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# IDLO: CREATING A CULTURE OF JUSTICE STRATEGIC PLAN 2013–2016

IDLO's Strategic Plan for 2013 – 2016 is based on wide-ranging consultations with over 600 stakeholders from about 50 countries. The Plan sets the direction of IDLO's work and guides IDLO's development and resource mobilization.



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## EXECUTIVE SUMMARY

The rule of law is about substantive justice as well as procedural fairness. It helps to create more equitable and inclusive societies in which there is greater opportunity for all and where every individual can lead a decent life free from fear and want.

**IDLO'S VISION** A world where every person lives in dignity and under the rule of law.

**IDLO'S MISSION** To enable governments and empower people to reform laws and strengthen institutions to promote peace, justice, sustainable development and economic opportunity.

### HOW WE SEE THE WORLD

Our consultations, research and reviews have identified some key trends, opportunities and challenges which will affect our work in future:

- Rising citizen power
- Shifting global power
- Fundamental challenges in "fragile" states
- Increasing regionalism
- Expanding corporate power
- Climate change & pressure on natural resources
- Gender injustice
- Growing inequality
- Population mobility
- Revolution in science & technology
- More competition and collaboration
- Decreasing international aid

### HOW THE WORLD SEES US

Our comparative strengths:

- Only IGO exclusively devoted to rule of law & development
- Able to find tailor-made solutions to local needs
- Committed to legal pluralism, non-partisan & non-prescriptive approaches
- Broad convening capacity
- Proven experience in "fragile" states
- Known for innovative legal solutions
- Network of experts, partners and IDLO-trained alumni
- Flexible, fast and entrepreneurial

### WHAT WE HAVE LEARNED

- Focus on the "end users" of justice
- Promote empowering solutions
- Engage with informal as well as formal justice systems
- Explore regional & sub-regional approaches
- Be innovative and collaborative
- Be selective and strategic
- Champion a culture of justice
- Achieve financial sustainability
- Invest in the Organization's future
- Mitigate institutional risks

### WHAT THE PLAN SEEKS TO ACHIEVE

- **Focus** – making hard choices based on IDLO's comparative advantage to achieve clear and measurable results;
- **Reform** – improving IDLO's organizational systems and structures so that it can do more and better with less; and
- **Resources** – broadening IDLO's donor base and increasing its predictable and flexible income to achieve financial sustainability.

### SUBSTANTIVE OUTCOMES WE SEEK

- Well-functioning, responsive legal institutions
- Citizens who are empowered and aware of their rights
- Legal systems that enable fair, sustainable development outcomes

Building on our diverse experience from the past cycle, and responding to the needs and demands of the external world, we will seek to strengthen the rule of law along the spectrum, from peacebuilding to economic recovery, in post-conflict countries as well as emerging economies and middle income countries. We will do so in a focused and selective way, in line with our comparative advantage.

## OUR SUBSTANTIVE GOALS

**Goal 1: IDLO will help to build confidence in the justice sector by supporting legal and institutional reforms and promoting good governance (especially in countries emerging from conflict or moving towards democracy).**

**We will seek to:**

- 1.1 improve the capacity, quality and integrity of institutions in the justice sector;
- 1.2 assist constitution making and legal reform;
- 1.3 promote good governance through transparency and accountability.

**Goal 2: IDLO will enhance access to justice by enabling governments to uphold human rights and empowering people to claim them.**

**We will:**

- 2.1 promote gender equality and uphold the rights of women and girls;
- 2.2 expand legal services for poor and marginalized communities;
- 2.3 use law to advance the right to health.

**Goal 3: IDLO will facilitate innovative legal approaches to support sustainable development and economic opportunity.**

**We will:**

- 3.1 enhance legal preparedness of countries to deal with climate change, green economy and clean technologies;
- 3.2 help to improve management of natural resources, focusing on water and energy in the first instance;
- 3.3 support capacity development for economic opportunity (in trade, IT, IP intellectual property).

### **INSTITUTIONAL AIMS TO WHICH WE ASPIRE**

- A thought leader on the rule of law
- A partner of choice for international and national actors
- A center of excellence for legal technical assistance and capacity development

Our proven growth rate and institutional resilience show the potential and the possibility we have to achieve our institutional aims. With some modest investment in capacity, capabilities and systems, we can achieve our institutional aims and become organizationally and financially sustainable.

## OUR ORGANIZATIONAL GOALS

**Goal 4: IDLO will seek to establish itself as a thought leader on the rule of law through advocacy, knowledge generation, collaboration and improved communications.**

**We will seek to:**

- 4.1 advocate, engage and convene multi-stakeholders;
- 4.2 become a learning organization;
- 4.3 explore strategic partnerships;
- 4.4 strengthen our communications to enhance our brand.

**Goal 5: IDLO will seek to strengthen its competencies, capacity, systems and structure in order to enhance impact, accountability and efficiency.**

**We will seek to**

- 5.1 improve our organizational policies and systems;
- 5.2 strengthen the quality and impact assessment of our programs;
- 5.3 re-align our structure to make it more flexible, function- and field-oriented.
- 5.4 invest in staff development, change management and leadership skills.

**Goal 6: IDLO will achieve financial sustainability by strengthening donor relations and broadening its donor base.**

**Goal 7: IDLO will strengthen its engagement with Member Parties and pursue a balanced membership growth to ensure political and financial support for its mandate.**

## IDLO: PROMOTING A CULTURE OF JUSTICE STRATEGIC PLAN 2013-2016

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We are energized and inspired by the vision offered by this Plan to promote a culture of justice through the rule of law.

Drawing important lessons from our past experience, we know that if our vision is to be realized, it must be backed by a clear business plan. With that in mind, this Plan sets out both the direction in which we believe our future lies, and also what we must do to change our Organization and raise the resources we need to achieve our ambition.

We have taken a transparent, inclusive and evidence-based approach to drafting the Strategic Plan. We consulted with a wide range of stakeholders: from Member Parties to representatives of communities with whom and for whom we work, using workshops, on-line surveys, structured interviews and focus groups. Almost 600 individuals from around 50 countries in five continents have shared their views on key trends in the rule of law sector, on IDLO's strengths and weaknesses, and its potential and possible future role.

The Plan has also been informed by our research and that of other leading organizations in the field of law and development, as well as lessons learned from IDLO's operations in the past cycle, management, financial and other documents, and previous organizational reviews.

What the plan seeks to achieve:

- **Focus** – making hard choices based on IDLO's comparative advantage to achieve clear and measurable results;
- **Reform** – improving IDLO's organizational systems and structures so that it can do more and better with less; and
- **Resources** –broadening IDLO's donor base and increasing its predictable and flexible income to achieve financial sustainability.

## HOW WE SEE THE WORLD

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We began our strategic planning process with a thorough analysis of the key trends that will affect the rule of law in the coming years. The purpose is to better understand the challenges and opportunities facing the rule of law sector, so that we can choose carefully our priorities in light of our limited resources.

### RISING CITIZEN POWER

Across the world, people are demanding greater participation, accountability, transparency and respect for human rights and human dignity. There is a dangerous deficit of public trust in institutions, and a deep disconnect between the formal mechanisms of rule of law and people's understanding and lived experience of justice and equity. Spontaneously or through organized movements, they are mobilizing for political change which in turn is opening up space for constitutional, legal and institutional reforms.

### SHIFTING GLOBAL POWER

As economic and political power continues to shift globally, the call is being renewed for more equitable and sustainable rules on trade, investment, intellectual property and technology transfer, as well as greater acknowledgement of the pluralism of legal systems. Many developing countries appreciate the need for effective laws and institutions, but are struggling to institute reforms because of a lack of resources, capacity and political will. They need support to overcome these barriers, but such support must be non-prescriptive and sensitive to the local context and legal traditions.

### INCREASING REGIONALISM

The economic and geo-political transition is encouraging the rise of regionalism and sub-regionalism in a number of areas of international relations, including peacebuilding, economic cooperation, finance and trade. Regional or sub-regional treaties, institutions and tribunals are taking on new responsibilities for the development, implementation and enforcement of rules. Rule of law actors need to interact not only at international and national levels, but also at the regional and sub-regional levels.

### FRAGILE STATES

Insecurity, weak political processes, and a lack of legitimacy and capacity make it particularly difficult for legal reform to take root in countries emerging from conflict. Transforming institutions is a long term endeavour, but some donors' attention spans tend to be short-term, seeking quick, visible results, without tackling fundamental weaknesses in the state's institutional capacity or addressing the broader socio-economic problems that inhibit the creation of a culture of rule of law.

### POPULATION MOBILITY

Political insecurity, grinding poverty and economic opportunity are driving millions of people from villages to urban slums, or from one country or continent to another. They bring valuable skills and ideas and enrich the economy, but are themselves often impoverished and exploited, trafficked and abused, deprived of identity and rights. Protecting refugees, migrants, displaced and stateless people, as well as empowering and enabling them to access justice, can create more inclusive societies and robust economies.

### GENDER INJUSTICE

The law continues to have an uneasy relationship with women. Many legal systems restrict the basic rights and freedoms of women and fail to protect them from violence, depriving them of the most basic principle of the rule of law – that everyone has equal protection of the law. Gender discrimination is widespread. Gender-based violence remains the most prevalent and socially tolerated form of violence. Access to justice for women must become a higher priority for the sake of equity as well as development.

### GROWING INEQUALITY

While global poverty is declining, inequality is rising – especially in countries and regions experiencing rapid economic growth – and threatening social cohesion. Fighting discrimination and building more inclusive societies requires looking at issues of access to justice and equity, including economic and social rights. Development and the rule of law need to be linked more clearly through the internationally recognized principles and standards of human rights.

## CLIMATE CHANGE & PRESSURE ON NATURAL RESOURCES

Access to natural resources – water, land and energy in particular – is emerging as a crucial issue, whether as a source of conflict, a resource for development or the means of livelihood for the poor. The impact of climate change on the poorest and most vulnerable populations is creating a new urgency to manage natural resources in an equitable and sustainable manner. There needs to be a better understanding of the role that the rule of law can play to promote sustainable development.

## EXPANDING CORPORATE POWER

With the growth of market economies, increased foreign direct investment and bilateral investment treaties, corporate actors are becoming key players in economic development, but their legal accountability is not always clear. By their very nature, multi-national corporations operate across borders, making it difficult for any one country to regulate them, and especially difficult for countries with weak legal systems. This creates economic opportunity but also governance challenges that call for innovative legal solutions.

## REVOLUTION IN SCIENCE AND TECHNOLOGY

Science and technology are opening up new possibilities – and also new threats. They offer great opportunities to inform, communicate, empower and mobilize for rule of law reforms. However, the internet itself is operating under fragile and unclear laws and regulations, risking censorship and restrictions on freedom of expression on the one side and encroaching on the right to privacy or opening up possible threats to security on the other. Biogenetics is challenging what is human, as well as what rights are human. In a context where the interests of multiple actors – state, corporate, civil society and private citizen – have to be balanced, clear laws and regulations, based on internationally accepted standards, can play a useful role.

## COMPETITORS AND COLLABORATORS

As the demand for rule of law assistance grows across the spectrum of peacebuilding, judicial reform, social development, economic growth, environmental protection, trade and investment, a number of new organizations and entities from the private as well as public sectors have emerged to address these challenges. This, coupled with the decrease in international aid globally, is leading to strong competitive pressure for resources, creating new incentives for innovation, excellence and strategic partnerships.

## INTERNATIONAL AID

Development financing is undergoing a sea change with less Official Development Aid (ODA), more foreign direct investment, greater direct budgetary support, new financing mechanisms and a bigger role of the private sector in development. The shift from a North-South paradigm in development aid to a multi-polar donor scene is opening up new possibilities for resource mobilization but also challenges with the slowing down of economic growth, reduced international aid and competition from private contractors

## HOW THE WORLD SEES US

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IDLO's mission is to:

Enable governments and empower people to reform laws and strengthen institutions to promote peace, justice, sustainable development and economic opportunity.

Operating in the space between justice, institutions and people, our aim is to make institutions of law and justice work for people. In that way, we can contribute to strengthening the social contract between the citizen and the state and help to set a firm foundation for stable and inclusive societies in which there is opportunity for all and every person to live without fear or want.

We have strong competencies in technical assistance and capacity development at the national and local level, often in the poorest and most insecure parts of the world. We have established our reputation for working in partnership with a wide range of national and international actors and organizations and with different legal systems in an enabling and empowering – rather than prescriptive or directive – way to bring about institutional and societal change.

Combining our legal expertise with our distinct set of attributes and skills, our comparative advantage is that we:

- Are the only inter-governmental organization exclusively devoted to the rule of law and development;
- Work with local experts to find tailor-made solutions to local needs that add value beyond the costs incurred;
- Work in a non-partisan, non-prescriptive way to support the plurality of legal systems;
- Can convene a broad range of governmental, inter-governmental and non-governmental stakeholders;
- Deliver rule of law assistance in "fragile" and post-conflict states;
- Provide innovative legal solutions to complex justice and development issues;
- Have access to a wide network of trusted partners and IDLO-trained alumni;
- Respond flexibly and speedily to diverse situations; and
- Are known to be entrepreneurial.

## WHAT WE HAVE LEARNED

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### FOCUS ON THE "END USER"

People have little confidence in laws and institutions when they do not see the practical benefits in their own lives. Reform initiatives should focus on building people's trust in the rule of law. The best results come when the reforms are tailored to meet local needs and based on locally defined parameters, while remaining anchored within the framework of international standards and values. This calls for more engagement with national actors, civil society and local communities. It also means measuring the success of reforms according to the extent to which they meet people's needs and demands for justice.

### PROMOTE EMPOWERING SOLUTIONS

Legal reforms alone do not produce justice. Combating discrimination and fighting injustice require tackling the underlying power dynamics that deprive people of equal protection under the law. Legal and non-legal empowerment strategies are critical in helping people access justice and claim their rights. The most successful reform strategies are those that combine top-down and bottom-up approaches, using national consultations, effective coordination among sectors and actors, and legal empowerment.

### ENGAGE WITH INFORMAL AS WELL AS FORMAL JUSTICE SYSTEMS

Most women and poor people do not trust formal legal institutions, or are unable to access them. They tend to use traditional or informal systems to resolve their legal problems, including family disputes, property, inheritance and financial claims. Reform initiatives need to focus not only on the formal system, but also on informal systems, and on the relationship between the two, to ensure that the state does not abdicate its responsibilities to poor and marginalized groups and women. Innovative approaches are needed to tackle inequitable or rights-abrogating practices inherent in informal systems, while respecting local ownership.

### EXPLORE REGIONAL AND SUB-REGIONAL APPROACHES

While regional and sub-regional treaties and alliances are growing, many of these new institutions as well as the member states, lack legal capacity, skills and knowledge. This creates new opportunities for collaboration and support to these emerging actors and economies.

### BE INNOVATIVE AND COLLABORATIVE

Collaboration, connectivity and creativity are crucial to bringing about change. From peacebuilding to climate change, gender equality to resource management, the field of law and development is throwing up new and complex issues which traditional approaches cannot adequately address. It calls for multi-disciplinary, multi-dimensional and innovative solutions and strategic partnership.

### BE SELECTIVE & STRATEGIC

We have acquired versatility in legal expertise that is rare in this sector, ranging from justice sector development to informal systems of justice, from food security to health, and from climate change to technology transfer. While this has allowed us to experiment and learn, it has also spread us too thin at times. We believe we should now be more focused, selective and strategic in our choices, in line with our comparative advantage and enhancing the quality and impact of our programs.

### CHAMPION A CULTURE OF JUSTICE

IDLO has tended to overlook the moral power of its mandate to promote a culture of justice, and has under-utilized its knowledge base and convening capacity. Creating more synergy between its programs, research and advocacy, IDLO should engage with policy makers and add value as a thought leader and learning organization. IDLO should develop a clear communications strategy to enhance its visibility and voice, and position the Organization firmly and clearly as a champion of the rule of law.

## ACHIEVE FINANCIAL SUSTAINABILITY

IDLO is heavily dependent on program funding, with limited unrestricted funds, low reserves and very little resources for much-needed organizational development. Improving the predictability and level of resources, and expanding and diversifying the donor base, are crucial.

## INVEST IN THE FUTURE

The expansion of programs, alongside a massive reduction-in-force in the past strategic cycle, has stretched the Organization to its limits. IDLO needs more capacity so that it can develop new programs, enhance its rate of implementation, and realize its potential as a thought leader. It therefore needs to invest urgently in systems, structures, staff development and management capabilities.

## MITIGATE RISKS

The greatest risk to IDLO is that the bulk of its income comes from operations in fragile countries where delivery is subject to fluctuation because of issues outside its control. This needs to be mitigated through diversifying the program portfolio, expanding flexible funding and increasing reserves.

## OUR STRATEGIC VISION

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IDLO's vision is of a world where every person lives in dignity and under the rule of law.

The rule of law has both intrinsic and instrumental value. It is about substantive justice as well as procedural fairness. It embodies the universal principles of human rights and good governance, of equality before the law, legal certainty and non-arbitrariness. Inherent in this concept is the supremacy of the law, accountability to the law of all persons and entities, including the state itself, and the independence and impartiality of the judiciary.

The rule of law provides an essential and enabling framework for peace, stability, social development and economic opportunity. It helps to create more equitable and inclusive societies in which there is greater opportunity for all and where every individual can lead a decent life free from fear and want. With "development" embedded in its very name, IDLO is committed to strengthening all three dimensions of sustainable development – economic, social and environmental – and also to creating a healthy equilibrium between them.

Although the values and norms of the rule of law are universal and must be universally respected, they can vary in their application. Fairness, impartiality, transparency, integrity and accountability are interpreted in different ways by different legal cultures. IDLO acknowledges the plurality of legal systems and is committed to promoting local ownership of rule of law initiatives.

Our **STRATEGIC AIM** is to promote a culture of justice.

Our **INSTITUTIONAL AIM** is to:

- Strive for excellence in legal technical assistance and capacity development
- Be a thought leader on the rule of law
- Become a partner of choice for national and international actors

## SUBSTANTIVE OUTCOMES WE SEEK

Creating a culture of justice entails at least three inter-related elements: well-functioning and responsive legal institutions, citizens who are empowered and aware of their rights, and a legal system that enables fair and sustainable development outcomes. The elements are inter-dependent and mutually reinforcing. Effective institutions are key to providing justice, upholding rights and facilitating development. Institutions in turn function well when an empowered citizenry holds them to account, and neither rights nor institutions can be effective without sustainable economic and social development.

We propose to promote a culture of justice by:

- Building confidence in justice systems
- Enhancing access to justice
- Facilitating innovative legal solutions for sustainable and economic development

Over the past few years, IDLO's work has expanded in diverse areas. This Strategic Plan attempts to bring focus, clarity and direction by selecting only three goals and within those goals carefully choosing thematic objectives that build on our past success, play to our comparative advantage and are responsive to the needs and demands of the rule of law sector.

## GEOGRAPHIC FOCUS

Given our comparative advantage in supporting rule of law in the peacebuilding sector, we intend to continue to expand our work in countries emerging from conflict or striving towards democracy. We foresee many opportunities along the spectrum from peacebuilding to economic recovery.

We will simultaneously seize opportunities to support emerging economies and middle-income countries to strengthen their legal capacity and rule of law framework for sustainable development and economic opportunity, but we will do so in a selected and focused way on issues where we have a comparative advantage so as to avoid "spreading ourselves too thin".

Having identified regionalization as an increasingly important trend in the context of rule of law, we see in East Africa and Central Asia, where we are developing a critical mass of programs, a distinct opportunity for us to take regional or sub-regional approaches, encouraging sharing of good practices and partnerships across borders.

There are also similar possibilities in the ASEAN region and in Latin America, which we hope to explore as we develop our programs further in those parts of the world.

Through our organizational goals, we will seek to align our skills, structures, systems and physical presence to the thematic and geographic focus of programs, keeping in mind that our primary purpose is to enhance the quality and impact of our work on the ground.

## SUBSTANTIVE GOALS

### GOAL 1 IDLO WILL HELP TO BUILD CONFIDENCE IN THE JUSTICE SECTOR BY SUPPORTING LEGAL AND INSTITUTIONAL REFORMS AND PROMOTING GOOD GOVERNANCE

Capacity development and institution-building in the justice sector are IDLO's core competencies. Most of our work under this goal will be in transitional or post-conflict states and in countries seeking to strengthen democracy. Legitimate, effective and responsive institutions are now recognized as key to breaking the cycle of violence and instability and laying the foundations for economic recovery and social development. IDLO's contribution will be targeted to improve the quality of justice, so that people can have confidence in the laws and institutions that are meant to serve them. We will strive to align our work with broader peacebuilding and recovery efforts in countries emerging from conflict.

#### 1.1 Improve the quality and integrity of institutions in the justice sector

Through locally owned and inclusive processes, we will aim to develop efficient, effective and accountable institutions. We will support new, more effective ways of developing judicial and legal capacity; promote the integrity and independence of the judiciary; and establish systems for transparent, timely and competent decision-making. We will actively promote strategies for successful transition to local partners and strive to ensure sustainability. We will pay particular attention to understanding and measuring the impact of justice sector reforms on people's access to justice and the quality of justice, linking goals 1 and 2 of the Strategic Plan.

#### 1.2 Assist constitution making and legal reform

As countries transition towards democracy, constitutional and legal reform are gaining greater prominence. IDLO's

specialized knowledge of different legal systems gives us a distinct advantage in providing advice to those drafting constitutions, as does our neutrality as an IGO in creating trust and confidence among those seeking reform. IDLO will work with government institutions to establish legislative and constitutional frameworks based on locally defined parameters and respectful of legal pluralism, but aligned to international standards and enriched by regional and global best practices. IDLO will also support transition processes by strengthening ministries and justice sector institutions to implement constitutional and legal reform. We will encourage and facilitate participatory approaches and multi-stakeholder consultations to strengthen reform initiatives.

### 1.3 Promote good governance through transparency and accountability

We will seek to promote transparency and accountability using top-down and bottom-up techniques simultaneously. While continuing our current efforts to improve public procurement, we will re-energize our past interest in fighting corruption with a new strategy on integrity. We will map corrupt practices in the judiciary and promote the integrity of the justice system. We will identify new opportunities to fight corruption by working with civil society, governments and partner organizations to promote laws and practices that expand transparency. We will actively seek ways to link our work on transparency and accountability to our work on sustainable development and economic opportunity (Goal 3).

## **GOAL 2 IDLO WILL ENHANCE ACCESS TO JUSTICE BY ENABLING GOVERNMENTS TO UPHOLD HUMAN RIGHTS AND EMPOWERING PEOPLE TO CLAIM THEM**

Human rights and gender equality were identified as cross-cutting goals in the past cycle, leading to some individual projects which indicated promising openings for IDLO to do much more on these issues. In this strategic cycle, we will develop a coherent program to assist women and poor and marginalized communities to access justice and protect their legal rights, through legal awareness, legal aid and empowerment strategies.

The human rights system has been strong on developing standards and principles, but weak on implementation. Our goal will be to focus on the latter with a strategy that enhances capacity and accountability and improves laws and institutions through which people can claim their rights. Our work will cover economic, social and cultural rights, as well as civil and political rights. The overall strategy will be three-pronged: enabling state and, where relevant, non-state actors to protect and respect human

rights, combating discrimination, and empowering those whose rights are at risk. Under this goal, we will engage with the informal as well as formal justice systems.

### 2.1 Promote gender equality

We will develop a two-pronged strategy to ensure that we mainstream gender equality into all our work, while also developing distinct projects to uphold the rights of women and girls. We will expand and enhance the work we have done in the past strategic cycle to combat gender violence. We will seek to promote the participation of women in the justice sector and ensure gender equality is an integral part of constitutional and legal reforms (Goal 1); support the legal empowerment of women and their access to justice (Goal 2.2); ensure economic and social rights of women and girls (Goal 2.3); and strengthen their capacity to adapt to climate change and access natural resources, such as land (Goal 3). Recognizing the need to take a multi-disciplinary approach, we will work closely with women's organizations to identify how legal and regulatory reform can support other programs for the advancement of women and girls.

### 2.2 Innovate "micro-justice" for social inclusion

Marginalized communities and people living in poverty often struggle to access basic services, obtain legal documents and safeguard their rights, interests and assets. Formal legal systems are neither affordable nor always accessible to migrants, women, children, the disabled, and other marginalized or vulnerable groups. Often they rely on informal means to find justice or are left with no remedy. Innovative solutions are needed to help poor and marginalized people to overcome the obstacles to justice and claim their rights. Combining our core competency of institution-building, our understanding of informal as well as formal legal systems, our experience of legal empowerment and our emerging work in the social and sustainability sector, we will work with partners and stakeholders to develop strategies and tools to expand legal services, as well as cost-effective mechanisms for the legal empowerment of poor and marginalized communities.

### 2.3 Use law to advance economic and social rights

The rule of law is an enabler for social development, combating discrimination and enhancing access to much-needed services and resources. Our strategy will include strengthening the legal framework for economic and social rights; empowering civil society to hold governments accountable; and strengthening legal services to address discrimination and reduce barriers to services and resources. IDLO has developed strong competencies on health law in the past cycle and we see

good prospects for further developing this work, in partnership with others.

### **GOAL 3 IDLO WILL FACILITATE INNOVATIVE LEGAL APPROACHES TO SUPPORT SUSTAINABLE DEVELOPMENT AND ECONOMIC OPPORTUNITY**

As climate change, resource scarcity and financial crises threaten to set back decades of socio-economic progress, challenges of inequality and sustainability are high on the development agenda. Legal and institutional reform can make an important contribution to tackling these problems, but many developing countries lack the capacity and know-how to use law to promote sustainable development, or to access the benefits of trade, intellectual property, technology or the green economy equitably. IDLO will use its comparative advantage of developing tailor-made solutions to fit local needs, and work with local partners to assist countries to adopt and implement innovative legal and institutional responses to development challenges. IDLO will combine its programmatic experience with research and advocacy to contribute to the international efforts to design a new sustainability and development agenda post-2015.

#### **3.1 Enhance legal preparedness for climate change and the green economy**

While adaptation and mitigation strategies require well-coordinated responses involving multiple sectors, in most developing countries the laws and institutions are weak and fragmented, and unable to comply with the growing numbers of international legal commitments. Building on the lessons learned from our successful pilot projects in the past strategic cycle, and working with stakeholders across the different sectors, we will assist countries to analyze their existing laws and regulations relevant to climate change, empower and engage national and local stakeholders to identify legal obstacles, help them to undertake legal and institutional reforms, and integrate adaptation and mitigation into their development strategies. Focusing on the poorest and most vulnerable communities, we will engage with governments,

communities and micro-enterprises to promote laws and policies for sustainable land use and accessing green economy opportunities. We will help countries to strengthen their legal systems so that they can access new financing and clean technologies.

#### **3.2 Improve management of natural resources**

Growing demand for land, water, energy and minerals, coupled with the degradation of land and forests, unsustainable economic practices, outdated infrastructure, and weak laws and institutions pose enormous challenges to developing countries as they seek to manage their natural resources. By improving the regulatory framework through collaborative, multi-dimensional and innovative approaches, which engage state, corporate, civil society and local stakeholders, we can help to clarify roles and responsibilities, protect rights, improve governance and ensure equitable access to resources. Focusing first on land and energy, IDLO will build the capacity of stakeholders to develop collaborative approaches and understand the legal challenges, and we will provide them with technical assistance to improve legal and regulatory reforms, formal and informal governance, and access to natural resources.

#### **3.3 Support capacity development for economic opportunity**

IDLO's programming will build on our established capacity development experience in trade and commercial law, while exploring emerging issues and strategic partnerships. We will seek opportunities to scale up our existing programmes on commercial law, public procurement, intellectual property and technology transfer, while also exploring new issues. We will map opportunities and identify our niche on issues of fair trade, investment and economic development, with a particular focus on emerging economies and middle income countries. Given the enormity of the challenges and our limited resources, we will develop our work through pilot projects in a phased manner, and in partnership with others.

## ORGANIZATIONAL CHANGES WE WILL MAKE

Our organizational goals seek to initiate major institutional changes, strengthening program quality and effectiveness and building new capabilities in advocacy, research and learning. They aim to foster an organizational culture open to new ways of working, and one that re-energizes IDLO's creativity, audacity, agility, hunger for excellence, willingness to take calculated risks, and unwavering passion to make the world a better place.

Operating in a complex and rapidly changing global environment with diverse actors and at multiple levels, we need to be flexible, fast, collaborative and connected, outward-looking, agile and entrepreneurial. That in turn requires us to invest in communications and modern technology and to update our skills, systems and structures, much of which have become outdated, run down or overwhelmed.

We propose to review and revamp our organizational systems and structures to increase efficiency and effectiveness. We will also seek to enhance the quality and impact of our programs. We will strive to become truly networked by exploiting synergies, breaking silos inside the Organization, setting up strategic partnerships and working creatively with others.

We will actively seek to mobilize resources and use them judiciously to make improvements that enhance our efficiency and effectiveness, and that are phased in line with the availability of funds.

### **GOAL 4 IDLO WILL SEEK TO ESTABLISH ITSELF AS A THOUGHT LEADER ON THE RULE OF LAW**

Our extensive outreach in the legal community, our solid field-based experience, and our quality research and inter-governmental structure all combine to give us a distinct identity and legitimacy as an international advocate for a culture of justice through the rule of law.

To our well-recognized role as a provider of technical assistance and capacity development, we propose to add a third arm: policy advocacy. We will champion our support for the rule of law in line with internationally accepted norms, and complementing the efforts of larger multi-lateral organizations in international policy making forums. Such a values-based approach will distinguish us from commercial legal capacity-building enterprises, and strengthen our identity as the only inter-governmental organization with the sole mandate to promote the rule of law.

We will pursue our goal to become a thought leader through knowledge generation, policy advocacy, strategic collaboration and effective communications.

#### **4.1 Advocate, engage and convene multi-stakeholders**

Combining our field experience, research and analytical capacity, we will champion our understanding of the rule of law as an enabler and outcome of sustainable development, encompassing substantive as well as procedural justice. We will exploit our convening power to engage policy makers in international, regional and national forums, and work with our Member Parties and partner governments to gain support for our policy advocacy. Over the years, IDLO has built a rich array of local and global networks of individuals and institutions, including practitioners, academics, policy makers and alumni across the world. We will call on this rich stakeholder resource to help us build a constituency of support for the cause of justice.

#### **4.2 Be a learning organization**

In the last strategic cycle, we adopted a goal for knowledge generation and established a reputation for high quality research. As the only organization in the rule of law sector that has the capacity and competency to generate knowledge as well as deliver programs, we will seek to inject our research and thinking into international policy making as well as into our own technical assistance and capacity development programming. We will gather and disseminate best practices, and learn and share with our partners and collaborators to improve the delivery of rule of law assistance. Internally, we will develop a research and evaluation strategy that enhances and is in turn enhanced by our programming. We will align our organizational systems and structures to better integrate planning, monitoring, learning and dissemination.

#### **4.3 Explore strategic partnerships**

IDLO will strengthen its collaboration with diverse stakeholders for mutual benefit through innovative and strategic partnerships. We will endeavour to develop partnerships that are regionally and linguistically balanced, while meeting our strategic and programmatic needs. We will identify concrete possibilities for cooperation on policy initiatives, as well as programs/projects with the UN system and other like-minded international organizations. We will strengthen our collaboration with academic networks to enhance our research capacity while protecting our intellectual property. We will

capitalize on the full potential of our alumni and Alumni Associations to expand our global outreach and, exploiting the advantages of modern technology, link them with our other legal and professional networks to build communities of practice.

### 4.4 Strengthen communications

We will develop a comprehensive strategy to build, enhance and, when needed, defend our brand in key geographies and sectors in which we work. Our communications strategy will underpin our strategic and organizational goals and objectives, and further our aim to be an externally-oriented and networked organization. IDLO will modernize its communications infrastructure and develop competency throughout the Organization to adequately and effectively communicate, taking advantage of emerging communications trends and technologies. We will also seek to deploy best practices in communications and public awareness in our programmatic work.

### **GOAL 5 IDLO WILL SEEK TO ENHANCE IMPACT, ACCOUNTABILITY AND EFFICIENCY BY STRENGTHENING ITS COMPETENCIES, CAPACITY, SYSTEMS AND STRUCTURE**

The new Strategic Plan requires IDLO to work in a very different way from the past: in new areas of legal expertise, better linked to the communities we serve, and more connected to our partners. It calls on us to be impact-oriented, externally focused, accountable and transparent. While we do not underestimate the challenge of achieving these aims, we believe it is both essential and possible to bring about these changes in a phased manner over the life span of the new Plan.

#### 5.1 Strive for excellence in program quality

Based on program evaluations, impact assessment and organizational reviews, IDLO will seek to enhance the quality of its programs and institutional performance. We will review our capacity development methodologies to see how we can further improve our impact. We will improve our technical assistance initiatives through more comprehensive needs assessments and stakeholder validations to ensure that we respond holistically and strategically. We will strengthen our program development and monitoring and integrate planning and learning so that we can encourage a culture of excellence. By better clarifying, coordinating and managing our terms of engagement with our partners, contractors and beneficiary agencies, we will strive to ensure that programs benefit from our proven best practices and strengths.

#### 5.2 Undertake organizational review and reform

Early in the life span of this strategic cycle, we will initiate a review to examine our policies and business processes, including IT, finance, procurement and human resources. We will carry out the changes in an appropriately phased manner and in line with available resources in the course of this planning cycle. The objective will be to bring IDLO in line with best practices in field-oriented organizations of its size.

#### 5.3 Align structure to strategy

We propose to take a function-oriented approach to our structure, moving away from a geo-centric model to one that is more flexible. This will better reflect our evolution over the past decade from a headquarters-based training institution into a field-based, partnership-oriented rule of law organization. Almost half of IDLO's employees are now located outside of its headquarters, and almost 90% of its operational activities are conducted from field locations.

Nairobi is emerging as a natural nucleus for our large programs in the Horn of Africa and East Africa. We propose to set up an operational hub in Nairobi to improve coordination and cut program costs. We may consider similar hubs in other locations as our operations grow and diversify geographically.

IDLO has expanded its New York Office to better cover the United Nations. From the perspective of partnership-building, visibility and resource mobilization, and depending on cost-effectiveness and the availability of funds, we propose to explore expanding our presence in some other selected key international locations.

#### 5.4 Invest in our people through staff development, change management and leadership training

IDLO's people are the key to the delivery of the new Plan. There is much enthusiasm, energy, creativity and commitment among our people to take the Organization to its next level of performance. We will give priority to investing in staff development, management capacity and leadership skills, and to engaging and empowering our employees at Headquarters and in the field, so that they can become the architects of our change. A workforce planning exercise and a full review of the Staff Rules and Regulations will be important steps in this process.

## MOBILIZING FINANCIAL & POLITICAL SUPPORT

The expansion of IDLO's program portfolio over the past two years demonstrates our value to the international community and donors' confidence in us. Building on that platform and acknowledging the need for adequate financial resources to implement the new Strategic Plan, our priority in this cycle is to achieve financial sustainability.

The level and uncertainty of IDLO's unrestricted revenue, its dependence on revenue from program funds in "high risk" operations and its low reserves have put the Organization in a financially vulnerable position in recent years. IDLO has historically relied on regular contributions from a small group of donors and on program revenue. Currently, it has approximately thirty donors, of which only eight provide unrestricted contributions - the rest provide restricted program funds. Based on 2011 figures, IDLO is dependent on 11% of its Member Parties for 97% of its unrestricted funding. In March 2012, the Audit & Finance Committee recommended that IDLO focus on strengthening its financial reserves and broadening the donor base for unrestricted funding. The Committee recognized that the lack of diversity of IDLO's revenue sources adds to the Organization's overall financial risk.

IDLO urgently needs more funds to make the necessary institutional investments to maintain its current trajectory of growth, and to capture new markets. Without a fresh injection of flexible funding IDLO will not be able to modernize or sustain the pace of program delivery. Most importantly, it will not be able to carry out its work in line with the Strategic Plan 2013 - 2016.

With a grant from the Bill & Melinda Gates Foundation, IDLO has created a specific "Partnership Relations" function to lay the foundation to achieve financial sustainability.

### **GOAL 6** IDLO WILL ACHIEVE FINANCIAL SUSTAINABILITY DURING THE NEW STRATEGIC CYCLE

#### **6.1** Adopt and implement a global resource mobilization plan.

IDLO will seek to achieve financial sustainability through consolidating and expanding its donor base, including existing and new government donors, as well as foundations and corporate actors. It will focus on

identifying major sources of funding where the potential is greatest. We propose to examine mechanisms, such as multi-year funding and sector/thematic program funding in order to increase overall funds and improve the predictability and accuracy of forecasting revenue. We will also seek to ensure that our programming and budgeting provide a clear and accurate picture of our organizational needs to donors.

#### **6.2** Nurture an open and transparent culture of partnership

As part of the strategy to expand and diversify its donor base, IDLO proposes creating an "IDLO Support Group" (ISG) where participants would engage to bring their financial backing to the Organization. The group would comprise Member Parties as well as non-members who are IDLO donors. The purpose would be to strengthen relations with donors, improve their knowledge and understanding of IDLO's programs and policies, and permit IDLO to engage with them on issues of mutual interest on a regular basis.

### **GOAL 7** IDLO WILL SEEK TO STRENGTHEN ITS ENGAGEMENT WITH MEMBER PARTIES AND PURSUE BALANCED GROWTH OF MEMBERSHIP

A well-balanced, engaged Membership is important for the credibility of IDLO as an inter-governmental organization and for its ability to carry out its mission effectively. With the support and guidance of its Presidency and its current members, IDLO will seek to attract new Member Parties from under-represented regions, as well as from among those who are able to contribute financially to the Organization.

Members have a responsibility to ensure IDLO's financial health and good governance. We are committed to enhancing our engagement with existing and potential Member Parties to seek their political and financial support in order to fulfill this Strategic Plan.

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## ABOUT IDLO

The International Development Law Organization (IDLO) enables governments and empowers people to reform laws and strengthen institutions to promote peace, justice, sustainable development and economic opportunity.

