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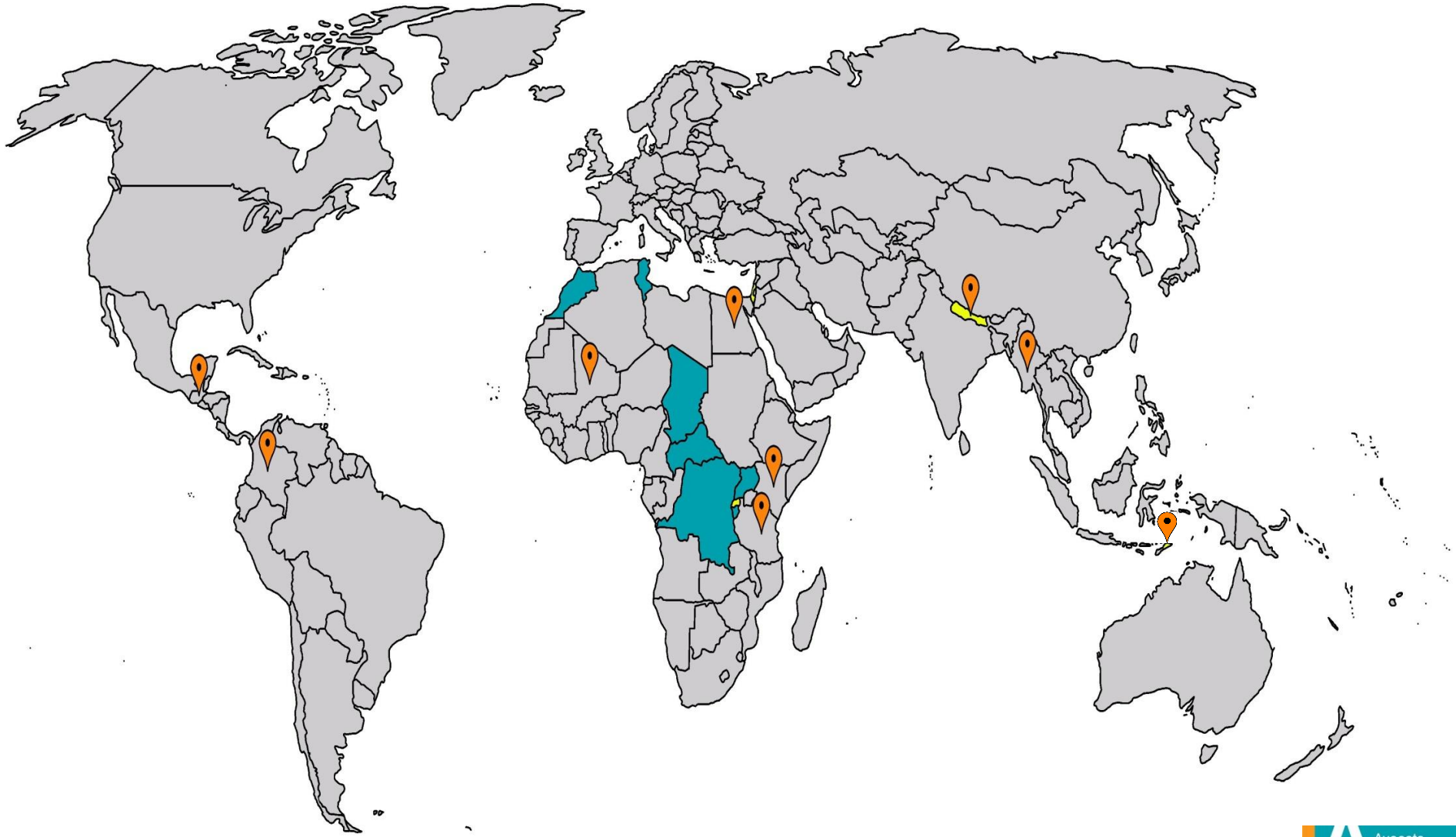
ACCESS TO JUSTICE AND CRIME PREVENTION

THE CRITICAL ROLE OF GRASSROOTS COMMUNITIES

Myriam Khaldi, Access to Justice Expert

13th UNODC Congress
Workshop 4 on Public Participation
16 April 2015

ASF experience and field evidence



Overview

Introduction

I. The added-value of mechanisms involving public participation

II. Lessons learned and recommendations for meaningful public participation

Conclusion

I. The added-value of mechanisms involving public participation

1. Crime prevention

2. Administration of justice

3. Fight against impunity

4. Criminal justice reform

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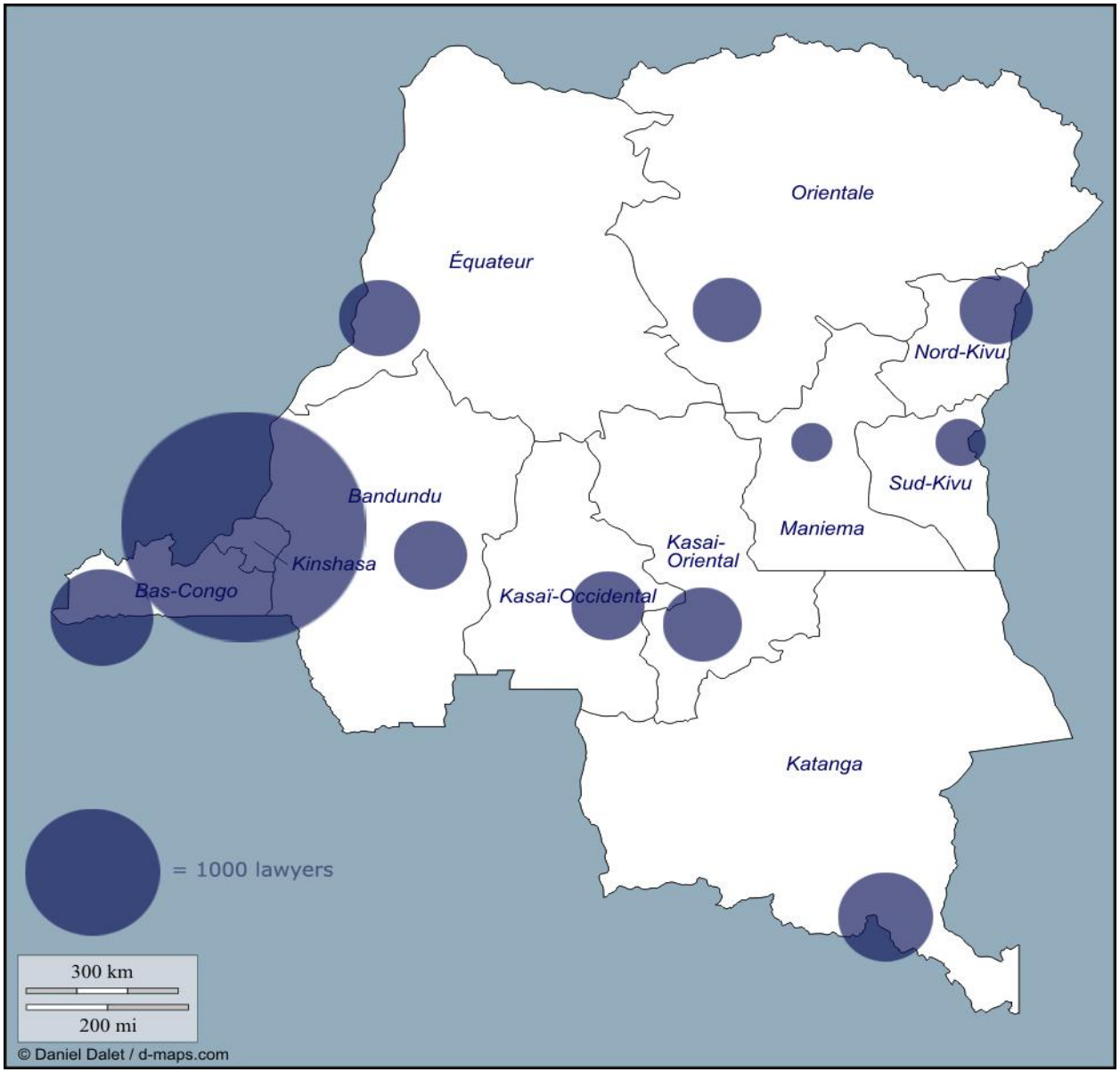
I.2. Administration of Justice

"We recommend that Member States endeavor to reduce pretrial detention, where appropriate, and promote increased access to justice and legal defence mechanisms"

Salvador Declaration
12th United Nations Congress
on Crime Prevention and Criminal Justice

I.2. Lawyers per province in DRC



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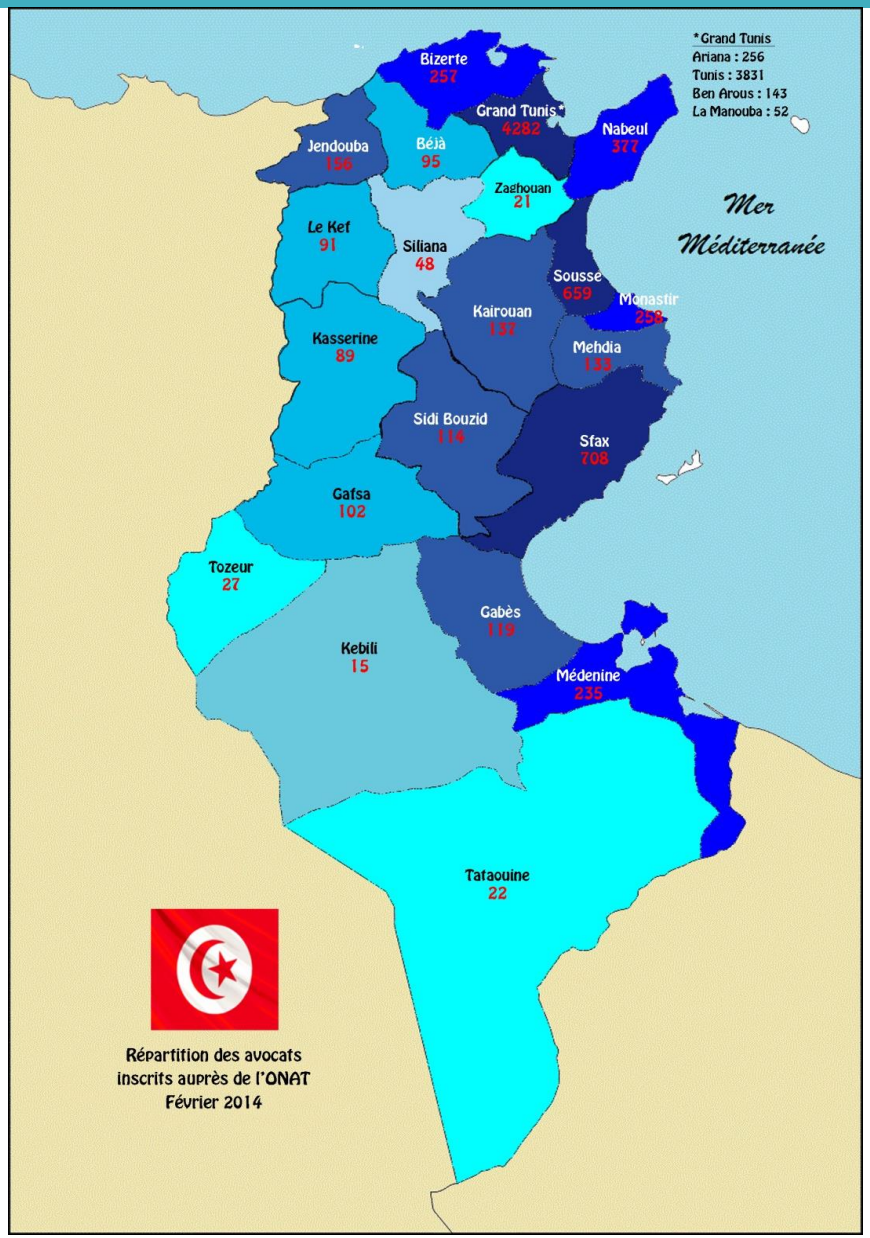
I.2. Lawyers per governorate in Tunisia



because it makes it possible
to reduce the number of extended wrongful detentions,

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MASSACRE

DE LULINDA-ICWA

DU 30. JUIN. 2000 VENDREDI à 9H 07

I.3. The "Warlord Lenin" Case

- Decision: 27 February 2015
- *Lenin* condemned to life imprisonment
- For crimes against humanity
- "***We were treated like animals, as if we had no rights (…) Lenin acted as the master of all .***"
- 545 victims entitled to compensation

I. The added-value of mechanisms involving public participation

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I.4. Criminal Justice Reform

"A process through which stakeholders can influence and share control over development initiatives, and over the decisions and resources that affect themselves."

Asian Development Bank,
"Framework for Mainstreaming
Participatory Development Processes", 1996

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II. Lessons learned and recommendations

- Legal recognition
- Long-term capacity-building efforts
- Coordination of actors
- Specific needs of marginalised people
- Implementation of protective measures
- Sufficient State budget for legal education

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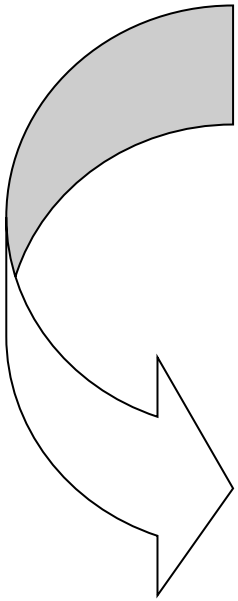
II. 1. Legal recognition

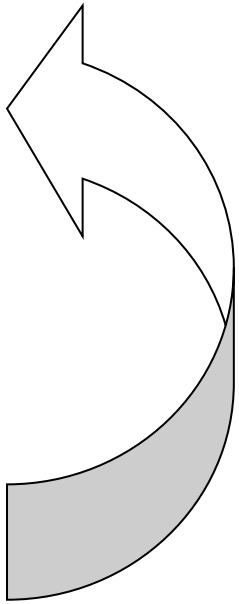


Community Approach

Rights Awareness-raising / Conflict Prevention / Peaceful Dispute Resolution / Local Ownership of National Policies

National Approach

Defining National Policies / Legal Reforms / Criminal Strategy Implementation



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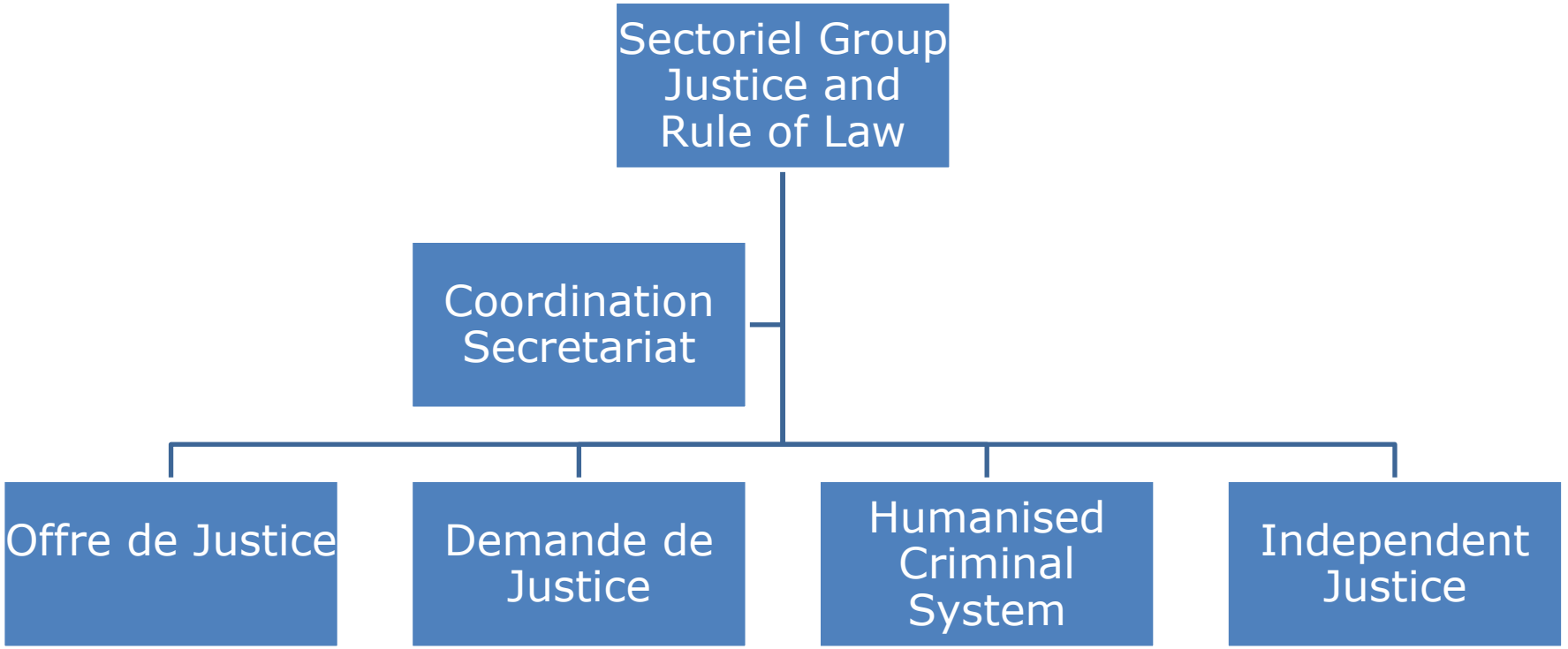
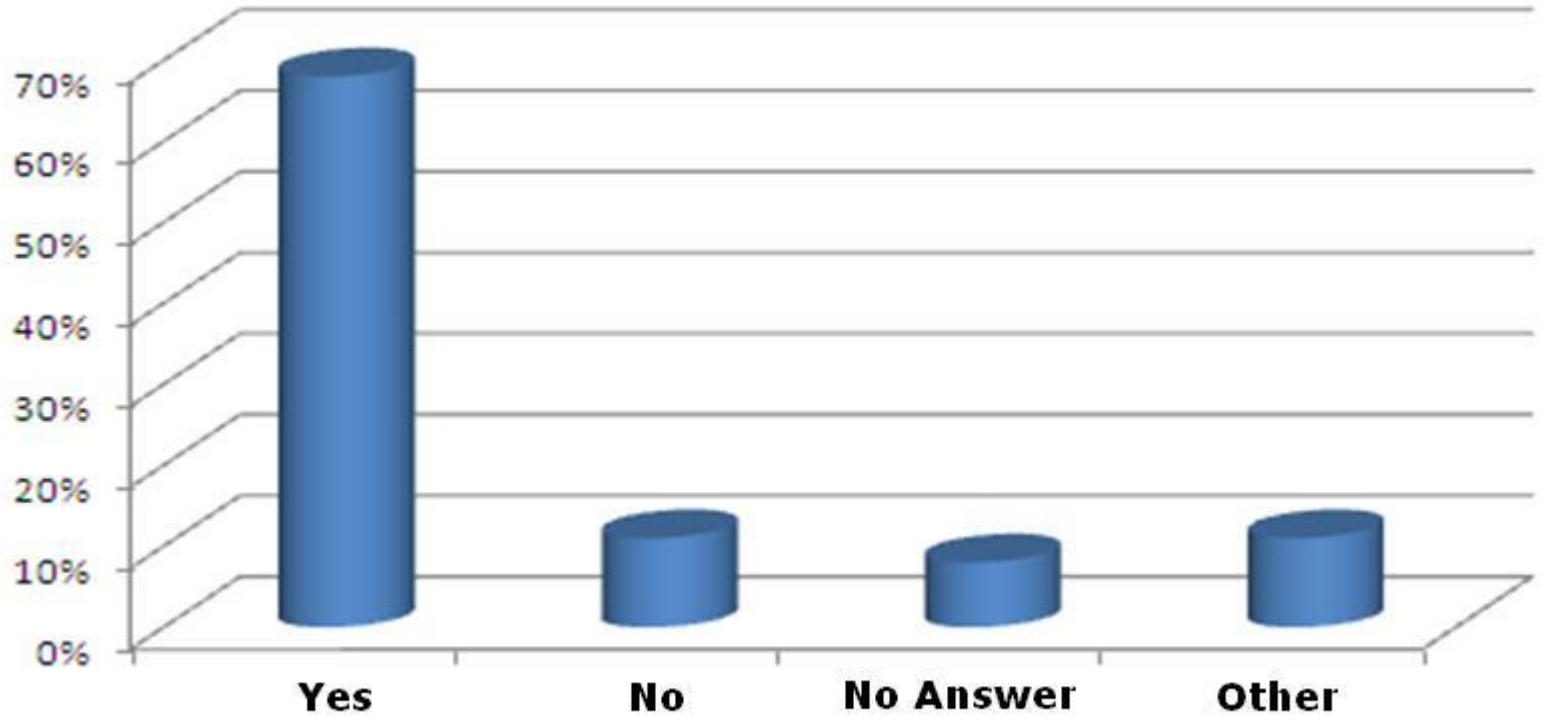
II.3. Coordination of actors: Burundi

Burundi's Ministry of Justice Organisation Chart



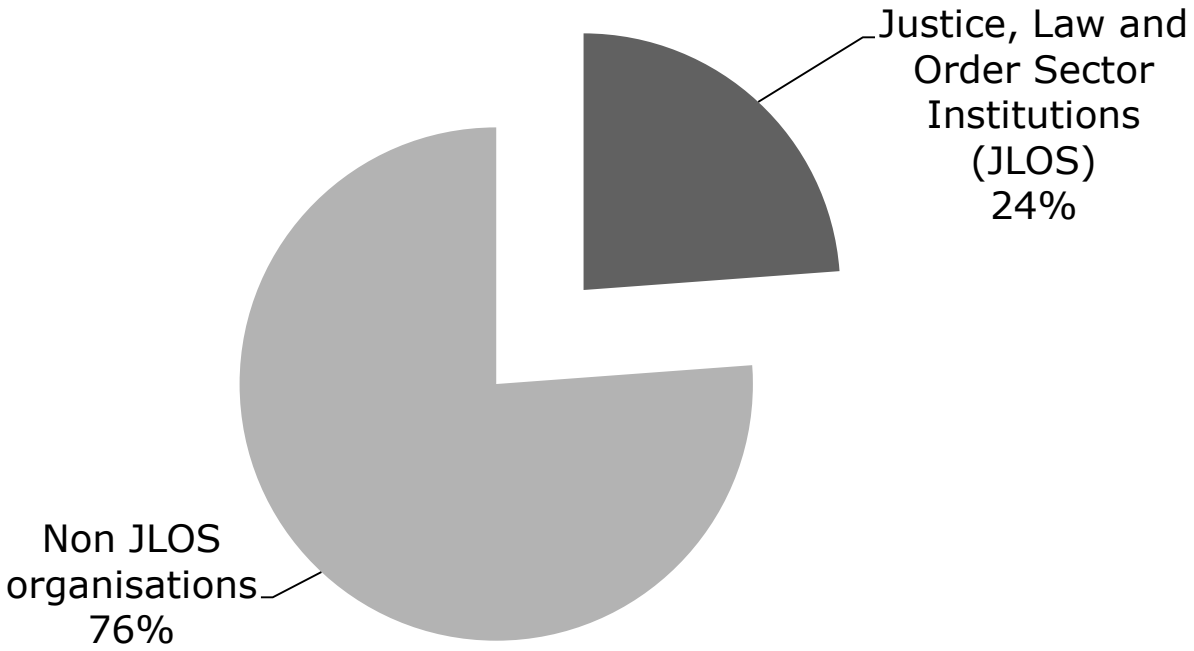
II.3. Coordination of actors: Burundi

Provincial legal aid providers coordinated their interventions, improving their services?



II.3. Coordination of actors: Uganda

Legal remedies applied to cases of child trafficking in Katakwi and Soroti district (2009 -2010)



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ESCLAVAGE
VILLAGE BULEUSA
2010

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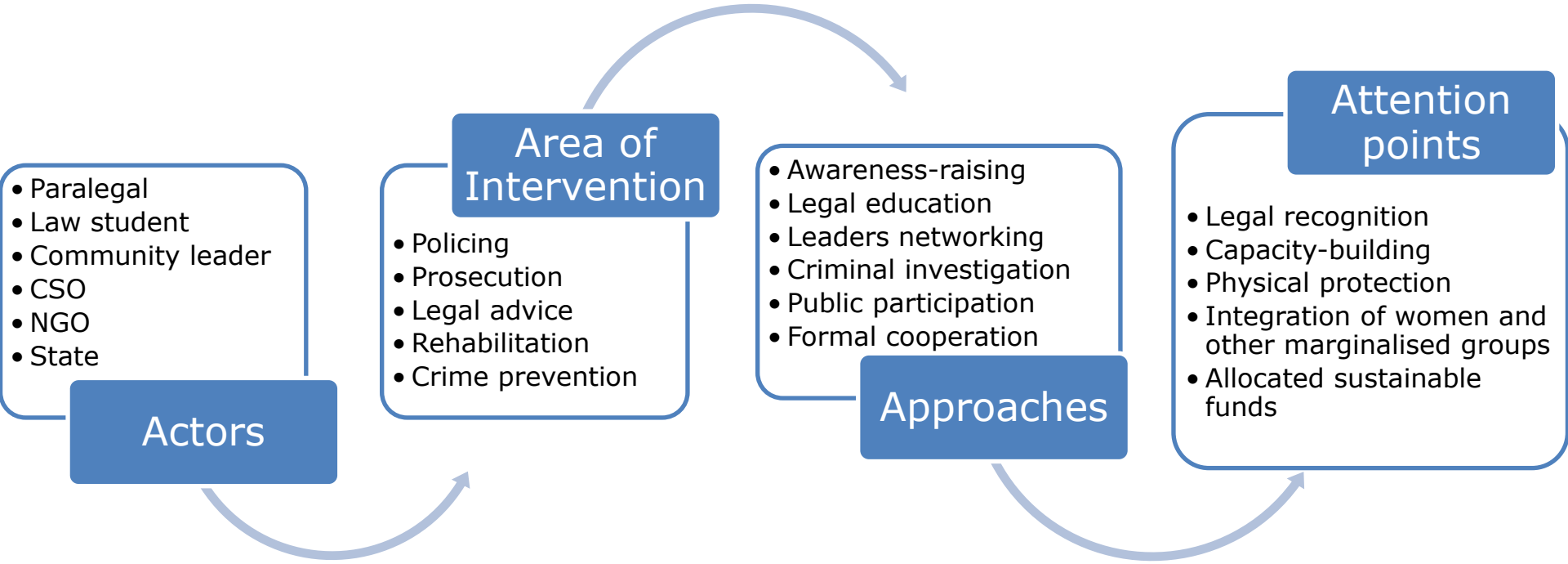
Methodology manual for awareness-raising actions

www.asf.be

THE BELGIAN DEVELOPMENT COOPERATION .be

UKaid

Conclusion



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THANK YOU