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**Commission on Crime Prevention
and Criminal Justice****Thirty-third session**

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Item 7 of the provisional agenda*

**Use and application of United Nations standards
and norms in crime prevention and criminal justice****Summary of the General Assembly High-level debate on
“Equal Access to Justice for All: Advancing Reforms for
Peaceful, Just and Inclusive Societies”******Note by the Secretariat**

On 15 June 2023, the General Assembly held a High-level Debate on “Equal Access to Justice for All: Advancing Reforms for Peaceful, Just and Inclusive Societies” in cooperation with the United Nations Office on Drugs and Crime (UNODC) at the United Nations Headquarters. The attached summary by the President of the General Assembly was prepared pursuant to paragraph 24 of General Assembly resolution 77/237 for transmission to the Commission on Crime Prevention and Criminal Justice and to all Member States.

* E/CN.15/2024/1.

** This document has not been edited.





PRESIDENT OF THE GENERAL ASSEMBLY

**Summary of the President of the General Assembly of the
High-level Debate on
“Equal Access to Justice for All: Advancing Reforms for Peaceful, Just and Inclusive
Societies”**

15 June 2023, United Nations Headquarters, New York

Introduction

On 15 June 2023, the President of the General Assembly (PGA) convened a High-level Debate on “Equal Access to Justice for All: Advancing Reforms for Peaceful, Just, and Inclusive Societies,” in cooperation with the United Nations Office of Drugs and Crime (UNODC) and with the involvement of relevant stakeholders, pursuant to General Assembly resolution 77/237, adopted on 15 December 2022. The President was also invited to prepare a summary of the discussion for transmission to the Commission on Crime Prevention and Criminal Justice and to all Member States.

The one-day High-level Debate consisted of an opening segment, a high-level segment with general statements, an interactive panel discussion, and a closing segment. The panel addressed the issue: “Evidence-based approaches to ensure equal access to justice for all in criminal justice systems – centering around those facing structural barriers” and featured a question-and-answer session.

The opening segment featured statements by H.E. Csaba Kőrösi, President of the seventy-seventh session of the General Assembly, Ms. Ghada Fathi Waly, Executive Director of UNODC; H.E. Ms. Mary Wangui Mugwanja, Permanent Representative of Kenya to the United Nations Office in Vienna and Chair of the 32nd session of the Commission on Crime Prevention and Criminal Justice; and Ms. Allyson Maynard-Gibson KC, Former Attorney General and Minister for Legal Affairs and Minister of Financial Services and Investment of the Bahamas.

High-level segment

The speakers highlighted the urgency of discussing equal access to justice for all, particularly at the halfway mark of the implementation of the Sustainable Development Goals and in the context of the upcoming SDG Summit. They also underscored that SDG 16, on peaceful, just, and inclusive societies, and its target on equal access to justice, serve as catalysts for the 2030 Agenda as a whole as well as in promoting human rights and social inclusion.

The Commission on Crime Prevention and Criminal Justice resolution on Equal Access to Justice, recently adopted at its 32nd session and recommended for approval to the General Assembly, was subject to multiple references. Speakers also cited the Kyoto Declaration, adopted at the 14th United Nations Congress on Crime Prevention and Criminal Justice in March 2021, as a guiding document outlining the crucial role of justice in promoting social inclusion and addressing structural inequalities.

Multiple barriers to equal access to justice for all were identified. These included a lack of funding and training for justice system personnel, inadequate measures to enable vulnerable or marginalized groups, including people with disabilities or users of local languages, to engage with the justice system, limited public awareness on legal aid, and discriminatory practices by criminal justice institutions, in particular law enforcement.

Speakers stressed the benefits of investing in justice systems, crime prevention, and legal aid funds, particularly as compared to the alternative cost of incarceration and persistent social inequalities. It was stated that such investments responded to the crucial need to eliminate barriers to access to justice and reform legal systems, thus guaranteeing equal access for all. Those taking the floor further highlighted a commitment to combating racial discrimination within the criminal justice system, promoting legal aid, prioritizing victim-centered approaches, exploring alternative dispute resolution methods, and promoting the use of technology while upholding human rights safeguards.

Policy responses were featured throughout the segment, including on matters of technology and training. For example, using recorded statements in court or having virtual proceedings lowers travel costs and may limit secondary victimization, online reporting may enable victims of coercive control to seek help without alerting their abuser, and artificial intelligence could process vast amounts of data to drive more precise policymaking. However, all stressed that human rights protections are required to prevent the use of technology from violating privacy rights and widening inequalities. In this regard, internet connectivity must be expanded so that all people have equal access to digital justice platforms. Otherwise, technological expansion could lead to de facto violations of due process.

Member States noted the impact of the COVID-19 pandemic in accelerating a shift towards the digitalization of court proceedings, which many have continued to use to broaden access to justice and improve the efficiency of the legal system. However, developing countries require additional support to implement this process. Moreover, the rise of cybercrime and technology-enabled crimes such as online hate speech was noted as a pressing concern that disproportionately affects women and minorities. Consequently, legislation and law enforcement practices must be revised to effectively address these challenges.

Stateless persons, refugees, internally displaced persons, and migrants were widely recognized as being vulnerable and at risk of exclusion from justice. Several Member States noted their policy of including them as eligible for legal aid, to ensure that all those unable to afford a lawyer receive support. This was recognized as a fundamental piece for the protection of the Rule of Law.

To maximize the impact of measures to improve access to justice, the exchange of best practices requires better coordination mechanisms and enhanced international cooperation. In this regard, flexible policies and procedures should be encouraged, including Indigenous or community courts and specialized courts for family or sexual and gender-based violence cases, which are both effective and more inclusive. One good practice in this regard is to involve victims in the design of alternative forms of access to justice.

Continuing on the need to make access to justice effectively inclusive, several speakers linked the session to that of the Conference of States Parties to the Convention on the Rights of Persons with Disabilities and the importance of addressing the access to justice gap faced by persons with disabilities.

Interactive Panel Discussion: “Evidence-based approaches to ensure equal access to justice for all in criminal justice systems- – centering those facing structural barriers,”

During the interactive panel discussion, a variety of areas for improvement and innovative policy approaches were shared as ways to make justice more accessible, including for vulnerable or marginalized groups. A common theme was data and the need for better collection, analysis, and sharing so that different groups’ needs —and the impacts on service provision— can accurately shape policy.

Ms. Fatmata Claire Carlton-Hanciles, Executive Director of the Legal Aid Board of Sierra Leone, underscored the need for a contextual approach to designing accessible justice systems. She called for those working in the justice system to be drawn from the communities where they are expected to work and where they are held in high regard. This would improve trust in the justice system and help overcome linguistic barriers since they would speak local dialects. Sustainability is also essential: for low-income countries in particular, lawyers should be offered full-time contracts instead of hourly ones, enabling them to be fully committed to working in the legal aid sector.

Mr. Erik Arellano, President of the Coalition of Deaf Persons in Mexico, addressed the room using sign-language. He highlighted the importance of treating all who interact with the justice system with dignity. Sign and Indigenous languages should be recognized and integrated into justice system procedures and materials so that people can access justice in their native language. In this regard, the use of language and discourse that were not sensitive to disabilities was itself identified as a barrier. Reflecting on the challenge of a lack of interpreters, he cited the example of using video interpreters in court proceedings in some countries, increasing the availability of interpretation. The value of accurate data was also underscored to help plan and leverage the necessary resources where they are most needed.

Prof. Tracie L. Keese, Member of the United Nations Expert Mechanism to Advance Racial Justice and Equality in Law Enforcement and President of the Center for Policing Equity in the USA, outlined the importance of disaggregated data and its publication, as well as collaborative partnerships between governments, academia, and civil society. She indicated that partnerships were the most effective way to have a greater impact in improving equal access to justice. Through these interactions, structural barriers could be identified and collectively addressed. She also underscored that data collection must grasp community sensitivities and include the broader picture via health, employment, and education to ensure a fuller understanding of communities’ and individuals’ experiences with the justice system. One way to centre communities and tackle discrimination is to ensure law enforcement members are representative of the communities they serve.

Mr. John Nelvin Lucero, Manager of EngageMedia, a digital rights advocate and journalist from the Philippines, emphasized that the risks of technology can be managed in order to employ it in a

way that reduces inequalities. Citing the example of a live chat tool in the Philippines which provides legal advice to those who cannot afford a lawyer, he expressed the willingness of youth and civil society to provide intergenerational support and ensure access for older generations who may be less technologically aware. The justice sector must be prepared to translate its language not only into local languages, but also into clearer language to avoid alienating people with jargon. Furthermore, such policies must be guided by reliable data, with greater efforts required to support the digitalization of data collection, analysis, and distribution in developing countries, and to improve inter-agency data sharing and cooperation.

Participants welcomed the opportunity offered by the interactive dialogue to get direct feedback from CSOs and community leaders to further promote more equitable and inclusive justice systems. They shared national experiences and best practices based mainly on evidence-based approaches to justice policies. The reiterated goal was to reduce systematic barriers that disproportionately affect groups in vulnerable situations. Ultimately, consistency in this regard would lead to a justice system that respects and protects societies and their interactions with the State more broadly.

They also referred to the need to support equal access to justice for all, including by advancing alternative mechanisms for dispute resolution such as mediation, enhancing government funded legal aid, and legal empowerment, as well as enhancing its social effectivity and accessibility from a people-centered perspective.

The participants also underscored the significance of access to justice and the Rule of Law in achieving peaceful, just, and inclusive societies. They emphasized a people-centered approach to justice, empowering those seeking justice and considering diverse pathways to seek redress. The specific challenges faced by women and girls in accessing justice were recognized, and gender-responsive actions were recommended to address these barriers.

Conclusion

The High-level Debate generated insightful discussions and reflections on contemporary barriers to equal access to justice. Multiple best practices were exchanged by high-level speakers, representatives of Member States, and panelists.

Use of technologies, training of justice system personnel, representative justice systems, consistent funding, and improved national and international cooperation on data were among the main issues highlighted as ways and means to improve equal access to justice for all.

Moreover, the recurrent acknowledgement that equal access to justice and SDG 16 are prerequisites to achieving the Sustainable Development Goals demonstrated a shared will and commitment to improving policy and cooperation between Member States, United Nations entities, national and local institutions, and the private sector, including technology firms, as well as civil society and local communities.