



JUSTRAC

JUSTICE SECTOR TRAINING, RESEARCH
& COORDINATION PROGRAM

Practical Approaches to Strengthening Judicial Institutions

A Justice Sector Training, Research and Coordination Symposium
Convened by the Rule of Law Collaborative at the University of South Carolina
in coordination with The Woodrow Wilson International Center for Scholars

October 10, 2017

Wilson Center, Main Auditorium
Ronald Reagan Building and International Trade Center
One Woodrow Wilson Plaza
Washington, D.C.

NOTE: PROGRAM SUBJECT TO CHANGE

This public symposium will bring together policymakers, scholars, and practitioners to examine practical interventions that can strengthen judicial institutions. The symposium will include a keynote speaker and interactive panels. The event will include case studies from experienced development professionals who have worked with judiciaries in the developing world. Speakers will include judicial professionals, administrators, and other experienced practitioners who can speak directly to specific programs that have strengthened judicial institutions in a range of country settings. They will include experts with experience from both donor and implementation perspectives, as well as those with experience operating inside the judiciary. The speakers will engage in an interactive, panel discussion-style format with audience question and answers.



Program

8:15 – 9:00 **Networking and Registration**

9:00 – 9:15 **Welcoming Remarks**

Will Pomeranz

Deputy Director, Kennan Institute, The Woodrow Wilson International Center for Scholars

Joel Samuels

Director, Rule of Law Collaborative, University of South Carolina

9:15 – 11:00 **Session I: Judicial Independence**

An independent judiciary is widely accepted as a cornerstone of the rule of law. The UN Secretary-General has defined the rule of law as “a principle of governance in which all persons, institutions and entities . . . are accountable to laws that are publicly promulgated, equally enforced and *independently adjudicated*.” To advance these important goals and strengthen judiciaries around the world, donors, scholars, and implementers have promoted judicial independence. However, there has been only mixed success in securing independent judiciaries throughout the developing world. This panel will discuss the core concern related to judicial independence: external interference. Judiciaries around the world are under pressure from executive and legislative bodies, among other actors. Interference takes many forms, including pressure on formal decision-making, but also appointment and administrative encroachment. Panelists will address these issues from various viewpoints, including those of donors, implementers, and the judiciaries themselves. They will use interesting case studies and discuss practical solutions, including legislative and structural safeguards that promote greater separation of powers.

Suren Avanesyan, Moderator

Senior Advisor, USAID

Honorable Vicki Miles-LaGrange

Judge, U.S. District Court, W.D. Oklahoma (former Chief Judge)

Inga Todria

Director, Judicial Legislative and Policy Reform (USAID-PROLOG) and former Chief Judge for Georgian Court of Appeals, Tbilisi

Jan van Zyl Smit

Associate Senior Research Fellow, Bingham Centre for the Rule of Law

11:00 – 11:15 **Break**

11:15 – 13:00 **Session II: Judicial Integrity**

Judicial integrity refers to the longstanding tradition that various aspects of a judicial system should promote public confidence in and acceptance of judicial decision-making. Today, rule of law practitioners promote judicial integrity in a variety of programs throughout the developing world. This panel will focus on two primary areas that impact the integrity of a judicial system: conduct and corruption. Codes of conduct have been promoted through the Bangalore Principles, but have they resulted in better conduct? Anti-corruption programs have also affected many judiciaries, and yet the perception of judicial corruption remains in many countries. The panelists will discuss a variety of approaches to conduct and corruption in civil and common law systems, as well as various regions of the world. They will discuss cutting-edge solutions and present lessons learned from the field. They will look at some of the best examples of success and also address the difficulties in measuring and assessing progress.

Oliver Stolpe, Moderator

Senior Programme Officer, United Nations Office on Drugs and Crime

Linda Bishai

Director, Research, Evaluation, and Learning, ABA/ROLI

Peter Ainsworth

Senior Anti-Corruption Counsel, DOJ

Honorable Richard D. Bennett

Judge, U.S. District Court, D. Maryland

13:00 – 14:00 **Networking Lunch**

Lunch will provide an opportunity for symposium participants and speakers to interact and expand their networks of practitioners in the rule of law community.

14:00 – 15:45 **Session III: Comprehensive Approaches to Judicial Strengthening**

The struggle to strengthen judiciaries does not exist in a vacuum and is part of a larger, society-wide effort to promote the rule of law. Many of these outside efforts can indirectly affect judicial strengthening. This final panel will explore the roles that non-judicial actors can play in this reform process. This panel will address the roles from different perspectives, including the bar and civil society. Speakers will examine how the bar can play a unique role in judicial reform because it is directly affected by judicial performance and is well placed to provide practical solutions, such as vetting judicial candidates. The panel will also address the essential role of civil society. Civil society can improve judicial effectiveness through court monitoring (which includes media oversight) and consideration of court users, including user committees that can promote efficiency and access to justice.

Geralyn Busnardo, Moderator

Rule of Law Specialist and former Chief of Party for various US Gov't justice reform projects

Sarah Rattray

Global Policy Specialist for Human Rights, UNDP

Scott Fulton

President, Environmental Law Institute and former General Counsel for U.S. EPA

Malcolm L. Russell-Einhorn

Lecturer, McCormack Graduate School of Policy and Global Studies and Senior Fellow, Center for Peace, Democracy and Development, University of Massachusetts Boston

15:45 – 16:30 **Keynote Speaker Address and Q&A**

Honorable Justice Tassaduq Hussain Jilani

Former Chief Justice, Pakistan Supreme Court

16:30 – 16:45 **Closing Remarks**