

## JOINT STATEMENT AND CALL TO ACTION ON THE RULE OF LAW AND PEOPLE-CENTERED JUSTICE: RENEWING A CORE PILLAR OF DEMOCRACY

We, the **Rule of Law and People-Centered Justice** Democracy Cohort have joined in partnership leading up to the second Summit for Democracy in recognition of the urgent need to strengthen the rule of law and people-centered justice within our own societies and around the world. We recognize that the rule of law is universally accepted as a fundamental pillar of democracy and a necessary precondition for peaceful, just, and inclusive societies. Yet rising authoritarianism, conflict, corruption, threats to judicial independence, digital repression, climate change, weakening respect for human rights, and the reverberating shocks of the COVID-19 pandemic, have compounded and exacerbated the global decline in the rule of law. According to leading studies, 4.4 billion people live in a country where rule of law is declining. 1.5 billion people across the world also have a criminal, civil or administrative justice problem that they cannot solve. If left untreated, people's unresolved legal problems may give way to growing social frustrations and unrest, thereby exacerbating tensions and conflicts within societies. The rule of law plays an important role in sustaining peace by helping to address the root causes of conflict and insecurity, which often lie in issues of discrimination and marginalization, lack of respect for human rights, corruption, and lack of accountability. Ensuring people can access justice also acknowledges our inherent human dignity.

These **challenges** necessitate a renewed commitment and call to action by democracies, international organizations, civil society organizations and other stakeholders to the rule of law and people-centered justice. Upholding these principles is central to reviving the bonds that hold our societies together and to re-establishing trust between people and communities, and their governments. **People-centered justice** places the people and communities affected by the law, whether in civil, criminal, or administrative matters, at the core of the policies, processes, and practices that provide a foundation for justice systems.<sup>3</sup>

We recognize the <u>2030 Agenda</u>'s plan of action for people, planet and prosperity, where the world's leaders put democracy, the rule of law, and access to justice center-stage in our collective vision for the future. The 2030 Agenda recognizes **Sustainable Development Goal 16** (SDG16), with the rule of law at its core, as an essential enabler of all other SDGs. The principles of equality, and non-discrimination, the focus on effective institutions and participatory decision-making, and the commitment to leaving no one behind is what makes the Agenda transformative. We recommit to advancing SDG 16 and its vision of building more peaceful, just and inclusive societies based on the rule of law.

We commit to promoting the critical role that independent **judiciaries and judicial institutions** play in healthy functioning democracies by upholding the rule of law, and in delivering on people-centered justice in democracies, with professionalism and integrity. We also acknowledge the pervasive threats around the world to judicial independence and commit to promoting judicial independence as a key tenet to a healthy, functioning democracy. To ensure effective checks and balances and judicial independence and impartiality we encourage judicial selection and appointment processes, as well as judicial decision-making and processes that are free from undue external influences and from any form of discrimination, and meet international standards.

We underscore the importance of ensuring justice for all, recognizing the varied experiences and realities of

<sup>&</sup>lt;sup>1</sup> https://worldiusticeproject.org/rule-of-law-index/insights

<sup>&</sup>lt;sup>2</sup> https://www.iustice.sdg16.plus/ files/ugd/90b3d6\_746fc8e4f9404abeb994928d3fe85c9e.pdf

<sup>&</sup>lt;sup>3</sup> People-centered justice is an approach to rule of law promotion that starts with what people need and want when they seek justice. It seeks to remove the obstacles people face when doing so, improve their justice-seeking experience, and enhance the outcomes they might receive. Simply put, people-centered justice puts people, and their justice needs and legal problems, at the center of the justice system.



vulnerable, marginalized, and under-represented populations. These communities face specific challenges with the rule of law - particularly when there is no equality before the law or there are barriers to accessing justice because of social, structural, and physical reasons. We further recognize that criminal systems and incarceration often disproportionately affect marginalized communities and recommit to reform laws and policies that criminalize poverty. We appreciate that a people-centered approach will empower all people to know, use and shape the law, rebuilding trust with new social contracts, and providing solutions for real life problems.

We attach particular importance to **women's access to justice** and recognizing equality before the law. Achieving justice for all requires an intersectional approach to address why and how women and men may have different justice journeys because of their gendered roles and social standing. We also appreciate that increasing women's participation as professionals in the justice system is part of the solution.

To close the justice gap and facilitate justice for all we encourage the exploration of **innovative approaches** to strengthen rule of law and increase access to justice. We encourage the responsible and ethical use of technology and innovation, while thoroughly managing risks of misuse of information and communication technology (ICT) and being aware of barriers ICT may impose on people.

We also acknowledge the **plurality of legal systems** across the world, where complex customary, informal, and formal justice systems intersect and play a critical role in meeting people where they are and ensuring equal access to justice for all. We encourage **expanding access to justice** by recognizing and improving alternative mechanisms for dispute resolution - including customary and informal justice systems, mediation, and arbitration - so long as they do not contradict the rule of law, and respect, protect, and fulfill human rights.

We emphasize the need for diversified **financing and resourcing** for promotion of the rule of law and justice programs and initiatives, especially in fragile and conflict-affected states.<sup>4</sup>

We recognize the compounding impact of **corruption** on rule of law and access to justice. We commit to tackling corruption and strengthening public integrity to ensure justice systems and actors deliver people-centered justice.

We appreciate the critical role that **legal aid**, community-based paralegals, and access to legal information and community-based services and support play in reaching communities and helping people to prevent or resolve their pressing justice needs. We encourage further cross-sector partnerships on issues including health, housing, education, and social services to advance legal assistance and holistic justice outcomes.

We acknowledge the devastating impact of **climate change** and environmental degradation and the need for justice systems and services to holistically respond to the needs of communities and environmental defenders on the front lines. We appreciate that the rule of law can be a catalyst for accelerated climate action in three important ways. First, empowering people and communities to claim their land rights and encourage implementation of environmental laws, to settle their disputes and participate in climate decision-making, facilitating peace, preventing environmental degradation and unlocking transformative changes. Second, delivering climate commitments at the national level will require new laws and strengthened institutional capacity. Third and finally, it can create an enabling environment to facilitate the mobilization of investment and support for transition to net-zero and climate resilient development.

We underscore the importance of robust data, especially disaggregated data, to inform our approaches to

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<sup>&</sup>lt;sup>4</sup> https://www.justice.sdg16.plus/\_files/ugd/90b3d6\_746fc8e4f9404abeb994928d3fe85c9e.pdf



strengthening the rule of law and closing the justice gap, including quality data collection, evidence-based decision making, and monitoring and evaluation.

We emphasize that justice and the rule of law, like democracy, are meant to be for the people, not just traditional legal practitioners (judges, prosecutors, lawyers). We encourage legal and judicial institutions to use clear and plain language to **communicate with the public** in ways that are accessible to all.

In operationalizing our individual and collective **commitments** towards transformative approaches to strengthening the rule of law and people-centered justice for democracy, we recall the <u>Declaration of the High-level Meeting of the UN General Assembly on the Rule of Law</u>, the UN Secretary-General's "new vision for the rule of law" in the UN's <u>Common Agenda</u> to help renew the social contract and tackle global challenges, the <u>Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power (General Assembly resolution 40/34)</u>, and the <u>UN Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems</u>. We commit to an approach to renewed action on the rule of law and people centered justice that is anchored in a respect and appreciation for fundamental human rights.

To further actualize our renewed commitment to the Rule of Law, we endorse the **principles of people-centered justice** as articulated in <u>The Hague Declaration</u>, the <u>Joint Action Plan of the g7+ countries</u>, the <u>Buenos Aires</u> <u>Declaration on Equal Access to Justice for All</u>, and the <u>2023 Justice Appeal</u>. As such, we will:

- 1. Put people and their legal needs at the center of justice systems. Engage more with people as an integral aspect of a people-centered justice including consultation and feedback. Make better use of data to understand what people need and want when they seek justice, and the justice they receive.
- **2. Work to solve justice problems**. Transform justice institutions and broaden the range of formal and informal justice actors to provide people with fair, inclusive, relevant, and timely justice solutions that respect human rights.
- **3. Improve justice journeys**. Empower people and communities to understand, use and shape the law, increase meaningful participation in justice, and provide people-centered justice services that help them achieve fair outcomes.
- **4. Use justice for prevention and to promote reconciliation**. Take measures to reduce violence and de-escalate conflicts and disputes, build trustworthy and legitimate justice systems so that people can resolve issues nonviolently, ensure the prevention of recurrence of grave violations of human rights and atrocities including through accountability, and tackle the root causes of injustice.
- **5. Empower people to access services and opportunities.** Take measures to eliminate legal, administrative, financial, and practical barriers that people face to obtain documents, access public services, including for mental health, and participate fully in society and the economy, while promoting gender equality.

We also acknowledge the critical, catalyzing importance of partnerships and multi-stakeholder platforms in supporting action on the rule of law and people-centered justice. We also appreciate the unique role civil society, the private sector, justice actors, and governments play in strengthening democracy, the rule of law, and ensuring justice for all. To accelerate action, we will pursue and strengthen collaborative partnerships beyond the Summit for Democracy to ensure sustained momentum on rule of law and people-centered justice in furtherance of democratic renewal. This includes strengthening participation in the Justice Action Coalition in support of the 2023 Justice Appeal and the Coalition's joint deliverables, and fostering collaboration to support countries to achieve their commitments related to the rule of law and justice, and innovative approaches to cross-sectoral linkages. We also will explore collaborative approaches and partnerships for forthcoming international, regional or national rule of law and justice events (with OGP, IDLO and OECD, for example).



## Listing of Countries and Organizations Endorsing this Joint Statement and Call to Action on the Rule of Law and People-Centered Justice: Renewing a Core Pillar of Democracy

- Canada
- Republic of Colombia
- Dominican Republic
- Republic of Finland
- Federal Republic of Germany
- Republic of Kosovo
- Kingdom of the Netherlands
- Republic of Senegal
- United States
- United Kingdom

- The Carter Center
- HiiL (The Hague Institute for Innovation of Law)
- International Development Law Organization (IDLO)
- International Development Research Centre (IDRC)
- The International Legal Foundation (ILF)
- Kosovo Law Institute
- Legal Empowerment Fund
- Libyan American Alliance
- Pathfinders for Peaceful, Just and Inclusive Societies
- Responsible Business Initiative for Justice (RBIJ)
- Sisma Mujer
- The Rule of Law Centre at the University of Helsinki
- Transparency International
- Tunisian United Network
- The World Justice Project



## COMMITMENTS IN FURTHERANCE OF THE JOINT STATEMENT AND CALL TO ACTION ON THE RULE OF LAW AND PEOPLE-CENTERED JUSTICE: RENEWING A CORE PILLAR OF DEMOCRACY

As an outcome of the Cohort, and to bolster this joint statement and call to action, we - participating member states and organizations - commit to the following bold, transformative action in furtherance of strengthening democracy, the rule of law, and justice:

Member State/ Organization	Commitment/s in Furtherance of the Joint Statement and Call to Action (New or Ongoing)
Canada	<ul> <li>Canada will continue to support a people-centered approach to justice to advance equality, legal empowerment, and a better understanding of the legal needs of all the people of Canada, including Indigenous peoples, racialized communities, and other traditionally underserved communities.</li> <li>Canada will track progress on this commitment through its 2022-2024 National Action Plan on Open Government, which includes a Justice theme structured around four milestones: collecting and sharing data, including disaggregated data; advancing legal literacy and empowerment; identifying and sharing promising practices; and fostering partnerships and collaboration to advance access to justice.</li> <li>Canada will continue to promote access to justice for all and people-centered justice at the international level, including through UN bodies, the Justice Action Coalition, the OECD and the Open Government Partnership.</li> </ul>
The Dominican Republic	<ul> <li>We are committed to modernizing our laws to meet the demands of society in the 21st century, to guarantee a people-centered justice system.</li> <li>To foster greater collaboration and opportunities for exchange on people-centered justice and the rule of law, we will join the Justice Action Coalition as a member before the SDG Summit in September.</li> <li>We will continue the digital transformation of the judiciary branch, with the implementation of a nationwide case management system, as well as a virtual office for remote access to judicial services and virtual hearings.</li> <li>To foster transparency and accountability online, we will establish an observatory of the Judiciary Branch, providing citizens the capability to oversee the jurisdictional and administrative operations of this branch of the State.</li> <li>We are committed to strengthening the criminal justice system, not only by improving efficiency, but also by considering the needs of incarcerated individuals, provision of defense for victims and vulnerable groups, and implementing a restorative program focused on the juvenile justice system.</li> </ul>
Finland	Finland remains committed to promote rule of law and people-centered justice together with its partners at national and international level.
Germany	<ul> <li>Germany remains committed to support its partners in their efforts to promote the rule of law and to ensure fair and equal access to justice for all.</li> <li>In our rule of law cooperation, Germany will specifically support fair and equal access to justice for women and marginalized groups.</li> <li>Germany remains committed to the Justice Action Coalition and will endeavor to promote membership among its partners.</li> <li>GER supports partner countries through the work of its implementing organization, the Foundation for International Legal Cooperation ("Deutsche Stiftung für internationale</li> </ul>



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	rechtliche Zusammenarbeit e.V.", IRZ) in order to strengthen the rule of law. The main objective is to establish an independent, well-functioning justice system that is fully underpinned by procedural law – for example by providing international advice on legal assistance in civil and criminal matters, particularly in the fight against organized crime and corruption.
Kosovo	<ul> <li>To foster greater collaboration and create opportunities for exchange on people-centered justice and the rule of law, we will join the Justice Action Coalition before the SDG Summit in September;</li> <li>We commit to further advance policy-making in the field of rule of law through evidence-based and comprehensive strategic processes, in close collaboration with justice institutions, civil society and its international partners;</li> <li>We commit to strengthen the rule of law in our country through judicial reforms to ensure independence, professionalism and integrity.</li> </ul>
The Netherlands	<ul> <li>The Netherlands will continue to play a leading role in advocating for access to justice for all as well as people-centered justice at the international level in collaborative multi-stakeholder partnerships, such as the Justice Action Coalition.</li> <li>The Netherlands will continue to support partner countries with people-centered justice interventions/programming, with a focus on the most vulnerable groups.</li> <li>The Netherlands will further strengthen equal access to justice for all domestically, e.g. through user-friendly legal procedures and victim-centered policies.</li> <li>The Netherlands maintains its strong commitment to the international rule of law, ensuring that perpetrators of international war crimes and international gross human rights violations are held accountable.</li> </ul>
United Kingdom	<ul> <li>The United Kingdom is committed to the promotion and protection of human rights, democracy and the rule of law. We believe that these are the absolute foundations on which open, stable and prosperous societies thrive. They are essential to the functioning of our democracy and upholding and enforcing the rights of our citizens.</li> <li>The United Kingdom is keen to work with our international partners, and through multilateral institutions, through the sharing of expertise and best practice to support partners in justice reform and to increase access to and efficiency of justice.</li> <li>The United Kingdom is committed to the rules based international system and to supporting like-minded partners in alignment with this system.</li> </ul>
The United States	The United States intends to continue to advance policies and programs in support of the rule of law and people-centered justice at home and abroad in line with UN Sustainable Development Goal 16 focused on access to justice and the UN Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems.
	To further implement these commitments, and to strengthen collaboration with like-minded partners, the United States plans to become a member of the Justice Action Coalition.
	Specific agency commitments include:  • USAID intends to launch the USAID Rule of Law Policy, which underscores the fundamental role the rule of law plays in its development mission and shifts our approach to "people-centered justice," an approach that strengthens justice systems to be more evidence-and data-driven, user-friendly, and problem-solving in addition to empowering local actors and



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	<ul> <li>partners and helping democracies deliver for people.</li> <li>USAID intends to provide \$2,500,000 to evidence, learning, and data collection and sharing to elevate People Centered Justice at USAID (\$2,000,000) and globally, in the Justice Action Coalition (\$500,000), subject to the availability of appropriated funding.</li> <li>The Department of Justice plans to continue to support reforms in the United States to advance indigent defense, access to counsel, language access, and simplification of court processes so that all people can more easily receive the benefits and protection of U.S. law. The Department of Justice will also seek to advance reforms which seek to dismantle economic barriers to justice, so that all people, regardless of income or wealth, can access federal services, programs and benefits, on the basis of equality and with dignity.</li> <li>The Department of State's Bureau of International Narcotics and Law Enforcement Affairs, working with Congress, plans to fund a program to assist foreign partners address structural inequality, improve access to justice, and embed equity in the criminal justice system. This program aims to also improve both the operational effectiveness and legitimacy of criminal justice systems by reducing pre-trial detention rates.</li> </ul>
The Carter Center	<ul> <li>We will continue to partner with government and civil society at the international, national, and local levels, with a focus on reaching the most marginalized populations, to improve good governance, increase citizen trust, and transform lives.</li> <li>We will continue working with communities to ensure that people can drive their own access to justice and hold institutions accountable.</li> <li>We will continue to support reform-minded legal professionals, jurists, and law enforcement officers to ensure their institutions are transparent and accountable to the people they serve.</li> </ul>
The International Development Law Organization (IDLO)	<ul> <li>We will continue to promote people centered justice in all regions of the world by empowering justice seekers and supporting our partners to make laws and institutions work for people through integrated programming, research and advocacy.</li> <li>We will work to narrow the justice gap for women and girls through the elimination of gender discriminatory laws, promoting women's participation in the justice sector and combating gender-based violence.</li> <li>We will continue to work to advance rule of law solutions to accelerate progress towards Sustainable Development Goals particularly in the areas of Inclusive economic development, Climate justice and sustainable use of natural resources and healthy lives and well being for all.</li> <li>We will draw insights from our own work, as well as that of others, to contribute to evidence based approaches to programming and inform policy making.</li> <li>We will partner with like-minded organizations, countries and coalitions to mobilize greater political and financial support for the rule of law through advocacy at the global, regional, national and local levels.</li> </ul>
The International Legal Foundation (ILF)	<ul> <li>The ILF is committed to making access to justice a reality for all by advancing the right to quality legal aid for anyone who is detained, arrested, suspected of, or charged with a criminal offense punishable by a term of imprisonment or the death penalty at all stages of the criminal justice process, in line with the UN Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems. We will work with governments, civil society, and justice stakeholders to strengthen laws that provide for the right to legal aid and reform legal aid systems to ensure they are independent, accessible, effective, sustainable, and credible. We will also continue to establish locally-led, specialized legal aid offices that excel in providing their communities with people-centered, high-quality, holistic legal aid services.</li> <li>We will continue to promote good practices for providing people-centered justice in criminal</li> </ul>



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	justice systems through sharing of technical assistance, peer-based mentoring, and through the biennial International Conference on Access to Legal Aid in Criminal Justice Systems. Key to this people-centered approach is a recognition that legal aid providers should not only provide a high-quality defense to people accused of criminal offenses, but also should address the collateral consequences of their involvement with the criminal justice system as well as the underlying issues, both legal and non-legal, that have played a part in driving people into the criminal justice system in the first place.  • We will continue to fight for equal access to justice for all persons accused of criminal offenses, including by addressing the illegal and excessive use of pretrial detention and by combatting all forms of injustice, including and especially, racism and discrimination against vulnerable and marginalized populations and the criminalization of poverty, status, and activism. We will litigate injustice in courts, and engage in advocacy to combat discrimination at the country, regional, and international levels.
Kosovo Law Institute	<ul> <li>Kosovo Law Institute is committed to provide free legal aid for women, minorities, LGBTI community and vulnerable groups in Kosovo, in order to provide equal opportunities to them regarding access to justice.</li> <li>Kosovo Law Institute is committed to work on promoting the role of independent judicial institutions.</li> <li>Kosovo Law Institute is committed in promoting the importance of tackling corruption, as a way of strengthening the rule of law and access to justice</li> </ul>
Pathfinders for Peaceful, Just and Inclusive Societies	<ul> <li>We will continue to highlight the importance of transforming justice systems and pivoting to people-centered justice to close the justice gap and ensure equal access to justice for all as envisaged under SDG 16.3.</li> <li>We will support mobilization of and alignment between key actors including the high ambition Justice Action Coalition to promote and support the implementation of people-centered justice globally.</li> <li>We will work with partners to develop simple and clear messages that capture and spread the core concept of people-centered justice.</li> <li>We will continue to support multi-stakeholder collaboration on people-centered justice at the national, regional and global level including through regional alliances for access to justice and young justice leaders.</li> </ul>
Responsible Business Initiative for Justice (RBIJ)	<ul> <li>RBIJ will continue to center the voice of justice-involved individuals and their families in our collaboration with the business community to help reform systems of incarceration and punishment to make them more fair, equal, and effective.</li> <li>RBIJ will continue to help businesses advance justice and equity through their governance, operations, and dealings with all of their stakeholders so that they can be effective partners in rebuilding and restoring communities that inequitable systems of justice have disproportionately impacted. This includes helping employers establish first and second chance hiring programs that consider the needs of individuals who are justice-involved or at risk of justice involvement to ensure their success in the workforce.</li> </ul>
Rule of Law Centre, University of Helsinki	<ul> <li>The Rule of Law Centre at the University of Helsinki continues its support to locally identified rule of law needs in selected areas and countries in the global south ensuring equal access to justice for all in line with UN Sustainable Development Goal 16.</li> <li>The Rule of Law Centre considers it important to promote, cooperate and exchange information related to the work of the rule of law, people-centered justice and SDG goal 16.</li> </ul>



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	The Rule of Law Centre is considering joining the work of the Justice Action Coalition.
Transparency International	We will continue advocating for recognition of diffuse harm or social damages in grand corruption cases and development of guidelines on redress in such cases. It includes improved rights of domestic and foreign victims to seek redress, rights to initiate and participate in criminal and civil cases, to make collective claims (class actions) and standing for civil society organizations to represent victims.
The World Justice Project	<ul> <li>To report on the rule of law and the state of justice for all around the world through statistical data and analyses showing the legal needs of people, the barriers people face in trying to solve them—including lack of capability, legal aid, or poor outcomes—, the impact of unmet legal needs, the situation of vulnerable groups, as well as some of the problems faced by justice systems around the world.</li> <li>To continue making the case for people-centered justice and for the collection and use of people-centered justice data, with the purpose of informing and shaping global policymaking and practice in 2023 and beyond.</li> </ul>
<u>Libyan American</u> <u>Alliance</u>	<ul> <li>We will continue reporting on the rule of law and advocating for meaningful justice and accountability in Libya through continued community development and empowerment, informed public diplomacy initiatives, and congressional engagement.</li> <li>We will continue to take it upon ourselves to hold accountable those who threaten peace, stability, justice, and the rule of law in Libya by launching legal actions against them, and will explore other legal avenues to bring to justice all perpetrators of crimes against Libyans.</li> <li>We will continue programming and advocacy on strengthening the rule of law, respect for human rights, and transitional justice in Libya.</li> </ul>
Tunisian United Network	<ul> <li>We remain committed to holding all perpetrators of systematic human rights abuses against the Tunisian people accountable, irrespective of their influence, power, or official status, and bringing these individuals to justice, through the filing of civil suits and making Global Magnitsky sanctions recommendations to the U.S. Departments of State and Treasury.</li> <li>We will continue to document and report on the state of human rights, the undermining of the rule of law, justice and accountability, as well as the process of democratic backsliding in Tunisia from July 25, 2021 onward.</li> </ul>