

The Cyrus R. Vance Center for International Justice Initiatives

“A Profession in Support of Democracy”

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Balcão de Directos
(Legal Rights Desk)

Brazil

Program Description

The Program “Balcão de Direitos” (or the Program) is one of the projects of “Viva Rio”, a non-profit, apolitical non-governmental organization that motivates individuals, associations and companies to build a fairer and more democratic society.

The Program was created in 1996 to contribute to promoting access to justice for the inhabitants of *favelas* (marginalized populations) of Rio de Janeiro. The Program includes free legal counsel and a “democratization of rights” program, understood as access to, in an egalitarian way, civil, political and social rights for the entire population. In this way, the Program promotes and disseminates information on subjects of justice and civil and human rights. It organizes workshops and seminars and prepares documentation with an eye towards informing the population with respect to its rights. The Program also has a section dedicated to conflict mediation as an alternative to citizens appearing in courts of law. In 2004 the program Balcão de Direitos completed 8 years of life.

The Program seeks to contribute to the formation of a society capable of exercising its rights and duties in a civic and democratic way in specific Rio de Janeiro communities. It seeks to reduce the distances between a world of rights established only formally and other “worlds” – the marginalized populations – that, excluded from these fundamental rights, end up creating local ethic codes and community justice alternatives.

In order to achieve its mission, the Program contains the following units:

- ✓ Consultation: Conducts legal consultations and conflict mediation in the communities.
- ✓ Formation: Trains “Legal Rights Agents”, members of the marginalized population groups that the Program encounters there, about assorted subjects on legal rights and the Program’s objectives. The creation of the Legal Rights Agents is a fundamental aspect of the Program since it seeks to work jointly, as part of the same unit, with residents from the marginalized populations. These residents have a greater understanding of “one’s own culture” and know the best way to do things within their group.
- ✓ Information and investigation: Responsible for the Program's internal and external communications, acting as an information bridge between units, communities and institutional associates.
- ✓ Administrative: Gives support to the Program’s entire structure.

The Program is implemented through community associates that serve as reference points in these communities and channel the communities’ social justice demands to Balcão. Through legal guidelines and the search for peaceful solutions to conflicts, on personal and group levels, acting by means of mediation, conciliation and training, the Program looks to disseminate information through its community relations networks so that the project multiplies itself through similar and self generated initiatives.

One of the most important aspects to the functioning and effectiveness of the Program is the participation of volunteers. A volunteer is one who donates time, knowledge, individual abilities and experience in a responsible and complimentary way to the benefit of a group or cause in need of those assets. Volunteer work is, above all, a civic practice, a way of exercising one's citizenship, transforming needs into possibilities of action. The Program attempts to precisely connect those individuals that possess specific knowledge and vocations specific to areas where legal rights and citizenship is ignored.

Program Associates

The Program has financial associates, institutional associates and community associates.

The Special Secretary of Human Rights / Minister of Justice, Ford Foundation and DFID (English Government) are among the financial associates Viva Rio counts on. Among other institutional associates, the Program is supported by ISER (Religious Studies Institute), the Secretary of Public Security of the State of Rio de Janeiro, the OAB/RJ (The Institute of Brazilian Lawyers/Rio de Janeiro section) and the INSS (National Institute of Social Security), as well as different NGO's, religious organizations, schools of legal science, universities and law schools. The community associates represent the different localities where the Program carries out its work.

The Program's innovative character

The focus of the Program is innovative. The Program does not limit itself to individual localized help, it seeks to integrate with the social reality of the communities (marginalized populations), respecting its culture and functioning mainly as an element to provoke change and reflection, together with its members. The equilibrium achieved between legal assistance and legal education has been an ideal combination to the goal of bringing legal rights into these communities.

Aside from its focus, the Program was innovative in implementing care units in the community to instruct it on its rights and direct legal counsel. Later, during 1998, conflict mediation and legal guidance became the principle activities carried out by the care units. Since then it invested in the constant training of units in conflict mediation and different areas of law to better assist the benefiting public. It put greater emphasis in taking advantage of the local experiences to achieve the development of the citizenship, avoiding imposing predetermined models and valuing the local reality.

The Program's current status and future prospects

Currently the Program has eight units, made up of one lawyer, a group of law students (some remunerated and other volunteers) and a Citizenship Agent. During 2004, 15,979 consultations were received, the greatest amount being requests for legal guidance. Only 62 consultations ended in the initiation of legal action, this represents 10% of the total cases resolved in conciliation (628 cases).

The following steps will be concentrated in developing teaching material related to conflict mediation and organizing mediation centers. New groups of Legal Rights Agents will be formed, reinforcing the prominence of members in their own communities.

In addition, Viva Rio is contacting different Law Schools so that they include the work developed by the Program in their program studies. In that way, it is hoped that the Project is presented to new law students and influences them to become acquainted with the reality of the marginalized populations.

An area of recent development is the exercise of “Symbolic Legal Actions”. The goal is that, through the Program, legal actions are applied that become “emblematic” cases that have a beneficial effect on life in the marginalized populations. This begins with educating communities with respect to its basic rights guaranteed by the Constitution and the laws in different subjects such as violence against women, abuse of authority by police and concepts about the rights of people as consumers. The objective is for communities to know when its rights are violated by the authorities or other persons and for these cases to initiate legal actions that result in decisions that can set precedent in future cases and improve the quality of life of all inhabitants in the marginalized populations. The action of obtaining emblematic decisions will help communities economically disadvantaged, its residents and the public powers to understand the importance of an effective application of the law.

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