

MEMORANDUM FOR UN Permanent Mission

From: Team #7 – The Role of Good Governance in Economic Development

Subject: Judicial System Reform Through Citizen Pressure

I. Action-Forcing Event:

The incapacity to carry out judicial policies has been severely damaging the well functioning and credibility of the judicial system in several countries. Moreover, the lack of information and education of citizens about their rights and the process of how justice is administered has acted as a barrier for the creation of accountability of judges and public servants in this branch. The combination of these issues has fostered a corrupt and inefficient judicial system. And as the World Bank data on governance suggests, sound changes has not been achieved in the world.

II. Background and Analysis

A traditional approach to solve the independence and well functioning of the judicial sector has considered reforms from the inside. Some examples include the independence of judges' action by the creation of a civil service career system. However, these attempts require current government commitment that is frequently absent. Corruption, discretion and the lack of accountability continue to be present. Citizen input and participation is a new channel to create the needed pressure for reform. In order to accomplish this active participation, citizens of each country need to know (i) what their rights are and (ii) how the judicial system works. Without transparency and education on these two issues will foster the checks and balances needed to create an accountable and efficient judicial system.

III. Recommendation

The creation of an "Education Center" that utilizes technology to improve the access to information, educate citizens about their rights and judicial procedures.

- Funding and technical partnership with the World Bank.
- Managed by local organizations.
- Emphasis on technology (computer, radio, telephone).
- Take hand of the existing infrastructure.
- Initial action for requesting countries.

To Consider:

- Appropriate management of resources from local organizations.
- Long term commitment required.
- Potentially expensive.
- Political resistance and capture from local parties.

IV. Decision:

_____ Approve _____ Approve As Amended _____ Reject _____ Discuss Further