

2. Generally, when civil and political rights are involved, the issues related to access to justice are straightforward. In contrast, access to justice to secure economic rights is problematic. Economic rights are generally not justiciable, while indigenous, customary or community-based legal mechanisms have no power to decide over community resource allocations. For example, how can marginalized groups use any justice mechanism, whether state or non-state, to obtain access to basic services (e.g., education) or resources (e.g., land and credit)? Accessing a justice mechanism to secure economic and social rights may also be impossible for itinerant or mobile groups who are denied basic social services because they are not considered part of the legitimate population (e.g., the Badaos in the south of the Philippines).
3. The questions that may be asked in this area include:
 - (1) What problems does the community face as a whole? How do these problems affect the community? In what specific ways has the community (or sections of it) coped with the problems or with the effects of the problems? What action, if any, has the community taken to address the problems? Are the problems 'problems of access to justice'? Why?
 - (2) What factors in the community affect the promotion of women's human rights in general and their access to justice in particular?

G. How could women's access to justice be enhanced?

1. The questions that may be asked in this area include:
 - (1) How should the state relate to non-state justice systems? Should the state support non-state justice systems? Should the state integrate into the official justice system non-state justice mechanisms when they are perceived to be effective? Should non-state justice mechanisms be allowed to operate independently? Should the state circumscribe their functioning? What are the implications for women and communities of state engagement with non-state justice systems?
 - (2) What conditions must exist for women to have access to justice? What needs must be addressed to promote women's access to justice?
 - (3) What changes or reforms are needed for the justice system to be responsive to women's needs?
 - (4) In the case of a customary or religious or non-state justice mechanism, what kind of intervention is needed to improve the mechanism?
 - (5) What needs of women (political, socio-cultural, economic, etc.) are not being addressed by the justice system? How do these needs affect women's access to justice?