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Taking Action for Justice:

The Justice for All Movement and the Open Government Partnership

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PATHFINDERS

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Introduction

Since the adoption of the SDG goals and targets that call for justice for all by 2030, the global justice community has demonstrated that through collaboration and partnership, action on justice can grow. This has been particularly true in efforts to advance national action on justice through the [Open Government Partnership](#) (OGP), which was recognized by the [Task Force on Justice](#) as a platform that can accelerate efforts to strengthen justice provision and further recognized in the [Shared Strategy for 2020-2023](#) as a mechanism to develop ambitious and transformative action.

This paper takes a closer look at how such collaboration and partnership since 2019 has made justice one of the most popular policy areas for new commitments across OGP and presents the justice commitments that have been put forward by OGP members. It concludes with some reflections on why actors from government and civil society have found success in advancing action on justice through OGP and the hope that others will be inspired to do the same.



Background

The [Open Government Partnership](#) (OGP) provides an opportunity for government and civil society reformers to make government more transparent, participatory, and accountable. Members have been working on justice since OGP's inception, but thanks to increased global activity around open justice and access to justice in recent years, there is growing interest by governments and civil society leaders to act on justice as a critical part of creating an open government and increase trust between states, communities, and people.

Much of the current global momentum around justice derives from its inclusion in the United Nations 2030 Agenda for Sustainable Development – marking the first time justice was placed on the international development agenda. Sustainable Development Goal (SDG) 16 makes it a global goal to provide access to justice for all by 2030—and target 16.3—calls on governments working with civil society, citizens, and the business community to, “Promote the rule of law at the national and international levels and ensure equal access to justice for all.”

This call has spurred efforts to increase access to justice within countries and across borders. Notably, at the time of the 2030 Agenda's adoption, the [OGP Steering Committee formally endorsed the use of OGP action plans to support the Sustainable Development Goals](#) through open government approaches. While OGP members have used their action plans to advance progress on justice-related priorities soon after the founding of OGP in 2011, SDG 16's call for equal justice has served as an accelerant for justice as a focus theme in OGP. In fact, nearly one quarter (23%) of all access to justice commitments reference the SDGs – primarily SDG 16.

Also in response to the momentum behind the inclusion of SDG 16, the [Pathfinders for Peaceful, Just and Inclusive Societies](#) launched the [Task Force on Justice](#) in 2018 to accelerate delivery of the

SDG targets for justice for all and energize the global movement for justice by creating a space for committed justice partners and experts across all sectors to come together. This increase in activity culminated in 2019—the Year of Justice—when the UN’s High-Level Political Forum on Sustainable Development reviewed SDG 16 for the first time. That milestone was the impetus behind the release of the Task Force’s Justice for All [report](#) calling for more national action to advance people-centered justice, including through OGP Action Plans.

The *Justice for All* report sets out a strategy that shifts the focus of the justice sector from buildings, institutions, and procedures to people and the justice problems that they encounter. The report makes the point that access to justice should be understood as the ability of people to resolve and prevent their justice problems, and participate fully in society and the economy. This requires a different approach from government and civil society justice actors than conventional access to justice strategies. Making this shift is critical to strengthening the bonds that hold our societies together, increasing trust between states, communities, as well as people, and building open governments that are effective, deliver for people, and build more peaceful, just, and inclusive societies.

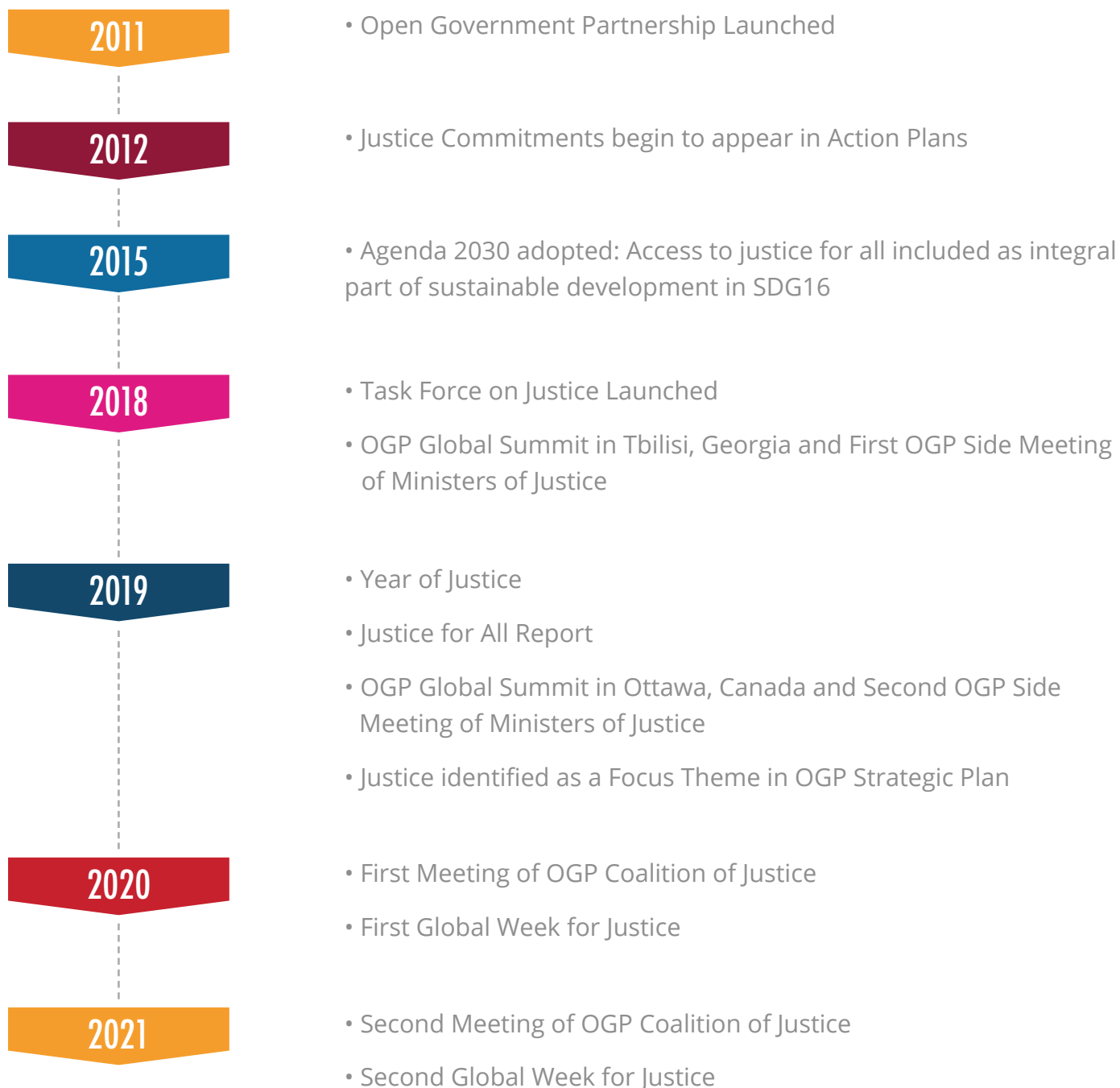
At the same time that the Task Force for Justice was finalizing this vision, OGP was developing its draft [Implementation Plan](#) (finalized in 2020), which identified justice as a thematic priority for the partnership. That year, at the OGP Summit in Ottawa, Canada, OGP also announced the formal creation of the [OGP Coalition on Justice](#).

As a result of this combined activity and since that time, the Pathfinders for Peaceful, Just and Inclusive Societies and OGP have partnered more closely to support governments and civil society organizations that are working to advance people-centered justice through OGP Action Plans. This includes providing technical assistance and guidance as members endeavor to develop new, impactful justice commitments; arranging peer exchanges with other national or local members or civil society organizations; organizing learnings at the regional level through webinars; and hosting global exchanges, such as Ministerial and OGP Coalition on Justice meetings. As a result, more people-centered justice commitments have been included in member action plans – as captured in the below charts.

Through this work it is becoming increasingly clear that putting people at the center of justice and transforming the justice sector to deliver for all, not the few, is essential to making government more transparent, participatory, and accountable.

Indeed, justice has become one of the most popular policy areas for new commitments across OGP and [justice commitments are often found by OGP’s Independent Reporting Mechanism \(IRM\) to be highly impactful](#). Importantly, these new commitments have also tracked the Task Force on Justice’s agenda for national action, as captured below – namely action that aims to: (1) resolve the justice problems that matter most to people; (2) prevent justice problems and create opportunities for people to participate fully in their societies and economies; and (3) invest in justice systems and institutions that work for people and that are equipped to respond to their need for justice.

Growth of Justice Commitments in OGP



OGP justice commitments have sought to respond to people's legal needs, particularly of individuals coming from underserved and marginalized communities. People encounter justice problems in nearly every aspect of life, such as securing health care, employment, education, and housing, and living in safety. [Research indicates](#) that when these problems surface, people often perceive the problem as "bad luck" and seldom recognize that there may be a legal solution available to them. And if they do try to resolve their justice problems, they may be met by opaque legal processes, limited, inadequate, or unaffordable legal help, and sometimes even discriminatory practices that prevent them from obtaining equal access to justice. In short, they are met by wholly inadequate justice systems that do not aid them in resolving

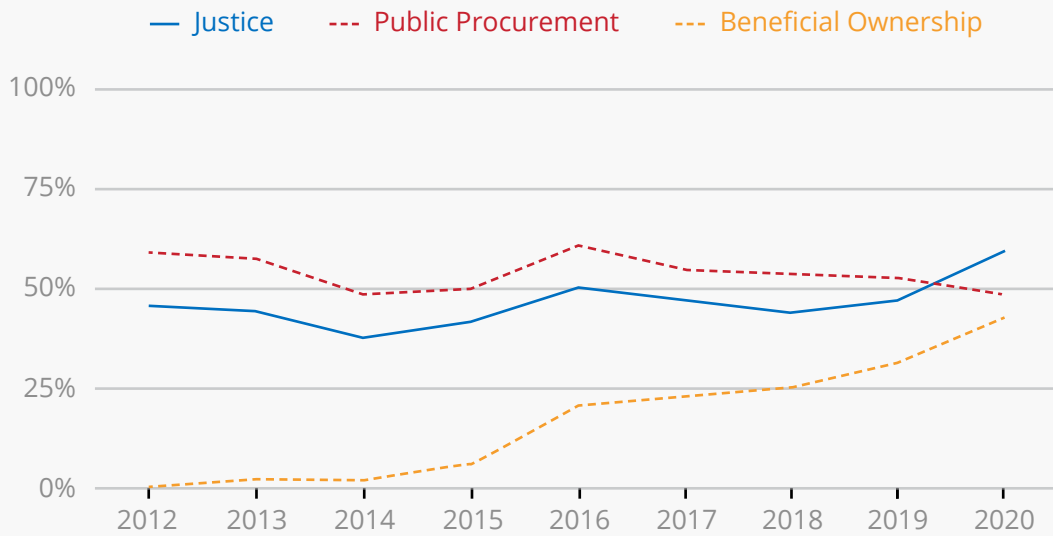
their justice problems effectively and fairly. Recognizing that these challenges inhibit a truly open government with **transparent** laws and legal processes that allow **citizens** to hold their governments **accountable** when, for example, public benefits are erroneously denied or they are wrongfully charged with a crime, a number of OGP members have put forward people-centered justice commitments to address barriers to justice and systemic problems. Such commitments include ones to increase citizens' **legal empowerment by creating greater transparency in legal processes and increase citizen participation around justice processes** in [South Africa](#) and [Mongolia](#); others endeavor to increase **access to legal aid, critical to holding government accountable through judicial and administrative forums**, like those advanced by the [United States](#), [Indonesia](#), and [Albania](#); while others **improve or streamline justice processes, also critical to ensure public accountability**, as in [Bulgaria](#). Such commitments, which are aimed at improving the justice journey of individuals with legal need, have demonstrated the power of OGP to improve legal outcomes for citizens.

OGP members have also consistently prioritized the importance of open justice systems. Justice system actors that are more transparent and accountable to citizens can serve as a first step to addressing issues of fairness and independence. They also make justice systems more legitimate in the eyes of citizens. Opening the justice system requires proactive work on the part of many actors, including courts ([Colombia](#)), police ([United States](#)), prosecutors ([Slovak Republic](#)), legal aid providers ([Sierra Leone](#)), pretrial services ([Mexico](#)), ombudsman institutes ([the Netherlands](#)), and corrections ([Italy](#)).

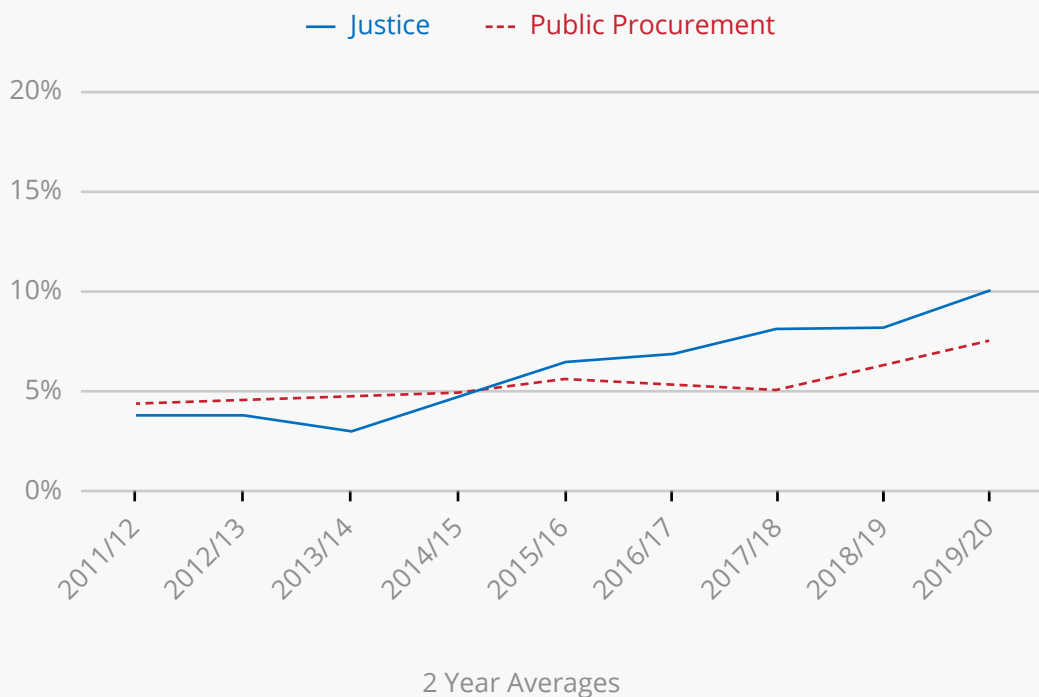
In recent years, OGP members have been confronted by the interlocking crises stemming from the impact of the pandemic on health, economic uncertainty, climate change, gender inequality, and racial inequality, all on top of a 14-year decline in civil and political freedoms that underpin democracy. Indeed, as the pandemic deepened existing inequities and injustices across the globe including in justice systems, members have been presented with a rare moment in which they can recast complex legal processes ill-suited for adaptability into people-centered ones that can be flexible to suit the needs of the time. Justice actors can play a critical role in responding to the [public health emergency](#), recovering from the [economic crisis](#), and reimagining the [social contract in peril](#).

Open government approaches rooted in creating systems and policies that are more open, accessible, and accountable to all can be a critical part of the solution to the problems exacerbated by the pandemic. Future study will make clear the full impact of the pandemic – not only on increasing justice problems and legal need, but in creating opportunity and political courage for reform.

Percent of Members Implementing at Least 1 Commitment

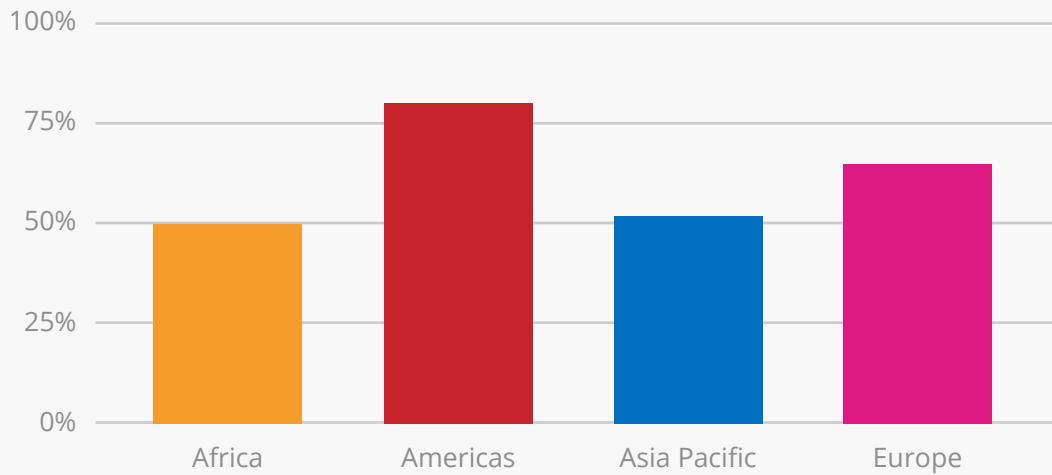


Justice as a Percent of All Commitments



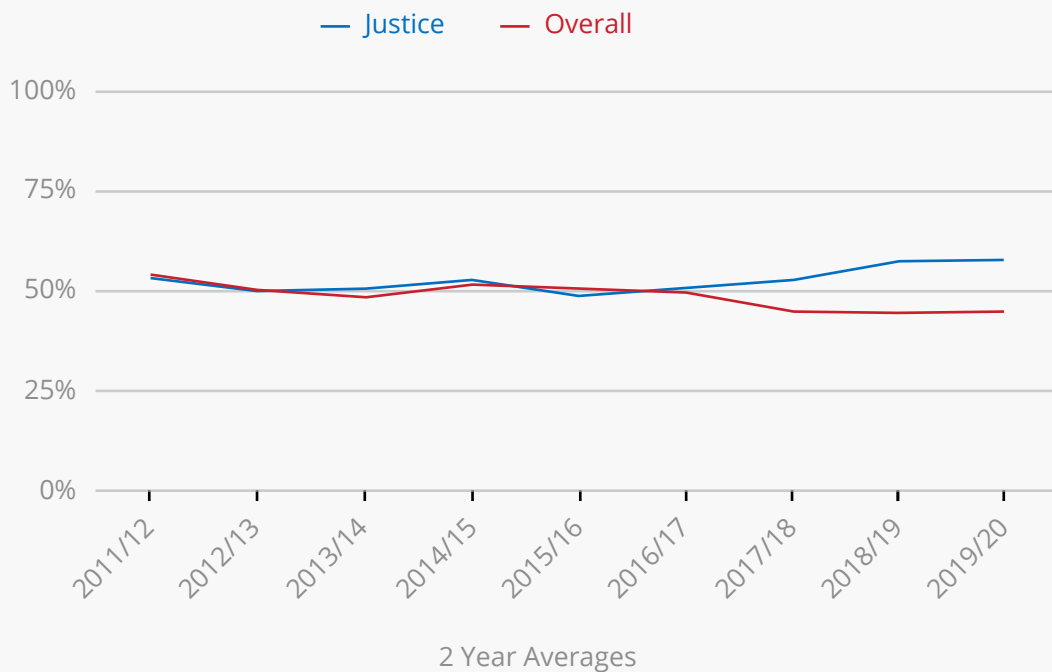
Justice is one of the more popular thematic areas for OGP members with more OGP members implementing justice commitments than any other thematic priority area like public procurement (prioritized around the same time as justice) or beneficial ownership.

Percent of Members with Justice Commitments per Region



Time period: 2011-2021. OGP members from the Americas lead on including justice commitments in their Action Plans followed by members from Europe, Asia Pacific, and Africa, in that order.

Percent of Ambitious Justice Commitments



The OGP Independent Reporting Mechanism has found justice commitments to be ambitious at a higher rate than all commitments overall.

Task Force on Justice's Agenda for National Action and OGP's Justice Commitments

Since 2019, OGP Members' inclusion of people-centered justice commitments has increased. While the majority remain in the larger area of open justice, the increase in commitments can also be conceptualized using the Task Force on Justice's agenda for national action:

1. Resolve the justice problems that matter most to people

- Understand justice problems through regular surveys that draw on international standards and guidelines, and improve the availability and quality of data on the needs of women, children, and vulnerable groups.
- Empower people and communities to seek justice, recognizing grassroots justice defenders, financing them in ways that respect their independence, and protecting them from violence and coercion.
- Provide access to people-centered justice services that draw on the best evidence of what works, while making justice providers accountable for delivering fair outcomes that help close the justice gap.
- Use cost-effective alternatives to help people resolve disputes and gain redress when they are victims of violence and crime, reserving punitive measures and formal court proceedings for the most serious cases.



Africa



Burkina Faso

[Access to Justice for Vulnerable People](#) (BF0020; 2019)

Expand eligibility criteria for legal assistance, increase funding for legal aid fund, and host awareness sessions and trainings for system actors.



Kenya

[Implement legislation to increase access to justice](#) (KE0030; 2020)

Increase citizen participation in justice delivery while promoting transparency and accountability in the local alternative justice structures and expand legal aid through online court proceedings and advocate for increased financing for legal aid services.



Senegal

[Improving Citizens' Local Access to Justice](#) (SN0008; 2021)

Establish ten houses of justice to increase citizen awareness of the advantages of local justice, such as recourse to alternative methods of settling social conflicts, access to information on rights, accessibility to conflicts solving mechanisms, and flexibility of procedures.



Sierra Leone

[Expanding Community-Based Justice Services](#) (SL0022; 2019)

Expand community-based justice services and increase transparency in local level structures, including through the establishment of an Access to Justice Directorate in the Ministry of Justice and a Justice Innovation Centre. Expand the reach of the Legal Assistance Fund to include legal aid funding for paralegal assistance to communities in negotiation with large scale land investors.

Americas



Argentina

[Legal Needs Survey](#) (AR0083; 2019)

Collect evidence on people's legal needs through unmet legal needs survey and publish results in open formats to help design new mechanisms of access to justice.



Ecuador

[Escazu Implementation](#) (EC0004; 2019)

Strengthen existing environmental governance mechanisms through compliance with the guidelines and implementation of the Escazú Agreement.



Peru

[Enable Digital Police Reports and Services](#) (PE0098; 2019)

Create mechanism to allow citizens to file a police report virtually, without any formalities or demands to appear in-person. Likewise, allow citizens to obtain virtually copies of police reports.

[Awareness-Raising and Dialogue with Citizens on Justice](#) (PE0100; 2019)

Launch awareness campaigns for citizens on the role of the administration of justice.

Asia Pacific



Indonesia

[Develop open legal aid information portal](#) (ID0117; 2020)

Develop legal aid information portal containing real-time data and easily accessible to the public.

[Expand capacity of legal aid services](#) (ID0118; 2020)

Expand access and capacity of legal aid services by establishing Legal Aid Organization in rural communities.

[Provide legal aid to vulnerable groups](#) (ID0119; 2020)

Include vulnerable groups, such as victims of gender-based violence, in legal aid schemes.

[Ensure access to legal aid information](#) (ID0120; 2020)

Improve access to public information in dispute processes, especially for indigenous communities.

[Involve civil society in Truth and Reconciliation Commission \(TRC\) Bill](#) (ID0126; 2020)

Include civil society in the development of a TRC bill.

[Promote civic space in restorative justice efforts](#) (ID0128; 2020)

Ensure civil society participation in developing a roadmap for restorative justice so that community members can safeguard their rights.



Mongolia

[Increase Public Legal Knowledge](#) (MN0040; 2019)

Develop legal education programs taking into account the needs of the community, establish a "Legal Guide" system, and improve access to information on the rights of citizens with special needs.

Europe



Albania

[Establish directorate to improve citizens' access to legal aid](#) (AL0070; 2020)

Establish a directorate dedicated to improving citizens' access to quality state guaranteed legal aid resources.



Spain

[Increase access to and comprehension of legal knowledge](#) (ES0088; 2020)

Update and simplify the Open Government framework to help citizens better understand the administrative activity and make new principles of administration action more effective.

2. Prevent justice problems and create opportunities for people to participate fully in their societies and economies

- Make the shift to prevention through strategies that increase justice for communities and societies, and are implemented in partnership between the justice system and other sectors.
- Promote trust in justice systems by increasing independence, impartiality, and integrity, implementing strategies to combat corruption and abuse, and ensuring independent oversight.
- Tackle the root causes of injustice, using data from individual cases to address structural injustices, providing universal access to identity and legal documents, and helping people create and register legal agreements.
- Use the law to reduce risk, by strengthening the legislative framework for violence prevention and non-discrimination, and through laws and regulations that address grievances or make it less likely disputes will arise.



Africa



Liberia

[Extend capacity and transparency of judicial system](#) (LR0039; 2020)

Create jury management offices and increase citizen engagement by training them to serve as jurors.

[Promote integrity within institutions and schools](#) (LR0040; 2020)

Create a legal framework to establish guidelines for public officials' integrity and accountability, including by supporting the development of an anti-corruption court.



Nigeria

[Implement Permanent Dialogue Mechanism](#) (NG0025; 2019)

Implement Permanent Dialogue Mechanism (PDM), which recognizes that citizens play a critical role in advocating and helping to make public institutions more transparent, accountable, and innovative.

[Freedom of Association, Assembly, and Expression](#) (NG0027; 2019)

Ensures that citizens and citizen organizations can inform and influence government policies and actions through their freedom to associate, assemble, and express themselves freely – thereby encouraging ongoing partnership between the public, private, and third sector.



Senegal

[Adoption of legislation on the right to information](#) (SN0001; 2021)

Enact the Access to Information Act and its subsequent laws and specify the scope of the right of access to information and the methods of its implementation; offer citizens administrative and judicial remedies to ensure that this right is respected; and establish an independent administrative authority to promote and protect the right of access to information.

Americas



Argentina

[Public Information on Human Trafficking](#) (AR0084; 2019)

Guarantee access to public information on human trafficking so that it ensures an innovative and open approach to the justice system, including through statistical data, policies to assist and support victims of human trafficking, and the development of areas of dialogue with civil society.

[Transparency of the National Judicial Council](#) (AR0086; 2019)

Strengthen and consolidate the open data process led by the Council of the Judiciary by identifying new actions and expanding data, tools, and resources available in the Transparency and Citizen Participation Portal.

[Federalization of the Micaela Law](#) (AR0091; 2019)

Adopt federal law on femicide in the provinces and provide appropriate training.



Chile

[Human Rights and Open Justice](#) (CL0067; 2020)

Creation of an Observatory for the Criminal Defense of Human Rights to provide greater access to information and carry out civic-legal education for the public to raise awareness about human rights.

[Open Justice in the Judiciary](#) (CL0068; 2020)

Adopt new open government framework for judiciary's engagement with the public.



Colombia

[Transparency and accountability in the Council of State](#) (CO0095; 2020)

Develop and implement technology tools to provide strategic and targeted information to citizens on the Council of State decisions and expand citizen participation in the Council's accountability processes.

[Digital transformation for Constitutional Court procedures](#) (CO0096; 2020)

Implement digital and technological tools for the Constitutional Court to strengthen access to information, transparency in management, and citizen participation.



Costa Rica

[Develop the Judicial Observatory System](#) (CR0066; 2019)

Design and launch a platform that shows statistics and judicial indicators by judicial office and that is georeferenced.



Mexico

[Open Platform for Public Security Information](#) (MX0080; 2019)

Create a single, public, and interoperable platform that consolidates and discloses transparent national-level information on security, justice, and peace, including citizen participation mechanisms to improve decision-making and accountability.

Nariño, Colombia

[Community Water Management and Planning](#) (NR0002; 2019)

Create tools for the strengthening of community organizations in their exercise of administration and defense of water through collecting and disseminating data on water, training communities on justice processes for the protection of natural resources, including water, and organizing related events.

Peru

[Strengthen the National Register of Lawyers Sanctioned for Poor Professional Practices](#) (PE0101; 2019) Strengthen the digital platform that makes public the names of lawyers who are sanctioned for poor professional conduct transparent and in a language that is easy and accessible to the public. Carry out awareness raising campaign about the platform as a means to both to lodge complaints and check the status of a lawyer.

Asia Pacific

Azerbaijan

[Electronic Public Services](#) (AZ0054; 2020)

Develop electronic documents portal to obtain and submit documents required to obtain public services.

Europe

Albania

[Publish more accessible and transparent information on Ministry of Justice website](#) (AL0071; 2020) Improve transparency and accountability through an official website of the Ministry of Justice that citizens can use to obtain documents of interest to citizens in formats that are easily understood by citizens and an improved internal reporting framework.

Czech Republic

[Publish lower court decisions online](#) (CZ0030; 2020)

Publish online final substantive decisions of high, regional, and district courts and increase the categories of published decisions.

Denmark

[Anonymous Whistleblower Portals for Justice System Employees](#) (DK0070; 2019)

Establish a whistle-blower scheme for employees and partners of the prosecutions service, the police, the Danish Security and Intelligence Service, the prison service, and the Ministry of Justice. The information can be reported through an online anonymous portal.



[Open Justice Data](#) (GR0073; 2019)

Data from the Ministry of Justice, Transparency and Human Rights and its supervised entities will be made available for re-use in order to contribute to the development and participation of citizens.



[Open Data](#) (LV0041; 2019)

In cooperation with data set holders and members of the public, data will be made public in certain areas including court administration – such as court work, speed of cases, instances and categories of cases, and the work of judges.



[Building better public services for all with open justice data standards](#) (NL0051; 2020)

By 2025, publish all complaints about public services as open data and based on a common standard, throughout the Netherlands, by the Dutch National Ombudsman, local Ombuds institutes and all other public entities that have complaints mechanisms, in line with the new Open Government Act



[Promote rights of citizens belonging to national minorities](#) (RO0073; 2020)

Launch an online and social media campaign on the rights of citizens belonging to national minorities. Simultaneously, improve data collection on these groups.

3. Invest in justice systems and institutions that work for people and that are equipped to respond to their need for justice

- Use data and evidence to steer justice reform, increasing awareness of unmet need, providing open access to data as a platform for partnerships and accountability, and informing policies and programs with evidence of what works.
- Unlock the transformative power of innovation, opening justice systems up to new actors and ideas, creating a supportive regulatory environment, and assessing the impact of innovation in closing the justice gap.
- Implement strategies for smarter justice financing, taking the case for investment in justice to national levels, developing a national roadmap for financing justice for all, and accessing new sources of funding.
- Build more coherent and inclusive justice systems, by supporting the people who provide justice, increasing diversity and the representation of women at all levels, and exploring new governance models, and promoting shared standards for all parts of the system.



Africa



Burkina Faso

[Implement Community Policing](#) (BF0014; 2019)

Strengthen the security system through community participation to ensure better protection of people and goods by involving the communities served.



Sierra Leone

[Advancing Gender Equality](#) (SL0027; 2019)

Minimize incidences of gender-based violence and strengthen mechanisms that protect women and children; enhance their access to justice through improved knowledge of their rights, legal reforms, and increasing the capacity of law enforcement agencies; improve women's access to political leadership and decision-making at all levels; encourage sectorial ministries to ensure the integration of gender-oriented goals into fiscal policies, processes, and programs and meaningful resource allocation.

Americas



Argentina

[Federal Penitentiary Diagnosis](#) (AR0088; 2019)

Implement a National Penitentiary Diagnosis of all the detention centers that make up the Federal Penitentiary Service through the design, development, and implementation of a collaborative and reusable methodology.



Austin, United States

[Public Safety Data Analysis](#) (AUS0009; 2019)

Foster transparency and civic participation by increasing usefulness and usability of the police arrest data made available on Austin's city open data portal.

[Inclusion in Court Contracting](#) (AUS0007; 2019)

Foster transparency, accountability, and civic participation by co-creating strategies to maximize the community court end-user's experience in services purchased on their behalf.



Jalisco, Mexico

[New Model for Judge Selection](#) (JAL0010; 2019)

Establish new model for judge selection.



Peru

[Multilingual Call Operators for Police Services](#) (PE0097; 2019)

Strengthen the services of the Single Complaint Center and the National Police of Peru through an intercultural approach and measuring citizen satisfaction.

[Citizen Security Open Data](#) (PE0099; 2019)

Improve the National Citizen Security Observatory with better quality information as a result of the interoperability of databases of the National Police of Peru, the National Institute of Statistics and Information, the Ministry of the Interior, and other institutions through digitizing spreadsheets and providing remote training for police personnel to enter reliable information.

Asia Pacific



Philippines

[Labor Inclusivity and Dispute Resolution](#) (PH0063; 2019)

Ensure government, labor, and employers are engaged in social dialogue through representation in decision and policy-making bodies of the government, particularly in the National and Regional Tripartite Industrial Peace Councils.



Committing to *More* Justice

The Open Government Partnership provides policymakers with a global lever to accomplish their domestic agenda. For reformers interested in using OGP to advance people-centered justice within their borders, OGP also comes with a ready made [coalition](#) of peers from all sectors of society across the globe ready to encourage and guide each other. Critically, not only has this engagement provided opportunities to showcase domestic successes and best practices with peers, it has also created opportunities for honest dialogue when reformers have shared the difficulties they encounter in designing or implementing commitments around people-centered justice.

The justice commitments catalogued in the pages above have the potential to make real and lasting change for the individuals they are designed to help, if implemented robustly. But their impact can extend even farther if they inspire other OGP members to develop justice commitments in future action plans. Indeed, that is one of the key strengths of the OGP community: the ability to inspire one another to commit to *more* justice.

The Pathfinders for Peaceful, Just and Inclusive Societies is a group of countries, international organizations, global partnerships, civil society, and the private sector that work to accelerate the delivery of the SDG targets for peace, justice and inclusion (SDG16+). Pathfinders is hosted by the NYU Center on International Cooperation.

Prepared in collaboration with the Open Government Partnership



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