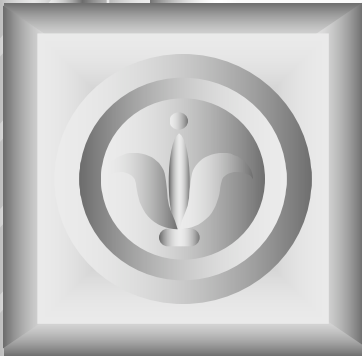


"Impact of COVID-19 on the access to justice - general overview of the situation in various countries throughout the world"



**Association Europeenne des Avocats
European Association of Lawyers**



**Professor Marcelo Castrogiovanni
UBA DERECHO**

- **Pre-trial isolation and the right to defense.**
- **Access to a lawyer of detainees, suspects and accused persons deprived liberty in investigation and judicial proceedings.**
- **Do the justice bodies respect demanded legal standards and everything works well?**



❖ **Overcrowded penitentiary system**



❖ **Prison riot over fears of COVID-19 spreading**



- ❖ **Cassation April 7 ruling prisoners at risk be granted house arrest**
- ❖ **Appeal from the prosecutor before the Buenos Aires Cassation**
- ❖ **Supreme Court of the province of Buenos Aires unanimously accepted the appeal**
- ❖ **Morigerations must be evaluated by the competent judicial organs, and considering the rights of victims.**



- **Victims of domestic violence and their rights in the context of access to justice:**
- **existing legal standards**
- **current practice (experiences of lawyers)**



- ❖ **Law N° 11.357 (1926) Civil rights of women**
- ❖ **Reform of the National Constitution of 1994**
- ❖ **Law N° 24.417 (1994) on Family Violence**
- ❖ **Constitution of the Autonomous City of Buenos Aires, of 1996**
- ❖ **Law N° 24.632 (1996) The Inter-American Convention to prevent, sanction, and eradicate violence against women, (“Convention of Belém do Pará”)**
- ❖ **Law N° 26.485, (2009) “Law of integral protection to prevent, punish and eradicate violence against women in the areas in which they develop their interpersonal relationships”**

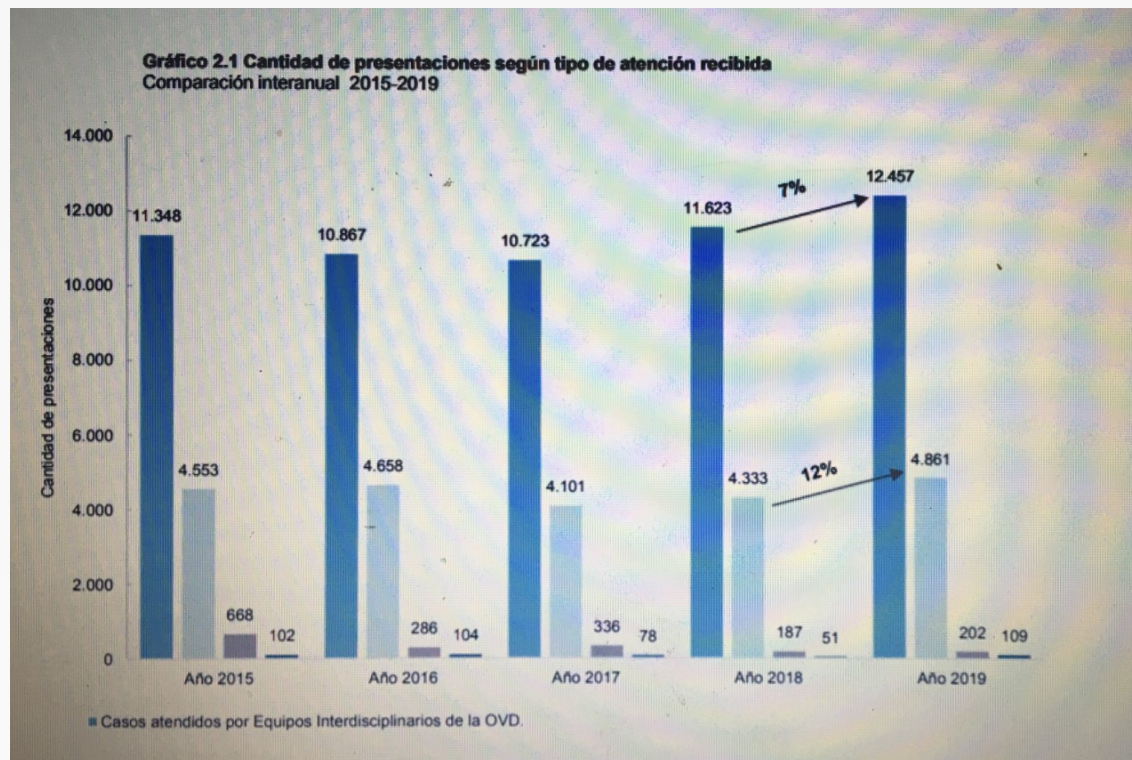


- ❖ **Decree 326/2010 NATIONAL COUNCIL OF WOMEN - NEW DENOMINATION**
- ❖ **Resolution 332/2013 - The coverage provided by the Training and Employment Insurance is extended to women who are victims of domestic violence**
- ❖ **Law N° 27.501 - INTEGRAL PROTECTION TO PREVENT, PENALTY AND ERADICATE VIOLENCE AGAINST WOMEN - street harassment**
- ❖ **Resolution 15/2020 MINISTRY OF WOMEN, GENDERS AND DIVERSITY**



STATISTICS 2015/19

BUENOS AIRES CITY



RECEPTION OFFICE

Gráfico 2.2. Casos atendidos según tipo de ingreso (Total: 12.457)
Año 2019



* La categoría "Justicia" incluye los casos derivados por la Justicia Civil; Justicia Nacional en lo Criminal y Correccional; Fuero Penal Contravencional y de Faltas de la Ciudad de Buenos Aires; Justicia de Menores y; por el Ministerio Público Fiscal de la Nación.

**Dentro de la categoría "Otros" se agrupan 23 tipos de ingresos que no superan el 1% cada uno.

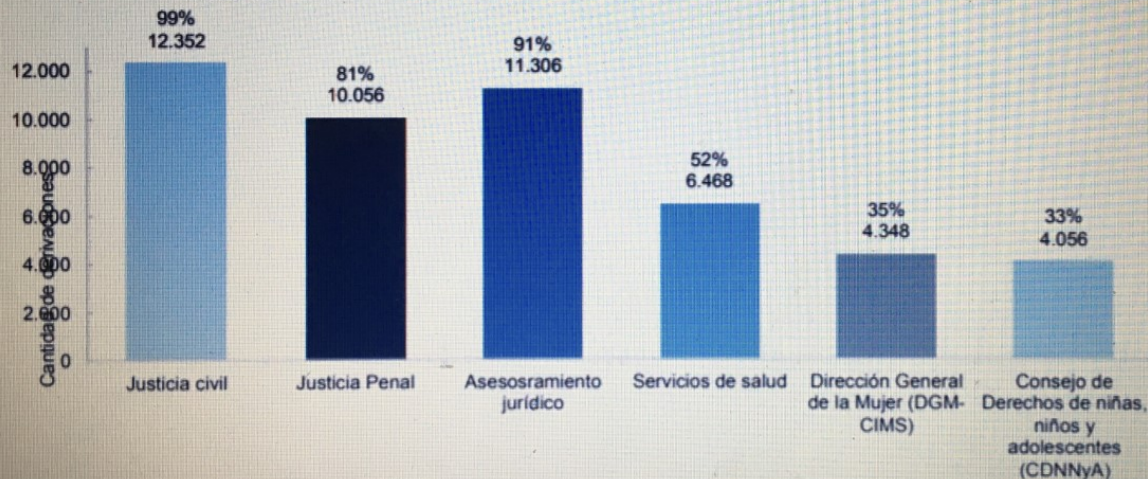


OFFICES INVOLVED

2.3 Casos: tipo de derivaciones

Durante el año 2019, 99% de los casos atendidos por la OVD tuvieron derivaciones a la justicia civil; 81%, a la justicia penal; 91%, a servicios de asesoramiento jurídico; 52%, a servicios de salud; 35%, a la DGM-GCBA y; 33%, al CDNNyA-GCBA.

Gráfico 2.3 Derivaciones* en los casos atendidos
Año 2019



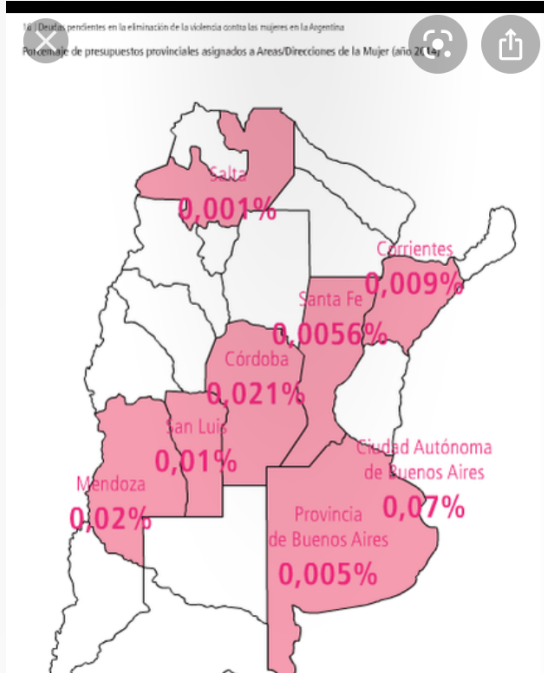
* Una misma presentación puede tener múltiples derivaciones.

STATISTICS ACCORDING TO SEX AND AGE OF THE VICTIM



BUDGET INTENDED FOR PREVENTION OF DOMESTIC VIOLENCE

Movistar 19:40
Q mapa violencia domestica ar — Nav. priv



Derecho en Zapatillas

Violencia de género - guía
de recursos

[Visitar](#)

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FREE JUSTICE ACCESS



SOME STATE STATISTICS 2017

Cantidad total de Denuncias: 45.385

	Cant. Denuncias	Percent. Total
Córdoba Capital	22.989	50.65 %
Interior Provincial	22.396	49.35 %
Cant. Total	45.385	100 %

PCIA DE CORDOBA

PCIA SANTA FE

Tabla 1. Situaciones de violencia de género, registradas e informadas al IPEC Provincia de Santa Fe. Segundo y Tercer cuatrimestre de 2017.

Cantidad de Situaciones	2017	
	2do Cuatrimestre	3er Cuatrimestre
Total	4270*	3989

Fuente: IPEC. Base de datos del RUVIM.

Nota:*En la publicación anterior se habían registrado 3.692 registros en el segundo cuatrimestre de 2017.



Criminal Legislation:

- ❖ **Ordinance N° 47.506, (1994)**
- ❖ **Adultery repealed by Law N° 24.453 of 1995**
- ❖ **Law N° 25.087 (1999)**
- ❖ **Decree 2385 (1993) - Sexual Harassment**
- ❖ **Law N° 26.791 (2012)**



Every day Resources:

❖Office for Women and the Office for Domestic Violence (2006) – Supreme Court Project

❖Resolution 15/2020 MINISTRY OF WOMEN, GENDERS AND DIVERSITY

❖Free phone lines for help, advice, guidance (137/144/0800-WOMAN and other local ones)

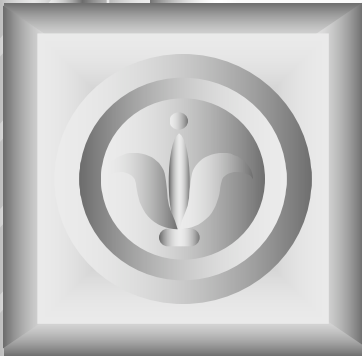


Closer or more distant justice?

**Pros and cons of application
of new technologies in access
to justice.**



Gradual Implementation of informatic and electronic Systems



- **National System**
- **Local Systems**
- **Buenos Aires Province System**
- **Buenos Aires City System**



Current Systems

National System

- Dual system:
 - Digital
 - Physical

Buenos Aires Province System

- All digital System



Advent of COVID-19

- **Justice closed**
- **Only urgent affairs**
- **Implementation of remote work**
- **Lack of proper infrastructure**
- **Slow reopening as:**
 - **Structures are updated**
 - **Quarantine develops**



Thank you



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