

Tunisia JNS Study

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Judge Kamel Eddine Ben Hsan, Head of Cabinet at the Tunisian Ministry of Justice, representing Her Excellency Minister Leila Jaffel

Mr. Hatem Mziou, Chairman of the Bar Association

Your excellency Ambassador Frantzen

Dear esteemed guests,

It is a great honour for me to stand here, as another step is taken towards the implementation of people-centred justice in Tunisia. In 2019, in the Peace Palace in The Hague, Tunisia was among the first countries in the world to highlight this new approach and commit to applying it by signing on to The Hague Declaration on Access to Justice.

The shared bottom line analysis of the 22 countries who adopted this document is based on 3 conclusions:

First, that across the world, justice systems are not meeting the needs of people.

Second, that [and I quote] - “the millions of unresolved legal problems have a negative impact on the health, income and productivity of individuals and communities, which affects economic growth, may exacerbate inequality and can even fuel violent conflict.” [unquote]. Did you know that the OECD has estimated that the annual costs of legal problems range from 0.5% to 3% of GDP?

Third, that current efforts to improve the prevention and resolution of justice problems are not working and that new approaches and additional efforts are required.

Based on these 3 conclusions - all grounded in comprehensive data and research - the 22 States came with a new approach, which they called people-centred justice programming.

The document sets out 5 action areas to make this happen.

First: *Putting people and their legal needs at the centre* of justice systems. Those who build and run justice systems must understand what people need and want when they seek justice, which obstacles they face, and what kind of justice they receive.

Second: *Innovate*. Justice systems must be transformed to include a broader range of justice providers, using high-tech as well as low-tech innovative solutions, based on data, evidence and learning.

Third: *the quality* of justice journeys must be improved. People need to be empowered to understand, use and shape the law, while offering them fair informal and formal justice processes that meet their needs in terms of both procedures and outcomes.

Fourth: justice must be used more for *prevention*. Make use of mediation and other methods to prevent disputes from escalating.

Fifth and last: people must be provided with the *means* to access justice services. Legal, administrative and practical barriers that people face to obtain documents, access public services, and participate fully in society and the economy must be removed, ensuring gender equality.

This is the new foundation that Tunisia helped build in 2019.

The partnership that made the Declaration possible has grown since its adoption and work has continued. A group of states has united in the

Justice Action Coalition, which is supported by organisations like the OECD, World Bank, UNDP, IDLO, the Justice Leaders, the World Justice Project, and HiiL. The work has also involved justice innovators, including from Tunisia. An integrated approach to operationalize people-centred justice is emerging that can be captured in a doable, manageable, and fundable programme, coordinated by a ministry of justice or a multi-stakeholder task force. Its core elements are data, evidence-based working and innovation. More will be shared by my colleagues.

Let me close.

The data that will be shared today shows that there is still a lot of work to do. There is still a large inability to meet demand and there are low satisfaction levels. Doing more of the same is not likely to bring a solution. But a new approach is there: people-centred justice programming. HiiL is working with other countries in MENA, Africa, and Europe to put that new approach into practice in doable, manageable, and fundable programmes. It is the most promising way forward right now. Tunisia already has a good foundation. Elements are being operationalized, in particular the data and innovation elements.

I want to reiterate HiiL's commitment and willingness to support the justice sector to develop an integrated people-centred justice programme to close the justice gap, one of the strategic priorities of the Ministry of Justice.

HiiL feels great pride that we have been given the trust to work with you.

Thank you for your kind attention.