The constitutionalization of the right to legal defense of victims in Chile

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Abstract
This article analyzes the constitutionalization of the victim and his right to legal defense, because after every crime there is a violation of a fundamental right that must be protected by a specialized State organ, said organ must be regulated by law, but the situation Chilean is that this law is filed in the National Congress. Regarding the above, it is determined that there is an omission of the legislator that is unconstitutional. In this research, three improvement proposals based on the Spanish case for the creation of a legal statute for victims in Chile are established. An applied and comparative investigative methodology, which allows investigating the current problems of victims in our legislation. As a result, this implies that public policy proposals are presented based on the Spanish constitutional model to which Chile pays tribute. And, considering the current archived projects and, specifically, a guide is established for future legislative projects that constitutionally regulate the rights of victims. Proposing the expansion of the concept of victim, the right to free and universal legal defense for those, and a complete legal statute that addresses this problem of lack of current legal regulation in our country that violates due process. In conclusion, Chile needs a legal statute for victims for all crimes that is in accordance with the constitutional order and international human rights regulations that deal with the matter, establishing that behind each victim there is a violation of a fundamental right.

Author keywords
Constitutionalization
Legal defense
Victims