**Justice** **Working Group**

**Minutes of Meeting**

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| **Meeting Chairs**  | UNDP Resident Representative, Melanie HauensteinEU Ambassador, Ralph Tarraf  |
| **Meeting attendees** | TAEIX experts, Ministry of Justice, Ministry of Interior & Municipalities, Lebanese Judges Association, Independence of Justice Coalition, Konrad Adenauer Stiftung, GIZ, Embassy of Belgium, Embassy of Canada, Embassy of France, Embassy of Bulgaria, Embassy of Netherlands, Embassy of Switzerland, EU Delegation, IOM, OHCHR, UNDP, UNICEF, UNODC, UNRCO, UN Women, International Monetary Fund, World Bank, Expertise France; on behalf of the 3RF Consultative Group CSOs: ALEF, Live Love Lebanon, Lebanese League of Business Women, Beirut Heritage Initiative |
| **Location** | EU Delegation – Beirut |
| **Date** | 18 November 2022 |
| **Time** | 16:00 – 17:30 |
| **Agenda**  | 1. Opening remarks – EU Ambassador and UNDP Resident Representative
2. De-briefing on the findings of the functional review – TAEIX experts
3. Group discussion
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| **Minutes of meeting** |
| 1. **Opening remarks:**
* The EU Ambassador contextualised the European Commission’s Technical Assistance and Information Exchange (TAIEX) functional review of the justice system.
* The UNDP Resident Representative underlined the urgency of justice sector reform.
1. **De-briefing on the findings of the functional review – EU experts:**
* Mission’s objective: overall assessment of the situation in the justice system, identify gaps and needs, draw conclusions / make recommendations (including prospects for financial/technical assistance) on the ways forward in the crisis and beyond.
* The analysis and assessment covered:
* Cross-cutting components: 1) Independence and accountability of the judiciary 2) Efficiency and transparency of the justice system 3) Access to justice 4) Professionalism
* Specific Sectors: 1) Criminal Justice 2) Juvenile Justice 3) Constitutional Justice 4) Administrative Justice
* Strategic recommendations:
* Strategy: uniform approach (policy and action plan)
* New legislation and implementation
* Donor coordination and support platform of domestic and international actors (e.g. 3RF)
* Focused debate and involvement (public, civil society, judges and other actors in judicial system, universities)
* The final report is currently being drafted and will be discussed with stakeholders once finalized.
1. **Group discussion**:
* MoJ: Clarification – MoJ has reviewed and made observations on the draft law on the independence of the judiciary, the same draft law that the Venice Commission reviewed. MoJ stressed that there is no new or government sponsored draft law. The MoJ’s comments were sent to the Secretariat of the Council of Minister in September. As the latter did not transmit them to Parliament, the Minister proceeded in doing so directly.
* Lebanese Judges Association: Cultural and institutional reform is needed to address impunity and lack of accountability.
* Independence of Justice Coalition: The MoJ’s observations on the draft law are not all in line with international and European standards. Time is critical: draft law was submitted in 2018, and it is still being commented on. Unfortunate that the IMF has not made the independence of the judiciary a condition, as it is critical for fighting corruption. Discussions on draft law on administrative justice are ongoing but very slow. Question: Who will implement the policy action plan?
	+ EU Expert: The analysis tries to identify ways to bridge the gaps towards international standards. It is the Lebanese authorities who should be the ones to draft, adopt, and implement an action plan.
* ALEF: There should be a differentiation between legacy issues and issues that have emerged due to the crisis**.** Question: How much has the assessment taken into account information in reports of relevant projects supported by the EU and other donors?
	+ EU Expert: The assessment focuses on systemic issues, rather than the crisis-induced ones. A desk review, including information available in project reports is ongoing.
* World Bank: Do you have recommendations regarding the sequencing of priorities?
	+ EU Expert: Short, medium, long-term recommendations are part of the mission’s ToR.
	+ Lebanese Judges Association: Addressing the independence of the judiciary is a pre-requisite for all other reforms to work.
* French Embassy: How many magistrate positions are there and how many are occupied? Same for the police?(Discussion on various figures)
* Belgian Embassy: How has the mission considered the role of the Lebanese Armed Forces, both in maintaining law and order, and their role in criminal investigations?
	+ EU Expert: Military and religious/confessional courts are taken note of.
	+ ALEF: It’s a difficult balance to strike: omitting military courts from the analysis would lead to missing an important element in the reform discussion, but including them in the analysis gives them recognition.
* Konrad Adenauer Stiftung: How can we work on the political will?
	+ EU Expert: No easy answer to this. A coordinated approach among donors might help.
1. **Closing remarks**
* UNDP: We offer support for coordination; political will and national ownership of an action plan is critical. We will continue working with our partners in civil society, to not only address what is broken but to reinforce what is working. Prioritization and sequencing will be key.
* EU: The 3RF Justice sector brings us together and lives off participants’ contributions; we need to encourage the authorities to be more present. The next step would be to convene around a formal presentation of the report and then taking the findings to see how to advocate for change in the interest of the citizens of Lebanon.
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