

**REPORT OF THE DIRECTOR-GENERAL
MEETING OF THE ASSEMBLY OF PARTIES
November 13, 2019**

This report is submitted by the Secretariat to the Assembly of Parties for its annual meeting on November 13, 2019, for information.

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Madam President
Excellencies
Friends and colleagues

This is my last report to the IDLO Assembly of Parties, and I would like to begin by thanking the Assembly for the trust and confidence you have shown in my leadership. I would also like to thank Vice Minister Del Re for her kind words about me, and the consistent and strong support of Italy to IDLO.

Eight years ago, on 17 November 2011, you elected me as Director-General of IDLO. The Organization was then in crisis. Despite its good work, both morale and profile were low and there were only a few, small programs. IDLO's staff and budget had been severely cut, its financial reserves were depleted, its future was uncertain.

Eight years later, thanks to the support of Member Parties, partners and donors and the hard work of my colleagues here and around the world, IDLO is thriving - programmatically, organizationally and financially. The enlargement of IDLO's membership most recently to include Qatar, Liberia and Uganda is an indication of our growing political support. I welcome warmly the three delegations who have taken their seats for the first time in the Assembly.

Like many other inter-governmental organizations, we face risks and challenges, but I believe we are better placed now, more than ever before, to tackle them.

Two successive Strategic Plans, endorsed by this Assembly, have provided IDLO with clear focus and direction. Our growth trajectory is strong and healthy. Our programs have expanded significantly and comprise both conflict-affected and more stable countries. Effective policy advocacy has raised our visibility. We have built several strong and successful strategic partnerships.

Overhauling our policies, processes and systems, we have strengthened our capacity, effectiveness and efficiencies. Integrating our programs with research, learning and advocacy, we enhanced our results.

From Kabul to Kyiv, Bishkek to Bamako, Tunis to Tegucigalpa, Mongolia to Mexico, we are working to advance the rule of law and expand access to justice for all with a wide range of partners - governmental, inter-governmental and non-governmental. Whether in Nairobi or New York, we are recognized as a credible champion for the rule of law.

In my last report to the Assembly, I would like to highlight some of these key achievements in the past eight years as well as the opportunities and challenges of IDLO going forward.

Growing Relevance of IDLO

IDLO's mission has gained greater relevance and resilience as the international system of laws and rules, human rights and humanitarian principles which underpin the rule of law comes under unprecedented pressure. According to the Report of the Taskforce on Justice, of which IDLO is a partner, five billion people – or two thirds of the world's population - have no meaningful access to justice.

Peace cannot be sustained, nor development made sustainable without the rule of law and access to justice.

That realization led to the incorporation of Goal 16 on peace, justice and effective institutions in the 2030 Agenda for Sustainable Development. IDLO has been an unrelenting champion of Goal 16, proactively contributing to the consensus that led eventually to its adoption. We have continued to build greater awareness of the value that rule of law and access to justice bring across all Goals of the 2030 Agenda.

Earlier this year, we contributed to the review by the UN High-level Political Forum (UN HLPF) of the implementation of Sustainable Development Goal 16, including by co-organizing with UN DESA and the government of Italy the preparatory conference in Rome in May 2019. Both the UN HLPF in July and the SDG Summit in September confirmed the urgent need to accelerate implementation of the Goals, including Goal 16.

Responding to the international calls for accelerating action, IDLO plans, together with UNDESA and the Italian government, to convene in 2020 a global multi-stakeholder partnership forum to complement and support other Goal 16 platforms and initiatives with a view to collectively leveraging and accelerating progress of Goal 16 and other SDGs. I appreciate very much the support expressed by Vice Minister Del Re for this initiative.

IDLO is committed to doing its part, in line with its mandate, programs, research and policy advocacy.

Our objectives, set out in Strategy 2020, IDLO's Strategic Plan which runs through to the end of 2020, are two-fold:

- Empowering people to access justice and claim their rights, and;
- Building fair laws and effective institutions to sustain peace, development and justice.

Together they reflect IDLO's top down, bottom up approach to development – working with state institutions from above and civil society from below to bridge the justice gap in a non-prescriptive way that is sensitive to local context and committed to enhancing local ownership.

Let me briefly highlight **eight** major achievements in the past eight years.

First, empowering people who are being left behind:

A key evolution of our mandate in recent years has been the greater focus on **access to justice** for those most at the risk of being left behind: people living in fragile and conflict-affected situations, women and girls who are victims of violence, poor and marginalized people who experience multiple layers of discrimination.

To bring into this room the reality of how IDLO is seeking to expand access to justice for those most in need, I would like to show you a short [film](#) of my trip to **Uganda** in September this year.



Slide 1: IDLO - Access to justice in Uganda

As this film shows, **legal empowerment** is a bottom-up effort to mobilize and support people so that they can engage effectively with those who administer the laws and institutions that affect their daily lives.

When justice seekers are empowered, justice institutions become more effective.

Honduras, Indonesia and **Myanmar** are among the countries where we are working with civil society and community organizations to empower people with knowledge about rights and laws.

At a time when space for civic engagement is shrinking, we are bringing together community representatives, civil society organizations and local government officials together to resolve local justice problems so that reforms are locally owned and respond to people's needs.

Second, justice for women and girls:

In the film you heard some powerful statements about women's access to justice. For me personally, as the first woman to lead IDLO, among the Organization's most important achievements in recent years has been its work for women and girls.

Gender equality is both a moral imperative and a fundamental component of sustainable development. Yet the justice gap for women and girls remains disturbingly deep and wide. Multiple and overlapping layers of discrimination aggravate the injustices they face.

In 2016 IDLO adopted its first Gender Strategy. It was evaluated and revised earlier this year. The findings of the independent evaluation have been encouraging. They note a genuine change in IDLO's organizational culture and a growing recognition externally of IDLO as a strong advocate on justice for women and girls.



The objectives of our **Gender Strategy** are to eliminate gender discrimination in law and policy; make laws and institutions more gender responsive; advocate for gender equality; empower women to access justice and enhance their participation in the justice sector. Partnerships with women’s organizations, from local women’s groups to UN Women, are a key feature of our strategy.

A major focus of our gender programs and projects has been combatting **sexual and gender-based violence**. In countries as varied as **Afghanistan, Kenya, Honduras, Liberia, Mongolia, and Myanmar** we are working with a wide range of actors, from judges, prosecutors

and lawyers to women’s groups, community leaders and service providers, to help prevent SGBV and strengthen women’s access to justice and support the survivors of violence.

While we are proud of what has been achieved, we are also acutely aware of its limits in terms of the enormity of the problem.

Assisting governments to reform **gender discriminatory laws, policies and institutions** has been a key part of our work in **Kenya, Tunisia and Honduras**. Next year we will launch several new projects with UN Women to accelerate the abolition of gender discriminatory laws.

Increasingly we are focusing on economic and social rights of women and girls. In **Tanzania and Uganda**, using an innovative methodology, we have supported young women and adolescent girls at risk of HIV and their families and communities to hold health service providers to account. In **Burundi** we contributed to protecting women’s customary land rights. In **Jordan**, in partnership with the European Bank for Reconstruction and Development (EBRD), we exposed the legal barriers that women entrepreneurs face.

Women are not only consumers of justice but also justice providers and agents of change. Partnering with professional associations of women judges and lawyers, we are advocating for **women’s greater participation in the justice sector** at global and national levels. We are actively contributing to that goal through our own legal and judicial capacity development programs.

Justice for women requires greater political commitment and financial investment. That is why IDLO joined with UN Women, the World Bank and the Pathfinders Taskforce on Justice to convene a **High-level Group on Justice for Women** in 2018. The Report of the Group was published earlier this year and makes a strong business case for more investment in justice for women, emphasizing both the heavy financial and human cost of gender discrimination and the immense financial as well as moral gains that would flow from eliminating it. As the international community seeks to accelerate the implementation of the 2030 Agenda, this Report provides some pointers on where there could be some of the richest returns on investment.



Slide 3: Launch of the High-level Group on Justice for Women: DG Khan welcomes Minister Sigrid Kaag of the Netherlands

Third, contributing to peace and democracy through institution building:

Effective, accessible and accountable institutions are key to securing public trust and confidence, breaking the cycle of violence and instability and laying the foundations for economic recovery and social development. In the past eight years IDLO has contributed significantly to **institution building** in both conflict-affected, fragile states as well as more developed ones.

In **Kenya** our support to strengthening **constitutional reforms** has helped to deepen democratic processes. At the request of the Government, IDLO supported the drafting of the 2010 Constitution. Following its adoption, we have provided comprehensive support to all three branches of government to implement key constitutional provisions including devolution of powers to local government, mainstreaming of gender equality and transformation of the Judiciary to make it more effective, accessible, transparent and independent.

An independent evaluation of our program in Kenya noted IDLO's comparative strength in being able to foster local ownership and respond flexibly and quickly to changing needs, which led to more effective and efficient results.

The majority of IDLO's institution building work is carried out in conflict-affected, fragile contexts, where the challenges are more pronounced, resources are scarce, and reforms may take years or be set back by recurring cycles of insecurity and violence. Change is a slow and incremental process but nonetheless critical to stabilizing and sustaining peace.

A good example is Afghanistan, where we have been engaged in capacity development of the justice sector since 2002. For the past five years we have focused on strengthening the key criminal justice institutions. We have focussed on building the institutional capacity for professional development of these institutions, supported them with the roll out of Afghanistan's new penal code and are now helping them to mitigate the impact of the deteriorating insecurity situation on their ability to operate effectively in high-risk, remote areas.

Another example is **Somalia** where we are contributing to the New Development Plan. We welcome the new Partnership for Somalia, which places high priority on the rule of law. We are helping to lay the foundations of a modern justice system through technical assistance of **legal reforms** and **capacity development** of institutions, formal and informal, in

close collaboration with the government and citizen groups. In the absence of national capacity, we are drawing on the talents of the Somali diaspora to help rebuild a justice system hollowed out by decades of conflict.

Perceptions of exclusion and unfairness can be key factors in generating grievances and driving conflict. **Local ownership** and **inclusive governance** are therefore critical in fragile contexts where citizens may feel marginalized, excluded or alienated from government. In northern and central **Mali**, partnering with the UN Mission, MINUSMA, IDLO has adopted an innovative, grassroots based consultative approach to promote inclusion and local ownership in strengthening the **criminal justice chain**.



Slide 4: IDLO, “Strengthening the Criminal Justice Chain in Northern Mali”

Drawing on the lessons from Mali, we have developed a program covering **Niger** and **Burkina Faso** as well as Mali to address cross-border criminality in the Sahel, which is a major source of insecurity and instability in the region. This multi-year, multi-country initiative will seek to strengthen **national criminal justice chains** and promote **sub-regional cooperation**.

Fourth, engaging with informal and customary justice:

In developing countries informal and customary justice systems are the most common way in which people, especially the poorest and most vulnerable people, resolve their disputes. These systems take on added significance in fragile contexts where state institutions are weak, absent or lack legitimacy and capacity.

I believe our policy and programmatic engagement with informal and customary justice is breaking new ground, not just for IDLO but for the rule of law and development sector.

From the Akhsakals of **Kyrgyzstan** to the Khadi courts of **Kenya** to the Xeer system in **Somalia**, we are engaging with customary justice actors in an effort to improve **access to justice**, promote **peace and stability** and ensure respect for **human rights**. By strengthening the links of informal and customary justice systems with the formal justice system we are attempting to close the justice gap while ensuring that the rights of those who use them are protected.

Fifth, promoting economic development:

The rule of law encourages economic growth by providing stability and certainty for business, ensuring protection of investment and property, and resolving disputes fairly and expeditiously. Strengthening economic development through the rule of law was at the genesis of IDLO's birth 35 years ago.

In recent years, we have revitalized our work on economic development. Working in partnership with the EBRD we have strengthened judicial and legal capacity to resolve **commercial disputes**, including through **alternative dispute resolution** mechanisms, and **enforcement of decisions** in a growing number of countries in **Central Asia, Eastern Europe, the Middle East and North Africa**.

Recently, we extended our commercial law development work to **Kenya**, opening the potential to contribute to Africa's fast-growing economies.

Furthermore, using an innovative **public private partnership** model with private law firms we are offering access to **legal advice** on investment issues to **Least Developed Countries**.

Sixth, fighting corruption:

Declining trust and confidence in institutions, fuelled by widespread perceptions of corruption, bias and unresponsiveness, is a global problem and a key driver of instability in countries across the development spectrum.

Eradicating corruption and enhancing transparency is a growing area of our work. IDLO has taken a multi-track approach to the problem, building institutional capacity to **investigate and prosecute corruption** while also promoting preventive strategies, such as **building transparency** in public processes and strengthening the **monitoring and advocacy** role of civil society organizations.

Our most comprehensive anti-corruption program is in **Ukraine**. We are implementing elements of our strategy in the **Philippines** and **Kyrgyzstan**.



Slide 5: IDLO-supported Public Service Center in Mariupol

Seventh, organizational transformation:

Let me now turn from achievements in the external domain to internal reforms. Very early during my tenure it became evident to me that IDLO would not be able to unlock the potential of its mandate if it was not ready to carry out “root and branch” internal reforms.

We launched an ambitious multi-year program of organizational change to strengthen our ability to drive results, promote innovation, enhance program and research quality, build effective partnerships, and enhance transparency and accountability.

Despite some early problems with the pace and sequencing of change, made more challenging by the unpredictability of donor funds, eight years down the road, the reforms have largely been completed. Only a few aspects remain to be completed in 2020.

IDLO’s **organizational achievements** can be classified in **three** broad groups:

Program Quality

As IDLO’s programs have expanded in size and complexity a key objective has been to strengthen and maintain their quality and results. We have designed and rolled out a comprehensive set of policies, tools and guidelines to ensure quality at each stage of the **program design, implementation and learning cycle**, and are embedding them further through employee development.

We have adopted a **Program Results Framework** to report on aggregated results of programs, research and policy advocacy, and introduced a new **monitoring system** to improve our ability to track progress, learn and adjust.

Transparency and accountability

Over the last eight years, we have sought to create a culture of greater transparency and accountability at IDLO. This has included improvements to our **financial and budgeting systems**, the establishment of stronger **internal controls** and more effective and timely **communications** on our program and organizational results.

We have also strengthened internal controls and adopted organizational policies, including on **Anti-Corruption and Anti-Fraud** and **Whistleblower Protection and Non-Retaliation**, based on best practice in the IGO sector, and established an **Internal Audit** function.

The implementation of an **Enterprise Resource Platform (ERP)** across all IDLO offices has been a major undertaking over the past two years. Expected to become fully operational in 2020, it will enhance IDLO’s transparency and accountability, increase the speed and efficiency of our business processes, improve compliance and allow more accurate and timely reporting and analysis.

Thanks to these reforms, IDLO will have the necessary financial systems in place to produce its 2019 financial statements in an **IPSAS compliant** format in line with best practice in the sector.

Field orientation

The most significant organizational change - structurally and culturally – during my tenure has been IDLO’s transformation from a Rome-based training institution with limited

international presence to a multi-faceted organization based largely in countries where it delivers its programs. In the last eight years we opened **13 new offices** and now have **presence in 20 countries** on four continents.

Our workforce has grown three-fold since 2011 with most of that growth taking place outside Headquarters. I am pleased to report that in 2019 we also achieved **gender parity** for the first time with a 51-49 female to male ratio among our employees.

To ensure that all IDLO employees are subject to the same terms, conditions and obligations, no matter where they work, we introduced a **New Employment Model** in 2018. We are now investing in learning programs and performance management systems to build the skills and competencies of our colleagues so that they are better equipped for the exciting new opportunities that lie ahead for IDLO.

Having enhanced our ability to better monitor field operations and ensure greater oversight, we will now gradually begin to devolve more operational responsibilities to our country offices, starting in 2020 with a **regional structure in Bamako** to support our Sahel operation and related country offices. It will be an important test case of our ability to **decentralize support functions** from Headquarters.

Another indication of our field orientation is the importance we are placing on ensuring that **Host Country Agreements** are in place to support our country operations and reduce legal risks. I hope Member Parties will give their full support to the resolution on this subject.

Eighth, growing political and financial support:

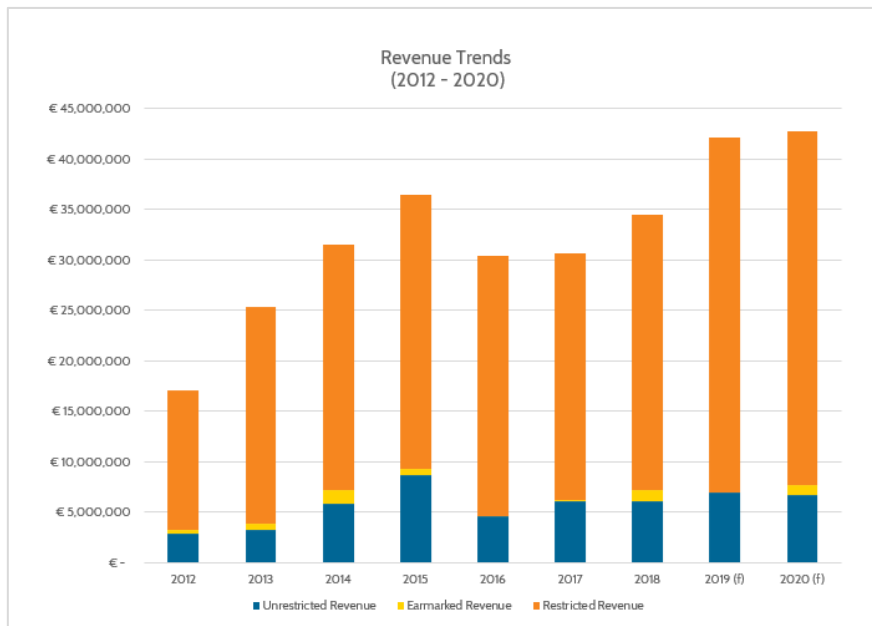
As an intergovernmental organization, continued political support is our life blood. Therefore, I am very pleased with the **membership growth** in the past eight years which has underscored the increased relevance and recognition of our mandate.

Over the last eight years we have welcomed twelve new Members, increasing the membership from 25 to **37 Members** during my tenure. We expect the membership to reach 38 soon with Niger’s expression of interest in joining IDLO received this past week. Based on current progress, we are well on track to meet the target of 40 Member Parties by the end of this strategic cycle in 2020.



Slide 6: IDLO Member Parties as at November 2019

Let me now underline the enhanced financial support that has brought greater organizational stability.



Slide 7: IDLO Revenue Trends (2012-2020)

I am proud to say that I am leaving IDLO in a **healthy financial state**. For this I am very grateful to my colleagues for their efforts and to our longstanding partners for their support.

Over the last eight years, we have defied a downturn in our sector by growing our annual revenue more than threefold, from 13.3 million euro in 2011 to **42.7 million euro** forecasted for this year.

As a voluntarily funded organization, every contribution we receive is a vote of trust and confidence from our donors.

While IDLO is financially stable and growing, there remain two **key vulnerabilities** that will require continued attention in the future.

Firstly, the low level of **unrestricted funds** in proportion to program revenue, which despite an increase in 2019, has not kept pace with program growth and limits IDLO's ability to invest in program development, innovation, research, new systems and capacities.

Secondly, a narrow **donor base** with a small number of donors providing the bulk of IDLO's revenue.

Over the last eight years, we have sought to address both issues in various ways, including through outreach to **new donors and strategic partners** with some positive results. I am optimistic that these efforts will pay good dividends in the coming year.

Furthermore, we have successfully **diversified our programs** geographically to mitigate financial and operational risks. Africa is now our fastest growing region and there is a better balance between our operations in fragile and non-fragile contexts.

We have also built a robust **program pipeline** heading into 2020 and 2021, which gives IDLO a measure of confidence and security for future planning purposes.

CONCLUSION

However, there is no room for complacency.

The needs are too great; the world is too troubled a place for that, and the rule of law too important as an essential driver of peace, human rights and sustainable development.

This afternoon you will consider our **2020 Management Plan and Budget**, and you will see that IDLO's ambitions and aspirations are as high as ever.

IDLO is already gearing up for some big initiatives next year: from launching our multi-country program in the Sahel to forging a strategic partnership with the European Union. From building a global partnership platform for SDG 16 to developing a new Strategic Plan to chart our course for the future.

I believe IDLO is well positioned for the future. I am confident that my successor will take the Organization smoothly to its next phase with your advice, guidance and support.

I thank the Assembly and the Member Parties for their guidance, trust and confidence. I thank our partners for their collaboration and support.

Most of all, I thank my colleagues in offices around the world and here at Headquarters with whom I have shared the challenges and opportunities of the past eight years. Their commitment and dedicated service to IDLO has been exemplary, their advice and support to me invaluable. I have never ceased to be amazed by their optimism, their ability to see every challenge as another opportunity, every opportunity as another opening to advance the rule of law and access to justice and make the world a better place.

I am particularly grateful for the steadfast support of our President, the United States, our generous host country and ex officio Vice President Italy and other members of our governing bodies.

Thank you once again for the immense honour you bestowed on me of leading this Organization. Every step of the way, I have been inspired by IDLO's mission to create a culture of justice, excited by the prospects, and energized by all that we have been able to achieve together.

To quote Dr. Martin Luther King Jr.: "Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality, tied in a single garment of destiny."

Together, we are weaving through that garment of destiny a shining silver thread of justice, the rule of law and human rights to make the world a more peaceful, fairer and inclusive place. Thank you.

/END