

SUMMARY OF NOTES OF MEETING

PDF

Sub-Working Group on Rule of Law

April 27, 2011

DOJ, Manila

1. The meeting was chaired by DOJ Sec Leila de Lima/Convener. The attendees included senior officials and representatives from the Department of Justice, the DOJ's attached agencies (NPS, PAO, OSG, NBI, OGCC, BPP), the Department of Interior and Local Govt., DILG's attached agencies (PNP, BJMP, LGA), the Judiciary (SC, CA, SB, OMB), representatives of the development partners such as Asian Development Bank, European Union, USAid, UNDP, World Bank, US Embassy, British Embassy, German Embassy, Hanns Seidel Foundation, the ICRC, and representatives from the Civil Society Organizations and Academe. The complete List of attendees is attached as Annex 1.
2. Sec de Lima welcomed the attendees to the DOJ and to the meeting. The following agenda items were discussed.
 - Updates on the 2011 PDF, new clustering and organizational arrangements of the Sub-Working Group on the Rule of Law
 - Presentation of the Justice Sector Strategy Framework
 - Rule of Law Coordination Matrix (Who is Doing What) and Sub-Working Group Work Program (2011-2012)
3. Mr. Prasanna Jena of ADB was requested by Sec de Lima to give a background on the PDF and update on the 2011 PDF, the new clustering and organizational arrangements of the Subworking Group on the Rule of Law. According to Mr. Jena: 1) The Philippines Development Forum is the primary mechanism for the Philippine Government and the development partners to facilitate policy dialogue on major cross-cutting development issues; 2) The last PDF meeting was held in the last week of February 2011 with President Aquino attending as Guest of Honor; 3) The new economic plan of the Government's Medium Term Development Plan for the next 5 years based on the President's social contract was presented; 4) The basic purpose of the PDF was to announce the development agenda not only of the Government but also to discuss the re-alignment of the existing PDF structures; 5) The Working Group on Governance is chaired by Secretary Abad of DBM, ADB remains the Co-Chair, the Working Group on Governance has two functioning sub working groups – Public Finance and Management, chaired by DBM Usec Laura Pascua with AusAid as the Co-Convener; 6) Procurement is the other Subworking Group chaired by the Government's procurement agency, the Government Procurement Policy Board, and co-Chaired by the World Bank; 7) In January and February of this year the Government has configured or aligned its development agenda around new clusters within the Cabinet for the purpose of monitoring and focus; 8) The working groups were re-aligned with the Government's Cabinet Clusters. So the Working Group on Governance is known as the Working Group on

Governance and Anti-Corruption and under this Working Group a new sub-working group was created, the Sub-Working Group on the Rule of Law with the Secretary of Justice as Chair. This is an important development because both the Government and the development partners have been requesting for such a sub-working group to provide focused attention on justice sector issues; 9) The matter of who will be the co-Chair of DOJ for this sub-working group is still pending and that a couple of development partners expressed interest; 10) Mr. Jena suggested that whoever will Co-Chair the Sub working Group should also provide logistics and secretariat support.

4. Sec. de Lima said that she is honored to Chair the Sub-working Group on the Rule of Law and requested everyone to join DOJ in crafting the justice sector roadmap. The frequency of meeting of the SWG was also discussed and a consensus was reached that initially, it should be every last Thursday of the month for the next three months considering that the SWG is still new. For the month of May, however, because of already scheduled activity at DOJ, the next meeting will be on June 2, 2011 (Thursday) at 1:30 p.m. She has also asked the agencies and organizations to nominate their organization's Principal and Alternate representatives, non-exchangeable, no proxy allowed for continuity purposes, not later than May 6, 2011.
5. Before his presentation, Asec Geronimo Sy asked everyone to give Secretary de Lima a round of applause for ranking number 1 in the latest cabinet performance survey and with the Secretary's permission attributed the success to DOJ's development partners and all the justice sector institutions.

He then presented the Justice Sector Strategy Framework. This is attached as Annex 2.

6. Atty. Rodolfo Urbiztondo of IBP asked if there was a plan to change the basis for filing of cases from probable cause to *prima facie*. He said that IBP is willing to assist DOJ on how to go about this. Asec Sy responded that there are several efforts in this area and that DOJ needs the Supreme Court's clearance because this is provided for in the Rules of Court. This will be included in the next criminal procedure meeting of SC Rules Committee on Friday, 29 May.
7. Ms. Cecil Vales of the World Bank followed up on Mr. Jena's statement on the need to have a co-Chair for the Sub-working group on the Rule of Law. Ms. Vales said that the World Bank, as the overall PDF Co-Chair and as the co-Chair of the Sub-working Group on Procurement, will not express interest on this SWG.
8. Ms. Evelyn Dumdum of the ADB volunteered the information that there are several development partners who have expressed interest to be the co-Convener of SWG on the ROL – the USAID, European Union and the ADB. She also mentioned that she was informed that the PDF Secretariat, which is lodged at the World Bank, will have a meeting with the development partners sometime in May to agree among themselves or come up with a consensus as to who will be the co-convener for SWG on the ROL. She also said that, as a

matter of practice, the development partners agree among themselves who will be the co-convenor for a particular working group or for a particular sub-working group.

9. Sec. de Lima responded that they will definitely adhere to the practice. She will leave it to the development partners to talk among themselves first and reach a consensus and it is only in case of non-agreement or no decision made that the Chair, the DOJ, can come in and resolve the deadlock. She was very pleased to learn that there are several interested development partners to be DOJ's co-convenor. It showed the crucial importance of this sector.
10. Ms. Camilla Hagstrom of the European Union reiterated EU's interest to take the role of co-convenership because they have a special interest in this sector. According to her, EU has just implemented the EP Just Program which will be followed up by a second program and this will be a broader program. EU will stay in the sector with funding support. They are happy to do it but if there is someone else, they are also happy to work with whoever the co-convenor will be.
11. Ms. Gloria Steele of the USAID likewise indicated her agency's deep interest in co-convening the sub-working group. She mentioned that the US Government has selected the Philippines as a priority country under its partnership for growth and several projects under this sector have been implemented and are being implemented by the justice agencies as partners.
12. Sec. de Lima thanked both EU and USAID for their expressions of deep interest.
13. The Secretariat requested all the development partners, CSOs and other agencies to submit their Coordination Matrix to the Secretariat temporarily anchored at the ADB.

The meeting was adjourned at 3:30 p.m.