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Draft report

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Addendum

II. Recommendations (*continued*)

B. Substantive items and workshops – Agenda item 5 (b)

2. Promoting people-centred, inclusive and responsive criminal justice systems in a world of continuous change (agenda item 4); and ensuring equal access to justice for all: towards safe and secure societies while respecting the rule of law (workshop 2)

1. An introductory presentation was delivered by a representative of the Secretariat introducing the substantive agenda item and the workshop topic. Statements were made by the representatives of Egypt, Bahrain, Morocco and the Sudan.
2. A statement was made by the observer of Canada.
3. Statements were also made by the observers for the Ensemble Contre Le Pein de Mort (ECPM) and the Alliance of NGOs on Crime Prevention and Criminal Justice.

Summary of deliberations

4. Speakers emphasized the importance of ensuring equal access to justice for all as an essential element of justice and a crucial factor in achieving the Sustainable Development Goals (SDGs), particularly SDG 16, and in protecting human rights. It was highlighted that justice, to be truly effective, needs to be fast and able to reach all citizens in an prompt manner. Ensuring equal access to justice for all was also referenced as an important factor to monitor and evaluate the good functioning of the justice system.
5. The need to develop criteria to measure access to justice was raised by some speakers, including a reference to measures taken at national level to monitor the delivery of justice services.
6. It was highlighted that multisectoral and holistic approaches to access to justice, including affordable legal aid, were essential to people-centred justice. Reference was



also made to the need to ensure equal access to justice for persons who are at high risks of vulnerability such as women, children, foreigners and victims of crime, particularly victims of gender-based violence, of trafficking in human beings and smuggling of migrants.

7. One speaker referred to the Expert Group Meeting on Equal Access to Justice for All, held in Brasilia from 9 to 11 December 2024 and the recommendations there contained. Several speakers recognized that victim-centred criminal justice systems required specialized knowledge and skills among criminal justice professionals. Specialized criminal justice agencies could help to provide trauma-informed services. In particular, speakers stressed the need of having in place protocols and programmes to support children both as victims and as perpetrators. Initiatives at the national level to advance access to justice for victims included the establishment of dedicated services for women and children within the police, enhanced procedural protections for victims of sexual offences and child sexual abuse offences, facilitating the involvement of victims in criminal trials as well as establishing mechanisms by which victims' voices may be heard. Particular reference was made to the need to support and assist children without parents.

8. Several speakers highlighted the importance of free legal aid as a mechanism for promoting access to justice for all, particularly for vulnerable victims. Some speakers spoke of national initiatives to strengthen legal aid, including the establishment of a strong partnership between government, the legal sector, social services, and civil society, to deliver legal services aiming to ensure the effectiveness and sustainability of the access to justice. Reference was also made to the need to make every effort to ensure that all victims, including victims out of reach, such as those protected in shelters, can have access to justice and appropriate services. A speaker mentioned the support and assistance, including free legal aid, provided to refugees.

9. Reference was also made to the work and activities undertaken by the United Nations Office on Drugs and Crime (UNODC) to support some countries of the region in providing accessible and free legal aid to victims of trafficking in persons, women victims of sexual violence as well as children.

10. Several speakers mentioned the need of providing victims of crime, particularly of serious ones such as trafficking in persons, with a prompt compensation and redress for their victimization. The possible establishment of a fund dedicated to the compensation of victims and the possible modalities for the financing and operations of such a fund were discussed, including the possible use of confiscated proceeds of crime for this purpose. National experiences in providing victims of trafficking in persons with compensation and support, including legal ones, were also illustrated.

11. Some speakers recalled the relevance of restorative justice programmes, particularly for cases involving children, and the importance of investing in restorative justice approaches and programmes as well as mediation programmes.

12. Some speakers emphasized the need of ensuring the integrity, transparency and accountability of criminal justice institutions, particularly the judiciary. In this regard, the importance of addressing the challenges posed by corruption was raised. The importance of building a solid and sustainable trust between the public and the justice institutions was stressed and reference was made to the possible recourse to restorative justice processes as an effective vehicle for building such a mutual trust.

Outcome of deliberations

13. The following recommendations, which were not negotiated by the participants, were identified:

(a) Adopt criminal justice reforms, policies and strategies to ensure that justice services are delivered in a fast manner and are able to reach all citizens in an effective manner;

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- (b) Make efforts to advance equal access to justice for all that is data-driven, evidence-based, inclusive and transparent;
- (c) Promote inclusive and accessible legal aid at all stages of the criminal justice process and consider establishing free legal assistance as a public policy to guarantee access to justice for all people, particularly the most vulnerable members of society;
- (d) Ensure that victims of crime, particularly serious crimes, have access to prompt compensation and redress, including through the establishment of compensation funds;
- (e) Provide training to relevant criminal justice practitioners to strengthen their capacity to provide victim-centred assistance and support initiatives that take into account the specific needs of victims;
- (f) Provide specialized assistance and support to children, both as victims as well as perpetrators, with a particular attention to children without parents;
- (g) Ensure that criminal justice systems are balancing victims' needs, the rights of accused persons and offenders and the need for an efficient and effective criminal justice system as well as provide effective rights for victims of crime;
- (h) Ensure that the national provisions related to children in contact with the criminal justice system, particularly those concerning the issue of criminal responsibility, are in line with the Convention on the Rights of the Child;
- (i) Ensure equal access to justice for all at all stages of the criminal justice process, thereby guaranteeing equitable access in interactions with law enforcement, prosecution offices, independent and impartial courts, the judiciary, and other criminal justice institutions, as well as with legal aid providers and victim support services; and by providing holistic services to victims and accused from the first contact with the criminal justice system;
- (j) Adopt policies and measures to strengthen prompt access to justice for those groups at high risk of vulnerabilities, such as women, children, foreigners or migrants, including through the adoption of specific measures and through the increased responsible use of digital technologies for this purpose;
- (k) Strengthen the accessibility of the public to information on criminal justice issues including through the publication of judicial decisions in the media;
- (l) Adopt and implement criminal justice reforms and policies that are measurable and identify criteria to measure and evaluate such reforms and policies;
- (m) Strengthen the use of restorative justice programmes as well as mediation and programmes;
- (n) Prevent and respond to corruption in the criminal justice system with a view to ensure transparency and accountability of criminal justice institutions and build public confidence in such institutions.
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