Promoting the Rule of Law in the Post-Soviet Region through
State and Non-State Collaboration

A JUSTRAC (Justice Sector Training, Research and Coordination) Symposium
The Rule of Law Collaborative at the University of South Carolina
in cooperation with the U.S. Department of State (INL)
Tbilisi, Georgia
June 12-14, 2019

NOTE: Program subject to change

Independent states established from the breakup of the Soviet Union have worked to create stable environments for their citizens and to promote foreign investment. One of the challenges across the region in this effort has been the willingness and ability of governments to create climates of state transparency and accountability favorable to robust civil society engagement. Civil society organizations (CSOs) play an important role in checking government power, promoting transparency and accountability, and bringing to light corruption and inefficiency that undermines state institutions and weakens the rule of law. Symposium participants will explore how these important change agents can harness social accountability mechanisms and can pursue more formal government partnerships, like those provided for through the Open Government Partnership (OGP), to promote government accountability, transparency, and the rule of law in the region, which ultimately support SDG 16.

This three-day, invitation-only symposium will host up to 40 experts from Armenia, Georgia, Moldova, and Ukraine to explore how CSOs can be both agents and beneficiaries of a strengthened rule of law without undercutting their own footing in restrictive environments. Representatives from governments and CSOs working on related justice sector and rule of law issues will explore how actors have been constrained and how they can expand their freedom to operate. Participants will also be asked to identify ways that these important change agents as well as international actors should take account of local conditions and local solutions in their efforts to promote the rule of law. Similarly, participants will consider how space for independent voices has been both promoted and constrained, with an eye towards developing prescriptions for expansion of freedoms of expression, association, and assembly across the region and elsewhere.

This event will employ a mix of plenary discussions and working group breakout sessions, with all participants divided into one of three working groups. The working groups will meet at least three times during the course of the symposium and will draft concrete recommendations that will be recorded by a rapporteur and reported back to the full group for reactions and comments. Those recommendations will be incorporated into a white paper to be drafted by the Rule of Law Collaborative (ROLC) for circulation within the U.S. Government and to government officials and non-governmental actors within the region and elsewhere through the invitees.

Day I

08:00   **Registration**

09:00   **Symposium Welcoming Remarks**

09:45   **Plenary Session I: Civil Society Organizations' Engagement with the Government**

Civil society organizations (CSOs) have a complicated history with many governments in the region. At times, CSOs have been a powerful agent of change. At other times, they have been marginalized and discredited by governments, leading to concerns about closing spaces. While progress has been made, some governments remain wary of CSOs and sometimes suspect that they are a tool of the political opposition. How can CSOs avoid this label and remain a positive and influential force for the rule of law? In some countries, CSOs have benefitted from cooperating with governments to improve the rule of law, as well as measure and communicate progress to the public. How can this positive process be replicated, particularly in counties where CSOs struggle with closing space? This session will discuss case studies on CSOs' successes in working directly with host governments, including the justice sector, to improve the rule of law.

11:00   **Coffee Break**

11:15   **Plenary Session II: Civil Society Organizations' Engagement with the Public**

Civil society organizations promoting the rule of law are only effective if the public supports their activities. This means that CSOs must work effectively to both understand the public's needs and to clearly communicate systemic problems and proposed solutions. As a result, CSOs have been the most effective ground-level mechanism to learn about stakeholder needs in this region. CSOs have also helped inform the public about their rights, for instance, in the legal system, and in connection with law enforcement. Finally, CSOs have helped communicate ground-level ideas and initiatives to the government, thereby further promoting citizen-government collaboration. This session will discuss some of the most effective ways that CSOs can engage with the public on rule of law issues, including using traditional and social media, advocacy, education, and art.

12:30   **Lunch**

14:00   **Working Group Session I**

The thematic Working Groups, which will include all symposium participants (divided into the three groups), will convene to generate specific recommendations for reform. Each group will include experts in these areas, and participants will be encouraged to discuss lessons learned and adoption of best practices.

Working Group A: Improving Access to Justice

This working group will focus on how to promote better access to justice. Civil society organizations, including associations of legal professionals, have traditionally played an important role in expanding access to justice issues and will continue to do so in the future. Possible topics include legal aid, rights awareness, monitoring and evaluating courts, promoting equality and non-discrimination, empowering marginalized populations, enhancing judicial independence, accountability, and efficiency, and alternative dispute resolution.

Working Group B: Promoting Transparent and Accountable Governance

This working group will focus on promoting transparency and accountability in government. Local and international civil society organizations have taken the lead role in monitoring and evaluating social accountability performance.. CSOs also have worked with host governments to develop national action plans to reach open government goals, including those related to open justice and the rule of law. Yet, much work remains. Possible topics include government performance monitoring, police oversight and accountability, establishing and working with anti-corruption bodies, e-governance, access to information (FOIA/transparency laws), justice system data, media freedom, and ethics regimes.

Working Group C: Building Safe and Secure Communities

This working group will explore the ways that civil society can help build safe and secure communities. CSOs often work at the ground level, sometimes augmenting and at other times competing with governmental efforts, such as with law enforcement activities. There are many lessons learned in this newly-expanding area of intervention. Topics include juvenile justice, community-police relations, prison reform, sexual and gender-based violence, and protecting vulnerable populations.

15:15   **Coffee Break**

15:30   **Working Groups Reconvene**

16:45   **Working Groups Adjourn**

17:00   **Reception**

Day II

09:00   **Opening Remarks for Day II**

09:15   **Plenary Session III: Civil Society Organizations' Engagement with the Donor Community**

Over the past decade, the international donor community has shifted some of its focus and resources in this region from government assistance to more civil society assistance. Donors are generally looking more to local CSOs to implement rule of law programs, as opposed to international implementers or government implementation. Increasingly, international donors are finding more effective and innovative solutions in civil society. Yet, these two communities – international donors and local CSOs – sometimes have conflicting goals and methods. This session will discuss the innovative ways that CSOs can engage the donor community to bring sustainable improvements in the rule of law with an emphasis on local solutions and empowerment of CSOs in rule of law promotion.

10:30   **Coffee Break**

10:45   **Plenary Session IV: Civil Society Organizations' Engagement with the Private Sector**

Most citizens interact with private businesses far more regularly than with their governments or government institutions and agencies. Rule of law issues such as corruption, discrimination, transparency, and dispute resolution are often raised at this level. CSOs have become an increasingly important player in these areas. Whether it is through protecting human rights in the workforce, promoting gender equality in hiring practices, helping businesses reduce their environmental footprint, or helping to reduce corrupt procurement practices, civil society has influenced business behavior in a positive way. This final plenary session will explore these important rule of law interventions and discuss the ways that business and civil society can work together to promote a more just and prosperous society.

12:00   **Lunch**

14:00   **Working Group Session II**

During this session, the Working Groups will continue to formulate a set of practical recommendations for the issues they have been charged with addressing.

15:15   **Coffee Break**

15:30   **Working Groups Reconvene**

17:00   **Working Groups Adjourn**

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09:00   **Working Group Session III**

             During this session, the Working Groups will achieve a consensus on a set of practical recommendations for the issues they have been charged with addressing.

13:00   **Lunch**

14:30   **Closing Plenary: Working Groups Report Recommendations to the Plenary**

             This final session will offer an opportunity for the Working Groups to present their findings to the full plenary of participants. Rapporteurs will report on each group's primary recommendations, and there will be an opportunity for participants to discuss and engage with the recommendations presented by each Working Group.

17:00   **End of Program**