

Sustainable Development Goal (SDG)

**Promote peaceful
and inclusive societies
for sustainable
development, provide
access to justice for
all and build effective,
accountable and
inclusive institutions
at all levels**

16 PEACE, JUSTICE AND
STRONG INSTITUTIONS



> Regional overview

- Homicide rates in Latin America and the Caribbean have been elevated since the 1990s, and are now the highest in the world. Although the region is home to only about 9% of the world's population, it accounts for almost a third of all homicides, which have largely been attributed to violence associated with conflicts between organized criminal groups competing for control of illegal markets.
- A number of structural problems persist in the region, such as weak rule of law, social inequality and youth unemployment, as well as short-term problems such as drug production and trafficking and possession and use of firearms. While countries are taking steps to address violence, the strategies implemented to do so vary, as do patterns and trends of reduction, reflecting the complexity of the situation in each country.
- There is little statistical information on trends in illicit financial inflows and outflows and the seizure, surrender or legalization of illicit arms. The region is far from guaranteeing a high standard of transparency and accountability, which translates into very high levels of distrust and perceived corruption.
- Vulnerable populations face more obstacles when it comes to exercising their right to informed and effective participation in public life and policymaking. However, there are notable efforts to ensure equal access to justice; inclusive, participatory and representative decision-making; and public access to information.

> Key facts on the region

- The region has an average rate of 19.9 homicides per 100,000 population, according to 2021 data, while the rates in the rest of the world are 2.3 in Asia, 2.2 in Europe, 2.9 in Oceania, 6.3 in North America and 12.7 in Africa.¹ Trends among the countries are considerably mixed. In South America, while Brazil has registered a downward trend since 2017, countries such as Colombia and Ecuador saw significant increases in this indicator between late 2020 and 2021. Similarly, while several Central American

¹ United Nations Office on Drugs and Crime (UNODC), *Global Study on Homicide 2023*, New York, 2023.



countries, such as Belize, El Salvador, Honduras and Panama, recorded fewer homicides as a result of aggressive anti-gang interventions, Costa Rica saw a slight increase between 2019 and 2022.

- In terms of other forms of violence, the number of people who have been victims of robbery has been on the decline in several countries in the region, with the largest reductions observed in Chile, Colombia, Mexico and Peru. A similar trend is visible in the prevalence of physical violence but not, unfortunately, in the case of sexual violence, nor in people's perception of insecurity when walking alone in their neighbourhood. While the region is making progress towards meeting target 16.1, to significantly reduce all forms of violence and related death rates everywhere, that progress is insufficient.
- The increase in cocaine production since 2020 and the expansion of transnational criminal organizations have resulted in higher homicide rates. Ecuador saw a 407% surge in homicides between 2016 and 2022, attributed to intensifying violence among rival gangs involved in drug trafficking. In the Caribbean, drug trafficking has escalated gang violence, which is reflected in increased homicides; in the Turks and Caicos Islands, for example, homicides rose by more than 50% between 2021 and 2022.
- Latin American and Caribbean countries have the highest proportion of firearm-related homicides in the world total. In 2021, there were at least 89,100 victims of homicides involving firearms in the region, and the specific rates per 100,000 inhabitants were 9.3 in the Caribbean, 16.9 in Central America and Mexico, and 12.7 in South America.
- Estimates on the extent of corruption and bribery show that about half the population is concerned about the levels of corruption in their country. Between 2004 and 2021, the percentage of people who considered corruption to be somewhat or very widespread climbed from 73.0% to 76.2%. Likewise, the percentage of those who consider that there has been little or no progress in the fight against corruption rose from 59.8% in 2010 to 65.1% in 2015 and 66.0% in 2023.



- The Inter-American Development Bank estimated in 2017 that the social cost of crime accounted for 0.64% of GDP;² that spending on security services amounted to 1.37% of GDP and that public spending on this item was 1.51% of GDP.

➤ Good practices in the region

- In the Caribbean, measures in favour of access to justice are implemented by improving the quality and efficiency of the justice system; in Jamaica, for example, this was done through the introduction of an automated court document management system and improvements in infrastructure and technology in the judicial system; or in Trinidad and Tobago, through the adoption of procedural rules and legal amendments to ensure efficiency and fairness in the criminal justice system.
- In Latin America, significant measures have also been identified, such as the enactment of a law to speed up criminal proceedings and combat violence through judicial channels in the Plurinational State of Bolivia, or the emphasis placed on respect for the rule of law and due process in Cuba's judicial system.
- Some countries have taken steps to reverse the increase in the number of officially registered weapons. Uruguay passed Act No. 19.247, which establishes penalties for crimes related to the unlawful possession and trafficking of arms and ammunition; in Chile, voluntary surrenders have increased under the Arms Control Act (No. 17.798), and in Colombia there has been a steady increase in arms seizures thanks to the actions of the national police force.
- The right to participate in public life is enshrined in the constitution of several countries in the region, at least eight of which have passed laws or decrees on participation that recognize and guarantee the right of citizens to participate in public affairs and provide mechanisms to that end.
- Countries have begun to innovate in order to implement new forms of inclusive decision-making that take account of the needs of citizens, including those who have traditionally

² Inter-American Development Bank (IDB), *The Costs of Crime and Violence. New Evidence and Insights in Latin America and the Caribbean*, Laura Jaitman (ed.), New York, 2017.



been excluded from decision-making. The Vision for Peru to 2050 plan, for example, was based on a broad participatory process involving more than 4,500 representatives of government, civil society, academia, business, children, adolescents and young people, and people in vulnerable situations, among others.³

- Latin America and the Caribbean has advanced in the installation of the open State model, hand in hand with the Open Government Partnership, a voluntary global initiative that at present includes 15 countries in the region and has facilitated the joint creation —between the State and citizens— of 70 action plans, adding up to a total of 1,389 commitments in the last decade.
- Citizen organizations in the region are using open budget data to better understand public procurement, at both the national and the municipal level, which fosters citizen oversight. This information can also be used to determine whether or not public procurement incorporates sustainability criteria.
- Mexico's National Council for the Evaluation of Social Development Policy (CONEVAL) annually evaluates all federal social programmes to contribute to policy coherence, avoiding duplication of efforts and resources, and maximizing results.⁴
- The right of access to public information has constitutional status in most countries in the region and 24 of them have specific laws on the subject,⁵ the latest of which was enacted in 2021. In the Plurinational State of Bolivia⁶ and Costa Rica⁷ such matters are governed by decrees issued by the executive branch. In the Caribbean, access to information and participation is framed within the rights to freedom of expression, peaceful assembly and association.⁸
- The Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement) is an important regional

Open justice policies



Transparency



Access to information



Citizen participation



³ See [online] <https://www.ceplan.gob.pe/visionperu2050/>.

⁴ Economic Commission for Latin America and the Caribbean (ECLAC), *Institutional Frameworks for Social Policy in Latin America and the Caribbean: a Central Element in Advancing towards Inclusive Social Development* (LC/CDS.5/3), Santiago, 2023.

⁵ Antigua and Barbuda, Argentina, the Bahamas, Belize, the Bolivarian Republic of Venezuela, Brazil, Chile, Colombia, the Dominican Republic, Ecuador, El Salvador, Guatemala, Guyana, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Trinidad and Tobago, and Uruguay.

⁶ Supreme Decree No. 28168 on access to information.

⁷ Decree No. 40200-MP-MEIC-MC on transparency and access to public information, and Decree No. 40199-MP on disclosure of public data.

⁸ See the ECLAC Observatory on Principle 10 in Latin America and the Caribbean [online] <https://observatoriop10.cepal.org/en>.

initiative for the protection of human rights defenders in environmental matters.⁹ The Agreement provides that each party shall guarantee a safe and enabling environment for persons, groups and organizations that promote and defend human rights in environmental matters, so that they are able to act free from threat, and shall take adequate and effective measures to recognize, protect and promote their rights and to prevent, investigate and punish attacks, threats or intimidations that they may suffer while exercising those rights.

ECLAC recommendations

- Governments should promote open justice policies and take advantage of digital tools to strengthen internal and external oversight systems that provide greater transparency and accountability for cases handled by different judicial bodies.
- The characteristic tendency to distrust institutions and public officials in the region must be reversed. To that end, it is essential to have a solid institutional framework that depends both on the financial resources invested in public action and on legal frameworks in harmony with the main international instruments.
- More and better access to public information should be made available for citizens in order to facilitate collaboration and decision-making, anticipate disruptive events such as violence, and enable them to organize in participatory structures to co-create solutions that can add value to collective knowledge.
- In several countries, it is essential to improve the clearance of court cases, given the importance of increasing the efficiency and effectiveness of the judicial system, as evidenced by the high percentages of persons deprived of liberty without a conviction.

⁹ The Escazú Agreement was adopted on 4 March 2018 and entered into force on 22 April 2021. By guaranteeing access to information, public participation and access to justice, the Agreement strengthens the rule of law and rights of access in environmental matters from a capacity-building and cooperation perspective, focusing on the principle that no one be left behind. The Agreement has 24 signatory countries and 15 States Parties. It has a clearing house, which, among other things, provides information on access rights recognized in the constitutions, laws, regulations, plans, strategies and national policies of the region's countries. See Observatory on Principle 10 in Latin America and the Caribbean [online] <https://observatoriop10.cepal.org/en>.

- It is advisable to improve the prioritization of public spending and its disclosure in budget programmes, which requires progress in budget management and better coordination between finance and planning ministries, in order to ensure greater coherence between the objectives of plans and their financing.¹⁰
- Progress should be made in promoting open budgets with the aim of boosting trust in institutions, ensuring the quality of spending and preventing corruption, as well as fostering innovation and the development of new applications and services.
- It is important to improve the sectoral management and accountability of social programmes to limit arbitrary decision-making and ensure the proper use of resources for the most vulnerable and often least empowered sectors of the population. To that end, evaluation systems are essential; moreover, their results must be accessible not only to the managers of those programmes, but also to society as a whole.



VULNERABLE POPULATIONS FACE MORE OBSTACLES WHEN IT COMES TO EXERCISING THEIR RIGHT TO INFORMED AND EFFECTIVE PARTICIPATION IN PUBLIC LIFE AND POLICYMAKING



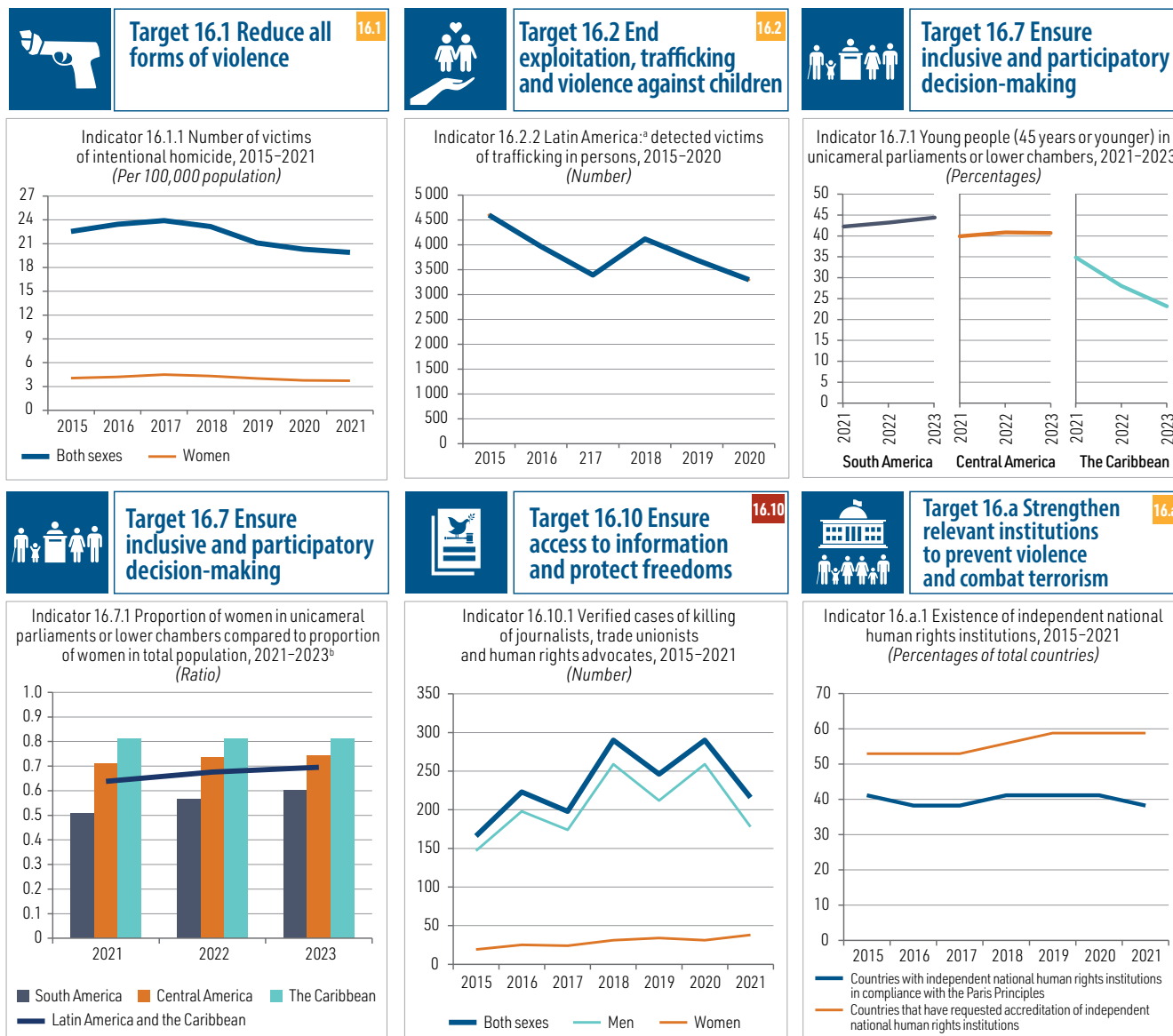
¹⁰ Economic Commission for Latin America and the Caribbean (ECLAC), *Panorama de la Gestión Pública en América Latina y el Caribe, 2023: un Estado preparado para la acción climática* (LC/PUB.2023/27-P), Santiago, forthcoming.

Key regional statistics

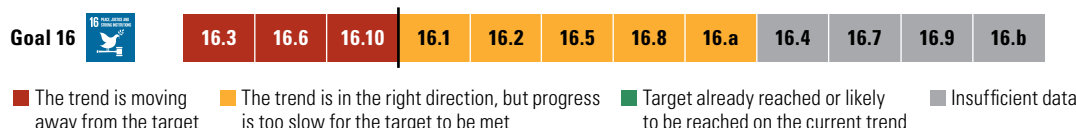
Sustainable Development Goal 16

Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels

Progress in Latin America and the Caribbean



■ The trend is moving away from the target
 ■ The trend is in the right direction, but progress is too slow for the target to be met
 ■ Target already reached or likely to be reached on the current trend



Source: Economic Commission for Latin America and the Caribbean (ECLAC).

Note: Each indicator comprises one or more statistical series, which partially or fully cover the corresponding indicator. In the figures presented here, one or more statistical series were used for the respective indicator.

^a Includes 14 countries.

^b Age of eligibility for election is lower limit of range.