g7+ Ministerial-Level Meeting on Access to Justice for All in Conflict-Affected Countries

CONCEPT NOTE

Introduction
The secretariat of the g7+ will host a Ministerial-level meeting on Access to Justice for All in Conflict-Affected Countries in The Hague, The Netherlands, from 19-20 June 2019. The Ministry of Foreign Affairs of the Kingdom of the Netherlands will facilitate the meeting. In addition to Ministers from the twenty g7+ Member States, the meeting will be attended by development partners and representatives from civil society. The meeting will take place in advance of the High Level Political Forum and Sustainable Development Goal (SDG) Summit that takes place from 9-18 July 2019. The Rule of Law Collaborative (ROLC) at the University of South Carolina will provide logistical support to organize the meeting, in addition to technical and substantive support in crafting the agenda, ensuring that the meeting aligns with the priorities of the g7+ Member States and supporting follow-up initiatives.

Background
Ensuring justice for all is a global challenge with over five billion people estimated to live outside the protection of the law. This challenge is particularly acute in conflict-affected countries. The g7+ countries are committed to ensure access to justice for all as one of the Peacebuilding and Statebuilding goals in the New Deal for Engagement in Fragile States, under Sustainable Development Goal No. 16 and, more recently, the Declaration on Equal Access to Justice for All by 2030 and the Emerging findings of the Task Force on Justice.

As stated by the g7+ in the Dili Declaration, ‘action must be taken to operationalize these priorities.’ This is easier said than done, particularly in the context of conflict-affected countries which are in a fragile situation. g7+ Member States have emphasized the importance of viewing such states through the lens of ‘the developing’ rather than ‘the developed.’ Experience from implementing the Paris Declaration on Aid Effectiveness (2005) and the Accra Agenda for Action (2008) demonstrate that the current way of working in conflict-affected states needs improvement. Transitioning out of fragility is long, political work that requires country leadership and ownership. Conflict affected countries are best positioned to learn from one another about these hard-won experiences and collectively advocate for contextually-tailored development policies for their countries.

What has also emerged through the discourse of the g7+ group and official declarations such as the Declaration on Equal Access to Justice for All by 2030 is a recognition that the current way of approaching rule of law development also needs to be improved. Instead of the starting point being the replication of Western-style justice systems, Member States commit to putting people and their legal needs at the center of justice systems, solving their unique justice problems and improving the
quality of their justice journeys for all including women, youth and marginalized groups. Instead of working only with state actors, there is an increased understanding of the importance of engaging with both state and non-state providers of justice. Instead of ordinary people being viewed as passive recipients of justice, they should be empowered to understand, use and shape the law. Finally, rather than a reactive approach to access to justice, a forward-looking prevention approach has been recognized as being pivotal to reducing disputes, the risk of violence, atrocities, and conflict.

Given the complexity of working to increase access to justice in g7+ countries, it is important to recognize that the change process will be long and maybe multi-generational. At the same time, once barriers and obstacles to realizing justice for ordinary people have been ascertained, it is possible to identify immediate leverage points for change that can be tested and brought to scale, if successful. After decades of overly-technical rule of law and justice projects, the g7+ recognizes the importance of pioneering innovative models that are grounded in countries’ contexts in strengthening access to justice and sharing those that work with the other Member States.

**Objectives and Potential Meeting Outcomes:**

The objectives of the g7+ Ministerial-Level Meeting on Access to Justice for All in Conflict-affected Countries include:

1. Develop consensus on common priorities in strengthening access to justice and networks amongst the ministers of the g7+ countries to address these priorities collectively;
2. Introduce and reinforce the principles as outlined in the Declaration on Equal Access to Justice for All by 2030 assigned by Justice Ministers in The Hague in February 2019;
3. Understand the unique needs and challenges of the g7+ Ministers in strengthening access to justice in their countries (including identifying modalities for robust data gathering on the justice perspective and problems of ordinary people);
4. Share experiences of innovative models that have succeeded in delivering enhanced access to justice in g7+ countries and developing countries;
5. Identify specific commitments that can be made by g7+ countries at the High-Level Political Forum on Sustainable Development in July 2019; and
6. Develop and agree on principles that should drive international assistance thereto.

Potential meeting outcomes include:

1. g7+ Ministers agree to present their commitments at the High-Level Political Forum (HLPF);
2. g7+ Ministers agree to develop a Ministerial Action Plan with clear benchmarks for delivery within an agreed-upon time after the meeting concludes;
3. g7+ Ministers agree to report back on progress made towards implementing their action plan in a potential follow-up meeting on access to justice;
4. g7+ Ministers agree to work together to collectively tackle their priority areas – Ministers can be clustered into subgroups (by region, for example) to ensure continued follow-up and sharing of experiences; or
5. A potential declaration signed by Ministers.
**Agenda Development:**

ROLC proposes surveying the Ministers of Justice of the g7+ countries ahead of the ministerial meeting in The Hague. The objective of the survey is to better understand:

1. the justice priorities of the g7+ Ministers;
2. the challenges and opportunities they face in increasing access to justice in their respective countries and whether people-centered surveys have been employed at the national level to understand the justice needs and the justice journey of ordinary people in their country;
3. whether the g7+ countries are currently engaged in implementing a national development plan, a sectoral justice strategy or institutional strategies (e.g. a police reform strategy, a judicial reform strategy, a prison reform strategy, etc.); a themed strategy (e.g. an organized crime strategy or a counter-terrorism strategy); or whether the country has signed any Memoranda of Understanding with bilateral donors on the topic of access to justice.
4. the expectations of the Ministers about the high-level meetings and what they would like to see as a follow-up; and
5. whether there is any successful, home-grown access to justice initiatives that the Ministers would like to share with colleagues at the meeting.

Gathering and consolidating this information will allow the Ministers to collectively shape the proposed agenda and ensure concrete, practical outcomes.

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1. *The New Deal for Engagement in Fragile States.*
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