



EUROPEAN UNION

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EU remarks – Session 3

Strengthening the Rule of Law in the promotion and protection of civil, political, social, economic and cultural rights

EU remarks on access to justice

Access to justice is essential in ensuring that human rights standards are properly enforced. While access to justice typically means having a case heard in a court of law, it can more broadly be achieved or supported through mechanisms such as national human rights institutions, equality bodies and ombudsman institutions.

The EU seeks to provide through the work of the Fundamental Rights Agency evidence-based advice to policy makers at EU and national level in order to improve awareness of and access to justice. This includes the provision of information about how to remove existing obstacles that hinder people's ability to access justice, including vulnerable groups such as children and migrants.

In the EU context, the right of access to justice is recognised by Article 47 of the Charter of Fundamental Rights of the EU, as well as in the case law of the Court of Justice of the EU and EU directives in the area of discrimination. The Charter guarantees the right to an effective remedy and to a fair trial, including legal aid to those who lack sufficient resources. At the same time, access to justice is also an enabling right that allows those who perceive their rights as having been violated to enforce them and seek redress. Article 47 of the EU Charter of Fundamental Rights corresponds to Articles 6 and 13 of the ECHR and Articles 2(3) and 14 of the international Covenant on Civil and Political Rights.

By 2014, the EU will develop specific actions to improve access to justice, to strengthen judicial cooperation, to ensure the free circulation of judicial decisions within the EU and to enhance legal certainty.