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QUARTERLY REPORT
November 1, 1990 - January 31, 1991
Submitted to the Agency for International Development
Office of Democratic Initiatives
Cooperative Agreement No. LAC-0770-A-00-0034-00
(revised)

I. OVERVIEW:

During the second quarter of the regional legislative development project, The Center for Democracy focused its efforts on finalizing its subagreements with Florida International University and the University at Albany, State University of New York. The Consortium also invested considerable effort, under CFD leadership, in developing its second and third needs assessment efforts in Panama and Costa Rica and FIU undertook an exploratory effort in Haiti. Two ATELCA activities were accomplished during the second quarter.

UA/SUNY (CLD) led the effort to expand and revise the Nicaragua Needs Assessment Document which was resubmitted to USAID/Nicaragua in December. FIU led the effort to draft the Panama Needs Assessment document which was submitted to USAID/Panama and the Panamanian Legislative Assembly in January, 1991. The Center led a Consortium needs diagnostic study team in Costa Rica after a preliminary visit by Center President Allen Weinstein in early January led to a request for a needs assessment from USAID/Costa Rica and the Costa Rica Legislative Assembly. A preliminary draft of the Needs Assessment document was presented to the USAID/Costa Rica mission. In December 1990, FIU fielded a team in Haiti, at the urging of LAC/DI, to explore a possible bilateral assistance project for the newly-constituted Haitian parliament.

The two ATELCA-related efforts were the 3rd General Assembly meeting in San Salvador, El Salvador and a meeting of the ATELCA Executive Committee in San José, Costa Rica.

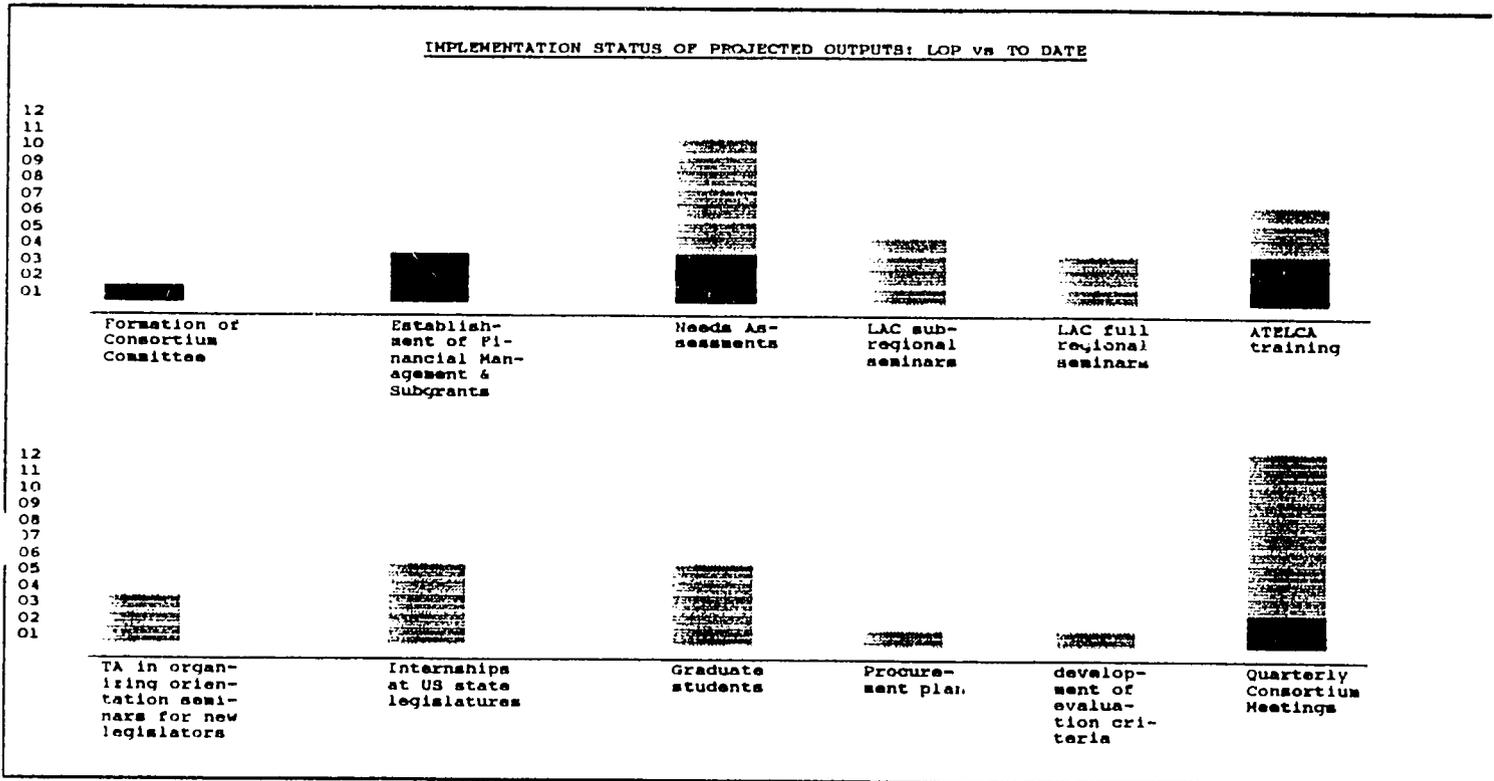
The Center also continued to pursue the two contractual matters it had taken up during the first quarter of the project. The matter of Gerald Reed's salary was successfully negotiated, but the contract office continued to be reticent on the matter of the Center's request for line item transfer authority.

On November 28, the Consortium held its second quarterly meeting in Washington, D.C. with the participation of LAC/DI. At this meeting, the Consortium's proposed Work Plan was reviewed and the status of the subagreements being negotiated with UA/SUNY and FIU was discussed.

Based on the discussions at the second quarterly meeting with LAC/DI participation, the Center revised the proposed work plan again, submitted it to LAC/DI and received verbal concurrence.

II. PROGRESS:

Below is a bar-graph chart that shows the progress achieved during the second quarter of the legislative development project in implementing the cooperative agreement's scope of work. The black bars denote completed outputs and the gray bars denote the Life-of-Project outputs stipulated in the cooperative agreement.



Project Implementation Details:

During the second quarter of the project, several important outputs/activities were undertaken in compliance with the requirements of the cooperative agreement. Details of their implementation are developed below.

I. Completion of the Subagreements with UA/SUNY and FIU

After lengthy negotiations involving The Center for Democracy's president, controller and counsel and the respective authorities at both the University at Albany, State University of New York and Florida International University, the Center reached closure on the subagreements

stipulated as outputs in the cooperative agreement's scope of work. This achievement greatly facilitated the Consortium's work. Up to the point that the subagreements were signed, the Center processed all expenses incurred by UA/SUNY and FIU, including Gerald Reed's salary, which was in dispute, and all expenses connected with the needs assessment activities. These expense were recovered by the Center from the funds obligated to each institution. *Copies of the completed agreements are appended to this report as Attachment A.*

2. Nicaragua Needs Assessment

The Consortium's Nicaragua needs assessment effort emerged as an outgrowth of The Center for Democracy's earlier legislative development and election-related work. During the second quarter, the initial draft that had been left with the USAID/Nicaragua. Charles Dawson of CLD/SUNY(CLD), who had drafted a substantial portion of the original draft along with Caleb McCarry and Robert Murphy of CFD, revised the draft with input from Gerald Reed of FIU and Caleb McCarry of CFD. The improved draft was sent to USAID/Nicaragua on December 16, 1990. *A copy of the working draft of the Nicaragua Needs Assessment is located at Attachment B.*

3. Panama Needs Assessment

The Consortium for Legislative Development undertook a needs assessment of the Legislative Assembly of Panama at the invitation of both the President of the Assembly and the USAID Mission in Panama. During the second quarter of the project, the Consortium team undertook a field visit on December 11-14, 1990 that included meetings with the President, *Junta Directiva* and key staff leaders of the Assembly.

Unfortunately, the team's visit was interrupted by a riot that occurred at the Assembly in which considerable property damage occurred. The CLD team was whisked out of the Assembly by its security staff and, given the anti-government nature of the incident, the Legislative Assembly asked the team to return to Panama at a later date to complete its interviews for the Needs Assessment.

Based on the interviews and analysis conducted on the first visit, Gerald Reed of FIU prepared a first draft of the needs assessment document which was reviewed by Charles Dawson of UA/SUNY(CLD) and by the CFD before being sent in January 1991 to USAID/Panama for preliminary review.

The Consortium's December, 1990 Needs Assessment Team was comprised of the following members:

Dr. Allen Weinstein, President, and Mr. Caleb McCarry, Program Director, The Center for Democracy

Dr. Allan Rosenbaum, Dean, and Mr. Gerald G. Reed, Program Manager, The School of Public Affairs and Services, Florida International University

Dr. Charles S. Dawson, Deputy Director and Project, Center for Legislative Development, University at Albany, State University of New York.

4. Costa Rica Needs Assessment

During the project's second quarter, The Center for Democracy led the Consortium in developing a diagnostic study of the Costa Rica Legislative Assembly and in providing technical assistance to the USAID/Costa Rica mission the Costa Rica Legislative Assembly in the preliminary development of a technical assistance program. The efforts implemented toward these ends during the second quarter include:

a) On January 8-10, 1991, President Allen Weinstein and Caleb McCarry of The Center for Democracy visited the USAID/Costa Rica Mission director and officers and also visited with the President of the Legislative Assembly, Lic. Juan José Trejos Fonseca and other Costa Rican leaders. The result of this visit was an agreement between President Trejos and the USAID/Costa Rica mission director to use the Consortium for Legislative Development to design and implement a \$3 million legislative development effort in Costa Rica. The Center agreed, as a first step, to field a team within ten days to conduct a needs assessment. This offer was accepted by both the Legislative Assembly and the USAID/Costa Rica mission. The CFD's preliminary trip was initiated during a visit by the LAC/DI Office director to Costa Rica in which plans for a bilateral legislative development program were discussed and the availability of the Consortium to conduct such a project was established.

b) From January 17 to 26, 1991 the Consortium fielded a team in Costa Rica to conduct field research for a needs assessment document. The team consisted of the following members:

- i) Caleb McCarry of CFD;
- ii) Charles Dawson of UA/SUNY(CLD);
- iii) Gerald Reed of FIU/SPAS;
- iv) John Phelps, Chief Clerk of the Florida state House of Representatives;
- v) Brian Weberg of the National Conference of State Legislatures, and;
- vi) Arturo Pérez of the National Conference of State Legislatures.

The Center for Democracy included the two representatives of the NCSL as consultants on the team at the request of the USAID/Costa Rica mission. USAID/Costa Rica had previously engaged the NCSL in a dialogue on possible collaboration in developing a bilateral legislative assistance effort. The team conducted a series of interviews with USAID officials, leaders and members of the Legislative Assembly and with the director

(at a minimum) of every staff subsection in the Legislative Assembly. During its stay in Costa Rica, the CLD team received outstanding logistical support from the Executive Director of the Assembly, Olmedo Castro Rojas, and from our designated USAID/Costa Rica liaison, Flora Ruiz. The team reviewed and left a detailed outline of the needs assessment document with the USAID/Costa Rica mission.

Although the delegation worked very well in conducting its interviews, the guidelines set by the President of the Legislative Assembly for the conduct of the study caused considerable tension within the USAID/Costa Rica mission. The president of the Assembly indicated to the CLD team leader, Caleb McCarry, that he wished only to have CLD representatives conducting the interviews. He explained that the USAID mission had pursued its contacts with the Assembly to discuss developing a project with great vigor. He added that he feared raising undue concerns and sensitivities in starting up this project, given that the last AID-funded legislative development effort in the 1970's ended with the AID selected project director being formally ejected from the Legislative Assembly. The President stated these guidelines in a letter to Henry Reynolds of USAID/Costa Rica and stated them verbally to Mr. Reynolds in a subsequent telephone conversation. The president's position deeply frustrated the USAID/Costa Rica mission which had explained to the CFD that it wished to carefully control all development projects in the wake of a negative evaluation of the implementation of a bilateral Administration of Justice project in Costa Rica.

c) Immediately following the fielding of the needs assessment team, The Center for Democracy hosted the Assembly President Juan José Trejos Fonseca and a mixed member/staff group in Washington, D.C.

At the CLD's suggestion and with the strong support of the USAID/Costa Rica mission, President Trejos had named an *ad hoc* commission to guide the Assembly's legislative development efforts. The better part of this ad hoc commission accompanied him to Washington, including:

- i) Deputy Ovidio Pacheco Salazar (PUSC)
- ii) Deputy José Joaquín Chávez (PLN)
- iii) Executive Director Olmedo Castro Rojas

The Costa Rican team met with Administration officials and had a schedule of meetings in the United States Senate and House of Representatives which included a major luncheon hosted by Senator Bob Graham (D-FL). President Trejos's schedule was set by Secretary of the Senate Walter J. Stewart who also arranged for the Costa Rican legislators to be on the floor of the House of Representatives for President Bush's State of the Union address.

President Trejos had an important meeting with the AID Assistant Administrator for Latin America and the Caribbean (AA/LAC) Ambassador James H. Michel. This meeting was

attended by the USAID/Costa Rica Mission Director, Ronald Venezia, by LAC/DI, the AID desk officer for Costa Rica and Consortium representatives from the CFD and FIU.

5. Haiti Exploratory Visit

From December 18-21, 1990, FIU fielded a team in Haiti at the urging of LAC/DI to explore a possible bilateral assistance project for the newly-constituted Haitian parliament. School of Public Affairs and Services Dean Allan Rosenbaum and CLD/FIU program manager Gerald Reed held discussions with USAID/Haiti, and American Embassy officials and with members of the Haitian parliament.

Despite certain differences between the Embassy and the USAID mission and despite the Haitian's general leeringness of U.S. Government-funded initiatives, the FIU team was, to its great credit, able to successfully engage in a dialogue on developing a legislative assistance strategy that would work for all three parties.

USAID/Haiti expressed preliminary interest in "buying-into" the Consortium's regional agreement for legislative development services. It is important to note that the Haitian parliament has not discouraged FIU from pursuing its efforts in that country on behalf of the Consortium.

6. ATELCA Activities

(a) El Salvador General Assembly Meeting

As proposed in the work plan, The Center for Democracy sponsored and helped organize the third meeting of the General Assembly of ATELCA in San Salvador, El Salvador, from November 1-3, 1990. Travel, accommodation, scheduling, and location arrangements for all participants were made by CFD staff. This General Assembly meeting was extremely important for three reasons:

- i) It led to the first leadership transition of the Association; and,
- ii) It incorporated, for the first time, delegations from the Legislative Assembly of Panama and from the National Assembly of Nicaragua. Both countries solicited membership in ATELCA and received accreditation.
- iii) It included a presentation to the General Assembly by U.S. Senate Secretary J. Walter Stewart, who invited the ATELCA Executive Committee to visit the United States Senate in Washington.

The Consortium was represented at the Assembly by Allen Weinstein and Pamela Reeves of CFD, Charles Dawson of UA/SUNY(CLD) and Caleb McCarry of CFD. Primary logistical support and program development work was provided by Alison Raphael of The

Center for Democracy's Guatemala office (she is 50% dedicated to the Center's USAID/Guatemala-funded project).

As required by ATELCA's statutes, the General Assembly elected a new Executive Committee as follows:

Secretary General: Olmedo Castro Rojas (Executive Director of the Costa Rica Legislative Assembly)

Undersecretary General: Adilia Zelaya (First Secretary of the Honduras National Congress)

Treasurer: Mario Donald Salazar (Chief Clerk of the El Salvador Legislative Assembly)

1st Member: Mario Lasso (Deputy Secretary General of the Panama Legislative Assembly)

2nd Member: Antonio Cuadra, (Deputy Director of the Legal Department, Nicaragua National Assembly)

3rd Member: J. Luis Mijangos (Chief Clerk, Guatemala Congress of the Republic)

The General Assembly also discussed ATELCA goals and programs, including its role in Central America's integration, the significance of political transformations in Eastern Europe, statutory reforms, the principal necessities of the various Central American parliaments, and the technical needs of those parliaments.

At the meeting's conclusion, the General Assembly issued the following recommendations:

- i) that member countries encourage their lawmakers to organize a regional association;
- ii) that any useful knowledge acquired by ATELCA members be shared among the legislative technicians organizations of each member country's parliament;
- iii) that the exchange of information between ATELCA members be facilitated through workshops and seminars, with the objective of further solidifying ATELCA;
- iv) that ATELCA serve as a vehicle for the exchange of correspondence concerning major laws, decrees and resolutions which emerge from the various parliaments;
- v) that a Glossary of Central American Legislatures be created and maintained for the purpose of collecting information on the legislative techniques used in the various parliamentary systems;
- vi) that ATELCA members visit other parliaments outside of the region, making use of Consortium funds to finance such visits.

Please find an agenda and participants list appended in Attachment C.

(b) Executive Committee Meeting in Costa Rica

In order to effectively follow-up on the recommendations made by the General Assembly in El Salvador, the Secretary General of ATELCA asked the Consortium to sponsor an Executive Committee meeting. The meeting was held in San José, Costa Rica on January 18, 1991. The meeting was attended by the Secretary General, the Undersecretary General, the Treasurer, and the First Member (Panama Legislative Assembly Secretary General Ruben Arosemena attended in Mario Lasso's place.) The focus of the discussions was on developing a concrete agenda of activities to implement before the 4th General Assembly meeting scheduled for May in Honduras. The discussion had two focal points:

- i) The need to involve more staff members in the organization/development of ATELCA; and,
- ii) The need to set an agenda of concrete activities that could be financed by the Consortium and would strengthen the organization, putting it in a more advantageous position to seek funding outside of CLD and their own institution's support.

Based on these two arguments, the Executive committee voted to call on ATELCA's four standing committees to meet and discuss the General Assembly's recommendations. They felt that this would address the concerns listed above, would boost morale among ATELCA's membership, allowing them the opportunity to visit other legislatures. The Executive Committee agreed to select the participants and the CLD agreed to sponsor these meetings. *(A Spanish transcript of these proceedings is available upon request.)*

7. Ongoing Consultations with the LAC Contracts Office

During the second quarter, the Center was able to successfully negotiate a settlement by the LAC Contracts office of Gerald Reed's salary. The Center did not, however, receive any response to its standing request, and LAC/DI's inquires, with regard to ceding line item transfer authority within the cooperative agreement.

8. Consortium Work Plan

Based on the discussions at the second quarterly meeting with LAC/DI participation, the Center revised the proposed work plan again, submitted it to LAC/DI and received verbal concurrence.

The work plan, *located at Attachment D*, provides a framework which encompasses anticipated outputs for the project's first year, including the creation of the Consortium Committee, implementation of subagreements, assessment of country-specific needs, provision of technical assistance, long-term training options, regional seminars, graduate degree programs, and limited commodity procurement assistance.

Problem Areas:

The Center encountered the following problem areas during the first quarter:

- 1) Although the LAC regional contracts office resolved the question on Gerald Reed's salary, the Center continued to find significant resistance to resolving the line item flexibility issue.
- 2) The relationship with USAID/Costa Rica has been extremely labor-intensive and is consuming greater resources than we had originally anticipated. The Legislative Assembly President's directive that only CLD personnel be allowed to conduct interviews during the needs assessment process has caused significant strain between the CLD and the mission. Although we have encountered no such resistance from the Panamanian, Nicaraguan or even Haitian legislatures, none of these has the negative past experience that exists in Costa Rica. Also, in these countries, the USAID/missions have tended to sit in on leadership meetings (which has occurred also in Costa Rica as is discussed above) and then have let the CLD conduct its business thereafter unescorted. There appear to be internal communications difficulties within the USAID/Costa Rica mission that are exacerbating these problems.

III. SCHEDULING

Despite the additional work presented by the CLD's effort in Costa Rica, the Consortium is largely on track with its implementation of the work plan. The only exception is that because the USAID missions involved do not wish to have a team visit Uruguay, Argentina and Chile at this time, UA/SUNY (CLD), which had planned to implement these exploratory in-country visits, has postponed its target for this activity until May.

IV. STATUS OF BUY-INS:

We have added a new section to this second quarterly report to include information on the status of potential or actual buy-ins from various USAID missions with which we have been working. The following is the status of potential buy-ins as of the close of this reporting period:

- 1) Panama: The USAID/Panama mission has indicated that if the CLD successfully works out a viable program with the Panama Legislative Assembly, there will be interest on the part of USAID/Panama in buying CLD services to implement that program.
- 2) Costa Rica: The USAID/Costa Rica mission director has expressed strong interest in buying-in to the CLD regional agreement in the amount of \$3 million, provided that the

CLD produces a viable plan for implementing a substantive, quantifiably verifiable project for that country.

3) Haiti: As is discussed above, the USAID/Haiti mission has expressed preliminary interest in pursuing further discussion with FIU on developing a legislative development project that could be implemented through a buy-in.

4) Nicaragua: Although the CLD was asked to conduct the Nicaragua needs assessment on an emergency basis, the mission has entered into a process of developing a Project Paper for its entire democratic initiatives sector, a development which has suspended discussion of a possible buy-in from Nicaragua for the time being.

VI. CONSORTIUM ACTIVITIES:

This is also a new section designed to provide information on the activities and administrative development of the Consortium itself. Funding, staff adjustments and other issues that affect the operation of the Consortium will be discussed here. This quarter there was only one item of importance in this area, the second quarterly consortium meeting.

1. Second Consortium Committee Meeting

On November 28, 1990, the Consortium Committee held its second quarterly meeting. Ms. Roma Knee of LAC/DI participated in the meeting which was attended by Dean Allan Rosenbaum, Ms. Cathy Kennedy-Thurman and Gerald Reed of FIU, by Professor Abdo I. Baaklini and Dr. Charles S. Dawson of UA/SUNY (CLD) and by Professor Allen Weinstein, Mrs. Avis Worrell, Ms. Pamela Reeves and Caleb McCarry of The Center for Democracy. The meeting focused on a review of the Consortium's draft work plan, and a discussion of the status of the subagreements being negotiated between the Center and the two universities.