12 e-citizenship

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Citizen's Counter (Balcão de Direitos)

With little or no access to police protection and the judicial system, due both to ignorance and the absence of legal professionals, and lacking a culture of negotiation and conflict resolution, the populations of low-income communities often develop a relationship of helplessness and cynicism towards the legal system. Towards the end of 1996, a group of 25 community leadership councils, all partners in Viva Rio projects, called for the creation of a space dedicated to strengthening the citizens' rights of their constituencies.

This was the point of departure for the creation of the Citizen's Counter project, originally funded by the Rio de Janeiro State Secretary for Human Rights, the Federal Ministry of Justice, and the United Nations Development Plan (UNDP). The first of these legal aid Centers were installed in spaces donated by the communities of Rocinha, Chapeú Mangueira and Babilônia, Morro Santa Marta, Maré, and Rio das Flores. Their mission is "To promote the democratization of rights through the diffusion of information and the production of more just alternatives for conflict resolution, thus fostering the open practice of citizenship, and contributing to a plural and cooperative society."

Three years after its creation, with the support of the European Commission and the Ford Foundation, and through partnerships with the National Social Security Institute (INSS), the Criminal Circuit Court (Vara de Execuções Penais, VEP), and the Psychiatric Institute at the Federal University of Rio de Janeiro (UFRJ), Counters had been installed in five communities, offering orientation on citizens' rights and duties, legal aid, and services for filing legal documents with official organs and obtaining IDs and licenses. In addition, the Counters increasingly act as mediators of conflicts that can be resolved without recourse to legal institutions. The Citizens Counters have become a national benchmark for similar experiments in nearly all of Brazil's states. Last year the Ministry of Justice requested that Viva Rio evaluate the Citizen's Counter project on a national level, as well as the development of a website that will serve to help integrate the experiences of all Citizen's Counters and similar legal aid counters that have been implemented throughout Brazil in the last few years.

Citizenship Agents & Community Legal Agents

Each Citizen's Counter core staff includes one 'citizenship agent' who acts as a bridge between the Counter and the residents of the local community. To be a citizenship agent, one must be known in respected as a leader in one's own community; most agents have been with their respective Counters since their creation. Every month, agents receive new training

courses, enabling them to aid residents not only in juridical matters, but to help mediate conflicts and direct residents to specific Viva Rio programs.

The Citizen's Counter also offers training for community legal agents. The courses, which last four months, are open to anyone from the local community, and cover 12 areas including human rights, fundamentals of law, and conflict mediation. Since March 2001, 70 students have graduated from four courses in the communities of Morro Santa Marta, Morro da Formiga, Chapéu Manguiera, and Babilônia. In early 2003, a new group of students from the communities of Ramos, Cantagalo and Pavão/Pavãozinho completed the course and became community legal agents.

Viva Rio has also organized courses at its headquarters on law, citizenship, and conflict Mediation for groups of community leaders from various communities. In the last few months, six such courses have been offered, training 15 leaders each.

Citizenship

The Citizen's Counter mission goes beyond offering legal aid to local residents. It also includes fostering in communities the skills needed to find solutions to day-to-day problems through conciliation and conflict resolution, without the need to engage the formal judicial system. The core staff of a Counter is made up of at least one lawyer, interns (law students, some volunteers and others remunerated), and citizenship agents – local residents who intermediate between community members and professionals.

The Citizen's Counter and Viva Rio have invested in the formation of research teams, responsible for creating and developing seminars, courses, publications, and institutional material. All this material is used to reach out to communities, the media, and institutional networks. The Manual of Human Rights produced by the Training Team of the Community Caretakers and Volunteer Civil Service projects is a good example. The Citizen's Counter also produces pamphlets as a way to effectively inform residents. With simple, engaging language, a series of eight pamphlets called "Fight for Your Rights" explain basic legal concepts and citizens' rights to local residents.

Since their inception, the Counters have attended more than 50,000 cases. Of these, the most important areas of demand were the following: 41% for labor rights conflicts, 23% for legal aid, 11% for dispute resolution, 10% for support during the judicial process, and 4% for judicial action. 69% of all clients were women, and 56% were 36 years old or older. 46% earned between one and two times the minimum salary, while another 46% earned between three and four times the minimum salary. Educational level is quite low among Counter clients: 50% have not even completed elementary education. Most are single (48%) and own their home (74%), though 35% were currently unemployed; only 31% were legally employed, while 9% work at home and 15% work for themselves.

The Civil Rights Counters are also expanding their activities through the Internet. On its website, users can learn how to obtain IDs, work permits, driver's licenses; find formulas for calculating retirement benefits; and get informed about legal issues like consumers' rights and the legal status of children, adolescents, and the handicapped. With an educational tone and language that is simple and accessible, the website deals with questions such as racial discrimination – a common phenomenon in low-income communities – and gives advice on how to react. The goal for 2003 is to achieve 50 on-line consultations per month.

www.desarme.org

Despite its roots in underlying social structures and the conflicts arising from the drug trade, the endemic violence of the *favelas* cannot be disassociated from a factor that, to a certain extent, has a logic of its own: the supply of, and easy access to, a wide variety of firearms. Viva Rio was created in response to a moment of particularly high levels of urban violence in Rio de Janeiro, and has made the fight for disarmament central to its efforts.

Viva Rio's disarmament campaigns are aimed at both the drug trade, which recruits children and adolescents to work in illicit drug sales - thus putting them in situations of armed violence - and common citizens, who are often the victims of their own firearms. To make the population aware of the dangers of having a gun in the home, Viva Rio has launched a number of campaigns that encourage people to get rid of their firearms, often calling on wives and children to mobilize for the cause of disarmament. For example, the national campaign "Choose Gun Free! Its Your Weapon or Me" starred popular Brazilian actresses, who asked women to pressure their husbands and partners to remove guns from family homes. A permanent campaign in partnership with church groups promotes programs for voluntary hand-over of firearms.

Many of these campaigns are local in scope, targeting youth from low-income communities. Quite common are shows and popular activities within communities, with the participation of victims of armed violence and their families. One of the bolder projects Viva Rio has undertaken is the Wall of Pain, an enormous mural made up of photos, letters, poems, and protests in homage to the victims of urban violence. In 2001, Viva Rio collaborated with the Rio de Janeiro state government in organizing the public destruction of 100,000 firearms - the largest simultaneous destruction of firearms in history.

The desarme.org website is central to Viva Rio's disarmament program. Created in 2001 and made up of a group of five researches, it provides databases in Portuguese and Spanish containing a wealth of up-to-date information on all manner of themes related to the arms trade, illicit small arms traffic. The site also offers access to the list of firearms confiscated by the Rio de Janeiro police and held in their deposit; by making this information available, Viva Rio hopes to aid national and international bodies in tracing these seized firearms and analyzing the route they follow from legal production to diversion into black markets and criminality. The police of Latin America have little experience and expertise in tracing

firearms, and often, little interest: many police organizations are themselves involved in illicit arms trafficking.

The desarme.org site receives an average of 40,000 visits per month; only 20% of these are from Brazil, the rest coming from Latin America, the U.S., and Europe. Viva Rio has publicized the website in low-income communities as a way of educating youths of the dangers of armed violence and drug trafficking.

The relevance of the desarme.org website became clear to the public in 2001, when it intermediated in a communiqué between then-Rio de Janeiro State Secretary of Public Security and the Secretary of State Intelligence of Argentina. The document requested the collaboration of the Argentine government in tracing the sale of 20 Argentine-made hand grenades found by police in the *favelas* of Rio. The document also provided a list of Argentine-made firearms seized by Rio police between 1989 and 2000. In 2001, the issue resurfaced at the UN Conference on Illicit Traffic in Firearms.

In the fight against armed violence, the desarme.org research team produced a list of 225,000 firearms seized between 1950 and 2001, and presented it to a representative from the Argentine Consulate in Rio during a public ceremony organized by Viva Rio and the Rio state government attended by representatives of 14 foreign governments. Once again, Viva Rio requested the cooperation of the Argentine government in tracing the route these firearms took before arriving illegally in Brazil, destined for Rio's organized crime factions.

Viva Rio's efforts began to pay off when an Argentine NGO, "Fundación Espacios", arranged a meeting between representatives of Viva Rio and a representative of the Argentine government, a member of the Senate's Defense Commission, and author of a project that has denounced the illegal trafficking of Argentine military-style weapons - the type that have ended up in the hands of Rio's criminal factions. The project reached the executive branch of Argentina and a commission was formed to investigate the denunciations. Meanwhile, the larger newspapers began publishing the lists -provided by Viva Rio- of firearms involved in the illicit arms scheme between the two countries.

In that same year, a new disarmament project was conceived to train NGOs and community groups throughout Latin America and the Caribbean. The project's mission is to form and train a network of information exchange aimed at fighting illicit arms traffic and better control the legal arms trade. The program has three basic goals: train NGOs in publicizing their campaigns and research projects; urge research centers in these countries to develop studies on the consequences of firearms proliferation; and create a web-based network for the exchange of information and experiences. UNLiREC, Small Arms Survey, the Arias Foundation for Peace and Human Progress, Swefor and Save the Children, supports the project.

Another disarmament-related project, in process of being finalized, is the Small Arms Classification Manual, to be distributed among the police of Latin America, which will train

police to identify and classify data on seized firearms in a universal database, aiding international tracing efforts.

One of the central issues raised by Viva Rio's research on the circulation of arms is that a large part of these weapons are produced in Brazil and sold to neighboring countries, and from there re-enter Brazil illegally. The enormous economic interests of the Brazilian arms industry have thwarted, at the Congressional level, efforts by Viva Rio and the federal government to commit to a policy of transparency and control of small arms sales.

Viva Rio is also coordinating a ten-country research project on Children in Organized Armed Violence (COAV) that seeks to understand the mechanisms that lead children and adolescents to participate in armed criminal groups. Viva Rio will host a web-portal dedicated to the issue of COAV, which will also serve as an information exchange network for the researches involved in the project. Institutions and organizations that work in this area will be able to use the portal to share their findings, debate issues, and propose forms of intervention that may reduce the impact of this phenomenon, which has become the leading cause of death among adolescent males in low-income neighborhoods.

Police Training

In 2002, the Rio de Janeiro State Government created the Continuing Education Program for Military Police. As part of this program, a Viva Rio partnership with the Public Security Institute (ISP) created the Community Policing in Practice course. The central aim of the course is to improve the quality of policing by providing a space for reflection upon common police practices and opening up debate on the nature of the relationship between police officers and the communities they serve. Thus, police officers are encouraged to reflect on their role in the community and to supplant traditionally violent and aggressive methods with preventive alternatives. Using some 14 instructional videos and 20 workbooks, the course focuses on actual patrol routines, using real-life examples to illustrate practical problems and to introduce notions of citizens' rights, ethics, and community relations. In the classroom, police officers study and discuss vivid cases from day to day police work, debate pertinent themes, and work in small groups to analyze situations and decide on the best method to resolve conflicts.

Viva Rio is currently training some 100 police sergeants and captains, known as "sergeant-multipliers", since they will then go back to their respective battalions and teach other officers the techniques they have learned.

The objective of the course is to learn how to act preventively, to mediate and resolve conflict situations, to confront the reality of their professional situation, knowing the risks, and to successfully carry out investigations in private homes. Police officers also learn how to decide what situations truly fall within their jurisdiction, and discuss how to deal with the fear many police have of low-income neighborhoods. The classes also foster a discussion about

the vulnerability of the profession and the consequences of involvement in corruption, bribery, and extortion. Controversial themes such as homosexuality, racial prejudice, and violence against women are also part of the course curriculum.

Viva Rio, which often exchanges information and experience at international conferences on reducing armed violence, brought to Brazil a model of community policing adopted in Boston, USA. The goal of community policing is to promote the democratization of police power and to discourage possible acts of corruption on the part of police officers. When local residents feel more secure, they can participate in prevention and the fight against organized crime. The State Secretary of Public Security, with Viva Rio's consultation, has created the GPAE (Grupo de Policiamento Comunitário), a community policing program implemented in the Cantagalo, Pavão, and Pavãozinho *favelas*. In its first year, the program was able to reduce the number of firearm homicides, from about 20 per year before the program began in 2000, to zero in the years since. In this model of policing, the community participates in a very active way, choosing public security priorities and monitoring police work in the region. In all, 100 police have been trained to work in the Cantagalo and Pavão/Pavãozinho, guaranteeing community policing for their 17,000 residents.

When it was realized that part of the solution lay in putting greater value on the function of police and their quality of life, Viva Rio created complementary public policy projects and organized actions that sought to improve living and working conditions for police and their family members. The Generation of Peace project, a partnership with the Globo Television Network, Viva Rio, Fecomércio, the Federation of Industries of Rio de Janeiro (FIRJAN), and the Rio de Janeiro state government, aims to elevate the self-esteem and quality of life of police officers and their families by offering diverse opportunities for education, sports, leisure and culture. For one year, some 2,400 spots in the vocational courses and sporting activities offered by Senac/Rio (related to the Federation of Commerce) will be reserved for police officers and their families, while Sesc/ Rio (also part of the same Federation) will offer 12,000 tickets to plays and concerts.

Box J - Community Rights

In Defense of the Community

Community Legal Agent Robson Umbelino never thought that he could work directly with lawyers. “People always think they haven’t got a chance in life, you know?” he laments. Resident of the Maré community, Umbelino is one of the 17 community legal agents at the local Citizen’s Counter, opened in late 2002. His job is to mediate conflicts and propose settlements and alternatives for those involved. “There’s nothing a good conversation and a cool head can’t resolve,” he jokes. When he can’t resolve a case, he sends the disputants directly to the Citizen’s Counter. “There, they will receive proper guidance,” says Umbelino, who studied law and citizens rights for six months at the Center before being named a community legal agent. “I became familiar with the official bodies and the professionals that run them, and learned a lot about our rights,” he says.

Legal Adoption

Determined to legally adopt his wife’s children, Claudio Napoleão, 40, resident of Cantagalo, sought out the Citizen’s Counter and discovered that legalizing the adoption was easier than he thought. “It’s very common for people in the community to raise other people’s children, but everybody believes this rumor that since we are poor, we can’t legally adopt,” says Claudio. A member of the local residents’ association, Claudio ended up becoming a community legal agent, and today works in his community’s Citizen’s Counter. “The most common problems we deal with are divorce and alimony,” he explains. He recalls the early reaction of residents to the Citizen’s Counter: “People didn’t have any faith in Justice. They thought that since the service was free, it must not work.”

In Search of Rights

“People in the *favela* have no idea how to resolve problems of a judicial nature. Things happen and people accept it, accept it, until it becomes an avalanche,” explains Gibeon de Brito, President of the Association of Residents and Friends of Chapéu Mangueira. For him, the arrival of a Citizen’s Counter in the community helped residents begin to fight for their rights. “They sought out the association, but we have no power to judge, to interfere. There was a lack of professional guidance. Residents didn’t know where to turn for advice. Without money, how were they going to go to a lawyer?” asks Gibeon. “Now they go to the Counters, clear up their doubts, ask for advice, and begin to act like citizens.”

For Disarmament

Jorge João Silva, known as Jorginho, is president of the Complexo do Alemão Residents’ Association. He participates in each of the studies carried out by Desarme, in partnership with ISER, which are published in community newspapers. “But we don’t have to read the

papers to know what's happening in the *favelas*. We live close to the effects of firearm use", he laments. He participated in the campaign "Mothers, Disarm your Sons", which brought a number of musical groups to the community in 2001. The musicians joined together to call for peace and speak out against the large number youth killed by firearms. "Bringing the idols of our youth here to speak is a way of showing them that there is another path, that there is a solution. You don't have to enter the world of crime."