

**LEGISLATIVE ASSEMBLY OF THE  
REPUBLIC OF COSTA RICA**

**BILL**

**REFORM TO THE ORGANIC LAW OF THE MINISTRY OF JUSTICE (N° 6739) SO THAT  
HEREINAFTER IT WILL BE NAMED MINISTRY OF JUSTICE AND PEACE; AND THE  
CREATION OF THE NATIONAL SYSTEM FOR PEACE PROMOTION AND PEACEFUL  
CITIZEN CO-EXISTENCE**

## BILL

### REFORM TO THE ORGANIC LAW OF THE MINISTRY OF JUSTICE (N° 6739) SO THAT HEREINAFTER IT WILL BE NAMED MINISTRY OF JUSTICE AND PEACE; AND THE CREATION OF THE NATIONAL SYSTEM FOR THE PROMOTION OF PEACE AND PEACEFUL CITIZEN CO-EXISTENCE

File N°.....

#### LEGISLATIVE ASSEMBLY:

The present Organic Law appointed, since 1982, the Ministry of Justice as the entity in charge of, among other functions, crime prevention, research on criminal behavior, administration of the Penitentiary Systems, administration of the system for registration and inscription of property and corporations.

However, this law created only the following dependencies: General Directorate of Social Adaptation and General Directorate of the National Registry. The function of crime prevention is not part of the organizational structure established by the law.

The Executive Decree N° 27228-J, of 1998 attempted to modify this situation by creating the National Directorate for the Prevention of Crime (DINAPREVI) as a dependency of the Ministry of Justice, to be in charge of promoting national policies for the prevention of violence and crime.

1- Ministry of Justice and Peace.

Recently, through Executive Decree, the name of DINAPREVI was modified to: Directorate for the Promotion of Peace and Peaceful Citizen Co-existence.

Based on the same spirit, this bill aims mainly to modify the name of the Ministry of Justice so that it may be called from now on Ministry of Justice and Peace. With this change in name, the concept of Prevention of Violence has been surpassed with *Promotion of Peace*, not only to give it a positive turn but also to benefit from international experiences which demonstrate that a Culture of Peace has positive effects in the reduction of violence and crime.

Indeed, the manifestations of insecurity, violence and crime must be tackled in their everyday expressions, but also their deepest roots must be dealt with. These roots are, among others, the way people face their problems or conflicts, people's behaviors and attitudes in given situations, the levels of stress we endure; tradition and historical background.

While we talk about prevention of violence, we are experiencing its effects every day. Changing the language and speaking about “promotion of peace” lead us to the roots of the problem.

It is important to recognize that the idea of changing the name of the institution was an initiative of the RASUR Foundation, a non governmental organization with headquarters in Costa Rica, which has no links with political parties, and whose mission is to inspire, facilitate and educate towards a culture of peace in Costa Rica. The bill also has the support of the Ministry of Justice, as an expression of its responsibility in matters of prevention of crime and promotion of social peace.

## 2- Creation of the National System for the Promotion of Peace.

This bill aims at providing a rank of law to the dependencies of the Ministry of Justice which are in charge of the creation or execution of policies that promote peace; these dependencies already exist and count with the human and materials resources necessary for their operation, requiring thus, no additional expenditures from the State.

A rank of law is proposed, under the form of a National System for the Promotion of Peace, to permit a coordinated and articulated work, based on the guidelines of the corresponding heads of the ministries.

Granting the Directorate for the Promotion of Peace and the Peaceful Citizen Co-existence with the rank of a law, not only shows the political priority assigned to it, but also the willingness to make it a sustainable and integral part of State Policies.

In addition to this Directorate for the Promotion of Peace and Citizen’s Co-existence, the Ministry of Justice has two Directorates related to peace promotion.

- a) The National Directorate of Alternative Conflict Resolution, created through the Law of Alternative Conflict Resolution and Executive Decree No. 31253 MJ of the year 2004, which is the entity in charge of enforcing the Law of Conflict Resolution and Promotion of Social Peace, in what relates to the Ministry of Justice.
- b) The Directorate of Public Performance created through Executive Decree No. 26937-J of 1998, as an office attached to the Commission for the Control and Classification of Public Performance, which has been created by Law 7440, General Law on Public Performance, Audiovisuals and Printed Materials, of October 1994, which regulates in its Article I, the actions the State shall take to protect society, particularly minors and families, in what relates to public performance, and audiovisual and printed

materials. It also regulates the dissemination and commercialization of such materials.

Finally, the National Commission for the Prevention of Violence and the Promotion of Social Peace is established as advisory organ of this System. This Commission is an inter-institutional coordinating entity, created through Bill 33149-J of 2006, with the purpose of investigating, planning, coordinating and evaluating policies and actions related to the prevention of the main manifestations of violence and crime in the country.

Based on the above, I submit for the consideration of the Legislative Assembly the following bill:

# THE LEGISLATIVE ASSEMBLY OF THE REPUBLIC OF COSTA RICA

## DECLARES

### REFORM TO THE ORGANIC LAW OF THE MINISTRY OF JUSTICE (N° 6739) SO THAT, FROM NOW ON, IT WILL BE NAMED MINISTRY OF JUSTICE AND PEACE; AND THE CREATION OF THE NATIONAL SYSTEM FOR THE PROMOTION OF PEACE AND CITIZEN CO-EXISTENCE

**ARTICLE 1.-** Reforming Law N° 6739 of April 28, 1982, in its denomination, so that it may be known hereinafter as «Organic Law of the Ministry of Justice and Peace » and so that references to «Ministry of Justice» or «Justice and Grace» be substituted with «Ministry of Justice and Peace» throughout all the articles that compose it.

**ARTICLE 2.** Addition of new item c) to article 3 of the Law N° 6739 of April 28 1982, displacing the following item, and which shall be read as follows:

Article 3. The Ministry of Justice and Peace will function through the following dependencies:

a) [...].

b) [...].

c) The National System for the Promotion of Social Peace attached to the Minister's Office (a) which will be composed by the General Directorate for the Promotion of Peace and Citizen's co-existence, the National Directorate of Alternative Conflict Resolution, the Directorate of Public Performance and the National Commission for the Prevention of Violence and the Promotion of Social Peace.

d) Any other which may be necessary to create in the future.

**ARTICLE 3.** A new item i) is added to article 7 of Law 6739, changing the enumeration, and which will read as follows:

Article 7. The Ministry of Justice and Peace will have the following functions:

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i) To promote and coordinate plans and programs aimed to the promotion of national peace.

j) To support the Ministry of Public Safety in matters related to fire arms in the country, from the perspective of prevention of violence, as a means to promote a Culture of Peace and non-violence.

k) To promote Alternative Conflict Resolution as a means to develop a Culture of Peace, without detriment to other functions

established in the Law of Alternative Conflict Resolution, Law N° 7727.

- l) To encourage the best inter-institutional articulation to comply with the Law of Public Performance, Law N° 7440.
- m) To promote the participation of the civil society through Non Governmental Organizations and any other organizations devoted to the promotion of peace and non-violence.
- n) Any other as may be assigned to it by law or decree.

**ARTICLE 4.** Replace the denomination «Justice and Grace» of sub-item ch) of item 1 of article 23 of the General Law of Public Administration, with the denomination «Justice and Peace».

**ARTICLE 5.** In general, any norm referring to the «Ministry of Justice» or «Justice and Grace», shall be substituted with «Ministry of Justice and Peace».

In force as of its publication