

Peru: Improving the Performance of Non-Criminal Justice Services Project

Overview

The Improving the Performance of Non-Criminal Justice Services Project is an outgrowth of earlier efforts by the World Bank and the Government of Peru to address the five main challenges faced by the current Peruvian justice system:

- Inefficiency, particularly in the excessive length of time for resolving cases;
- Limited accountability, reflected in inconsistent decision-making and lack of public information;
- Poor access, especially for vulnerable populations such as women, indigenous peoples, and persons with disabilities;
- Gender gaps in the justice sector, especially in responding to gender-based violence;
- Lack of reliable information to design policies to improve efficiency, accountability, and access.

The Bank and the Government of Peru hope to modernize the Peruvian justice system by reducing processing times for cases, increasing access to legal counsel through ALEGRAs (legal aid centers), and allowing persons to access their cases online.

The objective of the project is to improve the efficiency, access, and transparency of the non-criminal justice system

and increase user satisfaction with the delivery of non-criminal justice services. The indicators for these goals are:

- Reduced processing times in non-criminal courts that employ the Electronic Case Files reform (EJE);
- Increased satisfaction of female users with the services provided at the ALEGRAs;
- Increased percentage of users accessing their case status online;
- Increased percentage of users satisfied with services provided in a representative sample of non-criminal courts.

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Financing

The total cost of the project is \$168 million USD. While Peru originally requested up to \$100 million USD for the Project, the World Bank, through the International Bank for Reconstruction and Development, is supplying \$85 million USD to the project. The remaining funds, \$83 million USD, are being provided by the Government of Peru through regional loans or state revenue.

Accessibility Concerns

Currently, persons with disabilities have trouble accessing the Peruvian justice system. If the Project is designed to improve access to the justice system for all its users, it must address the additional barriers to doing so faced by persons with disabilities and other marginalized groups. These barriers include, but are not limited to: the physical accessibility of justice buildings and ALEGRA offices, language barriers for indigenous peoples and persons with hearing impairments, and a lack of legal literacy among marginalized groups.

Although improving access to non-criminal justice services is one of the project's core goals, its original Project Information Document, released in February 2018, made no mention of persons with disabilities or how they would be included into the general scheme of increased accessibility.

Addressing Accessibility

Following an institutional crisis in July 2018, widespread reforms were brought to Peru's justice system and the design of the Improving the Performance of Non-Criminal Justice Services Project. Civil society organizations (CSOs) worked to ensure that persons with disabilities would be considered in the revised project design.

In February 2019, the World Bank released a new Project Information Document. This new document includes a specific component to improve access to justice for vulnerable populations, focusing primarily on restructuring the physical layout of legal spaces to improve access for many marginalized groups, but particularly persons with disabilities.

This component states that Project activities will include the "rehabilitation or refurbishment of existing physical facilities (ALEGRAs) to enhance services for a larger clientele, including meeting universal accessibility standards for persons with disabilities." Additionally, the project aims to offer mobile justice services, bringing judges and legal

institutions to citizens living in remote areas. While not specifically targeted towards persons with disabilities, the mobile justice mechanism will help provide legal services to individuals whose disabilities limit their mobility.

The component also includes the Ministry for Justice and Human Rights as an implementing agent and involves coordination with the Ministry for Women and Vulnerable Populations. \$17.99 million USD of the total project funds will be directed towards implementing this component.

Electronic Case Files

(EXPEDIENTE JUDICIAL ELECTRÓNICO, EJE)

The EJE is an organizational reform to provide more expedited and transparent justice services by using new Information and Communication Technologies (ICTs) provided by the World Bank.

To date, EJE has been implemented in 12 courts of the Lima District:

- 6 commercial courts
- 4 labor courts
- 1 customs court
- 1 court for market issues

The implementation of the EJE in these courts has been an important first step not just to pilot the Improving the Performance of Non-Criminal Justice Services Project, but also to establish the framework for it to operate effectively.

Recommendations

The Government of Peru and the World Bank have the opportunity to address the needs of persons with disabilities as well as other marginalized groups in project implementation. Beyond becoming more physically accessible, ALEGRAs should hire staff capable of sign language, and build capacity among all legal staff to provide necessary accommodations for persons with disabilities and non-Spanish speakers. Additionally, ALEGRAs should work to provide legal information in plain language that can be understood by the general population.