
Issue Brief

(HRC2)

Legal Aid and Access to Justice

The right to legal aid and justice has been established by the United Nations as not only a basic human right in itself, but also that it is a human right that all legal institutions and proceedings are in line with the universal human rights on a national and international level. The United Nations works to set a standard for all Member States to strive for a fair, non-discriminatory, and honest justice system.

In the Human Rights Council worked to create the Declaration of the High-level Meeting on the Rule of Law, which has been reinforced in several General Assembly resolutions. The declaration emphasises Member States' right to independence and control over the country's own justice system, as this was one of the main challenges in trying to provide people with their basic human right to justice and legal aid, while also reiterating the importance of having an equitable justice system under the UN Declaration of Human Rights standards. The UN has sometimes struggled to maintain this balance between granting countries autonomy over their justice systems and sticking with its core values, which has made progress for this issue slow at times.

In order to set standards for this issue, the United Nations also agreed on a number of guidelines during the first international conference specifically on this issue in 2012 by formulating and instituting the UN Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems, or resolution 67/187. Since then, both of these documents have served as a fundamental foundation for new resolutions and treaties to educate the poor and often underprivileged on their fundamental human and legal rights as well as make fair and just legal systems available worldwide.

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