

Interinstitutional Cooperation as an Instrument for Access to Labor Justice in Amazonas, Brazil: Practical Aspects of Resolution 350/2020 of the National Council of Justice

Adriana Goulart de Sena Orsini¹, Igo Zany Nunes Correa²

¹Programa de Pós-Graduação da FDUFGM, Belo Horizonte, Brazil

²Escola Judicial do TRT da 11^a Região, Manaus, Brazil

Email: adrisena@ufmg.br, igozany@ufmg.br

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Abstract

This article examines the challenges of access to justice in the state of Amazonas, a territory marked by geographical, socioeconomic, and cultural barriers that hinder the enforcement of fundamental rights. With continental dimensions, low population density, high social vulnerability, and significant ethnic diversity, the region faces structural inequalities that restrict state action and reinforce the condition of sub-citizenship for large segments of its population. In this context, Resolution No. 350/2020 of the National Council of Justice (CNJ) is analyzed as an instrument of interinstitutional cooperation aimed at rationalizing resources, overcoming logistical obstacles, and building integrated solutions for jurisdictional access. The research, based on a deductive method, draws on regulatory analysis and empirical experiences of itinerant justice and judicial cooperation in the Amazon Legal region, particularly in the municipalities of Humaitá and Lábrea. The findings highlight that interinstitutional cooperation contributes to mitigating territorial barriers, expanding qualified legal assistance, fostering citizen inclusion, and bringing justice closer to Amazonian populations. Finally, the study proposes strengthening cooperative and itinerant initiatives, as well as incorporating **sociocultural and decolonial perspectives**, understood here as approaches that recognize the historical marginalization of traditional populations and seek to adapt legal institutions to local cultural realities through dialogue with indigenous, riverine, and traditional communities.

Keywords

Access to Justice, Amazonas, Interinstitutional Cooperation, Itinerant Justice,

CNJ Resolution No. 350/2020

1. Introduction

Brazil is a country of continental dimensions that encompasses barriered regions such as the northernmost one, where the state of Amazonas is located, permeated by an immense Amazon rainforest and surrounding rivers, in addition to the population asymmetry inherent to the region, which makes it difficult to access rights and creates a state vacuum, whether due to the factors mentioned above or other socioeconomic and cultural factors that emphatically create inaccessibility to the courts and undermine protection against threats and violations of rights.

In this sense, Resolution 350/2020 of the National Council of Justice (CNJ) was created as an instrument of interinstitutional cooperation with entities and institutions present in the region that can directly or indirectly improve the justice system, in addition to the already known judicial cooperation between bodies that are part of the Judiciary itself (CNJ, 2020).

This study aims to examine the compatibility of the provisions set forth in the aforementioned CNJ regulation with specific access to the state of Amazonas, which covers 1,559,161.682 km², an area large enough to accommodate European countries such as France, Spain, Sweden, and Greece, in addition to being crossed by the Amazon River, the largest river in the world in terms of water volume, with a calculated course of 6,300 km, which, together with its tributaries, has become the main route for the flow of goods and passenger transport (Melo & Correa, 2022; Amazonas, 2020).

To this end, the possibility of using interinstitutional cooperation to combine efforts and reduce costs in accessing justice for those who are far from large urban centers is being evaluated (Correa, 2022; Bentes, 2023). The method used was deductive, based on an abstract analysis of regulatory norms and the reality of local experiences that have been lived and reported.

Ultimately, the aim is to provide subsidies and alternatives to jurisdictional inaccessibility in the state of Amazonas, as well as alternatives for the paradigm of high costs always discussed for the region.

2. Access to Justice and the State of Amazonas

Within the Amazon, it is noted that access to justice can also be considered asymmetrical and of low adherence in the interior of the state of Amazonas, where populations already hostage to existing social, environmental, and geographical barriers are reduced to the status of “sub-citizens”. This condition reflects a symbolic constitutionalism, in which rights are formally recognized but materially denied, reinforcing processes of sub-citizenship (Medici, 2013).

It is worth noting that, according to official data from the Brazilian Institute of Geography and Statistics (IBGE, 2023a), the state of Amazonas has 3,941,613 in-

habitants, with a population density of 2.53 inhabitants per km², with the largest indigenous population in the country (490,854 people), living in indigenous lands and urban areas, in addition to remaining quilombola territories (2812 people) (IBGE, 2023b) delimited: Tambor and Rio Andirá (IBGE, 2023c).

As for the state's income, figures show that it represents around R\$ 946.50, 43.1% lower than the rest of the country, with 55.1% of the population living in poverty (Legal Amazon in Data, 2024).

And inequality is not only found in the demographic density and income discrepancy in Amazonas, since the non-hegemonic Amazonian space, that is, outside the capital area, is neglected by the state because it does not correspond to the reality for which state structures, and specifically judicial structures, were originally designed, leaving it up to the Judiciary to respond to social demands in unusual situations with flexibility in formal requirements (Almeida, 2021).

On this subject, Fonsêca (2010) asserted that, in addition to the territorial dimensions of Amazonas, which highlight geographical barriers and demonstrate the difficulty of circulating goods and people within the state, boats are the main mean of transportation, which is a well-known reality for the region's population and is made even more difficult during periods of drought (Amazonian summer), when some municipalities are more isolated and "cut off" due to the impossibility of travel.

The author evokes two aspects of access to justice that are achieved by the Itinerant Court, the first being the formal aspect of the structure itself in terms of displacement and mobility, and the second being the material aspect that allows it to be an instrument for those who are far from the state apparatus, overcoming the liberal judicial model that remains inert in safeguarding public rights and freedoms in favor of a social justice that opens doors to the promotion of positive state services, which is now more active and progressive (Fonsêca, 2010).

Fonsêca (2010) analyzes the importance of itinerancy for the realization of justice *in loco*, that is, the exercise of judicial protection occurs by visualizing the reality this also has been violated or threatened. In this sense, what is questioned about the approach is the materiality of the law applied, proposing the use of the Itinerant Justice project to apply and improve the ideals of legal pluralism and social emancipation.

And inequality does not lie only in the demographic density between the largest urban center in the state and the other municipalities, since the non-hegemonic Amazonian space, that also, outside the capital area, is neglected by the state because it does not correspond to the reality for which the state structures, and specifically the judicial structures, were originally designed. It is up to the Judiciary to respond to social demands in unusual situations with flexibility in formal requirements and knowledge of the traditional peoples and communities that reside here (Almeida, 2016).

It is worth noting that, with the exception of nine municipalities, all the others (53 cities) have no direct connection to the capital, Manaus, by land, Therefore,

river travel by speedboat or small vessels takes up to 27 hours, with boat trips lasting up to 10 days, since the air network is minimal and strategically positioned for municipalities of geopolitical interest, in difficult and challenging logistics.

However, [Maciel and Shiraishi-Neto \(2016\)](#) point out that although Amazonas is one of the most important regions for maintaining the global ecosystem and has abundant mineral, timber, and agricultural resources, with a free trade zone established in Manaus, it is still seen as a demographic void with asymmetrical development spaces and low population density.

3. Resolution 350/2020: An Instrument of Access through Cooperation

CNJ Resolution 350/2020 establishes guidelines for national judicial cooperation between bodies of the Judiciary and other institutions and entities, with the guiding principle, among others, that linked to efficiency in public administration, simultaneously it to the possibility of reducing procedural deadlines and reducing bureaucracy in the national public service ([CNJ, 2020](#)).

Based on Article 16 of the aforementioned norm, the CNJ provides possibilities for joint work with institutions that may or may not be part of the justice system, but which can contribute to the provision of justice, whether by harmonizing administrative procedures and routines, assisting in judicial management, or developing strategies for the proper handling of collective and/or repetitive conflicts, or those with binding precedents ([CNJ, 2020](#)).

In this sense, for example, the CNJ, in partnership with the Federal Council of Justice (CJF), the Superior Council of Labor Justice (CSJT), and the National Council of Public Prosecutors (CNMP), signed in 2023, Technical Cooperation Agreement No. 3/2023, using an open clause in Article 184 of Law 14.133/2021, which establishes parameters and guidelines for agreements with the Government, with the aim of operationalizing interinstitutional cooperation to guarantee access to justice in the Legal Amazon and with the objective of enabling efforts to schedule annual events that bring together the various segments of the Judiciary and justice system bodies ([TCT, 2023](#)).

This agreement also seeks to improve the initial and continuing training of members of the Judiciary and the Public Prosecutor's Office, as well as civil servants, in relation to the reality and socio-environmental context, in order to provide better public services with wide dissemination and social coordination at various levels to achieve itinerant travel ([TCT, 2023](#)).

In summary, this agreement aims, above all, to provide access to interinstitutional justice through the training and capacity building of the actors involved, planning and mapping of conflicts, and partnerships that facilitate social intrusion and recognition of the legitimacy and credibility of the institutions involved.

In the Amazonian experience, in the municipalities of Humaitá and Lábrea, both located in the interior and far from the capital Manaus, the report by “Justiça Itinerante Cooperativa Legal” (JICAL) showed that in 2024, approximately 580

agents were coordinated, including magistrates, prosecutors, public defenders, lawyers, as well as civil and military public servants and NGOs (JICAL, 2024).

The 2024 report by JICAL—Humaitá and Lábrea/AM emphasized that many rights sought by the population were hindered by minor issues such as documentation and inclusion in social programs, demonstrating that jurisdictional objectives are directly linked to issues of social assistance and the acquisition of documents for the exercise of civil citizenship (JICAL, 2024).

Similarly, the preparatory acts were duly recorded as the result of cooperation in the following areas: environmental, labor, social security, childhood, citizenship, indigenous, and land issues, sections that are not isolated but tend to contemporize the mapping of local conflicts.

This shows that interinstitutional cooperation was an important step in ensuring effective logistics with the use of vehicles to access the region, with the availability of physical structures already known locally, such as schools, full-time education centers, and federal institutes with technology and internet support so that the systems used were compatible with digital access to the jurisdiction (JICAL, 2024).

The results demonstrate the effectiveness of cooperation in achieving the final objectives, such as: 4700 services for the issuance and regularization of civil documents, 1400 services for indigenous people, 1000 social security services, in addition to requests to INCRA, with a total of 1413 hearings held in all branches of the judiciary (JICAL, 2024).

These results were only possible due to the articulation between several institutions involved in the project. Civil documentation services were primarily provided through cooperation with civil registry offices and local administrative bodies. Social security assistance depended on the presence of federal agencies responsible for benefits administration, while legal assistance and hearings were conducted through the coordinated participation of judges, prosecutors, public defenders, lawyers, and local public servants.

Not only that, but requests for information on rights and qualified legal assistance from the public defender's office totaled 1722, in addition to the judicial granting of 195 social security benefits granted within six hours of uninterrupted work between the request and the delivery of the judicial service (JICAL, 2024).

Regarding the right to information, it is important to highlight JICAL's empowering knowledge, which brought the population awareness about modern slave labor conditions, degrading working conditions, and the lack of records of workplace accidents, etc. (JICAL, 2024).

It should be noted that one of the important points of the local cooperative period was actively listening to local residents about their perspective on the itinerancy carried out in cooperation, as well as local demands, serving to map conflicts and social perceptions on issues important to the region, such as: illegal mining, child labor in gold mines, and other local problems (JICAL, 2024).

Finally, the report not only described what happened during the period, but

also reviewed the steps taken and the results achieved as a way to improve the implementation of the technical cooperation agreement, from the structure of the locations served to the time spent listening directly to the users served, generating developments such as referrals and attempts to maintain local executive and judicial public policies as a legacy of the cooperative action (JICAL, 2024).

It is clear from what was explained above that the experience of interinstitutional cooperation between the Superior Councils of the justice system serves as an example for smaller-scale cooperation that can reach local entities in the municipalities of the interior of Amazonas, with the effective participation of the local judiciary and other actors who can locally improve access to justice in that locality.

3.1. Geographical Barriers

Based on the experience of JICAL 2024 in Amazonas, it is clear that geographical barriers have been mitigated and the budget has been rationalized, as provided for in Resolution 350/2020 of the CNJ, which regulates the provisions for judicial cooperation with bodies of the Judiciary and other bodies, seeking direct assistance in access to justice, allowing the sharing of responsibilities and coordination of functions for better achievement of administrative and jurisdictional activities, including logistics (CNJ, 2020).

In this regard, there are no obstacles to the Itinerancy Project coordinating interinstitutional technical cooperation agreements to conduct prior consultations with the population on locations, days, times, and matters that best embody travel planning. In addition, the benefit is to correct structural flaws in itinerancy, which is periodic attendance with long intervals, since any proceedings, production of evidence, subpoenas, and services can be done virtually by granting local structure by agencies and entities that are partners in the justice system.

In fact, this Resolution is crucial for the formulation of coordinated itinerancy planning within the scope of Labor Justice, since through such agreements, the structures and cost sharing of all agencies and entities involved can optimize the Judiciary's travel to localities, as well as circumvent deficits in access to other rights and add to other initiatives.

Mentioning other experiences that deserve to be tested for effectiveness, there is the *Caixa Econômica Federal's* boat agency initiative—CEF, which are vessels that provide banking services to regions that are difficult to access, avoiding and reducing expenses related to the population's travel tour ban centers, aligning this with actions to promote health, education, environmental protection, and citizenship, since access to banking is part of the region's development (CEF, 2020).

On this regard, CEF states that it makes monthly trips to regions that are properly planned (CEF, 2020), which could add to the jurisdictional mobility and that of other agencies and entities that contribute to social justice, since CEF is known to manage the Guarantee Fund for Length of Service (FGTS), a worker's right managed by CEF (Brazil, 1990).

An example of this initiative can be observed in the Caixa Econômica Federal boat agency, which provides banking services in remote regions, as shown in **Figure 1**.



Source: <https://www.portosenavios.com.br/noticias/geral/caixa-lanca-primeira-agencia-barco>.

Figure 1. CEF Boat Branch.

Thus, it is important to overcome geographical barriers, both through structural mean of judicial cooperation and efforts towards digital inclusion, in order to provide access to electronic proceedings, and through the procedural flexibility of adjective rules that must be tailored to regions that are difficult to access or isolated, as they are far from urban centers.

3.2. Socioeconomic Barriers

In addition to the aforementioned geographical barriers, those resulting from poverty, misery, and state negligence in providing minimum rights within the welfare state weigh heavily on judicial action, and judges must be committed to transforming this violating reality (Almeida, 2021).

According to Almeida (2021), judges have a responsibility to understand the cultural peculiarities of those under their jurisdiction, especially when not only a lack of financial resources deprives citizens of full access to justice, but also when environmental density and complexity directly influence the inhabitants of municipalities in the interior of the Amazon region.

The author points out that these populations, composed not only of urban workers, but also of rubber tappers, “beiradeiros” (people who live on the banks of rivers), chestnut gatherers, manual laborers, employees, and semi-nomadic laborers, end up having precarious educational conditions, in addition to a social system that is neglected due to a lifestyle that is different from what they are used to in their daily lives (Almeida, 2021).

In this regard, it must be considered that access to justice is precarious, above all, due to low levels of schooling and educational access, which represents the acceptance and maintenance of illegalities when education is not effective (Sadek,

2014).

In the same vein, [Albuquerque \(2017\)](#) argues that the concept of insufficient means for access to justice is not directly linked only to the jurisdiction's own economy, but is also linked to several factors such as: family income, high procedural costs, precarious technical defense, that is, the lack of equality of arms:

The economic hardship faced by the less privileged is already evident in their inability to pay for sophisticated legal services, which, in a market economy, will only be provided in exchange for equivalent remuneration. Added to this are procedural fees and costs, the fiscal criteria for which may have very little to do with the problem of administering justice. Furthermore, the delay of the process, with slow proceedings and strangled by formal requirements, will make the demand unbearably painful for those who do not have the financial resources to cover the costs of the proceedings until their final outcome. All of this is indicative of the landscape of unequal social capitalism that shapes the Brazilian nation ([Albuquerque, 2017](#)).

It is also worth noting as a socio-geographical barrier that the reality experienced by technological modernity in the context of labor proceedings, although seen as an advantage for the urban context, where the global data network is becoming increasingly accessible, is not reflected symmetrically when it comes to the Amazonian context ([Furlan & Pires, 2017](#)).

According to the authors:

Given the technological context, it is necessary to reflect from another point of view. The internet, for example, in a country still considered emerging, does not reach all people and communities, and is still far from what is expected. Bill Gates' projection of "a computer on every desk and in every home" is still a pipe dream. Tablets can be considered a luxury technological device, technological cell phones are in fashion, with them you can do much more than make or receive calls, pay bills, access social media, among other benefits.[...] Finally, we are talking about high Technologies that always require some source of energy, whether electrical or battery-powered. This is where another problem arises. Unfortunately, a large part of the riverside population lives in areas where there is no electricity, where they still bathe in rivers, eat what they gather from the forest, and their main forms of leisure are playing soccer and chatting with neighbors. There are no cell phone antennas or broadband for internet services ([Furlan & Pires, 2017](#)).

Therefore, it is clear that, in order to achieve access that is compatible with the reality of the Amazon, it is necessary to accept that there is an unconstitutional state of affairs when it comes to the instrumentalization of rights ([Melo & Correa, 2020](#)), as there are no fundamental rights protected, nor even *internet* provision of sufficient quality to equip urban and rural areas.

This finding ultimately persuades judicial bodies and courts to understand local realities and the economic and social activities of the region, thereby contributing

to the transformation of local society.

4. Interinstitutional Cooperation as an Instrument for Guaranteeing Technical Defense versus *Jus postulandi*

Present not only in hearings at the headquarters of judicial units, but also in itinerant services throughout the interior of Amazonas, *jus postulandi* represents a contribution to the situation of access to local justice, the preservation of which has, until now, enabled the filing, defense, and limited monitoring of labor lawsuits by the parties, regardless of legal representation (Bentes, 2023; Melo & Correa, 2020).

In this context, legal education and digital inclusion emerge as essential mechanisms for reformulating *jus postulandi*, especially in regions marked by technological asymmetries and limited access to legal assistance (Bentes & Cruz, 2021).

The *jus postulandi*, a procedural institute that allows parties to file and follow labor claims before Labor Courts without the mandatory assistance of a lawyer, represents an important historical mechanism of access to justice in Brazil.

And, after Amendment 45/2004, there is no denying that the cases filed before the Labor Courts now encompass not only employment relationships, but also all those that derive from the employment relationship. Therefore, the centrality ended up attracting complex demands whose vector evolves and changes every day in the social sphere (Brazil, 2004).

In 2009, Complementary Law 80/1994 was amended by Complementary Law 132/2009, including the work of 2nd Class Federal Public Defenders before the Labor Courts (Brazil, 2009):

Art. 20. Second-Class Federal Public Defenders shall act before Federal Courts, Labor Courts, Boards and Electoral Judges, Military Judges, Military Auditors, the Maritime Court, and administrative bodies (Brazil, 2009).

The importance of technical legal defense, aimed at overcoming the simplistic and non-isonomic model of *jus postulandi*, gained greater normative relevance after the Labor Reform (Law No. 13,467/2017), which amended several provisions of Labor Procedural Law. The reform introduced significant changes regarding legal aid, reciprocal liability, and procedural sanctions, and abolished the mandatory union contribution, thereby weakening the traditional structure of union assistance that historically supported the maintenance of personal representation in labor proceedings.

The main difficulty, which is precisely the ease brought about by the concept of modernity, is the implementation of the Electronic Judicial Process System (PJe-JT), which has made access to court records computerized and complex, requiring actions that demand connection to the global data network, electronic signatures, and the necessary computer skills to use the electronic tool.

In the lessons learned, through Luciano Moura Maciel and Joaquim Shiraishi Neto (2016), Amazonas, even though it is one of the most important states in Brazil in the global ecosystem, abundant in natural resources and with a prosperous experience in the Manaus Free Trade Zone, is still seen as a sparsely populated,

unevenly developed, and demographically empty land.

In this sense, talking about universal access to regular broadband internet in the interior of the state of Amazonas is a distant reality and totally unreasonable, since until 2012, only 15 of the 62 municipalities had access to the global computer network provided via satellite.

Furthermore, recent data from the 2018 PNAD (National Household Sample Survey) show that only 63.3% of the population of Amazonas has access to broadband data networks, with the average for the North Region itself being even lower, at 53.4%, disregarding the internal asymmetry between urban centers and remote regions within the states.

In this vein, the Superior Council of Labor Justice (CSJT) itself issued Resolution No. 136/2014, which anticipated the new obstacles to the use of personal representation, determining that parties and third parties who are not assisted by a lawyer could and would continue to submit documents and petitions on paper, which would later be scanned and inserted into the virtual case files by the judicial unit.

Understanding that in certain rural areas there is no regular access to *the internet* is already the first step towards sensitizing magistrates to reconsider the performance of judicial acts in order to break with formalities and adapt to the necessary precepts of simplicity.

It is therefore clear that the large volume of cases filed by *jus postulandi* justifies the maintenance of the institution, which, although widely criticized, serves as an alternative to the absence of lawyers, union assistance, or public defenders in localities that have been neglected by the state itself (Melo & Correa, 2020).

Thus, the question arises: how can access to justice be achieved if there is no guarantee of free legal assistance for workers? The democratic barrier caused by the absence of a public defender's office for labor matters, or even the resumption of the labor area by the Federal Public Defender's Office or through partnership agreements at the state level, is a clear obstacle to the possibility of protagonism and the resumption of decisions by traditional Amazonian peoples and communities.

Regarding the similar importance for the protection of traditional territories of African origin, Hoshino (2021) argues that the work of the public defender's office guarantees the protection of subjects not commonly recognized by legal dogma and that it finds in the figure of *the custos vulnerabilis*¹ the instrument capable of subverting the narrative of winners and subalternized voices with decolonial and anti-racist potential.

In this regard, the decolonial discourse of the Public Defender's Office's actions falls on legal knowledge and translations of sets of rights and ways of life, constructing subjectivities to establish legal positions and immerse themselves in the jurisdictional sphere marked by ignorance of debates and continuities of viola-

¹CASAS MAIA, Maurilio. (Re)thinking Vulnerability Costs and Public Defenders: Towards an emancipatory defense of the vulnerable. 1st ed. São Paulo: Tirant LoBlanch, 2021. v. 1. 546 p.

tions (Hoshino, 2021).

The decolonial proposal is the reframing through the discussion of human rights, revealing the hidden face of modernity/coloniality through the aggression experienced in the structure of colonialism, including silencing, marginalization, as well as the indigenous genocide and African slavery that are rooted in the history of Latin America (De Oliveira, 2019).

For De Oliveira (2019), decolonial thinking allows the legal system to be more dialogical and to acknowledge its own inadequacy in encompassing the multiple human realities. This approach also highlights the complexity of human rights historiography, revealing its evident contradictions and negations.

In this sense, De Oliveira (2019) states the importance of the Public Defender's Office as a constitutionally mandated institution responsible for the realization of social and cultural rights, especially for ethnic minorities, such as the right to health, education, and housing, bringing them to the center of the debate as an escape valve for the hope of reducing the history of structural violations on the continent:

The Public Defender's Office, based on the transformative bias of the new Latin American constitutionalism, takes a leading role in defending the rights of the needy. These, in turn, should not be understood only in their economic dimension, but also because of their vulnerability in accessing the resources indispensable for the defense of their rights (De Oliveira, 2019).

The Constituent Assembly recognized that the Public Defender's Office democratically corresponds to the figure of access to justice for those without resources, even more so when responsible for collective protection, considering it a gateway to social inclusion, whether judicially or extrajudicially (De Oliveira, 2019).

In the specific context of this work recorded by Dos Santos and De Souza Arruda (2020) highlights the importance of the Public Defender's Office in the Amazon region for encouraging the amicable resolution of conflicts, even before legal proceedings are filed, which would facilitate the clearing of the courts, allowing them to prioritize cases that can be dealt with quickly and within a reasonable time frame, as in many cases legal advice is already available.

Acting on an itinerant basis before the Court of Justice of the State of Amazonas, the Amazonas Public Defender's Office operates with a travel project serving municipalities in the interior in other areas of law, also assisting in the issuance of documents to guarantee the exercise of citizenship in places where assistance is needed (Dos Santos & De Souza Arruda, 2020).

Therefore, in symmetry, it is clear that the Federal Public Defender's Office (DPU) should pay attention to labor demands in order to promote the realization of citizenship rights for Amazonian populations, not only from the perspective of resolving labor disputes, but also as a way of integrating, increasing the feeling of belonging and empowering, the interior of Amazonas, which is already lacking in resources and state attention.

Similarly, there are itinerant projects reported by the DPU in partnership with the Diocese of Valença/RJ, in which the service in 2019 was based on the efficient use of financial resources in partnership with a religious institution and with a project established for the organization of events, publicity, and the definition of activities on two fronts, the first being through general lectures to clarify issues relevant to the DPU's work at the national and international levels, followed by individualized assistance and the necessary preparatory referrals for judicial and extrajudicial demands (Tambasco et al., 2020).

The Rio de Janeiro experience included prior planning regarding the locations where the itinerant services would be provided, including in quilombos (Afro-Brazilian communities) in the region, alternating night and day services with illustrated posters about the schedules and locations, publicizing through social media, social and religious leaders, with the important addition of calling on the municipal social assistance secretariats to attend and include needy individuals in the Single Registry for Social Programs, in addition to other services linked to social assistance (Tambasco et al., 2020).

In addition, the methodology used began with a presentation by the DPU on its institutional role and its success in providing legal assistance to the underprivileged, using simple and direct language. It should be noted that, in the attention provided by the DPU, it was found that the high demand and acceptance of the format in the region in the project serve as a model of access to justice for the Public Defender's Office, although it does not replace the implementation of units in all municipalities in the state (Tambasco et al., 2020).

The importance of a public defender's office specializing in labor issues has long been discussed, giving relevance to social justice through income distribution in the pursuit of alimony, which cannot be neglected or concealed by the use of non-technical *jus postulandi* or even by allegations of insufficient resources to implement the guidelines of Complementary Law 80/1994 (Brazil, 1994).

In this sense, blaming only the Judiciary is to ignore that the legal system is improved by the demands that are brought before it, that is, there is no way to parameterize the actions of judges and civil servants to the point of taking sides with one of the parties, or dedicating themselves in the same way as defenders, lawyers, prosecutors, or illusorily promoting *jus postulandi* that is at odds with the skills necessary for the current moment of the Electronic Judicial Process, access to digital media, and the complexity of labor demands, in addition to the limitations imposed by the Superior Labor Court (TST) on individual access to postulation, in accordance with Precedent 425 (Mantuano, 2014).

As a way to circumvent these problems, involving proper legal assistance, alternatives such as cooperative partnerships with the OAB/AM and labor lawyers' associations for joint trips during coinciding periods, as well as on their own periodic schedules, in addition to legal support centers and clinics linked to law schools or non-governmental organizations, would make up for the lack of regular legal assistance until there is an institutional or legislative verdict on the issue.

As mentioned in the previous topic, Resolution 350/2020 of the CNJ is appropriate for this purpose, since interinstitutional judicial cooperation enables the Judiciary to attract technical and qualified legal assistance from human rights clinics, legal centers at law schools, the Bar Association, and other lawyer associations in partnerships aimed at serving these populations as a way to repair socioeconomic barriers and the lack of lawyers in the interior regions of Amazonas.

On the other hand, it is important that, as with geographical barriers, the Judiciary engage in dialogue with local jurisdictions and entities to understand which social problems and socioeconomic aspects are decisive in the localities, whether through cooperation agreements or public hearings, which can even be virtual to optimize resources.

Sociocultural Barriers

Among the aspects to be planned and structured in the labor itinerancy project as an instrument of cooperation is the breaking down of cultural barriers that marginalize the traditional peoples and communities of the Amazon from access to justice as a means of adequately resolving conflicts within the Amazonian community.

The first step is to recognize that the obstacles begin in the very ritualism that has been erected around the law, such as the language and legal jargon unknown to a large part of society as a convoluted code reserved for legal practitioners. This is where deepens the gap between professionals and laypeople and must be rethought in order to overcome cultural barriers, since the use of simple and accessible language is inherent to the principle of fraternity and empathy, placing legal professionals in the shoes of those who receive information without the resources to interpret it and make decisions (Stocher et al, 2019).

So much so that the “100 Rules of Brasília” which deal with conditions of access to justice for vulnerable people, include among them the change that must begin with institutional legal culture:

Section 1. Legal culture (26) Actions will be promoted to provide basic information about their rights, as well as the procedures and requirements to ensure effective access to justice for people in vulnerable situations. (27) The participation of employees and operators of the justice system in the work of designing, disseminating, and training a civic legal culture will be encouraged, especially those who collaborate with the administration of justice in rural areas and disadvantaged areas of large cities (Brasília Rules, 2008).

Here, in an application already seen in JICAL 2024, it is important that the Itinerant Court be made known. We have already mentioned that the use of *visual law* and pamphlets is an eligible alternative for localities not served by regular *internet* or broad spectrum media, which can use community media such as dissemination through schools, fairs, cooperatives, local centers, sound trucks, radios, etc., thus dismantling any restriction on the Judiciary and official means as the

only form of science, citation, and notification.

An example of broadening horizons is the initiative of the Government of Amazonas to use sound trucks and police vehicles to reinforce social distance in the capital and in the interior of Amazonas as a way of getting this information to populations that do not have access to major media such as *television and the internet* in the context of Covid-19 (Amazonas, 2020).

This strategy has also been adopted by the state government, as illustrated in **Figure 2**, using sound trucks to disseminate information in remote areas.

Governo do Amazonas utiliza carros de som e viaturas da Polícia Militar para reforçar importância do isolamento social

13:33 - 06/04/2020



FOTO: Márcio Azevedo

Figure 2. Amazonas government uses soundtrucks and police cars to reinforce the importance of social isolation.

In addition, it is important to open up the justice system to professionals who are not lawyers, not only to facilitate the dissemination of the itinerant project, but also because the experience of Itinerant Justice in the Amazonian states has highlighted the importance of other non-legal professionals, such as anthropologists, in order to contextualize judicial action and understanding of the community impacted by the displacements:

And it was very important to have the anthropologist on the team, because we first interviewed the judges and defenders, who said, “We use very simple and accessible language in our consultations, because we know the profile of the population”. But then, the curious thing: we (the anthropologist on the team and I) waited for people to be seen. At the end, we asked, “Can you explain your case to us?” And they had no idea what was going on. So do we intend to reach these people and truly empower them? Or is all we can offer them a mere referral? Go to that line. Then to another. Then get a piece of paper at the counter...people would have no idea what was going on, and the worst part is seeing the judges and defenders, who are very well-intentioned, believing that they know what is happening (Ferraz et al., 2017).

To this end, access to justice must be subject to transdisciplinary analysis, high-

lighting ethnographic studies that can guarantee knowledge of local norms and problems linked to the community, with the aim of providing a continuous diagnosis for the purpose of parameterizing the effectiveness of judicial protection in the locality, also enabling social impact studies for the transformation of reality.

Such studies serve to understand the history of the formation of local society, understanding the role they play within the environment, the relationships that are exchanged through it, and the capitalist exploitation that has been maintained for centuries of European colonization and is replicated in the internal coloniality that is established in the marginalization of the northeast and north regions, ravaged by continuous environmental degradation and social inequalities that only favor the articulation of local elites (Silva, 2019).

And there is no way to claim insufficient resources, since through Resolution 350/2020, the Judiciary can sign cooperation agreements with councils, colleges, and universities so that professional anthropologists, social workers, sociologists, and others can work in conjunction with itinerant projects to ensure that cultural barriers are broken down.

With regard to the necessary studies, it should be considered that through them, normative marginalization must be recognized and corrected by the perception of the community members themselves, in order to give new meaning to the law, so that the paradigm is broken for a dialogical and multicultural Judiciary:

That said, social mobilization on the part of the marginalized is perceived as a new meaning to the law, insofar as it breaks the epistemological legal paradigm of subalternization of the other and gives way to the creative force of the insurgent in the construction of dialogical knowledge with the street. In other words, the direct participation of the socially hidden in the construction of their own lives is imposed (Ribeiro, Figueredo, & Sparenberger, 2019).

In the same vein, Staffen and Bodnar (2012) contribute to procedural adaptation to similar cases through the principle of participation, which embodies the joint action of citizens and the Judiciary in decision-making on environmental matters, considering the development of society and an environmentally correct way of life that are mutually related.

The authors go on to teach that the possibility for people and popular associations to cooperate and build decisions on environmental matters, considering the economic, political, and social factors involved and the need to create a collective conscience that brings information and removes the right from mere dogmatic fiction, gaining a multidisciplinary approach (Staffen & Bodnar, 2012).

To this end, it is important that citizens be democratically involved in environmental decisions through public hearings, especially when structural problems are identified in the locality that require high litigation and the rights involved. This leads to a convergence of interests, since the judicial hearing and the state's participation influence the state's response. This response is not solely its own, but also prioritizes otherness at the heart of the discussions in a truly adversarial pro-

cess (Staffen & Bodnar, 2012).

Adapting the ideas of the aforementioned authors, in labor claims, especially those in which the Judiciary does not appear on a regular basis, but seasonally, as is the case with labor itinerancy, the introduction of participatory court hearings is more relevant, so that community problems can be debated in the social sphere and all those involved can be heard, in order to emancipate the situation and free it from irregularities, rather than merely providing a palliative self-stimulated by isolated litigation.

Within the same perspective, Almeida (2021: p. 140/141) highlights the importance of current procedural law being coordinated by constitutional parameters of effectiveness and purpose based on the restoration of human dignity in all its dimensions and complexity, allowing the litigating parties to relax the adjective rules applicable to the process, altering and shaping them based on the principle of instrumentality and the techniques of composition disseminated, above all, since the entry into force of the Code of Civil Procedure of 2015 as a potentiality senshrined by “Neo-constitutionalism”.

Participation and knowledge of sociocultural causes facilitate diagnosis not only by the Judiciary and citizens through knowledge of rights and possible solutions, but also by the entire State for decision-making involving public policies and specific regulations aimed at ensuring the non-repetition and dismantling of social problems.

For example, in a similar Amazonian reality regarding the labor itinerancy project of the TRT of the 8th Region, Furlan and Pires (2017) conducted empirical research that identified that most disputes would not require judicial intervention through agreements. However, it was demonstrated that in these locations there are means of self-composition with the presence of a person respected for their wisdom within the community, which legitimizes local legalities and legal pluralism.

On the topic of public hearings as a form of conflict resolution and new subjects of law, Garselaz (2016), under the approach of transformative legal pluralism as a critique of state centrality as a source of hegemonic norms, recognizes within society the creative and participatory system for understanding the dignity of the “other”, so that those historically oppressed can emancipate themselves in the affirmation of cultural identity.

Using an instrument rooted in the protection of collective rights, such as public hearings for labor claims, which, although individual, can be discussed collectively within the scope of local economic activity, structural social problems such as: informal employment, wages paid below the legal minimum, child labor, work in conditions analogous to slavery, unhealthy or dangerous working conditions, thus contributing to breaking down cultural barriers when the hearing of those involved is in fact carried out with the intention of understanding the problem and the perspective of otherness on the application of labor law.

In the words of Garselaz, the inclusive view of access to justice as a political and social phenomenon denotes a citizenship with social content in which the defini-

tions of scope are not generic or refer to faceless vulnerable groups, but rather to the poor, indigenous peoples, and other minorities who are marginalized from state recognition (Garselaz, 2016).

In this vein, it is also important to defend the possibility of applying Resolution 350/2020 of the CNJ so that the Labor Court of the 11th Region, which does not have a structure in all parts of the interior of Amazonas, can use gymnasiums, auditoriums, official structures of public agencies, among others, to hold large hearings that can be conducted remotely, without the need to allocate resources for this purpose, which are known to be scarce.

Another point that could contribute to breaking down cultural barriers is the training of local leaders in labor rights and the role of the Itinerant Court, which could be formatted as virtual or telepresence courses, using the structure of local institutions, in accordance with cooperation agreements, and which could serve as public ammunition for informational empowerment, as well as projects such as “*Promotoras Legais Populares*” (Popular Legal Promoters) which operates throughout Amazonas, in the capital and interior, and is carried out in cooperation between the State Secretariat of Justice, Human Rights, and Citizenship (Sejusc) and the University of the State of Amazonas (UEA), extending to the municipalities of Coari, Eirunepé, Lábrea, Manacapuru, Manicoré, Nova Olinda do Norte, and Presidente Figueiredo (Amazonas, 2020).

It should be noted, in light of the above, that sociocultural barrier send up having a greater impact than others when we consider that the Judiciary is historically seen by subordinate social classes as yet another form of violence and neglect, starting with the initial treatment given to those who seek it, through the language of those who use it for “social pacification”, to the consequent delayed and unsatisfactory judicial protection.

Therefore, an effective itinerancy project is one that includes in legal language the language of the people and communities, one that brings justice beyond the walls to the most distant places (geographically and socially), ensuring that local problems are heard, understood, respected, and addressed with the participation of those involved throughout the process and with judicial and interinstitutional cooperation.

5. Final Considerations

This article discussed the multiple applications of interinstitutional cooperation provided for in Resolution 350/2020 as a way to make access to justice effective, especially in remote regions such as the state of Amazonas, which can make full use of public power in a manner compatible with the local reality.

Despite its advantages, interinstitutional cooperation is not free from challenges. Institutional coordination may face bureaucratic friction, differences in institutional priorities, and limitations related to funding and logistical planning. In addition, the sustainability of itinerant initiatives depends on continuous commitment from participating institutions and the maintenance of long-term coop-

eration agreements.

To this end, we have provided the example of the “Cooperative Itinerant Justice of the Legal Amazon”, which, in the Amazonian experience in distant municipalities in Humaitá and Lábrea, managed to bring together a large number of actors involved in the justice system, articulating beyond structures, conflicts, technical and training improvements inside and outside the Judiciary, and seeking legacies from large-scale itinerant events such as “JICAL 2024”.

Based on the results observed, some practical recommendations can be proposed for policymakers and judicial administrators:

- 1) strengthening formal cooperation agreements between the Judiciary and institutions responsible for civil documentation and social assistance;
- 2) expanding partnerships with universities and legal clinics to ensure technical legal assistance in remote regions;
- 3) investing in digital inclusion and local infrastructure to support electronic judicial systems;
- 4) incorporating interdisciplinary teams in itinerant justice initiatives to better understand sociocultural contexts.

The CNJ resolution studied is important for judicial administration, which rationalizes and cooperates logistically for all branches of the Judiciary with the participation of actors from the justice system, qualified legal assistance, issuance and rectification of documents, inclusion in income distribution programs, and the full range of access to justice. This is carried out through material equality of access to better living conditions and not just to a judicial forum.

Conflicts of Interest

The authors declare no conflicts of interest regarding the publication of this paper.

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