



**STRENGTHENING THE INDEPENDENCE OF THE JUDICIARY
AND CITIZEN ACCESS TO JUSTICE IN LEBANON**
A USAID Project Implemented by National Center for State Courts

ATTACHMENT 4

**STRATEGIC PLANNING
ASSESSMENT REPORT**

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STRATEGIC PLANNING ASSESSMENT REPORT

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TABLE OF CONTENTS

	PAGE
Introduction	3
Definitions	3
Executive Summary	4
Strategic Planning Process	6
Findings and Conclusions	8
Activity 1: Assessment of the need for a Lebanese justice sector strategic plan and the extent to which the key stakeholders understand the strategic planning process and methodology	8
Activity 2: Workshop with key stakeholders	11
Recommendations	12
Timeline	16

INTRODUCTION

The National Center for State Courts (NCSC), under contract to the United States Agency for International Development (USAID), is responsible for implementing the project to strengthen the independence of the judiciary and citizen access to justice in Lebanon (the SIJCAJ project). The SIJCAJ project's workplan for year two, the current contract year, includes, among other activities, providing technical assistance to support the development of a strategic plan for the Lebanese justice sector. The first step in the process is to assess the need for such a strategic plan, and the process and methodology to be employed for its development.

To this end, NCSC's international consultants, Messrs. Carl Cira and Charles Shapiro, and the Director of its local partner, the Lebanese Center for Policy Studies, Mr. Oussama Safa, completed an in-country assignment during the month of October 2009. During the assignment, numerous fact-finding and general discussion meetings were held with key personnel in the Lebanese justice sector, the Ministry of Finance, and international organizations in the Lebanese donor community, as well as with NCSC personnel having substantive responsibility for tasks and various activities under the SIJCAJ project. In addition, numerous background documents relating to the Lebanese justice sector were provided to Messrs. Cira, Shapiro and Safa, to prepare for the assignment.

This report contains the following sections: a definition of key terms as used in this report ("Definitions"); a summary of consultants' findings and recommendations ("Executive Summary"); an overview of the strategic planning process ("Strategic Planning Process"); an analysis of the assessment for developing a Lebanese justice sector strategic plan ("Findings and Conclusions"); and an analysis of the next steps, with timelines, for developing a Lebanese justice sector strategic plan ("Recommendations").

DEFINITIONS

The following definitions, in alphabetical order, are intended solely to provide clarity and consistency for the key terms used in this report. They are not, and are not intended to be, technically as precise or as inclusive as a dictionary would define them. Defined terms are shown in *italics* when used within another definition.

Baseline data: qualitative and quantitative information that defines the strengths and weaknesses of the Lebanese justice sector, and is used as input in the development of a *strategic plan*

Donor organization: a non-Lebanese provider of funds or personnel to assist the Lebanese justice sector in fulfilling its role and responsibilities

Executive Committee: those Lebanese *key stakeholders* that are empowered to oversee and steer the planning, development and implementation of a Lebanese justice sector *strategic plan*

Key stakeholder: a Lebanese person who represents a critical *stakeholder* institution in the Lebanese justice sector

Lebanese Center for Policy Studies (LCPS): NCSC's Lebanese partner organization for the USAID-funded SIJCAJ project

Monitoring and evaluation: observing, checking and recording progress in the implementation of an *operational plan*

National Center for State Courts (NCSC): the contractor organization for the USAID-funded SIJCAJ project

Objective: a feasible and measurable target that is aligned with an *opportunity*

Obstacle: an impediment that could prevent or delay achieving an *objective*

Operational plan: the required details for implementing a *strategy*, to include resources, organization, timelines, costs, risks, and benchmarks

Opportunity: a Lebanese justice sector goal aligned with the *vision statement* that is possible to achieve within the *strategic plan* timeframe

Stakeholder: a person or institution that is integral to the Lebanese justice sector

Strategic plan: the roadmap for aligning the Lebanese justice sector with the *vision statement*

Strategic planning: the process and methodology used to develop a *strategic plan*

Strategic Planning Team: those Lebanese persons assigned responsibility for developing a Lebanese justice sector *strategic plan*

Strategy: a method employed to achieve an *objective*

Substantive expert: an international or local individual with requisite knowledge of the Lebanese justice sector or *strategic planning* methodology who can be used by the *Strategic Planning Team* to assist in completing the *strategic plan*

United States Agency for International Development (USAID): the *donor organization* funding the project to strengthen the independence of the judiciary and citizen access to justice in Lebanon (the SIJCAJ project)

Vision statement: the desired long-term role of the Lebanese justice sector, within the country's political, economic and social structure

EXECUTIVE SUMMARY

Strategic planning as a concept is relatively easy to understand – it provides a roadmap to go from point “A”, the current position, to point “B”, the end point, with the ability to foresee the future, understand risks and seize opportunities in the surrounding environment. In practice, however, strategic planning is an extremely complex process that is often not well understood or applied. It is labor intensive, collaborative, iterative, and time-consuming. The process has three distinct phases. Phase I is the upfront planning that must be completed before the development of the strategic plan can begin. Phase II is the development of the strategic plan. And Phase III is the implementation of the strategic plan’s subordinate operational plans.

We are in Phase I. The assignment focused on assessing the need for a Lebanese justice sector strategic plan and on the extent to which the key stakeholders understand the process and methodology for developing such a plan, followed by a workshop with the key stakeholders in the Lebanese justice sector. The purpose of the workshop was threefold: to review the findings of the assessment; to reach consensus among the key stakeholders regarding the need for a justice sector strategic plan; and if there were a consensus, to set forth the activities required to complete Phase I and move into Phase II, the actual development of a strategic plan.

Our principal finding is that the Lebanese judiciary is an institution in need of important reforms. Judges are underpaid. Supporting staff is seriously inadequate. Courthouses are badly in need of repair and modernization. Information technology is absent. Corruption is said to be evident in some circumstances. Public confidence is lacking. The annual budget of the entire judiciary amounts to a paltry 0.2% of the government’s overall budget. We also found that due to lack of familiarity and experience in strategic planning, some key stakeholders did not fully understand the process and methodology for developing a strategic plan.

On the positive side, the people comprising Lebanon’s legal infrastructure – judges, lawyers, law professors, etc. – are well educated, sophisticated and knowledgeable. They recognize the need for a stronger, more independent judiciary, and consequently support institutional reforms. The President of the Republic has called for a law that provides for greater judiciary independence. Such a law is in the drafting stage, but as of this report, the nature and degree of the called-for increased independence are unclear, as views of political and legal actors differ widely.

The key Lebanese stakeholders, with some caution, support the need for a strategic plan to address the judiciary’s current weaknesses, and appear anxious to complete the remaining Phase I activities in order to move into Phase II. The steps required to complete Phase I are: (1) form the Executive Committee (to steer and oversee the development of the strategic plan, and to assume the monitoring and evaluation of the operational plans); (2) adopt a long-term vision statement; (3) appoint the members of the Strategic Planning Team that will be responsible for producing the strategic plan in Phase II); (4) collect and organize baseline data relating to the current situation in the Lebanese justice sector; and (5) project

the principal opportunities and obstacles relating to the long-term vision statement. The key stakeholders will be responsible for completing the first three activities; NCSC and its local partner, LCPS, will be responsible for completing the remaining two.

The Minister of Justice strongly favors the idea of a strategic plan, and at the workshop voiced a willingness to consider going forward with the establishment of the Executive Committee under his present authority, without awaiting the formation of the new government. The outgoing minister also agreed with the President of the High Judicial Council to establish a committee to study NCSC's proposal.

In the interim prior to the formation of the Executive Committee, and on the assumption that the key stakeholders will adopt NCSC's proposal, NCSC, with its local partner, LCPS, could proceed with the collection and organization of the baseline data, and the projection of the principal opportunities and obstacles that confront the Lebanese justice sector. In addition, NCSC, while mindful of the political sensitivities, will continue to encourage the key stakeholders to form the Executive Committee and to adopt NCSC's proposal for completing Phase I. As part of its commitment, once the Executive Committee is formed, NCSC will facilitate a workshop to assist the Committee in producing the long-term vision statement, and in determining who should be appointed to the Strategic Planning Team.

Given the uncertainties surrounding the formation of the new government and the uncertainties of the timing and scope of the key stakeholders response to NCSC's proposal, a tentative timeline for completing Phase I could be as early as mid-December 2009, but more likely sometime in January 2010.

STRATEGIC PLANNING PROCESS

Strategic planning as a concept is relatively easy to understand – it provides a roadmap to go from point “A”, the current position, to point “B”, the end point, with the ability to foresee the future, understand risks and seize opportunities in the surrounding environment. In practice, however, strategic planning is an extremely complex process. Although the strategic planning process is often not well understood or applied, its completion is very rewarding for the members of the Strategic Planning Team and very fruitful for the key stakeholders.

In summary, detailed planning is required to determine how best to go from point A to point B, to include alternatives to deal with potential obstacles that could be encountered along the way. A simple example underscores the issue. Most technology-based development projects are not completed on time or within budget. In almost all instances, the reason for delay and overruns is the failure to do the required detailed planning.

Strategic planning is labor intensive, collaborative, iterative, and time-consuming. The process has three distinct phases. Phase I is the upfront planning that must be completed before the development of the strategic plan can begin. Phase II is the development of the strategic plan. And Phase III is the implementation of the strategic plan's subordinate operational plans.

The following activities need to be completed in Phase I

- Obtain agreement by the key stakeholders on the need for a strategic plan
- Establish the Executive Committee
- Produce a long-term vision statement
- Appoint the Strategic Planning Team
- Collect and organize the relevant baseline data
- Project the principal opportunities and obstacles relative to achieving the vision statement

Once these activities are completed, Phase II, the development of the strategic plan, can begin. In general terms, the plan serves as a blueprint for achieving the goals of the key stakeholders in line with the long-term vision statement. A strategic plan most often covers a five-year period. The final strategic plan and its subordinate operational plans need to be flexible to adapt to changing circumstances.

The methodology for developing a strategic plan is well documented. Private sector entities, as well as public sector institutions in many countries, consistently use strategic planning as a means to achieve their goals. For businesses, these goals usually deal with meeting specified financial outcomes. While the goals for a public sector institution are clearly different than those for a private sector organization, the need for strategic planning and the methodology and process for developing a strategic plan for both sectors are comparable.

A well-designed and developed strategic plan will include the following components

- A restatement of the vision statement
- An analysis of the baseline data
- An evaluation of the projected opportunities and obstacles as they relate to the vision statement
- A feasible and measurable objective for each discrete component of the vision statement
- The strategy (or strategies) best suited to achieve each objective
- A detailed operational plan for implementing each strategy, to include
 - Resource requirements (human, technical, financial, etc.)
 - Organization requirements (institutional and individual responsibilities)
 - Timelines (by activities to be completed)
 - Costs (budget and other financial requirements by year)
 - Risk analysis (an analysis of the relevant projected obstacles)
 - Benchmarks (measurable results by time periods, to determine whether the plan is on target or needs to be adjusted).

Following approval of the overall strategic plan, to include the operational plans and with them the required resources, Phase III, the implementation of each operational plan, can begin. Implementation of each operational plan requires ongoing monitoring and evaluation by the Executive Committee to enable adjustments due to changing circumstances as they occur.

FINDINGS AND CONCLUSIONS

This is the first effort at initiating a strategic planning process for the Lebanese justice sector, and we have completed the early stages of Phase I. The assignment covered two critical Phase I activities: First, an assessment of the need for a Lebanese justice sector strategic plan, and the extent to which the key stakeholders understand the strategic planning process and methodology; and second, a workshop with the key stakeholders in the Lebanese justice sector to review the findings of the assessment, to reach consensus among the key stakeholders regarding the need for a justice sector strategic plan, and if a consensus developed, to set forth the activities required to complete Phase I and move into Phase II, the actual development of a strategic plan. Our findings and conclusions for each of these activities are set forth below.

Activity I: Assessment of the need for a Lebanese justice sector strategic plan, and the extent to which the key stakeholders understand the strategic planning process and methodology

Introduction. Accompanied by the NCSC Chief of Party, Philippe Lamarche, and NCSC Legal Advisor Joe Karam, the consultants met in initial courtesy calls and interviews with a total of 29 individuals, including prominent justice officials, private bar leadership, parliamentary commission leaders, and several first instance judges and litigating lawyers. This portion of the assignment took place from 5 October through 23 October 2009.

Among those met were the Minister of Justice, the Director General of the Ministry of Justice, the President and several other members of the High Judicial Council, the President of the Beirut Bar Association and other present or past Beirut Bar board members, the president of the State Council, three former justice ministers, several members of parliament, and criminal and civil first instance judges in their respective courthouses in the Beirut and Mt. Lebanon judicial districts. We also met with the Director General of the Ministry of Finance, seeking an understanding of the public sector budget and finance process, and how strategic planning would be viewed in that context.³

The discussions, for the most part, were general in nature. The topics covered were: (1) the current state of the Lebanese justice sector; (2) the plans to address the sector's existing weaknesses; (3) the potential long-term benefits that could occur if there were a justice sector strategic plan; (4) the strategic planning process and methodology; (5) the roles and responsibilities of the key stakeholders and NCSC if a decision is made to go forward with the development of a strategic plan; and (6) the effect of the current uncertain political climate on the timing for moving forward with the development of a strategic plan.

Current state of the Lebanese justice sector. Consultants found that the Lebanon judiciary is in need of important reforms. Judges are underpaid. Supporting staff is often inadequate (e.g. approximately 800 clerks to support a total of 500 judges). Courthouses need repairs, refurbishment and reconfiguration. Information technology is almost completely absent. Corruption is apparent in case steering and in some judicial decisions. The judiciary, like virtually all Lebanese government institutions, is hampered in personnel selection by the

³ See Attachment I for the people, with their titles and institutions represented, that were consulted during the assignment.

intrusion of confessional considerations – i.e., the indispensable need to consider the religious and political affiliation of individual appointees. Public confidence is low. The entire judiciary receives only 0.2% of the government's budget. On the other hand, consultants found the interviewees to be sophisticated, knowledgeable, articulate, aware of the deficiencies, motivated to reform, and with a strong desire to improve the justice sector.

The weaknesses can be summarized as follows: the lack of public and investor confidence in the judicial system; the lack of clarity and consistency in the administration of justice; and the lack of resources (human, technical and financial) to achieve efficiencies in the judicial system, and to improve the effectiveness of judges in the rendering their decisions. The key stakeholders also believe that a more independent judiciary is critical and necessary to achieve the long-term goals of a stronger, fairer, more efficient, more effective, more impartial, and more democratic Lebanese justice sector.

However, consultants found no clear agreement on the nature and scope of any such additional independence. Despite this finding, there seems to be a critical mass of stakeholders who understand where the problems are, and are keen on taking the initiative to help tackle them successfully. Strategic planning is but one tool, albeit an important tool, to do so.

Plans to address the justice sector's existing weaknesses. In addition to expressions of the need for more staff and for information technology, consultants found that the principal proposal to address the current justice sector weaknesses focuses on judicial independence. President Michel Sleiman, at his inauguration a few months ago, among other things, called for the enactment of a new law to provide for greater judicial independence. Such a law is in the drafting stage, but as of 30 October 2009, the proposed extent of the called-for independence is unknown. President Sleiman again reiterated his strong support for judicial independence at the formal opening ceremony for the new judicial year on 15 October 2009 at the Palace of Justice. At the same ceremony, the Minister of Justice, the President of the Beirut Bar and the President of the High Judicial Council all echoed the same theme. Everyone with whom the consultants met favors measures to increase judicial independence from political influence and from occasional interference or intervention in individual judicial decisions. Supporting the need for greater judicial independence is an admirable goal, but achieving it in Lebanon will surely pose serious challenges.

Potential long-term benefits if there were a justice sector strategic plan. While the Lebanese judiciary is in need of important reforms due to the effects of many years of under funding and lack of modernization, consultants found strong support for having a strategic plan. The overall desire to improve the justice sector and the present general political support at high levels for additional measures to strengthen judicial independence are important factors creating a positive atmosphere and receptivity for having a Lebanese justice sector strategic plan. The potential benefits that were discussed included: increased public confidence in the judicial system; increased investor confidence in the judicial system; improved clarity and consistency in the administration of justice; enhanced operational capabilities to serve the public; improved institutional efficiencies; reinforced existing good practices; empowered leadership within the justice sector; and improved potential for obtaining government and donor funding. With respect to the last potential benefit, the Director General of the Ministry of Finance indicated that a solid strategic plan for the justice sector would definitely enhance the chances for the judiciary to obtain requested government funding.

The strategic planning process and methodology. While consultants found general agreement on the necessity for, and even the urgency of, such a strategic planning effort, as well as an evident willingness to participate in such a process, consultants also found a lack of understanding of the strategic planning process and methodology. Consultants were told of only one prior strategic planning effort in Lebanon's public sector. This effort, by the Ministry of Education, however, was not completed. While not conclusive, the finding on limited understanding of the strategic planning process and methodology appears to be due simply to a general unfamiliarity and lack of experience with strategic planning as a tool to achieve long-term goals.

Roles and responsibilities of key stakeholders and NCSC. Consultants found that some of the key stakeholders were confused and concerned regarding the roles and responsibilities of the key stakeholders and NCSC. The confusion was primarily attributable to the lack of familiarity and understanding of the strategic planning process. When such concerns were expressed, they were primarily an initial perception that the strategic plan would be developed by NCSC and, thus, would be viewed as an American plan. When this issue surfaced in our meetings with some individuals, we clarified that the development of the strategic plan would be an entirely Lebanese effort supervised by the Lebanese Executive Committee, and that NCSC's role would be limited to providing facilitation and logistical support. Both the confusion and concern issues were addressed for the broader stakeholder group attending the workshop (see below).

However, to the extent that doubts continue to linger over the roles and responsibilities of the key stakeholders and NCSC, NCSC will need to be pro-active to assure that the key stakeholders understand that they will be responsible for all substantive aspects of any justice sector strategic plan, and that NCSC's role will be limited to providing logistical support and facilitation.

On a related subject, several interviewees emphasized that whatever NCSC does with respect to providing technical assistance in the development of a strategic plan for the Lebanese justice sector, it needs to coordinate its activities with existing donor-funded programs to ensure transparency and to avoid duplication of efforts.

Effect of the political atmosphere on moving forward with the development of a strategic plan. Lebanon, at the time of drafting this report, had a caretaker government and a prime-minister designate who was trying to reach agreement among political factions on the make-up of a new cabinet. Had the stalemate in forming the new Lebanese government persisted, the rapid launching of the strategic planning process would have been impeded. This is due to the consensus view among counterparts that the Ministry of Justice is the key institutional stakeholder in the Lebanese justice sector, as this ministry will continue to retain the administrative and financial responsibility for the judiciary in the foreseeable future.

Conclusions

The development of a strategic plan is necessary to identify and address the needed reforms in the Lebanese justice sector, and more important, to provide the detailed operational plans to achieve the overall plan's objectives aligned with the key stakeholders' long-term vision statement.

Production of new norms establishing greater judicial branch independence and autonomy is extremely important to the strengthening of the Lebanese justice sector, but by itself is insufficient to achieve a more efficient, effective, transparent and accountable judiciary.

To a greater or lesser degree, all stakeholders recognize the need for a strategic plan and the benefits that could flow from having such a plan.

The process and methodology for developing a strategic plan are not well known or understood, primarily because most key stakeholders have not been involved in prior strategic planning efforts.

The roles and responsibilities of the key stakeholders and NCSC in developing a strategic plan need to be fully understood by the stakeholders, and NCSC must reiterate consistently the division of responsibilities as the strategic planning process moves forward.

Political instability is an impediment to moving forward expeditiously on the development of a strategic plan.

Activity 2: Workshop with key stakeholders

Once it became clear to the consultants and NCSC field staff that the stakeholders appeared to be on board with the need for a strategic plan, it was critical to have the key stakeholders attend a workshop to review the findings of consultants' assessment, to have them reach and affirm a consensus regarding the need for a justice sector strategic plan, and assuming consensus, to set forth the activities required to complete Phase I and move into Phase II, the actual development of the strategic plan. The workshop would also allow NCSC to address lingering confusion or concerns as to the roles and responsibilities of the key stakeholders and NCSC in developing the strategic plan. The workshop was held during the evening of 23 October 2009.

The key stakeholders invited to the workshop were the Minister of Justice, the Director General of the Ministry of Justice, the President and Vice President of the High Judicial Council, and two representatives of the Beirut Bar Association. As the Minister of Justice clearly understood the significance of a strategic plan for the Lebanese justice sector, he asked that four well-regarded younger judges attend, as they would represent the judiciary's future and, hence, would add their weight to the necessity for moving forward with the development of a strategic plan. In attendance for NCSC were the Chief of Party, the Legal Advisor, other key staff members, and the three consultants.

NCSC's presentation consisted of ten (10) "Keynote" slides (the equivalent of "PowerPoint" slides).⁴ The initial slides were used to reinforce the scope and nature of a strategic plan, the strategic planning process, and the potential Lebanese justice sector benefits from a well-designed and detailed strategic plan.

⁴ See Attachment II for a copy of the 10 slides.

This was followed by a review of the consultants' findings and conclusions resulting from the meetings and discussions with the stakeholders over the three-week period, 5-23 October 2009. Next came a brief discussion of the need for a justice sector strategic plan, and a description of the next activities required to complete Phase I – namely, the creation of the Executive Committee, the development of the vision statement, the appointment of the Strategic Planning Team, and the research and baseline data gathering.

The last two slides in the presentation were extremely important to achieve clarification and buy-in from the assembled stakeholders. Slide 9 set forth a graphic depiction of the strategic planning process, the activities involved in the three phases for planning, developing and implementing a strategic plan, and the roles and responsibilities of the parties in the process. This slide not only allowed NCSC to review the entire strategic planning process, it also facilitated the clarification of any confusion or concerns as to the roles and responsibilities of the parties. Slide 10 provided some examples of vision statements that have been adopted in other countries. In addition, it included two examples of possible vision statements for the Lebanese justice sector.

The presentation was well received and a lively discussion followed. A clear, but cautionary, consensus was reached with respect to the need for a strategic plan. In addition, the stakeholders appeared to have a much better understanding of the strategic planning process, and the roles and responsibilities of the stakeholders and NCSC with respect to completing the three phases in the process.

The President of the High Judicial Council emphasized the importance of inclusiveness of all international donors in the process, and reiterated the view that the Minister of Justice was an indispensable participant and should be the one to convene the Executive Committee. He and the Minister of Justice agreed to form a commission to further study NCSC's proposal for developing the strategic plan.

The Minister of Justice was particularly enthusiastic and stated that the Executive Committee should be formed as soon as possible, and that he was inclined to move forward with internal discussions on the best way to proceed. All of the attendees expressed their appreciation for the work of the NCSC group.

Conclusions

- The key stakeholders support the need for a strategic plan for the justice sector.
- The key stakeholders have a clearer understanding of the strategic planning process, and the roles and responsibilities of the key stakeholders and NCSC for completing the activities required to develop and implement a strategic plan.
- The key stakeholders are prepared to take the next steps to complete Phase I, but expressed a need to wait until a new government is formed, and a new Minister of Justice is appointed to lead the process.

RECOMMENDATIONS

Move the process forward for completing Phase I activities. NCSC, using its international consultants and local partners, will be responsible for providing technical assistance to both the Executive Committee and the Strategic Planning Team, in fulfilling their responsibilities. The strategic plan, once developed, will be a Lebanese plan, to be owned and implemented by the stakeholders in the Lebanese justice sector. NCSC's role is a limited one – namely, to provide logistical and facilitation support for both the Executive Committee and the Strategic Planning Team.

While the local NCSC staff needs to be sensitive to the political realities existing on the ground, it should, where appropriate and possible, clarify any questions that key stakeholders have with respect to the strategic planning process or to the roles and responsibilities of the parties in planning, developing and implementing a strategic plan for the Lebanese justice sector.

The next steps to complete Phase I are: form the Executive Committee; develop the vision statement; appoint the members of the Strategic Planning Team; collect and organize baseline data; and project principal opportunities and obstacles.

Form the Executive Committee. The Executive Committee will be responsible for managing and overseeing the entire strategic planning process, including the creation of the vision statement, the appointment of the Strategic Planning Team, the development of the strategic plan, and the implementation of the strategic plan's subordinate detailed operational plans.

The following institutions are the key stakeholders in the Lebanese justice sector: the Ministry of Justice; the High Judicial Council; the Judicial Training Institute; the State Council; the Beirut Bar Association, the Tripoli Bar Association; the Ministry of Finance, and perhaps, the Constitutional Council. The head of each of these institutions, or its representative, should sit on the Executive Committee. Other significant actors in the Lebanese Judicial sector could be added to the Executive Committee, at the option of the key stakeholders.

The Committee will need to have a chairperson. The obvious choice for this position is the Minister of Justice. The only other possibility is the President of the High Judicial Council. The President of the High Judicial Council will hold his office for one and a half more years. In the October 23 workshop, he stated that the Minister of Justice should lead the effort. One consideration in choosing the chairperson is the need for continuity since the development and implementation of the strategic plan will cover at least five years. The ultimate choice as to who should chair the Executive Committee, however, is for the members of the Executive Committee to decide.

Develop the vision statement. The first major Executive Committee activity is to reach consensus on the long-term vision for the Lebanese justice sector. NCSC included in its workshop presentation two examples of possible vision statements for the Lebanese justice sector, namely:

“The Lebanese Justice sector will become the model in the Middle East for efficiency, effectiveness, transparency and accountability, to the end that justice will be dispensed in a timely manner and on an impartial, just and fair basis”

“An efficient, effective and coordinated justice system in Lebanon that is accountable and accessible, fully aligned with international standards and guarantees the rule of law and the economic and social development of Lebanon”

Depending upon the timing of the organization of the Executive Committee, a workshop, facilitated by NCSC, should be used to reach consensus on the shared vision statement. During the October 23 workshop discussions, NCSC offered to organize such an event. The key stakeholders, obviously, will need to request the vision-statement workshop, but we are reasonably confident that they will do so once the Executive Committee has been formed.

Appoint members of the Strategic Planning Team. The Strategic Planning Team will be responsible for developing the strategic plan. The Team needs to be quartered together, in a collegial environment with a minimum of distractions in their work environment. They will also need to call upon local and international substantive experts as necessary to obtain input. While the work of the Strategic Planning Team ends when the final strategic plan is produced and approved, it is highly likely that given their knowledge of the subordinate operational plans, various members of the Team will be assigned to lead elements of the implementation.

The Executive Committee will appoint the members of the Strategic Planning Team. In general, the individuals selected should be task and team-oriented, progressive and pragmatic in their thinking, with keen intellectual skills and knowledge of the issues being addressed in the strategic plan. NCSC should facilitate the selection process by providing suggested minimum criteria for members of the Team.⁵ In addition, NCSC should use the vision-statement workshop noted above, to assist the Executive Committee in determining who should be appointed to the Strategic Planning Team.

While the Strategic Planning Team is developing the overall strategic plan and its subordinate operational plans, the Executive Committee needs to monitor its progress and to review drafts, with suggested modifications as necessary and appropriate. One suggested approach for providing the ongoing linkage between the Executive Committee and the Strategic Planning Team is to have the chairperson of the Executive Committee appoint a senior representative to oversee the strategic planning process. Unlike the full-time Strategic Planning Team members, this could be a part-time position. If this approach is accepted, the senior representative overseeing Phase II should also be appointed as an *ex officio* member of the Executive Committee.

Collect and organize baseline data; project principal opportunities and obstacles. As there will be an interim period between now and the start of the actual development of the strategic plan in Phase II, consultants and the NCSC field staff concluded that NCSC could work with its partner, the Lebanese Center for Policy Studies, to conduct preparatory desk and field research to assemble and prepare baseline data on the Lebanese judiciary’s present strengths and weaknesses, as well as projecting the

⁵ Attachment III contains examples of Terms of Reference for this purpose.

principal opportunities and obstacles for the Lebanese justice sector. The findings and conclusions of these two activities could be used by the Strategic Planning Team as a starting point, along with the Executive Committee's shared vision statement, in the development of the strategic plan.

A number of tools could be employed to collect and organize the baseline data, such as (1) questionnaires and surveys, (2) focus groups, and (3) individual interviews with key stakeholders, judges, prosecutors, donor organizations, and substantive experts drawn from other appropriate Lebanese government agencies, civil society and non-government organizations. Included in this effort will be a review of past assessments of problems within the Lebanese justice sector.

Provide logistical and facilitation support. This is NCSC's principal responsibility. The actions that NCSC should take to facilitate the completion of the Phase I activities are discussed above. During Phase II, the actual development of the strategic plan, NCSC, in addition to providing ongoing logistical and facilitation support, should organize two workshops for the Strategic Planning Team (and perhaps additional workshops as necessary).

The first workshop should be conducted at the outset of Phase II, to help the Strategic Planning Team understand clearly what is required of them, in terms of process and methodology, to complete Phase II. In addition, this workshop should be used by NCSC to orient and work with the Strategic Planning Team, to enable the Team to delineate the discrete components arising from the vision statement, to set feasible and measurable objectives for the principal components, and perhaps even some tentative strategies to achieve these objectives. A three-week workshop should be adequate to cover the training, the delineation of vision statement component identification, establishment of objectives, and perhaps some strategies to achieve the objectives.

The second workshop should come later in Phase II. This workshop should aim at production of operational plans, and would involve NCSC and the Strategic Planning Team jointly reviewing drafts of key operational plans, to help the Team make sure that all items in the plans have been thoroughly thought through. A three-week period for this activity should be adequate to permit the Team to complete at least one, if not more, operational plans.

As the strategic planning process moves forward, additional workshops facilitated by NCSC should be made available, if necessary, to assist the Strategic Planning Team in completing all of the operational plans.

Timeline. The table below shows a projected timeline for completing the activities for all three phases in the strategic planning process. Given all of the current uncertainties, the timeline should be viewed with caution.

Activity	Estimated Completion Date	Comments
Phase I: Upfront Planning		
Agreement to the need for strategic plan	TBD	All key stakeholders appear to support the development of a strategic plan
Establish Executive Committee		Potential members identified; work in progress to formally create Committee, and name chairperson.
Produce long-term vision statement	TBD	To be completed within 30 days after Executive Committee established; NCSC will facilitate a workshop once requested by the Committee
Appoint Strategic Planning Team	TBD	To be completed within 30 days after Executive Committee established; NCSC will use the vision-statement workshop (above) to assist the Executive Committee to identify the Team members
Collect and organize baseline data	TBD	NCSC local partner will complete this task; may be completed earlier
Project principal opportunities and obstacles	TBD	NCSC local partner will complete this task; may be completed earlier
Phase II & III: Develop Strategic Plan; Implement Plan		
Conduct methodology and objectives setting workshop for Strategic Planning Team	TBD	Projected completion date based on start-up of Phase II in early Jan 2010; NCSC to conduct a 15-day workshop
Conduct workshop for review of Strategic Planning Team's key operational plans	TBD	Projected completion date based on completion of drafts of key operational plans by early August 2010; earlier start date if drafts completed earlier; NCSC to conduct a 15-day workshop; additional workshops may be necessary
Develop strategic plan	TBD	Possible that operational plans for some strategies could be completed earlier
Implement plan	TBD	Operational Plans may extend beyond 5-year period