

## Justice

### OGP as a Venue for Justice Reform

The justice system is one of the primary ways members of the public protect their rights and hold their governments to account. Yet, according to research from the World Justice Project, two-thirds of the world's population lack meaningful access to justice.<sup>1</sup> OGP provides a platform for countries to make policy and legal changes that can begin to reduce this number. Specifically, OGP commitments improve justice delivery by focusing on three main areas:

**Access to justice:** Although people encounter justice problems in nearly every aspect of life, they often do not recognize that there may be a legal solution. If they do try to resolve their problem using the justice system, they may be met with inadequate or unaffordable legal help or discriminatory practices that prevent them from obtaining equal access to justice. OGP commitments on access to justice address these systemic problems.

**Open justice:** Justice system actors that are more transparent and accountable to citizens can be a first step to addressing issues of fairness and independence. They also make justice systems more legitimate in the eyes of citizens.

**Justice for open government:** In addition to being the subject of open government reform, the justice system itself can protect open government by safeguarding and enforcing substantive and procedural rights. Governments that invest in building fair and effective justice institutions can more successfully preserve open and accountable governance.

### Trajectory in OGP

Justice was slow to emerge as a common area of work in OGP with only a few OGP members using their action plans to advance justice reform in the early years of OGP. However, justice-related commitments have increased in frequency dramatically over the last several years. Today, justice is one of the most popular topics among OGP commitments. Since OGP was founded, 63 OGP members have made 267 justice-related commitments, making justice OGP's seventh-most common policy area.

This growth is enabled by greater global dialogue around justice after the adoption of the UN Sustainable Development Agenda in 2015 and the inclusion of Goal 16's call for equal justice for all. At the same time, the COVID-19 pandemic has exacerbated the already unequal provision of government services and compounding revelations of police brutality illustrate widespread discrimination and abuse of force. These troubling realities have brought persistent inequities in justice provision to the top of policy agendas.

To help build this momentum, OGP's partners, the Steering Committee, and the Support Unit have supported members as they develop new, impactful justice commitments and created opportunities for peer exchange on justice activity with other global justice leaders. The resulting commitments by OGP members cover diverse topics and aspects of the justice system.

#### About OGP and this series

In 2011, government leaders and civil society advocates came together to create a unique partnership—one that combines these powerful forces to promote transparent, participatory, inclusive and accountable governance. As the Open Government Partnership (OGP) completes 10 years, this series of thematic snapshots provide a glimpse how policy areas have advanced, as accelerated by the OGP platform and a growing global community of reformers in governments, civil society, business, media and international organizations.



# How OGP Supports Justice Reform

## Securing Commitments and Supporting Implementation

Within OGP, approaches to justice at the national level generally fall into three categories: access to justice, open justice, and justice for open government.

**Access to justice:** A number of OGP members have put forward people-centered justice commitments to address barriers and systemic problems. Examples include ones to increase citizens' legal empowerment in [South Africa](#) and [Mongolia](#) by improving transparency around legal processes. Others endeavour to increase access to legal aid like those advanced by the [United States](#), [Indonesia](#), [The Republic of North Macedonia](#), and [Albania](#), while others improve or streamline justice processes like in [Bulgaria](#). Such commitments demonstrate the power of OGP's global platform and domestically-owned action plans to improve legal outcomes for citizens.

**Open justice:** Every justice system institution should operate in a transparent and open manner, creating opportunities for citizens to observe their performance and hold officials accountable for malfeasance after a fair and independent review. OGP members have consistently prioritized the importance of open justice systems. 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](#)), and corrections ([Italy](#)).<sup>2</sup> Other OGP members have committed to transparency and accountability throughout the justice system as a whole. For example, [Buenos Aires, Argentina](#) launched the Open Justice and Innovation Lab (JusLab) for co-creation and collaboration on open justice reforms. The creators of JusLab are also part of the [OGP Leaders' Network](#), an initiative designed to showcase innovative reforms.

**Justice for open government:** The percentage of OGP commitments that explicitly name some means of ensuring accountability for government action (or inaction) has remained low. Still, some OGP members such as [Nigeria](#) have developed commitments where justice institutions are leading on improving compliance of institutions with the Freedom of Information Act. [Tunisia](#) established an independent public authority to hear appeals of denials of right to information. Separately, [Ecuador](#) is working to improve citizens' access to accountability institutions through a commitment to implement the Escazu Agreement, a groundbreaking regional treaty that requires signatories to provide access to environmental justice to all people. [Georgia](#) has made its electoral administration more participatory and accountable.

## Building Global Networks to Support National Action

The OGP Support Unit assists its members in making impactful reforms by connecting them to peers and technical experts from around the world to inspire and learn from each other. This support is possible thanks to the global networks and partnerships focused on justice reform that OGP has helped build. For example, the [OGP Coalition on Justice](#) is a group of OGP governments, civil society organizations, private sector actors, and multilateral organizations advancing a people-centered approach to justice. The coalition meets regularly to discuss specific topics at the intersection of justice and open government. It also facilitates bilateral peer exchanges between members working on similar issues, such as an exchange between Canada and Senegal in 2020, and Canada

and the Netherlands in 2021.

## Cultivating Regional Coalitions

In addition to global dialogue, OGP also advances justice exchanges at the regional level, providing a space for high-level political leadership, government reformers, civil society advocates, and representatives from justice institutions to share successes and challenges. In 2020, justice-related virtual exchanges were held in West Africa, the Asia-Pacific region, and Latin America. In 2021, the OGP Support Unit organized a peer exchange to inspire members in Africa and the Middle East as they began co-creating new action plans.

## Looking Ahead

**Deepening partnerships:** In supporting members to make evidence-based and people-centered justice reforms, OGP will continue to work closely with its partners, such as the Pathfinders for Peaceful, Just and Inclusive Societies, the Hague Institute for Innovation of Law, Namati, the Organisation for Economic Co-operation and Development, Open Society Justice Initiative, the UN Development Programme, the UN Office on Drugs and Crime, the World Justice Project, and the Red Internacional de Justicia Abierta (RIJA), among others.

**Promoting access to justice innovation:** In the area of access to justice, the OGP Support Unit, Steering Committee, and strategic partners will encourage members to consider action tied to: measuring legal need, increasing the legal empowerment of individuals and communities, improving access to well-funded sources of legal help, reforming justice systems to be more people-centered, and evaluating justice system outcomes.

**Involving new actors in open justice:** The OGP Support Unit, Steering Committee, and strategic partners will encourage members to consider ways to further open justice to institutions beyond courts. It will support members to improve transparency and accountability of law enforcement and criminal justice institutions, as part of a more open national justice system.

**Justice for open government:** The OGP Support Unit, Steering Committee, and strategic partners will encourage members to build and strengthen accountability institutions to safeguard the foundational elements of open government.

**Improving action plan co-creation and implementation:** Forthcoming OGP research, which looks across themes over the last ten years, shows that a strong and inclusive co-creation process leads to well-designed and more ambitious commitments. Importantly, research also shows that stronger results are achieved when collaboration continues through the implementation of reforms. The OGP Support Unit, Steering Committee, and strategic partners will help build stronger coalitions around domestic justice reform that will improve the reform's design and also contribute to better implementation and sustainability of reform.

### References

1 World Justice Project, [Measuring the Justice Gap: A People-Centered Assessment of Unmet Justice Needs Around the World](#). Washington, D.C., 2019.

2 For more on OGP's work supporting open justice, see the publications [Open Justice](#) and [Transparency and Accountability at the Frontlines of Justice](#).