



Fundamental Rights Conference 2012

THE THEME

Justice in austerity - challenges and opportunities for access to justice

The right to access justice, as guaranteed in the EU Charter of Fundamental Rights, is fundamental to ensuring that fundamental rights are enforced in practice. Austerity measures are leading to cuts in public funding for justice institutions and legal aid programmes. Coupled with rising poverty and unemployment, people's ability to seek redress becomes harder.

In some EU Member States, cuts in public spending have reduced budgets for courts and bodies with a human rights remit as well as funding for a number of measures supporting access to justice, such as legal aid programmes and victim support services provided by the non-governmental sector. At the same time, the poor financial situation and growing unemployment has a disproportionate impact on the most vulnerable groups of society, such as people with disabilities, irregular migrants, children, limiting even further their possibilities to access justice.

But fiscal consolidation could also be an opportunity to reform less effective structures, and explore new solutions, thereby ensuring accessible justice for everyone in the EU. Well-functioning and efficient justice systems can help reinforce economic growth. A number of EU Member States have already introduced some efficiency-boosting measures, reforming courts, streamlining various judicial and non-judicial mechanisms, ensuring better implementation of judicial decisions, improving judges' management skills and strengthening the role of non-judicial redress mechanisms. Much more could be done to improve access to justice.

The economic crisis affects all areas of economic and political life, requiring the distribution of already scarce resources among multiple and often conflicting priorities. It is therefore more important than ever to put a rights-based approach at the core of policy making, ensuring that the principles of fundamental rights guide decision making, taking into account both the rights of victims as well as those of the accused.

The Fundamental Rights Conference will examine existing policies, help to understand strengths and weaknesses of different judicial systems and their financing mechanisms, and seek to identify the effects of austerity-driven reforms in the field. It will also foster exchange of promising practices and promote innovative solutions that could aid policy makers.
