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Rationale

Strong legal and judicial institutions are an important cornerstone of sustainable economic and social development. In our ever increasingly interconnected world, there is however a need in the international community for a permanent global knowledge exchange forum.

As current technological advances are providing new opportunities to connect experts and stakeholders around the world, making it easier to identify, co-generate, share and disseminate relevant knowledge and solutions, and making them available as public goods complementary to financial resources for development, the World Bank Legal Vice-Presidency (LEGVP) believes the gap in the international community for a permanent legal forum can be filled by harnessing these new technologies.

Construction of a technological ICT web-based platform will allow the Global Forum on Law, Justice and Development (GFLJD) to draw on the Bank’s vast repository of law and development knowledge and leverage its international convening power to attract knowledge contributions from development leaders and academia.

Objectives

The GFLJD will help identify, discuss and produce innovative and customized legal solutions to global, regional or national development challenges. It seeks to: (1) promote a better understanding of the role of law and justice in the development process, through structured South-South and North-South dialogues of relevant stakeholders and a research agenda that will support knowledge co-generation including academia and think-tanks; and (2) strengthen and better integrate legal and judicial institutions in the development process, through selected capacity building initiatives and an open repository of knowledge.

Structure

The GFLJD consists of two mutually-reinforcing pillars: (1) a permanent forum; and (2) an ICT web-based platform designed and administered by the Burton Blatt Institute (BBI) at Syracuse University (SU). The GFLJD builds on existing informal networks and partnerships in specific thematic areas, strengthened and formalized through Memoranda of Understanding which would financially support the thematic

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1 “Successful industrial upgrading in an economy also requires new types of financial, legal, and other “soft” (or intangible) and “hard” (or tangible) infrastructure to facilitate production and market transactions and allow the economy to reach its production possibility frontier.” The Growth Report and New Structural Economics, by Justin Yifu Lin and Célestin Monga- The World Bank June 2010.

2 Including international, national and local development actors, academia, and civil society.
groups in order to implement their work plans.

The GFLJD targets three broad participant groups involved in the legal dimension of international development: (1) a core group comprised of World Bank Group (WBG) participants (World Bank Regions & Networks, IFC, MIGA & ICSID); (2) a group of international and regional organizations, such as International Financial Institutions (IFIs), Universal and Regional Organizations; and (3) a group of national stakeholders, such as government authorities, academia, think-tanks and civil society organizations.

**Results-Oriented Permanent Forum**

Building on the success of World Bank's 2010 Law, Justice, and Development Week, and considering subsequent feedback from, and discussions with, its internal and external partners, LEGVP is proposing the establishment of a more permanent forum to capture, co-generate, exchange and disseminate innovative legal solutions for development.

This forum is intended to be a South-South as well as North-South collaboration mechanism that will support the global agenda of knowledge for development. The Forum will be in line with the "Open Data, Open Knowledge, Open Solutions" approach, leveraging the work of the entire World Bank Group (World Bank Regions and Networks IFC, MIGA, ICSID,) in respect of the legal dimensions of development challenges.

**Approach:** The Forum will adopt a multidisciplinary approach, combining economic, legal and technical aspects of targeted issues. The agenda will address global, regional and country issues, as well as institutional issues.

**Process:** The identification and prioritization of issues will be carried out through a participatory process based on broad consultation with partners and client countries. Knowledge co-generation and legal solutions will result from a collaborative process among partners, using strict methodological analysis and subject to impact evaluation.

**Knowledge Production:** The forum will encourage the co-generation of innovative legal solutions to development issues through studies and research, action research\(^3\), guidelines, models or standards, and capacity building.

**Knowledge Dissemination:** Open Access Publishing is one of the characteristics of this initiative. Original intellectual authorship will be attributed while the knowledge will be freely accessible via an Open Access Publishing model. More specifically, information will be shared online - for immediate, free to access (no cost) and free to use (no restrictions on re-use other than attribution) - and will be made available in alternative formats, for locations that have low or no access to internet.

**Expected Outcomes:** Contributing to scaling up of successful solutions pertaining to law and justice in development through generation of innovative and customized legal solutions to development; better integration of law and justice considerations in the development process to increase development effectiveness; better

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\(^3\) Action research is a systematic form of inquiry that is collective, collaborative, self-reflective, critical and undertaken by the participants of the inquiry (McCutcheon, G. & Jung, B. (1990)).
sharing of legal solutions to development challenges among development practitioners around the world and better use of academic and research institutions to help solve legal development challenges.

**Organization:** The forum is organized by thematic areas where partners are clustered based on their expertise. Partners will be encouraged to take leadership roles depending on their organizations’ area of excellence. Each thematic group will establish its own agenda and group composition.

**Instruments:** Each cluster of partners is expected to collaborate via Communities of Practice (CoP) using blogs, discussion forums, multi-media collaborative problem-solving, and professional networking. A sub-platform with smart-web enabled tools for knowledge creation and exchange will be used.

**Indicative List of Topics:** The identification and prioritization of topics will be decided through consultation with partners and client countries (demand driven). The topics and activities will be structured in an annual work plan to be agreed on by partners.

The following are examples of potential topics based on preliminary consultations:

### Global new/emerging issues

- Climate change, development agenda and international law
- International legal system: rebuilding the international legal architecture - dialogue with the Davos Global Agenda Council on International Legal System
- Financial sector regulation in Middle Income Countries after the crisis
- Measuring the rule of law: how to develop useful and impartial indicators of Justice, rule of law and governance in development
- Regulatory frameworks for payment of environmental services
- Dealing with fraud and corruption in international development projects
- Responding to the global financial crisis through domestic and international legal and regulatory reform
- Intellectual property & development
- Law of land and involuntary resettlement
- Ocean law: protection and sustainable use of oceans
- Criminal justice and development
- Gender and development
- Public private partnership: contracts, laws and regulations

### Regional/Country Issues

- Asia: (e.g. development, rule of law in Asia: case study on China)
- Africa: Frontier legal development issues in middle-income and low-income countries, as well as in fragile states
- Europe: Challenges in law and development in transition economies (e.g. Business environment and criminal justice reform in some Eastern and Central Asia countries)
- Latin America and Caribbean (LAC): (e.g. Crime, violence and development in LAC, case studies from Mexico/Colombia)
- Dealing with the emergence of the new State (e.g. South Sudan) and...
the failed State (e.g. Somalia)
• Insolvency and creditor/debtor regimes
• Governance and Anti-Corruption (GAC)

Institutional Issues
• Accountability and legitimacy in governance and operations of IFIs
• International responses to emergencies and crises: legal and policy instruments of IFIs (lessons from Haiti, Afghanistan, Iraq)
• Rebuilding legal and justice institutions in fragile and conflict-affected states: methodologies and best practices
• Access to information: openness and accountability
• Criminal justice performance
• Methods and tools for quality impact evaluation in Justice sector
• Natural resources management and dispute resolution
• Social and environmental safeguards in IFIs and domestic law
• Rule of law, ethics and corporate governance in international finance: modernizing the governance of IFIs

Long-term Sustainability & Partners’ Contributions: The sustainability of the initiative is based on a menu of options that include: (1) “in-kind contributions” from intellectual partners; (2) “financial contributions” from financial partners, sponsors and supporters; and (3) combinations of in-kind and financial support. We expect this initiative to leverage around $50 million over a period of ten years (including $20 million for pilot projects in developing countries). In order to encourage financial partnerships from the South we set US$ 250,000 as minimal threshold for financial contribution for developing countries.

The commitment to in-kind contributions by intellectual partners will assist with the planning of the agenda (topics identified through a broad consultation process among partners and beneficiary countries). These contributions may result in:

• Sharing knowledge by contributing to the information communication technology platform with existing knowledge products (e.g. studies, databases, training material etc.)
• Mobilizing its own staff for the pursuit of the objectives of the partnership, and paying for related out-of-pocket expenses
• Promoting expert meetings, workshops, and/or open training to jointly build technical capacity and strengthen the understanding of global, regional and country legal issues
• Providing facilities for workshops, conferences or training seminars
• Providing translations of relevant documents into their native language for wider dissemination in their respective Countries
• Providing updates in specific areas of national legislation
• Engaging and funding studies/research and publications
• Increasing their cooperation on global, regional and country issues, in concert with other interested parties, by developing a shared understanding of key legal development challenges and promoting complementarities and knowledge products
• Providing support to relevant stakeholders; and such other means as the Parties may agree

The resources provided by financial partners, sponsors and supporters, are aimed at the long-term
sustainability of the GFLJD, and will be channeled through a dedicated Multi-Donor Trust Fund (MDTF)\(^4\).

**ICT Knowledge Platform**

The forum will be supported by a web-based Information and Communication Technology (ICT) platform that will facilitate the internal and external communication, host relevant knowledge (databases, research, documents, etc.) and provide easy and free access to knowledge relevant to policy makers, development practitioners and the general public.

The backbone of the GFLJD is a robust, dynamic, and interactive ICT and cloud computing based platform to support synchronous and asynchronous interaction, top-down and bottom-up mechanisms of knowledge sharing and distribution, and built-in flexibility and accessibility to adapt to multiple user agents.

Using state-of-the-art software and hardware, the Open Knowledge Exchange platform will offer the following features:

**Repository**: The platform will host an open, comprehensive, and searchable repository and database, capable of storing multimedia formats. The repository will combine bottom-up (knowledge pull)\(^5\) and top-down (knowledge push)\(^6\) approaches to knowledge sharing in practice. Knowledge push will include sharing existing LEGVP knowledge products as well as ongoing dissemination of selective publications and resources from relevant international law, policy and practice sources. Knowledge pull will include users sharing their informational sources, experiences, and anecdotes to impact and inform other knowledge creators.

**User Reviews and Grading of Evidence and Knowledge**: The platform will incorporate reviews of knowledge products by allowing users to rate every knowledge product on multiple scales, thus using the crowd-sourcing of consumer reviews to provide information on the usability, efficacy, impact, and effectiveness of shared knowledge products. Users can also view these crowd-sourced reviews by filtering on the basis of category of reviewer (e.g. World Bank staff, government personnel, legal practitioners, other development professionals, CSOs). This will promote the user-focused and bottom-up implementation of the GFLJD and practitioners, policymakers and others implementing new interventions, strategies, and practices from the best available information. The GFLJD platform will also be designed to support ongoing and rigorous Monitoring and Evaluation (through expert and user evaluations) conducted by external evaluators.

**Communities of Practice (CoP)**: The platform will provide smart web-enabled cloud computing tools to

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\(^4\) Details on the MDTF will be provided upon request.

\(^5\) Knowledge Pull is knowledge that flows from the selection activity to other knowledge manipulation activities and is essentially triggered by an individual’s ‘Knowledge Seek’ Request.

\(^6\) Knowledge Push is knowledge flow that gets triggered automatically without an explicit request from any knowledge seeker.
support collaborative knowledge and document creation, management, and sharing efforts within multiple communities of practice formulated by the GFLJD management. The CoP spaces within the platform will operate as fully-functioning sub-platforms with features to link with other CoPs and advance cross-pollination across communities.

Education and Training Opportunities: With in-built webinar, video conferencing, and other real-time asynchronous educational technology features, the platform will expand the reach of LJD University to legal students and professionals worldwide. The LJD University will offer multiple levels of continuing education courses, trainings, and seminars in real-time and through archived materials for individuals around the world with diverse ICT infrastructural resources. The LJD University will also support mentoring of legal students and early career legal practitioners by using tested strategies such as using videos to share success stories and challenges, live video support for mentor-mentee pairs, and other formats for interactions.

Ongoing Collaboration and Interaction Between Members: In addition to CoPs, the platform will provide multiple tools for users and members to network and deliberate on issues including blogs, discussion forums, professional networking tools, video sharing, and access to internal as well as external social media sites.

In collaboration with LEGVP, Syracuse University will lead an interdisciplinary and cross-departmental team of experts to advance the conceptualization, infrastructural design, execution and ongoing support for the Open Knowledge Exchange platform. Experts in the fields of computer science, information technology, law and policy, legal capacity, universal design, virtual collaborations, and cyber-infrastructure will work together in establishing and maintaining the platform. The system infrastructure will be enhanced by intuitive design, and universal accessibility, regardless of user technology (mobile or PC), media inputs, software or assistive technology. In accordance with the accessibility principles set in the Convention on the Rights of Persons with Disabilities (CRPD) the platform will be accessible for people with disabilities and vulnerable groups. While the platform architecture and features will be primarily internet and cloud based, users without internet access will have options for offline support. As a founding partner of the GFLJD, Syracuse University will provide regular graduate and undergraduate students assistantships and internships to maintain the GFLJD database as well as work on tasks and activities for other GFLJD partners.

Partners Benefits

Across the globe, isolated spheres of legal excellence exist that are advancing social, civic and economic development outcomes, but their advances are not sufficiently translated or available broadly for replication. In particular, legal development experts and researchers are not currently able to directly and easily access and assess international research, policy and practice. The GFLJD aims to provide a solution to this problem.

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7 Materials will be provided in multiple alternative formats to ensure accessibility for people with disabilities and disadvantaged populations with limited access to resources; this implies that all platform content will be designed to be compatible with different hardware, software, diversity of locations, educational and literacy levels, as well as physical (vision, hearing, dexterity etc.) and cognitive abilities. GFLJD’s hosted content will be provided in alternative formats (text, audio, video) and available on multiple media including print, large print, and CDs/DVDs for individuals without regular internet access. Web site postings will meet Section 508 standards for accessibility for people with disabilities and follow the W3C web accessibility guidelines. All audio and video content will be suitably captioned. Web casts will feature real-time captioning.
The LEGVP possesses a vast wealth of knowledge on legal issues related to development. This consists of archived knowledge since the establishment of the World Bank, combined with its ongoing legal activities and an ambitious knowledge agenda. This knowledge is set to be complemented by Global Legal Forum’s external knowledge generation and sharing capacity.

Additionally, the GFLJD is expected to provide a tremendous and unprecedented return on investment by fostering enhancement of human capital capacity through knowledge sharing as well as participation in larger social networks. All GFLJD partners and users will benefit from this.

As GFLJD connects pockets of knowledge, which become more readily shared, partners who participate in the knowledge sharing, research, or dissemination components of GFLJD will benefit from *Cross Global Knowledge Translation*. This means that users will have an unprecedented opportunity to contribute to, and become central sustaining partners and leaders in the sharing of knowledge and evaluation of shared program outcomes.

GFLJD benefits international researchers and practitioners by providing access to the system, and just as importantly, by inviting participation in the full breadth of the learning and exchange opportunity offered through GFLJD.

Forum and Knowledge exchange platform benefits include the following:

- Access to a broad network of formal and informal partnerships - LEGVP has developed these partnerships with other entities (IFC, MIGA, and ICSID), Networks and Regions inside the World Bank Group, with other IFIs and international organizations at global and regional levels, and with academia and think-tanks, and with CSOs
- A wealth of knowledge contained within the dynamic database and collaboratory - this is compiled using *knowledge push* strategies which involve disseminating knowledge products developed and identified by the platform founding partners, as well as bottom-up and *knowledge pull* approaches to encourage the active participation of knowledge users in sharing their knowledge and experiences and identifying key materials pertinent to the field
- Enhanced ability to communicate – users are able to access, conduct, learn, and share within culturally and linguistically different frameworks
- An open system of international activities to enable translation of knowledge
- An open system to facilitate reviews and grading of knowledge products - users themselves will obtain aggregated ratings for usability, efficacy, impact, and effectiveness of shared knowledge products
- Ongoing educational courses for professionals and students - based on current and state-of-the-art knowledge
- Database search tools providing users with relevant and methodologically rigorous information – this results in enhanced benefits to users across research, policy and practice fields
- Robust international collaborations and exchanges through platform social tools and programs - enhances cross-cultural and cross-national awareness as well as the cultural and linguistic competence of users;
• Researchers and practitioners from every region of the world will use the collaboratories\(^8\) to learn from the experience and research of international colleagues

• The final product will be a menu of alternative solutions that will provide the user with a tool for making informed decisions

**Interim Governance**

During the first year, the governance will be provided by a simple **Steering Committee**, composed of LEGVP and representatives of intellectual and financial partners with contribution on or above the threshold limit ($250,000).

The **Steering Committee** (SC) will be supported by a small Secretariat provided by LEGVP and will benefit from inputs by a World Bank Coordination Committee (see below). The Steering Committee will be replaced by the Executive Committee, when the latter is established.

During the first year, the Secretariat will assist the SC finalize and submit to new potential partners the GFLJD concept and governance structure, collect statements of interest, prepare a Constitutive Document and finalize Partnership Agreements.

**Proposed Partnership Governance Structure (for discussion):**

**Executive Committee** (EC): EC is the decision-making body. Chaired by LEGVP, EC is composed of representatives of both financial and intellectual partners based on the following criteria: one representative for each financial partner who has contributed over $250,000 and one representative for each thematic working group. The EC will meet once a year.

Tasks: the EC makes decisions on topics/activities to be included in the work plan, implementation oversight and will establish guidelines for the programming cycle and reporting methods.

**WBG Advisory Committee** (WBGAC): The WBGAC is a WB-Group advisory body.

Tasks: to provide advice to the Executive Committee on new/emerging global, regional or country issues, to coordinate and build ownership within the WBG.

Members of the WBGAC are expected to include, besides LEGVP, representatives of Networks, Regions, as well as IFC and MIGA. Some intellectual and financial partners may also be invited to participate in order to increase ownership and geographic diversity.

**Secretariat:** The activities funded via MDTF will have the secretariat hosted by LEGVP. The Secretariat will carry out this function under the supervision of the EC and will, *inter alia*, be responsible for sub-grants, conducting all the procurement and hiring required for GFLJD implementation. The Secretariat will also be in charge of monitoring and evaluation activity for which the Secretariat will report to the EC.

**Trustee:** As trustee of the proposed MDTF, the Bank will have important responsibility in approving work programs and technical oversight and will chair the EC. It will also collaborate with partners to establish criteria for eligible knowledge products.

**Thematic Partnerships** (TPs): For each topic/activity a specific working group of partners will be identified by the EC on the basis of respective specializations and geographic areas of action.

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\(^8\) **Collaboratories**, as defined by William Wulf in 1989, is a “center without walls, in which the nation’s researchers can perform their research without regard to physical location, interacting with colleagues, accessing instrumentation, sharing data and computational resources, and accessing information in digital libraries” (Wulf, 1989).
Tasks: each thematic partnership will design and implement the activities with the logistic/administrative support from the Secretariat and budget allocation with sub-grants from the MDTF.

**Partners General Assembly (PGA):** We also envisage a PGA intended to be an annual meeting of representatives from all partners to discuss partnership matters.

**Projected Timeline and Next Steps**

**Remainder of 2011:** Over the course of the summer we will continue consultations with prospective partners to: (1) identify new partners; (2) refine the concept and get preliminary non-binding commitments (in-kind and financial); (3) finalize a standard legal form for membership; (4) draft a governance structure of the partnership; (5) start the construction of the ICT platform with basic pillars; (6) proceed with on-line consultations on the basic documents and amend the documents accordingly; (7) circulate revised versions of key documents and convene first meeting of partners during the Law, Justice and Development Week 2011, planned in Washington D.C. November 14-17, 2011.

**Next step:** Prospective intellectual partners are encouraged to express their intent to join the GFLJD, to identify their thematic areas of interest and to provide comments during on-line consultations. Potential financial partners are also encouraged to provide inputs as well as indicate their likely level of financial contribution.

**Contact us**

For questions or additional information, please contact:

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User Interface and Architecture of ICT Platform

**USER ENVIRONMENT** (cloud-based)

- **Repository**
  - Searching, browsing, displaying results, tagging results, contributing resources
  - Materials added using knowledge pull
  - Materials added using knowledge push

- **Member networking**
  - Blogs, wikis, discussion forums, multimedia enabled collaborative problem solving, professional networking space, links to external social media

- **Communities of Practice**
  - Sub-platforms with smart web-enabled tools for knowledge creation and exchange

- **Education/Training**
  - Real time and asynchronous continuing education programs, trainings, video and ICT enabled mentoring and seminars for professionals and students

**SYSTEM**

- Application programs, middleware, servers

**ENVIRONMENT**

- Resources database (full text and multi-media from either published sources or trusted websites that are either selected by the staff or contributed by users)
- Metadata (harvested, imported, converted, transformed)
- Web-enabled and fully resourced sub-portsals for Communities of Practice
- Built-in tools for multimedia support, real-time communications, linkages between different sections of platform
- User data