

**Forum: Special Conference on Democracy**

**Issue: Building democratic governance by expanding access to justice**

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## INTRODUCTION

The balanced functioning of modern states relies heavily upon the fundamental factor of democratic governance. Justice is one of the key components that contribute to the multidimensional concept of democracy within a state and allow individuals to trust their well-being on governmental bodies. Nevertheless, the right of citizens to receive unconditional access to justice is being undermined due to the threatening presence of prejudice and discrimination.

When dealing with such an issue it is imperative to understand the significance of democratic governance, access to justice and their correlation with the principle of democracy. Democratic governance is a multi-faceted concept that refers to the responsibility of states to defend the promotion of human rights and fundamental freedoms. It requires the establishment of an organized space that protects citizens and encourages their participation, relating to economic and social activity. The UN considers democratic governance as a set of ideals that act as the foundation of states and allows them to evolve through inclusive measures in decision-making, regardless of the form of government.<sup>1</sup> Thus, the caliber of democratic governance equally affects the well-being of individuals and states.

Access to justice is a vital aspect of democratic governance that ensures accountability and is recognized as a fundamental freedom by international legal frameworks, including criminal and civil justice systems. Experts have noticed a phenomenon around the world for members of vulnerable and marginalized social groups to be excluded from decision-making and be provided unequal treatment before court. The problem lies in the incompetence of governments to undertake accountability together with the unavailability of legal representation.<sup>2</sup>

As more people are deprived of their voice and governments continue to build ineffective policies, humanity regresses and the repercussions could be devastating. The lack of

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<sup>1</sup> United Nations. "Democracy." United Nations, [www.un.org/en/global-issues/democracy](http://www.un.org/en/global-issues/democracy).

<sup>2</sup> "Access to Justice." United Nations and the Rule of Law, 19 Feb. 2019, [www.un.org/ruleoflaw/thematic-areas/access-to-justice-and-rule-of-law-institutions/access-to-justice/](http://www.un.org/ruleoflaw/thematic-areas/access-to-justice-and-rule-of-law-institutions/access-to-justice/).

civil participation and transparency leads to a democratic deficit that causes unrepairable damage and defies the value of democracy. For the modern world to prevent this annihilation of order, it is necessary for proactive measures to be introduced.

While resolution-making delegates must consider the multidimensionality of the issue and strive for policies that promote judicial reform by focusing resources on both formal and informal justice mechanisms, since traditional and informal systems, that are usually ineffectual, are the ones accessible to disadvantaged groups and their representation.

## **DEFINITION OF KEY-TERMS**

### **Democratic governance**

The act of exercising and managing power to organize a state and guarantee the development of economic and social activities together with civil participation and respect towards human rights and fundamental freedoms.

### **Access to justice<sup>3</sup>**

Access to justice is considered a basic human right and refers to the ability of individuals, specifically those belonging to marginalized groups, “to seek and obtain a remedy through formal and informal justice systems, in accordance with human rights principles and standards.”

### **Democratic deficit<sup>4</sup>**

“Democratic deficit is an insufficient level of democracy in political institutions and procedures in comparison with a theoretical ideal of a democratic government.”

### **Criminal justice system**

The criminal justice system is an intricate network consisting of private and governmental bodies that are responsible of handling alleged and convicted offenders through various interconnected agencies and powers.

### **Civil justice system**

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<sup>3</sup> UNDP, *Sharing Experience in Access to Justice: Engaging with Non-State Justice Systems and Conducting Access to Justice Assessments*, Bangkok, UNDP, 2012.

<sup>4</sup> Letki, Natalia. "Democratic Deficit." *Encyclopedia Britannica*, [www.britannica.com/topic/democratic-deficit](http://www.britannica.com/topic/democratic-deficit).

The civil justice system is responsible for determining accountability and allowing third parties to seek monetary compensation if they have been harmfully affected by a criminal's offense.

### **Rule of law<sup>5</sup>**

“Rule of law is the mechanism, process, institution, practice, or norm that supports the equality of all citizens before the law, secures a nonarbitrary form of government, and more generally prevents the arbitrary use of power.”

### **Formal justice mechanisms**

Formal justice mechanisms settle legislative conflicts, cooperate with official institutions that are funded by the government and receive their authority from governmental controls, law enforcement agencies, and legislation.

### **Informal justice mechanisms**

Informal mechanisms function independently from the state and receive their power and funding from communities and social structures that have separate traditions relating to their diverse traits of social identity.

## **BACKGROUND INFORMATION**

### **The importance of justice in democratic governance**

Justice is undoubtedly the greatest tool modern systems possess to create and sustain democratic governance. In a period of constant change, the international community is actively working on the achievement of an inclusive environment that enhances participation. Through progressive democratic policies, the world is focusing on promoting the benefits of the citizens, encouraging equality before the law, and avoiding authoritarian abuse of power. For such principles and human rights to be protected, it is necessary to establish the rule of law and its key principles, like access to justice. In a society without justice, citizens do not have the opportunity to attain their rights, express their grievances and influence decision-making. To tackle this issue delegates must understand the barriers, impact, and legal background of the situation through the information presented in this guide and additional research.

### **The Justice Gap**

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<sup>5</sup> Choi, Naomi. "Rule of Law | Definition, Implications, Significance, & Facts." *Encyclopedia Britannica*, [www.britannica.com/topic/rule-of-law](http://www.britannica.com/topic/rule-of-law).

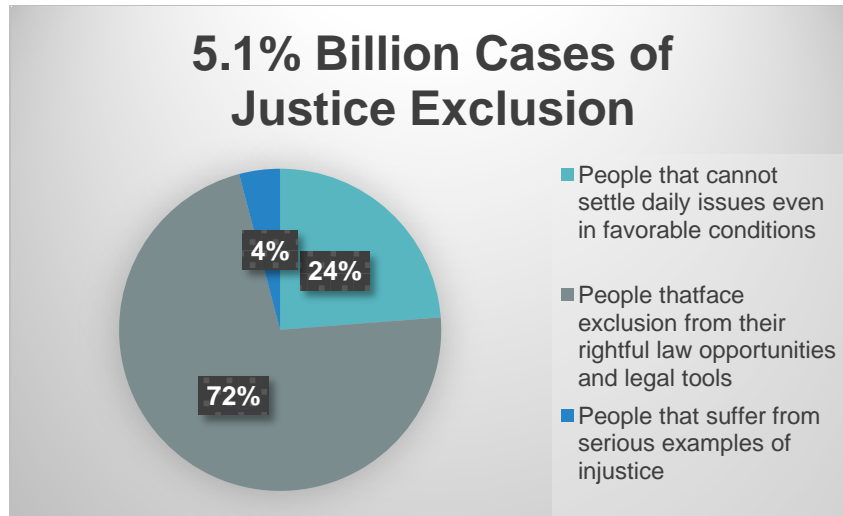
The percentage of people that have limited or no access to legal representation is continuously growing with the emergence of conflict and global emergencies. This rapid increase has been called by experts “The Justice Gap”. The gap refers to the number of individuals that suffer from at least one unfulfilled justice need, escalating from daily challenges to serious injustices.

In 2019 the World Justice Project, which is an independent organization that specializes in the global adherence to the rule of law<sup>6</sup>, published the first targeted report that evaluated the justice gap with global and country-specific datasets. Based on the findings, the cases of insufficient justice access amount to 5.1 billion incidents where citizens have been unable to obtain justice. These cases have been divided into three categories, according to their severity. The first group refers to citizens that have been unable to obtain justice concerning ordinary incidents, such as administrative, civil, or criminal justice cases. Specifically, 1.5 billion people cannot settle their daily issues, even though they live in favorable conditions with working institutions. The second category measures 4.5 billion people that cannot guard their assets, access public services, or have equal economic prospects due to exclusion from their rightful law opportunities and legal tools. Finally, 253 million individuals suffer from serious examples of injustice that undermine their livelihood and include cases of modern slavery, vulnerable environments with a lack of functioning institutions and stateless people.

Although situations vary between different countries, these percentages prove the significance of this phenomenon that hinders development and propagates the destabilization of democratic governance. Not only is the impact of the issue grave but the wide variety of barriers that reinforce discrimination and do not allow people to gain sufficient access to justice is the key factor of this multi-faceted matter. For that reason, a clear assessment of the matter is necessary for governmental policies and social reforms to be implemented.

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<sup>6</sup> "About Us." *World Justice Project*, [worldjusticeproject.org/about-us](http://worldjusticeproject.org/about-us).



Graph 1: Graph depicting the different cases of justice exclusion

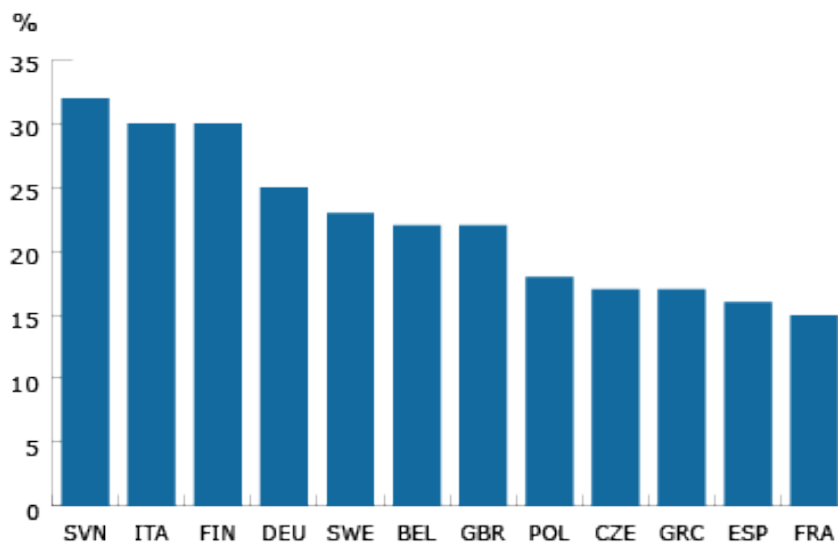
### Barriers to gaining access to justice

The issue of adequate access to justice and the inability of individuals to embrace the opportunities of legal processes can be contributed to a wide variety of causes that affect the individual, the institutions, and their interrelations. When analyzing the issue of justice, it is equally important to evaluate the different aspects of one's identity and living conditions, such as religion, gender, sexuality, nationality etc., since it is a matter that mostly affects marginalized groups that suffer from lack of acceptance, participation, and respect.

#### The lack of sufficient knowledge and awareness of legal rights

One of the most important problems that lead to the justice gap is the lack of sufficient knowledge and awareness of legal rights. A dangerous phenomenon observed both in countries with vulnerable educational and legal systems and in countries with advanced institutions is the inadequate familiarization with legal procedures. Due to their complexity and the lack of programs that aim to acquaint citizens with the court system, it is extremely hard for the average person to engage with the excessive rules and obtain the appropriate services. Thus, people suffering from injustice cannot appeal to legal representation and earn compensation since they are unaware of how, even if they are eligible for aid.

Percentage of people who feel highly informed about legal procedures (2013)

Figure 2: The National Percentages of People that are fully aware of legal rights and processes<sup>7</sup>

### The expensive cost of legal aid

Furthermore, another key factor that repels people from seeking compensation and resolving legal cases is the incompetence of public services and the expensive cost of legal aid. In Less Economically Developed Countries (LEDCs) and remote areas, there is an inadequacy of infrastructure, such as courts and police stations, that lack personnel and are unable to provide remedies for citizens. Similarly, attending court and seeking justice is unreachable due to the unaffordable cost of legal fees that disables people from claiming their rights and increases poverty.

### Procedural discrimination and exclusion

An imperative barrier is located in the foundations of the modern legal system. Individuals most affected by this issue belong in vulnerable social groups that experience structural alienation and discrimination from law processes. Procedural discrimination and exclusion are frequent occurrences stemming from these essentially

<sup>7</sup> "Access to Justice." OECD.org - OECD, [www.oecd.org/governance/access-to-justice.htm](http://www.oecd.org/governance/access-to-justice.htm).

prejudiced systems. Members of minorities painfully endure the omission from policymaking and are incapable of expressing their voice, leading to inaccessible media representation, violations of their legal rights and limited opportunities for compensation. A current example of bias was detected by experts who discovered that Black offenders experienced incarceration and false accusations 7 times more dramatically than White defendants, even for minor offenses.<sup>8</sup>

### **Unlawful abuse of authority**

Lastly, an aspect of immense importance is the unlawful abuse of authority exercised by governmental and legal institutions as well as independent organizations. The appearance of institutional corruption highly contributes to the intensification of the matter, as legal practices become less democratic and serve the interests of the powerful rather than assisting the poor and disadvantaged. In such cases, civil society plays a vital role, yet when institutional corruption occurs its ability to exert influence and organize its resources is ineffective due to governmental restrictions.

The aforementioned are some of the crucial barriers to consider when working on resolution-making, yet there are various additional factors that are relevant to this issue and further research is encouraged.

### **Sustainable Development Goals (SDGs)**

The Sustainable Development Goals (SDGs) were established by the 2030 Agenda for Sustainable Development of the UN in 2015. They are a compilation of 17 issues that seek to create a common plan for Member States concerning the settlement of major global matters and the achievement of a peaceful and inclusive future.

#### **Sustainable Development Goal Number 16**

Goal 16 of the SDGs relates to “promoting peaceful and inclusive societies for sustainable development, providing access to justice for all and building effective, accountable and inclusive institutions at all levels”. The Goal aims at creating a sustainable environment that provides equal opportunities for citizens to access non-discriminatory justice. To ensure this development by 2030, the UN has announced 12 relevant targets. The UN focuses on the significance of strengthening democratic

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<sup>8</sup> Carson, E. Ann, and William J. Sabol. *Prisoners in 2011*. Office of Justice Programs, 2012, [www.bjs.gov/content/pub/pdf/p11.pdf](http://www.bjs.gov/content/pub/pdf/p11.pdf).

governance by ensuring inclusive access to justice through Target 16. 3 that hopes to “promote the rule of law at the national and international levels and ensure equal access to justice for all”.

## **MAJOR COUNTRIES AND ORGANIZATIONS INVOLVED**

### **Denmark**

In 2020, the World Justice Project (WJP) published the annual report on the global adherence to the rule of law. “The Rule of Law Index” is considered the primary source for information on justice with information on over 128 countries and their systems.

Together with national studies, the index indicated that Denmark had the highest overall score in the eight assessment factors, including civil and criminal justice. Denmark’s effective judiciary is contributed to the balanced system that functions contemporarily and along-side global development. The level of trust and the value of accountability and independence from governmental agencies deem Denmark one of the most efficient democracies and judiciaries.

### **Norway**

In the top ranks of the WJP report was also Norway who has successfully managed to maintain its position in the past years and create an inclusive environment. The independence of the civil justice system and the fair application of the rule of law allow Norway to establish a relationship of trust and serve the citizen’s needs. Besides from a developed judiciary it is considered one of the best democracies, as it provides the highest living standards, economic prospects and fairness.

### **Canada**

Canada is considered one of the most progressive, transparent and affluent countries, according to external assessment and civil perception, when dealing with the distribution of power and fair conduct of legal processes.

It has managed to maintain low levels of corruption and eliminate injustice by building a relationship of trust between institutions and citizens, together with adjusting to constant change. The Canadian justice system is a unique institution that is regularly reassessed and updated and that expects individuals to contribute, follow their civil duties and understand their rights. The tool that conserves this efficiency, is The Charter of Rights and Freedoms.

The Charter was signed in 1982 and is celebrated every year on April 17th. It forms part of the Constitution and safeguards fundamental rights and freedoms. Its objectives protect the



rights of various minorities, such as indigenous societies, and guarantee that authorities cannot undermine their freedoms. The great influence of the Charter is that it allows citizens to confront the government in cases of injustice and violation, thus engaging the people and facilitating federal, provincial, and territorial changes.

## **Venezuela**

Venezuela measured a great decline and held one of the lowest overall scores. As the index revealed another decline in the global performances, Venezuela showed a persistent decreasing movement, measuring a -3.9% decline. Under the government of Nicolás Maduro, the legislative and judicial branches of Venezuela were illegally seized. This humanitarian and political crisis led to the destabilization of the rule of law and defied the separation of powers. In 2019 the issue was recognized by the International Court of Justice (ICJ) and the government was ordered to restore democratic governance. Currently, there is an unresolved presidential crisis because there has been no legitimate president since Juan Guaidó's declaration, who lost international recognition in 2021.

## **United Nations Development Programme (UNDP)**

The UNDP was established by the UNGA in November 1965 and serves as the leading organization on global development. As it operates in 170 countries, its main goal is to facilitate the achievement of the SDGs through policymaking and cooperation with local authorities. Enhancing democratic governance is considered one of the key focus areas of its mandate together with providing the appropriate support for expanding access to justice and improving institutional capabilities. The UNDP is constantly cooperating with international organizations to increase awareness, collect data and publish inclusive reports to allow justice to vulnerable victims of corruption.

## **The Organisation for Economic Co-operation and Development (OECD)**

The OECD was formed in September 1961 as an intergovernmental organization, to assist international development and identify beneficial measures for international agencies. It has 37 permanent member countries, and its work concerns the creation of sustainable, inclusive, and fair policies jointly with experts and governments. It provides an extensive forum for data collection and evaluation, that tackle a variety of issues ranging from environmental problems to injustice. Specifically, The OECD Global Roundtables on Equal Access to Justice are a forum that assists strategic planning through international discussions between countries and stakeholders on the best practices for expanding capacity within legal and justice establishments.

## **International Development Law Organization (IDLO)**

The IDLO was created in 1983, originally named the International Development Law Institute (IDLI), and initially acted as a non-governmental organization that focused on offering legal aid, training, and support to the relevant professionals in the legal field, mostly in developing countries. Later in 1988, the IDLI changed its status and became an intergovernmental organization through the Agreement for the Establishment of the International Development Law Institute. The first Member States that signed the Agreement and founded the organization were Italy, France, Philippines, Senegal, Sudan, Tunisia, the Netherlands, and the USA. Since then, the organization has received a permanent observer status at the UNGA in 2001 and expanded its mandate through the reevaluation of the Agreement. Its mandate aims at facilitating legal reform and actively strengthening the application of the rule of law while simultaneously promoting sustainable measures for development. It engages in programmes in over 90 countries and diverse justice systems.<sup>9</sup> Access to justice is one of its main goals, as the organization works with experienced professionals to minimize the justice gap by raising awareness, urging marginalized communities to seek justice, and providing appropriate mechanisms and legal empowerment.

Top Performers						Bottom Performers					
Country/Jurisdiction	Overall Score	Score Change	% Score Change	Global Rank	Global Rank Change	Country/Jurisdiction	Overall Score	Score Change	% Score Change	Global Rank	Global Rank Change
Denmark	0.90	0.00	0.0%	1	0	Zimbabwe	0.39	-0.01	-1.5%	119	1 ▼
Norway	0.89	0.00	0.1%	2	0	Pakistan	0.39	0.00	-0.7%	120	1 ▼
Finland	0.87	0.00	-0.1%	3	0	Bolivia	0.38	0.00	0.3%	121	0
Sweden	0.86	0.00	0.2%	4	0	Afghanistan	0.36	0.02	4.3%	122	3 ▲
Netherlands	0.84	0.00	-0.5%	5	0	Mauritania	0.36	0.01	4.0%	123	1 ▲
Germany	0.84	0.00	0.1%	6	0	Cameroon	0.36	-0.02	-4.4%	124	2 ▼
New Zealand	0.83	0.00	0.3%	7	1 ▲	Egypt	0.36	0.00	0.1%	125	2 ▼
Austria	0.82	-0.01	-0.6%	8	1 ▼	Congo, Dem. Rep.	0.34	0.01	2.6%	126	0
Canada	0.81	0.00	-0.2%	9	0	Cambodia	0.33	0.00	0.7%	127	0
Estonia	0.81	0.00	0.0%	10	0	Venezuela, RB	0.27	-0.01	-2.6%	128	0

Figure 3: WJP of law index by country<sup>10</sup>

## TIMELINE OF EVENTS

DATE	DESCRIPTION OF EVENT
10 December 1948	The Universal Declaration of Human Rights

<sup>9</sup> "About IDLO." *IDLO - International Development Law Organization*, 19 Mar. 2021, [www.idlo.int/about-idlo/about-idlo](http://www.idlo.int/about-idlo/about-idlo).

<sup>10</sup> "WJP Rule of Law Index 2020." *World Justice Project*, [worldjusticeproject.org/our-work/research-and-data/wjp-rule-law-index-2020](http://worldjusticeproject.org/our-work/research-and-data/wjp-rule-law-index-2020).

	(UDHR) was proclaimed by the UNGA.
22 November 1965	The United Nations Development Programme (UNDP) was founded.
23 March 1976	The 1966 International Covenant on Civil and Political Rights was implemented.
13 December 1985	The Basic Principles on the Independence of the Judiciary were published.
25 October 1980	The Convention on International Access to Justice of the Hague Conference on Private International Law (HCCH) was established.
1 January 1983	The International Development Law Institute (IDLI) was established as an NGO.
7 September 1990	The Basic Principles on the Role of Lawyers were published.
7 September 1990	The Guidelines on the Role of Prosecutors were published.
14 December 1990	The Basic Principles for the Treatment of Prisoners were published.
20 December 2012	The GA approved the UN Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems.
1 January 2016	The Sustainable Development Goals (SDGs) came into force.

## **RELEVANT UN RESOLUTIONS, TREATIES AND EVENTS**

### **A/RES/68/188**

During its 68th session on 10 December 2013, the General Assembly adopted a resolution on the topic of “The rule of law, crime prevention and criminal justice in the United Nations development agenda beyond 2015”. The resolution emphasizes the importance of facilitating access to justice and implementing the rule of law effectively. It focuses development and legal aid on vulnerable countries together with eliminating the effects of gender-related issues and strengthening the work of relevant institutions. It is an attempt associated with the post-2015 development agenda that paves the way for inclusive access to justice.

### **A/RES/67/187**

The General Assembly passed in December 2012 the “UN Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems”. The resolution highlights the importance of democracy in the fulfillment of human rights, with emphasis on the fair administration of justice through legal aid. It is the first international instrument with focus on legal assistance that sets standards on accessing criminal justice representation.

### **High-level Meeting on the Rule of Law**

In September 2012, the UN held the High-level Meeting on the Rule of Law which called upon Member States to guarantee transparent, non-biased and effective legal services. Representatives of NGOs, States and civil society advocated for inclusive access to justice with focus on marginalized groups. It is a recent and effective effort at securing fair legal procedures that promoted the dimensions of the issue and strengthened the national and international awareness on the rule of law.

### **The Universal Declaration of Human Rights (UDHR)**

The Universal Declaration of Human Rights (UDHR) is the greatest document that has contributed to the evolution of human rights. It was created by international representatives from diverse cultural backgrounds and proclaimed on 10 December 1948 by the UN General Assembly (UNGA Resolution 217 A). It is considered the universal standard of achievements that recognizes fundamental human rights and declares their unconditional protection. Specifically, Article 7 of the UDHR states that “All are equal before the law and are entitled without any discrimination to equal protection of the law” and Article 8 declares that

“Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.”<sup>11</sup>

### **Convention of 25 October 1980 on International Access to Justice of the Hague Conference on Private International Law (HCCH)**

A document that set common standards concerning access to justice is the Convention of 25 October 1980 on International Access to Justice of the Hague Conference on Private International Law (HCCH)<sup>12</sup>. The Convention provides principles that allow citizens of the Contracting Parties, non-biased access to justice considering legal consultation, aid, and physical detention. There are 33 Contracting Parties, a detailed list of which can be found on the website of the HCCH, although not all of them have implemented it.

### **Rule of Law**

According to the UN, the rule of law refers to “a principle of governance in which all persons, institutions and entities, are accountable to laws that are publicly promulgated, equally enforced and independently adjudicated”<sup>13</sup>. It is considered a pillar of democracy and one of the founding elements of the UN’s mandate and a state’s responsibility. Although the application of the rule of law can differ between political systems, it is an essential component for stability, prosperity, and peace. As it follows international human rights standards, it guides states toward inclusive policies. The rule of law requires such institutions to exercise power according to the power of law, to guarantee equality before it and provide accountability. These requirements also include participation and inclusion to justice, legal tools, and transparency. Thus, to expand access to justice and eliminate barriers, it is necessary to ensure that the rule of law is being applied. It is an imperative principle that is closely related to development and considered the groundwork of the SDGs.

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<sup>11</sup> "Universal Declaration of Human Rights." *United Nations*, [www.un.org/en/about-us/universal-declaration-of-human-rights](http://www.un.org/en/about-us/universal-declaration-of-human-rights).

<sup>12</sup> "Access to Justice Section." *HCCH | Splash*, [www.hcch.net/en/instruments/specialised-sections/access-to-justice](http://www.hcch.net/en/instruments/specialised-sections/access-to-justice).

<sup>13</sup> "What is the Rule of Law." *United Nations*, [www.un.org/ruleoflaw/what-is-the-rule-of-law/](http://www.un.org/ruleoflaw/what-is-the-rule-of-law/).

## **PREVIOUS ATTEMPTS TO SOLVE THE ISSUE**

The justice system is a very complex matter so the effort towards increased citizen access has had various approaches. Although there are specific international standards on human rights and the justice system, such as the aforementioned documents, each state can use different mechanisms and shape the judiciary according to its needs. Therefore, a lot of countries have implemented unique legislation on the issue of legal representation on a national level, while adhering to the ratified conventions and agreements.

### **UNDP Initiatives**

Although it is difficult to tackle every national response to this issue, there have been some international efforts to promote democratic governance by international UN institutions. Specifically, the UNDP has been supportive in the past few years through the establishment of forums and the Democratic Governance Thematic Trust Fund (DGTTF) that focused 40% of funding on justice in 2002. Additionally, the UNDP has aimed at improving formal and informal mechanisms in insecure environments by assisting the global development of the judiciary. For example, in Africa it has proposed various initiatives and supported training programmes for officers on their responsibilities. Similarly, in other continents of the world, including Asia and South America, it has contributed to multiple development programmes and judicial reforms for the purpose of efficient, comprehensive, inclusive, and effective legal processes.

### **The Free Access to Law Movement (FALM)**

One of the most active programmes when dealing with access to justice is The Free Access to Law Movement (FALM). It is an international movement and effort that focuses on providing inclusive opportunities by increasing access to information through online means. It began in 1992 after the establishment of the Legal Information Institute (LII) through the Cornell Law School. Although it holds annual conferences and works on enhancing inclusive spaces for information, as a non-governmental initiative it faces monetary constraints that hinder the development of the appropriate platforms.

### **International Access to Justice Initiatives (ATJ)**

In the past decades there have been some international Access to Justice Initiatives (ATJ) focused on providing support to countries and systems suffering from conflict. An example is the MyJustice project which is funded by the European Union and seeks to inform

the citizens of Myanmar about their entitled rights. It aims at providing the appropriate knowledge, opportunities, and resources to manage disputes fairly and maintain an independent justice system. The project has created several “justice centers” in Myanmar since 2015 that help vulnerable individuals through free legal aid and training. Similarly, in Pakistan the Sarhad Rural Support Programme (SRSP) has established a series of Initiatives (AJI) that focus on improving legal knowledge, awareness, and aid, by allowing them to pursue remedies.

The work of the UNDP together with the international declarations, resolutions, and organizations, such as the OECD, on access to justice comprise the general global advocacy on the issue. As it is a multi-faceted problem due to the complexity of legal processes and systems there have not been direct actions to tackle it. This lack of preparation is detrimental and highlights the necessity of promoting immediate and feasible measures.

## POSSIBLE SOLUTIONS

Due to the significance of the issue and its potentially catastrophic impact on the principle of democracy, it is necessary for the UN and Member States to recognize the urgent importance and combat it.

As highlighted above, the topic of democratic governance and its codependence on the effective functioning of judicial institutions is complicated and requires versatile solutions. When drafting resolutions, it is vital for delegates to remember who the main focus of the problem is and concentrate measures on formal as well as informal mechanisms. Since the topic is directly related to human rights most solutions studied by experts have focused on a humanitarian and community-based approaches.

Since introducing a common legal framework is impossible, the first step is to ensure that Member States respect through their national policies the global standards on justice and human rights. To propose effective solutions delegates must consider the deeper causes of the problem, such as inequality and discrimination. Thus, equality to justice can be expanded by introducing inclusive national policies and improving representativeness. Specifically, Member States could create specific criteria and qualifications together with the provision of training programs for the establishment of a non-discriminatory space, while regulators should observe the dimensions of the issue and act accordingly. Also, the expansion of legal capacities is important for providing legal protection that ensures that the rights of disadvantaged groups are respected in domestic, constitutional law and administrative orders.

Furthermore, it is crucial to focus on feasible measures by analyzing the underlying causes, like inadequate mechanisms. To improve the functioning of institutions, resolutions must strive for the immediate support of vulnerable environments. After identifying the

exposed groups such as women, POC, rural poor and people with disabilities, efforts should be focused on making the system more accessible. Funds and allocations could be given to the responsible organizations to support judicial reforms and allow greater representation, accessible fees, and efficiency.

Moreover, as mentioned above one of the most important factors is the lack of awareness. Thus, it is essential for NGOs and governments to acknowledge the issue and through educational programmes, courses, campaigns etc. allow people with restricted access to education and legal processes realize their responsibilities, freedoms and entitled rights. Another solution could be to extensively inform them about the operation of the legal system and introduce relevant courses to familiarize them with its functions.

A more immediate solution would be to assess the existing legislation and promote more comprehensive and effective regulations. Regulators and legal institutions would have to re-evaluate the established legislation that controls the work of the judiciary and attempt to simplify the process or make it more understandable for the general public. Additionally, it is imperative that processes and adherence to global standards are monitored by external agencies to ensure that nations are providing inclusive access to justice without undermining the citizens' human rights.

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