

Access to justice

Articles 7 d), f) y 8 c) and d) of the Belém do Pará Convention

	STRUCTURAL	PROCESS	RESULTS
RECEPTION OF THE RIGHT			
Indicator	<p>Legislation that explicitly bans the use of such methods as conciliation, mediation, suspended sentences, probation, application of the opportunity, commutation of sentences and others intended to resolve cases of violence against women extra-judicially. R5</p> <p>Existence of legislation on protective measures, at the request of the victim or third parties or on an ex officio basis, before and during administrative and/or judicial proceedings. R26</p> <p>Judicial proceedings provide mechanisms for enforcing protective measures and guarantee the safety of women victims of violence, their children, and their witnesses. These mechanisms include: R26</p> <ul style="list-style-type: none"> • Relocation funds • Mechanisms for rescuing women • Changes of identity • Witness protection • Safe-conducts to leave the country • Safe reference networks • Panic buttons <p>Competence of ministries or supervisory offices to receive complaints from health system users. R23</p> <p>Specific mechanism to receive complaints from users regarding the justice system R23</p> <p>Existence of constitutional relief (amparos,</p>	<p>Percentage of protective orders issued in cases of violence against women, in proportion to the number of protective orders requested, broken down by the type of crime and/or type of violence reported. R25, R40</p> <p>Judgments and rulings that make use of and include the Convention of Belém do Pará R28, R40</p> <p>Number of judicial sentences or rulings on domestic violence or any other form of violence (physical, sexual, psychological, patrimonial, economic, institutional, political, workplace violence, sexual harassment, political harassment, obstetric violence, etc.) broken down by sex, age, race, ethnic origin, and socio-economic status. R40</p> <p>Number of judgments or resolutions related to reparation of victims, type of reparation. R40</p> <p>Existence of an office, rapporteurship, or other kinds of specific agency within the trials and appeals courts and at the supreme court.</p> <p>Policies to train judges, prosecutors, defence attorneys, lawyers, and justice operators, as well as in the law schools programs, on the topic of violence. Thematic coverage and scope R19</p> <p>Database records with relevant precedents from higher federal and state courts on violence against women, including</p>	<p>Unreported violence rate: number of girls and adolescents, adult women and elderly women who were victims of different forms of violence over the past twelve months and who did not report those acts of violence, divided by the total number of women in their age groups. R40</p> <p>Number and percentage of girls and adolescents, adult women and elderly women who access the emergency kit in institutions. R39</p> <p>Number and percentage of Cases reported to the investigating agency, for violence against women in its various manifestations and violent deaths of women, according to the process status: R40</p> <ul style="list-style-type: none"> ✓ Research ✓ Accusation ✓ Judicial decisions ✓ Dismissed ✓ Archived <p>Number and percentage of cases heard by the Criminal Courts (routine and specialized) for different crimes: violence against women, femicide, attempted femicide, in relation to the number and percentage of judgments (convictions and / or acquittals) issued by the courts (ordinary and specialized) R40</p> <p>Average time between the initial phase of a criminal trial for violence against women in its various manifestations and/or femicide and</p>

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	<p>protective actions, custody). R23</p> <p>Availability of procedural guarantees in judicial proceedings involving violence: (i) independence and impartiality of the court; (ii) reasonable time; (iii) equality of arms; (iv) res judicata; (v) appeals to higher courts against judgments. R23</p> <p>Existence of criminal investigation protocols on crimes of violence against women, femicide and violent deaths of women, with a gender perspective. R6</p> <p>Legislation and rapidly available mechanisms for protection of indigenous, rural, girls and adolescents, adult women and elderly women victims of violence, with particular attention of intercultural backgrounds. R24</p>	documentation of emblematic cases. R28, R40	<p>judgment (conviction or acquittal). R6, R40</p> <p>Number and percentage of cases known by the jurisdictional entities of the justice system for reparation of women affected by violence or collateral victims in case of violent death of women. R6</p>
Qualitative signs of progress	Number and characteristics of civil society organizations that are involved as advisors or as complainants in criminal proceedings for violence against women and femicide.	Publication of and access to information on judgments and rulings enacted. R40	
BASIC FINANCIAL CONTEXT AND BUDGETARY COMMITMENTS			
Indicator	Funding of assistance services, free legal representation, and other services intended for girls and adolescents, adult women and elderly women who have suffered different forms of violence, either publicly managed or with state subsidies. R23, R30	<p>Periodic reports of accountability for the financial management of resources for access to justice for women victims of violence. R23, R33</p> <p>Financial resources destined to fund free legal representation and judicial services, intended for indigenous girls and adolescents, adult women and elderly women, afro-descendants, rural, with disabilities, with different sexual preferences, by their sexual identity, migrants, refugees, displaced persons or deprived of their freedom. R24, R40</p>	Average investment funds involving each of the stages of criminal proceedings according to the institution involved. R40
Qualitative signs of		Publication of and access to information on budget allocations and spending. R40	

	STRUCTURAL	PROCESS	RESULTS
progress			
STATE CAPACITIES			
Indicator	<p>Existence of agencies for receiving complaints. If they exist, their number and locations. R22, R39</p> <p>Existence of administrative agencies for filing complaints regarding failing to abide by obligations related to the right to a life without violence. R22, R39</p> <p>Existence of legal representation services, either public or state-supported, specializing in women affected by violence. R23, R30</p> <p>Existence of nationwide toll-free telephone lines for women victims of violence. R30</p> <p>Existence of free and comprehensive legal services to protect the right to a life without violence. R23, R30</p> <p>Existence of free and comprehensive legal services intended for indigenous, rural, girls and adolescents, adult women and elderly women, taking care of inter-culturality, according to legislation in force. R24, R30</p>	<p>Number of women lodging complaints for violence with the police. R40</p> <p>Number of women victims of sex crimes, by age, racial or ethnic origin, and socio-economic status. R40</p> <p>Number of users served by the telephone lines. R40</p> <p>Number of complaints involving violence received, investigation, and resolved by competent national human rights institutions in the country. R23, R40</p> <p>Number of users of free legal representation services, be they public or private, with or without state subsidies. R23, R40</p> <p>Training programs for justice operators from a gender perspective and inter-culturality. R19</p>	<p>The number of convictions for violence against women in proportion to the total number of reports. R40</p> <p>The number of victims of femicide in the past twelve months, by age, marital status, cause of death, and geographic location. R40</p> <p>Number of femicide prosecutions with sentences in the past twelve months in proportion to the total number of recorded cases. R40</p> <p>Number of trained personnel in the justice system with a gender perspective and taking care of inter-culturality. R19</p> <p>Number of cases solved involving indigenous, rural, girls and adolescents, adult women and elderly women as victims of violence. R24, R40</p> <p>Number of indigenous, rural, women holding decision-making positions for conflict resolution in indigenous, rural, communities.</p> <p>Number of women in positions of decision on prosecution, courts and other administrative bodies of justice.</p> <p>Number of civil servants and public officials who have accessed training processes, awareness and training on the issue of violence against women. R19</p> <p>Number of public servants who work in positions that have direct interaction with</p>

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			<p>women affected by violence against women in all its manifestations:</p> <ul style="list-style-type: none"> ✓ Number and percentage of female officers in relation to the number of cases reported to the institution. ✓ Number and percentage of women psychologists and psychiatrists in relation to the number of cases reported to the institutions responsible for dispensing justice. ✓ Number and percentage of social workers in relation to the number of cases reported to the institutions responsible for dispensing justice. ✓ Number and percentage of women lawyers in relation to the number of cases reported to institutions responsible for counseling women in criminal proceedings (as aggrieved or accused of crimes) ✓ Number of interpreters with knowledge of the rights of women.
Qualitative signs of progress	<p>Number and characteristics of civil society organizations involved in monitoring and control initiatives, considering organizations particularly working with girls and adolescents, adult women and elderly women of diverse ethnic origin, Afro-descendants, rural, with disabilities, with different sexual preferences, by their sexual identity, migrants, refugees, displaced persons or deprived of their freedom. R20</p>	<p>Publication of and access to information of girls and adolescents, adult women and elderly women victims of violence served, in the different languages that are spoken in the country. R24, R40</p>	