

# Justice Fact Sheet

## KEY TAKEAWAYS

- ✓ For members of the [Open Government Partnership \(OGP\)](#), justice is a popular policy area for reform that has become an even greater priority in recent years.
- ✓ Justice commitments are often highly effective, particularly those related to open justice.
- ✓ Going forward, OGP members should aim to expand access to legal services beyond formal institutions and broaden their focus beyond the courts to areas like policing and prisons.

## WHY JUSTICE?

Investing in open and accessible justice institutions allows citizens to better defend their rights, demand access to public services, and protect their ability to participate in democratic processes. In many countries, citizens may be met by opaque legal processes, unaffordable legal help, or discriminatory practices that prevent them from obtaining equal access to justice. Issues of judicial fairness and independence must also be addressed through increased transparency and accountability. While members have made commitments to advance progress on justice-related priorities since the founding of OGP in 2011, this has increased since the adoption of the UN Sustainable Development Agenda and the emphasis on Goal 16's call for equal justice for all.

## STATUS QUO

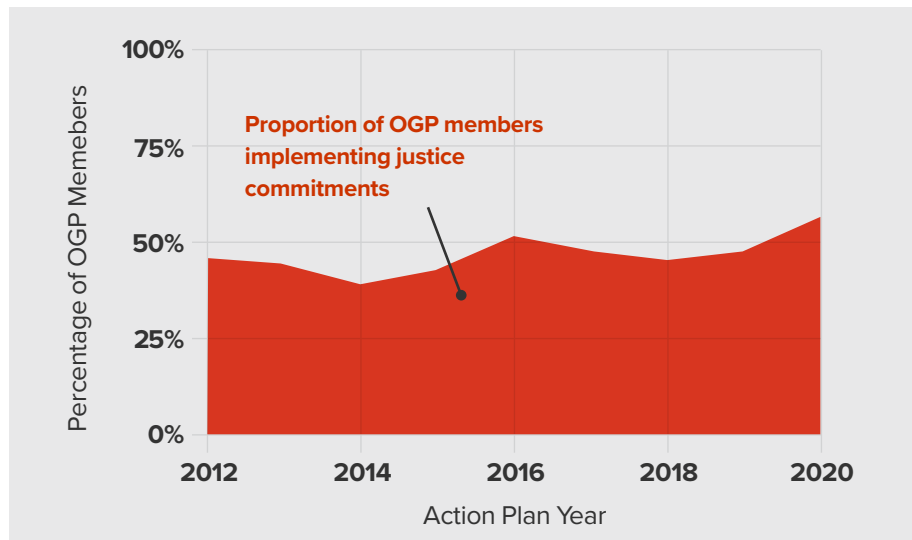
- **Justice needs aren't being met.** [Globally](#), 1.5 billion people at any one time cannot resolve their justice problems. Specifically, [half of justice needs](#) in OGP countries ended in unsatisfactory outcomes through 2017 and 2018.
- **Commitments focus on open justice.** More than half of all justice commitments focus on transparency and accountability reforms that make the justice system more open. Open justice commitments tend to be more effective than other justice commitments.
- **Judiciaries are becoming more involved.** Judiciaries are becoming the lead implementing institutions for justice commitments in a growing number of countries. Nearly a quarter of 2020 justice commitments are being implemented primarily by judiciaries.

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Commitment data analyzes all commitments through the 2020 action plan cycle. As of 2020, OGP consisted of 98 national and local members.

## COMMITMENT PROGRESS

Justice has been a consistently popular policy area among OGP members (see figure below). Currently, 28 OGP members are implementing justice commitments from their 2019 or 2020 action plans. Altogether, 63 members have made 264 justice commitments since OGP was established in 2011.



## WHAT ARE OGP MEMBERS DOING?

- Improving the openness of the justice system
- Strengthening legal empowerment of citizens and improving access to criminal and civil legal aid
- Using the justice system to enforce open government and ensure the rule of law

## WHERE TO NEXT

The following recommendations summarize key actions for OGP members to implement:

### Access to Justice

- Measure legal needs and resource availability using surveys, and publish the results.
- Improve legal capability by improving access to information on legal resources and supporting alternatives to courts.
- Ensure access to legal help by expanding legal aid, especially in underserved communities.
- Strengthen justice processes through plain language initiatives, specialized courts, and judicial training.
- Continuously evaluate justice outcomes, especially of high-priority areas and populations.

### Open Justice

- Publish accessible and standardized court data, including case information and operational measurements.
- Ensure transparency of judicial appointments, and take steps to ensure judicial accountability and independence.
- To improve quality of legal aid, train providers, publicize means test for eligibility, report annually on access, and make budgets transparent.

### Justice as a Means to Enforce Open Government

- Ensure grievance mechanisms exist and are open and accessible for all procedural and substantive rights.
- Train justice sector officials regularly on how to evaluate cases on issues with which they might be unfamiliar, including right to information, tax and equity, and climate change and environmental issues.

## NOTABLE COMMITMENTS

### Recent Results


 **Colombia - Increasing Transparency and Monitoring of Court Processes (2015, 2017)**

Through a 2015 OGP commitment, Colombia's Transparency and Accountability Commission began publishing court data and information, including court memoranda and decisions, information about the court's officials, and the court's agenda. The Council of State also published procedural manuals for a variety of court processes, such as the tutela, a constitutional rights protection claim available to all citizens. Through their subsequent action plan, the Council of State implemented digital tools that allow citizens to monitor the magistrate election process, submit complaints and claims online, and view documentation of court processes and requirements.

 **Slovak Republic - Ensuring Independence of the Judiciary (2017)**

The Slovak Republic used its 2017 action plan to help address weak judicial independence and a lack of public trust in judicial decisions. The country passed legislation that standardized selection procedures for judicial officials and established a committee that will oversee such processes in the future. Information about these procedures – including lists of candidates and their résumés – is now publicly available online, which allows for public scrutiny of the candidates as well. Over time, reforms like this one can help build public trust in judicial institutions.

### Commitments to Watch

 **Kenya - Systematizing Alternative Justice Systems (2020)**  
Kenya's 2020 commitment seeks to improve citizens' access to justice by increasing access to alternative or informal justice institutions and processes. Specifically, Kenya plans to pilot the systemization of informal justice services and link them to the formal court system when necessary. The Alternative Justice Systems policy and increased technological capacities for legal aid will allow for more timely and efficient resolution of disputes for a majority of Kenyans who still cannot access the formal courts.

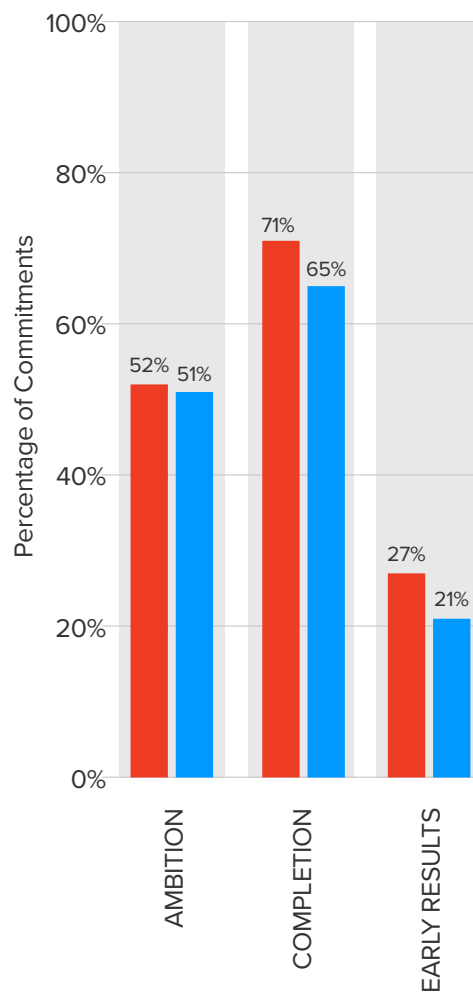
 **Indonesia - Expanding Access to Justice for Marginalized Groups (2020 - [Commitment 6](#), [Commitment 7](#), [Commitment 9](#))**

In their 2020 action plan, Indonesia made a series of commitments to expand access to justice. The first focuses on implementing regulations for accommodating persons with disabilities at every stage of the judicial process. The other two commitments support the expansion of legal aid through an accessible, real-time information portal and updating policies and training for providers to improve legal aid provision for marginalized groups and genders.

## IRM QUICK STATS

According to OGP's Independent Reporting Mechanism (IRM), justice commitments are completed at a slightly higher rate than the global average, and perform similarly to the global average on ambition and early results.

### Commitment Performance



 Justice commitments

 All OGP commitments

*Ambition - Ambitious commitments are those that the IRM finds would make transformative changes if fully implemented.*

*Early Results - Strong early results indicate the commitment made significant improvements to government openness.*