



**USAID**  
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UNIDOS DE AMERICA

# USAID/PERU PRO-INTEGRIDAD

## FOURTH QUARTERLY REPORT OCTOBER 01 TO DECEMBER 31, 2013

### **DECEMBER 2013**

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# USAID/PERU PRO-INTEGRIDAD

## FOURTH QUARTERLY REPORT OCTOBER 01 - DECEMBER 31, 2013

<b>Project Name:</b>	<b>Promoting Justice and Integrity in Public Administration (Pro-Integridad)</b>
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The opinions issued in this publication do not necessarily reflect the point of view of USAID or of the Government of the United States.

# CONTENTS

ACRONYMS .....	3
I. INTRODUCTION.....	4
II. EXECUTIVE SUMMARY .....	4
III. PROJECT OBJECTIVES AND RESULTS.....	4
3.1.1 <i>Preparation of the Baseline Study and Executive Summary</i> .....	4
3.1.2 <i>Diagnosis and Training Plan for operators who implement the CPC in corruption cases (Diploma Course)</i> .....	5
3.1.3 <i>Work plan for the strengthening of management and the corporate model in the Judiciary and the Public Ministry</i> .....	5
3.1.4 <i>Criteria for the selection of the pilot districts and Action Plan</i> .....	7
<b>3.3 OBJECTIVE 3: STRENGTHEN THE JUDICIAL SYSTEM'S CAPACITY TO ADDRESS CORRUPTION THROUGH EFFECTIVE CIVIL SOCIETY ENGAGEMENT</b> .	10
3.3.1 <i>Communication Strategy</i> .....	10
3.3.2 <i>Grants Under Contract Process</i> .....	11
3.4 GENDER INCLUSION STRATEGY.....	11
3.5 PROJECT MONITORING.....	12
IV. WORK MEETINGS .....	12
4.1 MEETINGS AT USAID .....	12
4.2 COORDINATION MEETINGS WITH NATIONAL COUNTERPARTS .....	13
V. ADMINISTRATIVE SUMMARY .....	15
5.1 PROJECT LEGAL REPRESENTATIVE .....	15
5.2 OPERATING LICENSE .....	15
5.3 ADMINISTRATIVE ACTIVITIES .....	15
VI. RELEVANT ELEMENTS WITHIN THE NATIONAL CONTEXT OF THE PERUVIAN JUSTICE .....	16
VII. PRODUCTS AND DELIVERABLES.....	17
VIII. FINANCIAL REPORT .....	21
IX. SUMMARY OF ACTIVITIES PLANNED, ACCOMPLISHED, AND IN PROGRESS FOR THE PERIOD OF FEBRUARY 15 TO DECEMBER 30 OF 2013.....	22
ANNEX NO 1: UPDATED INDICATORS TABLE.....	25

# ACRONYMS

AMAG	Academy of the Magistracy
AWP	Annual Work Plan
CPC	Criminal Procedures Code
COP	Chief of Party
DCOP	Deputy Chief of Party
GOP	Government of Peru
IDC	Implementation District Committee
IIM	Institutional Integrity Model
IIS	Institutional Integrity System
M&EP	Monitoring and Evaluation Plan
MINJUS	Ministry of Justice and Human Rights
MOU	Memorandum of Understanding
NGOs	Non-governmental Organizations
OCMA	Office for the Control of the Magistracy
OCTI	Office of International Technical Cooperation of the Judicial Branch
ODECMAs	Decentralized Offices for the Control of the Magistracy
PJ	Judicial Branch
PM	Public Ministry
PMP	Performance Monitoring Plan
Project	Pro-Integridad Project
PUCP	Pontifical Catholic University of Peru
CSOs	Civil Society Organizations
ToT	Training for Trainers
ST-CEICPC	Technical Secretary Office of the Special Commission for the Implementation of the Criminal Procedures Code
USAID	United States Agency for International Development
USG	United States Government

# I. INTRODUCTION

This document comprises the fourth quarterly report of USAID's Pro-Integridad Project in Peru, implemented by ARD Inc., under Contract No. 527-C-13-00001. The report covers the period October 1 to December 31, 2013, related to the activities performed under Pro-Integridad's (Project) Annual Work Plan.

## II. EXECUTIVE SUMMARY

This quarter, the Project completed the following meaningful actions:

- Presentation to and validation by the Project counterparts of the "Baseline Executive Synthesis." Based on that report, the Project started its management assessment in the judicial districts of Amazonas, Loreto and Lima Central to identify the processes that need improvement to manage corruption cases in the Judicial Branch (PJ) and in the Public Ministry (PM).
- Start-up activities and negotiations with the *Instituto de Democracia y Derechos Humanos de la Pontificia Universidad Católica del Perú* (IDEHPUCP) to develop a Diploma Course Specialized on Corruption Cases for judges, prosecutors and advocates of the anti-corruption system.
- Submission of the "Assessment study of the status of the institutional integrity system at the Ministry of Justice and Human Rights of Peru" and the Action Plan for the implementation of the Institutional Integrity Model (IIM) to the Ministry of Justice (MINJUS).
- Start the consultancy to design the communication strategy related to the implementation of the Criminal Procedure Code (CPC) in cases of corruption. The selected contractor, a consortium between Falkom SAC and Proética, began conducting a survey on citizen perception and knowledge of the criminal reform process in the judicial districts of Lima, Loreto and San Martin.
- Start building the capacity of the judicial system to address corruption through the award of grants to civil society organizations, which are expected to be awarded by March 2014.

## III. PROJECT OBJECTIVES AND RESULTS

### 3.1 OBJECTIVE 1: INCREASE JUDICIAL SYSTEM CAPACITY IN LIMA, CALLAO, AND PERUVIAN AMAZON REGIONS TO RESOLVE CORRUPTION CASES

#### 3.1.1 Preparation of the Baseline Study and Executive Summary

During this quarter, the Project made two presentations to the counterparts on the documents "*Executive Synthesis of the Baseline Study on the application of the Criminal Procedures Code to corruption cases*" and "*Baseline Study of the Anti-Corruption Justice Sub-System in nine Peruvian judicial districts,*" which analyze the situational implementation status of the Criminal Procedures Code (CPC) in corruption cases in nine regions of the country.

In the first event, on November 7, 2013 for the Judicial Branch, DCOP Nataly Ponce and Attorney Edith Sicha presented the documents, accompanied by COP Josefina Coutiño, Atty. Jose Reategui and Tt DPK Director Robert W. Page Jr., who was visiting the Project. Among the attendants was Dr. Bonifacio Meneses, President of the Implementation of the

Criminal Procedures Code Team, and María Antonieta Delgado and Vivian Weiner, with the OCTI. The PJ representatives validated the findings, showed and expressed their concerns regarding the challenges exposed, particularly in relation to congestion of cases in the courts of preliminary investigation, and expressed their readiness to support the Project activities.

On November 20, 2013, the presentation to the Public Ministry was carried out, with the attendance of Lic. Carmen Condorchúa, Manager of the Office of Projects and International Technical Cooperation, Dr. Daniel Cano, advisor, and Dr. Victor Yaipén, Secretary of the Technical Implementation of the Criminal Procedures Code Team at the Public Ministry. The Project showed a set of challenges for the PM on effective criminal prosecution of corruption cases and the congestion of cases at the preliminary investigation. To this end, the PM Representatives expressed their readiness to support the Project activities to strengthen their institutional capacities.

### ***3.1.2. Diagnosis and Training Plan for operators who implement the CPC in corruption cases (Diploma Course)***

This quarter the Project Team finished the syllabus and the methodology needed for the courses that will be offered to the criminal justice system operators to improve their performance in corruption cases. This work is based on the training assessment and Training Plan previously designed by the Project.

The Project convened the Pontifical Catholic University of Peru (PUCP), through the Institute for Democracy and Human Rights (IDEHPUCP), for the implementation of a Diploma Course Specialized on Corruption Crimes. PUCP is an educational institution with extensive experience and prestige in academic and professional training. Following negotiations with the IDEHPUCP, the terms of reference and methodology were agreed upon with the project. The Diploma Course Specialized in Crimes of Corruption will target 50 judges and 50 prosecutors to apply the Criminal Procedure Code in cases of corruption in the project targeted judicial districts, and will consist of three modules in the form of semi-presence, with 240 teaching hours. The course will begin in April 2014.

As part of the agreements, the Project requested the IDEHPUCP to elaborate regulations for participants stating the duties, responsibilities and benefits of the Diploma course. On the other hand, the Project's technical team developed guidelines for the enrollment and retention of participants in the Diploma course, which include the profile of the participants and conditions for evaluation and accreditation.

The project presented these activities to the counterparts, who received the proposal with great interest and enthusiasm because the approved that participants will receive is a useful score for evaluation by the National Judicial Council (CNMA).

### ***3.1.3. Work plan for the strengthening of management and the corporate model in the Judiciary and the Public Ministry***

This quarter, the Project initiated the work program for the implementation of corporate management model in the judiciary and the Public Ministry following the work plan submitted on November 7, 2013 to the Judiciary and on November 19 to the Public Ministry, which consists of the following:

- **Objective:** Strengthening the management of corporate judicial and prosecutor offices to resolve corruption cases with the Criminal Procedure Code.
- **Scope:** Detailed in the following Table:

Judicial District	Judicial Branch	Public Ministry	Implementation
<b>Lima (headquarters)</b>	Courts and Superior Court that learn about corruption offenses under the CPC	Higher Prosecution Offices Specialized in Officers' Corruption Prosecution and Provincial Corporate Prosecution Offices Specialized in Officers' Corruption	2014
<b>Amazonas (headquarters)</b>	Courts and Superior Court that learn about corruption offenses under the CPC	Provincial Corporate and Superior Prosecution Offices Specialized in Officers' Corruption	2014
<b>Loreto (headquarters)</b>	Courts and Superior Court that learn about corruption offenses under the CPC	Provincial Corporate and Superior Prosecution Offices Specialized in Officers' Corruption	2014
<b>With Headquarters in Lima</b>	National Criminal Court and Supra-provincial Criminal Courts	Superior National Prosecution Office Specialized in Officers' Corruption, and Supra-provincial Corporate Prosecution Office Specialized in Officers' Corruption	2015

- **Work Program:** The program is to be developed in three phases and show the following outcomes:

PHASE	PRODUCT	SCHEDULE	TEAM	EXPECTED DELIVERABLES
Phase I: Design	Product No. 1: Assessment	November 2013 – January 2014	Project Team and national consultant	Diagnosis of processes and workflows in the Judiciary and Public Ministry for the treatment of cases of corruption, specifically for the consolidation of the Corporate Offices within the framework of the implementation of the Criminal Procedures Code, delivered.
	Product No. 2: Proposals for Improvement	January 2014	Project Team, national consultant and International consultant	Initial proposal for improvements to the corporate management model for criminal procedures reform. Models of Corporate Judicial and Prosecution Offices for the treatment of cases of corruption, delivered.  International workshop on corporate criminal office management delivered.
Phase II: Implementation	Product No. 3: Manuals and Protocols	February – April 2014	Project Team and national consultant	Manuals and Protocols on the new corporate management model in the judiciary and the Public Ministry for the treatment of cases of corruption within the framework of the implementation of the Criminal Procedures Code designed and delivered. This product will include the final version of the proposed improvements to the corporate management model.
	Product No. 4: Training	May – June 2014	Project Team, national consultant and International consultant	Judges, prosecutors, and administrative staff at key pilot sites trained on the new management model.  International workshop on best practices for corporate management delivered.
	Product No. 5: Technical Assistance	June– July 2014	Project Team and national	New judicial management model implemented in pilot judicial and prosecution sites.

PHASE	PRODUCT	SCHEDULE	TEAM	EXPECTED DELIVERABLES
			consultant	
Phase III: Monitoring and Sustainability	Product No. 6: Monitoring	August - December 2014	Project Team	Identification and measurement of the improvements at the operational level, especially in the management and flow of corruption cases. Strategies and activities used for the achievements, lessons learned and success stories (snapshots) evidenced in different locations, delivered.
	Product No. 7: Sustainability	August 2014 – December 2015	Project Team	Tutorial for consultations or correctives in the pilot sites. Promotion of institutional commitment for sustainability.
	Product No. 8: Circles of Innovation	August 2014 – December 2015	Project Team	Minutes of meetings or training conducted, aimed at promoting and introducing the methodology of circles of innovation.

The technical team dedicated to this work includes Dr. Armando Plazolles, Atty. Edith Sicha and Atty. Jose Reategui.

#### **3.1.4. Criteria for the selection of the pilot districts and Action Plan**

This quarter the Project developed two documents to guide the implementation of the pilots in Lima and the Amazon regions: i) *"Proposal for the selection of pilot programs in judicial districts of Metropolitan Lima, Callao and the Amazon Region,"* and ii) *"Action Plan for the Implementation of the pilot judicial districts."* The first document develops quantitative and qualitative criteria for the selection of the four pilot sites of the project, and the second document provides guidelines for its proper implementation. The objectives set for each pilot judicial district of the Project are the following:

- **Management.** - Improve the management of corruption cases with the CPC through the review and optimization of key processes in the Superior Court of Justice and the Prosecution Office of the respective pilot judicial district.
- **Training.** - For judges, prosecutors and PJ and MP support staff in the respective pilot judicial district, on topics to strengthen their capacities and performance. Likewise, judges, prosecutors and support staff will be trained on issues related to institutional integrity. These activities will benefit one hundred justice operators in the four pilot courts.
- **Monitoring.** - Improve monitoring skills based on indicators at the Superior Court of Justice and the Prosecution Office in the respective pilot judicial district.
- **Approach to the community.** - The justice system grows closer to the community, especially toward local representative groups, through training and dissemination in the respective pilot judicial district.

These documents were elaborated by Jose Reátegui, Pro-Integridad Coordinator for the Amazon Region, with technical recommendations from the DCOP Nataly Ponce.

#### **3.1.5. Technical Assistance to the Technical Secretariat of the Special Commission for the Implementation of the CPC**

This quarter the Project began to provide technical assistance to the ST-CEICPP for the development of a strategic plan to strengthen the bodies responsible for the implementation of the CPC. 10 SWOT (Strengths, Weaknesses, Opportunities and Threats) workshops were conducted with the technical teams of the Judicial Branch, the Public Ministry, the Public Defense and the ST-CEICPP. It is anticipated that the Strategic Plan will comprise a

assessment and analytical proposal of strategic actions focused on four key areas: i) Planning, ii) Training, iii) Monitoring and Evaluation, and iv) Civil society and community.

The following are opportunities for improvement that were identified at the workshops:

- Update the legal framework of the bodies responsible for the implementation of the CPC, in order to give them a legal base in line with their current functions and challenges.
- Elaborate planning documents such as strategic and operative plans.
- Design organizational charts for the Implementation Technical Teams (ETIs) and the District Implementation Commissions (DICs).
- Train in monitoring and evaluation for ETI and DIC personnel.
- Elaborate of a communications plan to disseminate the CPC implementation.
- Develop a handbook for DICs and Best Practices Manual on the CPC implementation.

A meeting was also held with representatives of the Academy of the Magistracy (AMAG), to analyze the coordination with the bodies responsible for the implementation of the CPC and discuss the Diploma Course Specialized on Corruption Crimes.

These activities were charged to Eng. Flor Torres, a monitoring and evaluation specialist, and DCOP Nataly Ponce, who will deliver a first version of the Strategic Plan mentioned by January 2014.



Technical Teams of the Judicial Branch, Pro-Integridad, and the Office for International Technical Cooperation



Public Ministry Technical Team during the SWOT workshop organized by the Project



SWOT workshop at the Technical Secretariat

### **3.1.6. Technical Assistance to the Public Attorney Specialized on Corruption Crimes**

During the quarter, the Project initiated a proposal to develop standardized criteria to quantify the amount of civic damage that corruption crimes inflict on the Peruvian government. The aim of this document is to analyze the regulatory framework and establish a set of common criteria and standards. The proposal will end in February 2014 and will be submitted to the Public Attorney Specialized on Corruption Crimes for its validation, a process that will be replicated in the Judiciary and the Public Ministry.

The outcomes from Objective 1 for the quarter were the following:

- Presentation and validation with the counterparts of the documents “*Executive Synthesis of the Baseline Study on the application of the Criminal Procedures Code to corruption cases*” and “*Baseline Study of the Anti-Corruption Justice Sub-System in nine Peruvian judicial districts.*”
- SWOT workshops to elaborate a Strategic Plan to strengthen the bodies responsible for the implementation of the CPC.
- Product No.13: A basis for the design of the Strategic Plan to strengthen the coordination and articulation of the bodies in charge of the CPC implementation.

- Product No. 14: Terms of Reference and Modules for the Diploma Course Specialized on Corruption Crimes with the *Instituto de Democracia y Derechos Humanos (IDEHPUCP) de la PUCP*.
- A assessment to strengthen the corporate management model at the PJ and PM.
- The documents "*Proposal for the selection of pilot programs in judicial districts of Metropolitan Lima, Callao and the Amazon Region*" and "*Action Plan for the Implementation of the pilot judicial districts.*"
- The document "Proposal of standardized criteria to quantify the amount of civil restoration of damage caused to the Peruvian government due to corruption crimes.

### **3.2 OBJECTIVE 2: INCREASE THE CAPACITY OF THE JUDICIARY TO ADDRESS INTERNAL CORRUPTION AND PROMOTION OF THE INSTITUTIONAL INTEGRITY MODEL**

In order to implement the IIM in the Peruvian justice system, this quarter the Project presented the "Diagnosis on the Situation of the Institutional Integrity System in the Ministry of Justice and Human Rights of Peru" to the team leading the IIM project at MINJUS, formed by Messrs. Hugo Ignacio Vallejos, Secretary General, Martina Torres Sales, Director General of Planning and Budget, and Alejandro Gonzales Gonzalez, Chief Human Resources Office, among other MINJUS authorities. On the Project's side, the participants were Josefina Coutiño, COP, Carlos Mario Velarde, Coordinator Objective 2, and Martín Castro, COR at USAID. The diagnosis mentioned was received to the satisfaction of counterparts and implementation activities began. The following is a highlight of the achievements:

- *Ministerial Resolution No. 0260-2013-JUS* - The Anti-Corruption Plan of the Ministry of Justice and Human Rights 2013-2016 was approved this quarter, which includes specific results and indicators related to the implementation of the IIM was approved. To that end, the Project presented to the MINJUS authorities an approach and specific methodology for the adoption of the IIM in MINJUS, which were adopted and included in the Plan.
- The Ministerial Resolution mentioned was published on the national official newspaper (El Peruano) and is a good sign that the IIM will be institutionalized in MINJUS and will be sustainable.
- Work Plan for Institutionalizing the IIM in MINJUS.- The Project started elaborating this Plan which, based on the respective diagnosis, identifies actions to be taken in the following areas: i) human resources management systems, ii) public information management, and iii) transparency. It must be noted that this document includes strategies at short and medium term, aimed at the sustainability of the IIM in MINJUS.

The following is the outcome of Objective 2 for this quarter:

- Diagnosis on the Situation of the Institutional Integrity System in the Ministry of Justice and Human Rights of Peru.

### **3.3 OBJECTIVE 3: STRENGTHEN THE JUDICIAL SYSTEM'S CAPACITY TO ADDRESS CORRUPTION THROUGH EFFECTIVE CIVIL SOCIETY ENGAGEMENT**

#### **3.3.1 Communication Strategy**

The project initiated the development of the communication strategy on the implementation of the CPC through a subcontract with the company Falkom SAC. The subcontractor made a series of visits to the judicial districts of Lima and the Amazon region of Loreto, Amazonas and San Martín, in order to have an overview of the situational communication status of the CPC. The first breakthrough assessment evidences the following findings:

- Absence of communication strategies within the justice system and to the public.
- Distrust of the population.
- Lack of articulation and coordination between the institutions of the justice system.
- Training needs.
- Poor understanding of roles under the new criminal procedure.

The diagnosis concludes that knowledge and acceptance of the CPC in the studied regions is positive but at a very precarious level. This diagnosis is a key input in the development of the communication strategy that the project will provide to the Peruvian criminal justice system.

### 3.3.2 Grants Under Contract Process

In December 2013, the project team received on-site training on ARD Inc. procedures on grant making under contract. Training was conducted from December 9 to 13, 2013, by Ana Maria Cuenca, Tt DPK specialist, addressed to Carlos Mario Velarde, Coordinator for Liaison with the Civil Society and Grants and Subcontracts Manager, Josefina Coutiño, COP, Cledi Encarnacion, Financial and Administrative Manager, Ursula Velarde, Office Assistant and Logistics, and Patricia Valdivieso, Project Officer.

As an outcome of this activity, the Project elaborated its Request for Applications to Grants (RFA) and on December 20 notified a short list of organizations based on the Civil Society Organizations Directory (Blue Handbook) identified by the Project in previous months.

The RFA is the initial phase to award two grants for the following matters: a) training and dissemination of the CPC and struggle against corruption, and b) production and information to understand the impact of the CPC in the struggle against corruption.

The outcomes for Objective 3 for the quarter were the following:

- Situational diagnosis to implement a communication strategy for the Criminal Procedures Code.
- RFA announcement for the project's grants program.

### 3.4 GENDER INCLUSION STRATEGY

The Project's gender inclusion made the following advances during the quarter:

OBJECTIVE	ACTIVITIES	STATUS
1. <b>OB1: MANAGEMENT</b>	<ul style="list-style-type: none"> <li>• Identify if there are guidelines, protocols and directions for the attention of women users who report corrupt acts as part of the application of the CPC to corruption cases (in the context of the development of the management assessment).</li> <li>• Promote the development of guidelines for the attention of women users who report corrupt acts (within the technical assistance framework related to management matters).</li> </ul>	<ul style="list-style-type: none"> <li>• In progress.</li> <li>• Programmed.</li> </ul>
2. <b>OB1: TRAINING</b>	<ul style="list-style-type: none"> <li>• Promote women participants in Project implemented trainings.</li> <li>• Promote women as teachers.</li> <li>• Include in the training the analysis of cases to sensitize judicial officers about the importance of gender perspective.</li> </ul>	<ul style="list-style-type: none"> <li>• The TOR for the Diploma Course Specialized in Corruption promote an equal number of women participants.</li> <li>• The TOR for the Diploma Course Specialized in Corruption consider the gender focus in two specific courses: International Public Law and Human Rights, and Oral Litigation in officers' corruption</li> </ul>

OBJECTIVE	ACTIVITIES	STATUS
		crimes.
3. <b>OB1: MONITORING</b>	<ul style="list-style-type: none"> <li>In reviewing the PMP indicators, transversely include a gender perspective, considering the peculiarity of each indicator.</li> </ul>	<ul style="list-style-type: none"> <li>The "matrix breakdown" section includes indicators of gender perspective to report activities.</li> </ul>
4. <b>OB2: INTEGRITY</b>	<ul style="list-style-type: none"> <li>Identify policies and strategies aimed at equal valuation of human potential from the perspective of gender (as part of the development of the integrity assessment).</li> <li>Identify whether the institutional instruments to promote ethics, such as the Code of Ethics or other internal rules, include a gender approach.</li> </ul>	<ul style="list-style-type: none"> <li>The IIM Implementation Plan for MINJUS will include the gender perspective.</li> </ul>
5. <b>OB3: CIVIL SOCIETY</b>	<ul style="list-style-type: none"> <li>Promote women participating in Project-implemented actions to strengthen civil society (grants).</li> <li>Dissemination of complaint mechanisms in cases of corruption that affect women.</li> <li>Inclusion of cross-gender approach in the development of communication campaigns: messages, training and indicators.</li> </ul>	<ul style="list-style-type: none"> <li>The RFA for donations includes in attachment the gender strategy and the incorporation of the gender perspective has been determined as an evaluation criterion in the development of technical proposals.</li> </ul>

### 3.5 PROJECT MONITORING

The Project's initial indicators were updated this quarter according to results, objectives, strategies for each objective, and inputs from COR Martin Castro and USAID officials in charge of monitoring. The number of indicators was reduced to nine, each one with a precise definition and disaggregation matrixes (See Annex 1: Table of Project indicators updated).

## IV. WORK MEETINGS

### 4.1 MEETINGS AT USAID

On November 25, 2013, Pro-Integrity COP Josefina Coutiño was invited to a meeting at the USAID Director's office, Ms. Deborah Kennedy-Iraheta, to report Project progress and identify the key dialogue topics that took place between Chief Justice, Dr. Enrique Mendoza, and the Prosecutor General, Dr. José Antonio Peláez, during the observation trip that these officials will take to Washington DC, organized by the Embassy of the United States and the ABA-ROLI Project. The COP highlighted the need for inter-institutional coordination to ensure more effective implementation of the CPC.

#### *Partner's Meeting*

On September 13, 2013, USAID convened a meeting of "Partners in Decentralization" which COP Josefina Coutiño attended. The meeting included an analysis of the political climate in light of the reforms implemented in the country's economic, social, education, health, and environmental sectors. The meeting's objective was to bring up proposals to improve the coordination of USAID programs nationwide. During the meeting, the COP emphasized the need to include justice reform in the aforementioned projects, because corruption is addressed as a problem, but no support strategies for the justice sector to combat it are included.

### ***Meeting with USAID Communicators***

On November 7, 2013 a meeting of USAID communicators was held in order to introduce the new USAID communications specialist, Magali Ugarte, and the new Mission guidelines regarding the use of the mark USAID, as well as the vision of communications for this new stage. The event addressed various topics, including the use of search engines by Google, branding & marking USAID implementation, and the presentation of the awareness campaign against illegal mining by the National Ministry of Environment. After the meeting participants agreed to start holding more meetings with the communications specialist to align ideas for dissemination.

## **4.2 COORDINATION MEETINGS WITH NATIONAL COUNTERPARTS**

### ***Meeting with the Technical Office for International Cooperation of the Judicial Branch***

On October 16, 2013, the project team participated in a meeting at the Office of International Technical Cooperation of the Judiciary (OCTI) in order to coordinate training activities with the Improvement of Justice Services Project (PMSJ). The meeting served to establish that both projects' training programs have different characteristics and audiences, so they are complementary activities. It was agreed to maintain permanent contact to coordinate possible new areas of cooperation.

### ***Meeting with the Ministry of Justice and Human Rights Team***

On October 25, 2013, the project team participated in a meeting with Dr. Daniel Figallo, Minister of Justice and Human Rights, and the team leading the IIM implementation in MINJUS. The purpose of this meeting was to present the results of the IIM diagnosis to the Minister. The presentation was charged to the Secretary General of MINJUS, Dr. Hugo Ignacio Vallejos. The result of this meeting was the formalization of the IIM in the institution and the approval of the respective Action Plans.

### ***Meetings with the Judicial Branch and Public Ministry Teams***

During this quarter, the Project team held meetings with liaison officials and technical teams at the Judicial Branch and the Public Ministry to coordinate activities aimed at the proper implementation of the Project. Among the topics discussed were improvements to the corporate management model within the criminal justice system, as well as the training program through a Diploma Course Specialized on Corruption Cases. The participants also discussed the communication strategy on the criminal procedure reform and the Project's technical assistance for the Strategic Plan aimed at strengthening the agencies that are responsible for the CPC implementation.

## **4.3 COORDINATION WITH OTHER INTERNATIONAL PROJECTS AND KEY INSTITUTIONS**

### ***Inter-institutional Workshop Organized by GIZ Justice Project***

On October 14, 2013, the Project team attended a workshop organized by the Justice Project-GIZ, to exchange points of view among the justice system operators and international donors. The meeting included three questions:

- What are the advances and achievements of the criminal procedure reform?
- What are the negative aspects or those not considered in the process of justice reform, especially in the implementation of the criminal procedure reform?
- What are the priority matters to improve the justice system where the international cooperation should be concentrated?

Considering the diverse interests in the event, the workshop concluded that the objectives and activities of the project are directly related to the core challenges of the Peruvian

criminal justice system. Furthermore, the document "Executive Synthesis of the Baseline Study" matches the highlighted outcomes of the workshop. It is worth noting that Dra. Gladys Echaiz, former Prosecutor General of the Nation, suggested conducting a high-level event on justice reform in the country; to that end, Pro-Integrity could make available its baseline studies.

#### ***Meeting with the GIZ Justice Project***

On October 22, 2013, COP Josefina Coutiño, DCOP Nataly Ponce, and members of the Project's technical team – Doctors Lourdes Rivera Santander and Oscar Cornejo – attended a coordination meeting with Dr. William Ramirez with GIZ in order to coordinate activities to be implemented at the Public Prosecution Office Specialized in Corruption Crimes. The participants agreed on an action plan, which is detailed under the related section of this report.

#### ***Meeting with ABA ROLI Project***

On November 13, 2013, a coordination meeting was held on judicial office management with ABA ROLI COP, Dr. Raúl Callirgos, and OCTI representatives María Antonieta Delgado and Vivian Weiner in attendance.

Dr. Armando Plazolles and Atty. Edith Sicha, Pro-Integridad representatives, presented the work expected to improve the management of corruption cases. Dr. Callirgos indicated that ABA ROLI plans to strengthen the administrative management building on a assessment, a proposal, and a pilot at the Superior Justice Court of La Libertad. ABA ROLI does not intend to collaborate with the Public Ministry on this topic. ABA ROLI stated that the work on this line has not started, but the diagnosis is expected to be finished by April 2014. OCTI recommended that once ABA ROLI has a more defined proposal, it should hold a new coordination meeting to identify areas to complement efforts with the Project.

#### ***Meeting with the Judicial Branch of Loreto***

On December 19, 2013, Project team members visited the city of Iquitos, Department of Loreto, to hold several meetings with the regional Judiciary. The technical team collected valuable information to support the improvement of services rendered by the institution. During the visit, a meeting was held with Dr. Wilbert Mercado, President of the Superior Justice Court of Loreto, to exchange ideas and expectations for the future project implementation in that region.

► Verán temas de corrupción

## Programa de la organización USAID busca implementar mejoras en la Administración Pública



El Dr. Wilbert Mercado se reunió con la Dra. Sicha, el Dr. Plazolles y el Dr. Reátegui para discutir la implementación del programa Pro-Integridad USAID.

Con la finalidad de implementar el Proyecto Promoción de la Justicia y la Integridad en la Administración Pública, Pro-Integridad USAID, en nuestra región un

equipo de profesionales ha llegado a nuestra ciudad y, hasta el 19 de diciembre, se encargará de recopilar información valiosa que servirá para la mejora en el servi-

cio que el Poder Judicial ofrece a la población y en el manejo que se da dentro de las mismas oficinas de Palacio de Justicia.

Es con ese objetivo que la mañana de ayer el presidente de la Corte Superior de Justicia de Loreto, el Dr. Wilbert Mercado, se reunió con la Dra. Edith Sicha Juárez (Coordinadora de la Reforma Procesal Penal), el Dr. Armando Plazolles Portugal (Consultor del Proyecto Pro-Integridad) y el Dr. José Reátegui (Coordinador de la Región Amazónica) en su oficina, ocasión en la que pudieron intercambiar opiniones y delinear las expectativas que se tiene con la futura implementación de este proyecto.

Sobre el trabajo que realizarán en los próximos días, la Dra. Sicha manifestó: «Loreto es nuestro piloto para la implementación de este proyecto, queremos conocer de cerca cómo se trabaja el tema de corrupción dentro de estas instalaciones, además de analizar el sistema de programación de audiencias, los tiempos que se toman para dictar una sentencia y hacer efectiva una condena, así como todas las estadísticas que nos puedan facilitar; de



igual forma, estaremos conversando con jueces y funcionarios. Todos los datos que recabemos en estos días nos servirán para poder generar proyectos de mejora y capacitaciones para el Poder Judicial de la región. Esperamos poder generar mejoras significativas en los tres años que toma la implementación de este programa».

Asimismo, la Dra. Sicha asegu-

ró que se trabajará para poder dar a conocer mejor el funcionamiento del Nuevo Código Procesal Penal: «esta reforma ya se ha dado en varios países de Latinoamérica y Perú no puede ser ajeno al cambio. Estaremos trayendo ex-

perptos internacionales en el tema con el fin de enriquecer los conocimientos de los jueces y demás actores legales, de igual manera trabajaremos con los medios para darles alcances sobre cómo se puede informar correctamente sobre el funcionamiento del nuevo código. Estamos seguros que este nuevo proyecto traerá mejoras para el sistema judicial en pleno». finalizó. (C. Chunga)

A page of the journal *La Región*, Iquitos, on December 19, 2013. The report refers to the meetings held by Project members with justice sector institutions at the Department of Loreto.

## V. ADMINISTRATIVE SUMMARY

During the quarter, the following activities took place:

### 5.1 PROJECT LEGAL REPRESENTATIVE

The Project finished the registration of Lic. Lourdes Rivera-Santander Medina as legal representative before the Peruvian authorities (SUNAT), and registered her signature at the financial institutions.

### 5.2 OPERATING LICENSE

The Project obtained its operating license for the administrative office from the Municipality of Santiago de Surco.

### 5.3 ADMINISTRATIVE ACTIVITIES

- On October 25, 2013, a consulting contract was signed with the firm Falkom SAC, which specializes in communications and imaging, to develop the communications strategy on the application of the Criminal Procedures Code.
- Contracts and the needed procedures were issued for the management team led by lawyers Armando Plazolles, Edith Sicha, Jose Reategui and two assistants, to start gathering information in the cities of Iquitos and Lima.
- In December 2013, an agreement was reached with the *Instituto de Democracia y Derechos Humanos (IDEHPUC) de la Pontificia Universidad Católica del Perú* for the implementation of a Diploma Course Specialized on Corruption Cases.

## VI. RELEVANT ELEMENTS WITHIN THE NATIONAL CONTEXT OF THE PERUVIAN JUSTICE

On November 26, 2013, the Legislature issued Law No 30111 - Law incorporating the fines for offenses committed by public officials. This Act amends the Criminal Code to add the sanction of "days-fines" in cases of officials convicted of corruption. The crimes involved are embezzlement, extortion, collusion, bribery, among others. Note that in these cases, day-fines range between 180 and 730 days, which must be calculated by the judge, considering the monthly salary (divided by 30) and rents, wages, spending levels and other external signs of wealth of the condemned.

In addition, on December 13, 2013, the Legislature issued Law No 30124 - Law amending Article 425 of the Criminal Code, referred to the concept of official or public servant. This Act adopts the recommendation of the High Level Anti-Corruption Commission (CAN), related to the need to regulate a broad concept of official or public servant, covering all categories of procurement in the public administration, including state enterprises staff. This Act includes the appointment, election or proclamation of the political authorities as the start point of the public service.

Furthermore, the wage increase requested by judiciary personnel caused serious tensions between the judiciary and the executive branch during this quarter. In November 2013, the Executive Branch announced that wage amounts required by the Judiciary would affect the national public budget, to which the judges made a "white strike" that lasted 20 days causing the postponement of nearly 4,000 audiences at national level. On December 13, 2013, the Legislature passed Act No 30125 - Law establishing measures for the strengthening of the judiciary, which amends the Organic Law of the Judicial Branch and regulates the rights of judges, such as "*receive a monthly pay for every concept, according to their function, dignity and hierarchy ...*", establishing as well a set of criteria to determine the salaries of judges.

It must be noted that Law No 30125 states in Article 2 that "*The judiciary will set its goals to optimize the management of the justice service oriented to institutional strengthening of the Judicial Branch, with previous approval of its Board of Directors ...*" *The judiciary shall issue and publish in its institutional portal a report on the assessment of compliance of the actions that have been taken to optimize the justice service.*" This provision constitutes a scenario of opportunity for Pro-Integrity, as a stage of greater transparency and efficiency in the Peruvian administration of justice is projected, towards which the Project also seeks to support.

Finally, during this quarter changes were verified with some prosecutors, coordinators of the Public Ministry specialized corruption system. The changes were mandated by the Prosecutor General, who argued that they relate to the needs of other institutional units; however, public opinion warned that the changes could be related to the leadership exercised by prosecutors involved in the prosecution of emblematic criminal corruption cases, both internally and externally. Pro-Integrity will remain updated about such changes as they may affect potential allies or beneficiaries of the training provided by the Project.

## VII. PRODUCTS AND DELIVERABLES

Project Deliverables Summary & Tracking Sheet												
Peru Promoting Justice and Integrity in Public Administration – Pro-Integridad												
Project Contract No.: AID-527-C-13-00001												
QUARTERS 1, 2 and 3	CONTRACT REFERENCE	February 2013 – June 2013					July 2013–Sept.2013			Oct. 2013 – Dec. 2013		
		Feb-2013	Mar-2013	Apr-2013	May-2013	Jun-2013	July-2013	Ago-2013	Sep 2013	Oct 2013	Nov 2013	Dec 2013
Initial Annual Work Plan	F.6(A)(a)		3/18									
Integrated Gender Strategy	C.3 (page C.10)				5/17							
Disabilities Integration Strategy	C.3 (page C.10)		3/18									
Performance Monitoring Plan (PMP)	F.6(B)			4/1								
Quarterly Progress/Financial Reports	F.6( C ) & (D)			4/30								
Second Quarterly Progress/Financial Reports	F.6( C ) & (D)					6/30						
CSO Mapping developed						6/30						
Third Quarterly Progress/Financial Reports	F.6( C ) & (D)								9/30			
Baseline Study	F.6( C ) & (D)							8/15				
Analysis of participatory training requirements and	F.6( C ) & (D)						7/31					

training programs for judges, prosecutors and court staff.												
Four Quarterly Progress/Financial Reports	F.6( C ) & (D)											12/31

## VIII. FINANCIAL REPORT

Project Line Items	Approved Budget to Date	Total Expenses for the Quarter	Total Expenses to Date	Balance Remaining
CLIN 001 – Increase Judicial System Capacity in Lima, Callao, and Peruvian Amazon Regions to Resolve Corruption Cases	\$2,876,841	\$225,992.23	\$783,020	\$2,093,821
CLIN 002 – Increase the Capacity of the Judiciary to Address Internal Corruption	\$375,698	\$30,826.60	\$93,058	\$282,640
CLIN 003 – Strengthen the Judicial System’s Capacity to Address Corruption Through Effective Civil Society Engagement	\$971,862	\$84,249.72	\$218,724	\$753,138
CLIN 004 – Fixed Fee	\$240,505	\$0	\$69,746	\$170,759
<b>Total Costs</b>	<b>\$4,464,906</b>	<b>\$341,068.55</b>	<b>\$1,164,548</b>	<b>\$3,300,358</b>

## IX. SUMMARY OF ACTIVITIES PLANNED, ACCOMPLISHED, AND IN PROGRESS FOR THE PERIOD OF FEBRUARY 15 TO DECEMBER 30 OF 2013

Below is a summary of the work plan status implementation for the referenced period. In general, the project is on target for completing work plan deliverables.

ACTIVITY	TIMELINE	RESOURCES		EXPECTED PRODUCTS AND DELIVERABLES	STATUS
		Team	Counterparts		
<b>OBJECTIVE 1 - INCREASE JUDICIAL SYSTEM CAPACITY IN LIMA, CALLAO, AND PERUVIAN AMAZON REGIONS TO RESOLVE CORRUPTION CASES</b>					
Result 1.1: Increased capacity of judges and court staff in targeted regions to manage and resolve corruption cases.					
Activity 1: Institute efficient, timely, and consistent case management systems					
Hold meetings to coordinate project activities with the <i>Presidencia del Poder Judicial</i>	March-December	Project Team	Technical Secretariat of the Judicial Branch	Redesign Plans and Improvements on the Organizational Management and Workflow of Corruption Cases (for judges and court staff)	Ongoing
Detailed assessment of current case management systems and processes	December 2013-March 2014	Consultant, Project Team	Technical Cooperation Management of the Judicial Branch and Advisory Cabinet		In progress
Activity 2: Train and implement case management systems according to the CPC in general and specifically the management of corruption cases					
Carry out a participative analysis of training needs for corruption cases	April-July	Consultant, Project Team	Training School of the PM, Technical Secretariat of the PJ, Judicial Academy, and judges and support personnel at corruption courts in target areas	Analyze participative training needs/training programs for judges and Support personnel	Delivered
Result 1.4: The Judiciary improves its capacity to implement the CPC					
<i>Sub-result (i): The judiciary monitors and evaluates the implementation of the CPC</i>					
Activity 1: Establish goals and standards in main areas where judicial performance can be measured aside the appeal process					
Conduct an analysis of current monitoring and evaluation systems and procedures regarding the implementation of the CPC as it relates to corruption cases	December 2013-March 2014	Project Team	Technical Secretariat of the PJ, Technical Secretariat of the Special Commission	The PJ CPC M&E system analysis is finished and published	In progress
Result 1.5: Strengthened capacity of the Special Commission to coordinate and monitor the CPC implementation.					
<i>Sub-result (i): Improve monitoring and evaluation capacity of the Special Commission of CPC implementation</i>					
Activity 1: Improve M&E capacity of Special Commission					

ACTIVITY	TIMELINE	RESOURCES		EXPECTED PRODUCTS AND DELIVERABLES	STATUS
Based on the needs and limitations identified as outputs of the baseline study, promote the implementation of a participative work plan to implement the CPC in corruption cases	September – December 2013	Consultant, Project Team	Technical Secretariat of the Special Commission	Strategic plan to implement the CPC and associated monitoring towards the plan achievement	In progress, ends January 2014
Organize roundtables to improve inter-institutional coordination for corruption cases	September and ongoing during years 2 and 3	Project Team	Technical Secretariat of the Special Commission, Secretariat of the PJ, PM, OCMA, corruption courts personnel in Project target areas	The Corporate Model implementation is optimized Improved inter-institutional coordination Increased criminal prosecution of corruption cases	In progress
Support systematization of the evaluation process for corruption cases	September and ongoing during years 2 and 3	Project Team		Transparency increased The CPC management optimized along with the corresponding resources	In progress, TA of the Project M&E at the TS

ACTIVITY	TIMELINE	RESOURCES		EXPECTED PRODUCTS AND DELIVERABLES	Status
		Team	Counterparts		
<b>OBJECTIVE 2- INCREASE THE CAPACITY OF THE JUDICIARY TO ADDRESS INTERNAL CORRUPTION</b>					
Activity 1: Institute Institutional Integrity Model (IIM)					
Conduct integral base assessment for IIM implementation (laws related to ethics, merit systems, organizational culture, and disciplinary systems)	October and ongoing	Project Team	MINJUS	MINJUS IIM Assessment	Delivered
Identify leaders within each institution to lead the conceptual design of the IIM	October and ongoing	Project Team, Short-term expert		MINJUS IIM Assessment	Delivered 20% MINJUS
Develop concept and workshops to introduce IIM and publication of training materials	November and ongoing	Project Team, Short-term expert		IIM implemented	In progress

ACTIVITY	TIMELINE	RESOURCES		EXPECTED PRODUCTS AND DELIVERABLES	Status
		Team	Counterparts		
<b>OBJECTIVE 3 - STRENGTHEN THE JUDICIAL SYSTEM'S CAPACITY TO ADDRESS CORRUPTION THROUGH EFFECTIVE CIVIL SOCIETY ENGAGEMENT</b>					
Result 3.1: Civil society organizations contribute to increased public understanding of the criminal justice reform under the CPC					
Activity 1: Develop a Communications Strategy for increasing public understanding of criminal justice reform					
Follow up on activities related to the process of awarding grants, which include coordination with the Technical Secretariat of the Special Commission for the Implementation of the CPC (Lima and Amazon Region)	September 2013 – March 2014	Project Team	Special Commission for the Implementation of the CPC, Secretariats and Technical Teams at PM, PJ, CSO	Mapping of civil society organizations, including the identification of the activities being performed by them for the communication and education on the application of the CPC and their coordination levels in relation with the Technical Secretariat of the Special Commission for the Implementation of the CPC (Lima and Amazon Region)	In progress training in grants management
Coordinate efforts with the Technical Secretariat of the Special Commission to evaluate existing programs and design the coordination strategy to increase citizen understanding of the justice sector reform	July –Years 1, 2 and 3	Project Team, ST Expert in communications, Grantees		Meetings with the Technical Secretariat of the Special Commission to evaluate the existing programs and the design of the strategy to increase awareness of the citizens regarding the justice sector reform	In progress, see result 1.5
Develop a Communications Strategy for increasing public understanding of criminal justice reform (*deliverable to USAID)	November 2013 – March 2014	Project Team, ST Expert in communications, Grantees		Communications Strategy to increase citizen understanding regarding the Criminal Justice Reform	In progress: contract with Falkom SAC and Proética
Elaborate terms of reference for the RFA for grants	August-December 2013 and first quarter PY 2	Project Team		TOR issued	RFA notified

# ANNEX NO 1: UPDATED INDICATORS TABLE

N°	Indicator	Output	Impact	Data Source	Disaggregation	Timing	Baseline	Year 1 Target	Year 2 Target	Year 3 Target	LOP Target
<b>Objective 1: Increase judicial system capacity in Lima, Callao, and Peruvian Amazon regions to resolve corruption cases</b>											
1	% of improvements and/or processes implemented in judicial and/or prosecution offices at central headquarters of the pilot districts.		x	Project Records	Processes, judicial offices, prosecution offices, pilot judicial districts	Bi-annual	0	0	60%	40%	100%
									Chachapoyas: 60% Iquitos: 60% Lima: 60%	Lima Regional: 40%	Chachapoyas: 60% Iquitos: 60% Lima: 60% Lima Regional: 40%
2	% of judges and prosecutors registered in the Diploma Course Specialized in Anti-corruption for Justice Operators who approve the program and are certified by the Pontifical Catholic University of Peru under rigorous academic standards		x	University and Project Records	Judges, prosecutors / score	Bi-annual	0	0	0	90%	90%
<b>Result 1.1: Increased capacity of judges and court staff in targeted regions to manage and resolve corruption cases.</b>											
<b>Result 1.2: Increased capacity of prosecutors and Support personnel in targeted regions to prosecute corruption cases</b>											
3	Number of judges, prosecutors and Support personnel in target judicial districts trained	x		Project/Judicial Branch/Public Ministry Records	Judges, prosecutors and Support personnel/ training activities	Quarterly	0	0	140	60	200

N°	Indicator	Output	Impact	Data Source	Disaggregation	Timing	Baseline	Year 1 Target	Year 2 Target	Year 3 Target	LOP Target
<b>Result 1.4: The Judicial Branch improves its capacities to implement the Criminal Procedures Code.</b>											
<b>(i) The Judicial Branch effectively monitors and evaluates the CPC implementation.</b>											
4	Monitoring System of CPC implementation for corruption cases at the Judicial Branch.	x		Progress matrix on implementation of the Project monitoring system	Indicators/training workshops	Bi-annual	0	0	70%	100%	100%
<b>Result 1.5: Increased capacity of the Special Commission to coordinate and monitor the Criminal Procedures Code implementation.</b>											
<b>(i) Improve monitoring and evaluation of the CPC implementation.</b>											
5	CPC in corruption cases monitoring system implemented in the Technical Secretariat.	x		Progress matrix on implementation of the Project monitoring system	Indicators/training workshops	Bi-annual	0	0	70%	100%	100%
<b>Objective 2: Increase the capacity of the Judiciary to address internal corruption</b>											
<b>Result 2.1: Sustainable training program for judges and control officials in OCMA established</b>											
6	Number of OCMA and ODECMA personnel trained.	x		OCMA and ODEMAS / Project Records	Region, position, department, topic, gender	Quarterly	0	0	35	10	45
<b>Institutional Integrity Model Implementation (IIM)</b>											
7	IIM institutionalized in counterpart institutions.		X	Project Records / Information from Institutions	MINJUS/PM	Bi-annual	0	MINJUS: 20% Current: 20%.	MINJUS: 60%	MINJUS: 20%	MINJUS: 100%
								PM: 20%	PM: 60%	PM: 20%	PM: 100%

N°	Indicator	Output	Impact	Data Source	Disaggregation	Timing	Baseline	Year 1 Target	Year 2 Target	Year 3 Target	LOP Target
<b>Objective 3: Strengthen the judicial system's capacity to address corruption through effective civil society engagement</b>											
<b>Result 3.1: Civil society organizations generate increased public understanding of the criminal justice reform under the CPC</b>											
8	Number of persons affiliated to a CSO trained in criminal justice reform in corruption cases, through Project grants.	X		CSO and Project Records	Region	Quarterly	0	0	180	180	360
<b>Result 3.2: Civil society organizations in targeted regions monitor the judicial system and its handling of corruption cases.</b>											
9	Number of monitoring activities to the justice system in corruption cases implemented by the CSO that receive project grants.		X	CSO Records	Location, court, type of activity monitored, name of the CSO	Bi-annual	0	0	2	5	7