concentrations of refugees. ILA has offered its cross border network of lawyers/case managers to these organizations. These organizations sent the requests for documents by mail to the HCIT office in Novi Sad, which was handing them over with their own case-load to the ILA liaison person from Croatia on a weekly basis.

In the period 1 October 2000- 31 December 2003

Number of visits: 993 or 27,58 field visits per month

1.- Legal Assistance:

Number of beneficiaries: 14,272 persons or 14,37 persons average per field visit

2.- Legal services:

- 35,394 legal services or 2,48 per person
- Out of 35,394, services: 13,688 verbal legal advice and information or 38,67% cases
- 14,985 different forms filled out or 42,34% cases (powers of attorney, requests, different forms etc.)
- 6,721 written applications, appeals, requests, charges, proposals, contracts, last wills, inheritance statements and other documents or 18,99% cases

Some persons came more than once for legal advice, thus there are a little less than 14,272 direct beneficiaries. The number of indirect beneficiaries is much higher, because most people came to arrange legal and administrative matters from which the entire family is benefiting. Thus, through the multiplier effect the number of beneficiaries is at least 4 times higher. Also influencing the multiplier effect are the media activities and the beneficiaries telling about the possibilities to their environment.

Facilitators program in 2008/09

ILA is still working with the HCIT network of lawyers' facilitators in the north of Serbia. HCIT is also having access to Central and South Serbia through the network of organizations working with the refugees and that refer the document case to HCIT by mail: local Red Cross and Commissioner for Refugees and IDPs, municipal centers for Social Work etc.

2.2 Organization of Training and Meetings of the Lawyers Network

In addition of the Cross-Border Legal Program, ILA implemented an additional legal capacity building program in Croatia in the period 2000-2003. This program organized in each year 3 training seminars and/or conferences, bringing together the network human rights and refugees' expert lawyers from all over Croatia. The lawyers have received practical training in using the European Human Rights Mechanisms, which many of them have brought into practice. It has been of great importance for the lawyers to support one another in the difficult legal context and to exchange experiences, finding out that there is no unity in the court practice. In these meetings, often Government representatives were invited to exchange views on the solution of the legal obstacles.

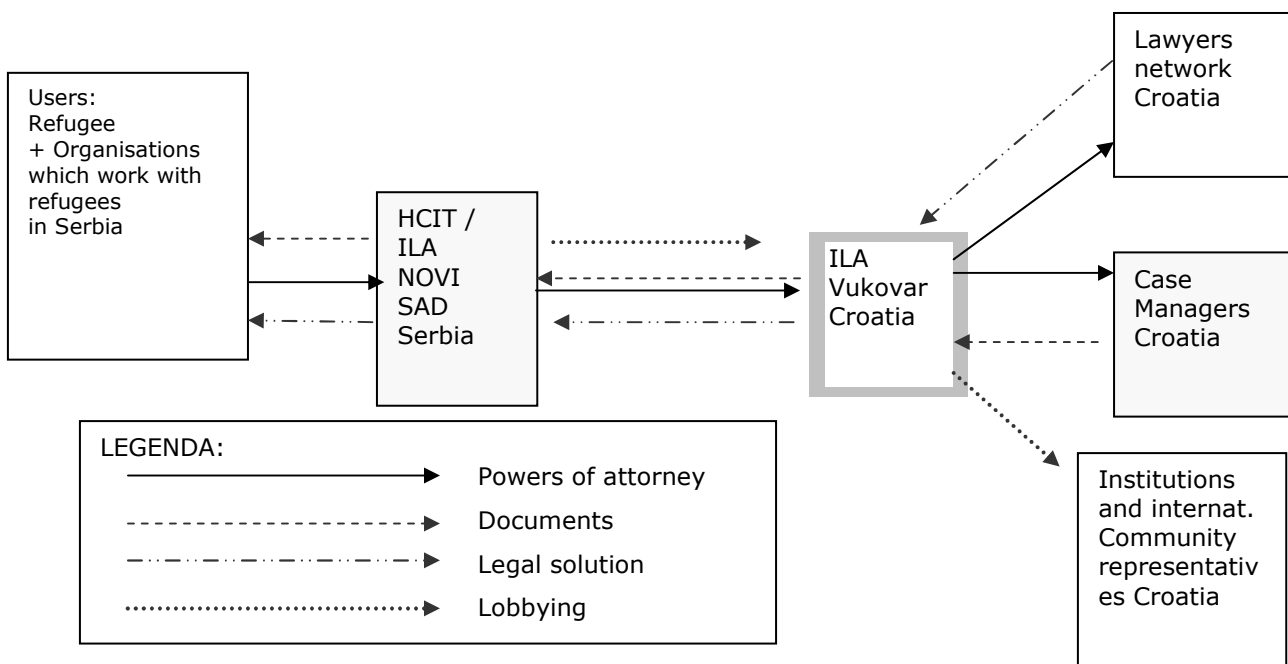
III) PROGRAM ORGANISATION

The Cross-border legal program has a central office in Vukovar, which is a locally registered office of ILA with local staff working many years for the Program as case managers, co-ordinating between the field in Serbia and the solution of the cases in Croatia.

The facilitators work through the HCIT office in Novi Sad, visiting the places with refugee concentrations in Northern Serbia on a regular basis, to help them with their legal needs and to take in the cases to be solved.

Every other week, the Vukovar staff goes to Novi Sad to co-ordinate, to receive the cases to be solved in Croatia and to bring the documents and results of court cases. ILA supports and supervises the program through e-mail, Skype, reports and regular visits.

ORGANISATIONAL STRUCTURE CROSS BORDER LEGAL ASSISTANCE PROGRAMME INTERNATIONAL LEGAL ALLIANCES



Program 2000-2004 – examples of document cases

Scholarship

Zeljko B. is 19 years and originates from Zadar in Croatia. He lives as a refugee in Popinci in Serbia. The only document he possesses is his refugee identity card. Zeljko with an excellent pupil in secondary school and recently passed his entrance exams for university with high marks. Because Zeljko was unable to show his birth-certificate he was unable to register at the university as a student and also lost the opportunity to apply for a scholarship. Since his parents aren't well off, they had no means to travel to Croatia to obtain the necessary documents for Zeljko. Finally he succeeded through the ILA-network to obtain his documents and at present he studies with a scholarship at the Technical University of Belgrade.

Widower

Nenad T., 55 years old, was born in Dreznica in the municipality of Ogulin in Croatia. Now, he is accommodated in the Collective Center in Pancevo and in a very difficult material situation, since he is not able to find any work. He came to Serbia after the 'Storm' operation in 1995. During his escape from Croatia his wife was killed. As a refugee he has been living in collective centers all the time since, without any documents. He is in a very difficult psychical condition due to death of his wife. He was deprived of his apartment in Croatia, since he lost his tenancy right based on a decision of the Croatian authorities. Since he is living as a single widower in Serbia, he does not belong to the category of refugees who are eligible for a construction loan or any other durable accommodation. He addressed ILA for help. Through the ILA network he obtained his citizenship certificate, while other documents are still in process. With the citizenship certificate, Nenad is going to obtain a travel document in the Croatian Consular Mission to Serbia and Montenegro. With this document he wants to return to Croatia to his father's property in a village in Croatia, which remained relatively intact during the war.

Pension

Nemanja K. is 75 years old. He was born in Islam Grcki, municipality Benkovac, Croatia. He fled from Croatia to Serbia during the 'Storm' operation in 1995, together with his wife. They are accommodated in the Collective Center in Backi Petrovac, Kulpin. Their son was killed as a Yugoslav Army (JNA) soldier at the beginning of the war. Because of this, they were entitled to compensation or a family invalid pension for him. However, they needed his death certificate from Croatia in order to be able to apply for the compensation. Since both of them are old and weak and do not have any possibility to travel to Croatia to obtain the death certificate, they addressed ILA for help. Through the ILA network, they obtained the death certificate of their son and applied for the compensation. As a result, they now receive the compensation/invalid pension which gives them a modest but vital source of income.

LIST OF ANNEXES TO THE HANDBOOK MICROJUSTICE (CD-ROM and on microjustice4all.org/manual)

- 1) Legal obstacle report 2004
- 2) Post-war collection of pre-war debts; the case of Slavenska Banka 1998

Authors and acknowledgments

This manual is the result of team work. In the central team were taking part:

- Elena Rodríguez Ploss; Spanish lawyer, expert in international co-operation,
- Patricia van Nispen; Dutch attorney, Initiator of Microjustice in practice and Microjustice Consultant

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