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UNITED STATES GOVERNMENT
memorandum

PD&I-M-171/94

DATE: April 26, 1994

REPLY TO
ATTN OF: Peter Natiello, PD&I
USAID/Bolivia

SUBJECT: Project Assistance Completion Report (Justice Sector - 511-0609)

TO: Maury D. Brown, Director
PPC/POL/CDIE/DI
Room 209F SA-18
AID/Washington

Through: Lewis W. Lucke, PD&I Director
USAID/Bolivia

Attached for the files of your Documentation Acquisitions Unit is a copy of the Project Assistance Completion Report for USAID/Bolivia's Justice Sector Project (511-0609), which ended on October 31, 1993.

cc: Susan Bugg
LAC/DR/PS
Room 2252 NS
AID/Washington

PROJECT ASSISTANCE COMPLETION REPORT¹

I. Background Data:

1. Project Title:	Justice Sector
2. Project Number:	511-0609
3. Authorized LOP Funding:	\$2,288,000 ²
4. Planned Counterpart Contribution:	\$1,204,000
5. Duration of Project:	5 years
6. PACD:	Oct. 31, 1993

II. Project Status:

The project terminated on October 31, 1993. Per the instructions for the preparation of this report, the following is a list of procurement instruments and their status³:

1. The major procurement instrument, a \$299,000 PASA (No. 511-0609-P-2A-2190), split funded between the subject project and 511-0626 (Bolivia Administration of Justice) with the Administrative Office of the U.S. Courts of Florida, terminated early and is in the process of being closed out, as the technical assistance provided under the PASA resigned his post.
2. A \$100,000 Cooperative Agreement [(CA), (No. 511-0609-A-00-1003)] with the *Instituto Para La Prevención del Delito y el Tratamiento del Delincuente* (ILANUD), terminated on December 31, 1992. A financial review of this CA was completed by the USAID/Bolivia Controller's Office in August, 1993. Presently, RCO is in the process of closing out this CA.
3. A second procurement instrument with ILANUD, a \$99,000 contract (No. 511-0609-C-00-3099) for the installation of legal libraries, was completed on October 31, 1993, and is presently in the initial steps of closeout.

¹This report was produced in accordance with the guidelines established in Handbook 3, Chapter 14, App. 14A, "Guidance for Preparing the Project Assistance Completion Report", September 30, 1982. Section I, "Background Data" was added to provide basic project information.

²In May 1993, the authorized LOP level was increased by \$250,000, from \$2,038,000 to \$2,288,000. The additional \$250,000 was obligated to the Department of Justice International Criminal Investigation and Training Assistance Program (ICITAP) for training activities under the project.

³This list was provided by the Regional Contracting Office.

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4. In March 1993, a Grant Agreement with the Bolivian Chamber of Commerce (No. 511-0609-G-OO-2500) was extended under the Administration of Justice (511-0626) Project. All Justice Sector Project funds under this Grant Agreement have been expended, current activities under the agreement are being financed with 511-0626 funds. A financial review of the Grant Agreement is presently being completed by CONT. This review includes an analysis of all Justice Sector Project funds expended. This Grant Agreement will be closed out under the 511-0626 project.
5. A previous, \$32,000 Grant Agreement with the Bolivian Chamber of Commerce (No. 511-0609-G-00-2184), has been closed out.
6. A \$120,000 PASA with USIS (No. 511-0609-P-CI-1288) for international training for judges and lawyers, terminated in October 1991, and has not yet been closed out. RCO is taking steps to close out this agreement.
7. A \$40,000 contract with the VINTERC Corporation was completed in June 1993. Through the contract, VINTERC drafted a plan for implementing a financial system compatible with the SAFCO Law in the Supreme Court.
8. Several procurement instruments were signed with the Institute for the Study of Legal Systems for in-country training of justice sector personnel.

The last major technical assistance activity conducted with Justice Sector funding was the drafting of implementing regulations for the Public Ministry Law. This was done in May, 1993. The last major procurement under the project was the purchase and installation of legal libraries for various legal entities in Bolivia, particularly law schools and courts. This was completed in October, 1993. The last major training conducted under the project was a series of legal reform clinics for justice personnel in four principal Bolivian cities, in January, 1993. In addition, four Bolivian judges were sent to Chile for a short term judicial statistics seminar in July, 1993.

III. Counterpart Contribution:

The principal counterpart contribution planned for this project was \$1,204,000. Actual and accrued counterpart expenditures as of the PACD were \$1,126,000 or 93% of the total amount planned.

IV. Project Accomplishments:

The principal project accomplishment was the manner in which project activities helped strengthen the legal framework for judicial reform in Bolivia. Project assistance was largely responsible for the drafting and subsequent promulgation of the landmark Public Ministry and Judicial Organization Laws. These laws helped create a policy environment more conducive to justice reform. The project also established the National Council for Judicial Reform and Modernization, a key Executive branch organization promoting

judicial reform in Bolivia. In addition, legal clinics for judges, prosecutors, law professors and other key justice sector personnel were instrumental in building professionals' support for justice reform, especially in creating advocates for the oral process. Other accomplishments include: the installation of legal libraries in twelve key justice sector organizations which helped strengthen the infrastructure necessary to sustain legal reforms in Bolivia; the establishment of an Alternative Dispute Resolution Center under the auspices of the Bolivian Chamber of Commerce; the modernization of the printing capabilities of the Supreme Court; and the development of a plan to implement the SAFCO Law in the judiciary.

As USAID/Bolivia's first foray in the area of justice reform, the project provided important lessons for the development of the follow on Administration of Justice Project.

V. Progress in Achieving the Project Purpose:

The purpose of the project is to strengthen the administrative and operational capacity of the judicial branch and public prosecution in order to accelerate judicial process, provide for greater transparency, accountability, and public access to the courts, and to achieve more effective and efficient prosecution of narcotics crimes. Achievement of this purpose was measured by the following three indicators: (1) A uniform financial management system for the courts is designed and authorized; (2) Enhance the technical capacity of judges, court personnel, and lawyers to sustain reforms to the judicial systems; and (3) A legal framework for arbitration is developed and alternative conflict resolution mechanisms are authorized for the courts. At the time of the PACD, 50% of the planned LOP target for indicator (1) had been achieved; 200% of the planned LOP target for indicator (3) had been achieved; and although not subject to quantifiable measurement, project management esteemed that clinical legal training programs in Bolivia's four major cities had helped to substantially realize purpose level indicator (2).

In sum, the project endeavored to create administrative and legal systems which would help create conditions to better facilitate justice reform. The project was partially successful in doing this.

VI. Recommendations for Final Adjustments in Project Design:

As the project has terminated, adjustments in project design are no longer applicable. Lessons learned from this project have been incorporated in the design of USAID/Bolivia's Administration of Justice project.

VII. USAID's Post Project Monitoring Responsibilities:

Additional monitoring for progress under this project is no longer applicable given the fact that the PACD has passed. However, monitoring of similar follow on activities under the Administration of Justice project is ongoing through December, 1997.



VIII. Data Collection Results and Evaluations to Be Undertaken:

The final project evaluation was conducted and terminated in October, 1993. The evaluation was approved and sent to USAID/W in March 1994. The delay in approval was attributable to several clarifications which USAID/Bolivia made regarding certain evaluation conclusions, especially those related to ILANUD's financial management performance⁴. No additional project data collection or evaluations will be conducted.

IX. Lessons Learned:

1. the importance of focusing administration of justice interventions on very specific areas of the justice sector where measurable impact can be established and assessed;
2. the importance of working in tandem and in a coordinated fashion with key justice sector actors including judges, prosecutors, the police and public defenders;
3. the importance of flexibility in delivering project assistance in the event that exogenous political variables obstruct project implementation as originally planned; and
4. the importance of complementing judicial institutional activities with activities that empower local citizens and professional groups to sustain judicial reforms.

Attachment: Financial Status Report

Clearance:

DID:CCira

PD&I:LLucke

DP:ESzepesy

CONT:RGoughnour

RCO:MKidd

RLA:SAllen

CC Date 4/12/94
LL Date 4/13/94
ES Date 4/14/94
RG Date 4/15/94
MK Date 4/19/94
SA Date 4/25/94

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⁴For a discussion of USAID/Bolivia's observations on the evaluation, please see Controllers memorandum number CONT-94-0176, dated February 18, 1994, from Richard Goughnour to Carl Cirra and Eugene Szepesy. Also see PD&I memorandum from Lewis Lucke to the files, dated March 8, 1994.

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ANNEX I

FINANCIAL STATUS REPORT

The key financial data under Project No. 511-0609, Justice Sector, is as follows:

a) The Agreement was signed on 09/08/88, for an initial AID obligation of \$500,000 and \$170,000 in counterpart funds. This Agreement was amended on September 28, 1990, whereby AID funds were increased to \$2,038,000 and government funds to \$1,104,000. Finally, Amendment No. 3 increased the counterpart funds to \$1,204,000. Thus, the final contribution level was set.

b) USAID/Bolivia accounting records dated 3/31/94 show the following information:

-Budget for the life of the project	\$2,038,000
-Total amount obligated	\$2,030,833
-Total amount committed	\$1,950,410
-Amount expended	\$1,994,114
-Amount unexpended	\$ 86,719

c) Detail of the project's current accounting situation (03/23/94).

<u>ELEMENTS</u>	<u>OBLIGATIONS</u>	<u>COMMITMENTS</u>	<u>EXPENDITURES</u>	<u>UNEXPENDED BALANCE*</u>
Technical Assistance	1,328,681	1,308,022	1,301,989	26,692
Training	296,000	281,064	280,811	15,189
Assets	305,269	285,164	285,164	20,105
Operating Expenses	70,883	66,361	66,351	4,532
Evaluations	<u>30,000</u>	<u>9,799</u>	<u>9,799</u>	<u>20,201</u>
TOTALS	<u>2,030,833</u>	<u>1,950,410</u>	<u>1,944,114</u>	<u>86,719</u>

*Includes non-committed, obligated amounts.

These figures include the following pending matters:

Element 1 - Technical Assistance

PIO/T 00308	Court Administration Specialist	\$ 0
PIO/T 20146	Contract with ILANUD for legal libraries	\$ 6,032
PIO/T 20283	Printing	\$ 0
Non-committed, obligated amount		<u>\$ 20,660</u>
		\$ 26,692

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Element 2 - Training

TR 075/93	Travel expenses for Jhony Vaca-Diez	\$	45
TR 078/93	Travel Expenses for Guillermo Arancibia	\$	208
	Non-committed, obligated amount	\$	<u>14,936</u>
		\$	15,189

Element 3 - Assets

	Non-committed, obligated amount	\$	20,105
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Element 4 - Operational Expenses

MC 0286	Provision of funds for miscellaneous expenses	\$	2
MC 20200	Provision of funds for miscellaneous expenses	\$	8
	Non-committed, obligated amount	\$	<u>4,522</u>
		\$	4,532

Element 5 - Evaluations

	Non-committed, obligated amount	\$	<u>20,201</u>
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TOTAL		\$	86,719
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Please note that on September 23, 1992 project funds were increased by \$250,000 through State 310-959. In May 1993 the Project Authorization was amended to reflect this. These funds were transferred directly by AID/W to ICITAP, the U.S. Department of Justice International Criminal Investigation Training Assistance Program. The official Mission accounting system is being adjusted to reflect this change in authorized and obligated LOP amounts.

COUNTERPART CONTRIBUTION

Attorney General	\$	70,000
Supreme Court		174,000
ILANUD		790,000
Vice Presidency of Bolivia		<u>92,000</u>

ACTUAL TOTAL COUNTERPART CONTRIBUTION: \$ 1,126,000

This amount was \$78,000 or 6.4% below the planned counterpart level of \$1,204,000.

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