



Aid Workers | Know Your Rights

FAIR TRIAL RIGHTS

The right to a fair trial is a human right that applies to all persons, including in times of armed conflict. The rights are contained in the Universal Declaration of Human Rights, in the International Covenant on Civil and Political Rights and in the Additional Protocol I to the Geneva Conventions, which reflects customary international law.

All accused are entitled to, at minimum:



be informed promptly and in detail in a language which they understand of the nature and cause of the charge.



be presumed innocent until proved guilty according to law.



adequate time and facilities for the preparation of their defense and to communicate with counsel of their own choosing.



a fair and public hearing by a competent, independent and impartial tribunal established by law.



be tried without undue delay and to be able to present a defense with the assistance of legal counsel.



examine the witnesses against and to obtain the attendance their own witnesses.



not be compelled to confess guilt, not be accused or convicted of a criminal offence which did not constitute a criminal offence under the national or international law they were subject to at the time that the act was committed.



If convicted, request a review of their conviction and sentence by a higher tribunal according to law.

In all cases and at every stage of the proceedings, a lawyer must be systematically consulted for specific rights applicable and to monitor and enforce their application. For example, right to speak to family, doctor, maximal duration of pre-trial detention, etc.