

Legal Sector Master Plan – Customary Law Project

Support to the Implementation of the Legal Sector Master Plan



Description

The "Master Plan for Law Development to 2020" was officially adopted by the government of Lao PDR on 11 September 2009. It lays out a comprehensive sectoral reform agenda to support the country on its way of becoming a state fully governed by the rule of law.

Until the end of September 2009, UNDP provided support through an Initiation Plan (IP), which facilitated the formulation of a sector-wide approach (SWAp) and sector programme in support of the implementation of key sectoral reforms during the next four years. The formulation mission reviewed and updated the situation regarding the status of the Master Plan in close consultation with stakeholders and potential donors and drafted a proposal highlighting the possible modalities and mechanisms suitable for the implementation of the Plan. The mission also identified critical areas in need of immediate support to 'kick-start' a concerted effort in support of the implementation of the Master Plan.

The implementation of the full-fledge Programme is expected to commence in early 2011. Following the end of the Initiation Plan, a continued preparatory assistance for the programme of support is being provided by means of an Annual Work Plan covering the last quarter of 2009 and the year 2010. During this transitory phase, partners are assisted in particular in the setting up of a national coordination mechanism.

As part of the overall support to the implementation of the LSMP a customary law survey is being carried out in 2009/10 through a specific project on Customary Justice Practices. On the basis of a first strategic survey and data collection on customary practices of ethnic groups across Laos the projects aims at formulating a national strategy on the role and place of the informal legal system. This strategy should facilitate the practice of customary law where it serves the needs and interests of the people, enhance the knowledge and awareness regarding informal practices and ensure compliance with general standards of human rights and gender equality principle

Main Objectives and Activities in 2010

1- LSMP

- Adoption of a Sector approach and of a concrete implementation support programme endorsed by all stakeholders
- Support to the establishment of coordinating mechanisms
- Implementation of startup activities such as the dissemination of legal materials, targeted capacity development activities for judges, prosecutors and other legal practitioners

2- Customary Law

- Completion of the field survey
- Establishment of a database on customary practices and informal legal systems among ethnic groups
- Formulation of a national strategy on the combination of formal and informal legal systems

Duration

Initiation Plan: October 2008 - September 2009 (1 year)
 LSMP AWP: October 2009 – December 2010 (15 months)
 Customary Law: April 2009 – December 2010 (21 months)

Location

Vientiane Capital City

Budget

Total budget (IP): USD 205,690
 2009 budget : USD 190,548 (IP) + 5,000 (AWP)
 2010 budget (AWP): USD 100,000

Total budget Customary Law: USD 236,000
 2010 budget: USD 185,319

Partners

Implementing Partner: Ministry of Justice
 Other Partners: Supreme People's Court, Office of Supreme People's Prosecutor, Ministry of Public Security, Ministry of Foreign Affairs, UNDP

Contributing donor(s)

UNDP: USD 208,940
 DGTTF (UNDP): USD 186,000 (Customary Law)
 France: USD 46,750 (IP)

Delivery

2008: USD 16,665 (IP)
 2009: USD 193,819 (IP)
 USD 50,681 (Customary Law)

Funding Shortfall

None

Agreement signed with Government

Web: <http://www.undplo.org/whatwedo/programmes.php>

Key Results, Reports and Publications to date

1 – LSMP

- Concept note on the implementation of the Legal Sector Master Plan (December 2008)
- Wide stakeholder consultations etc
- Draft Costing for the Implementation Support Programme (4 years)
- Programme Outline (April 2009)
- Pilot activities (From June 2010 onward)
- Assistance to consultative process among national stakeholders

2 – Customary Law

- Initial desk report and methodology were drafted
- 4 training workshops and 4 debriefing workshops were organized in northern and southern provinces
- Specialized field researchers made studies on specific ethnic groups

Thematic Area

Corporate Thematic Area: Democratic Governance

UNDAF Outcome 3: By 2011, strengthened capacities of public and private institutions to fulfill their duties and greater people's participation in governance and advocacy for the promotion of Human Rights in conformity with the Millennium Declaration

UNDP Country Programme Action Plan Outcome 7: Increased and more equitable access to justice and strengthened rule of law

Millennium Development Goal

MDGs 1 -8 : as a cross-cutting issue strengthened governance and in particular the establishment of a full rule of law state is expected to contribute to the achievement of all MDGs

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