GLOBAL FORUM ON LAW, JUSTICE AND DEVELOPMENT (GFLJD)
CHARTER OF THE GFLJD

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The partners of the Global Forum on Law Justice and Development (GFLJD) (the “Partnership”) adopt the present charter (“the Charter”). The Charter describes the membership and structure of the GFLJD, as well as the work of Partners in broad terms, and the manner in which decisions are made.

The Charter constitutes an expression of mutual good faith and is neither legally binding, nor commits any of the Partners to enter into or to provide support for any specific activity or project.

Moreover, the Charter does not create an exclusive commitment for any of the Partners hereto, nor does it constitute a legal agency relationship between the Partners.

The Partners acknowledge that cooperation under the present Charter, and the joint activities and programs deriving thereof, are subject to the Partners' respective mandates, funding constraints, policies and procedures.

I. Preamble

There is substantial global consensus, backed by robust empirical evidence, that strong legal and judicial institutions are an important cornerstone of sustainable economic and social development. However, the sustained international collaboration of the type and magnitude necessary to fully leverage the immense potential contribution of a legal agenda in development has never before been brought to bear.

There are, scattered across the globe, centers of legal excellence whose advances, while significant, are not sufficiently and readily available to law and development scholars, experts and practitioners. Those most in need are unable to access easily the rich array of existing international research, policy and practice products. The purpose of the GFLJD is to address such constraints by providing a mechanism for continual and efficient knowledge exchange and co-generation of knowledge among development Partners all over the world.

The first pillar of the initiative is the Forum of Partners. That Forum will identify, co-generate, share and disseminate relevant knowledge and legal “solutions” to development challenges through a multi-disciplinary approach. This knowledge will be made freely available as public good.

The second pillar of the GFLJD is the web-based Information and Communication Technology (ICT) platform. This platform (1) will host an open, comprehensive and searchable repository and database to facilitate internal and external communication, and (2) will provide easy and free access to policy makers, development practitioners and the general public. By providing an innovative and dynamic system of knowledge exchange, the GFLJD aims to fill the gap in the international community.
This Charter is intended to promote transparency, accountability and effective support to the GFLJD governance. It reflects the norms and practices developed to implement the objectives and principles of the GFLJD.

II. GFLJD Objectives

The objective of the GFLJD is to act as a collaborative, transparent, and efficient vehicle for the exchange and co-generation of legal knowledge, based on the following principles:

a) Strengthening and promoting a better understanding of the role of law and justice in sustainable development through structured North-South and South-South dialogue;
b) Better integrating legal and judicial institutions in the development process to increase development effectiveness;
c) Encouraging the co-generation of innovative legal solutions to development issues;
d) Supporting knowledge dissemination by free access, use and sharing of legal solutions to development challenges.

To achieve this objective, the GFLJD relies on a clear structure of governance and decision-making. Communication among Partners – and, indeed, the initiative itself – is built upon clarity, transparency, and trust. In establishing the Partnership’s work programs, Partners are called upon to give careful attention to both results and effectiveness, as well as to the promotion these values.

III. GFLJD Activities

In subscribing to the GFLJD, Partners intend to collaborate in joint activities furthering the understanding and the promotion of legal and judicial solutions to sustainable development. Knowledge activities/products may be geared toward the following purposes:

- Providing inputs for new regulations/legislation (e.g., by promoting idea sharing on national insolvency systems and standards)
- Improving existing regulations/legislation (e.g., by raising awareness and educating the public and by training and encouraging capacity-building for legal and judicial practitioners)
- Providing innovative legal solutions for cross-cutting issues (e.g., by promoting legal pluralism, respect for the rule of law in post-conflict states, etc.)

The GFLJD knowledge activities/products may take different forms, including but not limited to:

- Carrying out research and assessment of regulations/legislation and legal and policy analysis;
- Providing guidance, materials to guide the search for legal solutions, such as:
  - Precedents, model laws, agreements and clauses;
- Operation manuals;
- Guidance notes, toolkits and good-practice checklists;
- Carrying out data collection and action research (systematic collective, collaborative, self-reflective and critical inquiry);
- Reference material;
- Studies and literature;
- Collection of laws, commentaries, comparisons and jurisprudence;
- Collection/drafting of policies

- Providing institutional analysis:
  - Analysis of government agencies, non-government organizations that implement or support policy reforms
  - Identification of constraints that undermine policy implementation
- Providing a network of practitioners:
  - Database of experts, peer reviewers and practitioners.
- Providing training materials and helping with capacity building.

IV. GFLJD Partnership

The GFLJD is an open platform. Members belong to two broad participant groups involved in the legal dimension of international development:

- International and regional organizations such as IFIs and stakeholders;
- National stakeholders, government and judicial authorities, academia, think tanks, civil society organizations and private sector\(^1\).

A participant becomes a “Partner” once a Letter of Endorsement is signed, expressing therein a commitment to contribute intellectually and/or financially to the GFLJD, a due diligence assessment is positively conducted by the Secretariat, and the Steering Committee approves admission of the Partner. The status of a Partner is subject to intellectual and/or financial contributions as defined in Section VI. (Funding Instruments of the GFLJD Partnership) of this Charter.

V. Governance of the GFLJD

All Partners have an important role in the GFLJD’s governance through its five bodies.

A. The Partners’ General Assembly (PGA)

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\(^1\) The term “private sector entities” includes for-profit commercial enterprises, business associations (cross-industry, multi-issue groups; cross industry, issue-specific initiatives; and industry-focused initiatives), and corporate philanthropic foundations.
**Definition:** The Partners’ General Assembly (PGA) is a collegial body formed of representatives for each of the Partners. PGA meetings take place at least annually or as otherwise agreed by the Partners. For convenience, PGA meetings will be held in conjunction with the World Bank’s Law, Justice and Development Week (LJD Week).

**Composition:** The PGA is composed of representatives of all Partners (both Intellectual and Financial) and is chaired by the Chair of the Steering Committee (SC). Observer status at individual PGA meetings is available for interested stakeholders, upon the granting of a submitted request to the Secretariat.

**Tasks:** The PGA has the following functions:
- Review the progress of Partnership activities based on reports from the SC;
- Provide advice to the SC on the general direction of the Partnership;
- Provide an opportunity for debate and a platform for advocacy in support of continued resource mobilization, improved results-oriented knowledge products/activities;
- Promote the exchange of information and good practices among partners on implementation activities in support of GFLJD objectives;
- Mobilize and sustain high-level coordination, institutional commitment and momentum to achieve the objectives of the GFLJD;
- Provide a participatory communication channel for all Partners that are not members of the SC.

**B. The GFLJD Steering Committee (SC)**

**Definition:** The Steering Committee is the supreme governing body of the GFLJD.

**Composition:** The Steering Committee is composed of members who represent Financial and Intellectual Partners of the GFLJD. The SC is composed of the following members:
- One representative for each Financial Partner that contributes 250,000 USD or more;
- Two representatives of Intellectual Partners for each Thematic Working Group (TWG).

Each member of the SC can only represent either Financial Partners or Intellectual Partners to avoid double representation. Additionally, each Intellectual Partner can only represent one TWG. Financial and Intellectual Partners from the private sector shall not account for more than one third of the overall Steering Committee membership, which will be offered to eligible private sector Partners on a first-come first-serve basis.

An alternate SC member is appointed by each representative to serve in case of absence, incapacity or impediment of that representative.

**Chair of the SC:** Meetings of the SC shall be chaired by the General Counsel of the World Bank Group (or designated alternate). The Chair does not participate in voting decisions by the SC, unless there is a tie.
The Chair promotes commitment of Partners to the GFLJD and its work. With the support of the Secretariat she/he will also ensure that meetings are planned effectively and that they focus on Partnerships’ key issues and priorities.

Selection of SC Members: Each Financial Partner and each TWG will determine a process for selecting its Members on the SC. In order to ensure a substantial representation of developing countries, one SC Member for each TWG should be a representative of a Partner from the South (developing countries). In the selection process of SC representatives, special attention should also be paid to gender. SC members will serve as representatives of their respective governments, organizations, constituencies or other entities, and act in their institutional capacity. However, while SC members may be members or representatives of such entities, when serving on the SC, their loyalty, energy and efforts are principally to serve the mission and the objectives of the GFJLD. The interests of the GFLJD and the principles guiding its activities will be first and foremost in their actions and decisions subject to each representative’s institutional obligations.

SC members serve on the Steering Committee for a term of three years, or such other term that the SC may determine. Each Partner represented on the Steering Committee shall notify the Secretariat of the appointment of its SC representative, his/her alternate and any modification thereto.

Tasks: The SC has the following roles and responsibilities:

- Adopt and amend the GFLJD Charter in accordance with its terms;
- Set principles, processes and strategies of the GFLJD;
- Approve allocation of funds to the TWGs based on the financial information provided by the Trustee and on recommendations from the Interim Secretariat;
- Review the use of funds and ensuring that they are being used according to the spirit and objectives of the GFJLD;
- Guide the work of the Interim Secretariat, reviewing and approving the TWGs’ annual objectives, outcomes, budget and work programs;
- Approve the establishment of TWGs, and providing oversight to ensure delivery of agreed activities/products and timeframe;
- Guide the preparation of PGA meetings.

Meetings: The SC shall meet as often as necessary, but not less frequently than twice annually. Meetings may be held either in-person or virtually, via audio and/or video teleconferencing, or via other electronic means that allow for full participation of SC Members. A meeting of the SC shall be convened by written notification of the Chair including an indicative agenda at least four weeks before the meeting.

Alternatively, SC meetings shall be convened within two months of the written request of one third of the SC Members, with an indicative meeting agenda and a justification for the meeting.
SC Members may request that items be put on the agenda by written notice to the Chair at least 15 business days prior to the date of the scheduled meeting. The final draft agenda will be circulated by the Chair no later than 5 business days before the scheduled meeting.

**Quorum:** Two thirds of the members of the SC constitute a quorum for opening a session of the Steering Committee.

**Decision-Making:** The SC will make all decisions by consensus, except when consensus cannot be reached, in which case decisions will be taken by a simple majority. For the purposes of this Charter, consensus is a procedure for adopting a decision when no Partner blocks a proposed decision. It need not reflect unanimity. A dissenting decision maker that does not wish to block a decision may state an objection to be recorded in the meeting minutes. Steering Committee decisions may only be blocked by dissent comprising both public and private sector partners. The Chair articulates the consensus view.

In order to avoid conflicts of interest, SC Members representing TWG shall not participate in voting decisions related to the allocations of funds to the respective TWGs. SC Members from the private sector may indicate their preferences for the allocation of funds they provide, provided that the allocation fits within the Objectives of the GFLJD, and is subject to the final decision of the SC.

**C. The GFLJD Secretariat (5/24/12)**

**Definition:** The Secretariat is a technical and administrative supporting body of the GFLJD. During the Phase 1 inception period, an Interim Secretariat was established to assist the SC and the TWGs, and is expected to continue to serve as the Secretariat for the foreseeable future.

**Composition:** The World Bank will host and coordinate the Secretariat, which is composed of World Bank staff, interns, and staff provided by Partners as in-kind contribution. Members of the Secretariat will be based in Washington, D.C. or will telecommute. Being hosted at the World Bank, human resources rules of the World Bank will apply to all Secretariat staff.

A Program Management Team will be established as a sub-set of the Secretariat, reporting to Bank Management and in charge of the administrative management of the Multi-Donor Trust Fund (MDTF).

**Selection:** The staff of the Secretariat will be selected by the World Bank based on the professional profiles required for the efficient delivery of the tasks assigned to the Secretariat. Special attention to gender balance will be paid in the selection process.

**Tasks:** The Secretariat will have the following duties:
• Coordinate and support the fund raising efforts of the World Bank management and other Partners;
• Reach out to potential Partners, with special attention to Partners from developing countries and from judicial bodies;
• Produce and disseminate information on the GFLJD, including printed material, visual presentations, websites, etc.;
• Support the SC by drafting conceptual and procedural documents, organizing Steering SC’s meetings (both virtual or face-to-face), ensuring that documents are posted on the GFLJD website;
• Set-up and manage the Multi-Donor Trust Fund (MDTF) through Program Management which will channel funds for implementation of GFLJD’s activities;
• Support the TWGs with guidance notes and harmonized procedures related to the preparation of the work program, results framework, budget, human resources requests, peer-reviewing process, dissemination of outputs, and collection of reports;
• Facilitate the interaction among the SC, TWGs, Advisory Committee and the PGA;
• Coordinate Monitoring and Evaluation of functions;
• Organize the World Bank’s annual Law, Justice and Development Week (LJD Week).

**Funding and Accountability:** The Secretariat’s staff costs are funded by the World Bank and by all Partners that provide staff as in-kind contribution. Other eligible costs may be charged to the MDTF, upon prior approval by the SC.

Since the Secretariat will be hosted in the World Bank, staff provided by Partners will be subject to the administrative supervision of the World Bank but will continue to be subject to the staff regulations and rules of the Partners.

The Secretariat reports to the Chair of the SC.

**Evaluation:** The quality of the services provided by the Secretariat will be subject to an annual evaluation from the World Bank based on reviews from the co-leaders of the TWGs.

**D. The Advisory Committee (AC) (7/12/12)**

**Definition:** The Advisory Committee (AC) is a consultative body of Experts and Ambassadors which purpose is to provide (1) advice, recommendations, key information and materials to the SC on current and potential new or emerging issues at national, regional and global levels, (2) support to TWGs’ activities and, as the AC Ambassadors are concerned, (3) provide assistance in GFLJD development, deployment and impact.

**Composition:** The AC is composed of prominent, nationally and internationally recognized individuals from the public and non-profit sector (i.e., academia, civil society organizations, governments, judiciaries, professional organizations, non-governmental associations, etc.), having a renowned expertise and a networking capacity in the field of law and development. Among these Experts, a group of five or more
Ambassadors comprising current or past World Bank Group directors, chief justices, political leaders, and former heads of International Organizations etc. lend their name to the GFLJD to provide added credibility and to create new opportunities for the GFLJD to get its message out to the media. Membership shall reflect global balance of expertise and viewpoints. The composition of the AC will be globally representative and reflect gender balance.

Selection and Appointment: Each TWG will submit to the SC for approval a list of at most five experts whom they would like to support their activities. The SC will designate among them five GFLJD Ambassadors. Experts and Ambassadors will be appointed for two-year terms, renewable one time at the discretion of the SC. Each Expert and Ambassador will endeavor to personally attend meetings in order to fulfill the responsibilities of the AC. They will be provided sufficient access to information by the Secretariat about GFLJD activities, products, and programs to offer useful advice and support.

Attributes of AC Candidates: The following is a list of attributes to be considered when suggesting individuals for possible appointment to the AC:

- High-level academic and/or research experience in legal and development knowledge;
- Exceptionally high standing in their community or field of endeavour;
- Political or advocacy experience and/or experience with the media;
- Having demonstrated a commitment to serve society at large through exceptional contributions;
- A global perspective;
- Capacity to provide strategic and mentoring expertise;
- Expertise in program sustainability.

Tasks: AC members are expected to:

- Serve as an active representative of the GFLJD to help raise its visibility (i.e., mentioning GFLJD in their speeches, making themselves available for interviews for media regarding GFLJD activities, etc.);
- Facilitate strong networking relationships with top-level executives, businesses directors, government officials, academic leaders, etc.;
- Provide appropriate expertise and technical advice to the SC;
- Make recommendations on strategies and approaches of the TWGs activities;
- Provide regular feedback and address questions and requests for assistance from the SC and TWGs in a reasonable manner.

AC’s suggestions and recommendations are not binding. The SC will take into account the AC’s advice when making decisions but retains accountability for such decisions. The AC shall act as a body. Whenever representing the AC, a member shall not act or take a stand on a particular issue in a way that is not in accordance with the AC’s position.
E. The Thematic Working Groups (TWGs) (8/31/12)

**Definition:** Thematic Working Groups (TWGs) are the core of the GFLJD since they provide the platform for co-generation of legal knowledge/products.

**Composition:** TWGs will be co-led by two or more Intellectual Partners that will be accountable for the management and outputs of the overall working group. Partners of each TWG will also identify additional Partners that may be invited to join the GFLJD to include valuable intellectual contributions. Special attention will be paid to ensure gender balance and regional diversity in the selection of TWG members. The inclusion of specialists in other areas that can bring a multidisciplinary perspective is strongly encouraged.

**Selection of co-leaders:** The co-leaders will be selected by the members of the TWG based on expressed interest and commitment to the tasks, as well as the administrative capacity to manage the work process and reporting requirements.

**Role and responsibilities of co-leaders:** The main role of Thematic Working Group Leaders is to provide overall leadership in the implementation of agreed activities and serve as a coordinator among members. They plan and manage the working sessions of the Thematic Working Group with technical support from the GFLJD Secretariat.

Leaders have the following roles and responsibilities:

- Guide the group to plan and implement activities relevant to the work program on an annual basis;
- Lead in the development of expected outputs and outcomes from the activities with members agreement;
- Communicate with members of the TWG to maintain dynamism and follow up on activities and commitments;
- Ensure that gender balance, regional diversity and public / private sector balance is maintained in TWG activities;
- Help identifying resources, opportunities and potential collaborations that would benefit the TWG and allow it to carry out its activities.

**Expected deliverables:** Each TWG Leader with participation of all members and support of TWG coordinators will be responsible for providing the Steering Committee with the following deliverables:

- A Proposal of their annual work program with expected outputs and outcomes (based on draft Template developed by the Secretariat)
- A brief annual report on progress of the activities and outputs of the TWG.

**Tasks:** The TWG will perform the following duties:
- Establish a name for the TWG;
- Share current knowledge programs of each participant in selected topics;
- Identify 3 to 5 top issues, deliverables, timelines, costs and develop a detailed work program, including results framework (with performance indicators), budget (including Partners contributions and request for financing from the MDTF), and human resources needs;
- Agree on the working language and procedures for collaboration (frequency and forms of meetings);
- Identify on-going and/or upcoming related activities at the country and regional levels for potential collaboration;
- Work as a team to deliver the products/activities that have been agreed in the work program.

Meetings: Meetings may be held either in-person or virtually, via audio and/or video teleconferencing. They shall be convened by electronic notification to all TWG members from the GFLJD Secretariat including an indicative agenda at least one week before the meeting. A rotating chairmanship of meetings will be set to promote ownership. Each meeting will be chaired by one of the co-leaders and another partner. The chair/co-chairs will have the following roles and responsibilities:

- Share supporting documents and information in advance of the meeting to allow participants to prepare themselves accordingly;
- Participate to the meeting as a team member;
- Facilitate deep and inclusive discussion during the meeting, ensuring that every participant is, and feels, included and able to contribute;
- Follow the agenda and keep the meeting focused on agenda items;
- Clarify roles and allocating responsibilities to TWG members for specific tasks;
- Set a date for the next meeting, once meeting adjourned, in accordance with all members;
- Clear meeting minutes, and prepare the next agenda in coordination with the GFLJD Secretariat at least four business days after the meeting;
- Follow up on agreed commitments; and send reminders with the assistance of the GFLJD Secretariat to members who have agreed to take on a task.

In case of impossibility or absence of the chair, TWG members are entitled to appoint a new chair.

Responsibility\(^2\): Each member of the TWG will commit and be responsible and accountable\(^3\) for the delivery of the respective products/activities committed in the work program. Partners’ responsibilities are functional to the overall results of the TWG. However, the commitment is not legally binding.

Funding and Accountability: Each member of the TWGs will cover its own staff costs. Funding from the MDTF may complement but not substitute the in-kind contributions of each Partner.

\(^2\) Responsibility means the duty to perform activities and make decisions in functional areas.

\(^3\) Accountability means being answerable for managing quality, risk and results with regard to assigned responsibilities.
The co-leaders will be, in most cases, the recipients of funds allocated for the work program and will be accountable to the Bank and/or to the Partnership for the quality of outputs, the use of funds, and for compliance with applicable rules and procedures. The reporting requirements will be specified at the time of funds allocation. (See Annex I. Reporting for Financial Allocations)

**Quality Assurance:** At the time of design, and before finalization of knowledge products, each TWG is required to get quality peer review. Intellectual Partners are encouraged to provide quality peer reviewing as in-kind contribution. Members that are intellectual contributors may not at the same time serve as peer reviewers of their own products.

An evaluation of each deliverable will be provided using a combination of self-evaluation, users’ evaluation, online users’ feedback and, for major deliverables, quality evaluation provided by a panel of independent peer reviewers.

**Support:** The GFLJD Interim Secretariat will support the TWGs in the activities specified under Section V. (Governance of the GFLJD) subsection C. (The GFLJD Interim Secretariat) of this Charter.

**Thematic sub-groups:** Considering the high number of active partners and the high range of topics covered by a thematic, a TWG can decide to set up thematic sub-groups with the aim of:
- Allowing the whole TWG to address more specific issues defined as priorities by the partners in their inventories,
- Facilitating the achievement of concrete deliverables in a one-year or two-years agenda by a limited number of partners,
- Maximizing the coordination of work within the TWG,
- Promoting ownership by offering co-leaders positions to a larger number of partners.

Each sub-group will be co-led by two or more partners which role and responsibilities are identical to the ones agreed for the co-leaders of the whole TWG but limited to a specific area. Sub-groups co-leaders work in coordination with the TWG co-leaders and report to the entire TWG. They do not receive support from the Secretariat to plan and manage their working sessions, except when they report to the whole TWG.

**VI. Funding of the GFLJD Partnership**

**Definition:** One objective of the GFLJD is to provide a global platform for mobilizing resources to address global Law, Justice and Development issues through in-kind and financial contributions.

**Composition:** Funding for GFLJD activities will be provided through in-kind contributions, financial contributions and combinations of the above.
A. Intellectual Partners

Intellectual Partners add to the GFLJD mainly in-kind contributions, such as by providing already-developed knowledge products or other intellectual resources to the GFLJD.

Knowledge products, staff time, travel and logistics relating to GFLJD activities/products incurred by the Intellectual Partners are as important as monetary contributions from Financial Partners.

In-kind contributions from Intellectual Partners may be in the form of any of the following:

a) Knowledge sharing by contributing to the GFLJD information communication technology platform with existing knowledge products (e.g., studies, databases, training material, etc.);

b) Mobilizing their own staff for the pursuit of GFLJD objectives;

c) Promoting expert meetings, workshops, and/or open trainings sessions to jointly build technical capacity and to strengthen the understanding of global, regional and country legal issues;

d) Providing facilities for workshops, conferences and/or training seminars;

e) Providing translations of relevant documents into their native languages for wider dissemination in their respective countries;

f) Providing updates in specific areas of national legislation;

g) Engaging and funding studies/researches and publications;

h) Increasing cooperation on global, regional and country issues, in concert with other interested parties, by developing a shared understanding of key legal development challenges and promoting complementarities in their studies and knowledge products;

i) Providing support to relevant stakeholders;

j) Such other means as the Partners may agree.

B. Financial Partners

Financial Partners’ contributions may be made through current or future Multi-Donor or freestanding Single Donor trust funds, through the World Bank’s Externally-Financed Output mechanism, or by direct grant or contract arrangements with Intellectual Partners. Terms and conditions of specific instruments will be governed by the applicable policies and agreements, as they may be amended from time to time.

Acceptance of a financial contribution by the Global Forum or one of its partners does not constitute an endorsement of the contributor or its activities/business, nor will it have an impact on any business relationship with the partners.