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PROJECT CATALOG
ADMINISTRATION OF
JUSTICE ACTIVITIES

Presented to

LAC/DI
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Submitted by

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ARGENTINA
GRANT TO THE FUNDACION LA LEY

COUNTRY	Argentina
PROJECT TITLE	
GRANT NUMBER	598-0642-90001
FUNDING AUTHORIZED	\$200,000
FY91 AMENDMENT	\$250,000
GRANT ADMINISTRATOR	Fundacion La Ley
IMPLEMENTING AGENCIES	National Supreme Court, Supreme Court of the Province of Buenos Aires, Sub-Secretariat of Justice and FORES

LENGTH OF PROJECT

Project Purpose

To support improvements in the administration of justice in the Republic of Argentina

Project Summary.

The grant finances training and certain research and studies that are required to formulate the training program. By FY91, once the Brooke-Alexander sanctions are removed, the amendment will also fund technical assistance. The project has three components:

1 Court Administration This component promotes the reorganization and modernization of the judicial administration through the incorporation and development of the role of court administrators into the national and provincial judicial structure. The implementation includes course design and delivery for high-level administrative officials through seminars, workshops, lecture presentations by visiting specialists, and training by correspondence.

2 Legal Aid The purpose is the improvement of the system of legal aid through the training of 1) young lawyers and law students, 2) public defenders and experienced lawyers, and 3) social leaders, law professors and officials with special responsibility on the subject. For the first two categories of professionals, meetings, participative seminars and audiovisual materials are the preferred methods of training. For the final category, meetings and a congress (scheduled for October) are preferred. This component, which is already being implemented by FORES, may be extended by the Sub-Secretariat of Justice through a social aid activity. This activity will include professional help to low-income persons understand their legal rights.

3 Judicial Training This component has been limited to date to training related to the oral procedure reform For FY91, a training needs assessment is proposed, with the aim of establishing a permanent judicial training institution

BOLIVIA

COUNTRY	Bolivia
PROJECT TITLE	Justice Sector Project
PROJECT NUMBER	511-0609
FUNDING AUTHORIZED	\$2,038,000
IMPLEMENTING AGENCY	(Undecided)
LENGTH OF PROJECT	4 years (August 31, 1988 to December 31, 1992)

Project Purpose.

To assist Bolivia in the consolidation of its democratic institutions and practices

Project Summary:

In 1988, USAID/La Paz authorized a \$500,000, 16-month Justice Sector Project which was comprised of three components 1) drafting a law, to be presented in the fall of 1990, on the function of the public prosecutor, 2) developing and implementing limited computer software and hardware for the Supreme Court for data and accounting functions management and including word processing equipment to assist with the production of legal opinions, and 3) a justice sector assessment

In September 1990, \$1 538 million was added to the grant The revised Justice Sector Project builds on and expands the activities of the on-going project The revised project includes judicial branch administration improvement activities which will involve 1) case flow management and the development of a pilot case tracking system, 2) judicial financial system improvement, and 3) an assessment of the judicial personnel system and the development of draft personnel regulations As there is currently no training capacity within the judicial branch, the revised project will also assess training needs and provide medium-term training in areas such as criminal law, agrarian law and forensic medicine and will develop study tours to enable key court and bar leaders and qualified prosecutors to attend international meetings, legal seminars, and institutes abroad

In addition to management and training activities, the revised project will address information system development, which includes the increased utilization of computers for accounting, budgeting, case tracking, and statistics, the design of legislation and jurisprudence data bases, and the publication and distribution of legal materials The final component of the revised project will be pro-democracy activities These activities will include the establishment of a national commission for the improvement of the administration of justice, a support fund for organizations involved in AOJ activities and democratic institution building, and commercial arbitration seminars proposed by the Inter-American Bar Foundation

CHILE

GRANT TO THE CORPORACION DE
PROMOCION UNIVERSITARIA

COUNTRY	Chile
PROJECT TITLE	Cooperative Agreement with the Corporacion de Promocion Universitaria (CPU)
PROJECT NUMBER	513-598-0642-20
FUNDING AUTHORIZED	\$200,000
GRANT ADMINISTRATOR	AID/Chile
LENGTH OF PROJECT	April 4, 1989 to March 31, 1991

Project Purpose

An 18-month AOJ activity in Chile to strengthen and invigorate an independent judiciary

Project Summary

Fifteen years of military rule deleteriously affected the judiciary in Chile. The judicial personnel system had been used to punish judges pursuing human rights violations, and the actual jurisdiction of ordinary civilian courts had been significantly reduced, with military courts having jurisdiction over some civilian crimes. Additionally, the state of emergency provision in the 1980 constitution gave the executive a wide range of powers not subject to judicial review.

A small number of judges and lawyers have expressed considerable interest in the possibility of the initiation of an AOJ project in Chile. LAC/DI and the AID representative, in coordination with the ambassador and the embassy, sought to exercise caution in the promotion of this activity. Assistance was channeled directly to the judges and law professors through a private sector entity. As an institution deemed to be above politics and to have the trust of all relevant participants, the Corporacion de Promocion Universitaria (CPU) was selected.

Discussions with CPU resulted in a draft proposal for an 18-month grant to implement an AOJ activity through the CPU but subject to an agreement between the CPU and the Institute of Judicial Studies of the Magistrates' Association. Although funds were channeled through the CPU, all other relevant entities, including the Institute for Judicial Studies and various universities, participated in the grant activity.

The AOJ activity consisted of four components: 1) training, 2) diagnostic studies, 3) court management, and 4) continuation of the successful USIS study tours to the United States for a selected small number of judges.

The current CPU grant will end in September, 1990. A no-cost extension has been requested to keep the CPU team together to work with AID counterparts in the design of a \$2.5 million follow-up AOJ project. The new project is expected to begin on or about May, 1991 and will address judicial training, court administration, and the provision of legal services.

COLOMBIA
GRANT TO THE FUNDACION DE EDUCACION SUPERIOR

COUNTRY	Colombia
PROJECT TITLE	
GRANT NUMBER	598-0642
GRANT ADMINISTRATOR	Fundacion de Educacion Superior (FES) (Colombia)
FUNDING AUTHORIZED	\$2,174,000
LENGTH OF PROJECT	5 years (1986-1990)

Grant Summary

In September of 1986, in response to an unsolicited proposal, USAID/Colombia gave a \$290,000 grant to the Fundacion de Educacion Superior (FES) to support a program to run through September 1988. The program has three major components:

1. Analysis of the administration of justice to identify the major problems facing that administration and potential solutions,
2. An extension of the use of the automatic caseload distribution data processing system which had been introduced on a pilot basis in the judicial district of Bogota to the judicial districts in Cali, Medellin, Barranquilla, Bucaramanga and Popayan, and
3. The provision of basic legal research libraries for the Supreme Court, the Council of State, and the Judicial School of the Ministry of Justice and the training of library personnel to manage them.

The grant has been amended four times. The first amendment in September 1987 added \$184,000 and extended the life of the grant by one year to September 30, 1989. The scope of the program was expanded mainly to include the use of applied research by Colombian law faculties to test suggested improvements in administrative procedures and to provide assistance to the Judicial School to become the chief source of legal documentation and information for the justice system.

The second amendment in July 1988 added \$600,000 and extended the life of the grant by three months to the end of December 1989. The third amendment in June 1989 changed the division of the existing level of funding among the different activities and increased the level of support for FES' direct administrative costs.

The fourth amendment in September 1989 added \$500,000 and extended the life of the grant six months to June 30, 1990. The scope of the program was expanded further to include the installation of automatic data processing equipment in the principal courts of criminal jurisdiction throughout the country and the development and presentation of

courses on modern investigative technology by the University of the Andes for the members of the Technical Corps of the Judicial Police

The basic elements of the strategy of the AID/FES are

- the activities to be supported will be experimental or expansions of pilot efforts,
- the activities will not compete with existing government programs, support on-going government activities, or be used for budget support,
- the activities will be implemented largely by non-government entities contracted by the project rather than by government offices, and
- the program will support activities in all regions of the country rather than concentrate its efforts in limited geographic areas

The major accomplishments of the program have been

- an assembly of presidents of the 27 superior district courts has been created and annual meetings of those presidents have been held,
- the Government of Colombia has increased its investment in the administration of justice,
- pilot projects have produced results on which broader programs can be built,
- all sitting judges received the basic legal information they needed,
- deficiencies in the training of the members of the court system have been identified,
- software has been created to meet the information needs of the justice system, and
- the Ministry of Justice was given the means to introduce reforms into the legal system

COSTA RICA
JUSTICE SECTOR IMPROVEMENT

COUNTRY	Costa Rica
PROJECT TITLE	Justice Sector Improvement
PROJECT NUMBER	515-0244
FUNDING AUTHORIZED	\$2,900,000
GRANT ADMINISTRATOR	ILANUD portion of RAJP in USAID/Costa Rica with political guidance from LAC/DI
IMPLEMENTING AGENCY	ILANUD
LENGTH OF PROJECT	March 20, 1985 through December 1992

Project Goal.

To consolidate and modernize the Costa Rican justice system in order to increase the speed and efficiency with which justice is imparted in Costa Rica

Project Purpose:

To improve the administration of justice in Costa Rica by strengthening three selected areas of the justice system

- coordination and planning in the justice sector,
- professional judicial training, and
- availability of up-to-date information on legislation currently in force

Project Summary:

From 1985 to 1986 the Justice Sector Assessment by the RAJP project manager in conjunction with LAC/DI, identified significant problems faced by the criminal justice sector in Costa Rica. These problems included inefficient operation of the police forces, inadequate administration of the penal system, inefficiency of the courts and inaccurate legal opinions. Based on the results of a workshop held with members of the judicial sector and the Ministry of Justice in January 1987 and the review of the sector assessment, the mission decided to focus on the court system. The project thus addresses three principal problems faced within the system:

- 1 **Sector Planning and Coordination** The establishment of the National Commission for the improvement of the administration of justice and the process of conducting and reviewing the sector assessment encouraged the Government of Costa Rica and the various sector institutions to focus attention on sector-level planning, coordinated planning of budget and personnel activities

The Regional Administration of Justice Project (RAJP), authorized March 20, 1985 and described elsewhere in this catalog, provided the impetus for the establishment of the National Commission and has funded staff support for its operation. The regional project design did not, however, anticipate providing support beyond 1988.

- 2 **Judicial Training** The second problem is the lack of systematic in-service training for legal professional employees of the judicial branch. Although employment conditions of judicial branch employees in Costa Rica are relatively favorable, the lack of training for judges, prosecutors, and public defenders, particularly in criminal justice administration, has been identified as a major impediment to improving case-processing performance.
- 3 **Information on Legislation in Force** The sector assessment also identified the lack of accurate and readily available information on legislation in force as a major problem in the justice sector. At present, there is no publicly accessible system to provide such information.

The three beneficiary institutions are the National Commission, the Supreme Court's Judicial School, and the Attorney General's office. The principal implementing agency for the project is the Latin American Institute of the United Nations for the Prevention of Crime and Treatment of Delinquency (ILANUD).

The project will produce three major results. The first is the development of the National Commission as an effective instrument for planning, promoting, monitoring, and evaluating execution of a coordinated national criminal justice sector program. The second is the creation and implementation by the Judicial School of the Supreme Court of an in-service training program for legal professionals (judges, public prosecutors and public defenders) to improve their professional performance. The Government of Costa Rica is providing additional operating support to the Judicial School. The third product is the establishment of a system which provides up-to-date, systematic information on legislation currently in force which is accessible to both the sector institutions and the public.

A project agreement was entered between AID and the Ministry of Justice. This agreement describes the nature of the project, defines its principal components, and establishes the principal relationship among all relevant parties.

The Ministry of Justice in turn requested that AID enter a cooperative agreement with ILANUD for the overall project implementation. Under this agreement, ILANUD entered implementation agreements with three participating entities: the attorney general's office, the Supreme Court, and the National Commission.

ECUADOR
ECUADOR JUDICIAL SECTOR ASSESSMENT

COUNTRY	Ecuador
PROJECT TITLE	Ecuador Judicial Sector Assessment
PROJECT NUMBER	598-0642
FUNDING AUTHORIZED	\$317,111
IMPLEMENTING AGENCIES	United Nations Latin American Institute for the Prevention of Crime and Treatment of the Offender (ILANUD), Sponsoring Agency, Florida International University (FIU), institutional team leader and technical advisor, Management Sciences for Development (MSD), administrative and financial manager

LIFE OF PROJECT July 1990 to April 1991

Project Purpose.

To provide baseline data to assist project planning, design, implementation, and evaluation of possible activities in the justice sector in Ecuador

Project Description

The project consists of an assessment of the principal justice sector institutions in Ecuador with a primary, but not exclusive, focus on the administration of criminal justice as a possible preliminary step in the development of an administration of justice project. The assessment will provide baseline data needed to design the larger project and will also serve as a vehicle for policy dialogue with the court and other sector institutions.

Efforts to develop an administration of Justice Project in Ecuador have been going on since 1985. Early attempts to begin such a project working through the bar association, the court never proceeded beyond the planning stage. In 1989, the president of the Supreme Court of Ecuador proposed that the effort be conducted through an arrangement with ILANUD. This arrangement involved the participation of Management Sciences for Development and Florida International University researchers experienced in performing sector assessments.

To provide data on the justice sector, bibliographic and field research is being conducted, and the findings and recommendations will be presented at an in-country workshop to be attended by Ecuadorian justice sector personnel in April 1991. The purpose of the workshop will be to discuss the report's findings and recommendations with the goal of reaching a consensus on the need for improvements and identifying the appropriate steps to be taken which would include, but are not limited to, a possible bilateral Administration of Justice Project with AID. A separate executive summary in English based on the report and workshop will be produced.

EL SALVADOR
JUDICIAL REFORM

PROJECT TITLE	Judicial Reform (El Salvador)
PROJECT NUMBER	519-0219
FUNDING AUTHORIZED	\$13,734,000 (revised total)
LENGTH OF PROJECT	8 years (after amendments) (1984 - 1992)

Project Goal

To build and sustain confidence in the Salvadoran justice system by enhancing the ability of the judicial system to ensure the speedy and competent investigation of crimes and trial of suspects, to protect the innocent from persecution and other punitive action, and to maintain guarantees of equal protection under the law

Project Purpose

To improve the administrative, technical, and legal performance of the Salvadoran criminal and civil justice system

Project Summary.

In April 1983, the Department of State and AID sent a team to El Salvador to assess the problems in the administration of justice sector. Based on the information gathered, the team presented a wide-ranging series of recommendations encompassing all aspects of the judicial system: the criminal code, legal education, training for prosecutors and investigators, judicial administration, witness and judicial protection, and improved forensic capabilities.

In recognition of the compelling need for assistance in the area of judicial administration, specifically to resolve criminal cases both promptly and fairly, the US Congress passed the Specter Amendment to the second continuing resolution for FY84.

The recommendations given by the team in 1983 and the passage of the Specter Amendment constituted the basis of the first phase of the Judicial Reform Project, authorized in 1984, which focused on the efforts of the government of El Salvador to review and reform the legal codes, the establishment of a judicial protection unit, strengthening of Salvadoran investigative techniques, and development of training and materials to improve the functioning of the court system.

Original Project

1 Judicial Administration and Training

This component was designed to address weaknesses in the court system's human resources, administrative management capabilities, and physical conditions through the

provision of resources for technical assistance, increased operating budgets, physical improvements and equipment, and short-term technical training. Because of the 1986 earthquake, the main judicial center in San Salvador was completely destroyed. In August 1988, the construction of temporary facilities was completed with project funds.

Training of judges and support staff also began under the project. Fifty justices of the peace attended a course in the United States especially designed to stress their judicial responsibilities. For the past two years, all of the approximately 300 justices of the peace have attended a three-day course on the resolution of cases and court procedures.

2 Revisory Commission for Salvadoran Legislation (CORELESAL)

This component was designed to establish a commission to perform a series of comprehensive and critical studies of the legal framework of the Salvadoran justice system and to develop and present to the Congress draft legislation incorporating the findings of the studies, particularly those related to criminal law. Eleven draft laws have been submitted to the Legislative Assembly. Three studies have been completed: the management assessment of the courts, proposals for experimental courts, and a diagnosis of the penitentiary system.

3 Judicial Protection Unit

The purpose of this unit was to provide protection to witnesses, judges, and other participants in high profile cases. The unit was organized in 1984 with 60 prison guards from the Ministry of Justice who were sent to a FBI training center in the United States. After being utilized in three cases, the concept proved infeasible and the unit was disbanded.

4 Commission on Investigations

This civilian-controlled commission was created to assist the Salvadoran police in obtaining adequate evidence for investigations. Despite obstacles in investigating some special cases, the unit has had considerable success, and it is recognized by outside experts as a top quality investigative organization.

Project Amendment

The project purpose was expanded to strengthen the quality of legal training through an increase in training activities for the court system, prosecutors, and public defenders, an improvement in teacher training, and an increase in financial assistance for the preparation of textbooks.

The revised project includes the following four components:

- 1 Judicial administration and training
 - a Improving court administration and upgrading skills of court personnel
(Suspended temporarily)

During the three years covered by this amendment, the assistance will establish mechanisms to relieve court backlogs, support the establishment of a training institution for court personnel, improve court administration, repair or build new courts, improve or establish new pathology laboratories in the three major cities, and upgrade court equipment. The project is providing the Salvadoran staff of the School of Judicial Training with technical assistance in the development and refinement of curricula, teaching techniques, and course organization and methodology. Over the amended life of the project, an estimated 200 judicial personnel will be trained, and a reference manual on court procedures will be developed.

b Strengthening the public ministry

The attorney general has identified a series of training needs of his staff. Some 102 attorneys will be trained in litigation techniques, general criminal investigative techniques, the role of the prosecutor in the criminal justice system, and forensic sciences. As a complement to these training activities, the project will also finance an upgrading of the attorney general's library.

The project will support the Public Defenders Office through expanded coverage of the eastern region of the country by the addition of more personnel. Thirty attorneys will be trained in defense techniques, presentation and management of cases, criminal justice, and scientific investigative techniques.

c Improving legal training in law schools

The project will finance visiting professors whose efforts will be directed at upgrading the skills of the law school professors. Professors will be recruited from other Central American countries, Spain, and South America for periods of approximately, three months to present courses and seminars designed to strengthen local professors' substantive knowledge and teaching skills.

The second activity under this component is the creation of a fund to finance the creation of textbooks on Salvadoran law. Salvadoran legal experts will be chosen by a panel established under this subcomponent and will receive payment for the development of the textbooks.

2 The Revisory Commission for Salvadoran Legislation

Gradually declining levels of funding will be provided to CORELESAL to enable the commission to complete the preparation of draft laws and studies currently underway.

3 Judicial Protection Unit/Commission on Investigations

For the Judicial Protection Unit and the Commission on Investigations no additional funds are budgeted under the amendment.

GUATEMALA
IMPROVED ADMINISTRATION OF JUSTICE

COUNTRY	Guatemala
PROJECT TITLE	Improved Administration of Justice
PROJECT NUMBER	520-0369
FUNDING AUTHORIZED	\$5,000,000
IMPLEMENTING AGENCY	Checchi and Company Consulting, Inc Project Implementation Unit
LENGTH OF PROJECT	4 years (1989 - 1993)

Project Goal

To strengthen Guatemalan democracy to promote social progress and economic well-being among all citizens

Project Purpose

To improve the capacity of the Guatemalan judicial system to provide fair, effective, and accessible services nationwide

Project Summary.

The project was developed during the second half of FY 1988. It was designed to build on and carry forward activities with the Guatemalan justice sector that were already supported by other projects and newly designed activities under USAID. Under the Regional Administration of Justice Program (RAJP) newly designed activities, ILANUD initiated activities in 1986. It was providing training to selected members of the judiciary as well as technical assistance to the court system to prepare for the organization and computerization of information regarding current laws. ILANUD was also assisting in the systematization of the control of caseload in selected courts and is providing support to the operation of a National Justice Commission, consisting of representatives of all of the important organizations operating in the justice sector. Separate from ILANUD's activities, the RAJP was supporting an assessment of the problems and constraints inhibiting the improved administration of the criminal justice systems.

Two other major justice sector initiatives were being conducted by Harvard University and the U.S. Department of Justice. Under a cooperative agreement from the USAID Mission in Guatemala, Harvard Law School was conducting a program which evolved into working with a selected number of pilot courts to improve the collection and utilization of evidence. The U.S. Department of Justice's International Criminal Investigation Training Assistance Program (ICITAP) was providing evidence-gathering training to police officers, as well as to some judges and prosecutors.

The project consists of the following main components

- Strengthening of the capacity of the judicial branch training section to provide training needed by the personnel of the judicial branch and support of the training of some 2,000 of its members,
- Provision of training to approximately 160 prosecutors, 25 lawyers, and 400 law students involved in the volunteer legal defense system of the law faculties,
- Support for the completion of ILANUD's work on the systematization of information on the laws-in-force, expansion of the information to cover case law and academic legal publications, and the development of a system for the distribution of that information,
- Provision of training, technical assistance, and financial support for a comprehensive program to improve the operation of the court system This includes the creation of a planning unit, the implementation of a new judicial civil service, the design and implementation of a system for controlling caseflow, the collection and analysis of statistics for the operation of the court system, and the introduction of decentralization in the operation of that system,
- Support for the universal use of modified court procedures in the court system which were tested and found valuable under the pilot court activities of Harvard Law School,
- Continuation and expansion of the work of the National Justice Commission, and
- Support of the analysis of key problems facing the justice sector including preparation for an expansion of the scope of the current project

In February 1989, the mission expanded its professional staff to implement its activities, including this project, in support of democratic initiatives In October 1989, the mission entered a contract with a US international consulting firm Checchi and Company Consulting, Inc, to provide technical and administrative assistance to the mission and the Guatemalan court system in implementing the project during the period ending September 30, 1991 This assistance is provided through a Project Implementation Unit (PIU) in Guatemala run by the contractor The PIU was staffed and its offices opened by early January 1990 In February, the court system, with project funds, hired a senior Guatemalan attorney to serve as the liaison between itself and the PIU

The workplan and training plan for 1990 were prepared by the PIU and the court system The PIU also carried out an updated analysis of the administrative needs of the court system and completed initial planning for work in training the staff of the attorney general Specifications for the procurement of additional computer hardware and software were elaborated by the PIU and the judicial branch

HONDURAS
STRENGTHENING DEMOCRATIC INSTITUTIONS

COUNTRY	Honduras
PROJECT TITLE	Strengthening Democratic Institutions
PROJECT NUMBER	522-0296
FUNDING AUTHORIZED	\$16,000,000
FUNDING AUTHORIZED FOR ADMINISTRATION OF JUSTICE COMPONENT	\$2,967,000
IMPLEMENTING AGENCY	Georgetown University
LENGTH OF PROJECT	5 years (August 1987 to August 1992)

Project Goal.

To strengthen Honduran democratic processes and institutions

Project Purpose

To improve the effectiveness of key democratic institutions (the judiciary, the Congress, and the National Election Tribunal/National Registry), to improve the quality of local leadership, and to increase the knowledge and participation of the Honduran populace in the democratic process

The goal and purpose are linked by a series of basic suppositions. The most critical assumption is a continuation of the political will to consolidate and further advance gains already made in the establishment of a democratic society. Important ancillary assumptions include continued economic stabilization, sustainable economic growth, and the attainment of political stability in the region.

Project Summary

The five-year project includes four components: 1) administration of justice, 2) legislative enhancement, 3) voter registration and elections improvement, and 4) democratic leadership training.

The objective of the administration of justice component of the project is to strengthen the court system, enabling it to react responsively to the needs of the Honduran populace in matters concerning civil and criminal justice. This component of the project is comprised of

1. **Judicial Administration** The provision of assistance to reform the judicial career system, assistance to the Supreme Court for an experimental justice of the peace program, assistance to the Supreme Court to design and organize a public defender

program, and organizational and managerial assistance to the judiciary including budgeting/planning

2 **Training** The training component began in 1989 and includes

- in-service administrative training of 20 judges of letters,
- training in administrative procedures of 205 justices of the peace and trial judges,
- granting of a doctoral fellowship for agrarian law studies at the University of Costa Rica,
- plans to grant a scholarship for three years of studies of forensic medicine at the University of Costa Rica to begin in March 1991,
- observational visits of four court employees to the United States for training in all aspects of the US court system,
- as part of the implementation of an organization development plan for the court, judicial support staff will be trained in planning, budgeting, personnel matters and use of computers,
- technical training for support staff for the judiciary,
- observation visits by law school professors and court administrative staff to other countries or the United States to study relevant administration of justice models

3 **Administrative Support** Administrative and salary support for a pilot justice of the peace program has assisted in bringing the justice system closer to the common public and has introduced a new professionalism within the position. All 40 of the justice of the peace positions planned under the project, plus 41 additional positions, have been established, and the program enjoys a high degree of success. The court will be able to absorb the cost of all but seven of the 81 positions in its current budget and has asked that the program be extended.

Similar support to the pilot public defender program has virtually created a credible public defender system.

4 **Public Information** Support for mass media campaigns to increase the public understanding of laws and the court system.

5 **Commodity Procurement** Procurement of such items as computers, office equipment and supplies, and office furniture.

A mid-term evaluation of this project in the fall of 1990 was in large part favorable, with the exception of criticism of delays in implementation of the judicial career law. The delays resulted from a prolonged contracting process with the project's principal contractor, distraction from implementation of the justice component caused by implementation responsibilities in the 1989 national elections and political interference in the court's decision-making during the campaigns. Nevertheless, the judicial career law went into effect on March 1, 1990.

PERU
ADMINISTRATION OF JUSTICE

COUNTRY	Peru
PROJECT TITLE	Administration of Justice
PROJECT NUMBER	527-0303
FUNDING AUTHORIZED	\$2,850,000
GRANT ADMINISTRATOR	
LENGTH OF PROJECT	5 years (1986 - 1991)

Project Goal:

To help build and sustain confidence in the Peruvian justice system by enhancing its ability to operate efficiently, effectively, and justly and by increasing its accessibility to all Peruvians

Project Purpose

The purpose of the project is to support the Government of Peru in developing programs to improve the administrative, technical, and legal performance of the principal institutions within Peru's judicial sector with particular, but not exclusive, emphasis on criminal justice. Project activities are channeled through the institutions of the Government of Peru: the judicial power of the court system, the Public Ministry, and the Ministry of Justice.

Project Summary.

Original Project

Project activities were divided into five major components

- organization, coordination, and management of the individual subprojects and a basis for sector-wide policy implementation,
- training and professional development component,
- studies,
- planning and modernization of procedures,
- provision of basic equipment, and
- outreach

The original project agreement was signed on June 25, 1986. Selection of the specific activities (sub-projects) to be supported under the project was based on a list of suggestions provided by each of the three implementing agencies and subsequently negotiated with AID.

A basic structure -- including a national commission, a coordinating office, and project teams within each institution -- was created. Through a lengthy exercise in designing operational plans for proposed activities, the project teams learned the basic elements of project design and implementation as well as AID's financial and administrative management requirements. New training programs for public prosecutors and judges were introduced with a total of eight short courses and 300 participants. Basic equipment was provided for four provincial courts, two professional journals were prepared for publication, and the Public Ministry and the Ministry of Justice began their institutional assessments.

In 1988, with the completion of the three institutional assessments and the three major studies organized as common sub-projects, the foundation was set for further consolidation of project activities.

Project Amendment Activities:

The project goal and purpose remained the same after the project was amended in 1988. Activities continue to be channeled through the five major components listed above, but three of these (training and professional development, studies, planning and modernization, and outreach) were then defined as the principal dimensions of reform while the remaining two (organization and goods and services) were designated subsidiary supportive activities. Subproject efforts were readjusted and coordinated in accord with this reprioritization.

Three particular areas of the project (management information systems, sector assessment and the Judicial Academy) were treated as follows during the life of the project:

Management Information Systems: The initial project focused on the development of an integrated computerized data system for tracking criminal cases, a database on existing legislation, and the provision of technical assistance to the three implementing agencies on their individual automation needs. The amendment emphasized funding additional implementation of case tracking systems in the Lima judicial district and providing additional technical assistance to help institutional systems.

Sector Assessment: In the initial project the sector assessment completed its objective of a baseline study of the entire judicial system, featuring identification and analysis of problems. The amendment establishes that there was no direct effect of sector assessments on project implementation, and it recommends incorporation of the recommendations throughout the project.

Judicial Academy: The initial project proposed the development and implementation of a program for training judges and administrative personnel through a Judicial Academy. As a result of those recommendations, three national forums were held in 1987. The amended project added funds to support continued development of the academy.

FLORIDA INTERNATIONAL UNIVERSITY
COOPERATIVE AGREEMENT

PROJECT TITLE	Florida International University Cooperative Agreement
PROJECT NUMBER	LAC-0133-A-00-5058-00
FUNDING AUTHORIZED	2.6 million (approx)
LENGTH OF AGREEMENT	7 years

Project Goal

To establish a Center for the Administration of Justice in Latin America and the Caribbean and to provide support for the Latin American Institute for the Prevention of Crime and Treatment of Offenders (ILANUD)

Project Purpose

To provide support for establishing a Center (within Florida International University) for the Administration of Justice in Latin America and the Caribbean and to provide support to ILANUD

Project Summary*

In July 1985, AID signed a cooperative agreement with Florida International University (FIU) to establish a center at FIU for the administration of justice in Latin America and the Caribbean to provide support to ILANUD and to develop close linkages with regional and national institutions in this sector. FIU's responsibilities are

- 1 To provide technical assistance to ILANUD in project management and implementation. This assistance is provided through the employment of senior advisors who assist ILANUD in technical and management areas.

Additional short-term consultancies in the areas of court administration, criminal justice and law, legal defense and law schools as well as dissemination of sector assessment results and assistance in ILANUD's Institutional Development Program are also provided as requested by ILANUD or RAJO.

- 2 To conduct sector assessments in six countries [Panama, Costa Rica, Honduras, El Salvador, Guatemala (added to the agreement under Amendment No 2), and the Dominican Republic]. The main purpose of the sector assessments was to build baseline data on the justice sector to assist in program design, planning operations and evaluation. Such information is used in the design of country-specific projects that the respective USAIDs wish to support.

- 3 To provide technical assistance to ILANUD in the design and implementation of evaluations during the first three years of the project Under the 1988 amendment, FIU no longer holds direct responsibility for carrying out evaluations
- 4 To assist ILANUD in determining of their computer needs and in procuring hardware and software, as well as assisting in other international procurement of project commodities
- 5 To provide assistance to ILANUD with respect to all arrangements related to activities outside the participating countries such as long-term and short-term training, conferences, seminars, bar association meetings, scholarships, and study tours FIU has provided some assistance in this area, including preparing schedules and programs, selecting and notifying participants, arranging all logistics within the US and other host countries and assisting them in making airline reservations and procuring tickets, and related activities FIU continues to assist ILANUD, RAJO, and bilateral AID projects to organize and escort study tours to the United States
- 6 To strengthen the institutional and academic potential of FIU in this sector The center has been absorbed in the provision of services to ILANUD and has devoted little attention to its own institution-building During the final years of the project, FIU will focus more on this aspect These final years will serve as a period of consolidation, preparatory to the phase-out of AID operational support funding Four activities will be carried out by the center as a complement to those already specifically set forth in the cooperative agreement

- publication of monographs,
- publication of national reports and bibliographies,
- meetings of experts, and
- travel to conferences

The objectives of these activities are to strengthen the presence and reputation of the Center for Administration of Justice of Florida International University in Latin America through the dissemination of information collected by the center during the development of the project on Regional Administration of Justice and by providing an international forum for the discussion of justice administration

REGIONAL PROJECT
CARIBBEAN JUSTICE IMPROVEMENT

PROJECT TITLE	Caribbean Justice Improvement (Regional Project)
PROJECT NUMBER	598-0645-17
COUNTRIES PARTICIPATING	Jamaica (separate component), Dominica, Antigua, St Lucia, St Vincent, Belize, Grenada, (primary beneficiary countries) St Kitts/ Nevis, British Virgin Islands, Cayman Islands, Turko and Curaçao Islands, Anguilla, Trinidad/Tobago, Barbados and Montserrat (non-primary beneficiary countries)
IMPLEMENTING AGENCY	
FUNDING AUTHORIZED	\$13 Million (\$2.8 million for Jamaica component and \$10.2 million for Eastern Caribbean)
LENGTH OF PROJECT	5 years (1986-1991) (Eastern Caribbean component)

Project Goal:

To strengthen democratic institutions in the Caribbean region

Project Purpose.

To strengthen legal systems in the region, especially in Belize, Jamaica, and the Eastern Caribbean, by providing services necessary for fostering the maintenance and improved performance of national justice systems

Project Summary

The six Eastern Caribbean nations and Belize, although at opposite ends of the Caribbean, have much in common. All share a common history, language, and culture within the Commonwealth Caribbean. Their independence from the United Kingdom is recent, ranging from 1974 in the case of Grenada to 1983 for St Kitts/Nevis.

The most salient characteristic of these countries is their small size which shapes their political, economic, and social structures. The micro-state profile of limited options, dependence on government, and political vulnerability has been well-documented for the Eastern Caribbean. The same holds true for the legal infrastructure.

Following independence, these seven countries assumed responsibility for major legal areas that the United Kingdom as the metropolitan power had previously handled. These areas of law included accession to (or withdrawal from) U.K. treaties, merchant shipping, civil aviation, trademarks and intellectual property rights, and double taxation.

The project has two major parts: the University of West Indies (UWI) grant (\$10.2 million) and the Jamaica component (\$2.8 million).

The UWI grant component provides project assistance for all participating countries except Jamaica. Each primary beneficiary country, through the establishment of a national advisory committee, developed its own individual action plan to request assistance to meet the particular needs of its legal system. Those plans were subsequently reviewed by UWI and approved by RDO/C.

The project includes the funding of management staff based at UWI. UWI is providing technical assistance, training, and commodity support to participating countries to develop and maintain a central law library. The project established a revolving fund for the development of legal textbooks and case reports. The project also provides funds for the printing of law revisions.

Another sub-component of the project focuses on country-specific activities on the basis of the detailed action plan for the justice sector. The regional technical assistance and training component covers a variety of national and regional legal training and technical assistance activities. This component is a residual category to cover other worthwhile activities to support the rule of law in the region.

The Jamaica component focuses its activities in two major sectors:

- the Supreme Court, including the court's physical structure, the library which encompasses the judges' essential in-chamber collections, the small collections necessary for the resident magistrates' courts, and the court reporting system, and
- the Civil Registry, including its modernization and computerization.

USAID/ Belize and USAID/ Kingston will assign a person to serve as a project officer. UWI and AID will enter a project agreement which will be monitored by a PSC based in Barbados.

**INTERNATIONAL CRIMINAL INVESTIGATIVE
TRAINING ASSISTANCE PROGRAM**

PROJECT TITLE Grant to US Department of Justice for International Criminal Investigative Training Assistance Program (ICITAP)

DONOR USAID pass - through to Department of State

IMPLEMENTING AGENCY Department of Justice

OVERSIGHT RESPONSIBILITY Department of State

PARTICIPANT COUNTRIES Central America, Latin America and the Caribbean

PROJECT AUTHORIZATION/FUNDING

	1986	\$1,520,000
	1987	\$2,750,000
	1988	\$6,400,000
	1989	\$7,500,000
	1990	\$6,700,000

LENGTH OF PROJECT ICITAP began in 1986, subject to the policy direction of the Department of State

PROJECT GOAL.

The goal of ICITAP is to strengthen the administration of justice in Latin America and the Caribbean by improving investigative and forensic capabilities conducted under judicial or prosecutorial control, assisting in development of improved instruction and academy curricula, and improving administrative and management capabilities of law enforcement

PROJECT SUMMARY.

In November 1985, USAID granted \$160,000 to the Department of Justice (DOJ) to design and develop a project or projects to improve and enhance the investigative capabilities of law enforcement agencies under judicial or prosecutorial control in Latin America and the Caribbean. This initiative was in support of US policy to encourage indigenous efforts to improve the administration of justice and to strengthen the infrastructure of democracy throughout the Western Hemisphere. DOJ created the International Criminal Investigative Training Assistance Program (ICITAP) on January 6, 1986 to carry out program development under the agreement with USAID. ICITAP's first phase of the program began in March with liaison and needs assessment trips to Central America followed in April by similar trips to the independent English-speaking Caribbean countries. ICITAP's second phase of operation began with a regional conference of Central American law enforcement executives in 1986. The participants formed a regional organization with the objectives of developing investigative capabilities and enhancing regional cooperation.

Oversight responsibility for the grant falls on the Department of State. ICITAP coordinates with the Department of State by participating in the Inter-Agency Working Group on the Administration of Justice to determine which Western Hemisphere countries should receive

priority consideration for criminal investigative training assistance, police management assistance, and academy curriculum development

To determine training needs, the staff of ICITAP coordinates with officials responsible for the collection, analysis, and preservation of evidence for criminal justice systems in the respective countries. Appropriate curricula are designed, training locations identified, and qualified instructors contracted to provide training at a professional level with emphasis on the rights of citizens and effective integration of the various components in the criminal justice process. To insure that a professional level of competence is maintained throughout the criminal justice system, judges and prosecutors have been invited to attend ICITAP training sessions.

The total number of students trained during the five-year project life (as of May 30, 1990) is 5,110 for a total of 11,462 student-weeks of training. In addition, ICITAP has a) provided assistance toward improving forensic analytical and technical capabilities, b) provided assistance in development of improved policies and procedures to strengthen operational effectiveness of law enforcement agencies, c) sponsored executive level national and regional conferences to evaluate and identify training and enhance coordination among police, prosecutors, and judges, d) developed local training policies and instructor development, and e) provided technical assistance in criminal investigative procedures and case management.

ICITAP's staff members are based in Washington, D C and travel as necessary to lease with U S and host country officials, present training, and coordinate other activities to accomplish its objectives.

National and regional conferences have been held in the Caribbean and Central America and were attended by executive level criminal justice officials. The purposes of the conferences are a) continue to develop, through a systematic process, a priority list of the types of criminal investigative, forensic, and management training needed in the region, b) identify and discuss policy issues regarding criminal investigative management with a view toward improved use of resources, and c) support the improvement of communications on criminal investigative issues among criminal justice components and countries in each region.

In 1987, ICITAP conducted a needs assessment of fingerprint identification units in each Central American country and has continued to update its knowledge of the fingerprint capabilities and needs of these countries each year. Based on these assessments, a comprehensive technical assistance program has been pursued in the Central American countries including conversion to the Henry system, technical assistance in collecting, filing, and comparing prints, advice on work space design, and development of guidelines and procedures for managing a modern and effective identification unit. As a result of this training, substantial improvements have been made in the productivity, management, and filing systems in these countries. ICITAP recently began fingerprint needs assessment and development in South America in 1990. In the Caribbean, ICITAP will base fingerprint unit development on a feasibility study of the Caribbean-wide Automated Fingerprint Identification System (AFIS), a computer-based fingerprint archive and identification system now used by many states and municipalities in the United States.

During the same year, ICITAP conducted a limited forensic needs assessment in Central America. Subsequently, comprehensive forensic assessments were conducted in Costa Rica, Guatemala, Honduras, Trinidad and Tobago, and Barbados. The assessments in Costa Rica and Guatemala have provided the basis for an extensive program of forensic training and equipment donations to enhance the forensic capabilities of Guatemala and to develop Costa Rica as a center for forensic training in Central America. The Caribbean forensic assessments have been used to identify needs of the smaller Caribbean countries as well as to provide recommendations for further ICITAP development including technical assistance and training and limited equipment donations to enhance forensic capabilities in this region. Forensic needs assessments have been conducted during 1990 in several countries in South America.

ICITAP is using the standards established by the Commission on Accreditation for Law Enforcement Agencies, Inc (CALEA) to identify areas which require improvement in some police agencies. ICITAP is assisting Barbados and Jamaica achieve accreditation. This is at least a two-year effort, and even though it may not prove feasible for developing nations to meet U.S. established accreditation standards, the process serves as an excellent management improvement plan.

A Criminal Justice Analysis and Needs Assessment has been completed for Honduras, El Salvador and Guatemala, with others in progress for the Dominican Republic and Costa Rica.

In general, the entry level of the law enforcement agencies, and to some significant degree the judicial branch as well except for the professional judges is comprised of men and women who have completed little more than a primary education on average and who function on the job with virtually no specialized training apart from what is received from foreign donors. In the case of criminal investigative skills, for the most part this has meant that only those police, investigating judges, and others with responsibility over phases of the criminal justice process who have attended ICITAP courses have received any training in that area. The police academies provide a range of courses, including some denominated as police skills, but the reality is that there are few if any instructors who have both investigation experience and instructor training. The result is that the police are unprepared for their role. Nor do the law schools provide training for attorneys, who will become middle and upper level judges, in techniques of investigation. The police, the courts, the offices of the attorney general, human rights officials, and others in the criminal justice system, continue to seek skills training and institutional development. The police also have requested input as to ways in which the internal management and organization of the agencies might be improved. ICITAP, accordingly, is planning to begin an extensive analysis of the management structure of the police agencies, with particular attention to task analyses and an evaluation of existing policies and procedures to help those agencies to develop more extensive written guidelines.

REGIONAL ADMINISTRATION OF JUSTICE PROJECT
(RAJP - CENTRAL AMERICA, CARIBBEAN, AND LATIN AMERICA)

PROJECT TITLE	Regional Administration of Justice Project (RAJP)
PARTICIPATING COUNTRIES	Panama, El Salvador, Costa Rica, the Dominican Republic, Honduras, and Guatemala Training for Colombia, Peru, Ecuador, Bolivia, Uruguay, Venezuela, and Chile
PROJECT NUMBER	597-0002 (after amendments) and 598-0642
FUNDING AUTHORIZED	\$25 872 million
LENGTH OF PROJECT	7 years 1985-1992 (after amendments)

Project Goal:

To foster the transformation of national justice systems in the region into systems based upon independent and strengthened judiciaries that will increase popular confidence in the fair and impartial application of law and support democratic institutions

Project Purpose.

To strengthen regional and national institutions to provide services necessary for the improvement of the administrative, technical, and legal performance of national justice systems, in particular the criminal justice systems To coordinate and finance training, advisory services, institutional support, and an extension facility to improve the performance of national justice systems The project supports national initiatives now underway as well as assists in the stimulation and development of new initiatives

Project Summary:

The administration of justice initiative is part of the US Government's continuing commitment to support the efforts of governments throughout the hemisphere and to strengthen and encourage democratic institutions The implementation of democratic principles requires the peaceful and orderly resolution of disputes through a fair, independent, accessible, and efficient system for the administration of justice By adopting limited objectives, taking into account political and social limitations, and placing primary implementation responsibilities on regional and local institutions, USAID designed a project, based in Costa Rica, with the purpose of enhancing the possibility for steady incremental gains

ILANUD (The Latin American Institute of the United Nations for the Prevention of Crime and Treatment of Delinquency), an international non-governmental research and training organization based in Costa Rica, maintains primary responsibility for project implementation ILANUD's main purpose is to assist Latin American and Caribbean governments in developing strategies for crime prevention and criminal justice planning

Since the Regional Administration of Justice Project's inception, ILANUD has become a permanent, widely known regional institution with significant demand for its training and advisory services

In July 1985, LAC/DI signed a cooperative agreement with Florida International University (FIU) to establish a center at FIU for the administration of justice in Latin America and the Caribbean with the purpose of providing support to ILANUD. FIU's responsibilities are 1) to provide technical assistance to ILANUD in project management and implementation, 2) to conduct sector assessments in six countries (Panama, Costa Rica, Honduras, El Salvador, Guatemala, and the Dominican Republic), 3) to provide three long-term advisors to ILANUD in the areas of technical assistance, training, and project management, 4) to assist ILANUD in determining their computer needs and the procurement of necessary hardware and software, as well as to assist in other international procurement of project commodities, and 5) to provide assistance to ILANUD in arrangements related to activities outside the participating countries. FIU's Center for the Administration of Justice has evolved into a permanent regional resource center able to perform sophisticated studies and to provide technical assistance in AOJ reform.

To manage and supervise the project, USAID established a Regional Administration of Justice Office (RAJO) in the USAID Mission in Costa Rica. Funds to hire appropriate staff (a project coordinator, a program assistant, and a bilingual secretary) were provided by RAJP.

The project design anticipated and promoted the establishment of bilateral USAID administration of justice projects in participating countries. In conjunction with the establishment of bilateral projects, two immediate areas of concern were identified. The first area was that, due to the very recent development of administration of justice activities in USAID, most missions did not have the staff to initially develop the bilateral projects. The second was that, due to the lack of up-dated and unified information about the status of the judicial branch in each of the participating countries, a sector assessment was crucial to guide mission officers in the development and implementation of each project. By sponsoring regional activities and local sector assessments, ILANUD and FIU were to provide the countries with the tools to enable them to develop their own projects. Central to this strategy was the creation of a national commission in each country to furnish direction and orientation for project-funded activities.

The RAJP focuses on four major components

1. Training This component involves seminars, workshops, short courses, study tours, and long-term training, as well as support for popular education efforts in human rights and constitutional guarantees, country-specific training, and modern training modalities. This component has four objectives

- to reinforce and expand the judicial role in deciding cases and administering the courts and to establish systems of judicial accountability throughout the judicial sector,

- to develop the technical capacity of national court staffs in areas such as court planning, case processing, statistical systems, budgeting and caseload management,
- to reinforce the progressive elements in national justice systems and national bar associations in furthering reforms of their justice systems, particularly in the areas of judicial independence and career stability, and
- to increase popular awareness of the human rights guaranteed under their constitutions and laws, to encourage popular recourse to courts to vindicate of such rights, and to enhance popular respect for the rule of law

The training component emphasizes basic and advanced legal and skills training for judges and prosecutors, the upgrading of administrative capacity of judicial decisionmakers, training in the modern criminal process and in methods of reducing prisoner sentencing delays, other important legal areas (agrarian, constitutional, juvenile, environmental, and others), activities designed to produce attitudinal change among nonjudicial decisionmakers, and ethical and human rights training for judicial personnel

- 2 Advisory Services This component provides FIU's technical expertise to ILANUD, national institutions, and USAID and builds an in-house capacity at ILANUD to offer such assistance after the project ends. The objectives of this component are to provide technical assistance 1) in the design of activities relating to major issues of regional concern, 2) to the training department in the development of courses and their evaluation, and 3) to national organizations in dealing with country-specific technical problems. Advisory services subprojects will be completed with renewed emphasis on the sharing of results through workshops, seminars, publications, and consultancies. ILANUD has also broadened its focus to include other substantive legal areas such as agrarian and environmental law. This component is comprised of the following activities

- A Technical assistance of FIA and ILANUD to support activities to address major problems of regional concern,
- justice sector assessments for each participating country,
 - pilot projects to improve criminal justice statistics,
 - data base information,
 - bibliographic assistance,
 - assistance to reform the cataloguing and reporting of changes in legislation and jurisprudence,
 - court administration,
 - agrarian justice, and
 - enforcement of environmental protection laws

- B Short-term technical assistance to establish national commissions to provide a planning mechanism to establish national justice sector priorities and make requests to ILANUD for country-specific technical assistance. This activity is limited to Central America and the Dominican Republic. It is anticipated that most future country-specific activities will be developed and funded under the bilateral agreements.
- C Instructional materials development to provide technical assistance in curriculum design to the ILANUD training component and to national institutions. In addition to development of training materials for the ILANUD courses, this activity also seeks to employ the legal capacity available to this department for the development of manuals for justices of the peace.
- 3 Institutional Development and Support for ILANUD and other Regional Institutions The purpose of this component is to strengthen ILANUD's capacity to carry out the proposed activities and to insure that ILANUD's permanent capability will be strengthened so that it may continue providing administration of justice leadership to the region beyond the life of this project.
- 4 Extension Facility The purpose of this component was to channel direct and immediate funding and services to projects generated from and operating within a single country meeting specific needs of that country through an office established at ILANUD. The following major items were funded:
- resident program coordinators,
 - country-specific technical and financial assistance,
 - support for the design of bilateral projects, and
 - minimum immediate support in the form of equipment, furniture, and supplies to the courts.

Phasing out of the extension facility began in 1989.

In 1988, the ILANUD grant was amended to continue and extend activities begun in 1985 until the end of 1992. The additional funding is intended to 1) assist ILANUD in the continuation and expansion of its training and advisory services, 2) assist ILANUD in consolidating and strengthening its institutional development activities, 3) assist in the continuation of the services provided by FIU to ILANUD in activities (1) and (2) above, and 4) to provide for AID monitoring, management and evaluation of the RAJP.

In addition, LAC/DI entered a series of grant agreements with US and international institutions such as the American Bar Association, the Inter-American Bar Foundation, and the American Society of International Law to finance activities that support and complement the efforts of ILANUD and the project goal.