



INCLUSIVE JUSTICE

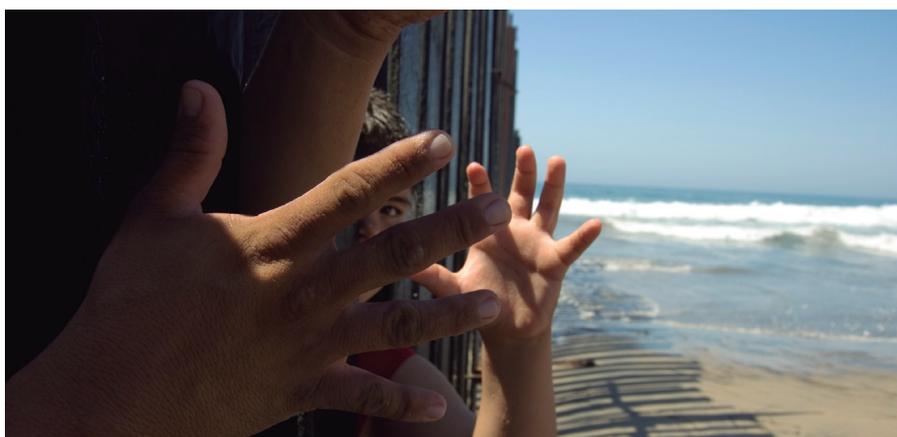
Democratic Governance

This line promotes the integration and inclusion of population groups in vulnerable situations through the protection and dissemination of their rights. These groups include migrants; children and adolescents; the victims of violent crimes; young people in conflict with the law; persons deprived of liberty; people belonging to ethnic minorities; and women who are in situations of gender-based discrimination.

Access to justice is a hallmark of the EUROsociAL+ Programme, as it constitutes one of the dimensions in the fight against exclusion and inequalities, which is reflected in the distance between the formal perfection of the rules, which establish values and principles, and the actual reality, in which they cannot be enforced and made effective.

EUROSociAL+ relies on existing judicial and/or extrajudicial institutional mechanisms to try to eliminate barriers or obstacles to accessing justice and promotes innovations that can give better results, such as restorative justice or open justice.

From the beginning, the 2005 EUROsociAL Programme has accompanied the countries in the region and the regional networks, in initially defining the Brasilia Rules for Access to Justice for people in vulnerable conditions, and in disseminating and implementing them at the national level in the countries of Latin America. All this has contributed to improving access to justice and guaranteeing the protection of the rights of persons in vulnerable conditions.



WHICH AREAS ARE INVOLVED?

Among the results that are expected to be achieved in relation to Access to Justice, the following stand out:

- ▶ Reduction in barriers to access to justice, especially for the most vulnerable groups.
- ▶ Models for innovation in access to justice, for which work is being carried out on

implementing open justice policies and in defining and implementing restorative justice programmes.

- ▶ Alternative Conflict Resolution Mechanisms —ACRM—.
- ▶ Strengthening the Public Defender's Powers.
- ▶ The reintegration of persons deprived of liberty into society and the labour market.



WHICH SDG DOES IT INVOLVE?



EUROPEAN CONSENSUS

Initiative: Good governance, democracy, the rule of law and human rights

"The EU and its Member States shall promote efficient, independent, open and responsible justice systems to promote the rule of law. They will continue to support the reform of justice in order to promote access to justice for all, and in particular for the poorest and most vulnerable groups of society"

Consortium led by:



REGIONAL ACTIONS

At the regional level, regional collaboration spaces and platforms are supported, oriented towards the exchange of experiences, the generation of knowledge, and the construction of shared agendas and models. Actions promoted:

- ▶ With AIDEF: preparation of the regional guide and the defence system for the protection of people who suffer institutional violence in prison. Creation of a legal assistance network for migrants and the development of a regional model, as well as a defence action protocol for migrants and foreigners.
- ▶ It is working with the Ibero-American Judicial Summit on implementing the 100 Brasilia Rules, with the following products: a manual to define public policies on access to justice, a guide for legal operators and a strategy for awareness and communication.
- ▶ With the AIAMP, progress is being made on updating and subsequently implementing the "Santiago Guidelines" on the protection of victims and witnesses.
- ▶ In the area of restorative juvenile justice, a regional/multi-country working group has been established and a road map has been approved with the aim of joining forces and defining common reference frameworks.

ACTIONS BY COUNTRIES

- ▶ ARGENTINA: a Protocol for the receipt of complaints relating to gender violence has been designed in the Territorial Access to Justice Agencies (ATAJOS) of the Argentinian Public Prosecutor's Office. The National Ombudsman's Office is supported in improving the access to justice in DESC for persons in a vulnerable situation and in implementing the Registration, Communication and Comprehensive Care System for victims of institutional prison violence (SIRCAIVI).
- ▶ BOLIVIA: Institutional strengthening of the Plurinational Public Defence Service is supported with the definition of the Institutional Strategic Plan.

PARTNERSHIPS

- ▶ PACCTO Programme (Assistance Programme Against Transnational Organised Crime)
- ▶ COPOLAD: Cooperation Programme between Latin America, the Caribbean and the European Union in Drug Policies

NETWORKS

- ▶ AIDEF Inter-American Association of Public Defenders
- ▶ Ibero-American Judicial Summit
- ▶ AIAMP Ibero-American Association of Public Prosecutor's Offices

- ▶ BRAZIL: work is being done to implement the practice of community mediation developed by the Community Justice Programme of the Court of Justice in the Federal District and Territories of Brazil.
- ▶ COLOMBIA: the mechanism for access to justice for rural women in Colombia is being implemented within the framework of the Integral Rural Reform defined in the Peace Agreements with the Ministry of Justice and Law (MJD). Progress is being made in designing a Juvenile Restorative Justice Programme with the MJD and the Attorney General's Office.
- ▶ COSTA RICA: implementation of the Policy and the Open Justice Plan by the Judicial Branch and with the Public Defender's Office is being supported in implementing SIRCAIVI.
- ▶ CHILE: The Public Criminal Defence has been supported in designing and implementing a Protocol for the defence of migrants and foreigners and a specialised defence protocol for women deprived of their liberty. It is also being supported in implementing SIRCAIVI. Support is also being given to the reform of juvenile justice (definition of the juvenile restorative justice policy); civil procedural reform (local justice policy); and the

definition of the national policy on access to justice with the Ministry of Justice and Human Rights. Progress has been made in the design of a new model for the management of health care for people deprived of their liberty with the Chilean Ministry of Justice, the Ministry of Health and the Gendarmerie. Progress is being made in defining the model of assistance to victims and witnesses with the Chilean National Prosecutor's Office. The Chilean Judicial Branch has been supported in defining a Protocol on Access to Justice for migrants.

- ▶ HONDURAS: the Judicial Branch is being supported in designing and implementing the institutional policy on access to justice in compliance with the 100 Brasilia Rules.
- ▶ ECUADOR: progress is being made in designing and implementing the Restorative Juvenile Justice system.
- ▶ PANAMA: with the Judicial Body, the Panamanian Ministry of the Interior and the Office of the Attorney General, support to define a Strategic Plan and in drafting the Alternative Method of Conflict Resolution Act. Work is being undertaken to define an action protocol for the referral of cases from the Civil, Criminal, Family, and Childhood and Adolescence Jurisdictions, to the Alternative Mediation Centres for Conflict Resolution; it is also being supported in the creation of a Family Meeting Point.
- ▶ URUGUAY: support in the definition of a victims and witnesses assistance model with the Prosecutor's Office. The National Adolescent Social Inclusion Institute is being helped to define a new model with alternative measures for juvenile criminal offenders.
- ▶ PERU: Judicial Participation Protocol for Children and Adolescents and an application manual has been prepared.

Publications



EUROsocial LIBRARY

EUROsocial+ Tools. No. 05/2018.
"Diagnosis of institutional violence in prisons in Latin America: systems and good practices for their response and attention".



EUROsocial+ Tools. No. 06/2018.
"Regional guide on comprehensive care for victims of institutional violence in prisons in Latin America".