

Box 9: Case Study

In 2015, the legal empowerment NGO, Kituo cha Sheria, the International Commission of Jurists Kenya and the Law Society of Kenya, began advocating for a national justice plan that incorporated the SDGs' justice targets.

The organisations held a two-day meeting that brought together the Kenyan Parliamentary Human Rights Association, the Attorney General and the Human Rights Commission. The government representatives in attendance agreed that there was a need for justice reforms but stressed that a national justice plan could take years to develop. Instead, it was agreed that civil society and government work together to revise existing legislation.

The parties decided to tackle the National Human Rights Policy first because it would serve as a strong foundation on which to develop other laws and policies. The Policy had been in draft form since 2008, but by capitalising on the momentum created by the SDGs, advocates were able to get many of the recommended reforms included in the Policy to the top of the legislative agenda in less than a year.

This led to the passing of several draft policies, including the Legal Aid Bill, the Right to Information Bill and the Community Land Bill; all of which have since been signed into law.

WHAT IF YOUR CALL FOR A NATIONAL JUSTICE PLAN IS REJECTED?

Even if your efforts to promote a national justice plan are not successful, you will still have the opportunity to engage in government discussions on Goal 16, access to justice and legal empowerment. You can use the information you collect and the relationships you build to make smaller changes at a slower rate.

You can also continue to push forward by calling for good access to justice indicators to be included in your government's SDG reporting. National indicators will continue to be highly relevant for monitoring your government's progress in delivering its commitment to provide justice to all. Governments will be reporting against their SDG commitments in regional and global spaces. You can use these platforms as a way to apply pressure to catalyse national reforms once more. [See Chapter Five.]

THE IMPORTANCE OF ADVOCACY

If you believe that your country needs a national justice plan the next step is to begin advocating for it. Governments are unlikely to push forward with a national justice plan without sustained pressure to do so.

TIP

Be aware that while governments have committed to Goal 16, they may be slow or hesitant to implement justice reforms. With 17 SDGs, some governments may choose to focus on existing MDG goals, such as health and education. The SDGs are an integrated agenda and no one goal should be prioritised over another. In your advocacy, you must ensure that justice is not overlooked by your government. Establishing a national justice plan is a useful way to do this.

TIP

What if your government is unwilling to work with civil society?

Many governments are either hostile or indifferent to the potential contributions of CSOs. Government actors may feel that they are unnecessary or that there are too many to effectively engage with and so they choose not to engage with any. Some believe that CSOs do a disservice highlighting gaps or shortcomings in government services and activities.

Despite this, it is imperative that you commit to working with governments on access to legal aid and legal empowerment. This toolkit will provide you with strategies to help build relationships and demonstrate your expertise and value.

Successful advocacy requires careful planning, but it is equally necessary that you remain flexible and adaptive. The advocacy cycle illustrated below will be useful for helping you develop and execute your strategy. This toolkit assumes that you have a basic understanding of an advocacy cycle. If you are unfamiliar with the concept, you should consult other guides which dive deeper into explaining the rationale and use of an advocacy cycle. We recommend the following:

- *Participatory Advocacy (VSO)*²¹
- *Advocacy Toolkit: Influencing the Post-2015 Development Agenda* (CIVICUS and Stakeholder Forum)²²
- *Engaging with the Media: A Companion to the Advocacy Toolkit for Influencing the Post-2015 Development Agenda* (CIVICUS and Stakeholder Forum)²³

Box 10: Recap

After reading this chapter, you should understand:

- how to define a national justice plan and how to use it,
- how the SDGs can help promote national reforms aimed at increasing access to justice in your country,
- how a national justice plan can help you push for national reforms that promote access to justice and legal empowerment,
- alternatives to a national justice plan, if pursuing one is not appropriate in your context,
- the importance of advocacy in encouraging your government to pass a national justice plan.

21 *Participatory Advocacy: A Toolkit for VSO Staff, Volunteers and Partners* (Voluntary Service Overseas: 2009), <http://www.intrac.org/data/files/resources/674/Participatory-Advocacy-A-toolkit-for-VSO-staff-volunteers-and-partners.pdf>

22 *Advocacy Toolkit: Influencing the Post-2015 Development Agenda* (Civics and Stakeholder Forum), <http://www.stakeholderforum.org/fileadmin/files/Post2015AdvocacyToolkit.pdf>.

23 *Engaging with the Media: A Companion to the Advocacy Toolkit for Influencing the Post-2015 Development Agenda* (CIVICUS and Stakeholder Forum), <http://www.stakeholderforum.org/fileadmin/files/Engagingwiththemedial.pdf>