

# FAST FACTS

United Nations  
Development Programme



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## Rule of Law and Access to Justice in Myanmar (2013 - 2015)

Myanmar is at an historic stage in its development. Following adoption of a new Constitution in May 2008, parliamentary elections were held in November 2010 and by-elections contested in April 2012. The transition to civilian rule under the new Constitution was the first step in an on-going series of rapid and far-reaching political and economic reforms. The country now faces the challenge of advancing rule of law, access to justice and other reforms while simultaneously maintaining stability.

Recognising from global experience that insecurity and injustice are among the root causes of renewed cycles of instability, the UNDP's country programme under its Democratic Governance component has an important focus on:

**Rule of Law:** Supporting justice institutions in developing their capacities to uphold the rule of law, protect human rights, promote gender equality and improve access to justice.

**Access to Justice:** Supporting improvement of justice service delivery at the local level focusing on the rights of women, ethnic groups and the rights of the most vulnerable and empowering those groups to claim and have their rights adjudicated and grievances remedied.



### National Policy Priorities:

The Government of Myanmar will “**improve citizens’ access to law to increase public confidence** and abide by the existing laws” and “**undertake legal and judicial reforms** to improve the independence and effectiveness of the judiciary as well as independent prosecution, enforcement, and legislative oversight”.

- *Framework for Economic and Social Reforms 2012, Policy Priorities for 2012-15 towards the Long-Term Goals of the National Comprehensive Development Plan*

### Our Partners:

#### Government Counterparts:

Office of the Supreme Court of the Union, Union Attorney General’s Office, Constitutional Tribunal, Myanmar National Human Rights Commission, Myanmar Police Force

#### Other partners:

UN Agencies, Universities, and Civil Society Organizations

## Strengthening institutional capacities

UNDP works with national partners and provides technical assistance to increase participatory justice sector planning and coordination. Actions include:

- Supporting the setting up/functioning of a **coordination mechanism** at the national levels to develop strategic plans, policies and programs for justice sector reform
- **Facilitating discussions** with justice sector institutions and other actors such as civil society organizations, and academia on priorities and strategies for the justice sector
- Analysis of case flows, policies, procedures, IT infrastructure and based thereon training and equipment to improve **case management** systems
- Providing technical assistance in connection with **legislative drafting and review** process (prioritization, systematization and consultation)

## Capacity development

UNDP builds the capacity (systems, behaviours and skills) of lawyers, judges, law students and police to promote access to justice, by:

- Supporting the development of a **comprehensive long-term training framework** for Union Attorney General's office (UAGO)
- **Training of judges** on Rule of Law reform, human rights and access to justice as part of regular training received through Judicial Training Centre (JTC)
- Providing the JTC, training facility for UAGO and select universities, **books and equipment** to fulfil their teaching needs
- **South-south exchanges** with peer organisations for the judiciary and other justice sector actors
- Providing advice on the development a **national strategy and framework on legal aid**
- Supporting the establishment of **clinical legal education programmes** with Law Departments of Universities throughout Myanmar



Workshop held by UNDP on human rights, access to justice and judicial reform for judges at the Judicial Training Center, Yangon.

## Supporting access to justice at the local levels

Recognising that accessible and fair justice services (both formal and informal) at local level are a precondition for ensuring sustainable establishment of rule of law and security, UNDP will work in **3 pilot states/regions** and:

- Provide **trainings, logistics and operational support** for selected courts, Advocate General Offices and police stations to promote an integrated approach to criminal justice

- Support the establishment of **legal aid centres and access to justice referral mechanisms** that give priority to most pressing justice issues identified by assessment
- Support **research on formal and informal/traditional justice** systems leading towards better understanding of how they interface and interact

## Empowering the people to demand and receive justice

Recognising that justice service delivery needs to be responsive to the demands of the people, this component will seek to empower the vulnerable groups in three pilot states/regions by:

- **Seeking to understand perceptions of justice and priority needs, particularly** with respect to women and other vulnerable groups, and to jointly develop preferred solutions for addressing grievances
- Developing the **ability of vulnerable groups** to articulate their concerns through justice policy dialogue
- Engaging with civil society organizations for training and creating awareness among community leaders on peaceful dispute resolution in line with international human rights standards
- Supporting **paralegal services** to reach remote villages for raising legal awareness, providing trainings and referring cases to the formal justice sector

### Matters of Fact

- Approximately 1000 judges around the country handle 300,000 cases each year
- Of the approximately 800 existing laws, more than half were enacted prior to independence in 1948.
- Laws are published in local newspapers, but are not made available electronically.
- Lack of data on the court system impedes understanding about the access to justice by disadvantaged groups.
- Apart from legal representation being made available to criminal defendants in cases punishable with the death penalty, there is no provision for state sponsored legal aid.

For more information, visit:  
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