Nepal Bar Association (NBA)

PROFESSIONAL CAPACITY BUILDING – LEGAL INTERNSHIP PROGRAM (Batch III)
(For the Lawyers Representing Vulnerable & Marginalized Communities)

On collaboration between RoLHR/UNDP and Nepal Bar Association (NBA)

Final Progress Report

Submitted by: Nepal Bar Association (NBA)
Reporting Period: October – August, 2015/2016

Guidelines: Please follow these guidelines:

- Remember the timeline of reporting and date for finalizing it in line with LoA/MoU.
- Write in simple and short sentences and the medium should be English.
- Avoid repetition of the same ideas.
- Provide evidence against narrative wherever possible. Such evidences include data, facts, convincing quotes of the beneficiaries/stakeholders, action pictures with captions etc.
- Always think of impact/result while reporting. Substantiate the statements linking them with the (expected) result and sustainability issue.
- Consider the gender and social inclusion (GESI) aspect in reporting. Reflect the data from GESI Perspectives wherever possible.
- Remember to link the monitoring and evaluation steps/initiatives taken to ensure the good governance of the project.

Basic Information:

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| Submission date            | 23 September, 2016  
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1
BACKGROUND:
The legal profession in Nepal is represented by the Nepal Bar Association (NBA), which has approximately more than 14,000 members. Established in 1968 by national directive, its mission is to promote the legal profession, principally in the areas of legal reform, judicial reform, and the rule of law. It is the sole professional organization that unites the entire legal community of Nepal. NBA represents the interests of citizens of Nepal in maintaining independent legal practices and professional standards amongst the legal community. NBA is working for the benefit of the public at large. Encouraging democratic practices, development of the culture of rule of law, the maintenance of an independent and impartial judiciary, access to justice and the protection and promotion of human rights and fundamental freedoms.

OBJECTIVES OF THE PROGRAM:
- Finalization and revision of previously developed legal internship guidelines and course modules.
- Strengthening Professional Capacity of the Intern Lawyers (through foundation courses, internship placement, refresher’s course and other capacity strengthening program such as basic English) representing Women, Vulnerable, Marginalized Communities.
- To contribute in increasing access of vulnerable and marginalized communities in to justice mechanism by capacitated lawyers of their own communities and their support.
- Finalization of Guidelines of Training Module for the Capacity Development of Civil and Criminal legal aid lawyers.

INTERVENTIONS AND ACHIEVEMENT/OUTPUT/OUTCOME:

Overall Summary:
Professional Capacity Building–Legal Internship Program Batch III for 40 pre-professional lawyers (representation from Vulnerable and Marginalized Communities) from Kathmandu, Biratnagar and Nepalgunj was initiated by signing of grant LoA with RoLHR/UNDP on 1 October, 2015.

The internship program initially designed in 3 phases as:
- 1 month foundation course (in Kathmandu)
- 4.5 months internship placement and (in Kathmandu, Biratnagar and Nepalgunj)
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ACTIVITY REPORTING:

Introduction
Legal internship program was started by the initiation of Nepal Bar Association (NBA) and UNDP/RoLHR for the first time in NBA, so for the effective implementation of the plan, various mechanisms have been developed under different activities.

The common goal of the implementation action is to ensure quality of legal service from legal professional particularly from marginalized and vulnerable groups as follows: women, madhesi, adivashi, janajati, dalit, people with disability, other Backward Communities and Backward Area of Nepal with maximum possible number of representation from these vulnerable and marginalized groups of new coming/practicing lawyers.

Specific objectives
- To enhance capacity of forty (40) lawyers from vulnerable and marginalized communities who are new comer in the profession in Kathmandu, Biratnagar and Nepalgunj.
- To contribute in increasing access of vulnerable and marginalized groups of lawyers in to justice system.
- To enhance the professional capacity of civil and criminal legal aid lawyers to contribute in their community.
- To develop the professional capacity of the lawyers and contribute their services in the communities of Biratnagar and Nepalgunj.

Rationale/significance
The ongoing activities would be beneficial for the development of institution through the designed tools and trained lawyers/human resources. The developed tools would be a guideline for further trainings and the trained new-comer lawyers would be useful for the socio-responsive legal services in future. The civil and criminal legal aid lawyers will be competent to provide legal aid to the community they represent after this training program.

Progress/Accomplishment/achievement
• **Activity 1** : Review of the Internship Guideline:

An Internship Guideline has been developed and followed in Legal Internship Batch II. Under Batch III of Legal Internship program, the Internship Guideline has been revised. The newly developed guideline has covered many relevant issues related to the selection criteria of the interns form regional and central level of the country.

• **Activity 2** : Review of the Internship Foundation Course Module and Refresher Course:

As the first and most important phase of legal internship program, one month foundation course module has been reviewed. Issues like law of sea, client handling and online company registration have been incorporated in this module. Similarly, two weeks of refresher course has been revised as the concluding phase of the internship program basically focusing on the professional capacity enhancement of drafting, moot court and pleading skills for the interns.

• **Activity 3** : Advertisement publication of application call for Legal Internship Batch III:

After the successful completion of Legal Internship Batch I and Batch II, application was called for legal Internship Batch III from the new comer lawyers representing marginalized and vulnerable groups particularly from women, madhesi, adivashi, janajati, dalit, people with disability, other backward communities and backward areas of Nepal. Application was called for 26 interns from Kathmandu, 7 interns from Biratnagar and 7 interns from Nepalgunj.

• **Activity 4** : National Women Lawyers conference, 2015

On November 20 and 21, NBA has organized National Women Lawyer conference in Lalitpur. The theme of the conference was "Inclusiveness in State Restructuring: Basis for Just Society". More than 500 women lawyers participated in this conference throughout the nation. Altogether 16 working papers were presented in different thematic areas of Challenges and Implementation of New Constitution, Proposed Civil and Criminal Code and Code of Conduct of Legal Professionals. After two days of discussion and interaction among the women lawyers, 22 points Lalitpur Declaration has been declared.

• **Activity 5** : Interview of the applicants for Legal Internship Batch III:
On November 30, interview for all the applicants for Legal Internship Batch III applied for Kathmandu was conducted. Representatives from Attorney General Office, Ministry of Law, Justice and Parliamentary Affairs, RoLHR/UNDP and the members of NBA secretariat were the interview panelists. Similarly, interview for interns of Nepalgunj and Biratnagar was held in the respective regions by the members of NBA secretariat.

- **Activity 6: Selection of the interns for the Legal Internship Batch III:**

  On December 15, selection of the final applicants for the legal internship Batch III was conducted. 12 applicants from women group, 11 applicants from janajati, 4 applicants from Madhesi, 2 applicants from persons with disability and 4 applicants from remote and backward area have been selected for the legal internship Batch III from Kathmandu. Likewise, 4 interns from Nepalgunj and 3 from Biratnagar. Altogether 33 applicants from central and 7 applicants from regional areas have been selected for this batch.

- **Activity 7: Meeting between NBA and NBA Interns:** On 4 February, 2016, the meeting between NBA and NBA interns has been held. The meeting was basically focused on experience sharing and feedback collection with the interns about the one month foundation course. Along with this, discussion on the placement of interns in various law firms and institutions was made.

- **Activity 8: Personal Computer distributed to the interns:** Altogether, 40 branded computers has been distributed to the interns which were provided by RoLHR to NBA. The laptops will enhance the technological skill of the interns and facilitate their work. The laptops have been distributed to the interns for using during the internship program returnable at the end of the internship program.

- **Activity 9: Training for Civil Legal Aid Lawyers, Mahottari:** The first training on capacity enhancement for civil legal aid lawyers was conducted from 8 to 12 of February on Bardibas, Mahottari. Altogether, 38 participants from 8 districts and 9 Bar units participated in the program. The training program was divided into 15 sessions. Unfortunately, due to the national grief on the
death of former Prime Minister Sushil Koirala the training program was interrupted and finally concluded. So, the program was conducted on 7, 8 and 9 of February. (See Annex A for the detail list of participants and AA for the program schedule).

**Activity 10 : Completion of One Month Foundation Course (Group A and Group B)**

After the selection of 40 interns (i.e. 33 from Kathmandu, 4 from Nepalgunj and 3 from Biratnagar) one month foundation course has been conducted in Kathmandu. The 40 interns were divided in two different groups (i.e. Group A and Group B) and the foundation course has been conducted for 26 days i.e. 3rd of January to February, 2016. Altogether 78 sessions has been conducted for the both groups. The course was based on the course module developed by NBA. The sessions covered various topics on theoretical aspects of legal and court system, legal citation, legal profession, cyber crime, access to justice, national and international instruments, court procedure, client handling, company laws and moot court session of both civil and criminal cases. (See annex B and BB for the details of the accomplished one month foundation course of Group A and B).

**Activity 11 : Monthly Meeting between NBA, NBA interns and RoLHR:**

On 2nd May, 2016 monthly meeting between interns, NBA and RoLHR was conducted at NBA meeting hall. This meeting was focused on interaction and feedback collection of the interns regarding their experience on the placement on different law firms and organizations.

**Activity 12 : Completion of English Language Class in Kathmandu, Nepalgunj and Biratnagar :**

Under the second phase of Legal Internship Program, altogether 40 classes of English language have been completed in Kathmandu, Nepalgunj and Biratnagar. In Kathmandu, the classes have successfully been completed according to the prescribed syllabus designed by the consultants from CETRA. In Nepalgunj the classes were conducted by Nepalgunj Appellate
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Bar Court, Nepalgunj, and in Biratnagar, the classes were conducted by Morang District Bar. The syllabus designed by CETRA has been followed in Nepalgunj and Biratnagar too. (See Annex C for the accomplished syllabus of English Language Class)

- **Activity 13: Internship Monitoring in Biratnagar:**

  On 16 May, NBA Vice-president, Madan Kumar Khadka, Treasurer Gyan Ratna Shakya and Program Coordinator Sarita Khanal visited Biratnagar for monitoring the internship and English language class being conducted for the interns of Biratnagar. The monitoring team observed the English language class and visited the focal persons of the law firms and organizations where the interns have been placed.

- **Activity 14: Training for Criminal Legal Aid Lawyers, Chitwan:**

  Under professional capacity enhancement program, A Five Days Capacity Enhancement Training for Legal Aid Lawyers on Criminal Cases has successfully been conducted. It was the first training for Criminal Legal Aid Lawyers which has been conducted from 20 to 24, May 2016 in Chitwan. Altogether thirty lawyers representing five districts and six bars participated in this training. (See Annex D and DD for the finalized program schedule and list of participants).

- **Activity 15: Training for Criminal Legal Aid Lawyers, Dhangadi**

  A Five Days Capacity Enhancement Training for Legal Aid Lawyers on Criminal Cases has been conducted from 7 to 11 of June, 2016 in Dhangadi district of Far-western Developmental region. This was the second training of Criminal Legal Aid Lawyers. Altogether 30 lawyers from nine Bar Units representing ten districts of far western region participated in this training. (See Annex E and EE for the finalized program schedule and list of participants).

- **Activity 16: Training for Civil Legal Aid Lawyers, Illam**

  A Five Days Capacity Enhancement Training for Legal Aid Lawyers on Civil Cases has been successfully conducted in Illam district of Eastern Developmental Region from 26 to 30 June, 2016. Altogether thirty lawyers
from ten Bar Units and SLAC, Taplegunj represented from nine districts in this training. This was the second training of Civil Legal Aid Lawyers. (See Annex F and FF for the finalized program schedule and list of participants).

- **Activity 17: Refresher course for the 40 interns in Kathmandu (Group A and Group B):**

  As the concluding phase of Six Months Legal Internship Program, Refresher course for Group A and Group B has been conducted from 1 to 15 of July, 2016 in Kathmandu. Altogether 36 sessions have been conducted separately for both the two groups. (See Annex G and GG for the detailed accomplished refresher course for Group A and Group B)

- **Activity 18 : Closing Ceremony of Legal Internship Batch III :**

  The six month legal internship of Batch III has been formally ended after the completion of all the three phases of legal internship i.e. One month foundation course in Kathmandu, four and half months of Internship placement in different law firms and concerned institutions in Kathmandu, Nepalgunj and Biratnagar and two weeks refresher course in Kathmandu. The formal closing ceremony of the program was held in Kathmandu. The ceremony was chaired by Baidhanath Upadhyaya, Hon’ble Justice of Supreme Court, delegates from UNDP, Norwegian Embassy, NBA executive committee members, representatives from six bar units across Kathmandu valley, focal persons of the law firms and institutions from Kathmandu (where the interns were placed) and 40 interns were present in the ceremony. Finally, on 15 of July, 2016, the closing ceremony was concluded by awarding certificate of the completion by the chief guest of the ceremony.

- **Activity 19 : Training for Criminal Legal Aid Lawyers, Surkhet :**

  A Five Days Capacity Enhancement Training for Legal Aid Lawyers on Criminal Cases has been conducted from 22 to 26 of July, 2016 in Surkhet district of mid-western developmental region. Altogether 30 participants from 9 bar units and 2 socio-legal aid centers (Dailekh and Bardiya) representing 7 districts participated in the training program. (See Annex H and HH for the program schedule and list of participants).

- **Activity 20 : Training for Civil Legal Aid Lawyers, Dang :**
A Five Days Capacity Enhancement Training for Legal Aid Lawyers on Civil Cases has been conducted from 24 to 28 of July in Dang district of mid-western developmental region. Altogether 30 participants from 6 bar units and 6 districts participated in the training program. (See Annex I and II for the program schedule and list of participants).

**Activity 21 : Training for Civil Legal Aid Lawyers, Kavre, Kathmandu :**

A Five Days Capacity Enhancement Training for Legal Aid Lawyers on Civil Cases has been conducted from 21 to 25 of August, 2016 in Kavre district of central developmental region. Altogether 30 participants from 12 bar units and 1 socio-legal aid centre (Khotang) representing 11 districts participated in the training. (See Annex J and JJ for the program schedule and list of the participants).

**Activity 22 : Training for Civil Legal Aid Lawyers, Baglung**

A Five Days Capacity Enhancement Training for Legal Aid Lawyers on Civil Cases has been conducted from 26 to 30 of August, 2016 in Baglung district of western developmental region. Altogether 30 participants from 8 bar units and 7 districts participated in the training. (See Annex K and KK for the program schedule and list of participants).

**Key Challenges and Lesson Learned**

**Key Challenges/Findings**

- How the interns benefited (maximum-level) from their respective placement firms.
- Monitoring on intern activities (indicators) and their reporting procedure.
- How the internship program targeted to the regional areas will add value to the Access to Justice.
- How the civil and criminal legal aid lawyers will be benefitted from the professional capacity enhancement training.
Sustainability Issue:
The overall intention of the program is Access to Justice of marginalization and vulnerable section of the society of Nepal. Basically the program has targeted in two objectives: First, Access to Justice Mechanism and second; providing them quality of legal support where all diversely selected lawyers is trained along with rights/ need based approach. The trained lawyers will be the assets of the legal fraternity of Nepal, after the entire six (6) months of internship, they will be able to work and provide support in their community and there in kind contribution to legal aid desk of Nepal Bar Association and Districts Bar, mobile legal aid clinics to the prison and detention center, orientation and counseling to the beneficiaries and assisting them in legal procedures will be a great support for the Legal Aid system of Nepal. Finally, the training to civil and criminal legal aid lawyers will develop competent legal aid lawyers to provide legal aid to the weaker sections of the society. In this scenario, the project will add value for Access to justice of the marginalized section of the society as well as institutional support for Nepal Bar Association and Legal Aid System of Nepal.

Photos of various activities

Meeting between NBA, NBA interns and RoLHR
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English language class at Kathmandu
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English Language Class in Nepalgunj
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Internship Monitoring at Biratnagar

English Language class at Biratnagar
Criminal Legal Aid Lawyers Training at Sauraha, Chitwan
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Professional Capacity Development Training for Legal Aid Lawyers in Criminal Cases, Dhangadi
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Professional Capacity Development Training for Civil Legal Aid Lawyers, Illam
Refresher Training of Legal Internship Batch III
Closing ceremony of Legal Internship Program
Professional Capacity Enhancement Training for Criminal Legal Aid Lawyers, Surkhet
Professional Capacity Enhancement Training Program for Civil Legal Aid Lawyers, Dang
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Professional Capacity Enhancement Training for Civil Legal Aid lawyers, Kavre, Kathmandu
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Professional Capacity Development Training Program, Baglunj
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