



FROM CONCEPT TO ACTION:
Outcome Document from the Second Meeting, June 2006

Introduction

At the second meeting of the Commission on Legal Empowerment of the Poor in June 2006, Commission members debated the comprehensive and ambitious work plan, *From Concept to Action*. The document included a summary of Legal Empowerment's key achievements to date, a set of specific initiatives and strategies for advancing the legal empowerment agenda during 2006-2008, as well as proposals on final outputs and outcomes Legal Empowerment may seek to deliver. Guided by the *Agreed Principles and Conceptual Framework* (Outcome Document from the First Commission Meeting) the Commission agreed to endorse the agenda of activities set forth in *From Concept to Action*, and Commissioners committed to assuming specific responsibilities to ensure its effective implementation. This document highlights the key elements of that work plan.

General Hypothesis

The legal empowerment of the poor is essential to poverty reduction. Given the chance, poor people will work to get out of poverty. However, the poor are shut out of the legally recognized systems that would allow them to benefit from their hard work. They will only be able to move out of poverty if they have access to secure and fungible property rights, enforceable labor rights, and a justice system that provides them real legal protection. A self-empowering model would also provide for greater opportunities for legally establishing and operating businesses.

Desired Outcomes

Success for Legal Empowerment will only be possible if new approaches are utilized by intended audiences and stakeholders: policymakers, grassroots organizations, multilateral/international organizations, bilateral donors, and governments. In other words, in order to ensure the success of the legal empowerment agenda, Legal Empowerment will make certain that the outputs of its work result in the desired outcomes, including the galvanization of support on a global scale for the implementation of reforms necessary to achieve the legal empowerment of the poor. Thus the role of Legal Empowerment will be to take its substantive work into the global political arena, promoting the political acceptance of and adherence to its conclusions and recommendations.

Legal Empowerment will also explore ways to launch joint initiatives with organizations, through agreements for collaboration, to support the use of the policy options and the toolkit at an institutional level. In particular, the toolkit developed by Legal Empowerment can provide governments and grassroots organizations around the world with the mechanisms necessary to implement policy reforms at the country level. These mechanisms can also be incorporated and supported by multilateral organizations and bilateral donors into their projects and programs to promote institutional change.



In order to achieve the desired outcomes, Legal Empowerment agreed to establish Working Groups and a series of Regional Consultations as well as the implementation of a Strategic Communications Plan, a Resource Mobilization Strategy and the schedule of Commission Meetings.

1. Working Groups

General Considerations

The substantive work of Legal Empowerment will be done by five Working Groups (WGs). The work of the groups will be guided by the goals and objectives as described in the *Concept Paper* launching Legal Empowerment and the *Agreed Principles and Conceptual Framework* (Outcome Document from the First Commission Meeting). All work will incorporate concerns specifically related to the rights of women, indigenous groups, and environmental sustainability.

Methodology and Reports

- a. ***Learning from the Past: Information Sharing.*** WGs will seek to access the archives of multi-lateral and international organizations; international financial institutions; donor governments; and countries that have implemented reforms, in order to analyze lessons learned from past projects as they relate to the specific focus of each WG.
- b. ***Learning from the Present:*** WGs will participate in current development efforts on the ground by examining programs and projects through the lens of legal empowerment. This will include both contributing to the design of new projects, and interacting with ongoing initiatives.
- c. ***Learning at the National and Regional Level:*** WGs will interface with the Regional Consultations, which will provide a platform for, and access to, local stakeholders from government, grassroots groups and the private sector. This will allow WGs to ground recommendations in local realities, and design recommendations that reflect diverse cultural, socio-economic and political environments.
- d. ***Learning from the Bottom Up:*** New approaches to reducing legal exclusion must be based on real practices, and proposed reforms must link formal legal systems with rules and systems developed by those who live in the informal economy. WGs will seek the input of grassroots networks, including, but not limited to, those represented on the Legal Empowerment Board of Advisors.



e. **Report:** Each WG will synthesize global knowledge on its area of technical focus and make bold but practical recommendations to galvanize action in this area. Each Group's report will likely be one of the chapters of Legal Empowerment's final report, but will also be made available as a stand alone volume.

WORKING GROUP #1: Access to Justice and Rule of Law

WG Chair: Lloyd Axworthy

This Working Group will focus on how the poor can be legally empowered and poverty reduced through the expansion of the rule of law, as defined by national views and structures. The Working Group will consider the top-down and bottom-up processes necessary for generating effective reforms and practical recommendations, and will examine legal tools accessible to all people.

WORKING GROUP #2: Property Rights

WG Chair: Ashraf Ghani

This Working Group will look at how the poor can be legally empowered and poverty reduced when the poor have enforceable rights over property and other assets in a transparent, functional system. Property is not only about titling registration, surveying, mapping and available records, which many countries in the world – rich and poor – already have, but principally about creating an enabling system of rights, obligations and enforcements that includes the interests of all so that they can protect their assets and use them to create trust, obtain credit, capture investment, access markets, raise productivity and protect their rights. This Working Group will explore what has been learned to date about such inclusive systems of rights, which include collective rights and customary rights, such as user rights, from global experience and how these lessons can be applied in the creation of new policies targeting legal empowerment.

WORKING GROUP #3: Labor Rights

WG Chair: Allan Larsson

This Working Group will look at how the poor can be legally empowered and poverty reduced when the gap between the formal and informal economy is bridged and labor rights are respected. The Working Group will study the factors that constrain participation in the formal economy and the challenges to enforcing labor rights. The group will make practical recommendations on how to facilitate convergence between formal and informal systems and the enforcement of labor standards.

WORKING GROUP #4: Entrepreneurship

Expanded Opportunities for Legally Establishing and Operating Businesses

WG Chair: Medhat Hassanein

This Working Group will study how the poor can be legally empowered and poverty reduced by giving people easy access to legal organizational forms. The Working Group will consider how the entrepreneurial innovation and creativity found in the informal



economy can be channeled, so that the poor face fewer barriers to a sustained involvement in the formal economic system. It will also examine local financial capacity, and incentives for lenders to expand access to credit for individuals and enterprises owned or operated by the poor.

**WORKING GROUP #5: Road maps for implementation of reforms:
Implementation strategies, including Toolkits and indices**

WG Chairs: Hilde Johnson and Milinda Moragoda

This Working Group will synthesize the key practical outputs of the four other Working Groups, and focus on the implementation of reforms in the area of legal empowerment. The Working Group will identify possible road-maps for reform, policy options and toolkits and indices for use by policymakers around the world. The Group will also consider the creation of an inventory of possible “do’s” and “don’ts”, a check-list for policy makers, and develop indicators that would facilitate monitoring of such reform-processes. Their work will draw on existing guidelines, frameworks, manuals, indices, indicators and other related aides, which can help the key audiences of Legal Empowerment, facilitate the implementation of its policy recommendations. This tool kit will support policymakers in proposing reforms and, once implemented, in measuring their results.

2. Regional Consultations

Regional Consultations will allow Legal Empowerment to capture the particular knowledge and experiences of various regions, provide the opportunity to seek regional consensus on legal empowerment, broaden the network of policy makers, technical experts and representatives from civil society contributing to the work of Legal Empowerment; build a solid constituency of support and strong ownership of the agenda in developing countries; and create opportunities for Commission and Board of Advisor members to develop platforms on a national or regional level.

One key focus for the Regional Consultations will be a balanced assessment of past experience within a national or regional context, led by local and global experts and members of civil society representing a range of perspectives and experiences, and avoiding political agendas. A second focus of the Regional Consultations will be the consideration of an enabling environment for the success of future reforms, within a specific regional political, economic and social context.

Legal Empowerment will actively seek the input and participation of Commission Members, Board of Advisor organizations and global and regional grassroots networks on themes, panelists and participants for Regional Consultations. A series of teleconferences with key partners will be established to solicit advice and feedback.

3. Strategic Communications Plan

Given Legal Empowerment's goal of raising awareness around the legal empowerment of the poor, it is essential that strategic communications and outreach be a part of all Legal Empowerment activities. The communications strategy will leverage the high profile of Commission members, outreach activities (including Regional Consultations), and Working Group findings to draw public attention to the legal empowerment agenda at the local and global levels. Legal Empowerment's public profile will include a presence at major global events starting in the summer of 2006 and including the World Urban Forum, the CIVICUS World Assembly, and the World Bank Annual Meeting, as well as the creation of Legal Empowerment's own events such as the Regional Consultations in Latin America, Africa, Asia and Europe.

4. Resource Mobilization Strategy

In order to secure the financial and human resources necessary to achieve its ambitious goals, Legal Empowerment adopted a resource mobilization strategy. This strategy targets expanding relationships both for core funding and for direct financing of Regional Consultations, Working Groups, and other activities. New financing will be sought from bi-lateral donors, foundations, and the private sector. In-kind contributions through secondments and similar arrangements will also be a key area of focus.

5. Commission Meetings

The Commission's meetings are the milestones on the work plan trajectory, to take stock and provide guidance as follows:

First Meeting, January 2006

Concepts Surrounding Commission's work presented; Agreed Principles and Conceptual Framework resulted

Second Meeting, June 2006

Final List of Commissioners; Presentation of Work Plan: From Concept to Action; and Secretariat's organizational chart. Approval of Work Plan agreed

Third Meeting, January 2007

Progress report/preliminary findings of Working Groups, Advisory Board, and Secretariat presented

Fourth Meeting, June 2007

Initial report from Working Groups; progress report from Advisory Board and Secretariat presented

Fifth Meeting, January 2008

Presentation of Draft of Final Report and its Plan for Promotion and Distribution, and Draft Toolkit