

# ACCESS TO JUSTICE AND LEGAL AID FOR VULNERABLE GROUPS: NEW CHALLENGES CAUSED BY THE COVID-19 PANDEMIC

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## ABSTRACT

*The unprecedented impact of the COVID-19 pandemic on the realization of human rights has disproportionately affected vulnerable groups and created a global gap in justice, a gap in human rights from discrimination and poverty in access to social protection and basic services, insufficient or no access to justice, lack of access to justice. Legal aid. This article deals with current issues of access to justice and legal aid for the vulnerable during the pandemic of COVID-19.*

*It is concluded that no country will be able to ensure the implementation of goal 16.3 of the United Nations Sustainable Development Goals on 2030 on equal access to justice for all until has not focused on closing the global justice gap, increasing access to justice, providing legal aid to the most vulnerable groups. For the implementation of the policy of access to justice for vulnerable states must have a different approach to justice – a people-centered approach to justice that puts consideration of the individual at the heart of justice responses by providing access to information, programs and policies.*

*Ensuring equal access to justice, access to legal aid, an increased level of legal awareness among vulnerable groups, and a vibrant strong civil society, that contribute to access to justice, are key criteria for ensuring access to justice for vulnerable people. Providing equal access to justice through access to legal aid is key to ensuring access to justice in any state. Today it is important to overcome barriers to access to justice, such as the digital barrier, barriers related to financial costs, complexity, lack of information and access to services, and lack of access to legal aid or representation. States should be effective, must guarantee credible commitment, support coordination, and promote cooperation. States, justice systems must collaborate with public organizations and civil society to address the root causes of disputes and avert violence, conflict, and human rights abuses.*

**Keywords:** Human Rights, Access to Justice, COVID-19, Rule of Law, Equal Access, Legal Aid, Legal Awareness, Justice Gap, Vulnerable, Civil Society, Justice Systems

## INTRODUCTION

Article 7 of the United Nations Declaration of Human Rights provides that «all people are equal before the law and are entitled without any discrimination to equal protection of the law» (United Nations, 1948). This position is the basis for justice, good governance and democracy, that functioning successfully in the world. The International Covenant on Civil and Political Rights, the Convention on Economic Social and Cultural Rights, the Convention on the

Rights of the Child, the Convention on the Elimination of All Forms of Racial, the Convention on the Rights of Persons with Disabilities and others set standards specifically related to the manner how the right of everyone can be enforceable and articulate the approaches that institutions and the state should take towards people.

Despite the existence of a large number of international instruments devoted to the rights of everyone, although significant progress had been made, the legislation of all states does not place all people into equal conditions (Kurylo & et al., 2020), the rights of vulnerable groups in society continued to be violated in all parts of the world. The fact is that there is a fundamental difference in the de jure statement of equality and the de facto situation facing many vulnerable groups (Castellino, 2009). These people are exposed to discrimination and intolerance on the grounds of race, colour, language, religion, national or social origin, association with a national minority, sexual orientation or gender identity. They are held back by costs and procedures, a lack of trust that they will be treated fairly, a lack of services that can meet their needs. People remain invisible in the human rights discourse: without access to legal aid and access to justice.

The world has been emphasizing the need to build peaceful, just and inclusive societies that provide equal access to justice for all, meeting the needs of the most vulnerable *groups* in society. One of the goal of the United Nations Sustainable Development Goals to 2030 is to promote just, peaceful and inclusive societies. Goal 16, in particular, its target 16.3 (promote the rule of law at the national and international levels and ensure equal access to justice for all) have a direct impact on progress towards all Goals, such as Goal 1, to end poverty in all its forms everywhere, Goal 5 on gender equality and empower all women, Goal 8 on promoting inclusive and sustainable economic growth, employment and decent work for all and Goal 10 on reducing inequality (United Nations, 2015).

The unprecedented impact of the COVID-19 pandemic on the realization of human rights disproportionately affected vulnerable groups and created a global justice gap, gap in human rights from discrimination and poverty in access to social protection and basic services, insufficient or no access to justice, lack of access to legal aid. The pandemic has derailed progress in achieving the Sustainable Development Goals and is producing even greater levels of inequalities worldwide (Office of the High Commissioner for Human Rights, 2021).

## RESULTS

### **Pandemic COVID-19 and the Global Justice Gap**

Using the human rights principle focuses on the moral obligation to address social inequities and the suffering of vulnerable populations (Pacquiao, 2008).

Even before COVID-19 in 2019 at the report of the Task Force on Justice Pathfinders it was noted that in the modern world there is a global justice gap and two-thirds of humanity suffers from a lack of meaningful access to justice. Such global justice gap has three dimensions:

- 1) At least 253 million people live in extreme conditions of injustice, 40 million people are modern slaves, 12 million are stateless and over 200 million live in countries or communities where high levels of insecurity make it impossible for them to seek justice.
- 2) 1.5 billion people have justice problems they cannot resolve, among whom are victims of unreported violence or crime, who has serious problems in civil or administrative proceedings, such as a land dispute or denial of public service. Almost 60 per cent of justice problems are currently unresolved.
- 3) 4.5 billion People are excluded from the opportunities the law provides. This makes them vulnerable to abuse and exploitation and less able to access economic opportunities and public services (Task Force on Justice, 2019).

With the rapid spread of the pandemic of COVID-19, the justice gap has widened. The pandemic of COVID-19 is an unprecedented global emergency. It is not only a public health crisis but also a human rights crisis. Human rights were violated in many countries around the

world, access to information and press freedom was restricted. Some governments have used the pandemic as a pretext to grab power, use excessive force, and harass vulnerable populations (Forman & Kohler, 2020). The pandemic COVID-19 has created the opportunity for corruption to flourish in healthcare sectors around the world (Teremetskiy et al., 2021), has impacted the justice system worldwide, has created a significant failure in the implementation of the Sustainable Development Goals and not only has increased global inequality but has also contributed to these imbalances.

The pandemic COVID-19 has created and continues to devise numerous adverse consequences, both for individuals and communities and the state as a whole. For too many people, gaps persist between the promise of justice and realities in communities, in the workplace, and at home. The burden of injustice falls too heavily on vulnerable groups, facing the threat of loss of jobs, livelihoods, housing, health and life, the hardest struggle to realize their rights and access to justice.

The vulnerable groups are more likely to face legal issues, and one issue may bring about another. Legal issues are often embedded in a cluster of other problems that can affect many areas of life, including housing, employment, education and health. This makes it very important to address these problems as early as possible. These vulnerable individuals are at increased risk of being overlooked in any crisis that often exacerbates existing inequalities and vulnerabilities.

Those already facing restrictions on the rights to health, work, education, social protection and an adequate standard of living of the pandemic have been disproportionately affected by COVID-19. Stay-at-home orders being implemented by over 160 countries and school closures in over 170 countries, for instance, have affected an estimated 2.7 billion women, with a multitude of repercussions, including a three-fold escalation of domestic violence, as well as an increase in unpaid care work (United Nations Entity for Gender Equality and the Empowerment of Women, 2020) and most of these didn't have access to justice. The experience of injustice of vulnerable groups increases the likelihood that they will continue to be left behind (Task Force on Justice, 2019).

A question, therefore, arises: whether the states can reduce the gap in justice and meet the needs of the most vulnerable groups? Of course, neither the growth of a stronger regime of human rights nor the fulfilment of the Sustainable Development Goals would automatically guarantee an amelioration of the plight of vulnerable groups (Castellino, 2009). Understanding legal needs and assessing the prevalence of people's justice problems around the world, access to legal aid and justice, and the on-going evaluation of all measures taken are becoming important.

### **Access to Justice as a Basic Principle of the Rule of Law and the Main Direction of Protection of Vulnerable Groups in Crises**

Strengthening the rule of law is a major goal of states around the world. Observance of the rule of law enhances certainty, predictability and security, both among individuals and between citizens and government, as well as restricting governmental discretion and the abuse of power (Douglas-Scott, 2017).

Access to justice is a basic principle of the rule of law. *Access to justice* is an essential condition for the effective implementation of human rights, as well as for democracy and the rule of law. Access to justice involves legal protection, legal awareness, legal aid and counsel, adjudication, enforcement, and civil society oversight. Access to justice supports sustainable peace by providing the population with a more attractive alternative to violence in resolving personal and political disputes. In the absence of access to justice, people are unable to have their voice heard, exercise their rights, challenge discrimination or hold decision-makers accountable (United Nations, 2019).

There are many definitions of the term 'access to justice'. From a rights-based perspective, access to justice refers to "the ability of people from disadvantaged groups to prevent and overcome human poverty by seeking and obtaining a remedy, through formal and

informal justice systems, for grievances following human rights principles and standards" (UNDP Asia Pacific Regional Centre, 2010). Access to justice can be defined as "the ability of groups and individuals to be able to bring an alleged rights violation to the attention of a court and to have that court adjudicate the claim in a fair and impartial fashion based on the evidence and according to the applicable rules of law" (Baumgartner, 2011).

Guaranteeing human rights for everyone poses a challenge for every country around the world to a differing degree (United Nations, 2020).

Access to justice is a major challenge for building democracy and social peace in the country. Vulnerable groups are denied rights all over the world, whether developed or developing. The Rule of Law Index, to serve as a quantitative tool for measuring the rule of law in practice, shows that people from the world's poorest countries are more likely to face the most severe injustices and lack of access to justice and legal aid (The World Justice Project, 2020). However, access to justice is challenging for most states. There is no access to justice where citizens (especially marginalized groups) fear the system, see it as alien, and do not access it; where the justice system is financially inaccessible; where individuals have no lawyers; where they do not have information or knowledge of rights; or where there is a weak justice system. Limited access to justice disempowers individuals and communities from claiming their rights and defending themselves from injustice. The reality of most vulnerable groups, faced with multiple layers of vulnerability (such as socio-economic condition, geographical location, age or gender), remains bleak (Teixeira, 2020). Today billions of people have limited access to justice (Manuel & Manue, 2018) or do not have access to justice, not everyone can successfully defend their rights and file an alleged violation of rights in court.

The pandemic of COVID-19 has created additional barriers to accessing justice for vulnerable groups. One of the issue that justice systems have been facing has been to ensure the availability of justice services despite the constraining social distancing, or even complete lockdown, measures. Across most systems, non-urgent trials have been postponed to later dates, in many cases also suspending procedural and enforcement action deadlines, many courts around the world have started transitioning into online hearings (OECD, 2020). At the same time most vulnerable who did not have access to the Internet, adequate hardware to participate effectively, or had sufficient IT knowledge on how to use these tools were denied access to justice. This situation has demonstrated that any kind of reaction to the crisis must be strictly based on the principles of the Rule of Law and must respect and protect human rights. Emergency measures must respect the principles of legality, legal certainty and proportionality and need to be constantly re-evaluated (European Commission, 2020).

The other barriers are barriers related to the financial cost, time, complexity, lack of information and availability of services, lack of legal aid.

Access to legal aid is crucial for obtaining effective remedies against legal problems, and therefore legal aid adapted to the personal situation of individuals must be provided as a basic service for the duration of all blocking activities and not only.

Access to justice is the responsibility of the state. While every society aspires to the rule of law when the rules are applied impartially and those who make them also have an obligation to abide by them, the rule of law is itself the rule: it is enforced then when the principles of law become a universal value for society as a whole. This universality is the result of a long historical process and cannot simply be imposed on people overnight

Barriers to access to justice impact the development of any state, and poverty reduction, sustainable development and access to justice are fundamentally linked. Access to justice is associated with economic growth and social development and its provision is a core state function. It is associated with peace building and state-building, economic growth and investment, as well as equity and social justice (Manuel & Manue, 2018).

There are several criteria to characterize access to justice. The first criteria is equal access.

Historically, in several countries, the term "access to justice" has meant only access to courthouses or, in some instances, access to a defence attorney. In addition, access to justice

includes not only fair procedures for dispute resolution but also the removal of structural injustices or barriers to the use of effective remedies against human rights violations through legal aid, impartial and competent judicial and administrative bodies, through the provision of prompt remedies, including the right to appeal, restitution, indemnity, compensation, including effective preventive mechanisms, so that no one is left out of sight or wronged by justice. By extension, all humans should have equal access to justice when their dignity or their rights are violated (United Nations Development Programme, 2005).

Legal aid is an essential element of a fair, humane and efficient justice system that is based on the rule of law. Legal aid is the basis for the exercise of other rights, including the right to a fair trial, as defined in many international instruments. In particular, Article 14, paragraph 3, of the International Covenant on Civil and Political Rights that everyone, among other rights, should have the right "To be tried in his presence, and to defend himself in person or through legal assistance of his choosing; to be informed if he does not have legal assistance, of this right; and to have legal assistance assigned to him, in any case where the interests of justice so require, and without payment by him in any such case if he does not have sufficient means to pay for it" (General Assembly, 1966).

The legal aid is intended to include not only legal advice, assistance and representation for persons in the justice process but also the concepts of legal education, access to legal information and other services provided for persons through alternative dispute resolution mechanisms and restorative justice processes.

The right to access to justice, being a universally recognised fundamental human right, is a natural starting point for the establishment of an obligation to provide free legal aid (Jüriloo, 2015).

Access to legal aid is a key criterion for ensuring access to justice, especially for the poor and vulnerable. There are common problems people faces when they need legal assistance. People do not need legal services in and of themselves. Their need is of the ends which legal services can bring about. When people are faced with legal problems they first tend to look for information and advice. After obtaining information and advice, the individual will typically try again to solve the issue in cooperation with the other party and may need assistance for this. This may be in the form of specific legal remedies, reconciliation with another party, or, quite simply, a sense of fairness or closure from some dispute. Legal aid enables people to understand and realize their rights and can help address the root causes of exclusion and systemic warnings.

People often seek access to justice from legal issues such as consumer problems, problems between neighbours, family problems, employment problems, problems related to access to public services or social security, migration issues or problems related to state permits, issues regarding tenure, eviction and property rights on land and housing, as well as debt problems and personal injury cases. People may also become victims of crime or be suspected of having committed a crime.

States have the responsibility to provide equal access to justice through access to legal aid, which is key to ensuring access to justice, especially for the poorest and most vulnerable. Today, the level of development of the justice system is influenced by such factors as whether the litigants without the necessary financial means entitled to free legal consultations or consultations at a reduced price to be informed on their rights and duties, whether litigants able to receive free legal representation or legal representation at a reduced price (financed by the governments' legal aid budget) of a lawyer.

Timely legal assistance to those people who have found themselves in difficult life circumstances as a result of a pandemic or have been directly exposed to a situation in which they have suffered violations of their rights can significantly reduce the negative impact of these and other threats posed by the pandemic of COVID-19.

Unfortunately, one of the main obstacles to access to justice is the cost of legal advice and representation.

Any state in the world needs to provide free legal aid to those who do not have sufficient means to pay for legal services. Lack of legal aid is an obstacle to equal access to justice, which in turn has a detrimental impact on vulnerable groups, hindering equality in the enjoyment of

human rights. In assessing the criteria for granting free legal aid, the relevant criteria are the significance of the rights affected, the overall impact of the case, the complexity of the case, the ability to represent oneself and the chances of success

Any country in the world needs to provide free legal aid to those without sufficient means to pay for legal services. The lack of free legal aid is an obstacle to equal access to justice, which a barrier to equal access to justice, which in turn detrimentally affects vulnerable groups, hindering equality in the enjoyment of human rights. In the assessment of criteria for free legal aid, relevant criteria are the significance of the rights that are affected, the general impact of the case, the complexity of the case, the ability to self-represent, and the chances of success. (Jüriloo, 2015).

Legal aid programmes can help bridge this justice gap by bringing the justice system closer to the people it should serve. The extent to which these programmes can promote and protect the rights of the most vulnerable is a key factor for an effective justice system and is necessary to ensure that no one is left behind for a peaceful and sustainable future. A functioning legal aid system, as part of the existing justice system, may reduce repeat reoffending, wrongful convictions, prison overcrowding and congestion in the courts, and can help to the prevention of crime by increasing awareness of the law.

Legal aid for vulnerable groups in the EU, for example, despite being enshrined by the Article 6 (3) (c) European Convention on Human Rights (Council of Europe, 1950) and by Article 47 Charter of Fundamental Rights (European Union, 2000), in 2021 also is provided by Guidelines of the Committee of Ministers of the Council of Europe on upholding equality and protecting against discrimination and hate during the COVID-19 pandemic and similar crises in the future (The Committee of Ministers of the Council of Europe, 2021).

Today during the pandemic COVID-19 should continue work free legal centres and others institutions tasked with supporting victims of discrimination, violence and other rights violations should continue providing personal support and legal advice and assistance to secure their rights. The judiciary should continue to oversee the legality of the executive's action, including emergency measures that could have discriminatory effects or otherwise violate the rights of persons belonging to vulnerable groups (the Committee of Ministers of the Council of Europe, 2021).

The second criteria is raising the level of legal awareness. Today, the issue of legal and social isolation of vulnerable groups is relevant due to the lack of information about their rights and mechanisms for their protection. Many such citizens do not know their rights at all, much less have the capacity to defend them properly and fully. Persons who are discriminated against may not be aware of their rights, or even if they are knowledgeable about their rights, they may not have access to justice physically or have insufficient financial means to defend their rights in court. To have access to justice, the people must understand their rights and the means that require them. People with a disability must obtain legal knowledge to be able to identify the issues they face as ones with a legal solution, they need to have remedies available; and they need to be able to physically access lawyers, courts and dispute resolution venues.

Legal awareness and education, legal aid, and representation are vital links in providing access to justice for vulnerable groups. Legal education and outreach must thus be an integral part of a national legal aid strategy.

Legal awareness helps counter this misunderstanding and promote access to justice. States must conduct legal awareness campaigns but the most effective when conducted by civil society.

Nowadays there are free legal aid centres in several states around the world. In France, for example, free legal aid centres have a threefold function: providing general legal advice, arranging mediation between parties to minor civil disputes, and assisting victims of crime (Defenseur des Droit, 2021). Legal awareness with rights and flexible forms of legal aid can lead to real benefits and real cost savings. For example, the New York Bar Association estimated that providing free legal counsel to low-income tenants facing eviction would save the city \$320,000 (Stout Risius Ross, 2016).

Greater access to justice, especially for vulnerable groups, not only strengthens the rule of law but also directly affects the quality of life.

The third criteria is a strong civil society that contributes to access to justice. The role of civil society in promoting access to justice is important. Governments often fail to implement pro-poor or citizen-centric policies. Even more frequently, even when such a policy is implemented, it turns out to be unable to achieve its goals. In the process of developing and implementing a policy, strong civil society support can be applied to the success of the decisions made. The policy of the state should be effective, must guarantee credible commitment, support coordination, and promote cooperation. Some arrangement existed to guarantee commitment to implementation policy over the long term is indispensable for the effective policy. Issues associated with deviations from the adopted decisions are noted all over the world. These issues can only be solved by promoting cooperation with civil society. Such effective policy can contribute to cooperation, during which appears an active and continuous dialogue with vulnerable groups throughout the crisis, involves public organizations in creating crisis-related measures and policies and ensure their concerns are reflected in the decision-making processes. Such cooperation between government and civil society should focus on preventing and combating violence against persons belonging to vulnerable groups, including hate crime, domestic and gender-based violence and provide victims with the necessary psychological, social and legal support, particularly by ensuring the availability of hotlines. In Ukraine, for example, with the support of the United Nations Programme for the Restoration and Development of Peace, a public organization developed the mobile application "Your Right". It is a universal free legal guide that has accumulated expert answers to relevant legal questions for people affected by the conflict in eastern Ukraine, as well as for victims of sexual and gender-based violence and trafficking in persons. The mobile application consists of three main blocks: «Rights of people affected by the conflict in Ukraine», «Rights of persons affected by gender-based violence» and «Rights of persons affected by trafficking in human beings», as well as information divided into separate categories «Children», «Adults», «Pensioners», «Persons with disabilities» and «Foreigners and stateless persons». Each section provides a list of the main themes to which people can respond. In addition to definitions and general information, they contain references to relevant normative acts and samples of relevant statements. In addition, if necessary, the user can use the application directly to the hotline of the public organization (Donbass SOS, 2020).

Partnerships between government, civil society, and the private sector will be essential for designing meaningful justice indicators, strengthening the capacity of national statistical offices to collect these data, and using it to deliver results.

### **Another Approach to Justice**

Adopting an Agenda by 2030 with the goal of peaceful, just and inclusive societies, Member States recognized the interdependence of justice, peace and development. The linkages between human rights, development and peace have been reaffirmed in different UN resolutions, including the 2016 and 2020 resolutions of the General Assembly and Security Council on sustaining peace, and Human Rights Council (HRC) resolutions 38/18 and 45/31 (The contribution of the Human Rights Council to the prevention of human rights violations and), on its contribution to the prevention of human rights violations (The Security Council, 2016; the General Assembly, 2020, Human Rights Council, 2018, Human Rights Council, 2020).

For both developed and developing countries, the failure to provide justice is costly. The Organization for Economic Cooperation and Development estimates that focusing only on the direct expenditures related to legal problems (lawyer and court fees, transport, etc.) and the cost of adverse consequences on people's health, income and employment situation a conservative estimate places in a range going from 0.5% to 3% of the GDP in most countries. People with unresolved justice problems face a deterioration of their health and financial situation. Everyday justice problems cost than 2 per cent of GPD in most low-income countries (OECD, 2017).

We believe that there must be a different approach to justice today - putting people at the centre of justice systems and justice at the core of sustainable development. People value most is fairness, equity, equality and social justice and laws and institutions that protect against discrimination and abuse of authority.

Equity remains a key driver of stability. Justice any state must work to advance a people-centred approach to justice that puts consideration of the individual at the heart of justice responses by providing access to information, programs and policies. States can address the needs of the most vulnerable, in three ways: by giving priority to those groups, by compelling states to fulfil their rights with due consideration to agency and participation, and by committing all actors to combine efforts, including foreign states through international cooperation (Teixeira, 2020).

A people-centred approach to justice begins with an understanding of people's needs for justice and develops solutions to respond to them. A framework to ensure that the ways and services of justice response to the needs of the people have already developed in the world. The structure consists of four stages, each of which addresses a key question: Who feels the legal needs and legal needs of them? Where and when do these needs arise? What works best to meet these needs? How should these services be provided and evaluated? (OECD, 2019).

Legal issues are often embedded in the group of other issues that can affect many areas of life, including housing, employment, education and health. This makes it very important to solve these problems as early as possible. Timely access to a fair and effective justice system, as well as access to information, resources and informal services, will support the well-being of individuals and communities. In addition, legal aid can help to solve the problem without going to court. The mission of the state is to ensure diversity in the types of legal aid providers within the governing board of the legal aid authority, enhancing the quality of legal aid services, including by developing performance and qualification standards for all legal aid providers (UNODC, 2016).

A people-centred approach to justice is delivered by a justice system that is open and inclusive and works in cooperation with other sectors such as health, education, housing and employment.

Justice systems must prevent problems as well as address those that have already occurred. Prevention can reduce the harm that people experience by focusing on the root cause of injustice. When there are fewer disputes, low levels of violence and people with adequate legal protection, societies are more likely to be peaceful and prosperous. This fact is confirmed by several world ratings, such as The Legatum Prosperity Index (The Legatum Institute Foundation, 2020), the Rule of Law Index (The World Justice Project, 2020), Corruption perceptions Index (Transparency International, 2020).

We believe that the justice system can enhance resilience by helping people to protect their rights or by providing space for peaceful contestation. We believe that the justice system must be reformed, not only to address some of the problems of justice but also to influence how people experience injustice and justice.

Today, in many countries of the world, trust in justice systems must be restored, that provide people with a reasonable expectation that their rights will be protected, their disputes managed peacefully, and that they will be safeguarded from abuses of power

Justice systems must collaborate with other sectors to address the root causes of disputes and avert violence, conflict, and human rights abuses.

In researches, OECD had identified that information and communications technology (ICT) was increasingly seen as a key enabler to overcome a range of barriers and make legal and justice services more accessible. Employing technology (telephone and audio-visual technology, the Internet and software applications) can help to overcome some barriers to accessing justice and have the potential to create justice system efficiencies (OECD, 2019).

Improving legal empowerment is important because it takes into account the legal needs and rights of the people themselves, helping them to know, use and reform the law. The law can overcome the injustices that affect their daily lives. The need for legal empowerment is even more acute given the COVID-19 crisis. The massive economic and social dislocations have



created even greater demands for legal aid for populations affected by corruption, health problems, unemployment, discrimination and other problems exacerbated by the pandemic. Support for appropriate governmental and civil society efforts alike must increase accordingly.

Today, to increase access to justice and to counter discrimination, legal aid providers and experts around the world must cooperate in the development of technical guides (guides) to share practical experiences, legal strategies and best practices, Justice stakeholders and legal aid providers need to continuously track data, engage in research and analysis to identify systemic challenges and injustices that need to be addressed, and advocate for effective reforms. Legal aid providers have been called upon to expand funding and support for legal aid to mitigate the effects of the COVID-19 pandemic, reinforcing existing legal problems and people's needs. Such measures should aim at improving access to legal aid for all, promoting the effective use of strategic litigation and advocacy to counter racial, ethnic, gender and other discrimination, as well as to promote equality in the courts and public opinion, the effective use of alternatives to deprivation of liberty and the improvement of conditions of detention and health in places of deprivation of liberty. Legal aid providers should consider a more comprehensive, comprehensive and multidisciplinary approach to representation that includes social assistance, as well as participation in various forms of advocacy, that is, not only in judicial processes but also in policy reforms and partnership with stakeholders while taking into account the role of local informal and social systems in addressing injustices and the needs of people. Legal aid providers and justice stakeholders need to assess the conditions under which the digital divide (digital stigma) can widen the gap in access to justice during and after the COVID-19 pandemic, and seek alternative solutions where necessary.

## CONCLUSION

We have concluded that established standards, which provide for the equality of all people before the law and equal protection of the law, demonstrate in practice that this does not their implementation into reality. The COVID-19 pandemic has created new challenges for the judiciary and demonstrated that the rights of vulnerable groups in society continued to be violated in all parts of the world or ignored during the pandemic, which increases existing inequalities and vulnerabilities.

Ensuring access to justice and legal aid for the vulnerable during the pandemic is one of the major challenges of any democratic state. No country will be able to ensure the implementation of goal 16.3 of the United Nations Sustainable Development Goals on 2030 on equal access to justice for all until has not focused on closing the global justice gap, increasing access to justice, providing legal aid to the most vulnerable groups. Dedicated target on the rule of law and access to justice, which is to be considered an important accelerator of progress across the entire 2030 Agenda, can contribute to the achievement of poverty eradication (SDG 1), gender equality (SDG 5), decent work (SDG 8), and reduced inequalities (SDG 10), among others. However, simply focusing on access to justice without improving the judicial system and redirecting it to the needs of the vulnerable, without improving legal aid will fail to deliver on SDG 16.3 3's promise of equal access to justice for all.

We have shown that ensuring equal access to justice, access to legal aid, an increased level of legal awareness among vulnerable groups, and a strong civil society, that contribute to access to justice are key criteria for ensuring access to justice for vulnerable people.

There must be a different approach to justice today – a people-centred approach to justice that puts consideration of the individual at the heart of justice responses by providing access to information, programs and policies. For implementation, it is important to overcome barriers to access to justice, such as the digital barrier, barriers related to financial costs, complexity, lack of information and access to services, and lack of access to legal aid or representation. Any state in developing policy in this area should focus on people, cooperate with civil society and get answers to 4 main questions: who have legal needs and what legal

needs do they have? Where and when do these needs arise? What works to best meet these needs? How these services should be provided and evaluated. Moreover, the task of the state is to ensure the diversity of types of legal aid providers, to ensure the efficiency of providing legal aid services, to improve the quality of legal aid services.

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