

Justice for All

Report of the Task Force on Justice

Fact sheet

The Task Force on Justice – an initiative of the Pathfinders for Peaceful, Just and Inclusive Societies – presents its final report on April 29th, 2019 in The Hague and May 8th, 2019 in Buenos Aires.

This fact sheet presents some of the key facts and figures of the report. It is meant to be read alongside the press release that presents the main findings and the report's overview, which provides an executive summary.

What are the report's key facts and figures?

To deliver on the promise that world leaders made to provide justice for all by 2030, the Task Force on Justice argues that we need to transform justice systems that can only ever provide justice for the few. It advocates a new approach, which puts people at the center of justice systems and justice at the heart of sustainable development.

The Task Force on Justice presents in its report:

- The first global synthesis of the scale and nature of the justice gap;
- An analysis of the costs of injustice for individuals and societies;
- The first estimate of the costs to provide universal access to basic justice services;
- The most common justice problems that people face globally.

What is the size and nature of the global justice gap?

Drawing on research by the world's leading justice organizations and experts, the report provides a first estimate of the global justice gap. More and better data has become available in recent years, including legal needs, victimization, and specialist surveys now cover a growing number of countries.

The Task Force on Justice describes three dimensions of the global justice gap:

- **At least 253 million people live in extreme conditions of injustice;** they live in modern slavery, are stateless, or live in countries or communities where high levels of insecurity make it nearly impossible for them to seek justice.
- **1.5 billion people cannot resolve their justice problems;** people in this group are victims of unreported violence or crime. Or they have a civil or administrative justice problem they cannot resolve, such as a dispute over land or the denial of a public service.
- **4.5 billion people are excluded from the opportunities the law provides;** over 1 billion people lack legal identity, more than 2 billion are employed in the informal sector and the same number lack proof of housing or land tenure. This makes them vulnerable to abuse and exploitation and less able to access economic opportunities and public services.

In total, 5.1 billion people – two-thirds of the world’s population – lack meaningful access to justice. While people in all countries are affected, the burden of this injustice is not randomly distributed. The justice gap is both a reflection of **structural inequalities** and a contributor to these inequalities.

What are most common justice problems that people face?

Notwithstanding the differences between countries and the diversity of legal systems, surveys tell us that **people across the world experience many of the same types of justice problems.** This is not surprising. The need for justice reflects people’s relationships with their families and communities. It is shaped by the behavior of businesses and their governments. And it is influenced by disparities of opportunities, wealth and power.

Based on analysis of survey data from across the globe, the Task Force on Justice identify six areas that account for most justice problems:

- Around one in five people have problems related to **violence and crime**, in the public sphere, at work and at home;
- One in five people have difficulties related to access and quality of **public services**
- Almost a third of people have legal problems related to **money and debt**, or as consumers;
- Almost one in 11 people are involved in **family disputes**, for example around divorce and inheritance;
- One in 12 people have legal needs related to **problems at work**, whether as an employee or business owner;
- Nearly a quarter of people are involved in **disputes over housing or land**, or conflicts with neighbors;

What are the costs of injustice for people and societies?

The Task Force on Justice concludes that the failure to provide justice is costly:

- People with unresolved justice problems face a deterioration of their health and financial situation. The OECD estimates that **countries lose between 0.5 and 3 percent of their GDP** due to the costs of seeking justice, lost income, and stress-related illnesses and other health problems.
- At a global level, **conflict costs the world around \$2000 per person each year**, while countries may lose up to a fifth of their GDP when levels of non-conflict violence are very high.

The Arab Spring

In 2010, a 26-year old Tunisian fruit vendor named Mohamed Bouazizi set himself on fire outside a government building in protest at sustained harassment by the police.

Bouazizi was his family’s main breadwinner and had been earning less than \$10 a day selling fruit from his cart. It was not poverty, however, that drove Mohamed Bouazizi to despair, but injustice.

He had problems related to documentation (he did not have a permit for his fruit stand, but it is still unclear whether he needed one), ran into abusive justice actors, and was unable to air his rightful grievances.

His death triggered protests that spread through Tunisia and then across the Arab world in what became the Arab Spring.

How much will it cost to provide universal access to basic justice services?

The Task Force on Justice commissioned ODI to develop the first estimate of the funding needed to provide **universal access to basic justice services**.

The analysis draws on methodologies used to calculate the cost of providing basic frontline health and education services. It presents **the first estimate of what it would cost to deliver SDG16.3**. As was the case with estimates for financing needs for education and health, these initial figures for justice should be further strengthened over time.

In low-income countries, it would cost \$20 per year to provide each person with access to basic justice services. In middle-income countries it would cost \$64 per person and in high-income countries \$190 per person annually.

To put these numbers into context, providing universal primary and secondary education in low-income countries costs \$41 per person per year, while providing universal essential healthcare costs at least \$76 per person annually.

The following components of basic justice provision are included in ODI's analysis:

- **Legal advice, assistance and empowerment**, provided in communities by paralegals, lawyers, legal advice centers, unions or advocacy groups.
- **Formal justice institutions** that play a frontline role in resolving conflicts, disputes and grievances, including lower-tier courts, community police, and the criminal justice chain.
- **Alternative mechanisms** to resolve legal problems, conflicts, disputes and grievances, such as community mediation, traditional courts, and ombudsmen.
- Mechanisms that improve the **accountability of the justice system** for the services they provide to people and communities, and that tackle corruption and abuse.

Legal empowerment and non-formal approaches seem to account for less than 10 percent of total costs in countries of all income levels. In low-income settings, it is estimated that it would cost just \$1 per person to scale these approaches up to the minimum level needed. This underpins one of the central messages of the report – that, given the size of the justice gap, countries need to invest in alternative approaches that can provide **cost-effective access to justice** at scale.

The analysis also factors in what people spend from their own pockets when they seek justice, drawing on surveys conducted by HiiL, the Hague Institute for Innovation of Law.

Based on the data above, the Task Force on Justice makes the case for shifting from a model that provides justice only for the few, to one that delivers measurable improvements in justice for all.

How did the Task Force on Justice draw its conclusions?

The Task Force on Justice held three meetings to guide the research and deliberate the findings, in February 2018 in **Buenos Aires**, Argentina, in October 2018 in **Freetown**, Sierra Leone, and in February 2019, in **The Hague**, the Netherlands.

The research was conducted in three **workstreams** organized around the key questions the Task Force seeks to answer on the size of the justice gap, the case for investment and what works to increase justice for all. Major contributions were made by the **Innovation Group**, the **Working Group on Transitional Justice** and the **High-level Group on Justice for Women**.

The “Justice for All” report benefitted from contributions from a wide range of **justice partners**, including UN agencies, other multilateral organizations, civil society, foundations, research institutes and campaigning groups. A full list of all justice partners is available in the report and on the Task Force website.

How was the size of the global justice gap estimated?

The analysis on the size and scope of the justice gap was conducted by the **World Justice Project**, in collaboration with other partners who took part in the **Justice Gap Working Group**.

The estimate of the global justice gap is based on a **conceptual framework** that is people-centered and comprehensive.

Over 600 potential data sources were audited, including global and national-level datasets and administrative, survey-based, and qualitative sources of data. Data sources were ultimately chosen based on three considerations: Country coverage, official recognition and public availability of data and measurement methodology. Data sources used to produce justice gap estimates were ultimately chosen based on their **country coverage and methodological rigor**. The WJP used the UN’s geographic classifications and the World Bank’s income classifications to establish regional and income peer groupings for extrapolating estimates to countries not covered by a particular data source.

The resulting global justice gap estimates were adjusted to take into account the **double counting** of people who fall into multiple dimensions of the justice gap (e.g. victims of violence who also lack legal identity, or people who cannot obtain justice for both criminal and civil justice problems).

To determine the **most common justice problems** that people face, data were used from 78 different surveys, namely 63 national crime victimization surveys, the WJP’s global legal needs survey data for 101 countries, and 14 national legal needs surveys by HiIL.

For additional detail please refer to the following **report on the methodology** followed to produce the justice gap estimates: *World Justice Project, “Measuring the Justice Gap: A People-Centered Assessment of Unmet Justice Needs Around the World” (Task Force on Justice, background paper, April 2019)*. Available at: www.worldjusticeproject.org

How was the cost to provide universal access to basic justice services calculated?

The Task Force on Justice commissioned the independent, global think tank, ODI to develop the **first estimate** of the costs of providing universal access to basic justice services in countries around the world. The starting point for developing **per person costs for justice** is to define what universal basic justice looks like. This is not yet a defined term and is highly contestable. ODI proposed the following working definition: a system that addresses peoples’ everyday justice needs, that is delivered through formal and less formal mechanisms which are often in need of transformation, and that is universally available – i.e. is accessible and affordable for all.

The costing is based on the idea that to deliver on SDG 16.3, basic justice services should be universally available. It takes a people-based approach, focused on **what is needed to address people’s ‘everyday’ justice problems in their communities**.

Drawing on the costings prepared by the **education and health sectors**, the justice costings are made for a basic level of service provision and they are based on standard delivery models, while acknowledging that improved systems can be more efficient. The cost drivers are frontline staff and assumptions had to be

made about staff numbers and salary levels. Where available ODI based these assumptions on internationally agreed targets.

The analysis covers the costs of the **justice system at the local level**, both relatively informal mechanisms (traditional, religious and civil society), and front-line formal organizations such as the police and local courts.

For additional detail please refer to the following **report**: *Marcus Manuel, Clare Manuel and Harsh Desai, "Universal access to basic justice: costing SDG 16.3" ODI Working Paper 554. (London: Overseas Development Institute, 2019). Paper prepared for the Task Force on Justice. Available at: www.odi.org/publications/11161-universal-access-basic-justice*

Where can I read the report?

The report can be read in full here: <https://justice.sdg16.plus/report>
Please link to this url in any coverage mentioning the report.

If you cover or quote from the report, please credit the Task Force on Justice, and when possible use the complete reference to the report: *Task Force on Justice, Justice for All – The report of the Task Force on Justice (New York: Center on International Cooperation, 2019).*

On social media, share and follow using **#JusticeforAll**

The report will be launched at the World Justice Forum in The Hague, the Netherlands on Monday 29th of April, 2019 at 3.30pm and in Buenos Aires, Argentina on Wednesday May 8th, 2019 at 7pm.

Media interested in attending should contact Justine Brouillaud at: justine.brouillaud@nyu.edu

About the Task Force on Justice

The Task Force on Justice is an initiative of the Pathfinders for Peaceful, Just and Inclusive Societies. It is chaired by minister from **Argentina, the Netherlands, and Sierra Leone** and by **the Elders**. It brings together a distinguished group of justice leaders and experts from civil society, governments and the private sector, providing knowledge and experience that can increase justice around the globe.

Co-Chairs: **Germán Carlos Garavano**, Minister of Justice and Human Rights, Argentina, **Sigrid Kaag**, Minister for Foreign Trade and Development Cooperation, the Netherlands, **Priscilla Schwartz**, Attorney-General and Minister of Justice, Sierra Leone, **Hina Jilani**, an Elder

Members: **Alejandro Alvarez**, Director, Rule of Law Unit, Executive Office of the Secretary-General, United Nations, **Donny Ardyanto**, Program Advisor of Legal Empowerment and Access to Justice, TIFA Foundation, Indonesia, **James Goldston**, Executive Director, Open Society Justice Initiative, **Pablo de Greiff**, Senior Fellow and Adjunct Professor of Law, New York University, and former Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-occurrence, Office of the United Nations High Commissioner for Human Rights, **Sara Hossain**, Lawyer, Supreme Court of Bangladesh, **Kalthoum Kennou**, Judge at the Court of Cassation of Tunisia, **Vivek Maru**, Chief Executive Officer, Namati, **Allyson Maynard-Gibson QC**, Barrister, former Attorney General and Minister for Legal Affairs of The Bahamas, **Athaliah Molokomme**, Ambassador and Permanent Representative of Botswana to the UN Office in Geneva, former Attorney General, Botswana, **Owen Pell**, Partner, White & Case LLP, **Marta Santos Pais**, Special Representative of the Secretary-General on Violence against Children

Sherpas for the Co-Chairs: **Maria Fernanda Rodriguez**, Under-Secretary, Access to Justice, Ministry of Justice and Human Rights, Argentina, **Jelte van Wieren**, Director of the Stabilisation and Humanitarian Aid Department, the Netherlands, **Bridget Osho**, Acting Justice Sector Coordinator, Ministry of Justice, Sierra Leone

Secretariat to the Task Force on Justice: New York University's Center on International Cooperation (CIC) served as the secretariat to the Task Force on Justice.

About the Pathfinders for Peaceful, Just and Inclusive Societies

The Pathfinders for Peaceful, Just and Inclusive Societies are a group of member states, international organizations, global partnerships, civil society, and other partners working on accelerating the **delivery of the SDG targets for peace, justice and inclusion** (SDG16+).

New York University's **Center on International Cooperation** (CIC) co-founded and hosts the Pathfinders for Peaceful, Just and Inclusive Societies, and serves as the secretariat for the Task Force on Justice.