

WHY ACCESS TO JUSTICE IS AT THE HEART OF ASF'S WORK

For sustainable development

The importance of the link between justice, peace and sustainable development was confirmed by the Sustainable Development Goals approved by the United Nations in September 2015. Goal 16 is specifically dedicated to the topic of justice, including the access to justice.

This recognition once again confirms the relevance and the importance of the work carried out by ASF. The links between justice, the creation of sustainable peace, and the fight against poverty are very clear.

First and foremost, access to justice helps to fight poverty, by leading to compliance with other human rights. When economic exclusion is combined with legal exclusion, it becomes even harder to fight. This double exclusion especially affects women, who frequently encounter various forms of discrimination.

Access to justice can also help to fight impunity and free communities from oppressive practices.

Finally, independent, impartial and accessible justice delivered in compliance with the separation of powers and the principles of good governance helps to create and/or strengthen citizens' trust in the institutions.

Our operational contexts

ASF intervenes in fragile contexts¹ which are characterised in the field of justice and human rights by:

1. Structural flaws in the legal institutions.
2. A lack of independence of these institutions.
3. Manipulation of justice by political, military or economic-interest groups to the detriment of general interests.

These flaws lead to:

- Impunity after crimes are committed.
- Oppressive/totalitarian practices against the most marginalised segments of society.
- An increase in social, political and economic inequalities at the expense of the poorest people in society.

¹ "A State is fragile when the government and the State authorities do not have the means and/or the political will to provide citizens with security and protection, to effectively manage public affairs, and to tackle poverty within the population", Principles for international engagement in fragile States and situations, OECD, 2007.

In favour of the most marginalised groups

These aspects show the importance of taking action in these fragile contexts. More specifically, ASF helps the most marginalised people so that they can demand and access their rights. A person or a group of people may be unable to assert their rights for various reasons:

- Lack of knowledge about these rights.
- Poverty.
- Marginalisation.
- Geographic isolation from legal services.
- Impunity of perpetrators.
- ...

Although the situation of vulnerability may be different in each context, none of these people have access to an effective justice system, which would enable them to obtain a fair response to the difficult position they are in.

The right to have access to justice

Trained by ASF, the lawyer
Sylvia Ebitu Namawejje (l.)
freed Mariam Nannozi (r.).
In Uganda, one in three people is
detained beyond the legal limits

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