



Ensuring Proper Access of Asylum Seekers and Refugees to the Criminal Justice System

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Abstract

This study examines strategies to ensure asylum seekers and refugees have proper access to the criminal justice system, focusing on the promotion of justice and the protection of human rights for these vulnerable groups. The importance of this issue lies in preventing discrimination and legal inequalities against asylum seekers and refugees. The findings indicate that the development of coherent legislation, the provision of education and awareness-raising for refugees, and the facilitation of their access to judicial and legal authorities can play a direct role in improving access to the criminal justice system for these groups. Moreover, addressing social barriers through changes in public attitudes and the sharing of successful experiences leads to greater societal acceptance and cooperation. In the economic sphere, financial support and the establishment of social support offices reduce the costs of access, while simplifying complex administrative processes related to filing and following up on complaints accelerates the implementation of criminal justice. Training judicial employees in appropriate interactions with refugees, along with strengthening their dignity and respect, fosters trust and cultural adaptation. Overall, the integration of these strategies provides an effective opportunity to guarantee rights, enhance justice, and create an independent and reliable judicial structure, resulting in improved access to the criminal justice system for asylum seekers and refugees.

Keywords: Refugees, asylum seekers, criminal justice system, access to court, access to lawyer.

Received: 01 June 2025

Revised: 13 September 2025

Accepted: 24 September 2025

Published: 26 October 2025



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Citation: Zarei, A. A., Peivandi, G., & Jahanbakhshi, H. (2025). Ensuring Proper Access of Asylum Seekers and Refugees to the Criminal Justice System. *Legal Studies in Digital Age*, 4(4), 1-10.

1. Introduction

Asylum-seeking and refugeehood are global phenomena shaped by various factors. Among the most important causes are war, armed conflict, human rights violations, climate change, natural disasters, corruption, and political instability. Individuals and groups are compelled to leave their homeland and seek refuge to save their lives, ensure security, and pursue a better future. An asylum seeker—also referred to as an “applicant for international protection”—is a person who has fled their country and awaits a decision regarding some form of international protection (Eurostat, 2016). Only a small number of asylum seekers manage to obtain this international protection (Vila-Freyer & Sirkeci, 2023). Asylum seekers remain in a state of uncertainty

([Asylum Seeker Resource Centre, 2021](#)), and once their asylum application is accepted, they are legally reclassified as “refugees.” The 1951 Convention relating to the Status of Refugees and its 1967 Protocol provide the legal definition of refugeehood; in essence, a refugee is an asylum seeker whose request for protection has been approved ([Hathaway, 2005](#)).

One of the most significant challenges faced by asylum seekers and refugees is the lack of access—or inadequate access—to the “criminal justice system” in the host or transit countries. The criminal justice system consists of institutions, processes, and laws designed to identify, prosecute, and punish criminal behavior ([Siegel, 2016](#)). This system, established to enforce the rule of law and promote social justice, introduces behavioral standards to society and enforces them through relevant institutions ([Clear & Frost, 2015](#)). The fundamental objective of the criminal justice system is to provide maximum protection for individuals and property (whether nationals, asylum seekers, refugees, or displaced persons) and to hold lawbreakers accountable. The quality of a society largely depends on the credibility and functioning of its criminal justice system ([Archer & Ellison, 2023](#)).

The criminal justice system, as a social and legal structure, encompasses both broad and narrow concepts ([Crawford & Goodey, 2018](#)). The broad concept includes all processes, institutions, and interactions related to criminal behavior, covering punitive justice, restorative justice, preventive justice, and social justice ([Tonry, 2019](#)). “Punitive justice” refers to mechanisms for punishing offenders and maintaining social order. “Restorative justice” emphasizes repairing relationships among the offender, the victim, and the community. “Preventive justice” refers to measures aimed at preventing crime in society. “Social justice” involves ensuring equal rights and opportunities for all individuals and addressing inequalities and injustices. The narrow concept, however, focuses on specific legal aspects of the system, with an emphasis on criminal and penal processes. This narrower approach is often equated with punitive justice ([Askari, 2022](#)).

In relation to the access of asylum seekers and refugees to the criminal justice system, it is essential to adopt the broad concept of criminal justice, since these groups must fully enjoy human rights protections. A system that focuses solely on punishment cannot adequately respond to the needs and challenges of these vulnerable populations. In cases where asylum seekers and refugees appear before the criminal justice system as defendants or accused individuals, only the broad conception of justice can provide meaningful assistance. However, access to the criminal justice system and its components is severely restricted for them. Just as asylum seekers lack adequate access to clean water, sufficient food, shelter, housing, and medical services, they also lack proper access to the criminal justice system.

This research aims to propose strategies that can secure appropriate access for asylum seekers and refugees to the criminal justice system (in its broad conception). The article is structured into five parts. First, legal strategies for facilitating this access are analyzed. Second, social barriers affecting this process are examined. Third, economic challenges and potential solutions are described. Fourth, cultural challenges are addressed. Finally, emphasis is placed on reducing administrative barriers and developing practical policies to expand access to the criminal justice system.

2. Assisting Refugees and Asylum Seekers in Becoming Familiar with Their Rights in Accessing the Criminal Justice System

Refugees and asylum seekers, due to their particular circumstances, often face challenges in becoming familiar with their legal rights, which may result in violations of those rights during judicial proceedings. Familiarity with legal rights is the first step toward resisting injustice ([McConnachie, 2015](#)), and the primary means of filing a complaint when victimized is knowledge of such rights ([Kubal, 2019](#)). States must amend their domestic laws in ways that clearly define and affirm the rights of refugees within the criminal justice system. Such reforms should provide for legal mechanisms aimed at raising awareness among asylum seekers. It is essential to impose legal requirements upon states to incorporate refugees’ rights into their judicial processes, including the obligation to provide legal consultation to refugees at different stages of litigation.

Collaboration with the UNHCR to design and expand training programs and appropriate guidelines that help refugees understand their rights in accessing the criminal justice system is crucial. Establishing independent institutions to monitor respect for refugees’ rights in judicial systems can help assess the current situation and identify deficiencies.

In Iran, familiarizing refugees and asylum seekers—particularly Afghan nationals—with their rights in accessing the criminal justice system is a significant challenge. The government must be obliged to cooperate with human rights institutions

in publishing informational and legal resources for refugees. Such resources should address rights and legal procedures and be accessible to all refugees, regardless of whether they reside legally or illegally in the country (Shahbazi, 2016). Workshops and educational courses should be organized in Persian, Dari, and Arabic, covering criminal rights and different stages of litigation. Joint training programs with local NGOs active in human rights and refugee protection can also contribute by providing legal education and outreach.

Simple and understandable brochures in Persian, Dari, and Arabic that explain refugees' rights within the criminal justice system should be produced, containing specific guidance for different legal circumstances. Additionally, educational materials in the form of multilingual videos or podcasts should be created to remind refugees of their rights and explain how to access legal services. Online platforms enabling refugees to access legal information and consult with lawyers and legal experts, as well as social media channels that deliver timely updates on legal rights, can significantly enhance access.

Educational programs on access to the criminal justice system are particularly necessary and effective in regions of Iran with high concentrations of refugees, such as Sistan and Baluchestan, Khorasan, Kermanshah, and West Azerbaijan—border provinces neighboring Afghanistan and Iraq. For instance, Sistan and Baluchestan, historically home to large Afghan refugee populations, requires legal awareness programs to facilitate access to the criminal justice system. Tehran and Mashhad, as two populous metropolitan centers that host refugees of diverse nationalities including Afghans and Iraqis, also require such educational programs to help refugees understand their legal rights and available services.

2.1. Facilitating Access to Law Enforcement and Judicial Authorities

Facilitating court access for asylum seekers and refugees is one of the essential elements of the criminal justice system. Establishing geographically accessible courts that can easily be reached via public transportation promotes their participation in judicial processes. The creation of criminal justice forums within or near refugee and asylum seeker settlements is a fundamental measure to ease access and safeguard their rights. This measure is especially vital when refugees and asylum seekers face language, cultural, and unfamiliar legal system challenges in host countries, as it can profoundly influence their experiences of justice and security (Dunlop, 2024).

2.2. Providing Access to Effective Lawyers and Legal Advisors for Refugees and Asylum Seekers

Lawyers and legal advisors are among the most vital allies of refugees (McConnachie, 2015), and therefore, multiple international instruments explicitly reference the right of access to legal services (Tsourdi et al., 2015). The lack of access to effective legal representation constitutes a serious challenge that requires actions at international, regional, and national levels. Relevant international conventions on refugee rights—including the 1951 Refugee Convention and its 1967 Protocol—should be updated to explicitly guarantee the right of refugees to legal counsel.

The principle of equality and the prohibition of discrimination in enjoying protective rights underpin equal access to legal services for asylum seekers and refugees (Pupavac, 2001). The right to legal counsel in all proceedings is widely recognized and emphasized across international treaties, and this right unquestionably extends to asylum seekers and refugees as well (Hathaway & Foster, 2014). At the national level, states must enact specific legislation guaranteeing refugees' and asylum seekers' access to the criminal justice system, including the right to legal consultation and representation. Establishing free or low-cost legal aid systems for refugees and asylum seekers—especially for those unable to afford legal fees—constitutes a highly effective strategy.

In Iran, refugees and asylum seekers face limitations in accessing independent lawyers. According to Article 35 of the Constitution of the Islamic Republic of Iran, all parties to a case have the right to select their own counsel, and if they cannot afford one, provisions must be made to appoint counsel for them. The right to defense is considered a fundamental human right, and the full implementation of justice in any legal dispute depends on equal access to defense mechanisms. Legal representation thus serves as a tool to ensure fair adjudication and ultimately fulfills humanity's pursuit of justice (Samimi, 2022). As a practical measure, the Bar Association and the Legal Advisors' Center could allocate a quota of pro bono cases to lawyers specifically for refugees in need of legal services.

3. Removing Social Barriers to Access to the Criminal Justice System

Expanding the access of refugees and asylum seekers to the criminal justice system requires strategies and measures that facilitate such access by overcoming social obstacles.

3.1. *Sharing Successful Experiences of Access to the Criminal Justice System*

The judiciary and the criminal justice system must provide refugees and asylum seekers with fair, transparent, and effective access. Given the unique challenges these groups may face in legal systems, sharing successful experiences in the field of criminal justice access is of great importance. In this regard, several international success stories can serve as models for improving conditions in different countries, including Iran. Sharing positive experiences of refugee access to courts constitutes a form of support for future asylum seekers (Stevens & O'Sullivan, 2017).

One successful example can be found in Canada, where a transparent and supportive refugee protection system has improved case processing. The **Immigration and Refugee Board of Canada**, operating as an independent body, reviews asylum applications swiftly and fairly. Refugees within this system have access to specialized and experienced lawyers who assist them in presenting evidence and testimony. Importantly, the guarantee of legal consultation for refugees is enshrined in both federal and provincial law, ensuring coverage of legal costs and preventing refugees from facing severe legal obstacles. This structure has increased refugees' trust in the justice system and enhanced the accuracy of case evaluations.

In Australia, specialized legal clinics for refugees and migrants have been established, providing free or low-cost services. These clinics, often located in areas with high refugee populations, not only offer legal advice but also conduct workshops on refugee rights. Such initiatives raise legal awareness, empower refugees, and help them better navigate judicial and administrative processes.

Germany has adopted a comprehensive approach, offering refugees legal counseling services provided by NGOs and local institutions. These consultations typically include guidance on the asylum process, legal rights, and interactions with the judiciary. A particularly successful initiative has been the "Legal Counseling Program for Refugees," which supports asylum seekers at various stages of their applications. This program connects refugees with skilled lawyers and social workers, thereby reducing legal obstacles and building trust in the justice system.

In Sweden, supportive and educational programs have been introduced to facilitate refugee access to the criminal justice system. These programs not only inform refugees about their rights and obligations but also train them to engage effectively with law enforcement and other legal institutions. Special emphasis is placed on boosting refugees' confidence through targeted training. Partnerships with NGOs further enhance the quality of services provided, creating stronger pathways for refugees' legal protection (Vila-Freyer & Sirkeci, 2023).

3.2. *Changing Public Attitudes Toward Refugees and Asylum Seekers*

Changing public attitudes toward refugees can profoundly influence their access to the criminal justice system. In many societies, refugees face negative and discriminatory views that can lead to rights violations and barriers to legal and judicial services. Thus, transforming these attitudes is a priority to ensure that refugees can effectively defend their rights and access justice.

Improving public attitudes toward refugees requires raising awareness and eliminating prejudices. When the public receives accurate information about refugees' situations and challenges, fear and skepticism decrease, fostering greater social acceptance. This process helps people understand that refugees are human beings with the same fundamental rights and vulnerabilities.

Positive changes in public perception can also encourage institutions, lawyers, and NGOs to provide greater support. A supportive social climate makes legal professionals more willing to offer free or reduced-cost services to refugees. By creating an enabling environment, refugees can more confidently access legal aid and justice (Vila-Freyer & Sirkeci, 2023).

Public attitude shifts also lead to the development of social support networks, including NGOs, local groups, and volunteers who assist refugees in legal matters. Through sharing experiences and resources, these networks provide effective mechanisms for counseling and legal assistance. In this way, changing public attitudes not only fosters solidarity but also expands access to

justice. Importantly, participation of refugees as plaintiffs in court proceedings—and the visibility of their suffering—can contribute to reshaping public perception. Involvement in legal processes, combined with accurate communication of their experiences, strengthens societal understanding (Baumgartner, 2008).

Spaces where refugees' voices are heard are essential in transforming public attitudes. In some cases, social movements have emerged in local communities to advocate for refugee rights (Mekjiant & Varughese, 2005). With greater public empathy, policymakers are more inclined to introduce supportive policies, such as funding for legal education programs, establishing legal aid clinics, and strengthening judicial systems for refugee cases.

Negative attitudes, often linked to racial, ethnic, or cultural discrimination, limit refugees' ability to exercise their legal rights. By reducing such discrimination through awareness campaigns and positive attitude shifts, refugees can access justice with greater confidence and a stronger sense of security. This security not only mitigates the erosive effects of prejudice but also enables refugees to participate more actively in justice systems (Vila-Freyer & Sirkeci, 2023).

Ultimately, a positive shift in public attitudes enhances refugees' integration into society. When they feel welcomed, refugees are more likely to participate in social and legal matters, make their voices heard within the justice system, and contribute actively to protecting not only their own rights but also those of others.

4. Expanding Access to the Criminal Justice System by Overcoming Economic Challenges

Access to the criminal justice system, especially for vulnerable groups such as refugees and low-income populations, is heavily influenced by economic challenges. Improving this access requires solutions that play an effective role in overcoming financial barriers. Some of these strategies are presented below.

4.1. Reducing the Costs of Access to the Criminal Justice System

Reducing and simplifying the costs associated with the judicial system for refugees is an essential need for improving access to justice. Refugees, because of their unique circumstances, often face significant economic difficulties that may prevent them from obtaining proper legal services, thereby exposing their rights to risk. To ensure that refugees can access justice, financial obstacles within judicial systems must be reduced.

One of the main barriers refugees encounter is insufficient information about legal costs and procedures. Many refugees are unfamiliar with legal processes and thus do not know the exact expenses involved in their cases. Transparent communication of such costs through official websites and legal brochures can help refugees plan more effectively and prepare financially.

The availability of professional lawyers for refugees is a key element of access to justice. Governments and NGOs can launch pro bono programs to provide refugees with legal representation free of charge. Volunteer lawyers and legal advisors can also play a role in offering services without financial expectations.

Governments can review existing laws to reduce or temporarily eliminate litigation-related costs for refugees, including filing fees, court fees, and even legal consultation costs. Reducing these expenses allows refugees and vulnerable groups to more easily use legal services and take steps toward achieving justice (Vila-Freyer & Sirkeci, 2023).

In today's world, the internet is a powerful tool for delivering legal services. Online platforms that provide refugees with access to legal information and consultation can reduce travel costs and in-person meeting expenses. These platforms may include online consultations, Q&A services, and even digital representation, all of which allow refugees to manage their legal matters at minimal cost.

Legal education also plays a significant role. Workshops and training programs can increase refugees' awareness, enabling them to defend their rights more effectively and thereby reduce reliance on costly legal representation. With sufficient knowledge, refugees can independently handle parts of the legal process and avoid unnecessary expenses. In addition, governments can provide special financial facilities—such as low-interest or interest-free loans—to help refugees pay legal costs in installments (Vila-Freyer & Sirkeci, 2023).

All states are obligated to ensure the right of access to courts for refugees (Dunlop, 2024). Eliminating financial barriers is therefore a duty of all governments. Refugees who are themselves victims of crime need special protections. Providing targeted legal consultations tailored to their situations can further reduce their financial burdens.

4.2. *Establishing Social Support Offices to Provide Specialized Services to Refugees*

The establishment of social support offices to provide specialized services for refugees is a key and effective measure that can significantly improve their living conditions. Refugees, forced to leave their homelands due to war, persecution, or humanitarian crises, often face language, cultural, social, and economic challenges in host countries. These difficulties frequently lead to isolation, anxiety, and insecurity. Thus, the necessity of establishing social support offices functioning as protective institutions is undeniable.

The mission of these offices must be defined with the aim of ensuring easy access for refugees to diverse services. These may include legal, psychological, educational, and social consultations. For example, such offices should provide guidance on asylum procedures, legal rights, and related matters. Individual and group counseling sessions can help refugees cope with trauma and stress from past experiences.

Education and empowerment should also be central. Language and vocational training workshops increase refugees' chances of employment and integration. These programs not only enhance economic resilience but also build confidence and a sense of belonging. Social support offices can also help refugees form useful social networks and connect with host communities.

However, achieving these objectives requires sufficient financial and human resources. Therefore, these offices must attract funding from governments, NGOs, and even private investors. Such financial support can cover staff, equipment, and training programs. Hiring bilingual or multilingual staff is especially important for overcoming language and cultural barriers (Vila-Freyer & Sirkeci, 2023).

Another challenge is refugees' lack of awareness about the existence of these offices. Outreach through social media, brochures, and community meetings is therefore essential. Offices must also continually update and expand their services, including social and cultural events that encourage interaction with host communities.

Given the psychological and social struggles of refugees, social support offices must also emphasize human rights protections, including legal and social advocacy against violations. These efforts not only improve refugees' quality of life but also enhance the credibility and trust of the host society.

Cultural and social activities organized by these offices are equally vital. Access to justice includes mechanisms grounded in restorative justice (Will, 2007). Accordingly, art, sports, and cultural programs can help refugees connect with one another and with local communities, strengthening their sense of belonging and aiding integration. Finally, social support offices should act as advocates for refugee rights, ensuring their voices are heard by policymakers.

5. **Strategies for Expanding Access to the Criminal Justice System by Overcoming Cultural Challenges**

Access to the criminal justice system is one of the fundamental rights of citizens in every country, and access to courts is a form of access to social justice (Barreto, 2021). However, such access, particularly for specific groups such as migrants, refugees, minorities, and women, may be hindered by cultural challenges. These challenges include language differences, social inequalities, and cultural prejudices that prevent individuals from being empowered to use criminal justice services. Therefore, developing access to the criminal justice system by overcoming cultural barriers is essential.

5.1. *Training on Interaction with the Judicial System in Different Cultures*

Training on how to interact with the judicial system across cultures is a vital and necessary process, especially in multicultural societies and for migrants. Each country's judicial system consists of laws, procedures, and legal interactions that may differ significantly from the cultural beliefs and experiences of individuals. People entering a country from different cultural backgrounds often face major challenges in understanding and engaging with this system. These challenges include language barriers, cultural distinctions, and differing attitudes toward judicial authorities.

Cultural obstacles can undermine individuals' ability to make effective use of judicial systems. For instance, lack of language proficiency can lead to inadequate understanding of legal processes and rights. Similarly, cultural perceptions of judicial institutions may cause fear or reluctance to participate actively. People arriving from countries with inefficient or repressive

justice systems may harbor distrust and fear toward judicial officials. Access to the criminal justice system for refugees therefore requires a holistic perspective (Ardalan, 2015), which also includes addressing harmful cultural misconceptions.

Training serves as an effective tool to overcome cultural challenges in engaging with the judicial system. Special workshops for migrants and minorities can raise awareness of their rights and responsibilities. These workshops should be conducted in multiple languages and include explanations of judicial stages, civic responsibilities, and fundamental rights. Moreover, the use of social media and online platforms to disseminate legal information widely can enhance access to such training. Producing explanatory videos, articles, and online resources also helps those who may not have access to in-person services.

Providing legal counseling services is equally crucial. Lawyers and advisors who are culturally competent can help refugees better understand their rights and judicial processes. These professionals must be able to communicate effectively with individuals from diverse cultures while being sensitive to their specific needs (Vila-Freyer & Sirkeci, 2023).

Training programs must also take cultural and social contexts into account. For example, each culture may have its own symbols or narratives for resolving conflicts and building relationships. Learning these aspects not only improves the quality of training but also fosters mutual respect and understanding.

To succeed, educational programs must create safe and trustworthy environments where individuals can ask questions and share concerns without fear of judgment or discrimination. Such spaces enhance refugees' sense of belonging and confidence, encouraging their active participation in the host country's judicial system.

Successful experiences worldwide demonstrate that targeted legal education programs for vulnerable groups—particularly migrants and ethnic minorities—can positively influence their interactions with the justice system. For instance, in countries like Canada and Australia, special programs have been designed to guide migrants through legal processes, thereby strengthening their trust in the judiciary. Ultimately, training on judicial interaction across cultures is a crucial step toward ensuring equitable access to justice and empowering individuals.

5.2. *Strengthening Dignity and Respect*

Strengthening the dignity and respect of refugees, as one of the fundamental principles of human rights, plays a vital role in guaranteeing fair access to the criminal justice system. This is particularly important when exercised by judges and judicial officials, as it deeply influences their interactions with refugees in legal proceedings. Respecting the dignity and humanity of refugees not only guarantees their rights but also fosters trust and cooperation between refugees and the judiciary.

Refugees often come from countries with negative experiences of judicial systems, and due to past traumas, they may mistrust authorities. In this context, respecting their dignity can act as a symbol of recognition and help establish trust between refugees and the judiciary. When judges and officials treat refugees with respect and humanity, refugees are more likely to cooperate and share critical testimonies.

The importance of dignity lies in the recognition that refugees hold equal rights and must be fully included in legal proceedings. For example, judges should use all available tools to ensure transparency and fairness while also treating refugees as active participants in the judicial process. If refugees feel marginalized or treated as “others,” they may withhold key information or testimony that could aid in resolving legal matters (Vila-Freyer & Sirkeci, 2023).

Judges who respect the dignity of refugees are more inclined to accommodate their cultural and linguistic needs. This includes providing translation services and cultural mediation to facilitate communication and understanding. Respecting such differences allows refugees to participate more effectively in legal processes, thereby improving the quality of justice and decision-making.

Judiciaries are obligated to uphold human rights, and respect for refugees' dignity is part of this responsibility. By focusing on these rights, judges can play a significant role in combating discrimination and inequality while enhancing the credibility of the judicial system.

Respecting dignity also strengthens refugees' sense of belonging within the host society. When judges treat them with honor, the message conveyed is that refugees are integral members of society whose rights must be respected. This reduces feelings of marginalization and isolation and encourages active participation in judicial processes.

Finally, reinforcing dignity has broader systemic benefits. When judges act respectfully and fairly toward refugees, they create positive role models for other officials, fostering a culture of respect throughout the legal system. Such practices ultimately contribute to more equitable and effective justice structures.

6. Securing Access to the Criminal Justice System by Reducing Administrative Barriers

Access to the criminal justice system is a fundamental right of every citizen, but in many societies, administrative challenges hinder this access. Such challenges often include legal complexities, weak administrative infrastructure, insufficient information, and lack of coordination between judicial and social institutions. To overcome these challenges and expand access to criminal justice, comprehensive and effective strategies are necessary.

6.1. Simplifying the Procedures for Filing and Following Up on Criminal Justice Complaints

Access to the criminal justice system is a fundamental right of every refugee, yet in many societies, administrative barriers obstruct this access. Such barriers often include legal complexities, weak infrastructures, inadequate information, and lack of coordination between judicial and social bodies. To address these issues, systemic and practical reforms are required.

One of the most important steps in reducing administrative barriers is the simplification of procedures. This includes designing forms and documents that are easily understood and usable by the general public. Additionally, eliminating unnecessary procedures and rigid timelines in judicial institutions can facilitate broader participation in the justice system.

Public education on legal rights and judicial procedures is another key factor. Workshops, webinars, brochures, and educational websites can raise public awareness and enhance understanding of legal processes.

Establishing community-based advisory offices to provide refugees with information about rights and judicial processes is also an effective strategy. Such offices can serve as bridges between refugees and the justice system, facilitating their access to legal services.

Modern technologies can play a decisive role in overcoming administrative barriers. Online platforms for filing cases, obtaining legal consultation, and preparing documentation can significantly accelerate procedures and reduce the need for physical presence in judicial institutions.

Strong coordination and cooperation among judicial, social, and governmental institutions are essential to improving access to justice. Such cooperation may include sharing information, holding joint sessions, and pooling resources. Furthermore, improving administrative infrastructure—such as modernizing judicial systems and increasing the number of trained staff—can reduce workloads and facilitate procedures. This will lead to faster case handling and more reliable access to justice (Vila-Freyer & Sirkeci, 2023).

Developing evaluation indicators to assess the level of access to justice and identify existing challenges can also promote continuous improvement. Such assessments may include surveys, reviews, and data analysis to identify strengths and weaknesses.

It must be noted that specific groups, including refugees and migrants, often face more complex challenges. Designing tailored programs and policies for these populations—particularly in legal and administrative processes—can ensure more equitable access to justice.

Simplifying the complaint follow-up process is equally critical. Information systems must allow complainants to easily track the progress of their cases. Judicial institutions should provide regular, transparent updates on case statuses through automated messages or emails, including information about upcoming steps and relevant timelines.

6.2. Training Judicial Personnel on How to Interact with Refugees

Training judicial personnel in how to engage effectively with refugees is an essential and necessary step to improve interactions between the judiciary and these vulnerable groups. Refugees, who have left their homelands under crisis conditions, often find themselves in fragile situations. They may face unfamiliar cultures, languages, and legal systems. Judicial personnel interacting with these groups must receive training tailored to the cultural and social sensitivities surrounding refugees.

Such training increases personnel awareness of refugee challenges, rights, and needs, improving the overall refugee experience in the justice system. The main objectives of these programs include raising awareness of refugee rights and related laws, developing communication skills, increasing cultural sensitivity, and managing the challenges that may arise during interactions. Personnel should be familiar with both international and domestic laws protecting refugees and understand how these protections can be applied in practice. They must also learn effective and sensitive communication methods, particularly when facing linguistic or cultural barriers.

Training should also provide staff with practical tools for handling challenges, including crisis management skills and strategies to address refugees' stress and trauma. Instruction on overcoming language and cultural barriers, as well as using translators and cultural mediators, should be central. Educational methods should combine theory and practice: keynote talks by refugees, lawyers, and experts, alongside practical workshops that simulate real-world scenarios, can be particularly effective.

The impact of such training can be significant. Personnel trained in empathy and cultural sensitivity are more likely to treat refugees with compassion and respect. This fosters trust between refugees and the justice system. When individuals feel their rights and needs are recognized, they are more willing to raise complaints and engage with judicial institutions ([Vila-Freyer & Sirkeci, 2023](#)).

7. Conclusion

Improving access for refugees and asylum seekers to the criminal justice system requires adopting comprehensive and integrated approaches that encompass legal, social, economic, cultural, and administrative dimensions. In Iran's legal framework, despite the enactment of laws such as the Anti-Human Trafficking Act and accession to international treaties like the 1951 Convention, there is still significant work to be done in drafting a clear and comprehensive law on asylum and refugee rights. The absence of a transparent legal definition, ambiguous procedures, and insufficient legal protections create barriers to equitable access for refugees and asylum seekers to the criminal justice system.

Reforms in laws and regulations, alongside alignment with international obligations, can increase the clarity and efficiency of these processes and ensure that criminal justice is institutionalized and guaranteed for these groups. A critical outcome is the need for legal awareness and education for refugees, which can be achieved through workshops and the publication of resources in various languages such as Dari, Persian, and Arabic. Raising awareness also plays a key role in improving the interaction of the state with vulnerable groups.

In addition, guaranteeing the right to defense through the expansion of access to independent lawyers and the provision of free legal services is of particular importance. Establishing independent legal institutions, strengthening cooperation between governmental and non-governmental bodies, and training lawyers in refugee law directly enhance justice and reduce discrimination. On a practical level, simplifying the process of filing and following up complaints, providing training programs for judicial staff, and creating pro bono quotas for refugee representation can significantly improve fair and effective access.

International experiences also demonstrate that adopting successful approaches from other countries can be instructive. By localizing such experiences, Iran can take meaningful steps toward reforming and facilitating the legal and judicial situation of refugees.

Ultimately, the broader importance of these measures in protecting human rights, ensuring social justice, and creating a fair and efficient judicial system for refugees and asylum seekers is undeniable. It is therefore essential that international institutions and governments act with determination to accelerate this process of reform and development, thereby expanding access to the criminal justice system for refugees and asylum seekers.

Ethical Considerations

All procedures performed in this study were under the ethical standards.

Acknowledgments

Authors thank all who helped us through this study.

Conflict of Interest

The authors report no conflict of interest.

Funding/Financial Support

According to the authors, this article has no financial support.

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