

Post 2015 Shared Framework

EVENT SUMMARY

Access to Justice, Partnerships and Means of Implementation for Sustainable Development

24th April 2015 · United Nations, New York

On April 24th, the Permanent Mission of the Federal Democratic Republic of Nepal to the United Nations and the Open Society Foundations co-hosted a panel event to reaffirm the crucial link between access to justice and sustainable development, and the ways in which innovative partnerships might advance both. This event was held alongside the April 21-24th intergovernmental negotiations (on Means of Implementation and Global Partnership for Sustainable Development) for the Post-2015 Sustainable Development Agenda. H.E. Mrs. Sewa Lamsal Adhikari, Deputy Permanent Representative of Nepal to the United Nations, gave welcoming remarks, and four panelists from government and civil society gave brief presentations: Dr. Diani Sadia Wati, Director of Law and Regulation, Ministry of National Development Planning, Indonesia; Ms. Nomboniso Maqubela, Director, National Alliance for the Development of Community Advice Offices (NADCAO), South Africa; Ms. Maha Jweied, Deputy Director (Access to Justice Initiative), Department of Justice, United States; and Mr. Sushil Pyakurel, Chair, Alliance for Social Dialogue, Nepal.

The speakers highlighted the broad spectrum of access to justice issues that people in each country face: in Nepal, gender discrimination, violence against women, and lack of access to legal identity; in Indonesia, lack of access to public resources and basic rights; in South Africa, struggles to obtain basic entitlements and legal advice; and in the US, access to civil legal remedies. All of these issues fall under the rubric of Open Working Group Goal 16, and each speaker provided examples of how governments and civil society are already partnering to make progress towards the targets in Goal 16.

H.E. Mrs. Sewa Lamsal Adhikari discussed the steps that Nepal has already taken to address gender discrimination and violence against women. Nepal's House of Representatives passed a resolution requiring 30% participation by women at all levels of government. The Government has also established a National Women's Commission and a National Human Rights Commission to monitor these issues and the country's national plans for gender equality and women's empowerment. She emphasized that women's issues are cross-cutting ones, and that violence against women is not just an issue of law and order, but of the unequal distribution of power and wealth. Implementation of these progressive laws remains a challenge, and she called upon the international community and civil society to cooperate in implementing the new Sustainable Development Agenda.

Dr. Diani Sadia Wati described Indonesia's process of collaborative planning for access to justice and its national plan to target judicial reform, legal aid, land and natural resources, and good governance. Achievements so far include passing laws for child protection, legal aid for the poor, and the establishment of a juvenile justice system, as well as incorporating a national access to justice strategy into the national development planning process. Representatives of civil society organizations and local NGOs sit on each of the three working groups established to draft the national development plans. As part of the country's participation in UNDP pilot study on governance, Indonesia focused on public access to services, and included increased access to legal identity documents as an indicator. Through this process, the Indonesian government found that effective involvement of CSOs improves public communication and builds trust.

Ms. Nomboniso Maqubela provided a civil society perspective on increasing access to justice services. In South Africa, community advice offices play an important role connecting marginalized communities with justice services. They also link civil society and the government. While South Africa has one of the most progressive constitutions in the world (guaranteeing access to justice for all), the government has not been able to provide universal access to justice. With greater support and cooperation from the government, community advice offices, in collaboration with government, may help to fill the gaps.

Ms. Maha Jweid spoke about the connection between access to justice and anti-poverty initiatives in the US. Poor communities face the double challenge of inadequate access to justice services and insufficient knowledge of civil legal remedies. Legal aid saves money by creating efficiencies and lessening the burden on public resources. Accordingly, the Department of Justice has been finding ways to incorporate legal aid into existing anti-poverty programs, with an emphasis on civil access to justice.

Mr. Sushil Pyakurel described the Alliance for Social Dialogue's partnership approach to legal identity, in which state and non-state actors, (including a new civil society steering committee) make recommendations to the government. He called for meaningful collaboration between government and civil society.

In sum, the presentations and ensuing discussion affirmed that:

- **Government and civil society agree that access to justice is essential in securing broader development gains.**
- **Productive models for collaboration between government and civil society organizations already exist, and we should learn from them.**
- **We should use the opportunities created by the Sustainable Development Goals to expand and deepen innovative partnerships providing access to justice to those who need it most.**

For further information about this event please contact Betsy Apple, Advocacy Director, betsy.apple@opensocietyfoundations.org, or Aidan Harris, Advocacy Officer, aidan.harris@opensocietyfoundations.org, both at Open Society Justice Initiative.