Bridging the Digital Divide

Strengthening Health and Education through eLearning

OFID hosts 2nd IEF Symposium and technical SE4All meeting

Global Social Business Summit holds in Vienna
Law, Justice and Development Week

OFID presents views

The World Bank Legal Vice-Presidency hosted, November 14-17, its 2nd Law, Justice and Development Week, at the World Bank’s headquarters in Washington DC. The Conference explored the broad theme of how legal innovation and empowerment contribute to development. There were more than 700 participants in attendance; among them, senior officials from International Financial Institutions, international development practitioners, government officials, lawyers and judges, scholars and academics, representatives of civil society and World Bank Group staff.

Opening Session

In his Keynote address at the Opening Session, Judge Sang Hyun Song, President of the International Criminal Court, spoke of the importance of synergies between general justice reforms and more specific development efforts to address atrocity crimes. He said “where impunity is allowed to reign, it leaves a desire for vengeance among populations who have been victims of massive crimes and provides fertile grounds for the recurrence of conflicts”. Judge Song – quoting the World Development Report, 2011 - noted that the average cost of civil war is reported to be equivalent to more than 30 years of gross domestic product (GDP) for a medium-sized developing economy. In his view, the achievement of lasting peace and prosperity in post-conflict societies hinge on a coordinated approach to handling development challenges and justice enforcement.

The Conference combined both plenary and parallel sessions and addressed global issues, such as challenges relating to international financial regulation, the use of intellectual property rights in development settings, legal challenges/solutions in fragile and conflict states, public-private partnerships, asset recovery, and others; regional challenges, which included the role of law in supporting economic and social stability in the Middle East and North Africa (MENA) region, and legal harmonization as a tool for regional integration; and country cases, which looked at examples of how legal innovation and empowerment have contributed to a rise in global economic power (China) and helped manage emergencies and catastrophic risks (Haiti).
Public Private Partnerships
OFID was part of the Session on Public Private Partnerships (PPP). The session examined the public-private interface in terms of regulatory frameworks and financial structures as well as the contractual, political, market and credit risks that may arise in PPP Projects. Participants also heard about various successful PPP approaches and the importance of building credible structures to ensure that projects are environmentally responsive, socially sensitive, economically viable and politically feasible.

After a lively discussion, the session concluded by identifying the need for governments to introduce clear regulatory frameworks that are critical for structuring and implementing PPP projects in developing countries. It also highlighted the need for a strong private sector commitment in exploring innovative long term financing options, including the utilization of domestic capital markets. The support of development finance institutions (DFI) was also emphasized both at the regulatory development stage and as co-lenders through project specific DFI financing tranches.

General Discussion
Other presentations and follow up discussions raised critical questions on whether rule of law and judicial reform efforts could be promising entry points that would encourage the evaluation of institutions of governance in the MENA region. Discussions also revolved around the role of the judiciary in advancing such reforms, and what support should be provided by the international community. Reference was also made to the World Bank’s World Development Report 2011: Conflict, Security and Development (WDR 2011) which called for a paradigm shift in the development community’s work on fragile, conflict-affected and violent settings (FCS). According to the Report, violence and other challenges plaguing FCS cannot be resolved by short-term or partial solutions in the absence of institutions that provide people with security, justice, and jobs. With regard to justice, the WDR argues that perceptions of injustice, exclusion and inequality are often common threads in a range of stresses that drive conflict. However, recognizing that institutional transformation is a long term endeavor that must be measured in generations, the Report called for a dual focus on building citizen confidence and the process of promot-

The Global Forum on Law, Justice and Development
Given the importance of collaboration amongst the Legal Departments of international institutions in the attainment of sustainable development, the World Bank Legal Vice-Presidency launched its Global Forum on Law Justice and Development (the Global Forum) during the Conference.

The Global Forum, a permanent global knowledge exchange forum, seeks to connect experts and stakeholders from around the world and to facilitate the sharing and dissemination of relevant knowledge/solutions, through technology. This technology Forum will enable development experts in the legal sphere access and assess international research, policies, practices and precedents. Participants will also be able to exchange information on development outcomes and best practices globally.

The key objectives of the Global Forum are to (1) promote a better understanding of the role of law and justice and (2) strengthen and better integrate legal and judicial institutions in the development process, through selected capacity building initiatives and an open repository of knowledge.

The Conference concluded on a positive note, with a call for greater collaboration amongst the Legal Departments of international institutions to ensure that law continues to play its key role in the development framework.