

PD-ABZ-611

MANAGEMENT BY OUTPUT REPORT 2003
UDP-GUA-02-246

CONCENTRATION AREA: Governance
NÚMERO AND TÍTULO OF THE PROJECT: GUA/01/H26 Establishing an Integrated Citizen Security Policy in Guatemala

SECTOR: Political Affairs
SUBSECTOR: Political and Security Activities
GOVERNMENT SECTOR: Control and Internal Security

OPERATIONAL AGENCY: UNDP

TECHNICAL COOPERATION AGENCY: UNDP

FINANCIAL COOPERATION AGENCIES: Government of the Netherlands, United Nations Foundation (UNF), USAID and UNDP

Activity Report: 1 January 2003 – 31 December 2003

Informe N°:

Financial structure (US\$)

Financial source	Contribution to shared costs	Administrative costs	Total
UNF and USAID	380,982		
Government of the Netherlands	94,784		
UNDP	100,000	19,048	594,814
Shared costs used during the time period:			
Financial execution percentage (%):		77 % aprox.	

Brief description of the project:

The Project has built a platform for research and intersectorial dialogue for the design of an integral citizen security policy within the framework of democracy and the strengthening of the rule of law.

Introduction:

The Peace Accords generated momentum for a broad-based justice sector reform process that has included the creation of a civilian police force and a public defense institute as well as a push to increase the presence of justice institutions in the interior of the country. Given that justice reform is a highly complex and long-term process, Guatemalan citizens are becoming increasingly impatient to see its benefits.

Opinion surveys show that citizen security is one of the most pressing issues in the country. Over the past few years, a number of pressure groups have organized themselves around issues of impunity, demilitarization of society, and crime prevention and control, including domestic violence. These groups are demanding effective responses from the Government. Their efforts are largely uncoordinated and do not share a common understanding of the causes of crime in Guatemala, nor how best to respond to it.

This project is based on the premise that the effective development of public policy allows for citizens to engage with state agencies and the legislative branch to achieve consensus on needed reforms which will address both short and long-term aspects of criminality and violence. Project participants include prominent national researchers, representatives of NGOs with expertise in various aspects of crime prevention and control, and governmental representatives including the Ministry of the Interior (National Police and the Prison System), the Public Prosecutor's Office, the Public Defense Institute, National Congress, the Court System, and other Ministries and agencies with a direct or indirect role in citizen security.

After several months of the Project's operation the participants have shown strong commitment to and interest in the continuation of the process. POLSEC is considered as a good means towards the strengthening and coordination of state agencies and civil society organizations dealing with these themes.

Objectives and Strategy:

The Project contributes to the formulation of a consensual framework for a Citizen Security Policy between governmental institutions, civil society organizations, and political actors. Previous efforts in these areas of interest put forth by different sectors are acknowledged and their results are taken advantage of to promote dialogue and achieve consensus. In this way the Project stimulates the taking-up of responsibility by the different actors and civil society institutions dealing with this subject, promoting their participation. The Project is also producing consensual proposals to be used as basic documents for legislative action.

This effort to construct public policy on citizen security issues has at its core the respect to human rights and combating impunity. Special relevance is given to the preventive and reactive dimensions of the fight against both organized crime and common delinquency. In this way contributions are made towards the consolidation of a democratic state and the country's good governance.

POLSEC has used the War – Torn Societies Project (WSP) methodology of participative action – research and has followed through several stages:

1. Generation of a General Report on the situation of citizen security in Guatemala taking into consideration the implementation of the Peace Accord on the Strengthening of Civilian Power and the Role of the Army in a Democratic Society and the consolidation of democracy.
2. Creation of a Project Group (plenary) integrated by representatives of different institutions and organizations involved in the thematic at hand, as the rector body of the Project.
3. Discussion within the Project Group of the General Report aiming towards the establishment of a Research Agenda which would prioritize the themes to be discussed during the development of the Project.
4. Creation of Working Groups formed by members of the institutions and organizations represented in the Project Group. They are in charge of carrying out the discussion and analysis on the themes stated in the Research Agenda and the development of specific policy proposals for each of them.
5. Selection of experts to be associated with each Working Group as researchers in charge of research activities and writing-up working documents requested by the Group.
6. Selection of moderators for the discussions of the Working Groups.

7. Reading, discussion, revision and approval by the Project Group of the policy recommendations produced by the Working Groups. These documents are to be conveyed to the relevant bodies for their development and implementation.

Summary of the state of execution:

INFORMATION BY OUTPUT:

A. Results of the Working Groups

Results of Working Group I on the Institutional Framework for Citizen Security.

Proposal for the regrouping of all security functions in one specific Ministry

Proposal for the structuring and integration of the Security Advisory Council (CAS)

Proposal for the creation of an Academy for training in security issues.

Specific recommendations for the strengthening of the Institutional Framework for Citizen Security in Guatemala.

Results of Working Group II on Preventive Security and Human Rights

Proposal on preventive security and human rights:

Preventive security within citizen security

Social development and public policy for preventive security and crime prevention

Community police model for Guatemala

Results of Working Group III on Criminal Investigation

Proposal for the restructuring of public prosecution (Ministerio Público)

Proposal for the operationalization of the cooperation agreements signed by the Public Prosecutor's Office and the National Civilian Police

Statement of opinion regarding the Law on Criminal Investigation

Statement of opinion regarding the work of the forensic laboratories

B. Departmental Seminars

Two departmental seminars took place with workshops in Quetzaltenango, Zacapa and Chiquimula. Themes relevant to the Project were discussed as well as: Victimization, 'black figure', perception of justice, corruption, alternative methods for conflict solving. All discussions took place in consideration of their local level implications.

C. Training

- Course for the implementation and use of the New Disciplinary Regulatory Document of the National Civilian Police. The seminar was organized for over 400 higher officers and chiefs of departments of the Police, as well as the instructors of the National Civilian Police Academy.
- Course on the "Intelligence Cycle" given to 22 officers and agents of the Information Department (SIP) of the National Civilian Police. This course was put forth in coordination with the Secretary for Strategic Analysis (SAE).

Other Activities

D. Civilian Intelligence General Directorate (Dirección General de Inteligencia Civil, DIGICI)

- Proposal document for the structuring of the Civilian Intelligence General Directorate (DIGICI) produced by POLSEDE - POLSEC
- High level Commission of the Ministry of the Interior for the implementation of the Peace Accords in matters of security.
- Coordination of the sub-commission for Civilian Intelligence.
- Generation of the law proposal for the creation of the DIGICI
- Delivery to Congress of the law proposal for the creation of the DIGICI

E. Security Advisory Council (Consejo Asesor de Seguridad, CAS)

- Proposal document for the structuring of the Security Advisory Council (CAS) produced by POLSEDE-POLSEC
- Coordination of the Preparatory Commission for the Creation of the CAS
- Generation of a proposal for the structuring and functioning of the CAS based on previous proposals
- Generation of a proposal of the governmental accord for the creation of the Preparatory Commission of the CAS
- Generation of the law proposal for the regulation of the work of the CAS
- Generation of the proposal for the regulatory document for the CAS law

F. Intersectorial Dialogue Table on Human Rights, Justice and Security

- Support to and coordination of work with the Intersectorial Dialogue Table on Human Rights, Justice and Security coordinated by the UNDP and the Organization of American States (OAS)

G. Round table for the prevention of lynching

- Support to and coordination of work with the Table for the prevention of lynching put forth by the National Commission for the Follow – up and Support to the Strengthening of Justice

H. Center of Justice In Chiquimula

At the request of the operators of justice in Chiquimula support will be given in the following areas:

- **Evaluation of the community's perception on justice administration, its operators and the institutions themselves.**
- **Characterization of the most common crime types experienced by the inhabitants of the departmental capital**
- **Characterization of the victims and perpetrators**
- **Estimation of the 'black figure'**

IMPACT ACCOMPLISHED BY THE PROJECT:

As stated in the Project's previous report, POLSEC has established itself as an intersectorial space for analysis and discussion on the subject of citizen security. Currently it is a reference for the work done on themes related to the subject. At different times POLSEC's advice and opinion has been requested by relevant institutions.

POLSEC has taken charge of the coordination of the Sub-commission on Civilian Intelligence within the High Level Commission for the Fulfillment of the Peace Accords dealing with Citizen Security (Ministerial Agreement 1998 – 2003, November 7th). A proposal for the establishment of the Civilian Intelligence General Directorate (DIGICI) was presented by POLSEC. A law proposal for the creation of DIGICI was presented to Congress in May 2002.

POLSEC's Director was elected as Coordinator of the Preparatory Commission for the Security Advisory Council (CP-CAS). This Commission prepared a proposal for the structuring of the CAS. It also generated a law and regulatory document proposal for the functioning of the CAS. The technical secretary position within the CP – CAS has also been under POLSEC's responsibility.

Justice operators in the Justice Center of Chiquimula requested POLSEC's support in the assessment of the local citizens' perceptions about the justice and security system. As part of this process a survey was conducted which will allow for the characterization of the types of crime experienced by the population as well as the characterization of the victims and the perpetrators of crime. This information will be used to estimate the 'black figure'.

In a coordinated effort with civil society organizations, USAID, the Interior Ministry, the National Civilian Police (PNC), and the UNDP's FORPOL Program, POLSEC organized the short course "Implementation and the Use of the New Disciplinary Regulatory Document of the National Civilian Police" which was given to over 400 high-level PNC officers.

As accounted for in the previous Project Report, POLSEC received a request from the Police Information Department of the PNC (SIP) of support for specialization courses on the "Intelligence Cycle". Thus, POLSEC conducted the first course on the subject in coordination with the Secretary for Strategic Analysis (SAE).

OBSTACLES:

In POLSEC's previous report recommendations were made towards the implementation of a strategy which would allow the participating organizations and the UNDP to follow – up on the proposals emanated from the Working Groups. It must be underscored that these proposals are the product of consensus among most of the main civil society institutions dealing with matters of citizen security and have the support and technical advice of the country's security and justice institutions.

Currently work is taking place on the development of a process of political influence which includes activities of dissemination and diffusion of the Project's results at different levels. A strategy of approach and advice to the new elected authorities is also taking place.

March is too early a date for the full development of the actions we mean to put through. This is an obstacle for the clear assessment of our success.

RECOMMENDATIONS:

To guarantee the viability of the process we are conducting it is necessary to expand the time frame of operation of the Project. This expansion requires no further disbursements by the donors given that the project holds enough financial resources to implement the processes of political agency we are working on together with the main organizations participating in the process. This cooperative planning of activities allows for higher levels of participation in the process and produces a sense of ownership among these organizations, which, in turn, affects positively their commitment towards the agreements that have been reached.

POLSEC's linkages to other projects:

Close relations have been maintained with the following initiatives or projects:

- Intersectorial Dialogue Table on Human Rights, Justice and Security (UNDP-OAS)
- Multiparty Dialogue Project (UNDP)
- Support to the Guatemalan Peace Process (BCPR)
- Citizen Security Program (IDB)
- National Table Against Lynching
- Strengthening of the National Civilian Police (FORPOL – UNDP)
- Body for the Monitoring and Support to Public Security Project (IMASP), Civil Society Program (USAID)
- Justice Program (USAID)
- Permanent relation with civil society organizations working on the themes of citizen security

Information by results (output):

Development Objective	To contribute towards the consolidation of a democratic state, the rule of law and governance in Guatemala through the establishment of a medium and long term national policy on the matter. The policy must be designed within the framework of the fundamental rights, citizen security and it must give preeminence to the respect of human rights in the fight against impunity. At the same time it must strengthen the relevance of the preventive character that the fight against organized crime and common delinquency must have.		
Immediate Objective 1	To contribute to the formulation of a consensual framework for a Citizen Security Policy among civil society organizations, the state and political actors.		
Result 1.1 Success measures	Proposals of specific policies produced within thematic Working Groups which contribute to the formulation of a Policy on Citizen Security.		
Progress			
<u>Time period of execution of the results and percentage of progress (%):</u>			
<p>Meetings of actors involved with the issues of citizen security 100% During 2003 over 50 meetings were held by the three Working Groups. Moreover 5 plenary sessions took place in which representatives of the participating organizations took part.</p>			
Application of the methodology (Permanent throughout the Project)		<p>Impact on the fulfillment of the Peace Accords</p> <p>Because of the themes covered by the Project it is related to the fulfillment of the Peace Accord on the Strengthening of Civilian Power and the Role of the Army in a Democratic Society, Numerals :8, 9, 13 b, 15, 18,19, 26, 48, 56.</p>	<p>Resulting Follow –up Activities</p> <p>The application of the methodology and the research process are activities which occur simultaneously to the Project's development.</p>

Development of the research process (Permanent throughout the Project)

As part of the initial activities of the Project a report on the state of citizen security in Guatemala was produced. A conceptual proposal for the treatment of the themes was presented as well. All this within the framework of the Peace Accord on the Strengthening of Civilian Power and the Role of the Army in a Democratic Society.

Working documents were produced on the following themes:

- Working Group I: Institutional framework for citizen security. Researcher: Fanuel García (Instituto de Estudios Comparados en Ciencias Penales de Guatemala –ICCPG)
 - Proposal for the regrouping of all security functions in one specific Ministry.
 - Proposal for the structuring and integration of the Security Advisory Council (CAS)
 - Proposal for the creation of a training academy for the security sector.
 - Specific recommendations for the strengthening of the institutional framework for citizen security in Guatemala.

- Working Group II: Preventive Security and Human Rights. Researcher: Carmen Rosa de León (Instituto de Enseñanza para el Desarrollo Sostenible –IEPADES)
 - Proposal on preventive security and human rights:
 - Preventive security within citizen security
 - Social development and public policy for preventive security and crime prevention
 - Community police model for Guatemala

- Working Group III: Criminal Investigation. Researcher: Pío Alberto Uclés
 - Proposal for the restructuring of the Public Prosecutor's Office (Ministerio Público)
 - Proposal for the operationalizing of the cooperation agreements signed by the Public Prosecutor's Office and the National Civilian Police (PNC)
 - Statement of opinion on the Law of Criminal Investigation
 - Statement of opinion on the work of the forensic laboratories

Development Objective	To contribute towards the consolidation of a democratic state, the rule of law and governance in Guatemala through the establishment of a medium and long term national policy on the matter. The policy must be designed within the framework of the fundamental rights, citizen security and it must give preeminence to the respect of human rights in the fight against impunity. At the same time it must strengthen the relevance of the preventive character that the fight against organized crime and common delinquency must have.		
Immediate Objective 1	To contribute to the formulation of a consensual framework for a Citizen Security Policy among civil society organizations, the state and political actors.		
Result 1.2 Success measures	Strengthening of the capacities of participating actors for the generation of proposals with the objective of enhancing their quality.		
Progress			
<u>Time period of execution of the results and percentage of progress (%):</u>			
Conduction of training and development activities 80%			
A short course for the implementation and use of the New Disciplinary Regulatory Document of the National Civilian Police was implemented. The seminar was organized for over 400 higher officers and chiefs of departments of the Police, as well as the instructors of the National Civilian Police Academy.			
Two departmental seminars took place with workshops in Quetzaltenango, Zacapa and Chiquimula. Themes relevant to the Project were discussed as well as: Victimization, 'black figure', perception of justice, corruption, alternative methods for conflict solving. All discussions took place in consideration of their implications at the local level.			
Another short course was implemented on the "Intelligence Cycle" given to 22 officers and agents of the Information Department (SIP) of the National Civilian Police. This course was put forth in coordination with the Secretary for Strategic Analysis (SAE).			
	Impact on the fulfillment of the Peace Accords Because of the themes covered by the Project it is related to the fulfillment of the Peace Accord on the Strengthening of Civilian Power and the Role of the Army in a Democratic Society, Numerals :8, 9, 13 b, 15, 18,19, 26, 48, 56.	Resulting Follow-up Activities Organization of workshops and seminars must continue to strengthen knowledge and working capacities on the themes covered by the Project's Working Groups.	

Development Objective	To contribute towards the consolidation of a democratic state, the rule of law and governance in Guatemala through the establishment of a medium and long term national policy on the matter. The policy must be designed within the framework of the fundamental rights, citizen security and it must give preeminence to the respect of human rights in the fight against impunity. At the same time it must strengthen the relevance of the preventive character that the fight against organized crime and common delinquency must have.		
Immediate Objective 1	To contribute to the formulation of a consensual framework for a Citizen Security Policy among civil society organizations, the state and political actors.		
Result 1.3 Success indicators	Foundations for understanding and intersectorial channels of communication established that allow for the approach and dialogue among the diverse actors involved in the issues covered by the Project. These are to act as the bases for discussions and decisions over policy recommendations to be taken.		
Avance			
<u>Time period of execution of the results and percentage of progress (%):</u>			
Development and implementation of political agency strategies (lobbying) with the intention of calling on the interest and achieving the participation of relevant public and private institutions and organizations in the activities of the Project. (Permanent throughout the Project)			
The execution of this Project has accomplished assembling together different actors (state or civil society organizations) around the discussion on the themes of citizen security. Linkages have been established among them and interinstitutional relations have been fostered. Moreover, the Project has become a useful medium of communication, strengthening and making effective the efforts of each individual organization in the matters concerned.			
Continuity of the series of ongoing meetings. (Permanent throughout the Project)			
Interest levels have been maintained expressed in the continuity of the meetings organized by the Project including the participation of state agencies, the academic sector and non governmental organizations working in the themes of citizen security.			
	Impact on the fulfillment of the Peace Accords	Resulting Follow-up Activities	
	Because of the themes covered by the Project it is related to the fulfillment of the Peace Accord on the Strengthening of Civilian Power and the Role of the Army in a Democratic Society, Numerals :8, 9, 13 b, 15, 18,19, 26, 48, 56.	Maintain the continuity of these strategies to be implemented in future meetings of the Working Groups.	

Development Objective	To contribute towards the consolidation of a democratic state, the rule of law and governance in Guatemala through the establishment of a medium and long term national policy on the matter. The policy must be designed within the framework of the fundamental rights, citizen security and it must give preeminence to the respect of human rights in the fight against impunity. At the same time it must strengthen the relevance of the preventive character that the fight against organized crime and common delinquency must have.		
Immediate Objective 1	To contribute to the formulation of a consensual framework for a Citizen Security Policy among civil society organizations, the state and political actors.		
Result 1.4 Success Indicators	Greater commitment on the part of the different social actors participating in the Project with the consensual principles produced during the process of definition of a Citizen Security Policy.		
Progress		Impact on the fulfillment of the Peace Accords	Resulting Follow-up Activities
<u>Time period of execution of the results and percentage of progress (%):</u>			
<p>Promoting and maintaining a spirit of consensus within the Working Groups. (Permanent throughout the Project), and</p> <p>Ensure the achievement of consensus on each of the proposals produced. (Permanent throughout the Project)</p> <p>One of the Project Coordination's main responsibilities is to give technical and logistic assistance to the participants. During the working meetings special attention was given to the creation and maintenance of an adequate work environment which has allowed the meetings to take place harmoniously and schedules to be respected.</p> <p>The Project has taken up as its responsibility to keep the ongoing dynamics of the meetings and to stimulate the reaching of consensuses in them.</p>		<p>Because of the themes covered by the Project it is related to the fulfillment of the Peace Accord on the Strengthening of Civilian Power and the Role of the Army in a Democratic Society, Numerals :8, 9, 13 b, 15, 18,19, 26, 48, 56.</p>	<p>Just as in the previous result the interest of the participant organizations must be maintained in the Project and in the search for consensuses within the Working Groups.</p>

Development Objective	To contribute towards the consolidation of a democratic state, the rule of law and governance in Guatemala through the establishment of a medium and long term national policy on the matter. The policy must be designed within the framework of the fundamental rights, citizen security and it must give preeminence to the respect of human rights in the fight against impunity. At the same time it must strengthen the relevance of the preventive character that the fight against organized crime and common delinquency must have.		
Immediate Objective 1	To contribute to the formulation of a consensual framework for a Citizen Security Policy among civil society organizations, the state and political actors.		
Result 1.5	Action plan created and disseminated among the participant actors and others related to the themes of citizen security. Action plan presented to the authorities competent in these matters.		
Success Indicators			
Progress		Impact on the fulfillment of the Peace Accords	Resulting Follow-up Activities
<u>Time period of execution of the results and percentage of progress (%):</u>			
<p>Consensual generation of the Action Plan by the Working Groups containing the themes and follow – up actions derived from the process of generation of the citizen security policy. 0%.</p> <p>The generation of this Action Plan will be one of the main activities of the Project during 2004.</p> <p>Diffusion and dissemination of the products of the research processes. 0%</p> <p>Although the Project has been engaged in permanent activities of communication, it will only be in 2004 that a specific strategy will be devised and implemented for the diffusion and dissemination of the products of our work.</p>		<p>Because of the themes covered by the Project it is related to the fulfillment of the Peace Accord on the Strengthening of Civilian Power and the Role of the Army in a Democratic Society, Numerals :8, 9, 13 b, 15, 18,19, 26, 48, 56.</p>	<p>These activities belong to the final phase of the Project.</p>