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ACTION PLAN

FY 1989-1990

(LAC/CA) REGIONAL PROGRAM)

JUNE 1988

Agency for International Development
Washington, D.C. 20523

LAC/DI ACTION PLAN

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I. Program Overview

The Democracy program addresses one of the four goals of the Kissinger Commission and Objective 14 of the LAC Bureau's MBO system: strengthening democratic institutions and processes. During the Action Plan period (and since FY 1988) the Administration of Justice program has been considered as one of the several components of the Democracy program. We have requested authority from Congress to use earmarked AOJ funds in FY 1989 for both components. At our next quarterly briefing on the Hill in June we should have a final determination on this request from the four committees which oversee this program.

The $24.3 million FY 1988 Democracy program has grown by 72% over the FY 1987 level of $14.3 million. New bilateral projects are being developed in Costa Rica, Guatemala, and Bolivia under the Administration of Justice component. Bilateral and regional AOJ programs are in full implementation in El Salvador, Honduras, Peru, Uruguay, Columbia, and the Caribbean. The regional Administration of Justice Program is being implemented by the United Nations Latin American Institute for Prevention of Crime and Treatment of Offenders (ILANUD), as well as by the interamerican legal professional associations and the ABA. Democracy activities supporting legislative enhancement and strengthening electoral systems continued in Honduras, Guatemala, El Salvador. With our continued support, the Inter-American Institute of Human Rights (IIDH) and the Center for Electoral Assistance and Promotion (CAPEL) carried out human rights and electoral assistance activities region-wide, and additional funds were provided to CAPEL supporting technical assistance and training programs in Haiti, Chile and Guatemala. Two major program evaluations were conducted in FY 88 for the regional Administration of Justice project and for our assistance to IIDH and CAPEL. These evaluation findings will guide negotiations for the restructured FY 88 grants with IIDH and CAPEL and the FY 88 amendment to the regional Administration of Justice project, currently estimated at $16 million over four years.

For the first time in FY 88 a draft strategic framework was formalized for the democracy program and vetted with both prominent Latin Americans and our field missions and embassies in the region. This framework paper will be revised to take into account all comments and then be released to the Congressional Committees, the PPC team drafting a revised FAA, and other interested parties, as well as to A.I.D., State, USIA, and DOD personnel to help promote the program.

A major implementation change took place in FY 88 with the change in delegation for funding and managing the International Criminal Investigative Training Assistance Program (ICITAP). The Department of State now has full authorization for this program and any police assistance programs under Section 534 (b)(3) of the FAA.

In FY 89- FY 90 the Democracy program will continue to grow with a $8.8 million increase in FY 89 and a $2.5 million increase in FY 90. The FY 89 figure is slightly above the $31.5 FY 89 CP figure due to the anticipated congressional earmark of $20 million for the AOJ program and an additional $1.0 million programmed for bilateral democratic initiatives activities in the Dominican Republic and Haiti.

The FY 89-90 program continues the bias in favor of bilateral programs with 65% of AOJ funding in FY 89 budgeted for country programs (if ICITAP is subtracted from the total). In the other democracy activities, regional projects are 65% of the budget because of the need to centralize training activities in the fields of leadership development, legislative management, and journalism to take advantage of economies of scale and enhance program integrity. It does not make sense for each mission to set up its own legislative exchange program, nor its own leadership development project. LAC/DI will establish centralized mechanisms which missions can utilize in support of their country programs. In addition, countries with no bilateral missions will be able to send participants to these regional training programs. Training will be held in both LAC countries and in the U.S.

In FY 1989 we are requesting approval for five new regional activities in the Democracy program: two new projects in Administration of Justice and three for democratic strengthening activities. Southern Cone Regional Training allows us to take advantage of the Symington Amendment exemptions for Brazil and Argentina. Both countries have requested AOJ training courses. The project will be designed to include Uruguay and eventually Chile if a democratic transition occurs there. The AOJ Technical Support Services project mirrors similiar projects in other sectors, such as health and education, to assist the LAC Bureau to identify and respond to Bureau priorities in the AOJ area. Specifically, we are seeking to establish in the U.S. one or two institutions (most likely universities) which will develop a long term, institutional capability in Administration of Justice and become centers of excellence which the Agency can tap.

The two regional training programs in legislative management and leadership development will allow missions, and countries where we have no bilateral programs, to send participants to pre-established programs in the U.S. and Latin America. The two projects may be designed as a single project. The regional competitive grants program will use predetermined program criteria arising from the framework statement for NGOs and for for-profit firms to design proposals in support of democratic initiatives.

In summary, the FY 89-FY 90 Action Plan continues the course set in FY 88 and maintains a funding level consistent with the 1987 full funding report to Congress for the Central America Initiative. It also reflects the recommendations of the draft democratic development framework statement of February, 1988.

II. Implementation

A. Objective #14: Strengthening Democratic Institutions

1. Country Development Trends Indicators: N/A

2. A.I.D. Program Performance Indicators

For purposes of this Action Plan, LAC/DI developed some proposed program indicators which are described in 2.A. (page 6).

No indicators were provided in prior years for the Democratic Initiatives program. Project outputs which were quantifiable and recurring for the regional projects managed by LAC/DI or RAJO/Costa Rica were included in last year's action plan and are described below. Missions have reported on outputs of democracy projects which they directly manage in their Action Plans for FY 89 - FY 90.

The following is a list of outputs of projects managed by DI and RAJO. The list includes the Regional Administration of Justice Projects (592-0002 and 598-0642 including the ILANUD activity), CA Strengthening Democracy (597-0003), Central America Journalism (597-0031) and LAC Human Rights Initiatives (598-0591). Please note that the International Criminal Investigative Training Assistance Project (ICITAP) is now managed by the Department of State.

Strengthening Judiciaries

(1) Number of student-days of short-term training provided by ILANUD to investigative, prosecutoral, judicial, and other participating government personnel.
(2) Number of legal texts provided to law libraries and judicial offices.
(3) Number of students receiving long-term training under ILANUD project at the University of Costa Rica.

Organizational Development of Regional and Local Institutions Dedicated to Improving the Administration of Justice

(4) Number of judicial sector assessments completed.
(5) Number of participant-days sponsored at bar association conferences and seminars.

A.I.D. Program Performance Indicators
(Continued)

Strengthening Legislatures

(6) Number of participant-days of orientation or in-service training for legislators.
(7) Number of participant-days of training for support staff.
(8) Number of libraries/information centers established.

Strengthening Electoral Processes

(9) Number of electoral tribunals receiving technical assistance from CAPEL.
(10) Number of election officials/party pollwatchers trained.
(11) Number of research projects initiated.
(12) Number of participant days in regional conferences sponsored by CAPEL.
(13) Number of participant days in meetings of Association of Central American and Caribbean Electoral Bodies.

Organizational Development of Other Regional and National Institutions Engaged in Strengthening Democracy

(14) Number of local Partner Committees hiring/retaining permanent staff.
(15) Number of participant days--staff and volunteers (NAPA, OEF).
(16) Number of participant-days in community education (NAPA, OEF).

Improve the Human Rights Climate

(17) Number of participant days of IIDH-sponsored training courses.
(18) Number of IIDH research projects initiated.
(19) Number of participant days of community education/human rights training (CODECAL).
(20) Number of small grants to strengthen Indian organizations (Cultural Survival).

Journalism Strengthening

(21) Number of journalism training needs assessments completed (FIU).
(22) Number of participant days of professional journalism training.

2.A. Objective #14: Strengthening Democratic Institutions: LAC/CA Proposed Regional Program Indicators

- Separation of powers enhanced in accordance with a country's constitution.
- Continuing periodic, open and free electoral process.
- Universal suffrage.
- Increased number of bills initiated in Congress (rather than by executive decrees).
- Reduction in time for court case processing.
- Effective operation of a country's court system.
- Increased awareness of democratic processes among the populace in a country.
- Law reform is successfully adopted, i.e., new laws are introduced, outmoded laws revoked.
- Latin American and Caribbean governments are providing adequate financing in their public sector budgets for the judiciary.
- Independent electoral tribunals functioning effectively.

(During the FY 89 - FY 90 Action Plan period these indicators will be quantified and other indicators identified through research grants made under the proposed competitive grants program.)

2. PERFORMANCE UNDER LAC REGIONAL INDICATORS	1985 Actual	1986 Actual	1987 Target	1987 Actual	1988 Target	1989 Target	1990 Target
Strengthening Judiciaries							
No. of student-days (ILANUD)	500	2,877	2,585	2,375	1,729	1,729	
No. of legal texts provided	N/A	1,623	2,705	5,000 (volumes)	?	3,350	3,350
No. of long-term students (ILANUD)	6	9	13	13	12	12	
Organizational Development of Regional and Local Institutions Dedicated to Improving the Administration of Justice							
No. of sector assessment completed	1	2	2	3	-	-	-
No. of participant-days (Bar Assns)	N/A	N/A	800	200	600	640	N/A
No. of participant-days (IABF)	N/A	60	60	60	60	108	108
No. of regional conferences (ASIL/OAS)	N/A	1	0	1	1	1	N/A
Strengthening Legislatures							
No. participant days (legislator)	N/A	1243	300	300	128	-	-
No. participant days (staffs)	N/A	N/A	N/A	N/A	95	-	-
No. regional seminars	N/A	1	1	2	1	-	-
No. in-country seminars	N/A	3	-	-	1	-	-
Strengthening Electoral Processes							
No. tribunals receiving T.A.	2	3	-	3	4	4	5
No. officials trained	383	-	-	-	497	300	-
No. table authorities/poll watchers trained	36,482	-	-	-	10,000	12,000	-
No. participant days (CAPEL)	2,196	2,726	-	904	2,546	2,000	2,000
No. participant days (Reg. Assn)	132	90	-	314	430	400	400

2. PERFORMANCE UNDER LAC/REGIONAL INDICATORS	1985 Actual	1986 Actual	1987 Target	1987 Actual	1988 Target	1989 Target	1990 Target
Organizational Development of Democratic Institutions/Citizens Groups							
(OEF)							
No. trainers trained	N/A	26	30	50	189	200	-
No. community groups served	N/A	11	30	39	88	90	-
No. training days (staff)	N/A	20	20	25	35	30	-
No. participant days	N/A	660	1,200	1,500	7,170	5,400	-
Training materials produced	N/A						
(NAPA/CA)							
No. Partners committee members	360	420	-	540	-	-	-
No. projects receiving T.A.	156	338	-	375	-	-	-
No. person days of technical assistance	3,120	6,760	-	7,500	-	-	-
No. Workshop participants	160	160	-	200	-	-	-
No. participant days	4,800	4,800	-	6,000	-	-	-
No. small grants	18	20	-	12	-	-	-
Improve the H.R. Climate							
(NAPA/CODECAL)							
No. trainers trained	166	244	-	62	-	-	-
No. participants	1,150	1,200	-	1,450	-	-	-
No. participant days	11,500	12,000	-	14,500	-	-	-
No. organizations reached	62	85	-	110	-	-	-
IIDH							
No. participant days	2,018	2,273	-	2,508	2,315	2,785	2,835
No. research projects	2	2	-	3	3	-	-
CSI							
No. needs assessments - Indian groups	-	-	3	2	2	1	-
No. small grants to Indian groups	-	-	-	-	5	15	-

2. PERFORMANCE UNDER LAC/REGIONAL INDICATORS	1985 Actual	1986 Actual	1987 Target	1987 Actual	1988 Target	1989 Target	1990 Target
Strengthen Journalism in Central America							
No. Journalism needs assessments	-	5	-	-	-	-	-
No. participant days (journalists)	-	-	792	528	400	3,350	8,620
No. participant days (of educators)	-	-	-	-	80	990	990
No. participant days (owners)	-	-	-	-	180	240	240
No. participant days (advisory committee)	-	-	-	-	20	40	40
No. regional assns established	-	-	-	-	-	1	1
No. journalism review recipients	-	-	-	-	-	1,200	2,400

3. Actual vs. Planned Accomplishments in FY 87 and Early 1988

Target	Planned	Actual	Discussion
A. Strengthening Judiciaries			
(1) No. of student days (ILANUD)	2,585	2,375	Through May 88
(2) No. of legal texts provided	2,705 (Titles)	5,000 (volumes)	Information regarding number of titles was not available. LAC/DI assumes the target was met based on the number of volumes delivered.
(3) No. of long-term students	13	13	
B. Organizational Development of Regional and Local Institutions/AOJ			
(4) No. of sector assessments completed	2	3	Honduras and Guatemala sector assessments completed. Total of sector assessments completed to date is five.
(5) No. of participant-days (Bar Associations/ABA)	800	200	In 1988, 600 days have already been completed so the planned target was met.
(6) No. of participant days (Regional Bar Associations/IABF)	60	60	
(7) No. of Regional Conferences (ASIL/OAS)	0	1	

:.	Strengthening Legislatures (6) Increased inter-parliamentary contacts		Participation of 20 C.A. legislators in Council of Europe's 44-country conference on parliamentary democracy (9/87) generated greater interest and understanding by Europeans of political/economic conditions in C.A. Council & Center for Democracy sponsored follow-up meeting (4/88) with Central Americans and members of U.S. Congress participating. $100,000 added to USAID grant to Center for Democracy to help Guatemalan Congress host a world-wide conference of parliamentarians.
).	Strengthening Electoral Processes		
	No. voter education programs	1	1
	No. poll officials training progs	1	2

CAPEL/Civitas $1.2 M voter education project in Chile trained 440 trainers, who will in turn train 10,000 district leaders. Under LAC regional grant, CAPEL trained electoral officials in El Salvador and Guatemala in preparation for municipal elections, sponsored 2 meetings of regional electoral association and special meeting on regional parliamentary elections, and provided technical assistance to Bolivia's electoral court.

E. Organizational Development of Other Regional and National Institutions Engaged in Strengthening Democracy

$1 M grant was made to NED to support organizations working for return of democracy in Chile.

Building local institutions/increasing citizen participation

No. trainers trained (OEF)	120	189
No. community groups served (OEF)	60	88
No. participant days (OEF)	4800	7170
Training materials produced		

Local trainers are working with groups in 3 countries & receiving many requests from new groups as well as from governments for training services. Manuals and guides in preparation can be used in other countries.

F. Improving the Human Rights Climate

Role of military in democracy

AU/SIS completed research and brought together U.S. and Latin scholars with more than 30 LAC military officers, including 3 defense ministers, to discuss ways to improve civilian-military relations and thus promote democracy.

Strengthened Indian organizations

Cultural Survival completed 2 needs assessments of Central American Indian groups, with 2 more scheduled to be done in 3Q 88.

Human rights education

IIDH's annual human rights course with 112 participants held 8/87. Improved format and training methods made course more effective and relevant to wider audience. Research continues on rights of indigenous people, refugees.

G. Strengthening Journalism

After long delays in the authorization/contracting process, grant to FIU signed 5/88; project implementation now in organizational phase --establishing program HQ and field office, recruiting staff, appointing an advisory committee, and initiating planning for the 4 training seminars, 4 country conferences with educators, journalists and media owners, and baseline studies to be completed in CY 88.

4. Key Policy Dialogue Actions and Conditionalities for Balance of Current FY and Action Plan Period

LAC/DI will not directly conduct policy dialogue. Missions and RAJO, however, will be encouraged to include some of the following items in their discussions with bilateral counterparts:

- Commitment of host countries to improve the administration of justice.
- Commitment of host-countries to establish career judiciaries and professionalism of judicial personnel.
- Commitment of host countries to provide adequate budgetory resources to the judiciary.
- Encouragement of host countries to allow private bar associations an active role in the judicial reform process.
- Commitment of host countries to ensure the independence of election tribunals from government control.
- Commitment of host countries to professionalize their legislatures with addition of support staff and information systems.
- Commitment of host countries within the LAC region and elsewhere to make financial contributions to help support ILANUD.
- Commitment from other donors (especially the Western, industrialized democracies) to provide core support to IIHR/CAPEL.
- Commitment by private sector media organizations, associations of journalists, and faculties of journalism to the goal of establishing a permanent center for mass communication and training of journalists to be located in a Central American country.

5. Key Project/Program Accomplishments Planned for Balance of Current FY and Action Plan Period

	Quarter/Year
Administration of Justice	
- Execution of a Level of Effort Contract for AOJ program support	4th Q/FY 88
- Design and Authorization of Technical Support Services Project	2nd Q/FY 90
- Authorization of PP Supplement for the Regional Administration of Justice Program with ILANUD	4th Q/FY 88
Strengthening Democracy	
- Design and Authorization of the Regional Leadership Training Project	2nd Q/FY 89
- Design and Authorization of the Legislative Management Training Project	1st Q/FY 89
- Execution of Grant Agreement Amendments with IIHR/CAPEL Which Take Into Account Evaluation Findings	

6. PROJECTS SUPPORTING OBJECTIVE (ALL GRANT)

	Title	Number	New (N) Ongoing (O)	Funding Type	LOP	Obligations ($000's) Cum FY 87	FY 88	FY 89	FY 90
1.	Southern Cone Regional Training	598-0668	(N)	ESF	2,500	-	-	500	1,000
2.	Technical Support Services for AOJ	598-0669	(N)	ESF	4,000	-	-	1,000	1,000
3.	Regional Leadership Training	598-0663	(N)	SDA/ESF	6,000	-	-	1,500	1,500
4.	Regional Legislative Management Training	598-0770	(N)	SDA/ESF	8,600	-	-	1,300	3,000
5.	Regional Competitive Grants Program	598-0771	(N)	SDA/ESF	4,000	-	-	1,000	1,000
6.	CA Regional Administration of Justice	597-0002	(O)	ESF	Cont.	11,838	2,000	1,500	2,500
7.	LAC Regional Administration of Justice	597-0642	(O)	ESF	Cont.	1,125	1,900	2,000	3,500
8.	Central America Journalism	597-0031	(O)	ESF/SDA	12,280	-	2,107	1,200	1,500
9.	CA Regional Strengthening Democracy	597-0003	(O)	ESF/SDA	Cont.	9,065	1,929*	1,700	1,700
10.	LAC Human Rights Initiatives	598-0591	(O)	ESF/SDA	Cont.	4,442	1,855	1,900	1,900

* Includes FY 87 carry-overs

II. Implementation

B. Narrative:

1. Strengthen Judiciaries: The Administration of Justice will continue to place heavy emphasis on training programs directed at investigative, prosecutorial and judicial personnel. ILANUD continues to conduct a substantial training program for Central American personnel. That program has now included training in Andean countries and participants from other countries in South America. These training programs are directed very specifically at improving the skills of participants and instilling in them a higher regard for democratic principles, human rights and judicial ethics. Over the longer term, these courses are a key element in our efforts to professionalize the judicial sector in participating countries, improving their independence, efficiency and fairness as well as the esteem in which they are held. Increasingly, bilateral AOJ projects will coordinate training activities with ILANUD as well as attempt to institutionalize such training through, for example, the establishment of judicial schools on a country by country basis. The program also will continue to provide technical assistance and more limited amounts of commodity assistance, including courthouse renovation (to improve security as well as safety), office equipment and legal texts. Improving building security contributes to the independence of the judiciary by reducing the possibility of violence or intimidation against the courts. Even limited amounts of office equipment, such as typewriters and records management systems, can bring significant improvements in efficiency. A wider availability of legal texts, permitting judges to decide cases on the basis of established law, will improve fairness. ILANUD is also engaged in pilot projects on collecting and maintaining judicial statistics and organization of study tours in the United States on court administration.

2. Organizational Development of Regional and Local Institutions Dedicated to Improving the Administration of Justice: Continuing emphasis is being placed on strengthening local bar associations. The Inter-American Bar Foundation, under a LAC/DI grant, has been providing assistance to bar associations in Central America and the Dominican Republic with the goals of unification, the expansion of membership and efforts for judicial/legal reform. LAC/DI expects to amend this grant to provide for similar assistance to bar associations in the Andean region (excluding Chile) and to continue the efforts in Central America and the Dominican Republic. Another LAC/DI grant, to the American Bar Association, has permitted the ABA to conduct arbitration seminars in Central America. LAC/DI expects to continue this grant to permit workshops on arbitration in Central America. Finally, LAC/DI expects to support efforts by the American Society of International Law, in conjunction with the Inter-American Juridical Committee of the OAS, to organize a conference in January 1989 of representatives from all civil law countries in South America. That conference is expected to canvas AOJ issues and prospects in the region.

3. Strengthen Legislatures: LAC/DI's legislative development program will continue to focus on training, technical assistance and some commodities to increase the management, research and informatic capacity of individual legislatures. A second important objective is to facilitate increased contact and cooperation among LAC legislators, and with fellow parliamentarians in the Western democracies. The program, which has been confined to Central America, will be expanded in FY '89 to encompass the entire LAC region.

4. Strengthen Electoral Processes: Because of the high political sensitivity of outside assistance to electoral systems, most of LAC's assistance supports training, technical assistance, research and networking activities of the Center for Electoral Assistance and Promotion (CAPEL), a regional institution created and operated by Latin Americans. CAPEL helped establish an association of electoral bodies from Central American and Caribbean countries whose members have formed an informal network of mutual assistance. Regional funds are also provided to A.I.D. missions at their request to support commodity assistance to electoral courts, or as start-up funds for longer-term projects.

5. Organizational Development of Other Regional and National Democratic Institutions Engaged in Strengthening Democracy: Three projects, implemented by the Partners of the Americas and OEF International, seek to promote wider and more effective practice of democratic processes at the community level and to strengthen the capacities of civic, youth, and community organizations in Central America and the Andean region.

6. Improve the Human Rights Climate: The core of LAC/DI's human rights program is its continuing support for training and research activities of the Inter-American Institute of Human Rights, based in Costa Rica. A recent evaluation confirmed that the Institute's work has gained the respect of both private organizations and governments in the region, but the growing demand for its services has overtaken its capacity to respond effectively. LAC/DI, in coordination with other donors, will help the Institute formulate a long-range plan for systematic institutional development that will encourage all donors to contribute core support as well as program funding. A.I.D.'s grant to the Institute will be restructured accordingly. Other human rights activities include assessment of the situation of Indian groups in Central America to identify development assistance and institution building possibilities, and research on civilian-military relations and the role of the military in a democracy. The latter project is not only gathering information, but also is stimulating constructive dialogue between military and civilian leaders throughout the LAC region.

7. Strengthening Journalism in Central America: A cooperative agreement with Florida International University supports a long-term project aimed at strengthening the professionalism of journalists in Central America and establishing a self-sustaining training and research center in the region. The project will offer training and technical assistance to improve professional skills, establish regional associations of journalists and of owners, produce a quarterly journalism review, develop regionally relevant textbooks and instructional materials to improve university education programs, and enhance the managerial skills of news media managers and owners.

NEW PROJECT DESCRIPTION

OBJECTIVE: #14 Strengthening Democratic Institutions

PROJECT: Regional AOJ Training for Southern Cone

APPROPRIATION ACCOUNT: Economic Support Funds

LOP: $2.5 million; FY 89: $500,000

METHOD OF OBLIGATION: Grant

RELATIONSHIP TO ACTION PLAN GOALS AND BUREAU OBJECTIVES:

This project, consistent with action plan goals for LAC/DI and the Bureau's objective #14, seeks to expand the AOJ program to South America, thereby strengthening democratic institutions in that region. Consistent with the statutory mandate for the AOJ program, a regional training project would support specialized professional training, enhance prosecutorial and judicial capabilities, support legal reforms, and generally improve the administration of justice in participating Southern Cone countries. Consistent with Bureau and A.I.D. policies, the project will attempt to use Gray Amendment procurement to the extent feasible; implementation will be attempted through the use of private sector institution(s) within the host countries.

PROJECT DESCRIPTION:

The purpose of this project is to strengthen the administration of justice in Uruguay, Argentina, and Brazil (with the optional participation of other countries if deemed appropriate) in order to accelerate the processing of court cases and to improve the quality and timeliness of judicial decisions. While determination of the nature of the training program will depend on an assessment of needs and the interest of host governments, the project will primarily focus on: (1) judicial and prosecutorial training in substantive civil and criminal procedure and law; and (2) training in court management to improve the efficiency and utilization of limited court resources, including training assistance related to judicial computerization systems.

In FY 1988, for the first time, Congress authorized A.I.D. to engage in training activities in Argentina and Brazil where A.I.D. has, to date, not undertaken AOJ activities. Brazil, in particular, due to language and culture, is especially

unfamiliar to AOJ experts. Considerable preliminary work and analysis is anticipated prior to initiation of regional training activities involving these countries. A.I.D. has been authorized to, and has in fact, engaged in AOJ activities in Uruguay.

Our embassies/A.I.D. Reps and governments in Argentina and Brazil are aware that there exists the potential for AOJ activities, and the Embassy in Argentina has already pressed LAC/DI to establish an AOJ program in that country. LAC/DI is aware that the administration of justice in these countries suffers from many of the same difficulties faced by countries in Central America and the Andean region, namely aging infrastructure, overwhelming caseload, and lack of resources. At the same time, LAC/DI recognizes that the countries of the Southern Cone have far more sophisticated judicial systems than many countries in Central America. In addition, the sheer size of these countries, as well as the sophistication of on-going judicial reform efforts in the region, suggest caution in adopting AOJ efforts which have proven successful in Central America. Although ILANUD has used Argentine experts in its training activities, its courses may not be appropriate for Southern Cone countries. It is possible, therefore, that regional training activities may require either the creation of an entirely new institution, or the collaboration of ILANUD with a local institution already in existence.

Despite the difficulties, a pilot program for regional training of judicial personnel from those countries in the region which already have formed a sub-regional economic organization appears feasible and desirable. Argentina has been espcially active in legal reform efforts with on-going reforms of the penal code; pilot projects in small claims courts, oral court proceedings, and judicial informatics; and pending Congressional proposals for limits on federal appellate jurisdiction, combinations of federal civil and commercial courts, new family law courts, and expansion of the Supreme Court. Many of these reform efforts could usefully be supported by the AOJ program and lessons learned may prove useful in on-going regional and bilateral AOJ projects elsewhere. In addition, LAC/DI is making a grant in FY 88 to the American Society of International Law (ASIL) to sponsor a conference in Brazil under the auspices of the Inter-American Juridical Committee (IAJC) of the Organization of American States (OAS). The conference will provide an appropriate opportunity to discuss regional training with representatives from Uruguay, Argentina, and Brazil.

POTENTIAL ISSUES TO BE ADDRESSED IN PROJECT DEVELOPMENT:

(1) The nature and level of effort of any pre-project sector assessment; (2) At what stage to include Chile in regional training activities, if authorized by Congress; (3) Whether to involve the United Nation's Latin American Institute for the Prevention of Crime and the Treatment of the Offender (ILANUD) in the training activities.

MISSION IMPLEMENTATION CAPABILITY:

May require an AOJ PSC in the mission where the regional training center would be located.

MANAGEMENT:

LAC/DI will manage this project from AID/W initially. If appropriate, one of the A.I.D. Rep offices in Brazil or Uruguay could assume management responsibilities in the second or third year of project implementation.

PID AND PP APPROVAL:

Anticipate PID approved by October or November, 1988 and PP by January, 1989.

OUTSIDE SUPPORT FOR PROJECT DEVELOPMENT:

LAC/DI will prepare work orders under a project design IQC to develop the PID and PP.

NEW PROJECT DESCRIPTION

OBJECTIVE: #14 Strengthening Democratic Institutions

PROJECT: Technical Support Services for AOJ

APPROPRIATION ACCOUNT: Economic Support Funds

LOP: Phase One: Through December 89: $2,200,000 (LOP), FY 89, $1,550,000. Phase Two: FY 90-95 $5,000,000

Level of Effort Contract for Phase One; type of contract to be determined for Phase Two.

METHOD OF OBLIGATION: Contract

RELATIONSHIP TO ACTION PLAN GOALS AND BUREAU OBJECTIVES:

The project supports objective #14, strengthening democratic institutions. The project will provide program design and implementation continuity and integrity by developing and using the long term technical assistance and training capabilities of selected contractors. Among project goals are development of standard training components and design and application of consistent and reliable evaluation criteria and methodologies. Gray Amendment procurement will be used to the extent feasible in line with A.I.D. policies.

PROJECT DESCRIPTION:

The purpose of this project is to enhance the capacity of U.S. contractors to provide A.I.D. with the necessary expertise in AOJ project design and implementation and in evaluation design. Long term AOJ program viability and success depends on the availability of needed technical assistance and training such as in court administration, recording, filing and other administrative information systems, forensic investigatory techniques, case law and other legal research and in judicial record management.

LAC/DI will implement the project in two phases. Initially, up to two contractors will be selected to provide specific services such as the provision of teams to design PIDs and PPs in the AOJ area, the design of judicial and administrative training modules, and the formulation of evaluation criteria and methodologies. In addition, the contractors will be expected to provide on-site technical assistance, organizational and logistical support for workshops and seminars, and training, thus gaining valuable experience and insights which can then be applied to other AOJ programs.

Thirdly, the contractors will provide assistance to Missions to evaluate AOJ projects. The second phase is tentatively estimated to last five years, if Congressional authorization for the Administration of Justice program is renewed after September 30, 1989. Significant technical assistance and evaluation support will be necessary during this phase. Given the success of phase one, experienced contractors will be available to help in designing and carrying out AOJ programs in the 1990-1995 period.

There are now twelve AOJ projects underway, (totalling $36 million in obligations as of the end of FY 87), two new bilateral projects and various grants contemplated in FY 88 (Guatemala, Costa Rica, expected grants to ABA, IABF, and Inter-American Juridical Committee), and as many as five additional projects possible by September 1989 (Bolivia, Colombia, Ecuador, Dominican Republic, and Regional Training.) Although these projects share many elements of strategy and goals, they have been separately designed and funded.

The proposed FY 88-89 level of effort contract responds to an anticipated increase in demand for technical services to design, manage, and evaluate these projects. LAC/DI has drafted a proposed Statement of Work including a list of projected task orders expected over the 15 month contract period, including specific design and evaluation activities in specified countries. This list of projects, and a detailed estimated level of effort schedule was drawn from a cable/telephone survey of Missions, as well as reviews of Missions' action plans.

MANAGEMENT:

The project will be managed by LAC/DI in Washington.

PID/PP APPROVAL:

Anticipate PID approval by September 1989 and PP approval by December 1989 for the FY 90-95 Phase II. It has been agreed that LAC/DI may begin to develop the 1988-1989 contract now without requiring a PID or PP. Contracts office is estimating a signed contract by October, 1988.

POTENTIAL ISSUES:

The nature of the contract (IQC, level of effort, or other) needs to be determined by the Contracts office; the contractual arrangement should recognize the need for a minimum of two contractors, since, e.g., the contractor which designs a project should not be asked to evaluate it.

NEW PROJECT DESCRIPTION

OBJECTIVE 14: Strengthening Democratic Institutions

PROJECT TITLE: LAC Regional Leadership Development

PURPOSE: To increase significantly, in both the public and private sectors, the numbers and political skills of leaders who are committed to democratic ideals and practices.

PROJECT NUMBER: 598-0663

FUNDING: FY 89: $1,500,000 LOP: $6,000,000

FUNCTIONAL ACCOUNT: ESF, SDA

RELATIONSHIP TO LAC STRATEGY AND OBJECTIVES: The project is based on the recommendations of the February 1988 Framework Statement for Supporting Democratic Development in the LAC Region, Section 116(e) of the FAA, the Central American Initiative (NBCCA), and the president's democracy initiative of 1982.

HOST COUNTRY AND OTHER DONORS: Host country institutions, public and private, will be used to the maximum extent feasible. Once the program is established, other donor support will be sought for those components which are appropriate.

PROJECT DESCRIPTION: The project purpose is to provide opportunities for development of leadership skills in people committed to democratic values who presently have--or potentially will have--a significant influence on the policies and direction of decision-making institutions with which they are associated. Training will be provided to individuals working in both public and private sector institutions at the national, departmental, municipal and community levels. Participants from all economic levels and from both urban and rural areas would be prepared for leadership roles in politics and government, in business, in trade unions and cooperatives, in civic and community groups and other voluntary associations. Training and technical assistance will also be provided to develop the capability of such associations to serve as workshops or training grounds in the practice of democratic decision making.

The project will have four major components:

1. Short and long-term leadership training of individuals through CAPS-style training of 8 to 10 weeks duration in the United States or third countries; observation visits of two to four weeks; and in-country or regional specialized workshops of 3 to 5 days. Of

the 8 to 10 week training, participants will spend at least a three week internship with an appropriate institution, such as a municipal government, school system, political party campaign, state legislature, chamber of commerce, civic association, rural cooperative or trade union.

2. Group empowerment and networking through training of trainers and technical assistance to organizations working at the grassroots level, strengthening their institutional base and providing functional knowledge and skills to their members, enabling them to work together effectively to resolve common problems. This component would build on existing Central American programs of the Partners of the Americas and OEF International that have established networks in the region and whose training programs have proven to be very effective

3. Institutionalization of leadership training capacity in LAC countries by identifying and strengthening national institutions that serve as training grounds for the practice of democratic skills, or which could offer more formal training of the type described in Component I. Some of these organizations would be identified through the individual and group training activities. Others would be located by means of a systematic survey carried out by a U.S. contractor or a Latin American institution that has the capacity to provide follow-up technical assistance for institutional development.

4. Democracy education for young children through a pilot program in one country in each sub-region (CA, Andes, Southern Cone and CAR) that will introduce into primary schools an experimental curriculum designed specifically to instill democratic values and attitudes. This program, called Philosophy for Children, is being carried out in several school systems in the United States, and was begun in six Guatemalan elementary schools in 1986 on a pilot basis by a visiting Fulbright professor, funded by Marquette University. The program imparts reasoning skills and understanding of the concepts of responsible consent and responsible dissent. The rationale for working at the primary school level assumes that the development of reflective and reasonable citizens should start early, coupled with the practical fact that the educational level of most LAC populations is limited to elementary school. This, then, is the point in life at which learning experiences are required to develop, nourish and sustain democracy.

In addition to the above component program, the project will encourage replication of other activities that teach democratic practices to children and young people, such as Costa Rica's practice of holding mock elections on election day.

Method of Obligation/Implementing Agents: Separate grants or contracts for each component. Component I: contract to be awarded through competitive bidding. Component II: new grants or extension of existing grants to Partners of the Americas and OEF International; Component III: IQC work order; Component IV: grant to Marquette University

MANAGEMENT: The project will be managed by LAC/DI.

PID AND PP APPROVAL: Anticipate PID approval by October 1988 and review and approval of the PP by January 1989.

POTENTIAL ISSUES:

1. With respect to the short-term training of individuals (Component I), are there sufficient differences from CLASP activities to merit a separate regional training program of this nature?

2. What is the rationale for non-competitive awards for implementation of Components II and IV?

3. The project purpose is to develop democratic leadership skills in people who may have the potential to influence governmental policies. In some instances, current political leadership may feel threatened by the project purpose or by project participants. Reprisal may be sudden and may be violent if political leadership reacts to perceived threats. What can be done to reduce the likelihood of reprisal or political pressure to change the project orientation?

OUTSIDE SUPPORT FOR PROJECT DEVELOPMENT

LAC/DI will prepare work orders under a project design IQC to develop the PID and PP.

NEW PROJECT DESCRIPTION

OBJECTIVE 14: Strengthening Democratic Institutions

PROJECT TITLE: LAC Regional Legislative Development

PURPOSE: To strengthen the functional capacity of legislatures in Latin American and the Caribbean, and to facilitate increased communication and collaboration among parliamentarians in LAC and the Western democracies.

PROJECT NUMBER: 598-0770

FUNDING: FY 89: $1,300,000 LOP $8,600,000 (G)

FUNCTIONAL ACCOUNT: SDA, ESF

RELATIONSHIP TO LAC STRATEGY AND OBJECTIVES: The project is based on the recommendations of the February 1988 Framework Statement for Supporting Democratic Development in the LAC Region, Section 116(e) of the FAA, the Central American Initiative (NBCCA), and the president's democracy initiative of 1982.

HOST COUNTRY AND OTHER DONORS: A.I.D. and its implementing agents, in collaboration with LAC legislatures, will actively seek financial and technical assistance from other donors, especially from Western Europe, Canada and Japan. Activities will also be closely coordinated with NED and USIS.

PROJECT DESCRIPTION: The project purpose is to improve the analytical and management capability of LAC legislators and legislative staffs to determine needs, to examine issues, explore options, and formulate policies and legislation through technical and leadership training and technical assistance. A.I.D. will support the creation of permanent centers in Central and South America that will continue to provide services to legislatures in the region. The project will have four major components:

1. Training of legislators and staffs to increase understanding of the various aspects of the legislative process (e.g., issues analysis, role of committees, bill drafting, budgeting, staffing, and information management). Training of legislators will stress leadership development and analysis of economic and political issues, while staff training will focus on structural and technical matters. Training will be conducted in host countries, in the U.S. and at regional facilities to be established in Central and South America (see Component IV).

2. Research and dialogue on major policy and political issues affecting the region to develop a data base that can enrich debate on these issues in national and regional parliaments. Studies

will be carried out by Latin American academics, with collaboration of U.S. or European experts, as appropriate. In-country research will also be carried out on aspects of the legislative process and other topics of interest to legislators. Informal dialogues, both regional and national, will be sponsored, along with legislative exchanges to encourage discussion and resolution of intra-regional conflicts.

3. Technical assistance and support services to LAC legislatures in developing and managing information systems and clearing houses, identifying and training trainers, and developing and publishing training and democracy-related materials in Spanish.

4. Establishing permanent legislative research and support centers in Central and South America that will continue to serve as clearing houses of legislative information, sponsor research, seminars, dialogues and exchanges, and provide training and other services to legislatures in the region. In response to a request by the Costa Rican congress, supported by other Central American legislatures, the first center will be established in Costa Rica early in the project, and activities will be initiated leading to creation of another center in South America in the second or third project year.

Implementing Agents: In its first two years, the project will be implemented by three private U.S. institutions that are now working with LAC legislatures, or have successfully done so in the past, and that have indicated to LAC/DI their interest and commitment to continuing this work. They are the Center for Democracy, the Latin American and Caribbean Center of Florida International University (FIU), and the Comparative Development Studies Center of the State University of New York at Albany (SUNYA). At the end of the second project year, consideration will be given to expanding, through competition, the number of implementing agents.

Method of obligation: In lieu of separate grants to the Center for Democracy, FIU and SUNYA, LAC/DI will seek their agreement to form a consortium.

MANAGEMENT: The project will be managed by LAC/DI staff, in coordination with mission staffs in countries where bilateral programs are being implemented.

PID AND PP APPROVAL: Anticipate PID approval by mid-September and review and approval of the PP by mid-December 1988.

POTENTIAL ISSUES:

1. What is the rationale for non-competitive selection of implementing agents during the first two years?

2. Establishment of the regional centers requires that the centers become self sustaining so as to reduce and ultimately end the need for A.I.D. support. Creating opportunities for obtaining program income and for recovering the costs associated with providing training, technical assistance, and research will be fully addressed in the Project Paper.

NEW PROJECT DESCRIPTION

OBJECTIVE 14: Strengthening Democratic Institutions

PROJECT TITLE: LAC Regional Democratic Initiatives Competitive Grants Program

PURPOSE: To support discrete regional activities that seek to promote human rights and strengthen democracy in Latin America and the Caribbean.

PROJECT NUMBER: 598-0771

FUNDING: FY 89: $1,000,000 (G) LOP: $4,000,000

FUNCTIONAL ACCOUNT: ESF, SDA

CONFORMANCE WITH AGENCY AND BUREAU POLICIES: This project will bring the process of reviewing human rights and democracy grant proposals into comformance with the LAC Bureau policy favoring competition.

PROJECT DESCRIPTION: Since the Congress initiated the Section 116(e) human rights program ten years ago, the practice Agency-wide has been to fund such activities in response to unsolicited proposals from private LAC or U.S. institutions. The Bureau has followed this practice in approving grants under the LAC Regional Human Rights Initiatives and Central America Regional Strengthening Democracy "umbrella" projects, reviewing proposals against guidelines established in PD-12, the Agency's human rights policy directive, and the President's Democracy Initiative.

Beginning in FY 1989, LAC/DI will institute a competitive grants program by inviting proposals through announcements in the CBD, describing the project and setting deadlines for submission. A review panel, chaired by LAC/DI and comprised of representatives from LAC/DP, LAC/DR, the Desks, PPC/PDPR, ARA/PPC and HA, would meet twice a year to review proposals received during that period. The panel will rank the proposals according to selection criteria to be developed. The proposals would be approved, in order of their ranking, until available funding is exhausted. Grants will generally be limited to $500,000 LOP, with provision for exceptions where merited.

Implementing agents will, of course, be determined by competition. It is anticipated that preference will be given

to LAC institutions; then to U.S.-based organizations with established networks and proven track records working with LAC counterparts.

Method of Obligation: Grants awarded through competition.

MANAGEMENT: By LAC/DI Director and staff.

PID and PP APPROVAL: No PP will be required for this program.

POTENTIAL ISSUES:

1. Will a budget of approximately $1 million a year be sufficient to cover the anticipated proposals in response to our advertised criteria? Should the LOP ceiling of $500,000 be higher?

2. Should assistance to other organizations, such as CAPEL and IIDH, be continued apart from this competitive bid process?

3. How will we retain the flexibility to be able to respond to unanticipated requests by missions?

4. Guidelines for A.I.D. support must be sufficiently broad so as to respond to LAC country and regional needs while reflecting A.I.D. policies and interests.

III. Management Issues

A. Staffing

Additional DH staffing is required in AID/W to implement the FY 89-90 Democratic Initiatives program.

With the FY 88 $20 million earmark for the Administration of Justice program, financial resources available to DI increased 72% with no attendant increase in staff. In fact, throughout almost all of FY 88, the Office had a vacancy in the position formerly filled by Cathy Buller. This vacancy will be filled by August 1 with the assignment of a PDO from USAID/Santo Domingo. In addition, the transfer of Carl Cira, RAJO/Costa Rica, from PSC to DH is under consideration by Foreign Service Personnel. If approved, he will come on board as a career candidate based in USAID/Costa Rica. A slot has already been approved. If his appointment is turned down, LAC/DI will face a major personnel gap in a key position which manages approximately $33 million in regional project resources.

In addition, State/L has been providing a legal advisor to the AOJ program since 1985. With budget cuts in State's OE budget, it is uncertain if State will be willing to continue this arrangement indefinitely. The LAC Bureau provides no reimbursement or slot for the legal advisor. The current legal advisor is scheduled to depart January 1989. We are discussing with GC the possibility of AID's detailing a legal advisor on a two-year rotation to LAC/DI. This arrangement may well require a slot.

Lastly, the DI office, because of the expanding portfolio during the FY 89-90 Action plan period, will require another senior project officer position to ensure adequate backstopping and timely implementation of the portfolio and one additional, full-time secretary. FY 89 funds will most likely be earmarked at the $20 million level for the AOJ program, and the Democracy program grows from $5.4 million in FY 88 to $12.1 million in FY 89, to $15.6 million in FY 90.

In summary, we are requesting two additional DH slots in LAC/DI, plus one support staff to carry out this high priority program.

B. OE Funded Travel

Missions rely on LAC/DI staff to provide TDY assistance for project design and implementation activities. To date, missions have not been willing to fund our travel. In addition, because RAJO/Costa Rica is really an extension of LAC/DI, travel to Costa Rica is a legitimate OE travel expense

for the Office. In FY 87, our travel budget was $21,000; our obligations were $19,440. In FY 88 our budget was cut to $16,500 at a time when the bilateral portfolio for the AOJ program was being expanded; all funding will be utilized. LAC/DI is unable to provide adequate oversight in FY 88 for this program with the reduced travel budget. Our request for the Action Plan period will be at the $20,000 level. Less than this amount will seriously hamper our ability to assist Missions in the design of three new FY 89 AOJ programs, design democratic initiative assessments in the countries, and carry out other implementation actions, as well as exercise our general management and oversight responsibilities for the program.

C. Technical Capability in AOJ Programs

During the FY 88 - FY 90 period, nine bilateral AOJ programs will be in full implementation (including Columbia, Uruguay and the Caribbean regional project in Jamaica and the Eastern Caribbean). The need for AOJ expertise in Missions' staffs is clearly evident. LAC/DI has instigated a program to recruit qualified US PSCs for positions in Peru, Guatemala, and Bolivia in CY 1988. We believe a US PSC AOJ expert or implementation officer, would also be desirable in Honduras. US PSCs or DH personnel in AOJ are already assigned in El Salvador, Peru,* and Costa Rica. The issue is the difficulty we are having in recruiting qualified people from outside A.I.D. who want to go overseas. This leads us to the conclusion that, at some point during the Action Plan period, the Agency should decide to make the Democracy AOJ program a legitimate cone for DH foreign service officers with its own backstop code, or decide that the BS-12 or legal advisor's backstop would be appropriate to manage this program. Then we should actively recruit DH personnel with these backstops into the program to serve overseas.

*The current PSC is moving to RAJO/Costa Rica and must be replaced.

IV. Summary Program Funding Tables

LAC/CA Regional Action Plan

Democratic Initiatives
FY 89 - FY 90
($000's)

New Projects	FY 89	FY 90	LOP
A. Administration of Justice			
1. Southern Cone Regional Training Project	500	1,000	2,500
2. Technical Support Services for AOJ	1,000	1,000	4,000
Total	$ 1,500	$ 2,000	$ 6,500
B. Strengthening Democracy			
1. Regional Leadership Training	1,500	1,500	6,000
2. Regional Legislative Management Training	1,300	3,000	8,600
3. Regional Competitive Grants Program	1,000	1,000	4,000
Total	$ 3,800	$ 5,500	$ 18,600
Ongoing Projects			
A. Administration of Justice			
1. CA Regional AOJ Project	$ 1,500	$ 2,500	Continuing
a. ILANUD*	(1,300)	(2,000)	
b. Level of Effort Contract	(200)	(500)	
2. LAC Regional AOJ Project	$ 2,000	$ 3,500	Continuing
a. ILANUD*	(1,000)	(2,100)	
b. Level of Effort Contract	(200)	(500)	
c. ABA	(85)	(100)	
d. ASIL	(50)	(100)	
e. IABF	(165)	(200)	
f. Columbia	(500)	(500)	

* The total cost of the ILANUD amended project is $16 million over four years which will be split funded between the CA Regional and LAC Regional AOJ projects.

Democratic Initiatives
FY 89 - FY 90
($000's)

Ongoing Projects	FY 89	FY 90	LOP
B. Strengthening Democracy			
1. Central America Journalism Project	$ 1,200	$ 1,500	$ 12,000
2. CA Regional Strengthening Democracy Project	$ 1,700	$ 1,700	Continuing
a. Election Assistance (CAPEL)	(300)	(300)	
b. Human Rights Assistance (IIHR)	(200)	(200)	
c. Democratic Assistance	(1,000)	(1,000)	
d. Project Design, Evaluation and Support	(200)	(200)	
3. LAC Human Rights Initiatives	$ 1,900	$ 1,900	
a. Election Assistance (CAPEL)	(400)	(400)	Continuing
b. Human Rights Assistance (IIHR)	(400)	(400)	
c. Chile/Democratic Assistance	(-)	(400)	
d. Election/Legislative Assistance (Peru/Bolivia)	(1,100)	(1,000)	
Total Regional Democracy	$ 8,600	$10,600	
Total Regional AOJ (non ICITAP)	$ 5,000	$ 8,000	
ICITAP	$ 5,500	$ 6,000	
Regional Grand Total	$19,100	$24,600	

FY 89 - FY 90 Democracy Program

(000's)

Program	FY 89		FY 90	
Bilateral	AOJ	DI	AOJ	DI
Costa Rica	1,500	-	-	-
El Salvador	2,000	-	1,000	1,000
Guatemala	1,000	1,000	1,900	500
Honduras	-	1,500	-	1,000
Haiti	-	500	-	500
D.R.	-	500	500	-
Jamaica	700	-	-	-
RDO/C	2,300	-	1,600	-
Bolivia	1,000	1,000	1,000	500
Ecuador	500	-	-	500
Peru	500	-	-	1,000
Total	$ 9,500	$4,500	$6,000	$5,000
Regional				
CA	2,250	4,800	3,500	5,950
LAC	2,750	3,800	4,500	4,650
ICITAP	5,500	-	6,000	-
Total	$10,500	$8,600	$14,000	$10,600
Grand Total	$20,000	$13,100	$20,000	$15,600