

Second Gathering of the ParlAmericas Parliamentary Network on Security

Public-private collaboration in security: the contribution of civil society

The experience of Fundación Paz Ciudadana in Chile

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No individual actor has what security needs by its own



State

Legal mandate, public force, administrative data and budget.

Decide, execute, and be accountable.



Private sector

Critical infrastructure (highways, ports, trade), technology, and financing.

Manages risks in its spaces and provides resources.



Civil society

Independent evidence, technical capacity and continuity beyond government cycles.

Measures, evaluates, proposes and convenes.

The challenge: to combine these capacities without confusing responsibilities. The State decides and responds; private and civil society contribute.

Fundación Paz Ciudadana: an independent technical bridge

SINCE 1992

Private, non-profit, and independent foundation

Public policies on security and justice based on evidence, in dialogue with governments of different signs, Congress, the justice system, municipalities and companies.



Producing evidence

Data, indexes and analyses that order public discussion.



Evaluate

Policies, programs and laws, with public methods.



Advise without substituting

Design, evaluation and technical secretariat; the decision remains public.



Convene

Roundtables between the State, companies and communities around specific problems.

Conditions that make it possible: technical independence · public methods · integrity system with donor verification · data protection

We measure, implement and research



1 · MEASURE

Citizen Peace Index

- First victimization survey in Latin America. Periodic measurement of victimization and fear, which allows comparison over time.



2 · IMPLEMENT

Installed capacities

- Communal security observatories: more than 15 installed. Training in criminal analysis. Paz Educa Program.



3 · RESEARCH

Studies

- Migration and crime. Involvement of young people in criminal organizations. Criminal recidivism.

From data to capacity: The evidence is produced with public data and returns as installed capacity in municipalities and communities.

We evaluate what is done and propose what is missing



4 • EVALUATE

Evaluations

Impact of the Multisystemic Therapy (MST) Program.

Implementation of the MST program.

Impact of preventive patrols.

Impact of videorecorded Investigative Interviews.



5 • PROPOSE

Public Policy Proposals

Ministry of Public Security.

Criminal procedure reform.

Supraterritorial Prosecutor's Office.

Unified criminal data bank.

From proposal to institution: Several of these proposals are now part of Chile's institutional framework.

What makes collaboration work and what puts it at risk

CONDITIONS

- ✓ **Technical and financial independence**
- ✓ **Delimited roles: the State decides and responds**
- ✓ **Public methods and results**
- ✓ **Access to data with clear rules and protection of personal data**
- ✓ **Institutional continuity beyond the political cycle**

RISKS

- vs. ⚠ **Capture by donors, suppliers or sectoral interests**
- vs. ⚠ **Substitution of capacities that the State must have**
- vs. ⚠ **Opacity and undeclared conflicts of interest**
- vs. ⚠ **Misuse of sensitive information**
- vs. ⚠ **Collaborations that depend on people, not institutions**

Five tasks to enable effective and legitimate collaboration

1

Open data with safeguards

Access to security data for research, with anonymization and protection of personal data.

2

Legislate responsibly

Objectives, baseline, mechanisms, implementation and evaluation defined in each project.

3

Monitor implementation

That technology policies and purchases are used and produce results.

4

Demanding integrity

Transparency of funding, conflicts of interest and lobbying rules in collaboration.

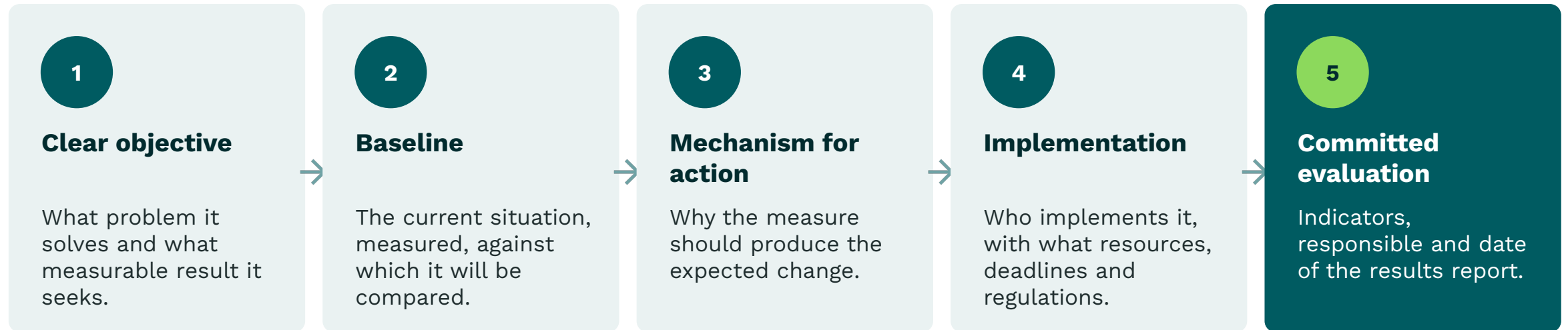
5

Institutionalizing technical spaces

Roundtables and councils with civil society and private companies that survive the change of government.

What Every Security Bill Should Define

Five elements that should be explicit in the message or motion, from the entry of the project:



Why in the message or motion: This text sets the main ideas and guides the entire process. What is not defined at the beginning rarely reaches the articles, and without an objective or baseline there is no way of knowing later if the law worked.

Sunset rules: deadline to demonstrate results

HOW THEY WORK

1

Limited validity

The regulation is in place for a fixed period – for example: 3-5 years.

2

Mandatory evaluation

Before the deadline, report with the committed indicators.

3

Decision

The legislator renews, adjusts or allows the rule to be extinguished.

COMPARATIVE EXPERIENCE

- **United States:** surveillance powers of the USA PATRIOT Act (2001) with expiration; renewed several times, some expired in 2020.
- **Canada:** powers of the Anti-Terrorism Act (2001) expired in 2007 and were reintroduced with changes in 2013.
- **Germany:** Anti-Terrorism Law of 2002 with limited validity and evaluation prior to its extension.
- **Chile:** states of constitutional exception have a term and their extension requires the agreement of Congress.

VIRTUES

- They force measurement and decision-making with data based on data.
- They allow exceptional measures to be approved with safeguards.
- They avoid rules that survive without results.

RISKS

- Automatic renewals without evaluation.
- Shorter periods than the time it takes for the effect.
- Uncertainty for those who implement.

Uso recomendado: medidas excepcionales, intrusivas en derechos o de efecto incierto, con plazo acorde al tiempo de implementación y medición, y evaluador independiente.

How to move from one-off collaborations to institutional collaborations?



Senator Javier Macaya

Senate of Chile

The view from Congress: legislating, overseeing and incorporating external evidence.



Beatriz Mella

Director, Empresa Portuaria Valparaíso

The view from critical infrastructure: ports, organized crime and coordination with the State.

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