



Photo: UN Women/ Kabita Thapa

## Advancing People-Centered and Gender-Responsive Justice in the Asia and the Pacific Region



Access to justice is both a right in itself and a means to protect other rights. Despite the manifold efforts in past decades to improve the availability of justice, more than five billion people globally still do not enjoy access to this fundamental right. Indeed, for the majority of women in the Asia and the Pacific region, justice continues to remain out of reach. At the current rate of progress, it could take another 286 years for women to have the same legal rights and protections as men<sup>1</sup>, highlighting the urgent need to advance justice for women through innovative and evidence-based approaches.

### Supporting women's access to justice

Launched in 2018, the programme 'Enhancing Access to Justice for Women in Asia and the Pacific' is jointly implemented by UN Women, the International Commission of Jurists, and the Office of the United Nations High Commissioner for Human Rights, with generous support from the Government of Sweden. The programme enhances access to justice for women in formal and community-based justice systems across the Asia and the Pacific region, by putting women and their needs at the centre of justice and enabling timely and meaningful justice outcomes in line with the international human rights framework.

### Closing the gender justice gap through people-centred justice

Over the course of the programme, UN Women has facilitated access to justice for over 4,200 women across the Asia and the Pacific region. The programme has also contributed to important gender-responsive legislative changes, while increasing the level of trust in justice sectors, trailblazing technology-based solutions to effectively address women's justice barriers, and raising awareness about the legal needs of those furthest behind in accessing justice.

The people-centred community justice mechanisms are an important aspect of the programme's success, placing women at the

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<sup>1</sup> PROGRESS ON THE SUSTAINABLE DEVELOPMENT GOALS THE GENDER SNAPSHOT 2022

centre of justice and the co-design of solutions that fit their needs. The community-based justice mechanisms were initiated as pilot projects and are now scalable and adaptable at national and regional level.

Developed in collaboration with women's rights groups, justice providers, legal experts and government officials, the community-based justice models adopt a whole-of-community approach that brings justice closer to the people.

**UN Women has facilitated access to justice for over**

# 4,200 women

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### Prevention of justice problems

Based on the World Justice Project global snapshot on women's access to justice, 53 per cent of women surveyed had experienced a civil justice problem within the previous two years.<sup>2</sup> Asia is the world region with the highest rates of women prisoners globally, and the number of women in conflict with the law is increasing at a faster rate than for men. Most recent data capture that there are over 714,000 women deprived of liberty globally, which is 53 per cent higher than figures from 2000.<sup>3</sup> Moreover, a significant proportion of women deprived of liberty are charged with non-violent poverty-related offenses. Due to e.g., limited resources and backlog of cases,

<sup>2</sup> World Justice Project. 2019. "Women's Access to Justice: A Global Snapshot." News, 8 March 2019. <https://worldjusticeproject.org/news/womens-access-justice-global-snapshot#&gid=1&pid=1>.

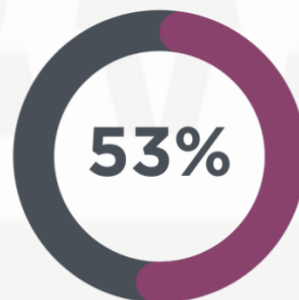
<sup>3</sup> Penal Reform International. 2022. *Global Prison Trends 2022*. <https://www.penalreform.org/global-prison-trends-2022/> Walmsley, R. 2017. *World Female Imprisonment List, 4th ed.* [https://www.prisonstudies.org/sites/default/files/resources/downloads/world\\_female\\_prison\\_4th\\_edn\\_v4\\_web.pdf](https://www.prisonstudies.org/sites/default/files/resources/downloads/world_female_prison_4th_edn_v4_web.pdf)



Photo: UN Women/Nicholas Axelrod

many women offenders are enduring extended periods of pre-trial detention, exceeding the maximum sentences for the crimes with which they are charged.<sup>4</sup>

Preventing women's justice issues before they occur is not only the most humane approach, it is also more cost-effective, producing positive impact far beyond the justice system. Fewer justice problems mean fewer costs for individuals, society, and the justice system itself, enabling increased justice capacity.



**Women who experienced a civil justice problem within the past two years.**

The UN Women community-based pilot model on prevention corresponds to and addresses women in conflict with the law across all stages of the criminal justice process, from prevention to reintegration. Poverty is not only

<sup>4</sup> Alvarez, M. 2018. *Women, Incarceration and Drug Policies in South East Asia: Promoting Humane and Effective Responses*. NoBox Philippines. <https://www.aidsdatahub.org/sites/default/files/resource/idpc-philippines-policy-guide-women-2018.pdf>.

a key contributing factor in coming into conflict with the law, it also significantly affects women in incarceration, whom are often unaware of their legal rights and lack the economic means to hire a lawyer. Empowering women economically is therefore a key approach in the UN Women prevention model. As a result of the project interventions, 20 pilot communities, 10 community-based justice system justice providers, 5 women detention centres, and over 200 members of the judiciary are now equipped with the capacity to promote and enforce women's economic rights. The pilot project has also resulted in increased access to social benefits, advanced understanding of joint decision-making, and increased access to justice for women in pre-detention.

### Decentralization of justice mechanisms

Community-based justice mechanisms bring justice closer to the people and reduce the justice gap by freeing up the formal, central justice mechanisms to minimize the considerable case backlogs that exist in almost all jurisdictions across Asia and the Pacific. Decentralized justice mechanisms have enhanced women's active citizenship and impact in public affairs, thereby bolstering trust in justice providers throughout the broader community.



Photo: UN Women/Second Chance Education Programme

Over the past five years, UN Women has collaborated with a diversity of grassroots

women's organizations, more than 200 judges, 890 community-based justice actors, and 15 Local Judicial Committees (LJCs) to pilot



14%

Level of trust in pilot community justice institutions **BEFORE** the project.



66%

Level of trust in pilot community justice institutions **AFTER** the project.

decentralization mechanisms. This initiative has resulted in increased awareness of women's rights among justice providers, enabled efficient processing of more than 544 cases brought by women to LJCs, and led to the adoption of gender-responsive and people-centred procedures in all pilot communities.

The level of trust in pilot community justice institutions significantly increased during the project, rising from 14 per cent to 66 per cent. As a result, women have shown more confidence in engaging with LJCs.

### Digitalization and gender-responsive legal technology

While the digital gender gap still needs to be bridged, more women than ever before have access to the internet. Notably, in South Asia, the mobile internet gender gap narrowed from 67 per cent in 2017 to 51 per cent in 2019, resulting in an additional 78 million women gaining internet access via mobile device.<sup>5</sup> This significant development means more women potentially have the opportunity to leverage

<sup>5</sup> GSMA (Groupe Speciale Mobile Association). 2020. GSM Connected Women: The Mobile Gender Gap Report 2020. <https://www.gsma.com/mobilefordevelopment/wp-content/uploads/2020/05/GSMA-The-Mobile-Gender-Gap-Report-2020.pdf>.



Photo: UN Women/Nicholas Axelrod, and Luke Duggleby

online platforms to resolve legal problems and access justice.

Legal technology holds the potential to overcome several prominent obstacles to women's access to justice, such as mobility challenges, inadequate financial resources, and the distressing prospect of exposure and social stigma that may accompany interacting with justice institutions.

In staying ahead of the rapidly advancing field of legal technology, UN Women has partnered with global experts to enhance awareness on the importance of gender considerations and women's full participation in the development and implementation of legal technology.



**78 million women**

gained internet access via mobile device.

UN Women has facilitated cross-country learning and expert roundtables, and is linking governments to global legal technology experts to discuss gender-responsive digitalization. As a result, five national governments in the Asia and the Pacific region have committed to a gender-responsive,

human-rights based and ethical transition to e-justice, in which UN Women will provide technical and advisory support to ensure people-centred and gender-responsive digitalization of justice mechanisms.

### Justice that leaves no one behind

While women have roughly the same number of unmet justice needs as men, the nature of these needs often reflect women's experience of disproportionate disadvantage, discrimination, exclusion and violence. Accessing justice is particularly difficult for women whom have been historically disadvantaged within the justice system, such as women with intellectual and/or psychosocial disabilities.

In contributing to closing the justice gap for those furthest behind, UN Women commissioned the world's first legal needs survey for women with intellectual and/or psychosocial disabilities in 2022. Co-designed and co-implemented with women with disabilities and self-advocates, the survey received more than 230 responses across four states in the Asia and the Pacific region. The results of the survey will be used to create an evidence-based strategy for policymakers, legal practitioners, and service providers, to better understand and address the everyday legal issues and justice experiences faced by this group of women.

UN Women will also facilitate an inclusive platform for the co-creation of justice solutions by women with disabilities, organizations for persons with disabilities, service providers, and legal practitioners to address the unique needs and challenges of women with intellectual and/or psychosocial disabilities.

For more information about the  
Access to Justice Programme at UN  
Women Regional Office for Asia and  
the Pacific:

