



STRATEGY FOR 2016-2020

**INCREASING ACCESS TO JUSTICE FOR ALL,
IN PARTICULAR FOR WOMEN**



**A Strategy towards Promotion and Protection of Human
Rights through Legal Empowerment**

Dar Es Salaam, October 2015

Picture Cover Page:

Angela Kitavilewho points to her fields, is being charged by Kambarage district authorities of Njombe region that the water from the well that she uses for her sweet potato farm does not belong to her. She has called in the help of the paralegal to her left to help solve the matter.

Basket Fund Partners of the Legal Services Facility are:



The management of the fund is done by NIRAS in association with Particip GmbH



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A STRATEGY TOWARDS ENHANCEMENT OF LEGAL AID AND LEGAL EMPOWERMENT IN TANZANIA 2016-2020

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1. The Legal Services Facility: Goal and Strategic Objectives

The LSF was originally designed as a demand side support mechanism for legal aid providers, including paralegals. In the first program phase (2012-2015) the focus was on making good quality **Affordable** and **Acceptable** community based paralegal services **Available** in all districts of the country.

The LSF used and will use its leverage beyond mere grant making, to systematically support and guide the enhancement of legal aid in Tanzania toward increased promotion and protection of human rights through a legal empowerment approach. It developed into an organization, which reforms and re-shapes the legal aid subsector of the country's justice sector, together with legal aid providers and the government of Tanzania, from national to local level.

Presently basic legal aid services, mostly provided through paralegals, are funded in all 168 districts of Tanzania ensuring increased levels of **Accessibility**. A cadre of 4,000+ functional paralegals completed paralegal training or is in process of doing so. In 2014 around 40,000 clients were served and 90,000 persons reached with legal and human rights education.

Our strategic goal is:

"Increasing access to justice for all, in particular for women"

Strategic objectives:

The LSF perceives the achievement of the strategic objectives in the following results areas as a pre-condition to achieve the goal of increased access to justice:

- ***Increasing Accessibility of legal services, in particular for women***

Strategic Objective:

Increased accessibility to basic legal aid services (paralegal or higher form), in particular for women

- ***Promoting legally empowered communities, in particular women***

Strategic Objective:

Increased protection of women's rights to land, property, safety and security

- ***Creating a conducive environment for legal aid***

Strategic Objective:

Formal and Informal institutions (from national to local levels) actively/effectively promote legal aid and protect human rights, including women's rights

- ***Contributing to institutional sustainability of legal aid***

Strategic Objective:

Legal aid providers including paralegals, fulfill minimum criteria for sustainable, effective, efficient, accountable and professional quality legal aid provision.

2. Vision, Mission and Values

The Convention on the Elimination of All Forms of Discrimination against Women is grounded in the premise that the development objective of equality between men and women, or gender equality, is absolutely indivisible from the UN's human development goal of real improvements in people's lives, and in the choices and opportunities open to them.

The above connects to the vision and mission of the LSF.

VISION: *A Tanzanian society in which all citizens are equal and have access to justice.*

Although Tanzania has ratified the main international and regional women's rights protection instruments, many of their provisions continue to be violated in both law and practice. Main concerns include the persistence of discriminatory laws, violence against women, unequal access to education, employment and health services and violations of the right to property. Also in everyday life women are confronted with structural denial or violation of their rights. This constitutes the reasons for the LSF to incorporate in its mission the promotion and protection of human rights with emphasis on women's rights in order to make progress on the route towards equality between men and women.

MISSION: *Promote and protect human rights through legal empowerment, increase accessibility of legal services for poor and vulnerable populations, in particular for women.*

In order to be successful in its mission towards achieving the vision the LSF believes in working together with a multitude of stakeholders respecting at least the following

CORE VALUES:

- Human rights and justice – Our work is based on respect for the inherent worth, dignity and equality of all people, and the rights that follow from this understanding.
- Transparency and accountability – LSF both provides and expects to access clear, accurate and up-to-date information. We are willing to hold ourselves to high standards and seek to hold others to similar standards as the ones we set for ourselves.
- Sustainability – LSF is committed to development that meets the needs of the present without compromising the ability of future generations to meet their own needs. By empowering our implementing partners and the communities they serve, in particular women, we believe that the benefits of our work will be enduring.
- Cooperation and partnership – We respect the wishes and requirements of our implementing partners and the communities they serve – and we endeavour to create a shared voice, working together in a manner that enables us to achieve our shared goals and live our shared values. The LSF strives for harmony and tranquillity – a balance of power.
- Equity – The LSF shares its own resources fairly and would like to see that the natural, economic and intellectual wealth of Tanzania is also distributed fairly, so that everyone is able to gain their share. The success of development can be measured by how the least powerful people and the smallest minority groups are faring.

3. The Tanzanian Context: protection of human rights

Tanzania has since 1976 adopted UN principles for human rights. There are clear indications that Tanzania has been up front to accept international human rights instruments with the aim of applying its principles in the country. Examples are: ratification of the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) (1979), the Convention on the Rights of the Child (CRC) (1989), the Convention against Racial Discrimination (CERD), the Optional Protocol to CEDAW in 2006, the Maputo Protocol in 2007, the Lilongwe Declaration on Accessing legal Aid in 2004 and the SADC Declaration on Gender and Development of 1997.

In recent years a number of laws and policies aimed at improving respect for women's rights have been adopted, including the reform of property laws to establish equal rights to acquire, own and use land (Village Lands Act No. 5) and the implementation of programs to promote women's access to education (Education Sector Development Program (2000-2015)). The National Strategy for Gender Development (2000) and the Labour Relations Law were also significant positive contributions. Advances have also been made in women's political participation. However, the representation of women in most areas of public and professional life remains low.

The human rights situation in Tanzania appears to be relatively stable over the last decade. There are no dramatic developments to the negative, or to the positive. Human rights abuses occur with a relatively high frequency, but are, within the (East) African context, relatively low. However, land disputes, which appear to be on the increase, do represent a significant risk towards destabilising communities, or on a larger scale, even the nation.

Tanzania's last decades have been characterized by steady social and economic progress, with annual economic growth rates of around 7 % and an inflation rate that came down from around 20% in 2011 to single digits in 2013. However, in 2015 the national currency had to give in more than 20% against major international currencies. It remains to be seen what the longer term position will be and whether this translates into increased inflation and other economic consequences.

The growing economic wealth is, however, unequally distributed, favouring urban populations more than people in the rural areas. In the last two decades poverty reduced from about 39 % to around 28 %, but in the rural areas, still comprising about 70 % of the population, more than one third of the population still lives below the poverty line. Actually, due to fast population growth the number of poor people significantly increased.

The political agenda in 2014 was dominated by an unfinished constitutional debate, while in 2015 general elections did bring a personnel change in the country's leadership. There is a rather strong feeling of discontent among voters and opposition parties as regards the fairness of the election process. Additionally an under-current of tension exists with a view to the position and influence of the member states in the Union, and consequently as regards the position of the major religious and political groups. Incidental religious and politically inspired violence has occurred in the last few years and may be considered symptomatic in this respect. There is a generally felt concern related to the protection of fundamental political and civil rights and freedoms not only connected to the recent general elections.

Therefore, the fact that the human rights situation does not appear to be dramatic should not lead to complacency. Tanzania is facing definite, persistent, structural and crucial human rights challenges, which have a detrimental impact on efforts to promote poverty reduction and equitable economic growth.

Standing out among these are violations of women's rights, with a particular focus on protection against violence and abuse as well as on protection against dispossession of land, houses and denial of access to work and business opportunities.



Batuli Juma from Muheza District, Tanga explains about the dispute with her brother in law who claimed her house and land after the demise of her husband

The increase of poverty in absolute numbers, the very slow disclosure of rural Tanzania (still around 80 % of the rural areas are not electrified) leading to an accelerated urbanization and the expected increase of inequality in access to economic resources between urban and rural populations may lead to increased dissatisfaction and tension. This is exacerbated by increased competition over land and natural resources between pastoralists and farmers and between business developers and rural communities, all of which make the protection of land rights increasingly challenging.

In addition, accelerated urbanization will lead to an increase of the urban poor population, higher unemployment and crime rates, all of which may extend the recruitment pool of (young) persons who wish to express their dissatisfaction in negative or violent ways. This calls for an urgent need for urban legal aid, for which more effective and efficient ways of delivery have to be designed.

For the majority of the population access to the formal justice system is limited or even impossible. Prohibitive costs, insufficient lawyers, lack of knowledge about rights and the law, a corrupt judiciary are just a few of the many reasons. Most people don't have the resources to "procure justice".

Based on its experience, the LSF emphasizes the importance of human rights and legal education. Awareness of rights and knowledge of the law are at worrying low levels and thus communities and

individuals are not in a position to exercise their rights. Efforts toward (legal) empowerment are therefore crucially important.

In order to function as positively contributing and productive citizens, people need to feel safe and secure. Access to justice is globally mentioned by poor populations as a major factor contributing to this feeling and for sustaining their livelihoods.

The LSF strategic approach responds to this by offering increased options towards ***everyday justice for everyday problems***. The approach is based on the assumption that persons who are aware of their human rights and the laws of the country, will be in a better position to exercise those rights, which contributes to empowerment. In addition, effective justice mechanisms and institutions can form part of the enabling environment for broad based development, including economic growth.

The LSF will increasingly investigate and practice how bridges can be built between the informal justice mechanisms offered through applications of the fund, and other informal as well as formal justice mechanisms. Additionally the supply side from ministerial to local levels will be actively informed and involved in the programming, as will political and informal leadership. They will be made aware of the merits of legal aid, the role and mandate of paralegals and the importance of legal education and legal empowerment for the development process. This is also based on the firm conviction within the LSF that for development processes to have sustainable impact, positive involvement and buy in of both demand and supply side actors is a requirement.

Civil society participation and capacity in Tanzania is growing, also in the legal aid sub-sector. However, there is still much capacity ground to be covered. A major challenge is to make legal aid providers more aware that effective legal services provision goes beyond the realm of case based individual legal advice, counselling, conciliation, legal assistance or litigation.

Based on initial data and experience with legal aid provision through paralegals, it is evident that women seek the services more frequently than men. This may have several reasons, but a major one is that women face more problems than men. Discrimination against women limits their rights and opportunities. Traditional practices that are harmful to girls and women persist, including courtship rape used as a form of engagement, bride price, and FGM.

Discrimination against women carries direct costs in terms of wider social and economic development. It is therefore important to step up, through implementing partners, the engagement in terms of policy / political level dialogue to ensure effective approaches for improved protection of women's rights. Additionally, in implementing the fund's grants at community level in addition to a general approach focusing on poor and vulnerable people, emphasis will be placed on the protection of women's rights and legal empowerment of women.

4. Approach toward enhancement of Legal Aid and Legal Empowerment

4.1. Legal aid is generally understood as free or subsidized legal services to eligible individuals or groups, mainly poor and vulnerable people, provided as a means to strengthen their access to justice.¹

4.2. Legal empowerment is a process of systemic change through which poor and excluded people become able to use the law, the legal system, and legal services to protect and advance their rights and interests as citizens and economic actors. Legal empowerment is making the protections of the law accessible to ordinary people.

Nearly all nations endorse human rights norms, but while governments can be shamed and cases can be won in international courts, these alone cannot address most breaches of basic rights—or help people to access **everyday justice for everyday problems**.

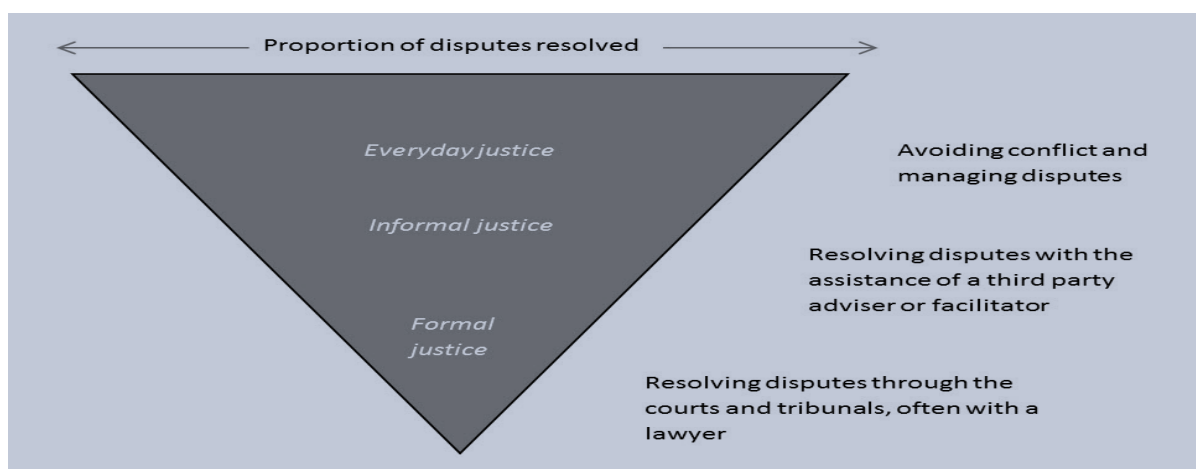
A mother travels many miles to register the birth of her child only to find that she cannot afford the bribe required for registration; a juvenile is wrongfully detained and loses time in school; several villages' land is damaged by a mining company without compensation; a widow is denied the inheritance she is entitled to and forced to move to the city with her children. By what consistent, systematic means can individuals and communities protect their rights in everyday life?

Legal empowerment should focus on *everyday justice for everyday problems* since these can mostly be solved at community level, either among people themselves or with a third party e.g. a paralegal.

4.3. Assistance for everyday problems

In any society most justice problems evolve and are resolved between people, everyday justice, or with assistance of informal third parties, informal justice. An intervention that strives to contribute to legal empowerment of communities strives simultaneously towards increasing the proportion of grievances, claims or disputes redressed in everyday and informal justice processes, thus increasing access to justice for as many people as possible.

Figure 1. Everyday justice to formal justice: proportion of dispute resolution



¹ The Danish Institute for Human Rights (DIHR), Access to Justice and Legal Aid in East Africa, December 2011, pg. 17.

Success in reaching the goal of solving as many as possible “*everyday justice problems*” depends on the ability of communities to participate in their solution, and to hold public institutions accountable. Governments and donors can build clinics and schools. But what if medicines, books aren’t delivered, or nurses and teachers don’t show up to work?

Legal empowerment attempts to address these related challenges. It includes a range of approaches from improving grievance mechanisms, to deal with breaches in public service delivery, to working with civil society groups, like legal aid providers, to help people find practical solutions to their own problems, informed by knowledge of the law.



Paulina Amos and her husband (left) counseled by two paralegals (right) about marital problems

In its approach toward legal empowerment the LSF combines support for a small corps of lawyers with a larger frontline of community based paralegals who are trained in law and the workings of government and who use counseling, mediation, conciliation, legal education, social mobilization and advocacy, to assist citizens in finding concrete solutions for instances of injustice.

This enables justice to live beyond the reach of courts, bridging the gap between formal and customary justice systems, and even beyond commonly understood ‘legal’ problems, into the realms of health, education, livelihoods, and other basic needs.

Paralegals need a connection to lawyers and the option of litigation and high-level advocacy when frontline methods fail and recourse through courts appears the only remaining option.

Empirical data about grievance and dispute resolution mechanisms suggest that access to justice from the individual citizen’s perspective may for around 80-90% be defined by the effectiveness of “*every day and informal justice mechanisms*”. It thus makes sense to focus efforts and resources in a comparable proportion on these mechanisms and to empower communities with the ability and legal knowledge to redress grievances and claims themselves, or by improving effective informal third party assistance for dispute resolution, including paralegals.

The LSF approach towards enhancement of legal aid in Tanzania concentrates on solving legal problems or disputes at the lowest and simplest level possible. In addition to the law, LSF is of the

view, that there are other ‘tools and mechanisms’ that can help people to resolve disputes at or very near to the level where they developed and occur. Alternatives in the Tanzanian context are: legal education, mediation, conciliation by paralegals, ward, village or religious leadership etc.

In a number of cases the legal recourse through courts needs to be sought. These ‘higher’ level services are likely to be expensive and will reach relatively few citizens, reason for the LSF to allocate the major part of its resources to ‘the lowest and simplest level possible’ .

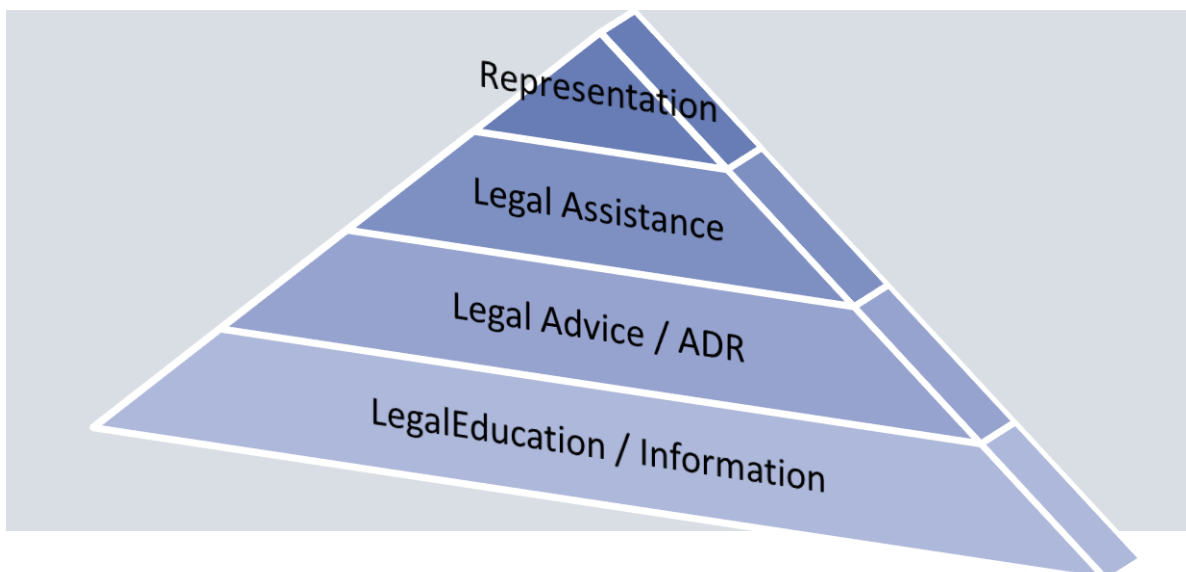
The legal aid pyramid further informs the LSF approach towards enhancing legal aid, with a particular view to the present status of legal aid in Tanzania.

Legal services start with *legal information and education*. If people gain knowledge that they have rights under the law, they may be able to exercise them. This knowledge contributes to building confidence and can help in solving problems and disputes without recourse to courts. This is a cost-effective and empowering strategy and per head of population the cheapest form of legal aid.

Legal advice means that it is explained what the law means and how it can be exercised in relation to a concrete issue. In most cases this is cheaper than higher levels in the pyramid.

Alternative Dispute Resolution (ADR) refers to solving legal problems and disputes making use of other means than the legal/court recourse. This refers to solving issues through e.g. Ward Tribunals, local leaders, with informal arbitration or through mediation between parties. Paralegals function at the two lower levels of the pyramid (educating, counseling, advising, conciliating, mediating, referring), while sometimes they enter the realm of *legal assistance*, which means actually helping people to take legal steps to protect their rights. Often, however, legal assistance like document preparation, issuing exemption certificates, pursuit of court remedies etc. requires inputs of higher trained legal personnel than paralegals, e.g. lawyers.

Figure 2. The Legal Aid Pyramid



Legal representation in courts is the most expensive legal service, but sometimes inevitable. Support to legal representation can be cost effective, for example in public interest litigation, which can be employed strategically to benefit larger populations.²

A legal aid approach, with a view to cost effectiveness and creating the maximum impact for a large population, should in first instance focus on supporting the lower levels in the pyramid.

For effective legal aid it is important that cooperative links exist between persons and organisations providing legal services at the different levels of the pyramid as well as between those working at the same level. It appears that this is insufficiently the case in Tanzania. Many legal aid stakeholders state, that better coordination of legal aid is required.

It appears that legal aid in Tanzania still is in its relative infancy. There is no well guided and structured national approach, no government policy, nor a legislative framework for legal aid. In this challenging environment the LSF has to take decisions about the most optimal utilization of its basket fund resources. As indicated, a principle choice has been made:

The LSF has been allocating and will continue to allocate a major part of its resources to the lowest and simplest levels of legal aid, which implies that it will primarily, although not solely, focus on supporting the two lower levels of the legal aid pyramid aiming to contribute to legal empowerment of communities.



Rehema Kwanama shows to paralegal Elias Lukaka the land that is disputed by her neighbor

² DIHR, op.cit. pg 17,18

5. Intervention or Result Areas

The LSF accepted definition for access to justice refers to:

“The ability of women and men to seek and obtain remedies, through formal and informal institutions of justice, for grievances and disputes in compliance with internationally accepted human rights standards.”³

5.1. Increasing Accessibility of legal aid, in particular for women

The majority of the population of Tanzania has insufficient access to ways to exercise their rights. In 2011 legal aid was available in some form in around a quarter (25%) of the districts in the country, mainly concentrated in the district headquarters and of poor quality.⁴ Presently the LSF funds basic legal aid services for legal empowerment in all 168 districts of Tanzania.

The second LSF baseline survey confirmed that about 70% of the people who have never used paralegal services are not aware of the existence of these services, or how utilizing these could be beneficial to them. This obviously impacts on the accessibility of services. Of the 30% who states to be aware of the existence of paralegals the majority gives accessibility, lack of physical proximity, as the reason for not utilizing the services.

Paralegals like Amina James have babies. Lasury Shabani (left) is in dispute with the national resources department about his land.



Based on the above, for which earlier experiential evidence was available, the decision was taken to pilot a regional radio campaign in Lindi and Mtwara regions. The encouraging results of the pilot (doubling of client attendance with both Lindi and Mtwara paralegals), suggest gradual expansion of the utilization of community, district or regional radio. In first instance legal aid providers and paralegals, who already have arranged free or low cost airtime with local stations will be trained how to make effective radio programs, that attract attention of listeners and broadcast the right messages. Simultaneously, paralegal units in districts where such practice is not yet operational will be given the opportunity to learn how other legal providers secured free airtime. Once they have succeeded in doing this also they will be trained.

³ American Institute for Security

⁴ LSF Baseline Survey, March 2012

LSF inputs will be further used to ensure that the **Availability of Acceptable and Affordable** legal services is increased and geographically extended. The proximity argument mentioned above needs to be seriously considered. Distance means transport and time or opportunity costs, which might be prohibitive for many people. At present an estimated 30% of the wards in Tanzania may have at least one paralegal. The total number of wards is 3,957.⁵ In the coming 5 years the coverage of wards with at least one paralegal will be brought to 90% of the total number.

Paralegals themselves are of course very well placed agents to promote their own services. The paralegal units will at least be maintained at the original level of 25 paralegals by catering for replacement of dropout. Depending on the number of wards in the district and the distances, the expansion of paralegal units will be prioritized. The grant making approach will make a shift from 'remote control' mentoring by implementing partners to a combination of direct granting of paralegal units by the LSF and granting through region based implementing partners. In the budgets made available to paralegal units provisions for transport costs will be made while also other measures will be taken to increase the action radius or capacity for outreach of paralegals.

It is evident, that in areas where the understanding and collaboration with LGAs is substantial and positive there is consistently higher utilization of paralegal services as compared to areas where this collaboration is less developed. A conducive environment for legal aid leads to higher utilization and effectiveness of paralegal services. Therefore, a pro-active approach toward involvement of LGAs and informal leadership in the paralegal service provision will be followed. Section 5.3. provides more detail on this.

Last but not least, in this summary on accessibility of services, the quality aspect of the services plays an important role. The higher the quality the more people will be satisfied. Quality needs to be maintained and improved by keeping paralegal units motivated and updated, amongst others by actively supporting them financially for operating costs and technically with refresher and new training and through regular supportive backstopping.

Developing guidelines for referral, which mostly takes place to other local institutions, will importantly contribute to effective resolution of a considerable number of cases, since referral figures are around 10% of all cases that paralegals deal with. This also implies that solutions need to be found, together with legal aid providers, for support mechanisms in case a higher level of legal aid is required e.g. assistance by lawyers

5.2. Promoting legally empowered communities, in particular women

As regards legal empowerment, the inputs of the LSF will in first instance focus on capacity development of paralegals and implementing partners. The subject and the approach towards legal empowerment has been introduced in the paralegal training manual, in addition to increased attention for legal education and the protection of women's rights. Paralegals who are still in the process of training will as part of their training be exposed to these modules and those who have already finalized the training earlier will gradually and in batches be taken through the new modules.

⁵ National Electoral Commission 2015, Tanzania Bureau of Statistics

A special awareness building package will be designed for LGAs and selected informal local leaders, that will emphasize the merits of case based legal aid at community level and advantages it could have as regards releasing the workload of dealing with petty disputes by LGAs. Equally it will promote the importance of legal education, as a step in the direction of 'everyday justice for everyday problems' and make LGAs aware of what legal empowerment entails and how to respond to increasingly aware and assertive communities. Empowerment is not to be perceived as a threat to authority but as an opportunity for leaders to engage in communal decision making with a positive buy in of all stakeholders. In section 5.3. more detail about this approach will be provided.

The removal of discriminatory aspects in legislation that deals with women's rights e.g. through strategic (public interest) litigation, will ultimately lead to empowerment of women. This is why the LSF supports strategic litigation for better protection of women's rights and will continue to do so in the strategic plan period. It is generally recognized that this form of litigation is more effective if it is accompanied by well designed, evidence based advocacy. This is not yet the case for the strategic litigation the LSF presently directly supports. Also advocacy support to other strategic litigations for better protection of women's rights, already going on and not directly supported by the LSF needs to be made available, either through LSF funding or otherwise. The funding of policy dialogues on the protection of women's rights will be instrumental in this regard as well as funding for coordination, alliance or coalition building.

Amina Ally talks to the chairman of Pangani paralegals in Tanga region about her problem of being beaten by her husband almost every day.



As stated above, the first step toward legal empowerment at the community level is human rights awareness building and legal education, which constitutes the most cost effective and likely most important way of assisting people to find and tread their 'path to justice'⁶. It is empowering by enabling people to make informed choices towards finding justice. This may lead to increased demand for legal services, but not necessarily for the recourse through courts. Based on better knowledge of rights and the law people will be more confident to exercise their rights and opt for alternative dispute resolution options.

⁶ Gramatikov et al, Tilburg Institute for Interdisciplinary Studies of Civil Law and Conflict Resolution Systems (TISCO), A Handbook for Measuring the Costs and Quality of Access to Justice

Encouraging evidence that also paralegals do increasingly realize the importance of legal education is that the (likely under-reported) number of 90,000 persons who have been exposed to legal education in 2014, already have been almost equaled by around 85,000 persons reached with legal education activities in the first 6 months of 2015. It is an LSF priority to assist paralegal units with budget support for the operational aspects of outreach and legal and rights education.

Pre-condition is the incorporation of legal and rights education in paralegal training, which will be followed up with the development and production of legal education support materials. It will be good to have a common approach and common messages in legal and rights education provided by paralegals, to which local flavor can be added. Development of legal education support material under the supervision and auspices of the LSF offers an advantage of quality control and assurance and an important advantage of economies of scale in the production.

Many paralegals already make use of existing women's groups (VICOBA, SACCO, church groups, others) for legal education and making the first steps toward legal empowerment. Many of these groups have been around for longer periods of time and consist of loyal, well respected and well connected women. The economic rationale of quite a few of these groups places the empowerment process in a broader perspective which is exactly what empowerment aims for.

Still, there are many women who do not belong to such groups and also they could benefit from learning about rights and plights for women in a semi-formal organized form, practice their ability to express themselves in front of others, engage in micro policy dialogues and possibly built alliances with other groups or local CSOs. The LSF will support initiatives of paralegal units or regional mentor organizations in creating new women's (and or men groups), ensuring that the groups themselves don't become dependent on external resources.

5.3. Creating a conducive environment for legal aid

Legal recognition and regulation of legal aid and its providers, including paralegals, through a legal aid board or comparable governmental or independent statutory body will be instrumental to create a conducive environment for legal aid (although it may not be a necessary condition). In particular paralegals still meet an acceptance problem with LGAs, since they are not recognized by law and thus their identity and legitimacy in the eyes of duty bearers may be questionable. Larger legal aid providers would equally benefit from legal recognition, and a process of accreditation through a regulatory body will definitely contribute to credibility and reputation as quality service providers.

These acceptance problems are particularly, though not solely, observed in districts where paralegals are relatively new and the mentor organization insufficiently initiated or supported an introduction program for the paralegals towards the LGAs. However, in quite a few districts it is also observed that this original hesitation and reservation gradually develops into a degree of appreciation and recognition. Amongst others, this is mainly due to the functioning of the paralegals themselves, appreciation of clients they assisted and the fact that they cater for many petty disputes and at least partly release LGAs from dealing with these.



Meeting of LSF team with Mukuranga paralegal unit also attended by ward council member (2nd right front) and various other local officials (1st right and backward)

Still, in many parts of the country low engagement of paralegals with LGAs and informal local leaders prevails. Incidental collaboration is common, e.g. VEOs or WEOs invite paralegals in community assemblies. LGAs expressing appreciation for the role of paralegals are on the increase, but substantial collaboration still is rather rare and therefore a focus in this strategic plan.

In other words, there still is a considerable amount of work to be done to create a real conducive environment for legal aid. In particular a legal empowerment approach needs responsive local authorities and institutions. Empowerment is too often seen as a process that is limited to demand side actors only, since duty bearers are perceived to be not prepared to leave their ivory towers and bastions of power. An approach to empower duty bearers to deal with a more empowered population may actually accelerate the people's empowerment process.

Therefore, the LSF will explain at the highest levels, if needed with support of basket fund partners (Members), Governing Board, MoCLA and LAS, what it has achieved, where it is heading and how further capitalization can take place through legal empowerment. The importance of a supportive LGA cadre will be highlighted and through zonal and regional seminars or workshops senior district leaders will be informed and made aware of the important role that LGAs can play in increasing access to justice and the positive consequences this can have for the development process. This will be followed up by a series of TOT courses for selected district officials on paralegal work, legal education, empowerment and how this can contribute to increased protection of rights, in particular for women and access to justice for all. Through the district trainers the lower level LGAs in the district WEOs, VEOs will then be sensitized, made aware that there is no conflict of interest between them and community based paralegals, but that a win-win situation can be created for everybody at district, ward and village level. The resources for the approach will be availed through the LSF and, since this a rather massive approach, be spread over 2 to 3 year of the Strategic Plan period.

It is expected that this will significantly contribute to creating a conducive environment for legal empowerment. The approach will also serve to make district and below authorities increasingly aware on human and legal rights and the role they can play to assist people to access their rights. The LSF would like to make use of its strong relationship with MoCLA to facilitate the process with other government sections, including the judiciary. The latter has insufficiently been involved in what the LSF is trying to achieve. It is true that the judiciary by many is perceived as powerful, yet corrupt, elitist, hard to access, suspicious of outsiders and not transparent. However, at the

magistrate level an increasing number of young, well educated young women and men have been and are recruited and operating at the level of primary courts. It would be beneficial for both the Judiciary, legal aid providers, including paralegals and the LSF if models of collaboration at the local level would be investigated and experimented. The LSF Board composition allows for a positive and credible point of entry at the higher levels of the judiciary, which is considered a priority.

Paralegals are to focus on involving informal local leadership, like clan, religious leaders and other influential community representatives and should be provided with the resources for the purpose, which includes the ability to conduct meetings or even small local level workshops.



Elida Ndalagwa from Njombe district is a widow with 5 children. She was forced by her in-laws to leave her house after the husband died. Paralegal Fredy Zabron is assisting her to reclaim her property.

As mentioned in section 5.1., the development of guidelines for local referral is crucially important. In the capacity development approach for LGAs a distinct component will deal with the role that local institutions, like land department, social welfare and others can play in both dispute resolution, addressing grievances and claims and thus in assisting individuals and groups to realize their rights.

In the same way and with the same objective informal, semi-formal or formal dispute resolution mechanisms varying from councils of elders to ward tribunals and primary courts will have to be incorporated in the local approach through paralegals and implementing partners. This is supported by an increasing body of evidence that ward tribunals benefit from legal education by paralegals and that such activity fosters positive and substantial collaboration.

5.4. Contributing to institutional sustainability of legal aid

Sustainability is cross cutting in LSF programming. Legal and human rights education increases knowledge of communities about the law and rights and this knowledge will remain and is transferred to others. Informed by this knowledge and based on human interaction lessons learned in e.g. women groups, women will be better able to represent themselves, realize their rights, either with or occasionally even without assistance of a third party and will be more able to ensure their access to “Everyday Justice for Everyday Problems”.

Paralegals who increase the knowledge of the law of members of ward tribunals, religious and clan leaders contribute to a conducive environment for legal aid and to improved redress of grievances and dispute resolution in the community where they operate. The approach the LSF follows will be sustainable, since embedded in formal and informal community institutions and governance and in community members themselves. The approach builds on the different ways in which the dynamically interdependent result areas reinforce each other.

In order to implement and maintain such sustainable approach, in turn sustainable legal aid providers are a requirement. For LSF as grant maker this is a corner stone of the overall approach.



Paralegal training for WLAC paralegals in Kasulu district, Kigoma region

The first and foremost responsibility the LSF wishes to fulfill is to sustain local level legal aid services by assisting the paralegal units on the route toward becoming sustainable organizations. The foundation for this has been laid in the first phase of the program. It was made it a requirement for each mentor organization that established paralegal units would be registered as an NGO. By October 2015 it is confirmed that around 80 units (75% of the units established by mentor organizations of CfP 01 and 02) have acquired this legal status and more are expected before the end of the year. In 2016 around 60 units established by grantees of CfP 03 and 04 will be added to this number. For around 25 units further assistance by the LSF in the registrations process may be required. Registration enables the units to open bank accounts, involve in other legal acts to solicit external funding from other donors than the LSF. The first examples of paralegal units who succeeded to access external funding are available.

It is, however, doubtful that full reliability on external funding leads to sustainable paralegal units. There are simply too many of them in the market as potential competitors for by definition limited external resources. Additionally, loyal long term donors are scarce. Emphasis on local resource mobilization appears a better answer to the sustainability question. This actually applies both to paralegal units and larger legal aid providers, in which the units have the advantage that they are not yet accustomed to the luxury of external funding, middle class salary levels and other perks. They are likely more open minded towards options for local resource mobilization than the larger organizations, and have the advantage that, being real voluntary organizations their requirements are relatively modest. Quite a few paralegal units have already started local resource mobilization activities varying from rearing goats or pigs to growing cash crops.

In order to position paralegal units (and other legal aid providers) in a stronger position to face a future with limited external funding options, the LSF will embark on a systematic capacity development approach for these young organizations. They will be carefully guided in setting up administrative, financial, monitoring and other systems that are simple, yet effective. They will be trained in resource mobilization, external and local, of which project design, (strategic) planning, project cycle management and proposal writing skills will be part as well as building up and maintaining relevant external relations. Local resource mobilization options may vary from income generating activities to linkage with the private sector, local governments (where budgets are available) and tapping into local and national philanthropic and corporate foundations.

There is no need that paralegal units become full-fledged NGOs with staff on the payroll and donor funded four wheel drives in the office compound. Possibly, some may, but likely the majority not. Paralegal units need sufficient incentives and resources to be able to sustain and be functional as voluntary organizations. This implies an initial contribution for operating costs of which a gradually increasing part is covered by local resource mobilization. In the period covered by this strategy document the LSF strives to reach an average operating cost coverage by local resources of 40%. Capacity development support will enable paralegal units to professionally run a small organization and be functional as legal aid service provider. Recognition, backstopping and technical assistance either by region based mentor organizations, the LSF, or local governments will contribute to the sustainability of the units. A conducive environment for legal aid will further assist them to provide effective services, while the social recognition and status that being a paralegal brings with it for many is an important incentive to do the voluntary work.

6. Intervention Strategies

6.1. Change in grant making

The LSF has until present, with different types of calls for proposals, ensured that it operated as an equal opportunity grant maker. The eligibility criteria used for each call, among which proof of a track record in legal aid provision, excluded organizations with a different focus, to successfully apply for a grant.

With around 160 paralegal units created with LSF funding the responsibility should be accepted to further develop and sustain these young and small organizations, which offer a much needed home base to paralegals working in a district. A combination of direct granting by the LSF and sub-granting of units through directly granted region based mentor organizations will be followed, at the start with standardized budgets and standardized objectives and desired results, for reasons of efficiency, effectiveness, comparability, ease of backstopping and support. Depending on experience this approach may be subject to diversification and may be opened to support specific activities and approaches proposed by individual units. Initially, however, the focus will be on improving the operational and organizational capacity of the units, ensuring they increase the coverage of wards in their districts and develop in the direction of a ratio of 60:40 of female versus male paralegals.

The budgets made available to paralegal units, partly by the LSF directly and partly through region based mentor organizations, will be modest. Probably an amount in the range of TShs 5 to 8 million, in other words micro-grants will suffice initially. This implies that rather impressive efficiency and value for money gains can be made. Based on grants of TShs 8 million to around 160 paralegal organizations of which each paralegal deals with 10 cases or clients per year, an original (2012) assumption of the LSF which showed to be surprisingly accurate so far, will lead to a direct cost for the LSF of around TShs 20 – 30,000 per case or US \$ 9-14. In comparison, the initial model of support to paralegal units by for example larger Dar based legal aid providers did lead to LSF direct costs per case/client of around Tshs 100,000 to 1,000,000 or US \$ 50 - 500.

The LSF direct costs per case/client for support to paralegal units through region based mentor organizations will be higher than for direct support to units, but will be managed at acceptable levels (US \$ 30-50). The benefits of working with this model are considerable in regions where such organization is available, in terms of backstopping, support to units, regional coordination, rapport building with regional and district authorities and the like may positively outweigh the additional costs. Ultimately, however, all units should be funded directly with view to cost efficiency.

Conditional for funding paralegal units is that they are registered NGOs, have a functional governance structure, are functional in legal service provision. The LSF will extent assistance through capacity development to set up simple but effective finance, administrative and monitoring systems.

Direct granting may also be extended to areas like urban legal aid in which a track record probably represents a major advantage, as e.g. for working in and with the prisons department.

The LSF will however ensure that annually it will at least launch one open call for proposals in order to secure its status as an equal opportunity grantor.

6.2. Paralegal training

The Tanganyika Law Society is responsible for the content and quality assurance of the paralegal training, as well as the training of trainers. In the early days of the LSF being operational (2012-13) this training was composed around case based legal aid and the intricacies of the law. The trainers were mainly lawyers leading to a paralegal cadre of “mini-lawyers”. The training content has gradually but rather dramatically changed to becoming more skills based, increasingly focused on human rights awareness building and legal education and legal empowerment, better reflecting the practical reality of the paralegal job and the requirements on the ground.

The quality and relevance of the paralegal training is of key importance, since this is for paralegals the first exposure to human rights, the law and the concepts of and required skills for legal aid, legal education and legal empowerment. The TLS and LSF developed simultaneously into the direction that a different approach to the paralegal function was required, one that also incorporated and emphasized legal education and legal empowerment, that contained skills components and that was not necessarily delivered by lawyers only but by also engaging other specialists and/or people with extensive experience on the ground, which could be seasoned paralegals, or representatives from e.g. the land department or trainers with a background in women’s empowerment and social mobilization approaches. It is of paramount importance that in the period 2016-2020 a relevantly skilled pool of paralegal trainers is created and certified who will train the paralegals on subjects within their areas of competence.

The newly developed training manual has been implemented as from the second half of 2015.



Thobiasi Dyegula Mzosi had a piece of land of 40 acres that was grabbed by others in 2009. Paralegal Hamidu Musa Usantu helped him, in collaboration with the village council to recover his ownership

The paralegal training has been one of the major budget components of grants issued in the first phase. Together with implementing partners the estimated costs to fully train a paralegal was brought down from an initially estimated US \$ 1,200 to around US \$ 850. The LSF believes that it is possible to bring this price further down and will look into options to shorten the training from 5 to 4 modules of one week without losing content, value or skills, which would save another 20%.

The cost for training paralegals will also decrease as a proportion of the overall amount committed in grants. By the end of 2015 around 3,000 paralegals have been fully trained and need a refresher on the new concepts in 2016 and 2017.

After 2016 the training of new paralegals will be limited to compensating for the dropouts, presently in the range of 3% annually and to expanding the cadre annually by 10% ensuring that as yet uncovered wards will be covered by at least 1 paralegal (Accessibility).

6.3. Increased attention and resources for capacity development

In the first program phase (2012-2015) it was ensured that at least 75% of the available overall LSF budget was utilized for grant making. This is very high for a basket fund. Most other basket funds use about 60-65% of available resources for grant making.

A difference for the LSF has been that it has been able to operate on a very low overhead cost basis since an important part of this was covered through a service contract for the management of the LSF with a private company. However, for the donor who initiated the program, DANIDA, this contract of course was an integral part of their investment in the LSF.

The LSF aims to maintain at least until 2018 relatively low levels of overheads and operating costs in the range of 15% or less of the overall available budget, without this going to the detriment of the results the organization wishes to achieve. Being lean and mean brings advantages in terms of a relatively small results oriented team of hard working professionals and support staff, although caution needs to be applied not to overtax the human resources. Good to excellent employment conditions of which remuneration, recognition of good performance and opportunities for personal professional development are a central part, should balance the inputs that staff provides for the company.

In the first program phase around 5% of the available resources of the LSF was utilized for capacity building of implementing partners. The capacity development needs of paralegal units, other legal aid providers and an approach that also focuses on capacity development of relevant supply side actors, will cause the required proportion of the fund to increase to around 10-12 %. Grant allocations will be maintained in the range of 70% of the available budgets. This leaves 8-10% of the resources for policy dialogue, advocacy, communication, coordination, monitoring, research, surveying and governance by and of the LSF itself, which will be sufficient since several of these areas will also be covered in grants.

6.4. Continued attention for legal aid in prisons and reduction of pre-trial detention

The innovative approach in the Tanzanian context to reduce prison congestion through reduction of the number of pre-trial detainees by paralegal interventions at prisons has rendered positive results. The approach needs to be continued and extended, particularly focused on those prisons with most congestion, incorporating the lessons learned so far.

6.5. Urban Legal aid

Tanzania urbanizes at a fast rate. Presently around 70% of the population lives in rural areas but in 2020, according to UN (and other) figures, this may have reduced to 60%. In the period between 2020 and 2030 the rural : urban ratio will pass the 50 ; 50 mark. In absolute numbers this means that in the period covered by this strategy the urban population may develop from a present estimated 15 to more than 20 million by 2020.

Accelerated urbanization will lead to an increase of the urban poor population, higher unemployment and crime rates, increased prevalence of rights violations, including for women (trafficking, exploitation, abuse), all of which may extend the recruitment pool of (young) persons who wish to express their dissatisfaction in negative or violent ways. It will also lead to increased landlord-tenant, business and labor disputes, loan defaulting and other financial conflicts in addition to increased numbers of marital, inheritance, child maintenance, land and property disputes. This calls for an urgent need for urban legal aid, for which more effective and efficient ways of delivery have to be designed.

This implies that the population of urban poor will expand fast, and with them the prevalence of rights violations, in particular for women, disputes and grievances. Remedies for this are presently provided through a limited number of so-called legal aid clinics, operating from middle class areas and mainly staffed by lawyers. The clinics are operated by larger legal aid providers, while some smaller organizations operate smaller clinics staffed by lawyers and paralegals, or work with individual paralegals on a small scale.

Little insight exists in the present cost structure and effectiveness of urban legal aid. Specific urban needs for legal aid in terms of optimum location of outlets, or optimum staffing, referral options, collaboration models with relevant government authorities and civil leaders have never been investigated. This needs to be done urgently, since in 2020 an estimated 20 million Tanzanians will live in urban centers. Legal aid providers who have experience with the provision of legal aid in an urban context will be actively involved.

Together with legal aid providers it will be investigated for the ongoing urban legal aid how efficient and effective it actually is. Urban legal aid is case based legal aid. Little, if any, attention is given to legal education and legal empowerment approaches. A next step will then be to develop together with legal aid providers who have experience in urban legal aid and other organizations with experience in urban empowerment programming, as well as relevant government and other stakeholders a model(s) for urban legal aid provision that goes beyond case based legal aid. The model(s) will be piloted in different urban environments and based on learning further fine-tuned.

6.6. Legal aid on Zanzibar

In Zanzibar there are no district based paralegal units, but paralegals who basically function as individuals with incidental and remote support from larger organizations.

Paralegals in Zanzibar are differently trained as compared to the mainland. The training stretches over 2 years and comprises a weekend per month. The content of the training is academic, legalistic with low level of emphasis on legal education and not at all on legal empowerment. The only organization that provides paralegal training is ZLSC. Trainers are almost solely lawyers or university lecturers, not persons with paralegal experience themselves.

Trainees receive during the training period in which they are supposed to start functioning as paralegals a combined transport and communication allowance in the range of TShs 50,000 per month. During the first ever paralegal forum the LSF organized in Zanzibar the first batch of trainees who had finished informed, that all of them had retired, since the allowance, due to fund constraints, had been terminated. As a consequence it is not unlikely that of the approximate 250 to 300 paralegals who have been trained on Zanzibar only 20 - 30 % is actually functioning.



Paralegals from Pemba and Unguja involved in group work during a paralegal forum in Pemba

Paralegals themselves have set up organizations with the original purpose of offering an institutional home to the paralegals and assist them. This only worked to a small degree since the organizations concerned (one in Pemba and one in Unguja) soon developed other priorities and appear to develop into the direction of becoming implementers themselves.

The situation in Zanzibar, in other words, is complex, not conducive to well implemented legal aid with a broader agenda than case based legal aid. Together with Zanzibar legal aid providers,

paralegals, government representatives and other stakeholders an approach will have to be developed to revive paralegal work on the isles. LSF considers this a priority and sticks to its earlier intent to strive that Zanzibar organizations will be allocated around 10% of its grant portfolio (presently 6%). Problems of women's rights violation are rampant on the isles, civil society is weak to extremely weak and therefore the approach needs to be closely interlinked with a targeted and intensive capacity development approach.

6.7. Piloting and research

The LSF has supported different types of research, experiments, development of new approaches and testing of new models of legal aid provision in different environments through pilot projects.

The pilot Partnership for Change separately funded by Danida is an interesting opportunity to test result based collaboration modalities between paralegals, implementing partners, LGAs, including police and judiciary, informal local leadership and others. Evidence is getting available that it is apparently possible to create such results based collaboration with high levels of buy in and commitment on the side of the participants. Whether also the desired results will be achieved is too soon to say. At present it is not clear how the approach will impact on the effectiveness of paralegals, who are active participants in the collaboration, in the longer run.

It is clear that more time is needed for the experiment, which only has had a life span of around 9 months including start up. It is estimated that the fund availed by DANIDA may run out by mid-2016 and since also then the pilot will not have come to an end it will have to be integrated in the overall approach and activities of the LSF. This will be possible since then the financial requirement will be relatively modest. The pilot will hopefully develop centers of excellence in different places in the country that can be used as examples for other paralegals and implementing partners.

6.8. Anticipation of Legislation and support to the LAS

After passing the Inter-Ministerial Technical Committee in December 2014 the cabinet paper was passed on to cabinet. This is further than any of the earlier attempts to create legislation for legal aid has ever made it. Although this appeared encouraging it is disappointing that apparently the cabinet paper will not be tabled by the present (August 2015) cabinet, but likely will be forwarded to the next cabinet to be appointed after the elections. Thus, it is likely and even optimistic to assume that a bill will be presented to the new cabinet in 2016 and enacted after which the presidential assent may turn it into law.

Still, chances that legal aid legislation becomes a reality in the years to come are considerable. It will then likely contain a model for regulation through a legal aid authority which will have a secretariat for the executive part of the regulatory job.

The Legal Aid Secretariat (LAS), created in August 2012 by MoCLA and originally funded out of LSRP resources is meant to clear the ground, gain experience in anticipation of the establishment of an official regulatory body. When LSRP terminated in June 2014 and the LAS did not have funding for its operational costs the LSF Board approved support to the LAS for a period of 6 months. LAS was

supposed to find a structural solution for its funding, either through other donors or through the government itself, which after all had created the LAS. This did not succeed and 2015 has been a period without funding of operational cost.

The LAS exists in anticipation of legislation and a regulatory body to come into place. It did fulfill an instrumental role in coordination of legal aid providers and is building up valuable experience and institutional knowledge of working with the legal aid sub-sector. This institutional knowledge and memory that the LAS would have on offer when a legal aid authority would be created will be invaluable to ensure a start of such authority on the right terms. Support to the LAS confirms the LSF intent to closely work together with the government at all levels. On a more direct note this support will further cement the already very good relation of the LSF with MoCLA.

Whichever the scenario that develops, if the LAS continues to function the LSF will closely collaborate with it, as it will do with any authority established under new legal aid legislation.

6.9. Expanding the scope of collaboration, networking and partnerships.

In the first program phase the LSF operated with a strong focus on the legal aid sub-sector only. In the second phase the scope needs to be broadened. Coordination and collaboration will be sought with organizations active in gender programming, women's empowerment (political, economic or otherwise) and which may have experience, approaches or programming skills which could add value to the LSF and its implementing partners. The LSF needs to become more pro-active in establishing partnerships, to participate in dialogues on subjects of relevance also for the LSF both nationally and internationally (certainly regionally).

The same applies for collaboration with other basket funds or like-minded organizations in the country. There has been a degree of collaboration with the Foundation for Civil Society, but none with other basket funds further than sharing information about each other's activities, however useful that may be.

Legal aid providers need to indicate what they want from legal aid networks which the LSF presently supports. An old wisdom is that *'a network is as strong as its members want it to be'*. Few networks succeed to satisfy their members in the long term.

If legal aid providers don't come up with practical functions for their networks it is not realistic to expect that they will be functional and the LSF will consider to continue the support or not.

In stead of network organisations, legal aid providers can use limited term alliances to achieve specific objectives. Due to this focus, alliances are often more effective than network organisations, and no investment is needed to set up office and employing staff. Alliances are hosted by one of the members and staff is temporarily assigned by supporting organisations. The same approach for longer term strategic goals can be followed by creating coalitions who also will not become insitutionalized network organizations. The LSF may consider initiating and/or supporting such initiatives if they come up.

6.10. Monitoring and evaluation of legal aid and paralegal services enhanced

An important problem for the legal aid sector is its incapability to provide cumulative data on the contribution to dispute resolution on a national scale. This goes at the detriment of sector credibility towards the government, the judiciary, the general public and donors. With an expanded agenda for legal aid providers, that includes legal education and legal empowerment, the monitoring and evaluation questions asked become more complex while in addition to quantitative data an increasing requirement for qualitative data will have to support measuring the success of interventions.

The LSF has a web based M&E system for legal aid with the potential to develop into a national legal aid database that contains quantitative data on number of cases, cases resolved or referred, provides a typology of cases that reach paralegals, a paralegal data base. The data base needs further development and fine tuning, improved data collection, quality assurance and data entry capacity on the side of legal aid providers. Also the preparedness of legal aid providers to enter their data in the system and thus allowing a peek in their kitchen needs to be improved.

The LSF has further developed its theory of change and its logical framework. Work on the overall M&E framework will be finalized in 2015. A pilot for data collection at source (paralegals) using mobile phone platforms is ongoing and is expected to solve issues of delayed reporting.

The LSF ambition is to develop a data base that contains all data on legal aid in Tanzania, not just legal aid provided under LSF funded grants and projects. That is why also the LAS has been involved as a partner to first convince legal aid providers who are not grantee to provide data and second to convince those who are LSF partners to also enter data of other projects funded by other than LSF resources to get a complete picture on what is going on in legal aid in Tanzania.

Development of the web data base will remain to be high on the agenda, while methods for qualitative data collection will be increasingly used. The data analysis capacity of the monitoring and results function will have to be strengthened.



Hamidi Feruzi from Kibirizi village in Tabora seeks assistance of a paralegal. She is pregnant and her husband is sexually abusing her.

7. Exit Strategy of Technical Assistance

The present contract between NIRAS/Particip and DANIDA terminates per 31st December 2015. NIRAS management appears to have achieved more than what the ToR for the Fund Manager stipulates.

Since October 2013 the LSF has been established as a legal entity which has been of relevance for its recent and its future functioning as an independent basket fund. The Government of Denmark and DFID appear to be prepared to continue funding the facility for the period to come, although exact allocations are not yet known. The medium term sustainability appears, however, reasonably secured.

An area where the LSF has not been successful is to attract other donors. It appears that bi-lateral donors have other priorities than to enter into supporting the approach that is followed. Still the fund with only two contributors is vulnerable and the funding base needs to be expanded. This remains one of the highest priorities for the LSF and its management.

In the scenario in which NIRAS more than fulfilled the ToR and the LSF is a strong organisation with proper procedures and systems in place, while for the immediate and medium term future at least sufficient funding looks to be available, it appears that the next step towards conversion into a national organization can be taken.

Sufficient resources appear to be available for 2016, although formal confirmation is still required, to incorporate the consultants presently employed through a contract with NIRAS in the staff of the LSF. The LSF has worked out modalities how to accomplish this. It looks that all or the majority of the presently employed staff and consultants are ready for the conversion and wish to continue with the LSF on national employment conditions.

It may be possible to extend the present Fund Manager for a part of 2016, which will allow that his institutional memory is utilised to ensure a smooth conversion and it buys some time for further working out with the Board and basket fund partner what the future modality for the management

of the fund should be. An additional advantage is that this model at least for part of 2016 releases the company of the salary sum for its most senior manager.

8. LSF Personnel required in the second phase (2016-2020)

The LSF staffing until present has been extremely lean. Due to the construction in which part of the operating cost of the LSF was covered in the consultancy contract the overhead and operating cost component has been modest.

The broader scope and increased activities of the LSF as gradually developed in the first phase created an increased requirement for quality human resources. See organogram in Annex 1.

As from 2016 onward the minimum required staffing is:

Senior Staff	Support Staff	Senior nbr	Staff	Support nbr	staf
CEO		1			
	Senior Communications Officer			1	
Director Finance and Administration		1			
	Senior Grants and Accounts Officer			1	
	Senior Admin Officer			1	
	Admin Assistant			1	
	Driver			2 (+1)	
	Cleaner			1	
	Security (outsourced)			3	

Director Programs		1	
Program Manager		1	
	Officer for Protection of Women's Rights		1
Monitoring and Results Manager		1	
	Officer Monitoring and Results		1
	Senior Data Analyst		1
Capacity Development Manager		1	
TOTAL		6	10 (+3)

The cost to maintain this staffing level starts at around US \$ 320,000 per year, without the CEO included. The LSF wishes to maintain as long as possible an overhead and Secretariat operations cost component that does not go beyond 15% of the average annually available fund. This is tight but constitutes a decent selling argument for the fund. With available funding of US \$ 3 million annually or more this staff can be comfortably catered for, if the CEO is kept out of the equation.

It is not foreseen to create endowment funds, or reservations for acquisition of real estate. The LSF may last for another 10, 15 years, but has in principle been set up as a temporary intervention.

What may be considered is that the fund is allowed to create a buffer of maximally one year salary of all staff to bridge a period of low funding and/or to have ample time and resources to fulfill the legal requirements if staff has to be laid off.

9. Required budget 2016 – 2020

Budget Line Item	2016	2017	2018	2019	2020	Total	%
1 Grant Making						-	
1.1 Support for Paralegal units	800,000	800,000	800,000	800,000	800,000	4,000,000	
1.2 Regional based mentor organizations-Direct	700,000	700,000	700,000	700,000	700,000	3,500,000	
1.3 Call for Proposal	640,000	640,000	600,000	600,000	600,000	3,080,000	
1.4 Urban Legal Aid	400,000	400,000	400,000	400,000	400,000	2,000,000	
1.5 Paralegal Trainings-Extension & Replacement	800,000	800,000	800,000	800,000	800,000	4,000,000	
Total	3,340,000	3,340,000	3,300,000	3,300,000	3,300,000	16,580,000	69
2 Capacity Building							
2.1 Capacity Development LAPs	400,000	400,000	400,000	400,000	400,000	2,000,000	
2.2 Education materials-Women's Rights	100,000	100,000	100,000	100,000	100,000	500,000	
Total	500,000	500,000	500,000	500,000	500,000	2,500,000	10
3 Coordination, Policy Dialogue and Advocacy							
3.1 Coordination	100,000	100,000	100,000	100,000	100,000	500,000	
3.2 Advocacy	120,000	120,000	120,000	120,000	120,000	600,000	
Total	220,000	220,000	220,000	220,000	220,000	1,100,000	5
4 Technical Assistance, Think Tank, MTR, Evaluation and Audits							
4.1 Monitoring and evaluation	100,000	112,000	114,000	115,000	115,000	556,000	
4.2 Technical assistance	100,000	100,000	100,000	100,000	100,000	500,000	
4.3 Annual audit	15,000	17,000	17,000	17,000	17,000	83,000	
Total	215,000	229,000	231,000	232,000	232,000	1,139,000	5
5 Innovative Approaches							
5.1 LGA Sensitization/Referral	500,000	500,000	500,000	500,000	500,000	2,500,000	
Total	500,000	500,000	500,000	500,000	500,000	2,500,000	10

6	Governance							
6.1	Governing Board	15,000	15,000	15,000	15,000	15,000	75,000	
6.2	Members	4,100	4,800	5,000	5,000	5,000	23,900	
	Total	19,100	19,800	20,000	20,000	20,000	98,900	0
7	Finance, Administration, Communication, (Human) Resources							
7.1	Finance	7,500	8,000	8,500	9,000	9,500	42,500	
7.2	Administration	100,000	112,000	115,000	118,000	120,000	565,000	
7.3	Communication	75,000	75,000	75,000	75,000	75,000	375,000	
7.4	LSF Human Resources	313,512	327,620	342,363	357,769	373,869	1,715,133	
	Total	496,012	522,620	540,100	559,769	578,369	2,696,870	11
Grand Total		4,790,112	4,831,420	4,811,100	4,831,769	4,850,369	24,175,200	

Annex 1 Organogram 2016

