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Southern Sudan Legal Resource Centre

Final Narrative Report

International Legal Programs Section

Department of Justice

20 April 2008

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SOUTHERN SUDAN LEGAL RESOURCE CENTRE: FINAL

NARRATIVE REPORT

Dept. of Justice Canada

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This is the Final Narrative report of the International Legal Programs Section (hereinafter "ILPS") of the Department of Justice of Canada (hereinafter "DOJ") in respect of the implementation of the Southern Sudan Law Library Project (the "Project") in Juba, Southern Sudan. This report has been prepared for the Department of Foreign Affairs and International Trade's Stabilization and Reconstruction Task Force ("START") Secretariat pursuant to terms of the Interdepartmental Memorandum of Understanding (MOU) between DOJ and the Department of Foreign Affairs and International Trade for the administration of the Project.

PROJECT ACTIVITIES & ACHIEVEMENTS

The objective of the Project was the development of a framework for the establishment of a sustainable law library. In this regard, the Project was designed with the overall aim of equipping the Government of Southern Sudan to:

- Have an increased understanding of the conceptual and practical requirements underlying an effective and sustainable law library;
- Be able to better ensure that the necessary human resources are in place to support a sustainable law library; and
- Be able to better ensure that the necessary physical resources are in place to support a sustainable law library.

The Project activities were undertaken in support of these clearly defined Project outcomes:

1. Development of a common understanding of the role of a law library: Early on in the Project and as a result of the first Project mission undertaken in late July 2007, a Memorandum of Understanding (MOU) was entered into between DOJ and the Ministry of Legal Affairs and Constitutional Development (MoLACD) of the Government of Southern Sudan (GoSS) addressing a number of different aspects concerning the establishment of a sustainable law library. Among other things, this MOU provided that the law library would be administered under the auspices of the MoLACD, that the temporary facilities that would house the law library were to be furnished by the MoLACD and that the collection of materials in the law library would be based on the common law and would be in the English language. Attached as Appendix 1 to this report is a copy of the MOU that was entered into between DOJ and MoLACD and which formed the basis of the common understanding between DOJ and MoLACD in respect of the establishment and role of a sustainable law library.

During the first Project mission in July, 2007, a Law Library Stakeholder Meeting was also convened with officials from the MoLACD of the GoSS, the United Nations Development Program (UNDP) Rule of Law Programme in

Juba, the Southern Sudan Human Rights Commission, members of the international donor community and others in order to establish a clear understanding of the expectations of the Project as well as the development of a shared strategic direction for the future growth and expansion of the law library. Publisher catalogues were distributed to all participants in this meeting and a request was made of all in attendance that they identify specific titles and/or subject headings that would be of interest to them. Participants were asked to forward their recommendations to the Project Librarian for incorporation into the collection for the law library. Attached as **Appendix 2** to this report is a summary of the discussions and recommendations from the Law Library Stakeholder meeting.

- 2. Discussions with the GoSS on a strategy to ensure the sustainability of the law library: Throughout the Project and commencing with the first Project mission undertaken in July of 2007, DOJ insisted that the Project ensure the establishment of a sustainable law library and that the long-term viability of the law library was always the "golden thread" running through all the discussions and the resulting written documents pertaining to the Project. In this regard, both the MOU between DOJ and MoLACD, and the summary of discussions and recommendations from the Stakeholder meeting, attached as **Appendix 2**, make clear that the long-term sustainability of the law library was of paramount importance throughout all phases of the implementation of the Project.
- 3. Identification of issues to be addressed in the Management Plan: This Project activity was undertaken during both the first and final Project missions. In particular, the various meetings, discussions and findings of the two Project missions served to inform DOJ about the various issues and questions which touch upon the long-term growth and sustainability of law library and, as such, required consideration in the Management Plan for the law library. These issues, and the manner in which to best address them, were therefore identified throughout the Project and include, for example, matters concerning budgets, decision-making, human resources and organizational issues, research and education partnerships and stakeholders.
- 4. Identification of best practices for legal libraries: This Project activity was also undertaken throughout the Project and informed by the discussions, deliberations, meetings and findings from first and final Project missions. While several documents intended to capture the best practices for legal libraries, including an Environmental Scan, a Collection Development Policy and Library Operations Manual, were all developed in advance of the second and final Project mission in January 2008, these documents were further refined and revised following the final Project mission and form part of the overall Management Plan.
- 5. Development of a management plan: This Project activity, based on the implementation of the overall Project, was formally completed following the

second and final Project mission undertaken in January 2008. As previously noted, the development of the Management Plan, which is attached hereto as **Appendix 3**, was informed by the meetings, discussions and findings of the two Project missions and includes documents that are specifically intended to delineate best practices for legal libraries.

- 6. Identification of recruitment, training and retention needs: While this Project activity was undertaken primarily during and following the first Project mission in late July and early August 2007, it was also informed by the developments during and following the second and final Project mission and, in particular, the various considerations relevant to the development of the Management Plan for the law library. It should be noted here, however, that specific recruitment, training and retention needs are difficult to anticipate absent a clear sense of future plans for growth and expansion. Accordingly and of necessity, these needs are discussed in rather general terms in the Management Plan that has been developed for the law library.
- 7. Recruitment of library staff: As provided for in the MOU entered into between DOJ and MoLACD in respect of the Project, this Project activity was the responsibility of MoLACD and was therefore undertaken by MoLACD following the first Project mission. Specifically, the MoLACD Director of Training and Research recruited a Kenyan national with limited library administration experience for the purpose of being trained in order to administer and operate the law library.
- 8. Conduct of training: This Project activity was undertaken in two separate and distinct phases. First, prior to the second and final Project mission to Juba in January 2008, the Kenyan national recruited by MoLACD's Director of Training and Research participated in a week-long "shadow" training exercise at the Kenya Judicial Library in Nairobi, Kenya. This "shadow" training exercise was intended to provide the librarian recruited by MoLACD with an opportunity to spend one-week with experienced librarians in both the Judges Library and the Public Law Library operated by the Judiciary of Kenya. As the Kenyan Judicial Library serves branch judicial libraries throughout Kenya and has well developed policies in respect of acquisitions, collections, development and circulation, this first phase of the training for the librarian was intended to provide a good general overview of the work and skills required by way of a "shadow" exercise. The second phase of the training for the librarian recruited by MoLACD took place during the second Project mission to Juba in January 2008 during which both the Project Librarian from DOJ and a Kenyan trained librarian provided hands-on training and mentorship for a period of seven days. This second phase of the training program for the librarian recruited by MoLACD was intended to supplement the first "shadow" training phase in Nairobi, Kenya and more importantly, give the librarian the necessary handson training and mentoring through engagement in the set-up of the library and the necessary hand-on training to operate and administer the library.

- 9. Identification of urgently-needed legal texts: This Project activity was undertaken during the first Project mission in late July and early August of 2007. In particular, the Law Library Stakeholder meeting convened during the first Project mission (see discussion under 1 above and Appendix 2) served as the vehicle for the identification of the urgently needed legal texts for the Project. As noted above, this was a consultative process which involved meaningful input and contributions from the various stakeholders and others with a vested interest in the establishment of a law library consistent with the common understanding concerning the library developed between DOJ and MoLACD.
- 10. Identification of temporary shelving, storage, security and access options: This Project activity was undertaken during and following the first Project mission in late July and early August 2007. In particular, discussions regarding these matters took place with MoLACD officials and others during the first Project mission and several of these issues and related considerations were brought to the attention of MoLACD by way of a letter dated 29 July 2007 that the DOJ Project Librarian wrote to the MoLACD Director of Training and Research. A copy of this letter, which sets out particulars concerning the temporary space required to house the law library, is attached hereto as **Appendix 4**. The MOU between DOJ and MoLACD is also instructive in respect of this Project activity.
- 11. Purchase and delivery of requisite materials: This Project activity was primarily undertaken between September 2007 and January 2008. Attached to this report as **Appendix 5** is a listing of all the materials that were purchased and delivered pursuant to the Project together with the cost of the different materials that were purchased. **Appendix 5** also sets out the shipping costs incurred to ship the different materials that were purchased. In this regard, it should be noted that materials for the Project were shipped to Juba through Nairobi, Kenya.
- 12. Transfer of materials to the Government of Southern Sudan: This Project activity was undertaken during the second and final Project mission to Juba in January 2008 when the materials purchased were received and accounted for in Juba and formally handed over to the MoLACD of the GoSS when the law library was set-up. The Minister of Legal Affairs and Constitutional Development, together with his senior officials, visited the newly established law library at the conclusion of the January 2008 Project mission. The law library was formally inaugurated by the Canadian Minister of Foreign Affairs, the Honourable Maxime Bernier, on 28 March 2008.

PLANNED VERSUS ACTUAL ACTIVITIES

PLANNED ACTIVITY	ACTUAL ACTIVITY	EXPLANATION OF VARIANCE IF ANY
Development of a common understanding of the role of a law library	Development of a common understanding of the role of a law library through an MOU between MoLACD and DOJ and through Law Library Stakeholder Meeting during first Project mission	No variance between planned and actual activity
Discussions with GoSS on a strategy to ensure sustainability of the law library	Discussions with GoSS regarding sustainability and long-term viability of law library throughout the Project and as set out in writing in MOU between MoLACD and DOJ as well as in Project documentation such as the Management Plan	No variance between planned and actual activity
Identification of issues to be addressed in the management plan	Issues to be addressed in the management plan and the manner in which to best address them were identified throughout the implementation of the Project and during both Project missions	No variance between planned and actual activity
Identification of best practices for legal libraries	Project Librarian from DOJ identified relevant and appropriate best practices for legal libraries throughout the implementation of the Project and revised and refined same as the Project progressed. Management plan incorporates the relevant and applicable best practices for legal libraries and the sustainability of the law library established through the Project	No variance between planned and actual activity
Development of Management Plan	Management Plan developed by Project Director and Project Librarian on the basis of issues identified for consideration in the management plan throughout the implementation of the Project and with a view to ensuring sustainability and long-term viability of the law library	No variance between planned and actual activity
Identification of recruitment, training and retention needs	Recruitment, training and retention needs identified to the extent possible in the	No variance between planned and actual activity. However, activity undertaken limited in

·	Management Plan, but necessarily general in nature due to lack of knowledge concerning plans to expand and grow collection and number of libraries within and outside Juba	scope because of very short duration of Project coupled with the fact that MoLACD's plans for expansion and growth are not known.
Recruitment of library staff	Activity was undertaken by Director of Training and Research of MoLACD pursuant to terms and conditions of MOU between DOJ and MoLACD in respect of the overall purpose and scope of the Project	Only variance related to the unexpected length of time (over 4 months) it took for the Director of Training and Research of MoLACD to recruit an individual to be trained and to serve as librarian for the Project library. DOJ was advised by MoLACD Director of Training and Research that the individual that was initially hired unexpectedly left the job and that a replacement had to be found. Difficulties encountered in recruiting South Sudanese individual led to MoLACD Director of Training and Research recruiting a Kenyan national in January 2008.
Conduct of training	Training provided consisted of one week "shadow" training exercise at Law Library for Judiciary of Kenya in Nairobi and hands-on training over a period of some seven days as part of the set-up of the law library in Juba provided by Project Librarian and Kenyan law librarian who served as a mentor	Scope and nature of training planned had to be adjusted and scaled down somewhat due to the challenges faced by MoLACD's in recruiting staff to be trained and the unexpected length of time it took MoLACD to recruit an individual to be trained and to serve as librarian for the Project library. Nonetheless, training conducted and provided was sufficient to allow MoLACD recruited librarian to operate and administer the library based on the materials furnished as part of the Project. Future training needs will depend on MoLACD's plans and intentions in respect to growth and expansion of collections and establishment of additional branch/regional libraries within and outside Juba.
Identification of urgently needed legal texts	Urgently needed legal texts identified during Law Library Stakeholder meeting	No variance between planned and actual activity

	convened during first Project mission in late July/early August 2007. Consultative process with input from MoLACD and other stakeholders employed to identify urgently needed legal texts	
Identification of temporary shelving, storage, security and access options	Temporary shelving, storage, security and access options identified during first Project mission and discussed with MoLACD and others and also conveyed to MoLACD by DOJ Project Librarian as well as by way of MOU between DOJ and MoLACD. Future and longer-term considerations in respect of shelving, storage, security and access will need to be monitored and decided upon by MoLACD.	No variance between planned and actual activity
Purchase and delivery of requisite materials	Materials purchased and delivered on time and as planned and expected over a period of some 4 to 5 months	No variance between planned and actual activity
Transfer of materials to GoSS	Materials formally transferred to MoLACD, GoSS when law library was set-up and handson training was provided to MoLACD recruited librarian during Project's second and final mission in January, 2008. Minister of Foreign Affairs, Hon. Maxime Bernier, formally opened and inaugurated law library on 28 March during official Ministerial visit to Juba	No variance between planned and actual activity

SUCCESSES & FAILURES

The following are some of the key successes of the Project in terms of meeting its objectives as these were defined at the time the Project was conceived and approved by the Department of Foreign Affairs and International Trade:

- 1. Facility to house law library: A significant success of the Project was the fact that the MoLACD was able to secure a suitable facility in which to house the law library on the premises of the ministry in Juba. In this regard, having a facility in which to house the law library was essential to the overall success of the Project and whereas it was not clear during the first Project mission in late July/early August 2007 whether MoLACD would be able to provide a suitable facility for the law library, the law library is now housed in a spacious, well-lit and climate controlled facility that MoLACD was able to obtain through an independent arrangement with the UNDP Rule of Law Programme in Juba. In a place like Juba, where there is a paucity of buildings in which to house something such as a law library, this was a key success of this Project and contributed significantly to the overall objective of establishing a sustainable law library for the MoLACD.
- 2. Buy-in by local partners in the rule of law sector: Another key success of the Project was the degree of buy-in, cooperation and goodwill that was secured for the overall objective of the Project among local partners working in the rule of law sector in Southern Sudan. In this regard, the level of buy-in for the central purpose of the Project and, in particular, the goal of establishing a sustainable law library for use by Government departments, agencies and commissions as well as the broader public, was critical in allowing the Project to meet the key objectives of developing a common and shared understanding of the role of the law library as well as identifying the urgently required legal texts for the library. The Law Library Stakeholder meeting convened during the first Project mission undertaken in late July/early August, 2007 and, in particular, the participation and contributions of key players in the rule law sector at this meeting, is a case in point of the level of buy-in, cooperation and goodwill that was instrumental in making the Project a success.
- 3. Engagement and support for Project among international donor community: The Project was extremely well received by members of the international donor community working in the rule of law and justice sector in Southern Sudan. In this regard and without exception, the Project was viewed by all as making a badly needed and meaningful contribution to the development of a culture of the rule of law in Southern Sudan. To this end, the involvement, for example, of the UNDP Rule of Law Programme which, as previously noted, contributed the temporary facilities to house the law library on the grounds of the MoLACD, will go a long way in ensuring the sustainability of the law library given the UNDP's presence on the ground in Juba. Similarly, other international organizations, civil society and NGO's working in the rule of law sector in Juba



have all noted that the law library is an important and valuable first step in providing access to legal materials in that part of Sudan. As such, it is anticipated that the engagement and support for the Project from the international donor and civil society communities operating in Southern Sudan bodes well for the long-term sustainability of the Project.

PROBLEMS ENCOUNTERED, ACTIONS TAKEN, RESULTS & LESSONS LEARNED

The following are some of the key problems that were encountered in implementing the Project, the actions that were taken in addressing the problems and the results as well as lessons that were learned:

PROBLEM ENCOUNTERED	ACTION TAKEN	RESULTS/LESSONS LEARNED
Lack of DOJ presence on the ground in Juba and in the field during the implementation of the Project	Recruited a highly qualified and competent Project Field Coordinator based in Nairobi, Kenya with expertise in the provision of technical legal assistance in Southern Sudan. Also had Ottawa-based Project Manager oversee logistics associated with purchase, shipping and delivery of materials.	South-south cooperation worked very well in helping contribute to the adjustment of Project goals and objectives to local realities on the ground. Use of Project Field Coordinator from Kenya with a deep understanding of the environment in Southern Sudan and contacts within the GoSS greatly contributed to overcoming any issues associated with a lack of presence in the field and helped ensure that the Project was a success. Use of an Ottawa-based Project Manager to oversee Project logistics (purchase of materials, shipping, delivery etc.) and to work closely with DOJ Project Librarian and Project Field Coordinator in Kenya also contributed greatly to overcoming any challenges posed by a lack of presence in the field.
Obtaining Sudanese Visas in a timely fashion in order to travel to Sudan for Project missions	Advising officials of the MoLACD, GoSS of the difficulties encountered in obtaining Sudanese visas in a timely fashion in order to travel to Sudan and requesting that officials of MoLACD, GoSS contact officials of the Government of the Republic of the Sudan in Khartoum to	Project missions had to be delayed somewhat contributing to tighter timeframes to complete some project activities. Need to enlist cooperation of officials of MoLACD, GoSS at an earlier stage in contacting officials of the Ministry of Foreign Affairs of the Government of the

	request that Sudanese visas be issued. Also, relying on the assistance of officials and staff in the Embassy of Canada in Sudan in Khartoum to intervene and appeal to officials in Ministry of Foreign Affairs of the Government of the Republic of the Sudan to have the visas issued by the Embassy of Sudan in Canada.	Republic of the Sudan in Khartoum and having MoLACD formally write to Ministry of Foreign Affairs of the Government of the Republic of the Sudan inviting Canadian delegation and requesting that Government of the Republic of the Sudan instruct their Embassy in Canada to issue the visas.
Obtaining Internal Travel Permits in order to travel from Khartoum to Juba in a timely fashion	Complied with requirements of the Ministry of Foreign Affairs of the Government of the Republic of the Sudan in respect of applications for Internal Travel Permits for travel within Sudan	Expect delays in issuance of Internal Travel Permits requiring stay in Khartoum until such time as Internal Travel Permits are issued allowing travel from Khartoum to Juba.
Capacity limitations within the MoLACD, GoSS	Need to be very clear in communications with MoLACD and somewhat persistent in ensuring that things get done due to capacity constraints and limitations within GoSS as well as a limited awareness of the importance of completing tasks within a given time-frame.	Need to remain patient, to be very clear and concise in communicating expectations and to expect delays and problems in implementation of a project in this part of the world. Not to give up and to persist in spite of challenges and obstacles that will be encountered.
Infrastructure (electricity, water etc.) challenges	Need to be mindful of infrastructure limitations when working in Southern Sudan such as power outages, difficulty accessing running water etc. Need to adapt rapidly and engage professionals and other staff willing to work in difficult conditions.	Need to be clear with professionals and other staff about the challenging environment in which they will be working and what they might expect. Need for staff to be flexible and accommodating and willing to work in difficult physical environments.

GENDER CONSIDERATIONS

The Project was successful in fostering change in the stereotypical attitudes towards women that are common in Southern Sudan through the way in which it operated. In essence, the Project attempted to "lead by example" and used an approach of pragmatic modelling which was carefully applied in order to effect the desired change in attitudes towards women. In this regard, the Project used the following specific methods of pragmatic modelling in order to foster slow, but sure change, in the stereotypical attitudes that are held towards women in a part of the world where women continue to face discriminatory cultural and inheritance practices and are the victims of gender based violence:

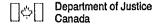
- The Project trained a female librarian and has resulted in a female being employed by the MoLACD to administer and operate the law library;
- Training for the librarian, both in the nature of the "shadow" training exercise and the hands-on training was provided by females who served as role models for the librarian:
- The DOJ Project Librarian who provided much of the technical expertise for the Project was female; and
- Included in the legal texts purchased for the law library were materials on gender equality and human rights.

CONCLUSIONS & RECOMMENDATIONS

The Project was successful in meeting the objectives established when the Project was conceived and as approved by the Department of Foreign Affairs and International Trade. In particular, the Project served to provide the GoSS with a better framework for the establishment of a sustainable law library and, in this regard, realized the following key outcomes:

- The Project gave the GoSS an increased understanding of the conceptual and practical requirements underlying an effective law library;
- Through the Project, the GoSS has been able to better ensure that the necessary human resources are in place to support a law library; and
- Through the Project, the GoSS has been able to better ensure that the necessary physical resources are in place to support a law library.

As noted in this report, there were very few variances between planned and actual Project activities and the only variance of any significance between planned and actual Project activities related to the scope and nature of the training that was undertaken for the legal librarian. In this regard and as noted, this was attributable in large measure to the challenges faced by the MoLACD in recruiting staff to be trained as well as the unexpected length of time it took MoLACD to recruit an individual to be trained and to serve as librarian for the Project library. Nonetheless, the training that was conducted and provided was sufficient to allow the MoLACD recruited librarian to



operate and administer the library based on the materials furnished as part of the Project. Of course, any future training needs will depend on MoLACD's plans and intentions with respect to the growth and expansion of the existing collections and establishment of any additional branch or regional libraries within and outside Juba.

We would recommend that START:

- Use the successful establishment of the law library initiative as a basis to explore the contribution that Canada and, in particular, DOJ, can make to the further development of the rule of law in Southern Sudan. In this regard, it bears mentioning here that DOJ's implementation of this Project was always conceived and acknowledged, by both DOJ and START, as being an initial engagement by DOJ in the justice and rule of law sector in Southern Sudan intended to allow DOJ to lay the groundwork for further and more meaningful engagement in the justice sector in Southern Sudan. In this regard, the Project was specifically aimed to allow DOJ to establish key contacts in the rule of law sector in Southern Sudan and to establish its credibility and ability to deliver concrete results. The Project was always understood as DOJ's preliminary contribution to the rule of law in Southern Sudan that would lead to a broader justice sector assessment required to inform DOJ's future and longer-term engagement in the provision of technical legal assistance in Southern Sudan. Ultimately, the Project was intended to be the first phase of DOJ's longer-term involvement in support of START's commitment to implementation of the 2005 Comprehensive Peace Agreement and, in particular, the development of a functioning justice system in Southern Sudan; and
- 2. Consider providing, through the aid agencies present in Juba, any further support that might be needed to ensure the longer term sustainability of the law library.

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Aly N. Alibhai

ILPS File Number: 325925-195

MEMORANDUM OF UNDERSTANDING (MOU)

BETWEEN

THE INTERNATIONAL LEGAL PROGRAMS SECTION OF THE DEPARTMENT OF JUSTICE, CANADA ("DOJ")

AND

THE MINISTRY OF LEGAL AFFAIRS AND CONSTITUTIONAL DEVLOPMENT OF THE GOVERNMENT OF SOUTHERN SUDAN ("MoLACD")

(Hereinafter jointly referred to as the "Participants")

FOR THE IMPLEMENTATION OF THE FIRST PHASE OF THE SOUTHERN SUDAN LAW LIBRARY AND RESOURCE CENTRE PROJECT (the "Project")

1. PURPOSE

The objective of the Project is to lay the groundwork for the establishment of a sustainable law library and legal resource centre in Juba, Southern Sudan. The Project will be undertaken in a phased-approach and the activities covered under this MOU concern the first phase of the Project until 31 March, 2008. Key activities of the first phase of the Project include:

- Through the entering into of this MOU, develop a common understanding of the role of the law library/resource centre;
- Identification of human resource training, and retention needs followed by the training of core library staff; and
- Provision of some urgently needed legal materials and the identification of temporary storage and access options for such material.

2. LOCATION & SPACE

The Participants agree and acknowledge that the Southern Sudan Law Library and Resource Centre shall be housed within the premises of the MoLACD.

The Participants further agree and acknowledge that the MoLACD shall provide adequate and sufficient space to house and maintain the collection of legal materials and books.

3. PERMANENT FACILITY

The Participants agree and acknowledge that, during the course of the first phase of the Project until 31 March, 2008, they will engage in discussions and dialogue concerning funding, location and other relevant matters in respect of the establishment and, if necessary, construction of a permanent facility for the Southern Sudan Law Library and Resource Centre. The Participants further agree and acknowledge that whereas DOJ shall offer assistance to MoLACD in exploring different options with respect to the establishment of a permanent facility for the library and resource centre, this MOU does not create any legal or other obligations on DOJ or the Government of Canada in respect of the establishment of a permanent facility for the library and resource centre.

4. PROVISION OF LEGAL MATERIALS BY DOJ

The Participants agree and acknowledge that, upon identification by MoLACD of suitable temporary facilities for the Southern Sudan Law Library and Resource Centre during the first phase of the Project until 31 March, 2008, DOJ shall commence delivery of a collection of English language, Common Law and Customary Law legal materials for the law library and resource centre in Juba, Southern Sudan.

5. NATURE OF LAW LIBRARY AND RESOURCE CENTRE

The Participants agree and acknowledge that the Southern Sudan Law Library and Resource Centre shall be a resource for all ministries, departments and agencies of the Government of Southern Sudan and that the officials of all such ministries, departments and agencies shall have access to the law library and resource centre and the materials contained therein. Particulars in respect of the days and hours of access to the law library shall be determined by staff of the MoLACD with responsibility for the day-to-day operations of the law library and resource centre.

6. USE BY PUBLIC

The Participants agree and acknowledge that the Southern Sudan Law Library and Resource Centre shall ultimately be open to and accessible to members of the public. Particulars in respect of the days and hours of access to the law library by members of the public shall be determined by staff of the MoLACD with responsibility for the day-to-day operations of the law library and resource centre.

7. TRAINING OF STAFF

The Participants agree and acknowledge that DOJ shall provide the necessary training to the librarian(s) and library staff hired by the MoLACD to operate and administer the law library, both in Juba and in the ten (10) states of Southern Sudan. The Participants agree and acknowledge, however, that DOJ shall hire one (1) librarian during the first Phase of the Project

and that DOJ shall be responsible for the salary of this one (1) librarian up to a maximum of Canadian \$2,000 per month for the duration of the first Phase of the Project until 31 March, 2008. The Participants further agree and acknowledge that DOJ shall not be responsible for the salary of this one (1) librarian beyond 31 March, 2008.

8. NOTICE

All notices in relation to any matter covered by this MOU will be sent to the following designated contacts:

For MoLACD:

Deng Biong Mijak Counsel General/Director Training and Research Ministry of Legal Affairs and Constitutional Development Government of Southern Sudan Telephone: +256 47710 2887 or +249 122 208231

Email: dkoklek@yahoo.com

For DOJ:

Aly N. Alibhai Senior Counsel International Legal Programs Section Department of Justice 275 Sparks Street Ottawa, ON K1A 0H8 Tel: (613) 952-4032

Tel: (613) 952-4032 Fax: (613) 948-8910

E-mail: aly.alibhai@justice.gc.ca

The names of the officers cited above may be changed by simple notification without formal amendment to this MOU.

9. DURATION AND TERMINATION

This MOU will come into effect upon on the date on which it is signed by the respective Participants. If the signing occurs on two different dates, this MOU will take effect on the date of the latest signature. It will remain in effect until the 31st day of March, 2007, or its earlier termination. Either Participant may terminate this MOU upon giving 30 days of advance written notice to the other Participant.

II.PS File Number: 325925-195

10. AMENDMENT

This MOU does not create any legally binding obligations on the Participants and may be amended upon the mutual written consent of both Participants.

On behalf of the Department of Justice, Canada:

Director General

International Legal Programs Section (ILPS)

Department of Justice, Canada

Ay . 24/07

On behalf of the Ministry of Legal Affairs and Constitutional Development of the Government of Southern Sudan.

Deng Biong Mijak

Counsel General/Director,

Training and Research

Ministry of Legal Affairs and Constitutional Development

Government of Southern Sudan

Law Library Stakeholder Strategic Planning Retreat July 31, 2007 Joint Donor Office Juba, Southern Sudan

Summary of Strategic Direction

Comments:

Human Resources

MOLACD currently employs a librarian, however it does not currently have a library. The librarian was granted leave for a brief time in July as a result of the current environment. The project is encouraged to move forward as quickly as possible in order to take advantage of current staffing potential. The MOLACD librarian is a new graduate from Makarere University, Uganda and will require training/skill transfer in order to manage the law library. It is acknowledged there is a requirement for some capacity building in library management and legal librarianship.

There was a strong message from MOLACD Director of Research, that a long term mentorship be established with the Juba librarian.

There was a strong message from the MOLACD Director of Research that substantial training be undertaken in phase 1.

Suggestions and Recommendations:

Phase I- Sept.

National Librarian travels to Nairobi and spends time with consultant Katarina Juma who engages National Librarian with local law librarians in Nairobi. Appointments will be established by K. Juma with law librarians in Nairobi.

Duration approximately 1 week.

Timing: just before materials arrive in Juba.

Phase I – Sept – Oct.

Engage experienced legal librarian who will spend a few weeks in Juba with the MOLACD National Librarian to transfer skill in a hands-on day-to-day training Duration approximately 2 weeks.

Timing: while DOJ librarian is in Juba with arriving material. Once week is spent together; DOJ Librarian, Nairobi Librarian, Juba Librarian. Nairobi librarian remains for one additional week with Juba librarian.

K. Juma has suggestions for this role. (see Appendix A for costs).

Due to the relatively short time remaining in Phase 1, the project librarian feels the level of training outlined above is sufficient to manage a collection of 3,000 titles. However this will not be sufficient to manage a full service library as it develops in Phase II.

Phase II – As the project moves forward, a strong recommendation is made to begin recruiting additional human resources. It is suggested that 3 additional library staff be hired. One will be an experienced librarian, already recruited through MOLACD. Two will be assistant level and can be trained by the librarian on-the-job, based on local library

1 4/17/2008 Eve Poirier procedure. The newly hired experienced law librarian will become the National Librarian and will manage the operations of the law library. The existing librarian will be responsible for traveling to the state facilities to ensure some level of service is provided at the state level as well as managing the day-to-day operations of the Juba library with her support staff.

Ideally the recruitment for phase II library staff would happen in Phase I. These staff will be recruited through the MOCLAD.

Local expertise can also be called upon from the Academic environment. The University of Juba has experienced librarians that may be able to provide guidance in recruitment and management of the library. The Ministry would benefit from an academic librarian participating in the hiring of the senior librarian for the Ministry's library.

Tok Ten is a UNDP Rule of Law data base that contains a collection of rule of law experts of the Sudanese Diaspora. This is a possible channel for recruitment. Contact Munira Museme, UNDP. Munira.issa@undp.org or musememunire@yahoo.com +256 477105026

Comments

Content and Collection

The general scope of the collection is to be based in common law, that it be in the English language and that it contains as much material on customary law as possible. Stakeholders were requested to submit collection content to the library project librarian and consultant. Legal publisher catalogues were provided (by LawAfrica) to participants and a request that they share this information with colleagues was made. Both the Southern Sudan Law Society and the Southern Sudan Human Rights Commission have lists of information that are forthcoming.

The MOLACD Director of Research strongly encouraged the development of content concerning customary law. This material will not necessarily be extant in monograph form.

All participants stressed the approach, East Africa first, Africa second and everything else third in terms of importance of jurisdiction.

MOLACD directors inquired about resourcing the states.

Suggestions and Recommendations:

Phase I – Strive to collect relevant and applicable materials from East Africa, from other African nations as a primary source of materials. Gaps in this source material will be filled in with materials from common law jurisdictions (i.e.: UK, Canada) once all African sources have been exhausted. Director Biong provided a profile of African resources distributed by Mavgueils Company in Uganda. Project librarian or the consultant will contact Mavgueils Company and request a full catalogue of East African Legal materials available for distribution.

Phase I – strive to acquire all materials identified by stakeholders who participated in the workshop and those suggests of their colleagues (see **Appendix B**).

2 4/17/2008 Eve Pojrier Phase I – Locate as much material on customary law as possible and include with shipment. Suspecting that some of this material will be difficult to locate, the customary law component may arrive in Juba later than the bulk of the shipment of materials.

K.Juma has prepared a bibliography on Customary Law, which will become the starting point for this collection. These materials may be non-monographic, which require assembly prior to distribution.

Phase I – Director of Research and Training Minister Biong indicated that he has a collection of customary law materials. These materials are available on his lap top, which is currently inaccessible. This information will be forthcoming.

Phase II - Much of the material written on customary law exists in archival holdings of various state archives (Khartoum, London, Oxford). The Director reminded us not to forget about Khartoum. The Director suggested it may be of value to send a MOLACD researcher to Khartoum to assess and copy what information is available in this Archive for access in Juba.

Phase II – Provide access to Sudan Statute and Law Reporting materials. This project funded by USIP and implemented by Katarina Juma is in an uncertain state of completeness. At present the Statutes of Sudan , Law Reports and Journals of Sudan have been scanned and are in the process of being digitized in India. Upon completion of this project we will purchase upwards of 15 copies of each the statutes and the law reports to ensure 1 hard copy exists where needed. These are historically significant and mandatory materials for each of the state resource centre and the main library in Juba. Once the search engine and technological applications are active, the library in Juba will purchase the electronic version (completion date unknown).

Phase I – II – Significant to collect Sudanese law journal, law reports and statutes that existed prior to 1990s. The Laws must be collected backwards from 1974. Materials available in Arabic are also needed.

General comments and discussed strategy to progress Phase I

There is a general sense of urgency surrounding the Law Library project. Director Biong equated the need for legal materials to the need for medical supplies – both physicians and law makers require the proper tools for their trade. A question was raised as to an October delivery date, why couldn't we start ordering materials right away, and have delivery of local materials immediately? Indeed this is a fair question.

Materials can not be purchased until the M.O.U. has been signed by both Departments of Justice/Legal Affairs. We have set a finalized date on this activity to be accomplished by the third week in August (1 month from meetings).

This time period provides for the consultant and the project librarian to order the titles required and arrange for their shipping and arrival in Nairobi. Payment can not be made until the M.O.U. is signed.

3 4/17/2008 Eve Poirier All materials will be catalogued upon acquisition – meaning a catalogue of title, author, publisher, date, subject heading(s) and classification will be applied to a master list.

Further, library office materials will be acquired for the management of non-monographic materials as well as the day-to-day needs of the library. These materials include spine labels, circulation cards, binders, duo-tangs, labels etc.

A paper catalogue will accompany the materials. This will not only serve to provide access to the materials once on the shelf in Juba, but will serve as a level of mandatory accountability. All items ordered will appear on the master list provided by the catalogue.

Once in Juba, the actual physical item must be checked off the "order" list. In order to control this inventory, the materials will be grouped in Nairobi for bulk shipment to Juba accompanied by the project librarian and the consultant. (I suggest that the material will be received in by the consultant in Juba. The project librarian can come to Juba once everything has arrived. The reason being the books will be arriving in Juba over a period of at least three days) Missing materials will be claimed with the publisher. All materials will be stamped with a stamp that reads; "property of MOLACD" and Bought with Financial Assistance from the Government of Canada.

The project librarian will remain in Juba for the duration of library set-up and will work with the MOLACD librarian to process all materials and work through day-to-day operations of maintaining the collection.

The training component will begin in mid-September with the MOLACD librarian departing for Nairobi, meeting with the consultant and mentoring librarians. Arrangements will be made between the Project Manager and the consultant to facilitate the secondment of a recommended law librarian from Nairobi to Juba.

As part of the collection development and acquisition activities, packets of relevant and much needed information will be duplicated times 10 in preparation for distribution to the outlying states. These materials will arrive as part of the larger shipment in October. They will be identified, grouped and packaged in Juba for the Ministry to distribute to their regional counterparts. (this will be organized by the project librarian and the national librarian)

Once this portion of the Phase I is complete, the Ministry can begin to advertise and recruit library staff, having now a library. With the addition of library staff by late 2007 the plans can congeal for Phase II. The project librarian can assist with this, in terms of drafting the specifications required for the librarian assistants.

Phase II will see the establishment of a larger and more permanent facility that can house the Juba Library staff and a growing collection. Phase II will see the growth of the collections in the outlying states and the addition of a traveling MOLACD librarian to facilitate service delivery and collection maintenance.

Phase II will see the growth of the collection as more funds are put toward collection development. It will also see the steady increase in customary law content and statutes of historical relevance to Southern Sudan.

4 4/17/2008 Eve Poirier Ideally, Phase II will also see the development of an electronic resource component to the law library and skill transference and continued training of both library staff and library patrons will an active component of this development.

It is worth noting here, that in addition to the actual collection of paper resources and human resources, it is essential that the library is also equipped with computers (applications preloaded), a printer and a photocopy machine, as well as the UPS and convertible power cables. If the library is to be non-circulating during these early stages of its development, it is essential that the library patrons can consult materials, utilize electronic resources and make copies of pertinent materials that must be included as authority when filing for court.

Southern Sudan Legal Resource Centre Management Plan-March 2008

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Management Plan

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PURPOSE

The purpose of this Management Plan is to address the various issues and considerations to ensure the long-term sustainability of the Southern Sudan Law Library (hereinafter "SSLL").

In this regard, this Management Plan will deal with issues such as budget planning, organizational design and human resources management practices, stakeholder relations and future strategic direction of the SSLL.

It is important to note here that the Project in respect of the establishment of the SSLL between the Ministry of Legal Affairs and Constitutional Development (MoLACD) of the Government of Southern Sudan (GoSS) and the Department of Justice of the Government of Canada (DOJ) is predicated upon the notion that the primary objective of the Project is to lay the groundwork for the establishment of a sustainable law library and resource centre in Juba, Southern Sudan¹. Furthermore, the mission, goals and objectives of MoLACD as delineated in the MoLACD Short Term Plans and Partner Coordination document prepared by the United Nations Development Programme (UNDP) clearly provides for a "Central Law Library" in order

¹ See paragraph 1 (Purpose) of Memorandum of Understanding (MOU) between DOJ and MoLACD, GoSS for the implementation of the first phase of the Southern Sudan Law Library and Resource Centre Project dated and signed by the parties on 24 August, 2007.

to meet the intended outcome of MoLACD being able lay the a strong foundation for a united, peaceful and prosperous society based on justice, equality, respect for human rights and the rule of law².

BUDGET PLANNING

The following are suggested guidelines concerning annual Budget Planning for the SSLL that are intended to provide the necessary degree of sustainability:

- Collection Budget: It will be essential for the MoLACD to set aside, on an annual basis, sufficient funds to permit both maintenance of the existing collection gifted by the Government of Canada as well as the subsequent growth of the collection to meet client needs and requirements in the future. In this regard, it is proposed, as only a guideline to assist MoLACD in planning that in the development of the first annual collection budget, USD\$20,0003 be set aside for this purpose.
- Operational Budget: In order to ensure to adequate and timely delivery and provision of library services by the SSLL, it is proposed that MoLACD establish an annual operational budget for the SSLL. Such a budget would serve to include the maintenance of library equipment⁴, acquisition of office supplies, procurement of technical support and services and related infrastructure expenditures⁵. It is proposed that the appropriate amount for such an operational budget be determined by MoLACD in consultation with the relevant library staff of the SSLL.
- Human Resources Budget: Pursuant to the Memorandum of Understanding (MOU) between DOJ and MoLACD for the implementation of the first phase of the Southern Sudan Law Library and Resource Centre Project (the "Project") and, in particular, paragraph 7 thereof, DOJ has undertaken to be responsible for the salary of one librarian up to a maximum of Canadian \$2,000 per month for the duration of the first Phase of the Project until 31 March, 2008⁶. In order, however, to ensure the long-term sustainability and viability of the SSLL, it will be absolutely imperative that MoLACD establish an annual Human Resources budget which will allow it to recruit and retain qualified personnel to administer and operate the SSLL into the future (i.e., beyond 31, March, 2008). In this regard, it is strongly recommended that the MoLACD recruit a senior Law Librarian to oversee the operations and future direction of its legal resource requirements. Such a Librarian would be well suited to serve as the National Librarian for the MoLACD. In addition, local personnel will need to be recruited and engaged for the day-to-day of operations of the SSLL. It is suggested that the amount of an annual Human Resources Budget for the SSLL be determined after careful and considered

² UNDP Technical Assistance to MoLACD Results and Resources Framework document (Section II)

³ This amount would, of course, need to be increased if MoLACD decides to establish regional libraries in the future.

Such equipment includes, but is not limited to, computers, printers, scanners and fax machines
This would include, for example, shelving, tables, chairs and library catalogue.

⁶ See paragraph 7 of MOU between DOJ and MoLACD in respect of the implementation of the first phase of the Southern Sudan Law Library and Resource Centre Project dated and signed by the parties on 24 August, 2007 which provides that DOJ will provide the salary of the Librarian, up to a maximum of CAD\$2000 for the months of January to March, 2008 inclusive.

thought is given to factors such as the quality of candidates, the need to attract and retain staff on a long-term basis, cost of living in Juba and other such considerations.

In the event that it is the MoLACD's intention and long-term plan to establish regional libraries, the National Librarian should also be capable of training, overseeing and maintaining the collections of these libraries.

ORGANIZATIONAL DESIGN

It is proposed that MoLACD consider the use of an organizational structure for the SSLL along the following lines with a view to ensuring efficient operations that are based on clear lines of responsibility, authority, accountability and communication:

- Director of Research and Training, MOLCD: It is recommended that the Director of Research and Training of the MoLACD have overall responsibility for the SSLL. In this regard, it is proposed that the Director of Research and Training of the MoLACD be given the authority to oversee all budgets, human resources management and future development of the SSLL, as well as directly source for funds for various aspects of the SSLL Accordingly, it is suggested that the Director of Training and Research of the MoLCAD be the ultimate authority responsible and accountable for the SSLL and any other libraries that might be developed by the MoLACD.
- National Librarian: It is proposed that the National Librarian be responsible for overseeing the development of the SSLL and its service delivery lines. In this regard, it is recommended that the National Librarian be given full authority and responsibility for collection development, acquisitions, technical services (i.e., cataloguing and classification), public services (i.e., reference and research services) and programming (i.e., training and orientation). It is recommended that the National Librarian report directly to the Director of Training and Research of the MoLACD.

Each financial year, the National Librarian would be allocated an annual budget for acquisitions that would be procured each quarter for maintenance of the collection, as well as smooth running of the SSLL.

• Library Personnel: It is suggested that the National Librarian be supported and assisted by a team that will be responsible for the management of the day-to-day operations and functions of the SSLL as well as the implementation of library programs at the discretion of the National Librarian. It is recommended that the exact nature of such a team of library staff, including the number, qualifications, roles and responsibilities be determined by the National Librarian with consultation with the Director of Training and Research. It is advised that such library personnel report directly to the National Librarian.

As an immediate need, the National Librarian, in cooperation with the Director of Training and Research of MoLACD, should start the recruitment of an assistant, who would replace the National Librarian when the National Librarian is ill or is otherwise not available.

 MoLACD Support Services: It is strongly recommended that support services for the SSLL including, for example, technical support services, mail services, telecommunication services, translation services, media services, equipment maintenance, security services, transportation and or access to MOCLAD transportation facilities, materiel acquisition and management and public service staffing needs be provided directly by the MoLACD. In this regard, it is essential that the SSLL be seen and perceived as a critical and integral institution of the Ministry of Legal Affairs and Constitutional Development of the Government of Southern Sudan.

It is hoped that an official introduction be made to all the Directors of the MoLACD, and general staff to ensure proper coordination and relations between the SSLL and the other sections of the Ministry. The SSLL should be seen as a unit whose mandate is to first and foremost serve the informational needs of MoLACD and the larger GoSS.

STAKEHOLDER RELATIONS

In view of the fact that the SSLL intended to be a resource for all ministries, departments and agencies of the Government of Southern Sudan and that the officials of such ministries, departments and agencies shall have access to the SSLL⁷, it is strongly recommended that MoLACD establish a permanent group of stakeholders to provide advice and guidance to the National Librarian and to advocate on behalf of the SSLL.

In this regard, it suggested that MoLACD strike a Committee of Stakeholders and provide such a Committee with Terms of Reference that will permit it to fulfill its mandate to provide independent advice, counsel and guidance to the National Librarian as well as perform the necessary advocacy and champion functions on behalf the SSLL.

Some of the possible members of the Committee would include the following:

- 1. 2 representatives of MOCLAD Director of Training and Research and the National Librarian;
- 2. 1 representative from the Judiciary of Southern Sudan;
- 3. 1 representative from the Civil Society;
- 4. 1 representative from Parliament; and
- 5. 1 representative from the Donor Community

Together, they would elect the Chair and the Secretary, and possibly meet on a monthly basis, on a pre-agreed date.

It is strongly recommended that while the Stakeholders Committee be kept small in size (i.e., so as not to become ineffective and highly bureaucratic), it be comprised of representatives from both the Government of Southern Sudan and civil society. It is also suggested that the Stakeholder Committee meet on a regular and periodic basis in an effort to ensure that it is able to make a meaningful and creative contribution to the development of the SSLL. Some examples of areas in respect of which the Stakeholder Committee can contribute to the long-term sustainability and growth of the SSLL include, for example:

⁷ See Paragraph 5 of the MOU between DOJ and MoLACD in respect of the implementation of the first phase of the Southern Sudan Law Library and Resource Centre Project dated and signed by the parties on 24 August, 2007.

- Professional guidance concerning specific substantive areas of law for collection development decision-making;
- Advice with respect to value added client services:
- Identification of specific training, education and orientation requirements;
- Advocacy for funding required to meet specific program, collection and human resource needs;
- Advice concerning the appropriate and most effective use of information technology;
 and
- Development of SSLL policies and procedures (i.e., borrowing privileges etc.);
- Recommendations concerning possible collaborative projects and initiatives that might be undertaken jointly between the SSLL and the Stakeholder Committee.

It is highly recommended that the Stakeholder Committee of the SSLL be established by MoLACD very early on in the development of the library. This will serve to ensure that all interested stakeholders are constructively engaged, from the formative stages, in the development and future growth of the SSLL. Needless to say, this is critical to the long-term sustainability of the SSLL.

FUTURE STRATEGIC DIRECTION

The following is a proposed draft Mission Statement⁸ for the Southern Sudan Law Library and is therefore intended to guide the future strategic direction of the SSLL:

The Library will actively collect and maintain relevant legal and customary law materials in a variety of formats to meet the needs of MoLACD programs and activities. Competent and qualified personnel will deliver information services to primary clients (as defined in the Collection Development Policy) and will strive to create and environment that fosters learning and information sharing. Further, the library will guide the development of information services in MoLACD offices throughout Southern Sudan and will establish a national network of equal access to legal information throughout the Ministry.

The Memorandum of Understanding between MoLACD and DOJ in respect of the SSLL Project makes clear that it is the mandate of the SSLL to serve a diverse client base comprised of the staff and elected officials of the GoSS and members of civil society in Southern Sudan. The requirements of such a broad and disparate client base necessitate the provision of a broad range of services, materials and educational programmes. Central to the long-term sustainability and viability of the SSLL will be a focused and yet strategic approach to its future growth and development.

A plan addressing the future strategic direction of the SSLL, might include, among others, the following key elements:

Development of Service Delivery Lines:

a. Incrementally and gradually establish programming⁹ employing a phased approach guided largely by the demands and limitations of the client base of the SSLL. Service

⁸ See page Collection Development Plan for SSLL

⁹ See MoLACD Library Operations Guide - Service Matrix

delivery line development should begin on a small scale and build upon established successes and acknowledged failures (i.e., lessons learned). The extent of service delivery line development will ultimately depend on the competency of library personnel and the infrastructure support furnished by MoLACD for the SSLL. For example, the timely dissemination of judicial decisions will be dependent, in large measure, on the availability of adequate and appropriate technology as well as the competency of library personnel;

- b. Development of minimum service level standards will serve to provide a framework for the expectations of the client group and the obligations of library personnel. A minimum level of service standards will help to ensure equality in access to information while, at the same time, not inhibiting the initiative of a creative and developing complement of library staff. A minimum level of services standards will also ensure equal access to legal information; and
- c. Training and transfer of skills by library personnel will serve to ensure that users of the SSLL gain the necessary competencies and confidence in making the most effective use of library resources and services.

• Development of Collection:

- a. Establishment of ongoing subscriptions;
- b. Development of electronic resources;
- c. Development of a customary law collection (i.e., accessing archival collections in Khartoum); and
- d. Provision of access to the Statutes of Sudan and the Sudan Law Reports.

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Annex A

MoLACD Law Library – Environmental Scan (background document)

External - Juba

The Law Library is to be located in the compound of the Ministry of Legal Affairs and Constitutional Development in Juba, Southern Sudan.

Juba is the capital of the state of Central Equatoria and of the entire political region of Southern Sudan. Juba receives many of its consumer goods from Uganda and Kenya. The population of Juba is in a constant state of fluctuation. Many displaced Sudanese are returning to Sudan and settling in the greater Juba area. Additionally, Juba is the hub for humanitarian/aid workers and business people who reside in Juba temporarily.

There are many language spoken in Juba. The main tribal group is Bari, but most people speak Juba-Arabic dialect of Arabic. English is increasingly spoken through the region and is now the language taught in most schools. English is the official language of the GoSS.

Currently there is no library of significant size or client base in Juba. Apparently, there is a law library administered by the Southern Sudan Law Society in the town of Rumbek (Rumbeck) located some distance from Juba. There is no road in passable condition that links Rumbek to Juba. The condition and scope of the collection is not known at this time. As of January 2008, the Judiciary of Southern Sudan, which is located centrally in Juba is entering the beginning phase of building a law collection for its own use and benefit. There are also plans for the Faculty of Law to return to the campus of the University of Juba in Juba, but a firm time line has not been developed.

There are many international agencies and organizations in Juba. These private NGOs may have internal reference materials, but no substantial legal collections.

No Ministry within the GoSS currently has a library.

Internal - MoLACD

The Library will be owned and administered by the Ministry of Legal Affairs and Constitutional Development (MoLACD). The Director of Training and Research is directly responsible for the library.

MoLACD is comprised of the Office of the Minister and the Office of the Under-Secretary, and the following Directorates:

- 1. Directorate of Public Prosecutions
- 2. Directorate of Civil Litigation and Legal Opinion (Advocate General)
- 3. Chief registrar, Business, Associations and Societies and NGOs
- 4. Director for Administration and Finance
- 5. Director for International Conventions & Treaties Human Rights & Legal Aid
- Government Contracts & Public Trustees
- Director for Training & Research

In addition, the organizational structure of the Ministry of Legal Affairs calls for the creation of three regional States Attorney's Office - Greater Upper Nile States, Greater Bahr el Ghazal States and Greater Equatoria States. Within each of the regional offices there will be Legal Counselors assisted by Legal Assistants for each of the eighty (80) counties.¹⁰

Internal - Library

The Ministry of LACD has not had professional library services for some time (if ever). The law library is being created from scratch. This situation provides ample opportunity for the Director of Research and his library staff to establish a level of service and a collection mandate that is fresh and adaptable to the changing needs of the department.

The library will be overseen by the Director of Research, who is ultimately responsible for the libraries human resources, operating budget, future development and programming.

At this time, the library will be staffed by a librarian who will oversee the development of the library and its services. The librarian reports to the Director Research with a functional responsibility to the library committee. The library committee is made up of (#) stakeholders from MoLACD as well as other interested Ministries. The librarian is directly responsible for collection development and acquisitions, technical services (cataloguing and classification), public service (reference and research service) as well as programming. The librarian is assisted by (#) library employees who manage the day-to-day functions of the librarian as well as implement services as delegated by the librarian and report directly to the librarian.

Mission, Goals and Objectives of MoLACD 11

[develop and support] Physical Infrastructure
[develop and support]Communication and transport
Recruitment
Capacity building
Dissemination (CPA, INC, ICSS, Interim State Constitutions)
Establishment of Gazette and Printing Press
Essential legal references
Centre for Customary Law (and Land Law)
Central Law Library

Intended Outcome: The Ministry of Legal Affairs and Constitutional Development will be enabled to lay a strong foundation for a united, peaceful and prosperous society based on justice, equality, respect for human rights and the rule of law. 12

¹⁰ UNDP Presentation: MoLACD Short Term Plans and Partner Coordination

¹¹ UNDP Presentation: MoLACD Short Term Plans and Partner Coordination

¹² UNDP Technical Assistance to MoLACD Results and Resources Framework document (Section II)

Mission, Goals and Objectives of the library

The law library's objective is to support the staff of the Ministry of Legal Affairs and Constitutional Development in fulfilling its commitment to lay a strong foundation for a united, peaceful and prosperous society based on justice, equality, respect for human rights and rule of law.

The library will achieve this objective through its mission statement:

The Library will actively collect and maintain relevant legal and customary law materials in a variety of formats to meet the needs of MoLACD programs and activities. Competent and qualified personnel will deliver information services to primary clients (as defined in the Collection Development Policy) and will strive to create and environment that fosters learning and information sharing. Further, the library will guide the development of information services in MoLACD offices throughout Southern Sudan and will establish a national network of equal access to legal information throughout the Ministry.

Primary Short Term Goals

Ц	Refine collection develop policy.
	Establish day-to-day work schedules and procedures.
	Create and build collection catalogue and classification procedures.
	Acquire materials.
	Develop minimum levels of service.
Pri	mary Long Term Goals
	Review collection development policy annually. The policy must remain reflective of the larger strategic direction of the MoLACD and within the scope of the information needs of the primary client. This will indicate where the collection needs to grow and in what subject area and format as well as where it needs to be deselected.
	Review service levels semi-annually based on discussions held with library committee (stakeholders).
	Establish partnerships with other libraries in Southern Sudan as they develop.
	Market and promote services as they are developed. Review services on a regular basis to ensure they are applicable.
	Develop a training regiment for users in both paper and electronic resources as they are

- □ Develop a plan to establish a program for supplying the outlying states with information resources.
- □ Review human resourcing and make recommendations to the Director as applicable.
- ☐ Review budgetary needs and make recommendations to the Director as needed.

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Annex B

Collection Development Plan

INTRODCUTION

A collection development policy assists in the systematic building of library collections to serve the needs of the library's defined primary clients.

The process includes the selection and deselection of materials, planning strategies for continuing acquisition and evaluation of the collection to determine how well it serves the overall needs to the client.

MISSION STATEMENT

Background

The library's mission is to assist and support the staff of the Ministry of Legal Affairs and Constitutional Development (MoLACD) in fulfilling its organizational mandate. Within the scope of MoLACD's goals and objectives is the provision of advice and guidance to Government of Southern Sudan ministries and service to the public. The library will assist in the fulfillment of these goals by providing access to materials and services to the broader GoSS Ministries and will strive to provide resources and information services to the public at large.

Mission Statement

The library supports MoLACD's objectives to lay a strong foundation for a united, peaceful and prosperous society based on justice, equality, respect for human rights and rule of law¹³. through its mission statement:

The Library will actively collect and maintain relevant legal and customary law materials in a variety of formats to meet the needs of MoLACD programs and activities. Competent and qualified personnel will deliver information services to primary clients (as defined in the Collection Development Policy) and will strive to create and environment that fosters learning and information sharing. Further, the library will guide the development of information services in MoLACD offices throughout Southern Sudan and will establish a national network of equal access to legal information throughout the Ministry.

Audiences and purposes of the policy

The development of the collection will be driven by a permanent committee of interested stakeholders and the senior librarian. The stakeholders' primary responsibility is to convey to the librarian areas of information and programming need. The librarian's primary responsibility to the committee is to seek professional guidance in the area of Law when making collection decisions.

The librarian has a holistic view of the collection and an understanding of how the collection is used, the committee has the subject expertise. Together they will shape the library collection.

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Canada

Ministère de la Justice



¹³ UNDP Technical Assistance to MoLACD Results and Resources Framework document (Section II)

Jointly the librarian and the library committee will submit recommendations for expenditure to the Director of Research. The Director of Research Maintains control of the library's operational and capital budget.

Community and user groups defined

The library's general clients include the staff and elected officials of the Government of Southern Sudan as well as the general public. Within this context the **primary clients** are defined as the current staff of the Ministry of Legal Affairs and Constitutional Development.

There is a broad range of education levels, English language competency, literacy and computer skills within the defined client group. This heterogeneous client group creates challenges for collection development. The collection development team (interested stakeholders and the senior librarian) will need to strike a balance between the development and dissemination of relatively simplistic legal materials and collections of substantive law and customary materials.

Description of the types of programs or patron's needs

Programming in the library will be established in degrees and implemented in a phased approach. Vastly different user groups with vastly different needs necessitates a broad range of services. Initially, the MoLACD librarian will provide a minimum level of reference service to primary clients, like assisting with the location of information, the preparation of information packages and the delivery of instruction regarding library use (hours of operation, conditions of use of library equipment, circulation of materials, etc.)

As the library becomes settled, the librarian will want to establish a more active service level. A "current awareness" service for primary clients should be contemplated and will guide some collection decisions. This may include case law updates from specific jurisdictions, new books list, and short educational sessions explaining how certain library tools work (i.e.: how to search the catalogue, how to use a specific resource).

General description of the collections and information resources

The general scope of the collection is an English language common law collection. The jurisdiction of the legal practice is British common law with substantial influences from Uganda, Kenya and South Africa. The primary resources at the core of the collection are UK based and may be acquired from a variety of sources. As the law in Southern Sudan develops the library must focus on acquisition of material created internally.

Additionally, building up the collection of customary law materials must be seen as a priority.

A phased approach towards incorporating electronic information materials will be taken. Electronic journals, law reporters or case law databases and international statutory materials are essential to a modern day law library and can quickly and easily increase access to information by multiples. However, there are issues with technology and with user capability that need to be taken into account. A strategic implementation plan must be devised to ensure these very costly resources are efficiently and effectively incorporated into the information regime of the library's users. This will involve substantial hands-on training of the primary client, management of licenses, administration of password access and copyright issues.

Cooperative or collaborative collection development issues



There is only one identified law library in all of Southern Sudan and it is currently not staffed with a library professional. It is located in Rumbek and is under the care of the Southern Sudan Law Society. An assessment of this existing collection is required. Transportation and infrastructure as it exists today in Southern Sudan make the sharing of resources a limited reality. Steps can be taken to assist with an assessment of the existing collection in Rumbek and determine the level of possible assistance, like cataloguing and classifying the collection, that could be explored.

It is advisable and highly strategic to establish the law library at MoLACD as the expert library in the region and to share staff expertise and knowledge. Other libraries will develop over time (i.e.: Human Rights Commission, Judiciary, Law Faculty at University of Juba) and being involved in the development of these libraries will bode well for future resource sharing and information exchange, especially as the need to disseminate information outside Juba will continue to increase. A library's strength lies in its ability to work collaboratively with other libraries and organizations, to acknowledge resource strengths, share networks and develop resource sharing arrangements.

GENERAL PRIORITIES, LIMITATIONS, AND ACQUISITION POLICIES

This section determines how the collection will be developed based upon general principles, responsibilities and rationales for the character of the information resources.

Chronological and retrospective coverage

The MoLACD library is being created from scratch. There is no retrospective collection. The collection must grow in two directions simultaneously. The customary law collection, the statutory law collection and the case law collection must grow both retrospectively and continually. The text book collection must grow chronologically and be deselected on a biannual schedule.

Electronic resources can greatly facilitate the growth of retrospective journal and case law collections without taking up valuable shelf space. Statutory collections will be in print format. All databases will need to be assessed before purchase.

Duplication, non-print formats and special considerations

The library will acquire duplicate materials if the item is determined to be in high demand. An item of high demand is one that is in constant use and is needed by more than one client simultaneously. If directed by the Director of Research, the library may adopt the role of supplying working tools to primary clients.

Working tools are typically materials that individual clients need on a daily basis in order to perform their job. Should the financial administration of MoLACD support the purchase of individual working materials, the library may be chosen to direct and track the distribution of these resources based on their expertise and knowledge of client's needs. Working tools remain the asset of the MoLACD but are lent to those staff who need access to them daily.

Duplicate materials will also be necessary as MoLACD develops smaller branch libraries outside of Juba. A core collection of resources will be required in every location.

Funding considerations

The library will be funded out of the Office of the Director of Research, MoLACD.

Selection responsibilities and processes

The ultimate responsibility for the library rests with the Director of Research for MoLACD. This position delegates the day-to-day collection development decisions to the Senior Librarian and the Library Committee.

Collection development recommendations will be made to the Director who will ultimately decide on the purchase of new collections like electronic materials, working tools or any large retrospective collections. Recommendations will come with a clear rationale from the Senior Librarian and the Library Committee. The librarian will manage the processes by which this material is acquired, managed and processed into the collection for access by the client.

Gifts, exchanges, or other special source materials

Gifts to the library are accepted if the items being gifted add value to the collection. If gifts include any ongoing cost (upkeep), the gifted materials will be assessed based on this cost to ensure the material justifies the expense.

Collection maintenance: preservation, conservation, and deselection (weeding)

The collection will be inspected through an annual shelf read. Materials that are damaged or identified as missing will be recorded for possible replacement acquisition (determined by librarian and library committee). Materials that are damaged may be rebound as opposed to repurchased depending on the extent of the damage, access to book binding and cost of replacement.

Bi-annually the collection will be inspected for deselection. Although deselection will not be critical to this collection for the first few years, it is an essential part of collection maintenance.

Legal textbooks lose value and could be harmful to clients if they report old, outdated, repealed or overturned law. A publishers catalogue can be a useful tool. If a newer edition of a particular text has not been published nor any other authority produced on the topic, a general rule of thumb is that the information in the text, although dated may still be accurate. The librarian will need to investigate the fundamental legislation and case law present in the text to ensure it is still valid. If the materials is primarily a text on a legal principle, it may not change for many years.

Censorship and intellectual freedom

The right to intellectual freedom, under the law, is essential to the health and development of society. All libraries have a basic responsibility for the development and maintenance of intellectual freedom. It is the responsibility of libraries to guarantee and facilitate access to all expressions of knowledge and intellectual activity, including those which some elements of society may consider to be unconventional, unpopular or unacceptable. To this end, libraries shall acquire and make available the widest variety of materials.

It is the responsibility of this library (and its branches as they develop) to guarantee the right of free expression by making available all the library's public facilities and services to all individuals and groups who need them.

The library should resist all efforts to limit the exercise of these responsibilities while recognizing the right of criticism by individuals and groups.

Both employees and employers in libraries have a duty, in addition to their institutional responsibilities, to uphold these principles.

All persons in have a fundamental right, as embodied in the Bill of Rights, to have access to all expressions of knowledge, creativity, and intellectual activity.

It is the responsibility of research libraries to facilitate access to all expressions of knowledge, opinion, intellectual activity, and creativity from all periods of history to the current era including those which some may consider unconventional, unpopular, unorthodox, or unacceptable.

To this end this library shall acquire and make available, through purchase or resource sharing, the widest variety of materials that support the scholarly pursuits of MoLACD. ¹⁴

SPECIAL COLLECTION PROFILES

[This section of the policy is based on information gathered from a collection assessment performed annually. It should be updated as needed based upon progress toward or away from collection goals.]

Description of the collection

The basic collection is an English Language common law collection. This collection will include text books, statutory collections, case law, and reference materials. This collection will be augmented by collections of legal materials from Uganda, Kenya and South Africa. A special collection of Sudanese customary law exists in non-specific format.

Purpose and management of the collection

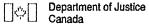
In Southern Sudan a very high percentage of legal issues are decided by customary courts in customary tradition. To enable the MoLACD to develop a legal system that that is inclusive to customary practices, the library must provide access to information describing the traditions of the various tribal groups in Southern Sudan.

Sudanese customary material is not centrally located in any one place for easy acquisition. Materials describing the customary culture of Southern Sudanese is often discrete and located in a wide variety of locations. Nonetheless, every attempt should be made to locate everything that has ever been written about the customary traditions of the Southern Sudanese. This will include; archival materials located in National Archives of various states around the world, including Sudan, journal articles, dissertations, antiquarian collections.

Collection goals

Locate and acquire all materials of any description on the topic of Southern Sudanese tribal culture, especially legal traditions. Add these materials to the MoLACD customary law collection.

¹⁴ Based on Intellectual Freedom statements endorsed by the Canadian Library Association and the Association of Canadian Research Libraries.



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Ministère de la Justice Canada

POLICY IMPLEMENTATION, EVALUATION, AND REVISION

This policy will be reviewed annually by the librarian. Recommendations for change will be made to the library committee, and subject to decisions of the Director of Research (i.e.: budget issues).

Additional Selection Considerations

Because the selection process in a special library tends to be based on the direct need of the organization, the following should be considered to assure that the basic collection meets adequate research needs.

- 1. Utilize law specific publications that will reference new and popular materials.
- 2. Trade and industry publication catalogues.
- Spend time scanning the "new library acquisition" lists from other libraries within the subject specialty.
- 4. Library colleagues are the "silent partners" in building a good collection.
- 5. Publications authored by clients should be acquired.
- 6. The most demanding, most appreciative collaborators are the library's own patrons. Promoting an environment that encourages their involvement in building "their" collection is a necessity and demonstrates to senior management that the special library staff are valued partners in the corporation's research effort.
- 7. Acquiring documents generated by the organization itself.

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Annex C

Operations Guide

Start up

All received materials must be checked against the collection's master list and identified as received on the master list. All missing materials must be identified on the master list. All materials received but not ordered need to be identified and packaged with a copy of the invoice. All invoices or packing slips included in the received goods must be copied, and the Canadian team requires a copy.

All materials that are checked against the master list and identified as a received item are ready for processing.

Processing

All materials require the following:

- □ All items stamped with MoLACD identification, date stamp and GoC stamp.
 □ All items receive an in-use card with the title, author, call number and edition (if
- All items receive an in-use card with the title, author, call number and edition (if applicable) inscribed along the top of the card.
- ☐ Spine labels will be affixed to all text book materials with CIP call number inscribed on spine label.
- ☐ Spine labels will be affixed to all reference materials with the CIP call number inscribed after the prefix REF
- All customary law materials will have a spine label affixed and a special call number will be applied, beginning with CUSTXXX
- ☐ All call numbers must be transferred to library catalogue both print and electronic version of the catalogue.
- ☐ Statues and Law Reporters will not be classified with a call number. They do not require a spine label.

Shelving

The organization of the shelving will determine the organization of the collection. Ideally the books will be divided into five possible groups; (1) text book collection which is the regular circulating collection, (2) reference, (3) customary law, (4) case law, (5) statutory material.

Reference materials will be the first items shelved according to call number. All Reference materials' call numbers are prefaced with the abbreviation REF. Following the REF collection and leaving some shelving open for growth, the regular text book collection will follow beginning with AA classification.

The customary law collection, identified by its unique call number CUSTXXX will be a separate collection of materials.

Law reports will be shelved alphabetically – leaving room between titles for growth.

Statutory materials will be shelved chronologically.

Acquisitions

The process of adding new items to the library should begin with the physical processing of the material.

On-order file.

When a new items is ordered for acquisition to the library collection, a copy of the order form or title page or product catalogue page should be made. This copy should be filed in an **on-order file** with the date of the order clearly marked as well as vendor contact.

When the item arrives in the library, it is to be checked against the on-order file to ensure the material received is the material ordered. By affixing a date to the copy in your on-order file, you will begin to establish a clear understanding of delivery cycles.

Once the material has been received and checked against the on-order file, the file copy can be marked as received and placed in a folder called **newly received items**.

The newly received items file is an easy way to keep track of new acquisitions for the "new books received" list you may want to post or circulate to your primary clients on a quarterly basis. Once you have published your new books list the copy can be discarded from the file.

Processing

access.

All new items must be stamped with MoLACD identification and date stamp.
 All new items should receive an in-use card with the title, author, call number and edition (if applicable) inscribed along the top of the card.
 Some new items will receive a spine label with the appropriate call number inscribed and affixed to the spine of the book. The appropriate call number is either the CIP, the Customary Law call number or the Reference call number. Law Reporters and Statutory materials do not receive a call number classification.
 New books must be added to the library catalogue— both print and electronic version of the catalogue.
 Statues and Law Reporters will not be classified with a call number. They do not

require a spine label, but they still must be entered into the catalogue to facilitate

It may be helpful to library patrons, if the Librarian produces a *Shelving Arrangement Guide*. This guide can be posted at the end of a range of stacks or as a hand out available upon request. A *Shelving Arrangement Guide* identifies general subjects within the range of a call number or, if bays are numbered, subjects organized by bay number can form an arrangement guide. For example, if a range of bays holds materials baring the call number KBP 40 – KBP 173, the associated arrangement guide would indicate that this bay contains books on Islamic Law from dictionaries to history. If the bays are numbered you can identify general subject areas by bay number. For example, if Bay #1 holds the Reference materials, your *shelving arrangement guide* will identify Bay 1 – General Reference.

A Shelving Arrangement Guide assists a user with browsing. Browsing may be the way most people use the library at the beginning because they may not be familiar with the classification system. Browsing is a significant information seeking behaviour that all library users exhibit at

one time or another. To some, it may be the way they are most comfortable seeking information on a particular topic.

Serials management

Some materials acquired come in serial format. These titles are subscription titles. Most legal materials are published in serial format. A serial is a type of publication that has no end. There will be only one title to add to the catalogue, must a continual procession of *parts* will arrive at scheduled intervals. These intervals could be weekly, monthly, semi annual or a variety of irregular times.

The parts of these titles need to be tracked. A kardex will be used to track these types of titles.

At start-up it will be difficult to determine which titles, if any, will be subscription based titles. The decision regarding serials subscriptions will flow from the budget allocation. Serials have an ongoing cost, whether paid for annually or by the part as it arrives is a matter determined by the publisher. The number of serials subscriptions will depend on the amount budgeted for these particular publications. As mentioned earlier, the majority of legal materials come in subscription format.

Materials like law reporters are always serial based. The librarian may decide, because of poor transportation and mail service, to purchase an entire year's worth of volumes at the end of each year. This way, rather than getting one volume per month and risking its loss, the library purchases the entire year on back order at the end of every fiscal. The library will then receive all 12 volumes at once, once per year. The upside to this strategy is that there is only one box to ship and it will be of a substantial size, hopefully less likely to go missing. The down side to this strategy is that the library's clients will not have this information in a timely manner. A second possible downside is that the publisher will not have a full set to sell you by the end of the year.

Often, the books we consider text books will be published in a loose leaf format rather than a hard bound book. A loose leaf publication is a serial publication. The subscription comes in the form of a package of loose leaf pages with filing instructions. The librarian must file these *updates* as they arrive by following the instruction pages. The instructions will tell the librarian what pages of the publication to remove and what pages to add. Usually, these publication charge per update because the publisher will not often know ahead of time how many updates there will be in a year. Updates will reflect new cases recently decided by the courts and statutory changes.

An option to this form of subscription based publication is to force the publication into an annual format by repurchasing the publication annually. This way every year, the library is updating the subject area, as the repurchased publication will be filed with all that year's individual updates. It is often more economical to re-purchase loose leaf publications annually, and there is only one shipment from the publisher per year.

Planning serial upkeep will flow from budget allocation. Whatever the allocation permits, the library will need to keep track of all serial publications whether purchased as the publisher publishes or on another contrived schedule.

The *kardex* is a simple tool that enables the librarian to keep track of these special formats. The title of the serials is inscribed on the header of a *kardex* card. The librarian also indicates

on the card the proposed schedule of publication. As issues arrive in the library, the librarian adds this information to the *kardex* card to keep track of all the parts.

For example; the *title* Law Reports of Kenya received v.8, 9, 10 in the months *August*, *October, December.* From this information, the librarian can fairly easily predict that v.11 will then arrive in *February*. If v. 12 is the next volume that arrives, the librarian can contact the publisher and advise that the previous volume was not received. It is a clear way of predicting the arrival of information for your clients, and a handy way to ensure you are getting all the parts of your subscription.

Circulation

Every item in the library will have an *in-use* card that contains the title, author, call number and other helpful information (like edition or volume). This is prepared for all new materials as well as all existing titles. If a card goes missing, a new card will be created.

When a client removes a title or volume from the shelve, the patron will inscribe their name and location (department, organization, etc.) plus the date on the card. The card is then left on the shelf where the book was taken from.

When books are reshelved by the librarian at the end of the day or after a patron leaves the library, the *in-use* card is placed back in the book and the book back on the shelf.

This is necessary for a variety of reasons. When a patron is browsing the shelf he or she will see that a book is currently in use and it will be returned for their use at a later date. It helps the librarian determine high use items from low or non-use items. It also will help identify who may have damaged a book by misuse.

It is not yet determined by MoLACD if the library will be a true circulating library. If MoLACD sees fit that these books be lent out of the library for use in the patron's office or home, then a loan time must be established. This will make the use of *in-use* cards critical. This way the librarian will be able to determine when the item is due back to the library and who has the item.

The librarian will want to establish a routine for returning used items. It is recommend that the librarian reshelve books at all times. Patrons can leave used materials on the tables or return materials to a book cart or other location identified by the librarian.

Value added services

Value added services are the soul of a library. This is the point of true engagement between the library and the patron. A library without value added services is a room full of books and the librarian a caretaker.

Because there has been a complete absence of library service to the current client base, very simple services can be added to realize a massive change in access to information. The librarian is only limited by imagination. Following are a few simple services that will endear the client to the library from the beginning and help create a reciprocal environment of trust and respect.

New book list publication circulated to patrons or somehow made accessible to all who enter the library.

	Friendly disposition. All patrons should be greeted upon entry and an invitation to
	assistance made.
	How-to use the library catalogue cheat sheets.
	Just-in-time training.
	Shelving arrangement posters or handouts.
	Library use procedures and rules.
П	Basic current awareness service.

Service Matrix

Reference	Maintain Current Collection	Keeping the existing collection in good working order is key to a satisfied patron.	 □ Shelving materials in proper order. □ Repairing damaged materials. □ Retrieving "found" materials. □ Keeping the environment in good order.
	2. Select Appropriate Materials	Add duplicate copies where necessary (see collection development policy) Add new editions where appropriate. Fill gaps in the collection in a timely manner (materials identified by Library Committee)	Help fulfill the "marketing and promotion" portion of this matrix by advertising new materials added to the catalogue.
	3. Create Pathfinders	Simple how-to guides for your patrons.	 ☐ How to search the catalogue. ☐ How to use the photocopy machine. ☐ How to sign out an in-use card.
	4. Develop Service Level Standard	Design a service level standard and post it in the library.	Determine what the basic level of service will be for all patrons (i.e.: access the library during regular business hours and utilize materials on site)

,			Determine a higher level of service, if any for primary patrons.
			Review the service level standard annually with Library Committee and determine changes in policy if any.
Technology	1. Catalogue newly	Add all newly	Due to an
	acquired materials	received items into	environment of
		the library catalogue	potentially unstable
		in a timely fashion.	computer wellbeing
			in combination with
			vastly divergent skill level of library
			patrons using a
			computer, a paper
			copy of the library
			catalogue should be
			reproduced on a
			regular basis.
	The Albertage of the Control of the		
			It is advisable to
			print the catalogue three times, once
			sorted by title, once
			sorted by author
			and once sorted by
			subject. This will
			ensure all library
			patrons have
			access to the collection at all
			times
	2. Maintain or see	Ensure all library	
	to the maintenance	equipment is	
	of library	operational at all	
	equipment.	times.	
	3. Electronic	As the library	□ Sign on
	Resources	develops electronic resource, clear	instructions and
		instructions should	passwords □ How-to guide.
		be present for	Just-in-time
		patron's access.	training.
		3.8x	Understanding
		MA	of the scope and

			content of the resource so the
			library staff know when best to direct a client
		A STATE OF THE STA	to the resource.
Education	Engage library committee	Learn from them. Why certain materials more important? What are the practice areas? What are the best tools?	Narrow down your collection options based on what you have learned from committee concerning practice areas and important materials. They will appreciate
			the efficient use of their time.
	2. Just –in-time training	Provide guidance and hands-on assistance to library patron's in the library as they are	Be aware of patron's time and level of expertise before engaging in Just-in-time training.
	3. Formalized	using specific materials / tools	
,	training	Specifically designed sessions for a specific and identified population on a specific resource or topic.	Formalized training.
	4. Pathfinders	How-to guides that assist and instruct library clients in the use of library materials and equipment.	☐ How to search the catalogue☐ How to find a specific topic☐ How to begin a research
			project, where to look first. How to cite properly
	5. Tutorials	More in depth instructional information as required.	
Marketing/Promotion	Minimum Services Level Standards	Printed and posted in the library	Review annually with Library Committee. Are you meeting minimum standards? Can minimum

	standards be increased?
2. Distribution I	Lists that patrons can sign up to receive specific information. Maintain these lists and ensure that the information is disseminated as promised.
3. Rules of engagement	Clearly state the rules of use of all library materials and equipment.
	Post clearly in the library.
4. Branding	Any publication of the library is the library is branded as a library publication Any publication New book list Current awareness Pathfinders

D

MEMORANDUM OF UNDERSTANDING (MOU)

BETWEEN

THE INTERNATIONAL LEGAL PROGRAMS SECTION OF THE DEPARTMENT OF JUSTICE, CANADA ("DOJ")

AND

THE MINISTRY OF LEGAL AFFAIRS AND CONSTITUTIONAL DEVLOPMENT OF THE GOVERNMENT OF SOUTHERN SUDAN ("MoLACD")

(Hereinafter jointly referred to as the "Participants")

FOR THE IMPLEMENTATION OF THE FIRST PHASE OF THE SOUTHERN SUDAN LAW LIBRARY AND RESOURCE CENTRE PROJECT (the "Project")

1. PURPOSE

The objective of the Project is to lay the groundwork for the establishment of a sustainable law library and legal resource centre in Juba, Southern Sudan. The Project will be undertaken in a phased-approach and the activities covered under this MOU concern the first phase of the Project until 31 March, 2008. Key activities of the first phase of the Project include:

- Through the entering into of this MOU, develop a common understanding of the role of the law library/resource centre;
- Identification of human resource training, and retention needs followed by the training of core library staff; and
- Provision of some urgently needed legal materials and the identification of temporary storage and access options for such material.

2. LOCATION & SPACE

The Participants agree and acknowledge that the Southern Sudan Law Library and Resource Centre shall be housed within the premises of the MoLACD.

The Participants further agree and acknowledge that the MoLACD shall provide adequate and sufficient space to house and maintain the collection of legal materials and books.

3, PERMANENT FACILITY

The Participants agree and acknowledge that, during the course of the first phase of the Project until 31 March, 2008, they will engage in discussions and dialogue concerning funding, location and other relevant matters in respect of the establishment and, if necessary, construction of a permanent facility for the Southern Sudan Law Library and Resource Centre. The Participants further agree and acknowledge that whereas DOJ shall offer assistance to MoLACD in exploring different options with respect to the establishment of a permanent facility for the library and resource centre, this MOU does not create any legal or other obligations on DOJ or the Government of Canada in respect of the establishment of a permanent facility for the library and resource centre.

4. PROVISION OF LEGAL MATERIALS BY DOJ

The Participants agree and acknowledge that, upon identification by MoLACD of suitable temporary facilities for the Southern Sudan Law Library and Resource Centre during the first phase of the Project until 31 March, 2008, DOJ shall commence delivery of a collection of English language, Common Law and Customary Law legal materials for the law library and resource centre in Juba, Southern Sudan.

5. NATURE OF LAW LIBRARY AND RESOURCE CENTRE

The Participants agree and acknowledge that the Southern Sudan Law Library and Resource Centre shall be a resource for all ministries, departments and agencies of the Government of Southern Sudan and that the officials of all such ministries, departments and agencies shall have access to the law library and resource centre and the materials contained therein. Particulars in respect of the days and hours of access to the law library shall be determined by staff of the MoLACD with responsibility for the day-to-day operations of the law library and resource centre.

6. USE BY PUBLIC

The Participants agree and acknowledge that the Southern Sudan Law Library and Resource Centre shall ultimately be open to and accessible to members of the public. Particulars in respect of the days and hours of access to the law library by members of the public shall be determined by staff of the MoLACD with responsibility for the day-to-day operations of the law library and resource centre.

7. TRAINING OF STAFF

The Participants agree and acknowledge that DOJ shall provide the necessary training to the librarian(s) and library staff hired by the MoLACD to operate and administer the law library, both in Juba and in the ten (10) states of Southern Sudan. The Participants agree and acknowledge, however, that DOJ shall hire one (1) librarian during the first Phase of the Project

and that DOJ shall be responsible for the salary of this one (1) librarian up to a maximum of Canadian \$2,000 per month for the duration of the first Phase of the Project until 31 March, 2008. The Participants further agree and acknowledge that DOJ shall not be responsible for the salary of this one (1) librarian beyond 31 March, 2008.

8. NOTICE

All notices in relation to any matter covered by this MOU will be sent to the following designated contacts:

For MoLACD:

Deng Biong Mijak
Counsel General/Director
Training and Research
Ministry of Legal Affairs and Constitutional Development
Government of Southern Sudan
Telephone: +256 47710 2887 or +249 122 208231
Email: dkoklek@yahoo.com

For DOJ:

Aly N. Alibhai Senior Counsel International Legal Programs Section Department of Justice 275 Sparks Street Ottawa, ON K1A 0H8 Tel: (613) 952-4032

Tel: (613) 952-4032 Fax: (613) 948-8910

E-mail: aly.alibhai@justice.gc.ca

The names of the officers cited above may be changed by simple notification without formal amendment to this MOU.

9. DURATION AND TERMINATION

This MOU will come into effect upon on the date on which it is signed by the respective Participants. If the signing occurs on two different dates, this MOU will take effect on the date of the latest signature. It will remain in effect until the 31st day of March, 2007, or its earlier termination. Either Participant may terminate this MOU upon giving 30 days of advance written notice to the other Participant.

11.PS File Number: 325925-195

10. AMENDMENT

This MOU does not create any legally binding obligations on the Participants and may be amended upon the mutual written consent of both Participants.

On behalf of the Department of Justice, Canada:

Director General

International Legal Programs Section (ILPS)

Department of Justice, Canada

Ay . 24/07
Date

On hehalf of the Ministry of Legal Affairs and Constitutional Development of the Government of Southern Sudan:

Deng Biong Mijak

Counsel General/Director,

Training and Research

Ministry of Legal Affairs and Constitutional Development

Government of Southern Sudan

ANNEX E

Section II Results and Resources Framework

Intended Outcome: The Ministry of Legal Affairs and Constitutional Development will be enabled to lay a strong foundation for a united, peaceful and prosperous society based on justice, equality, respect for human rights and the rule of law.

Outcome Indicators: Technical Advise & Project Management Team office is established, strategic plan for MoLACD is developed and MDTF FPP is approved.

Applicable MYFF Service Line:

Partnership Strategy: MoLACD, Donor community and UN Agencies

Project title and ID (ATLAS Award ID): Institutional Support to the Ministry of Legal Affairs and Constitutional Development

Intended Outputs	Indicative Activities	Responsible parties	Inputs
1. Project Management Team (PMT) established in MoLACD	ACT1:Technical Assistance	UNDP	1. CTA
	1.1 CTA recruited and engaged	MoLACD	2. Computers and office equipment
·	1.2 CTA will draft TORs for PST staff and TA consultants		3. Transportation
	1.3 PMT staff are recruited and seconded to MoLACD		
	1.4 Equipment procured		
2. MoLACD office is fully operational	ACT 1:Technical Assistance	UNDP	1. CTA
	1.1 Assessment of the policy and operational challenges	MoLACD	2. National Staff
	1.2 Develop operational and systems harmonization strategy (MoLACD, MoLA & AG)		3. Consultants
	1.3 Strategic planning workshops		4. Workshops
	1.4 Intra-ministerial meetings		5. Logistical Support
	1.5 Develop directorate operational procedures manuals		6. Infrastructure Support

·	1.6 Develop Prosecutors and Legal Aid code of conduct and practice manuals	, , , , , , , , , , , , , , , , , , ,	7. Computers and office equipment
	ACT 2: Capacity building		8. Telecommunication devices
·	1.1 Directorate mentoring needs assessment		9. Vehicles
	1.2 TA ToRs Developed		10. Stationery & Supplies
	1.3 TA recruitment		11. Transport and accommodation
	1.4 TA working in Direcorates		
	1.5 Mentoring for Directors		,
	1.6 Study Tours		
	1.7 Training needs assessment for Legal Counsels		
	1.8 Training program for Legal Counsel		
·	1.9 Project Development Workshops		
	ACT 3: Support to infrastructure/Office Establishment		
	1.1. Assessment of office space requirements	,	
	1.2 Procurement and construction of buildings		
	1.3 IT needs assessment	·	,
	1.4 Procurement of computer and office		
•	1.5 Procurement of vehicles		
3. Three Regional State's Attorney's Offices are Operational	ACT1: Technical Assistance	UNDP	1. CTA
Operational	1.1 Planning for operational establishment of offices in seven states	MoLACD	2. National Staff
	1.2 Meetings with relevant state level partners		3. Consultants/Technical Advisors
	1.3 Policy guidance on departmental functions		4. Workshops

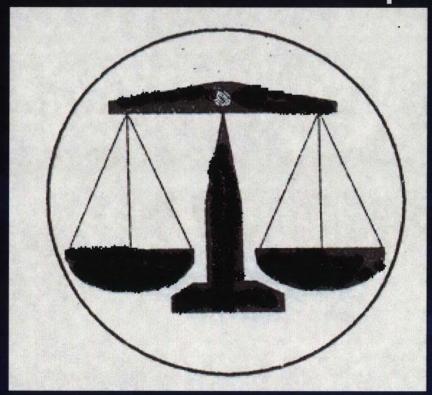
	ACT 2: Capacity building		5. Pre-fabricated office buildings
	1.1. Training needs assessment for Legal Counsels		6. Computers and office equipment
·	1.2 Training needs assessment for staff		7. Telecommunication devices
·	1.3 English training for key personnel		9. Vehicles
	1.4 Study Tour		10. Stationery & Supplies
	1.5 Mentoring/coaching		11. Transport and accommodation
	ACT 3: Support to infrastructure/Office Establishment 1.1 Assessment of office space requirements		
·	1.2 Procurement and construction of buildings		
<u> </u>	1.3 Procurement of ICT equipment and office furniture		
	1.4 Procurement of vehicles		
4. MoLACD capacity to develop, manage and implement project proposals is enhanced	ACT 1: Technical Assistance - Capacity Building	UNDP	1. CTA
	1.1 Directorate level planning meetings	MoLACD	2. TA
	1.2 Meetings with MDTF RoL Team Leader		3.National Staff
	1.3 Justice sector meeting		4.Strategic Planning consultants
	1.5 Strategic planning workshops		5. Workshops logistics
	1.6 Drafting, reviewing and revising MDTF FPP		
	1.7 Presentation FPP to MDTF		

5: Justice sector wide coordination mechanism	ACT 1: Technical Assistance – Capacity Building	UNDP:	1. CTA
established.	1.1 Directorate level planning meetings	MoLACD	2. TA
	1.2 Meetings with MDTF RoL Team Leader		3.National Staff
	1.3 Justice sector meeting		4.Strategic Planning consultants
	1.5 Strategic planning workshops		5. Workshops logistics
	1.5 Strategic planning workshops		

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Ministry of Legal Affairs and Constitutional Development



Short-term Plan (2006) and External Partner Coordination

Priority Areas

- Physical Infrastructure
- Office furniture and equipment
- Communication and transport
- Recruitment
- Capacity building
- Dissemination (CPA, INC, ICSS, Interim State Constitutions)
- Establishment of Gazette and Printing Press
- Essential legal references
- Centre for Customary Law (and Land Law)
- Central Law Library

Physical Infrastructure Prefabs.

Office buildings

3 in Juba; 1 in each of the three Regional states' offices

Mess for Staff

2 of 10 rooms in Juba; 1 in each of the three Regional states' offices

Senior Staff Housing

8 houses in Juba; 1 in each of the three Regional states' offices

Lead Partners:

UNDP

Office Furniture and Equipment

- Desk and Chairs
- Sound system for the meeting halls

Lead Partners:

UNDP

Coordination:

UNOPS GoSS contract

Communication and Transport

- Computers
- Fax
- VSAT
- Photocopier
- Scanner
- Printers
- Thuraya phones
- Long-range radio systems

- Vehicles (9 Juba; 6 Regional)
- 2 Minibus (Juba)
- Motorbikes (2 Juba; 3 for Regional)
- 10 Bicycles

Lead Partners:

UNDP

Recruitment

- Internal Process
- Link to Skills for Southern Sudan database??

Capacity Building

Area	Lead Partner(s)
■English Language (written and spoken) for 10-20 people	Bearing Point
■Specialized training —Directorate Consultants —Short attachments —Strategic Planning —MDTF workshop	UNDP
■Technical and support staff	Skills for Southern Sudan?
Legal Drafting	Bearing Point, Max Planck, UNDP, NDI *coordination meeting Saturday 9:00
■International and Constitutional Law	Max Planck

4/17/2008

Dissemination

- Need common approach and understanding
- MoLACD or SPLM participation in all activities
- Various communication mechanisms:
 - Workshops and public seminars
 - Radio (Sudan Radio Service, FM stations) and television
 - Printed media (newspapers, cartoons)
- Various audiences:
 - Senior government officials
 - Junior state officials
 - MoLACD staff
 - Citizens
- ◆IDEA: Mobile dissemination teams
 - High Level team
 - Training of trainers

SMS1

Lead Partners:

- NDI, (Forum of Federations), Max Planck, PACT, UNDP, RoLI?
- **Coordination meeting Tuesday 21rst 10h00 at MoLACD

Slide 8

SMS1

Susan Stigant, 18/03/2006

Establishment of Gazette Department and Printing Press

- Government Press under rehabilitation (European Commission)
- Department to be established internally
- Specialized training?

Lead Partners:

European Commission

Essential Legal Resources

- Key legal resources
- Housed in each Directorate

Lead Partners:

***UNDP**

Centre for Customary Law (and Land Law)

- Physical Centre
- Separate proposal
- Additional funding sources to be explored
 - USIP
 - World Vision
 - Others?

Central Law Library

- Shared among all rule of law institutions
- Under the auspices of the MoLACD
- Physical building + references

Lead Partners:

❖ Max Planck



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July 29, 2007

Director Biong,

As discussed at our recent meeting at the Department of Legal Affairs, I have prepared some measurements for the temporary space that will be required to house the interim law library at the Ministry of Legal Affairs and Constitutional Development.

These measurements are based on standard shelving used in libraries in Canada. I understand your organization may not have identical shelving, but it will give you an idea of the required space.

A single "stand" or "bay" of shelves stands 7.5 feet tall and is 36" wide. There is an average of 5 shelves per bay, each shelf holding between 25-40 volumes (depending on the width of each book, law reports being slim and major texts being thick). Thus, each "bay" of shelves will hold between 125 and 200 volumes.

I am estimating, based on the approved funds for book purchases in phase 1 of the project, that we will be able to purchase any where between 1500-3000 volumes, dependent upon the cost of each individual volume.

If there are 1500 volumes delivered, you will require 7 to 12 "bays" of books taking between 21 and 36 linear feet.

If there are 3000 volumes delivered, you will require 14 to 24 "bays" of books taking between 42 and 72 linear feet.

In addition to the space required for the shelving, you may also want to consider space for consultation and library staff. A common method of accommodating this need is to run shelving around the perimeter of a room, placing a table and chairs in the middle of the room. The librarian will also require some work space in order to assist with access to the collection (catalogue). It may also be wise to place a small table or bin near the entry of the room for book return after use. If only one person (the librarian) is responsible for shelving the books in the proper location on the shelf (according to library classification) then there is less likelihood of the material being mis-shelved and thus difficult to find when needed. It would also be beneficial to ensure the room is air-conditioned.

The materials will be "catalogued" upon acquisition. You will be able to access the materials by title, by author and by subject. The catalogue will be shipped with the materials. We are hoping your librarian will be able to assist us in applying the classification of the material upon its arrival at your Ministry, so the volumes will sit on the shelf in some logical order.

I sincerely hope this brief provides you with the framework you require to establish the necessary space for the soon-to-be acquired materials. I look forward to meeting with your librarian and working with you in the very near future so we may further assist you with any training requirements for your library staff.

It was a pleasure to meet with you and I look forward to our future collaboration,

Thank you very much,

Eve Poirier
Regional Law Librarian
Dept. of Justice Canada
Eve.poirier@justice.gc.ca
Tel. 780-495-2973
Fax. 780-495-2964

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SOUTHERN SUDAN LAW LIBRARY Implementation Mission

Juba, Southern Sudan, January 2008

# of Volumes	Titles
1	1001 Legal Words You Need to Know
1	A Continental Distinction in the Common Law: A Historical and Comparative Perspective on English Public Law
. 3	A Dictionary of Modern Legal Usage – 2 nd Edition
1	A Handbook for Magistrates
1	A History of Anthropological Thought
. 1	A History of Southern Sudan
1	A New Approach to Peace in Sudan
2	A Practical Approach to Effective Litigation
2	A Practical Approach to Family Law
2	A Practical Approach to Local Government Law
1	A Practical Guide to Corporate Governance
1	A Practical Guide to Document Authentication 2007
1	A Source Book of Income Tax Law in Tanzania
1	A Strategic Vision for Africa: The Kampala Movement
1	Accountability of the International Monetary Fund
1	Achieving Gender Equality in a Plural Legal Context: Custom and Women <s access="" and="" control="" in="" kenya<="" land="" of="" td="" to=""></s>
1	Administrative Law
1	Africa, Its Conflicts and Its Traditions: Debating a Suitable Role for Tradition in African Peace Initiatives
5	African Human Rights Law Reports
2	African Political Systems
1	African Reckoning: A Quest for Good Governance
1	Africans of Two Worlds
1	Africans of Two Worlds: The Dinka in Afro-Arab Sudan
1	Aids and Violent Conflict in Africa
1	Aldridge & Parry on Fraud
1	An Introduction to the International Criminal Court
1	Analysis of Homicide in the Afro-Arab Sudan, An
2	Anglo Egyptian Sudan Handbook (Vol 1 - 1911, Vol 2 - 1912)
1	Annotated Civil Procedure Rules of the Superior Courts of Nigeria
11	Appraising Strict Liability
11	Arabs and Nubians in New Halfa

1	Archbold: Criminal Pleading, Evidence and Practice
1	Archbold: Magistrates' Courts Criminal Practice
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11	Chitty on Contracts
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1	Codification of Customary Law
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1	Commercial Law Simplified
1	Common Law Abroad: English and Indigenous Laws in the British Commonwealth, The
1	Common Law and the Third World, The
1	Community Power and Grassroots Democracy / The Transformation of Social Life

1	Company Law in Kenya
1	Comparative Law of International Arbitration
1	Compendium on Legal Ethics
45	Complete Collection of Sudan Notes & Records
1	Complimentary Protection in International Refugee Law
3	Concise Oxford English Dictionary
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1	Conflict of Laws and Legal Pluralism in the Sudan
1	Conflict Resolution in Africa
3	Constitution of the Republic of Uganda
1	Constitutional and Legal System of Tanzania
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1	South Africa Criminal Law Reports
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1	The Public Interest in Regulation
1	The Responsibility to Protect / Report of the International Commission on Intervention and State Sovereignty
1	The Responsibility to Protect: Research, Bibliography, Background / Supplement Volume to the Report of the International Commission or
1	The Social Fund: Law and Practice
1	The State of the World's Refugees
1	The Statutes of the International Court of Justice
1	The Ultimate Rule of Law
1	The Winning Brief: 100 Tips for Persuasive Briefing in Trial and Appellate Courts
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