

Burgos, G. (2013). *Access to international justice: a transversal reading of the Ciadi and the OSD of the OMC*. In: Puyo, G. (Edit.). *Relaciones internacionales. La posición de Colombia en el mundo*. Bogotá: Universidad nacional de Colombia.

To propose an analytical framework on how to analyze the state of access to international justice based on the identification of a set of standard variables identified for this purpose.

It addresses access to international justice from the particularities of international or global justice and access to international justice from trends and hypotheses.

Access to justice is one of the issues that has focused the process of reforming and strengthening the administration of justice in Latin America over the last three decades. In this regard, a number of important institutional changes have been introduced, such as a more professional and independent system of public defense; various alternative dispute resolution mechanisms have been legally admitted; procedures have been formed to make them more agile and accessible and a variety of pilot projects have been implemented to bring the justice service closer to society.

International justice is growing, both in the number of institutions that resolve conflicts and in the type of subjects whose cases are admissible, which today includes individuals at certain levels, and in the capacity to reach decisions that are binding on the parties. In the context of globalization, the strengthening of international justice seems clear in certain desirable areas.

Access to justice at the national and international level must be understood as the possibility not only of taking a case to an institutional procedure, but also of having decisions with full guarantees and that allow for the fundamental resolution of a conflict between the parties, which has to do with the effectiveness of a decision; in this sense, access to justice must be seen in an integral manner.

Based on the above, a set of elements was identified on the opportunities and obstacles for the access of developing countries to instances such as the World Bank's Icsid and the WHO's DSB. In this sense, it was stated that the main opportunities are in the flexibility of the admission processes and development of a case; in the level of technical experts that support a decision; on the relative speed of the development of a case and the level of effectiveness of substantive decisions.

The obstacles are located in the field of the costs of legal assistance and collection of evidence; in the absence of a suitable training within the third world states to respond or lead cases in the studied instances, as well as in the respective lack of inter-state coordination. Problems were also identified related to the lack of impartiality and independence on the part of decision-makers at both levels: Icsid and the DSB