

*Access to
Justice
Program*

Third Quarterly Report
January to March, 2011

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List of Acronyms

ACCE– Association of Equity Conciliators (*Asociación Colombiana de Conciliadores en Equidad*)

ADR – Alternative Dispute Resolution (MASC – *Medios alternativos de solución de conflictos*)

AJP- (or “the Program”) --Access to Justice Program

AS – Agency for Social Action and International Cooperation (*La Agencia para la Acción Social y la Cooperación Internacional*)

CAV – Victims Attention Center (*Centro de Atención a Víctimas*)

CCAI – Coordinated Integral Action

CEJ – Corporation for Excellence in Justice (*Corporación Excelencia en la Justicia*)

CENDOJ – Judicial Documentation Center (*Centro de Documentación Judicial*)

CEJOSPA – Accusatory System Citizen Observatory (*Observatorio Ciudadano del Sistema Penal Acusatorio*)

CISPA – Inter-institutional Commission for the Criminal Accusatory System (*Comisión Interinstitucional de Seguimiento al Sistema Penal Acusatorio*)

COP – Chief of Party

COTR – Contracting Officer’s Technical Representative

CPC – Criminal Procedure Code (*Código de Procedimiento Penal*)

CSDI- Colombia Strategic Development Initiative

CSJ – Superior Council of the Judiciary (*Consejo Superior de la Judicatura*)

CSO – Civil Society Organization (*ONG: Organización No gubernamental*)

DAJ – Directorate for Access to Justice Section of the Ministry of Interior and Justice (*Dirección de Acceso a la Justicia*)

D/DAJ – Director of the Directorate for Access to Justice (*Directora de Acceso a la Justicia*)

DAS – Administrative Department of Security (*Departamento Administrativo de Seguridad*)

DCOP- Deputy Chief of Party

DEAJ – Executive Directorship of Judicial Administration (*Dirección Ejecutiva de Administración Judicial*)

DHR – USAID Colombia’s Office of Democracy and Human Rights

DNDP –National Directorship of Public Defense (*Dirección Nacional de Defensoría Pública*)

DOJ – U.S. Department of Justice

EJRLB – Rodrigo Lara Bonilla Judicial School – (*Escuela Judicial Rodrigo Lara Bonilla*)

FGN – Colombian Attorney General’s Office (*Fiscalía General de la Nación*)

GOC- Government of Colombia
FIU- Florida International University
IDPs – Internally Displaced Persons
IEMP –Office of the Inspector General’s Studies Institute – (*Instituto de Estudios del Ministerio Público - Procuraduría General de la Nación*)
ILAPSI – Latin American Psychology Institute (*Instituto Latinoamericano de Psicología*)
MICE- Framework for Implementing Equity Conciliation (Marco para la Implementación de la Conciliación en Equidad en Colombia)
MIJ – Ministry of Interior and Justice (*Ministerio de Interior y Justicia*)
M&E – monitoring and evaluation
MoA – Ministry of Agriculture and Rural Development (*Ministerio de Agricultura y Desarrollo Rural*)
MSD – Management Sciences for Development
OCENSA – Central Pipeline S.A. (Oleoducto Central S.A.)
OEA – Public Defense Special Support Office (*Oficina Especial de Apoyo*)
PARTNERS - Partners for Democratic Change
OIG – Office of the Inspector General (*Procuraduría General de la Nación*)
PAS - United States Embassy’s Public Affairs Section
PMP- Performance Monitoring Plan
RCCs – Regional Coordination Centers
SNDP – National Public Defense System (*Sistema Nacional de Defensoría Pública*)
SPA – Criminal Accusatory System (*Sistema Penal Acusatorio*)
SPD – Roberto Camacho Waverberg School for Public Defenders
TOR – Terms of Reference
UDAE – Statistical Analysis Unit (*Unidad de Desarrollo y Análisis Estadístico*)
URFI – Physical Resources Unit – CSJ (*Unidad de Recursos Físicos e Inmuebles del Consejo Superior de la Judicatura*)
VAC – Victim Assistance Center
WMP – Work Management Plan

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Annex 2 – [Expected results status](#)

List of Attachments

- 5.1.1. Comprehensive assessment of the needs and current capacity of public defenders currently assigned to CSDI zones
- 5.1.2. Diagnostic report regarding the functioning of the Criminal Investigation Operative Unit (UOIC) and the five Public Defense forensic labs
- 4.1. Justicia al día No. 11
- 4.2. Justicia al día Newsletter No. 11
- 4.3. Caracol Radio Chronicle- Mock Trial Competition winners
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Executive Summary

USAID issued the Access to Justice Program (AJP) Task Order to MSD on July 8, 2010. The Task Order establishes a two-year program that builds upon USAID's long-standing commitment to the strengthening of the Colombian formal and informal justice sector. The main objective of the AJP is to strengthen justice services in Colombia to ensure access to legal services, improve access to justice, and reduce impunity through five core components:

1. Justice Reform
2. Court Administration and Management
3. Justice Houses
4. Alternative Dispute Resolution
5. Public Defense

The AJP includes a critical new emphasis in USAID's support to Colombia's justice sector: extending justice sector services to rural, marginalized regions of Colombia heavily affected by violence, known as "consolidation zones" (under the Government of Colombia's (GOC) National Consolidation Plan) or "CSDI zones" (based on the acronym of U.S. Government's Colombia Strategic Development Initiative). These regions have been identified for integrated, geographically targeted activities designed to consolidate peace, security and development gains.

The AJP continues to work collaboratively with GOC counterparts and strategic allies to complete its first year work management plan (WMP) activities. This quarterly report tracks progress against those activities and reports any adjustments. Some of the AJP highlights for this quarter include:

Component 1 Justice Reform

- The Program carried out the first of four seminars to provide law professors with new methods for teaching criminal procedure under the oral, accusatory system. The AJP created a law professor training team specialized not only in criminal procedure subject matter, but also in teaching methodologies. The team conducted its first seminar in Villavicencio for 19 law professors from the Meta CSDI region, who welcomed the seminar's focus on new teaching techniques geared to the demands of Colombia's justice system reforms.
- The AJP selected five grant proposals to enhance legal aid services provided by law school legal clinics in CSDI zones. These multi-faceted services ("legal combos") will be offered through new legal aid centers in the Justice Houses, legal travelling clinics (*jornadas itinerantes*) and radio broadcasts.

- In coordination with the U.S. DOJ and Office of the Attorney General, the Program completed refurbishing and equipping of the multi-service Victims Assistance Center (VAC) in Cali and identified facility sites and developed refurbishing plans for other new VACs in Medellin and Barranquilla.

Component 2 Court Management and Administration

- The Program sponsored an international conference on judicial system governance in Bogotá in January 2011. More than 550 judges and magistrates participated in the event, which featured four international experts on judicial governance. The conference provided a forum for the judiciary to develop a counterproposal to the executive branch's draft legislation for administrative reform of the judiciary. The conference also produced an agreement between the Superior Judicial Council (CSJ) and the Administrative Office of the United States Courts to support the Colombian Judiciary in implementing a Judges' Technology Committee to advise and monitor the Judicial Branch in implementing technological improvements to justice services.

Component 3 Justice Houses

- The AJP entered into a grant agreement for a variety of activities to promote access to justice in the multi-cultural context of La Guajira through the new Justice Houses the Program is supporting in Riohacha, Barrancas and Uribia. Activities include information dissemination to indigenous and civil society organizations regarding the justice services available and the training of Justice House personnel on approaches to coordinate justice services offered with those of the indigenous justice systems operative in the region. The grant activities also include developing methodologies to ensure Justice House personnel understand and properly administer legal distinctions applicable to indigenous community members under Colombian law.
- In the Bajo Cauca CSDI region, the AJP provided a Justice House training workshop for 23 new officers of the Cauca and Nechí Justice Houses and Alternative Dispute Resolution (ADR) and human rights training for 40 new officers of the Cauca, Nechí, Cáceres, Zaragoza, Bagre and Tarazá Justice Houses.

Component 4 Alternative Dispute Resolution

- The AJP conducted ADR conflict analyses for CSDI municipalities pursuant to the MIJ-approved methodology for establishing new equity conciliation programs. The Program and MIJ established a work plan for implementing ADR activities in 20 CSDI municipalities and the AJP completed the first phase by conducting conflict assessments and has begun the second phase of publicizing the upcoming ADR activities to civil society groups and local officials in many of those municipalities. The Program will provide ADR skills strengthening training for existing ADR providers in ten municipalities and a complete training course to establish new conciliators in ten municipalities, such as those in Montes de María where there are no practicing conciliators.

- To promote ADR reform, this quarter the AJP assisted the MIJ in developing its analysis of ADR practitioner experience and perspective. With AJP support, the MIJ presented this analysis to 170 conciliators attending the National Meeting of Directors of Conciliation Centers held at Bogotá's Chamber of Commerce. The AJP helped facilitate that meeting and supported the MIJ in drafting the meeting report and conclusions, which will enrich and validate the MIJ's analysis and consolidate the ADR practitioners' viewpoint for the ADR reform proposal. The AJP's survey of 1100 users of ADR services in 19 municipalities is currently being analyzed in order to identify reform needs based on user perspectives.

Component 5 Public Defense

- AJP presented its diagnostic report regarding the functioning of the Criminal Investigation Operative Unit (UOIC) and the five Public Defense forensic labs to the *Defensor de Pueblo*, National Director of the Public Defense, and the Director of the UOIC. The report contains a detailed assessment and recommendations with implementation strategies to adjust the present performance model to strengthen the UOIC's administrative, investigative and forensic areas. Based on the AJP recommendations, the Public Defense has determined to prioritize refurbishing the physical spaces for the labs, testing and calibrating the lab equipment to be installed in Barranquilla, and strengthening the administrative and operative functions of UOIC before investing in any new forensic labs.
- The Program awarded a grant through which a civil society organization will design materials and develop recommendations to enhance Public Defense services for indigenous communities and individuals. The grant activities include the mapping of those multicultural regions with notable indigenous populations, assess present coverage and service needs for the public defense of indigenous people, create a special public defense assistance unit for indigenous matters (and train members of that unit), develop a procedures manual for the criminal representation and defense of members of indigenous communities, and facilitate inter-institutional dialogue to promote development of justice system policies to address indigenous justice considerations.

1. CSDI Regional Offices

During this reporting period, all four AJP regional offices in the CSDI regions and the satellite Tumaco office were fully operational. Given that each regional office responds to the unique access to justice context in its particular regions, the following discussion highlights the achievements, challenges, lessons learned and upcoming activities by region.

Montes de Maria

This quarter the AJP Montes de Maria office (based in the San Jacinto municipal complex) completed its regional justice needs assessment and produced a document describing the barriers to access to justice in the area. The assessment includes documentation of justice activities of Afro-Colombian Community Councils, conditions of judicial system operators, and the context of conflict for ADR activities. The regional team has built relationships and presented the Program to municipal, community and justice sector officials and leaders. Additionally, the team completed the ADR conflict assessments in the four CSDI municipalities in Montes de María under the methodology developed by the Ministry of Interior and Justice (MIJ) (for further detail, see discussion below in the Component 4 report).

Through the implementation of these activities, the Montes de Maria office reports the following lessons learned. First, the analysis and action unit must be municipal not regional, since each of the four municipalities in the region faces distinct obstacles and opportunities regarding access justice. Second, to be effective in promoting public policies, the Program must participate in various inter-institutional forums, such as the social policy councils, municipal councils to assist the displaced population, and others.

Third, given the presence of three functioning Afro-Colombian Community Councils in the region who have legal obligations to provide equity conciliation and are authorized to exercise traditional justice, the Program should have significant impact by targeting activities to those communities.

The Montes de Maria AJP office encountered a number of significant implementation obstacles. The regional justice needs assessments were delayed in part due to the severe rainy season, which impeded travel to San Onofre, Ovejas, San Jacinto and El Carmen municipalities due to impassable road conditions. To date access to San Onofre remains difficult as the bridge providing access has not been repaired. Moreover, justice system officials in Carmen de Bolívar were not willing to provide information regarding their functions and services to the AJP as a result of the pending allegations of corruption against this municipality's judges. Other authorities have also been unwilling or unable to respond to AJP requests for data necessary to complete the justice sector needs assessment.

In the coming quarter the regional office will undertake the following activities:

- Support the inauguration of the San Onofre's Justice House and design implementation strategies with Justice House officials and civil society entities to ensure its effective delivery of services
- Facilitate the inauguration of the *Centro de Convivencia* in San Jacinto and support activities to deliver justice services, including a free legal clinic
- Monitor implementation of AJP grants for legal aid clinic services, radio consultations and traveling legal aid programs
- Present the justice needs assessment and participate in planning events with the CCAI/RCC, departmental authorities from Sucre and Bolívar departments, the mayors of El Carmen de Bolívar, San Jacinto, Ovejas and San Onofre, and with community leaders, strategic allies and justice system operators.

Bajo Cauca

During this reporting period the AJP Bajo Cauca office (based in Caucasia) completed its justice needs assessment and presented its analysis and recommendation as to existing barriers to access to justice in a participatory planning process with the MIJ Access to Justice Division, Acción Social, the Antioquia Governor's Office Bajo Cauca RCC. The office also provided technical assistance to develop the Cáceres Justice House work plan and to facilitate the Tarazá Justice House inauguration.

The AJP's support for training activities with the MIJ included a Justice House Program workshop for 23 new officers of the Caucasia and Nechí Justice Houses as well as ADR and human rights training for 40 new officers of the Caucasia, Nechí, Cáceres, Zaragoza, Bagre and Tarazá Justice Houses. The Bajo Cauca team also completed the ADR conflict assessments in the six CSDI municipalities in region utilizing the methodology developed by the MIJ (discussed in greater detail below in the Component 4 report).

The regional office has played an active role in regional strategic development planning processes and has established cooperative relationships with a broad range of public institutions, justice sector entities and civil society strategic allies. Specific focus areas have included work with local institutions regarding issues facing the region's youth and children. Importantly, the Bajo Cauca office facilitated development of the AJP grant program with the Colombia Oil Pipeline Foundation (*Fundacion Oleoductos*) to train social workers affiliated with Acción Social's Red Juntos to disseminate information on available justice services to families living in extreme poverty in the region.

Lessons learned by the AJP during this reporting period include the recognition that institutional weaknesses of the municipal entities in the region call for considerable AJP direct accompaniment to local officials and entities as well as to work directly with neighborhood institutions. Additionally, the AJP must integrate into the local and regional inter-institutional coordination programs, such as youth municipal councils and the Subregional Strategic Plan, in order to generate impact on public policy issues. Furthermore, educational and communications activities have intrinsic value in this region where access to justice has been thwarted in large part by misinformation and manipulation by illegal armed actors. Meaningful improvements in

access to justice can be achieved through more effective coordination between the state justice system and Afro-Colombian and indigenous justice systems.

Implementation obstacles largely stem from the instability of municipal government administrations in the region. For example, Tarazá has had six mayors in 18 months. With municipal administration in a state of flux, existing capacity is lost, continuing training is required, and policy implementation (as to the Justice Houses Program) can be overlooked.

In the coming quarter, the Bajo Cauca AJP office will conduct the following activities:

- Implement a communication strategy promoting access to justice services
- Apply the MIJ's implementation framework for equity conciliation
- Recommend public policy reforms regarding ADR
- Support the inauguration of Justice Houses in Caucasia, Nechí and Cáceres
- Monitor and support AJP grants for legal aid clinic services, radio consultations and traveling legal aid programs
- Develop access to justice promotional materials for vulnerable populations for distribution to Red Juntos families and practical materials for justice system operator as to differential treatment required for vulnerable populations

Meta/La Macarena

The AJP's Meta/La Macarena regional team (based in Villavicencio's Ciudad de Porfía Justice House) this quarter has been carrying out the regional justice needs assessment and coordinating the implementation of AJP component activities with municipalities, the CCAI/RCC, the Office of the Inspector General, the Attorney General's Office, public defenders, universities, representatives of international organizations and justice house officers. For example, the regional team worked with universities in the region to identify law professors to participate in the seminar on improved methods for preparing students to advocate under the oral, accusatory criminal justice system.



Justice assessments with community in Meta

The Meta/La Macarena regional office will carry out the following activities in the upcoming quarter:

- Update the diagnosis on barriers to access to justice in the region
- Provide support to activities carried out by the Villavicencio Justice House
- Design and promote new legal services in the Justice Houses through legal clinics
- Develop with community leaders a new communications strategy to promote the services offered by the Justice Houses

- Work with municipal and departmental political candidates to incorporate access to justice matters in their local development plans
- Offer training to vulnerable populations regarding avenues to access justice services
- Conduct site visits to Uribe and Macarena municipalities to gather additional information about the justice service needs there
- Sponsor meetings between community leaders and public defenders to improve information as to public defense services available

Nariño (and Tumaco Satellite Office)

During this reporting period, the Nariño regional office (based in the Pasto Justice House) and the Tumaco satellite office were established, thereby completing the installation of AJP CSDI regional offices. As with other regional teams, the Nariño office (and Tumaco Satellite office) commenced work by collecting information for the justice sector needs assessment. The Nariño/Tumaco team has met with municipal and justice sector entities to identify justice needs and drafted its preliminary diagnosis. Implementation obstacles, however, have delayed finalization of this region's justice sector needs assessment.

In Nariño, the AJP could not establish its regional office until February as the space to be provided in-kind by the CCAI did not meet the basic requirements for AJP activities. Through negotiations with Pasto's municipality, the Program's regional headquarters were set up in the Bomboná Justice House in Pasto.

In Tumaco, the proposal the AJP received for the design and implementation of a project to promote the culture of legality and access to justice for Afro-Colombian communities from RECOMPAS lacked the specificity required to approve it. To communicate AJP concerns and to obtain a first-hand understanding of the RECOMPAS proposed activities, the AJP Chief of Party traveled to Tumaco to meet with the RECOMPAS board of directors (made up of representatives of each of the 15 community councils).

The visit clarified issues and offered an important lesson learned regarding how participating such Afro-Colombian justice proposals can be. Through comments made by community council representatives during the RECOMPAS meeting and a site visit to an Afro-Colombian community near Tumaco, security concerns remain of paramount importance and take on a distinct character with respect to justice activities compared to those of productive activities that USAID has previously supported in these communities. While all activities face obstacles as a result of the frequent presence of illegal armed actors in these communities, justice activities directly confront the dangerous reality that illegal actors have supplanted the state as authority through use of force in those communities. While the legal model provides for Afro-Colombian justice to complement the state justice system, violence and threat of violence impedes its implementation. The assertion of Afro-Colombian justice authority in this context introduces security risks that local actors appear unwilling to assume. As a result, the AJP will seek to accompany RECOMPAS in refining its proposal to work on access to justice matters with Afro-Colombian in the municipality of Tumaco, where the security risks are less grave.

In the coming quarter, the AJP will undertake the following activities in Nariño and Tumaco:

- Meet with department and municipal authorities to plan activities to promote access to justice
- Work with municipal and departmental political candidates to incorporate access to justice matters in their local development plans
- Update and finalize the report on barriers to access justice in the region
- Assist the Pasto Justice House in carrying out activities promoting the culture of legality
- Conduct training for justice system operators regarding differential treatment of vulnerable populations
- Support the installation of equipment for the new courtroom in Policarpa

2. Coordination with DOJ/OPDAT

During this reporting period, the Program has coordinated with and conducted joint activities with the U.S. Department of Justice (DOJ) in the creation of new Victim Assistance Centers (CAVs), in carrying out the national mock trial competition and in coordinating an upcoming international symposium on legal representation of victims. With respect to the CAVs, the AJP and DOJ will inaugurate the first of three Centers to be supported by the Program in Cali on April 27. Additionally, in coordination with the Attorney General's Office, this quarter the AJP and DOJ made advances in defining the sites and developing refurbishing plans for CAVs in Medellin and Barranquilla.

Through a collaborative effort with DOJ, the AJP has completed two of the six regional rounds of the national Mock Trial Competition and two other regional contests are now underway. Through this trial skills competition, the Program has now trained 503 law students from 43 universities.

The AJP has committed to supporting DOJ in sponsoring the Second International Symposium on the Representation of Victims to be held in Medellin May 26-28, 2011. The AJP will provide financial assistance needed to purchase airline tickets for several of the international panelists invited to participate in the event as well as event logistics and promotional materials. More than 500 participants are expected to attend the Symposium.

3. Component Activities

The AJP Task Order sets forth a detailed results framework along with delineated program activities and sub-activities. To facilitate reporting accomplishments on the expected results, this quarterly report (like the WMP) addresses the activities/sub-activities established by the Task Order, organized by the Program's five components:

1. Justice Sector Reform (Component 1)
2. Court Administration and Management (Component 2)
3. Justice Houses (Component 3)

4. Alternative Dispute Resolution (ADR) (Component 4)
5. Public Defense (Component 5)

COMPONENT ONE: JUSTICE SECTOR REFORM

1.1. Strengthen the capacity of law schools to train students in the new accusatory legal system and Criminal Procedures Code

This quarter the Program implemented several activities to promote more effective law school training in the new oral, accusatory criminal justice system.

As reported previously, the AJP redesigned its B-learning diploma certification on Criminal Procedure to replace it with four face-to-face seminars to examine new educational methodologies for teaching criminal procedure under the new Colombian system. The AJP this quarter created a law professor training team made up of experienced professors of criminal procedure, the law of evidence and a litigating attorney from the United States. Importantly, the team also included professors specialized in education methodologies and techniques.

The Program provided an introductory two-day workshop with the training team to provoke discussion as to innovative methods to help law professors teach criminal law subject matters more effectively. The first AJP took place in Villavicencio (Meta department) from March 28 to April 1. Nineteen law professors from Meta attended the seminar. The seminar evaluations reflected participants' views that the training team's seminar design provided a valuable and needed emphasis that was different from other training sessions they had received.



Seminar for law professors- Villavicencio

Complementary to this law professor training process, the AJP has evaluated and approved a proposal from the think-tank DeJusticia to review effective pedagogical practices. The activity is designed to develop proposals to improve curricula in law schools adapted to the new criminal procedures code, placing special emphasis on case studies and the development of practical pedagogical skills.

The AJP also made strides this reporting period in approving five grants for strengthening the legal aid services provided by law school legal clinics in CSDI zones.

These services will be offered through new assistance centers in the Justice Houses, travelling clinics (*jornadas itinerantes*) and radio broadcasts. The Program is currently finalizing the grant agreements in order for the activities to begin in the fourth quarter.

In conjunction with the U.S. Department of Justice (DOJ), the AJP has completed two of the six regional rounds of the Mock Trial Competition and two others are currently in progress. Through this trial skills competition, the Program has now trained 503 law students from 43 universities.

With respect to training and clinic activities, the AJP is testing performance monitoring software that had been designed under the USAID Justice Reform and Modernization Program (JRMP) and that was intended for use in legal clinics and conciliation centers. Because the JRMP was only able to test the software through a pilot project at Cali's Universidad de San Buenaventura, the AJP is continuing the evaluation processes that began in the pilot project and will make recommendations for the software's improvement and implementation.



*Mock Trial Competition
-Pereira*

1.2 Train private attorneys in the accusatory criminal system

**PROFUNDIZACIÓN Y FORTALECIMIENTO
PARA LA LITIGACIÓN ORAL**

CURSO DEL PROGRAMA DE ACCESO A LA JUSTICIA DE USAID

Objetivos del Curso:
Fortalecer las capacidades y las habilidades de los participantes para su desempeño en el litigio oral.
Actualizar acerca de los nuevos, la Jurisprudencia y las políticas públicas relacionadas con la aplicación de las técnicas de juicio oral en el Sistema Penal Acusatorio.

Contenidos:
Estructura y principios del Sistema Penal Acusatorio
Clasificación de radicación preliminar
Técnicas y habilidades para el litigio oral
Técnica del Caso
Actos de indagación y control de garantías
Imputación, acusación y defensa
Planificación del Juicio
Interrogatorio, control de interrogatorio
Incorporación de evidencias, objeciones y alegatos.

Curso de 40 horas presenciales
Cuatro sesiones académicas
Del 01 al 05 de mayo de 2011
Hotel Villa del Sol, barrio La cordillera vía al morro Tumaco, Huila.

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*Private attorneys oral
techniques training*

Based on the AJP CSDI regional office justice sector needs assessments, the Program has found the need to provide training to private lawyers litigating within the oral accusatory system to be greater than anticipated. Just in the Tumaco municipality alone, the AJP assessment of training needs indicated that 45 private lawyers would benefit from and put into use skills obtained from an oral, accusatory procedures training course. The Program has scheduled a training course for private trial lawyers in Tumaco from May 2 to 5, 2011.

1.3 Design, implement and evaluate training for justice system actors (judges, prosecutors, defense attorneys and investigators)

This quarter, after the AJP and the judicial training school (EJRLB) agreed to course content for attorneys in rules of evidence and the production of documentary evidence, the EJRLB's director proposed that the AJP reconsider the focus of its support. Specifically, the EJRLB has requested that the AJP develop training materials and provide training to the future personnel of the CSJ's newly-designed *Centros Desconcentrados de Justicia* [De-centralized Justice Centers] that the CSJ intends to implement as pilot projects in Ciudad Bolívar, Bogotá.

1.4 Support Study Tours and overseas training

This quarter, the Program determined the selection criteria for the candidates (judges and public defenders) who will participate in the overseas study tours. Additionally, the AJP is working closely with Puerto Rico's Universidad Interamericana as the supporting institution for the tour. The Universidad Interamericana-proposed itinerary of activities and travel budget have been reviewed by the AJP and approved. The AJP will complete the selection process of the potential candidates in the fourth quarter. In light of the timeframe needed to obtain visas for participants, the AJP proposes to carry out the tour from August 14-21, 2011.

1.5 Develop and implement monitoring and evaluation plan for training program

This reporting period, the AJP reconsidered and revised its plan to develop and implement a monitoring and evaluation plan for the training programs of the justice sector institutions operating under the accusatory criminal justice system. Because technical staff of the Program has acquired substantial familiarity with the study conducted by ILAPSI to establish a monitoring and evaluation plan of the training schools of criminal justice system and given that the ILAPSI activity was applied with respect to the Public Defense, the AJP will further evaluate and validate the tools already designed. The Program initially planned an extensive evaluation process with the judicial training school (EJRLB) through an expert consultant.

Upon further examination and based on lessons learned in the application of the methodology with the Public Defense, the AJP determined it will directly implement this activity utilizing in-house expertise. Additionally, the AJP has already developed and implemented evaluation methodologies for all training activities carried out by the Program with justice sector institutions and the documentation and application of this methodology will further contribute to the achievement of this activity's goals.

During February, assessment tools were designed to evaluate the impact of Access to Justice Program trainings; the first Law professors Trainers Network: "Pedagogy for the Accusatory Legal System" was carried out in Villavicencio. The tools will be adjusted and presented to the program in May, 2011 for further application.

1.6 Support the Creation of Victims' Assistance Centers (VACs)

The inauguration of the first VAC supported by the AJP will be held in Cali on April 27, 2011. The refurbishing of the facility was carried out based on the design produced by the AJP with DOJ input. The AJP procured the furniture and equipment for delivery to the Attorney General on April 15.

The second of three VACs to be supported by the AJP and DOJ has been approved by the Attorney General's Office to be located in Medellín. Meanwhile, negotiations have already been carried out with the Institute of Legal Medicine and Forensic Sciences (the Institute) and the Attorney General's Office to begin construction in Barranquilla of the third Center the Program will support. The VAC in Barranquilla will be located on the second floor of the new Institute building in this city. Through several meetings of participating institutions (the Institute, the

Attorney General's Office, DOJ and AJP) during this reporting period, the inter-agency dialogue has proved productive. The remaining pending issue is the approval of the VAC design by the Institute. The Program expects construction to begin next quarter.

1.7 Legal aid and land tenure program assessment

The AJP engaged an expert consultant this quarter to evaluate the activities implemented under the USAID JRMP with the Ministry of Agriculture to formalize land tenure in several municipalities in the southern part of Tolima in association with the ADAM-USAID Program and Universidad Cooperativa de Colombia. The evaluation began in February. Preliminary reports, however, demonstrate that available documentation is minimal and what data is available is fractioned and dispersed.

The Program will conduct interviews with the families that participated in the land tenure process during the final week of April that will include families from Chaparral, Ataco, Río Blanco, Ortega, San Antonio and Planadas.

1.8 Provide technical assistance to the Inter-Institutional Commission responsible for monitoring implementation of the criminal procedures system

Last quarter, the Program entered into a grant agreement with the Corporación Excelencia en la Justicia (CEJ) to provide technical assistance to the Inter-Institutional Commission and to monitor and provide support as to legislative activities related to the criminal procedures system. Through information provided by CEJ's and the Inspector General's criminal system observatories, the grant seeks to establish methodologies to design targeted training plans and to draft proposed justice reform legislation. The CEJ has advise the AJP that the transition process in the Attorney General's office has caused delays in convening the National Committee of the Inter-Institutional Commission and that CEJ is seeking alternative approaches that will enable it achieve the grant objectives in the anticipated timeframe.

1.9 Support the Observatory to monitor the accusatory criminal justice system which is being developed by OIG

The Program has reported implementation delays with respect to this activity in each of its previous reports. Despite repeated efforts through a series of meetings this reporting period, obstacles remain. After many meetings with the OIG official responsible for implementing the Observatory, along with the international cooperation director and the OIG Delegate Attorney for the Public Ministry, a preliminary agreement was reached to support the implementation of a measurement system using 10 to 12 indicators for the Observatory. This agreement, however, collapsed due to technical flaws. The AJP has request USAID involvement to reassess whether this activity and its objectives are viable at this time.

1.10 Review Policy Adjustments

The program entered into a grant agreement this quarter with DeJusticia to conduct an interdisciplinary study on the impact on judicial congestion of criminalizing the failure to pay child support and of domestic violence. The AJP has held its first progress report meeting with DeJusticia.

1.11 Support civil society efforts to monitor and strengthen the justice sector in post-conflict zones; policy reform; advocacy; and increase access to justice for vulnerable groups.

The Program published terms of reference for civil society grant activities to promote public policies that enhance access to justice for vulnerable and marginalized populations. The terms of reference cover five grants. Four of those grants are targeted toward activities that press for access to justice commitments in the mayoral candidates' local development plans. Given a lack of responsive proposals, the AJP Nariño, Meta and Tumaco regional offices have assumed responsibility to carry out activities that had been originally budgeted under these grants. The Program will also contract a consultant next quarter to coordinate AJP activities to promote access to justice commitments in the candidates' local development proposals.

Difficulties, Challenges and Lessons Learned

Problems encountered and proposed solutions

The Program encountered few implementation obstacles this quarter. In several cases, delays were caused by internal procedures of GOC counterpart entities. This has been the case with Attorney General's Office as the Program works to determine building sites and design refurbishing plans for the VACs (in conjunction with DOJ). Internal delays in the Attorney General's Office have been compounded this quarter by transition to a new Attorney General (Dr. Vivian Morales), who assumed her post on January 12, 2011.

The most significant and substantive obstacles are those that persist in the Office of the Inspector General. Despite repeated meetings to explain the AJP scope of work and objectives in providing technical assistance, counterpart staff has thwarted prospects for implementation with renewed petitions for the AJP to assist activities whose goals fall well beyond the scope of the criminal system Observatory. As mentioned above, after many meetings a preliminary agreement was reached this quarter that would have enabled the AJP to support the Observatory to implement a monitoring and evaluation process using 10 or 12 indicators. The OIG staff design and project justification, however, was wholly deficient and would guarantee failure. The Program has requested USAID assistance in determining whether this activity under the task order is feasible, given the lack of commitment from the OIG.

Projections for the following quarter

Consistent with the WMP, the following Component 1 activities are projected for the next quarter of AJP implementation:

- Implement week-long training seminars with law professors on oral, accusatory system teaching methodologies in Barranquilla, Pasto and Medellín
- Conduct mock trial competitions in the southwestern and Bogotá regions
- Enter grant agreement with DeJusticia and undertake activities to reorient law school curricula consistent with the demands of the oral, accusatory criminal system
- Develop and award grants to create a University Virtual Learning Network focused on criminal justice matters
- Carry out training seminars in the CSDI zones of Tumaco and Cauca (Bajo Cauca) for private trial lawyers on effective representation under the oral, accusatory system (a similar training will take place in Meta department in August 2011 in order to train 120 lawyers in three seminars)
- Undertake training sessions with the judicial training school (EJRLB) for officials operating the pilot Decentralized Justice Centers
- Finalize the design and itinerary for the overseas study, training and observation tour in order to complete the first tour in association with Puerto Rico's Universidad Interamericana in August
- Develop monitoring and evaluation plans for criminal justice system institutions based on the JRMP assessment and pilot program with the Public Defense
- Refurbish, furnish and equip the VAC in Medellín, begin the remodeling process for the VAC in Barranquilla and inaugurate the new VAC in Cali
- Support DOJ in hosting a second international conference on the representation of victims of violent crime and human rights violations in Medellín
- Present the evaluation of USAID's pilot program supporting land titling processes in southern Tolima and recommendations as to future assistance for land titling
- Regarding USAID support for land titling activities, evaluate the work done by FIU within MADR's Land Regularization Program in municipalities located in the southern part of Tolima
- Oversee CEJ's provision of technical support to the Inter-Institutional Commission's technical secretariat and legislative reform agenda
- Monitor progress of the DeJusticia grant analyzing the impact of child support and domestic violence cases on court congestion in Bogotá
- Promote access to justice in campaign platforms and local development plans of mayoral candidates through the AJP Meta, Nariño and Tumaco regional offices

COMPONENT 2 COURT ADMINISTRATION AND MANAGEMENT

2.1. Build, refurbish and/or equip courtrooms in CSDI areas

During this quarter the Administrative Chamber of the Superior Judicial Council (CSJ) approved the following list of the Municipalities where the AJP will refurbish, furnish and equip physical courtrooms in CSDI zones:

Department	Municipality
Caquetá	San Vicente del Caguán
Caquetá	Cartagena del Chairá
Chocó	Istmina
Córdoba	Montelibano
Valle del Cauca	Florida
Valle del Cauca	Pradera
Putumayo	Mocoa
Putumayo	Puerto Asís

In Mocoa, the Program will only provide furniture and equipment since the CSJ has already undertaken activity to refurbish four courtrooms there. Meanwhile, despite the CSJ's approval of Puerto Asís, the AJP and CSJ have begun seeking an alternative municipality as space limitations there will subject the development of new courtrooms to extensive delays. The AJP has proposed the municipalities of San Onofre and Sandoná as possible alternatives as they are both cities within CSDI regions where new courtrooms would substantively improve access to justice in their respective regions. The approval of seven of eight locations make it very likely that the AJP will be able to meet its WMP benchmark of initiating construction of courtrooms in eight municipalities at the close of the fourth quarter.

2.2. Special training program for judges

No activities were carried out for this activity during the reporting period as the WMP provides for these training activities during the fourth quarter of Program implementation.

2.3. Virtual courtrooms

During this quarter, the Program developed terms of reference to purchase and install video equipment for virtual courtrooms in the following municipalities:

Department	Municipality
Antioquia	Caucasia
Bolívar	Carmen de Bolívar
Bolívar	San Jacinto
Chocó	Acandí
Chocó	Unguía
Chocó	Rio Sucio
Nariño	Barbacoas
Nariño	Tumaco

The terms of reference were approved at the end of the quarter and the AJP will publish its requests for proposals in April 2011. The Program is on track to meet its WMP benchmarks of putting four virtual courtrooms into operation by the fourth quarter.

2.4 Training program in virtual courtroom protocol

The AJP awarded a contract for the design and development of the training program for judges and officers of the courts in the use of the virtual courtroom equipment. As the training activities under this activity will begin in mid-April, the Program expects to meet or exceed its WMP benchmark of completing one virtual courtroom training program by the end of the first year.

2.5 (i) Management of judicial information systems in Paloquemao

As reported last quarter, the pilot project to implement the Justicia XXI information system in Paloquemao encountered fundamental flaws in its case assignment software. Yet, the CSJ does not have access to the source code and is thus unable to make appropriate adjustments. Given that other aspects of the Justicia XXI program depend upon the case assignment module, this quarter the AJP has been in communication with the IT division of the CSJ to design, finance and incorporate necessary system improvements. The AJP drafted terms of reference this quarter, which will be published in late April 2011. Implementation is expected to start in May 2011. Given these unforeseen problems with the existing software, the Program will not meet its WMP benchmarks to replicate the Paloquemao modules in other locations by the close of fourth quarter.

2.5 (ii) Management of judicial information systems and ISO 9001 Assessment

During this reporting period, the Program drafted and published terms of reference for the project to implement the ISO quality performance system in Bucaramanga courtrooms. The AJP held a workshop with Bucaramanga universities and bidders. Subsequently, two proposals were received: one from Universidad Industrial de Santander (UIS), and the other from a private enterprise, ISL, S.A. The Program selected UIS to implement the activity, which will begin in April 2011.

The Program held a similar workshop with seven Cali universities and several private companies for the implementation of ISO quality systems in the Buga courts. At the close of the quarter, the AJP is evaluating three proposals (from the Universidad Libre de Cali, the Universidad Santiago de Cali and the company EQTEC). The selection will be determined in mid-April and the project will begin implementation in May 2011. The implementation timeframe of these activities is consistent with that identified in the AJP WMP and as requested by the CSJ. The process of establishing alternatives to ISO certifications, however, has been delayed due to the CSJ's prioritization of the Bucaramanga and Buga requests.

2.6 Conduct comprehensive studies and review of the literature

No activities were carried out for this sub-component during the reporting period as the WMP schedules this activity for the fourth quarter of Program implementation.

2.7 Support exchanges between the CSJ and other nations

The Program sponsored an governance in Bogotá in January 2011. The CSJ convened this event, which involved more than 550 judges and magistrates and featured four international experts on judicial governance, to promote concrete counterproposals to the executive branch's draft legislation for administrative reform of the judiciary. The rationale for the conference presented by President of the Administrative Chamber of the CSJ Hernando Torres can be viewed at <http://www.youtube.com/watch?v=aBm0eRkG58I&feature=relmfu>).

USAID Colombia Mission Director Ken Yamashita inaugurated the event. The AJP funded the travel and lodging of the international experts and sponsored several technical meetings with magistrates of the administrative chamber and the technical directorate of the Superior Judicial Council of the Judicature.

See (http://www.ramajudicial.gov.co/csj/csj.jsp?opcionCalendar=4&cargaHome=2&id_noticia=323)

The four international experts were Jorge Carrera from the Judicial Branch Counsel of Spain, David Varela from the World Bank (LAC-PREM), Fernando Carrillo from the Inter-American Development Bank (IADB-Brazil) and Peter McCabe from the Administrative Office of the United States Courts. Mr. McCabe's presentation of lessons learned from the U.S. judiciary's governance experience can be viewed at http://www.youtube.com/watch?v=cwJV_4IXD8k.

As a result of the international conference, the judges and magistrates are preparing and presenting technical reform proposals for the Administrative Chamber of the CSJ in response to the judicial reform draft presented by the executive branch. Another important result of the event is an informal agreement between the CSJ and the Administrative Office of The United States Courts. This office, through AJP funding,

will support the Colombian Judiciary in implementing a Judges' IT Committee to support the Judicial Branch in making its IT investment more effective.



2.8. Information Technology Systems Strategic Planning

This reporting period the AJP prepared the terms of reference to hire an international expert who will carry out the Information Technology Systems Strategic Planning for the Colombian judiciary, which were reviewed and approved by the president of the CSJ. The AJP will publish these terms of reference in April 2011. Pursuant to this activity plan, several technicians will be part of the IT system strategic planning process, including international case tracking systems developers, an IT indicators expert from the international organization CEJA, and leaders from several of the most innovative and successful experiences in implementing court management systems in Latin America. This group will participate in a workshop with CSJ representatives in June 2011.

2.9. Design and implement pilot projects based on a new court management model and new technologies

This quarter, the Program worked closely with the Director of the IT Unit of the Administrative Chamber of the CSJ to develop a pilot project to evaluate the use of IT systems to administer electronic court records and to guarantee transparency in case distribution, records, court management and public information. The pilot is designed for implementation in two or three courts in the Eje Cafetero. Early in the next quarter, the Program will review a detailed proposal with the IT Unit Director under which the CSJ will purchase equipment and the Program will provide expert consultants to design and implement the new models.

This activity will be incorporated into the overarching Strategic Technology Plan through which high court justices participate in training seminars focused on using new technologies to improve the performance of their courtrooms.

2.10. Facilitate access to information by users of the justice system

During this quarter the CSJ allotted Inter-American Development Bank resources to support the development of the CENDOJ webpage. As a result, the Program has not needed to provide resources for webpage development. Rather, the AJP is evaluating a content-oriented activity with the CSJ to support the development of IT systems to share data on formal law sources (jurisprudence, laws, and doctrines) with the Latin American network of judicial documentation

centers established during the Latin American judicial summit. The Program will define the scope of this activity with the CSJ next quarter. Terms of reference will be published to hire experts to begin its implementation as part of the AJP's fourth quarter activities.

2.11 Greater Transparency and information dissemination

2.11 (ii) Support greater transparency in the justice system

DHEMOS, a civil society organization with unique expertise in promoting judicial transparency, initiated activities under an AJP grant in January 2011. DHEMOS presented its first report to the AJP this quarter. Former magistrate Gustavo Aponte and DHEMOS project director Patricia Linares presented a thorough and engaging review of the literature regarding judicial corruption and the tools to be utilized in conducting field work during the next stage of the project. DHEMOS will gather very sensitive information that will require special treatment from the USAID Democracy and Human Rights Office and possibly the USAID Colombia Mission Director prior to its release through workshops with Colombian judges.



Dhemos – AJP meeting to present first grant report

The next stage of the AJP grant to DHEMOS will implement a communication strategy intended to heighten visibility of DHEMOS's activity and enhance potential impact of DHEMOS's advocacy to fight corruption within the judiciary and other institutions. In June 2011, DHEMOS will present its communication strategy and field work methodology. The AJP will soon request USAID COTR assistance in coordination of this activity with the U.S. Embassy's Public Affairs Section.

Difficulties, Challenges and Lessons Learned

Problems encountered and proposed solutions

Delays in the CSJ's approval of CSDI locations for the development of physical and virtual courtrooms impeded AJP implementation activities. The problem has been resolved through direct communication with the President of the CSJ and participation of the USAID AJP COTR in key planning meetings.

Projections for the following quarter

- Develop the case assignment distribution system in order to complete implementation of the pilot project of the Paloquemao judicial information system
- Conduct ISO quality control system activities for certification of Buga and Bucaramanga courtrooms

- Procure equipment to implement eight new virtual courtrooms
- Design and implement a training program for the use of virtual courtroom videoconferencing technology
- Purchase equipment and furniture for eight new courtrooms in CSDI regions
- Draft terms of reference and award contracts to refurbish seven courtrooms and commence work on three of them
- Determine the scope of support to CENDOJ in developing its jurisprudence information system in conjunction with the Latin American Network of Judicial Centers and draft terms of reference for IT projects emerging from the CSJ's Strategic Technology Plan
- Host workshops on the Strategic Technology Plan and establish an agreement for collaboration from the Administrative Office of the United States Courts as to the role of judges in developing new technologies for judicial branch management
- Engage expert consults to evaluate the impact of ISO 9001 certification in the courts
- Contract with expert consultants to identify pilot projects and new technologies for management of the Colombian Judicial Branch

COMPONENT 3 JUSTICE HOUSES

3.1 Assessment and impact evaluation of the Justice Houses

During this reporting period, the AJP held a number of internal meetings to review the documentation compiled in the preliminary phase of the Justice House assessment as well as its systematization and analysis in order to finalize the hypotheses and methodology for the field research and case studies. The AJP hosted a small forum of outside experts to present initial findings and receive comments on March 2, 2011. In order to obtain the policy perspectives of current MIJ leadership, the Program conducted an interview with Vice Minister of Justice Pablo Felipe Robledo del Castillo and Access to Justice Division Director Alba Lucia Rivero on March 10, 2011.

Field research will be conducted over the course of the fourth quarter in twelve Justice Houses. Early in the fourth quarter, the Program will finalize the definition of where the field research will be conducted, what hypotheses will be explored and what research methodologies will be utilized to evaluate the impact of the Justice House program.

3.2 New Justice Houses

During this quarter, agreements that had been made with the Access to Justice Division of the MIJ as to which new Justice Houses the AJP will support were once again revisited. As a result, the AJP was presented with variations regarding which municipalities the Program will carry out refurbishing, reconstruction and provision of equipment and furniture.¹

¹ Refurbishing of the Riohacha and Villavicencio Justice Houses was confirmed; equipping of the Barrancas, San Onofre and Bajo Cauca Antioqueño Houses was also confirmed. Decisions are pending as to providing support for

The Vice-minister of Justice introduced the request for AJP support to build Justice Houses in Florencia (Caquetá) and San José del Guaviare (Guaviare). Given that these requested Justice Houses are not located in CSDI municipalities, USAID has advised the AJP and the MIJ that these locations were not feasible as the USAID priority is to support new Justice Houses in CSDI municipalities. The AJP has conducted a series of consultation with the MIJ to resolve this impasse. In the course of that dialogue, however, the Director of the Access to Justice Division notified the AJP that final decision would be made by the Minister of Interior and Justice no later than April 15, 2011.

Following are details of the projects that are underway:

Riohacha Justice House

Last quarter, the AJP completed the expansion and refurbishing of the structure of the House, which was inspected and approved by the Program architect and accepted by the La Guajira Governor's Office in late December. The La Guajira Governor's Office this quarter assumed responsibility for the contracting process to complete the interior remodeling of the Justice House. The AJP contractor has been in direct communication and coordination with the Governor's contractor to facilitate effective coordination of the transfer of contractors from one phase of the project to the next.



*Ken Yamashita, USAID
Colombia Director in technical
visit to Riohacha Justice House*



Riohacha Justice House

On March 18, the Governor, the MIJ, the Riohacha Mayor's office, Cerrejon Foundation and the AJP met to renew their mutual commitment to the project, with the goal of completing it in four months. In that meeting, the Director of the Access to Justice Division stated that equipment for the house had already been purchased, and that she would send the items in April. USAID Colombia Mission Director Ken Yamashita visited the construction site and met with local officials and Justice House personnel on April 8, 2011. Inauguration of the expanded

Riohacha Justice House is anticipated in August 2011.

Barrancas Justice House

This quarter, the MIJ's Access to Justice Division advised the AJP that construction work on the Barrancas Justice House has been postponed until July 2011, due to budget problems. The MIJ is seeking resources in order to enable the contractor to finish work. The commitment from the local level remains strong.

the reconstruction of the Santander de Quilichao (Cauca) house, equipping the Uribia (Guajira) House, and three houses that could be located in Apartadó, Turbo, Riosucio, San José de Guaviare and Florencia.

The municipality has committed to naming the necessary Justice House officials to provide support to the proper functioning of the Justice House as soon as it becomes operable. The AJP is closely monitoring the construction process to order and install the equipment and furniture needed to put this Justice House into operation.

Villavicencio Justice House

This quarter, the AJP determined the space needs for the Villavicencio Justice House with Justice House personnel, began the design process, published terms of reference and reviewed bids. The Program selected a contractor and construction began March 31.

San Onofre Justice House

This reporting period, the construction of the physical plant has been completed. The San Onofre municipality began its process to approve funds to conclude the pending infrastructure works (electric and voice equipment, improvement of the data network, and construction of a rainwater disposal system). By this quarter's end, however, the MIJ Access to Justice Division reports that San Onofre's municipal administration has not processed the required resource allotment to finish this necessary refurbishing. The MIJ has asked the AJP to support this work so that by June the installation of furniture and equipment can be undertaken.

Bajo Cauca Antioqueño Justice Houses



Inauguration Tarazá Justice House

Throughout January of this year, the process to plan, purchase and install furniture, voice and data networks for the six Bajo Cauca Antioqueño Justice Houses was started. On March 4, 2011, the Minister of Interior and Justice Dr. Germán Vargas Lleras inaugurated the Tarazá Justice House. Also in March, the AJP delivered and installed equipment and furniture for the Justice House in Caucasia. The telecommunications network for Caucasia will be made operational next quarter. As a result, three of the six new Justice

Houses in the region have been made fully operational through AJP support to date. With Caucasia completed next quarter, AJP will have supported Bajo Cauca in making four Justice Houses fully operational.

Santander de Quilichao Justice House

The MIJ Access to Justice Division and the Santander de Quilichao municipality report that the required documents to register the Project at FONSECON have been submitted, and the corresponding budget resources have been approved. The AJP will participate in a coordinating meeting in April or May to define AJP support for the reconstruction and additional activities to ensure the effective functioning of this Justice House. The Work Management Plan calls for five Justice Houses to have been refurbished or equipped by end of this reporting period. The AJP met its responsibilities with respect to Riohacha and Bajo Cauca. Due to delays beyond the

control of the AJP (noted above), the AJP will not achieve this WMP benchmark by the fourth quarter. Instead the AJP will achieve these goals by the fifth quarter of Program implementation.

3.4 Conduct training and implement a grants program

This quarter, the Program drafted and published terms of reference under which civil society entities and organizations proposed activities to strengthen the work being carried out by the Justice Houses. Such activities serve to facilitate the Justice House's ability to respond to unique local needs. Each of these projects seeks to contribute solutions to particular problems besieging communities within the geographic scope of the Justice House's influence. AJP terms of reference are developed in concert with local Justice House officials and community representatives in the corresponding regions. The AJP then proposes the activities to the MIJ's Access to Justice Division for review and approval.

During this reporting period, the Program reviewed proposals for activities linked to the Riohacha, Barrancas and Villavicencio Justice Houses. The projects selected in Riohacha and Barrancas seek to promote a culture of legality and enhance institutional capacity to address matters involving indigenous communities. The Villavicencio project is designed to prevent domestic violence and provide protection and support to those families affected by domestic violence.

The Program designed terms of reference for integral assistance in child abuse matters in San Onofre, but no proposals were submitted. A new process focused on domestic violence and special protection for women is currently underway.

For the Bajo Cauca Antioqueño Houses, this quarter the MIJ approved AJP-proposed terms of reference for activities that will increase capacity of the Justice Houses to verify, validate and comply with special legal guarantees afforded under Colombian law to particular vulnerable populations.

The AJP Justice House grant activities are being implemented in a timeframe consistent with that set forward in the WMP.

3.5 Conduct training for justice houses personnel

This quarter, the AJP continued to meet obligations for training activities pursuant to the WMP and the timetable agreed upon with the MIJ's Justice House program officers. During this reporting period, the AJP launched trainings for Justice House officials and representatives of municipal administrations and community organizations in Bajo Cauca and Villavicencio. For the six Bajo Cauca Justice Houses, the AJP and MIJ jointly implemented the Justice House Program induction sessions and provide training in Human Rights and ADR. Villavicencio Justice House personnel and municipal representatives were trained in team-building, team-work and customer service, as well as in peaceful resolution of conflicts.



Training workshop on Human Rights and Alternative Dispute Resolution for Bajo Cauca Justice House' staff

Due to delays in Justice House construction noted above, the training sessions scheduled to take place this quarter in Riohacha, Barrancas and San Onofre were postponed. Despite delays, the AJP expects to meet its WMP benchmark of implementing five training modules by the fourth quarter. The training plan for these Justice Houses includes: (1) the Justice Houses Program induction training; (2) team work, community service and community relations; (3) human rights; and (4) ADR.

3.6 Design and Implement Justice House Information System

This quarter, the AJP along with the MIJ's Access to Justice Division staff, planned the timeline of activities to evaluate Justice Houses' Information System that the MIJ has implemented to date in five Justice Houses.² The MIJ appointed its information officer as the point of AJP coordination in the MIJ.

The information officer is in the process of preparing a detailed report on how the system works. The AJP will finance his travel to fully document procedures and implementation issues in the five Justice Houses where the system is operating. Those visits began this quarter. The AJP expects to complete the diagnostic process and its adjustment recommendations before the close of fourth quarter in accordance with the timeframe set forth in the WMP.

3.7 Develop monitoring and procedures manuals

In this reporting period the AJP, in coordination with the MIJ's Access to Justice Division, engaged an expert consultant to work with Division personnel to draft performance guidelines or protocols for the Division's Justice Houses management and monitoring strategy. The scope of work includes the development of the Justice Houses Processes and Procedures Manual for the Access to Justice Division. Through these activities the Program will also provide direct support to the MIJ to improve the Division's inter-institutional coordination with national, regional and local justice sector entities operating within the Justice House, to enhance the MIJ's capacity to evaluate Justice House functioning and to prepare training events and didactic materials. The manual of standard processes and procedures for the Justice House will be drafted by the fourth quarter as set forth in the AJP WMP.

3.8 Development of an alternative model for access to justice in CSDI zones

During this quarter, and with support from the Ciudad de Porfía Justice House regional team in Villavicencio, the Program initiated a planning process for the expansion of the Justice House's services to remote areas through a mobile Justice House unit. The AJP, the Justice House coordinator and the Mayor's Office entered into an agreement under which the AJP will provide a vehicle for the Justice House to implement a pilot program providing mobile justice services.

The AJP has coordinated with universities in Villavicencio so that law students provide legal clinic services not only through the Justice House in Villavicencio, but also as part of the mobile unit.

² Barranquilla, Ibagué, Tunja, Chía y Soacha

The Program has initiated discussions with the municipality of Caceres and the new Justice House there to establish a mobile unit in Bajo Cauca as well. The AJP expects mobile services to be underway in both Villavicencio and Caceres in the fourth quarter of implementation in accordance with the timeframes established in the WMP.

Difficulties, Challenges and Lessons Learned

Problems encountered and proposed solutions

Although tensions diminished between the AJP and the Access to Justice Division over the scope of analysis of the Justice House impact evaluation, new implementation obstacles emerged. Most significantly, the expert consulting team conducting the evaluation remained internally divided and failed to incorporate guidance from the AJP as to the methodology for the field work. The AJP terminated the consultants' contracts and developed terms of reference for a new consulting team. Through much of the quarter, the AJP utilized in-house expertise to process, systematize and refine the data collected by the initial consulting team. While the Program made substantive advances in the structure and content of the impact evaluation report, final conclusions and recommendations cannot be established until the field work is concluded in the fourth quarter of Program implementation.

The Program has not advanced in the provision of equipment to new Justice Houses to the extent anticipated due to delays in the construction activities contracted by other entities. Moreover, the MIJ's reconsideration of the previous agreements reached with the AJP as to remaining Justice Houses to be supported by the Program has suspended consultations and implementation discussions with local officials in those municipalities. In the coming quarter, the Program will likely be directly intervening to assure finalization of construction in San Onofre. Through close monitoring of the construction process in Barrancas and dialogue with local personnel, the AJP will be prepared to purchase equipment and furniture in order to have it available for installation immediately upon the conclusion of construction.

Meanwhile, the MIJ has indicated that the final list of new Justice Houses for AJP support will be determined with the direct participation of the Minister of Interior and Justice on April 15. With official affirmation from the MIJ, the AJP will reinitiate and/or launch an intensive consultation process to reach inter-institutional agreements as to the support each entity will offer to put the new Justice Houses into operation.

Projections for the following quarter

The Program anticipates undertaking the following activities during its fourth quarter of implementation from April 1-June 30, 2011:

- Conduct field work for the Justice House Program impact evaluation in twelve municipalities
- Draft the final report on the Justice House Program impact evaluation and the corresponding conclusions and recommendations for strategic redesign

- Follow-up, monitor and intervene as necessary to facilitate the inaugurations of Justice Houses in San Onofre and Barrancas
- Continue the needs definition and procurement processes to equip the Barrancas and San Onofre Justice Houses
- Define, with the MIJ's Access to Justice Division, the municipalities where the Program will provide support to construct or equip the justice houses
- Follow up and monitor progress of the refurbishing of the Villavicencio Justice House
- Carry out processes to award grants in Bajo Cauca Antioqueño and San Onofre
- Schedule and conduct training sessions for Justice House officials and municipal and community representatives in Riohacha, Barrancas and San Onofre
- Launch public awareness activities to promote the services offered by the Riohacha, Barrancas, San Onofre, Bajo Cauca and Villavicencio Justice Houses
- Monitor and support the Justice House information system evaluation and recommendations being developed by the MIJ Access to Justice Division
- Coordinate activities to advance the drafting and implementation of the standard processes and procedures manual and Justice House management and monitoring protocol
- Finalize agreements, transfer vehicles, support and monitor implementation of mobile Justice House units in Meta and Bajo Cauca

COMPONENT 4 ALTERNATIVE DISPUTE RESOLUTION

4.1 Diagnostic of Community-Based ADR Mechanisms in Colombia

The Program has implemented the diagnostic of community-based ADR mechanisms through a team leadership model, led by an expert consultant with support of Program staff. As reported last quarter, the Program completed an analysis and systematization of 60 ADR studies, along with supporting interviews, workshops and focus groups. To incorporate operator perspectives, in January, the Program analyzed and developed its report on the surveys conducted with 120 equity conciliators during November and December.

This quarter, the Program focused on obtaining user perspectives through a survey of 990 people who had used ADR services 19 municipalities. The content of the questionnaire and its scope was designed in coordination with the Access to Justice Division of the MIJ. The Program received copies of the pertinent conciliation agreements and inquired with users as to their satisfaction level with the experience, the extent that the agreement had been implemented, and whether the agreement contributed to a full resolution of the conflict.

Of the 19 survey locations, 12 were determined by agreement with the MIJ and the AJP added seven additional municipalities, including two major cities, Bogotá and Medellín. The final list of participating municipalities included: Cáceres, Cauca, El Bagre, Nechí, Tarazá, Zaragoza, Medellín (in the neighborhoods of Robledo and Villa del Socorro), Santafé de Antioquia, Bello, Bogotá (San Cristóbal, Engativá), Tumaco, Pasto, Villavicencio, Vistahermosa, La Macarena, Yopal, Aguazul and Barranquilla. During the first week of March, pollsters were trained and pilot surveying was carried out. Over the second, third and fourth weeks, 990 survey-questionnaires were conducted in the 19 municipalities.

The Program systematized and tabulated survey data and designed graphs and charts containing proposed hypotheses. During the first week of April, all data was cleaned for internal Program review with experts. In accordance with the AJP Work Management Plan (WMP), the Program is now finalizing its ADR diagnostic impact report, incorporating data tables, charts and finalizing analysis and recommendations for presentation to USAID and the MIJ in the fourth quarter.

4.2 ADR Policy Reform

This quarter, the AJP continued work to build a broad ADR policy reform coalition (WMP activity 4.2.1) and to provide direct support to the Access to Justice Division of the MIJ to place ADR reform on the policy agenda (WMP activity 4.2.3). Key ADR policy reform coalition actors have been identified and approached by the Program during this third quarter. As set forth in the WMP, the coalition will be formed by the close of the fourth quarter.

While final recommendations for reform are pending the conclusion of the analysis of user perspectives and the presentation of the ADR diagnostic report, this quarter the AJP provided support to the MIJ for the first draft of its proposed reforms to legislation regarding legal conciliation (*conciliación en derecho*), which encompasses reform perspectives of ADR practitioners. The AJP provided direct assistance to the MIJ during this quarter to facilitate the MIJ's development of its analysis of practitioner views. The MIJ presented this analysis on April 4, 2011 to 170 conciliators attending the National Meeting of Directors of Conciliation Centers held at Bogotá's Chamber of Commerce. The AJP helped facilitate the April 4 meeting, during which conciliators validated and enriched the MIJ's analysis. The AJP also supported the MIJ in drafting the meeting report and conclusions, which serves to consolidate the reform components from the ADR practitioners' viewpoint.

4.3 Strengthening the MIJ

In order to strengthen the MIJ's institutionalization of its equity conciliation program, the AJP provided technical assistance this quarter in the Access to Justice Division's systematization of equity conciliation data needed for the strategic design of oversight and support for ADR in Colombia. From December 15, 2010, to February 15, 2011, the AJP financed consultants to work with the MIJ in systematizing the management of data related to equity conciliation. This support included improving database architecture to facilitate follow-up and monitoring of ADR processes by the Division and to enable data generation needed for the development of action plans.

During this quarter, the AJP also provided technical support to the Access to Justice Division with respect to the GOC's division of the Ministry of Interior and Justice into two separate ministries. The AJP has provided support to the Division in discussions with the Public Administration Training School (*Escuela Superior de Administración Pública*) (ESAP), which has been delegated responsibility for the design and development of the proposal to divide the MIJ. The AJP has drafted talking points and accompanied Division members to meetings with ESAP and has presented comments for submission by the Division regarding the ESAP's proposal. This ongoing process is critical for the strategic planning process of the MIJ, as well as for the development of policies and the effective positioning of ADR within the new Ministry of Justice.

The support the AJP has provided to the Division in these two areas advances meeting AJP Performance Monitoring Plan (PMP) indicator 4.3.1: to strengthen the Division in "comply[ing] with its many functions in the oversight and support for ADR in Colombia".

4.4. Effective Networks of ADR providers

The Program's activities to strengthen ADR provider networks function as ongoing activities building upon the grant to the Association of Conciliators in Equity (ACCE) to hold their VI Congress in November 2010. That Congress served to consolidate a national networking process and launched a new dynamism for the strengthening of regional networks.

By sponsoring participation of seven conciliators from the AJP's four CSDI regions, the Program established a core CSDI group of conciliators to collaborate with the AJP regional teams and activities.

This quarter, the AJP received and is currently evaluating several proposals for strengthening ADR networks in CSDI regions. ACCE has proposed a series of ADR meetings in the CSDI regions for technical training of ADR providers and to stimulate practitioner networking. The Universidad Católica de Oriente in Antioquia and the Governor's Office of Antioquia requested AJP support for the development of regional events and the strengthening of sub-regional ADR practitioner networks in Bajo Cauca. Other proposals have been received for ADR activities in Meta and Nariño.

The Program will act upon these requests based upon its findings pursuant to the ADR assessment process being conducted in each of the CSDI regions. Those assessments have been carried out in accordance with the MIJ's equity conciliation implementation framework (known by its Spanish acronym, MICE). Upon concluding the ADR assessments and the MICE implementation process in the fourth quarter, the Program will have a sound basis to make determinations as to the best allocation of AJP resources for the strengthening of ADR networks in the CSDI regions.

4.5 Cadre of ADR operators in 20 CSDI Municipalities



San Onofre municipality in Montes de María región. Justice needs assessment with community leaders

Three of the AJP CSDI regional office ADR specialists were trained and began working last quarter. Early this quarter the Nariño ADR specialist began activities. For the first part of this reporting period, the CSDI ADR staff concentrated on the AJP regional justice sector needs assessments, contributing with their time and expertise in the field work and the development of connections with public institutions and civil society organizations.

Beginning in February 2011, under the guidance of an expert consultant in the implementation of MIJ's conciliation implementation framework, MICE, the regional ADR personnel have been conducting conflict analyses for CSDI municipalities pursuant to

the MICE methodology and the planned training will be conducted pursuant to this MIJ-approved method. The AJP and MIJ have agreed to 16 of the 20 CSDI municipalities where the cadre of ADR providers will be developed: four in Montes de María, six in Bajo Cauca, two in Meta, and four in Nariño. (The MIJ has requested that the AJP develop its conflict analyses based on the Access to Justice Division's conflict analysis of La Guajira.)

On March 11, the Program held its first meeting with the MIJ to establish a work plan for implementing the MICE process in the agreed upon municipalities. After reaching consensus as to the work plan, the AJP and MIJ agreed to monthly implementation meetings.

A MICE training for the AJP CSDI regional staff took place in mid-March. The session also evaluated the AJP CSDI regional justice needs assessments, which provide guidance for both ADR conflict analysis and the ADR Policy Reform process. By the end of this reporting period, complete conflict assessments have been completed for ten municipalities and preliminary conflict analysis have been developed for the other ten municipalities within the scope of the AJP CSDI regional offices. Early in April, the ADR training program will be discussed with the MIJ. The AJP will reaffirm the understanding reached with the MIJ that in some of the 20 CSDI municipalities an ADR skills strengthening training process will be carried out with existing providers, while in the others a complete training course will be required to form new conciliators in municipalities, such as those in Montes de María where there are no practicing conciliators.



San Onofre municipality in Montes de María región. Justice needs assessment with community leaders

In Montes de Maria and Nariño, the Program concluded this reporting period by launching the second phase of the MICE process. Pursuant to the MIJ's MICE, once the conflict assessment is completed, the process calls for visibility activities to publicize the upcoming ADR activities in the municipality to civil society groups and local officials so that the ADR services offered can be institutionalized and potential conciliators identified. The AJP has already met its fourth quarter benchmark this reporting period as the WMP calls for such community visibility activities and meetings to be held in at least four municipalities by fourth quarter. The Program will sponsor additional visibility and informational meetings in other municipalities during the coming quarter.

4.6 Support for arbitration

The Program made progress in the design of the arbitration training program for private attorneys scheduled for the third and fourth quarters of AJP implementation. A series of meetings with the Access to Justice Division of the MIJ defined the scope of the activity. In March, after some adjustments to the budget available for the project, an expert arbitrator and professor has been contracted to develop a curricula to train private trial lawyers in arbitration in Colombia, based on the experiences and training curricula in Colombia and seven other countries (Great Britain, France, Spain, the United States, Argentina, Trinidad and Tobago and Brazil).

This quarter, the consultant has submitted an overview of arbitration in Colombia and in the countries selected for the development of the comparative vision. With this submission is the proposed Colombian curriculum structure, the proposal for the number of class hours, issues to be emphasized, and the list of the identified training networks. Recommendations and next steps for implementing the training program will take place in the coming quarter.

Difficulties, Challenges and Lessons Learned

Problems encountered and proposed solutions

Although the MIJ initially argued that the AJP's diagnosis of ADR in Colombia should not include Justices of the Peace (under the authority of the CSJ), the AJP has proceeded to incorporate Justices of the Peace in the ADR assessment, based on the conviction that any ADR reform must also address Justices of the Peace. The Access to Justice Division of the MIJ has recognized the validity of the AJP perspective and, moreover, has played an active, participatory role in supporting all aspects of the AJP ADR diagnosis. This reflects a significant change in posture from the Division that has facilitated the effectiveness and efficiency of the Program's activity and provides the sense that the Division will be open to considering and implementing the recommendations to be presented in the AJP ADR diagnostic report.

The Program encounters persistent resistance from the Access to Justice Division as to perceived institutional weaknesses requiring attention. This issue has been mentioned in prior reports and has not been resolved. Rather, Division officials continue to insist upon their sufficient capacity for strategic planning and organizational development, and even argue that their knowledge of the needs and possibilities for public policy reform is adequate. Where consensus lies is upon the need to guarantee the allocation of greater resources for Division programs, particularly to assure more staff support for those programs.

The MIJ initially opposed implementation of AJP ADR activities in the 20 CSDI municipalities. Finally, after many meetings, in February 2011, an agreement was reached to select the six Bajo Cauca CSDI municipalities, one in Meta (Vistahermosa) and two in Nariño (Pasto, Tumaco), as well as several municipalities that until now have not benefited from the presence of equity conciliators (Carmen de Bolívar, San Jacinto, Ovejas and San Onofre in Montes de Maria).

The MIJ did not want the AJP to implement its plan to train private attorneys in arbitration. As a result, the AJP reworked the proposed activity to develop an arbitration curriculum and network of training providers that recognized the roles of the Chamber of Commerce and CAF, but that can be utilized by the MIJ in a manner fully independent of those entities.

Lessons learned

Facilitation of collaborative relationships with the MIJ has required greater precision in determining the scope of diagnostic studies and establishing a broader and more dynamic process of dialogue between the MIJ and USAID to ensure mutual understanding of specific objectives and products.

Projections for the following quarter

As set forth in the WMP, the Program will implement the following activities in Component 4:

- Revise the final report on the ADR diagnostic study and present it to USAID, the MIJ and entities conducting ADR public policy work. Hold a public event to present the diagnostic's results and recommendations.
- Complete the first phase of implementation of the MICE (conflict assessments) and advance the visibility process. Train AJP regional teams to support activities that strengthen ADR networks in the regions. Begin training of conciliators in the CSDI regions.
- Finalize and present the needs assessments of ADR in CSDI municipalities.
- Complete first activities in the strengthening of the monitoring and follow-up system for the MIJ's equity conciliator program.
- Develop a proposal for a model Local Justice System to be implemented in CSDI municipalities.
- Hold the first national and regional meetings geared to constructing the coalition for the ADR Policy Reform and develop a discussion draft of the proposed reform.
- Finalize the curriculum to train private trial lawyers in arbitration, submit the proposal to the MIJ and publicize it.
- Prepare material from the ADR diagnosis and the Justice Houses impact evaluation as bases for the ADR policy reform working group discussion.

- Continue the support to the MIJ in the transition to two separate ministries. Draft proposed recommendations for the transition process that will strengthen ADR.
- Consolidate the strategy for strengthening regional and national networks of ADR providers and enter into a grant agreement with an entity to carry out network-building activities in CSDI zones.

COMPONENT 5 PUBLIC DEFENSE

5.1 Strengthen the Public Defender's Office in CSDI Regions

5.1 (i) Conduct a comprehensive assessment of the needs and current capacity of public defenders currently assigned to CSDI zones.

5.1 (ii) Study the viability of expanding the Public Defense service.

During this quarter, the AJP, with support from the National Public Defense System's (SNDP) Performance and Statistical Control Unit, has collected data from 98% of public defenders serving CSDI zones. The Program has completed its comprehensive assessment report that identifies the qualifications of SNDP operators, the scope and coverage of public defense services in the CSDI regions, case loads, technological resources, length of experience with the Public Defense and the frequency of visits to assigned municipalities. The assessment provides recommendations for the Public Defense's expansion, communications, security, infrastructure and training requirements for developing enhanced service models in the CSDI regions.

The Program expects to present the assessment to USAID and the National Director of the Public Defense in late May 2011. ([See Attachment 5.1.1.](#))

5.1 (iii) Support public defense service for indigenous groups in multicultural cities.

During this reporting period, the AJP evaluated, selected and awarded a grant to the organization JUSCOM to design materials and develop recommendations for the Public Defense to adopt policies related to indigenous justice. Under the AJP grant, JUSCOM will carry out activities with the Public Defender's Office and provide a series of deliverables to enhance Public Defense services to indigenous communities and individuals. JUSCOM will provide detailed information and mapping of those multicultural regions with notable indigenous populations (including quantification of indigenous people under indictments or imprisoned); assess present coverage and service needs for the public defense of indigenous people; design qualification requirements to create a special public defense assistance unit for indigenous matters and support the establishment and training of that unit; design and publish a basic procedures manual for the criminal representation and defense of members of indigenous communities; and facilitate an inter-institutional discussion in order to promote development of justice system policies to address indigenous justice considerations.

5.1 (iv) Equip eight public defenders offices in the CSDI zones

During this reporting period, the AJP carried out the process to select the contractor who will be in charge of purchasing, setting up, programming, carrying out technical tests for the IT and videoconferencing equipment, and of providing training to officers selected by DNDP to administer and maintain this equipment in the CSDI zones and in coordination with the Defense Regional Offices in the Sucre, Guaviare and Guainía departments. The selection criteria for the eight sites were agreed upon with the National Public Defense Director, based upon the diagnostic report regarding the basic needs and the AJP preliminary recommendations for support to the Public Defense in the CSDI consolidation zones. Integral to this effort is telecommunications connectivity from the Public Defense regional zones to the national office that will provide input and orientation to strengthen the Public Defense's Training School's activities and to make more effective use of communications technology to enhance the Public Defense's coverage and quality of service in CSDI zones.

5.1 (v). Strengthen the Special Support Offices of the Public Defender system at the regional level (headquarters for the regional training centers, the investigation units and the forensic laboratories)

This quarter, the AJP drafted and presented the diagnostic report on present requirements, needs and suggestions to improve the functioning and coverage of the Special Support Units. The report was based on an analysis of the data collected through focus groups in Bogotá, Cali, Medellín, and Manizales, and an electronic survey of 1320 Public Defense using Special Support Unit services. Through this report, the AJP seeks to support the Public Defense in strengthening the organization, performance and quality of the services provided by Special Support Offices, and to incorporate such recommendations as the AJP supports the Public Defense in creating new Special Support Units.

During the reporting period, the AJP, with support from the Regional Defender's Office for the Atlantic Region, received authorization from the Planning Department of the City of Barranquilla to refurbish the facility where the Special Support Office will base its headquarters operation in Barranquilla. Additionally, the Public Defense approved the architectural plans developed by the AJP, which specify office spaces for investigators, lawyers, and training areas as well as technical specifications need to adapt and equip the Special Support Office headquarters in Barranquilla, where the Regional Training Center will also be located. These new headquarters will benefit public defenders, lawyers, and members of the legal clinics who serve as the Public Defense in the Magdalena, Atlántico, Sucre, Cesar, Guajira, Bolívar and Córdoba departments. As set forth in the WMP, the Barranquilla Office is the first of two Special Support Offices serving CSDI regions that the AJP will identify for support by the close of next quarter.

5.1 (vi) Review development of existing forensics laboratories supported by the European Union and assess possibilities for the creation of two new forensics laboratories

On February 23, 2011, in a meeting accompanied by USAID, the AJP presented its diagnostic report regarding the functioning of the Criminal Investigation Operative Unit (UOIC) and the five Public Defense forensic labs to the *Defensor de Pueblo*, National Director of the Public Defense,

and the Director of the UOIC. The report contains a detailed assessment and recommendations with implementation strategies to adjust the present performance model to strengthen the UOIC's administrative, investigative and forensic areas.

The overall recommendations seek to reform the UOIC's organizational and functional structure in order to create an entity whose quality control, design, validation and administrative systems operate to streamline procedures to facilitate prompt action on technical services requested by Public Defenders at the central and branch offices. The recommendations call for increased budget allocations to guarantee proper coverage of the UOIC's operational needs and to properly update and maintain the forensic equipment and labs. The recommendations urge an improved IT system that documents performance of the UOIC and its personnel and that facilitates prompt allocation of technical and expert resources the UOIC offers.

As to the findings related to the forensic labs, the AJP determined that of the five forensic labs, only three are operational. The lab in Cúcuta has never been used. The Barranquilla lab equipment has not been delivered, but has been stored in a Bogotá warehouse.

The AJP report recommends against building new forensics labs for the Public Defense because of the high cost to obtain the equipment required, their inadequate use by the Public Defense, the high cost of their maintenance and calibration, the lack of an appropriate quality control system and the absence of standardized procedures and manuals for the labs already built.

The AJP report concludes that the existing forensics labs cover almost all the national territory and that proper implementation of the existing labs merits greater focus of the Public Defense's attention. As a result, the AJP and Public Defense have agreed that current resources for the forensics labs be used to support refurbishment of the physical space for the labs, for the testing of lab equipment to be installed in Barranquilla, and for the strengthening of the UOIC according to the recommendations presented in the diagnostic report ([See Attachment 5.1.2.](#)).

5.2 Develop legal regulations to differentiate representational roles within the Public Defender's Office

This quarter, the AJP continued its support to the Public Defense's new operational plan that takes into account new responsibilities pursuant to Article 43 of the law establishing a national system for assistance to and compensation for victims.

Although the Colombian Congress rejected the special delegate for victims proposed by the Public Defense with AJP support, the AJP has assisted in the development of administrative provisions under which the Public Defense would avoid possible conflicts of interest by representing both victims and defendants accused of grave crimes.

5.3 Design and implement training programs for Public Defenders

The AJP has developed the following four Public Defense training modules that combine online and face-to-face components:

The planning, organization, management and negotiation of criminal cases

Presentation of legal and forensic evidence at oral trial

Mounting legal, investigative and expert evidence in defense of sexual crimes

The legal regime for the defense of youth and adolescents.

During this reporting period, the AJP established the timetable for the training sessions, and defined course contents, methodology, teachers and sites where these courses will be offered. The AJP is ahead of schedule in meeting the WMP benchmark of four modules to be developed by fourth quarter. The Program is also working to strengthen the capacity of the Public Defender's educator's network and to offer these courses through a virtual platform that will allow these modules to be offered to Public Defenders nationwide.

5.4. Technical assistance to revise the management and performance control model used by the Performance Control Unit of the Public Defender's Office

AJP continues with the design and implementation of a monitoring and evaluation plan to analyze the public defenders' performance and its impact on the quality of the service provided by the public defenders in collaboration with the Public Defense Performance Control Unit. This quarter, the AJP documented existing performance control processes as well as the tools and forms used by the Performance Control Unit to monitor the work of the public defenders in the country. The AJP also analyzed quality performance evaluation models used to monitor performance of public defenders in other countries.

The Program is on track with its WMP timeframe of designing, validating and delivering a set of quality and impact indicators by the end of next quarter.

5.5 Implement a small grants program for CSOs

AJP continues providing support for the design and implementation of strategies and activities that increase the effectiveness of legal advocacy, defense and representation of individuals whose access to justice has been impeded because of their sexual orientation (LGBTI). Through an AJP grant, the Santa María Foundation in Cali has developed an analysis of violence against LGBTI persons in relation to unresolved (or uninvestigated) cases that result in the impunity of victimizers and barriers to access justice by LGBTI persons in Cali.

During this quarter, the Santa María Foundation expanded its work with state and governmental institutions at a national level, such as INPEC [the Colombian Penitentiary Institute], the Public Defender's Office, the Inspector General's Office, the MIJ, the Attorney General's Office, the National Criminal Technical Institution (CTI), Acción Social, and the Departmental Secretaries of Equity, Gender and Government. Through dialogue with these entities, the Foundation seeks to establish agreements to promote and support processes within these institutions regarding the assistance in and investigation of cases involving LGBTI persons and to make visible what legal avenues are available to defend and protect the rights of trans-sexual women. To date, the Santa Maria Foundation has generated institutional commitments from the CTI and the MIJ to assist in

addressing the lack of prosecutorial action regarding the violation of fundamental rights of the LGBTI community, especially in Cali.

Difficulties, Challenges and Lessons Learned

Lessons learned

Before implementing actions in the CSDI regions in which the *Defensor del Pueblo* is to serve as an AJP counterpart, the Program must first validate activities with the National Director of the Public Defense.

Projections for the following quarter

- Present diagnostic report of the Public Defense services in CSDI zones and initiate activities to expand coverage and strengthen services provided.
- Through the grant to JUSCOM, draft the assessment of indigenous people and the criminal justice system; map multicultural regions with notable indigenous populations (including quantification of indigenous people under indictments or imprisoned); assess present coverage and service needs for the public defense of indigenous people; design qualification requirements to create a special public defense assistance unit for indigenous matters.
- Install equipment and train Public Defenders in the use and administration of IT and videoconferencing equipment to be used in the Regional Public Defense Offices in the Sucre, Guaviare and Guainía departments.
- Identify five regional Public Defense offices that will be equipped in CSDI regions.
- Present the Special Support Office assessment to USAID and the Director of the National Public Defense.
- Conduct the procurement process and select the construction contractor for the development of the Barranquilla Special Support Office headquarters and the Caribbean Regional Training Center.
- Conduct selection process for the refurbishing and installation of equipment for the forensics lab in Barranquilla.
- Enter into agreement and begin carrying out assistance to the UOIC, based on the Program's diagnostic report and recommendations.
- Support the design and implementation of the Public Defense's new Operative Plan to avoid potential conflicts of interest.
- Train 60 public defenders in conjunction with the Public Defense School on the presentation of legal, investigative and expert evidence in defense of sexual crimes.
- Create and implement the performance evaluation system for public defenders.

- Through the Santa María Foundation, continue providing legal assistance to members of the LGBTI community and conduct three workshops on access to justice for LGBTI groups and advocates on overcoming access to justice barriers.

4. Communications strategies

In the third quarter, MSD continued to shape the AJP communications strategy in terms of counterpart outreach, redefining activities for outreach to civil society organizations in CSDI zones and incorporating communication tools into the five AJP component activities.

Internal communications

To facilitate communications between and among the AJP central and regional offices, the Program has acquired video communications equipment to provide direct communication with all regional staff members. The regional and central AJP teams have received training in the use of this communication tool.

The AJP weekly reports that collect and categorize project information for presentation to USAID have been reevaluated and in subsequent quarters will be color coded to identify weekly GOC counterpart information and tracking information for the “Justicia al Día” bimonthly newsletter.

As part of the efforts to provide the AJP team with constant and up to date information on the Colombian justice sector, this quarter, communications support has been enhanced with a daily review of the leading news sources in the country and occasional input from local CSDI media. The compiled articles are distributed via email to USAID and AJP team members.

Public Information communications

“Justicia al Día” Newsletter

During this reporting period, the Program published two editions of the bimonthly newsletter “Justicia al Día” (number ten: December-January, and number eleven: February-March) for distribution to USAID, counterpart institutions and civil society organizations on a national and local level. These two editions focused on AJP support to Justice Houses in CSDI regions and training activities with multiple justice sector actors: law professors, law students, journalists, and justice house staff, among others. (See Attachments [4.1](#). and [4.2](#)).

In order to achieve effective communication and information dissemination with the multiple AJP audiences and to avoid redundancy, this quarter the AJP determined that specific regional sections will be created within the Newsletter contents. This regional section will replace the CSDI activity information bulletin that was distributed to GOC counterparts last December.

Access to Justice Program Webpage

The AJP’s functional Webpage has been completed in compliance with USAID’s Branding and Marking Manual and Web Manual. The Webpage has been submitted to the Communication and Information office at USAID Colombia and USAID Washington for final approval.

Cooperation Agenda for GOC Counterparts in CSDI zones

During this reporting period, the AJP decided that weekly virtual agendas will be distributed among GOC counterparts in CSDI zones. This new information service will be carried out as part of an AJP promotion strategy to enhance the trust and transparency of the AJP work that is being carried out in the CSDI regions. The virtual agendas will emphasize collaborative efforts in long running projects.

Radio campaign contributions: “Esta es mi Colombia”

To promote public affairs efforts of USAID programs in Colombia and raise public awareness, the AJP contributed twice this quarter to the radio campaign “Esta es mi Colombia,” a joint USAID, Caracol S.A. and Accion Social activity to promote and demonstrate changes taking place in CSDI zones. MSD contacted and pre-interviewed AJP beneficiaries in Tumaco and Bajo Cauca prior to the radio team’s interview. Of the two segments, one was selected for broadcast: the Antioquia report on the two finalists for the regional Mock Trial Competition, which aired on March 30, 2011. The “Esta es mi Colombia” campaign segments are aired in 13 departments and 22 municipalities nationwide through Caracol radio stations. ([See Attachment 4.3.](#))

Communications in CSDI Regions

As part of the regional justice service needs assessments, specific information regarding effective community media was collected. Due to budget limitations, however, rather than conduct CSDI communication activity from the AJP central office in Bogota, the Program determined that each regional AJP office will design and implement its own communication strategy in alliance with regional institutions and organizations. The central AJP office will, by the end of the contract, produce a report documenting the regional communication strategies and implementation experiences.

5. Impact Monitoring

MSD designed its Performance Monitoring Plan (PMP) to measure progress of the Program in meeting the objectives defined in the Task Order, particularly that of “strengthen[ing] justice services in Colombia by ensuring access to legal services, improving access to justice, helping to establish a functioning justice system and reducing impunity especially for people residing in rural, marginalized regions of Colombia heavily affected by violence.”

To measure progress made towards meeting USAID/Colombia’s Assistance Objective 3 (AO 3), “*Strengthen Democratic Governance and Respect for Human Rights*,” Intermediate Result (IR) 3.2: “*Improved Access to Justice in Conflict Areas*,” data base indicators have been incorporated in the PMP. Those indicators now reflect the actual baseline situation of the CSDI areas where the AJP works.

To summarize, those indicators show that nearly 70% of the most vulnerable citizens in CSDI municipalities do not have any knowledge as to what may be the avenues available to them to access justice services. In the rural zones of the CSDI regions, baseline data shows a complete absence of justice services available in those rural areas. Even in the CSDI municipal locations

where justice services are available, the quality of those of services suffer from insufficient human and financial resources. Moreover, justice sector officials are exposed to intimidation, violence and corruption. They do not receive needed support from local or national authorities. Furthermore, justice sector personnel in CSDI regions generally are not aware of and do not understand how to apply special legal guarantees available to vulnerable populations.

The AJP has designed at least five grants for each of the four CSDI Regions to impact this initial situation. Additionally, in response to the justice needs assessment findings, each AJP Regional Office has added projects with the strategic objective of diminishing the particular access to justice barriers encounter in its respective location. During this reporting period those projects were incorporated into the AJP Regional Offices' work plans.

The AJP's first PMP report containing this baseline data will be submitted in May 2011. The next PMP report, to be submitted six months later, will document changes to this baseline data.

6. USAID Common Indicators

This quarter the AJP provides its first report on USAID common indicators regarding investment on Afro-Colombian, indigenous, women and youth. Attachments and contain tables showing USAID investment, beneficiaries and regions. This data shows investment during the current quarterly reporting period along with cumulative information as to infrastructure, training and grants disaggregated by sex and ethnicity. (See Attachments [6.1.](#), [6.2.](#) and [6.3.](#)).