

PD-AAY-757

UNCLASSIFIED

**UNITED STATES INTERNATIONAL DEVELOPMENT COOPERATION AGENCY
AGENCY FOR INTERNATIONAL DEVELOPMENT
Washington, D. C. 20523**

LAC/CA REGIONAL

PROJECT PAPER

REGIONAL ADMINISTRATION OF JUSTICE

Amendment No 2

AID/LAC/P-461
CR P-219

Project Number: 598-0642
597-0002

UNCLASSIFIED

APPENDIX 3A, Attachment 1
Chapter 3, Handbook 3 (TM 3:43)

AGENCY FOR INTERNATIONAL DEVELOPMENT
PROJECT DATA SHEET

1. TRANSACTION CODE

A
A = Add
C = Change
D = Delete

Amendment Number
2

DOCUMENT CODE
3

2. COUNTRY/ENTITY
Central and South America and Dom. Rep.

3. PROJECT NUMBERS
597-0002 and 598-0642

4. BUREAU/OFFICE
Latin America and the Caribbean

5. PROJECT TITLE (maximum 40 characters)
Regional Administration of Justice

6. PROJECT ASSISTANCE COMPLETION DATE (FACD)

MM DD YY
11/23/92

7. ESTIMATED DATE OF OBLIGATION
(Under "B." below, enter 1, 2, 3, or 4)

A. Initial FY 89 B. Quarter C. Final FY 92

8. COSTS (\$000 OR EQUIVALENT \$) =

| A. FUNDING SOURCE | FIRST FY 84 | | | LIFE OF PROJECT | | |
|-----------------------|---------------|--------|---------------|-----------------|--------|---------------|
| | B. FX | C. L/C | D. Total | E. FX | F. L/C | G. Total |
| AD Appropriated Total | 12,270 | | 12,270 | 13,602 | | 13,602 |
| (Grant) | (12,270) | | (12,270) | (13,602) | | (13,602) |
| (Loan) | | | | | | |
| Other | | | | | | |
| U.S. | | | | | | |
| Host Country | | | | | | |
| Other Donor(s) | | | | | | |
| TOTALS | 12,270 | | 12,270 | 13,602 | | 13,602 |

9. SCHEDULE OF AID FUNDING (\$000)

| A. APPRO- PRIATION | B. PRIMARY PURPOSE CODE | C. PRIMARY TECH CODE | | D. OBLIGATIONS TO DATE | | E. AMOUNT APPROVED THIS ACTION | | F. LIFE OF PROJECT | |
|--------------------|-------------------------|----------------------|---------|------------------------|---------|--------------------------------|---------|--------------------|---------|
| | | 1. Grant | 2. Loan | 1. Grant | 2. Loan | 1. Grant | 2. Loan | 1. Grant | 2. Loan |
| (1) ESF | 901 | 980 | | 12,270 | | 13,602 | | 25,872 | |
| (2) | | | | | | | | | |
| (3) | | | | | | | | | |
| (4) | | | | | | | | | |
| TOTALS | | | | 12,270 | | 13,602 | | 25,872 | |

10. SECONDARY TECHNICAL CODES (maximum 6 codes of 3 positions each)

910

11. SECONDARY PURPOSE CODE

12. SPECIAL CONCERNS CODES (maximum 7 codes of 4 positions each)

A. Code TNG TECH DEL
B. Amount

13. PROJECT PURPOSE (maximum 400 characters)

To strengthen regional and national institutions in order to provide services necessary for the improvement of administrative, technical, and legal performance of national justice systems with major emphasis on criminal justice system improvement.

14. SCHEDULED EVALUATIONS

Interim 11/29/92 Final 11/29/92

15. SOURCE/ORIGIN OF GOODS AND SERVICES

000 941 Local Other (Specify) 935

16. AMENDMENTS/NATURE OF CHANGE PROPOSED (This is page 1 of a _____ page PP Amendment.)

This PP Amendment is to: 1) replenish funds, 2) continue most previously approved project activities, 3) consolidate ILANUD long term service capability to regional justice sector institutions and to the Honduran judiciary as a special sub-project.

* Complies with AID guidance on methods of financing and has provided for adequate audit coverage: 7/7 Gary L. Byllesby, LAC/CON

17. APPROVED BY

Signature Norma J. Parker
Title Director, LAC/DI

Date Signed 11/20/88

18. DATE DOCUMENT RECEIVED IN AID/W, OR FOR AID/W DOCUMENTS, DATE OF DISTRIBUTION

MM DD YY
| | | | |

AGENCY FOR INTERNATIONAL DEVELOPMENT
WASHINGTON DC 20523

Amendment No. 3 to
the Project Authorization

Name of Country: Central America Region
Latin America and the Caribbean
Region

Name of Project: Regional Administration of
Justice

Number of Project: 597-0002 and 598-0642

1. Pursuant to Sections 531 and 534 of the Foreign Assistance Act of 1961, as amended, the Central America Regional Administration of Justice Project was authorized on March 20, 1985 and the LAC Regional Administration of Justice Project was authorized on June 16, 1986 (the "Authorizations"), both of which have been amended. The Authorizations are further amended to read as follows:

a. Financing: Pursuant to Sections 531 and 534, I hereby authorize the LAC and CA Regional Administration of Justice Project involving planned obligations of not to exceed Twenty-Five Million Eight Hundred and Seventy-Two Thousand United States Dollars (\$25,872,000), subject to the availability of funds in accordance with the A.I.D. OYB/Allotment process, to help in financing foreign exchange and local currency costs for the Project.

b. Project Assistance Completion Date: The life of the project shall extend through December 31, 1992. All goods and services provided under the project must be furnished prior to such date.

c. Waivers:

(i) A waiver of competition is granted for a Cooperative Agreement with Florida International University as a follow-on effort.

(ii) A waiver of source, origin and nationality is granted to permit procurement of goods and services from Geographic Code 941 to support activities in non-participating countries such as Mexico, Argentina, Brazil and Chile; and

(iii) A waiver of source, origin, and nationality is granted to permit procurement from Geographic Code 935 countries of technical services from relevant European countries with Civil or Continental law systems.

- a'

d. Certification: The interests of the United States are best served by permitting the procurement of goods and services from Free World countries other than the cooperating countries and countries included in Code 941.

e. Covenants: ILANUD will present to A.I.D., in form and substance acceptable to A.I.D., a detailed institutional development plan containing both a program and funding strategy to support the program beyond the Project Assistance Completion Date. The plan should include measurable incremental benchmarks against which progress towards programmatic and financial sustainability can be measured.

2. Except as expressedly amended herein, the Authorization remains in full force and effect.


Frederick W. Schieck,
Acting Assistant Administrator,
Bureau for Latin America and the
Caribbean

2/15/89
Date

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Regional Administration of Justice
Project Numbers 597-0002 and 598-0642

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I. PROJECT SUMMARY AND RECOMMENDATIONS

A. RECOMMENDATIONS

This Project Paper Supplement for the Regional Administration of Justice Project (RAJP) (Numbers 597-0002 and 598-0642) recommends a continuation and extension of project activities begun in 1985. While the present PACD is March 31, 1990, the current ILANUD budget will exhaust the original funds available by early 1989. Thus, the Amendment is required to add funds to fulfill present obligations as well as to extend the project activities until the end of 1992. This Supplement describes and justifies both this replenishment and PACD extension.

In summary, additional funding is required for ILANUD to (1) continue and expand its training and advisory services; (2) consolidate and strengthen its institutional development activities; (3) continue the services of Florida International University (FIU) to assist ILANUD in activities (1) and (2) above; and (4) provide for AID monitoring, management and evaluation of the RAJP. These actions will require additional funding of \$13.6 million and an extension of the PACD to December 31, 1992. Concomitantly, these actions require extensions of the ILANUD Grant Agreement, a follow-on Cooperative Agreement with FIU and extension of the AID Regional Administration of Justice Office (RAJO) attached to USAID/San Jose.

B. GOAL AND PURPOSE

The Regional Administration of Justice Project is part of the U.S. government's continuing commitment to support the efforts of governments throughout the hemisphere to strengthen and invigorate democratic institutions. The implementation of democratic principles requires the peaceful and orderly resolution of disputes through a fair, independent, accessible and efficient justice system.

The goal of this project is to foster the transformation of national justice systems in the region into systems based upon independent judiciaries which will increase popular confidence in the fair and impartial application of law, and will support democratic institutions.

The purpose of this project is to strengthen regional and national institutions to provide services necessary for the improvement of administrative, technical and legal performance of national justice systems in the region with major emphasis on criminal justice system improvement. The project will support national initiatives now underway as well as assist in the stimulation and development of new initiatives.

C. BACKGROUND AND PROJECT ACTIVITIES TO DATE

The Kissinger Commission on Central America found the situation of the justice systems in the region so critical that it included specific recommendations for assistance within its proposals.

As a result of the Commission's findings and consistent with other U.S. efforts to encourage democracy in the area, a series of preliminary steps were undertaken by AID in 1983 and 1984 which led to the 1985 funding of the Regional Administration of Justice Project: 1) a needs assessment study was carried out by ILANUD; 2) organization and meetings of national justice reform commissions in all of the participating countries; 3) site visits by AID and State personnel to each of the countries; 4) grant awards to ILANUD, the Interamerican Institute of Human Rights and the University of Costa Rica to test possible project components; 5) a grant to Florida International University and employment of experts in this field to assist in the design of this project.

A Project Paper was approved in March, 1985 by AA/LAC for implementation of the Regional Administration of Justice Project. ILANUD was accorded primary responsibility for implementation of the project and a five year grant was signed on March 22, 1985. This agreement set forth four components: Training, Advisory Services, Support Services for ILANUD and an Extension Facility to meet country-specific needs. Finally, a separate Grant Fund to finance expected grant agreements with other regional, international and U.S. institutions, public and private, was established, with implementation responsibility retained in AID/W.

The original ILANUD agreement was a five year, \$9.5 million, grant with an expected termination date of March, 1990. It was to provide services to Panama, Costa Rica, Honduras, El Salvador and the Dominican Republic. Guatemala was excluded because of Congressional restrictions on funds at the time.

In August, 1986, the project was amended, adding funds to extend project activities to: a) Guatemala, which had returned to civilian democratic rule; b) to incorporate six South American democracies into ILANUD regional training activities (Venezuela, Colombia, Ecuador, Bolivia, Peru, Uruguay); and c) to provide additional support for the AID Regional Administration of Justice Office in San Jose, which manages the project. An additional \$1.96 million was added to the ILANUD grant by this amendment. Residual funding of \$240,000 from ROCAP was also transferred to the project. Finally, an additional \$570,000 in USAID/Costa Rica funds has been added to increase funding for the RAJO and the Cooperative Agreement, bringing the total LOP to \$12,270,000.

ILANUD (Instituto Latinoamericano de Naciones Unidas para la Prevencion del Delito y el Tratamiento del Delincuente) is a UN-affiliated international non-governmental organization formed in 1975 by an agreement between the Government of Costa Rica and the United Nations. ILANUD's primary purpose is to assist Latin American and Caribbean governments in developing strategies for crime prevention and criminal justice planning. ILANUD, because of its regional and non-governmental nature, was selected to implement the project. In channeling this major new assistance commitment to the region through ILANUD, the only regional entity that centers on the justice sector, AID/LAC also foresaw a long term ILANUD role in improvement of the region's justice systems after the AID project is completed. Thus, institutional strengthening of ILANUD is a major project objective.

Due to the magnitude of the RAJP and the variety and level of responsibilities assigned to ILANUD in the project agreement, it was clear that ILANUD as then constituted would require a significant level of technical and administrative support to meet its responsibilities and to develop as an institution. ILANUD agreed and requested that AID provide institutional support under the project agreement. The Project Paper recommended and justified a sole source Cooperative Agreement be entered into with Florida International University.

Consequently, a Cooperative Agreement (LAC 0133-A-00-5058-00) was signed by AID with Florida International University on July 30, 1985, using \$2.5 million of RAJP funds.

The purpose of the FIU/AID agreement was to "provide support for establishing a center for the administration of justice in Latin America and the Caribbean (in the University) and to provide support to ILANUD". The responsibilities accorded to FIU were: 1) to provide technical assistance to ILANUD in project management and implementation; 2) to conduct sector assessments in the five participating countries; 3) to provide three long term advisors to ILANUD in the technical assistance, training and project management areas.

The original termination date of the FIU Cooperative Agreement was June 30, 1988. This Agreement has been extended until March 31, 1989 with an additional \$313,800 reprogrammed from the ILANUD grant, and ILANUD, LAC/DI and RAJO strongly recommend that a follow-on grant be awarded to FIU for the remainder of the ILANUD project.

In order to manage and supervise the project, AID established a Regional Administration of Justice Office (RAJO) in the USAID Mission in San Jose, Costa Rica. Funds to hire appropriate staff were provided by the RAJP. This Office was created in August, 1985 also using RAJP funds, which will be exhausted by early 1989. The RAJO is staffed by a PSC Project Coordinator who is a lawyer/administrator, a program assistant with a B.S. degree in criminal justice and a bilingual secretary.

Original conditions precedent to the project required the establishment of improved financial management systems and employment of appropriate staff by ILANUD. These conditions, and delays in hiring RAJO and FIU staff, required greater effort than originally contemplated. As a result, the first seven months of the project were spent in meeting the conditions precedent, establishment of the RAJO and FIU offices, establishment of working procedures with AID Missions in the six original participating countries (Costa Rica, Panama, Honduras, El Salvador and the Dominican Republic) and LAC/AJDD (now LAC/DI).

As noted above, Project Amendment No. 3 of August 14, 1986 expanded the RAJP to include participation by Guatemala (as a full project participant) and Bolivia, Colombia, Ecuador, Peru, Uruguay and Venezuela (regional training only). This expansion of project coverage, including the conducting of several ILANUD regional and subregional training activities in South American countries during 1987 and 1988, has significantly stimulated additional demand for ILANUD services in South America.

The project design anticipated and promoted the establishment of bilateral AID administration of justice projects in participating countries following the sector assessments, as a logical progression to the ILANUD sponsored regional and national activities. As projected, bilateral administration of justice projects are now coming on stream in several countries (Costa Rica, Guatemala and Honduras, Peru). Other Missions (Peru, Colombia, Uruguay and Chile have AOJ activities underway, or in the planning stage, not linked directly to the RAJP, but supported by it in some degree. In El Salvador a bilateral project has been operating since 1984. In addition to the Central America and D.R. missions, AID Missions in Bolivia, Uruguay and Chile have all received significant TDY technical assistance from the Costa Rica based RAJO. Several AID funded bilateral projects have provided ILANUD services, most notably Peru, Colombia and Salvador. More are expected to do so, and ILANUD will have a significant role in the Costa Rica, Honduras and Guatemala bilaterals.

The modifications sought herein will strengthen and build upon the considerable achievements of the original project. Additionally, extension of the RAJP is consistent with the Project Paper's recognition that "the present effort must be viewed as a preliminary effort in a long-term assistance commitment which could lead to more fundamental reforms". (PP at p.2). Finally, this Amendment is consistent with the draft Democratic Initiatives Strategy Statement prepared by the joint LAC/ARA working group.

D. ACCOMPLISHMENTS AND CONSTRAINTS

As is often the case with a new AID initiative, a number of the original project expectations were incorrect or overestimated capacities or conditions. Some major obstacles recognized in the project or encountered in practice were:

1. that the project may be viewed as political interference by the United States in a basic area of national sovereignty, the justice system;
2. that the seriousness of the problems of the region's judicial systems was under-estimated as was the complexity of the reforms needed;
3. that the difficulties inherent in the institution-building aspects of the project were seriously underestimated, including the cost and difficulty of finding and employing qualified, multi-disciplinary and multi-national staff for ILANUD; and
4. that the time required to complete specific project activities such as sector assessments was grossly underestimated.

These issues have been dealt with as follows: First, to reduce political risks, primary reliance was placed on ILANUD, a United Nations affiliated organization, for project implementation; national justice reform commissions were established in each of the countries with the participation of high-level national officials charged with the administration of justice; local attorneys were employed as national coordinators to act as liaison between ILANUD, RAJO, the local USAID and national leaders; primary reliance was placed on national experts to carry out the sector assessments. The sector assessments made only general recommendations, with more specific recommendations drafted by a review and planning conference attended by high government officials and private sector leaders related to the justice sector. The only country in which project progress was impeded, almost from the outset, was Panama where project activities have been terminated.

Second, to establish project implementation mechanisms and to understand each country's wide-ranging problems, RAJO, ILANUD and FIU spent an inordinate amount of time developing and expanding relationships between ILANUD and national government officials and between the RAJO and the USAID Missions to discuss country-specific issues, constraints, approaches and procedures. This has usually taken longer than anticipated and requires constant attention. Post-electoral

turnover and other difficulties within several governments also slowed project progress in 1985 and 1986. For example, in 1984, the U.S. entered into a bilateral administration of justice agreement with El Salvador, in the amount of \$9.2 million. When the RAJP was designed in early 1985 it was assumed by the RAJP designers and LAC that funding for most ILANUD-provided activities in El Salvador would be financed by the Salvador Project. Political and institutional obstacles in El Salvador delayed bilateral project implementation until recently, and led to pressure on the RAJP to fill the gap. Thus, a great deal more of ILANUD grant funds have been devoted to Salvador activities than originally envisioned.

Third, with regard to staffing and general mobilization difficulties, a substantial amount of time and the energy of ILANUD, RAJO and FIU have been devoted to administrative and financial management aspects, especially in 1986, after it had become apparent that the financial management system installed was inadequate. Nevertheless, project implementation moved forward in most substantive areas, especially the delivery of training; and by mid-1987, the majority of the administrative and financial management problems were ameliorated. Resolution of these day-to-day operational issues often distracted ILANUD and RAJO from concentrating on the development of long-term institutional development strategies.

Finally, with regard to the time required to complete project tasks, perhaps the most unrealistic assumption made was the projection that five sector assessments would be finished within the first year of the project. The lack of prior in-depth studies in the subject area, the almost total absence of reliable data and the complexity and delicacy of the subject matter have all caused extension of the time necessary to produce reasonably complete and professionally respectable studies. As well, adoption by RAJO, FIU and ILANUD of a politically crucial strategy (preference for teams of national experts as opposed to U.S. or TCN consultants) also slowed progress. The last sector assessment was finished in June, 1988. Delays also were caused by reticence of some AID missions to commence due to political situations. In the Dominican Republic a lengthy delay was attributable to this factor. Adoption of the foregoing sector assessment strategy also raised costs beyond those originally budgeted.

To assess progress and problems in the overall RAJP implementation and administration, a mid-term evaluation was conducted during the Spring of 1988. The objectives of the evaluation were to (1) identify quantifiable indicators of progress toward improving the fairness, independence, accessibility and efficiency of judicial systems in Latin America; (2) assess whether political conditions in the region have been or are conducive to project success; (3) provide recommendations regarding the relationship between the RAJP and the bilateral USAID projects; (4) assess progress of ILANUD in becoming a self-sufficient source of expertise in administration of justice in the region; and (5) assess the effectiveness of the project's training, advisory and commodity assistance to the participating countries.

In general, the evaluation, conducted by Checchi and Company, found that the RAJP has made major progress during the first three years. It is operating in all the target countries. ILANUD has more than doubled its staff, and improved its capacity to handle AID funds and to meet the large increase in program responsibility which it assumed under the Project. ILANUD has exceeded the target for the number of persons to be trained; increasingly supplied the advisory services called for (after a slow start); supplied all the core countries with basic criminal justice libraries; and through the FIU Cooperative Agreement, completed six country judicial sector assessments with follow-up workshops to discuss results and recommendations with key national players; finally, and most importantly, all participating countries with AID missions or representatives except the Dominican Republic and Ecuador have undertaken or are planning bilateral AOJ projects.

However, there have also been significant shortfalls and problems. For instance, ILANUD's advisory service program and all the subprojects associated with that program have fallen behind schedule; its program of TA and advice to country-specific requests lacks focus and clear impact. The National Commissions are weak or non-functional organizations; the sector assessments have not yet been utilized as the basis of national strategic planning and programming and have not been adequately disseminated. ILANUD's training program lacks a follow-up mechanism and does not always take into account national conditions and problems as much as would be liked by the participants. Also, ILANUD's San Jose based library materials and services (CEDO) do not appear to be used effectively at the country and regional levels.

E. JUSTIFICATION FOR CONTINUED PROJECT SUPPORT

Despite the problems encountered, ILANUD's program under the RAJP has provided unique assistance in a formerly neglected sector and has generated a strong demand for training and advisory and other services in the justice area in the participating countries. Having created that new demand, ILANUD has been able to respond only up to a point. ILANUD, as an institution, must be strengthened further. As the evaluation points out, ILANUD's program activity has "gotten ahead of its management capability." Important aspects of consolidating ILANUD's areas of expertise in training and advisory services must be dealt with in the near future if AID's strategy of creating long term justice sector service capacity in a regional organization is to succeed. ILANUD must also further define and refine its strategy, policy, programming and evaluation roles and its relationship with its current and anticipated clients.

ILANUD has taken a number of important steps in this area. It has established an International Advisory Council of leading experts from Latin America, Europe, Japan and the U.S. In late 1987 it established a Five Year Institutional Development Plan based on extensive internal discussion and a two-day senior staff retreat, assisted by an experienced facilitator. The plan sets priority action areas and commits ILANUD to maintain its focus on a limited set of substantive legal development areas, all related broadly to its central mission of crime prevention research and training in Latin America.

The long-term sustainability of ILANUD's achievements is dependent on continued AID support for both its program and institutional development. In the short to medium-term, this requires AID assistance for institutional development activities as well as funds to continue to provide services either through this regional mechanism or via AID-supported bilateral AOJ programs. While ILANUD has recently begun to attract other financial support (UNDP, Japan International Cooperation Agency, OAS, Ford Foundation), without AID support at this time, ILANUD is unlikely to be able to sustain its present level of activities or its achievements to date.

Furthermore, although a large number of people have been trained, sector assessments have been completed and some

experience gained in the common problem areas of judicial statistics, court administration, etc. it must remain evident that no significant impact on the actual operation of the justice sector or in the public's perception as a result of RAJP activities can be anticipated within the present timeframe. The project has been fully functioning for less than three years. As the original PP stated clearly, solutions to these problems are not to be expected overnight. Reform in this area requires a lengthy commitment by AID. To build on the present level of success requires an additional infusion of money, technical resources and, most importantly, time.

F. SPECIAL FOCUS: ILANUD'S FUTURE REGIONAL ROLE AND LONG-TERM INSTITUTIONAL VIABILITY

When this project was begun, AID was aware that short and long term project success would depend on the upgrading of ILANUD's institutional capacity. In practice, ILANUD has rapidly expanded to meet its obligations under the AID regional project. With all project elements fully operational by 1988, AID, ILANUD and FIU have now focused on the long-term sustainability question.

With the assistance of the new FIU Institutional Development Advisor, ILANUD and RAJO in 1989 will address these issues. Specifically, ILANUD will decide which programs it wishes to retain beyond December, 1992 and at what funding level. A document containing this institutional decision should be produced by May 31, 1989. Also, by August 31, 1989, ILANUD will finalize its Institutional Development Plan and submit it for AID review and approval. The Plan will include a detailed program and funding strategy based on measurable, incremental benchmarks against which progress towards sustainability can be measured.

AID would then expect to see annual work plans to achieve the specific time-keyed benchmarks, again within the context of the needed funding levels. The work plans would be reviewed for achievement of the specific objectives at the time of the semi-annual reviews.

ILANUD's annual project budget is running at about \$2,500,000. It is overwhelmingly financed by the AID Regional Administration of Justice Project. While ILANUD may not wish or need to sustain the current output level through the next decade, a specific goal of ILANUD and AID over the next three years is the smooth transition to an appropriate long term program with assured funding levels. An interim evaluation of

project activities in late 1990 will examine this issue in depth.

II. REVISED PROJECT DESCRIPTION

A. GOAL, PURPOSE AND EOPS

The goal and purpose of the project remain the same. Revised EOPS are as follows:

- ILANUD has become a permanent, widely known regional institution with significant demand for its training and advisory services.

- FIU's Center for the Administration of Justice has evolved into a permanent regional resource center able to perform sophisticated studies and provide technical assistance in AOJ reform.

B. TRAINING COMPONENT

The Training Component has maintained the same basic objectives set forth in the Project Paper:

- 1) To reinforce and expand the judicial role in deciding cases and administering the courts, and to establish systems of judicial accountability throughout the judicial sector;
- 2) To develop the technical capacity of national court staffs in areas such as court planning, case processing, statistical systems, budgeting and paperflow management;
- 3) To reinforce the progressive elements in national justice systems and the national bar associations in furthering reforms of their justice systems, particularly in the areas of judicial independence and career stability; and
- 4) To increase popular awareness of the human and legal rights guaranteed under their constitutions and laws, to encourage popular recourse to courts for vindication of such rights and to enhance popular respect for the rule of the law.

In implementing these objectives ILANUD has found that the training needs in the region were far more basic and pressing than originally contemplated. In all of the original project countries, except Costa Rica, training for judges and prosecutors was virtually nonexistent. Even Costa Rica had been unable to provide a regular cycle of in-service training. The incorporation of the six additional South American countries in late 1986 posed new problems of logistics and training content.

ILANUD has, therefore, emphasized: a) basic and advanced legal and skill training for judges and prosecutors; b) upgrading the administrative capacity of judicial decisionmakers; c) major focus on training in modern criminal process and in methods to reduce prisoner sentencing delays; d) secondary focus on other important legal areas (agrarian, constitutional, juvenile, environmental and others); e) activities designed to produce attitudinal change among nonjudicial decisionmakers (for example, legislators); and f) ethical and human rights training for judicial personnel.

On the whole, the results of the mid-term evaluation demonstrate that the training has been well-received by the participants and that the quality of course content and instructors was good. The courses furthered the professional growth of the participants, heightened their respect for human rights and increased their awareness of the need to introduce reforms in the judicial sector. Costs of the training were also favorably compared to that of other programs offered by CAPS and OIT. One shortcoming of the training services was the need to develop an on-going evaluation system and participant follow-up. The design of those functions is now being undertaken and will be instituted under this amendment.

The greatest difficulty has been encountered in programming training in the areas of court administrative capacity and attitudinal change. Court management training activities were delayed until mid 1987 due to a lack of institutional experience in this area, a lack of trainers and delays in the results of the sector assessments. Citizen education and consciousness raising requires development of long-term strategies which must be managed carefully so as to avoid charges of interference in national issues. Cooperation of the courts and ILANUD with education and information ministries would be required, but little progress has been made. Furthermore, we believe that premature attention to this

area could be counterproductive, raising citizen expectations the courts are not yet prepared to meet. This activity might be better handled through national rather than regional programs.

Training activities have been carried out through workshops and seminars, short courses, study tours and long-term training.

Below is a brief description of results to date under the training component and plans for future activities. Table 1 on the following page presents a summary of the training component, its projected and actual outputs, as well as the projected Amendment outputs. These are regional activities only; national training activity outputs are found under the Extension Facility summary.

1. Workshops and Seminars

The PP projected approximately 20 three to four-day training sessions on specific justice administration and criminal law topics to impact approximately 300 justice professionals, especially judges and prosecutors. Higher-level officials were to attend regional level courses while mid-level personnel would attend national workshops.

As of June 1988, 572 persons had attended twenty seminars and workshops. The total number of originally projected seminars and workshops has already been achieved, and the projected number of participants has been exceeded by approximately fifty per cent. Some of the topics covered have included: Improvement of the Administration of Justice, Independence of Judges and Attorneys, Judicial Statistics, Judicial Training Needs, Judicial Information Systems, Human Rights and Juvenile Justice, Court Administration, Agrarian Justice.

This activity will continue along the same course with six activities annually for a total of 24 with an average of 26 participants at each session for a total of 624 additional participants. All eleven participant countries would be included. Topics will be essentially the same as those offered previously with the inclusion of some new topics as discussed below.

2. Short Courses

The Project Paper contemplated approximately twelve one to four-week courses in the areas of criminal procedure, human rights and court administration. The participants were to include prosecutors, judges, defense attorneys and clerk/administrators of the justice system. A target of 250 trainees was established. The objective of these short courses was to develop a cadre of national trainers and change agents who could organize training in their home countries.

To date, twelve regional level one or two week courses have been held with 474 persons attending. While the majority of participants have been judges, prosecutors and public defenders have also attended. With the inclusion of South America in 1986, the courses were reorganized and a subregional traveling course was added to be presented sequentially in three countries in a five week period each year. In 1987 in Peru, Bolivia and Uruguay 154 persons attended. Seven additional regional short courses are planned and another subregional traveling course is scheduled for South America. Approximately 258 persons are expected to attend.

The short course has been one of the most successful ILANUD activities and there is a great deal of demand to continue. During the period 1989-1992, four CA regional courses are projected annually (total of 16) and one SA regional course annually (total of 4). Thirty participants are expected for each regional course and 50 per country for each SA sub regional course (150 per program). The total amount of short course participants during this period is projected at 1,080. The regional level courses will be on criminal law, legal defense or procedure, agrarian justice, and environmental law enforcement.

3. Study Tours

The PP planned that "key national court and bar leaders were to be sponsored to attend international meetings and other legal institutes dealing with the administration of justice and national bar responsibilities". Forty-five such trips were to be undertaken during the grant period. The bar leader part of the activity has been carried out by a separate LAC/DI grant to the Interamerican Bar Foundation to promote a regional bar

federation. ILANUD study tours have focussed on the courts and other public sector actors.

As of June 1988, 54 persons had undertaken FIU or ILANUD-organized study tours. After initial experiences, these tours have now been organized as group experiences rather than individual tours. Examples of such tours are: two Costa Rican labor law professors who went to the United States to study labor law mediation. Two Costa Rican Supreme Court and two Guatemalan Constitutional Court justices went to Spain to study the Spanish Constitutional Court model. Several Costa Rican judiciary officials and law professors made a two week tour to U.S. judicial training facilities in 1988 and another two-week tour for twelve ILANUD and court officials made to U.S. and Puerto Rican court administration offices and entities. Eighteen Central American judges and law professors went to Argentina for a two week course on modern criminal process, including a tour of courts of the Province of Cordoba.

No further activity is contemplated in this area; however, it is anticipated that further needs for such study tours will be funded by bilateral projects as well as through the USIS International Visitors Program related to the administration of justice.

4. Long-Term Training

Long-term training was to support three activities: (1) scholarships to the post graduate certificate course in criminal or agrarian law at the University of Costa Rica; (2) assistance in the development of a specialized program in court administration; and (3) assistance in the development of post graduate programs at the University of Honduras Law School.

Only the first activity was funded. After review and consideration the other two programs were eliminated. The program in court administration was discussed as a possible certificate level program at INCAE but was suspended because of the lack of a sufficiently developed cadre of court administration experts at ILANUD and INCAE. One item developed to meet this limited need is a USIS funded Fulbright exchange program developed for Costa Rica at the initiative of the RAJO. In this program, three Costa Ricans will go to the U.S. for eight weeks of academic seminars and hands-on experience in U.S. courts in March-May 1989, followed by a U.S. expert in court administration coming to Costa Rica for a similar period. This expert would work with ILANUD and INCAE to develop court administration activities. The Court Administration Program at the University of Southern California

is the likely exchange institution. Depending upon results, the program may be repeated for other countries funded through the bilateral AID projects. The Honduras Law School program was eliminated due to the lack of clear definition of specific program direction from the School.

The Scholarship program at the University of Costa Rica in criminal law and agrarian law was begun in 1984 with a direct LAC/AJDD grant to the UCR, managed by USAID/Costa Rica. The RAJP incorporated the program beginning with the 1986 academic year. During 1986 and 1987, AID/ILANUD scholarships were awarded to 22 students. Of these, two abandoned their studies while 20 others graduated. The twelve 1988 scholarships bring the total to 32 students since the RAJP took over the program. Only participants from Central America and the Dominican Republic have been funded through the RAJP. However, participants from other Latin countries are encouraged to participate on a self-funded basis. Thus far, the El Salvador and Colombia bilateral AOJ projects have funded participants and a partial scholarship was awarded to a Bolivian participant.

Agreements have been entered into with the participating governments which require that the student return for a specified period of time to government service upon completion of the degree. There has been only one case where this did not take place but negotiations among ILANUD, RAJO and the country resulted in the person being rehired.

The long term impact of the program has not yet been assessed. Although the participants have been enthusiastic about the course content and quality of instruction, ILANUD will conduct a follow-up survey of program graduates to determine how the program has been integrated into the individual's career. Nonetheless, the program is expensive and will be scaled back. In the 1989/90 academic year 2 candidates per country will be funded. In 1990/91, only one candidate per country will be funded. ILANUD/AID will continue to publicize and invite South American Missions to self-fund. It is anticipated that the program will continue through funding provided under bilateral projects.

5. New Training Modalities

The limited training done by ILANUD prior to 1985 tended

heavily toward the theoretical and academic with little emphasis on practical and skills-oriented training, and little participatory or inter-active training experience. RAJP funded training emphasizes shorter-term, practical training with immediate impact on judicial and managerial skills.

During the period ending in October 1988, ILANUD has installed a number of new training modalities. Among these are: use of the case-study method to deal with issue oriented problems, use of more panels, inclusion of interactive training with participants drafting and discussing proposals and follow up designs in a workshop setting, use of videos of actual court procedures and other audio-visual aids, review of radio education for training of justices of the peace in outlying areas and preparation of training modules. Additionally, ILANUD has carried out training needs assessments in several of the countries and it is expected that by the end of 1988 such assessments will have been updated in all of the participating countries in light of the sector assessments and in order to coordinate with planned bilateral activity. This type of activity, as well as the development and introduction of new courses will continue.

One example of new course development is civic legal education. Some preliminary assessments will be completed during 1988 to determine the scope and methods. One possibility is to work with ministries of public education to insure that civic textbooks and curricula depict constitutional rights and judicial institutions correctly, thereby enhancing popular awareness of rights and responsibilities. Another modality would be to supply prepared programs to radio stations and print media on judicial systems and citizen rights. As mentioned earlier, such activities must be developed at the national level. ILANUD will promote this effort and contribute advisory services. The FIU training advisor has specific applicable experience.

The following concrete activities are planned: 1) development of a program addressed to secondary students in the Dominican Republic using print media and radio; 2) development of a program directed at Honduran students and rural population using print media and radio; 3) development of a more sophisticated program in Costa Rica addressing secondary students using print media and radio. Funding will be national or from AID bilateral AOJ projects now underway.

6. Country-Specific Training

Country-specific national level training has been funded under the Extension Facility, but this fund and function will be largely eliminated at the end of 1988, except some limited continued funding for the Dominican Republic. While the other fully participating countries will have functioning bilateral AID AOJ Projects by that date, the Dominican Republic mission has no current plans to follow up the June 1988 Sector Assessment with a bilateral AOJ project or activities. In order to maintain momentum and interest, ILANUD will continue to support their country-specific courses on a limited basis. The amendment will support six courses in the Dominican Republic in 1989. However, ILANUD will only pay instructors costs and those of ILANUD staff. The Dominicans will pay all in-country and participant courses. In addition, ILANUD will retain funding to support a total of 12 more country-specific courses throughout Central and South America. For the most part, these will be in support of specific requests by the countries and/or will be a stop gap measure prior to the introduction of full-scale bilateral training activities.

7. Inputs

The Project will fund additional operating costs of \$915,812 to support the training division. The Project will also finance instructors and participants travel and per diem costs for short courses, workshops and seminars. In addition funding is provided for 15 scholarships to the University of Costa Rica graduate program, assistance to national courses, and development costs of new courses such as popular legal education. Equipment to be funded specifically under this component includes office equipment and training materials. Details of component outputs, totaling \$3,268,587, are summarized in the following Table 1. The 1989-1992 financial plan for this component is presented in Annex A.

C. ADVISORY SERVICES COMPONENT

The objectives of this component were to provide technical assistance: 1) in the design of activities relating to major

TABLE 1

| Activity | /Projected Outputs /(1985-1990) | /Actual Outputs /As of 12/31/88 | /Amendment /Outputs |
|---|--|--|---|
| <u>Short Term</u> | | | |
| <u>Training</u> | | | |
| 1) Workshops and Seminars (50% regional for high level officials; 50% in country for high level officials | /-20 Seminars/Workshops /developed tested & /improved /-300 national senior /level officials | /-20 completed /-457 particip. | /-24 workshops /& Seminars /-624 part. |
| 2) Short Courses | /-12 short course modules developed, tested & improved /-250 national personnel | /-15 completed /-635 trainees | /-16 regional /- 4 South Amer. /-1680 part. |
| 3) Study Tours | /-45 national justice personnel | /-69 officials | |
| <u>Long-Term</u> | | | |
| <u>Education</u> | | | |
| 4) Specialization Program in Criminal Justice Administration | /-Feasibility study /-Implementation of a /pilot program if /warranted | /-Eliminated /-Similar idea / focused on Ct. / Admin. under /study | |
| 5) University of Costa Rica Graduate Program | /-32 graduates | /-33 graduates | /-48 scholarships |
| 6) Post Graduate Program at the University of Honduras | /-Training of UNAH /law faculty | /-Eliminated | |
| 7) New Training Modalities | | /-Development /of 2 training /modalities | /-Development of /8 training mod. |

TABLE 1 (Continued)

| Activity | /Projected Outputs /(1985-1990) | /Actual Outputs /As of 12/31/88 | /Amendment /Outputs |
|--|--|--|---|
| <u>New Training Programs</u> | | | |
| 8) <u>New Training Programs in the Amendment</u> | | | |
| i) <u>Assistance to National & Bilateral Training Programs</u> | /-Not planned /in 1985 PP | /-Design of /activity /-Consultations /with USAIDs & /countries | /-Same |
| ii) <u>Popular Legal Education</u> | /-Not specified as a /specific activity /in 1985 PP | /-Review of sector /assessments /-Consultation with /local officials /-Activity design | /-Pop. Leg. Educ. /Programs in CR, /Honduras & DR |
| iii) <u>Dominican Republic Courses</u> | /-1985 PP covered in /Extension. Amendment /will continue in /Training. | /-6 courses | /-6 courses /-300 students / in D.R. |

Note: Outputs include activities completed as of December 31, 1987 and projections until the end of 1988. The actual outputs column includes activities carried out under the Guatemala and South America Amendment. The Projected Outputs column only contains outputs projected in the Project Paper since the South America Amendment did not quantify outputs.

issues of regional concern; 2) to the Training Department in the development of courses and their evaluation; 3) to national organizations in dealing with country-specific technical problems.

The evaluation pointed out that ILANUD has made progress in becoming known as a source of technical assistance and that its potential for becoming an established provider of technical services is good. However, activities have been slow in getting started principally due to staffing problems. During 1987 and 1988, ILANUD has substantially resolved its staffing problems (see Institutional Development Section). Under the amendment, advisory services subprojects will be completed with renewed emphasis on sharing of results through workshops, seminars, publications and consultancies. Also, ILANUD has broadened its focus to include other substantive legal areas such as agrarian and environmental law. These new areas of expertise will allow ILANUD to broaden and diversify its appeal to funding sources, and enhance its prospects as a permanent regional law-related service and research center.

This component was divided into three activities: 1) technical assistance in support of activities designed to address major problems of region-wide concern; 2) short-term technical assistance in response to country-specific requests; and, 3) instructional design materials and training development assistance.

1. Major Technical Assistance

This component consisted of several activities to deal with major region-wide problems to be addressed by the Project. They were: justice sector assessments, criminal justice statistics, reporting of legislation and jurisprudence, meeting of bibliographic needs, and data base information.

a) Criminal Justice Statistics for Court Management

The purpose of this activity was to assist in the improvement of the gathering and analysis of statistical information used in planning and evaluating judicial decision making. Due to the complexity and cost of such operations, it was decided that ILANUD would select a pilot country and assist it to implement a criminal justice statistical system which would assist judges in planning and management of the judicial

system. Special emphasis was to be placed on case tracking systems.

A regional workshop was held to discuss the orientation and goals of the activity and to obtain feedback from the participants as to its feasibility. Visits were undertaken to other countries to review the status of judicial statistics in the region. With the exception of Costa Rica, it was determined that all of the other countries either had no system or it was at best rudimentary.

The Dominican Republic was selected as the pilot site for this activity. As it had no existing reporting mechanism it was necessary to reach an agreement as to the type of system to be implemented. Upon adoption of a system, workshops were held to train judges and court clerks in filling out the required forms. Since the Supreme Court had no budget for this activity, ILANUD assumed all start-up costs, including personnel and equipment with a written agreement from the Court to assume these costs progressively. The court reconditioned work space and altered its staffing plan to incorporate the new group. Staff were hired and data collection undertaken. A preliminary report has been received. Several problems arose in late 1987 with this activity. First, the Project design team had over-estimated ILANUD's in-house capacity to manage the technical details of such a venture. Secondly, ILANUD placed too much reliance on local D.R. personnel and insufficient supervision was given to them, and the project had gotten off track. These difficulties were largely overcome by naming a new ILANUD project director.

In the end, the ILANUD Dominican Pilot Project will install an automated, integral system of judicial statistics based on case-tracking which will provide reliable information on the overall and individual case-loads at the different jurisdictional levels, assure compliance with procedural terms, determine specific procedural points of delay, as well as provide the type and number of resolutions issued by judges. Most important, it will provide the Judiciary with a tool for planning and control of judicial activities.

The design and implementation of the system in the Santo Domingo region will be completed by the end of 1988. In 1989, the system will be adjusted and expanded to the rest of the country. The Amendment will fund the completion of the

Dominican Republic Pilot Project, as well as follow-up support. It will support ILANUD's dissemination of the results to other countries. It will also provide funding for technical support and coordination with the Guatemalan Court Administration Pilot Project. (See Sec. e) below). In addition, ILANUD will provide technical assistance to support preliminary assessments of the statistical situation in each of the participating countries and to improve their statistical systems.

b) Reporting of Legislation and Jurisprudence

Most Latin American legal systems and particularly those in Central America, have only a very rudimentary system of reporting judicial decisions and laws. Normally a complete criminal, civil, or commercial code is enacted by the legislative branch and the basic document remains in effect until a new code is enacted. All supplementary legislation and decrees are published in a congressional record type of publication, usually called the Gaceta. Jurisprudence is similarly reported, either in this or in a Supreme Court publication. Such publications appear irregularly, are often months or years behind in reported material, and have limited distribution. To stay abreast, judges and attorneys must read the Gaceta, and update their own copies of the relevant codes with handwritten marginal notes. Thus, very often attorneys and judges may be relying on legislation which may have been repealed or interpreted other than they assume.

This activity was to design a system for collecting and reporting legislation and jurisprudence in the countries. This involves the design of an automated database, a classification system and a method for inexpensive distribution of the information. Also, the basic system is designed so that it may be initiated manually prior to computerization.

ILANUD had no experience in this area and no in-house expertise. The first stage of this activity involved the training of ILANUD personnel and evaluation of existing automated legal reporting systems in Latin America and Europe. An ILANUD staff attorney with a doctorate from Italy was named project manager. A review of prior experiences under 1970's Law and Development programs by the RAJP design team had determined that existing major U.S. automated legal research systems would not likely be adaptable to these countries.

After review of several different systems (Mexico, Italy, Colombia and Argentina), ILANUD made a preliminary decision to adapt a Colombian methodology as most flexible and most conducive to development of an integrated system. The most attractive feature is that responsibility for the system's maintenance can be divided among legally responsible entities rather than a single entity tracking everything. That is, the courts maintain the jurisprudence, the attorney general or the congress, the legislation, and possibly another executive office the decrees and administrative regulations. ILANUD attorneys developed Thesauri of legal terminology (common indexing vocabulary) to allow for expeditious information input and searches and a number of sessions were had with experts in the field to assist in these preliminary efforts. The Colombian approach does not require a centralized data collection point and can be run on mini and micro computers. However, subsequent evaluation of its software program has led ILANUD to evaluate several others in this rapidly developing field.

Project countries have participated in three workshops dealing with related subjects. Additionally, ILANUD has developed a database of applicable legal "doctrine" (the opinion of writers of treatises and legal experts) which has been disseminated to Central American countries.

Costa Rica was selected as the pilot site for the jurisprudence activity because several well developed manual systems are already being utilized and the Supreme Court was receptive. Technical and equipment assistance has also been provided to Costa Rica and as well as Guatemala to develop a comparable system for legislation.

After numerous ILANUD meetings with the Costa Rican Supreme Court's technical staff and visits to Colombia, the Court entered into a 1987 tentative agreement with ILANUD whereby ILANUD would provide a share of the activity's funding and the Court would assume the remainder. It was also agreed that this system would be integrated into the existing computer system and that the system would provide low cost access to lawyers and judges in the country. Unfortunately, a lengthy delay in delivery and installation of the Supreme Court's new computer has retarded progress for the better part of 1988. A similar activity is being carried out in Guatemala.

With funding under the Amendment, visits are planned to the participating countries to disseminate information and to provide technical assistance in this area (2 visits per year of 15 days). Since the Costa Rican and Guatemalan pilot projects only contemplated inclusion of criminal law in the database, this amendment would provide funds and technical assistance to extend the Guatemalan and Costa Rican systems into other areas of law.

Significant progress has been made in 1987-88 on a legislative database being developed in the Costa Rican Attorney General's Office. ILANUD provides technical assistance to this effort to insure compatibility between the court and the attorney general systems. The continuation of the Attorney General's Project is to be funded from the Costa Rica bilateral agreement. The Guatemalan, Costa Rican and Honduran bilaterals also plan to fund assistance in this area and the coordination of ILANUD initiated efforts with these USAID supported activities is essential.

c) Bibliographic Needs

The original Project Paper indicated a serious lack of available legal bibliographic materials throughout Central America. To provide immediate assistance, ILANUD was to assemble and provide sets of basic legal materials to central libraries in each of the participating countries.

ILANUD employed two well known legal experts as consultants who developed a list of basic materials in the criminal law area and circulated it to the countries for comment. It then entered into agreements with the Supreme Courts of each of the participating countries to effect a donation of materials. The Court was to provide a library space and a librarian. ILANUD would provide a set of books already fully classified and catalogued. Training, at ILANUD or on site, would be provided to the librarians.

Each Central American country and the Dominican Republic has now received the first installment of the library donation and received training. Approximately 50% of the libraries have been shipped to the countries and the remainder will be shipped during 1988. While the Project Paper contemplated the donation of one library to each country, two have been donated to Honduras, three to El Salvador, two to Guatemala and one to the Dominican Republic and Costa Rica. A second set will go to the U.C.R. Law Faculty in Costa Rica. An evaluation will follow in

the last quarter of 1988 and this commodity assistance activity will end although a more limited effort will follow as noted below.

The sector assessments and ILANUD's visits to countries have pointed out the need to provide basic bibliographic services to judges who do not have access to the central libraries donated by ILANUD, located in the Supreme Court buildings. In addition, the majority of judges in Central America, with the exception of Costa Rica and perhaps Guatemala, are not provided any legal materials by the judicial system. This component would encourage and provide technical assistance to bilateral projects or national judiciaries in providing basic sets of legal materials (mostly the national codes) at a low cost to judges in the country. Primary emphasis would be placed on lower court judges.

d) Data Base Information and Library Support

The objective of this advisory service was twofold: to provide national institutions with information on relevant aspects of the criminal justice system, and to provide technical assistance in the development of legislative and jurisprudential databanks.

The first task was the development of a bibliographic databank at ILANUD which provides services to the countries. This databank would have all of ILANUD's holdings. Additionally, funds have been expended in expanding the collection of the ILANUD library. While this task has not been fully completed, further entry and operation of the database will await a complete evaluation of this activity to take place during 1988. The second original objective has been dropped since it has been effectively incorporated into the legislation and jurisprudence activity.

Under the Amendment, limited funds will support the ILANUD library (materials purchases and personnel costs) and to continue to provide library advisory services to the countries. This will also include advice on organization, purchasing and cataloguing of basic libraries similar to those provided under activity (c) herein. No additional donations of basic libraries are contemplated.

e) Court Administration

While the Project Paper did not provide an activity specifically addressing court administration needs of the participating countries, many of the project activities logically fell within the rubric of court administration. Based on requests from countries and needs noted in the sector assessments, a specific court administration subproject component was added to the project in the Revised Project Description and Implementation Plan of October, 1986.

This project seeks to provide court administration technical assistance to the countries and install that capacity in ILANUD in the course of the activity. Since ILANUD has no in-house experience, outside experts coordinated and programmed by ILANUD have been heavily relied on. During 1986, a project director was designated and extensive technical assistance from a bilingual former U.S. federal court administrator was provided through FIU to assist in detection of needs and definition of an appropriate ILANUD approach.

An initial site visit to all of the countries was undertaken by the project director and the FIU consultant and an evaluation of their needs presented. 1987 and 1988 workshops brought together experts and practitioners from the region to discuss common problems and strategies to address these problems. Additionally, ILANUD sponsored a study tour of twelve high-level Latin American court administrators to the US and Puerto Rico during 1988.

A pilot project in Guatemala will be undertaken for a two year period beginning this year to develop basic administrative procedures. Centering on case tracking and management, the project is limited to the criminal courts in the capital (approximately twelve courts).

The Guatemala Pilot Project includes an assessment of the administrative organization of criminal courts, leading to the design and implementation of a court management information system. The system will standardize forms and administrative procedures among the different criminal courts and will permit judges among others, to obtain reliable information on case loads, compliance with procedural terms, specific procedural points of delay, etc. The results of this experience will be disseminated in other countries of the region.

The Amendment will also provide funds to continue technical assistance to participating countries in development of court management systems. This includes assessment of needs, implementation and evaluation as well as the development of training materials and workshops. No commodity assistance is being provided.

f) Agrarian Justice

While the Project Paper noted needs in other substantive legal areas and anticipated some development of activities in labor and agrarian law, primary emphasis was placed on criminal law due to the human rights implications of this area. However, during the course of the project, ILANUD has become more aware, due to the results of sector assessments, and its relations with the UCR graduate program, that the modernization of agrarian justice systems is closely linked with crime prevention and social peace in rural areas and is at the core of democratic social and economic development in the countries of the region. The Costa Rica National Commission received ILANUD support through the Extension Facility for three national seminars attended by 69 judges and fiscales on Agrarian Justice in November 1987. A region-wide cadre of agrarian law specialists is resulting from the UCR graduate legal program, supported by ILANUD/AID scholarships since 1984.

In further response to these concerns, ILANUD, in 1987, completed a preliminary study in eight countries of the region: Bolivia, Costa Rica, Dominican Republic, El Salvador, Honduras, Mexico, Peru and Venezuela, to determine factors affecting current agrarian justice system, the applicable legislation, the nature of agrarian jurisdictions and the needs of each country in this field.

ILANUD's mid-1987 staff retreat also formalized Agrarian Justice as a major area of substantive concentration in its Five Year Institutional Development Plan.

To analyze the problems of agrarian justice, ILANUD conducted two ten day regional courses in 1987 (one in Costa Rica, and one in Venezuela), on the functioning and institutionalization of agrarian justice in Latin America. In November 1987, ILANUD invited a small group of agrarian law experts from the region and the United States to a working

meeting in San Jose to discuss problems common to the region, to consider the results of the two ILANUD workshops and to assess the feasibility of further programs.

The experts at the meeting (Dr. Ricardo Zeledon of the University of Costa Rica and an ILANUD Associate Expert, Professor Joseph Thome of the Land Tenure Center at the University of Wisconsin, Professor Roman Duque of the Universidad Central de Venezuela and Professor James Rowles of Harvard University) made a recommendation to ILANUD to avoid issues of land reform, as the province of numerous other organizations, but rather to focus on the availability of efficient legal mechanisms to resolve conflicts over land. The major goal is to encourage the development of specialized judicial mechanisms to resolve these conflicts. The example of the recent Costa Rican legislation to establish agrarian jurisdictions and judges will be the basis of a study in order to stimulate action proposals in other hemisphere nations.

This is an incipient project activity and funding is provided for short-term technical assistance to the participating countries and the development of training materials and workshops. Since ILANUD's experience in this area is limited, it will rely on consultants like Dr. Zeledon, a recognized agrarian law expert, to direct this effort.

A pilot project will be supported in Costa Rica to strengthen the recently established agrarian justice system, develop and implement an operations manual for the agrarian court, prepare training materials for judicial personnel, and provide technical assistance. The results of this activity will be disseminated to other participating countries.

g) Enforcement of Environmental Protection Laws

ILANUD's Institutional Development Plan also focuses the institution on another growing area of concern to judicial systems, the effective legal protection of the environment and conservation of natural resources. Latin American and Caribbean countries are becoming increasingly alarmed about the degradation and destruction of their natural resource base upon which their economies in large measure depend.

As yet very few of the countries have adequate legislation or fora to deal with environmental issues. To the extent that

laws exist, the debate is over criminal or administrative enforcement. An ILANUD research project undertaken in Central America and the Dominican Republic has revealed the lack of:

- (1) uniformity in legislative development;
- (2) constitutional provisions or legislation guaranteeing environmental protection and a rational use of natural resources;
- (3) a systematic and uniform environmental and natural resource law enforcement policy; and
- (4) coordination among responsible governmental institutions and agencies in managing and controlling natural resources.

ILANUD also provided assistance to the Costa Rica National Justice Improvement Commission in organizing two three-day seminars on the problem of criminal enforcement of Costa Rican environmental legislation in October 1987.

As part of its long-term strategy to promote the adequate legal protection of the environment, ILANUD began the identification of interested governmental and non-governmental agencies. ILANUD is also endeavoring to establish institutional links to carry out joint programs, projects or activities in this area. It has already established contact with the Environmental Law Data Bank of the International Union for the Conservation of Nature (IUCN) located in Bonn, West Germany to explore a computer link-up with the ILANUD CEDO data base. The IUCN data bank has the largest data base on developing country environmental legislation.

Within this overall strategy, ILANUD recently signed a Memorandum of Understanding with the University of Rhode Island to cooperate in the enactment and implementation of environmental law in this region through a range of activities that include training, technical assistance and education. URI has over 15 years of experience in the formulation and implementation of natural resource management programs, both in the U.S. and developing countries. Modest funding from this Amendment will allow ILANUD's continued participation in a pilot project in Ecuador to train environmental enforcement

agents, fiscales and judges in collaboration with the University of Rhode Island. In addition, this activity will provide a solid base for exploration with the Ecuadorian judiciary of other possible ILANUD work in the other areas of its competence.

Since 1986, the Government of Ecuador, under an AID/Washington program managed by the University of Rhode Island, has been working to develop and implement a coastal resources management program in that country. When that project recently reached an implementation phase involving law, and the training of judges, fiscales and enforcement agents, it made contact with ILANUD. Three visits by Ecuadorian and U.S. consultants to San Jose and one needs assessment trip by the FIU training advisor have defined a clear, limited and appropriate ILANUD role. The new Ecuadorian administration has indicated it places a high priority on the continuation of the project.

The Ecuador Coastal Resources Management Program provides an excellent initial focus for a cooperative effort to develop activities and strategies in this area. The training materials and methodology developed through ILANUD's assistance to URI and the AID S & T Bureau in the implementation of the Ecuador Program will be disseminated to other countries of the region through two regional seminars (one for Central America and the Dominican Republic and a second one for the South American countries).

The pilot project will include the preparation of training materials and training for personnel responsible for assuring compliance with existing Ecuadorian legislation, the training of judicial authorities in the regions where the Program will take place and the provision of technical assistance to develop and carry out a legal education program.

2. Country-Specific Short-Term Technical Assistance

The goal of this component was to establish National Commissions that would provide a planning mechanism to establish National Justice Sector priorities and make requests to ILANUD for country-specific TA based on these planning documents. Technical assistance was to be provided to participating countries on the basis of annual Country Operation Plans for the justice sector. The plans were to be

developed through the joint efforts of national commissions or their equivalent, the USAIDs, the Resident Program Coordinators and ILANUD and were to draw on sector assessments upon their completion.

The Project Paper underestimated the difficulty of setting up such commissions as well as the capacity of the commissions to carry out these tasks. In most instances, requests formulated by the commissions have responded to individual institutional needs of the members and have seldom followed a sound short or long-term planning agenda.

Nevertheless, ILANUD has responded to country-specific needs in a number of areas. One of the most useful has been the development of manuals for judges in Guatemala and Honduras. The purpose of these manuals is to provide lower court judges with easy to follow explanations of the procedures to be followed in the different types of cases that appear before them. The manuals also furnish forms to be used by the judges.

While it is anticipated that most future country-specific activities will be developed and funded under the bilateral agreements, it is anticipated that participating countries will still need occasional ILANUD planning assistance. Two visits of one week duration are budgeted for each of the countries during 1989-1992. This activity is limited to Central America and the Dominican Republic.

3. Instructional Materials Development

Here the function is to provide technical assistance in curriculum design to the ILANUD training component and to national institutions. This activity has been developed in conjunction with the training component. In addition to development of training materials for the ILANUD courses, this activity has also sought to employ the legal capacity available to this department for the development of manuals for justices of the peace. The Guatemala and Honduras manuals have been outputs of this activity. During 1989, a similar manual is projected for the Dominican Republic.

This activity should continue to be funded to develop basic manuals for judges, prioritizing lower court judges first. The manuals would then be used as in 1987 and 1988 as basic

training materials in ILANUD sponsored local court training. Funding is provided to permit the development of such manuals in all of the participating countries.

4. Regional Administration of Justice Office (RAJO)

The Project Paper contemplated the creation of an AID project management office in San Jose which monitors AID assistance to ILANUD and FIU in the implementation of the Project. It reports directly to USAID/San Jose for administrative and financial management of the project and to LAC/DI for substantive policy guidance, serves as a liaison with USAID Missions in the participating countries, and in general, carries out all technical and administrative duties related to project monitoring.

The RAJO not only manages the RAJP, but has increasingly served the LAC region as the principal technical liaison for the design of bilateral AOJ projects with USAIDs in Central and South America. The presence of ILANUD, IIHR and CAPEL in San Jose, as well as the FIU advisory team, makes this the logical situs for program management.

Specifically, the Regional Administration of Justice Office is responsible for the following:

a. Provides project management for the Regional Administration of Justice Project under the direction and supervision of the USAID/Costa Rica Mission Director, or his designee, including administrative and financial management oversight. Also, under the direction and supervision of the LAC/DI Director, provides regional and bilateral project design support to other Missions.

b. Assists ILANUD, the University of Costa Rica, the Interamerican Institute of Human Rights (IIHR) and other recipients of USAID regional assistance in the administration of justice or democratic development areas in carrying out their program responsibilities.

c. Advises LAC/DI and USAID/Costa Rica on the implementation of the regional program, reporting on the progress of all AOJ activities in the region, assisting in the preparation of key implementation documentation, and proposing timely corrective action that might increase the effectiveness

of the approved program activities.

d. Assists participating USAID Missions in the identification and selection of Resident Coordinators for the Administration of Justice Program and advises these Coordinators on the effective utilization of program resources in carrying out their in-country activities.

e. Advises all participating Missions on the development and implementation of bilateral projects related to the administration of justice and human rights, including the use of ILANUD extension resources, the design and completion of justice sector assessments and the availability of other regional support services.

f. Monitors all regional program activities and reports to LAC/DI on the implementation by the action institutions funded by AID (ILANUD, IIHR, UCR, others). Whenever appropriate, recommends corrective actions to improve implementation.

The RAJO is staffed by a direct-hire Project Development Officer, a PSC Project Coordinator, a Program Assistant with a degree in criminal justice and a secretary. (An additional secretary will be hired.) USAID/Costa Rica will continue to provide administrative support to the RAJO and to serve as the principal accounting and financial management station during the remaining life of this Project. Both project and USAID/Costa Rica Operational Expense (OE) funding will be provided for the operation of this Office during the new grant period.

5. Inputs

This component will fund personnel costs in the LOP amount of \$1,415,128 and consultant fees in the amount of \$176,200. Additionally, the Project funds for this activity will finance travel and per diem, acquisition of bibliographic materials, computer equipment and special technical assistance inputs. For a description of the Project inputs, totaling \$2,225,056, see Annex B.

The LOP personnel costs for the Regional Administration of Justice Office are \$490,623. The remainder of the inputs support benefits, travel and office support. Assuming that the

contracted RAJA is replaced by an AID direct hire, a contract position is retained for an additional project management specialist, and a financial analyst position is continued. This position is more crucial now that ILANUD has a financial administration role under the Costa Rica bilateral and other USAID's continue to provide grants to it under their bilaterals. Finally, if there are three professional staff, (the RAJO, the PSC project management specialist and the PSC Program Assistant) an additional secretary is budgeted. Though USAID/CR has been providing financial analysis services, due to the complexity of this project, and at the specific request of the USAID Costa Rica Controller, a project funded full time financial analyst was funded in a 1985 Project Agreement Amendment. The Office will also provide some equipment support for an AID direct-hire, who is expected to be placed as office director. Since this Office is currently funded until March, 1990, funds are sought only for nine months of that year and 1991-1992. For a description of the Project inputs, see Table 2. The total added LOP costs for this activity are \$737,437.

The following Table 2 presents a summary of the advisory services component, its projected outputs and actual outputs, as well as Amendment outputs. The 1989-1992 financial plan is presented in Annex B.

D. INSTITUTIONAL DEVELOPMENT AND SUPPORT

This component has two purposes: 1) to strengthen ILANUD's capacity to carry out the activities which are proposed; and 2) to insure that ILANUD's permanent capacity will be strengthened so that it may continue providing administration of justice leadership to the region beyond the life of this Project.

In addition to the specific activities described herein, the Project funded the development of the 1988 - 1992 Institutional Development Plan. (The plan is attached as an annex and is available in the project files). Further development of this plan will set long term goals and better define the priority areas for the institution.

Likewise, the Project is funding a significant part of the costs for the development of an Advisory Council. This Council met for the first time in 1987 and is expected to provide high

TABLE 2

SUMMARY OF ADVISORY SERVICES COMPONENT

| Activity | /Projected Outputs /(1985-1990) | /Actual Outputs /As of 12/31/88 | /Amendment /Outputs |
|---|--|---|--|
| <u>1) Major Technical Assistance</u> | | | |
| a) Criminal Justice Statistics | /-Design & implementation of a pilot project to modernize data gathering & analysis in at least one of the countries | /-Completion of Dominican Rep. pilot project /-Initiation of Guatemala project as part of a larger information system project | /-Complete D.R. in 1989 /-Assistance to Guatem. /-Consultant to participating countries |
| b) Reporting of Legislation & Jurisprudence | /-Evaluation of legal reporting systems in the countries, determination of compatible more efficient systems /-Design of an integrated reporting system /-Dissemination of information leading to regional application | /-Various systems examined, Colombian system chosen /-Preparation of thesaurus /-Agreement with CR and Guat. S. Ct. /-Initiation of CR pilot project /-Workshops for this purpose | /-2 visits of 15 days to part. countries /-Assistance to Procuradur. Project in Costa Rica /-Extension of CR & Guat. projects into other legal areas |

| | | | |
|-----------------------------|---|---|---|
| c) Bibliographic Assistance | /-Formulation of an /inventory of library /resources & provision /of one basic set of /books to a central /library to each /country (4 total) /-Training & Assist. /to law librarians | /-Inventory comp. /-Select. of basic /list of material /-Adoption of list/ /-Provision of /8 libraries /-Completed on /site or at ILANUD | /-Basic biblio. /services /to judges /-TA for printing /and delivery /of basic sets /for lower /court judges |
|-----------------------------|---|---|---|

| | | | |
|--------------|--|--|--|
| d) Data Base | /-Development of /regional database /-Bibliographic /assistance provided /to users | /-Auto. database /developed /-On going | /-ILANUD library /maintenance /-Biblio ref. /service to /part. countries |
|--------------|--|--|--|

TABLE 2 (Continued)

SUMMARY OF ADVISORY SERVICES COMPONENT

| Activity | /Projected Outputs /(1985-1990) | /Actual Outputs /As of 12/31/88 | /Amendment /Outputs |
|--|------------------------------------|---|--|
| e) <u>Other Major Technical Assistance Not Contemplated in the Project Paper</u> | | | |
| i) Court Administration | /-Not anticipated | /-Workshops /-Identification /of experts /-Evaluation of /Needs /-Participation /in Salvador /Assessment | /-Completion /of Guatemala /project /-Needs assessm /ent in 2 countries /-24 TA trips /-Assist. in /courses |

| | | | |
|--|---|--|---|
| | | | /-Publication of /technical materials /-Judicial benchbooks /in 4 countries |
| ii) Agrarian Justice | /-Anticipated, but /not projected /in detail | /-Workshop /-Meeting of /Experts to /Evaluate Needs /& Feasibility /-Design of /Activity | /-13 short TA /-Develop. of /materials /-Assist. in /course dev. /-Costa Rican /pilot project |
| iii) Environmental Protection | /-Not Anticipated | /-Workshops /-Identification /of experts /-Evaluation of /Needs /-Design of /Activity | /-13 short TA /-Develop. of /materials /-Assist. in /course dev. |
| 2) <u>Limited Technical Assistance</u> | /-45 T.A. assignments /completed | /-Transfer of this /activity to /Extension Fac. | /-40 1 week /TA to CA & /DR |
| 3) <u>Instructional Design</u> | /-Training/Curriculum /Development in /several countries /-Plans for long-term /curriculum development /-National popular /education campaign /materials | /-Accomplished /-Accomplished /-Postponed, /planning stages /only | /-Develop. of /6 judge's /manuals /-Other TA |

TABLE 2 (Continued)

SUMMARY OF ADVISORY SERVICES COMPONENT

| Activity | /Projected Outputs /(1985-1990) | /Actual Outputs /As of 12/31/88 | /Amendment /Outputs |
|---|--|------------------------------------|--------------------------------|
| 4) <u>Regional Administration</u> <u>of Justice Office</u> | /-Establishment of a /RAJO Office in CR | /-Accomplished | -/Maintenance /of RAJO Off. |

level backing and advice, as well as entree into several important networks potentially useful for fund raising and political support. Its membership includes two thirds Latin Americans and one third members from outside the region, including European, American, Japanese and Saudi Arabian members. All are criminal justice or judicial experts or high level government officials and academics from the region. The current President is the President of the Supreme Court of Guatemala. Several U.N. Crime Prevention Branch officials are ex-officio members or observers.

The evaluation pointed out a number of institutional weaknesses within ILANUD, most of which have been mentioned previously. ILANUD has recognized those deficiencies and has already taken positive steps to incorporate improved administrative and technical procedures and increased staff. It is now up to ILANUD, with the assistance of the new FIU Institutional Development Advisor, to solidify its organizational structure.

1. Organizational Structure of ILANUD

In addition to the new offices ILANUD created at the beginning of the Project (Extension Services and Advisory Services), ILANUD's rapid growth made it necessary to establish an Operations Office, whose basic objective is to assist the Director General and to assume responsibility for detailed planning, supervision and evaluation of ILANUD's three main technical departments, and an International Cooperation Section to focus on longer range planning and fund raising. ILANUD's organizational structure, unit roles and responsibilities are described below.

a) Office of the Director General

The founder and Director General of ILANUD assumed the role of ILANUD/AID Project Director in the first phase of the RAJP. As the volume of work has grown, his Office has been strengthened with the employment of an assistant and delegation of many daily functions to the Operations Office and an International Cooperation Section. The Operations Office is staffed by a Director and an assistant. The Project Amendment will fund a second professional for the office in program planning. The International Cooperation Section currently employs two professionals concerned with design and

implementation of ILANUD's long-term development strategy. They promote the institution with a variety of potential clients and donors and draft promotional and project proposal materials.

A substantial recent addition to the Director's Office is the employment of an Executive Director to divide overall ILANUD management responsibility with the Director General and one assistant. These positions will be funded in the Project Amendment for the remainder of the project, although some further reorganizations may occur.

b) Extension Facility Office

The Extension Facility Office serves as the focus for operational liaison between ILANUD and the countries in facilitating assistance to the countries and in assisting ILANUD in its in-country activities. It also serves as the link between ILANUD and the Resident Program Coordinators and USAIDs.

It was originally planned that the national commissions would act as filters to determine programming needs for the countries and that this Office would channel requests from the commissions to the appropriate ILANUD component. Due to the difficulty in obtaining plans or even well-conceived project proposals from the national commissions, this Office has played a more activist role than originally contemplated. In effect, this Office has had to develop programs and working procedures for the implementation of the Project at the national level in the participating countries, especially in connection with the execution of programs intended to satisfy specific needs for technical assistance.

The Revised Project Description and Implementation Plan of October, 1986 also assigned to this Office the task of international fundraising and institutional outreach activities. In late 1987, this responsibility was transferred to the newly established International Cooperation Section in the Office of the Director General.

It was originally expected that the functions carried out by this Office would be terminated by 1987 based on an assumption that bilateral projects would be operational and the need for RAJP funded country-specific activity diminished. As

the mounting of bilateral projects took longer than expected, the function of this Office continued to be critical. ILANUD continued to fund the office and substantial amounts for the national activities it has already approved. This Office employs two professionals. Nevertheless, bilaterals are now established in all of the Central American project countries, RAJO and ILANUD have notified AID Missions and national justice sector agencies that this Office will be phased out early in 1989, with its remaining liaison functions transferring to the Office of Operations.

c) Department of Administration and Finance

This Department has been strengthened with the addition of a Director, a Controller, an accountant (with two assistants), and a personnel director as well as support personnel to carry out administrative tasks. Since March 1987, the Controller and his staff have been separated and made independent of the Administrative Director with the Controller reporting directly to the Director General. A total of approximately 30 support persons are employed by the Project. This number will increase slightly in the Project Amendment with the addition of new activities.

At the inception of the project the immediate priority was the development of administrative manuals which was a condition precedent to the Project. While this was done in a timely manner, the manuals have proven to be cumbersome and have been revised. A number of other consulting activities, such as an evaluation of ILANUD personnel practices and salary scale have also been accomplished to date. This Department suffered from a great many growing pains during the first two years of the Project, but appears to be functioning reasonably well at present. Nevertheless, ILANUD internal management procedures will be closely scrutinized in 1989 to assure maximum efficacy and cost effectiveness.

The Director of this Department currently reports to the Director General through the Operations Director. Substantial equipment, principally in the form of personal computers, has been furnished.

d) Documentation Center

The Documentation Center (CEDO), consisting of a library and personnel, has provided assistance to the Training and Advisory Services Divisions in carrying out their functions. It also supports the "Bibliographic Needs" component and administers the "Bibliographic Database" component. While a number of personnel were hired initially (three librarians and a Director employed currently) as these activities are completed, their personnel needs will diminish. Two librarians will be funded in the Project Amendment. Support will continue for the acquisition and maintenance of the library and to allow them to continue to provide reference services to the participating countries.

e) Training Department

The Training Department, with one of the most important roles in the Project was one of the most understaffed ILANUD offices at the outset. The former Director, who served during the upgrading period, from March, 1985 to July, 1987, is currently on leave from ILANUD, in an adult education degree program at the Universidad Complutense in Madrid. Upon her departure, an experienced Dominican professional educator who had worked as an ILANUD course design specialist since early 1986, was promoted to director. The departures of the ex-director as well as that of other members of the staff, left this Department weakened. Over the past year, ILANUD has worked to establish a permanent full-time professional training staff, and significant progress has been made since. Employment of a deputy director, in addition to the present Director and three trainers will bring this Department into full strength. The Amendment will continue to fund this personnel at the current levels.

f) Advisory Services Department

The Advisory Services Department is a key component of this Project and has required the development of an interdisciplinary team. Since ILANUD had not previously provided such services, finding and training the personnel for this office was difficult. The hardest position to fill correctly has been that of Director. The office had two two directors and one acting director during the first three years of the Project. Six professionals are currently employed. The Project Amendment will continue to fund these positions and to add three more to bring the total to ten professionals in this Department.

2. National Justice Reform Commissions

The Project has provided material and limited human resource support for the national commissions for the improvement of the administration of justice which have been formed in each of the participating Central American countries and the Dominican Republic to coordinate the preparation of Plans for Improving the Administration of Justice.

These entities continue to be in different stages of development. The Honduran and Costa Rican commissions have been quite active, and the Guatemalan commission has also met a number of times. The Dominican commission is ephemeral at best.

Through the Extension Facility, the Project has funded support in the form of half-time technical coordinators and a secretary. While support for this activity was to have ended within six months of the completion of the sector assessment in each country, this assumed that bilateral projects would have been established already to take over direct support. Since this has not occurred, while awaiting bilateral start-up, ILANUD has continued to provide limited support to the commissions. Additional funding is not contemplated in the Project Amendment as bilaterals become operational. The Costa Rican and Guatemalan bilaterals make specific provision for the continued strengthening of those nations' commissions. The Honduran situation is less clear. The Dominican Republic will continue to receive RAJP funding for six months in calendar year 1989.

3. Long-Term Development Strategy for ILANUD

One of the principal concerns expressed in the Project Paper was to insure that ILANUD continue to provide services and regional leadership after the termination or diminution of AID assistance.

Though ILANUD is a United Nations regional organization, it has no consistent budget support from that body. At the commencement of the Project, ILANUD's financial situation was precarious. It depended on an annual donation of approximately \$130,000 from the Government of Costa Rica. This donation is fixed and has continued. It received a small donation from the U.N. Development Program (this had decreased to \$50,000 in 1985 and had ended that year) and donations from countries in the region.

As a result of a more focused and consistent attention to fundraising activities, the situation has improved. ILANUD now has agreements for donations from the following countries: Argentina, Brazil, Chile, Cuba, Guatemala, Honduras, Panama, Peru, Spain, Mexico. While these donations are sporadic and small, they lend legitimacy to the institution as a representative international organization.

In addition, the following grants from international organizations and foundations have been received: a grant to carry out courses on juveniles from Defense for Children International (\$60,000 in 1987); a grant from the Organization of American States to carry out juvenile justice courses (\$60,000 in 1987); a grant from the Interamerican Commission for Drug Abuse Control (OAS) for courses on narcotics (\$60,000 in 1988); a grant from the Japan International Cooperation Agency for a joint course on the treatment of narcotic offenders (\$60,000 in 1988); a grant from the Ford Foundation for inclusion of Nicaragua in certain ILANUD programs (\$220,000 in 1986-1988); and a renewed grant of \$150,000 from the United Nations Development Program (UNDP) (1988-1991).

As noted elsewhere, all of the AID missions currently designing bilateral AOJ projects have expressed interest in ILANUD services for those, especially in training. It is expected that ILANUD will be funded to provide some services to the bilateral projects. By agreement of USAID/Costa Rica and the Government of Costa Rica, ILANUD has been accorded project management responsibilities for the Costa Rica bilateral, signed in September 1988. Negotiations are currently underway to determine ILANUD's role in the Honduras, Guatemala and Bolivia bilaterals.

Also, as discussed above in Section I.F., ILANUD will finalize its Institutional Development Plan and submit it for approval by AID no later than August 31, 1989. The Plan will present ILANUD's strategy for the future, including its financial sustainability. INLANUD must begin now to (a) strengthen its fund-raising efforts, (b) charge overhead for its services and (c), with Central America USAID support, look into the feasibility of an endowment fund using host country-owned local currencies which may be available from the Government of Costa Rica and perhaps others.

4. Support to Other Regional Institutions

The purpose of this activity was to assist in strengthening the administrative capacity of the Interamerican Institute of Human Rights and to engage in joint training activities with them. The total amount provided was \$253,316, ending in 1988.

ILANUD has provided support for a management study of IIHR carried out by an outside consulting firm. Funds are also provided to employ key administrative personnel, currently the controller and an administrative assistant.

During the first two years of the Project, two courses were jointly sponsored by ILANUD and IIHR. The Institute has also assisted ILANUD in the development of training modules in the human rights area and IIHR staff has taught the human rights unit for ILANUD courses. The IIHR will assume funding of these positions in 1989 from other sources.

The relationship between the two institutions is positive and future joint cooperation is anticipated. The IIHR is funding the next two co-sponsored courses. No additional funds are contained in the Project Amendment.

5. Other Activities

a) Publications

Publication of training and general materials in the administration of justice area is vital to dissemination of ILANUD's activities and upgrading the general level of knowledge in this field. This activity would fund a part-time editor and furnish some support for publication activities.

ILANUD has formed an unpaid editorial board to review publications and to insure that the highest academic standards are applied. These publications would be distributed at a nominal sum throughout the region.

b) ILANUD Advisory Council

As has been mentioned earlier, ILANUD in 1987 had the first meeting of an International Advisory Council. This activity would provide partial support for the travel of the Executive Committee of that Council for one annual meeting and the Council itself for a biennial meeting.

The following Table 3 presents a summary of the institutional support component with originally projected outputs as well as actual outputs as of December 31, 1988. It also shows Amendment outputs.

6. Inputs

The LOP Project funds for the institutional support component is budgeted at \$3,234,324. A full description and financial plan for the component inputs is presented in Annex C.

E. EXTENSION FACILITY

As noted above, the RAJP funded an Extension Facility (EF) to allow the direct and immediate provision of funds and services to projects generated from and operating within a single country to meet specific needs of that country. The following major items have been funded.

1. Resident Program Coordinators

The RAJP funded salaries and some secretarial support for national coordinators in each of the original participating countries (except Salvador and Costa Rica). These coordinators serve as liaison between ILANUD, the local institutions and the local USAID, with backstopping from RAJO. Additionally, they have assisted in the development of the justice sector assessments, utilization of the assessment in the development of bilateral programs, and coordination with other centrally funded AOJ and democratic development initiatives, ie. IABF, ABA, IIHR and study tours by USIS.

The coordinators, all local attorneys, were recruited and hired by the local USAID, with the concurrence of ILANUD and RAJO, which authorized the funding cites. The individual is operationally responsible to a direct-hire AID officer designated by the Mission Director, and receives support and technical guidance from RAJO. Thus, Resident Coordinators are concurrently responsive to the technical and program guidance of ILANUD and RAJO.

While the overall performance of these Coordinators has been exemplary, especially in promoting and lending organizational and political support to ILANUD activities in each country, the scheme of multiple supervision has produced some periodic tension. Likewise, their effective utilization by AID Missions, especially in the design of bilateral projects, has varied from country to country.

TABLE 3 (Continued)

SUMMARY OF INSTITUTIONAL SUPPORT COMPONENT

| Activity | /Projected Outputs /(1985-1990) | /Actual Outputs /As of 12/31/88 | /Amendment /Outputs |
|-----------------------------|--|---|--|
| 4) <u>Long-term</u> | | | |
| <u>Development Strategy</u> | /-Agreements with /countries assuring /incremental funding -Awards from other /donors /-other | /-Increased agreements /with countries /-Only Honduras of /fully participating /countries /-Substantial increase /-Development of a /Long-term development /strategy /-Creation of the /International /Cooperation Section /-Charges to bilateral /programs for services | /-Agreements with /all Proj. /countries /-Agreements for /reimbursement /for services /in USAID /bilaterals /-Visits by /Section to /donors /-Donors /conference |
| 5) <u>Support to other</u> | /-Sub contract with /the Interamerican /Institute for Human /Rights | -Joint training /programs /-Commodity assistance /-Personnel costs | |

It was anticipated that Project support for these positions be terminated in 1986, with the signing of bilateral agreements. Due to changed conditions, all three current coordinators (Honduras, Guatemala and the Dominican Republic) are funded by ILANUD until early 1989. Thereafter, in the interest of close coordination between the regional project and new bilateral projects, the RAJO has agreed to divide these costs with the corresponding USAIDs. Funds are requested in the Project Amendment to allow split funding for Guatemala and Honduras coordinators. These funds will now appear under the Institutional Support Component.

2. Country-Specific Activity Funding

The EF has had a line of funding for specific technical and financial assistance required to meet unique country needs in the short-term (approximately eighteen months to two years of the Project).

The following technical assistance services have been provided:

Costa Rica: 158 consultant days. Studies on: alternative dispute resolution, defendants' rights, review of the postgraduate program at the University of Costa Rica Law School; revision of the Code of Civil Procedure.

Honduras: 330 consultant days. The following services have been provided: assistance in the development of regulations to implement the judicial career law; assistance in drafting the Law on Organization of the Courts; development of a manual for justices of the peace.

Dominican Republic: 429 consultant days. The following services have been provided: a study on court administration; assistance to a constitutional reform project; review of the Law on Organization of the Courts; drafting of a law on judicial career; an management analysis of judicial records.

Panama: 15 consultant days (prior to suspension of RAJP activities). Review of the new Code of Criminal Procedure.

Guatemala: 321 consultant days. The following services have been provided: development of a manual for justices of the

peace; a study to determine the territorial distribution of the new jueces comarcales; review of constitutional law.

The Project Paper had projected 6 consultancies of up to six weeks for each country (220 consultant days). The Project thus far has provided 1253 consultant days. A significant factor in reaching this level of service is that the majority of consultancies have been carried out by local experts, thereby significantly lowering costs.

This component has also provided funding for a number of national courses. Some of these are: justice of the peace courses in Honduras, El Salvador and Guatemala; courses for bailiffs and trial judges in the Dominican Republic. The Project Paper called for the provision of ten country-specific courses (two per country). Twenty-six national training activities had taken place by 1987, (1152 trainees participating), with 33 activities planned for 1988 (1444 trainees participating). The LOP total for this activity is projected at 59 courses and 2596 students.

3. Support for Design of Bilateral Projects

The Project has provided support for the design of bilateral agreements. For Central America, such national design efforts have begun upon completion of the sector assessments. (See Section E.2 above.) In South America, RAJO, FIU and ILANUD have assisted upon request of AID Missions.

One of the most significant support activities has been the ILANUD sponsorship of workshops to discuss and analyze the sector assessments. These assessments contain no specific recommendations and these meetings decide on problem areas, priorities and means of assistance. Two meetings have been held in 1987 (Costa Rica and Honduras) and two in 1988 (Guatemala and the Dominican Republic).

Additionally, ILANUD has provided assistance to the national commissions and the national coordinators in design activity. The Project has also cooperated with USAIDs in the drafting of the PIDs and Project Papers and commented on proposals. Staff from FIU and the Regional AOJ Advisor have traveled to Bolivia, Uruguay, and Chile to assist in design and worked closely with the Honduras and Guatemala Missions on a similar effort. RAJO has had lead responsibility in design and

implementation of the Costa Rica bilateral. ILANUD has also provided specific additional studies where requested. Thus, for example, the FIU training advisor completed a training needs assessment in Guatemala at the Mission's request, to provide background to the bilateral design team. While the Honduras bilateral was developed in 1987 without major RAJO or ILANUD input, the RAJO and ILANUD have since provided pre-implementation advice and ILANUD, at the request of USAID/Honduras, has provided bridge funding in 1988 for certain projected bilateral activities which could not yet be funded by the bilateral. ILANUD has also provided advice and TA to the Peru AOJ project funded by USAID/Peru.

Bilateral project design and implementation assistance will continue via RAJO, FIU, and ILANUD's Advisory Services group.

4. Commodity Assistance

In the six fully participating countries (Central America and the Dominican Republic), there is a critical shortage of basic materials and equipment, especially at the lower court level. To relieve these short-term urgent needs, the Extension Facility has provided minimum immediate support in the form of equipment, furniture and supplies to the courts, as contemplated in the Project Paper.

Each country's National Commission produced a survey of the most urgent needs. The Commission, in conjunction with the Supreme Court of the country, produced a comprehensive procurement and distribution plan. The budget for this activity was \$200,000 (\$50,000 per country). Costa Rica, Honduras, Guatemala and the Dominican Republic received this assistance. Panama was not included due to political turmoil and El Salvador had its own bilateral which met these needs.

This was a one-time activity designed to respond in a modest way to some basic needs early in the project without any counterpart action requested. No further major equipment purchases are included in the RAJP. Bilaterals will meet these needs, as appropriate.

Table 4, following, presents a summary of the Extension Facility component with originally projected outputs as well as actual outputs as of December 31, 1988.

TABLE 4

SUMMARY OF EXTENSION FACILITY COMPONENT

| Activity | /Projected Outputs /(1985-1990) | /Actual Outputs /As of 12/31/88 |
|---|---|---|
| 1) <u>Resident Program Coordinators</u> | /-Five AID local hire/ /positions funded /for a minimum of /18 months to two /years | -Panama eliminated /-Coordinators in /all fully part. /countries ex. C.R. /-Extension beyond /two years /Termination 1988 |
| 2) <u>Sector Assessments</u> | / Dealt with in FIU section | |
| 3) <u>Bilateral Project Design</u> | /-Design of up to /five bilateral /projects based on /sector assessment /results | /-Honduras completed /1987. Costa Rica, /Bolivia & Guatemala /drafted in 1988. /Dominican Republic /drafted in 1989. |
| 4) <u>Country-specific activity funding</u> | | |
| a) Training | /-Ten country- /specific courses | /-59 courses /-2596 particip. |
| b) Technical Assistance | /-Six consultancies /of up to 6 weeks /for each country /(30=220 days) | /-1253 consultant /days |
| c) Direct funding | /-reform studies /-admin. reform planning /-personnel for national /commissions /-scholarships study /tours /-aid to public defenders /& law schools /-legal aid groups /-others | /-Accomplished /beyond expectations /Greatest success /is the drafting /of regulations /for the Honduran /judicial career |
| 5) <u>Commodity Assistance</u> | /-Provided to four /countries /(Costa Rica, /Honduras, Guate- /mala, Dom. Rep. | /-Up to \$50,000 in /equipment donated /to four countries /Priority on /donations to /lower courts |

4/4a

5. Inputs

No further inputs are planned for the Extension Facility, which phases out at the beginning of 1989.

F. FLORIDA INTERNATIONAL UNIVERSITY COOPERATIVE AGREEMENT

On July 30, 1985, a Cooperative Agreement (CA) was signed between Florida International University and the Agency for International Development. The purpose was "to provide support for establishing a center for the administration of justice in Latin America and the Caribbean and to provide technical assistance to the Latin American Institute for the Prevention of Crime and Treatment of Offenders (ILANUD)." The effective date of this agreement was July 8, 1985 and the estimated completion date was June 30, 1988.

To continue essential FIU assistance to ILANUD prior to the funding of this PP Supplement, two no-cost extensions brought the agreement to October 31, 1988. An additional \$313,800, transferred from the ILANUD grant, now extends the FIU Cooperative Agreement to April 30, 1989. This PP Supplement recommends the CA's extension to be co-extensive with the extended RAJP until December 31, 1992.

The Agreement described six objectives:

- "1) To provide technical assistance to ILANUD in the management, development, and implementation of the Regional Administration of Justice Project.
- 2) To conduct sector assessments in five participating countries.
- 3) To provide assistance to ILANUD in the design, implementation and analysis of Project evaluation components.
- 4) To assist ILANUD in determination of their computer needs and procurement of necessary hardware and software, as well as to assist in other international procurement of Project commodities.

5) To provide assistance to ILANUD with respect to all arrangements related to activities outside the participating countries such as long-term and short-term training, conferences, seminars, bar association meetings, scholarships and study tours.

6) To strengthen the institutional and academic potential of FIU in this sector."

FIU addressed the first five objectives directly while the sixth objective was to be dealt with during the progress of the Agreement. Since the drafting of the Agreement, a number of adjustments have been necessary to achieve Project goals.

AID recognizes and supports the importance and the urgency of expanding academic and professional knowledge of contemporary Latin American justice systems within the U.S. scholarly and legal communities in order to broaden the base of understanding and interest that will in turn lead U.S. institutions to provide heightened attention and assistance in the area. AID continues to back the wide dissemination of the results of the FIU sector assessment research and the significant new practical experiences gained by FIU faculty and consultants over the past three and one half years.

Nevertheless, while provision for a follow-on FIU Cooperative Agreement is in partial support of the continued operation of the FIU Center for the Administration of Justice, the support is essentially seen as focused on the achievement of AID's RAOJ goals. Consequently, AID does not envision funding to support the continued institutional development of FIU'S Center beyond the revised PACD of December 31, 1992. Instead, the budget of the follow-on cooperative agreement will reflect a phasing out of support over the final three years of the project.

1. Technical Assistance to ILANUD in Project Implementation and Management

The Agreement planned that this assistance was to be "provided through the employment of senior advisors who [would] assist ILANUD in technical and management areas." Three persons were to be employed: an administrative advisor to assist the ILANUD Project Director in program planning and project management, a training specialist to assist in the design and

delivery of courses, and a justice administration specialist to act as technical advisor to aid in the development and provision of technical assistance by the ILANUD staff. Additionally, short term consultancies have been provided to ILANUD in this area.

a) Senior Advisors

The Administrative Advisor was to assist the Project Director in program planning and Project management. Prof. Luis Salas was employed in this position at the request of ILANUD and with the prior approval of AID. He also assumed responsibility as FIU Project Director and was resident in Costa Rica from July 15, 1985 to June 30, 1988, as Chief of Party.

The Training Advisor was to assist in the design and delivery of courses. Dr. John Helwig was employed to fill this position in early 1986. Dr. Helwig has been very active in the establishment of ILANUD's training program and has become a key support of ILANUD's training unit. However, Dr. Helwig did not arrive in Costa Rica until the Project had been underway almost a full year. Under the original design this support was to be phased out at the end of the second year of the Agreement.

The Training component is the most active of ILANUD's Departments. Understaffing has been a problem from the commencement of the Project. Because of ILANUD's prior practice of staffing technical positions with persons on leave from the Costa Rican judiciary or universities, plus project initiated pressures, turnover was high in 1986 and 1987. As a result of a number of departures, for example, Dr. Helwig and the Training Director were the only professional members of the Training staff during a period of 1987. The need for additional training staff has often compelled the Advisor to act as a member of the training team to the detriment of his advisory role. Although new staff has been hired, they are not yet ready to assume full responsibility for management of training events in other countries. This problem has diminished in 1988.

The major difficulties encountered in establishing a stable in-house training staff were not anticipated. ILANUD and RAJO have requested that the FIU training advisor slot be continued beyond the original two years planned. This supplement calls for continuance until the end of 1990.

The Technical Assistance Advisor was to assist in the development and provision of technical assistance by the ILANUD staff and in the supervision of the sector assessments. Dr. Jose Rico from the University of Montreal was employed in this position. Because of the volume of technical work in the sector assessments, and the slowness of ILANUD's gearing up its new technical assistance activities, Dr. Rico was employed principally in the design, coordination, and technical/legal aspects of the sector assessments.

Problems have been encountered in the ILANUD Technical Assistance effort. The diversity of technical assistance projects contemplated in the Project Paper and the lack of central focus for the work of this component made its organization and management more difficult. In practice, Professor Salas and Mr. Cira, the Regional Administration of Justice Advisor, have divided the technical assistance advisor role, since so much more attention than anticipated in the Project Paper needed to be devoted to the organizing and conceptualizing of the technical assistance sub-projects. Nevertheless, the component's problems now have been largely resolved, and in the revised FIU staffing pattern the technical assistance advisor slot is substituted by the newly contracted institutional development advisor.

As noted, the newness of the concept and the diversity of these programs caused ILANUD great difficulty in locating a Director for this component. In fact, no single external advisor can be knowledgeable in all of these areas and the advisory services to ILANUD have been shared among the three advisors with the support of personnel brought in for short-term specific consultancies.

b) Consultancies

The majority of short-term consultancies provided by FIU have been in support of project management. FIU has provided the following: the services of Peat, Marwick and Mitchell to develop financial, personnel and procurement manuals for ILANUD, and to engage in a search for an ILANUD Controller; evaluation by Peat of the ILANUD personnel manual and their salary scale; support services for ILANUD, by Peat, in preparing vouchers at Project commencement; assistance in the preparation of the 1986 Project Implementation Plan (an ILANUD

draft had been rejected by USAID/Costa Rica).

Short-term consultancies have also been provided to buttress the work of the Advisory Services Department. Of these, two are notable. A consultant in court administration, Robert Page, was employed to assist in the development of the ILANUD court administration component. He was also employed to conduct an in-depth study of the Salvadoran court system. A consultant was also employed to assist ILANUD in developing its own computer system and the bibliographic database.

c) Proposed Amendment of the AID-FIU Cooperative Agreement

The Project Amendment will fund the extension of the Training Advisor until July 1, 1990. Likewise, a new position, Institutional Development Advisor which had been created in the cooperative agreement at RAJO's behest in a 1987 amendment, but remained unfilled, will be fully funded. This Advisor arrived at ILANUD on November 8, 1988 and the position is funded through the current extension until April 30, 1989. The Project Amendment will fund this position until October 31, 1990. The FIU Project Director would continue in a three-quarter time capacity until the end of the grant. Revisions to the role and responsibilities of the assistance team are described below.

(1) Training Advisor

The FIU Training Advisor was to spend the first year assisting ILANUD to develop its Training Department and related activities, including planning and organization of the department, staff training, and implementation of activities. The advisor was to upgrade the training staff by working with them as a member of the training team. During the second year, the advisor was to have spent more time writing training guides and assisting in the supervision of training activities, also advising other ILANUD departments and national agencies in participant countries and assisting in the organization and training of national judicial training personnel.

Due to the staffing problems outlined earlier, the Training Advisor has often been compelled to act as a line member of the staff to the detriment of his advisory duties. This extension would allow the Advisor to fulfill his original role, and hopefully phase out with a permanent "turn-key"

training department in place.

(2) Institutional Development Advisor

During the first three hectic years of this Project, ILANUD has been compelled to pay primary attention to day to day operations almost to the exclusion of long-term institutional development. While a number of steps have been undertaken towards institutional development, many more remain.

Employment of this Advisor had been requested by RAJO and the Cooperative Agreement was modified to authorize it by an unfunded PIO/T in July, 1988. However, recruiting difficulty and funding limitations were inhibiting factors until recently. Both problems have recently been overcome and an excellent advisor has been employed and has arrived at ILANUD on November 8, 1988.

The principal functions of this advisor will be to assist ILANUD to re-examine and finalize its long-term Institutional Development Plan, including its detailed program plan and funding strategy (as discussed above in Section I.F., Special Focus), and assure its orderly implementation. Elements of such an effort are already in place at ILANUD, but outside assistance for one to two years, emphasizing a systematic programming and development approach, is essential.

(3) FIU Project Director

Prof. Luis Salas, the current Director of the Center for the Administration of Justice at FIU, will remain as the FIU Project Director on a three-quarter-time basis. He will be based in Miami, Florida.

Among his responsibilities will be to:

- (a) Plan and implement the activities under the Cooperative Agreement, in coordination with the ILANUD Director and the RAJO Project Manager;
- (b) Provide personally up to sixty days of short-term technical assistance and advice to ILANUD annually, traveling to San Jose or other Project sites for this purpose.

- (c) Direction of FIU professional, administrative and technical staff;
- (d) Supervision, in coordination with ILANUD and FIU staff, of the development of computer networks and training necessary in the Project;
- (e) Prepare quarterly reports and account for budget and funds awarded to FIU;
- (f) Supervision of a publication effort (to be discussed hereafter); and
- (g) Direction of institutional development for the Center for the Administration of Justice (FIU). See discussion below.

(4) Short Term Consultancies

FIU will continue to provide short-term consultancies to ILANUD, and those collaborating institutions in all participating countries or at the situs of ILANUD sponsored events, as requested by ILANUD or RAJO, during the period of the Amendment. It is assumed that the majority of these consultancies will involve the employment of non-Latin American experts. A total of 360 days would be provided during LOP. Consultancies in the areas of court administration, criminal justice and law, legal defense and law schools, as well as to disseminate sector assessment results and to assist in ILANUD's Institutional Development program, are contemplated.

2. Sector Assessments

The main purpose of the sector assessments set out in the PP was to "build baseline data on the justice sector to assist in program design, planning operations and evaluation. Such information will also be helpful in the design of country-specific projects which the respective USAIDs may wish to support."

In practice, this was the most difficult area of this Agreement since a sector assessment in this field had never been carried out by AID or any other funding agency. Since assessment results would have major impacts on Project planning, AID country-specific decision making, and national

planning, this task was been undertaken with great care.

Dr. Salas worked with several experts to design study methodology. Dr. Joseph Thome of the School of Law of the University of Wisconsin, a Costa-Rican American with significant knowledge and extensive consultant experience in Latin American legal systems, was first contracted to draft a concept paper on the major issues to be confronted in designing such an endeavor.

During July, 1985 several key FIU and ILANUD persons, the RAJ Advisor, and a small number of consultants met to discuss the first draft. This was followed by a meeting in August at ILANUD in San Jose with representatives from each of the targeted countries and other well known Latin American and U.S. professionals in the law and justice fields.

A proposed methodology was adopted and the participants recommended selection of a pilot country to test the methodology, evaluate the problems encountered and allow the researchers to make modifications. The advisory group unanimously disagreed with the four-month time limit for completing the pilot study, as originally proposed in the discussions with AID and contemplated in the PP. The group also found the one-year time limit set for the completion of all five sector assessments completely unrealistic. The group suggested six months for a pilot project, and two years as a minimum period to realize all of the sector assessments.

Thereafter, in discussions with ILANUD and RAJO, Panama was selected as the pilot site, since it appeared at the time to present optimum conditions. LAC/AJDD gained the concurrence of the Director of USAID/Panama. The Panama sector assessment began in August of 1985 and was completed in approximately nine months, amid increasingly unfavorable political conditions. The Costa Rican assessment began in January, 1986 and lasted approximately seven months; the Honduran assessment began in July of 1986 and lasted approximately the same. A limited Salvadoran assessment, not contemplated in the Project Paper, and whose costs were divided with the USAID/Salvador Justice Improvement Project, also lasted six months. The Guatemalan assessment began on August 1, 1987 with a review in April, 1988. The Dominican Republic assessment began in December, 1987 and ended with a review workshop in June, 1988.

The delays in completion of the sector assessments have been due to lack of baseline data, inexperienced national teams, the complexity of the tasks, the political sensitivity of certain areas of inquiry and the political conditions in the countries which have necessitated delays in commencement. For example, the Dominican Republic assessment was delayed considerably due to internal Mission reasons.

A primary early concern was the possibility that these studies would be viewed as US interference in national legal systems. To minimize this danger, FIU, RAJO and ILANUD decided on several steps: 1) minimized the visibility of FIU or AID and emphasized the role of ILANUD; 2) employed only local personnel with little usage of outside consultants; 3) reached only general recommendations in the draft document and developed a post-study strategy through which local leaders would propose solutions to problems; 4) entered into extensive discussions with local officials and attempted to maintain close contact with AID and Embassy personnel throughout each study.

Panama was the only country in which significant political problems were encountered. This is due to two major factors: 1) late 1985 and early 1986 political events (the Spadafora killing, the resignation of the Panamanian President, and New York Times articles linking General Noriega to narcotics); 2) the lack of open and consistent communication between FIU and the USAID Mission (also lack of communication between the Mission and Panamanian officials). Though the problems there were, of course, part of a much larger set of issues and unforeseeable events, FIU learned from the experience, and the subsequent five studies were benefitted.

In addition to the steps outlined above, FIU also undertook other steps to prevent a recurrence of the Panama situation. In Honduras, for example, the Project Director was a former Minister of Foreign Relations who was well connected politically. His primary task was to maintain relations with government officials and relevant politicians to minimize opportunities for misinterpretations of assessment aims. He devoted the entire first month of the Honduras activity to private meetings with such persons. Finally, the post-study stage, involving a broad spectrum of local officials in the assessment review and the workshop to produce action recommendations, completed in Costa Rica, Honduras, Guatemala and the Dominican Republic further decreased the possibility of political misunderstandings.

One of the primary criteria followed successfully in these studies was the FIU, RAJO, and ILANUD strong preference that they be directed and staffed by persons native to the study country, with FIU providing the organizational and methodological framework and guidance. Although politically positive and important to study credibility, this policy had some less positive aspects. Lawyers, especially from Latin American countries, are not trained in social science or practical research, and are not experienced at writing technical reports. FIU had to spend inordinate amounts of time in editing and rewriting reports and redirecting efforts to assure methodological soundness. Reliance on national personnel with little social science or development research experience and no background in such studies also required far more supervision than originally contemplated.

Mounting a full staff in each country, with some forty law students and fifteen professionals, proved a time-consuming, cumbersome and expensive undertaking.

Nevertheless, ILANUD, national officials in study countries, and RAJO agree with FIU that despite the disadvantages, it will prove to be the most beneficial method in the long term from the political and development standpoints.

Another concern raised about the sector assessments is their immediate utility to USAIDs. Usually AID sector assessments are carried out by a team of US nationals who arrive in the country for a short period and produce a document which outlines the problems and recommends solutions which can be addressed by AID assistance. This project has obviously not followed that format, based on the desire for depth, local credibility, and action-oriented results useful for national institutions, as well as for AID.

The reasons for using national experts have already been outlined. The focus of each these studies is a national legal system and its function, thus the reports must project technical and professional credibility to the local legal community. Likewise, recommendations specifically addressed to AID funding have not been made, since these reports were envisioned as planning documents which will produce discussion in national circles, and the assistance which AID can offer

directly may not address the most profound problems of the system. We believe that the post-study review stage has provided an adequate mechanism for the development of legitimate recommendations for AID funding; and the AID Missions, especially in Costa Rica, Guatemala and Salvador, have used the studies effectively in bilateral project design.

The post-study stage was developed precisely to produce national consensus recommendations. Upon completion of the study, it is presented to relevant high-level officials who are assured of its confidentiality and the FIU national study team's receptivity to comments. It is also presented to the USAID and the National Justice Commission. The commission and ILANUD invite these officials to a co-sponsored workshop to discuss study results and to produce recommendations grouped as follows:

1) those that require major legal or policy change, such as constitution- al modifications;

2) those that may be accomplished by policy or administrative action, without further funding;

3) those that require funding, but can be addressed by national institutions; and

4) those that may be addressed by international donors.

Thereafter, the recommendations are prioritized into a final document. In addition to reviewing all drafts, the local AID Mission is furnished an executive summary in English which amplifies on those recommendations which call for international donor support.

The budget originally prepared for this activity was developed without field experience and did not contemplate a number of eventualities which were encountered.

Some of the unanticipated costs have been: a) the need for greater levels of staff and equipment in San Jose to support the national teams (FIU employed between 20 and 25 persons at the San Jose office of the Center at the height of this activity); b) the diverse costs of experts in each country; c) the extended time periods necessary to complete the studies; d) the costs of competent opinion surveys in the

countries; e) the post-study activities discussed earlier; f) demands for ancillary services from the USAIDs and local officials.

The six completed sector assessments are not only useful for planning short-term development strategies, but also as benchmarks to mark the progress of reforms. Taken together, they provide a matchless picture of the condition of justice in Central America and the Dominican Republic. Evaluations of this Project's ultimate long-term impact without them would be severely limited.

ILANUD is particularly concerned with follow-up. It has proposed that regional and national meetings be held during 1988-1992 to evaluate the State of the Region's Judiciary in the preceding years (usually every two years). The sector assessments would serve as the basis for these progress meetings.

The purpose of the regional meetings would be to evaluate problems common to the region and discuss regional means to address them. The national meetings would serve to deal with country-specific problems and the progress which has been made toward their solution.

The first regional meeting would take place in early 1989, followed by national meetings in Costa Rica and Honduras in 1989, national meetings in the Dominican Republic and Guatemala in 1990 and a final regional meeting in 1991. Staff from the regional sector assessment office, the directors of each of the involved sector assessments and two participants from the countries would attend.

In addition, the Government of Spain is interested in assisting ILANUD and the region's governments in follow-up activities. The Spanish central government and the government of Andalucia have offered co-financing for a 1989 conference to review the studies and explore concrete actions. The previously approved extension contains funds to allow FIU participation in that conference in early 1989.

The sector assessment findings have not been widely disseminated. These documents are not only useful planning tools but are also documents whose study, especially by law schools and national planning bodies, can generate attitudinal

change. Dissemination of these findings through publications and meetings is discussed in a later section.

The sector assessment reports have been prepared in Spanish, since the primary audience had been the judiciaries and the national commissions of each country. FIU has translated into English the reports and annexes for Costa Rica and Honduras. A partial translation of the Guatemala final report is now available. The Amendment will fund the completion of the translations of the Guatemala and Dominican Republic final reports.

3. Evaluations

FIU was to provide, as set forth in the Cooperative Agreement, technical assistance to ILANUD in the design and implementation of evaluations during the first three years of the Project.

The evaluation effort was first, to provide the basis for monitoring of implementation and to provide short-term feedback on project activities, problems and successes useful to improve the implementation efforts- formative evaluations. And, second, it was to conduct summative evaluations which will focus on the results (effects) achieved by the four operational components of the Project- training, advisory services, ILANUD support and extension services.

A number of persons were contacted to provide consultant services in the initial design of this evaluation methodology. However, no evaluations were done during the first year since the objectives of the Project were still being defined.

During 1986, FIU brought Mr. John Olesen in as a consultant to meet with RAJO and ILANUD in development of an initial evaluation. Mr. Olesen, a lawyer and former AID official, has extensive experience in AID Latin American programs. In March of 1987 he conducted a limited internal evaluation for ILANUD and RAJO. A major mid-term evaluation was completed in June 1988 by a team led by Mr. Olesen for Checchi and Company.

Under the Amendment, FIU will no longer assume any direct responsibility for carrying out evaluations, which are funded under the ILANUD grant extension.

4. Procurement

The Project Paper and the FIU Agreement contemplated that ILANUD would require assistance in the procurement, testing, assembly and shipment of computer equipment and other commodities required under the Project. FIU has assisted them in determinations as to the types of hardware and software, their configurations and usage, selection of lowest bidder, contracting, testing of equipment and shipment to the project site. FIU will also provide assistance to ILANUD in the procurement of commodities from countries outside the participating countries.

FIU assisted ILANUD both in direct procurement of U.S. goods and in the employment of a consultant to develop a procurement manual for ILANUD at Project inception. It has also employed a consultant for evaluating ILANUD computer needs, recommendations on equipment, and purchase and installation.

Due to the institutional capacity of FIU to effect purchases in the United States, FIU will continue to be available to procure equipment for ILANUD.

5. Conferences, Bar Association Meetings, Training and Study Tours

The Cooperative Agreement also recognized that ILANUD would require assistance in making the arrangements necessary to permit Central American and Dominican judges, prosecutors, attorneys, public defenders, court administrators, public officials and legislators to attend and take part in special events outside the participating countries. FIU has provided some assistance in this area, including preparing schedules and programs, selecting and notifying participants, arranging all logistics within the US and other host country and assisting them in making airline reservations and procuring tickets (when ILANUD cannot do so) and related activities.

Since study tours funded by the RAJP will cease, FIU does not have specific plans to assist in these. However, FIU will

continue to be available to assist ILANUD, RAJO and bilateral AID projects to organize and escort study tours to the United States, should such need arise.

6. Strengthening the Institutional and Academic Potential of FIU in this Sector

An objective of the AID/FIU Cooperative Agreement was assistance to develop the FIU Center for the Administration of Justice. The Center has thus far been absorbed in the provision of services to ILANUD and has devoted much less attention to its own institution-building. FIU will focus more on this aspect during these final years of the project. Most importantly, for FIU, these next years must be a period of consolidation, preparatory to the phase-out of AID operational support funding by the PACD.

Four activities will be carried out by the Center as a complement to those already specifically set forth in the Cooperative Agreement. These activities are:

- Publication of monographs;
- Publication of national reports and bibliographies;
- Meetings of experts; and
- Travel to conferences.

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

The FIU Center is a new source for legal information and data relevant to LAC regional legal systems and an alternative to the few, mainly European sources, presently available to the legal community in the region. Thus, it will promote the availability of up to date legal materials to the Latin American legal establishment and thus enhance the role of the United States in the improvement of justice administration in Latin America.

In cooperation with ILANUD's CEDO, the Center will also disseminate information gathered as a result of the Regional Administration of Justice Project. The original FIU/AID

Cooperative Agreement did not expressly contemplate financial resources for publication of the findings of the sector assessments. These findings run to thousands of pages and are a unique and invaluable product of the Regional Administration of Justice Project. It should be remembered that one of the problems of the SLADE PROJECT (the Stanford Law School's program of Studies in Law and Development) financed by AID at the beginning of the 70's was the lack of resources at the end of the project with which to publish the information it had collected. None of the manuscripts resulting from this major research effort were ever published and Latin America never had wide access to them.

a) Publications

A result of the FIU Center's sector assessment research has been the promotion of individual research on specific topics. The papers produced are serious approaches and insights to topics such as: the role and implications of the legal profession in Latin America, judicial independence in Latin America, the development of the Central American and the Caribbean police, the role of judges in Central America and the Caribbean, etc. These studies are valuable technical and academic efforts that will provide valid contemporary information. They constitute practical devices for the improvement of justice administration in the project countries. It would be highly beneficial to the Center and to AID, in its role as a provider of justice assistance, to reproduce and distribute these studies without cost to academic or governmental institutions as individual monographs, like the "Cuadernos de CAPEL" series funded by LAC/DI via another project.

Examples of the types of studies to be published are the following: "The Corregidores of Panama"; "An Economic Analysis of Constitutionally Mandated Appropriations to the Court System of Panama"; "A Socio-historical and Structural Approach to the Costa Rican Justice Model"; "The Conflict Between National Security and Order Maintenance Functions of Police in Costa Rica"; "Agrarian Justice in Honduras"; "An Economic Analysis of the Court System of Honduras"; "Criminal Procedure in the Dominican Republic"; "Methodology for the Study of the Behavior of Law in Indian Communities: the Case of Guatemala".

Another major byproduct of the sector assessments are complete national bibliographies on administration of justice. Previously, there were no complete justice sector bibliographies in the participating countries. Indeed, a general hindrance to legal development has been the lack of current legal materials. Each sector assessment produced the first complete legal bibliography in each country. The efforts represent the mammoth task not only of compiling the bibliographies, but also annotating them and identifying in which library they may be found (including many private law libraries). The bibliographies are restricted to national materials and represent an invaluable tool for law researchers, legislators, judges and practicing attorneys in the countries.

Approximately three hundred copies will be distributed per country. An additional two hundred would be printed for distribution outside the countries, but these costs would be borne by the sale of copies to US and European libraries.

b) Meetings of Experts

The interchange of ideas and experiences in a field as dynamic as justice administration is of great importance. In Central America there are few occasions when formal working meetings of respected high level experts in justice are held.

The countries covered by this proposal are attempting to maintain democratic regimes in the face of serious political, economic and social difficulties. The justice system, now more than ever, needs to respond rapidly and efficiently to the diverse and frequently complex situations and problems that arise in the region. The proposed meetings would be a forum where experts in the field of justice administration with an in-depth knowledge of the area could gather to discuss and analyze regional problems and propose viable solutions to them.

Two of these meetings, of two working days would be held annually with an average of twelve participants.

7. Inputs

The LOP Project funds for personnel under this component are \$887,582 in addition to \$105,512 for consultant services. The majority of personnel in this component are U.S. This component will also fund publications, travel and per diem, computer equipment and other services for a total additional LOP amount of \$1,970,539. A full description of the project

inputs is contained in the Financial Annex, Annex I.

The following Table 5 presents a summary of the Florida International University component with originally projected outputs as well as actual outputs as of December 31, 1988. It also shows the Project Amendment outputs. A 1989-1992 financial plan for this component is presented in Annex I.

G. HONDURAN TRAINING PROGRAM

ILANUD, working together with the Honduras' Supreme Court and National Commission for Judicial Reform, has been engaged in a variety of training and technical assistance activities in that country, including the planning, organization and implementation of courses for justices of the peace, other judges, prosecutors and public defenders; technical assistance directed towards the implementation of the new Judicial Career Law, creation of a procedural manual for Justices of the Peace, and the design of a diagnostic judicial sector assessment. Through these efforts, ILANUD has acquired a thorough working knowledge of principal problems faced by the Honduran judiciary and possible solutions. ILANUD's Honduran expertise is recognized in the recently completed Honduran bilateral project to Strengthen Democratic Institutions (522-0296). That project, as well as a recent request by the Honduran AID Mission to LAC/DI, contemplates that ILANUD will compliment bilateral activities through assistance to the Honduran Supreme Court in the institutionalization of a new Judicial School and in the design and implementation of judicial training courses. This component responds to that request.

Through this activity ILANUD plans to assist the Honduran judiciary to develop a number of courses in distinct areas and a systematic training plan leading, in the space of three years, to the institutionalization of judicial training through the establishment of a permanent Judicial School. The School will provide orientation to new incoming judges, in-service training for judges and other court personnel (including prosecutors and public defenders), and advanced training, thereby contributing, over the long run, to the consolidation of the judicial career anticipated in Honduras' new law. ILANUD's contribution to the comprehensive training program will include technical assistance, equipment, training, and salaries in order to: (1) create and maintain up-to-date studies on training needs; (2) design continuing education, basic orientation, and advanced judicial courses; (3) assist in

TABLE 5

SUMMARY OF FLORIDA INTERNATIONAL UNIVERSITY
COMPONENT

| Activity | /Projected Outputs /(1985-1990) | /Actual Outputs /As of 12/31/88 | /Amendment /Outputs |
|---|--|--|---|
| 1) <u>Technical Assistance to ILANUD in Project Implementation and Management</u> | /-Employment of 3 /senior resident /advisors /-Short-term /consultancies /to improve Project /management | /-3 advisors /employed /-Provided at /outset to meet /conditions /precedent and /thereafter | /-2 Advisors /employed /(Training /& Inst. /Develop.) /-120 days TA /-60 days /annual visits /by Proj. Dir. / 360 days of /short-term /consultancies /-Fixed short term /600 days LOP |
| 2) <u>Sector Assessments</u> | /-Five sector assessments /completed in first /year | /-Meeting to /determine /methodology /-Selection of /pilot country /(Panama) /-Translations /-Completion /of assessments /-Post-study /stage /-Discussion /with USAID /& national /commission /-ILANUD & /nat. comm. /implementation | /-2 regional /assessment /meetings /-4 national /meetings /of 2 final /reports |
| 3) <u>Evaluations</u> | /-Dev. of evaluation /methodology /-Midterm evaluation | /-Review & disc. /with AID /-Redesign /-Internal evalu- /ation /-Midterm | /-Not antici- /pated but /assistance /can be /provided /by TA /evaluation /in 1988 |

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TABLE 5 (Continued)

SUMMARY OF FLORIDA INTERNATIONAL UNIVERSITY
COMPONENT

| Activity | /Projected Outputs /(1985-1990) | /Actual Outputs /As of 12/31/88 | /Amendment /Outputs |
|--|---|---|--|
| 4) <u>Procurement</u> | /-Assist. to ILANUD /in US procurement | /-Dev. of ILANUD /procurement /manual /-Procurement of /commodities | /-Continuation /of procurement /for US goods |
| 5) <u>Study Tours</u> | /-Assistance to ILANUD /in US study tours | /-Minimal initial /US tours /-Decision on /group tours /-Planning & /accompaniment /of 2 US tours /in 1988 | /-Assistance /in program. /US tours |
| 6) <u>Center for the Administration of Justice</u> | /-Undefined assistance /to FIU in developing /its institutional /capacity to provide /assistance in the /L.A. justice area | /-Requests for: /-Publications /-Meetings /-Conference /travel | /-Pub. 5 bib. /-Pub. 15 stud. /-8 meetings /of experts /-Travel to 3 /meetings /annually |

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the production of practical written, audio and video teaching aids; (4) design a curriculum for the Judicial School and the norms which should govern participants throughout training; and (5) design a training plan (detailing, for example, number/type of students, number of courses per year, timing, etc.).

The Honduran Supreme Court has now created a coordinating committee, the Consejo de la Carrera Judicial, which is in charge of formulating the anticipated training program and submitting the final plan for institutionalization to the Supreme Court. ILANUD would be working directly with this group. The anticipated work plan would consist of three stages: (1) in the first year, design/implementation of specific training courses followed by an interim evaluation of these activities; (2) design of a long term training program and creation of relevant teaching aids (written/audio/video) based on the experiences of the first year of activity; and (3) completion by the end of the third year of a detailed training program institutionalized through a Judicial School which the Consejo de Carrera Judicial would recommend to the Supreme Court. At the end of the third year a second, final evaluation will be completed.

It is anticipated that ILANUD will, through this component, supply the bulk of judicial training required by the Honduran judiciary for the next three years. Any supplemental judicial training activities funded under the bilateral AOJ project should be coordinated with ILANUD and the Consejo de Carrera Judicial to avoid conflicting demands or unnecessary overlap.

ILANUD will enter into a Memorandum of Understanding with the relevant Honduran entities in order to establish implementation details, including each party's responsibilities, required coordination and follow-up. ILANUD contemplates that it will need to establish an office in Tegucigalpa to administer the program and to coordinate these activities with others contemplated under the bilateral Strengthening Democratic Institutions Project. Office space for this entity will be provided by the Honduran Supreme Court or National Commission as part of the Honduran counterpart contribution. Appropriate staffing for this ILANUD office will be worked out during negotiation of the Memorandum of Understanding. This Office will, among other things:

- Undertake all necessary actions to successfully implement all aspects of the training program;

- Coordinate, through ILANUD's Advisory Services Department, with the appropriate beneficiary entities to formulate appropriate annual working plans;
- Establish detailed financial and budgetary plans for each activity;
- Oversee the program to assure that plans, objectives and goals are timely met;
- Coordinate with other ILANUD departments to assure timely provision of needed technical services;
- Maintain appropriate controls over expenditures and adequate financial records;
- Prepare and submit to ILANUD and the AID Mission trimester reports on the progress of the program;
- Participate in the 2 evaluations contemplated over the three years; and
- Coordinate closely with the Honduran bilateral AOJ coordinator (see description of Resident Project Coordinators in Section II.E.1. above).

This component is budgeted at \$872,064 for this 3-year effort. A more detailed budget for this component is presented in Section IV. A., Summary Balance by Activity and in Annex J.

III. IMPLEMENTATION PLAN AND ARRANGEMENTS

A. ADMINISTRATIVE ARRANGEMENTS

ILANUD and AID will amend the existing Project Grant Agreement under which ILANUD will continue to have substantial involvement in implementation of the Project. ILANUD's Project Director will continue to have overall responsibility for administering the major Project components assigned, to ILANUD.

Florida International University and AID will enter into a follow-on Cooperative Agreement with FIU. It under which FIU will continue to have substantial involvement in project implementation. FIU's Project Director will have overall responsibility for administering this institution's activities.

B. JUSTIFICATION FOR CONTINUATION OF SOLE SOURCE PROCUREMENT

The RAJO, ILANUD, and LAC/DI all strongly favor a

follow-on Cooperative Agreement with FIU. It demonstrated repeatedly its unique capability both as a hands-on provider of appropriate and targeted technical assistance and as the source of in-depth insight and field experience, especially in Central American political and legal systems. The recent project evaluation states: "The quality of FIU's assistance has been very high. The two long-term advisors who have been resident in Costa Rica are exceptionally well-qualified and effective." (See Checchi Evaluation Final Report, June 1988, p. 75.)

Further, the Report states: "The FIU Training Advisor has played a key role in the success of the ILANUD training program." (*Idem.*) With respect to the Sector Assessments, the Report states: "...without the FIU Senior Advisor, this aspect of the Project could not have been achieved -- much less achieved well." (*Ibid*, page 76.)

The determination in the original project authorization to award a non-competitive cooperative agreement to FIU is fully warranted - both by FIU's performance and under applicable AID regulations. The recent (May 26, 1988) revision to Handbook 13, Chapter 2, Section 2.B., para 3., Exceptions, states that competition is not required if follow-on assistance is intended to continue or further develop an existing relationship and where the "recipient is considered to have exclusive or predominant capability, based on experience, specialized facilities or technical competences, or based on existing relationships with the cooperating country or beneficiaries." The required appropriate written justification to the contracting officer is contained in this subsection.

C. IMPLEMENTATION PLAN

(See following pages)

D. AID MONITORING ARRANGEMENTS

The Regional Administration of Justice Office (RAJO) will continue to be responsible for overall project implementation. The RAJO is currently being strengthened by the addition of a direct hire position. This U.S. direct hire Project Development Officer will act as overall supervisor of the RAJO and all of its activities, including the RAJP and the Costa Rica Bilateral Justice Sector Improvement Project (JSIP). For

C. Implementation Plan

PROJECT AMENDMENT IMPLEMENTATION PLAN
1989-1990

COMPONENTS

A. TRAINING ACTIVITIES

1. Operation of 24 workshop/Seminars

2. Operation of 16 short courses

2. Operation of eight South American courses for 3 countries each

3.Planning and administration of 80 study tours

4. Administration of 48 scholarships for PostGraduate studies at U.C.R.

5.Development of 8 training modules

6.New Training Programs in the Amendment

-Assistance to National & Bilat. Train.

-Development of 6 courses in D.R.

| | 1989 | | | | | | | | | | | | 1990 | | | | | | | | | | | |
|---|-------|---|---|---|---|---|---|---|---|---|---|---|------|---|---|---|---|---|---|---|---|---|---|---|
| | J | F | M | A | M | J | J | A | S | O | N | D | J | F | M | A | M | J | J | A | S | O | N | D |
| 1. Operation of 24 workshop/Seminars | | * | | * | * | | * | | * | * | | | * | | * | * | | * | | * | * | | | |
| 2. Operation of 16 short courses | | * | | * | | * | | * | | * | | | * | | * | | * | | * | | * | | | |
| 2. Operation of eight South American courses for 3 countries each | | | | | | * | | | * | | | | | | | | * | | | * | | | | |
| 3.Planning and administration of 80 study tours | ***** | | | | | | | | | | | | | | | | | | | | | | | |
| 4. Administration of 48 scholarships for PostGraduate studies at U.C.R. | ***** | | | | | | | | | | | | | | | | | | | | | | | |
| 5.Development of 8 training modules | | | | * | | | | * | | | | | | | * | | | | * | | | | | |
| 6.New Training Programs in the Amendment | | | | | | | | | | | | | | | | | | | | | | | | |
| -Assistance to National & Bilat. Train. | | * | * | * | | * | | * | | * | | | * | * | * | | * | | * | | * | | | |
| -Development of 6 courses in D.R. | | * | * | * | | * | | * | | * | | | * | * | * | | * | | * | | * | | | |

1991

1992

| | 1991 | | | | | | | | | | | | 1992 | | | | | | | | | | | |
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| | J | F | M | A | M | J | J | A | S | O | N | D | J | F | M | A | M | J | J | A | S | O | N | D |
| 1. Operation of 24 workshop/Seminars | | * | | * | * | | * | | * | * | | | * | | * | * | | * | | * | * | | | |
| 2. Operation of 16 short courses | | * | | * | | * | | * | | * | | | * | | * | | * | | * | | * | | | |
| 2. Operation of eight South American courses for 3 countries each | | | | | | * | | | * | | | | | | | | * | | | * | | | | |
| 3.Planning and administration of 80 study tours | ***** | | | | | | | | | | | | | | | | | | | | | | | |
| 4. Administration of 48 scholarships for PostGraduate studies at U.C.R. | ***** | | | | | | | | | | | | | | | | | | | | | | | |
| 5.Development of 8 training modules | | | | * | | | | * | | | | | | | * | | | | * | | | | | |
| 6.New Training Programs in the Amendment | | | | | | | | | | | | | | | | | | | | | | | | |
| -Assistance to National & Bilat. Train. | | * | * | * | | * | | * | | * | | | * | * | * | | * | | * | | * | | | |
| -Development of 6 courses in D.R. | | * | * | * | | * | | * | | * | | | * | * | * | | * | | * | | * | | | |

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B. ADVISORY SERVICES

1. Major Technical Assistance
 b. Technical assistance for the
 Implementation of Infor. Systems of
 Legislation and Jurisprudence

| 1989 | | | | | | | | | | | | 1990 | | | | | | | | | | | |
|-------|--|--|--|--|--|--|--|--|--|--|--|------|--|--|--|--|--|--|--|--|--|--|--|
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c & d. Data-Base and Follow-up of
 Bibliographic Needs
 -Bibliographic Material acquisitions
 -Continuing bib. support for
 existing basic libraries
 -Technical Assistance for the
 improvement of doc. services
 -Information services for countries

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| ***** | | | | | | | | | | | | | | | | | | | | | | | |

e. Other Major Tech. Ass. not
 Contemplated in the Proj. Paper
 i. T. A. for the
 administration of courts
 - Development of an automated
 information system in Guatemala
 -T. A. to other countries
 -Needs Assessment Uruguay
 - Uruguay Project Re-design
 ii. Agrarian Justice
 iii. Criminal Enforcement of
 Environmental Laws

| | | | | | | | | | | | | | | | | | | | | | | | |
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RAJP administrative and financial implementation he will work under the direction of the USAID/Costa Rica Mission Director. A PSC Special Projects Officer will assist in project implementation and monitoring under the direction of the USDA. Responsibilities include reporting on the progress of all program activities, assisting in the preparation of key implementation actions and documents and proposing timely corrective action that will improve the effectiveness of the project; and coordinating the provision of AID inputs.

Substantive technical and policy guidance for the implementation of the RAJP will continue to be provided by the LAC Bureau's Office of Democratic Initiatives (LAC/DI). USAID/Costa Rica, which has concurrent implementation authority for the project, will continue to provide programming, administrative and financial management support to the RAJO.

E. EVALUATION AND AUDIT

1. Evaluation

While ILANUD, with the help of the FIU Institutional Development Advisor, will establish an ongoing evaluation and monitoring plan, especially in relation to the training and advisory services, AID will retain funds to conduct both an interim and final evaluation of project effectiveness.

The interim evaluation will be conducted in 1990. This evaluation will follow up on the results of the Checchi evaluation and will focus mainly on the training, advisory services and institutional development activities. The methodology and format of the previous evaluation will be repeated in order to utilize the baseline data now generated. In this context, AID, at its discretion may decide to assess the results of Florida International University advisory services, including the adequacy of FIU's technical and institutional development support to ILANUD.

The interim evaluation will focus on assessing the progress of ILANUD in becoming a self-sufficient and substantial source of technical expertise in the improvement of the administration of justice. In addressing this objective, the evaluation will attempt to answer the following questions:

- What level of activity does ILANUD hope to maintain following completion of the Project?

- What progress has ILANUD made toward ensuring that it will have sufficient resources to maintain that level of activity once the Project has ended?
- What additional steps, if any, should the Project take to assist ILANUD in becoming self-sufficient?
- What has been the impact of the FIU-provided technical assistance in ILANUD's institutional development?

The evaluation will also readdress the issue of the usefulness of ILANUD-provided training. Specifically,

- Do training programs appear to reflect the priorities of participating countries?
- Is the training at the proper level considering the education of the participants and the resources available in their own countries?
- Are the instructors and teaching techniques effective?
- Have participants in the training courses been able to put their new knowledge and skills to use?
- Are there improvements in the performance of the judicial systems of participating countries that can be attributed to Project-sponsored training?
- What changes, if any, should be made in the training program?

Finally, the evaluation will look at the pilot projects and technical advisory services to answer the following questions:

- How successful are the pilot projects in the Dominican Republic (judicial statistics) and Costa Rica (computerized jurisprudence compilation)?
- Are the pilot projects improving measurably the independence, fairness, accessibility and efficiency of the Dominican and Costa Rican judicial systems?

- What efforts have been made to facilitate adaptation of these pilot projects to other participating countries?
- Is the court administration program improving measurably the independence, fairness, accessibility and efficiency of the judicial systems of the participating countries?
- Do ILANUD's technical assistance capabilities reflect the needs and priorities of the participating governments?
- What other areas of technical expertise should ILANUD be developing?
- What changes, if any, should be made in the Project's technical assistance component?

A final impact evaluation will be conducted at the conclusion of the project. This evaluation will examine the long-term institutionalization and sustainability of ILANUD and FIU as Centers of Excellence in the area of Administration of Justice. It will also assess to what degree procedural, legal, attitudinal and other changes have been introduced into the criminal justice systems of the participating countries. Finally, the impact of the project on judicial independence in the participating countries will be examined. The evaluation will be carried out in conjunction with the bilateral missions.

2. Audits

Several different levels of audit will be undertaken during the period of the project extension. ILANUD will be required to have an annual audit which will be performed by an independent CPA firm approved by AID. Funding for this audit is included in the project budget (see Annex G). FIU will be subject to audits under the single audit concept. The RAJO will be audited through the AID Regional Inspector General.

F. PROCUREMENT PLAN

The RAJO will utilize the purchasing and supply services of USAID/Costa Rica to purchase needed commodities. FIU will purchase a limited amount of computer and other office equipment, mainly during the year of the amendment. For instance, computer and office equipment compatible with ILANUD's will be procured for the FIU Center for the

Administration of Justice. FIU will also procure office supplies using University procurement procedures. FIU will also act as the procurement agent for ILANUD in the purchase of major commodities in the U.S. such as computers and office equipment. This will be a continuation of FIU's similar responsibilities for ILANUD and will utilize the same procedures. ILANUD will procure locally basic office supplies and a limited amount of equipment such as desks and chairs, and appropriate shelf items. This type of procurement will take place continuously throughout the project. Books and other library materials will be purchased by ILANUD both locally and internationally. The same approved procedures as utilized previously will be employed.

The procurement of consultant services will be done by both FIU and ILANUD. ILANUD will contract locally using its own contracting procedures for consultation available in the region. FIU will contract using university procedures for U.S. based and other international consultants.

The specific geographic codes for the provision of goods and services are Codes 000 (U.S.) and 941 (Developing World). The use of Code 941 is justified on the grounds that, as a regional project with 11 participating countries throughout the hemisphere, there are numerous times when, in the context of a training course or subproject, ILANUD will need to procure consultants and/or supplies from a particular country. Also, a waiver of source and origin for the purchase of law books, and of nationality for technical services from Code 935 as provided in the original authorization is included. (See Section G. below.)

G. WAIVERS

Three waivers are requested under this RAJP Project Paper Supplement.

1. Sole Source Waiver for FIU

A sole source waiver is requested for the non-competitive procurement of a cooperative agreement (CA) with Florida International University. FIU has unique capability in the area of administration of justice in Latin America and the CA extension will allow essential continuity in project activities. FIU first entered into a CA with AID for the purpose of providing "support for establishing a center for the administration of justice in Latin America and the Caribbean and to provide support for ILANUD." The basic premise of the extension or follow-on CA remains the same. With minor changes in the formation of the project team for ILANUD, FIU will continue to provide technical assistance to Ilanud in project

management and implementation through advisors in training, institutional development and technical and project management. Under the CA, FIU will also place increased emphasis on the second original objective of establishing a Center of Excellence in this area. Therefore, based on the provisions of Handbook 13, Chapter 2.B. (3) Exceptions, a waiver for the non-competitive procurement is justified on the basis of follow-on assistance awards intended to continue or further develop an existing assistance relationship and on the basis of unique or predominant capability based on experience, specialized facilities or technical competence or based on an existing relationship with the beneficiary.

FIU's crucial relationship to the success of the RAJP is clearly demonstrated throughout this PP supplement. The description of FIU's services to and relationship with ILANUD shows clearly that the proposed amendment activities are key elements intended to further develop ILANUD. Also, as the only existing U.S. Center for the study of the legal systems of Latin America and the Caribbean, FIU's Center for the Administration of Justice is uniquely qualified to continue to supply technical assistance in the implementation of AID's strategy for strengthening democratic institutions proposed under the RAJP. Therefore, SER/CM is requested to negotiate an extension of the Cooperative Agreement with Florida International University on a non-competitive basis to carry out the program described herein.

2. Code 941 Source, Origin and Nationality Waiver for Goods and Services

This waiver is intended to allow ILANUD the flexibility to procure locally in the countries of the hemisphere which may be either the situs of an AID funded ILANUD activity or the place of nationality of a course instructor or technical assistance provider. The 941 waiver for goods and services is intended principally to amplify the present authorized code (000 and participating countries) to specifically allow purchases in support of particular ILANUD activities (normally training events, conferences and the like) taking place in countries such as Mexico, Argentina, Brazil, or Chile, whose judiciaries are not presently included in the RAJP as direct RAJP beneficiaries, but whose systems may be models in certain areas for the eleven current project participant countries.

3. Code 935 Source, Origin and Nationality Waiver for Goods and Services

This waiver extends the 935 waiver provided in the March 20, 1985 project authorization to permit ILANUD to contract for technical assistance or services from consultants from the relevant European Civil or Continental law system countries. Also, this waiver for goods (specifically limited to books, magazines and other law related written or published materials) will permit ILANUD to expeditiously complete the basic libraries program and facilitate related book donations or large scale reprints. The project-supported training in advanced legal subjects and legal teaching methodology and modern criminal and civil process must be anchored in a legal system similar to those of participating project countries. The region's legal systems are based on the European Civil Law system as opposed to the Common Law heritage of the United States. This fundamental difference severely hinders the provision of training and technical assistance from the United States and necessitates that such training and technical assistance be carried out by experts from other countries.

Experience in the RAJP has shown that, of the small number of European Civil Law experts in the United States, few speak fluent Spanish or have practical, hands-on Civil Law experience. Therefore, the fundamental difference between the U.S. and Latin American legal foundations and the lack of U.S. Civil Law experts makes it critical for the achievement of project objectives to seek Civil Law training and technical assistance in Latin American and European nations with Civil Law justice systems. Some of the nations from which legal technical assistance and training will likely be sought include Argentina, Venezuela, Colombia, Spain, France, Italy and the Federal Republic of Germany.

An additional advantage of permitting use of these sources is that major modernizing trends in Civil Law are currently underway in several countries where Civil Law systems are employed which would be of direct benefit to the Project.

IV. FINANCIAL ANALYSIS AND PLAN

A. SUMMARY

This project extension has an estimated total cost of \$13.6 million funded by an AID Economic Support Fund (ESF) grant. The extended LOP is seven years and nine months, and the PACD will be December 31, 1992. The attached Annexes A-I detail financial inputs for each component. The following table, Summary Balance by Activity, summarizes the financial plan by inputs and includes a breakdown of the Honduras Training Program component. The breakdown between local currency and foreign exchange costs for 1989 is presented in Annex K; in subsequent years, ILANUD will prepare such breakdowns in its annual implementation plans.

SUMMARY BALANCE BY ACTIVITY
(In US \$000)

| ELEMENT | TOTAL | 1989 | 1990 | 1991 | 1992 |
|--|-------------|---------|---------|---------|---------|
| A. TRAINING | 3269587 | 969881 | 838716 | 730105 | 730105 |
| 1. Operating Expenses | 915812 | 234953 | 226953 | 226953 | 226953 |
| 2. Short Courses | 829440 | 207380 | 207380 | 207360 | 207360 |
| 3. Workshops & Seminars | 952608 | 238152 | 238152 | 238152 | 238152 |
| 4. South America Courses | 190360 | 47590 | 47590 | 47590 | 47590 |
| 5. Postgraduate Univ. C. R. | 273831 | 182554 | 91277 | 0 | 0 |
| 6. New Training Modal. | 72300 | 32100 | 20100 | 10050 | 10050 |
| 7. Assist. to Nat. Courses | 34236 | 26952 | 7284 | 0 | 0 |
| B. ADVISORY SERVICES | 2225056 | 507260 | 612860 | 502556 | 502556 |
| 1. Operating Expenses | 896420 | 237605 | 219605 | 219605 | 219605 |
| 2. Reporting of Leg. & Jurisp | 262408 | 65602 | 65602 | 65602 | 65602 |
| 3. Data Base Inf. & libr. supp | 201752 | 50439 | 50499 | 50438 | 50438 |
| 4. Court Administration | 92184 | 3726 | 37326 | 25566 | 25566 |
| 5. Criminal Justice Stats. | 267804 | 70101 | 65901 | 65901 | 65901 |
| 6. Agrarian Justice | 134276 | 67138 | 67138 | 0 | 0 |
| 7. Environmental Prot. | 88389 | 37194 | 31194 | 5 | 0 |
| 8. Short-term TA | 62124 | 15531 | 15531 | 15531 | 15531 |
| 9. Seminars & Workshops Related to Adv. Serv. | 239700 | 59925 | 59925 | 59925 | 59925 |
| C. INSTITUTIONAL SUPPORT | 3284324 | 827710 | 798452 | 809710 | 798452 |
| 1. Operating Expenses | 2929100 | 745775 | 727775 | 727775 | 727775 |
| 2. Advisory Council | 67544 | 22515 | 11257 | 22515 | 11257 |
| 3. Resident Coordinators Progr. | 237680 | 59420 | 59420 | 59420 | 59420 |
| D. HONDURAS TRAINING PROGRAM | 872064 | 433599 | 284650 | 153858 | 0 |
| 1. Judicial School Support | 366147 | 169190 | 110077 | 77880 | 0 |
| 2. Training Needs Assessment | 11450 | 11450 | 0 | 0 | 0 |
| 3. Judges' Handbooks | 10665 | 10665 | 0 | 0 | 0 |
| 4. Training Materials Produc. | 12000 | 12000 | 0 | 0 | 0 |
| 5. Courses for Judges | 202177 | 115530 | 57765 | 28882 | 0 |
| 6. Courses for Trainers | 27140 | 13570 | 13570 | 0 | 0 |
| 7. Project Implementation | 242485 | 101194 | 94184 | 47097 | 0 |
| E. CONTINGENCIES AND INFLATION | 480002 | 141812 | 126722 | 109812 | 101556 |
| F. OVERHEAD | 646576 | 149625 | 148392 | 131250 | 117309 |
| G. EVALUATIONS | 220000 | 0 | 20000 | 180000 | 20000 |
| H. AUDITS | 48000 | 0 | 15000 | 16000 | 17000 |
| I. Regional Adm of Just. Off | 737437 | 119601 | 146644 | 229090 | 242102 |
| J. FIC | 1970539 | 572537 | 634064 | 371428 | 392480 |
| TOTAL | \$ 13602585 | 3821905 | 3625286 | 3233822 | 2921672 |

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B. METHODS OF IMPLEMENTATION AND FINANCING

| <u>Method of Implementation</u> | <u>Method of Financing</u> | <u>Approximate Amount</u> |
|--|-------------------------------------|---------------------------|
| Technical Assistance: FIU Cooperative Agreement | Federal Reserve Letter of Credit | \$ 1,971 |
| ILANUD Grant: AID Direct | Advance | 626 |
| RAJO | Direct Pay | 737 |
| Evaluation/Audit AID Direct Contracts | Direct Pay | <u>268</u> |
| | Total | \$13,602 |

The above methods of implementation and financing have been utilized under the project previously and do not represent a departure from AID-approved methods. The USAID/Costa Rica Controller's Office is responsible for approving ILANUD's annual budgets, providing both U.S. dollar and local currency advances against a quarterly financial plan and clearing advances.

C. OBLIGATION SCHEDULE

| Obligation Schedule by Fiscal Year and Regional Account (US \$000) | | | | |
|---|----------------|----------------|----------------|--------------|
| | <u>FY 1989</u> | <u>FY 1990</u> | <u>FY 1991</u> | <u>Total</u> |
| CA Regional | 2,800 | 2,300 | 2,000 | 7,100 |
| LAC Regional | <u>1,400</u> | <u>2,500</u> | <u>2,600</u> | <u>6,500</u> |
| Total | 4,200 | 4,800 | 4,600 | 13,600 |

The proposed obligation schedule and breakdown by regional account is fully justified within the overall implementation plan as described in this Project Paper Supplement. In initial years (FY 1989 and FY 1990) project activities focus on Central America training and advisory services, several of which will begin to wind down by FY 1991. In addition, bilateral project

activities will be in full swing during this period. In the South American participating countries, the major focus will be in providing regional training courses; in later years they will also become the recipient of increased advisory sources and pilot project activities, thereby justifying the increased obligation of funds from the LAC Regional account. This breakdown also takes into account the fact that bilateral activities in the South American countries are on a much more limited scale than those in Central America. Major efforts in such countries as Ecuador, Peru, Chile and Colombia may not begin until FY 91 or FY 92.

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ANNEX A
TRAINING COMPONENT
FINANCIAL PLAN 1989-1992

| DESCRIPTION | TOTALS | 1989 | 1990 | 1991 | 1992 |
|----------------------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| 1. OPERATING EXPENSES | 915,812.00 | 234,953.00 | 226,953.00 | 226,953.00 | 226,953.00 |
| Salaries | 456,336.00 | 114,084.00 | 114,084.00 | 114,084.00 | 114,084.00 |
| Fringes | 269,044.00 | 67,261.00 | 67,261.00 | 67,261.00 | 67,261.00 |
| Consultant Fees | 24,000.00 | 6,000.00 | 6,000.00 | 6,000.00 | 6,000.00 |
| Travel | 9,920.00 | 2,480.00 | 2,480.00 | 2,480.00 | 2,480.00 |
| Per diem | 8,912.00 | 2,228.00 | 2,228.00 | 2,228.00 | 2,228.00 |
| Computer and office equip. | 16,000.00 | 10,000.00 | 2,000.00 | 2,000.00 | 2,000.00 |
| Office supplies | 40,000.00 | 10,000.00 | 10,000.00 | 10,000.00 | 10,000.00 |
| Teleph/Telex/Postage | 48,000.00 | 12,000.00 | 12,000.00 | 12,000.00 | 12,000.00 |
| Printing | 24,000.00 | 6,000.00 | 6,000.00 | 6,000.00 | 6,000.00 |
| Equip. maintenance | 9,600.00 | 2,400.00 | 2,400.00 | 2,400.00 | 2,400.00 |
| Other cost oper. exp. | 10,000.00 | 2,500.00 | 2,500.00 | 2,500.00 | 2,500.00 |
| 2. SHORT COURSES | 829,440.00 | 207,360.00 | 207,360.00 | 207,360.00 | 207,360.00 |
| Instructor's fees | 57,600.00 | 14,400.00 | 14,400.00 | 14,400.00 | 14,400.00 |
| Travel | 59,520.00 | 14,880.00 | 14,880.00 | 14,880.00 | 14,880.00 |
| Per diem | 92,480.00 | 23,120.00 | 23,120.00 | 23,120.00 | 23,120.00 |
| Student Travel | 198,400.00 | 49,600.00 | 49,600.00 | 49,600.00 | 49,600.00 |
| Student per diem | 307,200.00 | 76,800.00 | 76,800.00 | 76,800.00 | 76,800.00 |
| Other Course Adm. expenses | 114,240.00 | 28,560.00 | 28,560.00 | 28,560.00 | 28,560.00 |
| 3. WORKSHOPS AND SEMINARS | 952,608.00 | 238,152.00 | 238,152.00 | 238,152.00 | 238,152.00 |
| Instructor's fees | 28,800.00 | 7,200.00 | 7,200.00 | 7,200.00 | 7,200.00 |
| Travel | 119,040.00 | 29,760.00 | 29,760.00 | 29,760.00 | 29,760.00 |
| Per diem | 122,688.00 | 30,672.00 | 30,672.00 | 30,672.00 | 30,672.00 |
| Student Travel | 297,600.00 | 74,400.00 | 74,400.00 | 74,400.00 | 74,400.00 |
| Student per diem | 275,520.00 | 68,880.00 | 68,880.00 | 68,880.00 | 68,880.00 |
| Other course adm. expenses | 108,960.00 | 27,240.00 | 27,240.00 | 27,240.00 | 27,240.00 |

BEST AVAILABLE COPY

| | | | | | |
|-----------------------------------|---------------------|-------------------|-------------------|-------------------|-------------------|
| 4.SOUTH AMERICA COURSES | 190,360.00 | 47,590.00 | 47,590.00 | 47,590.00 | 47,590.00 |
| Instructor's fees | 14,400.00 | 3,600.00 | 3,600.00 | 3,600.00 | 3,600.00 |
| Travel | 16,000.00 | 4,000.00 | 4,000.00 | 4,000.00 | 4,000.00 |
| Per diem | 42,960.00 | 10,740.00 | 10,740.00 | 10,740.00 | 10,740.00 |
| Student per diem | 66,000.00 | 16,500.00 | 16,500.00 | 16,500.00 | 16,500.00 |
| Other course adm. expenses | 51,000.00 | 12,750.00 | 12,750.00 | 12,750.00 | 12,750.00 |
| 5.POSGRADUATE UNIV. OF COSTA RICA | 273,831.00 | 182,554.00 | 91,277.00 | 0.00 | 0.00 |
| Travel | 5,100.00 | 3,400.00 | 1,700.00 | 0.00 | 0.00 |
| Tuition & maintenance | 268,731.00 | 179,154.00 | 89,577.00 | 0.00 | 0.00 |
| 6.NEW TRAINING MODALITIES | 72,300.00 | 32,100.00 | 20,100.00 | 10,050.00 | 10,050.00 |
| Consultant fees | 48,000.00 | 24,000.00 | 12,000.00 | 6,000.00 | 6,000.00 |
| Travel | 12,000.00 | 4,000.00 | 4,000.00 | 2,000.00 | 2,000.00 |
| Per diem | 12,300.00 | 4,100.00 | 4,100.00 | 2,050.00 | 2,050.00 |
| 7.ASSIST. TO NATIONAL COURSES | 34,236.00 | 26,952.00 | 7,284.00 | 0.00 | 0.00 |
| Instructors fees | 3,600.00 | 3,600.00 | 0.00 | 0.00 | 0.00 |
| Travel | 15,300.00 | 11,850.00 | 3,450.00 | 0.00 | 0.00 |
| Per diem | 15,336.00 | 11,502.00 | 3,834.00 | 0.00 | 0.00 |
| GRAND TOTAL | 3,268,587.00 | 969,661.00 | 838,716.00 | 730,105.00 | 730,105.00 |

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ANNEX B
ADVISORY SERVICES COMPONENT
FINANCIAL PLAN 1989-1992

| DESCRIPTION | TOTALS | 1989 | 1990 | 1991 | 1992 |
|--|-------------------|-------------------|-------------------|-------------------|-------------------|
| 1. OPERATING EXPENSES | 896,420.00 | 237,605.00 | 219,605.00 | 219,605.00 | 219,605.00 |
| Salaries | 354,960.00 | 88,740.00 | 88,740.00 | 88,740.00 | 88,740.00 |
| Fringes | 325,212.00 | 81,303.00 | 81,303.00 | 81,303.00 | 81,303.00 |
| Consultant Fees | 24,000.00 | 6,000.00 | 6,000.00 | 6,000.00 | 6,000.00 |
| Travel | 14,880.00 | 3,720.00 | 3,720.00 | 3,720.00 | 3,720.00 |
| Per diem | 13,368.00 | 3,342.00 | 3,342.00 | 3,342.00 | 3,342.00 |
| Computer and office equip. | 26,000.00 | 20,000.00 | 2,000.00 | 2,000.00 | 2,000.00 |
| Office supplies | 40,000.00 | 10,000.00 | 10,000.00 | 10,000.00 | 10,000.00 |
| Teleph/Telex/Postage | 32,000.00 | 8,000.00 | 8,000.00 | 8,000.00 | 8,000.00 |
| Equip. maintenance | 16,000.00 | 4,000.00 | 4,000.00 | 4,000.00 | 4,000.00 |
| Printing | 40,000.00 | 10,000.00 | 10,000.00 | 10,000.00 | 10,000.00 |
| Other cost oper. exp. | 10,000.00 | 2,500.00 | 2,500.00 | 2,500.00 | 2,500.00 |
| 2. REPORTING OF LEGISLAT & JURISP | 262,408.00 | 65,602.00 | 65,602.00 | 65,602.00 | 65,602.00 |
| Salaries | 154,832.00 | 38,708.00 | 38,708.00 | 38,708.00 | 38,708.00 |
| Fringes | 47,788.00 | 11,947.00 | 11,947.00 | 11,947.00 | 11,947.00 |
| Consultant fees | 8,000.00 | 2,000.00 | 2,000.00 | 2,000.00 | 2,000.00 |
| Travel | 27,280.00 | 6,820.00 | 6,820.00 | 6,820.00 | 6,820.00 |
| Per diem | 24,508.00 | 6,127.00 | 6,127.00 | 6,127.00 | 6,127.00 |
| 3. DATA BASE AND LIBRARY SUPPORT | 201,752.00 | 50,438.00 | 50,438.00 | 50,438.00 | 50,438.00 |
| Salaries | 143,900.00 | 35,975.00 | 35,975.00 | 35,975.00 | 35,975.00 |
| Fringes | 37,852.00 | 9,463.00 | 9,463.00 | 9,463.00 | 9,463.00 |
| Bibliographic Needs | 20,000.00 | 5,000.00 | 5,000.00 | 5,000.00 | 5,000.00 |
| 4. COURT ADMINISTRATION | 92,184.00 | 3,726.00 | 37,326.00 | 25,566.00 | 25,566.00 |
| Salaries | 55,200.00 | 0.00 | 24,000.00 | 15,600.00 | 15,600.00 |
| Fringes | 22,080.00 | 0.00 | 9,600.00 | 6,240.00 | 6,240.00 |
| Travel | 7,440.00 | 1,860.00 | 1,860.00 | 1,860.00 | 1,860.00 |
| Per diem | 7,464.00 | 1,866.00 | 1,866.00 | 1,866.00 | 1,866.00 |

| | | | | | |
|---|---------------------|-------------------|-------------------|-------------------|-------------------|
| 5. CRIMINAL JUSTICE STATISTICS | 267,804.00 | 70,101.00 | 65,901.00 | 65,901.00 | 65,901.00 |
| Salaries | 100,704.00 | 25,176.00 | 25,176.00 | 25,176.00 | 25,176.00 |
| Fringes | 40,280.00 | 10,070.00 | 10,070.00 | 10,070.00 | 10,070.00 |
| Consultant Fees | 56,200.00 | 17,200.00 | 13,000.00 | 13,000.00 | 13,000.00 |
| Travel | 37,200.00 | 9,300.00 | 9,300.00 | 9,300.00 | 9,300.00 |
| Per diem | 33,420.00 | 8,355.00 | 8,355.00 | 8,355.00 | 8,355.00 |
| 6. AGRARIAN JUSTICE | 134,276.00 | 67,138.00 | 67,138.00 | 0.00 | 0.00 |
| Salaries | 63,600.00 | 31,800.00 | 31,800.00 | 0.00 | 0.00 |
| Fringes | 25,440.00 | 12,720.00 | 12,720.00 | 0.00 | 0.00 |
| Consultant Fees | 12,000.00 | 6,000.00 | 6,000.00 | 0.00 | 0.00 |
| Travel | 17,360.00 | 8,680.00 | 8,680.00 | 0.00 | 0.00 |
| Per diem | 15,876.00 | 7,938.00 | 7,938.00 | 0.00 | 0.00 |
| 7. ENVIRONMENTAL PROTECTION | 68,388.00 | 37,194.00 | 31,194.00 | 0.00 | 0.00 |
| Salaries | 31,200.00 | 15,600.00 | 15,600.00 | 0.00 | 0.00 |
| Fringes | 12,080.00 | 6,040.00 | 6,040.00 | 0.00 | 0.00 |
| Consultant Fees | 10,000.00 | 8,000.00 | 2,000.00 | 0.00 | 0.00 |
| Travel | 7,440.00 | 3,720.00 | 3,720.00 | 0.00 | 0.00 |
| Per diem | 7,668.00 | 3,834.00 | 3,834.00 | 0.00 | 0.00 |
| 8. SHORT-TERM TA | 62,124.00 | 15,531.00 | 15,531.00 | 15,531.00 | 15,531.00 |
| Consultant Fees | 48,000.00 | 12,000.00 | 12,000.00 | 12,000.00 | 12,000.00 |
| Travel | 7,440.00 | 1,860.00 | 1,860.00 | 1,860.00 | 1,860.00 |
| Per diem | 6,684.00 | 1,671.00 | 1,671.00 | 1,671.00 | 1,671.00 |
| 9. SEMINARS & WORKSHOPS IN SUPPORT TO ADVISORY SERVICES PROGRAMS | 239,700.00 | 59,925.00 | 59,925.00 | 59,925.00 | 59,925.00 |
| Instructor fees | 18,000.00 | 4,500.00 | 4,500.00 | 4,500.00 | 4,500.00 |
| Travel | 37,200.00 | 9,300.00 | 9,300.00 | 9,300.00 | 9,300.00 |
| Per diem | 27,000.00 | 6,750.00 | 6,750.00 | 6,750.00 | 6,750.00 |
| Student Per diem | 81,000.00 | 20,250.00 | 20,250.00 | 20,250.00 | 20,250.00 |
| Other | 76,500.00 | 19,125.00 | 19,125.00 | 19,125.00 | 19,125.00 |
| GRAND TOTAL | 2,225,056.00 | 607,260.00 | 612,660.00 | 502,568.00 | 502,568.00 |

ANNEX C
 INSTITUTIONAL SUPPORT COMPONENT
 FINANCIAL PLAN 1989-1992

| DESCRIPTION | TOTALS | 1989 | 1990 | 1991 | 1992 |
|----------------------------------|--------------|------------|------------|------------|------------|
| 1. OPERATING EXPENSES | 2,929,100.00 | 745,775.00 | 727,775.00 | 727,775.00 | 727,775.00 |
| Salaries | 1,936,664.00 | 484,166.00 | 484,166.00 | 484,166.00 | 484,166.00 |
| Fringes | 549,444.00 | 137,361.00 | 137,361.00 | 137,361.00 | 137,361.00 |
| Consultant Fees | 60,000.00 | 15,000.00 | 15,000.00 | 15,000.00 | 15,000.00 |
| Travel | 59,520.00 | 14,880.00 | 14,880.00 | 14,880.00 | 14,880.00 |
| Per diem | 53,472.00 | 13,368.00 | 13,368.00 | 13,368.00 | 13,368.00 |
| Computer and office equip. | 26,000.00 | 20,000.00 | 2,000.00 | 2,000.00 | 2,000.00 |
| Office supplies | 48,000.00 | 12,000.00 | 12,000.00 | 12,000.00 | 12,000.00 |
| Teleph/Telex/Postage | 48,000.00 | 12,000.00 | 12,000.00 | 12,000.00 | 12,000.00 |
| Training of personnel | 80,000.00 | 20,000.00 | 20,000.00 | 20,000.00 | 20,000.00 |
| Equipment maintenance | 24,000.00 | 6,000.00 | 6,000.00 | 6,000.00 | 6,000.00 |
| Printing | 32,000.00 | 8,000.00 | 8,000.00 | 8,000.00 | 8,000.00 |
| Other | 12,000.00 | 3,000.00 | 3,000.00 | 3,000.00 | 3,000.00 |
| 2. ADVISORY COUNCIL | 67,544.00 | 22,515.00 | 11,257.00 | 22,515.00 | 11,257.00 |
| Travel and per diem | 67,544.00 | 22,515.00 | 11,257.00 | 22,515.00 | 11,257.00 |
| 3. RESIDENT COORDINATORS PROGRAM | 237,680.00 | 59,420.00 | 59,420.00 | 59,420.00 | 59,420.00 |
| Salaries(*) | 212,000.00 | 53,000.00 | 53,000.00 | 53,000.00 | 53,000.00 |
| Travel | 14,880.00 | 3,720.00 | 3,720.00 | 3,720.00 | 3,720.00 |
| Per diem | 10,800.00 | 2,700.00 | 2,700.00 | 2,700.00 | 2,700.00 |
| GRAND TOTAL | 3,234,324.00 | 827,710.00 | 798,452.00 | 809,710.00 | 798,452.00 |

* These are part time salaries including fringes and benefits.

ANNEX D
CONTINGENCIES AND INFLATION
FINANCIAL PLAN 1989-1992

| DESCRIPTION | TOTALS | 1989 | 1990 | 1991 | 1992 |
|--------------------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| 1. CONTINGENCIES AND INFLATION | 436,398.00 | 120,232.00 | 112,491.00 | 102,119.00 | 101,556.00 |
| 5% on Ilanud Budget only | 436,398.00 | 120,232.00 | 112,491.00 | 102,119.00 | 101,556.00 |
| GRAND TOTAL | 436,398.00 | 120,232.00 | 112,491.00 | 102,119.00 | 101,556.00 |

ANNEX E
OVERHEAD
FINANCIAL PLAN 1989-1992

| DESCRIPTION | TOTALS | 1989 | 1990 | 1991 | 1992 |
|-----------------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| 1. OVERHEAD | 482,962.00 | 122,342.00 | 125,402.00 | 117,609.00 | 117,609.00 |
| 10% on Ilanud salaries only | 482,962.00 | 122,342.00 | 125,402.00 | 117,609.00 | 117,609.00 |
| GRAND TOTAL | 482,962.00 | 122,342.00 | 125,402.00 | 117,609.00 | 117,609.00 |

ANNEX F
EVALUATIONS
FINANCIAL PLAN 1989-1992

| DESCRIPTION | TOTALS | 1989 | 1990 | 1991 | 1992 |
|--------------------|-------------------|-------------|------------------|-------------------|------------------|
| 1. EVALUATIONS | 220,000.00 | 0.00 | 20,000.00 | 180,000.00 | 20,000.00 |
| Evaluations | 220,000.00 | 0.00 | 20,000.00 | 180,000.00 | 20,000.00 |
| GRAND TOTAL | 220,000.00 | 0.00 | 20,000.00 | 180,000.00 | 20,000.00 |

ANNEX G
AUDITS
FINANCIAL PLAN 1989-1992

| DESCRIPTION | TOTALS | 1989 | 1990 | 1991 | 1992 |
|-------------|-----------|------|-----------|-----------|-----------|
| 1.AUDITS | 48000 | 0 | 15000 | 16000 | 17000 |
| Audits | 48000 | 0 | 15000 | 16000 | 17000 |
| GRAND TOTAL | 48,000.00 | 0.00 | 15,000.00 | 16,000.00 | 17,000.00 |

ANNEX H
REGIONAL ADMINISTRATION OF JUSTICE OFFICE
FINANCIAL PLAN 1989-1992

| DESCRIPTION | TOTALS | 1989 | 1990 | 1991 | 1992 |
|---|-------------------|-------------------|-------------------|-------------------|-------------------|
| 1. SALARIES | 490,625.00 | 75,166.00 | 91,588.00 | 157,841.00 | 166,030.00 |
| Special Projects Officer | 126,893.00 | 0.00 | 9,541.00 | 57,245.00 | 60,107.00 |
| Secretary | 27,671.00 | 6,420.00 | 6,741.00 | 7,078.00 | 7,432.00 |
| Program Assistant | 92,237.00 | 21,400.00 | 22,470.00 | 23,594.00 | 24,773.00 |
| Adm Asistant Secretary | 44,399.00 | 10,000.00 | 10,700.00 | 11,449.00 | 12,250.00 |
| Financial Analyst & or Consult | 86,203.00 | 20,000.00 | 21,000.00 | 22,050.00 | 23,153.00 |
| Fringes (30%) | 113,222.00 | 17,346.00 | 21,136.00 | 36,425.00 | 38,315.00 |
| 2. BENEFITS | 55,293.00 | 0.00 | 8,400.00 | 22,260.00 | 24,633.00 |
| Schooling (\$2,000.00 per child, two children) | 13,871.00 | 0.00 | 4,400.00 | 4,620.00 | 4,851.00 |
| Housing Allowance | 38,962.00 | 0.00 | 2,800.00 | 17,640.00 | 18,522.00 |
| Moving Expenses | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Home Leave | 2,460.00 | 0.00 | 1,200.00 | 0.00 | 1,260.00 |
| 3. OFFICE SUPPORT | 141,373.00 | 32,800.00 | 34,440.00 | 36,163.00 | 37,970.00 |
| Computers, Equipment | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Maintenance (10%) | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Office supplies | 31,895.00 | 7,400.00 | 7,770.00 | 8,159.00 | 8,566.00 |
| Telephone | 68,962.00 | 16,000.00 | 16,800.00 | 17,640.00 | 18,522.00 |
| Photocopying | 27,585.00 | 6,400.00 | 6,720.00 | 7,056.00 | 7,409.00 |
| Postage | 12,931.00 | 3,000.00 | 3,150.00 | 3,308.00 | 3,473.00 |
| 4. TRAVEL | 50,147.00 | 11,635.00 | 12,217.00 | 12,827.00 | 13,468.00 |
| Air fare: 40 trips to C.A. \$330.00 each. | 14,223.00 | 3,300.00 | 3,465.00 | 3,638.00 | 3,820.00 |
| 7 trips to South A. \$900.00 | 6,788.00 | 1,575.00 | 1,654.00 | 1,736.00 | 1,823.00 |
| 7 trips to USA \$700.00 | 5,280.00 | 1,225.00 | 1,286.00 | 1,351.00 | 1,418.00 |
| Per diem: 54 trips for 5 days \$ 82.00 | 23,856.00 | 5,535.00 | 5,812.00 | 6,102.00 | 6,407.00 |
| GRAND TOTAL | 737,438.00 | 119,601.00 | 146,645.00 | 229,091.00 | 242,101.00 |

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ANNEX I
 FLORIDA INTERNATIONAL UNIVERSITY
 FINANCIAL PLAN 1989-1992
 (5% INFLATION)

| DESCRIPTION | TOTALS | 1989 | 1990 | 1991 | 1992 |
|--|---------------------|-------------------|-------------------|-------------------|-------------------|
| 1. SALARIES | 1,474,995.00 | 401,869.00 | 502,064.00 | 277,357.00 | 293,705.00 |
| Project Officer (3/4 time) | 233,004.00 | 53,250.00 | 55,913.00 | 59,827.00 | 64,014.00 |
| Inst. Development Advisor | 135,000.00 | 56,250.00 | 78,750.00 | 0.00 | 0.00 |
| Training Advisor | 104,400.00 | 43,500.00 | 60,900.00 | 0.00 | 0.00 |
| Secretary in Costa Rica | 7,200.00 | 3,000.00 | 4,200.00 | 0.00 | 0.00 |
| Researcher in Miami | 101,504.00 | 18,750.00 | 26,250.00 | 27,563.00 | 28,941.00 |
| Secretary in Miami (bilingual) | 82,464.00 | 15,000.00 | 21,400.00 | 22,470.00 | 23,594.00 |
| Student Assistant | 21,820.00 | 5,063.00 | 5,316.00 | 5,581.00 | 5,860.00 |
| Fringes Miami (29.25%) | 129,443.00 | 27,158.00 | 32,119.00 | 34,055.00 | 36,111.00 |
| Fringes Costa Rica (29.25%) | 72,747.00 | 30,311.00 | 42,436.00 | 0.00 | 0.00 |
| SUBTOTAL | 887,582.00 | 252,282.00 | 327,284.00 | 149,496.00 | 158,520.00 |
| Miami based overhead rate salaries only (60.1%) | 341,509.00 | 71,652.00 | 84,739.00 | 89,847.00 | 95,271.00 |
| Costa Rica based overhead rate salaries only (28.9%) | 92,292.00 | 38,455.00 | 53,837.00 | 0.00 | 0.00 |
| Consultants \$272 per day x 360 | 105,511.00 | 24,480.00 | 25,704.00 | 26,989.00 | 28,338.00 |
| Translation services | 48,101.00 | 15,000.00 | 10,500.00 | 11,025.00 | 11,576.00 |
| SUBTOTAL | 587,413.00 | 149,587.00 | 174,780.00 | 127,861.00 | 135,185.00 |
| 2. RESIDENT ADVISOR BENEFITS | 85,640.00 | 43,200.00 | 42,440.00 | 0.00 | 0.00 |
| Schooling: \$2,200.00 per child, for two children | 6,600.00 | 4,400.00 | 2,200.00 | 0.00 | 0.00 |
| Housing allowance (\$1200/month) | 59,040.00 | 28,800.00 | 30,240.00 | 0.00 | 0.00 |
| Moving expenses | 20,000.00 | 10,000.00 | 10,000.00 | 0.00 | 0.00 |

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| | | | | | |
|--------------------------------|--------------|------------|------------|------------|------------|
| 3. EXPENSES | 257,291.00 | 92,059.00 | 52,413.00 | 55,033.00 | 57,786.00 |
| Computer & office equip. | 39,458.00 | 30,000.00 | 3,000.00 | 3,150.00 | 3,308.00 |
| Telep/Telex/Postage | 46,119.00 | 10,700.00 | 11,235.00 | 11,797.00 | 12,387.00 |
| Equipment Maintenance | 18,448.00 | 4,280.00 | 4,494.00 | 4,719.00 | 4,955.00 |
| Office Supplies | 46,951.00 | 10,893.00 | 11,438.00 | 12,010.00 | 12,610.00 |
| Photocopying | 49,808.00 | 11,556.00 | 12,134.00 | 12,740.00 | 13,378.00 |
| Printing | 41,507.00 | 9,630.00 | 10,112.00 | 10,617.00 | 11,148.00 |
| Furniture for Inst Dev Advisor | 15,000.00 | 15,000.00 | 0.00 | 0.00 | 0.00 |
| 4. TRAVEL | 152,618.00 | 35,409.00 | 37,180.00 | 39,038.00 | 40,991.00 |
| Consultant trips (45x\$620) | 30,064.00 | 6,975.00 | 7,324.00 | 7,690.00 | 8,075.00 |
| Staff Travel (66x\$620) | 44,094.00 | 10,230.00 | 10,742.00 | 11,279.00 | 11,843.00 |
| Per diem consult (360x\$82) | 31,808.00 | 7,380.00 | 7,749.00 | 8,136.00 | 8,543.00 |
| Per diem staff (66x8x\$82) | 46,652.00 | 10,824.00 | 11,365.00 | 11,933.00 | 12,530.00 |
| GRAND TOTAL | 1,970,544.00 | 572,537.00 | 634,097.00 | 371,428.00 | 392,482.00 |

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ANNEX J.

Honduras Judicial School Financial Plan: 1989-1992

| UBISO | ENERO | FEBRERO | MARZO | ABRIL | MAYO | JUNIO | JULIO | AGOSTO | SEPTIEMBRE | OCTUBRE | NOVIEMBRE | DICIEMBRE | TOTAL AÑO |
|--|--------------------------|------------|-------|-----------|------|------------|-------|-----------|------------|---------|-----------|-----------|------------|
| 701 GASTOS DE OPERACION | | | | | | | | | | | | | |
| 4701701 | SUELDOS | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 4701702 | CARGAS SOCIALES | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 4701703 | AGUINALDO | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 4701721 | SEGURO FUNC. EN MISION | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 4701724 | BOLETOS DE D AL EXT. | 21,250.00 | 0.00 | 21,250.00 | 0.00 | 21,250.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 63,750.00 |
| 4701725 | TRANSPORTE LOCAL | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 4701726 | VIATICOS | 34,740.00 | 0.00 | 0.00 | 0.00 | 34,740.00 | 0.00 | 0.00 | 34,740.00 | 0.00 | 0.00 | 0.00 | 164,220.00 |
| 4701743 | EQUIPO DE OFIC Y COMPUT | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 4701772 | PAPELERIA Y UT. DE OFICI | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 4701780 | TELEFONO TELEF Y CORREO | 21,230.00 | 0.00 | 0.00 | 0.00 | 21,230.00 | 0.00 | 0.00 | 21,230.00 | 0.00 | 0.00 | 21,230.00 | 83,000.00 |
| 4701796 | MISCELANEOS | 21,250.00 | 0.00 | 0.00 | 0.00 | 21,250.00 | 0.00 | 0.00 | 21,250.00 | 0.00 | 0.00 | 21,250.00 | 83,000.00 |
| 4701798 | OVERHEAD | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| AL | | 118,490.00 | 0.00 | 21,250.00 | 0.00 | 118,490.00 | 0.00 | 0.00 | 97,240.00 | 0.00 | 0.00 | 42,500.00 | 397,970.00 |
| 702 MANAJA DE JUECES | | | | | | | | | | | | | |
| 4702719 | HONORARIOS EVENTUALES | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 4702721 | SEGURO FUNC. EN MISION | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 4702724 | BOLETOS DE D AL EXT. | 21,230.00 | 0.00 | 0.00 | 0.00 | 21,230.00 | 0.00 | 0.00 | 21,230.00 | 0.00 | 0.00 | 0.00 | 63,750.00 |
| 4702725 | TRANSPORTE LOCAL | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 4702726 | VIATICOS | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| AL | | 21,230.00 | 0.00 | 0.00 | 0.00 | 21,230.00 | 0.00 | 0.00 | 21,230.00 | 0.00 | 0.00 | 0.00 | 63,750.00 |
| 703 ESTUDIO NECESIDADES CAPAC. | | | | | | | | | | | | | |
| 4703719 | HONORARIOS EVENTUALES | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 4703721 | SEGURO FUNC. EN MISION | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 4703724 | BOLETOS DE D AL EXT. | 21,230.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 21,230.00 | 0.00 | 0.00 | 0.00 | 0.00 | 42,500.00 |
| 4703725 | TRANSPORTE LOCAL | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 4703726 | VIATICOS | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| AL | | 21,230.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 21,230.00 | 0.00 | 0.00 | 0.00 | 0.00 | 42,500.00 |
| 704 CURSOS PARA DOCENTES | | | | | | | | | | | | | |
| 4704719 | HONORARIOS EVENTUALES | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 4704721 | SEGURO FUNC. EN MISION | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 4704722 | BECAS | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 4704723 | CUBIAS DE INSCRIPCION | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 4704724 | BOLETOS DE D AL EXT. | 63,750.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 63,750.00 | 0.00 | 0.00 | 0.00 | 0.00 | 127,500.00 |
| 4704725 | TRANSPORTE LOCAL | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 4704726 | VIATICOS | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| AL | | 63,750.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 63,750.00 | 0.00 | 0.00 | 0.00 | 0.00 | 127,500.00 |
| 705 ESTABLECIMIENTO ESC. JUDICIAL | | | | | | | | | | | | | |
| 4705701 | SUELDOS | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 4705702 | CARGAS SOCIALES | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 4705703 | AGUINALDO | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 4705719 | HONORARIOS EVENTUALES | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 4705721 | SEGURO FUNC. EN MISION | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 4705724 | BOLETOS DE D AL EXT. | 42,500.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 42,500.00 | 0.00 | 0.00 | 0.00 | 0.00 | 85,000.00 |
| 4705725 | TRANSPORTE LOCAL | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 4705726 | VIATICOS | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 4705798 | OVERHEAD | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |

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| CODIGO | ENERO | FEBRERO | MARZO | ABRIL | MAYO | JUNIO | JULIO | AGOSTO | SEPTIEMBRE | OCTUBRE | NOVIEMBRE | DIC. ENERO | TOTAL |
|--------------------------------------|------------|---------|-----------|-------|------------|-------|------------|--------|------------|---------|-----------|------------|--------------|
| TOTAL | 42,500.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 42,500.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 85,000.00 |
| 04/06 CURSOS CAPACITACION JUECES | | | | | | | | | | | | | |
| 104/06/19 HONORARIOS EVENTUALES | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 104/06/21 SEGURO FUNC. EN MISION | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 104/06/22 BECAS | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 104/06/23 CUOTAS DE INSCRIPCION | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 104/06/24 BOLETOS DE O AL EXT. | 63,750.00 | 0.00 | 63,750.00 | 0.00 | 63,750.00 | 0.00 | 63,750.00 | 0.00 | 63,750.00 | 0.00 | 63,750.00 | 0.00 | 382,500.00 |
| 104/06/25 TRASNPORTE LOCAL | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 104/06/26 VIATICOS | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| TOTAL | 63,750.00 | 0.00 | 63,750.00 | 0.00 | 63,750.00 | 0.00 | 63,750.00 | 0.00 | 63,750.00 | 0.00 | 63,750.00 | 0.00 | 382,500.00 |
| 07/07 PREPARACION MATERIALES ESTUDIO | | | | | | | | | | | | | |
| 104/07/19 HONORARIOS EVENTUALES | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| TOTAL | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| TOTAL PROGRAMA CAPAC. DE HONDURAS | 330,990.00 | 0.00 | 85,000.00 | 0.00 | 203,490.00 | 0.00 | 191,250.00 | 0.00 | 182,240.00 | 0.00 | 63,750.00 | 42,500.00 | 1,099,220.00 |

COLONES

ANNEX K

Local Currency/U.S. Dollar Breakdown: 1989

| PROGRAMA/ACTIVIDAD | TOTAL | ENERO | FEBRERO | MARZO | ABRIL | MAYO | JUNIO | JULIO | AGOSTO | SEPTIEMBRE | OCTUBRE | NOVIEMBRE |
|----------------------|----------------------|---------------------|-------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|
| APOYO INSTITUC. | 15,638,301.00 | 1,126,576.00 | 17,708.00 | 17,708.00 | 11,094,438.00 | 11,591,518.00 | 11,094,438.00 | 11,706,226.00 | 11,094,438.00 | 11,591,518.00 | 12,779,043.00 | 11,094,438.00 |
| CAPACITACION | 24,253,225.00 | 1,499,312.00 | 131,042.00 | 341,417.00 | 12,087,182.00 | 13,700,528.00 | 965,182.00 | 12,578,699.00 | 12,089,882.00 | 12,081,298.00 | 12,700,883.00 | 12,888,534.00 |
| SERV. CONSULTIVOS | 17,548,240.00 | 2,675,560.00 | 400,662.00 | 878,362.00 | 967,182.00 | 12,861,955.00 | 967,182.00 | 12,016,049.00 | 967,182.00 | 12,901,955.00 | 967,182.00 | 11,444,882.00 |
| CAPAC. HONDURAS | 1,099,220.00 | 330,990.00 | | 85,000.00 | | 203,490.00 | | 191,250.00 | | 182,240.00 | | 63,750.00 |
| CONTING. E INFLAC. | 7,041,949.39 | 291,621.90 | 27,470.60 | 65,124.35 | 207,440.10 | 414,374.55 | 151,349.10 | 324,611.29 | 207,525.10 | 372,850.55 | 321,905.40 | 274,580.20 |
| OVERHEAD | 2,088,570.00 | 26,962.00 | 26,962.00 | 26,962.00 | 204,433.00 | 204,433.00 | 204,433.00 | 204,433.00 | 204,433.00 | 204,433.00 | 204,433.00 | 204,433.00 |
| TOTAL GENERAL | 55,769,305.39 | 5,941,921.90 | 685,844.60 | 1,415,573.35 | 4,559,679.10 | 8,975,995.55 | 3,082,575.10 | 7,021,269.29 | 4,562,560.10 | 5,034,274.55 | 6,964,446.40 | 5,770,517.20 |

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RESUMEN

PRESUPUESTO DE GASTOS

1989

DOLARES

| PROGRAMA/ACTIVIDAD | TOTAL | ENERO | FEBRERO | MARZO | ABRIL | MAYO | JUNIO | JULIO | AGOSTO | SEPTIEMBRE | OCTUBRE | NOVIEMBRE | DICIEMBRE |
|----------------------|-------------------|-------------------|------------------|------------------|------------------|-------------------|------------------|-------------------|------------------|------------------|------------------|------------------|-------------------|
| APOYO INSTITUC. | 184,511.00 | 33,994.00 | 625.00 | 625.00 | 10,825.00 | 14,484.00 | 10,825.00 | 40,535.00 | 10,825.00 | 14,484.00 | 11,780.00 | 10,825.00 | 24,684.00 |
| CAPACITACION | 224,081.00 | 6,893.00 | 1,700.00 | 3,162.00 | 24,419.00 | 27,436.00 | 9,279.00 | 27,171.00 | 24,484.00 | 15,740.00 | 35,261.00 | 25,122.00 | 23,414.90 |
| SERV. CONSULTIVOS | 102,381.00 | 18,329.00 | 0.00 | 7,671.00 | 2,687.00 | 18,258.00 | 2,687.00 | 6,051.00 | 2,752.00 | 18,259.00 | 2,687.00 | 3,351.00 | 19,637.00 |
| CAPACITAC HONDURAS | 375,551.00 | 61,396.00 | 14,652.00 | 37,172.00 | 15,707.00 | 40,881.00 | 14,652.00 | 57,687.00 | 15,296.00 | 39,232.00 | 15,457.00 | 36,167.00 | 27,252.00 |
| CONTING. E INFLACION | 44,326.20 | 6,030.60 | 848.85 | 2,431.50 | 2,681.90 | 5,052.95 | 1,872.15 | 6,572.20 | 2,667.85 | 4,385.75 | 3,259.25 | 3,773.75 | 4,747.45 |
| OVERHEAD | 33,833.00 | 1,475.00 | 1,475.00 | 1,475.00 | 3,043.00 | 3,043.00 | 3,043.00 | 3,043.00 | 3,043.00 | 3,043.00 | 3,043.00 | 3,043.00 | 3,043.00 |
| TOTAL GENERAL | 964,683.20 | 128,117.60 | 19,300.85 | 52,536.50 | 59,362.90 | 109,154.95 | 42,358.15 | 141,059.20 | 59,067.85 | 95,143.75 | 71,487.25 | 82,291.75 | 104,807.45 |

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RESUMEN

PRESUPUESTO DE GASTOS

1989

CONSULTARIO

ARD

COLONES Y DOLARES

| PROGRAMA/ACTIVIDAD | TOTAL | ENERO | FEBRERO | MARZO | ABRIL | MAYO | JUNIO | JULIO | AGOSTO | SEPTIEMBRE | OCTUBRE | NOVIEMBRE |
|----------------------|---------------------|-------------------|------------------|------------------|-------------------|-------------------|------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| APOYO INSTITUC. | 368,491.01 | 47,247.84 | 833.33 | 833.33 | 23,700.74 | 33,207.74 | 23,700.74 | 60,608.25 | 23,700.74 | 33,247.74 | 44,368.74 | 23,700.74 |
| CAPACITACION | 509,413.06 | 24,531.96 | 3,241.67 | 7,178.67 | 48,974.08 | 70,971.62 | 20,534.08 | 57,508.64 | 49,059.08 | 49,627.62 | 67,036.09 | 59,104.75 |
| SERV. CONSULTIVOS | 335,889.71 | 49,806.18 | 4,713.67 | 18,004.67 | 14,065.61 | 51,222.18 | 14,065.61 | 29,769.22 | 14,130.61 | 51,233.18 | 14,065.61 | 20,359.61 |
| CAPAC. HONDURAS | 388,483.00 | 63,290.00 | 14,652.00 | 38,172.00 | 15,707.00 | 43,275.00 | 14,532.00 | 59,937.00 | 15,296.00 | 41,376.00 | 15,457.00 | 36,917.00 |
| CONTING. E INFLAC. | 80,113.84 | 9,343.80 | 1,172.03 | 3,209.43 | 5,122.37 | 9,933.83 | 3,652.62 | 10,391.16 | 5,109.32 | 8,772.23 | 7,046.37 | 7,004.11 |
| OVERHEAD | 58,882.06 | 1,772.20 | 1,772.20 | 1,772.20 | 3,448.09 | 3,448.09 | 3,448.09 | 3,448.09 | 3,448.09 | 3,448.09 | 3,448.09 | 3,448.09 |
| TOTAL GENERAL | 1,740,792.67 | 198,011.98 | 26,484.90 | 69,190.30 | 113,017.90 | 214,858.46 | 82,433.15 | 223,662.36 | 112,743.85 | 189,624.86 | 135,421.91 | 132,534.31 |

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Revised Logical Framework Matrix Annex L

| NARRATIVE SUMMARY | OBJECTIVELY VERIFIABLE INDICATORS | MEANS OF VERIFICATION | ASSUMPTIONS |
|---|---|--|---|
| <u>GOAL</u> | | | |
| <p>To foster transformation of national justice systems into systems based upon independent and strengthened judiciaries which will command popular confidence in the fair and impartial application of law and support democratic institutions</p> | <p>1. Increase in public's confidence in the justice systems. 2. Higher levels of judicial branch training and education 3. Judiciaries become progressively more independent from executive</p> | <p>-Public opinion surveys -National statistics/periodic reports and evaluations -Periodic reports and evaluations</p> | <p>-Political stability and political will to achieve independent judicial power -Increased portion of national resources for justice systems.</p> |
| <u>PURPOSE</u> | | | |
| <p>To strengthen regional and national institutions to provide services necessary for improvement of administrative, technical and legal performance of justice systems in the region</p> | <p>1. ILANUD capability to serve as regional resource of training and technical assistance upgraded 2. Supreme Courts control budget for court system 3. Supreme Courts functioning effectively as administrators of national court systems</p> | <p>-Periodic reports and evaluations Periodic reports and evaluations Periodic reports and evaluations</p> | <p>-ILANUD will act quickly and efficiently to implement project. -National institutions and governments will continue to support accept ILANUD regional role. -National institutions will devote sufficient human and material resources to address problems and use ILANUD resources. -Each country provides supportive policy framework. -Governments provide adequate resources from national budget.</p> |

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| NARRATIVE SUMMARY | OBJECTIVELY VERIFIABLE INDICATORS | MEANS OF VERIFICATION | ASSUMPTIONS |
|---|---|----------------------------------|--|
| <u>OUTPUTS:</u> | | | |
| <u>A. TRAINING</u> | | | |
| 1. <u>Regional workshops and seminars</u> | -44 seminars/workshops developed, tested and improved -1196 national senior level judicial and bar association representatives trained | Periodic reports and evaluations | -Regional level training most appropriate for senior levels of justice system. -Strong national commitments will allow judges' and prosecutors' workloads to be adjusted to permit participation. |
| 2. <u>Short Courses</u> | -32 short course modules, developed, tested and improved -2152 national personnel trained | Periodic reports and evaluations | |
| 3. <u>Study Tours</u> | -54 national personnel complete study tours (No new fundings) | Periodic reports and evaluations | -Study tours will be more appropriate for personnel with management functions than for others. |
| 4. <u>University of Costa Rica Graduate Program</u> | -48 attorneys complete specialization in criminal or agrarian law under existing UCR graduate program | Periodic reports and evaluations | -Persons selected to attend should be oriented toward teaching and training in their own country. Preference should be accorded among applicants on that basis. |
| 5. <u>Development of New Training modalities</u> | -8 courses developed in civic/legal education, citizens rights and the judicial system using radio and print | Periodic reports and evaluations | -Interest within various countries exist to prepare relevant course |

B. ADVISORY SERVICES1. Major Technical Assistance

| | | | |
|--|---|----------------------------------|--|
| a) Sector Assessments -studies undertaken under ILANUD coordination in Six countries | -Six sector assessment reports completed | Periodic reports and evaluations | -Sufficient qualified personnel available on a timely basis to work on sector assessments. -National governments provide support and cooperation to expedite process. |
| b) Criminal Justice Statistics -assistance to governments in development of statistical collection capacity and in planning based on informations so gathered | -One pilot project developed in a participating country with dissemination of results to other countries with appropriate TA | Periodic reports and evaluations | -National governments provide support and cooperation in design and implementation and devote sufficient budget to permit institutionalization of new systems. |
| c) Reporting of Legislation and Jurisprudence -assistance to governments to develop capacity to compile, publish and distribute information on legislative and juridical developments on a timely basis | -Model system for region developed, with automated data base, classification system, and method for inexpensive distribution of information -Workshops conducted in each country on model system -Implementation of model system in | Periodic reports and evaluations | -Rapidly of model development depends on adaptability of Spain's new system. -National governments provide support and cooperation in project design. -National governments devote sufficient budget |

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| NARRATIVE SUMMARY | OBJECTIVELY VERIFIABLE INDICATORS | MEANS OF VERIFICATION | ASSUMPTIONS |
|---|--|---|---|
| <p>d) <u>Bibliographic Needs</u> -upgrading of law libraries in each country</p> | <p>Costa Rica and Guatemala with dissemination of results and TA to other countries</p> <p>-ILANUD develops basic core collection list for criminal justice and court administration -ILANUD and AID select central library in each country to receive core collection -TA to countries to develop basic legal materials</p> | <p>Periodic reports and evaluations</p> | <p>to achieve institutionalization of model system in their country.</p> <p>-National systems are sufficiently alike to allow a uniform basic library to be useful.</p> <p>-National government or recipient institution commits to staffing and budget to maintain collection and agreed to make it available to justice sector.</p> |
| <p>e) <u>Data Base Information and Assistance</u> -establishment of relevant data bases at ILANUD available to regional users</p> | <p>-ILANUD maintains central bibliographic data base and makes it available to users in region</p> | <p>Periodic reports and</p> | |
| <p>f) <u>Court Administration</u> Pilot project to develop basic administrative procedures centering on case tracking and management</p> | <p>-Pilot project in Guatemala develops standardized form, and procedures -Results of pilot project disseminated to other countries with TA to assist in own efforts</p> | <p>Periodic reports and evaluation</p> | |

| NARRATIVE SUMMARY | OBJECTIVELY VERIFIABLE INDICATORS | MEANS OF VERIFICATION | ASSUMPTIONS |
|---|--|----------------------------------|---|
| <u>g) Agrarian Justice systems strengthened</u> -TA and Workshops for participating countries -one pilot activity developed | -Pilot Project in Costa Rica develops operational manuals, prepares training materials and provides TA | Periodic reports and evaluations | |
| <u>h) Enforcements Environmental Protection laws</u> -Pilot project in Ecuador | -training materials developed and training of personnel carried out in compliance of environmental law | Periodic reports and evaluations | |
| <u>2. Country-Specific Technical Assistance</u> | | | |
| -TA responsive to national requests for specialized aid | -64 technical assistance assignments carried out (average two weeks) | Periodic reports and evaluations | -National resources are insufficient or non-existent. |
| <u>3. Instructional Design/Materials and Training Development Assistance</u> | | | |
| -TA to national institutions for course/materials | -Basic Manuals for all participating countries | Periodic reports and evaluations | -National resources are insufficient or non-existent. |
| <u>C. INSTITUTIONAL DEVELOPMENT AND SUPPORT FOR ILANUD AND OTHER REGIONAL INSTITUTIONS</u> | | | |

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| NARRATIVE SUMMARY | OBJECTIVELY VERIFIABLE INDICATORS | MEANS OF VERIFICATION | ASSUMPTIONS |
|---|--|----------------------------------|---|
| <u>1. Organizational development of ILANUD</u> | <ul style="list-style-type: none"> -ILANUD administrative structure reorganized to implement Project -New offices, divisions established and staffed, AID commodity assistance provided for start-up | Periodic reports and evaluations | <ul style="list-style-type: none"> -ILANUD is the chief vehicle for regional justice reform efforts. -ILANUD is fully committed to Project implementation. -ILANUD is capable of implementation with external TA. |
| <u>2. Long Term Advisors to ILANUD</u> | <ul style="list-style-type: none"> -Two full time senior advisors to ILANUD contracted -ILANUD staff trained in new functions | Periodic reports and evaluations | <ul style="list-style-type: none"> -Present ILANUD staff has insufficient experience and background to implement project fully. |
| <u>3. National Justice Commissions</u> -support for establishment via ILANUD | <ul style="list-style-type: none"> -Commissions established as permanent government organs in each country -Funding for staffs and periodic travel to ILANUD provided as necessary | Periodic reports and evaluations | <ul style="list-style-type: none"> -A national reform commission or equivalent body in necessary in each country to assure legitimacy of project and commitment of national government to reform. |
| <u>4. Long-term Development Strategy for ILANUD</u> | <ul style="list-style-type: none"> -Formal long term strategic plan developed with assistance of Senior Advisors -Contributions of continuing financial or other material support committed to by | Periodic reports and evaluations | <ul style="list-style-type: none"> -Reform process will require at least ten years of consistent region-wide effort. -National governments will commit to ILANUD sufficient funding to continue Project initiated activities. |

D. Extension Facility

No new assistance in
this area, (See Log
Frame Admendment #1
for details)

E. Honduran
Training Program

-TA to assist the
Honduran judiciary
establish a permanent
judicial school.

-develop training plans
-write court curriculum
-design and produce
training materials

Periodic reports and
evaluations

Honduran Supreme
court has funds
to continue to
support school
after start-up
initial

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| <u>Project Inputs</u> | Total to Date | P.P. Supplement | Revised Total | % of Total Costs |
|---------------------------------|---------------------|---------------------|-------------------|------------------|
| 1. Training | \$2,866,200 | \$3,268,587 | \$6,134,787 | 24% |
| 2. Advisory Services | \$2,417,100 | \$2,225,056 | \$4,642,156 | 18% |
| 3. Institutional Support | \$2,128,800 | \$3,234,324 | \$5,363,124 | 21% |
| 4. Extension Facility | \$2,863,500 | -0- | \$2,863,500 | 11% |
| 5. Evaluations Audit | \$300,000 | \$268,000 | \$568,000 | 2% |
| 6. Funds to U.S. Grants | \$500,000 | -0- | 500,000 | 8% |
| 7. FIU C.A | Funding in 1,2,3,4 | \$1,970,539 | \$1,970,539 | 8% |
| 8. RAKD | Funding in 2 above | \$737,437 | \$737,437 | 3% |
| 9. Honduran Training | -0- | \$872,064 | \$872,064 | 3% |
| 10. Overhead | -0- | \$546,576 | \$546,576 | 2% |
| 11. Contingencies/ Inflation | \$1,194,400 | \$480,002 | \$1,674,402 | 6% |
| TOTAL | \$12,270,000 | \$13,602,585 | 25,872,585 | 100% |

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