



USAID
FROM THE AMERICAN PEOPLE

**USAID/MEXICO'S
JUSTICE AND SECURITY PROGRAM
QUARTERLY PROGRESS REPORT
QUARTER III - FY2010 (APRIL 1 - JUNE 30, 2010)**

30 JULY 2010

This publication was produced for review by the United States Agency for International Development. It was prepared by Management Systems International.

USAID/MEXICO'S JUSTICE AND SECURITY PROGRAM

QUARTERLY PROGRESS REPORT QUARTER III - FY2010 (APRIL 1 - JUNE 30, 2010)



A Subsidiary of Coffey International, Ltd.

Management Systems International
Corporate Offices
600 Water Street, SW
Washington, DC 20024



Contracted under ENGAGE IQC DFD-I-00-08-00072-00 Task Order No. 05

Pursuant to Section F of the Task Order Contract

DISCLAIMER

The author's views expressed in this publication do not necessarily reflect the views of the United States Agency for International Development or the United States Government.

CONTENTS

- Acronyms.....ii**
- Program Overview and Highlights 1**
 - Component 1: Federal and State Level Implementation of Criminal Justice Reforms..... 7
 - Component 2: Justice Sector and Civil Society Organizations Promotion of Human Rights..... 7
- Detailed Results Per Sub-component 9**
 - Sub-Component 1.1: Adherence to Mexican Federal Constitutional Reforms 9
 - Sub-Component 1.2: Institution Building and Rule of Law 11
 - Sub-Component 1.3: Judicial Exchanges..... 12
 - Sub-Component 1.4: Pre-Trial Services and Alternative Case Resolution..... 15
 - Sub-Component 1.5: Continuing Police Education..... 17
 - Sub-Component 2.1: Protect, Prosecute and Prevent Trafficking in Persons 20
 - Sub-Component 2.2: Victim Restitution 24
 - Sub-Component 2.3: Human Rights Training for Police, Prosecutors and Other Officials..... 25
 - Sub-Component 2.4: Support for Human Rights NGOs 27
 - Sub-Component 2.5: Support for Citizen Participation Councils..... 30
- ANNEX I: TIPS INDICTMENT SUCCESS STORY 32**

ACRONYMS

AFI	Federal Investigation Agency/ Agencia Federal de Investigación
ANCPC	National Association of Councils for Civic Participation/Asociación Nacional de Consejos de Participación Cívica, A.C.
CEJA	Justice Studies Center of the Americas/Centro de Estudios de Justicia de las Américas
CONATRIB	National Commission for the Superior Court of Justice/ Comisión Nacional de Tribunales Superiores de Justicia de los Estados Unidos Mexicanos
CPC	Citizen Participation Councils
CSO	Civil Society Organization
DIF	National System for Integrated Family Development/ Sistema Nacional para el Desarrollo Integral de la Familia
FEVIMTRA	Specialized Prosecuting Unit for Crimes Committed Against Women and Human Trafficking/ Fiscalía Especializada para los Delitos de Violencia contra las Mujeres y Trata de Personas
GOM	Government of Mexico
IACA	International Association for Court Administration
ICE	United States Immigration and Customs Enforcement
INDESOL	National Institute of Social Development/Instituto Nacional de Desarrollo Social
INSYDE	Institute for Security and Democracy/ Instituto para la Seguridad y la Democracia
ITSEM	Technological Institute of Advanced Studies of Monterrey/ Instituto Tecnológico y de Estudios Superiores de Monterrey
NGO	Non-Government Organizations
PGR	Attorney General of the Republic/ Procuraduría General de la Republica
RENACE	RENACE Non Governmental Organization
RFA	Request for Applications
SECTEC	Technical Secretariat of the Criminal Justice Implementation Commission
SIEDO	Specialized Investigation of Organized Crime/Subprocuraduría Especializada en Delincuencia Organizada
SSP	Secretary of Public Security/ Secretaría de Seguridad Pública
TIPs	Trafficking in Persons
TOT	Trainer of Trainers
UNAM	National Independent University of Mexico/Universidad Nacional Autónoma de México
UNODC	United Nations Office on Drugs and Crime
USAID	United States Agency for International Development

PROGRAM OVERVIEW AND HIGHLIGHTS

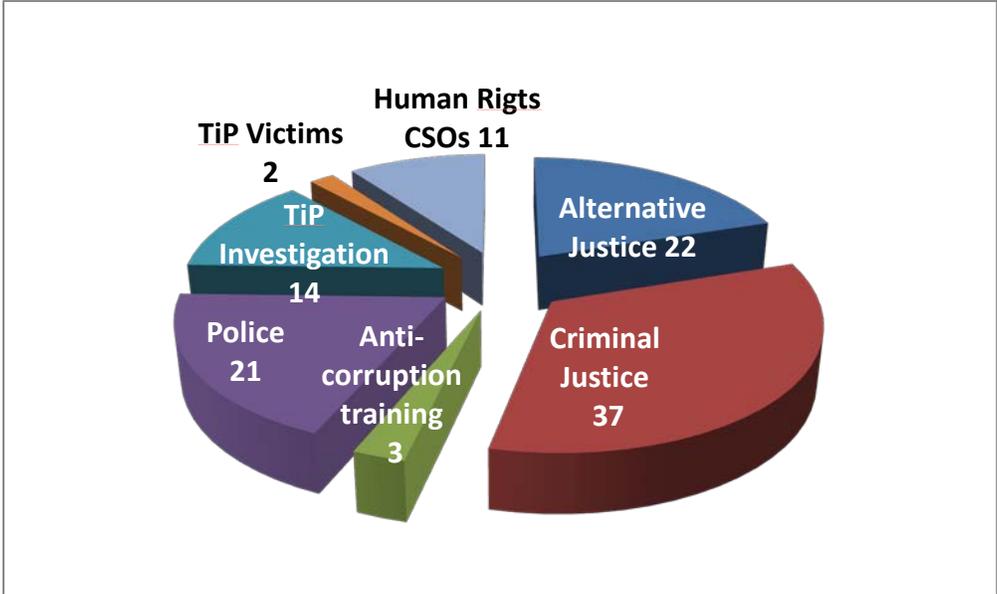
The United State Agency for International Development’s (USAID’s) Mexico Justice and Security Program (hereinafter referred to as “the S&J Program”) is the third USAID-funded initiative of its kind in support of the Merida Initiative. The Merida Initiative is a bilateral cooperative program between Mexico and the United States intended to improve the justice system, professionalize law enforcement, and reduce human trafficking and human rights abuses.

The S&J Program is working to increase public oversight through policy reforms, specialized training, technical assistance, public outreach, exposure to successful strategies and programs and collaboration with Non-Governmental Organizations (NGOs) and Civil Society Organizations (CSOs). Ultimately, these efforts will help bring Mexico in line with the global standards set forth in the U.N. and Inter-American Conventions in support of justice reforms and against corruption.

The S&J Program supports the Government of Mexico (GOM) in two key areas: the Federal and State Level Implementation of Criminal Justice Reforms and Justice Sector and Civil Society Organizations Promotion of Human Rights.

This quarter, the S&J Program assumed full control of all program sub-components from the incumbent, and, with activities in full swing, has achieved tremendous success during the reporting period. A total of 91 training events took place between March 1 and June 30th. The criminal justice sub-component organized the most events (37) due to the need for specialized training in this area. The pie chart below shows the number of events by subcomponent.

Graph I



The S&J Program has emphasized its trainings of trainers (ToT) to ensure sustainability and lasting impact. During this quarter, the sub-components of Trafficking in Persons (TIPs) 43 participants, Police 3

participants, and Criminal Justice 13 participants organized one ToT course. Follow up to each of the trainings is discussed in detail under each sub-component.

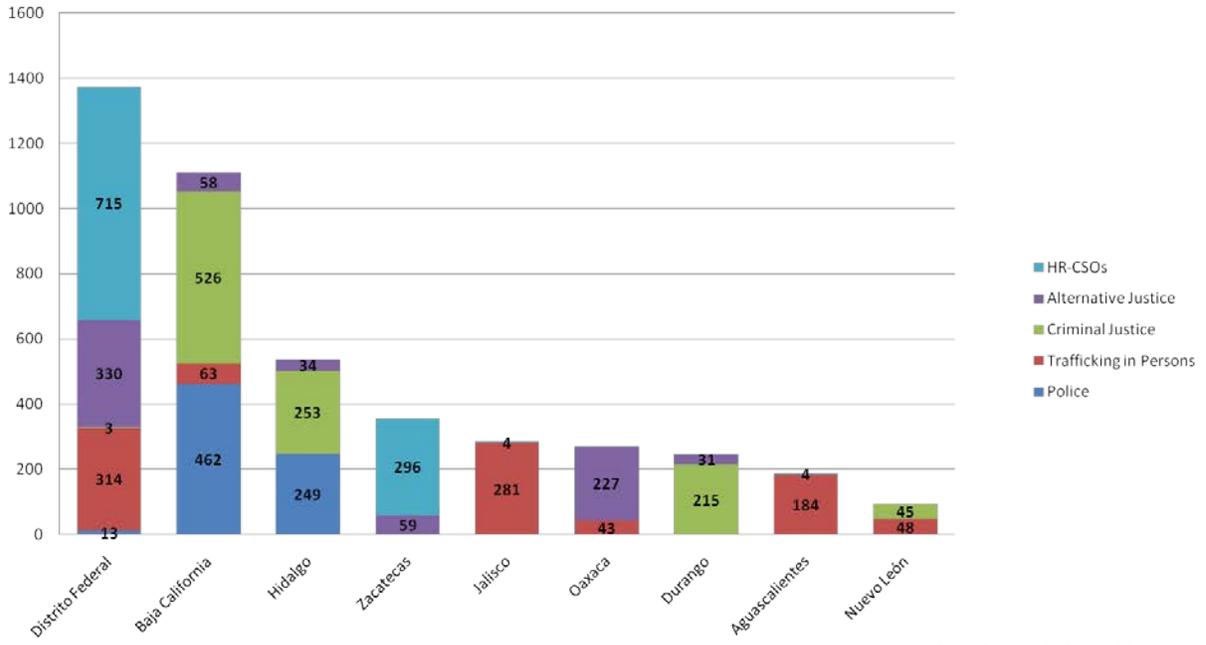
Below is a map and a graph that show training activities carried out by the S&J Program in 21 states and the District Federal. The largest numbers of participants have been trained in the District Federal (1368), followed by Guanajuato (1238), Baja California (1109), Hidalgo (536), Zacatecas (352), Oaxaca (270) and Durango (246). In these states the Program works simultaneously in two or more subcomponents, which allowed the S&J Program to develop synergies and in the long term will establish the foundations for increased efficiency and more comprehensive results and impact.

Map I



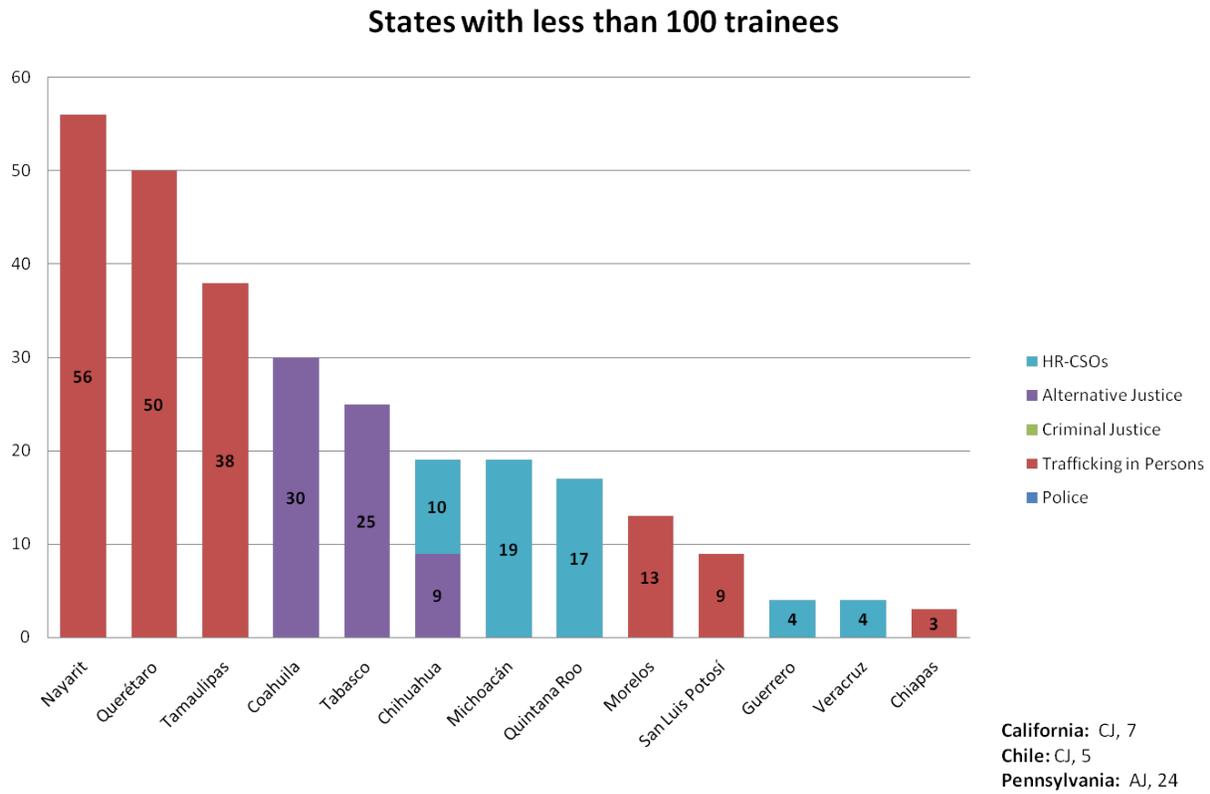
Graph 3

States with more than 100 trainees



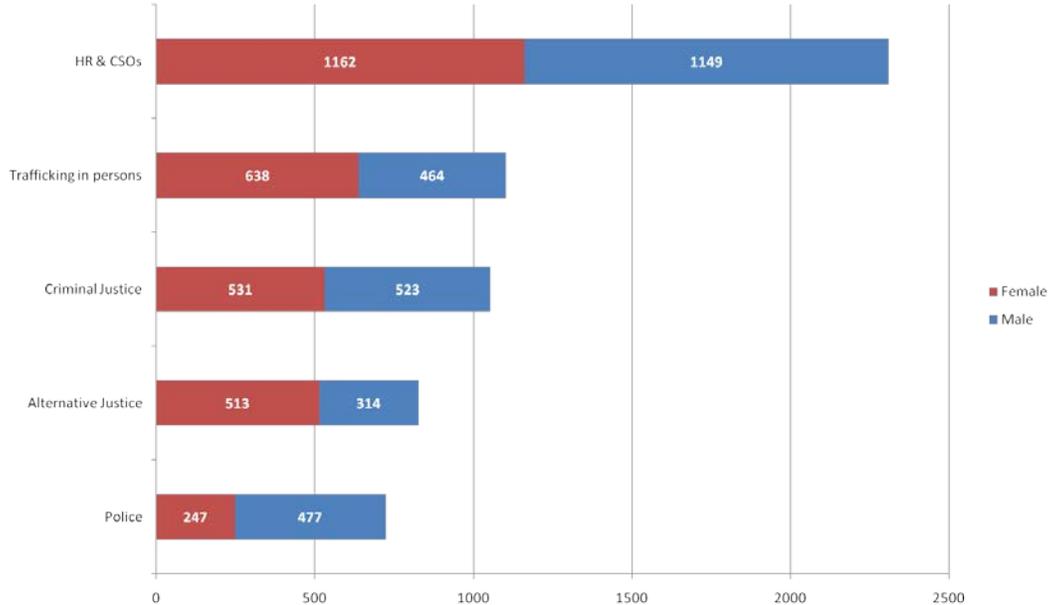
Guanajuato: 1238 HR-CSOs

Graph 4



The gender disaggregation by sub-component, as shown in graph 5, reflects the composition of the agencies and beneficiaries of the trainings according to cultural paradigms and gender roles in Mexico. Police trainees are mostly men (58%) while trainees from Alternative Justice (62%), Trafficking in Persons (57%) and Human rights CSOs (51%) are women.

Graph No. 5



One of the objectives of the new accusatory justice system is to rationalize the response of the state and to maintain the proportionality principle. The first indicators obtained in the reformed states, show a consistent tendency with these objectives.

The S&J Program is in the process of producing qualitative indicators of the new system, which did not exist. The S&J Program will include variables that are considered necessary to evaluate the impact and the effectiveness of the implementation of the new system, although their nature will –in some cases- only allow annual measuring. These variables have been selected based on the new procedural model and with respect to human rights, such as: i) reduction in the preventive prison sentences; ii) reduction in judicial errors (captured, accused and sentenced people that were acquitted), and iii) in the seriousness of the cases (since the smaller cases are handle through alternative resolution methods). As an externality of our activity, these indicators have been taken up by the citizen participation councils' observatories for insecurity and criminal justice.

Some of the new data we have obtained so far include:

In preventive prison, the rate decreased from 42% to 40%, but the national decline is largely due to the very significant drop in this rate in the states implementing the criminal justice reforms (thanks to the alternative resolution methods). One outstanding example of this is Nuevo Leon, where the preventive prison rate, went down from 37% to 25%, followed by states like Zacatecas with reforms that also show a decline from 42% to 32%. All the reformed states have lowered their proportion of prisoners held without sentence, and all are below the national average of prisoners per 100 thousand persons.

As foreseen in the new criminal system, fewer cases are going through a penal process. The misdemeanors are being channeled to alternative methods, so most of the cases that go through a penal process are indeed serious crimes. According to the Public Security Secretariat, before the reform, the national average of judgments that carry a penalty of more than three years was 25%. That is, 75% of judgments imposed penalties of less than three years, causing the system to collapse by the huge number of misdemeanors. In some of the reformed states like Nuevo Leon, these rates increased from 37% of sentences of more than three years in 2003 to 64% in 2009; in the State of Mexico, the proportion has increased to 61%, followed by Morelos (46%), Oaxaca (40%), and Chihuahua (28%). This data is even more relevant considering that plea

bargaining (an element of the new system) implies a reduction of the sentence. In spite of this, the proportion of sentences for serious crimes and the average time to serve in prison continues increasing.

The Program has provided technical assistance to the majority of the states in which the new system is being implemented (Chihuahua, Nuevo Leon, Oaxaca, Zacatecas, Morelos and Durango). Also, in the states of Baja California and Hidalgo, where the new model is about to start its implementation, the S&J Program is training justice sector officials intensively to provide them with the tools for successful implementation.

Below are a few highlights during the April-June 2010 quarter with greater details provided in the following section:

COMPONENT 1: FEDERAL AND STATE LEVEL IMPLEMENTATION OF CRIMINAL JUSTICE REFORMS

- Organized and co-sponsored the Second Security and Justice Policy Forum in collaboration with the Oral Trials Network, Mexico SOS and RENACE, attended by 633 high level officials, including the President of the Republic. The event was designed to provide a platform for government officials, academics and civil society to discuss the progress of the reforms at the state and federal levels
- 81 state and federal justice sector personnel (mostly police) trained to prevent, detect, punish and eradicate corruption
- 643 police officers earned certificates in improved and transparent administrative functions, reporting, and other capabilities to reduce corruption
- 1054 justice sector personnel (police investigators, prosecutors, defense attorneys, court administrators, and judges) trained to perform their functions under the constitutional justice reforms and criminal procedure codes
- As the basis for future sustainability, the S&J Program trained 13 trainers for police investigations based in Baja California and Hidalgo and additional trainings are planned for Nuevo León. Also one ToT course was conducted for prosecutors in District Federal, with more trainings planned in Baja California, Hidalgo and Durango.

COMPONENT 2: JUSTICE SECTOR AND CIVIL SOCIETY ORGANIZATIONS PROMOTION OF HUMAN RIGHTS

- Organized and co-sponsored the international Blue Heart Campaign to combat trafficking in persons (TIPS) in collaboration with the United Nations Office on Drugs and Crime (UNODC) and the GOM. Representatives from UNODC and the Secretary of External Relations praised the USAID S&J Program and commented that the event could not have been possible without its support
- 827 police, prosecutors and other officials trained in the new criminal procedures, the constitutional reforms, and alternative case resolution mechanisms (mediation, conciliation, and restorative justice) within the context of human rights
- One training of trainers in TIPs for 43 officials based in several states took place in Oaxaca. Out of those ToT's participants, the S&J Program has followed up with 12 who have been very active applying, sharing and replicating what they learned. They are representatives from the Women's Institute, PGR, Attorney's office, and the Legislative branch

- Received 242 proposals requesting a total of nearly \$230,000,000 from CSOs working in 14 Mexican states following the release of the USAID Request for Applications (RFA)
- Trained 1077 justice sector personnel to investigate TIPs cases and handle victims of serious crimes, including torture and TIPs
- Organized and participated in the “Justice Centers for Women” forum in Monterrey, Nuevo Leon. The forum gathered 48 officials and authorities and fostered an exchange of information with experts on operating effective family justice centers.

During the January-March reporting period, USAID requested the S&J Program’s assistance to address the escalating violence in Juarez, Chihuahua. The S&J Program developed an emergency response plan in which it recommended a dual approach to the implementation of activities in Juarez linked to the objectives of the Merida Initiative. During this quarter, the S&J Program began developing plans and conducting activities in Juarez. The S&J Program developed plans to strengthen technical and investigative capacity of police while providing them with safety tactics and basic investigative skills. Similar types of training and technical assistance to judges and prosecutors are being developed with plans for implementation in the next quarter. Institutional assistance is focusing on NGOs and CSOs and work within communities in a broad variety of rule of law-related issues to help build strong and resilient communities.

DETAILED RESULTS PER SUB-COMPONENT

SUB-COMPONENT I.I: ADHERENCE TO MEXICAN FEDERAL CONSTITUTIONAL REFORMS

I. Context

The Mexican Congress demonstrated its strong support for the federal government's adherence to the federal constitutional reforms through its appropriation of \$500 million Mexican Pesos to the Technical Secretariat of the Criminal Justice Implementation Commission (SECTEC). These funds support the federal and state governments' implementation of the criminal justice reforms for the 2010 fiscal year and provide the SECTEC with the resources to complement the S&J Program's training and technical assistance activities.

Although the federal government enacted the justice reforms in 2007, many aspects of its implementation are not yet in place. For example, many states have not yet adopted the new criminal procedure codes and training of police, prosecutors, public defenders, defense attorneys and judges in the rules and procedures of the new criminal justice system is still underway. The S&J Program is working with SECTEC to define a path for implementation of the justice reforms.

In 2006, work began on the drafting of the new criminal procedures code in Mexico, the basis of the reform. The S&J Program has been working extensively in collaboration with SECTEC on reviewing and finalizing the draft.

2. Results

Significant progress has been achieved this quarter in supporting the implementation of the criminal justice reforms. During this quarter, the S&J Program has been providing technical assistance to officials in the state of Hidalgo. The S&J Program reviewed the initiative and provided recommendations and modifications of the new criminal code of Hidalgo for approval in July.

In addition, the S&J Program has reviewed and revised 300 articles of the preliminary draft of the new criminal procedures code in collaboration with SECTEC and other academics. The draft is expected

The USAID/Mexico Justice and Security Program Commemorates Two Years of Constitutional Reform



Mexico celebrated two years of constitutional reforms designed to increase transparency and access to justice with the Second Security and Justice Policy Forum on May 24 and 25 in Mexico City. The Justice and Security Program organized the forum in collaboration with the Oral Trials Network, Mexico SOS and Renace, to assess the progress of the constitutional reforms at the state and federal levels. Mexican President Felipe Calderón spoke at the inauguration of the event at the Archivo General de la Nación. He called upon state governments to increase efforts to implement critical criminal justice reforms.

The unprecedented event gathered more than 650 experts, civil society members, press and dignitaries including the Minister of the Supreme Court, President of the Chamber of Deputies, party leaders from Mexico's three largest political parties (PAN, PRI, PRD), Governors from six states, numerous Mexican Senators and Congressmen, the ambassadors of the United States and Colombia, and the Attorney General of Mexico City.

Experts and officials, including the Program's Chief of Party and Human Rights Advisor, participated in seven panel discussions on topics including police reform, the role of armed forces in combating organized crime, the legitimacy of the use of force and the new oral trial system. The constitutional reforms, which have already been implemented in seven states, responded to a comprehensive social demand for a modern legal framework that would generate the necessary legal instruments to which citizens could restore security and tranquility.

to be completed at the end of the July-September reporting period. The S&J Program is coordinating with other efforts by the US Department of Justice Office of Overseas Prosecutorial Development Assistance and Training on this same line of work. Additional results achieved this quarter include:

- Organized and co-sponsored the Second Security and Justice Policy Forum in collaboration with the Oral Trials Network, Mexico SOS and RENACE, and attended by 633 high level officials, including the President of the Republic. The event was designed to provide a platform for government officials, academics and civil society to discuss the progress of the reforms at the state and federal levels
- Initiated contact with the states of Tabasco, San Luis Potosi and Jalisco to discuss the services the S&J Program can provide in the transition to the implementation of the new criminal procedure code
- Conducted a study of the state police in Oaxaca and Morelos to analyze the implementation of the new criminal justice system and to provide recommendations
- Initiated an extensive study of five states' performance implementing the reform process to analyze successes and challenges, and provide recommendations. The study, conducted in collaboration with Justice Studies Center of the Americas (CEJA), will provide lessons learned and best practices to inform implementation in other states. The study will be completed in September.

3. Challenges and Lessons Learned

The primary challenge of this subcomponent has been that the reform process is extremely complex with many different actors who have their own interpretations of the reform. Redrafting of the criminal procedures code was being conducted by two parallel commissions. The S&J Program ceased reviewing the articles in mid-June until another draft of the code is completed in order to review and provide feedback to a more complete draft. A new draft is expected to be completed in July and the S&J Program can resume its review of the code and provide comments.

4. Planned Activities/Programmatic Trends

Among the activities planned for the next quarter will be to continue to review and revise the draft of the new federal criminal procedure code in collaboration with SECTEC and representatives of academic institutions. It is anticipated that the presentation of the final draft will take place in September. Below are additional planned activities:

- Technical assistance in the development of inter-institutional task forces at the federal and state levels
- Development of a public awareness campaign to increase knowledge and ownership of the constitutional reforms
- Organize forums to promote criminal justice reforms at the state and federal levels and assess the challenges of the reform implementation process
- Organize strategic seminars for governmental and academic institutions to debate and analyze the constitutional reform process

SUB-COMPONENT I.2: INSTITUTION BUILDING AND RULE OF LAW

I. Context

Mexico is currently ranked 89th of 180 countries in terms of perceived corruption, according to Transparency International's Corruption Perception Index, ascending 17 slots¹. On a scale of 0 to 10, with 10 meaning the least corrupt and 0 meaning the most corrupt, Mexico scored 3.3. These results indicate that Mexico is perceived as highly corrupt and that corruption is getting worse relative to other countries.

However, Mexico has no legislation specifically designed to combat corruption that includes mechanisms to prevent, detect, sanction and eradicate corruption by autonomous organizations inside of governmental agencies and institutions that have the power to investigate corruption. Neither are there public policies to prevent and combat corruption within the justice sector.

In October 2009, Senator Fernando Elizondo presented the first legislative initiative to combat corruption. This initiative proposes that citizens that file formal complaints against corrupt public servants not be prosecuted for having offered bribes to the public servant. While somewhat counterintuitive, this initiative would correct a significant disincentive to reporting corruption: citizens often feel obligated to pay a bribe to public officials to receive government services, but if the citizen files a complaint against the public servant that received the bribe, the citizen is an accomplice subject to prosecution. The legislative initiative also would create an autonomous agency charged with combating corruption.

One relatively recent anti-corruption measure is the General Law for the National Public Security System which requires all justice sector institutions in Mexico, including federal and state police, attorney general's offices, prosecutors and public magistrates, to administer controls including polygraph tests, socioeconomic studies, and drug and alcohol test to all candidates for positions at these institutions. This measure will help to prevent future corruption in Mexico's justice sector.

2. Results

As the depth and breadth of the S&J Program's trainings increase, the Institution Building Sub-component has significantly increased in activities and results. Trainings implemented under other sub-components are building the capacity of a variety of Mexican institutions in a variety of topics, including modules on anti-corruption.

The S&J Program is currently negotiating with Institute for Security and Democracy (INSYDE), one of Mexico's most prominent NGOs working on justice and security issues, for a diagnostic study on police accountability, and development of standard accreditation and certification standards for police, based on results of the study. In addition, the S&J Program is reviewing the legislation used in other countries to propose necessary legislative changes required to prevent, detect, sanction and eradicate corruption within public security institutions and the criminal justice sector. Additional results include:

- Trained 81 state and federal justice sector personnel to prevent, detect, punish and eradicate corruption
- Providing support to the National Association of Councils for Civic Participation (ANCPC) to: (i) develop a cohesive strategy that will strengthen the CPCs to institutionalize an effective, sustainable process for receiving, addressing, and resolving citizen complaints; (ii) design concrete activities to strengthen the work of the CPCs at the state level; and (iii) facilitate greater citizen participation in

¹ In 2008 Mexico ranked 72nd on the same index.

fighting crime and identifying abuse, corruption, among others through collaboration among CPCs and civil society organizations

- Providing technical assistance to the Specialized Prosecuting Unit of Crimes committed against women and human trafficking (FEVIMTRA) to reorganize their department including job and task analysis, as well as organizational development
- Building capacity of CSOs to draft proposals and budgets to request funds to support their institutions

3. Challenges and Lessons Learned

The S&J Program is in the early stages of implementation under this component, but is further developing the framework for implementation. At this stage, the S&J Program has not experienced significant challenges.

4. Planned Activities/Programmatic Trends

The S&J Program has many activities planned for the July-September reporting period, including:

- Provide technical assistance in drafting legislative initiatives for public safety and criminal justice institutions that include legal mechanisms to prevent, detect, sanction and eradicate corruption
- Support federal, state and municipal governments in the drafting and implementation of institutional policies and procedures to combat corruption
- Collaborate with INSYDE in diagnostic studies of the States of Nuevo Leon and Baja California Secretary of Public Safety police forces and provide police certifications based on international standards
- Collaborate with Transparency International to analyze perceptions of corruption in public safety and criminal justice institutions and identify possible causes of such corruption
- Collaborate with the ANPCP to: (i) sensitize Mexicans on the importance of active citizen participation; (ii) institutionalize an effective and sustainable process to receive, address, follow-up and solve citizen complaints; (iii) strengthen citizen participation to combat crime, corruption abuse of authority; regain citizen trust in government and justice sector operators; and create a collaborating network among all CPCs
- Collaborate with Partners for Democratic Change to assess and deliver a strategic plan for local capacity building. Partners for Democratic Change will conduct an assessment of the current Citizen Participation Councils and their potential national organizational structure in Mexico for the purposes of designing a future technical assistance strategy
- Collaborate with CSOs on monitoring justice sector personnel for human rights abuses, corruption, efficiency and handling of complaints

SUB-COMPONENT I.3: JUDICIAL EXCHANGES

I. Context

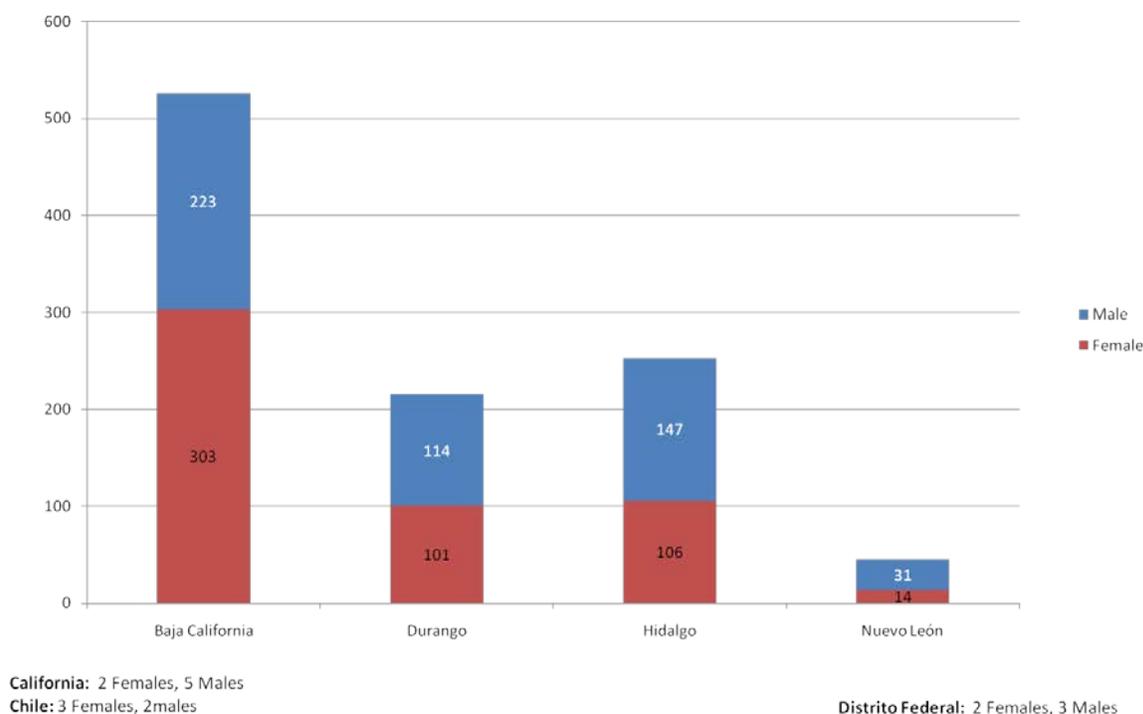
The number of judges and public magistrates that need to be retrained under the new criminal justice system is staggering. Few in Mexico have the experience or knowledge to retrain judges and public magistrates in the oral litigation skills, courtroom procedures and judicial decision methodology required by oral trials. Given

the significant numbers needing retraining and the few qualified to do such training, innovative methodologies are required. Such training methodologies include e-learning, distance learning, video courses and written training manuals and modules that can be used by facilitators. In addition, professional exchanges and exposure to programs in other settings provide a valuable learning tool to share experiences and promote best practices.

There is a need for standardized training and practical knowledge for officials across institutions working in the justice sector. Currently, many training programs offered focus on the theoretical skills leaving many students without the practical knowledge to implement the new procedures. However, the S&J Program is taking advantage of the use of judicial exchanges to bridge this gap and share the experiences of experts from countries throughout the region.

2. Results

Graph 6



During this quarter 1054 officials located in the states of Baja California, Hidalgo and Nuevo León have been trained. Of these, 52% are females and 48% are males. Interesting to note is that the higher participation of females is composed by judges.

Although it is too soon to attribute the S&J Program a concrete impact in indictments and sentences, it is worth noting that there is an increase in the number of serious crimes indicted and sentenced, particularly in the number of cases carrying sentences of more than three years.

The Judicial Exchanges component has maintained a very active training schedule this quarter. The S&J Program is utilizing a training of trainer's strategy as well as innovative training methods to support the S&J Program's goals and ensure a lasting impact after the program has ended. Results this quarter include:

- 1054 justice sector personnel (police investigators, prosecutors, defense attorneys, court administrators, and judges) trained to perform their functions under the new criminal justice system
- Trained seven magistrates during a study tour to Los Angeles. The exchange provided participants with hands on experience in the US justice system to inform practices in Mexico
- Completed basic training for judges and public defenders in Hidalgo and developed an advanced training curricula to be administered in the next reporting period
- Began trainings for implementers of the new criminal procedures code in the state of Baja California
- Initiated discussions with the Attorney General of the Republic (PGR) to discuss the development of the various levels of trainings the S&J Program can provide to the PGR
- Undertook extensive planning exercise designed to increase the number of justice sector personnel trained by 900 percent in the July-September quarter



EDUCATIONAL EXCHANGES AND BEST PRACTICES

The Program has been supporting an increasing number of educational exchanges and study tours to share and learn from others experiences and programs. This quarter, the Program organized a five day study tour for seven Mexican magistrates, providing them with the opportunity to learn how US courts operate and increase hands on experience that can be used to inform practices in Mexico.

"I am really surprised with what I've seen this morning, in the first place because of the transparency," commented the chief justice for the state of Veracruz. "The access the public has makes them truly public proceedings. That is a factor that can reduce corruption. It is harder to bribe someone of the court, even a judge, if everything is public."

3. Challenges and Lessons Learned

The primary challenge for this sub-component is finding enough qualified trainers to meet the demand. Through the successful implementation of our ToT programs, the S&J Program is working toward alleviating this challenge. In addition, the S&J Program has identified a gap in the trainings of prosecutors. Many prosecutors do not have experience working in collaboration with police officers during investigations and the roles of each party are unclear. This leads to inefficient case investigations. The S&J Program aims to bridge this gap through the development of a training program that would provide skills to improve coordination between the two roles and define their responsibilities.

4. Planned Activities/Programmatic Trends

The S&J Program has undertaken extensive planning this quarter to dramatically increase the number of trainings, study tours and events in the July- September reporting period. In addition to continued trainings for judges, magistrates, prosecutors, public defenders and other officials in the new criminal justice system, planned activities for the next quarter include:

- Implement ToT courses for prosecutors, public defenders and other officials in Chihuahua, Oaxaca, Nuevo Leon and Mexico City
- Technical assistance for state and federal justice institutions, including the PGR and the National Commission for the Superior Court of Justice (CONATRIIB), to develop standardized training programs for prosecutors, judges, and public defenders in the new criminal justice system
- Conduct an advanced training program for judges and public defenders in Hidalgo

- Organize study tour for judges, magistrates, prosecutors and public defenders to the US, Colombia and Chile

SUB-COMPONENT I.4: PRE-TRIAL SERVICES AND ALTERNATIVE CASE RESOLUTION

I. Context

This sub-component addresses two important themes that are necessary for improving the efficiency and access of the criminal justice system: Pre-trial services and alternative case resolution.

“Pre-trial services” is a relatively new concept in Mexico and most states lack the necessary laws and regulations to implement them. Pre-trial services require specialized skills in the judicial system for an objective and impartial investigation of the risks of flight, to the community, or to witnesses and victims, posed by those accused of crimes. One way of enhancing these capabilities is through the creation of specialized pre-trial service departments within existing justice sector institutions. Pre-trial services departments are meant to assist judges in making consistent, informed release decisions. The factors to be considered in a release recommendation include: the defendant’s ties to the area, employment status, education and prior criminal record. Information will be gathered through interviews with defendants and that information will be then verified by calling references provided by the defendant. These departments should be responsible for supervising all precautionary measures other than pretrial detention. Examples of such measures are electronic monitoring, bail, or release on personal recognizance.

Alternative Justice or case resolution methods include mediation, conciliation, and restorative justice. The S&J Program actively supports the creation and strengthening of alternative justice centers throughout the country to meet the growing need for alternative justice services. With the establishment of alternative justice centers throughout the country, there will be a reduction in backlog and congestion by allowing court resources to target higher priority crime cases, and will, in many cases, offer a process and resolution that is seen as more effective and just by both parties of a conflict.

2. Results

The S&J Program has achieved tremendous success this quarter in the areas of alternative case resolution with an active calendar of trainings and activities, as well as the expansion into additional states. In its effort to support pre-trial services, the S&J Program has continued providing technical assistance and guidance in drafting legal frameworks, operations manuals, and protocols in the states of Baja California and Morelos.

This quarter, a pilot program was started in Morelos for the implementation of the pretrial services department in the juvenile justice system. Until now, youth in conflict with law had been unnecessarily detained while pending trial. The pilot program in Morelos demonstrated that, if applied properly, defendants can comply with their legal obligations without being in pre-trial detention. Six teenagers were released under supervision and they all have complied with the judges’ restriction.

During this reporting period, the S&J Program also expanded its work in alternative case resolution into the states of Quintana Roo, Nuevo Leon, and Michoacán, with further plans for expansion into Chiapas in the July-September reporting period.

Additional highlights for Pre-trial services include the following:

- Provided technical assistance to the State of Baja California to redraft the pre-trial services legislation which will take effect in August
- Provided assistance in establishing protocols and an operation manual for pre-trial services and successfully piloted materials with actual defendants and operators in real hearings in Morelos

Additional highlights for Alternative resolution methods are:

- Provided assistance on the signing of the collaboration agreement between the state police of Hidalgo and the state police of Baja California to facilitate the training and mentorship of personnel on alternative criminal justice. This agreement is the first national level collaborative project to share data and combine forces to ensure and improve the services offered to citizens of both states
- Created a new alternative center in Hidalgo and strengthened 36 centers in District Federal, Hidalgo, Durango, Baja California, Oaxaca, Nuevo Leon, San Luis Potosí, Zacatecas and Tabasco through technical assistance and trainings.

Participants praise the Diploma Courses in Alternative Methods



“There is definitely a marked improvement in the way I interact with others. Workshops such as this one help us greatly in conducting our daily work.”

-Director of the State System of Alternative Criminal Justice

“After participating in this course, I noticed big changes in my life, personal and professional. This diploma gave me the opportunity to grow as a person, give me confidence, sensitivity and the ability to listen. The training has made the job easier, and I can see the results during the mediation processes when applying the methodology taught in the diploma course.”

-Anonymous

“You never imagine that 20 days will change your life. I am infinitely grateful to this diploma course. It opened my eyes to see the magnitude of what I do and it also leaves me the desire to be better and a worthy representative of the community of mediators and facilitators.”

-Mediator from Hidalgo

Challenges and Lessons Learned

Although the S&J Program has encountered few challenges in this area, there remains some resistance to pre-trial services in communities given the lack of exposure to such services and the general public concern with security. The S&J Program is increasing awareness about these activities and implementation through its support to alternative justice centers and use of forums to promote awareness.

The primary challenge facing the work in pre-trial services this quarter has been the impending elections on July 4 for 14 Mexican states, including many states in which the S&J Program is active. The possibility of changes in leadership led officials in some states to delay acting on reforms. For example, in the state of Durango, the elections prevented the S&J Program from making significant progress in the reforms to the

legal framework for pretrial services. However, the S&J Program expects to continue with the reforms in the July-September reporting period. Similarly, a potential challenge for assistance in alternative case resolution for the upcoming quarter could also arise from the elections. Changes in leadership and personnel could have a potential impact on the centers or the resources available to them.

In addition, the S&J Program has become increasingly aware of the need to incorporate CSOs and high level officials in activities in order to ensure sustainability. Increasing the ownership of all actors in the process of alternative case resolution and pre-trial services will ensure activities continue long after the S&J Program has ended.

4. Planned Activities/Programmatic Trends

In the upcoming quarter, the S&J Program will continue the rigorous training schedule of the previous quarter including three diploma courses and a study tour to Argentina to exchange experiences in operating alternative justice centers. Additional activities planned for the next quarter are:

- Begin trainings in Morelos for implementers of pre-trial services in collaboration with the Pre-trial Services Institute and International Association for Court Administration (IACA)
- Continue providing guidance to states on the drafting of legal frameworks, protocols, and operation manuals for pre-trial services
- Organize seminars for justice sector personnel, academics and CSOs to promote pre-trial services in Baja California, Durango and Nuevo Leon
- Develop a database for centralized and standardized data collection for the alternative justice centers
- Support forums and conduct seminars on alternative justice and pretrial services
- Participate in the inauguration of the alternative justice center in Tabasco

SUB-COMPONENT I.5: CONTINUING POLICE EDUCATION

I. Context

In 2009, the GOM enacted the General Law for the National Public Safety System requiring all preventive police officers to have completed a high school education or its equivalent (*preparatoria* or its equivalent) and all police investigators to have completed a bachelor's degree or its equivalent (*licenciatura* or its equivalent). It also requires all police forces to apply background checks, such as drug and alcohol testing, socioeconomic studies, and polygraph exams, to all new recruits and provide recruits with basic training. The law also requires that all police maintain updated background investigations, periodic re-testing and training in order to remain on their police force.

The National Public Safety Academy is charged with establishing training programs and guidelines for basic training courses to be used by police forces throughout the country as well as to provide guidelines and courses for police continuing education.

2. Results

The S&J Program has achieved significant results this quarter and is well placed to continue expansion in the upcoming quarter. In addition to numerous trainings in the states of Baja California, Hidalgo, and Nuevo Leon, the Police team has established contacts in the states of Chihuahua, Durango and Oaxaca and is poised to begin working in these states in the July-September reporting period. The S&J Program has also made important contacts with counterparts in the United States (US) in an effort to build cross border partnerships between El Paso, Texas and Juarez, Chihuahua. In a recent trip to the US border cities, the S&J Program met with officials from the Weed and Seed Program to discuss a joint initiative for community development in Juarez. The S&J Program agreed to establish an international working group to exchange ideas and promote and implement a project between El Paso and Juarez.

At the federal level, the S&J Program has continued working with the Secretary of Public Security (SSP) and National Independent University of Mexico (UNAM) on the development of an online Masters Degree program. The S&J Program received an impressive 970 responses from interested participants and the process of vetting and selection of candidates for this program is underway. The course is expected to begin in August for 300 students. The S&J Program has provided input to the curriculum, with emphasis on the inclusion of elements pertaining to police management and administration, and human rights. Once modules are developed, the program could expand this work to a Bachelors degree program.

Additional results achieved during the April-June quarter include:

- 643 police earned certificates in improved, transparent administrative functions, reporting, and other capabilities to reduce corruption. In addition to this, 81 police officials have been trained on the ethical aspects of the criminal investigation, aiming at preventing and detecting corruption.
- Completed in collaboration with INSYDE the Police certification process for Baja California and Nuevo León, as well as the diagnostics that assess the status of the police structures in these two states.
- Began crime scene investigation training in Baja California. This new course provides participants with the technical skills required to investigate crimes
- Trained 13 officials from the Baja California and Hidalgo state police as trainers. The training included 15 topics on skills related to adult learning, teaching methods, and course design. The ToTs have already led trainings in Nuevo León.
- Collaborated with the Program's Victims Restitution Subcomponent team in two trainings providing presentations on police investigations for victim assistance
- Collaborating with universities and other institutions in Mexico and the US on the feasibility and practicalities of developing a distance learning program for police

USAID/Mexico Justice and Security Program Promotes Sustainability by Training Trainers



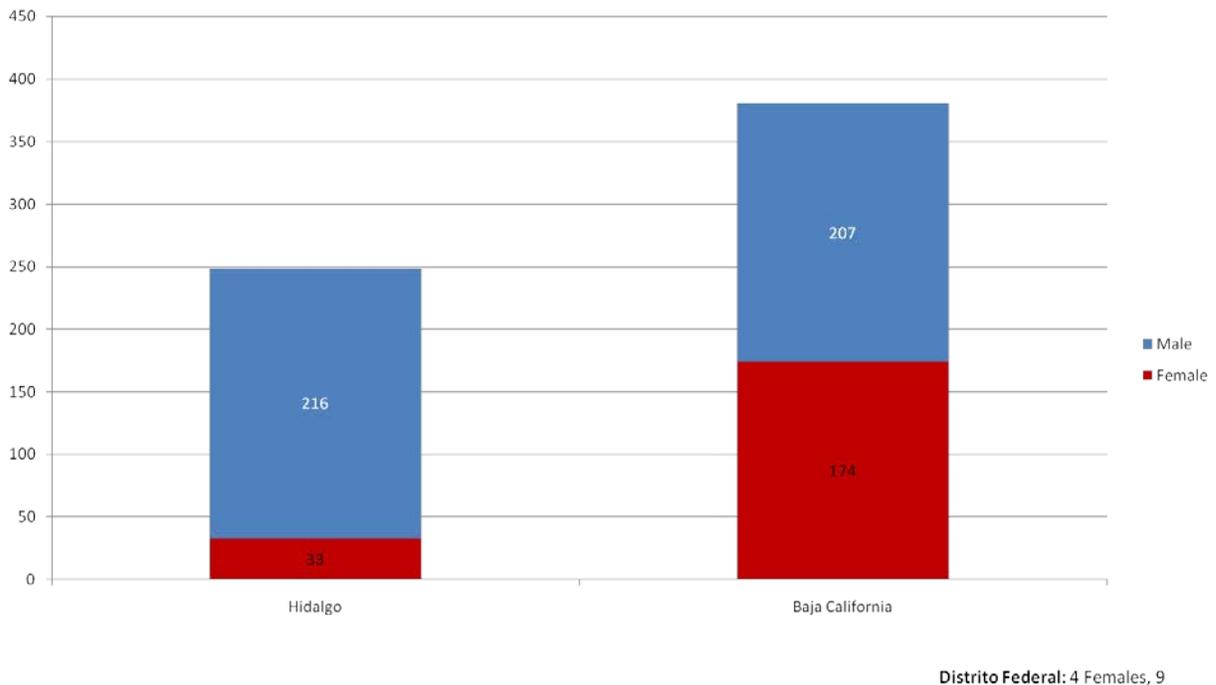
The USAID/Mexico Justice and Security Program completed the training of trainers course for 13 participants from the state police of Baja California and Hidalgo on June 4 in Mexico City. The training included 15 topics on skills related to adult learning, teaching methods, and course design. The goal of the training was to increase sustainability by providing participants with the ability to train their peers, other federal agencies and partner organizations.

- Addressing the need for procedural harmonization by linking trainings to procedures and agency certification standards. In addition, it seeks to define stages within the career of police to establish standards for recruitment, promotions, disciplinary protocols and dismissal

The graph below shows training activities carried out by this sub-component in three jurisdictions: Baja California, Hidalgo and District Federal. The largest numbers of participants have been trained in Baja California (300), and Hidalgo (249), and there was a ToT carried out in District Federal for 13 persons. In District Federal, Baja California and Hidalgo, the S&J Program works simultaneously with the criminal justice and alternative justice technical teams in order to further synergize between the three areas. Although the S&J Program cannot fully claim all the success of the alternative justice methods, it is certain that it has facilitated channeling of minor crimes through case resolution alternatives in significant numbers. A 70% increase in the number of cases now referred to case resolution alternatives in the states where the judicial reform is being implemented, is said to have a positive correlation with the increased proportions of indictments of serious crimes.

The gender disaggregation shows an overwhelming majority of male participants (67%) in the trainings. The target population of this sub-component is police officials and police investigators which reflect cultural paradigms of typical male roles in Mexico. According to the Police Commissioner of Nuevo Leon, the gender composition of the Police in that state is 70% male and 30% female, which also reflects the composition of the whole country..

Graph 7



3. Challenges and Lessons Learned

With the rapid expansion of this sub-component in the reporting period, the greatest challenge has been getting the number of interested participants vetted in time to conduct a full training course in the states of

Chihuahua, Durango and Oaxaca. The S&J Program is facing this challenge by ensuring all lesson plans, materials and instructors are poised and ready to initiate the trainings as soon as the vetting process is complete. The S&J Program expects this process to be completed early in the next quarter and trainings in these three states to commence immediately.

In addition, the emphasis on public security in Mexico has meant that many police supervisors feel they cannot afford to remove police personnel for days or weeks at a time in order to receive training in elements of reform, anti corruption, or human rights. Given the context, many in the police force are seeking more investigative and technical training. In an effort to address this challenge, the S&J Program has undertaken a TOT course, with more planned in the next quarter, to lessen the affect of police absences and increase the cadre of trainers available for the S&J Program and into the future. As stated above, the S&J Program is exploring the use of an online distance learning course. Moreover, the development of a standardized curriculum, as well as standard policies and procedures will ensure practical and technical skills are taught in conjunction with anticorruption and human rights modules for a comprehensive training program.

4. Planned Activities/Programmatic Trends

The S&J Program has a full schedule of activities planned for the next quarter, including increasing the numbers of agents trained by 200 percent. The S&J Program is poised for expansion of the first phase of training into the three states of Chihuahua, Durango, and Oaxaca. In addition, advanced technical training will be provided in the states of Baja California and Hidalgo. Additional activities planned include:

- Launch of the two year Masters degree course for 300 agents in collaboration with UNAM and SSP
- Expand trainings into other areas of supervision and academic development. The goal is to have trained instructors in the next month in all eight states
- Complete manuals based on models developed by INSYDE
- Train 15 officials from the municipal and state police as trainers in a 15 module TOT course
- Conduct a two week curriculum development course for 20 instructors from target states. Instructors will use newly developed curriculums in their trainings in their home states
- Continue to explore cross border collaborations between Juarez and El Paso, Texas

SUB-COMPONENT 2.1: PROTECT, PROSECUTE AND PREVENT TRAFFICKING IN PERSONS

I. Context

Mexico is a large source, transit, and destination country for persons trafficked for the purposes of commercial sexual exploitation and forced labor. The GOM has demonstrated its commitment to combating this crime through comprehensive anti-trafficking legislation and providing financial resources for victim shelters. In November 2007, the GOM passed comprehensive Anti-Trafficking legislation at the federal level intended to prevent, combat and punish human trafficking and to provide assistance and protection to the victims of this crime. At the federal level, the focus has been on prevention as well as the creation of an inter-agency committee responsible for implementing a national program to prevent trafficking in persons and protect victims.

Although the law was approved through federal Congress, in Mexico's federalist system, state governments investigate and prosecute trafficking activity at the local level and states have to modify local laws to incorporate the crime of human trafficking. Although 25 states have revised their criminal laws to incorporate anti-trafficking legislation, this has created discordance among state laws which will make it difficult to efficiently combat the crime. The S&J Program supports the GOM to determine how the lack of homogeneity in the criminal classification of TIPs in each state may create a situation of impunity for the crime. This in turn will influence federalizing the law and harmonizing the codes among the states.

A positive step in supporting the prevention, punishment and eradication of human trafficking was the creation of the FEVIMTRA attached to the Attorney General's Office in 2008. In addition, there have been many public and private institutions developing prevention, awareness and diffusion strategies to raise awareness among key stakeholders including national and state security agents, justice sector officials, migration agents and human rights activists. The following public institutions have developed awareness strategies and training courses at the federal level: the Attorney General's Office, the SSP, the National Migration Institute, the National Women's Institute, the National System for Family Integral Development (DIF), and the National Human Rights Commission, among others.

That Mexico's first trafficking in persons conviction and sentencing occurred in the District Federal is not a coincidence, given the determination of criminal justice officials to combat this crime. USAID's support to the District Federal through technical assistance and training – more than 750 trainees, comprising nearly 30% of the 2,500 trafficking in persons trained by the S&J Program in the whole country- has been directed at District Federal criminal justice and government officials, which helped create this determination to combat and prosecute TIPs. An interesting success story on this topic is included in Annex I.

USAID/ Mexico Supports the Launch of the UNODC Blue Heart Campaign



Mexico took the lead in the global fight against human trafficking on April 14 in Mexico City with the launch of the international Blue Heart Campaign against human trafficking, cosponsored by the United Nations Office on Drugs and Crime (UNODC), USAID and the Government of Mexico. The event was attended by Mexican dignitaries, including Mexican President Felipe Calderón, subject matter experts, members of civil society organizations, and the media.

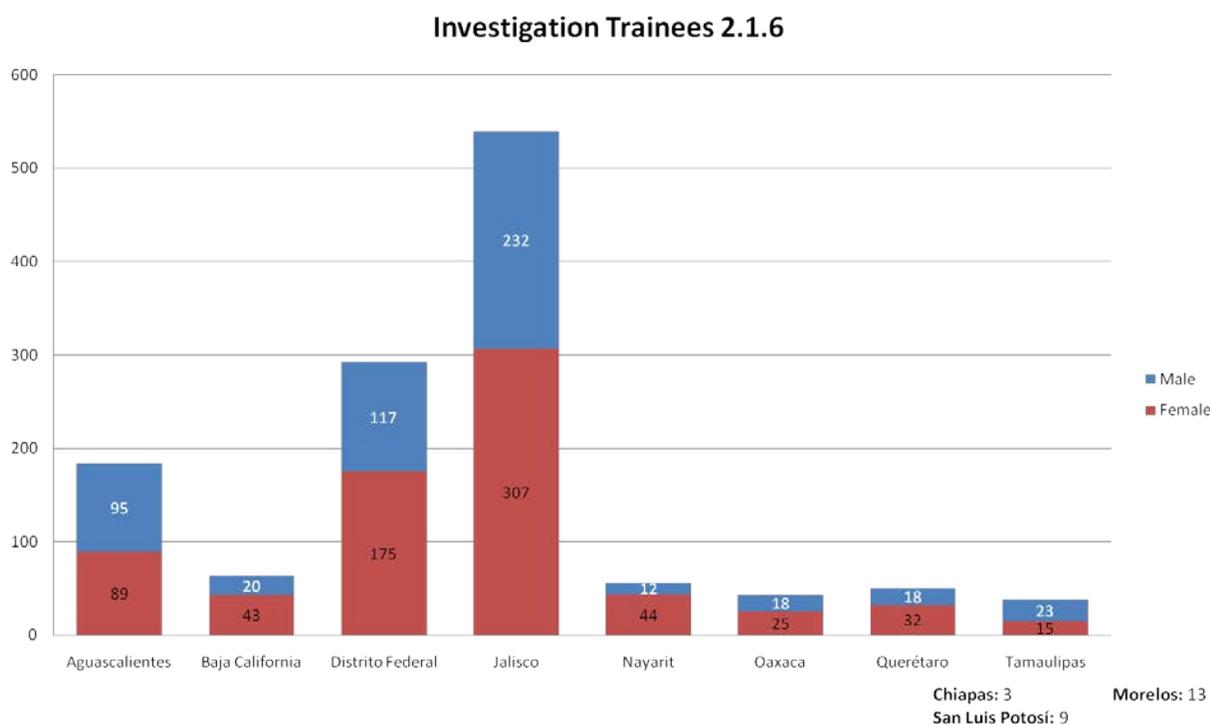
The USAID/Mexico Justice and Security Program supported this event with months of planning and coordination prior to the launch as well as logistical and financial support throughout the event. The launch was marked by a week of activities designed to raise awareness and mobilize society into action to put an end to this inhuman practice.

Prior to the launch, the Program organized and co-sponsored an event for more than 150 experts and members of the media to share information on the global movement and the issues of human trafficking. Rounding out the week, the Program supported the implementation of a two day colloquium for officials, experts and media.

2. Results

This quarter, the S&J Program has achieved significant success in reaching program goals. Throughout the life of the project, the S&J Program has been actively working with several state Congresses on reforming and implementing anti-trafficking laws. This quarter, the S&J Program provided technical assistance on the drafting of TIPs laws in the six states of Jalisco, Nuevo Leon, Puebla, Queretaro, San Luis Potosi, and Sonora. In addition, the number of justice sector personnel trained by the S&J Program in this quarter far exceeded established targets.

Graph 8



The graph above shows training activities carried out by the TIPs sub-component with a focus on investigation in eight main jurisdictions. The largest numbers of participants have been trained in District Federal (292), Jalisco (281), Aguascalientes (184) and Baja California (63). The nature and objectives of this sub-component has led to strong cooperation with the S&J Program's criminal justice and police technical teams in the states where all are working, whereas the trainers from criminal justice and police participate as instructors in TIPs trainings.

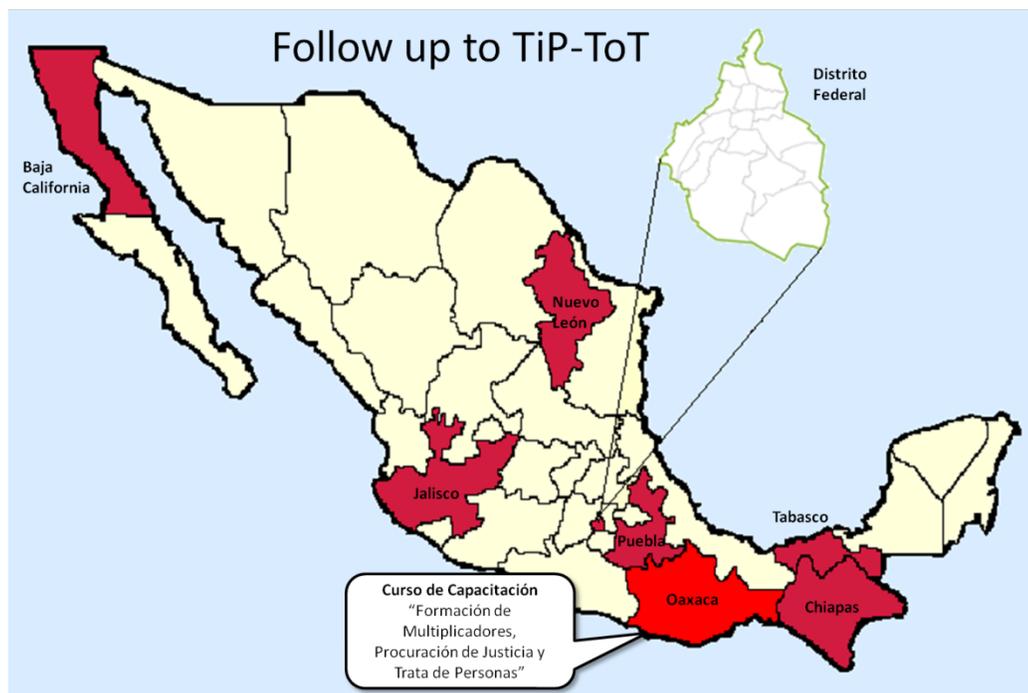
The gender disaggregation shows that there is a majority of 57% participation of females in the trainings with the exception of judges, which are mostly men. The target population of this sub-component is mainly justice sector officials and police investigators.

Additional results include:

- Trained 1007 justice sector personnel to investigate TIPs cases and other serious crimes

- Co-organized the launch of the United Nations Office on Drugs and Crime (UNODC) Blue Heart Campaign which gathered more than 400 experts, officials, press and members of civil society
- Provided technical assistance to six states on drafting new anti-trafficking laws
- Five states (Aguascalientes, Nayarit, Tijuana, Guadalajara and Reynosa) have led sensitization campaigns sponsored by the S&J Program. Four states (Nuevo Leon, Nayarit, Tabasco, and Tlaxcala) implement TIPs legislation consistent with the TIP Federal Law
- Co-organized five “Day of Awareness and Training in Trafficking in Persons” events in five states in coordination with the National Human Rights Commission and the National Women’s Institute
- Trained 43 state police personnel as trainers in an eight module course, including two modules on assistance to victims. Out of those trained as trainers, the S&J Program has followed up with 12 who have been very active applying, sharing and replicating what they learned. They are representatives from the Women’s Institute, PGR, Attorney’s office, and Legislative branch, who are working in Baja California, Chiapas, D.F., Jalisco, Nuevo León, Puebla, and Tabasco as shown in map below.

Map 2



Challenges and Lessons Learned

The greatest challenge facing the S&J Program’s work to Protect, Prosecute and Prevent Trafficking in Persons during this quarter has been the increasing need of assistance by various states and institutions. The S&J Program has been approached by several institutions with the request for trainings and technical assistance and is striving to meet the demand. Solutions to this challenge are already being addressed by increasing the number of planned TOT courses as well as plans to increase the total number of officials trained in the next quarter by 300 percent.

4. Planned Activities/Programmatic trends

- Conduct three ToT courses for state police in three states
- Train officials from the PGR and state police in two Diploma courses in Mexico City
- Organize a study tour to Colombia to experience another model for combating TIPs and providing assistance to victims
- Continue assistance to state governments on reforming TIPs laws
- Conduct a two week training for the Federal Investigation Agency (AFI) on intelligence strategies to investigate and prosecute TIPs and other serious crimes
- Organize the Blue Heart Campaign Marathon in collaboration with the UNODC and GOM to create awareness on TIPs and prevent more people from becoming victims
- Participate in a forum organized by the Federal House of Representatives to discuss the federal reforms of TIPs laws
- Establish a task force to synergize activities to combat TIPs with FEVIMTRA, AFI, Specialized Investigation of Organized Crime (SIEDO), as well as civil society and NGOs

SUB-COMPONENT 2.2: VICTIM RESTITUTION

I. Context

Mexico currently has six shelters to care for victims of human trafficking and is in the process of inaugurating more. Five of the shelters are civil society initiatives and the other one was created by FEVIMTRA. The shelters have designed an intervention model for victims of human trafficking focusing specifically on the physical and psychological recovery. In addition they have begun providing legal and psychiatric intervention to assist victims in regaining their self-esteem, independence and identity for reintegration into society.

In addition, there has been demand for the services and benefits offered by Family Justice Centers. Family Justice Centers are designed to reduce the number of places victims need to go in order to receive services. The Family Justice Center model has been identified as a best practice in the field of domestic violence intervention and prevention services by numerous national and international organizations. This quarter, the S&J Program was approached by the GOM to provide assistance in the establishment of Family Justice Centers in five Mexican states.

2. Results

The S&J Program has been working extensively to strengthen the capacity of state and federal institutions to manage and protect victims and their cases. This quarter, the GOM approached the S&J Program to collaborate on the establishment of five Family Justice Centers in Mexico. The S&J Program initiated contact with the Family Justice Center of San Diego, established in 2002 and the model for subsequent centers, to discuss collaboration on the implementation of these centers in Mexico, including one in Juarez, Chihuahua. In the Federal District the total of 22 participants have been trained (12 female), and in Nuevo Leon a total of 48 participants of which 40 are female.

The gender disaggregation shows that there is an overwhelming majority of female participants in the trainings. Interesting to note that most of the personnel trained to handle victims are women, while investigations are more evenly distributed by gender.

Additional highlights include:

- 70 justice sector personnel trained to handle victims of serious crimes, including torture and TIPs
- Organized and participated in the “Justice Centers for Women” forum in Monterrey, Nuevo Leon. The forum gathered 48 officials and authorities and was designed to exchange information with experts on operating effective family justice centers. The goal is to inform authorities and provide them with the tools and resources to promote centers in their localities
- Co-organized the Blue Heart Campaign to raise awareness on human trafficking and the victims of the crime
- Trained Federal SSP and PGR officials in the four module course “Techniques to Combat Child Sexual Exploitation” seminar in collaboration with US Immigration and Customs Enforcement (ICE) and the US Department of Justice in Puerto Vallarta.

3. Challenges and Lessons Learned

The topic has been well received in agencies with which the S&J Program has been working. In this sense, the challenge is to continue the work and increase the number of institutions the S&J Program cooperates with in the fight against crime and promoting victim services.

4. Planned Activities/Programmatic Trends

Planned activities under this subcomponent largely mirror those of the sub-component 2.1 as many of the courses and strategies pursued not only aim to protect and prevent trafficking, but to ensure that victims of this crime receive appropriate services and compensation. The synergy between the two subcomponents ensures that courses and activities include a holistic approach to the issues of trafficking and victims assistance. Additional activities planned during the July-September 2010 quarter include: continued planning for the family justice centers in Juarez, Guerrero, Morelos, Baja California and the District Federal; numerous trainings dedicated to supporting authorities’ abilities to assist victims of TIPs and other crimes; support to victims shelters; and organizing forums on victims’ assistance.

SUB-COMPONENT 2.3: HUMAN RIGHTS TRAINING FOR POLICE, PROSECUTORS AND OTHER OFFICIALS

I. Context

The constitutional reform established new rules for the detention of persons and the rules on how to prosecute criminal cases before judges. In addition, the constitutional reform has a human rights component that is crosscutting through all the subcomponents of the S&J Program. Law enforcement officials are facing great challenges in addressing rising crime and unrest as well as adhering to the constitutional reform and human rights standards. The human rights training for police, prosecutors and other officials is specifically designed to meet the needs of law enforcement officials and ensure they are in compliance with human rights laws.

2. Results

This quarter, the Human Rights Training for Police, Prosecutors and Other Officials sub-component made significant progress toward the development of a human rights training curriculum for officials. Several course plans have been created including trainings for police officers on topics including human rights, use of

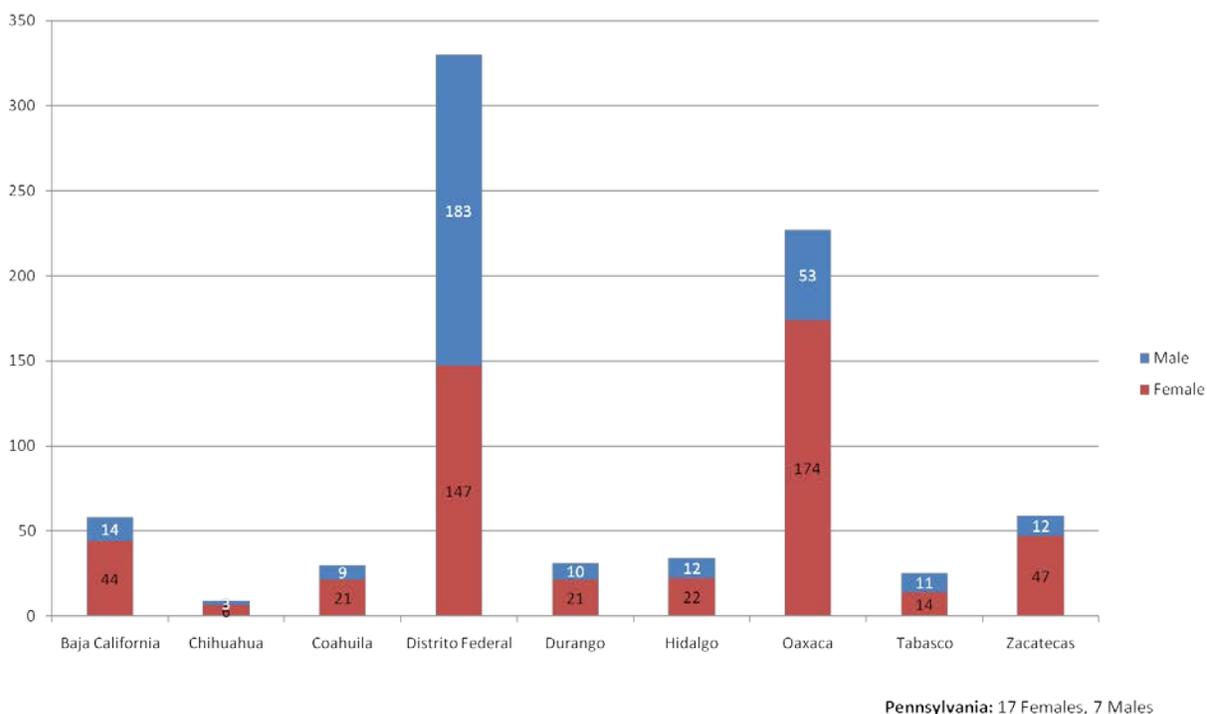
force, detention and relationship to vulnerable groups, and groups at risk of exclusion. Additional highlights from this quarter are outlined below:

- 827 police, prosecutors and other officials trained in the new criminal procedures, the constitutional reforms, and alternative case resolution mechanisms (mediation, conciliation, and restorative justice) within the context of human rights. Of these:
- 84 mediators, facilitators and state police trained in three Diploma courses in “Alternative Methods in Conflict Resolution” in Hidalgo, Tabasco and Baja California
- 17 mediators from seven states trained in an intensive immersion in restorative practices in Pennsylvania.
- 100 indigenous women trained in conflict resolution and domestic violence awareness

The graph below shows training activities carried out by the in 9 states. The largest numbers of participants have been trained in the District Federal (330), Oaxaca (227), Zacatecas (59), Baja California (58), and Hidalgo (34). In the District Federal, Baja California and Hidalgo, the S&J Program works simultaneously with the criminal justice technical team in order to increase synergies between the two areas that have a clear cause-effect nexus. Although the S&J Program cannot fully claim all the success of the alternative justice methods, it is certain that it has facilitated channeling of minor crimes through case resolution alternatives in significant numbers.

The gender disaggregation shows that there is an overwhelming majority of female participants in the trainings. Themes such as prevention of domestic violence, crisis intervention, mediation, negotiation, conflict transformation and conflict resolution are, and continue to, reflect cultural paradigms gender roles in Mexico.

Graph 10



- To promote sustainability and lasting impact beyond the life of the program, the S&J Program is increasingly working on the design and implementation of ToT courses. This quarter, the S&J Program incorporated four trainers who had completed the ToT course in the previous quarter into their alternative case resolution training team.
- Conducted presentation on the "Political orientation of the future Mexican criminal procedural law" for members of civil society and justice sector officials on how to implement reform for efficient prosecution while respecting human rights. The lecture recommended guidelines for the adoption of standards of human rights in the procedural law of states
- Began development for a Masters Program in coordination with UNAM and SSP to train police officers in human rights. This includes reviewing program content and the development of a dossier on training manuals including UN standards, resolutions and declarations.

3. Challenges and Lessons Learned

The S&J Program's primary challenge for implementation of human rights training is to mainstream the training for justice sector officials at all levels. It is important to institutionally change the training needs as seen by high level officials and for them to receive and become advocates of the trainings in order to promote sustainability of the training programs. To address this challenge, the S&J Program has engaged in numerous meetings and discussions with key stakeholders on the issue, and is developing partnerships and relationships with relevant parties.

4. Planned Activities/Programmatic Trends

Trainings will begin in full force this quarter, as well as the development of the two year Masters Degree program for police officers in human rights. Below are additional activities for the July-September quarter.

- Provide training and conferences related to human rights protection under the new code of criminal procedure, Mexican and international law
- Conduct seminars on access to justice for persons with disabilities
- Train Baja California state police and other officials on human rights



USAID/Mexico Announces the Release of the Request for Applications to Civil Society Organizations

The USAID/Mexico Justice and Security Program announced the release of the Request for Applications (RFA) for NGOs in May at an event in Juarez, Chihuahua. The event gathered approximately 100 representatives from of civil society organizations and included a roundtable discussion to provide organizations with information on the grant program and process.

Additional events were held in Mexico City and Monterrey, Nuevo Leon to inform civil society organizations about the grant program and incentives for projects that develop themes on the Merida Initiative. The grants range in size from \$20,000 to \$100,000 with \$2.5 million to be awarded.

The program received an overwhelming response with over 242 applications from 14 states. The grants, to be awarded in August, will help strengthen organizations work in key areas in the justice sector.

SUB-COMPONENT 2.4: SUPPORT FOR HUMAN RIGHTS NGOS

I. Context

The implementation of the new criminal justice system has been supported by an important sector of civil society organizations focused on human rights. However, the foundation of organizations involved in the procedural reform must be extended. In addition, Mexico's NGO sector is still nascent with the majority of organizations in existence for just a few years.

The federal government supports CSOs through the National Institute of Social Development (INDESOL), which is responsible for the Technical Secretariat of the Committee for promotion of activities of CSOs to combat poverty and social vulnerability. The institute works toward this goal through the implementation of a grant program for CSOs; however the institute works with very few human rights organizations and no organizations in the justice sector. In addition, funding is concentrated to organizations working in Mexico City and state funding that is directed for CSOs are not given to organizations active in the justice sector. As such, it is important that the S&J Program promote justice oriented organizations and provide grants to organizations active in this sector.

2. Results

Support for Human Rights NGOs has increased tremendously during the April-June reporting period. Significantly, the Program released the RFA, approved by USAID, and received an overwhelming response from NGOs. 242 applications were submitted from 14 states requesting a total of nearly \$230,000,000 during Step 1 of the granting process. The NGOs submitted applications specific to work in the areas of Human Rights, Security and Justice, and TIPS as well as support for Juarez, Chihuahua. The S&J Program approved 190 proposals to advance to Step 2 of the proposal selection process. In collaboration with Technological Institute of Advanced Studies of Monterrey (ITSEM), the program is providing extensive technical assistance to build the capacity of 128 NGOs to develop clear objectives and activities for strong proposals through an online training course.

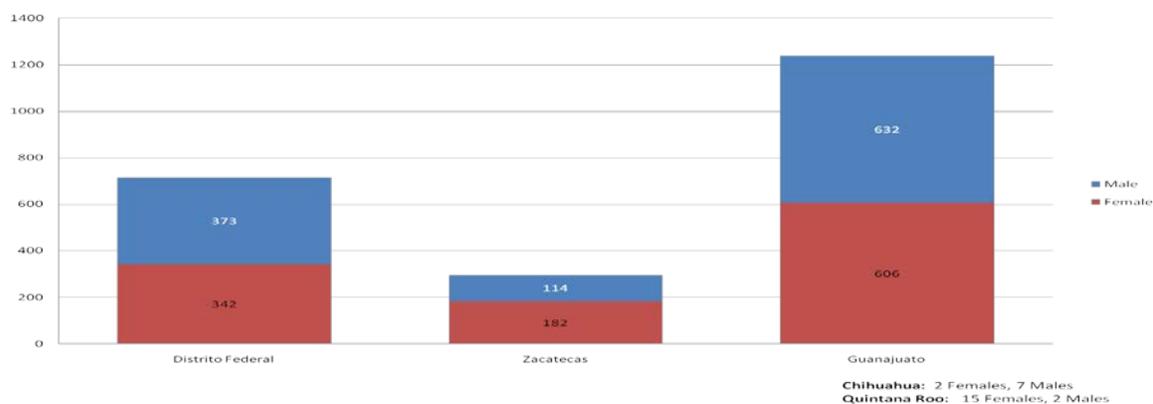
In addition, the S&J Program has continued its work with NGOs on the legal procedures to ensure the rights of people with disabilities. To support this issue, the S&J Program is reviewing existing laws and regulations on the issue of human rights of disabled persons in the justice sector.

Below are additional achievements from this quarter:

- Trained 87 NGO representatives in three workshops in Mexico City, Ciudad Juarez, (Chihuahua) and Cancun, Quintana Roo, to provide information and guidance during the implementation of Step 1 of the proposal selection process, as well as individualized assistance to NGOs on proposal development
- Trained 31 representatives from NGOs in the course entitled “Oral Litigation Techniques” in Mexico City. The course, co-organized with the Mexican Commission for the Defense and Promotion of Human Rights, the Office of the United Nations High Commissioner for Human Rights and the Latin American Faculty of Social Sciences, aimed to develop participants’ litigation skills and techniques to conduct hearings in order to implement the new justice system
- Trained 2311 representatives of CSOs, NGOs, journalists, students and volunteers on penal procedure law from the human rights perspective, human trafficking, oral litigation among others
- Presented at the regional forum on “Harmonization of legislation on equality and nondiscrimination” in Zacatecas. The S&J Program led the session on “The legal capacity of the Convention on the Rights of Persons with Disabilities”
- Conducted presentation to 45 representatives of NGOs and civil society representatives at the “National Seminar on Legal Capacity and Access to Justice for Persons with Disabilities” to reflect on the Convention on the Rights of Persons with Disabilities and the possibility of introducing changes in legislation to eliminate discrimination against persons with disabilities
- Presented at a forum in New York on the legal framework on the prevention and sanction of violence against women and discussed the need to include provisions for women with disabilities

The graph below shows training activities carried out by the Human Rights CSOs sub-component. The largest numbers of participants have been trained in Guanajuato (1238), Distrito Federal (715), and Zacatecas (296).

The gender disaggregation shows that there is a majority of participants in the trainings is by females. The target population of this component are CSOs, and traditionally in Mexico, women take the lead on a non-profit work.



3. Challenges and Lessons Learned

As the reform seeks to create a more transparent, fair judiciary, many NGOs remain skeptical of some of its provisions. One such provision, known as *arraigo*, allows detention of organized crime suspects for up to 80 days without formal charges. The S&J Program is addressing resistance by human rights organizations by conducting fora and generating awareness on the human rights components of the reform, such as due process and public hearings.

In addition, many NGOs currently have limited capacity to design high quality project proposals for funding that are aligned with donor specifications. The S&J Program is alleviating this challenge through the ITSEM online logical framework course and targeted training to NGOs to explain the process of grant applications and ensure they meet donor requirements.

4. Planned Activities/Programmatic Trends

The S&J Program has an eventful quarter planned for the July-August reporting period. The deadline for Step 2 of the proposal process is July 5. The S&J Program will review the applications with the estimated award date for the successful grantees in August and implementation shortly thereafter. The S&J Program will facilitate collaboration between NGOs working in similar sectors in the same state to foster greater impact and reach. In addition, the S&J Program will establish a rigorous system for monitoring and evaluation of the grantees to ensure efficient and effective use of funds. Additional activities for next quarter include:

- Conduct administration workshop for NGO grantees following award and prior to implementation in order to ensure efficient administration and operation of projects
- Continue training for NGOs on proposal development with ITSEM

- Continue work on NGO profiles to establish a directory of organizations working in the justice sector and publish online
- Organize second day of debate “The new criminal justice system from the perspective of civil society.” This event will provide a forum for civil society to participate in and contribute to the implementation of the new criminal justice system
- Conduct trainings and seminars for NGOs on human rights in the new criminal justice system

SUB-COMPONENT 2.5: SUPPORT FOR CITIZEN PARTICIPATION COUNCILS

I. Context

The S&J Program is supporting the GOM’s ongoing transparency efforts of the PGR’s Citizen Participation Councils (CPCs) to help design and institutionalize an effective, ongoing process for receiving, addressing and resolving citizen concerns and serve as an intermediary between civil society and the government. The CPC was established in 2002 and is composed of experts, individual citizens, and civil society representatives, including journalists, businesspeople, religious leaders, and members of NGOs. The council has several working groups including human rights, transparency and the fight against corruption, attention to federal crimes, lobbying, human development, attention to victims and state issues. The S&J Program will begin actively working with the CPCs to facilitate a watchdog function against abuse by authorities and promote citizen participation in combating crime.

2. Results

In May, the S&J Program met with representatives from the CPC of the PGR and state CPCs. The meeting coincided with the Second Security and Justice Policy Forum in Mexico City and allowed the S&J Program to introduce itself to the CPC’s. 17 CPC representatives from the states of Nuevo Leon, Oaxaca, Chihuahua, Baja California, Durango, Mexico and Zacatecas attended the meeting to begin discussions on collaboration with the S&J Program and discuss the services the Program can provide. The meeting facilitated greater communication between the Program and CPCs and also generated discussion about activities that could be implemented in the various states.

In addition, the S&J Program’s Chief of Party met with CPC Advisors in Jalisco. The meeting provided an opportunity to discuss how the S&J Program can support CPC activities, such as participation in forums or specific trainings. Possible types of support suggested by the CPC included to organize a symposium on the theme of CPC’s Security and to perform a series of trainings.

As mentioned above in 1.2, the S&J Program is also supporting the ANCP to develop a cohesive strategy that will strengthen the CPCs to receive, address, and to resolve citizen complaints and to design concrete activities to strengthen the work of the CPCs at the state level.

3. Challenges and Lessons Learned

The primary challenge faced this quarter in the S&J Program’s work with CPCs has been initiating contact in the target states. However, following the meetings held this quarter, the S&J Program expects a significant increase in activities and collaboration under this subcomponent in the July-September reporting period.

4. Planned Activities/Programmatic Trends

In the July-September reporting period the program is planning to visit CPC representatives in the target states. This will establish contact with some CPCs as well as strengthen relationships with others. The S&J

Program expects to increase regular communication with CPCs in target states in order to begin collaboration on activities. In addition, the S&J Program has agreed to include CPC representatives in future trainings, activities and events to foster greater communication and increase opportunities for collaboration.

ANNEX I: TIPS INDICTMENT SUCCESS STORY

MEXICO HANDS DOWN A TEN-YEAR PRISON SENTENCE TO ITS FIRST CONVICTED TRAFFICKER IN PERSONS

María de los Angeles G. can now work on putting her life back together and overcoming the horrific experience of being a trafficking in persons victim. She may never be able to erase some of the psychological after-effects of this experience, but she has received support and is currently undergoing psychological treatment. On the legal side of the coin, justice has been served as the Supreme Court of Justice of Mexico's Federal District recently confirmed a ten-year prison sentence for her trafficker.

The trafficker tried to enamor María de los Angeles, harassed her for months, kidnapped her in November 2008, and then took her to the city of Puebla where he forced her to prostitute herself, under the threat of harming her family and one of her daughters, in particular. He then took her back to Mexico City where he persisted in his sexual exploitation of María. He moved her back to Puebla where she again was forced to prostitute herself. Finally, when her trafficker's attention strayed, María was able to contact her family and run away. She caught a cab to the Puebla – Mexico City highway where she was met by family members and authorities from the Federal District's Attorney General's office.

Fortunately, just one month before María was kidnapped, the Federal District approved a law that specifically addresses trafficking in persons crimes. The path to improve Mexico's ability to prevent and prosecute this crime, while protecting, supporting and responding to victims, has been a long and hard road. Part of this road has included informing society and raising awareness among the authorities that this problem exists in Mexico and is much more pervasive than Mexicans would like to believe as well as persuading society and the authorities that indifference is a form of complicity that derives from a lack of social unity between trafficking victims and society at large.

Civil society organizations have been trained to provide support to victims and to train police, public prosecutors, and courts to build their capacity to improve the government's response to the victims of trafficking crimes. This training is helping traffickers' victims to avoid the formerly frequent double-victimization suffered by those subject to sexual and labor exploitation, as they have oftentimes been considered accomplices of their own exploitation. Another goal of this training has been to provide civil society organizations and criminal justice officials with a better understanding of the traffickers' *modus operandi* through which traffickers physically and emotionally subject their victims. Learning about this *modus operandi*, that includes convincing victims that the traffickers are supported by wide-ranging networks of traffickers and bribes of criminal justice officials giving traffickers the ability to make good on their threats, provides civil society organizations and government and criminal justice officials a window into the extent of victims' vulnerability and the magnitude of damages they suffer.

Another important initiative to combat and prosecute trafficking in persons is new federal and state legislation that provides an improved legal panorama in the fight against trafficking. This new legislation provides precise definitions and stricter sentences for the crime of trafficking in persons. Training prosecutors and judges on the new legislation and its application has been fundamental to successfully prosecuting and convicting traffickers in persons for this crime rather than having traffickers prosecuted and sentenced for other crimes under ordinary criminal legislation that does not correspond to the gravity of the exploitation and the humiliation involved in trafficking.

If María's kidnapping and sexual exploitation had occurred just five weeks before it did, or if the criminal justice authorities had not been properly trained in the corresponding legislation, María's trafficker likely would have been prosecuted for procuring for prostitution, "white slave trade", abduction or some other relatively minor criminal offense for which there was sufficient evidence to support conviction. The sentences

for these crimes would have been just a few months in jail or a fine for the trafficker. María also could have been placed in legal jeopardy herself for the crime of prostitution if the trafficker had been convicted of procuring-related offenses.

There are still thousands of people in Mexico who are subjected daily to sexual and labor exploitation. Many of these victims do not speak Spanish, live far from their families and cannot communicate with the authorities and institutions that are able to help them. However, progress has been made to change this situation and fight this injustice.

USAID's project to prevent and combat trafficking in persons is contributing to this progress. USAID is supporting the creation of Victim Service Centers and providing information, technical assistance, advisory services, victim compensation, logistical support, and safety and protection, when needed. Other activities supported by USAID in recent months include; rescuing 150 trafficking victims and disbanding and punishing criminal organizations involved in trafficking in persons, providing technical assistance to Mexican states and municipalities in drafting legislation and implementing policies to prosecute and combat trafficking in persons, training criminal justice officials and civil society organizations to prevent and prosecute this crime, and providing victim support and protection.

That Mexico's first trafficking in persons conviction and sentencing occurred in the Federal District is not coincidental given the determination of criminal justice officials in the Federal District to combat this crime. USAID's support to the Federal District through technical assistance and training in trafficking in persons – more than 750 individual training sessions, comprising nearly 30% of the 2,500 trafficking in persons training sessions sponsored by USAID in Mexico have been directed at Federal District criminal justice and government officials – helped create this determination to combat and prosecute the crime of trafficking in person.