



## The Hague International Model United Nations

**Forum:** SDC2

**Issue:** Measures to find lasting solutions to strengthen the rule of law and promote human rights [SDG16]

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**Position:** Deputy President

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### Introduction

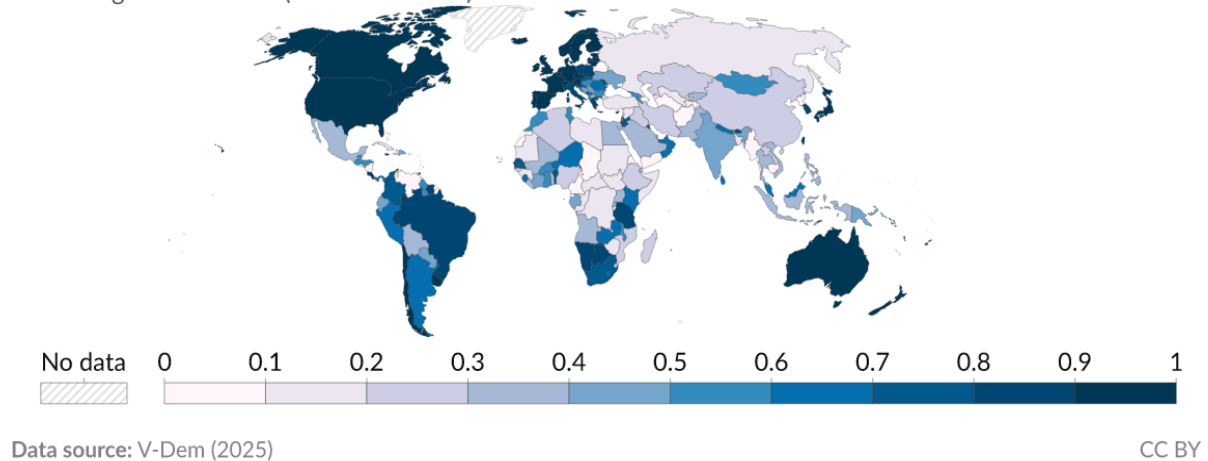
Strengthening the rule of law and promoting human rights is essential to the building of peaceful, just, and functioning societies. This is why the UN has outlined it as one of its Sustainable Development Goals (SDG16), stating Member States must, “Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels”<sup>1</sup> (*Goal 16 | Department of Economic and Social Affairs*). Instilling human rights laws ensures that all individuals, institutions, and governments are held accountable<sup>2</sup>. Human rights laws ensure fair, transparent, and enforceable legal frameworks, and the protection of these guarantees freedoms and dignity for all across the globe. The principles put in place by organisations like the UN human rights council allow for stable governance, sustainable development, and long-term social cohesion which helps ensure global peace and unity. Despite decades of international efforts and agreements, many continue to face abuses of human rights. Much of this comes from corruption, weak judicial systems, limited access to justice, political challenges, and systemic human rights violations.

Human rights are globally significant and a core UN goal. Failing to uphold them undermines development, trust, and stability, while increasing inequality. According to the UN and World Justice project, over the past decade, most UN states have seen declines in the rule of law, often linked to rising authoritarianism, corporate conflicts, and democratic backsliding, a rise in corporate conflicts, etc. (World Justice Project, *WJP Rule of Law Index 2024*). This often correlates with the decline of civil rights, weakening of democratic institutions, and the escalation of abuse and violations by governmental or nongovernmental organizations<sup>3</sup>. In fragile or active conflict areas, citizens frequently lack proper legal protection, fair trials, or ways to seek justice, creating and escalating impunity and violence. Key concepts for understanding human rights laws include rule of law, human rights, judicial independence, corruption, and governance, as shown in the map below.

## Rule of Law Index, 2024



Data by V-Dem. Expert estimates of the extent to which the government complies with the law, courts are independent, laws transparent, justice accessible, corruption absent, and the bureaucracy is impartial. The index ranges from 0 to 1 (most rule-based).



### *Global rule of law index of 2024*

Source: [OurWorldinData.org/democracy](https://OurWorldinData.org/democracy)

All of these play a crucial role in shaping a nation's legal and institutional integrity, the better a nation's legal institution the better it often ranks in human rights. Historically, the foundations and pillars of modern human rights and legal standards can be found in the adoption of the Universal Declaration of Human Rights (UDHR) from 1948<sup>5</sup>. This was followed by legally binding treaties such as the International Covenant on Civil and Political Rights (ICCPR) from 1966. These declarations and treaties help to set global expectations for justice systems and state accountability. However, their ability of implementation varies widely across regions, and enforcement processes often rely heavily on political will.

## Definition of Key Terms

### Rule of law:

The principle that all individuals, institutions, and governments are accountable to laws that are publicly promulgated, equally enforced, independently adjudicated, and consistent with international human rights norms<sup>2</sup>. For example, an independent judiciary ensures that government officials are held accountable for misconduct.

### Human Rights:

Rights inherent to all human beings regardless of nationality, sex, ethnicity, religion, or any other status.

### Judicial Independence:

The concept that courts and judges must operate free from external influence, particularly political interference. For example, judges are appointed transparently through merit rather than politics.

### Corruption:

The abuse of entrusted power for private gain. For instance, bribery in courts undermines fair legal processes and public confidence.

### Good Governance:

The effective, transparent, accountable, and inclusive management of a nation's resources and institutions. This includes reliable public services and mechanisms to prevent abuses of power.

## Background Information

The rule of law and human rights have been central pillars of the international system since the adoption of the UDHR. Significant progress has been made globally in promoting justice and accountability, the UN and its fellow organizations have successfully tried and sanctioned many who violate human rights. However, many UN states still struggle with weak legal systems, corruption, and limited government transparency affecting human rights and rule of law within the nation. The World Justice Project stated, "Between 2016 and 2024, people in 81% of countries have lost protections for their fundamental rights"<sup>3</sup> ("WJP Rule of Law Index 2024 Global Press Release"). These correlates with increased political instability, rising human rights abuses, and weakened civil liberties.

International organisations including the UN, the International Criminal Court (ICC), and regional bodies such as the African Union (AU) have attempted to address these challenges through treaties, monitoring projects, and capacity-building programmes. These efforts include agreements like the International Covenant on Civil and Political Rights, the Convention Against Torture, the Rome Statute, and UN mechanisms such as the Universal Periodic Review, and AU initiatives. Actions such as training judges, supporting anti-corruption bodies, and improving policing, help aim to strengthen national institutions and allow for growth in human rights<sup>8</sup>. However, in states with fragile institutions or ongoing conflict, such measures often face resource limits, state resistance, and enforcement gaps, preventing them from achieving meaningful impact.

### Structural Weaknesses in Judicial Systems

Many states experience flaws in their judicial systems, these may stem from insufficient funding and training or political interference in judicial decision making, affecting the way states are able to

properly protect human rights. In some countries, judges are appointed through non-transparent processes that allow ruling parties to influence legal outcomes. Courts may also suffer from case backlogs, limited digital infrastructure, or absence of legal aid, preventing citizens from accessing justice.

### Impact of Corruption on Human Rights

Corruption fuels human rights abuses by obstructing fair trials, enabling false detention, and permitting puppet judges and law enforcement to act. In nations where law enforcement agencies accept bribes or where officials are not prosecuted for abuses of power, civilians often lose trust in public institutions. This weakens the state's legitimacy and heightens the risk of civil unrest, violence, and further violations.

### Major Countries and Organizations Involved

#### UN and International Involvement

The United Nations has implemented global frameworks, such as the Office of the High Commissioner for Human Rights (OHCHR), capacity-building programmes for national judiciaries, and monitoring through Special Procedures<sup>7</sup>. The UNDP (United Nations Development Programme) supports countries in strengthening institutions, while the ICC prosecutes individuals responsible for the most serious crimes of concern to the international community.

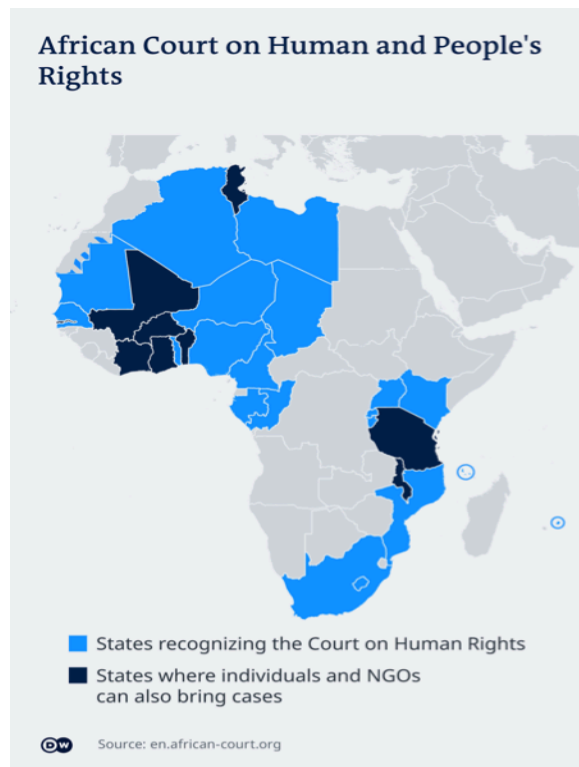
- *Universal Declaration of Human Rights*, 10 December 1948 (A/RES/217 A)
- *International Covenant on Civil and Political Rights*, 16 December 1966 (A/RES/2200A)
- *UN Convention Against Corruption*, 31 October 2003 (A/RES/58/4)
- *2030 Agenda for Sustainable Development*, 25 September 2015 (A/RES/70/1)

#### European Union (EU)

The EU promotes rule of law among member states and supports justice reforms in neighbouring regions. Its annual Rule of Law Reports evaluate judicial independence, anti-corruption frameworks, and media freedom. The EU also funds digitalisation of judicial processes, promotes judicial collaboration between member states and often works together with the UN to support the upholding of human rights.

#### African Union (AU)

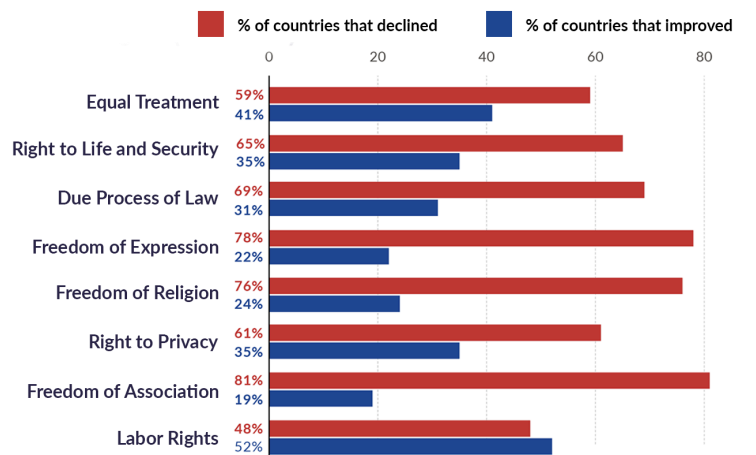
Many nations in Africa face economic and political issues like corruption and violence heavily affecting their ability of rule of law and human rights protections. The AU has worked on projects such as the African Charter on Human and Peoples' Rights and supports member states in strengthening national institutions. Its African Court on Human and Peoples' Rights (AfCHPR) adjudicates human rights cases filed by individuals or states and helps law and human rights within its Member States.



#### *African nations who recognize the human rights court*

Source: <https://www.humanrightspulse.com/mastercontentblog/tanzania-withdraws-from-african-human-rights-cou>

### Protections for core human rights are declining widely



Percentage of Countries Declining vs Improving on Fundamental Rights Sub-factors 2016-2023

World Justice Project | WJP RULE OF LAW INDEX 2023

#### *The improvement vs decline of human rights across the world*

Source: <https://worldjusticeproject.org/news/universal-declaration-human-rights-backtracks>

## Timeline of Events

Date	Description of Event
December 10th, 1948	Adoption of the Universal Declaration of Human Rights (UDHR), establishing global standards for dignity, equality, and fundamental freedoms for all people.
December 16th, 1966	Adoption of the International Covenant on Civil and Political Rights (ICCPR), creating legally binding human rights obligations for States Parties.
June 25th, 1993	The UN confirms increasing global democratic backsliding and threats to rule-of-law systems in several official reports, highlighting challenges such as political interference and shrinking civic space.
December 20th, 1993	Establishment of the Office of the High Commissioner for Human Rights (OHCHR) following the Vienna Declaration, institutionalising UN human rights monitoring and assistance.
November 15th, 2000	Adoption of the UN Convention against Transnational Organized Crime, promoting stronger legal frameworks to combat international crime networks.
October 31st, 2003	Adoption of the UN Convention Against Corruption (UNCAC), the first global legally binding instrument aimed at preventing, detecting, and prosecuting corruption.
March 15th, 2006	Creation of the UN Human Rights Council, replacing the Commission on Human Rights to strengthen global monitoring and accountability mechanisms.
September 25th, 2015	Adoption of the 2030 Agenda for Sustainable Development, including SDG16 which emphasises peace, justice, and strong institutions.
April 9th–10th, 2018	Launch of the Global Judicial Integrity Network by UNODC, enhancing judicial cooperation and strengthening ethics frameworks worldwide.
July 25th, 2024	The World Justice Project releases an updated Rule of Law Index showing continued global declines in constraints on government powers, anti-corruption frameworks, and civil justice.

## Previous Attempts to Solve the Issue

## UN Initiatives

The UN has launched multiple programmes to strengthen justice systems, including the Global Programme for Strengthening the Rule of Law. However, many initiatives lack adequate funding, and enforcement relies heavily on state cooperation. The UN also advises member states of courses of action and how to best provide in human rights areas.

### International Criminal Court (ICC)

The ICC prosecutes crimes such as genocide and crimes against humanity, ensuring the prosecution of human rights. Yet several nations do not recognise its jurisdiction and disregard the court's verdict, limiting its power and effectiveness. Though many still see the ICC as an important process as it publicly condemns the many human rights actions.

### Transitional Justice Mechanisms

Many post-conflict states have created truth commissions, reparations programmes, and reconciliation processes such as South Africa's *Truth and Reconciliation Commission* and Colombia's *Special Jurisdiction for Peace*. These are installed to address past abuses and rebuild trust in state institutions. These programs help document violations, give victims a voice, and recommend reforms. However, their success often depends on political will and long term government commitment, which is not always guaranteed.

### National Legal and Constitutional Reforms

Some states have attempted to strengthen the rule of law through domestic reforms, such as: rewriting constitutions, overhauling anti corruption laws, and restructuring police or judicial bodies. Examples include Kenya's 2010 constitutional reform and Georgia's judicial modernisation efforts. While these changes can improve transparency and accountability, many reforms stall due to corruption, lack of resources, or resistance from powerful political groups, limiting their impact.

## Possible Solutions

### Strengthening Judicial Independence

States should adopt transparent, merit based appointment procedures for judges and ensure judicial budgets are protected from political manipulation<sup>6</sup>. States have the option for UN screenings before assigning positions..

### Anti-Corruption Measures

Establishing independent anti-corruption bodies, implementing governance systems to reduce bribery opportunities, and adopting whistle-blower protection laws can significantly reduce corruption.

### Expanding Access to Justice

Legal aid programmes, public legal education, and digitisation of court processes can improve fairness and accessibility

### Human Rights Education and Training

Integrating human rights education into school curriculums and providing specialised training for police, civil servants, and military personnel can promote a culture of accountability and respect for the rule of law. Public awareness campaigns can also help citizens recognise and report violations.

### Strengthening Civil Society and Media Freedom

Protecting the independence of journalists, NGOs, and human rights defenders enables stronger oversight of government actions. Ensuring media freedom and simplifying NGO regulations can increase transparency, expose abuses, and support democratic participation.

## Endnotes

1. United Nations. "Sustainable Development Goal 16." *SDG 16 — Promote Peace, Justice and Strong Institutions*, <https://sdgs.un.org/goals/goal16>.
2. United Nations. *What Is the Rule of Law?* 11 Oct. 2023, <https://www.un.org/ruleoflaw/what-is-the-rule-of-law/>.
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