

EU ANNUAL RULE OF LAW REPORT CONSULTATION – OECD CONTRIBUTION

This contribution is submitted by the OECD as part of the targeted stakeholder consultation launched by the European Commission to gather inputs for its 2024 Rule of Law Report.

Topic I. Justice systems. Horizontal developments

1. Developments on people-centred justice and the rule of law

1.1 Towards a people-centred Rule of Law

OECD countries are increasingly embedding their collective work on justice systems into the Reinforcing Democracy Initiative, launched in the 2022 OECD Global Forum and Ministerial on Building Trust and Reinforcing Democracy. Adherents to the Declaration on Building Trust and Reinforcing Democracy include the following EU countries: **Austria, Belgium, Bulgaria, Croatia, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Poland, Portugal, Romania, the Slovak Republic, Slovenia, Spain and Sweden.**

Trust in public institutions underpins the five pillars of work that form the Reinforcing Democracy Initiative: combating mis- and disinformation, strengthening representation, participation and openness in public life, embracing the global responsibilities of governments and building resilience to foreign influence, gearing up government to deliver on climate and other environmental challenges, transforming public governance for digital democracy.

In the context of pressures on the social contract and democracy and increased expectations placed upon governments, policy makers need to address inequalities and structural injustices in society, mitigate and adapt to climate change and confront challenges related to digitalisation. Under that light, the organisation has developed work towards a people-centred Rule of Law. The OECD is developing governance pillars aimed at helping governments moving towards a people-centred approach to the Rule of Law and getting countries closer to SDG 16.3 target to “promote the rule of law and ensure equal access to justice for all”:

- The justice imperative: putting people at the centre of the rule of law
- The rule of law in the current context: Building justice capacities in the face of global challenges
- Promoting the rule of law through legal empowerment
- Justice: transparency, integrity, and accountability for the rule of law

The OECD’s new approach to the Rule of Law stems from the observation that common challenges are faced by a majority of countries: spreading disconnect between people and institutions, in particular for vulnerable groups; growing justice gap, and low levels of trust, including in justice systems, which in turn affect democracy. There is, in sum, a recognisable tension between the universal acceptance of the normative ideal of the rule of law as a fundamental pillar of democracy, and the reality of a number of threats and challenges to its preservation. Building on existing proposals around People-centred Justice expanding the application of people-centred approaches not only to justice, but also

to the broader concept of the Rule of Law and its components can support countries to match the great challenges they face.

Moreover, the OECD 2023 Governance at Glance report highlighted the following data on independence of justice in EU countries:

- In 2022, on average, OECD countries scored 0.72 out of a maximum of 1 point for freedom from improper government influence. The highest scores for EU countries are for Ireland (0.95), Denmark (0.91) and Finland (0.89), and the lowest, Hungary (0.34), and Poland (0.62). Some countries slightly improved their scores since 2016, including Belgium, France (0.03 points each), Sweden, Estonia (0.02 each) and Greece and Spain (0.01 each).

1.2 People-centred Justice

In July 2023, the OECD Council adopted the **OECD Recommendation on Access to Justice and People-Centred Justice Systems**, which builds on the OECD Framework and Good Practice Principles for People-Centred Justice and the other OECD work in the area of access to justice. The Recommendation supports countries in adopting government-wide strategic approaches for people-centred justice and governance mechanisms for more responsive justice systems. It also reinforces and complements existing initiatives by countries, civil society and other international organisations to develop people-centred legal and justice services and improve access to justice, taking a whole-of-government approach that goes beyond the formal justice system.

The OECD Recommendation contains five components that constitute a framework for people-centred justice. Building upon a foundation of strong leadership committed to a people-centred purpose and culture in the justice system, the four main pillars are:

- People-centred services;
- Governance enablers and infrastructure;
- People's empowerment; and
- Planning, monitoring and accountability.

An implementation Toolkit is currently being developed collaboratively with countries to support them in implementing the OECD Recommendation on Access to Justice and People-centred Justice Systems, and further advance access to justice and move towards people-centred justice. It will provide countries with a range of checklists, tools, good practice examples and aids to guide and assist policy makers. It will highlight a range of possible actions – their advantages and possible pitfalls – to implement the recommendation and will provide examples of good practice to inspire further and broader implementation. The Toolkit will also propose 'self-assessment' tools to support countries in their implementation journeys.

1.3 Measurement of people-centred justice

The OECD is co-custodian of SDG 16.3.3, together with UNDP and UNODC, in charge of global monitoring OECD member countries in reporting this specific indicator. As a co-custodian, the OECD

has been conducting work to enhance awareness through the dissemination of data and research publications. A notable example is the “Improving the Monitoring of SDG 16.3.3”, launched at the high-level session of the 2023 OECD Global Roundtable for Equal Access to Justice. The report was co-authored with the Pathfinders for Peaceful, Just and Inclusive Societies and extensively discussed at the Roundtable, which counted with approximately 140 participants from 24 countries, in addition to civil society and international organisations, academia and research centres.

Key lessons for improving monitoring and reporting on SDG indicator 16.3.3 related to access to justice include:

- Raise awareness through information sharing: Consider promotional campaigns and capacity building to increase understanding of SDG 16.3.3 and the potential value of data collection for access to justice. Capacity-building programmes could be conducted for relevant stakeholders across agencies to improve their understanding of SDG 16.3.3. While emphasising the larger SDG agenda, these efforts could highlight the particular relevance of 16.3.3.
- Explore strengthening institutional frameworks and co-ordination: A clear and coordinated governance structure could be established to collect, report and use data under SDG 16.3.3. This involves relevant government agencies, national statistics offices (NSOs), justice sector stakeholders and social service providers. It would be beneficial to put in place mechanisms that facilitate regular communication and coordination among stakeholders and develop shared priorities and streamline data collection efforts.
- Consider diversifying producers of data for SDG 16.3.3: In addition to official statistics offices, there may be opportunities to involve other government bodies, academics, and civil society in inclusive data strategies for SDG indicator 16.3.3. Standards and processes could be developed to ensure quality control and testing of data, ethics and sound governance for data collection.
- Anticipate lead times: Sufficient preparation and resources should be factored in when designing any new recurring 16.3.3 data processes. A gradual, long-term vision may help account for planning cycles and potential delays.
- Consider investments in resources and capacities: Exploring potential infrastructure, training and personnel needs may help strengthen capacities for collecting data on SDG 16.3.3. Institutions responsible for data collection, analysis and reporting may need capacity-building support. There is also scope to further prioritise domestic resources on data collection on 16.3.3. for both OECD and developing countries.
- Adopt a comprehensive approach to data collection: This involves addressing institutional, financial, technical and capacity-building aspects for SDG 16.3.3 data collection. Collaboration among government stakeholders, civil society, academia and international partners is essential to leverage collective expertise and address data collection challenges effectively.
- Enhance donor support for developing countries: Donors may consider offering targeted assistance to developing countries to strengthen capacities and establish sustainable SDG 16.3.3 data collection programmes.

Beyond research and awareness-raising, the OECD has been providing technical assistance to countries to conduct legal needs surveys, with examples including Portugal and the United States. Upcoming support is under discussion with Egypt, Ireland, Italy, Malta, Moldova, Netherlands, Peru, and Ukraine.

2. Developments on Access to Justice

Access to Justice refers to the ability of people, businesses and communities to prevent conflicts and obtain effective, fair, equitable and timely resolution of their legal and justice-related needs. Another aspect is legal empowerment, which enables meaningful participation in the justice system and builds people's capacity to understand and use the law.

Main findings from the 2023 OECD Government at Glance report on EU countries include:

- On accessibility of justice: Netherlands (0.79), Denmark (0.78), and Germany (0.77) had the highest scores among EU countries out of a maximum of 1 points in the accessibility and affordability of civil justice dimension of the 2022 World Justice Project (WJP) Rule of Law index, an increase of 0.03 points since 2016. The most significant increases were in Estonia (0.08 points), Denmark, Finland, Sweden (+0.07 each). Scores fell in the Czech Republic (-0.02).
- On length of proceedings: Lithuania (117 days), the Netherlands (127 days) and Estonia (135 days) had the shortest delays in resolving litigious civil and commercial cases. France, Greece (637 days each) and Spain (468 days) had the longest. Since 2016, disposition time increased by an average of 52 days, with the largest increases in France (284 additional days), Spain (+187) and Poland (+92).
- On alternative dispute resolution (ADR) mechanisms: among EU countries Denmark and Estonia have the most accessible, impartial and effective ADR mechanisms.

2.1 Equal Access to Justice: Ljubljana Global Access to Justice Roundtable

17 EU countries participated to the 2023 Global Roundtable on Access to Justice, held on 6-8 December in Ljubljana: **Slovenia, Belgium, Croatia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, and Spain**. During the High-Level segment of the event, EU countries mentioned key initiatives regarding Access to Justice and made the links between them and their rule of law protection efforts, including with the EU Rule of Law Report and Justice Scoreboard. In particular, countries highlighted efforts to improve efficiency and accessibility of justice systems including through digitalisation. Countries contributions are detailed below.

- **Slovenia:**
 - Global challenges and crises affect national budget and justice budget. This requires flexibility. Effective justice systems need to pass by democracy, rule of law, equity and sustainable goals. Barriers remain, but people-centred justice is central to reduce inequalities.
 - Digitalisation of legal services and innovation offer enormous potential on transparency and effectiveness.
 - Child-friendly justice is a priority for the Ministry of Justice.
- **Belgium:**
 - Building trust is crucial for reinforcing democracy. This includes openness and accessibility.

- Alternative Dispute Resolution is an important solution, encouraging parties to participate in resolution of disputes fostering empowerment and participation.
- Promoting inclusiveness requires specific strategies, including accessible legal language, which is a current country project.
- **Croatia:**
 - Country advancements regarding efficiency, quality and accessibility of the Judiciary: reduced length of proceedings and unresolved cases; introduced Barnahus model; measures to modernise the judiciary (i.e., anonymization, protection of personal data, efficiency).
- **Finland:**
 - In terms of equality, it is important to look into the possibility different sectors of society have of accessing the Judiciary (i.e., immigrants, senior citizens, young people, people with disabilities, indigenous people, remote areas).
 - Importance of looking into the possibilities as well as challenges of digital transformation
 - Credibility of courts in achieving goals: Finland has managed to allocate additional funding for the Judiciary despite economic context, guaranteeing openness and availability.
- **France:**
 - An action plan was adopted to make justice quicker, closer to people and more effective. Financial means secured for human resources and implementation in general.
 - Focus on the needs of the victims (i.e., filing cases from the hospital for victims of gender-based violence).
 - Working close to civil society to have smart procedures available.
- **Germany:**
 - Digital technologies for efficiency, effectiveness and resiliency of the justice system: manage case load, diminish backlogs and ensure timely justice delivery.
 - Since 2018, federal and state courts have been electronically accessible. By 2026, all German courts and prosecutors' office will keep files exclusively electronically.
 - Ministry of Justice, from 2023 to 2026, will finance annually EUR 50 million for digitalization projects in federal and state levels.
- **Greece:**
 - Greece's aim is to adapt legal system to people-centred justice through digital transformation, reducing barriers by improving communication, transparency of justice system and accessibility with the support of digital tools.
 - Extensive legal aid: supporting people with some income to help them access to justice.
- **Hungary:**
 - Fair and impartial justice system is central to strengthen trust.
 - Importance of continuous training for skills and competences of staff and judges.
 - Reducing backlogs and promoting digital transformation is also critical.
- **Italy:**
 - Measures introduced in recent years: constant monitoring framework, family and juvenile issues, electronic means in commercial dispute, streamlining of procedures

in the Judiciary, introduction of alternative dispute resolution methods. Also, the introduction of Artificial Intelligence tools, as Italy believes it has more advantages than risks.

- Victim participation in the prosecution is a significant advancement in the criminal justice system.
- Creation of a data lake and strengthening of human resources
- **Latvia:**
 - Improving access to justice: improved court communication, adoption of alternative dispute resolution methods, step-by-step online guide to provide information to people.
 - Modernising justice systems, simplifying procedures and digitalization.
 - Training and continuous professional development
- **Lithuania:**
 - One of main objectives: increase transparency and public trust in the justice system.
 - Network of volunteers to support users across courts and the use of digital technologies improves accessibility of the justice system.
 - Reform of judicial map to ensure timely response from the justice system based on data, as well as a commitment to conduct an ex-post of evaluation.
- **Luxembourg:**
 - Challenges: independence of courts, capabilities of people and access to lawyers, cost and complexity for access to justice.
 - Judicial independence in the Constitution since 2022.
 - Reformation of judicial assistance in July 2023 to improve access.
 - Program to hire more magistrates and developing alternative resolution methods in civil and criminal laws.
 - Implement restorative justice and improve victim participation in criminal prosecution.
 - New digital transformation program with 13 projects to digitalize all civil and criminal procedures.
- **Malta:**
 - Importance to promote a notion of justice that goes beyond courts, judges, and lawyers, focusing on users.
 - Considering the difficulties of aging population to access justice, start to provide free and specialised legal aid services.
 - Multi-country project to foster people-centred justice in Malta: first legal needs analysis in Malta, skills assessment, and roadmap to strategic framework.
- **Netherlands:**
 - People-centred justice does not stop at national borders.
 - National Program to renew government funded legal aid system.
 - House of justice: single point of entry to a large range of service providers.
 - Digital transformation: facilitating data judicial publication and pilot online dispute resolution platform.
- **Poland:**
 - Project implementing standards and procedures for customer services in the Judiciary.

- Current project to improve accessibility for people with disabilities, including enhancing skills and knowledge of staff.
- Project to create a need and satisfaction survey.
- **Spain:**
 - Justice is already digital: all users can access judicial procedure fully electronically, and decisions published anonymised.
 - Facilitate access from the user perspective, to avoid increasing gaps and divides.
 - Project: using AI to translate judicial documents to simple and easy to understand language for citizens in general.
- Several EU countries participated also as panellists in technical sessions during the event, sharing best practices on digital transformation, justice data, people-centred justice planning, justice and inclusive growth, interagency coordination, people empowerment and legal capability, etc. The agenda and full streaming of the event are [available on the website](#).

2.2 Access to Justice for Children

In November 2023, the OECD published the OECD Child-Friendly Justice Framework. Children are a particularly vulnerable and dependent group, which require special safeguards and care to meet their basic and specific needs, in view of their physical and mental immaturity. Yet, millions of children globally experience unresolved justice problems and unmet legal needs, caught in the wake of multiple barriers, such as complexity and structural issues in the justice systems and limited understanding of children's rights and legal procedures. Moreover, while the OECD Trust Survey shows that over half (57%) of people on average trust the courts and legal system, young people (those below 30 years old) have less trust in public institutions than people older than 50.

Gaps in accessing justice are particularly acute for children in vulnerable situations and those facing particular individual and environmental¹ circumstances. In this context, inability of children to address their legal needs and access justice may further amplify their exclusion and perpetuate inequities, thus creating a vicious cycle of poverty and marginalisation. As such, overcoming barriers to access to justice can be a critical tool to help combat poverty and exclusion; protect children from violence, abuse, exploitation and discrimination; and strengthen the rights of children in social protection, education and health care systems.

To this end, to support countries to improve access to justice for children, this OECD Child-Friendly Justice Framework outlines elements of a government-wide strategy to strengthen child-friendly justice practices. This Framework is based on OECD's People-Centred Justice Framework, the OECD Recommendation on Access to Justice and People-centred Justice Systems, as well as the analysis of legal needs of children and the barriers they face when interacting with the justice system. It aims to provide guidance and good practice examples to help countries align with international standards and obligations in children's rights. It is comprised of a foundation and four main pillars:

- The **foundation** emphasises a child-friendly focus of the justice system within a broader people-centred purpose. It should also be supported by the commitment to establish a deeply rooted culture where every element of the justice system and whole of government work together to attain the child-friendly purpose.

- The **first pillar** outlines strategies to design and deliver child-friendly justice services, in a manner that is tailored, inclusive, and appropriate and which should be grounded in a comprehensive understanding of children's legal needs from their own perspectives.
- The **second pillar** identifies elements of a sound governance and infrastructure environment for child-friendly justice services. Creating conducive legal and policy frameworks that are coupled with strong enforcement mechanisms and rely on collaboration among various actors, such as justice, social or health agencies, can foster the implementation of child-friendly justice services.
- The **third pillar** focuses on the empowerment of children and justice system employees as preconditions for effectively addressing children's legal and justice needs. Fundamental literacy and numeracy are important for legal capability and key to raising children's awareness of their rights and legal pathways. To ensure that children's input is meaningfully considered, and their legal needs adequately addressed, justice system employees can be empowered to establish and coherently offer child-friendly justice services.
- The **fourth pillar** provides guidance on strengthening planning, monitoring and accountability mechanisms as part of a child-friendly justice system to ensure reforms are effective and sustained. Evidence-based planning and measurement can support child-friendly justice services and is particularly important when resources are limited. This entails gathering relevant data and implementing robust data governance frameworks and clear accountability and oversight mechanisms.

The framework includes several good practices from EU countries, including:

- **France: Multi-year consultation process of youth in France.** In 2019, the French Constitutional entity Defender of Rights (Défenseur des droits) launched a consultation process of youth called « J'ai des droits, entends-moi » regard to the right of children to participate in issues that affect them. The three editions of this consultation are:
 - 2019: enabled 2,200 children aged between 4 and 17 to learn and reflect on their rights.
 - 2021: focused on mental health of children and young people. Enables nearly 600 children aged 3 to 18 to express their reflections and recommendations on this subject.
 - 2022: focuses on children's right to privacy. Roundtable discussions, participatory workshops and meetings with professionals are planned.
- **Ireland: Youth Justice Strategy 2021 – 2027** recently developed in Ireland covers a number of issues relevant to children in contact with the justice system. It aims to provide specific training for professionals involved in the criminal justice system to provide effective services, including development of multi-disciplinary training modules (Strategic Objective 1.9).

2.3. Digital technologies transformation for access to justice

A session on “Promoting innovation in justice services” was organised during the 2023 OECD Global Roundtable on Equal Access to Justice. This session focused on the latest innovations in justice services and explored digital transformation in justice while acknowledging the importance of managing its associated risks through sound governance mechanisms. It also explored how digital technologies,

including emerging ones, can be used to improve the effectiveness and responsiveness of justice systems, both in and out of court.

The session counted with the participation and shed light of initiatives in Portugal, Slovenia and Spain.

- Portugal: The Portuguese Ministry of Justice developed the Practical Guide to Justice (GPJ), an innovative chatbot that aims to help users find relevant information to their legal and justice needs. GPJ is part of the recently launched GovTech Justice Strategy to improve the accessibility, inclusiveness and responsiveness of the justice system. Based on a natural language processing tool driven by AI technology – ChatGPT, GPJ is responsive to different formulations of questions and provides answers in an easy and accessible manner. Currently in its Beta version, the initial focus of the platform is on marriage, divorce and starting a business. Users can choose among frequently asked questions or write their own questions freely. The tool provides answers in natural language, referring the user to the relevant service. The Ministry of Justice aims to gradually expand the topics covered in the platform and eventually encompass other services, such as ADR and registers, in order to provide a seamless end-to-end experience for users.
- Slovenia: The country presented the eAuction tool. The presentation emphasised some of its benefits, including:
 - Prevention of blackmail and collusion before and during the auction
 - Wider accessibility to auctions
 - More efficient repayment of creditor claims
 - Time and location independence of purchase
- Spain: The country emphasised collaboration with experts and the industry to ensure an ethical and people-centred approach to the use of digital technologies (including emerging) and data in the justice sector. Particularly in the area of AI, examples included similarity analysis, easy reading, document anonymiser, textualisation and document classifier.

In January 2024, the OECD published the report “[Developing Effective Online Dispute Resolution in Latvia](#)”. This report assesses the use of online dispute resolution (ODR) in Latvia. It looks at the country’s efforts to modernise its justice system and develop dispute resolution mechanisms, identifies areas for improvement in line with the OECD ODR Framework, and provides examples of the application of ODR in other countries. The assessment is enriched by the application of the OECD ODR Framework to three specific types of claims – simplified and warning procedures, and consumer claims. It provides recommendations for successfully implementing ODR in Latvia and broadly modernising the justice sector to ensure better access to justice for all.

This report was developed based on fact-finding interviews with Latvian stakeholders, a peer-to-peer session with other OECD countries to exchange good practices, meetings with specialists, a mapping of pathways to justice and alternative dispute resolution mechanisms, a business survey, focal group discussions, and an extensive literature review.

The report also collects a series of country practices, including Estonia, France, Latvia, Netherlands, Norway, Spain, Ukraine, United Kingdom in topics such as the use of digital technologies (including emerging ones) and data for improved service delivery (e.g. communication with justice users, auction, notification, legal advice) and processes (e.g. triage mechanisms, case management). Detailed country initiatives are provided below:

- Estonia: The country has a dedicated online platform for judicial auctions. The Chamber of Bailiffs and Insolvency Practitioners holds the platform. The platform provides a unique portal

for services related to judicial auctions. By automating judicial auction proceedings, the portal aims to facilitate access to judicial auctions to attract more participants inside and outside Estonia. The portal centralises all announcements of movable and immovable assets seized in enforcement proceedings. Auction announcements are also published in the official online publication "Ametlikud Teadaanded" at least ten days before the auction. Potential buyers must log in to the portal using their ID card, mobile ID or username and password. Logging in through EU ID is also available for some EU countries. Once connected to the platform, users can register within a certain period of time to participate in an auction. Users can then submit a bid on line via the auction portal and pay a deposit electronically if it is a required condition to participate in an auction. Interested persons can also follow the auction's progress on the online platform.

- France: Justice.fr is a one-stop-shop platform that aims to provide accessible and comprehensive information about legal services, procedures and resources for citizens and businesses in France. The platform is designed to facilitate easy access to various legal and judicial services, thereby enhancing transparency, efficiency and access to justice in France. Users can create a secure personal space to follow their cases on line and take direct legal action in legal procedures. Justice.fr is available both as a website and mobile application. The platform offers several features. Information on rights, procedures and referral options are displayed in an amicable and interactive manner that privileges user experience and accessible language, including explanations of legal terms, in both text and videos. It also offers an interactive and dynamic tree of topics that branches out as the user interacts with it in search of a specific question or topic. The platform allows users to find courts or justice points near them and find information on fact sheets on family law, labour, and consumer rights, among others. Every section contains referral options for related online services, and forms, when available, clearly state all the procedures in which a lawyer is not needed and incentivise conciliation and mediation. The service also grants access to directories of legal professionals, such as lawyers, court commissioners, notaries, conciliators and mediators. Finally, Justice.fr provides a simulator of legal aid and alimony.
- Latvia: The Latvian Court Administration has worked in the past years to develop the e-case portal ("E-lieta.lv"). The new product is an improved version of the website manas.tiesas.lv. The portal provides access to online justice services to citizens and case information for parties, allowing them to consult their files and receive decisions and notifications. The portal also provides a centralised, safe and more effective way to submit documents, for example, to prosecutors' office, courts or probation services. Furthermore, the transparency and efficiency of court proceedings are enhanced by a legal fees calculator and the possibility to pay online.
- Netherlands: The Dutch "He Juridisch Loket" provides interactive step-by-step legal advice to help people solve their legal issues out of court. The platform follows a "no wrong door" approach, providing a universal gateway to justice services. For some subjects, a decision tree is displayed to help citizens find a stepby-step solution to address their needs. The platform also provides free legal counselling and assistance. This contributes to attenuating disputes and preventing their escalation. The platform provides legal information and sample letters to assist users in resolving a wide range of legal and justice issues (e.g. work, family, debts). The platform informs people of their rights and current legislation related to their problems. He Juridisch Loket also refers citizens to lawyers or mediators in case the question requires

specific legal expertise or if the services provided are not sufficient to resolve the situation. The platform is also adapted to low-income individuals and foresees lower fees for these groups to enable access to legal and mediation services. In-person access points are also spread around the country, and a hotline is also available.

- Norway: The country has embraced the widespread use of digital communication between citizens and the government. This commitment to fostering digital communication in the delivery of public services is not just a preference but a legally enshrined requirement in Norwegian law. The primary goal of this initiative is to enhance the efficiency and effectiveness of public services by streamlining interactions and redirecting public resources more effectively. A significant aspect of this digital transformation is the establishment of the digital mailbox as the default mode of communication between citizens and government authorities. Once the government has a citizen's digital contact information (such as an ID-porten log-in, phone number or email address), all official communications are automatically directed to a secure digital mailbox. To ensure citizens are promptly informed about new messages, notifications are also sent via SMS or personal e-mail. Importantly, citizens retain the option to "opt out" of digital communication if they prefer to receive traditional paper letters. This innovative approach not only reflects Norway's commitment to modernising its public services but also underscores its dedication to making interactions with the government as convenient and efficient as possible for its citizens.
- Spain: As part of Spain's ongoing commitment to improve access justice, the Spanish Ministry of Justice provides natural language processing (NLP) tools to its users. For example, civil servants in the Ministry of Justice can access a similarity analysis tool, which allows to identify the same entity (same person) in different parts of the document and recognise them as the same, despite significant differences in the wording of that entity throughout the document. Likewise, a document sorter, which allows self-cataloguing of the documentation received at the judicial headquarters, based on the standards established by the Council of the Judiciary. Among the most used services is also the anonymisation of documents, a tool that recognises nominal entities that convey information related to specially protected subjects and proceeds to anonymise them. Justice institutions have also access to tools that allow to speed up case management, including legal and forensic dictation system. The textualisation of hearings' recordings also allows judges, prosecutors and other legal practitioners to save time in their day-to-day tasks.
- Ukraine: Digital transformation in the area of legal aid has allowed citizens to better access legal information and services, enhancing their capacity to protect their rights and access justice. These services are designed to simplify access to practical information and aid, avoiding people turning away from the system. Online services also strengthen the possibility for vulnerable groups such as those with low mobility, with disabilities or wishing to remain anonymous to reach legal services. Enabling access to legal aid services through online channels is also detrimental to the continuity of access to justice during crises, such as pandemics or wars.
- United Kingdom: The UK government has developed a one-stop-shop platform (GOV.UK) to help people and businesses find information and government services. Content design and user journey are core elements that help the platform maximise user experience. GOV.UK also centralises government activity, including official papers such as guidance, reports, statistics

and policy papers. By offering efficient and transparent information, the platform also contributes to reinforcing trust in public institutions.

2.4. Access to Justice for Women

In October 2023, the OECD published the OECD “Breaking the Cycle of Gender-based Violence: translating evidence into action for victim/survivor center governance” report. Access to justice is critically important in gender-based violence cases (GBV), as it can guarantee the protection of victims/survivors and provide support to prevent recurrence of violence, heal from experiences and enforce accountability for their perpetrators. However, due to a persistent justice gap, women, especially those from vulnerable backgrounds, are disproportionately left behind by justice systems, leaving them without protection.

Key findings from the OECD “Breaking the Cycle of Gender-based Violence: translating evidence into action for victim/survivor center governance” report highlight the need for countries to provide further efforts in:

- Identifying GBV-related legal and justice needs and tailor GBV responses to enable effective protection of victims/survivors and ensure access to justice.
- Ensuring justice systems understand and account for the particular legal needs of victims/survivors, including compounding needs for justice arising from complex and parallel criminal and civil proceedings.
- Tackling barriers to access justice for GBV victims/survivors such as discouraging proceedings (i.e. expensive, complex) and gender bias

The report highlights several good practices from EU countries on:

- Removing financial, structural and social barriers to justice
 - In Poland, a Justice Fund provides significant legal, psychological and financial support, as well as temporary accommodation, shelter and education to further reduce victims/survivors’ financial.
 - Slovenia has made efforts to improve the exchange of data and files in criminal cases concerning violence among different stakeholders, with the goal of diminishing secondary victimisation.
 - In the Netherlands, an online dispute resolution platform, Rechtwijzer, was set up to offer a comprehensive guide to possible legal options free of charge.
 - Estonia and Greece disseminate information using various formats (in person, online through free phonelines/helplines) to provide legal services and information about laws and rights to GBV victims/survivors and direct them to justice services.
 - Hungary has Court Witness Advisers responsible for providing witnesses summoned to a court hearing with information and counselling.
- Understanding the legal needs of victims/survivors:
 - Ireland has adopted an integrated strategy, “Supporting a Victim’s Journey”, that provides holistic reforms of the justice system for developing a victim-centric justice system. A dedicated budget of 2.3 million has been approved to enact the reforms outlined in the strategy.

- Hungary reported conducting an individual needs assessment used by state victim support workers to assess the individual needs of the victim, including their legal needs.
- Restorative justice and alternative dispute resolution mechanisms:
 - Hungary reported having trained mediators to facilitate peace-making circles, but mentioned that in practice, it is rarely used.
 - The Netherlands reported implementing family group conferencing, where social care and healthcare professionals work together with the criminal law system on a domestic violence report/case.
- Effective law enforcement responses:
 - In the Slovak Republic, the Police Force for the protection of persons at risk of domestic violence is entitled to expel a violent person from a jointly owned residence.

Topic I. Justice systems. Country-level developments

- **Latvia**

In January 2024, the OECD published the report **Developing effective online dispute resolution (ODR) in Latvia**¹. Latvia has made comprehensive efforts to modernise its justice system and fulfil its commitment to improving access to justice along the lines of the Sustainable Development Goal (SDG) 16.3. Access to justice for all is instrumental for democracy, promoting inclusive and sustainable economic growth and improving people's overall well-being. Online dispute resolution (ODR) is central to modernise justice systems improving access to justice in an efficient and cost-effective way and addressing the legal needs of people, businesses and communities. Drawing on a series of strategic documents and a strong impetus for change, Latvia is in a position to develop a holistic ODR strategy for implementing and providing seamless ODR services that include the full range of dispute resolution mechanisms, from conciliation, mediation, ombud proceedings and arbitration to court litigation. A set of strategic documents reflecting Latvia's commitments lays the groundwork for success. Innovation is one of the priorities of the Latvian Sustainable Development Strategy until 2030 ("Latvia2030"), which presents the country's long-term development vision. The National Development Plan for 2021-2027 sets Latvia's commitments to achieve the 2030 SDGs and prioritises the culture of dispute resolution through alternative dispute resolution (ADR) methods, the attainment of accessible and efficient judicial and law enforcement systems and the use of digital technologies and data. Additionally, the Latvian Justice Strategy for 2022-2026 sets the priorities of a fair judicial system, a safe business environment and the digital transformation of justice services, which the Digital Transformation Guidelines for 2021-2027 also supports.

While much has been accomplished so far, there is scope to address several challenges to unlock the full potential of ODR in Latvia. This report highlights some of the areas where further efforts could underpin the successful implementation of ODR for greater access to justice. In this regard, Latvia could consider making further efforts to make the justice system more people-centred, including by adopting a universal gateway, guiding individuals with legal issues to the appropriate services and channels. Engaging stakeholders from the outset and throughout the design and deliver of ODR solutions are other important aspects of a people-centred justice system and the successful implementation of ODR. Conducting regular legal needs surveys and periodic assessments of justice services can provide valuable insights into the needs of the population and the effectiveness of existing policies and initiatives. Promoting training to justice civil servants and empowering people by enhancing legal literacy and awareness, including on ADR, can also improve the uptake of ODR in Latvia. To expand the use of ODR, including ADR, Latvia should continue to reinforce public trust in ombud schemes. Particular attention is needed to ensure the impartiality of the process and its

¹ A launch event was held on January 11th, counting with an expert and peer country advisory session. The report is the core output of the project "Developing an Effective Online Dispute Resolution (ODR) Concept in Latvia", supported by the European Commission under Regulation (EU) 2021/005 establishing a Technical Support Instrument ("TSI Regulation"). It applies the forthcoming OECD ODR Framework to the Latvian context and specific types of cases, with a view to making pathways for resolving disputes more user-centred while ensuring the protection of fundamental rights in line with national priorities and international standards.

outcomes. Latvia could also consider legal reforms, including promoting legal certainty and enforceability of arbitration and mediation agreements; addressing issues related to attorney fees; and reviewing monetary caps and procedural timelines for simplified and warning procedures and consumer claims. Particularly for the latter, Latvia could also consider allowing ombuds to decide the case in its entirety and not limit their competency to consumer protection law, introducing a single-entry point for all consumer-trader disputes to help centralise and distribute incoming complaints to competent bodies, and linking ombuds' platforms to court systems.

- **Portugal**

The OECD is currently collaborating with the project “Modernising the Justice Sector in Portugal”. Significant advancements have been accomplished in the Diagnosis Report, the Global and Portugal Justice Data studies, and in the skills survey assessment. A pilot project focused on the user experience in relation to the tool “Guia Prático da Justiça” has been run. Efforts have also been undertaken in the pilot projects on civil justice pathways before ordinary courts and justice of the peace courts.

The Project supports the implementation of the modernisation agenda of the justice sector in Portugal shifting towards user-centricity and the enhanced use of digital technologies and data in the justice. It will be an important element to the revision of the National Plan for Resilience and Recovery for the Area of Justice. It will also advance the implementation of the UN Agenda for Sustainable Development 2030 by facilitating the implementation of the SDG indicator 16.3 on access to justice. Finally, the Project would help the implementation of the EU priorities on digital by embedding the use of digital tools in the justice sector.

Topic II. Civic Space

In advance of the 2024 Rule of Law reports and country chapters, we would like to share some information which may be useful for Portugal and Romania. As you may know, we published a Civic Space Review of [Romania](#) and of [Portugal](#) in 2023 (shorter highlights documents for [Romania](#) and [Portugal](#) are also available and offer an overview of the areas covered by the reports). The highlights document for Romania is a joint document that also summarises the [Open Government Review of Romania](#), which may also be relevant to your work.

The **Romania** Review focuses on four key dimensions of civic space: civic freedoms, media freedoms and online civic space, the enabling environment for civil society organisations, and citizen participation in policy making and service design and delivery. It highlights in particular the government's ambition to develop an open government strategy with a dedicated component on engaging civil society in public decision-making. Some sections which may be of interest for the Rule of Law report include:

- 1.3 Key challenges ahead to strengthen civic space in Romania (focuses on rule of law, corruption, trust in government)
- 3.1 Introduction and 3.2 Restrictions on civic freedoms during the COVID-19 pandemic. The ensuing sections of (3.3 – 3.6) on the implementation of each fundamental freedom could also be useful.
- 3.7 Empowering oversight mechanisms to promote civic freedoms
- 4.4. Press freedom

The **Portugal** Review is unique in that it is the first Civic Space Review with a specific focus on harnessing civic space to improve public service design and delivery. It analyses two case studies (the Digital Mobile Key and the Family Benefit for Children and Young People) and provides concrete recommendations for reforms across the entire public sector, which can serve as an inspiration for other countries with similar ambitions. Some sections which may be of interest for the Rule of Law report include:

- 1.3 The broad context for civic space in Portugal
- 3.2 Protected civic freedoms in Portugal and 3.3. Equality and non-discrimination
- 3.4 Press freedom and access to information
- 3.6 Institutional mechanisms to safeguard fundamental rights