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GUATEMALA

SECURITY AND JUSTICE SECTOR REFORM PROJECT

QUARTERLY REPORT
(OCTOBER 1 – DECEMBER 31, 2015)

JANUARY 20, 2016

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DISCLAIMER

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

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LIST OF ACRONYMS

APS	Annual Program Statement
CECON	Center for Conservationist Studies of San Carlos University
CICIG	International Commission Against Impunity
CNRP	National Commission for Police Reform
CONAP	National Council for Protected Areas
DEIC	Specialized Division for Criminal Investigation
DICRI	Directorate for Criminal Investigation
FADS	<i>Asociación Familiares y Amigos contra la Delincuencia y el Secuestro</i>
FLAU	Free Legal Assistance Unit
FY	Fiscal Year
GBV	Gender-Based Violence
IDAEH	Institute for Anthropology and History
IDPP	Public Defense Institute (<i>Instituto de la Defensa Pública Penal</i>)
INACIF	National Institute of Forensic Science (<i>Instituto Nacional de Ciencias Forenses de Guatemala</i>)
ISO	International Organization for Standardization
IT	Information Technology
JEPEDI	Office for Institutional Planning and Development
JPPPP	First Pluripersonal Justice of the Peace Criminal Court
LLR	Lower Level Result
MAI	Integrated Attention Model
MBR	Maya Biosphere Reserve
M&E	Monitoring and Evaluation
MICS	Security and Justice Sector Inter-institutional Social Communications Working Group
MINGOB	Ministry of Governance (<i>Ministerio de Gobernación</i>)
MP	Public Ministry (<i>Ministerio Público</i>)
OJ	Judicial Branch (<i>Organismo Judicial</i>)

PGN	State Attorney's Office
PNC	National Civilian Police (<i>Policía Nacional Civil</i>)
PMEP	Performance Monitoring and Evaluation Plan
RRF	Rapid Response Fund
SAI	Comprehensive Attention System (<i>Sistema de Atención Integral</i>)
SJSIs	Security and Justice Sector Institutions
SJSRP	Security and Justice Sector Reform Project
USAC	University of San Carlos of Guatemala
USAID	United States Agency for International Development
USG	United States Government

EXECUTIVE SUMMARY

This quarter Guatemala continued to feel the effects of the previous six months, in which a series of mass peaceful protests culminated in the resignation of Vice President Ingrid Roxana Baldetti Elías and President Otto Fernando Pérez Molina. Both are currently in preventive detention centers, having been accused by the Public Ministry (MP) and the International Commission against Impunity in Guatemala (CICIG) of leading the criminal network *La Linea*, which defrauded millions of dollars from the Guatemalan Government. CICIG and MP investigations linking the former president and vice president, as well as several other high-level government authorities, to corruption cases led to a growing public consciousness regarding the need to reform key laws. To this end, the Congress – pressured by mass social movements – approved reforms to the Law for Elections and Political Parties, and modified the Law for State Contracts. Currently, Congress is discussing reforms to the Judicial Career Law and the Law for Elections Commissions, which is responsible for electing members of the country’s high courts and leadership for security and justice institutions.

Also, for the first time in recent history, Guatemalan society is attentive to criminal justice processes. The press transmitted live hearings of the accused ex-government officials, allowing the citizenry to see how the justice system functions and the various stages of the criminal process. Although there is still much to be done, the fight against impunity and the strengthening of the justice sector are priorities in the national agenda, and Guatemalans are paying attention to the performance of governmental institutions. Nevertheless, despite citizen demand, institutional need, and recommendations from CICIG, the government did not approve an increase in the annual budgets for the majority of the institutions that form the security and justice system. Without the requested budget increases, these bodies will not have sufficient resources to guarantee optimal coverage, outcomes, and staff.

In September, the first round of national elections resulted in the election of 158 members of Congress as well as many other local and regional-level representatives. The second round of presidential elections was held on October 25 and won by the Front for National Convergence party, with Jimmy Morales as the new president elect and Jafeth Cabrera as his vice president. The newly elected officials will take office on January 14, 2016. In the meantime, Alejandro Maldonado Aguirre and Juan Alfonso Fuentes Soria continue to serve as Guatemala’s President and Vice President.

Despite the changes in government officials, the installation of a transitional government, and the political instability generated by the judicial processes, the Security and Justice Sector Reform Project (SJSRP or Project) continued to make progress in collaboration with its counterpart institutions, providing technical assistance and promoting institutional strengthening. This quarter the Project achieved several important objectives in line with its Annual Work Plan and performance indicators.

Under Lower Level Result (LLR) 1, Greater state capacity to manage security and justice administration, the SJSRP achieved two significant milestones. First, the National Civilian Police Organic Law, which was developed and promoted with Project support, was officially presented to the President of the Republic by the Commissioner for Police Reform. Second, three justice sectors institutions – the Public Ministry, the Public Defense Institute, and the Judicial Branch – received International Organization for Standardization (ISO) certification for quality management of administrative processes. Both achievements contribute to greater transparency, efficiency and accountability in Guatemalan institutions.

Under Lower Level Result 2, Greater state capacity to provide security and justice for citizens, the SJSRP continued working with each of its institutional counterparts to build upon previous achievements and work toward current goals. With the National Civilian Police (PNC), the Project helped develop a proposal to better investigate corruption cases. In the Judicial Branch (OJ), the SJSRP continued to implement several projects that work to improve efficiency, transparency, and access to justice, including the electronic notification system, management models in 24 Hour Courts and Pluripersonal Courts, and oral processes in the Appeals Court. The SJSRP also provided support to create a third section of the High Risk Court and Tribunal and provided training in scientific evidence to its judges. In the Public Ministry, the Project provided ongoing technical support to strengthen several of its specialized offices. In the Office against Corruption, the Project worked to improve coordination and investigation techniques, a strategy which has led to several judicial inquiries and arrests. Similarly, in the Office against Extortion, the SJSRP worked to strengthen investigative techniques and analysis skills. The Project's efforts to strengthen the Extortion Office's Coordination Unit resulted in the dismantling of at least seven crime rings tied to the country's two most powerful gangs. In the Prosecutor's Office for Women, the Project continued to provide training and technical support to improve the attention provided to women victims of violence. Additionally, the SJSRP worked with the MP to present the Democratic Criminal Policy in eight departments throughout Guatemala.

In the Project's environmental component, the SJSRP carried out several activities that further contribute to the investigation and prosecution of crimes against the environment and cultural heritage. It offered a first-ever training to rangers who patrol the Maya Biosphere Reserve (MBR) on management of environmental crimes, conflicts, and emergency situations, and also provided them with equipment necessary for their patrols. The SJSRP also organized a flyover of the MBR with high-level government officials that led to commitments to further promote protection of the area.

Finally, the Project continued to advance in its cross-cutting components of Communications and Gender. In Communications, the SJSRP provided technical assistance to promote and institutionalize communication policies for security and justice sector institutions; the Project also finalized its series of courses for journalists on reporting on gender based violence. In Gender, the SJSRP carried out activities with justice sectors actors, university students, and communicators in line with the International Day of Violence against Women. The Project also provided legal guidance to the working group promoting a change to the civil code to prohibit child or forced marriage; this change was passed by Congress in November.

RESUMEN EJECUTIVO

Durante este trimestre Guatemala siguió padeciendo las secuelas de los seis meses anteriores, en el que una serie masiva de protestas pacíficas culminó con la renuncia de la Vicepresidenta Ingrid Roxana Baldetti Elías y la del Presidente de la República Otto Fernando Pérez Molina. Ambos se encuentran actualmente en los centros de detención preventiva, después de ser acusados por el Ministerio Público (MP) y la Comisión Internacional contra la Impunidad en Guatemala (CICIG) de ser los líderes de la red criminal denominada La Línea, la cual estafó millones de dólares del Gobierno de Guatemala. Las investigaciones realizadas por la CICIG y el MP vinculan al Expresidente y Vicepresidenta de la República, así como a varias otras autoridades gubernamentales de alto nivel, a casos de corrupción, lo que llevó a una creciente conciencia pública sobre la necesidad de reformar las leyes claves. Con este fin, el Congreso de la República de Guatemala – presionado por movimientos sociales masivos – aprobó reformas a la Ley de Elecciones y Partidos Políticos y modificaron la Ley de Contratos del Estado. Actualmente, el Congreso se encuentra discutiendo las reformas a la Ley de la Carrera Judicial y la Ley de Comisiones de Postulación, la cual se encarga de elegir a los miembros de la Corte Suprema del país y de las autoridades de las instituciones de seguridad y justicia.

Además, por primera vez en la historia de Guatemala, la sociedad guatemalteca se encuentra atenta a los procesos de justicia penal. La prensa transmitió en vivo las audiencias de los ex funcionarios acusados, permitiéndole a la ciudadanía ver cómo es que funciona el sistema de justicia y las distintas etapas del proceso penal. Aunque todavía queda mucho por hacer, la lucha contra la impunidad y el fortalecimiento del sector justicia son las prioridades para la agenda nacional, y los guatemaltecos están prestando atención al desempeño de las instituciones gubernamentales. Sin embargo, a pesar de la demanda ciudadana, la necesidad institucional y las recomendaciones de la CICIG, el gobierno no aprobó un aumento de los presupuestos anuales de las instituciones que conforman el sistema de seguridad y justicia. Sin estos recursos adicionales, las instituciones no podrán garantizar cobertura, insumos y personal suficientes.

En el mes de Septiembre, se realizó la primera vuelta de las elecciones nacionales y dio como resultado la elección de 158 miembros del Congreso de la República, así como la elección de muchos otros representantes a nivel departamental; sin embargo, dado que ningún candidato presidencial recibió la mayoría de votos, se tuvo que celebrar una segunda vuelta de elecciones la cual se realizó el 25 de Octubre. En la segunda vuelta, el Frente de Convergencia Nacional ganó las elecciones, con Jimmy Morales como nuevo Presidente electo y Jafeth Cabrera como su Vicepresidente. Los nuevos funcionarios electos tomarán posesión oficial el 14 de enero del año 2016. Mientras tanto, Alejandro Maldonado Aguirre y Juan Alfonso Fuentes Soria continúan sirviendo al estado de Guatemala en calidad de Presidente y Vicepresidente de la República.

A pesar de los cambios de funcionarios en el gobierno, la instalación de un gobierno de transición y la inestabilidad política generada por los procesos judiciales, el Proyecto de Seguridad y Justicia (SJSRP o Proyecto) continuó trabajando con sus contrapartes, proporcionando asistencia técnica y promoviendo el fortalecimiento institucional. Durante este trimestre el Proyecto logró varios objetivos importantes de acuerdo al Plan Anual y a los indicadores de desempeño.

Bajo el indicador de resultado LLR 1: La capacidad del Estado para gestionar la seguridad y administrar la justicia, el SJSRP logró dos metas significativas. La primera, La Ley Orgánica de la Policía Nacional Civil, la cual fue desarrollada y promovida con el apoyo del Proyecto, fue presentada oficialmente al Presidente de la República por la Comisionada para la Reforma Policial. La segunda, tres instituciones del sector justicia – Ministerio Público, Instituto de Defensa Pública Penal y el Organismo Judicial – recibieron la Certificación Internacional del Sistema de Gestión de Calidad (ISO) 9001:2008 para la gestión de calidad de sus procesos administrativos. Ambos logros contribuyen a una mayor transparencia, eficiencia y rendición de cuentas en las instituciones guatemaltecas.

De igual forma bajo el indicador de resultado LLR 2: La capacidad del Estado para garantizar la seguridad y justicia a los ciudadanos, el SJSRP continuó trabajando con las contrapartes institucionales para contribuir con los logros alcanzados anteriormente y trabajar para alcanzar metas actuales. Con la Policía Nacional Civil, el Proyecto ayudó a desarrollar una propuesta para mejorar la investigación de los casos de corrupción. En el Organismo Judicial, el SJSRP continuó implementando varios proyectos que sirven para mejorar la eficiencia, transparencia y acceso a la justicia, en los cuales se encuentra incluido el sistema de notificaciones electrónicas, el modelo de gestión de juzgados de 24 Horas y juzgados pluripersonales, y los procesos orales en las Salas de Apelaciones. El Proyecto también prestó apoyo en la creación de una tercera sala de Juzgado y Tribunal de Alto Riesgo y proveyó de capacitaciones a los jueces en materia de evidencia científica. En el Ministerio Público, el Proyecto continuó prestando apoyo técnico para fortalecer varias de sus oficinas especializadas. En la Fiscalía contra la Corrupción, el Proyecto trabajó para mejorar las técnicas de coordinación e investigación, una estrategia que ha tenido como resultado varias investigaciones judiciales y detenciones. Del mismo modo, en la Fiscalía contra las Extorsiones, el SJSRP trabajó para fortalecer las técnicas de investigación y habilidades de los analistas. Los esfuerzos del Proyecto en fortalecer la Unidad de Enlace de la Fiscalía contra las Extorsiones trajo como resultado la desarticulación de al menos siete redes criminales vinculadas a las dos maras más poderosas del país. En la Fiscalía de la Mujer, el Proyecto continuó proporcionando capacitaciones y asistencia técnica para mejorar la atención proporcionada a las mujeres víctimas de violencia. Adicionalmente, el SJSRP coordinó con el MP para presentar la Política Criminal Democrática en ocho departamentos en toda Guatemala.

En el componente ambiental, el SJSRP realizó varias actividades que contribuyen a la investigación y persecución de los crímenes en contra del medio ambiente y patrimonio cultural. Se proporcionó por primera vez una capacitación a los guarda recursos quienes patrullan la Reserva de la Biosfera Maya (MBR) en temas relacionados a la gestión de los delitos ambientales, conflictos y situaciones de emergencia, así como proporcionales equipo vital necesario para realizar los patrullajes. El SJSRP

también organizó un sobrevuelo sobre toda la MBR con funcionarios gubernamentales de alto nivel, mismo que dio como resultado compromisos para promover aún más la protección de la zona.

Finalmente, el Proyecto siguió avanzando en sus componentes transversales de Comunicación y Género. En el componente de Comunicación, el SJSRP proporcionó asistencia técnica para promover e institucionalizar las políticas de comunicación para las instituciones del sector de seguridad y justicia; también finalizó con una serie de cursos para periodistas en materia de presentación de informes sobre la violencia de género. En Género, el SJSRP realizó actividades con actores del sector justicia, estudiantes universitarios y comunicadores en relación con el Día Internacional en Contra de la Violencia contra la Mujer. El Proyecto también proporcionó asistencia legal al grupo de trabajo que promovió un cambio en el Código Civil, en donde se aumenta la edad mínima para poder contraer matrimonio protegiendo a la niñez o el matrimonio forzado, el cual fue aprobado por el Congreso de la República en el mes de noviembre.

I.0 PROGRAM PROGRESS AND HIGHLIGHTS

I.1 ACTIVITY REPORTING

This quarter represents the first quarter of the SJSRP's fourth fiscal year. Despite challenges stemming from the political crisis currently effecting Guatemala, the SJSRP executed a number of activities directly related to its program goals. All program activities were carried out in close coordination with the Project's Government of Guatemala counterparts, with the goal of increasing institutional capacity and promoting greater levels of efficiency, transparency and accountability.

I.1.1 Lower Level Result I: Greater state capacity to manage security and justice administration

PNC Organic Law

As part of the SJSRP's ongoing support of the new PNC Organic Law, the Project reinitiated the relevant working groups in the National Commission for Police Reform (CNRP), which previously had been suspended as a result of the political crisis and lack of certainty regarding the tenure of the participating officials. Once the political situation calmed, the SJSRP held a meeting to develop a strategy for promoting the draft law among the new government authorities. The group's members decided to promote the law among the new authorities of the Private Secretary of the President and the new PNC officials. The Project supported a series of meetings with these counterparts, all of whom saw the law as useful for the PNC and expressed their support.



The PNC Organic Law is officially presented to the President during a ceremony on December 2, 2015.

Given how well the law was received by the new officials, the CNRP Commissioner, Adela Camacho de Torrebiarte, officially presented the PNC Organic Law to President Alejandro Maldonado Aguirre during a public event in which the CNRP gave its annual presentation of its efforts and achievements. During the December 2nd event, Commissioner Torrebiarte highlighted the law as one of the Commission's most important achievements and urged the President to proceed with the approval process. The SJSRP will continue to monitor the law's progress, promote it among relevant authorities and organize panel discussions with various government actors in order to facilitate the final approval of the law.

PNC Office for Institutional Planning and Development

In light of the various political factors that have affected the approval process of the PNC Organic Law, the Project is providing ongoing support to the PNC Office for Institutional Planning and Development (JEPEDI). As the entity in charge of strategic institutional planning, JEPEDI has reviewed the various police regulations that address the police career. The SJSRP organized a series of meetings in which JEPEDI personnel have been able to collect and systematize regulations from the General Sub-Directorate for Studies and Doctrine and the General Sub-Directorate for Staff. The goal is to be able to update regulatory provisions regarding the police career and employee benefits.

This quarter, JEPEDI processed at least 14 general orders related to staff, schedule, uniforms, and education licenses. Through the effort of collecting and studying police norms, JEPEDI found that many had never been implemented nor shared with police authorities. As a result, several police benefits were not applied given that relevant authorities were unaware. Through this activity, JEPEDI has been able to institutionalize these norms within the PNC.

For its part, the SJSRP has proposed the inclusion of this review process within the institution's strategic planning so as to protect agreements regarding benefits from being negatively affected by the constant change in administration. The PNC's planning authorities recognized the need to institutionalize these norms for the good of the institution, so that they are not at the whim of current authorities. Given this dynamic, the SJSRP anticipates that in the short-term JEPEDI will continue to collect rules and general orders regarding the police career, analyze them, and incorporate them into its strategic planning as a high-priority.

Gender in the PNC

With SJSRP support, representatives from the General Sub-Directorate for Crime Prevention met with leaders of other units of the PNC in order to review General Order 80-2014, which addresses Personnel Uniformity in the PNC's Police and Administrative Career Paths. Meeting participants discussed ways in which they can better incorporate a gender focus into the PNC; one of the proposed measures is an adaptation of the police uniform for female officers.

Sub Lower-Level Result 1.3: Improve management and administration of SJSIs

Implementation of ISO 9001 and 17025 Standards

During this quarter, the SJSRP re-initiated its technical support to the National Institute of Forensic Sciences (INACIF) in order to help the Institute achieve quality management standards recognized by the International Organization for Standardization (ISO). The Project will support INACIF in receiving ISO 9001:2008 certification for its administrative processes and ISO 17025:2015 accreditation in its Genetics, Ballistics and Toxicology laboratories. This quarter the SJSRP conducted a diagnostic evaluation regarding INACIF's advances in the implementation of ISO 9001 and 17025 norms and has established a plan to move forward with both processes. INACIF's leadership is eager to work toward certification and accreditation, and all relevant departments are cooperating with the SJSRP in working toward this goal.

Also this quarter, three Government of Guatemala institutions – the Public Ministry (MP), Judicial Branch (OJ) and Public Defense Institute (IDPP) – received ISO 9001:2008 certification for administrative and financial processes, following ongoing technical support and accompaniment provided by the SJSRP.

The IDPP received ISO 9001 certification in the areas of procurement, treasury payments, and the selection and contracting of new personnel. The certifications were presented during an SJSRP-sponsored public event on November 25, 2015.

The OJ received ISO 9001 certification in the areas of selecting and contracting staff, acquiring goods and services, inventory, supplies, and transportation. The OJ received its certification during a Project-sponsored public event held on December 2, 2015, held in the Main



Courtroom of the Supreme Court. U.S. Assistant Administrator for the Latin America and Caribbean Bureau Elizabeth Hogan participated in the ceremony, along with other representatives from the United States Embassy in Guatemala. The delivery of ISO certification recognized the Judicial Branch's efforts to improve the management and administrative processes of judicial institutions, thus strengthening the Judicial Branch as a whole.

Also this quarter, the Public Ministry received ISO 9001:2008 certification in the areas of selecting and contracting personnel, acquiring goods and services, and payment management. A public event will be held early next quarter to present its certification.

The ISO method works to standardize processes in order to achieve greater security, reliability and quality in both products and services. Strengthening the administration and management of justice sector institutions helps in the fight against corruption and impunity by institutionalizing transparency and accountability. In addition, it is important to strengthen the administrative and financial areas of justice sector institutions given that they represent a fundamental support platform for the appropriate, timely and efficient functioning of these institutions. The processes certified this quarter demonstrate an improvement in management and administrative processes and also serve to improve user satisfaction, staff motivation, and the continuous improvement of services.

I.1.2 Lower Level Result 2: Greater state capacity to provide security and justice for citizens

Sub Lower Level Result 2.1: Improve performance, efficiency and accountability of SJSIs

National Civilian Police

In September 2015, the SJSRP presented the authorities of the PNC's General Sub-Directorate for Criminal Investigation with a proposal to create a specialized investigation unit for corruption crimes. The head of the Sub-Directorate named the Chief of the Specialized Division for Criminal Investigation (DEIC) as the main point of contact for following up on the proposal. The SJSRP developed a proposal for the new unit and its incorporation into DEIC, as well as a profile for the unit's investigators. The structure of DEIC itself is currently under review by a technical team made up of PNC leadership, and it is hoped that the corruption unit proposal will be discussed and evaluated as part of DEIC's review and restructuring.

Judicial Branch

Electronic Notification

This quarter, the SJSRP continued to provide technical assistance to implement an electronic notification system comprising all jurisdictional bodies around the country. The Project worked with the OJ, MP and IDPP to consolidate the electronic programming system for judicial hearings. The incorporation of this tool has improved the OJ's capacity to inform relevant parties of the date and time of hearings, especially for processes related to crimes against women, sexual exploitation, human trafficking, drug trafficking, and crimes against the environment. This tool helps lower the OJ's operating costs related to the issuance of written notification, reduces the use of paper, and increases the number of hearings held. The MP and IDPP also benefit from the system, which allows for emergency hearings to be programmed.

In conjunction with the electronic interconnection system implemented throughout the country with Project support, the SJSRP helped develop and implement a model through which external users can consult court records. This allows users to access hearing times, court schedules, and the state of a particular case online from anywhere in Guatemala, thus avoiding visits to the tribunals. The objective of this model is to increase the number of hearings held and guarantee the rights of victims and the accused.

Also this quarter, the Constitutional Court publicly celebrated the implementation of the electronic notification system supported by the SJSRP and implemented via bilateral agreements with other justice sector institutions. The Constitutional Court adds to the effort already made by the Supreme Court to implement electronic notifications for civil, family, coercive economic, administrative litigation, and labor cases. The signed agreements between the Constitutional Court and the MP, IDPP, and State Attorney for Human Rights to implement the shared electronic notification system are found in Annex C.

Videoconference Courts

On November 12, 2015, the plenary of the Supreme Court named an additional judge to complement the team of videoconference judges located at INACIF. The Supreme Court made this decision following an SJSRP-sponsored meeting between the President of the Criminal Chamber of the Supreme Court, Nery Medina, and the Director of INACIF, Jorge Nery Cabrera. The judge will join a team of existing judges as part of the videoconference system model that allows expert witnesses to give testimony in INACIF headquarters without having to relocate to another court, thus streamlining the process and saving time and resources. The courtroom located inside INACIF transmits directly to hearings in criminal courts throughout Guatemala.

24 Hour Courts

In order to further consolidate the management model for the recently-inaugurated 24 Hour Courts in Quetzaltenango, the SJSRP provided technical assistance to prosecutors, prosecutors' assistants, investigators assigned to the MP's Directorate for Criminal Investigations and PNC investigators who are housed in this Court. The goal of this support was to help identify the responsibilities assigned specifically to police agents during criminal investigations, as well as the route the prosecutors should use to move these cases through the tribunals. In applying this model, justice sector actors can avoid duplicating functions, resulting in a higher quality investigation and greater number of cases filed successfully in court.

In addition, the SJSRP provided technical assistance to the lawyers assigned to the IDPP in Quetzaltenango's 24 Hour Court regarding their role as defenders in the accusatory system and their participation in hearings for flagrant cases. The support was focused on developing viable public defense techniques that appropriately respond to concrete cases, as well as the procedures necessary for alternative sentencing measures, which reduce the economic burden on the justice system.

The SJSRP also continued to provide support to strengthen the 24 Hour management model in the other 24 Hour Courts in Guatemala, making periodic visits to the 24 Hour Courts for Femicide and Family in Guatemala City, as well as the 24 Hour Courts in Sacatepéquez, Escuintla, Mixco, Villa Nueva, and Quetzaltenango. This model is aimed at increasing the number of hearings held and guaranteeing the rights of victims and the accused. This quarter, the SJSRP team interviewed different justice sector operators, users of the justice system, and private attorneys in order to determine weaknesses in the 24 Hour management model and work toward improving its implementation. To this end, the SJSRP also observed several hearings in both the 24 Hour Justice of the Peace Courts and the 24 Hour First Instance Courts.

In the 24 Hour Courts in in Sacatepéquez, Escuintla, Quetzaltenango, and Villa Nueva, the Project held working meetings in order to evaluate the management of these courts. In all cases, court officials agreed to redistribute staff when they were not being optimized. In Sacatepéquez, Escuintla, and Villa Nueva, officials also agreed to further institutionalize the application of oral hearings throughout the process and standardize the process of the Tribunal Management System.

High Risk Courts and Tribunals

During this quarter, with financial assistance from the SJSRP, the OJ remodeled levels 12 – 15 of the Torre de Tribunales with the objective of creating adequate space to house judges for a new First Instance Criminal Court and the Criminal Sentencing Tribunal, both with competency in high risk processes (High Risk Court and Tribunal C). These bodies were created to handle criminal processes with a high risk to the security of judges, prosecutors, experts, witnesses and/or the accused. This increase in space will allow the high risk judicial bodies to hear cases related to corruption, narco-trafficking, organized crime, and violence against women, among other serious cases, thus reducing the backlog in the other two High Risk Courts/Tribunals.



Judges from the newly-inaugurated High Risk Court and Tribunal C visit INACIF laboratories with the President of the Criminal Chamber of the Supreme Court and the Director of INACIF to better understand the application of technology in scientific evidence.

During October and November 2015, at the request of the Supreme Court, the SJSRP held two discussion sessions with the new judges who are part of the newly-inaugurated High Risk Court and Tribunal C. The purpose of these activities was to provide more in-depth information on topics related to organized crime, special investigation methods, and corruption in order to assist in the training process for these judges so they are prepared to hear high risk cases. The activities also introduced the judges to the work

carried out by INACIF's Serology, Toxicology, Ballistics, Phonetic Voice Analysis, Forensic Genetics and Forensic Psychology laboratories. This information regarding the use of technology in scientific evidence will help provide judges with a better basis for verdicts.

Pluripersonal Courts

This quarter, the Supreme Court agreed to create a First Instance Court for Urgent Investigative Measures for Crime, Narco-activity, and Crimes against the Environment. This Court will be charged with reviewing and resolving all urgent acts related to investigations, and it will have competency in hearing and resolving all urgent investigative acts which, by their nature, do not allow for any delay. This court was opened in response to the SJSRP's evaluation of the MP and the OJ regarding their management model for urgent proceedings, the provision of attention to victims of violence against women, and delays in resolutions and urgent proceedings for those cases seen by the First Instance Court for Femicide and other Crimes against Women.

The SJSRP also continued to provide technical support to the First Pluripersonal Justice of the Peace Criminal Court (JPPP) in Guatemala City, given that in October the Supreme Court passed Agreement 36-2015, which authorized the incorporation of an additional judge in the JPPP. During October, through various coordination meetings and technical assistance, the SJSRP helped

implement this agreement, which resulted in improvements in personnel and court management. The JPPP has benefited the national justice system given its competency in misdemeanor cases, which allows the court to see 85% of the crimes in the Criminal Code. This allows other courts to focus on more serious crimes, ultimately resulting in better attention to these offenses.

Appeals Courts

This quarter, the SJSRP initiated activities to make criminal processes in the appeals court oral. Following a request from the Supreme Court, the SJSRP coordinated meetings to evaluate the possibility of incorporating orality in some appeals court processes. Participants in these meetings included magistrates and secretaries of high risk and forfeiture courts, as well as from the Third and Fifth Criminal Appeals Courts. The introduction of oral processes guarantees greater transparency and agility in appeals processes. The SJSRP developed a framework to implement oral processes in the criminal appeals courts, which will be discussed by Supreme Court Criminal Chamber Magistrates, the Attorney General, and the IDPP Director. This management model is intended to enable judges to correctly apply the principles and procedural guarantees of orality, immediacy, imperativeness, objectivity and promptness, in order to create conditions for strengthening access to justice and transparency in the appeals process.

Judicial Career and Other Support

This quarter, in coordination with the OJ's Institute of Magistrates, the Project supported the Tenth Assembly of Appeals Court Magistrates. The central theme of this activity was the strengthening of the judicial career and the fight against corruption. More than 250 officials from the Judicial Branch -including justices of the peace, first instance judges, and magistrates from the Supreme Court and Appeals Court – participated in the event.

In November, the Project developed a roundtable for judges in first instance criminal courts and magistrates from the court of appeals to discuss crime theory and the relationship that should be maintained between the facts investigated and those alleged against the accused. This event was held in conjunction with the Association of Judges and OJ Magistrates.

The SJSRP also provided support in the preparation and publication of the OJ's annual report on its work from the previous year, as well as its five year plan. The plan is particularly important for the OJ's administrative planning, given the current financial crisis of the justice system.

Public Ministry

Prosecutor's Office against Corruption and Administrative Crimes

This quarter, the SJSRP coordinated a meeting among representatives from the Prosecutor's Office against Corruption and Administrative Crimes and the criminal law section of the State Attorney's Office (PGN), headed by Prosecutor General Maria Eugenia Villagrán de León. The objective of the meeting was to facilitate communication between both entities in order to achieve optimal results in criminal processes for corruption cases.

The SJSRP also helped develop a validation process for criminal investigation methodologies used in cases of corruption and administrative crimes. This process will allow for best practices in investigation to be applied to these cases and will contribute greatly to the efficacy of the criminal prosecutions carried out by the MP. Investigators from the MP's Directorate for Criminal Investigation (DICRI) assigned to the Prosecutor's Office against Corruption and Administrative Crimes participated in the validation process.

Over the course of several weeks, the SJSRP also provided ongoing technical assistance and guidance to the Prosecutor's Office against Corruption and Administrative Crimes regarding paradigmatic cases in its charge. As a result of this support, the cases have advanced and have resulted in concrete results, including judicial inquiries and arrests. Additionally, the Project is supporting the new head of this office in the process of establishing inter-institutional coordination.

Also this quarter, the Prosecutor's Office against Corruption and Administrative Crimes began implementing the investigation methodology for the prosecution of criminal structures dedicated to defrauding the State, which it designed jointly with the SJSRP. This methodology includes investigation plans, information analysis and operative planning for the execution of judicial orders. The office prioritized various corruption cases involving the administration of municipal funds, to which it applied the new methodology. To further support this office and to complement the investigation methodology and technical assistance provided by the Project, the SJSRP donated three laptop computers, two scanners, and one regular and one multi-function printer.

The SJSRP has provided ongoing assistance to improve the abilities of DICRI investigators who are assigned to the Prosecutor's Office against Corruption and Administrative Crimes. To this end, the Project organized two seminars per month, in which participants evaluate criminal techniques applied to cases and discuss these issues with invited specialists. To date, the investigators have discussed themes related to the management of human sources of information, surveillance strategies, integration of criminal information, report writing, and forensic photography, among others.

Similarly, the Project has promoted a relationship between investigators assigned to this office and other police agencies that collaborate in anti-corruption operations and fact-finding activities. Through greater coordination with DICRI, the Special Police Forces, the Special Unit for Arrests, and the Division for Police Information, the units have been able to execute a series of apprehensions that had been pending for years, as well as initiate operations that previously were considered logistically difficult.

To further develop inter-institutional coordination regarding corruption crimes, the SJSRP held meetings with the Director of CICIG, Iván Velásquez Gómez. The Project presented the manual it developed for the investigation of corruption crimes, which provides guidance to investigators and prosecutors who work on corruption cases. The SJSRP and CICIG agreed to work jointly to train MP officials in order to strengthen the institution's capacity to investigate corruption crimes, using the manual as a guide.

In addition, during the week of November 16 to 20, the SJSRP held a workshop on techniques for investigating corruption crimes, in which 35 MP officials from Villa Nueva and Escuintla participated. The objective of this training was to strengthen the investigative skills of the participants and provide them with new tools to better carry out their work.

In December, the SJSRP presented the results of the first part of its evaluation of the unit's records control system to the General Secretary of the MP, Mayra Veliz. As part of the presentation, the Project presented a series of recommendations to improve the management of records and the work of the team in this unit. The evaluation process will allow the unit to strengthen its work and streamline the processing of corruption cases. If approved, the SJSRP will provide technical assistance to help implement the recommendations.

Prosecutor's Office for Women

This quarter the SJSRP provided technical and logistical support to coordinate with representatives from the Investigation and Litigation Units of the Prosecutor's Office for Women in order to develop a plan to improve the attention provided to women victims of violence. To this end, the Project carried out a series of workshops in which participants analyzed the strengths, weaknesses, opportunities and threats (referred to as "SWOT analysis") of the Prosecutor's Office for Women for the Department of Guatemala, Integrated Attention Model (MAI), Early Detention Unit, Investigation Unit, and Litigation Unit. Through each analysis, participants developed an initial proposal for the re-engineering of the MAI and the Prosecutor's Office for Women in Guatemala City. The conclusions of the workshops will be analyzed by a technical committee composed of the Secretary of Criminal Policy, the Prosecutor's Office for Women and the advisory team of the Office of the Attorney General.

In addition, the SJSRP continued training staff from the Prosecutor's Office for Women who attend to women victims of violence and sexual violence. The workshops aimed to institutionalize the training process and the provision of attention to victims according to each staff role (prosecutors, psychologists, social workers, etc.), in cases of violence against women and crimes against sexual liberty and personal indemnity. During this quarter the training was given to 192 members of the Prosecutor's Office for Women. When combined with groups trained prior to this



Workshops to strengthen MP staff capacities in the provision of attention to victims of violence against women and sexual violence.

quarter, a total of 353 members of this office have been trained. The SJSRP will continue with this effort next quarter, concluding Phase One of training in Petén, Chiquimula and Quetzaltenango. Once Phase One is completed, the Project hopes to offer a second phase which will provide more role-specific training for prosecutors, assistants, psychologists, social works, and doctors who work with women victims. The proposal for this phase is currently under consideration by the Attorney General. If approved, it too will be implemented nationally.

Workshops for the Prosecutor’s Office for Women

DATE	DEPARTMENT/MUNICIPALITY	STAFF TRAINED	NUMBER OF PARTICIPANTS
October 2-3	Guatemala	Assistants, agents, and officials from the Prosecutor’s Office for Women and DICRI investigators	37
October 14 – 15 (Group 1): October 15-16 (Group 2)	Izabal Cabecera and Morales Izabal	Assistants, agents and officials from the Prosecutor’s Office for Women, as well as psychologists, doctors and social workers	70
November 24 – 25	Chimaltenango, Escuintla, Guatemala City and Santa Cruz del Quiché.		23
December 1-2	Jutiapa, Jalapa and Chiquimula.		29
December 3-4	Quetzaltenango, Huehuetenango, San Marcos, and Alta Verapaz		33
TOTAL			192

Also this quarter, the SJSRP provided assistance for three inter-institutional workshops entitled, “Strategies to strengthen the duty of due diligence: Analysis of the Veliz Franco sentence.” The goal of the workshop is to expose justice sector operators to the international legal framework for the protection of women’s rights so that they can take the appropriate steps to



Inauguration of the workshop to strengthen due diligence in cases of gender-based violence. Members of the head table are as follows (left to right): Dora Lizett Nájera Flores, Director of the School for Judicial Studies; Catherine Rochon, Deputy Chief of Party of the SJSRP; Magistrates Vladimir Osman Aguilar Guerra and Delia Marina Dávila Salazar, Supreme Court of Justice; Mayra Véliz, General Secretary of the MP; Hilda Morales Trujillo, Deputy Prosecutor for Human Rights; and Milton Durán, Director of the MP training Unit.

attend to cases of femicide and gender-based violence. In 2014, the Inter-American Commission on Human Rights condemned the State of Guatemala for not having adequately dealt with the disappearance of a young Guatemalan woman named María Isabel Veliz Franco. These workshops respond to one of the conditions of the Court's sentence. The workshops were carried out in Guatemala, Zacapa and Quetzaltenango.

Prosecutor's Office against Extortion

The SJSRP provided technical assistance to the Prosecutor's Office against Extortion to further strengthen its Coordination Unit via the implementation of follow-up activities for cases of extortion committed by criminal structures. This quarter, the criminal prosecution of these structures has resulted in the dismantling of at least seven crime rings tied to the Mara Salvatrucha and Barrio 18 gangs. Of these seven criminal organizations, the MP has instigated criminal prosecution for more than ninety people for offenses under the Organized Crime Act.

In light of these successes, there is a strong interest in strengthening and replicating the work carried out in the Coordination Unit. To this end, the SJSRP coordinated meetings with authorities from the Prosecutor's Office against Extortion and the MP's Directorate for Planning and Institutional Development in which participants validated a project to expand and strengthen the Coordination Unit beginning in 2016. The principal idea behind this project is to optimize the capacities of the Unit by assigning more analysts to review criminal phenomena and financial transactions. All of the improvements thus far made to the Coordination Unit's processes were a direct result of a previous SJSRP evaluation regarding the optimization of its operations. Additionally, the SJSRP is supporting an inventory of the Unit's logistical needs in order to improve efficiency in these processes. The Project and MP are also evaluating the possibility of opening prosecutor's offices specialized in criminal typology in MP offices throughout the country.

The Project also developed a proposal that would provide an academic certification to analysts who are currently part of the Coordination Unit. Accreditation would recognize these analysts as experts in criminal organizations, thus allowing them to testify – and their reports to be used as evidence – in trials involving members of these criminal organizations. To this end, the SJSRP began developing a curriculum on themes related to the daily work of these analysts, the tools used, analysis methodologies and other relevant themes. The curriculum has been developed in conjunction with members of the Coordination Unit and with support from counterparts who have long contributed to strengthening the MP's analytical capabilities, including the Canadian Cooperation. This project is currently being discussed with the University of San Carlos in order to establish the requirements to receive university accreditation.

The SJSRP also provided support to improve skills regarding investigative techniques for collecting and processing information in the field. To this end, the Project offered a series of workshops on criminalistics techniques to inform investigative reports and strengthen coordination among investigators, prosecutors and analysts. Participants in these workshops included Coordination Unit analysts; agents, prosecutors, and investigators with the PNC's Division for the National Program

against Gangs and Division for Specialized Criminal Investigation (DEIC); and investigators from the MP's DICRI.

Democratic Criminal Policy

Following approval by the Presidential Office for Planning and Programming of the Democratic Criminal Policy, which was developed by the MP with SJSRP support, the Project has prepared several activities aimed at familiarizing distinct sectors of Guatemalan society with the policy. The objective of the Democratic Criminal Policy is to guide State actions in the prevention and investigation of crimes, as well as in the judgment, rehabilitation, and re-integration of those who commit crimes. This quarter the SJSRP developed informational material about the policy to be used in presentations. In November and December, the Project supported the MP's Secretariat for Criminal Policy in presenting the policy to civil society representatives in Guatemala City and the departments of Chiquimula, Quetzaltenango, Suchitepéquez, Alta Verapaz, Zacapa, Jutiapa and Petén.

Case Management and Litigation

This quarter the SJSRP organized a workshop for staff from the prosecutor's offices in the departments of Quetzaltenango and Totonicapán, the municipality of Coatepeque, and the MP offices specialized in Narco-activity, Organized Crime, and Women and Minors in Quetzaltenango. Participants analyzed the management model used as well as the difficulties they encounter, and developed strategies to resolve them.

Also this quarter the SJSRP provided ongoing technical assistance in litigation techniques. The Project invited a former federal prosecutor from the United States to share his experiences with various prosecutor's offices in Guatemala City and Quetzaltenango, as well as the Criminal Section of the PGN.

National Institute of Forensic Sciences

The SJSRP assisted in the development of the fifth publication of INACIF's scientific journal, "*Con la Ciencia a la Verdad.*" This publication addresses various themes related to Forensic Sciences, including ballistic analysis, marijuana use in Guatemala, tattoos in forensic science, psychology in the courtroom, and the growing threat of pesticide intoxication. The journal will be published and distributed next quarter.

Sub Lower Level Result 2.2: Improved investigation and prosecution of environmental crimes

Strengthen local capacity to report, investigate and prosecute environmental crimes and crimes against archeological heritage sites

Park Ranger Training

From November 26 through 30, the SJSRP supported the Center for Conservationist Studies of San Carlos University (CECON), the National Council for Protected Areas (CONAP) and the Institute for Anthropology and History (IDAEH) in implementing a training course for park rangers in the Mayan Biosphere Reserve (MBR). The program addressed the need to build rangers' knowledge on how to handle situations that arise during their patrols of the MBR, as well as improve existing procedures. With this in mind, the curriculum included training on how to write and file legal complaints, the handling of dangerous wildlife, first aid, conflict resolution, and basic legal knowledge relevant to the rangers' work. To complement their classroom work, the rangers participated in on-site crime scene recognition drills in Yaxhá National Park, and each park ranger received "The Park Ranger's Manual," which was produced by CONAP and published with help from the SJSRP.



MBR park rangers participate in a field exercise about crime scenes (left) and learn how to properly handle serpents and their bites (right).

The University of San Carlos validated the training and awarded each participating park ranger with academic credits that they may apply in the pursuit of a more advanced degree within the university. Each ranger also received a formal diploma from the university in recognition of their successful completion of the course. The SJSRP also provided each participating park ranger with a backpack containing vital tools for monitoring and survival in the field, including a utility rope, compass, multipurpose tool, water-resistant notebook and pen, headlamp and rain poncho.

Response to the ranger training was very positive and all institutions were greatly appreciative of the space, opportunity and tools given to the group to increase their effectiveness in monitoring the MBR for illegal activity. Moreover, participants found the training to be highly effective. A pre- and post-survey given to each of the rangers gauging their knowledge on key issues – including their



CONAP staff present backpacks to each of the participating rangers. More than 200 backpacks were distributed during the course.

understanding of environmental and cultural patrimony laws, how to manage a crime scene, and how to file a complaint – demonstrated a marked increase in their knowledge on these themes as a result of the training. Moreover, 99.4% of the participants indicated that this training will help them in their work. The full results of the pre- and post-survey are presented in Annex B.

Equipment for Justice Actors in the MBR

In October and November, the SJSRP provided equipment to strengthen the capacities of justice sector operators in the MBR. Recipients included Justices of the Peace and First Instance Courts, including the newly created environmental court as well as the sentencing tribunal and the appellate court. The Project provided these courts with computer and office equipment to further optimize the legal work they carry out regarding environmental and heritage crime.

In addition, the SJSRP purchased videoconference equipment that was installed in the Judicial Compound in Poptún, a southern region of Petén, as well as in the First Instance Court in La Libertad. These videoconference centers facilitate and expedite witness and expert testimonies.

MBR Flyovers

In November, the SJSRP supported a helicopter flyover of the MBR for high-level authorities, including the Vice President of Guatemala, the President of the University of San Carlos (USAC), the Minister for the Environment and Natural Resources, and the Executive Secretary



Participants in the flyover saw the difference between MBR areas vulnerable to environmental crime (Laguna del Tigre/Rio Escondido Biotope – left) and those with successful environmental intervention and management (Tikal National Park – right).

of CONAP. The flyover covered a wide part of the MBR, including the vulnerable Laguna del Tigre area, the Mexican/Guatemalan border, archeological sites such as El Mirador and Tikal, and successful areas of environmental protection intervention. The activity yielded significant results, as the participants expressed great concern over the illegal use of protected land within the MBR. They were also highly impacted by the beauty and value of the sections that have been conserved.



Vice President Fuentes Soria holds a press conference following the flyover, discussing the Government's commitment to improve governability in the MBR.

Following the flyover, the SJSRP coordinated a meeting to discuss in greater detail the state of governability within the MBR, with assistance from representatives from the Wildlife Conservation Society, Asociación Balam and the Forum for Environmental Justice. During this meeting, the country's Vice President committed to forming a specific commission to develop ways to protect and preserve the Mayan Biosphere Reserve. In addition, the President of USAC committed to substantially increasing the budget for its Center for Conservationist Studies (CECON), thus significantly strengthening its ability to monitor environmental crimes and file related complaints.

Improve inter-institutional coordination

In response to a request from the Forum for Environmental Justice, the SJSRP facilitated a meeting in September with the Attorney General, MBR administrators and local civil society organizations in Petén. As a result of that meeting, a technical table was established with the purpose of identifying and prioritizing cases. The SJSRP has since supported periodic meetings of the group. During these meetings, participants discuss coordination needs in high risk cases, as well as their relevance to broader, more dangerous organized crime networks in the region. This effort is part of the SJSRP's strategy to help local actors identify high risk cases and funnel them to High Risk Courts in Guatemala City. This quarter, the Prosecutor's Office for Environmental Crime and the Forum for Environmental Justice worked with the Supreme Court to transfer one high risk case in Petén to the relevant court in Guatemala City. This case is now being tried in a High Risk Court, with the goal of having a fair, objective and safe trial for all involved. Since this process began, many protected area usurpers have expressed their willingness to abandon these areas in response to a newfound understanding of the legal consequences that derive from their actions. By the end of the quarter, their lawyers were working with CONAP officials to discuss an exit strategy from protected areas.

In addition, this quarter the SJSRP worked with the Wildlife Conservation Society, CONAP and CECON to develop a strategy for the recuperation and defense of the National Park and Biotope Laguna del Tigre, the most contentious area within the MBR. The group developed a draft proposal, which it hopes to finalize early next quarter. The group will present the proposal to the new government authorities who take office in January.

Improve public awareness regarding the impact of environmental crimes and crimes against archeological heritage sites

In October and November, the SJSRP implemented workshops with local journalists in Petén on the importance, methodology and impact of reporting on environmental and heritage crime, as well as the positive effect it has on public awareness of such illegal activity. Similar workshops were held with the communications departments from CONAP, CECON and IDAEH to analyze and strengthen their communication strategies so as to more effectively reach a wider audience. The objective of these activities is to strengthen institutional capacities in the area of communications, and agree upon an inter-institutional communication plan. Additionally, this quarter participants developed and approved institutional communication strategies that will allow them to continue to raise awareness regarding the work carried out by each entity.

Sub Lower Level Result 2.3: Support the Supreme Court's Information Platform

This quarter, the SJSRP finalized the technical specifications for the purchase of equipment to strengthen the Supreme Court's information platform and publicized the corresponding Request for Proposals in the following printed and internet publications:

- *La Prensa Libre*, daily newspaper in Guatemala, September 28 and October 1, 2015.
- Checchi Consulting website, www.checchiconsulting.com, September 28 through October 30, 2015.
- Federal Business Opportunities, www.fbo.gov, September 28 through October 30, 2015.
- USAID Procurement Information Bulletin, September 29 through October 30, 2015.
- Small Business Administration Sub-Net, <http://web.sba.gov/subnet>, September 29 through October 30, 2015.

By the end of the quarter, all proposals had been received and evaluated by the SJSRP. It is expected that their purchase and delivery will be finalized next quarter.

To prepare for the installation of the equipment, the SJSRP maintained close contact with the OJ's general management and its Information Technology (IT) Center to determine the current status of the improvements necessary to install the new equipment in the various data centers. The SJSRP will carry out on-site visits next quarter prior to the delivery of the equipment to ensure everything is in working order.

2.0 CROSS-CUTTING COMPONENTS / ACTIVITIES

2.1 COMMUNICATIONS AND SOCIAL OUTREACH

This quarter the Project continued strengthening security and justice sector institutions' (SJSIs) social communication departments, as well as providing coordination assistance to the Security and Justice Sector Inter-institutional Social Communications Working Group (MICS).

Strengthening social communication departments of SJSIs

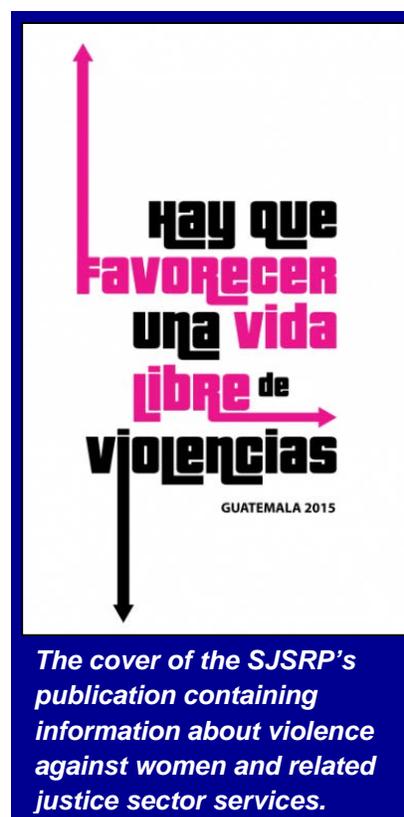
As part of the SJSRP's ongoing technical support to the Social Communication departments of SJSIs, this quarter, institution-specific social communications policies were presented and validated by relevant authorities at the PNC and the MP. Additionally, the Project held a meeting at INACIF in which it presented a Communication Policy, regulatory framework and staff positions and functions for its Social Communication Institute. INACIF's Director approved the documents and indicated that they would be incorporated into institutional manuals and included in the budget. These policies will allow the SJSIs to strengthen the work they do in social communication and public outreach, as well as institutionalize related processes and make them sustainable.

With the same objective in mind, on October 6 the SJSRP led a workshop on strategic communication for social communication teams at SJSIs. The workshop addressed the themes of Strategic Communication, Public Image and Agenda, and the Culture of Communication, with the goal of improving participants' skills in strategic communication for their respective institutions.

This period, with SJSRP support the MICS finalized five informative packets regarding the work carried out by each participating institution (MP, PNC, OJ, INACIF and IDPP). The materials will be presented jointly to journalists who cover security and justice themes.

Training for journalists on security and justice issues

In October, the SJSRP continued its series of seminars for departmental journalists on its publication entitled “For a life free of Violence.” The publication explains the reasons behind violence against women, provides the steps to file a complaint, and discusses the specialized services provided by SJSIs for victims. The series, which began in September, included the participation of 102 journalists (78 men and 28 women) in the departments of Chimaltenango, Alta Verapaz, Zacapa and Quetzaltenango. These seminars strengthen participants’ ability to report on gender-based violence and help them reflect on how to best transmit information regarding these types of cases, with the ultimate goal of contributing to the promotion of access to justice for women. The seminars were carried out jointly with the USAC School for Sciences and Communication and its regional offices.



2.2 SECURITY AND JUSTICE SECTOR ACTIVITIES FUND (SUB-AWARDS)

This quarter the SJSRP reviewed three grant applications: two unsolicited grant proposals and one proposal received under the Annual Program Statement (APS) released last quarter for the promotion of investigation and prosecution of crimes against the environment and cultural patrimony in the MBR.

The SJSRP completed an internal review process and has recommended the award of a grant to *Asociación Familiares y Amigos contra la Delincuencia y el Secuestro* (FADS). Through this grant, FADS will work toward increasing transparency in the upcoming election of magistrates for the Constitutional Court and will also monitor the implementation of laws regarding extortion and other high impact crimes. This grant is currently pending USAID/Guatemala approval.

In addition, the Project received an unsolicited grant proposal from *Fundación Sobrevivientes*. The proposal aims to strengthen services provided to women and children victims of violence. The SJSRP finalized the evaluation of this proposal; it is expected it will be awarded early next quarter.

Similarly, the SJSRP finalized its review of the proposal submitted by ProPeten under the APS. Under this grant, ProPeten would monitor Tikal National Park, Biotope El Zotz, and Bio-Itza for crimes against the environment and cultural heritage. The Project will finalize the required pre-award evaluation early next quarter. Also this quarter, the Project extended the open period for the APS through January 29, 2016.

2.3 RAPID RESPONSE FUND (RRF)

During this quarter, the following projects were approved, under implementation, or completed:

Requestor	RRF 09.2015 Secretariat of Women and Gender Analysis of the Judicial Branch	Amount	\$47,167.97
Name of Project	Strengthening the Secretariat of Women and Gender Analysis for Implementation of the Institutional Policy on Gender Equality and the Promotion of Women's Rights in the Judicial Branch		
Objective	By the end of 2015, the OJ will have policies and institutional arrangements aimed at strengthening and mainstreaming issues related to gender and women's rights in the administration of justice.		
Status	Complete		
Report	Meetings with the Secretariat of Women and Gender Analysis were carried out.		

Requestor	RRF 13.2015 Public Ministry	Amount	\$48,727.35
Name of Project	Special Prosecutor's Office Against Impunity (FECI) in Quetzaltenango		
Objective	Strengthen Prosecutor's Office against Corruption by providing optimal equipment to investigate cases of corruption.		
Status	In progress		
Report	The SJSRP received USAID approval to purchase the equipment, and its procurement is currently in progress.		

Requestor	RRF 14.2015 ARCAS	Amount	\$ 43,063.20
Name of Project	Equipment for the Wildlife Rescue Center in Petén, managed by ARCAS / CONAP		
Objective	Provide equipment to provide care to all the animals seized by national authorities as a result of illegal wildlife trafficking.		

Status	In progress
Report	The SJSRP received USAID approval to purchase the equipment, and its procurement is currently in progress.

2.4 GENDER INTEGRATION

Gender Equity Policy in the Judicial Branch

With the goal of strengthening the capacities of the OJ’s Secretariat for Women and Gender Analysis, on October 29 the SJSRP Chief of Party formally delivered IT equipment and promotional materials to the President of the Supreme Court. The promotional materials included 45,000 copies of posters and information leaflets, as well as 5,000 compendiums of national and international laws regarding women’s rights, which will be delivered to over 1,000 courts throughout the country. This informational material will help strengthen a culture of gender among OJ staff and facilitate the application of corresponding norms.



Presentation of IT equipment and informational materials to the Supreme Court. Left to Right: Supreme Court Magistrate Delia Dávila, President of the Supreme Court Magistrate Rafael Rojas, OJ Secretary for Women Margarita López Rodas, and SJSRP Chief of Party Álvaro Ferrandino.

The Project also carried out a virtual course on October 13 entitled, “Application of Agreement 169 for Indigenous Communities from the Gender Perspective in the Administration of Justice.” The course, coordinated with the Secretariat for Women and Gender Analysis, the University for Distance Education and the Foundation for Justice and Gender in Costa Rica, focused on broadening the rights-based approach to administration of justice. The SJSRP has supported similar virtual courses every month since 2014, in which magistrates, judges and other judicial authorities from 17 countries connect virtually to discuss important themes in gender. Guatemalan attendance in the course has increased from 15 to 87 people during this time, with the majority of

participants from the OJ.

Coordination among justice institutions

To improve inter-institutional coordination in cases of violence against women in areas where there are no courts specialized in gender, the SJSRP and the National Commission for Strengthening Justice agreed to work with justice sector actors in the municipality of Mixco and the departments of Guatemala and Suchitepéquez in order to strengthen their ability to respond to women victims. The process began in September 2015 and continued this quarter.

Also this quarter, the SJSRP carried out a diagnostic evaluation regarding existing steps for victims to receive attention. The Project held interviews with various local actors, including MP prosecutors and psychologists, judges, INACIF doctors, and PNC Attention to Victim agents, as well as lawyers with the Free Legal Assistance Units of the IDPP, the Advocacy Office for Indigenous Women, and the Human Rights Attorney’s Office. The study focused on the issue of victimization, and its conclusions were reviewed and validated by the participating officials who proposed ways to overcome the obstacles identified.

Following this study, the SJSRP led workshops for justice sector officials in Mixco and Suchitepéquez in order to improve the attention provided to victims using a gender focus. The workshop introduced best practices in coordination that prevent re-victimization of the women who file complaints.

International Day for the Elimination of Violence against Women

The SJSRP supported the OJ in carrying out the campaign #Di No Más Víctimas (I say no more victims), with training and outreach activities tied to the International Day for the Elimination of Violence against Women.

On November 24, the SJSRP supported an international videoconference on compliance with the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women¹, which was led by the President of the Supreme Court’s Commission on Women, Silvia de León. Approximately 90 officials attended the event, which was organized in coordination with the OJ’s Secretariat for Women.

Magistrate De León also inaugurated the workshop, “Words Have Sex – Communication that Breaks Paradigms.” Presenters at the workshop included the Communication Official from United Nations Women, the spokeswoman for the Prosecutor’s Office on Human Rights, and a local columnist on women’s issues. The presenters discussed themes regarding the construction of



¹ The Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, also known as the Belém do Pará Convention, defines violence against women, establishes that women have the right to live a life free of violence and that violence against women constitutes a violation of human rights and fundamental freedoms.

stereotypes, strategies to combat sexism in the press, and suggestions for journalism with a gender focus. A total of 64 people attended the event, including university studies and journalists.

Prohibition of Child Marriage

The SJSRP, jointly with other USAID projects in Guatemala, provided legal guidance to the Working Group for Girls, an alliance of national and international organizations that promoted the campaign, “18 Yes, 14 No.” The campaign’s objective was to modify the Civil Code to prohibit forced and child marriages. On November 5, Guatemala’s Congress approved the change in the law, establishing 18 as the minimum age for women and men to marry. However, the law includes an exception that would allow marriage at the age of 16, with prior judicial authorization. Previously, this exception was set at 14 years and only required the consent of one parent. Forced and child marriages have a severe impact on young girls’ health, education, and life cycle, and increase the number of pregnancies in adolescents, which affects more than 5,000 Guatemalan girls per year, according to data from the Observatory for Sexual Health and Reproduction.

2.5 SUMMARY OF TRAINING ACTIVITIES AND EVENTS

The table below summarizes SJSRP training activities that took place between October and December 2015.

SJSRP TRAINING ACTIVITIES: OCTOBER – DECEMBER 2015							
Name of training program	Target Group	Program Dates	Place	No. of Hours of Training	Women	Men	Total
Second cycle of course on security and justice themes for journalists.	Journalists who cover security and justice themes	3/11/2015 – 9/30/2015	Guatemala City	28	11 (55%)	9 (45%)	20
Best practices in criminal investigation techniques.	Public Ministry (DICRI) investigators	11/16/15 – 11/20/15	Guatemala City	40	11 (41%)	16 (59%)	27
Protection and defense of natural and cultural patrimony for park rangers in the Maya Biosphere Reserve.	Park rangers from CONAP and CECON and park guards from IDAEH	11/16/15 – 11/20/15	Flores, Petén; San Benito, Petén, Parque Nacional Yaxha, Petén	40	4 (2%)	175 (98%)	179

3.0 SHORT-TERM TECHNICAL ASSISTANCE EFFORTS

3.1 SHORT-TERM TECHNICAL ASSISTANCE CONSULTANCIES

The SJSRP mobilized the following consultants to assist with development of deliverables and project implementation:

COOPERATING COUNTRY NATIONAL CONSULTANTS		
Consultant/Specialist	Description of Consultancy	Dates
Saúl Enrique Saravia	Determine the case resolution rate for documented cases in the First Pluripersonal Justice of the Peace Criminal Court (JPPPP) over the period observed.	November 9 – December 18, 2015
Luis Fernando Cuches	Determine the court case resolution rate of documented cases in the JPPP-VN.	October 1 – December 11, 2015
Madilanier Vásquez	Record the status of all known proceedings in the JPPPP for the period observed.	November 9 – December 18, 2015
Oscar Palma, Maya Hernandez, Vilma Veletzuy, Jose Luis Ramos	Provide timely information related to Indicator 11 of the SJSRP Monitoring and Evaluation Plan by measuring systems implemented in the Pluripersonal Criminal Court specializing in femicide and other forms of violence against women.	October 1 – December 11, 2015
Olga Darilena Chea	Implement Quality Management System based on ISO standard 9001:2008.	October 28 – December 31, 2015
Claudia Caballeros	Provide technical assistance to the MP working groups for the discussion, analysis and formulation of a Criminal Policy for Guatemala.	October 15 – December 17, 2015
Victoria Aguirre	Strengthen the application of priority laws in the justice and security sectors.	October 28 – December 31, 2015
Juan Carlos Morales Baten	Provide technical assistance to procure and implement technical equipment to update the Supreme Court's Information Platform and perform a technical assessment.	October 1 – December 31, 2015
Alba Bran	Provide technical and financial assistance to support INACIF achieve first year follow-on certification in ISO 9001:2008 norms, and ISO 1705-2015.	October 28 – December 31, 2015
Oscar Eduardo Mora Gomez	Strengthen local capacity to report, investigate and prosecute environmental crimes and crimes	October 26 – December 31, 2015

	against archeological heritage sites.	
Merly Gonzalez	Provide technical assistance to strengthen attention to victims of violence against women and sexual violence on a national level.	October 29 – December 31, 2015
Jose Gálvez	Provide technical assistance to the Supreme Court to strengthen its storage and information processing infrastructure focusing on processing, storage and virtualization.	October 5-30, 2015
Edgar Florián	Provide technical assistance for implementing an electronic notification system comprising all jurisdictional bodies around the country.	November 6 – December 31, 2015
Julieta Soto	Design and implement a process to strengthen attention to victims of violence against women and sexual violence on a national level. (Phase 1, general training for prosecutors, prosecutorial agents, psychologists, doctors, social workers, and support staff).	November 16 – December 11, 2015
Aracely Betzabeth Abac Cochoy	Support the implementation of agreements on the Common Agenda toward Addressing Cases of Femicide and Violence against Women.	October 8-30, 2015
Silvio Gramajo	Improve public awareness regarding the impact of environmental crimes and crimes against archeological heritage sites.	October 30 – November 27, 2015

THIRD COUNTRY NATIONAL CONSULTANTS

Consultant/Specialist	Description of Consultancy	Dates
Ana Montes	Provide technical assistance to improve the prosecution of cases in the areas of corruption.	October 25-30, 2015 November 8-21, 2015 December 13-16, 2015
Matias Ponce	Design and implement a workshop on strategic communication for the Social Communication Departments of security and justice sector institutions (SJSIs).	October 4-9, 2015 October 12-20, 2015
Manuel Araya (Pro bono, assisting Glenda Umaña).	Provide technical assistance to the MP working groups for the discussion, analysis, and formulation of a Criminal Policy for Guatemala.	October 22-28, 2015
Miguel Méndez Palomo	Improve performance, efficiency and accountability of the MP.	October 25 – November 7, 2015 November 22 – December 5, 2015
Rodrigo Jiménez	Hold workshops on leadership, teamwork, and effective communication with a gender perspective.	November 15-20, 2015
Roman Meza	Provide technical assistance for the creation of a training system on criminal structures of extortion for the Prosecutor's Office against Extortion and provide support to strengthen the MP on issues regarding criminology techniques and related methods of investigation for corruption and administrative crimes.	October 4-10, 2015 November 8 - December 18, 2015

Sonia Navarro	Provide technical assistance in judicial administration to design justice sector procedural models and/or associated IT development.	October 25-30,2015 November 23-27, 2015 December 6-11, 2015
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UNITED STATES NATIONAL CONSULTANTS

Consultant/Specialist	Description of Consultancy	Dates
Kim Lindquist	Improve performance, efficiency and accountability of the Public Ministry and support the Prosecutor's Anti-Extortion Office.	September 30 – October 7, 2015 October 25-30,2015 November 8-20, 2015 December 12-15, 2015
Glenda Umaña	Provide technical assistance to the MP working groups for the discussion, analysis, and formulation of a Criminal Policy for Guatemala.	October 22-28,2015

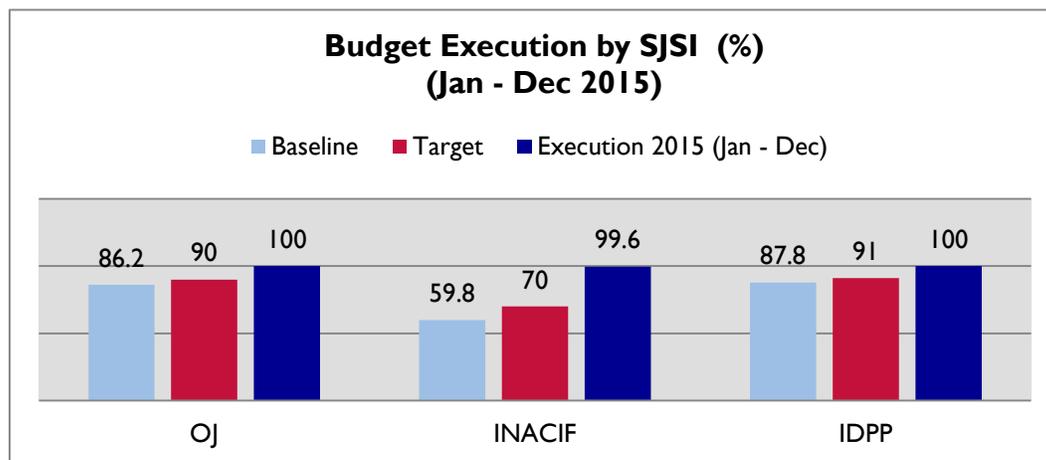
4.0 MONITORING AND EVALUATION ACTIVITIES

This section describes activities and achievements in seven of the Project’s fourteen indicators: indicators 2, 6, 8, 10, and 11, which were chosen by USAID for quarterly reporting, as well as indicator 1 (a bi-annual indicator) and one of the Project’s environmental indicators (Sub LLR 2.2). In addition, this section includes information regarding new and/or modified indicators that were proposed by the Project during this quarter.² Please note that this section is not an exhaustive account of all monitoring and evaluation activities that have taken place during this reporting period.

4.1. INDICATOR I

% of annual budget received that is executed by targeted SJSIs (disaggregated by institution)

The SJSRP can only provide partial information for the indicator given that two of the five entities tracked have not generated the necessary data regarding the balance of income versus expenses for Fiscal Year (FY) 2015, which in Guatemala runs from January to December. In this report, only information for INACIF, IDPP and the OJ is provided; information regarding the MP and Ministry of Governance (MINGOB) will be included in future reports, once it is available.

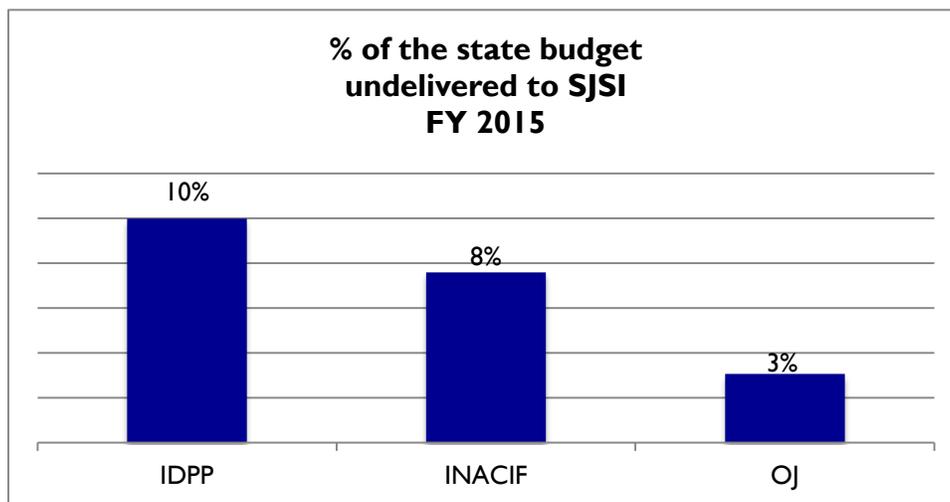


Source: Monitoring and Evaluation (M&E) SJSRP with data from the Information Access Unit of each SJSI.

² On December 3, 2015, the SJSRP sent a revised Performance Monitoring and Evaluation Plan (PMEP) for Contracting Officer’s Representative approval and a letter to request revisions to contractual indicators and targets for Contracting Officer’s approval. Both requests are still pending. Information provided in this report is based on the proposed modification to the PMEP.

As demonstrated in the above chart, each of the three entities surpassed the goals established for 2015 regarding the execution of annual funds. It is worth noting that as of September 2015, both the MP and MINGOB had executed 100% of the funds provided to them by the Ministry of Finance.

It is important to note that this year tax revenue fell to its lowest level since 1996, resulting in a 2015 fiscal deficit of nearly five billion quetzals (approximately US\$641 million). This represents approximately 10% of tax revenues planned by the authorities, according to information from the Ministry of Finance. This deficit is reflected in the funds delivered to each of the institutions, which were required to work with less income that had been originally budgeted. The below graph demonstrates budget cuts per institution:



Source: M&E SJSRP with data from the Information Access Unit of each SJSI.

4.2 INDICATOR 2

Degree of progress in the definition, approval, and implementation of improved police career regimen

The SJSRP proposed a new mechanism with which to measure advances in this indicator, given the recent political instability which has impeded progress of the PNC Organic Law on which the police career regimen is based. The proposed milestones for this indicator are as follows:

FY 2016

Milestone A - Socialization of the new police norm among pertinent authorities

- (a) Presentation of the proposal of the PNC Organic Law initiative, with an emphasis in the police career regimen, to new Executive Branch authorities, the PNC, and the Commission for Police Reform, as well as other entities involved in the law initiative, according to what is defined by the Political Constitution of the Republic.
- (b) Definition of a strategy and action plan for advocacy, according to the requests of the new key actors.
- (c) Formation of a new work group within the PNC to follow up on the proposal.

Milestone B - Presented final version of the proposal

- (a) Systemization of the recommendations by project authorities.
- (b) Development of the final version of the project, based on recommendation and a technical analysis.
- (c) Presentation of the final version of the project to pertinent authorities.

FY 2017**Milestone C - Statements of public support for the new police norms**

- (a) Socialization of the new version of the proposal among MINGOB and PNC authorities, among other pertinent authorities.
- (b) Statements of public support of the passage of the new norm from MINGOB and PNC officials, among other pertinent entities.

Milestone D - Approval of the new police norm

- (a) Presentation of public support in favor of the norm to functionaries directly in charge of approving the New Police Norm, and others as considered necessary.

It is worth mentioning that the regulatory/legislative framework for the police career regimen can be achieved through the approval or formal emission of a law, regulation, circular, guideline or other mechanism.

This quarter, Milestones A and B were accomplished, given that the PNC Organic Law was presented to the President, as reported in section 1.1.1 above. Prior to this event, the SJSRP had organized and moderated meetings with several key actors (including new police officials and the legal team of the President's Secretary General) that allowed for the validation of the strategy and the subsequent presentation of the law to the President.

The law, developed jointly with the PNC, CNRP and SJSRP, will continue to be considered a priority for the country. The SJSRP and its counterparts will promote the law with new authorities who will take power in January. Given the new government has yet to take a stance on the law, it is possible that the Project will once again need to socialize its contents to the new authorities, including the new President, Minister of Governance, and PNC officials.

4.2 INDICATOR 6***Number of people reached by a United States Government (USG) funded intervention providing Gender-based violence (GBV) services "F", disaggregated by service provider***

The SJSRP proposed partial changes to this indicator for the Project's Option Period (2016 - 2017):

- In 6.a, the Project proposes to track the Public Ministry's Comprehensive Attention Model (MAI/MP) in Guatemala City instead of the Free Legal Assistance Units (FLAU). The Project proposed this change given that the FLAU has demonstrated a high level of consistent user satisfaction, and the Project will now focus its efforts on strengthening the MAI/MP.
- In 6.b and c, the Project will continue to track services provided by the 24 Hour Court Specialized in Violence against Women, located in the MP Headquarters (Gerona) and the

Comprehensive Attention System (SAI) provided by the Justice Center specialized in Femicide and Violence against Women, located in Diagonal 6 in Guatemala City. Both will continue to receive Project support in the option period.

- The SJSRP proposes to also track sentences for cases of crimes of violence against women in the Department of Guatemala, as it will provide important data regarding the effectiveness of the intervention provided by the specialized bodies supported by the Project (6.d).

Targets and first quarter results for each of these sub-indicators are presented below:

PEOPLE REACHED BY USG-FUNDED INTERVENTIONS			
Institution	Target FY4	QR1-FY4	% of target achieved
6.a. MAI / MP	8,777	2,133	24.3%
Women		2,133	
6.b. Specialized Femicide Courts (SAI & Gerona)	3,462	999	28.8%
Women	3,379	990	
Men	83	9	
6.c. Total people reached by a USG funded intervention providing GBV services	12,239	3,132	25.6%
Women	12,156	3,123	
Men	83	9	

Source: M&E SJSRP with data from the MAI/MP and SAI Diagonal 6 & Gerona 24 Hours Court.

Advances in sentences for violence against women

Prosecutor's Office for Women	Target FY4	QR1-FY4	% of target achieved
6.d. Sentences achieved	753	119	15.8%

Source: M&E SJSRP with data from MP

The SJSRP supports the strengthening of the MAI/MP and the Prosecutor's Office for Women through the provision of technical assistance and training. All support provided is aimed at improving the attention provided to women victims of violence, as well as the investigation and litigation of related cases in order to provide greater access to justice to victims and their families.

The specialized courts have received equipment from the SJSRP, as well as training on gender theory and legal techniques. The Project has supported the SAI via technical assistance to ensure the proper treatment of women victims of violence.

4.3 INDICATOR 8

Number of high impact cases with final verdicts

It is not possible to report on advances this quarter given that the high risk courts and tribunals are currently attending to highly complex and high-profile cases that have prevented their secretaries from responding to the Project's request for data.

4.4 INDICATOR 10

Number of USG-assisted courts with improved case management systems. "F" (cumulative)

The four systems supported by the SJSRP aimed at reducing the case processing time are currently in operation. Through the implementation of these systems, 61 courts benefited from this system during the reporting period.

CASE MANAGEMENT SYSTEMS IMPROVED

System	Expected Result	Specific SJSRP activities to improve/create the system
ELECTRONIC INTER-CONNECTION Internet-based inter-connection system used to program hearings among justice sector institutions.	Reduce communication time and organize agendas in order to avoid suspending hearings.	The OJ, MP and IDPP continued using the IT tool to plan hearings. It has had a positive impact on the OJ's budget, given that it has resulted in savings in paper and the high costs of notifying staff, which is now done electronically. It has also reduced the risk of those responsible for notifying the relevant actors in areas considered high risk.
HEARING AGENDA MANAGEMENT Common calendaring system among the MP, IDPP and Courts to better handle the scheduling of hearings.	Reduction of hearings suspended due to absence of the necessary parties.	18 courts in the department of Guatemala program their hearings using the interconnection system, having sent more than 3,000 notifications electronically this quarter. This has resulted in a savings in time spent on planning processes and helps guarantee the presence of all relevant parties in a hearing.

<p>CASE DISTRIBUTION</p> <p>Flexible allocation of cases among a group of judges to increase productivity. Separation of judicial and administrative functions, so that the judge is engaged exclusively in judicial functions.</p>	<p>Reduce processing time.</p>	<p>The system has helped facilitate meetings among judges of the JPPP and Supreme Court magistrates, resulting in an additional judge named to increase the case resolution rate and reduce judicial backlog.</p>
<p>VIDEOCONFERENCE SYSTEM</p> <p>INACIF expert can participate in the subpoena, hearing and reports via videoconference.</p>	<p>Reduce process time and optimize the time for INACIF experts, while also providing greater security for high risk cases and reducing travel costs.</p>	<p>INACIF continued to use its videoconference equipment to give expert testimony through video connections with different courts throughout the country.</p>

Electronic Inter-connection and Hearing Agenda Management

The Electronic Notification System, a necessary component of the common calendaring system, currently connects 18 criminal courts (including courts with competency in femicide, violence against women, exploitation, and human trafficking), pluripersonal first instance courts, 24 Hour Courts, sentencing tribunals and appeals chambers located in Guatemala City.

Statistics from the OJ’s Center for Informatics and Telecommunication demonstrate the degree to which the interconnection system was used this quarter:

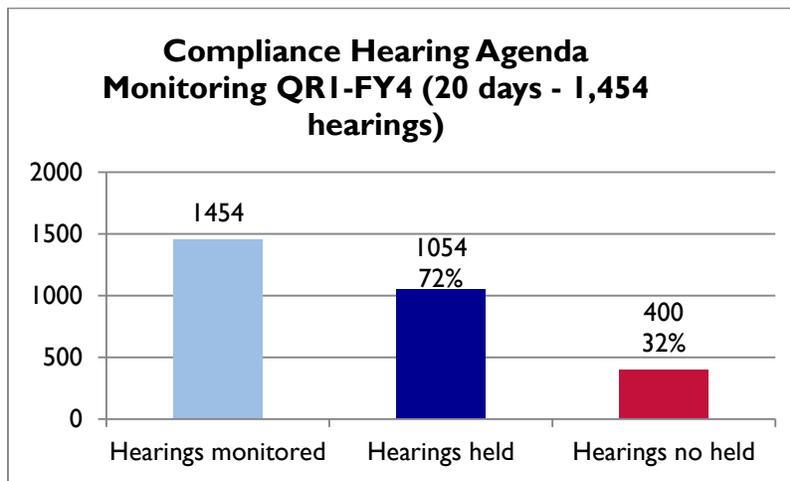
ELECTRONIC INTER-CONNECTION AND HEARING AGENDA MANAGEMENT SYSTEMS	
	Oct – Dec 2015
# of Interconnected Courts	18
# of hearings notified to the MP	2,719
# of hearings notified to the IDPP	337
Total hearings notified	3,056
% of hearings notified	100%

Consolidation of the electronic interconnection model has improved inter-institutional channels of communication and decreases costs in paper and the movement of people among the various legal bodies.

Case Distribution System

This quarter the First Instance Court for Crime, Narco-activity, and Crimes against the Environment for Urgent Investigative Measures began operating, thus increasing the MP's operative ability and therefore the number of unilateral hearings to authorize arrest warrants, raids, inspections, and other measures necessary to generate positive results during the criminal process in accordance with judicial guarantees and due process. The SJSRP provided training to the officials of this new court.

The Project continued to monitor the First Pluripersonal Justice of the Peace Court (JPPPP) in Guatemala City. Between November and December 2015, the Project monitored six courtrooms over the course of 20 consecutive work days, in which a total of 1,454 hearings were monitored. Of these, 72% were carried out, representing a 9% increase compared to last quarter. Additionally, the processes observed this period had an average duration of 235 days, which represents a reduction of 30 days compared to last quarter (265 days).



Source: Monitoring SJSRP in First Pluripersonal Justice of the Peace Court

The below comparative table shows the reasons for hearing cancellation by quarter. It is worth noting that neither quarter saw a hearing suspension due to the absence of a judge.

Reasons for Hearings Not Held¹			
Reason	QR4 FY3 (previous monitoring)	QR1 FY4 (current monitoring)	Difference
Absence of the accused	51%	40%	-11%
Absence of private lawyer	13%	21%	+8%
Absence of plaintiff	8%	20%	+12%

Request of litigating parties	6%	6%	0%
Absence of MP (prosecutor)	8%	3%	-5%
Absence of IDPP (public defense)	7%	2%	-5%
Absence of judge	0%	0%	0%
Judge physical impossibility	4%	3%	-1%

¹Percentages are out of the total number of hearings on the docket. Any given hearing may be suspended for more than one of these reasons.

The chart shows reductions in the number of hearings cancelled as a result of the absence of the IDPP, MP, and the accused, as well as physical impossibility for the judges. This reflects the functioning of the interconnection system in programming hearings.

Videoconferencing System

INACIF's official report demonstrates an increase in the presentation of expert witness testimonies in oral trials via the videoconference system, compared to the same time period last year.

USE OF VIDEOCONFERENCE EQUIPMENT DONATED BY SJSRP FOR EXPERT PRESENTATIONS

Indicator	QR1-FY3 (Oct-Dec 2015)	QR1-FY4 (Oct-Dec 2015)	Difference
Video conferences held	88	111	+ 23 (26%)
Presentation of experts	139	157	+ 18 (13%)
Daily average of experts providing reports	2	3	+ 1 (50%)

Source: Monitoring SJSRP with data from INACIF's IT Unit

With the videoconference equipment provided by the SJSRP, INACIF experts presented their testimonies in 26 judicial bodies throughout the country, which resulted in a cost savings of more than \$16,500 in fuel costs alone. This figure is particularly significant given the budget cuts required by the institution. In addition, INACIF saw savings in time for their staff, given that prior to the

system experts would often have to take an entire day to travel to and from the court, while now the process usually takes 90 minutes. The result is a more efficient and streamlined judicial process and higher-quality expert reports.

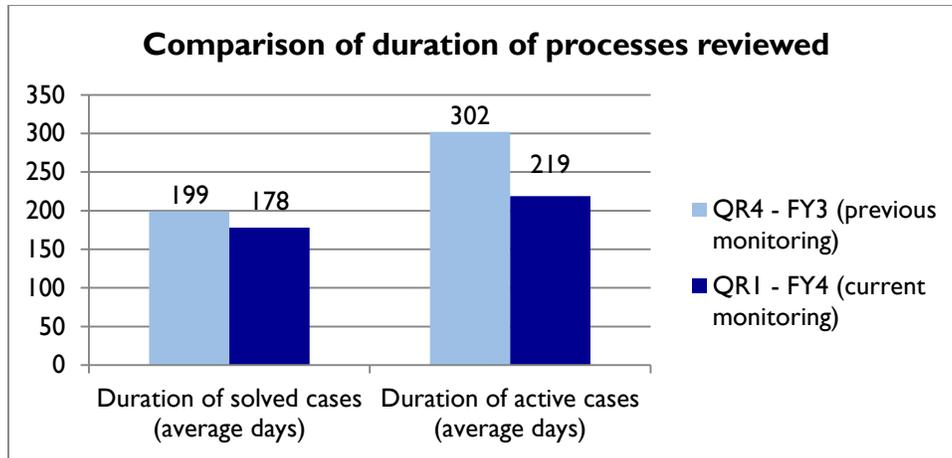
4.5 INDICATOR II

Clearance rate (ratio of cases disposed to cases filed) of targeted Pluripersonal Courts

This quarter, the SJSRP reviewed 1,342 files for cases heard by the targeted Pluripersonal Courts between August and October 2015; of these, 742 (55%) were resolved and 600 (45%) were still in process. Those cases resolved were classified according to the following conclusive acts:

CONCLUSIVE ACTS JPPPP QR1-FY4		
	#	%
Filed	236	31.8
Temporary closure	2	0.3
Conciliation	14	1.9
Plea bargaining	89	12.0
Dismissal	55	7.4
Lack of merit	9	1.2
Inhibition/excuse/recuse	89	12.0
Statutes of limitation	55	7.4
Sentence	19	2.6
Sentence summary procedure	2	0.3
Dismissal of charges	71	9.6
Conditional suspension of criminal prosecution	3	0.4
Rebellion (default)	18	2.4
Refer to the Public Ministry (prosecutor)	69	9.3
Dispatched to PGN	1	0.1
Security measures	10	1.3
Total	742	100

This indicator also demonstrated a reduction in processing times, as demonstrated by the following graph. This reduction may indicate that the pluripersonal court is finalizing procedures for old cases that it inherited when the court was founded in 2012, fusing together two previous courts with a substantial backlog of unresolved cases.



This quarter, the SJSRP coordinated meetings with the JPPPP, Criminal Chamber, and the Secretary General of the OJ, in which the JPPPP's judges shared their needs and requests. As a result, the parties reached an agreement to add an additional judge to this court.

4.6 SLLR 2.2 - IMPROVED INVESTIGATION AND PROSECUTION OF ENVIRONMENTAL CRIMES

This Sub LLR was added to the contract in November 2015. It has two indicators which were designed to demonstrate results of activities implemented by the SJSRP in the investigation and prosecution crimes against the environment and cultural patrimony in the MBR, located in the department of Petén in northern Guatemala. In this report, the Project will only report on the second environmental indicator, as the first is not required by USAID to be reported quarterly.

Sub LLR 2.2 Indicator 2 - Number of new and/or strengthened inter-institutional partnerships and/or agreements aimed at improving the reporting and prosecution of environmental

The work carried out by the SJSRP to strengthen and create alliances among institutions resulted in the following inter-institutional partnerships:

NEW AND/OR STRENGTHENED INTER-INSTITUTIONAL PARTNERSHIPS AND/OR AGREEMENTS AIMED AT IMPROVING THE REPORTING AND PROSECUTION OF ENVIRONMENTAL CRIMES

Type of crime	Target	Achieved QR1 2016	Progress on target
2.a. Inter-institutional partnerships and/or agreements: environmental component	6	5	83%
2.b. Inter-institutional partnerships and/or agreements: cultural heritage component	3	2	67%
Total	9	7	78%

The alliances created or strengthened by the SJSRP this quarter are detailed in the chart below. To build these alliances, the Project carried out various activities, including providing technical assistance to strengthen the prosecution of emblematic cases, providing technical and logistical assistance to promote meetings among civil society representatives and MP officials, implementing an advocacy strategy with high level officials to strengthen the protection of the MBR, and providing technical and logistical support for inter-institutional training for park rangers.

ALLIANCES AND/OR AGREEMENTS

New	Strengthened
Environment	
Alliance among CONAP, CECON and the Wildlife Conservation Society to develop a strategy to recover the Laguna del Tigre region.	Working group composed of the Forum on Environmental Justice and the Public Ministry with the purpose of monitoring emblematic cases.
Alliance among CECON, CONAP and the Wildlife Conservation Society to coordinate the visit of the Vice President to the MBR.	Agreement between CONAP and the Public Ministry to strengthen investigation capacities.
	Alliance between the Judicial Branch, CONAP and the Forum on Environmental Justice to create the Environmental Court of Petén.
Cultural Patrimony	
Alliance among CONAP, CECON and IDAEH to implement a Diploma Course for Park Rangers.	Agreement between the Public Ministry and the IDAEH.

4.7. NEW PROPOSED INDICATORS

For its Option Period (2016-2017), the SJSRP proposed to incorporate two additional indicators and one sub-indicator into its PMEP, with the goal of measuring the advances of the strategic initiatives promoted by the SJSRP.³ The proposals are described below.

³ These indicators were proposed in the PMEP Plan submitted to the Contracting Officer's Representative on December 3, 2015. They will be incorporated into the PMEP upon USAID approval.

Proposal for Sub Indicator 10.b.

The SJSRP proposed that this indicator will be divided into two subsets in order to reflect the support the SJSRP will provide through the special funds designated to support the Strategic Investment Plan to Strengthen the Judicial Branch:

- 10a. Courts assisted with the systems implemented during the SJSRP base period. Subset 10a will refer to courts assisted through “Carsi” funds and through activities that have been part of the SJSRP work plan since FY 2013.
- 10b. Courts with a strengthened processing, storage and virtualization capacity. Subset 10b will focus on judicial bodies which will benefit from the \$2.8 million donation of IT and Air Conditioning Equipment and related technical assistance to strengthen the Supreme Court’s processing, storage and virtualization capacity. The targets for subset 10b will be established in January 2016 following an initial analysis of the distribution and implementation plan. Targets will be reported next quarter.

Proposal for Indicator 12. Number of pertinent processes (diligences) for the advance of criminal actions carried out by the Prosecutor’s Offices against Corruption and Extortion, disaggregated by type of crime and process.

This indicator is proposed to measure the efficiency of the comprehensive model for criminal investigation and prosecution in the Prosecutor’s Offices responsible for corruption and extortion crimes. The SJSRP proposes to report this indicator on a quarterly basis and desegregate the data in the following categories:

- **12.a.1** # of investigation plans developed by the Prosecutor’s Office against Corruption.
- **12.a.2** # of arrests coordinated by the Prosecutor’s Office against Corruption.
- **12.a.3** # of searches coordinated by the Prosecutor’s Office against Corruption.
- **12.b.1** # of investigation plans developed by the Prosecutor’s Office against Extortion.
- **12.b.2** # of arrests coordinated by the Prosecutor’s Office against Extortion.
- **12.b.3** # of searches (*allanamiento*) coordinated by the Prosecutor’s Office against Extortion.

Proposal for Indicator 13. Percent of increase in the implementation of the comprehensive investigation and criminal prosecution model for corruption crimes, disaggregated by prosecutor’s office:

- **13.a** Prosecutor’s Office against Corruption
- **13.b** Prosecutor’s Office against Administrative Crimes
- **13.c** Prosecutor’s Office for Internal Matters

This indicator will measure the perception of agents and prosecutors’ advisors regarding the application and utility of the comprehensive investigation and prosecution model for corruption crimes that is supported by the SJSRP in three MP offices. The survey will be applied biannually (Quarters 2 and 4) using a form that includes both qualitative and quantitative aspects, questions

regarding case theory methodology, planning, team investigation and analysis, and the investment of time in judicial work. The quantitative responses will be standardized with levels/application variables (always, frequently, sometimes, never), and the SJSRP will report the data frequency, disaggregated by prosecutor's office. The percent will be measured according to the number of responses given by officials for the indicated variables. The SJSRP will distribute and process the survey, which will be reviewed and analyzed by the SJSRP M&E Coordinator.

5.0 SPECIAL REPORTING

5.1 KEY ISSUES REPORTING

Implementation of Key Laws – Law on Immunity (Antejuicio) and Law against Corruption

This quarter the SJSRP finalized a technical study on waiving immunity based on congressional impeachment, judicial impeachment, and the right of immunity given to high-level government officials (*antejuicio*). The Project identified some of the principal constitutional problems regarding how to determine which senior officials have the right to immunity. The Project hopes to finalize this study next quarter and share it with relevant authorities.

Also this quarter, the SJSRP coordinated discussion groups on key legislation related to the advancement of security and justice in Guatemala, particularly the Law against Corruption. To this end, the Project assisted the Supreme Court in the launch of a public campaign which invites citizens to denounce irregular and/or corrupt activities that take place within the OJ. The Supreme Court President said that complaints could be filed nationwide using paper or electronic forms, or could be presented in-person at identified locations. With this campaign, the Supreme Court looks to combat corruption within the OJ and develop a culture of filing complaints. The Project will provide technical and financial assistance for this campaign.

The Project also supported a roundtable on litigation techniques in the accusatory system, directed to members of the Criminal Unit of the PGN. The goal of the activity is to strengthen the work of lawyers in this unit representing the State in criminal processes for crimes of corruption, tax fraud, customs fraud, and crimes against the environment.

5.2 ADMINISTRATIVE ISSUES

This quarter, the SJSRP received approval to contract the following individuals to provide long-term support to the Project:

Name	Position	CO Approval
Aldo Gonzalez	Technical Assistant 24 hours First Court	10/22/2015
Victoria Sandoval	Technical Assistant 24 hours First Court	10/22/2015
Rodolfo Fong	Driver	10/22/2015
Ana Silvia Mérida	Technical Assistant 24 hours First Court	12/10/2015

TRAINING CHART

Segundo Ciclo de Actualización para Periodistas en temas de Seguridad y Justicia

CAPACITACIÓN A PERIODISTAS

Name of training program (Nombre del programa de capacitación)		Segundo Ciclo de Actualización para Periodistas en temas de Seguridad y justicia.			
Field of Study (áreas / temas)		Cobertura periodística en temas de seguridad y justicia.			
DO		Greater Security and Justice for Citizens			
IR 1		Improved effectiveness and efficiency of SJSIs			
LLR		3. GREATER CIVIL SOCIETY OVERSIGHT OF PUBLIC AND PRIVATE SECURITY AND JUSTICE SERVICES			
Sub LLR		3.1 Strengthen civil society advocacy and oversight for increased accountability and transparency.			
Desarrollado por		Escuela de Ciencias de la Comunicación, Instituto de Problemas Nacionales de la Universidad de San Carlos, Oficina del Alto Comisionado de Naciones Unidas para los Derechos Humanos y Proyecto Seguridad y Justicia de USAID.			
Implementado por		Área de Comunicación del SJSRP			
Directed to (Grupo Objetivo)		Periodistas que dan cobertura a temas de seguridad y justicia.			
Fecha de Inicio	11/03/2015	Fecha de terminación	30/09/2015	No. de hrs efectivas de capacitación	28 horas
Número de personas capacitadas		Mujeres	Hombres	Total	
		11	9	20	
Lugar		Ciudad de Guatemala			
Costo estimado capacitación		Q.28,727.59	Costo estimado por persona	Q.1,436.38	

Objetivo y Alcance de la Actividad

Contribuir a la socialización de temas prioritarios en materia de seguridad y justicia a través de un proceso de actualización dirigido a periodistas y comunicadores sociales de medios masivos y electrónicos de comunicación social. En el Ciclo participaron 20 periodistas de 14 medios de comunicación social (prensa, radio, televisión y medios digitales).

Resultados Obtenidos

1. Veinte periodistas capacitados en temas de seguridad y justicia.

2. Nueve reportajes periodísticos sobre temas de seguridad y justicia elaborados y publicados.
3. Diseñada e implementada la página web sobre el Ciclo de Actualización (www.ciclodeactualizacion.com)

Memoria Analítica

Durante el año 2014 se realizó el Primer Ciclo de Actualización para Periodistas en temas de Seguridad y Justicia. Esta es una iniciativa de la Escuela de Ciencias de la Comunicación de la Universidad de San Carlos de Guatemala (ECC-USAC), en alianza con el Instituto de Problemas Nacionales (IPNUSAC) de la misma casa de estudios, con el apoyo del Proyecto Seguridad y Justicia de USAID (SJSRP) y la Oficina del Alto Comisionado de Naciones Unidas para los Derechos Humanos (OACNUDH).

En seguimiento a este proceso, durante los meses de marzo a septiembre de 2015 se realizó el Segundo Ciclo de Actualización para Periodistas, en el que participaron las y los periodistas que habían culminado y cumplido con los requisitos académicos del Primer Ciclo. Las sesiones de trabajo se realizaron los días miércoles, quincenalmente, en horario de 7:15 a 9:15 horas, y fueron impartidas por expertos nacionales e internacionales, según el siguiente calendario:

1.	11/03/15	¿Por qué la violencia? Un análisis de la situación de la violencia en el país.	Héctor Rosada, analista en temas de seguridad y justicia.
2.	25/03/15	Situación actual del crimen organizado en el Triángulo Norte.	Rodrigo Ávila Avilés, experto en temas de seguridad y en estudio del crimen organizado.
3.	08/04/15	Violencia contra la mujer, una aproximación desde el derecho penal y constitucional.	Gloria Porras, magistrada de la Corte de Constitucionalidad.
4.	22/04/15	Taller de diseño y presentación de temas de investigación.	Steven Dudley, director Insight Crime. Marielos Monzón, periodista y especialista en Comunicación SJSRP
5.	06/05/15	Estrategias de los Estados frente al crimen organizado.	Edgar Gutiérrez, director Instituto de Problemas Nacionales de la USAC
6.	20/05/15	Elementos conceptuales y prácticos del sistema de prevención del lavado de dinero en Guatemala.	Gabriel Gómez, ex magistrado de la CSJ, ex presidente de la Cámara Civil y ex intendente de la IVE.
7.	03/06/15	Estructura periodística para la investigación criminal.	Blanche Petrich, reportera La Jornada, México.
8.	17/06/15	Acceso a la información pública tributaria. Aspectos generales, uso de la Ley de Acceso a la Información Pública y	Ángel Menéndez, experto en derecho tributario e integrante del equipo de justicia del SJSRP.

		operaciones bancarias.	
9.	01/07/15	La evolución del crimen organizado y escenarios presentes y futuros.	Eduardo Salcedo, director Asociación Vortex.
10.	15/07/15	Análisis de la cobertura periodística sobre crimen organizado.	Pedro Miguel Arce, fundador, periodista y editorialista de La Jornada.

El taller final del Ciclo se realizó el sábado 1 de agosto en horario de 8 a 17 horas y fue conducido por los periodistas Steven Dudley (Insight Crime) y Beatriz Colmenares (Soy502) quienes tuvieron a su cargo el acompañamiento para la elaboración y edición de los trabajos de investigación periodística que las y los periodistas debían elaborar como requisito para obtener el diploma del curso.

En el taller se realizó la presentación de los principales contenidos de la investigación y se hicieron comentarios y observaciones de parte de todos los integrantes del Ciclo para enriquecer los textos. Además se trabajó de manera bilateral con los editores en cada uno de los documentos.

En total se realizaron 9 investigaciones periodísticas, algunas individuales y otras grupales. A continuación se listan los trabajos realizados:

Periodista/s	Medio	Título del trabajo de investigación
Byron Vásquez Hugo Alvarado Julio Lara	Prensa Libre	La maduración de la Mara Salvatrucha: ¿de pequeños extorsionadores a narcotraficantes internacionales?
Evelyn Boche Cindy Espina	El Periódico	La Patrona, el alcalde y la batalla por Moyuta.
Sandra Valdés	Nuestro Diario	La muerte les llegó con tortura a cinco hombres y 13 mujeres.
Marco Antonio Avenidaño	Al Día	Vivir con temor de quienes protegen: las anomalías de la seguridad privada.
Ronald Mendoza	Crónica	Guatemala: El mal de "Las Gaviotas".
Sucely Contreras Gladys Ramírez Verónica Orantes	Guatevisión	Los mercaderes de la impunidad.
Erick Suruy Gabriela Woc Gabriela López Diana Choc	Periódico Campus Radio Universidad Prensa Libre Freelance	El oscuro negocio detrás de la trata de personas en Guatemala
Mynor Lorenzo	Telediario	Lucy, una esclava del siglo 21 en Guatemala.
Bill Barreto Oswaldo Hernández	Plaza Pública	Crimen Organizado y Poderes Paralelos.

Las investigaciones serán publicadas en el sitio web del Ciclo de Actualización (www.ciclodeactualizacion.com), en los medios a los que pertenecen las y los periodistas y en la revista Realidad Nacional del Instituto de Problemas Nacionales, en su edición impresa de enero a marzo 2016.

Lecciones Aprendidas (Conclusiones y Recomendaciones)

Conclusiones

1. La asistencia durante dos años continuos de un grupo de 20 periodistas al Ciclo de Actualización demuestra la necesidad que existe en el gremio periodístico de una formación permanente.
2. Existe mucho interés por parte de las y los periodistas que cubren la temática de seguridad y justicia de continuar su actualización profesional, esto se demuestra en la asistencia a las sesiones de trabajo y en la calidad de las investigaciones producidas.
3. Los trabajos periodísticos elaborados en el marco del Ciclo cumplen con los estándares del periodismo de investigación, por lo que algunas de éstas incluso han sido publicadas –con autorización de sus autores- en el sitio web de *Insight Crime*, un medio especializado en crimen organizado en las Américas.
4. Dar continuidad a los procesos de formación (en este caso se ha trabajado durante dos años con el mismo grupo) contribuye a generar mayor profundidad en el contenido de las piezas periodísticas, a la diversificación de fuentes y enfoques.
5. Las alianzas con organizaciones nacionales e internacionales para este tipo de procesos contribuyen al mejor cumplimiento de los objetivos propuestos. En el caso específico de la Universidad de San Carlos se obtiene además el aval académico a través de créditos universitarios, lo que incentiva la participación de las y los periodistas.

Recomendaciones

1. Continuar con el proceso de formación continua de periodistas y contribuir a su institucionalización a través de la realización de un tercer ciclo para el grupo original y un primer ciclo para un nuevo grupo de comunicadores.
2. Mantener el alto nivel académico del Ciclo, a través de escoger a profesionales –nacionales e internacionales- como expositores.
3. En una futura etapa, extender estos procesos de formación a periodistas departamentales.

Mejores prácticas en técnicas de investigación criminal

Capacitación funcionarios públicos

Name of training program (Nombre del programa de capacitación)		Mejores prácticas en técnicas de investigación criminal			
Field of Study (áreas / temas)		Investigación Criminal			
DO		Greater Security and Justice for Citizens			
IR 1		Improved effectiveness and efficiency of SJSIs			
LLR		Greater state capacity to manage security and justice administration			
Sub LLR 2.1		Improve performance, efficiency and accountability of SJSIs			
Desarrollado por		Ana Montes (consultora)			
Implementado por		Ministerio Publico			
Directed to (Grupo Objetivo)		Investigados del Ministerio Publico (DICRI)			
Fecha de Inicio	November 16-2015	Fecha de terminación	November 20 - 2015	No. de hrs efectivas de capacitación	40 horas
Número de personas capacitadas	Mujeres		Hombres	Total	
	11		16	27	
Lugar	Crowne Plaza				
Costo estimado capacitación	Q.11,171.88		Costo estimado por persona	Q. 413.77	
	\$.1,464.50			\$. 54.24	

Objetivo y Alcance de la Actividad

Proporcionar a auxiliares fiscales, investigadores (DICRI) y demás personal fiscal de las Fiscalías de Sección Contra la Corrupción, Delitos Administrativos y Asuntos Internos, conocimientos teóricos y prácticos que les permitan potencializar su accionar en la investigación de delitos de corrupción y contra el régimen administrativo y su adecuada presentación ante los órganos jurisdiccionales.

Resultados Obtenidos

Los participantes obtuvieron conocimientos adecuados que les permitirán optimizar sus investigaciones y la presentación de estas ante los órganos jurisdiccionales; adicionalmente, se logró una mayor integración de los distintos equipos de trabajo y la obtención de sinergias en consideración a la composición de las distintas especialidades que manejan los participantes.

Memoria Analítica

La actividad indudablemente contribuyó con la adecuada formación del personal fiscal de las fiscalías mencionadas.

Lecciones Aprendidas (Conclusiones y Recomendaciones)

CONCLUSIONES

- I. Existe un notorio incremento en las habilidades investigativas del personal fiscal.
- II. El personal fiscal tiene mayores elementos para poder presentar, en forma certera y comprensible, las conclusiones investigativas a los órganos jurisdiccionales.
- III. Se facilitó la integración de trabajo en equipo dentro de los distintos grupos operativos de las fiscalías.
- IV. Se resaltó la importancia de contar con investigadores debidamente formados y especializados en la investigación de delitos de corrupción y contra el régimen administrativo.

RECOMENDACIONES

- I. Implementar módulos adicionales a la formación básica que se desarrolló en esta actividad.
- II. Compartir experiencias exitosas por parte de los mismos investigadores y restante personal fiscal.

Diplomado “Protección y Defensa de Patrimonio Natural y Cultural para Guardarecursos y Guarda Parques en la Reserva de la Biosfera Maya”

Capacitación a Guardarecursos

Name of training program (Nombre del programa de capacitación)		Diplomado “Protección y Defensa de Patrimonio Natural y Cultural para Guardarecursos y Guarda Parques en la Reserva de la Biosfera Maya”			
Field of Study (áreas / temas)		Legislación ambiental, de patrimonio cultural, delitos contra el Patrimonio Natural y Cultural de la Nación, manejo de escenas del crimen, entre otros.			
DO		Greater Security and Justice for Citizen			
IR 1		Improved effectiveness and efficiency of SJSIs			
LLR		Greater state capacity to manage security and justice administration			
Sub LLR 2.2		Improve investigation and prosecution of environmental crimes			
Desarrollado por		Universidad de San Carlos de Guatemala, en coordinación con CECON, IDAEH y CONAP			
Implementado por		CONAP, IDAEH y CECON con el apoyo de SJSRP			
Directed to (Grupo Objetivo)		Guardarecursos del CONAP y del CECON y guarda parques del IDAEH			
Fecha de Inicio	16/11/2015	Fecha de terminación	20/11/2015	No. de hrs efectivas de capacitación	40 horas.
Número de personas capacitadas		Mujeres	Hombres	Total	
		4	175	179	
Lugar		Hoteles: Petén Espléndido y Flores de Tikal, en Flores; Hotel Palacio Maya, en San Benito; y Parque Nacional Yaxha, todos en Petén			
Costo estimado capacitación		\$35,291.49	Costo estimado por persona	\$197.16	

Objetivo y Alcance de la Actividad

Fortalecer el conocimiento de los guardarecursos y guardaparques que trabajan en la Reserva de la Biosfera Maya en legislación ambiental, legislación de patrimonio cultural, delitos contra el medio ambiente y delitos contra el patrimonio cultural, el papel del guardarecursos en el proceso penal, identificación y protección de una escena del crimen identificada en un patrullaje.

Promover el intercambio de experiencias y la integración de los guardarecursos del CONAP, del CECON y del IDAEH para la realización de patrullajes conjuntos.

Resultados Obtenidos

Al finalizar el Diplomado se evaluó en forma directa la percepción de los participantes sobre la aplicación de lo aprendido en sus diferentes áreas de trabajo, los resultados reflejan que un 90% de los participantes consideran que con los conocimientos adquiridos se encuentran mejor preparadas para atender las actividades que les correspondo atender al identificar un ilícito en los patrullajes que realizan.

Por otro lado, los guardarecursos manifestaron al finalizar la actividad que en más de 15 años de estar desempeñando dicho trabajo nunca habían recibido una capacitación sobre el papel del guardarecursos en el proceso penal.

Memoria Analítica

La realización del Diplomado fue una actividad propuesta por el Proyecto a CONAP, CECON e IDEAH, con el objetivo de fortalecer las capacidades de los guardarecursos sobre su papel en un proceso penal, pues suelen ser los primeros en tener contacto con una escena del crimen. Por lo que se estableció una mesa de trabajo con representantes de las diferentes instituciones para identificar los temas que deberían ser parte del currículo de estudios.

La mesa estableció que los temas a impartir serían: 1. Contexto e Importancia de la RBM; 2. Manual del Guardarecursos; 3. Manejo de Patrimonio Cultural y Natural; 4. Legislación del Patrimonio Cultural; 5. Legislación del Patrimonio Natural; 6. Guía de Patrimonio Cultural; 7. Guía de Patrimonio Natural; 8. Dinámica Social y Resolución de Conflictos en la RBM; 9; Manejo de Sistemas de Información Geográfica; 10. Primeros auxilios (énfasis en incidentes con ofidios) 11. Estudio de Caso.

Una vez definido el contenido y las horas correspondientes a cada actividad, el CECON tramitó ante el Programa de Educación Continua de la USAC, el reconocimiento del Diplomado dio créditos académicos a todos los participantes. Por otro lado, CONAP, en cumplimiento de la Ley de Áreas Protegidas, aprovechó para reconocer a todos los participantes como Guardarecursos acreditados.

Cada una de las instituciones involucradas aportó el material y los docentes necesarios para impartir las lecciones identificadas, proviniendo la mayoría de CONAP. El IDAEH facilitó las instalaciones del Parque Nacional Yaxha para el ejercicio práctico de estudio de caso sobre la identificación y manejo de una escena del crimen.

Para facilitar el aprendizaje de los participantes se conformaron 4 grupos con un máximo de 50 personas cada uno y se impartieron lecciones simultáneas intercaladas de tal forma que cada grupo recibiera, aunque no fuera en el mismo orden, las mismas lecciones.

Para comprobar los conocimientos de la legislación ambiental, de patrimonio cultural y procesal penal, se realizó un ejercicio práctico de campo en el Parque Nacional Yaxha en el que se reconstruyó una escena de un saqueo de piezas arqueológicas y una tala ilegal de árboles para que los guardarecursos vieran la aplicación práctica de la legislación.

Como parte de la actividad se apoyó la impresión del Manual de Guardarecursos, un documento desarrollado por el CONAP para la capacitación de todos los guardarecursos, el cual contiene nociones básicas de legislación y de las diferentes actividades que deben realizar los guardarecursos.

Lecciones Aprendidas (Conclusiones y Recomendaciones)

CONCLUSIONES

1. Se logró alcanzar el objetivo de fortalecer la capacidad de los guardarecursos para conocer la importancia de su papel en un proceso penal, al ser los primeros en tener contacto con la escena del crimen;
2. Los participantes adquirieron los conocimientos básicos en legislación ambiental, en legislación sobre patrimonio cultural y sobre el derecho procesal penal, concretamente en la identificación, protección y manejo de una escena de crimen;
3. El proceso de planificación y desarrollo del Diplomado permitió una fuerte interacción e integración entre CONAP, CECON e IDAEH, lo que fortalece la coordinación interinstitucional impulsada por el Proyecto;
4. Existe una fuerte deficiencia en la formación de los guardarecursos y guarda parques, así como en los técnicos de CONAP, CECON e IDAEH, no solo sobre sus funciones básicas como los patrullajes y relacionamiento con las personas, sino también en la legislación que regula la protección del patrimonio natural y cultural, así como en legislación procesal penal;
5. No existe una relación o vínculo entre los departamentos jurídicos y los guardarecursos para asesorarles sobre la legislación que les ampara y que deben aplicar;
6. Sin el apoyo técnico y financiero del Proyecto de Seguridad y Justicia de USAID no hubiera sido posible realizar este Diplomado, cuyos contenidos son de total coincidencia con los objetivos de mejorar la investigación y persecución de delitos ambientales y contra el patrimonio cultural.

RECOMENDACIONES

1. Replicar el Diplomado para que todos los guardarecursos y guarda parques que trabajan en

la RBM tengan los mismos conocimientos sobre los temas relacionados con la justicia ambiental y de patrimonio cultural;

2. Debe darse seguimiento a los capacitados y promover la formación continua de los guardarecursos y guarda parques para que no sientan que están aislados del personal técnico y de las autoridades institucionales;
3. Continuar con el proceso de fortalecimiento de las instituciones administradoras de la RBM para que en la medida de sus posibilidades puedan implementar capacitaciones continuas sobre justicia ambiental a su personal;

Fortalecer el equipo de docentes con personal de apoyo administrativo para que atienda lo relativo al registro y firma de los listados de participantes.

Annex B

RESULTS OF THE PRE- AND POST-TEST OF THE RANGER TRAINING

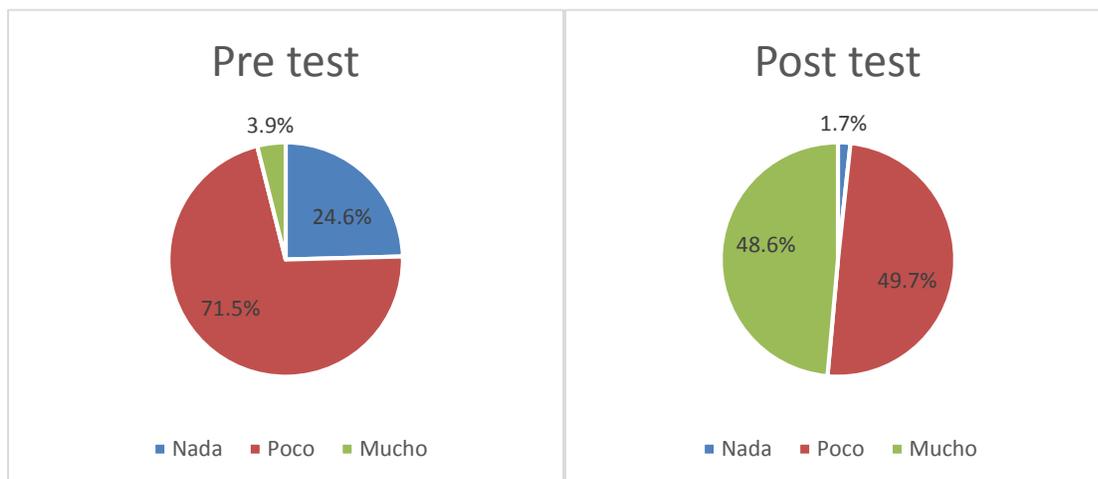
Diplomado sobre Protección y Defensa de Patrimonio Natural y Cultural en la RBM dirigido a Guardarecursos y Guardaparques

A continuación se presentan las gráficas que reflejan los resultados de las evaluaciones previa y posterior al Diplomado sobre Protección y Defensa de Patrimonio Natural y Cultural en la RBM dirigido a Guardarecursos y Guardaparques.

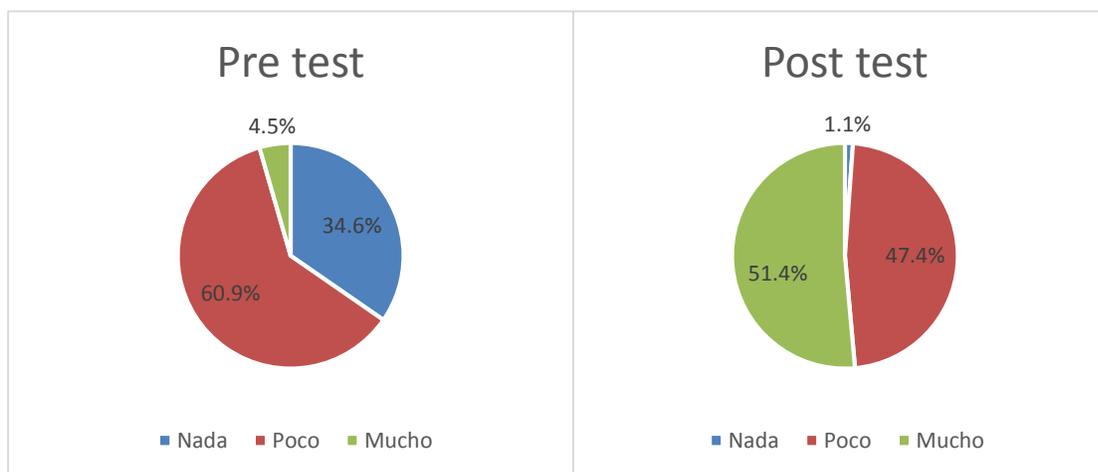
En todas las preguntas puede apreciarse que al inicio de la capacitación había desconocimiento de los temas y que al finalizar la capacitación existe una percepción de los participantes que sus conocimientos aumentaron.

En el caso de la pregunta seis, queda claro que había una alta expectativa por parte de los participantes sobre la utilidad del diplomado. La evaluación posterior demuestra que la expectativa fue cumplida y que incluso algunos cambiaron favorablemente su percepción.

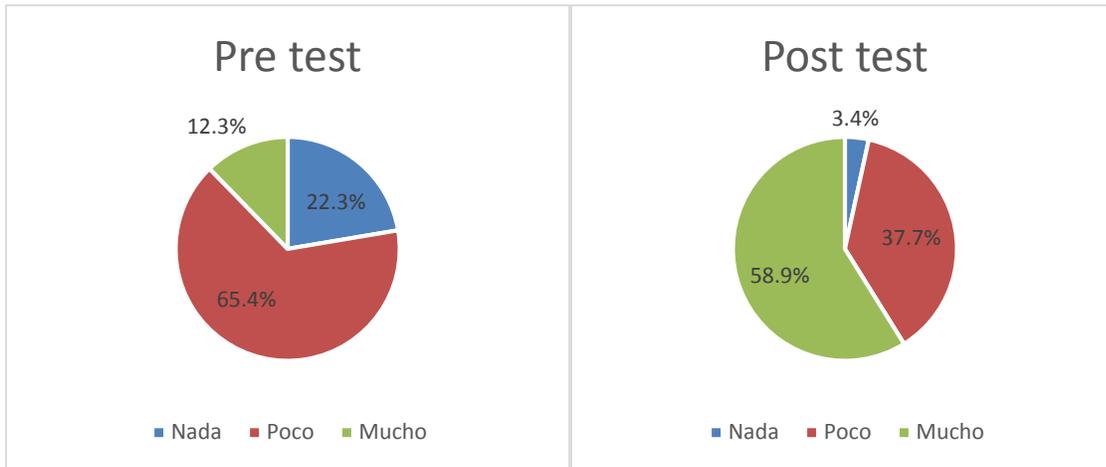
Pregunta 1. ¿Cuánto sabe usted de leyes ambientales?



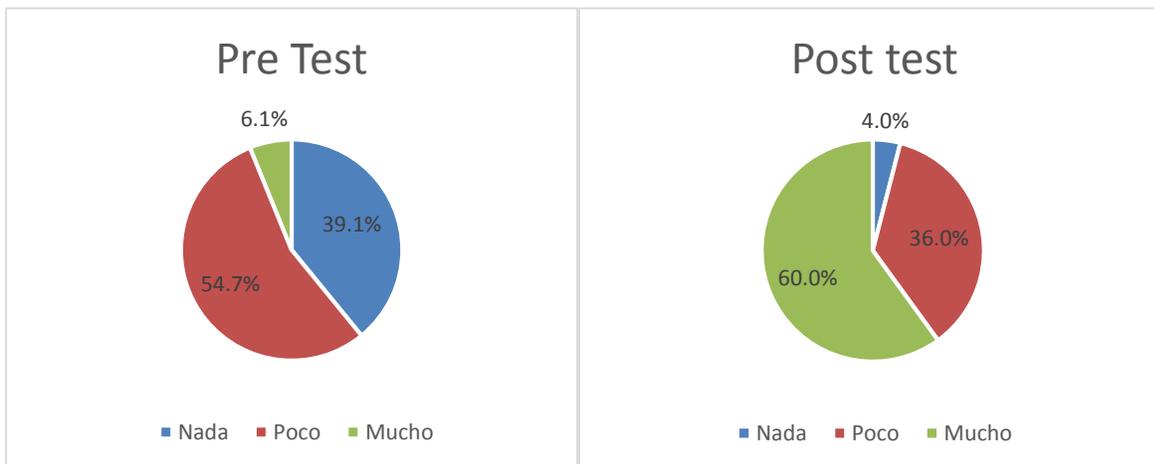
Pregunta 2. ¿Cuánto sabe usted de leyes de patrimonio cultural?



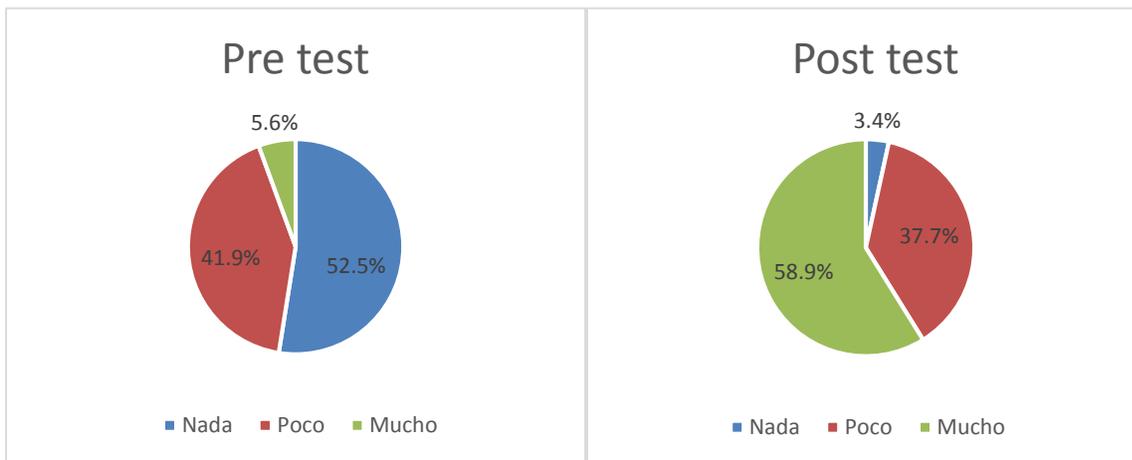
Pregunta 3. ¿Cuánto sabe usted sobre los delitos ambientales y contra el patrimonio cultural?



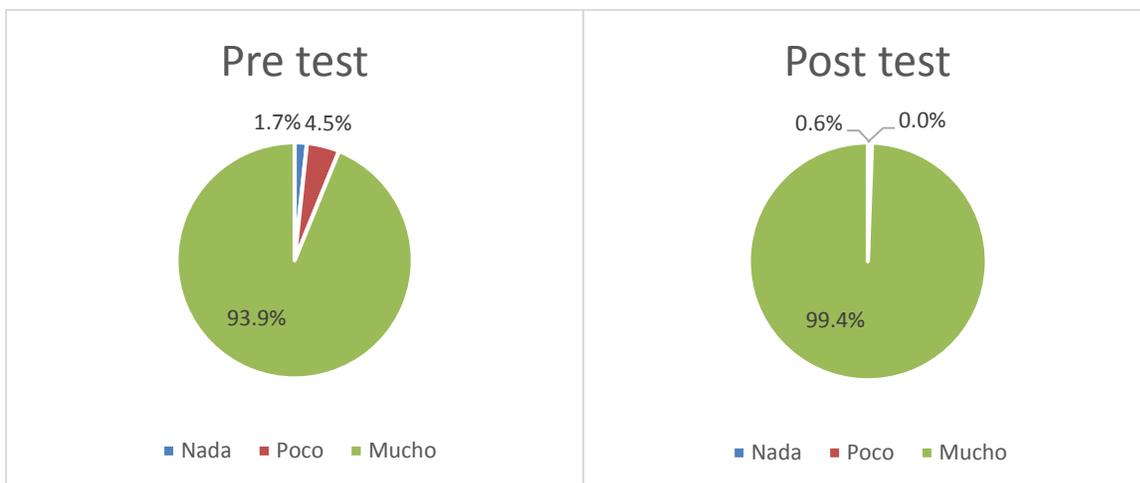
Pregunta 4. ¿Cuánto sabe usted de la forma correcta de presentar una denuncia penal?



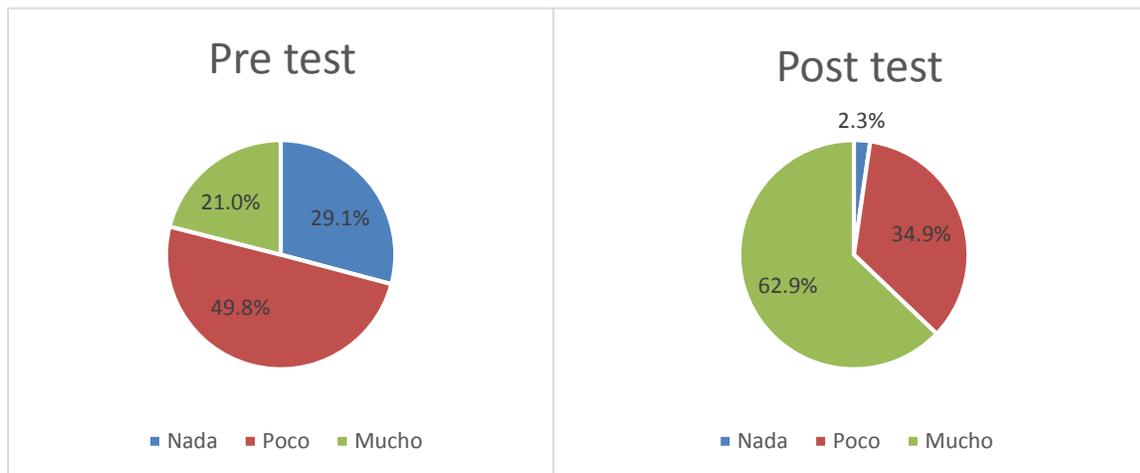
Pregunta 5. ¿Cuánto sabe usted sobre el manejo de una escena de crimen?



Pregunta 6. ¿Cuánto cree usted que esta capacitación le ayudará en su trabajo?



Resultados totales



En esta gráfica se hace un promedio de las respuestas nada, poco y mucho, para medir en términos generales los cambios en la percepción de los participantes sobre los conocimientos que tenían al inicio y al final del Diplomado.

Annex C

**SIGNED AGREEMENTS FOR THE ELECTRONIC NOTIFICATION
SYSTEM**



CORTE DE CONSTITUCIONALIDAD
Guatemala, C. A.



**CONVENIO DE COOPERACIÓN INTERINSTITUCIONAL ENTRE
LA CORTE DE CONSTITUCIONALIDAD Y EL INSTITUTO DE LA DEFENSA PÚBLICA PENAL
PARA ESTABLECER MECANISMOS DE NOTIFICACIÓN POR
MEDIOS ELECTRÓNICOS EN MATERIA CONSTITUCIONAL**

CONSIDERANDO:

Que el Acuerdo 01-2013 emitido por la Corte de Constitucionalidad contempla las notificaciones por medios electrónicos, ante la necesidad de que exista una integración de las nuevas tecnologías en los servicios que provee el Estado, permitiendo el cambio y modernización de los sistemas de comunicación con igual eficacia y valor probatorio que el sistema actual.

CONSIDERANDO:

Que los sistemas informáticos constituyen un activo valioso de las instituciones y una herramienta que permite la notificación electrónica para facilitar a las instituciones del sistema de justicia La seguridad jurídica, accesibilidad, celeridad y reducción de costos económicos.

CONSIDERANDO:

Que existe la voluntad política entre la Corte de Constitucionalidad y el Instituto de la Defensa Pública Penal para implementar y coordinar la adhesión al sistema de notificaciones electrónicas y que en virtud de dicha voluntad fue suscrita una carta de entendimiento que inició el proyecto piloto de las notificaciones electrónicas.



CORTE DE CONSTITUCIONALIDAD
Guatemala, C. A.

POR TANTO:

Con base en lo anterior y en uso de las potestades conferidas por la Constitución Política de la República de Guatemala y en cumplimiento de la función pública encomendada, las autoridades signatarias convienen:

PRIMERO: OBJETO

El presente convenio tiene por objeto establecer las condiciones necesarias y los lineamientos de una permanente y mutua cooperación interinstitucional, para el desarrollo de mecanismos para la implementación del sistema de notificaciones electrónicas de la Corte de Constitucionalidad.

SEGUNDO: DE LOS COMPROMISOS ASUMIDOS

La Corte de Constitucionalidad y el Instituto de la Defensa Pública Penal en el ámbito de sus competencias legales y materiales fijan los siguientes compromisos:

LA CORTE DE CONSTITUCIONALIDAD:

a) Administrar el sistema de Casilleros Electrónicos por medio del cual se implementará la notificación electrónica de las resoluciones emitidas por este tribunal; b) Poner a disposición de las instituciones firmantes, el número de casilleros electrónicos conforme al número de usuarios que cada una requiera para recibir las notificaciones por esta vía; c) Establecer los mecanismos de seguridad del sistema; d) Establecer registros de auditoría y autenticación del sistema; e) Establecer procesos de análisis que permitan determinar la consistencia de la información; y f) El desarrollo de procesos de comunicación entre instituciones de forma rápida y segura. g) Capacitar a los encargados de capacitación de las instituciones firmantes para la utilización del servicio. El módulo deberá diseñarse tomando en cuenta su funcionamiento en la plataforma del sistema informático denominado SIECC, proyecto que será coordinado por la Corte de Constitucionalidad.



CORTE DE CONSTITUCIONALIDAD
Guatemala, C. A.

EL INSTITUTO DE LA DEFENSA PÚBLICA PENAL:

a) Instruir o reglamentar el procedimiento interno de sus unidades o funcionarios, para que utilicen el sistema de casilleros electrónicos de la Corte de Constitucionalidad para recibir las notificaciones por esta vía; b) Remitir y actualizar un listado de usuarios y direcciones electrónicas de los funcionarios internos que utilizaran los servicios de notificación electrónica de la Corte de Constitucionalidad, a efecto que se creen por esta los casilleros correspondientes. c) Establecer los mecanismos que correspondan para garantizar que al momento de que un funcionario deje de pertenecer a la institución, este entregue su usuario y clave de acceso al casillero electrónico correspondiente, a efecto que se le entregue al nuevo usuario que lo sustituya. d) Dar mantenimiento adecuado a su sistema de correo interno, para garantizar el correcto funcionamiento en todo momento.

TERCERO: SEGUIMIENTO

Para el efecto, las instituciones se comprometen a conformar una mesa técnica en sistemas de información, la cual velará por lograr la adecuada coordinación y cooperación técnica para la consecución de los fines que se persiguen con este Convenio. Para el efecto dicha mesa creará el cronograma general de implementación y desarrollará las líneas de trabajo para implementación de dicho cronograma, identificará problemas y propuestas de solución, para ello podrá llevar a cabo las reuniones que considere necesarias las cuales serán previamente programadas, dejando constancia escrita y firmada, de los puntos principales tratados y acuerdos alcanzados en cada reunión. El lugar de reunión queda a discreción de ambas partes.

CUARTO: CONFIDENCIALIDAD Y DILIGENCIA DEBIDA

En todos los casos de notificación por parte de la Corte de Constitucionalidad, las instituciones firmantes se comprometen a: 1. Observar confidencialidad de la información obtenida en aplicación de este Convenio, la que será utilizada para el propósito detallado y dentro del ámbito de sus funciones legales, por lo que únicamente podrá conocerse por los funcionarios asignados, respetando la información de carácter confidencial y reservada de conformidad con la Constitución Política de la República de Guatemala y la legislación ordinaria guatemalteca. La confidencialidad para las partes subsistirá aún cuando se



CORTE DE CONSTITUCIONALIDAD

Guatemala, C. A

hubiere dado por terminado este Convenio por cualquier causa; 2. Dar a las notificaciones recibidas por medios electrónicos, el mismo tratamiento y la validez legal que las notificaciones realizadas de forma personal. 3. Respetar los derechos y obligaciones generados por el presente Convenio, los cuales no podrán ser cedidos a un tercero sin el consentimiento previo, expreso y por escrito de la otra parte.

QUINTO: FINANCIAMIENTO

Ambas instituciones acuerdan cubrir cada una los costos en que incurran para la implementación del servicio de las propias responsabilidades aquí acordadas.

SEXTO: IMPLEMENTACIÓN PAULATINA

Ambas instituciones acuerdan en que la implementación de las notificaciones electrónicas se realizará de manera gradual, iniciando con la sede central del Instituto de la Defensa Pública Penal y paulatinamente se iniciará con las sedes ubicadas en el resto del país.

SÉPTIMO: HORARIO INHÁBIL, ASUETOS, FERIADOS Y VACACIONES

La Corte de Constitucionalidad se compromete a realizar las notificaciones por medio de casilleros electrónicos de lunes a viernes en horario de 8 de la mañana a 3:30 de la tarde, durante los días de asueto, feriados o vacaciones, así como en horario inhábil, las notificaciones serán realizadas físicamente, y así se entenderán los plazos.

OCTAVO: AMPLIACION Y/O MODIFICACIÓN

El presente convenio podrá ser ampliado o modificado ya sea de forma parcial o total por mutuo acuerdo, debiendo formalizarse mediante adendum firmado por los representantes legales, documentos que pasarán a formar parte de este Convenio.

NOVENO: DUDAS Y CASOS NO PREVISTOS

Cualquier duda o imprevisto que surgiere en la aplicación e interpretación del presente convenio o bien, un aspecto no contemplado en el mismo, será analizado por la mesa



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técnica y resuelto de mutuo acuerdo, debiendo prevalecer el interés social y el orden constitucional sobre la ejecución del convenio.

DÉCIMO: PLAZO Y VIGENCIA

El presente convenio tiene un plazo indefinido y empieza a regir a partir del día siguiente de su firma.

DÉCIMO PRIMERO: CAUSAS DE TERMINACIÓN

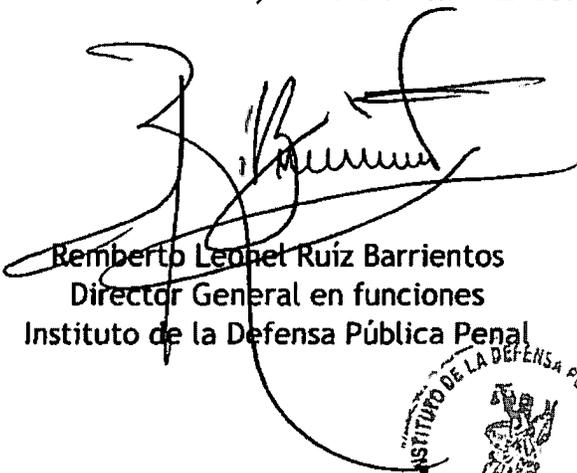
El presente Convenio podrá darse por terminado por las causas siguientes: a) Por mutuo consentimiento entre las partes, por convenir a los intereses de ambas instituciones; b) Por la utilización indebida de la información, debidamente comprobada; c) Por decisión unilateral de alguna de las entidades signatarias, en cuyo caso la entidad interesada en dar por terminado el Convenio deberá de comunicarlo por escrito a la otra con antelación de treinta (30) días hábiles a la fecha en la cual se estima dar por terminado el mismo; en el entendido que dicha terminación no implica renuncia de las facultades legales que el ordenamiento jurídico otorga a cada una de las entidades signatarias; y c) Por razones de caso fortuito o de fuerza mayor, en cuyo caso, la terminación del Convenio deberá notificarse dentro de los diez (10) días hábiles siguientes a la fecha en que se produjo el caso fortuito o fuerza mayor.

DÉCIMO SEGUNDO: ACEPTACIÓN

Enterados del contenido íntegro del presente convenio y estando de acuerdo en los términos de referencia, ratificamos, firmamos y sellamos el mismo, a los treinta días del mes de noviembre de dos mil quince.


Gloria Patricia Porras Escobar
Magistrada Presidenta
Corte de Constitucionalidad




Remberito Leopel Ruiz Barrientos
Director General en funciones
Instituto de la Defensa Pública Penal





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**CONVENIO DE COOPERACIÓN INTERINSTITUCIONAL ENTRE
LA CORTE DE CONSTITUCIONALIDAD Y EL MINISTERIO PÚBLICO
PARA ESTABLECER MECANISMOS DE NOTIFICACIÓN POR
MEDIOS ELECTRÓNICOS EN MATERIA CONSTITUCIONAL**

CONSIDERANDO:

Que el Acuerdo 01-2013 emitido por la Corte de Constitucionalidad contempla las notificaciones por medios electrónicos, ante la necesidad de que exista una integración de las nuevas tecnologías en los servicios que provee el Estado, permitiendo el cambio y modernización de los sistemas de comunicación con igual eficacia y valor probatorio que el sistema actual.

CONSIDERANDO:

Que los sistemas informáticos constituyen un activo valioso de las instituciones y una herramienta que permite la notificación electrónica para facilitar a las instituciones del sistema de justicia La seguridad jurídica, accesibilidad, celeridad y reducción de costos económicos.

CONSIDERANDO:

Que existe la voluntad política entre la Corte de Constitucionalidad y el Ministerio Público para implementar y coordinar la adhesión al sistema de notificaciones electrónicas.

POR TANTO:

Con base en lo anterior y en uso de las potestades conferidas por la Constitución Política de la República de Guatemala y en cumplimiento de la función pública encomendada, las autoridades signatarias convienen:



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PRIMERO: OBJETO

El presente convenio tiene por objeto establecer las condiciones necesarias y los lineamientos de una permanente y mutua cooperación interinstitucional, para el desarrollo de mecanismos para la implementación del sistema de notificaciones electrónicas de la Corte de Constitucionalidad.

SEGUNDO: DE LOS COMPROMISOS ASUMIDOS

La Corte de Constitucionalidad y el Ministerio Público en el ámbito de sus competencias legales y materiales fijan los siguientes compromisos:

LA CORTE DE CONSTITUCIONALIDAD:

a) Desarrollar y Administrar el sistema de Casilleros Electrónicos por medio del cual se implementará la notificación electrónica de las resoluciones emitidas por este tribunal; b) Poner a disposición de las instituciones firmantes, el número de casilleros electrónicos conforme al número de usuarios que cada una requiera para recibir las notificaciones por esta vía; c) Establecer los mecanismos de seguridad del sistema; d) Establecer registros de auditoría y autenticación del sistema; e) Establecer procesos de análisis que permitan determinar la consistencia de la información; y f) El desarrollo de procesos de comunicación entre instituciones de forma rápida y segura. g) Capacitar a los encargados de capacitación de las instituciones firmantes para la utilización del servicio. El módulo deberá diseñarse tomando en cuenta su funcionamiento en la plataforma del sistema informático denominado SIECC, proyecto que será coordinado por la Corte de Constitucionalidad.

EL MINISTERIO PÚBLICO:

a) Instruir o reglamentar el procedimiento interno de sus unidades o funcionarios, para que utilicen el sistema de casilleros electrónicos de la Corte de Constitucionalidad para recibir las notificaciones por esta vía; b) Remitir y actualizar un listado de usuarios y direcciones electrónicas de los funcionarios internos que utilizaran los servicios de notificación electrónica de la Corte de Constitucionalidad, a efecto que se creen por esta los casilleros



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correspondientes. c) Establecer los mecanismos que correspondan para garantizar que al momento de que un funcionario deje de pertenecer a la institución, este entregue su usuario y clave de acceso al casillero electrónico correspondiente, a efecto que se le entregue al nuevo usuario que lo sustituya. d) Dar mantenimiento adecuado a su sistema de correo interno, para garantizar el correcto funcionamiento en todo momento.

TERCERO: SEGUIMIENTO

Para el efecto, las instituciones se comprometen a conformar una mesa técnica en sistemas de información, la cual velará por lograr la adecuada coordinación y cooperación técnica para la consecución de los fines que se persiguen con este Convenio. Para el efecto dicha mesa creará el cronograma general de implementación y desarrollará las líneas de trabajo para implementación de dicho cronograma, identificará problemas y propuestas de solución, para ello podrá llevar a cabo las reuniones que considere necesarias las cuales serán previamente programadas, dejando constancia escrita y firmada, de los puntos principales tratados y acuerdos alcanzados en cada reunión. Para el efecto cada institución nombrará un titular y un suplente con la finalidad de que lo represente en dicha mesa. El lugar de reunión queda a discreción de ambas partes.

CUARTO: CONFIDENCIALIDAD Y DILIGENCIA DEBIDA

En todos los casos de notificación por parte de la Corte de Constitucionalidad, las instituciones firmantes se comprometen a: 1. Observar confidencialidad de la información obtenida en aplicación de este Convenio, la que será utilizada para el propósito detallado y dentro del ámbito de sus funciones legales, por lo que únicamente podrá conocerse por los funcionarios asignados, respetando la información de carácter confidencial y reservada de conformidad con la Constitución Política de la República de Guatemala y la legislación ordinaria guatemalteca. La confidencialidad para las partes subsistirá aún cuando se hubiere dado por terminado este Convenio por cualquier causa; 2. Dar a las notificaciones recibidas por medios electrónicos, el mismo tratamiento y la validez legal que las notificaciones realizadas de forma personal. 3. Respetar los derechos y obligaciones generados por el presente Convenio, los cuales no podrán ser cedidos a un tercero sin el consentimiento previo, expreso y por escrito de la otra parte.



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QUINTO: GRATUIDAD

El presente convenio no conlleva ningún tipo de emolumento o retribución, por lo que ambas instituciones acuerdan cubrir cada una los costos en que incurran para su implementación.

SEXTO: AMPLIACION Y/O MODIFICACIÓN

El presente convenio podrá ser ampliado o modificado ya sea de forma parcial o total por mutuo acuerdo, debiendo formalizarse mediante adendum firmado por los representantes legales, documentos que pasarán a formar parte de este Convenio.

SÉPTIMO: DUDAS Y CASOS NO PREVISTOS

Cualquier duda o imprevisto que surgiera en la aplicación e interpretación del presente convenio o bien, un aspecto no contemplado en el mismo, será analizado por la mesa técnica y resuelto de mutuo acuerdo, debiendo prevalecer el interés social y el orden constitucional sobre la ejecución del convenio.

OCTAVO: PLAZO Y VIGENCIA

El presente convenio tiene un plazo indefinido y empieza a regir a partir del día siguiente de su firma.

NOVENO: CAUSAS DE TERMINACIÓN

El presente Convenio podrá darse por terminado por las causas siguientes: a) Por mutuo consentimiento entre las partes, por convenir a los intereses de ambas instituciones; b) Por la utilización indebida de la información, debidamente comprobada; c) Por decisión unilateral de alguna de las entidades signatarias, en cuyo caso la entidad interesada en dar por terminado el Convenio deberá de comunicarlo por escrito a la otra con antelación de treinta (30) días hábiles a la fecha en la cual se estima dar por terminado el mismo; en el entendido que dicha terminación no implica renuncia de las facultades legales que el ordenamiento jurídico otorga a cada una de las entidades signatarias; y c) Por razones de caso fortuito o de fuerza mayor, en cuyo caso, la terminación del Convenio deberá notificarse dentro de los diez (10) días hábiles siguientes a la fecha en que se produjo el caso fortuito o fuerza mayor.



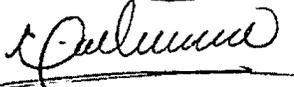
CORTE DE CONSTITUCIONALIDAD
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DÉCIMO: ACEPTACIÓN

Enterados del contenido íntegro del presente convenio y estando de acuerdo en los términos de referencia, ratificamos, firmamos y sellamos el mismo, a los quince días del mes de Octubre de dos mil quince.



Gloria Patricia Porra Escobar
Presidenta Corte de Constitucionalidad



Thelma Esperanza Aldana Hernández,
Fiscal General de la República de Guatemala
y Jefa del Ministerio Público





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**CONVENIO DE COOPERACIÓN INTERINSTITUCIONAL ENTRE
LA CORTE DE CONSTITUCIONALIDAD Y LA PROCURADURÍA DE DERECHOS HUMANOS
PARA ESTABLECER MECANISMOS DE NOTIFICACIÓN POR
MEDIOS ELECTRÓNICOS EN MATERIA CONSTITUCIONAL**

CONSIDERANDO:

Que el Acuerdo 01-2013 emitido por la Corte de Constitucionalidad contempla las notificaciones por medios electrónicos, ante la necesidad de que exista una integración de las nuevas tecnologías en los servicios que provee el Estado, permitiendo el cambio y modernización de los sistemas de comunicación con igual eficacia y valor probatorio que el sistema actual.

CONSIDERANDO:

Que los sistemas informáticos constituyen un activo valioso de las instituciones y una herramienta que permite la notificación electrónica para facilitar a las instituciones del sistema de justicia La seguridad jurídica, accesibilidad, celeridad y reducción de costos económicos.

CONSIDERANDO:

Que existe la voluntad política entre la Corte de Constitucionalidad y la Procuraduría de Derechos Humanos para implementar y coordinar la adhesión al sistema de notificaciones electrónicas.

POR TANTO:

Con base en lo anterior y en uso de las potestades conferidas por la Constitución Política de la República de Guatemala y en cumplimiento de la función pública encomendada, las autoridades signatarias convienen:



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PRIMERO: OBJETO

El presente convenio tiene por objeto establecer las condiciones necesarias y los lineamientos de una permanente y mutua cooperación interinstitucional, para el desarrollo de mecanismos para la implementación del sistema de notificaciones electrónicas de la Corte de Constitucionalidad.

SEGUNDO: DE LOS COMPROMISOS ASUMIDOS

La Corte de Constitucionalidad y la Procuraduría de Derechos Humanos, en el ámbito de sus competencias legales y materiales fijan los siguientes compromisos:

LA CORTE DE CONSTITUCIONALIDAD:

a) Desarrollar y Administrar el sistema de Casilleros Electrónicos por medio del cual se implementará la notificación electrónica de las resoluciones emitidas por este tribunal; b) Poner a disposición de las instituciones firmantes, el número de casilleros electrónicos conforme al número de usuarios que cada una requiera para recibir las notificaciones por esta vía; c) Establecer los mecanismos de seguridad del sistema; d) Establecer registros de auditoría y autenticación del sistema; e) Establecer procesos de análisis que permitan determinar la consistencia de la información; y f) El desarrollo de procesos de comunicación entre instituciones de forma rápida y segura. g) Capacitar a los encargados de capacitación de las instituciones firmantes para la utilización del servicio. El módulo deberá diseñarse tomando en cuenta su funcionamiento en la plataforma del sistema informático denominado SIECC, proyecto que será coordinado por la Corte de Constitucionalidad.

LA PROCURADURÍA DE DERECHOS HUMANOS:

a) Instruir o reglamentar el procedimiento interno de sus unidades o funcionarios, para que utilicen el sistema de casilleros electrónicos de la Corte de Constitucionalidad para recibir



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las notificaciones por esta vía; b) Remitir y actualizar un listado de usuarios y direcciones electrónicas de los funcionarios internos que utilizaran los servicios de notificación electrónica de la Corte de Constitucionalidad, a efecto que se creen por esta los casilleros correspondientes. c) Establecer los mecanismos que correspondan para garantizar que al momento de que un funcionario deje de pertenecer a la institución, este entregue su usuario y clave de acceso al casillero electrónico correspondiente, a efecto que se le entregue al nuevo usuario que lo sustituya. d) Dar mantenimiento adecuado a su sistema de correo interno, para garantizar el correcto funcionamiento en todo momento.

TERCERO: SEGUIMIENTO

Para el efecto, las instituciones se comprometen a conformar una mesa técnica en sistemas de información, la cual velará por lograr la adecuada coordinación y cooperación técnica para la consecución de los fines que se persiguen con este Convenio. Para el efecto dicha mesa creará el cronograma general de implementación y desarrollará las líneas de trabajo para implementación de dicho cronograma, identificará problemas y propuestas de solución, para ello podrá llevar a cabo las reuniones que considere necesarias las cuales serán previamente programadas, dejando constancia escrita y firmada, de los puntos principales tratados y acuerdos alcanzados en cada reunión. El lugar de reunión queda a discreción de ambas partes.

CUARTO: CONFIDENCIALIDAD Y DILIGENCIA DEBIDA

En todos los casos de notificación por parte de la Corte de Constitucionalidad, las instituciones firmantes se comprometen a: 1. Observar confidencialidad de la información obtenida en aplicación de este Convenio, la que será utilizada para el propósito detallado y dentro del ámbito de sus funciones legales, por lo que únicamente podrá conocerse por los funcionarios asignados, respetando la información de carácter confidencial y reservada de conformidad con la Constitución Política de la República de Guatemala y la legislación ordinaria guatemalteca. La confidencialidad para las partes subsistirá aún cuando se hubiere dado por terminado este Convenio por cualquier causa; 2. Dar a las notificaciones recibidas por medios electrónicos, el mismo tratamiento y la validez legal que las notificaciones realizadas de forma personal. 3. Respetar los derechos y obligaciones generados por el presente Convenio, los cuales no podrán ser cedidos a un tercero sin el



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consentimiento previo, expreso y por escrito de la otra parte.

QUINTO: FINANCIAMIENTO

Ambas instituciones acuerdan cubrir cada una los costos en que incurran para la implementación del servicio de las propias responsabilidades aquí acordadas.

SEXTO: AMPLIACION Y/O MODIFICACIÓN

El presente convenio podrá ser ampliado o modificado ya sea de forma parcial o total por mutuo acuerdo, debiendo formalizarse mediante adendum firmado por los representantes legales, documentos que pasarán a formar parte de este Convenio.

SÉPTIMO: DUDAS Y CASOS NO PREVISTOS

Cualquier duda o imprevisto que surgiere en la aplicación e interpretación del presente convenio o bien, un aspecto no contemplado en el mismo, será analizado por la mesa técnica y resuelto de mutuo acuerdo, debiendo prevalecer el interés social y el orden constitucional sobre la ejecución del convenio.

OCTAVO: PLAZO Y VIGENCIA

El presente convenio tiene un plazo indefinido y empieza a regir a partir del día siguiente de su firma.

NOVENO: CAUSAS DE TERMINACIÓN

El presente Convenio podrá darse por terminado por las causas siguientes: a) Por mutuo consentimiento entre las partes, por convenir a los intereses de ambas instituciones; b) Por la utilización indebida de la información, debidamente comprobada; c) Por decisión unilateral de alguna de las entidades signatarias, en cuyo caso la entidad interesada en dar por terminado el Convenio deberá de comunicarlo por escrito a la otra con antelación de



CORTE DE CONSTITUCIONALIDAD

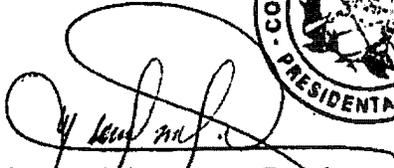
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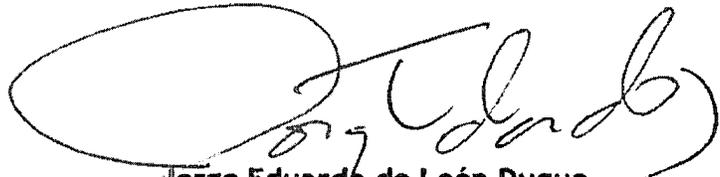
treinta (30) días hábiles a la fecha en la cual se estima dar por terminado el mismo; en el entendido que dicha terminación no implica renuncia de las facultades legales que el ordenamiento jurídico otorga a cada una de las entidades signatarias; y c) Por razones de caso fortuito o de fuerza mayor, en cuyo caso, la terminación del Convenio deberá notificarse dentro de los diez (10) días hábiles siguientes a la fecha en que se produjo el caso fortuito o fuerza mayor.

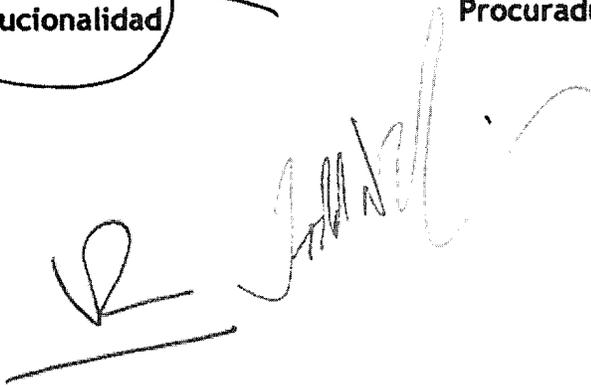
DÉCIMO: ACEPTACIÓN

Enterados del contenido íntegro del presente convenio y estando de acuerdo en los términos de referencia, ratificamos, firmamos y sellamos el mismo, a los treinta días del mes de noviembre de dos mil quince.




Gloria Patricia Porras Escobar
Magistrada Presidenta
Corte de Constitucionalidad


Jorge Eduardo de León Dique
Procurador
Procuraduría de los Derechos Humanos



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