

ACTION MEMO FOR THE MISSION DIRECTOR

THROUGH: Deputy Director, Stephen Wingert ⁵²

FROM: C/OHRD, Richard Martin *Richard Martin*

SUBJECT: Authorization for the Democratic Institutions Project (520-0398)

Problem: Your approval is needed to authorize the Democratic Institutions Project, (520-0398) to provide funding for specific, fully designed activities in support of the 1990 General Elections, the newly-elected Congress and initial activities with the Office of the Human Rights Ombudsman.

Background: A draft Project Paper has been prepared of the Democratic Institutions Project (520-0398), with final review and approval scheduled for FY 1991. The Project purpose is to strengthen the Guatemalan Congress, the Office of the Human Rights Ombudsman, the Supreme Electoral Tribunal (SET) and private sector groups dedicated to responsible democratic government, human rights and civic education. To this end, the Project will fund activities to 1.) strengthen the institutional base of Guatemala's National Congress; 2.) support activities proposed by the Office of the Human Rights Ombudsman; 3.) provide training opportunities for SET staff; 4.) support the SET's operational expenses of elections held during the life of the Project, if such support is crucial for those elections to be held on schedule and in a fair manner; and, 5.) increase the public's understanding of the operations and utility -- real and potential -- of key democratic institutions. The estimated Project Assistance Completion Date (PACD) is September 30, 1994.

Discussion: The Mission has received unsolicited proposals (refer to the annexes attached to this memorandum) from the Center for Democracy and the Guatemala Development Foundation to provide election observer activities; from the Guatemalan Institutional Development Foundation (DIG) to provide an orientation/training program for the newly elected Congress; and from the Office of the Human Rights Ombudsman to assist in

strengthening its institutional base. The activities proposed by these institutions form an integral part of the planned Democratic Institutions Project Paper (520-0398). However, the timing of the Project Paper review and the expected availability of FY 1991 funds would preclude the Mission from providing needed support to Guatemala during the 1990 General Elections, and to maintain continuity in the areas of support to the Congress and the Human Rights Ombudsman's Office.

The authorization for these important U.S. Government initiatives in support of Guatemala's democratic process is based upon the Mission's review of the proposals and subsequent negotiations with the respective institutions. As a result of this process, the Mission is confident that authorization and obligation of FY 1990 Economic Support Funds is justified on the merits of the activities themselves. The separate proposals constitute the PP-like documents, meeting the requirements of A.I.D. policy and regulations. Summaries of the proposed activities by category and institution are provided below.

ELECTION OBSERVER ACTIVITIES

As a result of conversations with the President and Magistrates of the SET, the U.S. Embassy, CFD and FUNDESA, the Mission has determined that a need exists for Guatemala to invite and fund other international observer groups, above and beyond the "Tikal Group," which the SET is funding using its own resources. Therefore, under the initial project authorization, the Democratic Institutions Project will fund two distinct International Observers Groups for the purpose of strengthening the electoral process in Guatemala. The presence of increased numbers of observers will enhance both the domestic and international credibility of the electoral process. Greater confidence in the electoral process is expected to result in higher voter turnout and greater acceptance and support of the election results by the Guatemalan population and the international community. Funding for these activities will be obligated through separate Cooperative Agreements with the Center for Democracy and FUNDESA.

a) Center for Democracy (\$75,000): The CFD received assurances from the SET on August 29, 1990, that it will accredit the CFD as an international observer mission. The magistrates approved the CFD's plan to bring an international observer mission to Guatemala for the general election scheduled for November 11, 1990 and for the scheduled run-off election of January 6, 1991.

The CFD will bring a team of up to fifteen (15) observers to Guatemala from the United States, Latin America and Europe to be placed in locations where the SET has determined observation to be most necessary. The observers will arrive two days prior to the election and will remain in Guatemala at least one day following the election. In this way, the entire electoral process will be observed, including the final vote count and official tabulation.

The CFD, in collaboration with the political parties having candidates in the election, will also establish an "Election Information Center" at the official headquarters for all national election activities. The purpose of the Information Center will be to disseminate information relevant to the elections and the platforms of the parties to all international and national election observers, the members of the foreign and national press and others interested in the electoral process. This information center will be operational 10 working days prior to the November elections.

b) **Guatemala Development Foundation (FUNDESA)**
(\$66,950): On September 11, 1990 the Mission received a proposal from FUNDESA to provide assistance with its Election Observer Program. In coordination with the SET and other accredited observer groups, FUNDESA will invite forty (40) election observers to Guatemala from November 8, 1990 through November 13, 1990. USAID/Guatemala funding for this activity will provide travel and hotel accomodation for the 40 observers. FUNDESA will provide local transportation, meals and information on the electoral process, which amounts to fifty percent of the costs of this activity.

In order to provide a contingency fund for election activities, \$25,000 will be put aside under this agreement in order to cover any emergency requirements generated during the electoral process. These funds will be available for use only with the prior written approval of the USAID.

SUPPORT TO THE CONGRESS

THE GUATEMALAN INSTITUTIONAL DEVELOPMENT FOUNDATION (DIG)
(\$117,000): The DIG presented the Mission with an unsolicited proposal on June 28, 1990, for El Centro de Estudios Estrategicos para la Estabilidad Nacional (ESTNA), a dependency of DIG, to carry out a two-part orientation/training program for the newly-elected members of Congress and for basic commodities to provide strengthening of ESTNA's ongoing administrative and educational operations. Through a Cooperative Agreement with DIG, this orientation/training program will be provided to

members of the National Congress. The purposes of the program are to assist with strengthening ESTNA's institutional base and to help ensure that the members of Congress are aware of Congressional procedures, roles and responsibilities.

The timing of this activity is important for several reasons. First, based on past experience and interviews with current congressional deputies, it is estimated that only about one-third of the current deputies are expected to return to the Congress. Second, past experience has shown a great need to orient the newly elected deputies to the national issues facing them and to enhance their confidence in their ability to professionally face the challenges of their new position. Third, this pilot effort with ESTNA will permit the Mission to assess the potential for working more with local institutions in building the type of support networks that can strengthen the institutional capability of the Congress over the longer term. Finally, this activity will provide an opportunity for the Mission to identify and assess the political climate that can be expected once the new Congress takes office.

HUMAN RIGHTS

ASSISTANCE TO THE OFFICE OF THE HUMAN RIGHTS OMBUDSMAN (\$341,050): In May, 1990, the OHRO submitted a proposal to the Mission to fund educational and various logistical support activities. Based on that proposal and recommendations of the Project Design Committee in consultation with the OHRO, the Mission has concluded that the following activities should be supported: (a) non-formal as well as formal education activities; (b) a violent crime case tracking information system; (c) various training activities for OHRO staff; and (d) logistical support for the departmental offices.

Based on the desirability of the OHRO beginning certain activities immediately, the Mission will enter into a Limited Scope Grant Project Agreement (LSGPA) with the OHRO to fund a non-formal education radio program, which includes providing technical assistance and equipment; formal primary education activities; a seminar on the fact-finding process in the investigation of possible or obvious human rights violations, especially witness interviewing, and a session on coordinating the efforts of the Organismo Judicial, Ministerio Publico, Police, the Office of the Human Rights Ombudsman and Human Rights Groups; computer utilization training, the development of a violent crimes reporting system; and, the provision of approximately eight (8) utility vehicles for distribution to the departmental Offices already in operation.

Congressional Notification: A CN for \$500,000 for the Democratic Institutions Project expired on August 6, 1990. A TN for an additional \$100,000 reapportionment from the Improved Administration of Justice (520-0369) to the Democratic Institutions Project expired on September 21, 1990.

METHODS OF OBLIGATION OF FY 1990 FUNDS

The Mission will obligate funds with the Center for Democracy (CFD), the Guatemala Development Foundation (FUNDESA), and the Guatemalan Institutional Development Foundation (DIG) through HB 13 Cooperative Agreements. Funds for support to the Office of the Human Rights Ombudsman (OHRO) will be obligated through a HB 3 Project Agreement.

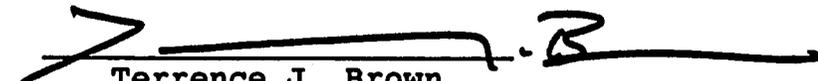
A summary breakdown of amounts to be obligated by institution are provided below:

a) Election Activities	
CFD	\$ 75,000
FUNDESA	66,950
Sub-total	141,950
b) Congressional Activities	117,000
c) Human Rights Activities	341,050
T O T A L	\$600,000

Budget Allotment: An \$600,000 ESF apportionment for this Project was received through STATE 318729.

Delegation of Authority: Delegation of Authority (DOA) No. 752, dated December 16, 1988, permits the Mission Director to authorize a project for up to \$20 million, provided it does not represent significant policy issues, and does not require issuance of waivers by the A/AID or AA/LAC. STATE 265071 establishes A.I.D.'s revised policy with respect to eligible source and origin for commodities and services. This new policy restricts procurement to the United States, except where waivers are provided under the authorization. The appropriate waiver is provided for in the authorization and supported by a separate Action Memorandum specifying the line items and amounts for which local procurement is authorized.

Recommendation: That you authorize the Democratic Institutions Project for \$600,000 in ESF funds by signing (1) this Action Memorandum, (2) the attached procurement waiver, and (3) the attached Project Authorization.


Terrence J. Brown
Director, USAID/Guatemala

9/27/90
Date

Attachments: Source/Origin and Nationality Waiver
Project Authorization
Proposed Election Activities of the Center for Democracy (Annex I)
FUNDESA "Elections 90" Proposal (Annex II)
Propuesta de Asistencia Financiera para el Proyecto: "Seminario para Diputados Electos Periodo 1991-1996" (Annex III)
Proyecto de Apoyo Institucional al Procurador de los Derechos Humanos (Annex IV)

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