



PRESIDENT OF THE GENERAL ASSEMBLY

## **CONCEPT NOTE**

### **High-level debate of the United Nations General Assembly on “Equal Access to Justice for All: Advancing Reforms for Peaceful, Just and Inclusive Societies”**

15 June 2023  
United Nations Headquarters

#### **Mandate**

The high-level debate will be held pursuant to General Assembly resolution 77/237, entitled “Strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity”, adopted on 15 December 2022, in which the Assembly invites the President of the General Assembly, in cooperation with the United Nations Office on Drugs and Crime and with the involvement of relevant stakeholders, to hold, within existing resources and during the seventy-seventh session, a high-level debate on the theme “Equal Access to Justice for All: Advancing Reforms for Peaceful, Just and Inclusive Societies” and to prepare a summary of the discussion for transmission to the Commission on Crime Prevention and Criminal Justice and to all Member States.

#### **Background**

Equal access to justice for all is a key component of fair, humane, effective, inclusive, and efficient justice systems, and is essential to maintain the rule of law, ensure full enjoyment of all human rights, prevent human rights abuses, crime and conflict by reducing inequalities and ensuring the conditions in which individuals and communities can thrive and to ensure accountability. Within the framework of the 2030 Agenda for Sustainable Development, particularly Goals 5, 10 and 16, the international community has affirmed a commitment to promoting equal access to justice for all, and strengthening effective, accountable, and transparent institutions at all levels. In the Kyoto Declaration on Advancing Crime Prevention, Criminal Justice and the Rule of Law, as well as a number of General Assembly resolutions, Member States have recommitted to various key priorities and new emerging issues in this regard.

Nevertheless, many women, children, migrants, minorities, and other groups facing marginalization or discrimination continue to face obstacles to seek redress, make their voices heard or defend their rights in the justice system. Barriers to access to justice reinforce mistrust in institutions, exclusion, and negatively impact the economy.

Many obstacles can hinder access to justice, including the lack of effective legislation and policies, limited and inadequate financial, human, and institutional resources, a lack of knowledge of rights, services and how to access them, corruption, and lack of inclusive policies, capacities and partnerships to address structural barriers.

Strengthening institutional capacities to enable access to justice for all is transformative. Equal access to justice for all includes:

- promoting access to legal aid in the justice systems, which includes legal advice, assistance and representation provided at no cost for those without sufficient means or when the interests of justice so require;
- human-rights based and gender-sensitive justice reform, including police reform;

- increasing the efficiency, accountability, and integrity of criminal justice institutions;
- widening the use of restorative justice;
- protecting, assisting and supporting victims of crime;
- addressing hate crimes;
- ensuring access to justice for groups facing discrimination and exclusion and addressing discrimination within the justice system.

In September 2021, Secretary-General António Guterres launched the “Our Common Agenda” Report reflecting upon key solutions to accelerate the implementation of the 2030 Agenda for Sustainable Development. Target 16.3 of the Sustainable Development Goals promises to promote the rule of law and provide access to justice for all. If the commitment of leaving no one behind is to be attained, the right of equal access to justice for all should be guaranteed, including for members of marginalized communities or vulnerable groups. Particular attention should be paid to women and those belonging to vulnerable groups. This High-level debate will also contribute to the discussions related to the SDG Summit to be held in September 2023.

In the Kyoto Declaration, adopted in 2021 by the 14<sup>th</sup> UN Congress on Crime Prevention and Criminal Justice and endorsed by the General Assembly, Member States stressed the importance of ensuring “equal access to justice and application of the law to all, including vulnerable members of society and regardless of their status.” They should do so by taking appropriate measures to ensure a respectful and non-discriminatory treatment of all and to avoid bias of any kind by criminal justice institutions. Moreover, the Kyoto Declaration encourages Member States to “take measures to ensure access to timely, effective, adequately resourced and affordable legal aid for those without sufficient means or when the interests of justice so require [...]”

The [UN standards and norms in crime prevention and criminal justice](#) contain detailed guidance for Member States in many relevant areas of access to justice. In particular, the [United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems](#), adopted by the General Assembly in December 2012 (A/RES/67/187) have been an important source of guidance for governments in enhancing access to legal aid in criminal justice systems. Ten years after their adoption, they are a useful tool for Member States to adopt legislation, strengthen institutions and capacity, and safeguard human rights.

## **Objectives**

Building on the clear synergies between the 2030 Agenda and the Kyoto Declaration, the event is an opportunity to analyze the strategic importance of equal access to justice for all in justice systems, including criminal justice. Links can and should be drawn to complementarities and tradeoffs vis-a-vis sustainable development and the creation of peaceful, just and inclusive societies. In this regard, the event may highlight the role of access to justice in addressing the needs of groups facing structural impediments, such as multiple and intersecting forms of discrimination.

Participants are invited to share their experiences and reflect on best practices and persisting challenges by addressing the following guiding questions:

- What evidence-based approaches have proven effective to ensure equal access to justice for all, in particular for groups that may face structural and historical barriers to access justice, especially within the criminal justice sector? What approaches have proven effective in addressing discrimination within the justice system and in the criminal justice system in particular?
- What measures have been effective in ensuring equal access to legal aid services, taking into consideration the specific rights and needs of beneficiaries?
- What measures have been effective in improving meaningful and effective access to justice for victims, including through access to free legal aid services?

- What approaches have led to increased efficiency, accountability, inclusivity, and integrity of criminal justice institutions?
- What are the biggest challenges to transforming national justice systems to make them effectively accessible to all?

### **Format and Outcome**

The high-level debate will be held in person and consist of an opening segment, a high-level segment for interventions from Member States and Observers of the General Assembly, followed by an interactive panel discussion and closing remarks.

The outcome will be a President's summary of the deliberations that will be prepared for transmission to the Commission on Crime Prevention and Criminal Justice and to all Member States, in accordance with General Assembly resolution 77/237. The meeting will be webcast.

<b><u>Tentative Programme</u></b>	
<b><i>Morning meeting -</i></b>	<b><i>General Assembly Hall</i></b>
10:00am -10:30am	Opening segment
10:30am - 1:00pm	High-level segment
<b><i>Afternoon meeting -</i></b>	<b><i>Trusteeship Council Chamber</i></b>
3:00pm - 4.30pm	Interactive Panel Discussion: "Evidence-based approaches to ensure equal access to justice for all in criminal justice systems – centering those facing structural barriers"
4:30pm - 6:00pm	Continuation of the high-level segment
<i>A detailed programme will be available in due course.</i>	

### **Participants**

Member States and Observers of the General Assembly are invited to participate in person at the highest possible level (Ministers) and make interventions during the high-level segment. Representatives of UN Agencies, regional and sub-regional organizations and other relevant stakeholders will also be invited to attend. The list of speakers for the high-level segment will be made available to delegations prior to the meeting.

The list of speakers will open on the e-deleGATE portal on Monday, 15 May 2023 at 10:00 a.m. and close on Friday, 9 June 2023 at 6:00 p.m. The time limit for national statements will be three minutes and five minutes for statements made on behalf of a Group of States.

In view of the limited time available for the high-level segment, the texts of statements submitted by speakers inscribed on the list which are not delivered by the end of the meeting will be posted on "eStatements" in the Journal of the United Nations. In this regard, delegations are encouraged to send their statements to [estatements@un.org](mailto:estatements@un.org) so as to facilitate interpretation and for posting on "eStatements."