



**Interuniversity Institute of Social Development and Peace**

**INTERNATIONAL MASTER IN PEACE,  
CONFLICT AND DEVELOPMENT STUDIES**



**MASTER'S DEGREE FINAL PROJECT**

**Access to Justice as a Priority for  
Development  
(Info-teaching materials for high-school students)**

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Sincerely,

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## Abstract

The main focus of this project is to highlight the importance of equal access to justice for all, without kind of racial, religious, economic, gender discrimination, for development of the country. First, in my theoretical I will clarify the terms such as development and equal access to justice, as one of the goals of UN's New Development Agenda. Afterwards, I will emphasize the importance of access to justice for all, when talking about development of underdeveloped and developing countries.

Second, practical, part of the project is info-teaching brochure created with the purpose of providing information and raising awareness of high school students about the issue of access to justice for everybody, its importance in development process and, about the role of UN in general.

**Keywords:** Access to Justice, Equal, United Nations, Sustainable Development Goals, Info-teaching Materials, Development.

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## **Acronyms and Terms**

ECOSOC UN Economic and Social Council

EYD2015 European Year for Development 2015

TISCO Tilburg Institute for Interdisciplinary Studies of Civil Law and Conflict Resolution  
Systems

OSF Open Society Foundations

UN United Nations

MDG Millennium Development Goals

SDG Sustainable Development Goals

EU European Union

UNDP United Nations Development Programme

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## Introduction

Justice is considered a fulcrum for the human rights based approach of development cooperation as well as of democratic governance practice in general. According to Ramaswamy Sudarshan:

A well-functioning justice sector is a precondition to spur economic growth [...], access to justice is more importantly a means to prevent and overcome human poverty, by strengthening disadvantaged people's choices to seek and obtain remedy for grievances (Sudarshan, 2003:1).

However, nowadays there is an estimated number of four billion people all around the world who do not have access to protections afforded and guaranteed by law. Access to justice and to a legal system is unfortunately determined by economic resources. Consequently it is denied to the most vulnerable and disadvantaged people usually based on economic discrimination. Therefore, people and citizens from the most vulnerable group are living in the constant fear of losing their lands and properties, which are mostly their only one means for survival. As they are victims of corrupted governments, local officers, continual injustice and unequal access to institutions, this issue leads to anger, fear and discontentment which end in conflict and violence. Providing that government will collaborate with local groups, in the sense that would express their concerns, and by strengthening the citizen's rights. When these conditions will be secured, then there occur an enough good precondition for the effective use of abroad funding and for the tendencies for an operative elimination of poverty, which will bring the benefits for the most vulnerable groups. According to OSF:

Lack of legal identity leaves millions of people around the globe unable to participate fully in society or to access state benefits such as health care, education, and freedom of movement. Without access to justice, the barriers to overcoming poverty become all the more difficult to break down (OSF, 2013: ¶ 2)<sup>1</sup>.

Probably with the title of my thesis somebody it could be questioned that access to justice could have a positive impact on development? It could be easy to claim that there is no direct relation

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<sup>1</sup> For more information <http://www.opensocietyfoundations.org/fact-sheets/justice-2015-justice-plays-fundamental-role-eliminating-poverty>

between them two. Though, for the latter, accurate analysis and discussion about the equal access to justice and its relation to development, first, we need to have a clear idea of what access to justice means? How this right of access to justice can help regular people and citizens improve their lives and to get out of the poverty? Is it even possible? Therefore, I dare to declare that there is a strong connection between development and access to justice, and I am convinced that by promoting equal access to justice, there is strong chance for a sustainable development as well as for eradication of poverty in the long term. Access to justice is according to United Nations Development Programme defined as an “ability of people from disadvantaged groups to prevent and overcome human poverty by seeking and obtaining a remedy, through the justice system, for grievances in accordance with human rights principles and standards” (Sudarshan, 2003:2).

In recent years, the rule of law and access to justice have noted an increasing importance and attention when talking about development cooperation, specifically because there is a close relation between human development and eradication of poverty. In order to support my claim of the importance of access to justice in the terms of sustainable and successful development, I would like to present some of the statements of United Nations officials expressed during the UN Congress on Crime Prevention and Criminal Justice, in Doha, Qatar, on 13th of April, 2015. General Assembly President Sam Kutesa said that:

Equal access to justice and non-discriminatory laws help advance gender equality and promote equitable and inclusive development. Furthermore, fighting corruption will make funds available for delivery of basic services to citizens, particularly to the most vulnerable. Nurturing and promoting rule of law and human rights for all without discrimination is critical for reducing violence and crime, and ensuring human security. Central to this is the need for effective and accountable security and justice systems to address cycles of violence and to promote peace and stability, which are important pre-requisites to sustained economic growth (UN News Centre 2015, ¶2)<sup>2</sup>.

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<sup>2</sup> For more information: [http://www.un.org/apps/news/story.asp?NewsID=50559#.VeR\\_NpeVIYo](http://www.un.org/apps/news/story.asp?NewsID=50559#.VeR_NpeVIYo)



For these reasons I have decided to write about the access to justice as an important and basic legal element which all the countries should have in order to create a path of global cooperation, mutual responsibility and mutual interest, and to build a peaceful society in which basic human rights will not be denied to anyone. Therefore, equal access to justice is necessary in order to build a peaceful and prosperous society. Moreover, the guarantee of access to justice will help developing countries to fight against poverty. From a practical view, effective and fair remedies to guarantee access to justice can reduce discrimination and inequality in society contribute to the creation of a peaceful relationship between the citizens and government, and give input for development of the a country. The 2015 is the European Year for Development –“our world, our dignity, our future”. For the European Union’s external action it is an opportunity to eradicate poverty worldwide and to inspire more Europeans to get involved in development. Hence, since issues, tasks and questions related to development have been raised more often in the recent times, I consider it particularly important to modify already existing enforcement mechanisms in order to provide peace, security, protection, stability and justice. Moreover, in the United Nations post-2015 we can observe the change of priorities and change of strategy for the next agenda, which puts into the high priority of UN exactly the Equal Access to Justice focusing state’s attention specifically on countries with armed conflicts and on under-developed countries.

### **Structure of the thesis**

My thesis is going to be carried out through the inductive research approach, therefore I am going to divide my thesis into two main parts. In the first part I am going to focus my attention on the importance of access to justice in the terms of development. The first chapter is going to be named “Development Needs Equal Access to Justice” and it is going to serve as a reading material for high school professors and their students. In the first subchapter I am going to write about access to justice and its importance in general. In addition I am going provide a brief history and introduction when and how the importance of access to justice was created and how it became a priority in the

UN agenda as well as the priority for the European Union. In the second subchapter, I would like to be more specific about the issue of access to justice, how it is influencing the development in the “third world countries”, which possible positive impact it would have if there would be equal access to justice, and how it could improve development growth as well as to describe positive impacts on the common wealth of the population and on the country as a whole. In the second part, I will focus my attention and effort on the design and creation of informative-teaching materials not only about access to justice, but also about development in general terms, and about the SDGs, which have been recently (august 2015) approved. Info-teaching brochure is going to be designed in order to raise awareness within the high school students. Despite the fact, that the main focus is on access to justice for all, material provides also the clarification of the term *development*, its importance, and how it has been used in recent years more and more often. Moreover, it will include an acknowledgement of the UN, together with an introductory presentation of already approved and agreed 17 SDGs. As I have mentioned above, that the issue of equal access to justice is new to the platform of UN’s SDGs, the materials are designed mostly in the form of questions and enriched with some activities for the students and their professors in order to create a dynamic educational lessons. Therefore, I consider appropriate to opt for layout question – answer, in order to facilitate the flow of information.

## 2 Development Needs an Equal Access to Justice

Overcoming poverty is not a task of charity, it is an act of justice. Like slavery and apartheid, poverty is not natural. It is man-made and it can be overcome and eradicated by the actions of human beings. Sometimes it falls on a generation to be great. You can be that generation. Let your greatness bloom.

(Nelson Mandela)

### 2.1 What is an Equal Access to Justice?

“Access to justice is defined as the ability of people to seek and obtain a remedy through formal or informal institutions of justice for grievances in compliance with human rights standards” (United States Institute of Peace, 2015, ¶ 1). When we are talking about an equal access to justice, it is important to mention and keep in mind that it is more than just improvement of an one’s access to the court systems or a guarantee of legal representation. As UNDP claims, access to justice is not only one of the fundamental rights, but it is also a key mean for defending other rights. Hence, it is impossible to talk about an equal access to justice in the environment where citizens fear the system, see it as an alien structure, when the justice systems exceed their financial possibilities, where people do not command with a sufficient knowledge and information of what their rights are, where the people can not afford a lawyer, or where there is a weak justice system in general. Thus, these main and crucial obstacles still remain in many countries and not only, but mostly underdeveloped and developing countries. United States Institute of Peace claims following:

Access to justice involves normative legal protection, legal awareness, legal aid and counsel, adjudication, enforcement, and civil society oversight. Access to justice supports sustainable peace by affording the population a more attractive alternative to violence in resolving personal and political disputes (United States Institute of Peace, 2015:¶ 1)<sup>3</sup>.

For this reason, one of the most important organizations, the UN emphasizes the necessity to prioritize an equal access to justice. *Equal* ensures the access to justice for everybody without any kind of religious, racial, gender discrimination or any other form of discrimination.

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<sup>3</sup> For more information: <http://www.usip.org/guiding-principles-stabilization-and-reconstruction-the-web-version/7-rule-law/access-justice>

Justice systems are particularly important when talking about inequalities, for the reason that systems serve in order to recognize people’s entitlement to remedies and also when people are unable to claim remedies through other means which could possibly put their well-being at the risk. As UNDP’s Practitioner’s Guide to a Human Rights-Based Approach to Access to Justice has stated:

The State has an obligation to respect human rights through its actions, but also an obligation to protect people from abuses by others and to promote a policy environment that favours respect for human rights. People can use human rights as a minimum basis for legitimate demands for accountability, as most states are bound by them (UNDP, 2005:3-4).

Therefore, we can divide the process of access to justice to different stages, starting with the occurrence of grievance until the moment of reaching the remedy. (Figure 1)

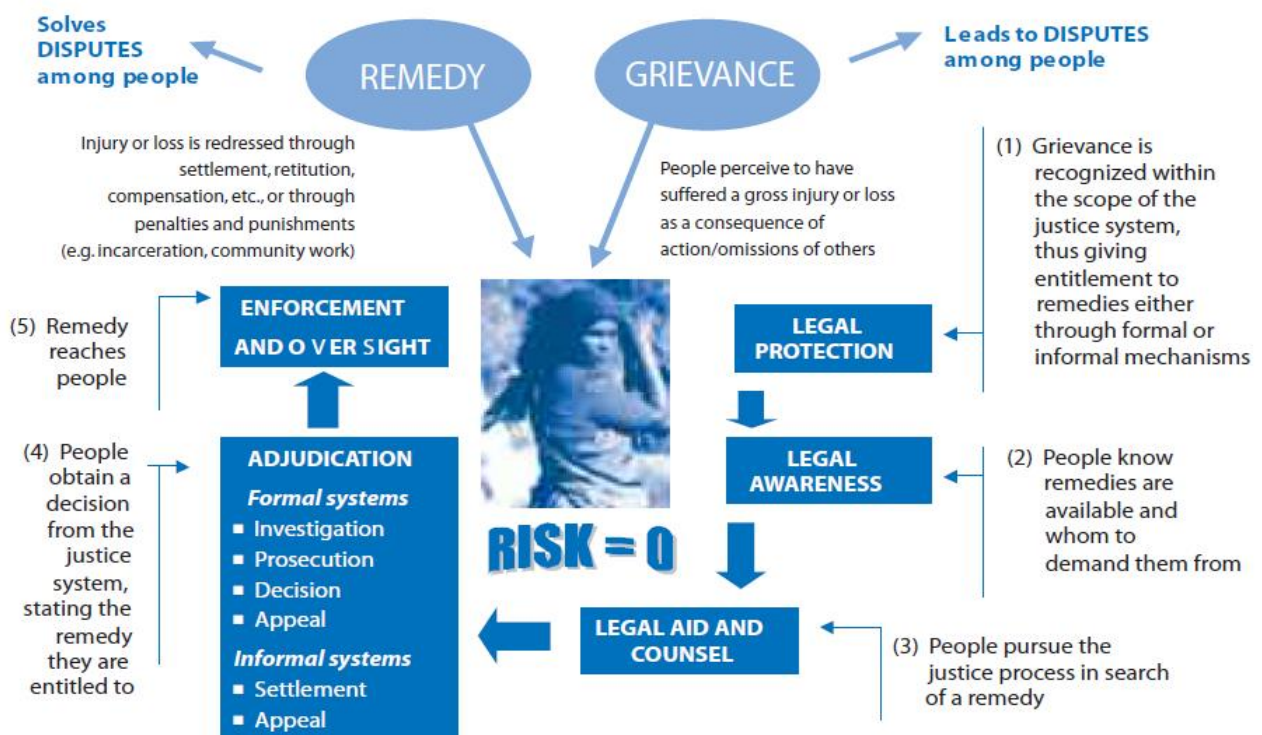


Fig.1 The Justice Process. (UNDP, 2005)

Hence, there are several substantial reasons why the equal access to justice is essential and crucial not only for human development but also for the eradication of poverty. First, disadvantaged and poor people, because of their vulnerability, are likely to become a victims of criminal and illegal

acts as well as victims of human rights violations, torture, violence, economic exploitation, sexual extortion, theft or of fraud.

Secondly, a justice mechanism can be used as a tool in order to overcome deprivations, for example through the access to education for girls and minorities, as well as through the access to cultural, social and economic rights. Besides the denial of these rights for poor and disadvantaged, these people are more impacted by illegality and crime, which could further cause them to fall further into poverty. But, the justice system can provide remedies for this through for instance, the determination of financial compensation, the clarification of agreements and the enforcement of penal measures. Unluckily, the people who are facing the highest risks, are the ones who are unable to influence the decision-making process. Consequently, they are more likely to fall deeper into the poverty.

Thirdly, through the fair and effective justice system the risks associated with violent conflicts are going to be significantly reduced. Therefore, when the impunity of culprits is eliminated or at least decreased, it will deter people from taking justice into their own hands through illegal and violent means, and from committing more crimes and injustices. Hence, UNDP programmes should “prioritize access to justice by poor and disadvantaged people since poverty and discrimination (e.g., on the grounds of gender, ethnicity or caste) can disadvantage those seeking judicial remedies through existing institutions“ (UNDP, 2005: 4).

Hence, the necessity of adding and implementing the goal of access to justice into the post-2015 agenda was one of the spotlight topics also during the UN Crime Congress in Doha, when president of the UN Economic and Social Council (ECOSOC), Martin Sajdik, proclaimed that:

There is no good governance, without rule of law, and there is no rule of law without good governance. The promotion of sustainable development, guarded by strong rule of law and human rights, is a road that must be taken by everyone (UN News Centre, 2015: ¶8).

In order to express the urgent necessity for implementation of access to justice into the post-2015 agenda with the view of a peaceful and secure society, the Assistant Secretary-General for Human

Rights, Ivan Šimonović (UN Crime Congress in Doha,2015) claimed that in order to have secure, peaceful, and stable societies along with successful social development, then it is imperative that governments fight against the inequalities, eliminate of any kind of discrimination, and guarantee that no one is left behind. Access to justice, should definitely be the UN's urgent priority.

## **2.2 Access to Justice as an UN Millennium Sustainable Goal 2015-2030**

In this context we notice that not only the UN is interested in the enforcement of equal access to justice, but even people on their own realize that the path towards the improvement of their lives and towards the development of the their country goes through the access to justice for all. Talking about the Millennium Development Goals<sup>4</sup> announced in 2001, expiring in 2015, which has significantly contributed to the field of development aid with the focus on poverty reduction, resulted that the extreme poverty being halved, primary education entry increasing and child mortality declining. However, despite all these achievements, OSF has one reservation of claim towards MDGs:

But for all that they have achieved, the MDGs left a gaping hole: they failed to mention justice and the rule of law. [...] Conflict-affected states, where the rule of law is weak, account for disproportionately high percentages of the world's infant deaths and poor and uneducated populations (OSF, 2014: ¶ 4-5)<sup>5</sup>.

Even when we are talking about advanced, developed economies, where inequality still remains, people to whom the access to justice was and is denied suffer from discrimination in education and in other public services as well.

On the other hand, others claim that justice can not be measured as economic growth or maternal health. But, lately in this work I am going to mention already started initiatives towards the

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<sup>4</sup> MDGs with the 8 determined goals: 1. eradicate extreme poverty and hunger, 2. achieve universal primary education, 3. promote gender equality and empower women, 4. reduce child mortality, 5. improve maternal health, 6. combat HIV/AIDS, malaria and other diseases, 7. ensure environmental sustainability, 8. reach global partnership for development, information taken on 15th July, 2015 from <http://www.un.org/millenniumgoals/>

<sup>5</sup> More information at <http://www.opensocietyfoundations.org/voices/time-close-circle-development-needs-justice>

measurement of access to justice through the creation and evaluation of Access to Justice Index. Therefore, the critique aimed at the impossibility to measure justice is nowadays quite irrelevant. Moreover, the majority of people are already aware of the fact that justice together with development are the basis for a better life. Nowadays, there are around four billion (The Guardian,2014: ¶1) people all around the world who do not enjoy protections afforded by law. “If serious progress is ever going to be achieved in overcoming extreme poverty, the poor must enjoy the rule of law and functioning institutions of justice - otherwise money will continue to flow towards the powerful” (OSF,2014, ¶ 8)<sup>6</sup>.

Therefore, Secretary-General Report recognizes the importance of justice and encourages the governments to correct the omissions of previous MDGs, which obviously failed in recognizing such a critical role of access to justice, security and safety which could assure the path towards the sustainable development. To millions of people all around the world who suffer every day because they have been denied an identity card, can not obtain social benefits or are refused access to courts, access to justice is the link between development and justice clearly evident. Hence, it is obvious that sustainable development can not be reached without the essential element, equal access to justice. Thus, UN Secretary-General, Ban Ki-moon in his Synthesis Report on the Post-2015 Agenda entitled “The Road to Dignity by 2030: Ending Poverty, Transforming All Lives and Protecting Planet”, outlined six essential elements necessary for delivering on the SDGs. (Figure 2) Hence, this is the great opportunity for UN to include access to justice, as an important objective that was not neither mentioned neither included in MDGs.

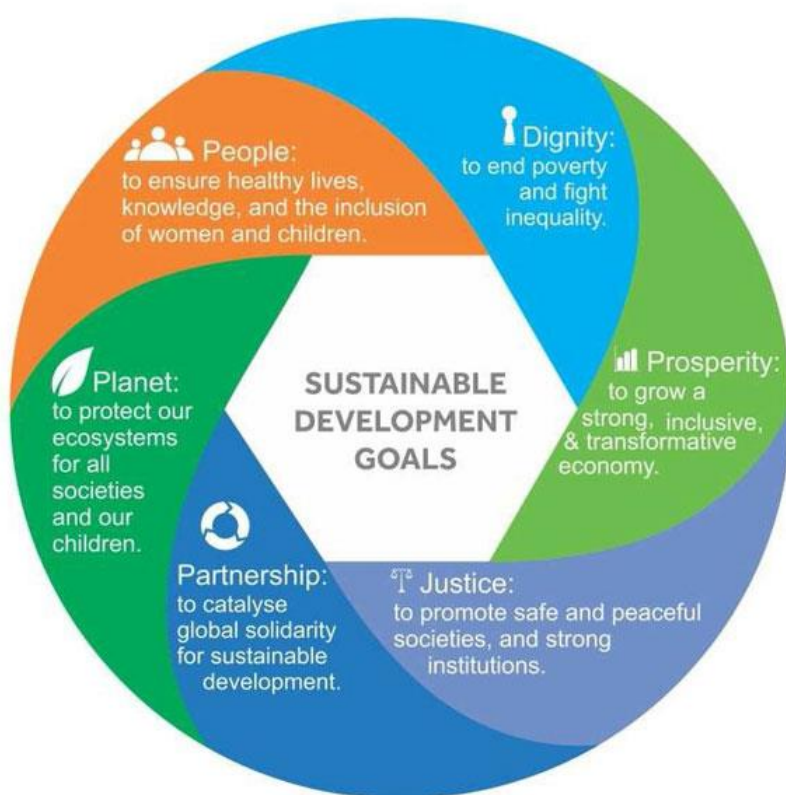
Thus, as a definition of concrete Sustainable Development Goals still remains at the level of negotiations and remains uncertain which ones of the proposed goals are going to be classified for the final version of Sustainable Development Goals 2015-2030, many politicians as well as many scholars are realizing the importance of the issue and are expressing the necessary implementation

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<sup>6</sup> For more information <https://www.opensocietyfoundations.org/explainers/what-does-justice-have-do-overcoming-poverty>

of access to justice as one of the main SDGs. According to Dr. Heike Gramckow, one of the World Bank bloggers, and her article “Justice proposed for sustainable goals”<sup>7</sup>:

Expanding on the 8 Millennium Development Goals set in 2000, the currently envisioned 17 SDGs are aiming to address broader, transformative economic, environmental and social changes. For the first time, however, the centrality of justice in achieving sustainable development has been recognized in the Open Working Group’s proposed Goal 16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels (World Bank, 2015: ¶1).



**Fig.2 Road to Dignity by 2030: Ending Poverty, Transforming All Lives and Protecting Planet. (UN SG Synthesis Report, 2014)**

In the UN Proposal for Sustainable Goals<sup>8</sup>, under the Goal 16, we can find more detailed and clarified objectives, among them the ones with the explicit focus on justice:

<sup>7</sup> Article available at: <http://blogs.worldbank.org/governance/justice-proposed-sustainable-development-goals>

<sup>8</sup> Full text of the UN Proposal available at: [http://www.un.org/ga/search/view\\_doc.asp?symbol=A/68/970](http://www.un.org/ga/search/view_doc.asp?symbol=A/68/970)



Promote the rule of law at the national and international levels, and ensure equal access to justice for all. [...] By 2030 provide legal identity for all including birth registration. Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements. Strengthen relevant national institutions, including through international cooperation, for building capacities at all levels, in particular in developing countries, for preventing violence and combating terrorism and crime. Promote and enforce non-discriminatory laws and policies for sustainable development (UN, 2015: ¶16.3, 16.9, 16.10, 16.a, 16.b).

As justice, law, and human rights are fundamental prerequisites for economic and social development, the Rule of Law has been defined by the UN Secretary General, Kofi Annan, in his report, “The rule of law and transitional justice in conflict and post-conflict societies”, as:

Principle of governance in which all persons, institutions and entities, public and private, including the State itself, are accountable to laws that are publicly promulgated, equally enforced and independently adjudicated, and which are consistent with international human rights norms and standards. It requires, as well, measures to ensure adherence to the principles of supremacy of law, equality before the law, accountability to the law, fairness in the application of the law, separation of powers, participation in decision-making, legal certainty, avoidance of arbitrariness and procedural and legal transparency (UN Secretary General Report, 2004:4).

The role of the fair, transparent, and accessible justice systems has a significant importance in poverty eradication and in promotion of sustainable development.

Therefore, this reality has been highlighted by General Assembly President Sam Kutesa as well as by other top UN officials during the UN Congress on Crime Prevention and Criminal Justice, held in Doha, Qatar, in April 2015. According to him:

Equal access to justice and non-discriminatory laws help advance gender equality and promote equitable and inclusive development. Furthermore, fighting corruption will make funds available for delivery of basic services to citizens, particularly to the most vulnerable (UN News Centre, 2015:¶2).

In many countries, there has been proved that expanding access to justice has plenty developmental benefits. For instance, in Bangladesh, there has been marked decrease of the size and frequency of illegal dowry payments due to women raising awareness about the rights and responsibilities related to marriage. Another case worthwhile to mention is in Uganda, through the legal empowerment and education, there has been shown an improvement of the quality of health service delivery. These are just a few positive examples of how important is to have the possibility of equal access to justice and how significantly it can improve one's life and how it can help to get out of the poverty. Neetu Pokharel and Som Niroula<sup>9</sup> members of OSF, claim that:

Too many people around the world are prevented from accessing legal and social protections because they lack a secure legal identity. Without the primary documentation needed for legal identification, basic rights and services like social allowances, health care, school enrollment, the right to vote, bank accounts, mobile phones, and the ability to move within and outside countries is often restricted or out of reach (OSF,2015: ¶1).

For all of the above mentioned reasons and clarifications, the right to equal access to justice and to a legal identity is essential for the inclusive sustainable development. Identity documents serve as a fundamental basis of social inclusion, which includes, most importantly, the access to education and to health care. Through the equal access of these fundamental basic public services, which many of us take for granted, the lives of most of the people in underdeveloped and developing countries will turn on to be much better and more dignified.

### **2.3 Development Goals for European Union**

However, United Nations is not the only institution which is focusing its attention, work, and programmes on sustainable development, eradication of poverty and creation of peaceful and prosperous society. The year 2015 is both a new beginning and new deadline. As the Millennium Development Goals of United Nations which were agreed in 2000, are reaching its last year, the international community is discussing the future global framework for sustainable development and

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<sup>9</sup> Article available at: <http://www.opensocietyfoundations.org/voices/how-legal-identity-leads-better-life>

eradication of poverty. Thus, the European Union, being fully aware of this fact, declared the year 2015 as European Year for Development, with the leading motto “our word, our dignity, our future.” As EU at its official web page points:

It is the first ever European Year to deal with the European Union's external action and Europe's role in the world. For development organizations all over Europe it is an unparalleled opportunity to showcase Europe's commitment to eradicating poverty worldwide and to inspire more Europeans to get engaged and involved in development (EU, 2015: ¶1).

Therefore, the European Union, as one of the main actors of international ground, is determined to act upon the principle of mutual responsibility and cooperation by helping to develop countries in order to create a peaceful society with an equal access to justice for all which allows for shaping the path for an achievement of sustainable development and poverty eradication. Hence, the main objectives of the EYD2015 are generally focused on raising awareness between the citizens of the EU in order to give the first impulse for voluntary involvement in the affairs related to development tasks and its cooperation. Besides, to:

Inform Union citizens about the Union's and the Member States' development cooperation, highlighting the results that the Union, acting together with the Member States, has achieved as a global actor and will continue to achieve in line with the discussions on the post-2015 framework. Foster direct involvement, critical thinking and active interest of Union citizens and stakeholders in development cooperation including in policy formulation and implementation. Raise awareness of the benefits of the Union's development cooperation not only for beneficiaries of the Union's development assistance but also for Union citizens and to achieve a broader understanding of policy coherence for development, as well as to foster among citizens in Europe and developing countries a sense of joint responsibility, solidarity and opportunity in a changing and increasingly interdependent world (Concord, 2014:¶14)<sup>10</sup>.

Moreover, EYD2015 provides a great and unique chance for EU to strengthen and consolidate its substantial role on the international ground. “Notably, it creates an opportunity for the European

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<sup>10</sup> More information at: <http://www.concordeurope.org/component/k2/item/393-eyd2015>

Union to act as a truly united force contributing to the global development agenda.” (Resolution on the European Year for Development, 2015:¶3)

## **2.4 Sen’s Capabilities Approach towards Access to Justice Index**

Over the past decades there has been achieved a significant progress on reducing poverty. However, despite of this improvement, people still live in extreme poverty worldwide. With reference to the World Bank’s statistic evidence:

According to the most recent estimates, in 2011, 17 percent of people in the developing world lived at or below \$1.25 a day. This means that, in 2011, just over one billion people lived on less than \$1.25 a day, compared with 1.91 billion in 1990 (World Bank, 2015: ¶3).

“Both income poverty and human poverty is pervasive, affecting a quarter to a third of people in the developing world.” (Agola, Awange, 2014:75) Therefore, poverty alleviation solutions have often been left up to economists. Due to that, development of the country has usually been seen in traditional approaches such as economic-based solutions settled strictly in the terms of income.

Thus, “poverty was measured in the terms of income or consumption of a household over a period of time, and then a minimal level was set to define poverty line.” (Carfield, 2005:342) On the other hand, Amartya Sen’s capability approach to development claims that in order to evaluate poverty reduction efforts, a wider set of indicators should be taken into consideration. Sen, in his book “Development as Freedom” proposes and suggests that the main focus in development policies should be on enhancing poor people’s capabilities. Therefore, he claims that we have to change the view of looking at poverty. And so, poverty has to be seen as a deprivation of the basic capabilities, not as a lowness of incomes. Sen in his book understands and presents his definition of *development* as:

[...] as a process of expanding the real freedoms that people enjoy. Focusing on human freedoms contrasts with narrower views of development, such as identifying development with the growth

of gross national product, or with the rise in personal incomes, or with industrialization, or with technological advance, or with social modernization [...] If freedom is what development advances, then there is major argument for concentrating on the overarching objective [...] Viewing development in terms of expanding substantive freedoms directs attention to the ends that make development important, rather than merely to some of the means that [...] play a prominent part in the process (Sen,1999:3).

Hence, Sen's capabilities approach shifts to define poverty not based on single economic dimension, but, on the contrary, to define poverty in the terms of multiple dimensions, in the terms of a poverty of social justice. Amartya Sen considers five instrumental freedoms which are needed for expanding people's individual capabilities, as well as overall development: (1) political freedoms, (2) economic facilities, (3) social opportunities, (4) transparency guarantees, and (5) protective security.

Through the Sen's capabilities approach, I want to provide an introduction for the initiatives of creation access to justice index. By the reasons that I have mentioned above, defining poverty or development only in the economic-based terms is neither appropriate nor exact. Therefore, the professionals from Tilburg Institute for Interdisciplinary Studies of Civil Law and Conflict Resolution Systems have created a guideline on how the access to justice should be measured in order to create an objective indicator showing the development of the country.

For a creation of Access to Justice Index (Figure 3), TISCO assumes following appropriate indicators:

1. Costs of Justice
2. Quality of Procedure
3. Quality of Outcome

The first indicator, Costs of Justice, measures private costs of the person needed in order to solve the existing problem/case. Therefore, this can be considered as a pre-determinant whether the victim will be able to do something to solve the problem. With reference to TISCO:

The framework of the costs of justice recognizes that on the paths to justice people spend money but also other resources such as personal time, existing opportunities, stress and emotions. Therefore, the challenge for improving access to justice is not only to lower monetary costs, but also the opportunity costs and the intangible costs (TISCO, 2009:29).



**Fig.3 Indicators of Paths to Justice.(TISCO, 2009)**

Secondly, Quality of Procedure is determined by people’s perceptions of procedural, interpersonal, restorative, and informational justice. Thus, in the case that multiple procedures will be offered, the expected quality of each one is going to play a crucial role in the decision process in order to choose the best option. Thirdly, the Quality of Outcome certainly plays an important role on the path to justice while deciding whether or not starting the process or not will be worthwhile.

Therefore, as Sen’s claims, Access to Justice Index can serve as a good indicator and means to improve and expand people’s capabilities and will ensure equal access not only to justice, but also to education and to health care. Hence, this can serve as a *remedy* in order to get out from poverty (eg. access to justice can ensure the access to education which is going to significantly better the living and income conditions of a person) and it will improve the overall development of the country.

Thus, organizations like UNDP should start by evaluating the indicators and criteria of Access to Justice Index, as they are doing with the Human Poverty Index, on how effective it is for average citizen to access justice. The indicators should examine whether the legal system is promoting poor people's capacity to access to justice. Carfield in her work, "Enhancing Poor People's Capabilities Through the Rule of Law: Creating an Access to Justice Index", states that:

[...] an Access to Justice Index would be monitored regularly by an independent agency, such as the UNDP. Like the Human Development and Human Poverty Indexes, the Access to Justice Index should measure both achievements as well as deprivations in each area. [...] Second, results contained in the Access to Justice Index should be utilized by donor agencies and governments to determine foreign assistance (Carfield, 2005: 359-360).

### **3 UN's New Sustainable Agenda and Its Destiny**

After tense negotiations, at the beginning of August 2015, 193 countries have finally reached a consensus and agreed on new agenda of sustainable goals and targets for following 15 years. The new 17 SDGs (Figure 4) and 169 targets are the result of more than two years discussions and negotiations of not only the UN member states, but civil society as well. Ban Ki-moon gave his opinion on new goals settled by/with words that "this is the People's Agenda, a plan of action for ending poverty in all its dimensions, irreversibly, everywhere, and leaving no one behind." (The Guardian, 2015:¶2)

New UN's Agenda is besides already mentioned goals in previous agendas, such as achieve gender equality, ensure food security, and eliminate the poverty, oriented also on pretty new issues, or on issues appearing in the UN's agenda for the first time such as provide and ensure access to justice for all, promote sustainable industrialization and foster innovation, and ensure sustainable consumption. As Ban Ki-moon said about New Agenda:

It seeks to ensure peace and prosperity, and forge partnerships with people and planet at the core. The integrated, interlinked and indivisible 17 Sustainable Development Goals are the people's

goals and demonstrate the scale, universality and ambition of this new Agenda (UN Homepage, 2015:¶4)<sup>11</sup>.

However, despite this success, the new SDGs are still waiting for its formal adoption during the Sustainable Development Summit, which will take place in the UN headquarters in New York from 25 to 27 September 2015. Consequently its implementation will begin on 1 January 2016. Therefore, for the September UN Summit are expected to attend more than 150 leaders in order to support the implementation of new agenda, as a result of also successful “Third International Conference on Financing for Development” held in Addis Ababa, Ethiopia on July 2015, where one of the crucial steps has been made, by the reason that:

The groundbreaking agreement, the Addis Ababa Action Agenda, provides a foundation for implementing the global sustainable development agenda that world leaders are expected to adopt this September. The agreement was reached by the 193 UN Member States attending the Conference, following negotiations under the leadership of Ethiopian Foreign Minister Tedros Adhanom Ghebreyesus. The agreement, adopted after months of negotiations between countries, marks a milestone in forging an enhanced global partnership that aims to foster universal, inclusive economic prosperity and improve people’s well-being while protecting the environment (UN News Center, 2015:¶ 2,3).

According to UN’s provisional expectations, the estimated economic amount for an implementation and monitoring of new SDGs would cost “\$172.5tn (£110.67tn) over the 15-year timeframe” (The Guardian, 2015:¶14)<sup>12</sup>.

### **3.1 SDGs of New Development Agenda for the years 2015-2030**

“**Goal 1:** End poverty in all its forms everywhere.

**Goal 2:** End hunger, achieve food security and improved nutrition and promote sustainable agriculture.

**Goal 3:** Ensure healthy lives and promote well-being for all at all ages.

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<sup>11</sup> For more information: <http://www.un.org/sustainabledevelopment/blog/2015/08/transforming-our-world-document-adoption/>

<sup>12</sup> For more information: <http://www.theguardian.com/global-development/2015/aug/03/ban-ki-moon-hails-sdgs-agreed-by-193-nations-as-leaving-no-one-behind>



**Goal 4:** Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all.

**Goal 5:** Achieve gender equality and empower all women and girls.

**Goal 6:** Ensure availability and sustainable management of water and sanitation for all.

**Goal 7:** Ensure access to affordable, reliable, sustainable and modern energy for all.

**Goal 8:** Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all.

**Goal 9:** Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation.

**Goal 10:** Reduce inequality within and among countries.

**Goal 11:** Make cities and human settlements inclusive, safe, resilient and sustainable.

**Goal 12:** Ensure sustainable consumption and production patterns.

**Goal 13:** Take urgent action to combat climate change and its impacts.

**Goal 14:** Conserve and sustainably use the oceans, seas and marine resources for sustainable development.

**Goal 15:** Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss.

**Goal 16:** Promote peaceful and inclusive societies for sustainable development, provide *access to justice for all* and build effective, accountable and inclusive institutions at all levels.

**Goal 17:** Strengthen the means of implementation and revitalize the global partnership for sustainable development. ” (Full Report of the Open Working Group of the General Assembly on Sustainable Development Goals, 2014:10)



Fig.4 17 SDGs. (UN, 2015)

**Goal 16:** Promote peaceful and inclusive societies for sustainable development, provide *access to justice* for all and build effective, accountable and inclusive institutions at all levels.

The fact, that access to justice is for the first time included in UN's development agenda, as one of the sustainable goals, plays a significant role for the whole society. The highest UN officers, leaders and professionals have realized, that without an equal access to justice is hard to fight against other grave world problems, of which the people are suffering on a daily base mostly in underdeveloped and developing countries. Therefore, *access to justice for all* is part of the solution, by the reason that, the world problems such as hunger, poverty, illiteracy, or gender inequality are connected with the insufficient protection of citizens by law. Consequently, the root of these problems can be found in denial of basic human rights and denial of the possibility to defend oneself in front of the more powerful entities such boss, enterprise, corporation, and state. OSF (2013) provides a number of facts, supporting statement of access to justice as a solution for hunger, gender inequality, illiteracy, etc.

First, access to justice for all has positive impact on poverty eradication. Justice is strongpoint of efforts in the process of extreme poverty and hunger eradication, by the reason that equal access to justice would provide to marginalized people, communities, and poor people tools and means in

order to improve their tenure security. Which as studies and research shows, lead to more productive investments.

Secondly, equal access to justice is a toll for gender equality promotion. Through the access to justice projects, the position of woman in a community and society would be improved, because through the projects, the women would not only more able to handle domestic violence, but also could retain a control over some economic resources to which they are entitled. All these small steps would slowly erase the gender inequalities. These justice projects are already existing and are bringing positive results. Thirdly, with an access to justice towards sustainable environment:

Justice and governance can help preserve the environment. [...] The findings suggest that when local users perceive insecurity in their rights, they consume more forest products; however, when their tenure rights are secure, they conserve biomass and use their forest commons in a more sustainable manner. Access to legal help can assist communities to secure rights over common land, giving them more control over their livelihoods and greater incentive to preserve their environment (OSF, 2013:¶6)<sup>13</sup>.

From all above mentioned, it is obvious that through the guarantee of equal access to justice for everybody, the people are going to have possibility for better life opportunities which are going to provide them not only a way and means for not falling further into the poverty, but also help them to get out of the vicious circle of hunger and poor conditions.

Insomuch that, first part of my project was dedicated to the theoretical framework of the importance of equal access to justice for development. Hence, this first part serves as a reading material for professors of high-schools and/also for their students in order to get familiar with the background of the development and its necessity of access to justice for everybody. Students and professors are going to implement the knowledge and information gained through the reading in the following second practical part.

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<sup>13</sup> For more information: <https://www.opensocietyfoundations.org/fact-sheets/justice-2015-how-justice-impacts-development>

# Info-teaching materials for high-school students



## **Practical workshop guide through:**

- Equal Access to Justice
- UN
- SDGs
- Development

**By Bucová Dominika**  
Castellón de la Plana  
2015

## **4 Info-Teaching Materials**

The Info-Teaching brochure has been designed in order to inform high school students and to raise awareness not only about an equal access to justice, as one of the 17 goals and 169 targets (The Guardian, 2014: ¶10) of new UN agenda for the following years 2015-2030, but also about development in general and about the SDGs, which have been recently (august 2015) approved.

Despite the fact that the main focus is on the “Goal 16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and built effective, accountable and inclusive institutions at all levels” (Foundation for Democracy and Sustainable Development, 2015:¶3), specifically, on the *access to justice for all*, this Info-Teaching brochure provides the clarification of the term *development*, its importance, and how it has been used in recent years more and more often. Additionally, it will include an acknowledgement of one of the most important organization, when talking about development, the UN, together with an introductory presentation of already approved and agreed 17 SDGs. Furthermore, the materials are going to explain and clarify the connection between the elimination of poverty and access to justice for all, therefore to give proof about the necessity of implementing goal 16 of SDGs, needed in order to fulfill the target of “promot[ing] the rule of law at the national and international levels, and ensur[ing] equal access to justice for all“ and to “promote and enforce non-discriminatory laws and policies for sustainable development” (UN Department of Economic and Social Affairs, 2015:¶16.3, ¶16.b), along with the achievement of sustainable development for better world.

The central focus and purpose of these materials is to provide basic introductory information and to present to the students a completely new UN goal, listed in the SDGs as number 16. For this reason, this particular goal has not been mentioned before in any of the UN previous agendas, consequently not as much attention has been payed to it. There is not much information nor materials, which is

why this brochure/teaching materials could be used and dispersed to the students in order to provide new knowledge about the issue of access to justice for all.

As I have mentioned above, that the issue of equal access to justice is new to the platform of UN's SDGs, the Info-Teaching brochure is designed mostly in the form of questions. As a result, during the creation of these materials, I tried to put myself in the place of targeted group and I guessed which doubts could appear in relation with existing issue I considered it appropriate to opt for layout question – answer, in order to facilitate to facilitate the flow of information and to prevent either misunderstanding or misinterpretation of the terms and issues. + Enriched with some activities.

**Objectives:**

- To be familiar with the terms as development, equal access to justice, UN, SDGs
- To be informed about the UN's new agenda and its SDGs
- To realize the importance of access to justice for all
- To be able to find the connection between elimination of poverty and access to justice
- To be able to find one of the possible solutions for elimination/decrease of poverty in enforcement and implementation of the sustainable development goal 16

**Targeted group/Suitability for:**

- High school students
- Children 15 years +

**Use/Applications:**

- For high schools
- For NGOs and humanitarian organizations
- To raise awareness campaigns

## What it so often mentioned “development” and so called “developing countries”?

The frequent issue about of what the development is has few versions. For the beginning I consider appropriate, first to get familiar with the general understanding of single word *development*. Hence according to Oxford Dictionaries it is defined as:

1.1 The process of developing or being developed. 1.2 A specified state of growth or advancement. 2. An event constituting a new stage in a changing situation. 3. The process of converting land to a new purpose by constructing buildings or making use of its resources (Oxford Dictionaries, 2015: “development”).

Therefore, it can be simply defined as “*step ahead of improvement or/and status change*”. As always, and with everything, “the coin has a two sides”, therefore the question, if this “step ahead of improvement and/or status change” has positive or negative, or both impacts and consequences, I will let on your own self-reflection (or maybe also for class discussion).

Though, there some sorts of development, human development, sustainable development, social development, etc. In order to continue with our topic, we are going to focus our attention on sustainable development which is arch cover for all above mentioned ones. Thus, the official version formulated by the World Commission on Environment and Development (Brundtland Commission)<sup>14</sup> in the year 1987, where they have gave the shape to model of sustainable development as follow is that:

Humanity has the ability to make development sustainable to ensure that it meets the needs of the present without compromising the ability of future generations to meet their own needs. The concept of sustainable development does imply limits - not absolute limits but limitations imposed by the present state of technology and social organization on environmental resources and by the ability of the biosphere to absorb the effects of human activities ( Report of the World Commission on Environment and Development: Our Common Future, 1987: ¶27).

Maybe you have a question in your mind, all right, but what does it mean in “normal language” and for me? Everybody can interpret this definition differently, which is completely fine, but probably

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<sup>14</sup> Full PDF report available online at: <http://www.un-documents.net/our-common-future.pdf>

the general explanation in one-owns words, could be that path of the *humanity* towards the successful sustainable development leads through the *respect and appreciation* of the Mother nature and its *limited natural resources* and through the *forethoughtful use* of them in order to provide for our generation, but taking into the *consideration to future ones*, and so through the simple things and habits ,as is for instance *recycling, save and decrease the consumption* of the limited natural resources. Therefore, with this *not egoistic and not ignorant behavior*, beliefs and attitudes pave the responsible- shared path towards development sustainability.

Concerning the clarification and explanation of the so called “developing countries” or “underdeveloped countries”. Official definition according to Oxford Dictionaries is: “a poor agricultural country that is seeking to become more advanced economically and socially” (Oxford Dictionaries, 2015: “developing country”). Basically, what is meant by this definition is that “developing” and “underdeveloped” countries (also known as “third-world” countries”) are economically, technologically, socially, etc. below the level of “more economically developed” countries as are for example the United States, Japan, Australia, member countries of EU, etc. To the category of these “underdeveloped” and “developing” are mostly meant countries in the African continent, but not all of them, also some Latin American countries, and some Asian countries. Therefore, in order to help these countries to “develop” there are many projects focused for their improvement. Most of the projects, but not all of them, are implemented in the sense of helping these countries to help themselves, to “develop”, by providing the necessary and missing material or even financial resources needed to create a self-dependent system in order to be able to provide for themselves without not so big external or high-dependent input form others.



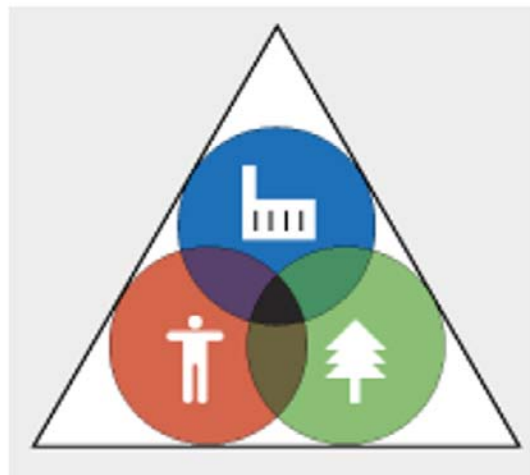
**Activity 1: According to your opinion and the information provided above, in the following table, add more objectives which you consider as important for sustainable development.**

**Economic objectives:**

- Growth
- Stability
- .....
- .....
- .....

**Social objectives:**

- Full employment
- Equity
- .....
- .....
- .....

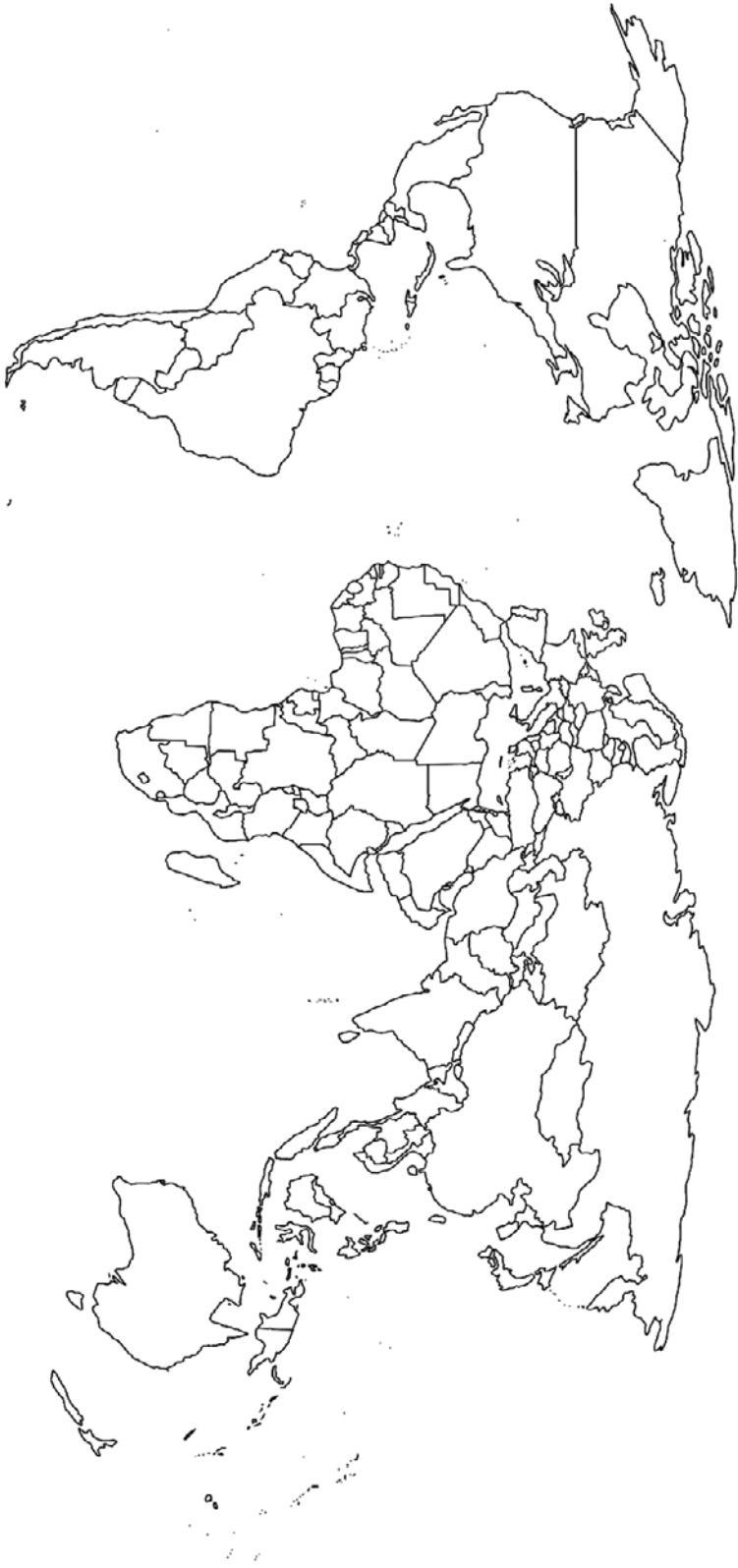


**Environmental objectives:**

- Healthy environment
- Rational use of limited resources
- .....
- .....
- .....

**Fig. 5 Objectives of Sustainable Development. (World Bank, Bucová Dominika, 2015)**

**Activity 2: Which countries are according to you are “underdeveloped” and “developing” ones?**



**Fig.6 World Blind Map. (Google, 2015)**

## What is the UN?

The *UN* is an international *organization* created in **1945**, in order to maintain peace and security in world. Nowadays, the UN has **193 Member States**, which are following the rules and principles of its founding *Charter* signed in June, **1945 in San Francisco**. The UN's headquarters are in **New York City**.

The UN is composed of **6 main organs** (Figure 5), which were also established in 1945, altogether with the foundation of the UN. Therefore, main organs are:

- **General Assembly**
- **Security Council**
- **Economic and Social Council**
- **International Court of Justice**
- **Secretariat**
- **Trusteeship Council**<sup>15</sup>

The main purpose and function of the UN existence is that, as an organization along with the Member States, is allowed to take the action against every issue which is considered to be a possible threat against humanity, world's peace and security, human rights, terrorism, gender equality, environment and more. What is also worth to mention is a fact, that this year, 2015, the UN is celebrating 70<sup>th</sup> anniversary of its establishment and existence.

The actual **Secretary-General** of the UN is **Ban Ki-moon**, from South Korea. He is the eight Secretary-General, who “took the office on 1 January 2007. On 21 June 2011, he was unanimously re-elected by the General Assembly and will continue to serve until 31 December 2016” (UN homepage, Secretary-General Biography, 2015:¶ 3).

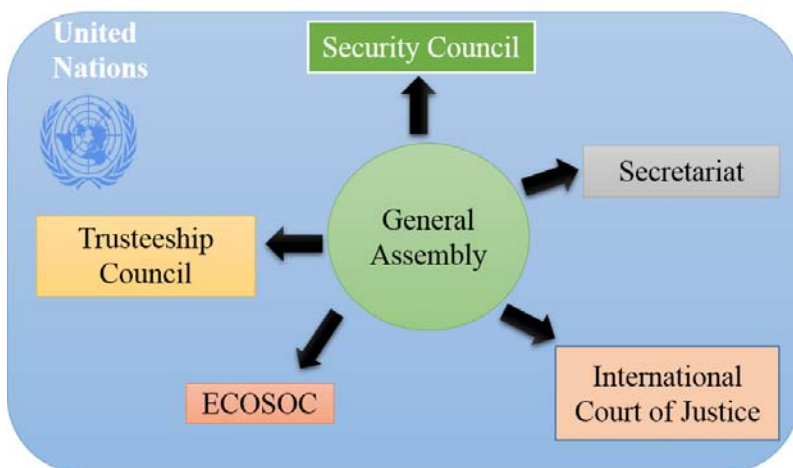
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<sup>15</sup> Trusteeship Council lost its function in 1994 when all Trust Territories gained independence or had attained self-government.

\*Background UN logo. (UN, 2015)

**Activity 3: Try to draw the structure of the UN's main 6 organs.**

Space for your drawing:



**Things to remember!**

**UN:** international organization

**Established:** 1945

**Where?** San Francisco

**Members States:** 193

**Main organs:** 6 – General Assembly, Security Council, Economic and Social Council, International Court of Justice, Secretariat, Trusteeship Council

**Secretary-General:** Ban Ki-moon (South Korea)

**Key for Activity 1: Fig.7 UN Structure (Bucová Dominika,2015)**

For more information about the UN click on their official webpage: <http://www.un.org/>

## What are SDGs? What are they good for?

*SDGs* are universal goals and targets formulated by the UN, world leaders and professionals in order to improve and eliminate world problems such as poverty, hunger, discrimination, health and living conditions, ensure education for everyone



**Fig.8 UN 2015: Time for Global Action Logo. (UN,2015)**

and decrease the illiteracy, etc. These are just a few named goals which are waiting to be accomplished by *2030*. In order to turn all these goals into the reality, the *UN* is financing and creating a suitable projects for each of the goals.

The UN, usually every *15 years* is creating a new goals and targets, based on the needs of the era. These new SDGs are something similar to MDGs<sup>16</sup>, so you have probably heard about them before. In the previous agenda of the UN and their MDGs, during the years 2007 -2015, the goals were more or less similar to the new SDGs with the purpose to eradicate poverty, to reduce child mortality, to fight against the diseases – HIV, AIDS, etc.

But the new SDGs are enriched with many more goals are targets to be accomplished in comparison with the previous agenda. It is understandable, if we take into the consideration the current world and political situation, there is still so much work to be done in order to make a progress and improve the conditions of the most vulnerable people, largely living in developing countries.

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<sup>16</sup> MDGs with the 8 determined goals: 1. eradicate extreme poverty and hunger, 2. achieve universal primary education, 3. promote gender equality and empower women, 4. reduce child mortality, 5. improve maternal health, 6. combat HIV/AIDS, malaria and other diseases, 7. ensure environmental sustainability, 8. reach global partnership for development, information taken on 15th July, 2015 from <http://www.un.org/millenniumgoals/>

### Why goals and targets as SDGs are needed nowadays?

By the reason that:

- Still, in 21<sup>st</sup> century, **more than 3 billion people** live on **less than \$2,50 a day** (Statistic Brain Research Institute, 2014:¶4).
- “The UN Food and Agriculture Organization estimates that about **805 million people** of the 7.3 billion people in the world, **or one in nine**, were suffering from **chronic undernourishment** in 2012-2014” (World Hunger Education Service, 2015:¶8).
- According to UNESCO<sup>17</sup>, “nearly **17% of the world’s adult population is still not literate**, two thirds of them women, making gender equality even harder to achieve” and “**122 million youth** globally are illiterate, of which young **women represent 60.7%**” (UNESCO, Statistics on Literacy 2015:¶1,2).
- There is still **1.1 billion people** in developing countries with an *inadequate access to water* (Statistic Brain Research Institute, 2014:¶9).
- Nowadays, estimated **4 billion people** in the world do **not have access to justice** (The Guardian,2014: ¶1) and have no protection by the law

There are too many more reasons why SDGs and projects for improvement of basic human needs are more than necessary.

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<sup>17</sup> United Nations Educational, Scientific and Cultural Organization

\*Background picture of statue with exclamation mark. (Google, 2015)

**Activity 4: According to the picture try to name the SDGs.**

1.)



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2.)



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3.)



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4.)



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5.)



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6.)



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7.)



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8.)



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9.)



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10.)



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11.)



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12.)



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13.)



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14.)



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15.)



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16.)



.....

17.)



.....

**Key for the Activity 2:** 1.) End poverty in all its forms everywhere. 2.) End hunger, achieve food security and improved nutrition and promote sustainable agriculture. 3.) Ensure healthy lives and promote well-being for all at all ages. 4.) Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all. 5.) Achieve gender equality and empower all women and girls. 6.) Ensure availability and sustainable management of water and sanitation for all. 7.) Ensure access to affordable, reliable, sustainable and modern energy for all. 8.) Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all. 9.) Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation. 10.) Reduce inequality within and among countries. 11.) Make cities and human settlements inclusive, safe, resilient and sustainable. 12.) Sustainable consumption and production patterns. 13.) Combat climate change and its impacts. 14.) Conserve and sustainably use the oceans, seas and marine resources. 15.) Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, preserve biodiversity. 16.) Peaceful and inclusive societies, provide access to justice for all and build effective, accountable and inclusive institutions at all levels. 17.) Strengthen the means of implementation and revitalize the global partnership for sustainable development. <sup>18</sup>

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<sup>18</sup> List of the all 17 goals used from the UN official webpage for Sustainable Development, take from the webpage on 2.9.2015, <https://sustainabledevelopment.un.org/focussdgs.html>

**Importance of the Goal 16: *Peaceful and inclusive societies, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.***

**Activity 5: Put yourself into someone's else shoes**

Instructions for the professors/teachers: *This activity demonstrates the impact of educational disparities. Give one half of the classroom nice construction paper and well-working scissors and the other half notebook paper and pairs of old scissors. Ask students to create paper dolls. Then, switch the resources and display the artwork. Students will see how low-quality resources and high-quality resources can affect student achievement.*<sup>19</sup> Start the discussion with the question: Is it fair?



**Fig. 9 Two Children Born in the Same Era (Pawel Kuczynski, 2015)**

Dear Professors/Teachers,

Based on the first theoretical part, on the activity and on the picture (Fig.8) try to lead and develop the platform for the discussion with students about the issues what does for them mean ***equality, equal access to resources, justice, an equal access to justice*** in the real life. Let them describe how would their daily life would look like without guarantee of all these mentioned “privileges”.

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<sup>19</sup> Activity taken from: [http://www.educationworld.com/a\\_lesson/social-justice-activities-students.shtml](http://www.educationworld.com/a_lesson/social-justice-activities-students.shtml)

## Equal access to justice and elimination of poverty and hunger: What is the relation?

Lack of access to justice is playing one of the crucial roles when talking about poverty and hunger. Maybe it does not have to seem so visible, but the consequences and impacts on the vulnerable group of people, as the ones who are already marginalized and who are also facing social exclusion caused by their economic status, race, gender, religious or any other pre-condition, are grave. Hence, this reality is making the combat against poverty and hunger even harder. “Access to justice is a human right. It combines all of the processes and mechanisms that ensure that this right is implemented in order to provide a response to a problematic situation (human rights violation) based on the law, whether on an individual or group basis“ (Avocats Sans Frontières, 2013:1). However, nowadays there still remain people without the possibility to enforce such a right. As it is indicated in the accompanying note to the conference organized by Avocats Sans Frontières, “How access to justice can reduce the poverty” (2013):

Promoting the importance of this right, and therefore of the rule of law, implies strengthening access to justice for everyone, particularly those who find themselves in vulnerable situations.

More and more experts are indicating that non-discriminatory access to justice is an essential pillar for developing and combating poverty, in that it leads to the effective implementation of other human rights (Avocats Sans Frontières,2013:3).

As it is mentioned above, equal access to justice without any kind of discrimination, is going to help to the disadvantaged group of people to claim the rights they have been born with, and consequently provide them a well-based platform for self-improvement of their poor and fragile situation, followed by development of the society and the country as a whole. Therefore, this fact in very simple way can be explained as an expansion of their real freedoms in the sense that the people could by themselves get out of the vicious circle of poverty and hunger.

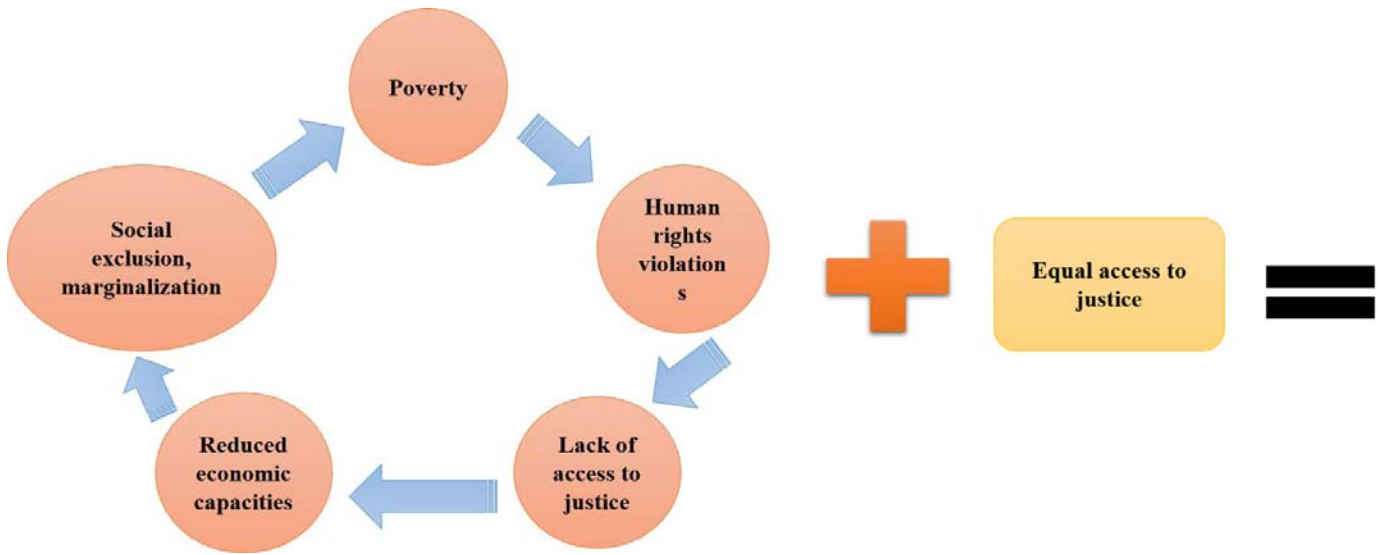


Fig. 10 Access to justice as a remedy for vicious poverty circle. (Bucová Dominika,2015)

**Activity 6: “Food for Thought”**

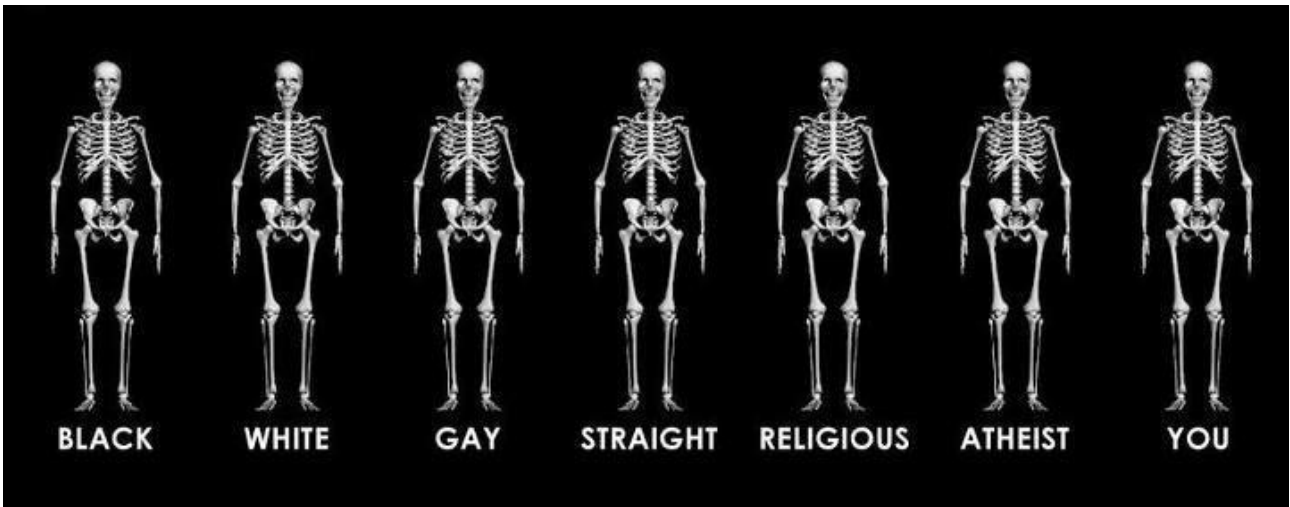


Fig.11 Equal access to justice for everyone. (Google,2015)

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood. Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty (Universal Declaration of Human Rights, 1948: ¶1,2).

### **Activity 7: Create your own Access to Justice Index**

Professionals and scholars are already working on creation of the access to justice index, help them with their effort and design your own proposal. Create your own access to justice index with its indicators. For example in Human Development Index (HDI) are as important considered following indicators: life expectancy, education and income (per capita). Which indicators would you choose for Access to Justice Index, what matters for you?

Space for your index:

### **Activity 8: Raising Awareness Campaign Poster**

Instructions: Divide yourselves into the smaller groups in order to create a collaborative environment and design a campaign poster how would you promote and present an equal access to justice to the public. Make a presentation of the posters and explain.

## Conclusion

The aim of my final project was to point on the issue of development and on the importance of implementation of equal access to justice. As the access to justice, as an objective of the UN's agenda of SDGs, appears as quite new topic in the terms of development, I was trying to provide a justifications that it is really important and that it should be left out. As I have mentioned already above:

Too many people around the world are prevented from accessing legal and social protections because they lack a secure legal identity. Without the primary documentation needed for legal identification, basic rights and services like social allowances, health care, school enrollment, the right to vote, bank accounts, mobile phones, and the ability to move within and outside countries is often restricted or out of reach (OSF,2015: ¶1)<sup>20</sup>.

Four billion people all around the world, this number I consider sad and alarming, are still denied above mentioned basic rights and services, which are essential for healthy human development, growth and dignified life. Nevertheless, that we are “lucky” enough to have secured these “privileges”, we should not be indifferent and ignorant towards the less lucky ones in most of “underdeveloped” and “developing” countries.

Hence, as I have already mentioned, equal access to justice is not only one of the crucial pillars for sustainable development, but moreover it is a possible remedy and helpful tool in order to combat the poverty and hunger. On the ground of these circumstances, in the second part, I have decided to focus my attention on info-teaching and raising-awareness materials dedicated to high school students and their professors, in order to form a young open-minded and conscious future generation needed to pave the path towards sustainable development. Therefore, I have chosen as a targeted group young teenagers, by the reason that they are already old enough to perceive and realize world issues happening all around them, but on the other hand, they are also young enough to be influenced and shaped on their way to adultery full of their own critical thinking, strong beliefs and wise own opinions.

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<sup>20</sup> Article available at: <http://www.opensocietyfoundations.org/voices/how-legal-identity-leads-better-life>

## Author's thoughts – With an equal access to justice towards better tomorrow?

After the research I have made through all this project, through the articles, books, documents, I have read, I definitely think that equal access to justice is one of the possible solution for the hunger, poverty and for successful sustainable development in general.

However, with such a high number of people (four billion) who still remains without equal or any access to justice is alarming, therefore this objective has very long-term way to go.

This particular SDG is very interesting from my point of view, and this me being quite curious how will go the implementation work on the reality from the state's/country's side.

Considering some legal reforms which need to be made in order that the well-based equal access to justice is included in their justice system and cannot be overlooked anymore.

But of course, there are two sides of the coin, so the state would need to invest some money from the beginning, but when it comes to successful implementation, the country would gain much more, because there will be more working people inside the country who are

economically active, trying to get out of the poverty circle and are heading ahead of improvement.



Hence, I think that this goal has a big potential, when talking about development.

Moreover, I am really satisfied and happy that finally priority of access to justice has been implemented to UN's agenda, by the reason that the problems should be solved from down to the top, and the case of lack of access to justice was/is a root cause for all the followed problems as hunger, poverty, "underdevelopment", etc.

To sum it up, yes, I am convinced that access to justice for everybody is possible solution for "developing" and "underdeveloped" countries to grow, but I am trying to be critical as well, therefore the questions is: How would state exercise the implementation and enforcement of such a right and how consistently are they going to work on such a "not-immediately-visible" positive results, improvements and changes.

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