



**USAID** | **PERU**  
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UNIDOS DE AMERICA

# USAID/PERU PRO-INTEGRIDAD

## DIAGNOSTIC AND TRAINING PLAN FOR OFFICIALS APPLYING CPC TO CORRUPTION CASES

**August, 2013**

This document was prepared for the United States Agency for International Development (USAID) by Tetra Tech DPK (Tt DPK), a division of ARD Inc. in Peru

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The opinions of the authors presented herein do not necessarily reflect the point of view of the United States Agency for International Development or the U.S. Government.

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## LIST OF ACRONYMS

CPC	Criminal Procedure Code
CSOs	Civil Society Organizations
GOP	Government of Peru
MINJUS	Ministry of Justice and Human Rights
NGOs	Non-Governmental Organizations
PM	Public Ministry
USAID	United States Agency for International Development
USG	US Government

## INTRODUCTION

The fight against corruption is a key component of Peruvian public policy espoused in the July 22, 2002 National Agreement (*Acuerdo Nacional*), which recognizes the need for efficient and transparent government (Policy 24) and the need to promote transparency and eradicate all types of corruption (Policy 26). The National Agreement recognizes that it is up to the Government of Peru (GOP) and civil society to promote ethical principles and social values that foster citizen oversight, transparency, and accountability, in order to strengthen Peru's democratic institutions.

The new Criminal Procedure Code (CPC) (codified through Legislative Decree 957 on July 29, 2004) guarantees the right to due process and an adversarial trial, and assigns new roles to judiciary officials. According to Decree 957 the new CPC is in effect as of July 1, 2006 and is to be progressively implemented in the judicial districts of Lima, North Lima, and South Lima, with an expected completion date of December 1, 2014.

On September 17, 2010 the legislature passed Law 29574, enacting CPC reform provisions on crimes against public administration (Criminal Code, Book 2, Title 18, Chapter 2, Articles 832-401, Sections 2-4<sup>1</sup>) into effect in Lima judicial district as of January 15, 2011, in North and South Lima and Callao as of April 1 2011, and in all remaining judicial districts where not yet effective as of June 1, 2011.

Against this backdrop USAID Pro-Integridad<sup>2</sup>, is focusing efforts on three primary objectives:

1. Increase judicial system capacity to resolve corruption cases in Lima, Callao, and the Peruvian Amazon
2. Increase the capacity of the judiciary to address internal corruption
3. Strengthen the judicial system's capacity to address corruption through effective civil society engagement

Under objective 1 Pro-Integridad is developing a specialized anti-corruption training process for judges, prosecutors, and support staff involved in anti-corruption aspects of CPC implementation, in order to strengthen performance of institutional functions.

The project is building a network of magistrates from Justice Courts in Lima, North Lima, South Lima, and Callao (hereinafter target judicial districts) in order to determine primary training needs. The project will use this data as input in the proposal and development phase, creating a training plan in collaboration with relevant counterparts in order to increase the impact of anti-corruption initiatives in the context of CPC reform.

At the time of writing Pro-Integridad has consulted with 133 representatives from the judiciary and Public Ministry (PM) and obtained valuable data which the project has incorporated in the following proposal. The proposal delineates basic needs specifically identified by officials currently functioning in anti-corruption capacities. The project has synthesized this data in order to design and implement effective trainings that will achieve planned results.

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<sup>1</sup> Misappropriation, Collusion, Fraud, Official Corruption (passive, active, or transnational Bribery), Conflict of Interest, Influence Peddling, Illicit Enrichment.

<sup>2</sup> The USAID Pro-Integridad Project is supporting GOP efforts to reduce corruption and strengthen the rule of law through activities closely aligned with GOP initiatives and international support.

# I. TRAINING NEEDS DIAGNOSTIC

## 1.1. APPLIED METHODOLOGY

In order to carry out this diagnostic Pro-Integridad leveraged the valuable information collected through training needs self-assessments carried out by judges, prosecutors and support staff applying CPC reform to corruption cases in target judicial districts. The project designed the diagnostic to identify areas for improvement where strengthened knowledge, skills, and abilities will best improve the delivery of criminal justice services in the context of corruption cases.

Pro-Integridad designed and hosted 8 workshops at prosecutor's office headquarters within the target judicial districts, serving a total of 133 participants from the judiciary and PM.

### TRAINING NEEDS SELF-ASSESSMENT PARTICIPANTS

Judicial District	Institution	Number of Participants	Gender	
			Male	Female
Central Lima	Public Ministry	10	6	4
North Lima		17	8	9
South Lima		11	6	5
Callao		14	9	5
<b>Subtotal</b>		<b>52</b>	<b>29</b>	<b>23</b>
Central Lima	Judiciary	27	15	12
North Lima		17	11	6
South Lima		18	11	7
Callao		19	12	7
<b>Subtotal</b>		<b>81</b>	<b>49</b>	<b>32</b>
<b>Total</b>		<b>133</b>	<b>78</b>	<b>55</b>

The participants represent 28% of PM and judiciary officials applying CPC reform to corruption cases (469)<sup>3</sup>.

Pro-Integridad used a participative methodology to identify training needs. This process encouraged direct collaboration from judges, prosecutors, and support staff as they assessed themselves, identified key gaps in expertise, and developed action plans and solutions in order to remedy these issues. The project incorporated this collective feedback to develop a unique and custom-tailored training plan that reflects pertinent theoretical aspects from professional academic preparation as well as practical experience from judges and prosecutors, with a view towards praxis and realistic incorporation of fundamental principles and best practices.

The project implemented the training needs self-assessment methodology incrementally, in the following sequence:

- I. **Coordination with Counterparts.** Pro-Integridad coordinated with the PM's Office of Projects and International Technical Cooperation, the judiciary's

<sup>3</sup> Source: *Gerencia de Personal y Escalafón de la Gerencia General del Poder Judicial y Anuario Estadístico 2012 del Ministerio Público.*

Technical Office for International Cooperation, and the Technical Secretariat of the CPC Implementation Commission at the Ministry of Justice (MINJUS).

- II. **Workshop Design, Preparation, and Planning.** Pro-Integridad coordinated with the Chairmen of the Board of chief prosecutors and the superior court presidents from Lima and Callao Justice Courts in order to set the workshop dates.
- III. **Conducting the Workshops.** The project hosted workshops at the headquarters of each Superior Court and the offices of the Chairmen of the Board of Chief Prosecutors in target judicial districts. Each workshop consisted of a 2.5 hour session where participants split into 28 roundtable discussions to focus on specific issues and then shared conclusions with all participants through 8 workshop-wide discussions.
- IV. **Workshop Dynamic.** The project developed a program that included:
  - i) Pro-Integridad Project Presentation focused on Objective 2: increasing the capacity of the judiciary to address internal corruption.
  - ii) Introductions of all participants, including their personal response to the motivational question formulated by the Pro-Integridad moderator.
  - iii) For the self-assessment, participants were divided into 5-person groups for roundtable discussions, where groups exchanged ideas and then recorded their conclusions in order to share them with the entire workshop.
  - iv) One representative from each table presented conclusions to all participants. This exchange created a social environment where judges, prosecutors, and support staff vocalized their commitments to the community.
- V. **Systematization.** After concluding the workshops, the project used participant feedback as a component of large-scale training needs evaluation. The workshop process was very useful and served as a key descriptive part of the analytical process that the project is carrying out in order to determine training needs for judges, prosecutors, and support staff. The project has now identified core training concept areas: criminal law, criminal procedure, public administration, legal ethics, supplemental themes, office management. Modules in all of these areas will be framed in the context of anti-corruption efforts.

The pedagogical dynamic achieved through participative group work facilitated individual and collective reflection, allowing judges, prosecutors, and support staff to identify gaps in theoretical and practical knowledge needed to classify, investigate, and prosecute corruption cases. On this basis, the project identified priority training needs.

The training needs self-assessment has achieved the following objectives:

- i) Identify, compile, and systematize information about practical anti-corruption training needs in the judiciary and PM;
- ii) Streamline different institutional training needs, identify overlap and distinct requirements;
- iii) Develop a comprehensive understanding of the challenges faced in training in order to foster better judge, prosecutor, and support staff performance in handling corruption cases.

## 1.2. SELF-ASSESSMENT ANALYSIS

As a result of the eight self-assessment workshops in the PM and judiciary, the project identified two areas for further analysis: inter-institutional coordination and core training concepts.

### **1.2.1. Inter-Institutional Coordination**

Although inter-institutional coordination is not a core training concept itself, in all of the PM and judiciary workshops participants agreed that improving inter-institutional coordination is a key component of successful anti-corruption efforts.

In the workshops, prosecutors pointed out the need for improved coordination with the National Police and the Anti-Corruption Public Attorney's Office (*Procuraduría Anticorrupción*) during preliminary investigation and prosecution. Many judges also noted that improved coordination between the judiciary, PM, Public Defenders, and Public Attorney is essential in order to hold hearings properly and meet deadlines.

PM representatives emphasized the importance of improved coordination with public sector institutions such as SUNARP, SEACE, OSCE, DIGEMIN, SBS, and others managing key information databases that officials managing corruption cases need to access. PM representatives recommended signing specific agreements with these institutions in order to facilitate access to the necessary information.

### **1.2.2. Core Training Concepts for the PM**

Before explaining the core training concepts identified through prosecutor and support staff training needs self-assessments, Pro-Integridad wishes to recognize the proactive, open, and good-natured efforts by self-assessment participants to identify and clearly explain training needs. This good disposition among prosecutors is crucial as an initial aperture for open and direct dialogue about improving anti-corruption efforts.

Pro-Integridad also noted that prosecutors and support staff clearly agreed on identified core training concepts, which will allow the project to develop training plans and curricula with a strong and specific focus.

Participants also concurred on the methodology through which they prefer to learn: case studies and simulations where they will have a hands-on training experience (methodology explained below).

Through an analysis of the feedback obtained from the PM workshops, the project has identified the following core training concepts and modules:

**TRAINING REQUIREMENTS FOR PROSECUTORS AND PROSECUTORIAL  
SUPPORT STAFF  
APPLYING CPC TO CORRUPTION CASES**

<b>Criminal Law</b>	<b>Criminal Procedure</b>	<b>Public Administration</b>	<b>Supplemental Themes</b>	<b>Office Management Tools</b>
Criminal Theory	Investigation strategies and techniques	Public administration systems	Leadership	Investigation manual
Principals and Accessories	Evidence theory	Government Procurement Law	Coaching	Formats for opinions and rulings
Sentencing	Expertise	Municipal law	Customer/Client service	
	Chain of custody		Increasing motivation to work	
Crimes against public administration	Oral Argument/Litigation			
	Legal argument and analysis			

**A. Criminal Law Training Needs**

Prosecutors and support staff expressed concern about their current training and an interest in reinforcing their knowledge of Criminal Theory as applied to crimes against public administration. This training will help prosecutors identify the appropriate charges to bring based on complaints and evidence, and align misconduct with crime classifications in order to avoid situations where, due to a lack of familiarity with the required elements of a crime, prosecutors perform investigatory work but are unable to bring charges.

Prosecutors and support staff also indicated that they need to strengthen their knowledge of principals & accessories to crimes of corruption. On a daily basis, prosecutors face problems bringing appropriate charges against accused parties, specifically deciding whether to charge an actor as a principal, co-principal, or a direct or vicarious accessory.

Further, prosecutors and support staff expressed a need to better understand the criteria for requesting sentences, as many prosecutors have observed that in similar cases, prosecutors pursue different sentences. Prosecutors expressed a need for uniform criteria for ordering sentences that would be applied when formally charging offenders.

Finally, prosecutors and support staff indicated that they wish to deepen their understanding of the doctrine of crimes against public administration, particularly Embezzlement, which, according to prosecutors, is the most frequently charged crime and has an extensive history of sometimes conflicting jurisprudence that does not lend itself to uniform criteria for making a successful case. Prosecutors mentioned that the crime of Collusion is also complex to investigate, because the elements of the crime are unclear and it is difficult to prove.

## **B. Criminal Procedure Training Needs**

At the self-assessment workshop, prosecutors and support staff were generally concerned about preliminary investigation, preparations, and strategies for corruption cases. Due to the nature of these crimes, prosecutors need technical knowledge of related areas in order to be effective, for example, a clear understanding of Government Procurement Law is essential in order to formulate a case theory, know what proceedings will be necessary, what evidentiary measures to require and how to request them. Accordingly, participants identified evidence theory, circumstantial evidence, inadmissible evidence, and applying evidence as core concepts that should be reinforced in order to improve prosecutor performance.

Prosecutors also identified another evidence-related gap in knowledge in the area of accounting and financial expertise. Prosecutors need at least a basic understanding of these areas in order to know what to look for when they work with experts and how to interpret, analyze, and utilize the information that they receive. This gap in expertise currently poses a problem in the criminal process when prosecutors have to make oral arguments based on expert analysis and testimony.

Prosecutors further commented that while the new process is based largely on oral hearings, most prosecutors are accustomed to the inquisitorial system, which was largely based on written documentation. Thus, prosecutors are struggling to adapt to the more dynamic new system. In order to close this gap, prosecutors noted that oral litigation, legal argument, and general public speaking skills would be extremely valuable. Some prosecutors emphasized the need for general public speaking skills because their job entails more than just making a case, framing and arguing it – they also need to know what points to focus on and what intonation to use in order to emphasize key points that they need to highlight in front of judges. Prosecutors need to develop these skills in order to be effective in oral hearings.

## **C. Public Administration Training Needs**

Prosecutors and support staff showed great interest in receiving trainings on the Public Administration Management Systems<sup>4</sup>, because the scope of their duties includes investigating functionaries and public servants who are regulated by GOP functional and administrative systems.

At the self-assessment workshops, prosecutors and support staff identified the following training needs in the area of public administration: knowledge of budgetary, treasury, accounting and control, municipal and regional government laws, among others. It is important to note that these areas contain special regulations that will allow prosecutors (after thorough training) to fully understand the responsibilities of public administrators at different levels of government.<sup>5</sup>

In similar fashion prosecutors agreed that they would like to receive trainings on Government Procurement Law because many of their cases involve public functionaries under investigation for acquisitions of goods and/or services that occurred under the ambit of Government Procurement Law. Because all public administration entities are obligated to

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<sup>4</sup> Article 46, Law 29158, Executive Power Act (*Ley Orgánica del Poder Ejecutivo*) establishes administrative systems for public administration that aim to regulate resource allocation within public administration entities in the following areas: Human Resources Management, Procurement, Public Budgeting, Treasury, Public Debt, Accounting, Public Investment, Strategic Planning, State Legal Defense, Control and Modernization of public administration.

<sup>5</sup> Law 27783, Decentralization Basis (*Ley de Bases de la Descentralización*), establishes and regulates the structure and organization of the GOP in a decentralized, democratic fashion. It applies to the responsibilities of national, regional, and local governments and determines the goods and resources that they receive, as well as the relations between distinct levels of government.

carry out the procurement of goods, services, and works according to the guidelines and regulations of the Government Procurement Law, prosecutors noted that it is essential that they become familiar with the nuances of this area of law, including its exceptions and loopholes, which will allow them to adequately interpret the regulations, carry out investigations, and know what evidence to look for and where to find it. Specialized trainings would help prosecutors prove, for example, that an official favored a service provider, that an official has conspired with a provider in order to provide an unfair advantage, or that an official has requested or received a sum of money or other good in exchange for favoring a certain provider in a procurement carried out by a public entity.

#### ***D. Supplemental Theme Training Needs***

Prosecutors and support staff showed interest in receiving trainings on leadership, coaching, and personal motivation, because they understand that these skillsets are closely related to office management and improving performance. These trainings are important because they seek to enhance the capacities, capabilities, and skills of human capital working in anti-corruption capacities.

Prosecutors and support staff also recognized the importance of the customer service aspect of prosecutorial duties, including the need to ensure that prosecutors provide a consistent high quality of service to citizens that petition the PM for assistance, comprehensive information about their case in a timely fashion, and polite and efficient treatment, in order to ensure customer satisfaction. Prosecutors further noted that they would like trainings on how to keep clients apprised of case progress, recourses available when cases are dismissed, as well as transparency mechanisms that are in place in order to bring the institution closer to the community. Prosecutors need tools in order to advise citizens on these matters, so the project will facilitate the development of a client service manual that encompasses the aforementioned issues.

#### ***E. Office Management Training Needs***

Prosecutors and support staff identified a great variety of trainings that would provide them with key management tools in order to improve office administration. One suggestion was to develop an investigation manual with formats for prosecutorial tasks and other activities.

Prosecutors and support staff also highlighted the need for trainings on the organization of the corporate office system, as the new office arrangement requires managerial aptitudes in order to function. In the new system prosecutors have administrative responsibilities, such as office organization and supervision duties, in addition to their responsibilities related to the investigation and prosecution of corruption cases. In this new context, office management, work motivation, and leadership skills become particularly relevant for attorneys who are now assuming office management roles.

#### **1.2.3. Core Training Concepts for the Judiciary**

Pro-Integridad wishes to recognize the proactive, open, and good-natured efforts by judges to identify and clearly explain training needs. This good disposition is crucial as an initial aperture for open and direct dialogue about improvements to anti-corruption efforts, and demonstrates the judges' commitment to improving their performance in their important capacity as reviewers of preparatory investigations, directors of the intermediate phase, and magistrates who make the final judgments in these cases.

The project discovered through the self-assessment workshops that, as with their prosecutorial counterparts, training needs are similar among all of the judges in target judicial districts.

These similarities are also present with respect to the preferred training methodology. Judges expressed a preference for a participative learning methodology based on real world cases, where they can review decisions, study relevant jurisprudence, participate in simulations, and analyze the fulfillment of their roles in hearings in order to correct errors and improve performance.

Through an analysis of the feedback obtained from the workshops with the judiciary, the project has identified the following core training concepts and modules:

### **TRAINING REQUIREMENTS FOR JUDGES AND SUPPORT STAFF APPLYING CPC TO CORRUPTION CASES**

<b>Criminal Law</b>	<b>Criminal Procedure</b>	<b>Public Administration</b>	<b>Supplemental Themes</b>	<b>Office Management Tools</b>
Criminal Theory	Investigation strategies and techniques	Government Procurement Law	Judicial Ethics	Judicial and Legislative Drafting
Sentencing	Hearing Management	--	Seizure of Illicit Goods	Efficient Use of Technology
Civil Damages and Awards	Dismissing Cases	--	Nullity of Transfers	--
Crimes against public administration	Oral Argument/Litigation	--	--	--

#### **A. Criminal Law Training Needs**

Judges and support staff highlighted the need for trainings on general criminal theory applied to instances of official corruption, as well as elements of crime analysis and subsumption. Participants agreed that reinforcement on these themes would allow them to improve the management of arraignments and enhance attorney compliance with legal procedures.

They also voiced a desire for trainings designed to improve understanding of principals, accessories, and types of criminal liability, theories of *intraneus y extraneus*<sup>6</sup> as applied to crimes of corruption, as well as sentencing criteria.

Finally, judges noted that similar to civil remedies, CPC reform has introduced civil law institutions, making it convenient to improve judges' knowledge of compensation and damages, including criteria for fixing civil damages amounts.

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<sup>6</sup> Intraneus y extraneus, many crimes against public administration are classified as special crimes, i.e. they can only be committed by individuals that possess a certain trait, status, or quality. These individuals are "intraneus" whereas those who do not possess the stipulated quality are "extraneus" or "strange;" as they cannot be charged as principals in special crimes.

## ***B. Criminal Procedure Training Needs***

Regarding the procedural aspect, judges and support staff noted the importance of internalizing procedural norms and making officials conscious of the fact that they are now working within a new criminal procedure system and should set aside inquisitorial process practices. The judges noted that as they transition to the adversarial process it will be crucial to strengthen hearing management skills, because in their new roles judges must maintain balance between adversarial parties instead of investigating crimes.

Judges also mentioned a need for support in the area of evidence theory because their new capacities as overseers of investigation, directors of the intermediate phase, and sentencing require a concrete understanding of circumstantial evidence, how to evaluate it, as well as inadmissible evidence in order to effectively fulfill their roles and pass judgments.

Judges and support staff also recommended broadening the study of trial sentences on CPC reform as applied to crimes of corruption, as well as relevant Supreme Court and Constitutional Tribunal jurisprudence.

During the self-assessment workshop, judges also mentioned the need for trainings on the execution of civil damages, as CPC reform stipulates that civil damages payments are to be made according to civil procedure code guidelines. Judges need to increase their understanding of these relevant civil procedure provisions in order to properly apply them when entering corruption case sentences.

## ***C. Public Administration Training Needs***

Judges and support staff highlighted the need for further study of Government Procurement Law and regulations, as these guidelines regulate all GOP acquisitions at all levels of government and thus are intimately related with anti-corruption processes where judicial officials must identify the scope of public official responsibilities.

Pro-Integridad believes that these trainings will correlate well with other trainings on GOP administrative systems such as the Executive Power Act and help judges more effectively perform their functions.

## ***D. Judicial Ethics***

Judges also requested trainings on judicial ethics, highlighting the need to reinforce and enhance anti-corruption judge values and principles of the in order to help judges confront corruption on a day to day basis as part of their role as administrators of justice.

Pro-Integridad recommends specific trainings on ethical dilemmas that arise within the legal profession, examining real life situations that anti-corruption judges face every day in their professional practice.

## ***E. Supplemental Matters Training Needs***

Judges and support staff also highlighted the need for trainings in other thematic areas related to anti-corruption efforts, and to meet PM requirements, such as seizure of illicit goods<sup>7</sup> and nullity of transfers<sup>8</sup>, because in many cases offenders will sell or falsify the sale

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<sup>7</sup> Seizure of Illicit Goods provides for the forfeiture of rights and title to illicit goods in favor of the GOP, without consideration or compensation of any nature.

<sup>8</sup> Nullity of Transfers, CPC Article 97 establishes that acts and obligations incurred after a punishable offense are null as far as they diminish the offender's assets or render them insufficient to cover damages. This clause shall not apply to legal acts done in good faith by thirds parties

of as many assets as possible in order to reduce the value of their estate, which could allow them to protect their wealth since civil reparations are calculated based on assets.

### ***F. Office Management Training Needs***

In this area judges were most interested in establishing a clear understanding of what roles are assigned to court and administrative staff, which will have a positive impact on the current issues with notifications and deadlines for hearings. Hearings are often frustrated by delays in notification and poor communication, which can be remedied by delineating a clear separation between legal and administrative functions in court management.

Judges further recommended training technical staff in legal drafting and efficient use of technology, which will improve their performance and increase case handling speed.

Finally, judges also emphasized the need for trainings in customer service, i.e. professional interactions with parties to litigation who are the end users of the court system and should be satisfied with the attention and quality of the information that they receive at any branch of the judiciary.

### **1.3. TRAINING METHODOLOGY SUGGESTED IN WORKSHOPS**

On top of identifying training needs, Pro-Integridad also collected feedback from workshop participants on the teaching methodologies that they prefer for future trainings.

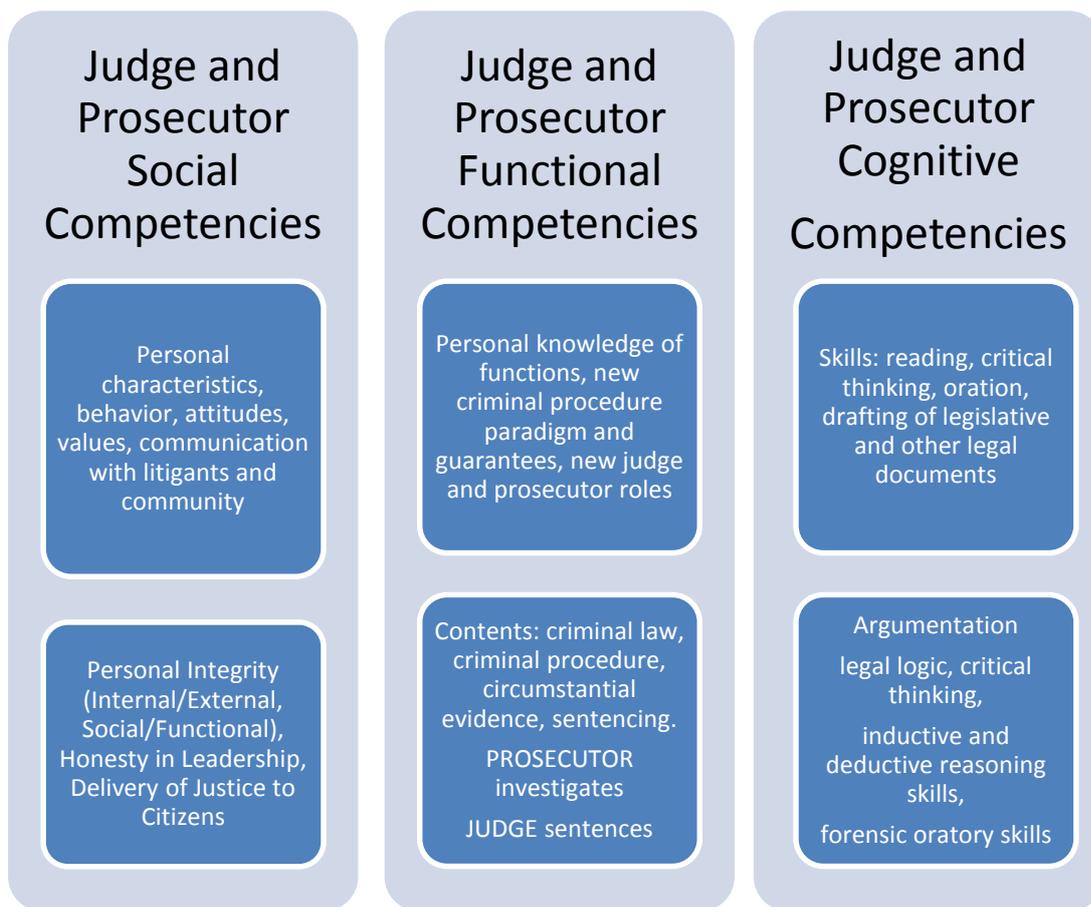
Judges, prosecutors, and support staff all highlighted their preference for a practical and empirical methodology based on case studies and group discussion, where they will be able to study and analyze real cases from a doctrinal standpoint. In order to achieve this, participants proposed that trainings be carried out in a similar roundtable workshop format, and that some trainings be inter-institutional in order to encourage the exchange of ideas with other justice system professionals sharing mutual interests.

Pro-Integridad will incorporate this valuable feedback from judges, prosecutors, and support staff on the desired training format, in order to develop a program that makes the greatest possible impact on improving judicial and prosecutorial performance.

## **II. TRAINING PLAN PROPOSAL**

Based on its analysis of the pertinent information collected through this process, the project proposes the following training plan and methodologies.

The trainings revolve around three core concepts related to social, functional, and cognitive aptitudes, detailed in the diagram below. This design will establish a conceptual base to enhance the core competencies of prosecutors and judges applying CPC reform to corruption cases, building upon specific themes that are necessary in order to improve performance in the investigation and judgment of crimes against public administration.



The project has developed a training plan encompassing ten themes in the areas of criminal law, criminal procedure, public administration, applied ethics, supplemental themes, and office management, all within the context of anti-corruption efforts.

Pro-Integridad will also include conceptual units on the origins of corruption, featuring a cross-cutting, interdisciplinary focus that contemplates human rights, environmental protection, and the gender integration strategy in coordination with CSOs, among other themes. These units will be supplemented with studies of international treaties and conventions on these issues, in order to ensure that the academic formation is comprehensive.

As detailed in the chart below, the Project has divided training themes into three modules, which will be delivered over the course of three years in target judicial districts.

## TRAINING PLAN FOR JUDGES, PROSECUTORS, AND SUPPORT STAFF APPLYING CPC REFORM TO CORRUPTION CASES

PUBLIC ADMINISTRATION AND VALUE CREATION	
Public Ministry (PM)	Judiciary
<b>Module I</b> (36 classroom hours: 18 theoretical - 18 practical)	<b>Module I</b> (36 classroom hours: 18 theoretical - 18 practical)
<b>Criminal Theory</b>	<b>Criminal Theory</b>
<b>Ethics, Leadership, and Public Service</b>	<b>Ethics, Leadership, and Public Service</b>
<b>Public Administration</b>	<b>Public Administration</b>
<b>Module II</b> (36 classroom hours: 18 theoretical - 18 practical)	<b>Module II</b> (36 classroom hours: 18 theoretical - 18 practical)
<b>Investigation</b>	<b>Evidence Theory</b>
<b>Evidence Theory</b>	<b>Alternative Resolutions</b>
<b>Alternative Resolutions</b>	<b>Managing Hearings</b>
<b>Module III</b> (36 classroom hours: 18 theoretical - 18 practical)	<b>Module III</b> (36 classroom hours: 18 theoretical - 18 practical)
<b>Litigation/Oral Argument</b>	<b>Legal Argument Strategies</b>
<b>Legal Argument Strategies</b>	<b>Office Management</b>
<b>Office Management</b>	

\*Course content is detailed in table III of the Annex.

### 2.1. MODULE WORK METHODOLOGY

In support of the trainings Pro-Integridad will design the course content for the core concepts in each training module, as well as the methodology for class sessions.

According to the proposals set forth in the self-assessment workshops, each module will feature doctrinal training adjusted according to the profiles of enrolled judicial and prosecutorial officials, in order to update and reinforce their respective practical skill sets. Learning will be based on practical case studies and participants will create a discourse of comments, observations, and critiques based on their unique personal experience.

### 2.2. ACTIVITY PLAN PROPOSAL

Pro-Integridad has programmed training activities to be carried out over a two-year period between August 2013 and January 2015. The training activities are detailed in the charts included in the Annex to this document.

The training modules will be progressively implemented in all of the project's target judicial and prosecutorial districts, as detailed in the following chart:

**TRAINING MODULE PROGRESSION IN Pro-Integridad  
TARGET JUDICIAL DISTRICTS AND PROSECUTORS'  
OFFICES**

<b>JUDICIAL DISTRICT</b>	<b>MODULE 1</b>	<b>MODULE 2</b>	<b>MODULE 3</b>
North Lima	2013	2014	2014
Central Lima	2013	2014	2014
South Lima	2014	2014	2014
Complexes	2014	2014	2014
Callao	2014	2014	2014
Amazonas	2014	2014	2014
Loreto	2013	2014	2014
Madre de Dios	2013	2014	2014
San Martín	2014	2014	2014
Ucayali	2013	2014	2014

# **ANNEXES**

**I. ACTIVITIES DISTRIBUTED BY WEEK AND LOCATION.  
YEAR 1**

Month	Week 1	Week 2	Week 3	Week 4	Week 5
	<b>August</b>	<b>01 - 02</b>	<b>05 - 09</b>	<b>12 - 16</b>	<b>19 - 23</b>
		Training Plan	TDR Module I		
<b>September</b>	<b>02 - 06</b>	<b>09 - 13</b>	<b>16 - 20</b>	<b>23 - 27</b>	<b>- 30</b>
					Module I Hiring
<b>October</b>	<b>01 - 04</b>	<b>07 - 11</b>	<b>14 - 18</b>	<b>21 - 25</b>	<b>28 - 31</b>
		Module I Development		Module I Approval Preparation of Materials for Module I	Professor Recruitment for Modules I - II
<b>November</b>	<b>01</b>	<b>04 - 08</b>	<b>11 - 15</b>	<b>18 - 22</b>	<b>25 - 29</b>
		North Lima. Module I Classes (PM)			
		North Lima. Module I Classes (J)			
			Loreto. Module 1 Classes (PM, J)		
<b>December</b>	<b>01 - 04</b>	<b>09 - 13</b>	<b>16 - 20</b>	<b>23 - 27</b>	<b>30 - 31</b>
	Central Lima. Module I Classes (PM)				
		Central Lima. Module I Classes (PM)			
			Module 2 Development Module 3 Development	Module 2 and 3 Approval	

2013

**II. ACTIVITIES DISTRIBUTED BY WEEK AND LOCATION.  
YEAR 2**

Month	Week 1	Week 2	Week 3	Week 4	Week 5	
2014	<b>01 - 03</b>	<b>06 - 10</b>	<b>13 - 17</b>	<b>20 - 24</b>	<b>27 - 31</b>	
	January		Loreto. Module II Classes (PM, Judiciary)			
			Madre de Dios. Module I Classes			
				Ucayali. Module I Classes		
	<b>03 - 07</b>	<b>10 - 04</b>	<b>17 - 21</b>	<b>24 - 28</b>		
	February	Training Plan Presentation	Training Plan Revisions and Updates Professor Recruiting			
		<b>03 - 07</b>	<b>10 - 14</b>	<b>17 - 21</b>	<b>24 - 28</b>	<b>31</b>
	March		South Lima. Module I Classes (PM)			
				Central Lima. Module I Classes (Judiciary)		
					Specialized complexes. Module I Classes (PM)	
<b>01 - 04</b>	<b>07 - 11</b>	<b>14 - 18</b>	<b>21 - 25</b>	<b>28 - 30</b>		
April	Specialized complexes. Module I Classes (Judiciary)					
		Callao. Module I Classes (PM)				
			Callao. Module I Classes (Judiciary)			
		North Lima. Module II Classes (PM)				
			North Lima. Module II Classes (Judiciary)			
					Ucayali. Module I Classes (PM, Judiciary)	
				Amazonas. Module II Classes (PM, Judiciary)		
<b>01 - 02</b>	<b>05 - 09</b>	<b>12 - 16</b>	<b>19 - 23</b>	<b>25 - 30</b>		
May	Ucayali. Module I Classes (PM, Judiciary)					
	Amazonas. Module II Classes (PM, Judiciary)					
		San Martín. Module I				



		(Judiciary)				
		01 - 03	06 - 10	13 - 17	20 - 24	27 - 31
<b>October</b>			Loreto. Module III Classes (PM; Judiciary)			
				Amazonas. Module III Classes		
						Madre de Diós. Module III Classes
<b>November</b>		03 - 07	10 - 14	17 - 21	24 - 28	
		Madre de Diós. Module III Classes				
		San Martín. Module III Classes				
				Ucayali. Module III Classes		
<b>December</b>		01 - 05	08 - 12	15 - 19	22 - 26	29 - 31
		Central Lima. Module III Classes (PM)				
			Central Lima. Module III Classes (JUDICIARY)			

### III. LIST OF TRAINING MODULES BY TOPIC

COURSES	TOPICS	Public Ministry	Judiciary
Criminal Law	Criminal Theory Indictment Needed	x	x
	Crime Classifications. Alternative and Subsidiary Indictment	x	x
	Principals & Accessories	x	x
	Sentencing	x	x
	Crimes of official corruption – Crimes against public administration, Seizure of Illicit Goods and Nullity of Transfers	x	x
	Economic Crimes		x
Criminal Procedure	Criminal Procedure and Criminal Procedure Code	x	x
Evidence Theory	Banned evidence	x	x
	Use of experts in the adversarial criminal system	x	x
	Interpreting results from financial reports, accounting experts	x	x
Investigation	Strategy	x	x
	Interrogation Techniques	x	x
	Flagrant Crimes and violations	x	x
	Chain of Custody	x	x
	Preparatory investigation	x	x
	Precautionary measures	x	x
	Victim and Witness Unit, SBS Functioning Financial Intelligence Unit.	x	x
Alternative Resolutions	Settlements in the new criminal process	x	x
Litigation/Oral Argument Skills	Litigation and Oral Argument	x	x
Managing Hearings	Preparatory investigation hearings	x	x
	Criminal procedure restraint hearings	x	x
	Oral argument hearings	x	x
	Appeals hearings	x	x
	Managing hearings	x	x
Appeals Process	Annulments, appeals process, timeframes for appeal	x	x
Civil aspects of the criminal process	Criteria and application of civil damages	x	x
Public Administration	Public accounting and finance. LOPE, public management system, public auctions, government accounting, local governments.	x	x
	Government Procurement Law	x	x
	Budgetary systems	x	x
Ethics, Leadership	Professional ethics and leadership	x	x

COURSES	TOPICS	Public Ministry	Judiciary
and Public Service	Customer/client service	x	x
	Teamwork. Motivation and strengthening of work environments.	x	x
Argumentation and Drafting	Judicial drafting	x	x
	Legal arguments and logical reasoning	x	x
	Oral argument skills	x	x
Office Management	Judicial office management	x	x
	Prosecution office management	x	x
	Notification management	x	x
	Judicial information system (JIS) and prosecution information system trainings	x	x
	Electronic notice	x	x
	Efficient use of technology	x	x

#### IV. PARTICIPANTS TRAINED

Activities	Judicial District	Judiciary	PM	Male	Female	Total	# of Modules
Year I Aug.2013 al Jan. 2014 Module I	Lima	20	20	24	16	40	2
	North Lima	20	20	24	16	40	2
	Loreto	15	15	18	12	30	1
	Madre de Dios	15	15	18	12	30	1
	Ucayali	15	15	18	12	30	1
Sub total		85	85	102	68	170	7
<b>Total</b>			<b>170</b>			<b>170</b>	
Year II Feb. 2014 – Jan. 2015 Module II	Lima complexes	20	20	24	16	40	2
	South Lima	20	20	24	16	40	2
	Callao	20	20	24	16	40	2
	Amazonas	15	15	18	12	30	1
	San Martín	15	15	18	12	30	1
Sub total		90	90	108	72	180	8
<b>Total</b>						<b>180</b>	
Year II Feb. 2014 – Jan. 2015 Module II	Lima	20	20	24	16	40	2
	Lima complexes	20	20	24	16	40	2
	North Lima	20	20	24	16	40	2
	South Lima	20	20	24	16	40	2
	Callao	20	20	24	16	40	2
	Amazonas	15	15	18	12	30	1
	Loreto	15	15	18	12	30	1
	Madre de Dios	15	15	18	12	30	1
San Martín	15	15	18	12	30	1	

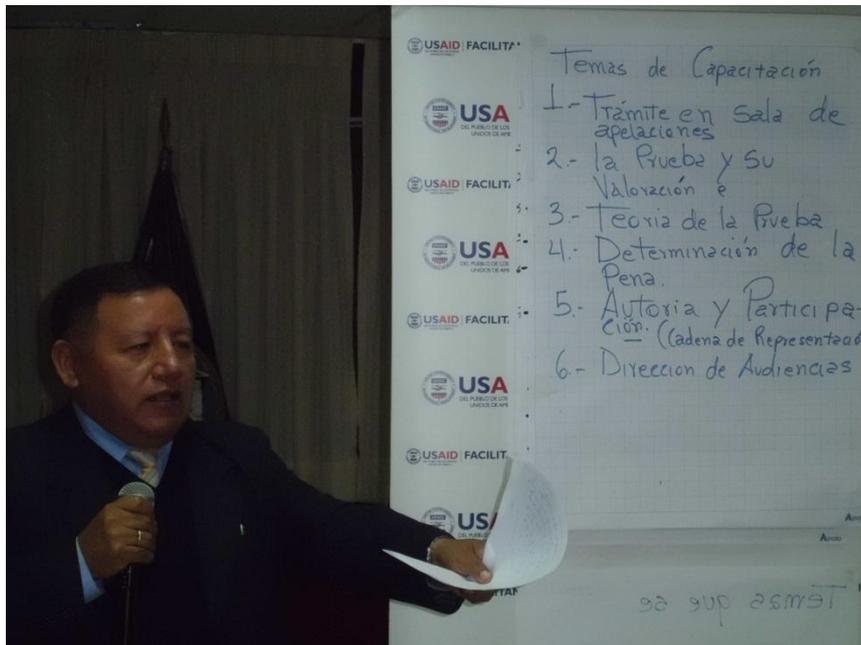
Activities	Judicial District	Judiciary	PM	Male	Female	Total	# of Modules
	Ucayali	15	15	18	12	30	1
Sub total		175	175	210	140	350	
<b>Total</b>						<b>350</b>	
<b>Year II Feb. 2014 – Jan. 2015 Module III</b>	Lima	20	20	24	16	40	2
	Lima complexes	20	20	24	16	40	2
	North Lima	20	20	24	16	40	2
	South Lima	20	20	24	16	40	2
	Callao	20	20	24	16	40	2
	Amazonas	15	15	18	12	30	1
	Loreto	15	15	18	12	30	1
	Madre de Dios	15	15	18	12	30	1
	San Martín	15	15	18	12	30	1
	Ucayali	15	15	18	12	30	1
Sub total		175	175	210	140	350	
<b>Total</b>						<b>350</b>	

Note: The project will coordinate with the institutions to ensure that the same officials receive all three training modules.

#### IV. PHOTOS FROM TRAINING NEEDS SELF-ASSESSMENT WORKSHOP AT THE JUDICIARY



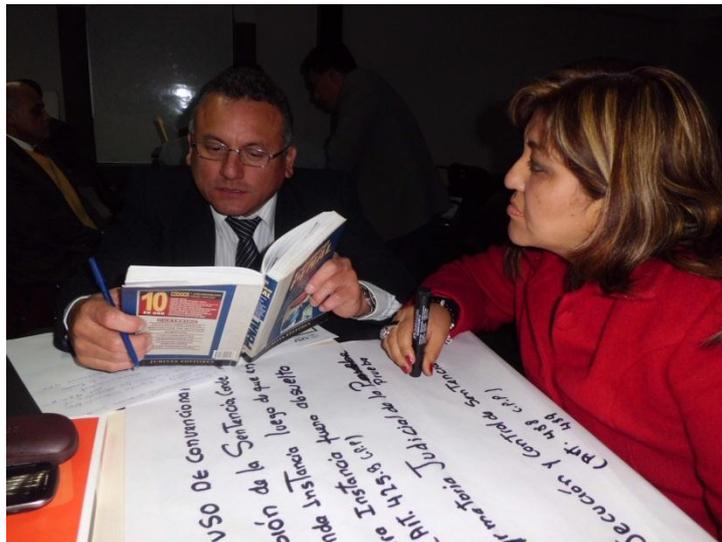
Central Lima Judicial District, July 5, 2013.



North Lima Judicial District, July 8, 2013.



South Lima Judicial District, July 9, 2013.



Central Lima Judicial District, July 12, 2013.