Call for abstract

Theme:

Access to justice

Background:

Access to justice is a fundamental right itself as well as a key means to enjoy and defend other rights. A number of international instruments, including those that are adopted by Ethiopia, as well as the Ethiopian Constitution, establish rules and principles pertaining to access to justice.

The leading international policy document on access to justice formulated by the United Nations Development Program (UNDP), based on international human rights standards, defines access to justice as “the ability of people to seek and obtain a remedy through formal and informal institutions of justice, and in conformity with human rights standards”. The policy document clearly indicates that effective access to justice involves normative legal protection; legal awareness; legal aid and council; adjudication; effective enforcement; and civil society involvement in and parliamentary oversight of the system. The definition adopts a broader approach to incorporate a process (system), including both formal and informal systems, that ensure that the poor, disadvantaged, and marginalized population gain knowledge, understanding, confidence, and the physical access to appropriate and effective means of meeting their justice needs and furthering their rights. There is no access to justice, hence no effective legal protection, where the people fear the system, see it as alien and do not access it; where the justice system is physically and financially inaccessible; where individuals have no access to legal services; where they do not have information about their rights or where there is a weak justice machinery.

Access to justice understood in this sense is important for poverty reduction and human development. There is strong connection between improving access to justice and poverty reduction since being poor and on the disadvantaged side means being deprived of choices, opportunities, access to basic services, and information regarding rights and the means to enforce them.

Because of its vitality to uplift the poor and disadvantaged and improve their quality of life, the idea of access to justice is universally recognized. Indeed, a pledge to improve access to justice for the mass often adorns the policy documents of international organizations, multilateral and bilateral donor agencies and national governments. A myriad of international instruments also recognize it as a fundamental right. But it comes nowhere close to describing the justice system in reality in any nation. It is perhaps one of the areas where there is disturbing disparity between proclaimed principle and reality. Rights that are available in principle are inaccessible in practice because of lack of effective access to justice. The formal justice system that is primarily anchored in the state-centered adversarial system with minimal regard to informal dispute resolution
mechanisms is made by and for the lawyers, with no effort to make it clear or comprehensible to the average litigant. The service of the lawyer is not always financially and physically accessible. And litigants without lawyer confront alien jargons and procedures of excessive and bewildering complexity. It is difficult to talk of access to justice in such a system where the kind of trial a man gets depends on the amount of money in his pocket.

UNDP’s worldwide survey has identified a number of barriers to effective access to justice. These includes: long delays in justice dispensation; lack of available and affordable legal representation; sever limitations in existing remedies provided either by law or in practice; inadequacies in the existing laws to protect the poor and disadvantaged section of the society; lack of adequate information about rights and the system for redress in case of violations; limited public participation in reform programs; lack of adequate legal aid system; avoidance of the legal system due to fear or sense of futility of purpose; formalistic and expensive legal procedures; unsystematized and excessive number of laws.

Considering the situation in Ethiopia, it is difficult to find any nationwide systematic study of the state of access to justice. But an educated common observation would reveal that the picture is not any different, if not worse. Equal justice for all may be an unattainable ideal. But we can improve and make it more accessible. For this purpose there is an all-time-high need to methodologically diagnose our justice system, identify the challenges for effective access to justice and formulate the prescriptions towards an enhanced access to justice system.

With a view to contribute to this endeavor, the Center for Human Rights of Addis Ababa University (CHR-AAU) through its Access to Justice Project is planning to produce a peer reviewed book that examines the Ethiopian legal system in light of access to justice from different angles. The book is expected to highlight the challenges and opportunities to effective access to justice in the Ethiopian context and make recommendations thereto. Thus, authors are invited to write original book chapters focusing on this theme. The contributions can be in the form of either empirical research or doctrinal analysis of the legal framework (including a comparative study) pertaining to the following sub-themes.

**Sub-themes**

Contribution can deal with specific issue(s) pertaining to any one or combination of the following sub-themes within the context of the main theme, access to justice.

- Access to legal services and legal aid
- Traditional and informal justice systems
- Justice sector reform program and access to justice
- Collective claims (public interest and class action litigations)
- The role of civil society
- Access to courts and quasi-judicial bodies
- Legal literacy and information
Eligibility Criteria

- Authors must hold at least a master’s degree in law or related social sciences field with good background in law; or first degree in law with demonstrated research experience or familiarity with access to justice issues.

Authors who intend to contribute book chapter are required to submit the following

- Abstract
- For authors intending to write empirical research, full-fledged research proposal
- Current curriculum vitae

The abstract/proposal:

- The abstract should be 1 to 2 pages long (in Times New Roman, 12 font size, single spaced). The abstract should indicate the title of the book chapter, brief background of the issue to be investigated, the research question(s), and the methodology to be followed.
- Author(s) proposing to do empirical research should clearly indicate their sample size, the data collection methods, and other information indicating the scope and thoroughness of data collection.
- Co-authored abstracts are accepted provided they fulfill the eligibility criteria.

Deadline:

- Abstracts should be submitted to the coordinator of the book project on/before August 5, 2013 by e-mail.

Selection of papers:

- The CHR-AAU will setup a team of jurors to select the best abstracts. After notification, the author(s) will prepare a draft book chapter which will be sent to anonymous peer reviewers. Then authors will receive comments, revise and send final draft chapters to CHR-AAU.

Incentives for authors:

- For non-empirical researches, on acceptance of final draft book chapter for publication, CHR-AAU will pay the authors(s) a lump sum of 15,000 (fifteen thousand) birr per book chapter.
- For authors doing empirical research CHR-AAU will pay a total of 25,000 (twenty-five thousand) birr per book chapter on submission of publishable final draft.
- The accepted book chapter will be edited and published as a chapter in a standard peer-reviewed book. The editors of the book will be individuals with high academic standing and renown.

CVs, abstracts and other inquiries should be addressed by email to:

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