FROM JUSTICE FOR THE FEW TO JUSTICE FORALL

A MODEL FOR HIGH-AMBITION ACTION TO DELIVER THE SDGS

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The scale and ambition of the new Agenda requires...an intensive global engagement in support of implementation of all the Goals and targets, bringing together Governments, the private sector, civil society, the United Nations system and other actors and mobilizing all available resources.

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Everything will be all right — you know when? When people, just people, stop thinking of the United Nations as a weird Picasso abstraction, and see it as a drawing they made themselves.

Dag Hammarskjöld, Former Secretary-General of the UN (1953-1961)

Building on its support for *Our Common Agenda*, the Secretary-General's vision for the future of global cooperation, the United Nations Foundation continues to explore new models for multilateralism as part of its mission to catalyze strategic innovations, collaborations, and coalitions to fill critical gaps in collective action.

Ahead of the second SDG Summit, this challenge paper explores the movement for people-centered justice and the lessons that can be learned for accelerated implementation of the 2030 Agenda for Sustainable Development.

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SDG AMBITION IN AN ERA OF CRISIS

When the world's leaders gathered at the UN in September last year, the UN Secretary-General warned them that the world was battling emergencies that threatened to overwhelm our capacity to respond. Geopolitical risks are dangerously high, while the erosion of the <u>social contract</u> in (most) countries is undermining the capacity of governments to work together to solve shared problems.

Crisis <u>can lead</u> to paralysis, while the reversal of progress on poverty and human development goals fuels pessimism about the world's ability to come together to tackle the most pressing issues confronting humanity. Perhaps the multilateral system is no longer able to create global public goods and the era of governments working together on shared goals has passed. Maybe calls to <u>rescue</u> the Sustainable Development Goals (SDGs) are quixotic and should be ignored.

We do not accept this is true. We are certainly now deep into a long crisis in which progress will be hard to achieve. The political conditions within countries — and between them — may favor zero-sum thinking over collective action. And a relentlessly negative media cycle traps us in a <u>fight-or-flight mode</u> which is not conducive to the search for creative solutions.

But beneath the surface, a fightback is underway, often triggered by or linked to global goals that some deride as impractical and utopian. For both climate and sustainable development, new coalitions are driving ambition and beginning to deliver results. While the picture may still be fragmented and messy, this distributed 'army of doers' is our best hope of demonstrating that interlocking crises can build resilience rather than destroy it. With the second <u>SDG Summit</u> fast approaching, the movement for people-centered justice exemplifies what has been achieved and what could be delivered during the second half of the 2030 Agenda. Since the goals were agreed — and *only* because of their existence — a new vision for justice for all has emerged, backed up by a practical agenda for transforming justice systems that were designed *only* ever to deliver for the few.

Ahead of the Summit, a network of countries and partners founded the Justice Action Coalition. At the Coalition's second meeting, ministers launched the <u>Justice Appeal 2023</u>, in which they call on all countries to make the pivot to people-centered justice, while setting out a series of 'asks' for the international system, justice professionals, grassroots justice defenders, young people, and funders.

In this challenge paper, we provide a brief history of the role of the SDGs in prompting a shift towards people-centered justice and explore the recipe that has shaped the Justice Action Coalition. We conclude with recommendations for how the people-centered justice movement can use the SDG Summit as a platform for acceleration in the second half of the 2030 Agenda.

Throughout the paper we identify lessons that can be learned from this model of high-ambition action to deliver the SDGs. To thrive, the global goals need to galvanize the doers — with the people-centered justice movement offering a powerful example of how this can be achieved.

MOBILIZING FOR PEOPLE-CENTERED JUSTICE

In contrast to the Millennium Development Goals, the 2030 Agenda embraced a universal ambition to deliver justice and fairness in people's lives, a radical shift given the role that injustice plays in undermining societies and the 1.5 billion people who have a criminal, civil, or administrative justice problem they cannot resolve.

The SDG targets for *justice for all* reignited global interest in the task of fixing justice systems, based on decades of evidence about the ineffectiveness of conventional rule of law approaches that are primarily focused on top-down reform of core justice institutions such as courts and the police.

As a <u>recent review</u> concluded, institutional reform has seldom delivered sustained and positive impact, but there is <u>growing evidence</u> of the cost effectiveness of delivering services that "start with and address people's justice needs."

The people-centered justice movement has been built on empirical foundations, brought together in the <u>Justice for All</u> report, using data on the <u>global justice</u> <u>gap</u>, evidence of <u>what works</u>, and — increasingly analysis of <u>costs and benefits</u>. As has long been the case for sectors such as health or education, the challenge is to understand how to deliver both access *and* quality, and to do so cost effectively and at scale.

This approach takes the sector out of its selfimposed silo by underlining the enabling role that justice systems can play in the lives of people, communities, and societies. Justice is a necessary condition of sustainable development, while justice institutions have unparalleled power to undermine the social contract when they are abusive, corrupt, and ineffective. The *delivery* of people-centered justice must also be cross-cutting, requiring a partnership that draws on all parts of a society, reaching beyond conventional justice actors.

A growing understanding of *how* to deliver justice for all has triggered a <u>mobilization</u> that reaches from global champions such as <u>The Elders</u>, through justice ministers and other national justice leaders, to legal empowerment activists and others at grassroots level. In some cases, the sector has also succeeded in making the case for action to Presidents and Prime Ministers, and to ministers of financing and planning, although work is still needed to push the movement into the mainstream.

Globally, the ministerial Task Force on Justice — an initiative of the leading SDG16+ partnership, the Pathfinders for Peaceful, Just and Inclusive Societies — made much of the early running. Its landmark <u>report</u> set out a vision for placing justice at the heart of sustainable development, putting people at the center of justice systems, and moving from justice for the few to justice for all.

The Task Force set out a shared strategy with three elements: resolving the most common justice problems at scale, preventing injustices from occurring, and using justice systems to create opportunities for people to participate fully in their economies and societies.

This provided a foundation for the emerging movement of <u>countries</u>, <u>organizations</u>, <u>and people</u> to mobilize for a Year of Justice in 2019, the year of the first SDG Summit. Of the sectors that had not been included in the MDGs, justice actors undoubtedly made the most of the platform the Summit provided.

The second four-year SDG cycle has seen the movement consolidate around the central ideas of people-centered justice. As it has matured, political support has strengthened, with ministers and justice leaders beginning to meet regularly in a way that has long been common in sectors such as health or education. The <u>Hague Declaration</u> and the <u>Buenos</u> <u>Aires Declaration</u> formalized support for justice for all, while the <u>g7+ Joint Action Plan</u> demonstrated continued leadership from conflict-affected countries.

After ministers met in April 2021, they wrote in a joint letter to the UN Secretary-General that:

Strengthening the rule of law is a fundamental part of building trust in the social contract...[but it] also requires a new approach, one that allows justice systems to be more effective and transparent in addressing injustices and grievances, tackling inequalities, and building resilient societies.

We believe that transforming justice, by putting people at the center, is key to reviving the bonds that hold our societies together, and to re-establishing trust between people and communities, and governments.

In response, the Secretary-General agreed that justice is an essential part of the social contract in *Our Common Agenda*, his vision for the future of multilateralism. He promised a new vision for the rule of law "in support of efforts to put people at the center of justice systems."

THE PRINCIPLES OF PEOPLE-CENTERED JUSTICE

- **1.** Put people and their justice needs at the center of justice systems.
- **2.** Resolve justice problems.
- **3.** Improve justice journeys.
- 4. Use justice for prevention and to promote reconciliation.
- 5. Empower people to access services and opportunities.

The principles of people-centered justice have been endorsed by over 60 countries through the <u>Hague</u> <u>Declaration on Equal Access to Justice for All by 2030</u>, the <u>Buenos Aires Declaration on Equal Access</u> to Justice for All, the <u>g7+</u> Joint Action Plan on Access to Justice for All in Conflict-Affected Countries, the <u>Joint Letter to the UN Secretary-General on Reimagining Social Contracts</u>, the endorsement of the Joint Letter by the <u>Conferencia de Ministros de Justicia de los Países Iberoamericanos</u> (COMJIB), the <u>OECD Riga Justice Agenda: Transforming justice for a vibrant social contract and the Summit for Democracy Joint Statement and Call to Action on the Rule of Law and People-Centered Justice.</u>

THE RECIPE FOR BUILDING A HIGH-AMBITION COALITION

At their meeting in Spring 2022, ministers decided to formalize their cooperation in a new high-ambition coalition, <u>challenging</u> themselves and appealing to other countries to "come to the SDG Summit in September 2023 with data and evidence to demonstrate their contribution to closing the global justice gap."

The Justice Action Coalition builds on the work of the movement for people-centered justice, while reflecting experience from across the SDGs in building platforms that bind together member states, international organizations, and non-state actors.

High-ambition coalitions are a central feature of what the Secretary-General has described as networked and inclusive multilateralism, with the Justice Action Coalition drawing on a recipe that has been followed by similar coalitions with a longer track record. This recipe has six ingredients.

1. USE DATA TO CREATE AN EMPIRICAL BASIS FOR ACTION

The Justice Action Coalition aims to demonstrate to policymakers that they can only provide justice effectively if they collect data on the justice people want and need, on their experiences of injustice, and on how they experience their justice journeys.

This may seem obvious, but it is a fundamental challenge to business-as-usual in a sector where most justice systems lack a 'data culture' and not enough people know how to work with data. Better and more open data exposes the scale of the justice gap, while focusing attention on the six categories of most common justice problems: violence and crime; money, debt, and consumer issues; housing, land, and neighbor conflicts; family disputes; problems at work; and difficulties related to accessing public services. Building on decades of earlier efforts, partners used the SDGs as the prompt to reach a shared understanding of what people-centered justice data is, move towards standardization on how it should be collected, and agree <u>data priorities</u> through a consultative process.

The Coalition is now working on elements of the <u>shared research agenda</u> and developing a strategy to drive data collection efforts in the next phase of implementation of the 2030 Agenda. It is also ensuring that existing data shapes policy discussions ahead of and at the second SDG Summit.

Justice is a politically contentious sector and often has a poor track record of turning public investment into meaningful results. Data about the scale of the problem can therefore be paralyzing if it is not matched by evidence on what works to deliver peoplecentered justice.

But data can also be used to build a bridge towards solutions. Supported by the <u>Pathfinders for Justice</u> <u>Program</u>, partners are working to increase evidence of what works, with <u>research ongoing</u> to investigate, analyze, and publicize realistic and affordable mechanisms for resolving or preventing the most common justice problems at scale. Partners are also developing implementation tools, models, case studies, and communities of practice.

Evidence only matters if it is in a format that can inform policymaking. The Hague Institute for Innovation of Law (HiiL) is therefore hosting a series of <u>Working Groups on Gamechangers</u> to translate evidence into policy-relevant recommendations on community justice services, user-friendly contracts, and one-stop-shop dispute resolution.

The next step is for the Coalition to agree on a *package* of solutions that formalizes and communicates the smart buys for delivering the SDG targets for justice.

2. TURN EVIDENCE ON WHAT WORKS INTO A POLICY-FRIENDLY PACKAGE OF SOLUTIONS

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3. SET SHARED GOALS AND CO-CREATE STRATEGIES FOR IMPLEMENTING AT SCALE

Even within a single system, people-centered justice can only be delivered by a complex network of actors, with the Justice Action Coalition promoting national partnerships that span politicians and public servants; justice professionals such as lawyers and judges; grassroots justice defenders, community paralegals, and other informal and civil society actors; and justice entrepreneurs and innovators, and other private sector actors.

The 2030 Agenda provides goals and targets for encouraging this diversity of actors to work together, especially when global goals are translated into national targets and indicators. The <u>Justice for All</u> report set out the framework for achieving the goal of access to justice for all by putting people at the center of justice. The co-creation of shared strategies can then enable cooperation and a shared strategic language that makes it easier for partners from different sectors to work together.

Goal-setting and strategy development can also take place regionally, which allows nations to leverage the strengths and resources of neighboring countries to address common challenges and promote shared solutions. The <u>Ibero-American Justice Alliance</u> is an example of a regional platform that enables countries to exchange knowledge and expertise, establish regional justice strategies that align with the SDG 16 targets and are adapted to local contexts and priorities. The Alliance will present a regional progress report at the SDG Summit and can serve as an example for other regions.

At a global level, the Coalition aims to unite UN Member States and a thriving ecosystem of non-state justice actors behind a shared strategy and workplan. This is unprecedented for the justice sector, making it especially important that key international institutions – Organisation for Economic Co-operation and Development, United Nations Development Programme, International Development Law Organization, World Bank, and others – provide a strong and unified input on policy development and standard setting. In this context, the Secretary-General's promised vision on the rule of law is an important opportunity to build a shared strategic direction for networked multilateralism for justice, while UNDP's new <u>strategic plan</u> demonstrates the potential of flexible instruments, modalities, and funding to promote <u>new</u> ways of collaborating.

During the first phase of the 2030 Agenda, partners began to develop a shared understanding of the financing needs for people-centered justice, with the development of the first costing for <u>the provision of</u> access to justice for all.

New funding vehicles were also developed, with the Legal Empowerment Fund launched with an initial \$25 million commitment from the Mott Foundation, Hewlett Foundation, and MacKenzie Scott. It aims to support "visionary grassroots justice groups that are helping people to understand and claim their rights while shaping the laws that govern them." The Innovating Justice Fund has been created to attract funding from impact investors.

But justice budgets are under pressure in many – and possibly most – countries, while <u>ODI research</u> demonstrates that donors spend just 1.5% of their overseas aid on justice, "in marked contrast to the priority they attach to justice in their own countries, which accounts for 4% of their budgets".

The Coalition therefore needs to create a mechanism to direct funds to national actors that want to work on making the pivot to people-centered justice, while also advocating for increased financing from both national and international sources.

As it includes a number of countries that make significant official development assistance (ODA) investments in rule of law programs, it is well positioned to shift this funding towards peoplecentered justice programs and to push other donors to make similar changes to their priorities.

4. INVEST AT SCALE TO TRANSFORM THE PROVISION OF JUSTICE

5. PROVIDE A PLATFORM FOR POLITICAL LEADERSHIP AND BROAD BASED CAMPAIGNING

The Justice Action Coalition has — for the first time — assembled credible leadership for the justice sector, creating the potential to increase the political will needed to scale people-centered justice strategies.

The Coalition has Global South countries at its forefront, including <u>conflict-affected countries</u> that are committed to people-centered justice. Whether it is the government as a whole, an ambitious chief justice, an inspiring minister of justice, or a committed dean of a law school — these are the national actors that can create the conditions for implementation.

In line with the universality of the 2030 Agenda, the Coalition has also engaged countries from the Global North not just as donors, but also as they seek to tackle the many flaws in their own justice systems. This provides access to valuable knowledge and expertise from countries with significant resources to invest in people-centered justice — for example, the new Dutch program which could invest significant amounts in justice R&D and innovation.

As sectors such as health or climate have demonstrated, these leaders are more powerful when they work together at regional and global levels, learning from each other, but also using summits and other major moments to speak with one voice. The Justice Leaders — an independent group of former ministers, attorneys general and chief justices — has been formed to support today's leaders to deliver people-centered justice transformations.

In the activist space, the <u>Young Justice Leaders</u> are working to mainstream people-centered justice, while campaigning for increased finance and to reimagine youth justice. <u>Global Citizen</u> is increasingly connecting its advocacy on justice to the conversation on <u>better</u> <u>multilateralism</u>, taking justice campaigns further into the mainstream. This activism provides an increasingly visible demonstration of the demand for change from justice systems.

6. BUILD AMBITION AND INTEGRATION ACROSS SECTORS

In the past, there has been little understanding among people working in other sectors of how their efforts can be undermined by lack of access to justice.

To name one obvious example, climate change requires all countries to undergo a massive transformation in their economies, but Net Zero will only be delivered if it <u>strengthens</u>, rather than undermines, the social contract. Countries need effective mechanisms to resolve the myriad of large and small conflicts that will inevitably arise during such transformations. More than rhetorical appeals to 'climate justice', this requires practical action to enable people and communities to use and <u>shape the</u> <u>law</u> to stand up for their rights.

Direct links must also be drawn between the most common types of justice problem and the SDG challenges facing other sectors. Examples include the role of justice systems in preventing violence, especially against women and against children (SDGs 5 and 16), ensuring access to affordable housing (SDG 11), and creating frameworks for inclusive growth and decent work (SDG 8).

Integration requires a much more outward looking approach from justice actors, as they actively promote the role of justice systems in solving problems for other sectors, while warning of the potential for new policies to increase the burden of injustice.

The SDG Summit provides an opportunity to launch joint initiatives with coalitions working on other SDGs, for example on health or gender equality, while the 75th anniversary of the Universal Declaration of Human Rights on December 10, 2023 offers an opportunity to link up to the <u>campaign</u> that will explore the future of human rights.

PEOPLE-CENTERED JUSTICE AT THE SDG SUMMIT AND BEYOND

Primary responsibility for implementing the SDG targets for *justice for all* lies with each country that signed up to the 2030 Agenda's "supremely ambitious and transformational vision" and pledged to achieve all SDGs "for the full benefit of all, for today's generation and for future generations."

But any global goals framework also assumes that it will encourage countries to work together to deliver change that would be impossible if they acted on their own. When they agreed the 2030 Agenda, world leaders <u>promised</u> to:

Facilitate an intensive global engagement in support of implementation of all the Goals and targets, bringing together Governments, the private sector, civil society, the United Nations system and other actors and mobilizing all available resources.

The people-centered justice movement — and its Justice Action Coalition — epitomizes this global engagement, demonstrating the power of the SDGs to catalyze "common action and endeavor." The mobilization for justice has been achieved from a standing start, for a sector that has seen many false beginnings, and in the face of a pandemic where justice systems and justice workers found themselves on the frontline and under unprecedented pressure.

As we argued in the introduction, if the second SDG Summit is to offer a platform for acceleration in the second half of the 2030 Agenda, it will do so because it draws on the energy and ideas of those working for justice, challenges the movement to demonstrate results at scale, and links it to the efforts of other high-ambition coalitions. Learning from models from other sectors, the Coalition must now deepen engagement across each of the six ingredients in the recipe presented above:

FROM DATA TO ACTION

Agree a shared research agenda, develop a strategy to drive data collection efforts, and create workstreams and other initiatives to build an international knowledge architecture for the justice sector, just as the Intergovernmental Panel on Climate Change has for climate change.

Working with other data and research networks and initiatives, the Coalition should link policymakers working on people-centered justice with a diverse group of researchers and experts to grow the knowledge base and translate data and evidence into action.

POLICY-FRIENDLY SOLUTIONS

Agree and promote a package of solutions that draws on the best available evidence and which can be tailored to national realities. This approach is frequently used in public health — for example, the <u>INSPIRE</u> <u>strategies</u> for ending violence against children.

Working with its many partners, the Coalition could become a powerful accelerator for learning, unlearning, and relearning solutions to ensure the optimum utilization of time and resources in the remaining years of the 2030 Agenda.

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SHARED GOALS AND STRATEGIES

Follow the lead of national justice leaders and changemakers and enable them to develop realistic and funded strategies, acting as a matchmaker to help countries gain access to the resources, expertise, and international support they need. This is comparable to Gavi's <u>role</u> in strengthening country leadership to sustainably deliver and finance immunization.

Working with national changemakers, the Coalition could increase efficiencies in co-creating national strategies and accessing support, while also providing a platform for countries to exchange knowledge and expertise at a regional level, promoting regional strategies, and enabling regions to engage in joint advocacy and action.

INVESTMENT IN JUSTICE TRANSFORMATIONS

Cost the provision of people-centered justice and provide adequate funding for the catalytic funding mechanism at the global level, while tracking different types of international funding through a transparent and accessible database. The Coalition could turn the package of solutions into investable projects that can attract both private and public capital, learning from the experience of the <u>Global Energy Alliance for</u> <u>People and Planet</u>.

Working with bilateral donors, philanthropists, and private sector actors, the Coalition could establish clear standards, metrics, and evaluation frameworks for measuring cost-effective impact and outcomes, while ensuring that the funds available achieve higher returns in terms of resolving people's justice problems.

POLITICAL LEADERSHIP AND CAMPAIGNING

Run a coordinated political campaign throughout 2023, founded on the Justice 2023 appeal, working across a number of key multilateral moments and building towards the SDG Summit. Young people should be supported to campaign on people-centered justice, through support to youth-led organizations and providing opportunities for young people to participate in relevant decision making processes. The sustained mobilization for girls' education shows what can be achieved.

Working with sector-specific groups like the <u>Young Justice Leaders</u> and the <u>Justice Leadership Group</u>, as well as broad-based campaigning platforms such as <u>Global Citizen</u>, the Coalition should continue its political and grassroots advocacy on the pivot to people-centered justice.

INTEGRATION ACROSS SECTORS

Build links with the leadership of other high-ambition coalitions, with the aim of launching joint challenges in areas where justice can unlock progress for other sectors.

The <u>1,000 Days</u> campaign provides an example of a sector — nutrition — demonstrating its wider relevance to development, as it made the case that this period from conception to the age of 2 is a "window of opportunity that matters for the futures of women, young children and their societies." The people-centered justice movement points towards a more energetic, hopeful, and effective multilateralism. At a time when the Secretary-General has warned that the world risks becoming "gridlocked in colossal global dysfunction," the best way to break this gridlock is for the international system to provide a <u>platform</u> for people to collaborate across borders towards common goals.

To stop the second SDG Summit from being all talk, we need to learn from this movement and from similar highambition coalitions that are tackling other SDGs. For the UN, the only plausible path to a <u>SDG reset</u> requires it to mobilize, inspire, and empower the army of doers who are using the SDGs as a framework to tackle the world's urgent challenges. By doing so, it will deepen its own role as a new type of platform for networked and inclusive multilateral action.

UNITED NATIONS 25 FOUNDATION YEARS