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THE WOMEN'S LEGAL RIGHTS INITIATIVE

**MEMORANDA OF UNDERSTANDING AND AMENDMENT
BETWEEN UNIVERSITY OF SAN CARLOS, GUATEMALA AND
THE WOMEN'S LEGAL RIGHTS INITIATIVE**

**A Task Order Under the Women in Development IQC
Contract No. GEW-I-00-02-00016-00**

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MEMORANDUM OF UNDERSTANDING

COOPERATION AGREEMENT BETWEEN SAN CARLOS UNIVERSITY OF GUATEMALA AND THE WOMEN'S LEGAL RIGHTS INITIATIVE

The University of San Carlos of Guatemala, hereinafter referred to as USAC, appears represented by its Rector, Doctor Luis Alfonso Leal Monterroso, in his capacity as Rector and legal representative; he proves his capacity with Certificate of Appointment and Assumption of Office dated June 31, 2002, and articles 25 of the Organic Law of San Carlos University of Guatemala and 13 of its statutes. For the other part, the WOMEN'S LEGAL RIGHTS INITIATIVE, hereinafter referred to as the Initiative, financed with funds of the United States Agency for International Development (USAID) under Contract No. GEW-I-00016-00, and implemented by Chemonics International Inc., in partnership with 1) Partners of the Americas, 2) CEDPA, Development and Training Services, Inc. 4) Metametrics and 5) Turning Pointe Marketing, appears represented by David Vaughn, Director of the Initiative, and lawyer Lelia Mooney, Master in Law, Supervisor of the Initiative in Guatemala, and they hereby consent to sign this agreement.

WHEREAS

On January 28, 2004, a framework cooperation agreement was signed between the School of Judicial and Social Sciences of San Carlos University of Guatemala and Chemonics International Inc., which established the implementation, through the School of Postgraduate Students, a Specialization Program in Women's Rights and Gender, which resulted in the graduation of 47 professionals of Law and Social Studies from the Diploma of Continuous Education in Women's Rights and Gender. The Diploma of Continuous Education in Women's Rights and Gender has resulted in a greater number of trained professionals who have strengthened their studies of the law with a gender approach and has improved the capacity of the justice sector to reinforce more efficient legislation and strengthen the capacity of organizations of the civil society to advocate for women's legal rights. This agreement has caused a triggering effect of many processes at the level of USAC, thus generating an academic impact through the Diploma Program, starting other processes, as well as the commitment of the institutions to take on a new approach in the interpretation and application of the laws.

The fifth clause of the same agreement explicitly establishes that the School would assume the responsibility of petitioning before the Postgraduate Studies Council of the School the approval of the Master's Degree in Women's Rights and Access to Justice (hereinafter referred to as the Master's Degree), including the curricula that would be developed for the Specialization Program in Women's Rights and Gender and following all the requirements provided by the Postgraduate School and USAC.

On February 17, 2005, an implementation amendment to the fifth clause of the Cooperation Agreement between USAC and Chemonics International was signed under the framework of the Initiative's program, according to the implementation provided in

the proposal of the Master's Degree presented by Licda. Lelia Mooney to the Postgraduate School on October 12, 2004, approved by the Board of Directors of the Postgraduate Studies System in the fifth clause, item 5 of Minutes 004-2004 of a session held by said Board of Directors on April 8, 2005. Both documents represent the general framework for cooperation and exchange through which the Postgraduate School and the Initiative have developed their cooperation activities in the strategic area of Women's Rights through the implementation of the Master's Degree in Women's Rights and Access to Justice.

Said Master's Degree began on July 25, 2005, with the selection of 25 professionals representing eleven different institutions in the Justice Sector and the Civil Society and with the participation of Professor Susan Deller Ross, of the School of Law of Georgetown University. The Master's Degree is currently being implemented under the administration, coordination, and evaluation of the School of Postgraduate Studies, with the sponsorship and supervision of the Initiative.

In order to guarantee the impact, continuity, and sustainability of the efforts started, it is necessary to have strategies that would promote the sustainability of the process at institutional level so as to strengthen USAC's leadership at the level of the Rector's Office and to promote the Master's Degree Program by attracting other audiences for future diploma and master's degree programs. In addition, a greater impact shall be achieved through this program in USAC at an academic level, which places USAC as a pioneer university not only in Guatemala, but in Central and Latin America.

Sustainability shall be achieved when experience, commitment, and identification of clear strategies and resource allocation are enough to apply, adapt, continue, and develop postgraduate programs in gender and the law, on a solid basis, and, for this purpose, it is necessary:

- To have a clear and strategic direction.
- To examine the context in order to identify existing opportunities.
- To have the capacity of attracting, administering, and retaining students
- To have appropriate administration
- To prove the effectiveness and impact in order to generate other financial resources
- To obtain support and participation from other organizations in and outside the university system.

Members of the respective institutions manifest their desire to cooperate mutually and agree the following:

First

To sign this Cooperation Agreement that will represent the general framework for cooperation and exchange through which USAC and the Initiative shall develop their cooperation activities in strategic areas of the educational process and the process of disseminating the law with a gender approach, which will strengthen access to justice by

women and, especially, indigenous women; improve the capacity of institutions in the justice sector to apply prompt and fair justice, and contribute to the strengthening of organizations of the civil society.

Second

USAC, in the full enjoyment of the powers granted by university autonomy, shall develop a strategy for the sustainability of academic offers in gender and the law that have been developing since 2004 at the School of Law and the School of Postgraduate Studies with the support of the Initiative/USAID. This will allow a clear strategy so that they can be offered to future promotions through institutional and inter-institutional cooperation for fund generation in order to support the program.

Third

USAC pledges and assumes the responsibility to guarantee the achievement of the following activities:

-The development and implementation of a sustainability strategy in order to guarantee the consolidation of this process.

-The institutionalization of the Master's Degree in Women's Rights, Gender, and Access to Justice in USAC through the following specific actions:

- a) Coordination with internal university organizations, external organizations, and international cooperation accordingly for the continuation of a new promotion of the Master's Degree.
- b) The creation of a Committee for the Development of a Sustainability Strategy comprised of, among others for example, delegates of the Rector's Office, the General Secretariat, the Directorate, international cooperation, the General Professor's Directorate, the School of Law, the School of Postgraduate Studies, the University Institute for Women, and the Initiative.
- c) Building capacities for the future by convening new promotions for the Master's Degree and Diploma Program with specialization in gender and the law.

-The strengthening and facilitation of academic exchange between the School of Law of Georgetown University and USAC under the academic leadership of Professor Susan Deller Ross. She shall provide follow-up to her visit to Guatemala, tentatively in August 2005, by discussing subjects that students of the Master's Degree shall indicate in coordination with the School of Postgraduate Studies with the guidance of local professors, and shall support sustainability processes from the same academic perspective.

-To continue with the development of the first promotion of the Master's Degree in Women's Rights, Gender, and Access to Justice as a driving force and triggering

mechanism of the academic process started by USAC and its School of Law and School of Postgraduate Studies since 2004 with the Diploma Program specializing in Women's Rights and Gender in coordination with the Initiative. The implementation of said program shall still be governed by the Implementation Amendment to Clause 5 (of the Cooperation Agreement signed by the former Dean of the School of Law, Lic. Carlos Estuardo Galvez and Chemonics International in January 2004) signed by the Director of the School of Postgraduate Studies and the Initiative on February 17, 2005. Said program will continue its implementation under the leadership of the said school's Director.

Fourth

The Initiative, for its part, assumes the commitment and responsibility of:

1. Facilitating assistance in the design and implementation of the sustainability strategy that USAC is developing.
2. Supporting the development of the Master's Degree through the design and implementation of a triangle follow-up strategy (students, institutions, and university) for the support of the performance of participants; of institutions, as they are also part of the established commitment; as well as of the University, through the identification and selection of national and international professors who, on a timely manner, will be identified by the Initiative and USAC.
3. Facilitating the participation of academicians of Georgetown University, United States, in order to support the Master's Degree.
4. This cooperation agreement shall not include the transfer of funds from the Initiative to USAC for any reason and/or concept.

Fifth

For the effects of this agreement, USAC shall be represented by its Rector. All official communications from the Initiative shall be addressed to the Rector, except in cases in which he delegates a specific activity to another USAC's official or employee. For this purpose, it shall expressly notify the Initiative in writing. USAC's communications to the Initiative shall be addressed to the Coordinator of the Women's Legal Rights Initiative in Guatemala and the Initiative's Supervisor in CHEMONICS International, Washington, D.C.

Sixth

This Cooperation Agreement shall be in effect for two years after its signing and can be revised or extended upon termination by written notice at least one month prior to its termination. In addition, any support to the program shall be subject to regulations and provisions under the terms specified by USAID to CHEMONICS and, therefore, said terms and conditions shall, as applicable, govern the agreement.

Guatemala, February 27, 2006.

In agreement with the above clauses, we accept and sign in six (6) originals in Spanish.

For San Carlos University of Guatemala

[Illegible signature]

Dr. Luis Alfonso Leal Monterroso
RECTOR

[Illegible signature]

Lic. David Vaughn
Project's Director
Women's Legal Rights Initiative

[Illegible signature]

Licda. Lelia Mooney, LL.M.
Specialist in Law and Gender
Women's Legal Rights Initiative, Washington

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Lic. Jose Garzon
Chief of Party, USAID Democratic Initiatives/Guatemala
Witness of Honor, USAID

MEMORANDUM OF UNDERSTANDING: AMENDMENT

ANNEX TO THE FRAMEWORK AGREEMENT BETWEEN SAN CARLOS UNIVERSITY OF GUATEMALA AND CHEMONICS INTERNATIONAL WITHIN THE WOMEN'S LEGAL RIGHTS INITIATIVE/USAID

SAN CARLOS UNIVERSITY OF GUATEMALA (hereinafter referred to as USAC) appears represented by the Rector, Lic. Carlos Estuardo Galvez Barrios, in his capacity as Rector and legal representative. As the other party, the WOMEN'S LEGAL RIGHTS INITIATIVE (hereinafter referred to as the Initiative) financed with funds of the United States Agency for International Development (USAID) under Contract No. GEW-1-00-02-00016-00 and implemented by Chemonics International Inc. in partnership with 1) Partners of the Americas, 2) CEDPA, Development and Training Services, Inc. 4) Metametrics, and 5) Turning Pointe Marketing, appears represented by lawyer and professor Lelia Mooney, Supervisor of the Initiative in Guatemala, and they hereby agree to sign this Annex to the Cooperation Agreement.

WHEREAS

On January 28, 2004, a framework cooperation agreement was signed between the School of Judicial and Social Sciences of San Carlos University of Guatemala and Chemonics International Inc., which established the cooperation program for the execution, through the School of Postgraduate Studies (hereinafter referred to as the Postgraduate School), of a Specialization Program in Women's Rights and Gender.

On February 17, 2005, an implementation amendment to the fifth clause of the Cooperation Agreement between USAC and Chemonics International was signed under the framework of the Initiative's program, according to the implementation provided in the proposal of the Master's Degree presented by Licda. Lelia Mooney to the Postgraduate School on October 12, 2004, approved by the Board of Directors of the Postgraduate Studies System in the fifth clause, item 5 of Minutes 004-2004 of a session held by said Board of Directors on April 8, 2005. Both documents represent the general framework for cooperation and exchange through which the Postgraduate School and the Initiative have developed their cooperation activities in the strategic area of Women's Rights through the implementation of the Master's Degree in Women's Rights and Access to Justice.

Said Master's Degree began on July 25, 2005, with the selection of 25 professionals representing eleven different institutions in the Justice Sector and the Civil Society. The Master's Degree is currently being implemented under the administration, coordination, and evaluation of the School of Postgraduate Studies, with the sponsorship and supervision of the Initiative.

On February 27, 2006, the Cooperation Agreement was presented to the Rector's Office within the general framework for cooperation and exchange in order to guarantee the impact, continuity, and sustainability of efforts started, through which USAC, in the full

enjoyment of the powers granted by university autonomy, assumed the responsibility of guaranteeing the sustainability and continuity of the Master's Degree.

In order to present the progresses and determine the steps to follow, the members of the respective institutions manifest their desire of cooperating mutually and agree to the following:

FIRST:

To sign this Annex to the Cooperation Agreement between USAC and Chemonics International under the framework of the Initiative's program and according to the execution plans approved by USAC, which establish the progresses achieved to date in the execution of the Agreement, as well as the steps to follow.

SECOND:

Achievements reached to date are identified through the following actions:

1. Institutionalization process of the Master's Degree in Women's Rights, Gender, and Access to Justice in USAC through the following specific actions:

- a) Coordination efforts have been made with internal university organizations, external organizations, and international cooperation, accordingly, for the continuation of a new promotion of the Master's Degree.
USAC, through the Rector, has assumed the responsibility of convening and financing a second cohort of the Master's Degree so as to guarantee its institutionalization.
- b) A committee has been created for the Development of a Sustainability Strategy. The committee is comprised of a delegate of the International Cooperation Directorate, a delegate of the General Professors' Directorate, a delegate of the University Institute for Women, and the representation of the Initiative. Although said Committee was created according to Rector's Office Agreement number 650-2006, its reform is still pending due to changes in USAC's administration.

2. Academic exchange has been facilitated between the School of Law of Georgetown University and USAC under the academic leadership of Professor Susan Deller Ross, in coordination with the School of Postgraduate Studies with the guidance of local professors in order to support the sustainability processes from the academic point of view. Dr. Deller Ross has made two technical visits and Federal Judge Diane Wood has made one technical visit.

3. The development of the first promotion of the Master's Degree in Women's Rights, Gender, and Access to Justice headed by USAC and its School of Law and the School of Postgraduate Studies continues. The third semester of said Master's Degree is currently

in execution. Said program is being carried out under the leadership of said school's Director and is fully financed by the initiative.

4. The execution of a triangular strategy for follow up (students, institutions, and university) has been achieved for the support of the performance of participants, the institutions, as they are also part of the commitment, as well as the University through the identification and selection of high-profile professors. As a result of this strategy, nominating institutions have expressed their commitment to provide support, and the execution of the Master's Degree has been achieved with quality and without dropouts.

THIRD:

With the purpose of fulfilling this Annex, the following steps, which shall facilitate the achievement of the proposed objectives, are established:

1. Institutionalization process of the Master's Degree in Women's Rights, Gender, and Access to Justice at USAC through the following specific actions:

- a) USAC, through the Rector's Office, shall carry out the necessary actions for the earmarking of funds for the convening and partial financing of expenditures for a second cohort of the Master's Degree, which shall start in January 2007, so as to guarantee the continuity and institutionalization of said program, as well as of future cohorts.
- b) The Rector's Office shall appoint a new Committee for the Development of the Sustainability Strategy. The committee shall be integrated by a delegate of the University Institute for Women, a delegate of the International Cooperation Directorate, a delegate of the General Professors' Directorate, and the representation of the Initiative, as external consultant entity, which shall facilitate technical assistance in the design and execution of the sustainability strategy being developed by USAC, facilitate the transfer of methodologies, the convening of studies, strategic coordination with institutions of the Justice Sector, academic institutions, and those of the civil society, and follow up on the Diploma Program and Master's Degree.

2. USAC shall promote the building of capacities for the future by convening new promotions for the Master's Degree and Diploma Program with specialization in gender and the law.

3. The Initiative and USAC shall facilitate academic exchange with experts in the area of law and the US judicial system, based on the successful experience of the visits of Professor Susan Deller Ross and the presence of Honorable Federal Judge Diane P. Wood.

This Annex to the Cooperation Agreement shall not include the transfer of funds by the Initiative to USAC for any reason and/or concept whatsoever and shall be in effect for

one year as of its signing. It may be revised and extended upon termination by written notice at least one month prior to its termination. In addition, any type of support to the program shall be subject to regulations and provisions included in the terms specified by USAID to CHEMONICS, and shall be subject to the availability of funds that USAID earmarks to CHEMONICS, therefore, said terms and conditions shall, as applicable, govern this agreement.

Guatemala, August 16, 2006.

In agreement with the above clauses, we accept and sign in four (4) originals in Spanish:

For San Carlos University of Guatemala

[Illegible signature]
Lic. Carlos Estuardo Galvez Barrios
RECTOR

[Illegible signature]
Licda. Lelia Mooney, LLM
Specialist in Law and Gender
Women's Legal Rights Initiative, Washington

[Illegible signature]
Honorable Judge Diane P. Wood
Witness of Honor
Federal Judge for the Seventh Circuit
United States of America

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Dr. Jose Garzon
Chief of Party, Office for Democratic Initiatives USAID/Guatemala
Witness of Honor
USAID