

# Capacity Development Assistance Profile



Expanding Access to Justice (EAJ) is a five year program funded by USAID and implemented by Pact and the American Bar Association Rule of Law Initiative (ABA ROLI) under the Human Rights Support Mechanism, a global program focused on the expansion and protection of human rights. *EAJ is aimed at contributing to stability in Somalia through lasting improvements in access to justice and effective mechanisms to address grievances.*

The EAJ program approach assumes that a strengthened and resilient Somalia justice sector requires state and non-state institutions that have both the ability and willingness to meet the diverse justice needs of Somali communities and individuals. EAJ, therefore, has established *capacity development* as a fully integrated program component that supports all three program objectives.

## PROGRAM OBJECTIVES



Improve inclusive community engagement in justice solutions



Strengthen justice services



Improve navigation of justice pathways by aggrieved parties

EAJ's approach to capacity development is shaped by the unique and diverse needs of justice sector partners. EAJ focuses on building the capacity of *legal aid organizations* (LAOs) and other civil society organizations (CSOs) that extend legal assistance and other services to Somali citizens. The program also provides direct technical assistance to Somali courts and other state justice institutions.

EAJ continues to refine a flexible strategy to applying capacity development approaches across what the program refers to as the *stabilization continuum*, which includes communities in "early recovery" from control by *al-Shabaab* or other insurgent groups to communities in more "advanced" stages of recovery. Importantly, our application of training, mentorship, and

other capacity development approaches is informed by continual assessment of the contextual environment.

EAJ's research and experience indicates that that justice institutions in Somalia are confronted by a *breakdown in community confidence and trust in their ability to resolve conflicts and deliver justice*. This lack of confidence leads many individuals to seek justice services from *al Shabaab* courts. Statutory courts, customary (*xeer*) courts, and shari'ah-based courts alike struggle with the enforcement of decisions. Furthermore, many justice institutions reflect social dynamics that are biased against certain aggrieved parties, including women and marginalized groups. EAJ aims to assist justice actors in restoring trust by boosting their performance through technical and organizational capacity development.

## Targeting capacity development under EAJ

Over two years of implementation, the EAJ team has refined its targeting of capacity development interventions. The program delivers a combination of **technical skills development** focused on strengthening the legal competencies of partner institutions, as well as **organizational development**, aimed at enhancing their administrative, management, and financial capabilities. EAJ's approach includes a focus on strengthening individual institutions, but increasingly will focus on supporting networks of justice sector actors. Moving into Year 3 of the program, EAJ has identified four areas of focus for capacity development interventions:



**ENHANCING ORGANIZATIONAL CAPACITY:** EAJ provides holistic capacity development and assistance to justice sector partners to perform key administration, management, and financial functions. Targets of this assistance include:

- Nine legal aid organizations
- Four community representative organizations
- The Federal Judiciary
- The Federal Ministry of Justice
- The South West State Ministry of Justice

**EXPECTED OUTCOME:** Institutions that effectively deliver justice services which are responsive to community needs



**PROMOTING JUSTICE-SECTOR INNOVATIONS:** EAJ is fostering justice partners to test and carry out new and innovative approaches to specific and longstanding justice sector challenges. Additionally, these interventions are aimed at bringing in new and younger participants into the justice sector. Key innovations currently supported include:

- Clinical legal education and fellowship courses
- *Gasooore dadweyne* (court assessors) project
- Specialist land dispute assistance services

**EXPECTED OUTCOME:** Increased transparency of courts and 'justice chain' actors through the collection, learning, and sharing of information.

**STRENGTHENING SERVICE POINTS:** EAJ's capacity development interventions are ultimately aimed at strengthening justice services that benefit actual communities and individual Somali citizens. EAJ is focused on strengthening the performance (and broadening the services provided) at key justice service points. Targets of this assistance include:

- Walk-in legal clinics & help desks
- Virtual clinics, including call-in centers
- Critical non-justice service centers, including providers of psychosocial services
- Mobile or non-formal service points using social media or public events to disseminate information and services



**EXPECTED OUTCOME:** Improved quality of justice services delivered at service points



**CONNECTING MULTI-STAKEHOLDER JUSTICE NETWORKS:** State and non-state justice institutions operate under difficult conditions, often without the benefit of mutual support. EAJ is focused on building practical connections across key justice partners, enabling information exchange and coordination. Targets of this assistance include:

- Two Access to Justice Network Committees led by Federal and South West State Ministries of Justice
- A Judges' Forum led by the Federal Judiciary
- Two justice committees in early recovery areas
- Two court user committees led by the Federal and southwest state judiciaries

**EXPECTED OUTCOME:** Improved coordination and partnerships of justice actors delivering services in target communities.



## PROMOTING MULTI-STAKEHOLDER COLLABORATION

In Year 1, EAJ supported Ministry of Justice in Somaliland to form the Access to Justice Committee (A2JC), which brought together justice actors and sector stakeholders drawn from government, civil society, donor agencies, and development partners. Under the auspices of the A2JC, “development groups” were formed to work on concrete challenges within the justice sector.

One development group was able to develop a case management system, which has been adopted for use by LAOs across Somaliland. This common system has the potential to significantly improve how LAOs capture, track, and share information about clients.

## EAJ’s capacity development methodology

EAJ carries out a **data-driven approach to capacity development**. Interventions are based on holistic and periodically updated information about partner performance and capacity-related needs. Capacity development approaches are participatory in nature and aimed at helping local partners to self-assess their gaps and identify priorities for training, coaching, and other capacity development interventions. EAJ organizes its approach to capacity development across five discrete steps:

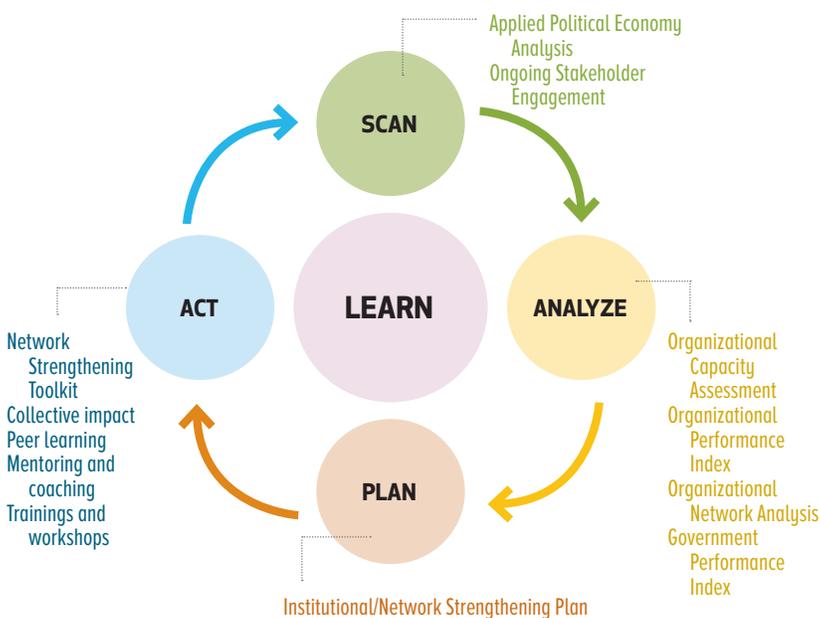
**Scanning:** EAJ uses Applied Political Economy Analysis (APEA) and ongoing stakeholder engagement to continuously scan the program context, using findings to inform the selection of capacity development approaches and priorities.

**Analyzing:** EAJ conducts participatory assessments to map the technical and organizational needs of partners, the performance of key institutions, and the strength and structure of existing and nascent networks.

**Planning:** EAJ and local partners co-create institutional or network strengthening plans which provide a vision and clear pathway for capacity development interventions.

**Taking Action:** EAJ provides capacity development interventions to local partners in accordance with their developed institutional/network strengthening plan. Support is delivered in the form of training, mentoring, and coaching, covering both technical and organizational development.

**Learning:** Regular reflection and learning sits at the center of the EAJ approach to capacity development. In collaboration with program partners, EAJ undertakes periodic reviews to check on progress against the institutional/network strengthening plan. The program and partners regularly identify challenges that are affecting implementation and document lessons learned.



### EAJ’S ASSESSMENT TOOLKIT

EAJ uses a range of Pact’s industry-leading, participatory assessments to guide capacity development interventions.

The **Integrated Technical and Organizational Capacity Assessment (ITOCA)** is used to help partners identify key capacity-related deficits and strengths. The **Organizational Performance Index (OPI)** is used to measure and track over time the outcome-level performance of partners. The **Organizational Network Analysis (ONA)** is used to assess the strength and structure of formal and informal networks.

## Translating capacity development into outcomes

EAJ has provided focused support to the Ministry of Justice in Somaliland to strengthen its approach to external communications. The program provided technical assistance to develop and implement a Communications Strategy, which includes a particular focus on increasing the Ministry's visibility on social media. During a three-month period in 2020 (June-August), the number of

followers on the Ministry's Facebook page increased from 26,000 to 37,000, while the number of followers on Twitter increased from 700 to 1700. The Ministry has also upgraded its website and is more consistently updating its content. EAJ is applying similar support to other justice sector partners in Somalia, including with guidance from an expert strategic communications firm.

## Adapting to COVID-19, planning for beyond

EAJ had to quickly and significantly modify its approach to capacity development following the emergence of the novel coronavirus pandemic. Between April and September 2020, EAJ organized 49 webinar-based training sessions for 12 partner organizations, reaching more than 672 participants. These trainings covered 17 technical and organizational-focused topics, including:



- Grants and finance
- Monitoring, Evaluation, Research and Learning
- Introduction to Client Engagement
- Best practices for operating legal call-in centers
- Psychosocial-trauma awareness
- Case Review and Referral systems
- Supporting Client Navigation of Customary (xeer) and Shari'ah forums
- Gender and Diversity

EAJ used post-training surveys and ongoing consultation with participants to continually refine the content and delivery modalities used for remote-based modules. The trainings were supportive of the achievement of key results during the COVID-19 implementation period, including the establishment and strengthening of four justice call-in centers which have served more than 330 clients between June and September 2020. EAJ's experience developing and executing remote training and coaching modules will continue to be utilized, even as the program moves back toward direct, in-person capacity development approaches.

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