ANNUAL FY 2017 AND QUARTER 4 (JULY TO SEPTEMBER 2017) REPORT

YOUTH AND GENDER JUSTICE PROJECT

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Cover photo: Adolescents engaged in recreational activities at the Juvenile Provisional Detention Center Las Gaviotas. Guatemala City, Guatemala. 2016. Photographer: Christa Bollman.

ACRONYMS

ACL	adolescents in conflict with the law / *Adolescentes en conflicto con la ley penal*
ALA	Asociación La Alianza
AMEP	activity monitoring and evaluation plan / *Plan de actividades de monitoreo y evaluación*
APS	Annual Program Statement / *Declaración anual del programa*
CAIFGUA	Integral Attention Center for Guatemalan Family Strengthening / *Centro de Atención Integral para el Fortalecimiento de las Familias Guatemaltecas*
CAMTUR	Guatemalan Tourism Chamber / *Cámara de Turismo de Guatemala*
CCG	General Comptroller's Office / *Contraloría General de Cuentas*
CCI	Center for Court Innovation
CEG	Guatemalan Studies Center / *Centro de Estudios de Guatemala*
CEJUDEP	Juvenile Provisional Detention Center / *Centro Juvenil de Detención Provisional*
CEJUPLIM	Juvenile Female Detention Center */ Centro Juvenil de Privación de Libertad para Mujeres*
CEJUPLIV	Juvenile Male Detention Center / *Centro Juvenil de Privación de Libertad para Varones*
CICIG	International Commission Against Impunity in Guatemala / *Comisión Internacional contra la Impunidad en Guatemala*
CIDEJ	Judicial Branch Information, Development and Statistic Center */ Centro de Información, Desarrollo y Estadística Judicial*
CIT	Inter-Institutional Commission Against Human Trafficking / *Comisión Interinstitucional Contra la Trata*
CNA	National Council for Adoptions / *Consejo Nacional de Adopciones*
CNSAFJ	National Justice Support and Strengthening Follow-up Commission / *Comisión Nacional para el Seguimiento y el Apoyo al Fortalecimiento de Justicia*
CONALFA	National Literacy Commission / *Comisión Nacional de Alfabetización*
COP	Chief of Party / *Director del Proyecto*
COPREDEH	Presidential Human Rights Commission */ La Comisión Presidencial Coordinadora de la Política del Ejecutivo en materia de Derechos Humanos*
COPRODENI	Institutional Coordinator for the Rights of the Child / *Coordinadora Institucional de Promoción por los Derechos del Niño*
CSJ	Guatemalan Supreme Court/ *Corte Suprema de Justicia*
CSO/OSC	civil society organization */ Organización de Sociedad Civil*
DEIC	Specialized Division of Criminal Investigation / *División Especializada en Investigación Criminal*
DEMI	Indigenous Women's Defender / *Defensoría de la Mujer Indígena*
DGM	General Migration Directorate / *Dirección General de Migración*
DICRI	Criminological Research Directorate */ Dirección de Investigación Criminológica*

DIPAFRON	PNC Division of Ports, Airports, and Border Points */ División de Protección de Puertos, Aeropuertos y Seguridad Fronteriza*
DISETUR	PNC Division of Tourist Security / *División de Seguridad Turística*
DNA	deoxyribonucleic acid */ Ácido desoxirribonucleico*
DPI	Personal Identification Document / *Documento Personal de Identificación*
ECPAT	End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes */ Asociación para la Eliminación de la Pornografía, Turismo y Tráfico Sexual de Niños, Niñas y Adolescentes*
EEJ/JSS	Judicial Studies School / *Escuela de Estudios Judiciales*
EMMP	Environmental Management and Mitigation Plan */ Plan de Mitigación y Manejo Ambiental*
ERI	Immediate Response Teams */ Equipos de Respuesta Inmediata*
ENCOVI	National Survey on Living Conditions */ Encuesta Nacional de Condiciones de Vida*
FG	Attorney General */ Fiscal General*
FIFC	First Instance Family Courts
FJ Policy	Family Justice Policy
FJC	Family Justice Center of the Judicial Branch */ Centro de Justicia de Familia*
FLAU/PALG	Free Legal Assistance Unit */ Programa de Asistencia Legal Gratuita*
FY	Fiscal Year / *Año Fiscal*
GARA	Regional Action Group of the Americas / *Grupo de Acción Regional de las Américas para la Prevención de la Explotación Sexual a Niñas, Niños y Adolescentes en Viajes y Turismo*
GBV	gender-based violence */ Violencia Basada en Género*
GGM	Guatemalan Women´s Group / *Grupo Guatemalteco de Mujeres*
GOG	Government of Guatemala / *Gobierno de Guatemala*
HEP+	Health and Education Policy Plus / *Proyecto de Políticas en Salud y Educación*
HIV	Human Immunodeficiency Virus / *Virus de la Inmunodeficiencia Humana*
IAAVID	Institute for Care and Assistance to Crime Victims */ Instituto para la Atención y Asistencia a la Víctima del Delito*
IAU	Indigenous Affairs Unit of the Judicial Branch / *Unidad de Asuntos Indígenas (Secretaría de Asuntos Indígenas)*
IDPP	Public Defense Institute / *Instituto de Defensa Pública Penal*
IGNA	Guatemalan Institute for Youths and Adolescents */ Instituto Guatemalteco para Jóvenes y Adolescentes*
INACIF	National Institute of Forensic Sciences */ Instituto Nacional de Ciencias Forenses*
INE	National Statistical Institute / *Instituto Nacional de Estadística*
INGUAT	Guatemalan Tourism Institute */ Instituto Guatemalteco de Turismo*
INL	International Narcotics and Law Enforcement Affairs */ Asuntos internacionales de narcóticos y aplicación de la ley*
IPS	Social Protection Institute / *Instituto de Protección Social*
ISUMW	Immediate Search Unit for Missing Women / *Mecanismo de Búsqueda Inmediata de Mujeres Desaparecidas*

JBCMU	Judicial Branch Control and Monitorinig Unit */ Unidad de Control, Seguimiento y Evaluación de los Órganos Especializados en Delitos de Femicidio y otros delitos en contra de la mujer.*
JP	Justice of the Peace Courts / *Juzgados de Paz*
LGBTI	lesbian, gay, bisexual, transgender, and intersex / *Lesbianas, Gay, Bisexual, Transgénero e Intersexual*
M&E	monitoring and evaluation */ Monitoreo y evaluación*
MAI	integral assistance model / *Modelo de atención integral*
MENACESSNA	National Roundtable against Sexual Exploitation for children and adolescents in Areas of Travel and Tourism / *Mesa Nacional contra la Explotación Sexual de Niños, Niñas y Adolescentes en Espacios de Viajes y Turismo*
MINEX	Ministry of Foreign Affairs / *Ministerio de Relaciones Exteriores*
MINTRAB	Labor Ministry / *Ministerio de Trabajo*
MP	Public Ministry / *Ministerio Público*
MSPAS	Ministry of Public Health and Social Assistance */ Ministerio de Salud y Asistencia Social*
NCI	National Coordinating Instance
NGO/ONG	Non-governmental organization / *Organización no-gubernamental*
NNA	Boys, Girls and Adolescents / *Niños, Niñas y Adolescentes*
NVPPS	National Vulnerable Populations Protection System / *Sistema Nacional de Protección para Poblaciones Vulnerables*
NNVS	National Network of Victim Services */ Red Nacional de Derivación para Atención a Víctimas de Delitos*
OAP	Permanent Attention Office / *Oficina de Atención Permanente*
OAV	Office of Victim Assistance / *Oficina de Atención a la Víctima*
OJ	Guatemala's Judicial Branch / *Organismo Judicial*
OMP	Municipal Protection Offices / *Oficinas Municipales de Protección*
ONG/NGO	Non-governmental organization */ Organización No-Gubernamental*
OPF	MP's Office for the Prosecutor against Femicide / *Fiscalía contra el Delito de Femicidio del Ministerio Público*
OSC/CSO	Civil Society Organization / *Organización de Sociedad Civil*
PDH	Human Rights Ombudsman / *Procuraduría para los Derechos Humanos*
PEMAR	High-Risk Population / *Población en Mayor Riesgo*
PGN	Solicitor General´s Office / *Procuraduría General de la Nación*
YGJP/PJJG	Youth and Gender Justice Project/ *Proyecto de Justicia para Juventud y Género*
PMU	Project Management Unit / *Unidad de Gerencia del Proyecto*
PNC	National Civilian Police / *Policía Nacional Civil*
RDIAU	Regional Delegation of the IAU in Quetzaltenango
RELAF	Latin American Foster Family Network / *Red Latinoamericano de Acogimiento Familiar*
RFA	Request for Applications */ Solicitud de Aplicación*
RIPU	Regional Indigenous Persons Unit of the Judicial Branch in Quetzaltenango */ Delegación Regional de Asuntos Indígenas Quetzaltenango*
RRF	Rapid Response Fund / *Fondo de Respuesta Rápida*

SAI	Integral assistance system */ Sistema de atención integral*
SBS	Social Welfare Secretariat / *Secretaría de Bienestar Social*
SGBV	sex and gender-based violence
SGT	Court management system / Sistema de gestión de tribunales
SICOMP	Public Ministry Information System (Public Ministry's Computerized System for Investigation Monitoring) / *Sistema Informático de Control de la Investigación del Ministerio Público*
SJSRP	Security and Justice Reform Project / *Proyecto de Seguridad y Reforma de la Justicia*
SNPPV	National Vulnerable Populations Protection System/ *Sistema Nacional de Protección a Poblaciones Vulnerables*
SPI	Public Ministry Secretariat for Indigenous Peoples / *Secretaría de Pueblos Indígenas*
STD	Sexually Transmitted Disease / *Enfermedades Sexualmente Transmitidas*
SVET	Secretariat Against Sexual Violence, Exploitation, and Trafficking in Persons / *Secretaría contra la Violencia Sexual, Explotación, y Trata de Personas*
SWI	Public Ministry Secretariat of Women's Issues / *Secretaría de la Mujer del Ministerio Público*
SWOT	Strengths, Weaknesses, Opportunities and Threats analysis
SWPO	Specialized Women's Prosecution Offices / *Fiscalías de la Mujer*
TDA	Transnational Development Associates
TDR/TOR	Terms of Reference / *Términos de Referencia*
TIP	trafficking in persons / *Trata de Personas*
UAI	Indigenous Affairs Unit of the Judicial Branch / *Unidad de Asuntos Indígenas del Organismo Judicial*
UCI	Institutional Training Unit / *Unidad de Capacitación Institucional del OJ* (official name of the EEJ/JSS)
UCMEFJ	Judicial Branch's Unit of Control, Monitoring and Evaluation of Specialized Bodies on Femicide and Other Forms of Violence against Women / *Unidad de Control y Monitoreo y Evaluación de los órganos especializados en femicidio y violencia contra la mujer del Organismo Judicial*
UNADOJ	Judicial Branch's Unit on Children and Adolescents / *Unidad de Niñez y Adolescencia del Organismo Judicial*
UNICAP	Public Ministry's Training Unit / *Unidad de Capacitación del Ministerio Público*
UNICEF	United Nations International Children's Emergency Fund */ Fondo de las Naciones Unidas para la Infancia*
UNIFOCADEP	Public Defender's Training Unit / *Unidad de Formación y Capacitación del* Defensor Público
USAID	United States Agency for International Development / *Agencia de los Estados Unidos para el Desarrollo Internacional*
USG	United States Government / *Gobierno de Estados Unidos*
VRN	Victim Referral Networks / *Redes de Derivación*
YGJP	Youth and Gender Justice Project / *Proyecto de Justicia para Juventud y Género*

I. INTRODUCTION

The Guatemala Youth and Gender Justice Project (YGJP or Project) is a 56-month activity implemented by Chemonics International and its consortium of partners under the Rule of Law Indefinite Quantity Contract. The Task Order was awarded on May 20, 2016 by the United States Agency for International Development (USAID). This report highlights progress for the period from July 1-September 30, 2017 and, as the final report for FY 2017, includes an overview of activities from the past year in lieu of a separate annual report. Reporting is based on the USG fiscal year.

II. PROGRAM DESCRIPTION

The purpose of the Project is to provide technical assistance and support for improved provision of services for victims of violence, including youth, women, and other vulnerable populations; and to improve the Government of Guatemala's juvenile justice system to reduce recidivism in juvenile offenders. The Project seeks to support the Guatemalan government and civil society organizations (CSOs), in order to provide institutional strengthening of the different elements that comprise the currently fragmented victim service network. The intended result is the integration of these different support and protection systems into a stronger and more effective national protection system for vulnerable populations. These actions when combined will increase the number of prosecutions to support a decrease in violence and impunity. The Project's technical assistance to the Guatemalan government aims to promote public confidence in institutions and ensure the transformation of the justice system in response to the needs and challenges that vulnerable populations confront while also demanding respect for gender, ethnic, and sexual diversity; and to prevent and prosecute trafficking in persons (TIP).

The Project was created as a direct response to the harsh Guatemalan reality that violence is a pervasive phenomenon increasing the vulnerabilities of particular populations including youth; women; and lesbian, gay, bisexual, transgender, and intersex (LGBTI) individuals. Guatemala's most vulnerable populations frequently experience double victimization, in which they suffer as a result of discrimination or unequal treatment, which is then exacerbated by a lack of responsive policies, practices, or institutional support for entities charged with the protection of these vulnerable populations. Activities in the Project Year 1 work plan, as well as others to follow, respond to this serious ongoing social issue in Guatemala by supporting the legal systems in place to provide further protection to vulnerable groups. The Project is addressing the neglect and lack of financial support for the juvenile justice sector and the institutions that provide urgently needed services to youth who are victims of violence or are in conflict with the law. Youth are both the main perpetrators and frequent victims of armed violence in Guatemala. These two groups, together, form a major part of the future of Guatemala; however, the Government of Guatemala regularly neglects them by failing to provide neither efficient administration of justice for adolescents in conflict with the law (ACL) cases nor sufficient protection of youth who fall victim to crime.

Gender-based violence (GBV) is also a serious public health issue, a security concern, and a human rights violation; and the prevalence and acceptance of GBV in Guatemala directly impedes long-term development efforts. Victims of GBV are predominantly women, but members of the LGBTI community and trafficked persons also experience GBV at high rates.

Members of the LGBTI population face a high risk of GBV because of their sexual orientation or gender identity, which is widely unaccepted in Guatemala. This reality is exacerbated by high rates of impunity resulting from the deeply ingrained homophobia and *machista* culture that permeates the country and its justice system.

Human trafficking, a form of gender-based violence that is less known amongst the general public. The Project works hand in hand with the government of Guatemala to implement a comprehensive anti-TIP communications strategy and awareness campaign; create a national referral system; and improve prosecution of trafficking in persons cases. The Project also is working directly with "first responders"— police officers, immigration officials, hospital staff, labor inspectors—so they are better able to detect human trafficking and notify officials when such cases present themselves.

Project Results:

- GOG's capacity to provide juvenile justice services improved
- GOG's services for gender-based violence victims improved
- GOG's services to address trafficking in persons improved

III. OVERVIEW OF FY 2017

As we complete the first full year of the Project, we find ourselves working closely with multiple Guatemalan Government (GOG) entities. This Project positioning is a logical development given that the Project purpose is to strengthen the GOG. Some key points of the efforts to cultivate strong partner relationships follow.

With respect to Project partnerships, engagement, and significant events we note the following:

The ***Secretaría de Bienestar Social*** (SBS) is a key Project partner and the focus of a variety of activities to strengthen that key institution. Project support to the SBS was originally envisioned and crafted as a sustained institutional development approach. That approach had to be revised to include humanitarian intervention, given the tragic events of March 8, 2017, when 41 girls under state protection perished in the fire that took place in the *Virgen de la Asuncion* Safe House. The Project responded immediately to the fire by relocating dozens of children and adults with disabilities to other safe houses under the SBS umbrella, and provided them with emergency supplies and assistance such as mattresses, diapers, bath towels, water, and items for personal hygiene. This effective emergency humanitarian intervention served to alleviate short-term deficiencies, but did not address the longer-term institutional deficiencies. Moreover, the ensuing criminal investigation following the deaths tied several key institutions to the negligent homicide case including: the Social Welfare Secretariat, the *Procuraduría General de la Nación* (PGN), and the *Procuraduría para los Derechos Humanos* (PDH) amongst others. This tragic event provoked a variety of reactions, including societal condemnation and political intervention by the Guatemalan Congress, through the citation of public officials to clarify actions taken and neglected that resulted in this tragedy.

The crisis within the protection system that produced such a tragic outcome is a product of a multitude of historical and institutional weaknesses, including decaying infrastructure, outdated intervention models, inadequate human resources, and overpopulated protection shelters, amongst others.

The Project has since begun to place its focus on the institutional and structural reforms that the SBS requires, as is further noted in the text of this report. It supports a significant agenda with the **Judicial Branch** as well, as the Project deepens its assistance with a reengineering of the Family Court Centers in both Guatemala City and Quetzaltenango. The project also supported establishment of a specialized femicide court in Chimaltenango.

The Project also provided technical and material support during to the ***Organismo Judicial**'s* (OJ) Indigenous Affairs Unit[1] in Guatemala City as well as to its newly created **Regional Delegation of Indigenous Affairs** in Quetzaltenango. Since its creation in December of 2016, this entity has provided technical assistance to some 280 people. Other areas of support the Project provided to the OJ are detailed in the pages that follow.

Other key areas of Project intervention include the extensive work underway with another major government partner, the **Public Ministry**. Support includes work with the specialized prosecutor offices for TIP, for crimes against children, for children and adolescents in conflict with the criminal law, and in femicide. The Project also worked with the Public Ministry training unit *Unidad de Capacitación* or UNICAP, and supported the creation of Secretariats for Gender and for Indigenous Peoples. The Project assisted major advances on the Public Ministry's Integral Assistance Model or MAI, a comprehensive service delivery and orientation center for victims within the Public Ministry.

The ***Instituto de Defensa Pública Penal*** (IDPP) is another institution essential to the administration of justice in Guatemala and thus an important piece of overall Project implementation strategy. The Project supported the IDPP in defining and training on the ACL process for Public Defenders. The process was validated by the *Unidad de Formación y Capacitación del Defensor Público* (UNIFOCADEP). The Project facilitated options to expand the mandate of the IDPP to provide civil legal assistance services to fill this gap in legal services via its FLAUs. Guatemala is one of the only public defender offices in Latin America to not provide support in the family, civil and/or labor fields in addition to the traditional criminal defense services that have long been constitutionally mandated in serious criminal cases.

Separately, **Congress** is carrying out a National Dialogue on the state of adolescents and children in Guatemala in order to spur pro-children policy development at the highest levels of government. This activity provided the policy backdrop relative to the national agenda for children and adolescents in Guatemala. The National Dialogue is an important step toward seeking consensus among the three branches of the Guatemalan government on a national agenda on justice for Guatemalan children and adolescents, and the financial and technical components of a national strategy to be adopted by all.

[1] The *Unidad de Asuntos Indígenas del Organismo Judicial* (OJ's Indigenous Affairs Unit) was created through the Agreement No. 112/009 of the OJ Presidency and the *Corte Suprema de Justicia* (CSJ) with the purpose of promoting and advising on Indigenous Populations Rights policy within the OJ. This Unit's plans, projects and objectives include training programs and sensitizing public officials and employees, participation in workshops, forums and worktables related to indigenous topics, as well as developing studies regarding legal issues in this topic that will enable the diagnosis and presentation of proposals to the OJ.

The Project has been the main source of support for this Guatemalan Congress' National Dialogue on the state of adolescents and children in Guatemala since its launch in early 2017 and through its regional dialogues over a 6-month period. This activity is near conclusion as it leaves as its legacy the policy backdrop relative to the national agenda for children and adolescents in Guatemala. The Project supported development of a methodology for the National Dialogue which was implemented at the departmental level. A total of 26 dialogues were held nationally, with support from the Project, World Vision, Save the Children, *Aldeas Infantiles* SOS, *Plan Internacional*, the Red Cross, and USAID's Community Roots project. The Project was the primary source of support for the National Dialogue, having financed its launch in early 2017, and supported a total of seven departmental dialogues. The dialogue is a joint initiative of the Guatemalan Congress and the Human Rights Ombudsman, specifically the Congressional Commission for children and family. It is hoped that the three branches of government will sign a national agreement, and invite supporters to sign as honorary witnesses or *testigos de honor* to conclude this year-long dialogue.

Also in the policy area, Congresspersons representing different political forces within the country presented a legal initiative referred to as the "National Integral System of Protection for Children and Adolescents" that creates a governing body in the matter and develops two protection subsystems. These systems seek to respond to the reality of *Niños y Niñas y Adolescentes* (NNA) whose human rights are violated as well as to adolescents accused of committing crimes or offenses. Within the proposal one point to be highlighted is that SBS, *Consejo Nacional de Adopciones* (CNA), the PGN, NNA Solicitor, and the National NNA Commission would be absorbed by the institute created by this new law. To the extent possible, the Project supports such efforts with the hope that they lead to a renewed national commitment and compact that favors this sorely unattended population.

Human trafficking issues were also front and center throughout the year. In June of 2017, the US Department of State presented its annual report on human trafficking. This document placed Guatemala on the Tier 2 "watchlist," a downgrade from the previous year, which means that in general terms the country fails to fully comply with the stipulated standards that the US Government requires. According to the report, Guatemala's downgrading is due to government failure to satisfy basic norms for human trafficking elimination despite seeming advances such as a reduction in the number of human trafficking victims identified as compared with 2016, and progress in sentencing of perpetrators and referral of victims to shelters. The Project has developed a series of activities in its FY 2018 work plan that seek to assist Guatemala meet its commitments in compliance with the applicable standards.

National Vulnerable Populations Protection System. The Project took first steps to visualize and plan the NVPPS in FY 2017. The creation, consolidation, and strengthening of a National Vulnerable Populations Protection System (NVPPS) is a fundamental, crosscutting activity and innovation proposed under the Project.

The NVPPS is by definition an activity that crosses all Project components. For purposes of this plan we have included a set of NVPPS development activities to implement in FY 2018. This will leave almost four years to firmly entrench a sustainable approach to establishing the mechanisms that will form part of the NVPPS through institutional strengthening of the various

state entities charged with protection, and their systematic and methodical integration into a viable functioning national system.

The Project will continue to fully define the Strategic Route for the creation and strengthening of the NVPPS as well as a detailed plan of strategic actions to secure continual advances along the Strategic Route, including the creation of a working group among counterparts and partners, the development of uniform standards for the provision of services to the different populations, the definition of standardized instruments to determine risks and needs for services by providers, the integration of local and national referral mechanisms, communications strategies, among others. This work plan includes a focus on utilizing civil society organizations (CSO) as agents and actors in assuring that quantity and quality services are maintained as the institutional strengthening of state entities is firmly rooted.

In 2018 the Project will extend the review begun in 2017 of existing resources and gains made in protection of the already identified numerous subject vulnerable populations (including, among others, women, indigenous persons, the LGBTI population, children and adolescents in need of protection, adolescents in conflict with the law, persons with physical and mental challenges, elderly persons, victims of crime (including SGBV), etc. At the same time, the Project will identify gaps or shortfalls in the existence, the quantity, and the quality of services, initially in the capital and in the four regions where the YGJP is physically present, that must be addressed immediately, and those that will be improved over time. This review will permit the Project to support institutional strengthening interventions as we make gains towards full development of the NVPPS.

IV. DETAILED TECHNICAL IMPLEMENTATION

Our technical implementation is focused on achieving three results:

- Result 1: The Government of Guatemala's Capacity to Provide Juvenile Justice Services Improved
- Result 2: Government of Guatemala Services for GBV Victims Improved
- Result 3: Government of Guatemala's Response to TIP Strengthened

Result 1: Government capacity to provide juvenile justice services improved

LLR 1.1. Guatemalan Government Policies, Processes, Practices and Models to Strengthen Juvenile Justice Services Implemented

1.1.a. Strengthen SBS processes and models

FY 2017 ANNUAL SUMMARY

SBS was created in 1945 and for 77 years provided child support services. In accordance with the organic regulation 101-2015 the SBS assists NNA with protection services and assists ACL as well. According to SBS statistics through August 2017, the SBS assisted 1,818 ACL, including 745 ACL in detention, and 1,073 with socio-educational support without detention. As compared to previous years, the number of detention cases declined considerably – among various reasons – due to the disturbances that occurred in the centers which resulted in transfer of some of those detained to adult prisons. Of the 745 in detention 563 are minors while 182 have attained the age of majority. The 1,818 total ACL assisted by SBS includes 1,597 males and 221 females.

The SBS has seen considerable budget variations over the past 3 years:

- 2015 – [redacted]
- 2016 – [redacted]
- 2017 – [redacted]

The budget distribution is some 32% for personnel; 24% for food for NNA, in the ACL Centers as well as the Safe Houses; and the remaining 44% for health, education, legal and other services as well as administrative costs.

The Project supported an assessment of SBS functioning in 2017, which laid bare many deficiencies, including: lack of appropriate services, Life Plans that fail to address ACL realities, underutilization of non-detention approaches, lack of human resource development, total lock-down of detainees, overcrowded facilities, inappropriate mixing of adolescent profiles, and an acute lack of basic services. This assessment has proven critical, as it was validated by the SBS leadership and now constitutes the Project's technical baseline with respect to ACL system functioning. The findings are incongruent with the overarching objective of promoting re-

socialization. In this vein, the Project has supported SBS technically in development of an institutional strengthening strategy. The process applied to strategy development was a participatory one with interviews, focus groups, open discussions, etc., with SBS key informants and leadership as well as OJ, IDPP and MP partners, in the capital as well as in the regions. The Project supported experts who worked within the SBS which served to bring the Project and SBS into a close technical collaboration. The assessment and the resulting strategy have been finalized, and we are already engaging with the newly-named SBS leadership to implement the strategy as a joint venture.

The Project also has strived to coordinate technically with other partners in the ACL area, including INL, IILA and UNICEF, and thus avoiding any possible duplication while promoting a common approach with respect to the eventual approval of a law that establishes a National System for Integral Protection of NNA.

Working with SBS was complicated due to the Safe House fire of March 2017 and the system crisis it laid bare. Further complicating the work with SBS were many uprisings in the various ACL centers as well as the constant leadership changes within the SBS, resulting in delays and new starts in discussions on the nature and timing of support contemplated. It is in this context that the Project carried out the institutional assessment that was to drive Project support to the SBS.

Project support for SBS over FY2017 included:

- A national-level evaluation of the justice system as relates to Adolescents in Conflict with the Law (ACL), to effectively frame Project activities and interventions;
- An analysis of the Child and Adolescents Protection System, carried out in the Department of Guatemala, also to help define suitable Project approaches;
- Evaluation of SBS functioning in Guatemala City and in key departments;
- Support for a quick humanitarian response to assist with addressing the immediate needs of relocated residents; and,
- Carrying out a baseline on Guatemala's juvenile justice system, in the city and in the departments. This baseline provides a platform from which the Project and SBS created a work plan, which includes: (1) continue with the foster home model; (2) design a strengthening strategy for ACL; (3) design a model for SBS branches in the departments; and, (4) initiate a grant process for protection and housing for adolescents and human trafficking victims.

Finally, the Project in 2017 was SBS' most important partner in two key aspects: first, the Project provided support for the children affected by the *Hogar Seguro* tragedy; and second, as regards alternate care options for NNA, the Project is assisting with development of a model permitting children to be placed in foster care homes as an alternative to institutionalization. Strategies to strengthen SBS and the justice system for ACL remain underway as the Project enters FY 2018, even as support to SBS generally is under review in light of leadership changes that took place as the first year of implementation drew to a close.

FY 2017 FOURTH QUARTER UPDATE

Various studies undertaken throughout Latin America point out the serious developmental damage that results from institutionalization. Accordingly, during the reporting period the Project offered technical assistance for the transformation of protection services provided by SBS via the development of a model for non-institutionalization together with the institutions that comprise the NNA protection system.

As a direct consequence of the overemphasis on institutionalization of NNA cases, in 2009 the *Virgen de la Asuncion* safe house was founded under the auspices of the SBS to shelter some 800 NNA. This shelter is considered as one of the largest of its kind in Latin America and was the scene of the horrific fire in March of 2017. Project visits to this shelter prior to the fire revealed the overcrowded facilities, mixing of NNA profiles and needs, a shortage of basic services or programs, a lack of individualized attention, and a resulting failure to offer protection or family reunification services to NNA under protection but who end up prone to becoming ACL cases.

In the final quarter of FY 2017 the Project highlighted through the assessment a need for non-detention and socio educational focused sanctions for ACL cases, specifically via development of a program jointly with SBS and CAIFGUA for integral assistance to 300 adolescents via non-detention approaches over a period of two years; and also of a new ACL model that favors non-detention but where detention is unavoidable the detainees benefit from quality services recognized by the Universal Human Rights Protection System.

The Project also provided technical support for the development of an assessment in the protection area which was finalized during the reporting period. The assessment noted SBS weaknesses especially with respect to a tendency to favor NNA institutionalization as contrasted with international norms that promote non-institutionalization of NNA under state protection. The assessment also detected a lack of specialization on the part of NNA protection personnel as well as a lack of coordination of the various protection system actors, including the PGN, the OJ, and the CNA. The assessment identifies the main difficulties and challenges the protection system faces, most notably the SBS and thus establishes a technical baseline to frame SBS institutional strengthening support strategy.

Also during the final quarter of FY 2017, the Project supported development of a protection strengthening strategy utilizing a participatory approach with interviews, focus groups, discussion groups, and others, including the SBS leadership at the central and regional levels together with the OJ, PGN and CNA. CNA registries indicate that in both public and private safe houses, there are some 4,830 NNA in protection safe houses. The SBS shelters an average of 271 youth in state-run facilities, down from an average of 1,000 prior to the fire of March 2017. 4,472 NNA are sheltered in privately run shelters; by any account the numbers reflect a high number of NNA growing up in institutions.

LLR 1.1.b. Strengthen Solicitor General's Office (PGN) Investigative Processes and Models

FY 2017 ANNUAL SUMMARY

The PGN is a key institutional player within the NNA protection system, charged with legal defense and representation, and investigation of NNA protection cases as established in the national legal framework, most notably the NNA Integral Protection Law, the Alba Keneth Warning System law, and Law against sexual violence, exploitation and human trafficking. The PGN had a 2017 budget of [redacted] of which less than [redacted] was assigned to the PGN NNA solicitor, an amount that is woefully inadequate to satisfy its mandate.

The PDH in 2015 reported that the PGN assisted 2583 NNA threatened with human rights violations, 13,322 investigations of cases left unprotected, and represented 35,875 NNA cases during judicial hearings. During 2016 and up to March of 2017, the OJ through its NNA 1st Instance Courts at the national level heard 15,256 special protection cases, held 23,987 hearings and issued 38,965 judicial orders, all of which resulted in finalizing a dismally low total of 1787 cases.

In 2015 the PGN approved Regulation 124-2915 which established a policy favoring non-judicial case resolution approaches while promoting administrative protection, thereby reducing the cases treated judicially and providing more immediate protection in NNA cases. Unfortunately, this regulation has been largely ignored.

One fundamental aspect of the PGN strengthening work is that of dignified accommodations and assistance focused on children versus adolescents. Here during the reporting period, the Project developed its plan for furnishing and equipping of areas for proper assistance of NNA victims of violence in the Guatemala City central office as well as in priority departments, to be implemented in FY 2018.

Of note is the coordination with other groups engaged in NNA protection activities with the PGN, especially IEPADES and UNICEF, in order to support NNA strengthening in an integral and strategic fashion. Similarly, the Project has coordinated actions with other actors within the national protection system as well including the OJ, CNA and SBS, especially to promote family unity approaches over NNA institutionalization.

The PGN is an especially important and strategic partner in that not only does it have a legal role to play, but it is also coordinating the high-level working group convened by President Morales following the safe house tragedy of March 2017 to coordinate protection activities and actors with Project support.

Among other functions, the PGN is the state attorney in NNA protection matters and as such issues an opinion on legal bills under consideration by the Congress. Currently pending in Congress is approval of the new National NNA Integral Protection law, and the Project has provided technical assistance to the PGN in the development of its expert opinion in this regard. The Project does so to assure the law is in accordance with the International Convention on the Rights of the Child as well as with other domestic and international norms on NNA protection.

FY 2017 FOURTH QUARTER UPDATE

During the reporting period, the Project carried out a PGN assessment which revealed institutional weaknesses that result in a culture of "*asistencialismo*" and institutionalized NNA cases. The assessment also highlighted the need to strengthen the PGN, and support actions in the immediate term that include: support for application of Regulation 124-2015, specialization of PGN personnel at a national level, and development of protocols for PGN personnel in emergency protection.

The PGN designated a focal point to serve as the liaison with the Project to further activities to strengthen their investigative process and models. The Project assisted the PGN with development of a strengthening plan that addresses needs ranging from information management all the way to service decentralization. This plan is finalized and its implementation is planned for FY 2018.

LLR 1.1.c. Support Implementation of Recently Adopted ACL Model in MP's ACL Unit

FY 2017 ANNUAL SUMMARY

The MP has the mandate to investigate and prosecute ACL cases and to provide assistance to victims in such cases. The MP can also petition the court to apply non-judicial case resolution mechanisms in such cases.

The Congress reformed the MP Organic Law via decree 18-2016, transforming the Minors Prosecutor to that of an ACL Prosecutor. The law also promotes specialized criminal prosecution that seeks family and societal reintegration of ACL in harmony with the Ley PINA and the Convention the rights of the Child.

MP registries over the previous 5 years 2012-2016 report a total of 32,946 criminal complaints lodged in ACL cases. 6412 of this total were recorded in 2016, averaging 18 per day, a clear indicator of the need to strengthen the ACL Prosecutor and expand methods for social reintegration and re-socialization of these cases.

ACL Criminal Complaints lodged in 2016 by Departments of highest incidence follow:

Table 1

No.	Department	No. of Complaints
1	Guatemala	2,494
2	Escuintla	457
3	Quetzaltenango	445
4	Alta Verapaz	256
5	Petén	228
6	San Marcos	231
7	Santa Rosa	214

Source: SICOMP

Most common criminal complaints in ACL cases in 2016:

Table 2

No.	Crime	No. of Complaints
1	Theft and robbery	1, 123

2	Threats	1,064
3	Sexual Violence	910
4	Assault	897
5	Homicide	349
6	Extortion	300
7	Murder	100

Source: SICOMP

The information above noting types and locations of the most serious ACL cases permits the Project to focus its efforts in the departments with the greatest needs.

Pursuant to specific requests from the Attorney the General, and in close concert with the Criminal Policy and International Affairs Secretariats, the Project has supported during FY 2017 the MP in strengthening of the ACL case management model which favors application of alternative case resolution, alternatives to detention, and family and social reintegration, in accordance with the new MP organic law.

During the first year of implementation the Project presented a proposal for restructuring of the ACL Prosecutor office to the *Fiscal General* (FG) and the Criminal Policy Secretariat which is awaiting approval. Another of the areas the Project supports is creation of profiles for personnel that will serve in the ACL prosecution office, as part of the implementation of the new model. It bears noting that the MP Criminal Policy Secretariat has emerged as a principal focal point for a number of actions the Project supports with that key institution. The Project has provided support for this model and to the Criminal Policy Secretariat in development of two general directives or "instructivos" for its eventual implementation. This support is to be preceded by an assessment of existing conditions and practices of the ACL prosecution offices at the departmental level.

FY 2017 FOURTH QUARTER UPDATE

During the reporting period, the Project provided direct technical support to the development of two general directives, one that approved the new management model and the second that lays out the procedures for assisting and prosecuting ACL cases as provided in the model. These directives were developed via focus groups, interviews and working meetings with the Criminal Policy Secretariat, with the ACL Prosecutor, the Early Warning Unit, the Investigation Unit, the Litigation Unit, all of whom play role in the criminal prosecution of ACL cases especially in Mixco and Villa Nueva. This directive includes a reassessment of the units that integrate this prosecutor office and services that provide attention to ACL. The directive that established the management model was developed together with the MP multidisciplinary team, and favors application of alternative case resolution and alternatives to detention, approaches that are transformative in ACL case prosecution.

Also during the reporting period, the Project supported the MP with an assessment of the functioning of district attorney offices as well as specialized prosecution offices (organized crime, murder and extortion) related to ACL to better grasp the state of affairs and to standardize implementation of the model, to the ultimate benefit of some 6,412 ACL cases currently with the MP. Technical follow-up to the assessment also includes a restructuring proposal for the ACL Prosecutor office, including staff profiles of the same, all of which has been presented to the Attorney General for approval.

LLR 1.1.d. Child Protection Prosecutor

FY 2017 ANNUAL SUMMARY

Violence against NNA is a prevalent phenomenon in Guatemala. According to MP statistics a total of 229,658 complaints of crimes against NNA were lodged in the period 2012-2016, 47,722 of which were filed in 2016 alone. The result is 131 cases presented daily on the average, including 35 cases of physical abuse of minor children, 20 sexual violence complaints, and 17 complaints of violence against girls.

Previously NNA cases were managed by the Women's Prosecutor, the District and Municipal Attorneys, without any specialized treatment of such cases. In 2016 via decree (a law passed by the Congress) 18-2016 that reformed the MP organic law, the NNA or Child Protection Prosecutor was created thus bringing the MP in line with the Convention on the Rights of the Child adopted by Guatemala 26 years prior.

Given the Child Protection Prosecutor's limited coverage at the metropolitan level, the Project has proposed its expansion to Mixco and Villa Nueva, as well as to the departments of Quetzaltenango, Alta Verapaz and Escuintla, which represent the points of greatest criminal activity perpetrated against NNA. The MP requested Project support in this regard, and to assess the state of affairs of the Child Protection Prosecutor to develop a well-founded strengthening plan. In close coordination with the MP Secretary General, and the Criminal Policy and International Affairs Secretariats, the Project assured that activities to strengthen the Child Protection Prosecutor would be integrated into the MP's general action plan.

FY 2017 FOURTH QUARTER UPDATE

During the final quarter of FY 2017, the Project provided technical support in the development of a proposal for a general directive or "*instructivo*" that establishes guidelines and procedures for Child Protection Prosecutors to prosecute their cases.

Also during the fourth quarter of FY 2017, the Project assessed the Child Protection Prosecutor which was only present in the Guatemala City area, which helped to reveal weaknesses in the violent sexual crimes unit, the abuse of minors' unit, missing children unit, all of which was considered in the Children Protection Prosecutor strengthening plan. The assessment was a participatory one, with the active involvement of multidisciplinary teams of psychologists and social workers, criminal investigators and other MP specialized units, SICOMP, and with other state institutions who form part of the child protection system, including the PGN, OJ, SBS, PNC, and INACIF. This plan proposes increasing personnel and prosecutors, specialized training to assist child victims, specialized criminal prosecution depending on the nature of the crime, updated registries, and statistical analysis of this criminal area.

Finally, the Project supported expansion of the Child Protection Prosecutor to Villa Nueva and Mixco, as well as to Quetzaltenango, Escuintla and Alta Verapaz, all of which are areas of highest incidence of crimes against children. This effort includes strengthening of specialized

services for child assistance, specialized case prosecution, strengthened registries, and greater coordination among the OJ, PGN, INACIF, SBS, and others.

LLR 1.1.e. Support modernization of the case handling and management models in the specialized juvenile courts

FY 2017 ANNUAL SUMMARY

The Judicial Branch "OJ" is a key player in the protection of child victims and in ACL cases within the justice system. The OJ determines whether a child is separated from his or her family, institutionalized, or is offered some alternative to detention. Thus, the Project works with the OJ for training activities and for introduction of new models that offer alternatives to detention and non-institutionalization, which constitutes a critical piece of the overall system strengthening strategy.

The OJ has 23 specialized courts nationally, each with one or two judges and a multidisciplinary team, and hears 3 to 5 cases daily, including both child protection and ACL cases.
The case management model for hearings and trials is regulated by agreements 42-2007 and 34-2015, both of which demonstrate deficiencies that permit secondary victimization of child victims, their institutionalization, and widespread use of detention. As such, reform of this model is essential.

The Project has worked closely with the OJ President and Magistrates as well as with its NNA Unit to define and coordinate actions in both child protection and in ACL, and has influenced the OJ to designate two Magistrates, one in protection the other in ACL, as focal points to facilitate coordination and decision-making.

The Project has provided significant support to a case file review and modernization activity in the ACL Sentencing Oversight Court (*Juzgado de Control de Ejecución de Medidas*).

Registry and Filing of records in the ACL Sentencing Oversight Court

The Project supported from November 2016 to July 2017 a purging of backlogged files and electronic updates of current and finalized records, at the request of the ACL Sentencing Oversight Court. The Project provided technical assistance to review, finalize and/or purge backlogged records to establish a digital file data base; and, locate, organize, seal, number and digitalize current and finalized files.

ACL records were kept in a dismal haphazard state within the ACL Sentencing Oversight Court, ascertained during the process of organizing and registering the records (see photos taken of the records as they were found). The initial projection of 2,000 records to be organized was a gross underestimate. Consequently, the Project became more involved with this activity when a total of 5,048 records were uncovered, dating from 2008 to 2016, with information from both trial and sentence oversight courts combined, and files that often included in each more than two adolescents. The Project reviewed and processed a total of 2,333 of these case files in the initial phase of the activity.

Table 3 below contains the case files identified per year, found within the files during the process of alleviation the record congestion for current and finalized files.

Table 3

YEAR	TOTAL CASE FILES PER YEAR
2008	169
2009	258
2010	359
2011	586
2012	628
2013	618
2014	774
2015	845
2016	811
TOTAL	**5,048**

Source: YGJP, file of cases reviewed by year.

There is a lack of digitalized information on ACL files. The Project developed a file with information obtained from 47 ACL factors or elements, including sensitive data gathered from each current record.

Table 4 below reflects progress obtained in the ACL Sentence Oversight Court since 2008:

Delegada del Archivo Regional de Tr bunales, junto a estudiantes voluntarios de la Universidad Rafael Landívar, ordena expedientes en el Proyecto Operación Limpieza. Quetzaltenango, Guatemala. 2017.
Fotógrafo: Ana Silvia Mérida.

Table 4

YEAR	RECORDS	PROGRESS %
2008	169	100%
2009	258	100%
2010	359	100%
2011	586	100%
2012	628	64%
2013	618	0%
2014	774	0%
2015	845	0%
2016	811	97%
TOTAL	**5048**	

Source: YGJP.

The information collected is of significance to judicial system stakeholders as it permits a more detailed analysis of the vulnerable conditions in which the ACL find themselves before, during and following their detention. It also allows better understanding of the dual criminal phenomenon of adolescents who are often both victims and perpetrators of criminal activity. In general terms, it is shown that in most cases, ACL come from broken homes or dysfunctional families, they regularly live with one but not both of their parents or with their maternal grandparents, they have an education level below fourth grade, and they are unemployed. Those

who do hold a regular job perform informal or risky tasks that will bring them into conflict with the law. They may seek a sense of belonging due to the lack of attention of their parents, a vacuum too often filled by participation in gangs or criminal groups that utilize them in criminal activities. They frequently reside in marginal areas due to the low economic condition of their families and they have become a resource for criminal structures that invest in narcotics trafficking, contract killings and extortions, amongst others.

Analysis of data gathered between 2012 and 2015 has not been completed which would permit the Project to finalize the process and have more precise data that reflects the ACL reality. The Project placed this activity on hold in the fourth quarter of FY 2017, but will reinitiate the work to review the pending 2000 or so case files within the next 6 months, October 2017 – March 2018. When all information has been processed, there will be a public presentation of the document with conclusions and recommendations for each institution of the ACL system, with the purpose of improving specialized justice in this matter.

This case file review upon completion will permit an orderly judicial control of sentence oversight in ACL cases while at the same time laying the groundwork for case strengthening and integration into the Judicial Branch case registry system, or SGT. Many findings emerged from this activity, including:

- The case file backlog requiring review and action includes some 8,000 files from 2003 to the present;
- The files are in a serious state of disorder and the basic material conditions to contain the case files are lacking;
- There is no file registry nor any effective control of the ACL universe of adolescents who have been sentenced;
- The files are not maintained securely;
- Many files are incomplete with procedural steps not yet undertaken; and,
- There also is a lack of security in the courthouse facilities.

The Project is analyzing 47 variables that permit decision-making in the ways and means to prevent ACL, considering factors such as age, crime committed, place of origin, family situation, civil status, drug use, level of education, type of sentence imposed, length of sentence imposed, association with gangs, and prior time spent in an ACL detention center.

The ACL case files dating from 2008 – 2011 have been organized, and are now included within the official OJ files. In FY 2017, the Project reached 90% of the case file organization. The Project worked closely with the *Unidad de Niñez y Adolescencia del Organismo Judicial* (UNADOJ) and *Centro de Información, Desarrollo y Estadística Judicial* to identify the need for technical assistance in case follow-up and reporting; and, review of catalogues of information on child victims, ACL and courts that execute ACL measures.

The 360 Justices of the Peace were trained in child protection as well as in ACL (April to September 2017) and a virtual training module is near completion, utilizing the ‘be learning’

method. The Project also trained all Appeals Court Magistrates in this same area, following the Supreme Court having expanded the Appeals Court Magistrates competence in this regard. The Project supported training of all NNA courts (23 courts in all) personnel in information registry management for NNA victims and ACL.

FY 2017 FOURTH QUARTER UPDATE

During the final quarter of FY 2017, the Project provided technical support to the revision and strengthening of a new regulation that improves the NNA management model, with involvement of JPs, Child Protection Courts, and ACL Courts, in matters of protection as well as ACL. The model renders case processing more agile and clarifies roles and responsibilities of system actors and employees within the courts, to the ultimate benefit of 15,276 NNA in protection matters and another 6000 NNAs in ACL cases.

The Project supported CSJ approval of this regulation in close coordination with the UNADOJ, IEPADES, and UNICEF, in order that it may be implemented in 2018 in Guatemala, Alta Verapaz, Chiquimula, Quetzaltenango, and El Petén. This new model is sorely overdue. Over the past 10 years, implementation of the existing model has permitted a lack of integration of services on the part of the protection system actors, a state of affairs that has not favored integral assistance to NNA victims. Accordingly, the Project in FY 2017 provided technical assistance in the first NNA Justice Center in Quetzaltenango, which has regional coverage and permits integral protection and ACL assistance and. This model is to be replicated at a national level.

Implementation of the NNA Justice Center in Quetzaltenango was achieved via Project support that included design of modifications to permit relocation of the NNA courts to the first level of the courthouse complex from the 3rd floor where they were previously, a location that complicated access and posed risks for NNA users. The previous location also did not facilitate integrated service delivery to users. Moreover, age-differentiated spaces for NNA assistance were integrated into the NNA Justice Center to assure the best interest of NNA victims is fully protected, and to avoid secondary victimization of users. The OJ's relocation, redesign and equipping of the NNA Justice Center in Quetzaltenango would not have been possible without Project support.

The Project also supported the OJ's Institutional Training Capacity Unit (UCI) in the design of training models on appeals and child marriage. Recent legislation in child marriage was amended to outlaw the practice, raising the age of consent to marry to 18 years, without exception.

During the final quarter of FY 2017, the Project developed a compendium of national and international legislation in NNA, which was delivered to all Justices of the Peace. The Project developed a brochure for use by justice system institutions to promote family integration and alternatives to detention for NNA. The Project also delivered training modules on criminal law and procedure in NNA cases, and socio-educational sanctions for ACL, to the Justices of the Peace, (April to September 2017).

The Project visited all 23 NNA courts nationally to assess their strengthening needs and to lay the groundwork for introduction of the new management model, and equipping for its implementation.

Additionally, the Project provided technical assistance for a feasibility study to establish a NNA Court with a multicultural focus in Totonicapán.

The Project supported during the last quarter of FY 2017 the OJ's planned electronic case management system, jointly with the UNADOJ and the Center for Information, Development and Judicial Statistics, which noted the need for technical assistance in report drafting; review of case entry logs and data for protection, NNA and sentence oversight processes; continued work in these areas is planned for FY 2018.

LLR 1.1.f. Design and implement strategies to prevent mixing ACLs and youths under protection

FY 2017 ANNUAL SUMMARY

2017 saw many actions to position the Project in this critical area.

The Project made a series of site visits to Safe Houses for protection and sheltering of children and adolescents. An early visit to the *Virgen de la Asunción* Safe House uncovered a dearth of programs, overcrowding, shortages of human resources and material, infrastructure deficiencies, security weaknesses, inappropriate mixes of youth in preventive detention with those serving sentences, and no possibility of de-institutionalization.

In order to verify first-hand, the state of affairs in the various centers where youth and adolescents are detained, the Project also undertook a serious of site visits to ACL juvenile detention centers. These included visits to:

- CEJUPLIV-ETAPA II
- CEJUDEP or Gaviotas
- CEJUPLIV-ANEXO
- CEJUPLIM or Gorriones

In each of these centers, the Project observed overcrowded conditions, inappropriate mixes of youth in preventive detention with those serving sentences, and minors and adults, irrespective of the type or nature of crimes committed. The Project witnessed first-hand inhumane living conditions: enclosed populations; lack of privacy; abysmal hygiene; poor lighting and ventilation; humidity; deteriorated physical infrastructure, including laundry facilities and dining facilities; lack of any viable education, reintegration, or re-socialization programs; lack of focus on internal security; human resources shortages and inadequacies; and dismal conditions overall.

The misnamed "population mix" of NNA in protection and ACL within SBS protection centers originated due to the lack of family reintegration options when the ACL is released from detention. In such cases the ACL is often presented before a competent judge, and without a

family to receive the ACL, is remanded to ALC protection in a shelter because he/she is under age and therefore is ordered to remain in state custody.

This situation has caused many problems within protection centers due to the profile and the assistance that theses adolescents require. SBS has not developed its program with adolescents' families and has not been able to offer a suitable approach that enables ACL to transition to Adolescents in Protection.

The Project has played an important role as a communication facilitator and coordinator between OJ and SBS. When either ACL First Instance Judges of Adolescents in Conflict with Criminal Law or ACL Sentencing Oversight Judges issue a sentence, SBS is charged with its implementation. The challenge presented here which the Project is supporting is that of implementing a mechanism to assure the sentences are properly executed.

FY 2017 FOURTH QUARTER UPDATE

The Project, during the final quarter of FY 2017 prepared a strategy for SBS to avoid a mixing of populations. Consequently, SBS has an updated design for the ACL detention centers for which the Project has provided the international standards to be observed in the design, so that the human rights of the ACL can be safeguarded.

The Project renewed visits to ACL detention centers: *Centro Juvenil de Detención Provisional Para Varones, CEJUDEP (Gaviotas); Centro Juvenil de Privación de Libertad Para Varones, CEJUPLIV (Etapa II); Centro Juvenil de Privación de Libertad Para Mujeres, CEJUPLIM (Gorriones).* During the visits, the Project observed overall living conditions of ACL men and women, as well as the population mix of all types of personal profiles, adolescents with adults, in preventive detention as well as in post-sentencing confinement. Observations included over-crowding, total lock-down situations, limited timeout of cells (some are permitted to leave their cells once a week for half an hour, sometimes every 15 days), three adolescents per mattress, lack of basic conditions, bathrooms, water, excessive humidity within the cells due to washing and drying their clothes within the cells, lack of adequate cell lighting, and a shortage of programs and activities that favor re-socialization of the adolescents. Such circumstances lay bare an urgent need to assist SBS with a model focused on non-detention measures; that establishes the mechanism of semi-open detention (it is not currently functioning) and in the case of confinement that it must observe international human rights standards, to correct the serious deficiencies observed in care provided to the adolescents.

LLR 1.1.g. Support Drafting and Implementation of a Regulation to Expand the Jurisdiction of Justice of the Peace Courts to Supervise Execution of ACL Sentences

FY 2017 ANNUAL SUMMARY

Providing virtual hearings in ACL cases will accelerate hearings and procedures, thus avoiding rights violations when ACL are transferred to attend case hearings. This practice was successful in Quetzaltenango, so much so that a protocol is being developed to regulate the use of virtual hearings for possible replication elsewhere.

In 2003 the Decree 27-2003, *Ley de Protección Integral de la Niñez y Adolescencia* "PINA" or Law of Integral Protection for Children and Adolescents was approved, providing for establishment of ACL Sentencing Oversight Courts empowered to monitor and control sanctions imposed upon adolescents. Since that time, a pluri-personal ACL Sentencing Oversight Court has been functioning, with two execution judges. This court exists only in Guatemala City. This centralized court structure has implied that adolescents serving a sentence in detention centers in Guatemala or those penalized with a socio educational / non-detention measure that are located in any department of the Republic, must travel to Guatemala City when necessary for case follow-up. This reality presents serious problems because most of the adolescents do not have the necessary resources to reach Guatemala City thus adversely affecting and limiting their access to justice services.

In 2017 the Project supported establishment of a new ACL Sentencing Oversight Court in Quetzaltenango but with regional coverage in the western part of the country, covering Huehuetenango, Totonicapán, Sololá, San Marcos, Retalhuleu, Suchitepéquez and Quetzaltenango. The Project developed and carried out a training program for court personnel. This new court is strategic for the western part of the country because it establishes control and supervision of sentence execution for ACL within the 7 departments, thus significantly increasing access to specialized justice for ACL.

Similarly, the Project supported establishment of an ACL Sentencing Oversight Court in Zacapa as well. This Project support was provided within the framework of a NNA justice center in Zacapa, to integrate protection services and ACL provided by PGN, SBS, MP and IDPP. Its launch is planned for early 2018.

FY2017 FOURTH QUARTER UPDATE

During the 4th Quarter of FY 2017, the Project began to pursue through Justices of the Peace using technology to hold virtual hearings to enable and even increase improved access to justice for adolescents. Technical meetings between SBS and the OJ Magistrate focal point were held to render such a mechanism viable. The OJ Magistrate focal point together with the SBS leadership have endorsed implementation of this mechanism, and are collaborating on development of an action protocol for stakeholders who play a role in the sentencing process: MP, OJ, SBS, IDPP, all of whom have expressed their interest in the implementation of virtual hearings.

LLR 1.1.h. Support Creation and Strengthening of a Guatemalan Institute for Youths and Adolescents (IGNA) and/or Other Alternatives to Coordinate Juvenile Justice and Child Services

FY 2017 ANNUAL SUMMARY

In FY 2017 there was ongoing coordination between the Project and the Congressional Commission on Youth and Family. The Project assumed a lead role with this Commission and a national-level dialogue on the state of affairs of children and adolescents especially in terms of

Testimonials from this activity:

- On the Ministry of Government web page, the President of the National NNA Commission and Vice Minister for Violence and Crime Prevention, Axel Romero, stated, "We support the National Dialogue and consider that it will provide inputs for the Commission that permit us to update existing instruments and offer new proposals."
- The Ministry of Government webpage also records the PDH as stating "we hope that this initiative will help us find ways to coordinate our actions and thereby guarantee respect for human rights of NNA; it is the task of all to build a more just future."
- In "La Hora," Walter Felix, President of the Commission, stated, "youth are the country's present and future and thus need our attention, having been neglected by both national policy and legislation. We have convened this Dialogue as a response to the shameful and catastrophic situation of which we are acutely aware, faced by children and adolescents, and thus we must explore proposals to address the gross deficiencies."

financial and logistical support. The dialogue is a joint initiative of the Guatemalan Congress and the Human rights Ombudsman, the PDH.

The overarching objective of the dialogue is to develop a joint agreement signed by the three branches of the Guatemalan government which addresses the main problems faced by youth and adolescents in Guatemala that result from non-compliance with national and international human rights norms applicable to the rights of children and adolescents.

Through our support for the National Dialogue, we have identified lessons learned, including:

- The importance of generating consensus around the fundamental principles of protection of children and adolescents and the notion of a governing body to integrate the various initiatives and objectives of the disparate actors involved;
- Discussion of the legal initiative on the National System for Integrated Protection must include and support active participation by various commissions within the Congress, assuring that the work is not limited to a lone Commission and in order that the initiative garner maximum support, approval and ownership;
- And, critically important is the avoidance of partisanship in carrying out the National Dialogue in the departments, thereby assuring that the activities supported by the Project do so outside of personal or party interests.

The Project also provided ongoing technical support to the congressional commission charged with developing a draft bill *Ley del Sistema Nacional de Protección Integral de la Niñez y Adolescencia*, or a Law to establish a National Protection System for Children and Adolescents, within which the Governing Entity or *Ente Rector* is established in the area of Child and Adolescent Protection. The objective of this law is to create a national protection system for children and adolescents, a system that is sorely lacking in Guatemala. It defines coordination among the entities charged with protection, including the SBS, PGN and the CNA.

The draft law was adopted in August of 2017. The law provides two subsystems:

- Social Protection subsystem charged with developing child and adolescent social protection policies; and a
- Special Protection subsystem, charged with developing protection policies for children and adolescents, among which is the plan to create a National Children and Adolescent Protection Institute, which will articulate and carry out a protection system for children and adolescents whose rights are threatened or violated, as well as the rights of ACL.

The Project provided active technical participation in the design process of the legal initiative for the NNA National Integral Protection System together with international organizations and national and international NGOs, (UNICEF, *Visión Mundial, Plan Internacional,* Save the Children, *El Refugio de la Niñez, La Alianza*). This legal initiative creates: a) a child and adolescent protection system; b) a governing body in matters of children and adolescents, or the NNA Special Protection Institute; c) specialized ACL protection services; and d) integrates the functions of SBS, PGN, and CNNA, in a single institution. It bears noting that the Project played

an important role in the strengthening this legal initiative, by promoting the notion of autonomy for its governing body which will allow it greater efficiency and power, an objective consistent with Project objectives.

The Project has provided technical assistance in strategy development for the presentation and approval and implementation of this legal initiative. Also, the Project persuaded 21 congresspersons representing the main political powers to approve the initiative when it was presented to the Guatemalan Congress. Next steps include obtaining a favorable opinion by both the Child and Family Commission and the Commission on Legislation of Congressional Constitutional Issues.

FY 2017 FOURTH QUARTER UPDATE

The Project provided technical support during the fourth quarter of FY 2017 to drafting of an expert opinion on the legal bill or draft law on behalf of the Congressional Child and Family and the Legislation and Constitutional Issue Commissions, and in hosting a meeting where the favorable opinion was signed by congresspersons of both commissions. This process was implemented through technical meetings with an expert committee, in which the Project actively participates. Project support was critical especially vis-à-vis the Legislation and Constitutional Issues Commission, because other stakeholders were unwilling to work with its membership. The opinion received on Congress floor was passed to the following parliamentary phase the final quarter of FY 2017, where it has been retained on the legislative agenda for over two months.

LLR 1.1.i. Standardize and Implement Evidence-Based Risk and Need Assessments among the Different Institutions

FY 2017 ANNUAL SUMMARY

This area of activities and the NVPPS it will support over the longer term saw multiple start-up brainstorming and conceptualizing sessions during the first year of Project implementation. The purpose of these sessions was to begin to envision the broad outlines of what a NVPPS will look like and its terms of reference. This activity is still in an incipient phase and as such we anticipate reporting more extensively in this area in the upcoming year.

Twenty-seven years ago, Guatemala ratified the Convention on the Rights of the Child. Since that time the Convention has served as a model for protection and ACL even as it unfolded in a disperse and unorganized fashion which favored institutionalization and detention of NNA as a protection measure. The context also is one in which those assisting ACL are non-specialized personnel, lacking programs or care services targeted at specific profiles or age groups. This approach of working with NNA did not favor family integration, and placed a sharper focus on assisting than respecting or protection their rights.

Since October 2016, the Project has supported changes to ACL protection and care models. The Project has reinforced the creation of a NNA Protection System focused on those whose human rights have been threatened or violated. The system has been reinforced in two significant ways:

a) via approval of a new legislation and the creation of a protection system and the transformation of protection services; and b) via improvement and transformation of the institutions that integrate the ACL sub-system, to set the state for implementation of the new law.

FY 2017 FOURTH QUARTER UPDATE

The Project has considered that activities setting the stage for the establishment of a Guatemalan NVPPS would logically begin to take shape in the Project's second year, following successful completion of the critical start-up activities that customarily are the focus of such an ambitious Project's first year of implementation. As such, the Project crafted a set of activities that form part of the YGJP FY 2018 work plan focused on the nature and scope of the NVPPS.

LLR 1.1.j. Train Guatemalan Government Multi-Disciplinary Teams

FY 2017 ANNUAL SUMMARY

This activity is pending because it depends on the implementation of the MP's ACL model, which awaits authorization by the Public Ministry leadership. Upon approval of the model, the Project will assist with its implementation following an analysis of the same based on ACL case studies undertaken by system institutions' multidisciplinary teams. This analysis also will be included within the model design for ACL within SBS to assist in developing ACL risk and needs assessments which are a key element of individualized plans that will be considered in their reinsertion processes.

The Project identified a clear lesson learned in this area: The SBS must have a model with a local or regional focus for NNA that is an integral model with multi-disciplinary teams that provide integral services including educational, legal and psycho-social elements. Viable decentralized SBS offices will permit juvenile justice administration and follow-up to take place at the local level rather than centralizing all services in the capital city, and thus reaching a far larger but still vulnerable population in the country's interior.

This activity is pending because it depends on the implementation of the MP's ACL model at MP, which awaits authorization by the Public Ministry leadership. Upon approval of the model, the activity will assist with its implementation following an analysis of the same based on ACL case studies undertaken by system institutions' multidisciplinary teams. This analysis also will be included within the model design for ACL within SBS to assist in developing ACL risk and needs assessments which are a key element of individualized plans that will be considered in their reinsertion processes.

Lower Level result 1.1k: Strengthen models and development process of the IDPP

FY 2017 ANNUAL SUMMARY

The IDPP has the fundamental mission of ACL legal defense and it has a specialized department for this purpose at the metropolitan level. At the departmental level cases tend to be directed to

non-specialized delegations. The IDPP defends some 2,500 ACL per year, which constitutes a considerable workload for defense attorneys.

FY 2017 FOURTH QUARTER OVERVIEW

In the final quarter of FY 2017, the Project supported development of a training module, together with the IDPP Training Unit and Public Defenders in the metropolitan area as well as in the departments, to foment specialization of IDPP personnel in defense of ACL rights and guarantees. Training in this area with the newly developed module is expected to take place in early FY 2018.

The Project also supported the IDPP in developing a Public Defense protocol to favor ACL non-detention approaches, in line with MP, OJ and SBS models, and to continue to apply this approach at metropolitan and departmental levels.

LLR 1.2. Sustainable Case Diversion Models, Alternatives to Incarceration and Improved Institutionalization Developed

LLR 1.2.a. Carry out case diversion and alternative sentencing assessment.

The Project via its sub-contractor partner the Center for Court Innovation (CCI) will support this activity, integrating CCI experience with the national realities. CCI has now engaged an in-country coordinator who will form part of the Project staff collaborating in furthering development of alternatives to detention for ACL.

LLR 1.2.b. Strengthen SBS/PGN in designing/implementing models to provide alternatives to incarceration/ institutionalization.

FY 2017 ANNUAL SUMMARY

As FY 2017 drew to a close, the Project was near to finalizing a grant with the *Centro de Atención Integral para el Fortalecimiento de las Familias Guatemaltecas* (CAIFGUA) to support the provision of reinsertion and resocialization services in furtherance of cases of alternative methods of incarceration for ACL, and to strengthen the Quetzaltenango SBS with a new office to implement this model. The Quetzaltenango branch will serve as the location for the launch of the pilot project to test the model, designed collaboratively with SBS, PGN, and OJ to promote alternatives to institutionalization of children in protection. To do so, the Project is providing technical assistance to establish a foster home model, a significant area of Project focus. An evaluation of the institutionalization for NNA within the current protection system was undertaken during FY 2017 which resulted in a plan to de–institutionalize NNA and locate the NNA in groups no larger than 20 in shelters.

The CNA was created in the year 2007, via congressional decree 77-2007 “Adoption Law”, and has an assigned Budget of [redacted] This amount is inadequate to carry out its three principal functions: develop the adoption process, support parents in conflict with their paternity, and authorize and supervise the role of shelters.

The CNA is a partner-stakeholder engaged in the design of a foster model both family and residential. The Project provides technical assistance to organize the implementation of the residential foster model for the private shelters, adhering to human rights standards and progressively initiating the de-institutionalizing process for NNA. This process includes private shelters because in Guatemala there are still private macro institutions which place NNA at risk.

FY 2017 FOURTH QUARTER UPDATE

During the fourth quarter of FY 2017, the Project provided technical support to develop and implement a foster home model. To do so, the Project supported an evaluation of the NNA institutionalization process within the current protection system, leading to development of a NNA de-institutionalization plan with a focus on placing NNA in shelters in groups of no more than 20 persons. The Project plans to furnish the shelters where NNA are placed following this approach. During the reporting period, the Project also supported establishment of a SBS departmental pilot office that will provide services and alternatives to detention and institutionalization for in protection cases.

The CNA has a supervisory role over private shelters for NNA care, (4472 NNA are sheltered in private shelters). The Project during the reporting period initiated discussions with CNA authorities to begin to explore possible areas of support relating to strengthening the CNA supervisory role to assure that it adheres to international human rights standards.

LLR 1.2.c. Design Pilot Youth Court

FY 2017 ANNUAL SUMMARY

During this fiscal year, the Project has been working with the Center for Court Innovation (CCI), to create the work plan that will lead to the design of the Pilot Youth Court. A series of activities from work plan definition to in-country visits were carried out, which lead to hiring an in-country coordinator, who for the duration of the project will, with support from CCI headquarters, design the Pilot Youth Court.

The Project together with the CCI in-country coordinator will support the design of the Juvenile Court Pilot as one of the multiple innovations the Project is proposing to increase the number of options as alternatives for juvenile detention.

LLR 1.2.d. Train Justices of the Peace at the National Level in Juvenile Justice Issues

FY 2017 ANNUAL SUMMARY

The Project has supported three types of trainings, the objective of which is to assure that judicial personnel apply the fundamentals of international human rights law and principles relevant to the administration of juvenile justice:

- Initial course for Justices of the Peace in NNA Protection and ACL;

- Introductory ACL course for Magistrates and officials of the mixed appellate courts at the national level;
- And, refresher courses on the SGT or court management system also in the areas of NNA protection and in ACL.

The Project strategy promotes JP participation in the execution and supervision of sanctions in ACL cases. The project agreed with the CSJ to initiate such a process in Quetzaltenango, within the Center of Justice for Children and Youth framework. The first phase for JPs virtual training has already begun, and the second will be held during the upcoming quarter. The Project is currently developing a protocol that defines the activities that Justices of the Peace will carry out within virtual hearings. Once this protocol is finalized, training of the assigned Judges will take place.

The Project engaged with the CSJ on the need for JP participation in the oversight and supervision of the sanctions imposed in ACL cases. Within the framework of the OJ's Justice Center for Children and Adolescents an agreement was reached to initiate this JP ACL sentence oversight approach in Guatemala and Quetzaltenango the second half of FY 2017. Two national-level trainings were held for Justices of the Peace, one in matters of protection and the other in ACL. Within these trainings sentencing oversight was discussed even though this is not a current Justice of the Peace function. The Project will work with the CSJ in the development of an agreement that involves Justices of the Peace in sentencing oversight and permits them an expanded jurisdictional role in this regard. Judges of the Peace in this matter. The Project continues to advance on drafting of the agreement and the protocol to define Justices of the Peace participation in this activity.

FY 2017 FOURTH QUARTER UPDATE

During the reporting period, the first part of the national training process for Justices of the Peace was concluded (360 Justices of the Peace). They were trained by the Project in protection and in ACL. Currently a virtual training module is being implemented, and it is to be institutionalized within the Judicial Branch UCI.

In the second half of FY 2017, Justices of the Peace received a copy of the training module related to the socio-educational sanctions for criminal juvenile justice and another module on NNA criminal law and procedure. A compendium of national and international laws was printed and provided to the Justices of the Peace.

LLR 1.3. Guatemalan Government and Civil Society Coordinated and Integrated Provision of Holistic Juvenile Justice Services Strengthened

LLR 1.3.a. Create National Referral Mechanisms for Juvenile Justice Services

FY 2017 ANNUAL SUMMARY

The Project's evaluation of the *Oficina Municipal de Protección* (OMP) and of the Municipal Protection teams has continued its process through the review of the model for OMP

implemented by United Nations International Children's Emergency Fund (UNICEF), Save the Children and *Visión Mundial* in San Juan Sacatepéquez.

The Project carried out an assessment of OMP and the Municipal Protection Teams in early 2017, an evaluation process which has been sustained by UNICEF, Save the Children and *Visión Mundial.*

FY 2017 FOURTH QUARTER UPDATE

The Project will support establishment of the municipal protection systems in Petén and Huehuetenango beginning in FY 2018, an activity the Project will support together with the NGO Social Protection Institute (IPS). This IPS grant was signed during the reporting period, having selected IPS for this purpose given its experience in children and adolescents, especially at a local level.

LLR 1.3.b. Design and Execute Model to Encourage Inter- and Intra-Institutional Coordination at National, Departmental, Municipal and Community Levels

FY 2017 ANNUAL SUMMARY

There is a Grant process underway to develop the municipal protection systems in Petén and Huehuetenango which the Project anticipates will include support from the non-governmental organization (NGO) *Instituto de Protección Social* (IPS).

With UNICEF, the Project visited an *Oficina Municipal de Protección* (OMP) in the Department of Quetzaltenango to learn of its functioning in the child and adolescent protection area. The Project considers that a joint venture with UNICEF could represent a sustainable approach to establishing OMPs in the regions and is currently exploring this possible implementation approach

FY 2017 FOURTH QUARTER UPDATE
The Project has utilized its grant process strategically, to develop the municipal protection systems in Petén and Huehuetenango, which the Project will support together with the NGO Social Protection Institute (IPS). This IPS grant was signed in the final quarter of FY 2017, and will be implemented beginning October 2017. IPS was selected due to its experience in children and adolescents, especially at a local level.

LLR 1.4. CSOs Empowered to Demand Expanded and Improved Government Juvenile Justice Service

To achieve CSO empowerment and demand expanded and improved government juvenile justice services, the Project will implement up to three grants to cover the following areas: (1) implement alternatives to incarceration for adolescents women and men with the collaboration of CAIFGUA; (2) implementation of alternatives to institutionalization, foster home service with *Viva Juntos por la Niñez* (currently in process of approval) and, (3) implementation of municipal protection systems for NNA with IPS.

Result 2: Government of Guatemala Services for GBV Victims Improved

This result includes the following lower-level results:

- LLR 2.1. Improved evidence-based models and strategies to prevent and prosecute GBV implemented by Guatemalan government
- LLR 2.2. Services to survivors of GBV expanded and improved
- LLR 2.3. Coordination between Government and Civil Society Integrated to Better Address GBV

LLR 2.1. Improved Evidence-Based Models and Strategies to Prevent and Prosecute GBV Implemented by the Guatemalan Government

LLR 2.1.a. Roll out and Strengthen Free Legal and Victim Assistance Units (FLAU)

FY 2017 ANNUAL SUMMARY

a) **Strategy to strengthen the FLAUs of the IDPP**

The Project initially intended to improve the response of the GoG to gender-based violence (GBV) by, among other things, expanding the existing criminal and civil law services provided to GBV victims through the FLAUs. Until November 2016, the FLAUs of the Institute of Public Penal Defense Institute (IDPP, by its Spanish acronym), pursuant to their mandate under the Femicide Law of 2012, provided substantial services to female victims in both criminal and civil matters and in substantial numbers (over 17,000 cases in 2015). This mandate was revoked by the *Instituto para la Asistencia y Atención a la Víctima del Delito* (IAAVID) Organic Law and, as such, the Director of the IDDP suspended the provision of services in the civil law area in November 2016. As the IAAVID will only provide services to victims of crimes in criminal cases in the short-term, the scope of services will be significantly reduced compared to those previously provided by the FLAUs and will present a serious gap in the availability of services under the National Vulnerable Populations Protection System (NVPPS).

During the months of October and November of 2016, the Project conducted a quick assessment regarding the mandate and functions of the FLAUs of the IDDP in the departments of Chiquimula, Quetzaltenango and El Petén. The object of this quick study was to collect inputs and information regarding the type and quality of assistance to victims that this Program is providing at the Project sites and to make recommendations for future support that can be provided to it. This study was particularly important considering the overlapping functions of the FLAUs with those of the IAAVID (many of which are currently slated to be eliminated) and the fact that the FLAUs could indeed fill many of the important and significant gaps in service provision as a part of the NVPPS.

On the basis of the study, the Project developed a tentative strategy regarding the FLAUs and the services that they have been supplying, which may include a combination of supporting the legislative expansion of the competency of the IDDP to include legal representation in civil and

other non-criminal cases (as currently do the vast majority of public defender offices in Latin America), encouraging increased involvement of NGOs or law school clinics in providing such representation, or other innovations.

Additionally, in the first quarter of FY 2017, the Project identified the main advances of the FLAUs (i.e. providing assistance in more than 3,000 GBV criminal cases in 2016) and current challenges, the nature of the work carried out, and the decision to no longer handle civil and family cases (and eventually criminal) of victims of GBV because of the pending creation and start-up of the IAAVID. The IDPP requested support for the procurement of furnishings and equipment to establish a FLAU in Livingston, Izabal that provides specialized assistance to Garífuna women, since this group of the population has two strong conditions of vulnerability, being women and being afro-descendent, which was eventually provided in part in the third quarter.

By the second quarter of FY 2017, the suspension of civil services to victims (such as in divorces, child support order cases, etc.) in November 2016 entered into effect and became one of the most serious gaps in holistic service provision to victims of GBV. To fill this gap, the Project met with the Director of the IDPP to explore options to expand the mandate of the IDDP to provide civil legal assistance services. The Director claimed that with the recent reforms to the Femicide Law set forth in the IAAVID Organic Law, the IDPP no longer had any such mandate but expressed hope that the current constitutional reform process may eventually lead to the expansion of the competence of the IDPP to include civil cases and asked for assistance in modifying the mandate once the reforms are approved. If this is indeed the case, the Project proposed to assist the IDPP in reforming its mandate in the IDPP Organic Law (to conform to the Constitution as the implementing agency) and securing the adequate financial resources to convert the currently existing FLAUs into civil legal assistance units (which, as stated above, represents the vast majority of the cases that such units currently handle).

Given the gap in services and the slow start-up process of the IAAVID, the Project began providing assistance in expansion of the FLAUs to Livingston, Izabal and committed to support the provision of technical assistance, and of furnishings and equipment required. In addition to the assistance in Izabal, the Project made several fact-finding visits to FLAUs in other departments, including Quetzaltenango and Petén.

In the third quarter of FY 2017, the Project supported the carrying out of an IDDP National FLAU Forum to analyze, in an institutional setting, the links and overlap of service provision coverage between the IDDP and the IAAVID. Through Strengths, Weaknesses, Opportunities and Threats (SWOT) analysis, the Project helped to facilitate an analysis of the implications of the eventual start up and functioning of the IAAVID, particularly as such institution relates to the provision of services to victims in the interior of the country. It was established that the IAAVID should take into account all the experience of the FLAUs, so that its strategies regarding service provision to victims are taken advantage of by the IAAVID, especially in light of the “integral assistance” and rights-based focus that is mandated by the IAAVID Law, which goes well beyond the mere legal representation of victims in criminal cases.

b) **Strategy to support IDPP in the strengthening and/or expansion of the scope of the FLAU program.**

Between January and June 2017, the FLAUs provided legal and other assistance in 3,128 cases, 2,324 of them related to the defense of victims' rights regarding family law issues. These 3,128 cases were handled in the 12 current departmental and municipal FLAUs, including: Alta Verapaz, Baja Verapaz, Quiché, Huehuetenango, Chiquimula, Jutiapa, Escuintla, Petén, Quetzaltenango, Villa Nueva, Mixco, and Guatemala City.

The Project developed a diagnosis of the assistance provided by the FLAUs in the four departments where it has regional offices - Alta Verapaz, Quetzaltenango, Chiquimula, and Petén. In carrying out the assessment, which included a detailed study of the assistance "assistance routes", the Project identified that the routes of assistance in each FLAU are quite different, depending on the types of cases in which they provide assistance, although all give a priority to cases of sexual violence. It should be noted that the FLAUs that are part of the National Victims Referral Network of the Office of Victim's Attention of the AGO have clearer and more detailed assistance routes.

FY 2017 FOURTH QUARTER UPDATE

Given the delay in the start-up of the IAAVID, the Project continued to provide services to the FLAUs to assure that at least minimal legal and other services are provided to GBV victims by the FLAUs. In the meantime, the Project is seeking to consolidate and strengthen the NVPPS, which has identified these important services as a potential gap in assistance to crime victims, particularly those of SGBV. A possible partial, but not entirely adequate, way to fill this gap may be through students at university law school clinics.

In the meanwhile, the Project is carrying out an internal process of designing a strategy to strengthen the IDPP's capacity to continue to promote the FLAUs, notwithstanding the IAAVID (as it appears that the IAAVID is not going to be functioning in the near to medium term). The focus of the strategy will be to facilitate the expansion of IDPP functions in the defense of rights currently covered by the FLAUs.

LLR 2.1.b. Create and strengthen other survivor accompaniment services and other strategies to encourage survivors to continue with their filed cases

FY 2017 ANNUAL SUMMARY

a) ***Instituto de Atención Integral a la Víctima* (IAAVID)**

The Project initially agreed to provide strategic technical support and accompaniment to the IAAVID, which is currently functioning under the auspices of the National Commission for Follow-up and Support of Justice Strengthening (CNSAFJ, by its Spanish acronym). Within the framework of cooperation and accompaniment set forth in this agreement, the Project agreed to actively support the creation and consolidation of the IAAVID. The Project provided technical assistance in the search for more effective mechanisms to facilitate the start-up and operations of

the IAAVID, as well as to establish efficient communication routes between the IAAVID Councilors and the Congress of the Republic of Guatemala.

During the reporting year, it proved difficult to provide very much real technical assistance to the IAAVID, given that it has still not technically initiated its functioning because of a legal impediment. The IAAVID Organic Law contemplates that a qualified "super-majority" of the Councilors must approve all decision-making and to date, there are only eight institutions with representation on the IAAVID Council and only one (out of a total of six) representatives of civil society, which makes it currently impossible to legally operate as a Council as there is no quorum. The Project continued to accompany the CNSAFJ and the IAAVID try to resolve these legal and institutional problems. The CNSAFJ until recently acted as its Technical Secretariat but has not been able to continue to execute this role as its letter of understanding with the IAAVID has expired and it must now be signed with the Assembly of the Council of the IAAVID, which, in a sort of vicious cycle, has not been yet integrated. With Project support, Initiative 5251 was presented to reform Decree 21-2016 of the Congress of the Republic (which contains the Organic Law of IAAVID), which already has a received a favorable opinion and is waiting for final approval by Congress.

b) **Other services**

The Project, through its regional offices in the departments of Alta Verapaz, Petén, Quetzaltenango and Chiquimula, has identified some additional support mechanisms for victims that can increase levels of assistance beyond that provided just to victims of "crime" (i.e. for victims of GBV that does not amount to a crime). For example, in April 2017, the Project visited the Center for Holistic Support for Women Victims of Violence against Women (Ak Yuam) in Alta Verapaz. The Ak Kuam Center provides shelter for abused women and their children, as well as legal assistance in family and domestic violence cases, social work services, and economic empowerment activities. Through a grant from the Project, the Center will be able to increase its provision of services. It currently provides assistance to an average of 229 cases per year and to 693 victims.

Additionally, in May 2017, the Project held a forum in the department of Quetzaltenango with 163 lawyers, during which they were informed about the concept of "holistic" assistance to victims and the services that such victims should receive. As part of the process to establish the current state of victims assistance in the department of Quetzaltenango, a ballot was distributed at this event, which helped us to identify that the most highly rated assistance to victims is currently being provided by INACIF, followed by the law school clinics (*bufetes populares*), the IDPP, the PDH, the JB, and lastly the MP. The major strengths identified for the JB and the MP are that they have on-site multidisciplinary teams, specialized procedures, and specialized units (the MAIs, SAIs, and SWPOs). The strength of the IDPP is that it has specialized units, defense expertise and provides free services. Suggestions for forming a comprehensive assistance system for victims in the city of Quetzaltenango focused on: a) design of comprehensive care schemes through strengthened institutional multidisciplinary teams (29.5%); b) creation of specialized units where these do not exist (26.8%); c) improving inter-institutional coordination and integration of efforts (20.5%); d) training and sensitization of service providers (20.5%); and (e)

giving publicity to availability of services (11.6%); f) creating a procedural protocol (7.1%); and, f) providing assistance in different local languages (7.1%).

The Project intends to carry out similar activities in other targeted regions, with the goal of consolidating the NSPVP at the regional level and to fill the large gap in legal services that is being created as the FLAUs unfortunately continue to gradually limit and eventually eliminate their services to GBV victims.

FY 2017 FOURTH QUARTER UPDATE

Since the IAAVD has still not become operational, the provision of technical assistance has been put on hold temporarily, while the material impossibility of IAAVID operations continues.

LLR 2.1.c. Strengthen the MP, including the Specialized Women's Prosecution Offices (SWPOs), the Integral Assistance Models (MAIs), and the National Network of Victim Services (NNVS)

FY 2017 ANNUAL SUMMARY

During the months of October and November of 2016, the Project undertook a quick study of the SWPO model and the Integral Assistance Model (MAI, by its Spanish acronym) of the MP Office at Gerona, during which lines of action for institutional strengthening were identified and recommendations for improvements were made, including those related to the physical location/infrastructure of the MAI and it's the service provision model, in order to, among other things, provide improved and more holistic services to crime victims and to reduce secondary re-victimization.

Several planning meetings were held with the Coordinator of the MAI-Gerona to construct the working methodology to strengthen the capacity of the MP to provide specialized services to victims of crime that respond to the needs of vulnerable populations, including women, teenagers, indigenous persons and the LGBTI population. The Project agreed to provide technical and logistical assistance in the redefinition and implementation of new operational processes, standards and protocols to be implemented in the Integral Assistance Model (MAI) and the SWPO, which also entailed the restructuring of the physical facilities of the MAI in Gerona. Sub-contractor TDA provided an embedded technical consultant to support these processes and to accompany the work of an architect that is supporting the infrastructural work and a process engineer to support the re-engineering of the MAI operational processes, and secured the support of a systems engineer within the MP who is designing and program a special module within SICOMP to more effectively track cases receiving MAI support.

The Project and USAID met with the Attorney General (FG, by its Spanish acronym) and Head of the MP during the second quarter. During the meeting, it was emphasized that the three main subject areas of Project support (minors, GBV victims, and TIP) are indeed prioritized areas for the MP and the FG. The FG specifically requested additional support for strengthening the Office of the Prosecutor against Femicide (OPF), adopting a cross cutting approach for working with indigenous victims, and especially, support for the creation of a "Secretariat for Women's Issues" and a "Secretariat for Indigenous Peoples". Thereafter, the FG, through its International

Cooperation Secretary, requested the Project to strengthen four SWPOs and MAIs in the departments of Izabal, Jutiapa, Jalapa and Escuintla, and to technically and logistically help to create six new SWPOs and MAIs in the departments of Retalhuleu, Zacapa, Totonicapán, Santa Rosa, and El Progreso, and in the municipality of Coatepeque. With these extensive supports, the SWPO and MAI models will be present in every department of the country, an important goal of the current FG. The request specifically included the remodeling and re-engineering of the processes of the MAI in Gerona, the strengthening of the national OPF in Guatemala City, and support for the implementation of a system of decentralized Regional Prosecutors' Offices, according to the amended Organic Law of the Public Ministry. The Project, until recently, was in the process of planning for providing support for these requested activities, all under a very tight timeline. The MP has committed to providing all the human resource needs (approximately 250 persons) and the necessary physical space for the new models and offices to function.

Responding to the FG's request, the Project carried out a brief study of the needs of the recently created (August 10, 2016) centralized OPF, with national jurisdiction (both direct and complementary) over the crimes of femicide, parricide and homicide when the victim is a woman. The OPF provides support and advice to District and Municipal Prosecutors by telephone, indicating to us that it would be ideal to have a specialized femicide prosecutor in the District Attorneys' Offices in departments with high incidences of femicide.

The Project helped to create both a Secretariat for Women's Issues (SWI) and a Secretariat for Indigenous Peoples (SPI, by its Spanish acronym) within the MP. The functions of the SWI include implementing and monitoring the implementation of the gender equality policy in the MP ("Policy for Equality between Women and Men"), supporting and monitoring and evaluation all gender and women-related activities within the MP, including: (1) sensitizing and training prosecutors, as well as technical and administrative personnel in the MP, on the perspective of gender and human rights to improve access to justice for individuals; (2) generate criteria for research and service with a gender perspective; and (3) foster work environments free of violence and discrimination within the MP through an institutional policy of equal opportunities for men and women.

The Project helped to define the plan of work for the SWI and provided technical assistance and accompaniment to the National Coordinator of the Immediate Search Unit for Missing Women (ISUMW). On February 24, 2017, the First Assembly of the SWI took place, during which the delegates from public institutions and women's organizations that will form part of the SWI coordinating mechanism were appointed. A proposal for establishing internal operational procedures of the ISUMW was presented and discussed. Decree 9-2016 establishes as the principal objective of the ISUMW the implementation of mechanisms to quickly locate missing women and safeguard them so that they won't be subjected to other types of harassment after their disappearance. It also establishes that the MP is responsible for the representation, direction and follow-up of the decisions of the National Coordinator of the ISUMW.

On March 7, 2017, with the support of the Project, the SWI of the MP was inaugurated within the commemoration activities related to International Women's Day. For this event, USB memory sticks were provided to each participant that contained information regarding the SWI,

internal MP regulations, as well as national and international instruments for the respect of women's rights.

Within the SPI, the Project agreed to assist in the design, creation and definition of roles and functions of the staff of the SPI, in how to handle the transition process between the Indigenous Persons' "Directorate" and the new SPI, and to carry out several activities related to the socialization and creation and implementation plan for the Indigenous Peoples Policy of the MP, including a mechanism to systematize experiences and lessons learned. Sub-contractor TDA thereafter supported consultancies to strengthen the SPI, and to define and carry out a plan to implement and systematize its Indigenous Persons Policy.

The Project carried out assessments of the state of affairs of the SWPO and the MAI in Petén and the quality of the services provided, the handling of files, the form of operationalization of the MAI, the incidence of crimes, the general and types of criminal cases that are currently being, and the levels of coordination and cooperation with other justice sector institutions located within the department. An analysis of the assistance of transgender women was proposed, since it is not clear whether cases involving this population are attended by the SWPO or by the District Attorney's Office itself, so it was agreed to promote awareness-raising and training processes regarding how to process these cases. We identified many cases of sexual violence child-victims, incest and child marriage, and the phenomenon that the aggressor recognizes the baby resulting from a rape to repair the damage caused. These cases and their processes should be analyzed by the Project to develop specialized assistance routes for these vulnerable populations.

a) **Progress on the Integral Assistance Model (MAI)**

Thanks to the extensive support of the Project the MP's Integral Assistance Model (MAI) of the Guatemala City Metropolitan Area is currently undertaking a focused restructuring process that involves the adjustment of assistance routes as well as the renovation of its physical infrastructure. This improved MAI will facilitate the improved application of Instruction 4-2014 and the Comprehensive Attention Protocol for Crime Victims in the Metropolitan Area, as well as the MP Agreement 35-2010.

To initiate this extensive and time-consuming process, the Project initially carried out an assessment of the MAI, then understood as a "*chaos management system under the guidance of the SWPOs, that provides integrated advisory services, guidance, protection and victim assistance from a forensic specialized perspective, as well as victim-based and comprehensive services*."

The Project sought to clarify the mission of the MAI from one that is currently ambiguous as noted above and focuses more on providing crisis intervention and a number of other services, to one that is more focused on providing necessary crisis intervention services, while at the same time prioritizing the case initiation functions (such as collection of admissible evidence and securing the collaboration of the victim in criminal cases) of the MAI, to secure more effective eventual prosecutions of sexual and GBV and other cases that are initiated in the MAI.

Then, the Project, using a methodology of "collective construction" with the participation of key actors from the MP units in charge of the MAI and its operational staff, held four collective consultation workshops. An Executive Report was developed as a result of these workshops, which included the following key proposals:

- Creation and implementation of a new and improved MAI model for providing holistic assistance in accordance with MP Instruction 4-2014 (basic assistance route), along with the renovation of the physical space;
- Preparation of a flow chart of the new MAI model; and,
- Carry out a re-designed approach to executive decision-making by the relevant authorities of the MP, prioritizing the allocation and training of more and new specialized staff for the MAI before its inauguration.

By the third quarter of FY 2017, the new MAI model drafted (which is being called a "macro-model," given that it will be able to be broken up into separable units to facilitate its replication in different regional scenarios depending on current realities thereat, including available human and other resources) and has already been validated by the key MP authorities.

The key institutional decisions, including those related to the approximate 40 new staff persons that the Project recommended to be able to effectively implement all the proposed improvements, were discussed in mid-July 2017. Thereafter, the improvements started to be implemented so that all design, process-reengineering, and training activities can be completed by the inauguration of the new MAI in Gerona. The Project has prioritized several key decisions to insure at least a minimally improved MAI functioning – the creation of the "*ventanilla única*," the creation of 24-hour intake teams constituted of one psychologist, and one assistant prosecutor (that will undertake the initial and most important interview of the victim), and the appointment and training of "coordinators" available on a 24-hour basis (through shifts) to control and monitor key administrative, technical and juridical aspects of SGBV and other case initiation activities in the new MAI.

To facilitate the remodeling of the physical space for the MAE, the Project hired several multidisciplinary consultants, given that the restructuring must incorporate the gambit of visions and the implications that the new macro-model requires, as well as the experience of engineers and architects who will oversee the implementation of the physical renovation and restructuring activities taking into account national regulations and USAID requirements.
For the remodeling, the Project utilized a methodology involving the review, rectification, socialization, and validation by the various actors and authorities of the general plan of restructuring of the MAI, based on the preliminary proposal presented by MP:

- Review and rectification by the MAI Coordinator, the MP architect in charge of the restructuring project, the head of the Administrative Section of the MP Gerona building, and by the USAID Youth and Gender Justice Project team of technical and engineering consultants and architects, as well as the Project Monitoring and Evaluation specialist;
- Preparation of the 3D layout of the design;

- Socialization of the remodeling plan with the operational staff of the MAI, through work meetings (three meetings involving 76 people: assistant prosecutors, social workers, doctors, psychologists, evidence-gathering technicians, and researchers);
- Socialization and validation with the director of the SWPO-Gerona, the Office of Victim's Assistance (OAV), Department of International Cooperation, Chief of the Guatemala City Metropolitan MP Office, Chief of the Office of Permanent Assistance (OAP) of the Guatemala City Metropolitan MP Office, the MAI Coordinator and section chief of the Administrative Unit of the MP Gerona Building; and,
- Validation and authorization of the general plan by the General Secretary of the MP (and right-hand person of the FG), and the MP Administrative Director.

As a result of these meetings and activities the following results were achieved:

- General restructuring plan validated and authorized by relevant MP authorities;
- Implementation of a general plan formalized by the MP to the Project, through an official letter;
- Mobilization and temporary re-location of the MAI and OAP (occupying a large part of the first-floor level of the MP's Gerona building) for the adaptation of the space for the implementation of the new MAI model;
- Definition of construction plans for the restructuring (networks, drainage systems, electricity, closed circuit rooms, drywall construction, etc.);
- Definition of guidelines for the design, purchase and installation of furnishings;
- Definition of colors (which are important to create a more calming atmosphere for victims) for the new MAI; and,
- Preparation of budget for renovation materials and initiation of bidding process for the contracting of a construction company and furnishings by Project architect and the M & E Specialist.

b) **The creation or strengthening of SWPOs and MAIs in departments prioritized by the MP.**

The Project met with the FG, who requested support of the Project in the implementation of its Strategic Plan, regarding the expansion of SWPOs to the national level.

In 2016, the MP registered a total of 59,940 complaints of violence against women, becoming the crime most often reported across the country, which is why the MP includes among its main challenges increasing the geographic coverage of the SWPOs, which handle these crimes. As such, it has requested technical assistance, furnishings and equipment from the Project for the creation of five new SWPOs in the departments of Suchitepéquez, Retalhuleu, Sacatepéquez, El Progreso, and Baja Verapaz and the strengthening of the MAI in the existing SWPO in Puerto Barrios, in Izabal department. This activity is well under way out and it was expected that in the last quarter, the SWPOs will be inaugurated with their respective teams (although because of budget constraints this may be altered), according to FG's agenda, who will personally attend each of these public events. It is important to mention that the MP agreed to provide all the

personnel for these new SWPOs (over 200 persons), so the activity is entirely sustainable and the SWPOs will likely continue well into the future, regardless of any change in the FG.

c) **MP Secretariat of Women's Issues (SWI)**

On March 7, 2017, the MP's SWI was inaugurated. Since its creation, the Project has provided technical support in the definition and implementation of its Work Plan. In June 2017, the Project provided the furnishings ([redacted]) and equipment (5[redacted]) necessary for the functioning of the SWI.

One of the lines of action of the SWI Plan focuses on the implementation of the Law for the Immediate Search of Disappeared Women (Decree 9-2016), which has as its objective: "to create a mechanism that allows [disappeared women] to be quickly located and safeguarded and to avoid that after [their] disappearance they are subject to other types of abuse..." According to this Law, the MP has the responsibility to represent, direct, and follow-up on the decisions of the National Coordinator of the Immediate Search Unit for Missing Women (the "ISUMW").

According to the statistical data related to the disappearance of women at national level, 1,705 complaints were filed droning 2016. The departments with the highest incidence of these complaints are Guatemala (45%, Alta Verapaz (9.61%), Petén (4.86%), Zacapa (4.57%), Chimaltenango (4.16%), and Sacatepéquez (3.34%). The forced disappearance of women is an increasing phenomenon that has worried the FG, who has created a special office within the MAI at Gerona to receive complaints regarding missing women and transfer the information to the ISUMW.

The Project supported the implementation of the SWI Work Plan including logistical and technical support related to the carrying out of mandatory assemblies of the National Coordinating Instance of the ISUDW, which involve the participation of the various state entities mandated to assist the ISUDW, including the MP, the Ministry of Foreign Affairs, the Ministry of Interior, the National Civil Police, the General Directorate of Migration, the PDH, Secretariat of Social Communication of the Presidency of the Republic, Secretariat against Sexual Violence and Trafficking, Exploitation and Trafficking in Persons (SVET), the Presidential Commission for the Approach of Femicide and various NGOs (Civic Convergence Women's Policy and Social Pastoral-Caritas of the Diocese of Verapaz, etc.). With the support of the Project, three assemblies, two ordinary meetings and one extraordinary meeting of the National Coordinating Instance (NCI), and one meeting of the Legal Team of the ISUMW were carried out during the reporting period.

As a result of these meetings, the following actions were implemented and results were achieved: a) appointment of delegated principals and substitutes by all the mandatory GoG institutions and women's organizations that are part of the NCI; b) presentation and validation of the institutional routes of each one of the institutions and organizations that make up the NCI; c) joint construction of the ISU; d) design of the Executive Secretariat of the ISUDW, which depends on the legal area of the MP; and e) carried out a process to define and of validate the regulation of the Law of Immediate Search of Disappeared Women.

Regarding the regulation of the Law on the Immediate Search for Disappeared Women, the Project developed a draft proposal that was consulted in the last quarter with all the institutions of the NCI. Among the main actions carried out were the revision of a first proposal of regulation and incorporating the observations of the institutions that make up the NCI. The revision of the institutional routes of the Public Ministry, National Civil Police, Social Communication Secretariat of the Presidency, General Directorate of Migration, Ministry of Foreign Affairs, SVET and Social Pastoral. In addition, an Inter-Institutional Attention Route was approved by the member organizations of the NCI. On June 29, 2017, the first draft of the regulation was presented to the NCI, and it is expected that in mid- to late-July, the final comments will be incorporated and the draft will be finalized to start the lobbying process for the approval by the Executive Branch.

Through the approval and implementation of the regulation of the Law on the Immediate Search for Disappeared Women, the Project hopes to improve GoG compliance with the principles of women's human rights, improve the effectiveness and the velocity of searches for missing women, and improve the mechanisms in place to create the necessary institutional capacity to react quickly and effectively against the disappearance of women. Additionally, the regulation will help to prevent ongoing violations against the lives and physical integrity of women who have been reported as missing. The regulation includes: general provisions; the structure of the NCI; local search teams; the actions of mechanisms at the international, national, departmental, municipal and local level; the functioning of the ISU, the disappearance report; search actions; location of and shelter for disappeared women; registries of victims and perpetrators; and the creation of a DNA bank.

FY 2017 FOURTH QUARTER UPDATE

a) **Progress on the Integral Assistance Model (MAI)**

Currently, the process of validation of the MAI is still in the phase of executive decision making. On the fourth quarter, the Project promoted and held a series of meetings and management actions with the MP, the MAI Coordination, and the FG, who on August 28, 2017, visited the facilities of the MAI Gerona.

Project actions were aimed at coordinating the process of systematizing good practices and service standards of the MAI with the MAI Coordination and the Women's Prosecutor's Office through a series of workshops with focus groups of staff, foreseen for the coming months. This will strengthen the work of the staff, their constant feedback and facilitate the appropriation of the model to new staff.

The Project designed the process of training and induction on the new basic route of holistic assistance in the MAI, designing an "induction course", which will aim to implement the new path of holistic assistance, which is addressed to the existing staff as well as to the staff to be hired. Special assistance will be given to the security personnel of the MP, since it is the first contact the victim has with the institution and those who, in the new model, will play a fundamental role in the targeting and location of victims.

Each course module represents essentially a basic and initial knowledge structure, which allows the organization of complementary contents from legal, doctrinal and collective sources related to victimological care and other areas related to the purpose of the service. With these modules, the Project contributes to leaving installed capacity in the MAI team, which may become UNICAP's multipliers and trainers, since they have the experience of holistic assistance for GBV victims.

We began with the process of defining the methodological guide of the course, which will be a useful resource for UNICAP in the processes of induction to future members of the MAI team at the central level and of the departments.

The Project has also provided technical assistance to the Ministry of Planning and Institutional Development of the MP to carry out a feasibility study for the hiring of new staff for the MAI, to implement the new basic route.

With the adjustments of the new basic route of holistic assistance, it is necessary to update and unify the legal institutional framework, which allows not only its institutionalization, but also to ensure its continuity, starting with the process of analysis and formulation of the Regulation of Organization and Functioning of the Metropolitan MAI, taking as its starting point Instruction 4-2014 which contains the bases for the Application of the Comprehensive Care Protocol for Victims of Crime. It is expected that this process will be completed in the coming months through the issuance of the corresponding agreement by the FG.

The support and accompaniment to the implementation of the Macro Model of the MAI has been contemplated within the follow-up actions of the Project and it is expected that in FY 2018, they will be completed in the metropolitan area and expanded in priority areas.

b) **The creation or strengthening of SWPOs and MAIs in departments prioritized by the MP.**

The Project has provided technical assistance to the MP, in line with its objectives, supporting the inauguration of the SWPO in the department of Baja Verapaz, which took place on July 31, 2017 with the participation of more than 170 people including justice sector officials and representatives of the legislative body, Achis and Q'eqchis women's organizations and State institutions that support the work of defending women's rights.

The public prosecutor's office has 24 hours and 365 days a year of permanent assistance, with the support of 22 people, including prosecutors, criminal investigation technicians and psychologists trained in gender mainstreaming to attend women victims of violence through the MAI; with an Achís and Q'eqchis cultural focus.

Because of the importance of supporting the MP’s expansion of services and assistance for victims in vulnerable conditions, the Project has promoted the coverage expansion supporting prosecuting agencies in National Hospitals and the implementation of the "Interinstitutional Cooperation Agreement between the Public Ministry, the Ministry of Public Health and Social Assistance, and the SVET for the holistic assistance of victims of sexual violence, violence

against women, mistreatment of minors and crimes against the life and integrity of persons in national hospitals".

The Project has supported launches of two new prosecuting agencies:

- The SWPO housed in the National Hospital of Cuilapa, Santa Rosa, inaugurated on July 21, is a specialized prosecuting unit made up of 6 people, 3 prosecutors and 3 DICRI investigators, who will deal mostly with crimes related to sexual violence. This unit will contribute to the implementation of strategic research and that the crime is investigated within the first 48 hours, thus avoiding secondary revictimization and providing dignified and integral assistance to victims of sexual violence entering the criminal justice system by the hospitals of the national public network.
- The SWPO housed in the Cobán National Hospital, Alta Verapaz, inaugurated on July 31, 2017, is composed of 6 persons, 3 prosecutors and 3 DICRI investigators, who are trained and sensitized to provide the required care in this type of crimes and have bilingual staff of the languages of the Q'eqchí and Pocomchí region. The department of Alta Verapaz, is within the first five departments with the highest number of cases of GBV and sexual violence, so having this Agency in a Hospital favors the adequate assistance to victims with cultural relevance and in their own language.

It bears mentioning that these prosecutors assist GBV victims in sectors where cases of violence against women and sexual violence have had a significant statistical upturn and the population is culturally diverse. This benefits directly vulnerable populations who do not have easy access to justice services, i.e. such as in Salamá, where the MP SWPO is the first entity to provide specialized services on violence against women in that area.

c) **MP Secretariat of Women's Issues (SWI)**

With inputs from the legal teams of all the institutions that form part of the National Coordinating Body of the Immediate Search Mechanism of Missing Women, the fourth version of the Regulation of the Law on the Immediate Search for Missing Women was drafted, which already has the legal endorsement of the institutions that form the National Coordinator. This version of the Regulation was shared with the Ministry of the Interior and is awaiting the approval of this institution so that this document can be presented to the General Secretariat of the Presidency for final approval.

The Project also provided technical assistance for the preparation of the Statement of Motives for the Regulation of the Immediate Search Law for Missing Women; which considers the judgment of the Inter-American Court of Human Rights, Velázquez País and others v. Guatemala, where the Inter-American Court ordered the State of Guatemala to "adopt a national strategy, system, or program, through legislative or other measures, to achieve the effective and immediate search for missing women," which is one of the main foundations of the Law of Immediate Search of Missing Women.

With the final version of the Regulation of the Immediate Search Law for Missing Women, the SWI has the necessary documents to achieve final approval and start the operation of the

Immediate Search Mechanism. This search mechanism is the first state model in the country to facilitate searches for missing women, and is constituted of a series of coordinated, planned and articulated actions among public institutions, local search teams, local authorities, neighbors, fire departments, communication, churches, organizations of death and society in general, that allow to speed up and to obtain the location and protection of missing women.

LLR 2.1.d. Strengthen the Specialized Femicide Jurisdiction of the Judicial Branch

FY 2017 ANNUAL SUMMARY

a) **Study of specialized jurisdiction in Femicide and Integral Attention System (SAI) in Guatemala, Quetzaltenango, Petén, Chiquimula and Alta Verapaz**

The Project designed and carried out a brief study regarding the status of the specialized femicide jurisdiction system – the courts and accompanying SAI models in Alta Verapaz, Chiquimula, El Petén and Quetzaltenango. To carry out this study, the Project initially designed a methodological framework for the first phase that permitted the generation and measurement of selected performance and outcome indicators, namely:

- Effective Judicial Management: prompt and thorough justice;
- Services provided in accessible, comfortable, safe, and private spaces;
- Adequate personnel for victim's assistance: skills to care for victims, trained personnel, and periodic performance evaluation;
- Reduction of secondary and tertiary victimization: non-revictimizing processes, support during the process, and full enjoyment of victims' protected rights;
- Relevant and effective safety and security measures implemented;
- Integral support for the victim to face and participate in the judicial process and to start the healing process;
- Improved intra and inter-institutional articulation; and,
- Provision of justice with an adequate gender perspective: including effective procedural practices, facts assessment, legal basis, and legal arguments.

In the second phase, the Project mapped the conceptual and philosophical framework of the system to provide assistance to the specialized jurisdiction against femicide and other forms of violence against women. This served as an important input for the joint development of indicators to be used in the field work to be carried out in the First Instance and Trial Courts along with the Judicial Branch Control and Monitoring Unit of the Specialized Courts in Crimes of Femicide (JBCMU) and the SAIs of Guatemala City, Quetzaltenango, Petén, Chiquimula and Alta Verapaz.

As an added value to the study, the Project generated instruments for monitoring and evaluation that have been adopted as tools for the JBCMU to systematically and periodically evaluate the specialized jurisdiction and to generate on-going recommendations for adjustments and improvements in the same.

The Project visited the courts and SAIs in the four regional headquarters to collect information on the above referenced indicators. Thereafter, the data will be analyzed, consolidated, and recommendations defined for presentation to the Criminal Chamber of the Supreme Court.

During the visits, the following actions were carried out:

- Instruments applied in the specialized courts of Alta Verapaz, Chiquimula, Petén and Guatemala, which were based on indicators validated by the team of the JBCMU;
- Meetings with the Project teams from Alta Verapaz, Chiquimula, Quetzaltenango and Petén, who provided information on the context of each of the departments visited;
- Interviews with interpreters, judges, victims and victim assistance officers of the departments of Alta Verapaz, Quetzaltenango, Chiquimula and Petén;
- Focus groups created and discussions carried out with the participation of specialized staff, judges and magistrates from Alta Verapaz, Petén, Chiquimula and Guatemala, and the staff of the SAIs of Alta Verapaz, Petén and Chiquimula. Additionally, NGOs from the MP's National Referral Network of Alta Verapaz, Petén and Chiquimula participated in the focal groups;
- Visits to specialized jurisdiction buildings and facilities (i.e. the courts of Alta Verapaz, Chiquimula, Petén and Guatemala); and,
- Observation of multiple hearings and trials in the courts of Alta Verapaz, Chiquimula, Petén and Guatemala, using an evaluation instrument.

Additionally, as part of the assessment, the Project carried out extensive private meetings with secretaries and judges to more deeply explore more sensitive matters and to generate recommendations to the Criminal Chamber of the Supreme Court to improve the Guatemalan model of specialized justice.

In June 2017. the Project supported the First National Meeting of Secretaries of the Femicide Courts and Tribunals (35 secretaries), during which a training process was developed to assist in the future training of secretaries in applying the gender perspective. Later that same month, the Project supported a National Meeting of Judges of the Specialized Femicide Jurisdiction (with 72 judges and magistrates), which addressed the importance and current state of compliance with international and national standards of assistance to victims by the multi-disciplinary staff of the specialized courts. The Meeting also addressed topics related to: a) the promotion of the best practices and the exchange of experiences, information and knowledge among judges and SAI staff to strengthen coordination, etc.; b) leveraging multi and interdisciplinary resources to reduce secondary victimization in the provision of assistance to victims of violence; c) promoting best practices and the exchange of information among multidisciplinary teams to provide assistance with more quality. Judges and magistrates from all departments where the specialized jurisdiction is located attended this event.

b) **Implementation of the Specialized Femicide Jurisdiction in the department of Chimaltenango**

Responding to the request of the Criminal Chamber of the Supreme Court for the implementation of a Specialized Court and Tribunal of Femicide and other Forms of Violence against Women and Sexual Violence in Chimaltenango, the Project supported the effort with the purchase of furnishings and equipment and the training of new staff for these two new courts. This department was prioritized, in part, because according to the statistics provided by MP's SICOMP, in 2016, 1,767 complaints of violence against women were initiated, a relatively very high level in light of the population, and in part to be able to provide specialized assistance to victims among the high K'akchiqel population there.

The Project provided furnishings and equipment (23 computers, printers, photocopiers, etc.) for these two new courts (one First Instance Court and one Trial Court) in Chimaltenango. Also, the Project provided technical support through the review, improvement, and implementation in Chimaltenango of the academic curricula of the Initial Training Program for the specialized jurisdiction, in both technical and sensibility-related themes. The Supreme Court, through Agreement 25-2016, created the First Instance and Trial Courts of Crimes of Femicide and Other Forms of Violence against Women and Sexual Violence, based in the department of Chimaltenango, which was inaugurated with Project support on May 9, 2017.

c) **Initial Training Program for staff of the specialized jurisdiction in Chimaltenango.**

To strengthen access to justice and the application of the specialized integrated gender approach in Chimaltenango, the Project supported an extensive training process from April 19 to May 8, 2017, during which the following results were obtained:

- Training of specialized justice personnel (23 persons, including judges, clerks, social workers and psychologists from the MAI, interpreters, etc.) of Chimaltenango who are now more sensitized in matters of gender equality and inter-institutional coordination;
- Judicial staff acquired the basic knowledge to carry out their job based on their specific roles; and,
- Judicial staff empowered with the mission and vision to be specialized justice workers, and with the function of promoting networks for providing improved gender and inter-institutional coordination.

It is noteworthy that prior to initiating the execution of the training plan for the staff of the new courts in Chimaltenango, the Project provided support to implement a training of trainers program for the 13 "femicide expert" professors of the Judicial Training School (UCI, by its Spanish acronym) in administrative and technical techniques (including implementing mentoring programs, as well as how to train taking into consideration the gender perspective, use inclusive, non-discriminatory language, and provide training in how to provide services to the LGBTI population) related to femicide training.

d) **Inter-institutional workshop for the staff of the new courts and institutions of the Specialized Jurisdiction in Chimaltenango.**

As a final activity of the Initial Training Program in May 2017, the Project supported a workshop (with 85 persons in attendance) in coordination with the UCI to strengthen the relationship and

coordination between judicial personnel, judicial assistants and the SAI team with those of the staff of the institutions of the justice and security system and other entities and officials of the department of Chimaltenango. These relationships and ongoing coordination are crucial to ensure proper performance of the specialized courts.

As part of the workshop strategy, the Project involved community leaders to encourage a healthy dialogue between the state justice system and groups of indigenous peoples, critically important considering the high percentage of indigenous victims in Chimaltenango. The workshop also defined and clarified a route for the execution of protective orders to avoid the secondary victimization of victims and to optimize resources and generate effective levels of coordination.

The workshop included the participation and discussions regarding such orders protection to deepen the levels of articulation with the Justice of the Peace judges in Chimaltenango, who are responsible for granting orders of protection in cases originating in the municipalities. The approach to the assistance to child victims was identified as an aspect requiring further investigation to guarantee to this population sector the specific rights established in the Law on the Comprehensive Protection of Children and Adolescents (PINA, by its Spanish acronym). Additionally, the workshop addressed issues of coordination between the minor's jurisdiction and the femicide jurisdiction to avoid the duplication of procedural acts that could be harmful to court users.

e) **Inauguration ceremony of the specialized femicide courts in Chimaltenango.**

On May 9, 2017, the Project coordinated and supported the formal opening and inauguration ceremony of the First Instance and Trial Courts, in conjunction with the Department of Protocol and the Criminal Chamber of the Supreme Court. All the Supreme Court magistrates, representatives of USAID in Guatemala, municipal, governmental and non-governmental officials, and civil society members of the department attended the event. A total of 179 people attended.

FY 2017 FOURTH QUARTER UPDATE

a) **Study of specialized jurisdiction in Femicide and Integral Attention System (SAI) in Guatemala, Quetzaltenango, Petén, Chiquimula and Alta Verapaz**

On July 17 and 18, 2017, the Project presented the recommendations and findings from the study in Alta Verapaz and Chiquimula; and in August 2017, in the departments of Guatemala, Quetzaltenango and Petén. These were presented to the specialized justice officials and representatives of the referral networks; to inform and validate the principles and lines of assistance that may form part of the new Model of Specialized Justice.

In order to promote completion of these recommendations, the following events were held:

- **First National Forum of Secretaries of the Specialized Bodies of Femicide (8 June 2017):** The overall objective of this forum was to strengthen access to justice and specialized integrated gender approach in the Femicide Courts of First Instance, Trial

Courts and Chambers of the Court of Appeals. Forty-five (45) Secretaries from the First Instance and Trial Femicide Courts located throughout Guatemala participated.

- **Forum of Judges of Specialized Justice (June 29, 2017):** The objective of this meeting was to promote the rapprochement, exchange of experiences, information and knowledge among judges and SAI personnel, to strengthen the coordination of their functions in the services and promote good practices and exchange of multidisciplinary teams that facilitate a holistic assistance with quality and warmth. A total of 80 Judges of First Instance, Trial Courts and Specialized Chambers (Appeals Courts) in Femicide located throughout all the Republic of Guatemala participated.
- **II Inter-Institutional Forum regarding Attention to Victims of Violence against Women and Sexual Violence:** The objective of the meeting was to coordinate actions that promote holistic assistance with due diligence to the victims and generate a space of reflection among the institutions of the justice sector on the needs of increased articulation to improve the implementation of the Law against Femicide and Other Forms of Violence Against Women. During the meeting, more than 60 justice sector officials participated, including magistrates and judges; the MP, the IDPP, INACIF, and the PNC.
- **II National Forum of Court Clerks and Professionals of the SAI of the Specialized Bodies in Crimes of Femicide and other Forms of Violence against Women and Sexual Violence:** This forum was attended by national and international professionals, promoting the exchange of experiences with models of Holistic Attention. Fifty-eight (58) participants attended this event.

b) **Implementation of the Specialized Femicide Jurisdiction in the department of Chimaltenango**

The Project has formed an important strategic alliance with the CSJ Criminal Chamber to coordinate technical assistance and the possibility of continuing support to the specialized court so that it can have a greater presence and recognition in the country.

The training process has been defined for officials and justice officials who are part of the Court and Femicide Court of the department of Chimaltenango. On July 14, 2017, a meeting was held with the then President of the CSJ Criminal Chamber during which she requested specific support from the Project for:

- Implementation of the Specialized First Instance and Trial Courts and a SAI in the department of Suchitepéquez, including technical accompaniment through the Specialized Justice Training Program to its personnel, as well as the purchase of furnishings and equipment. The Project has initiated the coordination process with the UCI and the JBCMU for the design of the training program for personnel that will be part of the specialized justice in Suchitepéquez.
- Implementation of a second multi-person Femicide First Instance and Trial Court complex in Guatemala City, pending the identification of appropriate physical space to provide better care and access to GBV victims; and,
- Support for the implementation of a Second Chamber of the Court of Appeals over crimes of Femicide and other forms of GBV in the department of Guatemala.

LLR 2.1.e. The "One Family One Judge" Pilot

FY 2017 ANNUAL SUMMARY

While this activity is primarily planned to start in earnest in FY 2018, several preparatory actions were carried out by Project in FY 2017, including some initial planning with sub-contractor CCI. The Project discarded the idea of carrying out the pilot in Livingston, given that there in only one Justice of the Peace Court there and specializing that court in GBV and related issues would deny access to justice to other users.

FY 2017 FOURTH QUARTER UPDATE

The Project held several meetings to familiarize CCI's new in country representative regarding the creation of the One Family, One Judge Pilot. We discussed the fact that one of the Justice of the Peace Courts in Quetzaltenango (dedicated to civil and family issues, but with a very low case load) would be a good candidate for the piloting of the model.

LLR 2.1.f. Roll Out of Family Justice Center (FJC)

FY 2017 ANNUAL SUMMARY

In October 2016, the CSJ Civil Chamber President requested Project support regarding the work carried out by the Family Justice Center of the Judicial Branch (FJC) in Guatemala City through the carrying out of a brief assessment with recommendations for improvements and possibly replicating the model in the department of Quetzaltenango, according to the needs and current context of that department, providing effective and culturally and linguistically relevant assistance to family court users.

In November 2016, the Project carried out a study of the FJC regarding the court administration model and its organization, implementation and effectiveness of the provision of services, with emphasis on the Admissibility Court and the 24-Hour Domestic Violence/Minors Justice of the Peace Court, both elements of and located within the FJC.

The assessment was closely coordinated with UNICEF, which has provided extensive support, particularly regarding the multi-disciplinary teams and monitoring functioning, to the FJC. The Project and UNICEF, in the second quarter, defined a joint action plan to improve the functioning of the FJC, with the Project focusing on jurisdictional aspects, such as improving the competency of the Admissibility Court and assisting with the liquidation court, while UNICEF helping with aspects related to the multi-disciplinary teams. It was agreed that both donors would help with the making of adjustments to the FJC model.

The Project made significant progress both in assessing and improving the FJC model in Guatemala City as well as in preparing for its roll out in Quetzaltenango. To do this, the Project formed and strengthened strategic alliances with the magistrates of the CSJ Civil Chamber and various meetings were held throughout the year with them to report on the results of the

consultancy conducted at the FJC-Guatemala and necessary follow-up actions, as well as regarding the diagnostic assessment undertaken in the family courts of the department of Quetzaltenango and the possibility of creating a similar FJC in the Quetzaltenango Complex, through the creation of a "pluri-personnel" Family Court there (with at least three family judges).

Meetings were also held with other members of the Civil Chamber regarding similar issues, some of which have taken a very proactive approach regarding the strengthening of the Family Courts as well as combatting GBV and has strongly advocated for a very judge-orientated and participatory approach to creating/strengthening the FJCs.

In January 2017, the Project coordinated a workshop to present the results of the study, which was attended by the President of the CSJ Civil Chamber and other members, and staff of the Guatemala City FJC. During the presentation, the Project emphasized the importance of addressing the issue of review of constituent agreements, of conceptualizing the model and its implementation, of adopting a principled approach, of focusing on improving intra- and inter-institutional coordination and the separation of judicial and administrative functions, of providing integral and permanent assistance to victims, and of improving the jurisdictional and administrative organization of the FJC. There was generally wide acceptance of the results of the consultancy and a willingness to undergo a reform process.

The Project carried out and socialized the results of the Quetzaltenango Family Court assessment and improvement recommendations and set the wheels in motion for implementing them. On January 10-13, 2017, the Project carried out the assessment through meetings with the Family Courts, the Civil Appeals Court, the Quetzaltenango FLAU, and the Judicial Branch Regional Administrative Coordinator, developing initial recommendations for basic improvements in family justice, particularly the handling of GBV cases. The assessment focused on the analysis of court agreements for the definition of jurisdiction of the Justice of the Peace (JP) Courts, particularly the Family and Civil JP, and the Family Courts, coordination between the Civil and Criminal Chambers to avoid revictimization, the elaboration of flow-chart diagrams of the main procedural processes to identify moments of possible secondary victimization of GBV victims and being continually referred to other justice sector operators, and to exemplify the "ping pong" effect of victimization of GBV victims through the documentation of information regarding paradigmatic cases.

In March 2017, the Project met with members of the Civil Chamber to analyze the process of evaluation of the renovation and remodeling of the new facilities of the possible FJC in Quetzaltenango. We also analyzed the procedural route of the complaint that a victim makes in Guatemala (at the national level), which could feasibly be presented in one of six different forums (Justice of the Peace Courts, First Instance Family Courts (FIFCs), PNC, MP, Femicide Courts), so a meeting was coordinated with CIDEJ and SGT. Through these meetings the Project supported the design of an activity to define and incorporate the use of a unified registry of all the protective orders (*medidas de protección*) that have been granted to the same victim at the national level, so that judges and other staff could easily find out the current status of the ongoing complaints and to implement an alert system for judges and other actors that receive such complaints, to determine the degree of danger to which SGBV victims are subjected, and to

eventually join cases between the same parties, to avoid duplication of efforts in having multiple ongoing cases.

In March 2017, the Project visited Quetzaltenango to plan for the implementation of the FJC there. The plan was complemented by a survey of user opinions, diagnostic workshops with institutions that use the First Instance Family Courts or FIFCs, prepared process and case handling flowcharts, analysis of paradigmatic cases, and a discussion on possible court administration models for the FIFCs.

By the third quarter of FY 2017, the Project carried out a number of important activities to implement the recommendations of the initial assessment of the FJC in Guatemala City, including a series of meetings with the CSJ Civil Chamber, During these meetings, the CSJ and the Project concluded that to ensure the effective implementation of the recommendations of the evaluation (in the FJC and at the national level, as many of the problems in the FJC are manifested in other family courts around the country), it was necessary to define and implement a Specialized Judicial Policy for the Family Jurisdiction (the "FJ Policy").

The Project helped to draft the FJ Policy in close coordination with members of the CSJ Civil Chamber. The FJ Policy, among other things, set forth guidelines to promote and strengthen the specialization of the Family Courts and was consolidated and approved by an "agreement" of the full CSJ to make certain aspects of the Policy binding at the national level. The Policy addresses such issues as incorporation of more oral procedures in the Family Courts, electronic service of process and notifications of hearings and trials, the use of mediation and conciliation, streamlining the processes for emitting and executing orders of protections and for hearing and resolving requests for child support orders. The FJ Policy was validated in August 2017, and entered into effect just before the end of September 2017, before the change of leadership of the CSJ and the re-organization of the chambers.

As a follow-up action to the FJC, the Project supported two workshops aimed at process servers. During these workshops, the Project sought to motivate process servers as well as assess their effectiveness and the mechanisms they use to carry out their functions. After these workshops, the need to include service of process in the family jurisdiction policy became evident as there are few standards and the processes utilized are not efficient or closely supervised.

Also, the Project carried out several visits to and meetings in Quetzaltenango to follow up on the assessment recommendations regarding the situation in the Family Courts. The Project provided logistical and technical support for a visit of the entire CSJ Civil Chamber to visit the two Family Courts in Quetzaltenango, where the Project presented the assessment recommendations as well as the results (rather negative all in all - for example, most of the 16 users complained of service of process not being served or very delayed, conflicts and suspension of hearings, the rejection of complaints by judicial officials and having to re-present the complaint, incomprehensible resolutions for the users, and most importantly, the secondary and tertiary victimization of victims, etc.) from a brief survey of the perception of the users of the Family Courts, with the objective of promoting the construction of a more efficient case management model for the family jurisdiction. The Family Courts are currently overwhelmed and saturated with cases involving violence against women for many reasons set forth in prior reporting periods. During

the Supreme Court visit, the OJ Regional Administrative Coordinator presented the architectural design of a model involving both Family Courts on the same level in the Judicial Palace. The Project stressed the importance of developing a new model (i.e. a pluri-personnel model) adapted to the new physical infrastructure that ensures adequate assistance to court users, mostly women filing GBV complaints and other family-related matters, such as protective orders or child support petitions.

In the visit to Quetzaltenango, the Civil Chamber agreed with the proposed architectural modifications, but asked the administrative division of the Judicial Palace in Quetzaltenango to ensure that the proposed changes are appropriate to the legal and technical requirements needed to make the project viable.

Regarding the systematization of paradigmatic cases and establishing deadlines to avoid delay in family proceeding in Quetzaltenango, the Project studied and documented ten cases regarding the following aspects: a) execution of service of process, particularly in those cases initiated in Justice of the Peace Courts in the municipalities (including time frames); (b) the suspension of hearings and trials and the lack of expedited procedures in priority areas; c) spurious or frivolous litigation tactics employed by private defense attorneys; (d) the lack of unified criteria to establish child support obligations; and (e) in cases of domestic violence, problems in service of process, ratification of complaints, and opposition to the imposition of orders of protection. In each of these cases, the study report will indicate the problem established and illustrative examples, will include a flowchart of the procedures followed in the illustrative cases, and will identify possible systemic improvements.

Finally, the Project supported the design and creation of *Operación Limpieza* in the Quetzaltenango Family Courts. This included the training of 24 students from the Landívar University (satisfying their 100 social hours) to organize case files and send them to the central filing storehouse. During the reporting period, 58,888 case files were identified and sent from the Family Courts to the central storage facility in Quetzaltenango, greatly alleviating the overcrowding and chaos (due to the limited physical storage space) in the Family Courts.

FY 2017 FOURTH QUARTER UPDATE

Following the actions carried out in the FJC, two workshops were conducted for process servers of the FJC, during which we carried out a motivational activity and a diagnosis of the problems, concluding the need to have a Technical Committee with Judges and Process Servers for the unification of criteria regarding the service of process and other notifications.

In July 2017, the Project defined the preliminary version of the document “Family Jurisdiction Judicial Policy”, which was presented to the CSJ Civil Chamber. The Project also carried out a first workshop with judges and staff of the FJC in Guatemala City to receive inputs and validate the initial draft of the FJ Policy document. The judges provided some important recommendations that were considered in the preparation of the final version of the Policy. At this workshop, the participants jointly identified the strategic priority actions to be implemented for the validation process, which were also discussed with the members of the CSJ Civil Chamber.

During the month of August 2107, the Project drafted a new version of the FJ Policy, incorporating the recommendations and observations made by the Judiciary staff, including CSJ and other magistrates and family court judges.

Thereafter, at the request of the President of the Civil Chamber, validation of the FJ Policy was carried out at a national level, completing this process during the month of August 2017, in the departments of Quetzaltenango and Chiquimula.

Following up on the implementation of the Quetzaltenango FJC, in August 2017, the Project provided technical and logistical support for the President of the CSJ Civil Chamber, to visit the Justice Complex in Quetzaltenango, to supervise the progress in the restructuring of the FJC/pluri-personnel court and promote its prompt implementation. The two Judges of the FIFCs of Quetzaltenango expressed their agreement and commitment in the implementation of this new Model, which has been proposed as a result of the technical assistance provided by the Project. On the Project's recommendation, the two FIFCs in Quetzaltenango were combined into a "pluri-personnel" court and two additional judges were added. The formerly First Instance Family Court Number Two was moved to the same level of the Civil Law Building in the Quetzaltenango Justice Complex as the First FIFC and the physical infrastructure of the whole first floor of the Judicial Complex was adapted for the pluri-personnel model, adding two hearing rooms, and restructuring the space based on teams of staff (as opposed to specific teams under each judge). The pluri-personnel family court was inaugurated on September 29, 2017.

The Project helped to design a transitional plan to move toward the full pluri-personnel model, including case intake and assignment, the creation of special procedures and a full-time judge on a daily rotation basis to hear only GBV cases and emit orders of protection, division of labors among judges, re-assignment of old cases, a system for assignment of clerks out of a pool and a three-month rotational system, etc. The pluri-personnel family court began operations in October 2017. The Project will continue to provide technical support and accompaniment so that the new court structure and operations are effectively consolidated. Given the strong resistance by judges to give up control over their "own staff," most "pluri-personnel" courts in Guatemala to date, have not functioned correctly and continue operating as multiple courts in one space and not as one court with multiple staff member and judges operating as a team, as they should. Our technical assistance has been designed so that this does not happen. We anticipate that the pluri-personnel court will be converted to a FJC in the first quarter of FY 2018.

LLR 2.1.g. Strengthen Data Collection on GBV and Hate Crimes

FY 2017 ANNUAL SUMMARY

The Project provided extensive technical assistance and accompaniment for the definition of a policy to guarantee the rights of the LGBTI population, with COPREDEH and various other GoG institutions and civil society organizations that work with LGBTI populations. During several meetings and workshops, substantive issues were discussed for the construction of the policy, in particular on: (a) human rights education; (b) protection and support to human rights defenders, justice operators, and social communicators; (c) strengthening the administration and

application of justice for LGBTI populations; (d) promotion and verification of the human rights contained in the Constitution of the Republic and the international covenants; (e) promotion and guarantee of human rights of LGBTI groups; (f) compliance with international commitments (follow-up to recommendations); (g) monitoring of sustainable development goals (ODS); (h) promotion of governance and attention to social unrest; and, (i) human rights, trade agreements and enterprises.

By the second quarter, the Project had trained all Project staff in LGBTI matters. The importance of strengthening the Project internally with issues such as those related to LGBTI populations was more than evident. For this reason, more constant follow-up and training actions are required, where knowledge is strengthened and thus, is reflected in the actions being developed in the Project, since it is one of the vulnerable populations included in the ambit of the Project with support for the definition and implementation a Global Strategy for Access to Justice of the LGBTI population.

In May 2017, the Project delivered, as formally requested by the Director of INACIF, a 3500xlo Genetic Analyzer, to the INACIF Laboratory. The main objective of this important purchase was to promote technological innovation in INACIF forensic investigations, following the forensic methodology that the FBI has successfully implemented in the US, which requires the use of a genetic analyzer with the ability to work simultaneously on at least 24 samples and to observe six flourochromes in a parallel fashion. The new genetic analyzer is located at the Laboratory of Genetics and Serology of the INACIF. Prior to receiving this donation, INACIF only had a single genetic analyzer, so this donation will greatly assist in producing genetic forensic reports in less time.

Currently, the INACIF laboratory has a backlog of approximately 4,000 expert reports from the MP and the JB. The equipment provided currently conducts 1,900 surveys monthly, including:

- Genetic profiles of the aggressor;
- Genetic profiles of the victim;
- Genetic profiles of fluids found at crime scene;
- Paternity profiles (this in the case of minors, who are for the civil area and have a cost of $[redacted]); and
- Human identification in general.

It is estimated that the INACIF Laboratory will now be able to annually undertake approximately 22,800 genetic profiles with the additional genetic analyzer.

The Project held various communications and meetings with INACIF, during which INICAF expressed the need for a new Inter-Institutional Agreement with the MP, as the previous agreement expired in 2010, which is the principle institution in charge of providing assistance to victims of sexual violence, in light of issues with the chain of custody regarding the gathering of biological and other evidence by public health system doctors (as opposed to INICAF Forensic Doctors). A meeting with the General Secretary of the MP to request support in the authorization for the revision of this Agreement will be coordinated by the Project.

The Project provided technical assistance in updating the Addendum with the MP, which was sent to the INACIF for analysis and comments, and eventual approval by the INACIF Council. The new Addendum will have nationwide coverage.

FY 2017 FOURTH QUARTER UPDATE

The Project intended to help INACIF in designing and implement a program to certify forensic doctors from primary health care level, particularly to perform forensic examinations in cases of sexual violence that INACIF has been unable to perform for logistic or other reasons. The Project advanced with the definition of terms of reference for the implementation of the Master's Program in Psychiatry and Forensic Psychology (with an emphasis on vulnerable populations) with INACIF. This activity was going to be carried out with the Da Vinci University, given that it is the only university in Guatemala that meets the requirements and needs of the staff in INACIF regarding psychology and forensic psychiatry. The Project provided timely follow-up so that the effort will be executed through a non-competed subcontract, given the level of expertise, costs and adequacy to the identified needs of the INACIF. However, the new director of INICAF has expressed concern over working with the Da Vinci University, so this activity has been cancelled for the foreseeable future.

The Project is supporting INACIF, in accordance with the established inter-institutional mechanism for dealing with cases of sexual violence with other instances of the GoG, to provide certification training to doctors and physicians who handle cases of sexual violence so that they will be able to adequately collect evidence for and testify in court proceedings regarding the findings. With respect to initiating the medical certification pilot program in Quetzaltenango, the Project held two high-level sessions with INACIF and another in March, 2017with the Minister and Deputy Minister of Public Health, during which the commitment to support the victims of sexual violence was reiterated. The Ministry of Health requested that the program also be implemented at the national level using the virtual and face-to-face IT platforms of INACIF.

LLR 2.1.h. Support Definition and Implementation of Broad Government Strategy to Prevent GBV

FY 2017 ANNUAL SUMMARY

During the first quarter, the Project made progress in finalizing the Terms of Reference for a targeted grant focused on the LGBTI population, to assist the GoG to define a strategy for the improvement of services provided to victims of violence caused by a particular sexual orientation and/or gender identity. Progress was also made in training internal teams on the Civil Union Law initiative for the LGBTI population. The Project worked with the National Sexual Diversity Network to identify strategies that protect and prevent re-victimization against the LGBTI population.

LAMBDA was awarded a grant through which it will define and execute a national strategy to provide improved differentiated services on the part of the MP and the National Civilian Police

to LGBTI victims of GBV through sensitivity and technical training. They will also create an observatory of hate crimes.

In the MP, the Project designed and executed a training program on LGBTI-related subjects as a part of the "self-care" workshops directed to the staff of the SWPOs, the MAIs and the OAVs. The MP has requested more of these well-received trainings (both on self-care and LGBTI issues) at the national level. At the same time, the UCI has requested sensitivity and other trainings for judges, clerks, and administrative personnel, on how to provide more effective assistance to vulnerable populations, especially the LGBTI population.

FY 2017 FOURTH QUARTER UPDATE

A consultation and research process was initiated to evaluate the services provided to LGBTI communities by the institutions of the justice and security system. Its first stage consisted in building the instruments for gathering information according to the profile and area of the key actors, including interview guides for personnel from the security and justice institutions and methodological guides for the focus groups including a ballot of consent of the use of the generated information; which explain in a simple way the objectives of the information search as well as the protocol of confidentiality and use of information by LAMBDA and the research team.

To date, LAMBDA has made two field visits to Quetzaltenango and Chiquimula; carrying out in-depth interviews with personnel from the Public Ministry, the departmental delegations of the PDH and the PNC with those in charge of the Victim Assistance Offices and the Specialized Division of Criminal Investigation (DEIC, by its Spanish acronym). They also carried out two focus groups with representatives of the LGBTI community of both departments with whom it has been specifically analyzed the visibility of the LGBTI community and its main problems in the department, elements for the analysis on the discrimination towards the community, aspects related to security and free movement, the registration of their data in the institutions of care and service, as well as the progress in the sensitivity and knowledge of issues related to LGBTI populations and their access to justice.

A model of a Citizen Observatory of hate crimes committed towards LGBTI people is also being created by LAMBDA under the grant. This process is carried out in coordination with REDNADS and with the organization *Catrachas* of Honduras, and the instrument has been designed will feed the crime database and feed the observatory information. This will be the first National Observatory where hate crimes and aggression against the LGBTI population are registered and reported upon periodically.

With the support of LAMBDA, the Project contributes to strengthen the organization of the LGBTI population, which has been constituted as the main organizational reference of LGBTI groups in the country, characterized for the incidence on the State institutions to include assistance and affirmative answers with variables such as ethnicity, rurality, education, migration and poverty, which were not previously considered.

LAMBDA has become one of the main companions to the recommendations issued to Guatemala by the Inter-American Court of Human Rights and the United Nations Human Rights Council.

LLR 2.2. Services to survivors of GBV expanded and improved

LLR 2.2.a. Strengthen the Quality and Types of Services Provided by the NNVS

FY 2017 ANNUAL SUMMARY

The quality and types of services provided by the NNVS vary enormously from one department to the other, with larger departments generally have a broader offering of services than smaller ones. Quality of services depends, among other things, on OAV efforts at the departmental level to strengthen the local networks. To accomplish this result, the Project undertook an exercise (at the XI Meeting of the NNVS) to updated the mapping of the NNVS, during which it was possible to establish the types of assistance provided, as well as the services and referral mechanisms used with the victims under conditions of vulnerability.

At this event supported by the Project, over 200 persons (from NGOs, GoG institutions, etc.) were present and 54 local victims' services referral networks were strengthened through improved coordination, extensive discussions, and planning activities. Among other things, the Project carried out an analysis of the amount and type of victims' services provided through the NNVS.

The NNVS meeting was supported by two high-level sessions to coordinate OAV work to ensure comprehensive and effective care for victims of crime in the MP and to strengthen the registry of victimological actions, the theoretical basis for psychological reports, and the provision of assistance to crime victims. The Project finalized the terms of reference for awarding grants to NGOs for the provision of quality services for vulnerable populations. The objective of these grants will be to strengthen the quality and types of services provided by members of the NNVS as a crucial element to support the construction of the National Vulnerable Populations Protection System (NVPPS).

It should be noted that the 9th National Conference of the NNVS of the MP provided valuable inputs for the Project's ongoing efforts to create the NVPPS. The first stop of that process has been to identify the current needs of identified populations, service providers, and the gaps in service provision. The Project conducted several internal workshops on the design of the methodology for the creation of the NVPPS and the undertaking of the necessary analysis. This initially included identifying the different groups of vulnerable populations, and then beginning to analyze and comparing the ideal services to be provided with the actual services provided in specific departments around the country. This will be an ongoing process through the upcoming reporting periods, as the parameters and objectives of the NVPPS should be guiding features for the majority of Project activities.

On May 31, 2017, all the approvals by the Grant Manager were finalized regarding a grant request to strengthen the MP's NNVS, including the terms of reference, indicators, and targets.

The Project sent an invitation to submit grant proposals to three civil society organizations (CICAM, UNAMG, and CENDES, all of which are NGOs working with women GBV victims).

This grant will be important in the creation and strengthening of the National Vulnerable Populations Protection System as it deals with the largest referral network, by far, in the country. The grant will help to insure a higher level of quality of victims' services through the definition of strategies to improve the quality of victims, a mapping of the services currently available, etc.

FY 2017 FOURTH QUARTER UPDATE

One of the most important systems in Guatemala related to the Protection of Vulnerable Populations is the system of victims' referral networks, which are coordinated by the Office of Victim Assistance (OAV) of the MP.

The Project undertook an assessment of the main tools with which referral networks must approach and accompany the cases of violence against women in their different manifestations, concluding that most of the venues covered by Project do not have a ballot or referral form or an integrated case referral, which allows the respective follow-up to each case of GBV. On the contrary, each organization and system has chosen to use the referral mechanisms that it considers convenient, causing delay in the integral assistance and duplication of efforts.
In addition, the MP has a Manual of Assistance to and Referrals of Victims of Crime that exists for use in the referral networks, which unfortunately is not known by the staff of the MP or by the referral networks themselves. This is a basic tool to start strengthening the intra- and inter-institutional coordination that will be crucial in the creation and consolidation of the NVPPS. For this reason, the Project provides strategic support and promotes the consolidation of the referral networks as the starting point of the National System of Protection for Populations in Vulnerability Conditions. To do so, it has designed two strategies for strengthening:

- Grant entitled "Quality Services for People in Conditions of Vulnerability"

The Project sent an invitation to proposals to three CSOs including the Center for Research and Support to Women (CICAM), the National Union of Guatemalan Women (UNAMG), and the Center for Conflict, Power and Violence Studies (CENDES), all of which are NGOs working with women victims of GBV. The CICAM proposal was selected, considering it to be the most in line with the objectives and objectives of the Project. The proposal aims to strengthen the quality and types of services provided by the NNVS, to provide care to the victim as an element to support the construction of the NVPPS, as well as holistic assistance for women victims of GBV, from a psychological perspective and approach, to legal assistance and self-help therapies, and to art-based, occupational therapy and re-construction of the life project. It is planned to be implemented in four geographical areas: Alta Verapaz, Chiquimula, Chimaltenango, and Guatemala City.

- Consultancy: "Strengthening strategy and basic assistance routes of referral networks coordinated by the MP in the departments of Alta Verapaz, Chiquimula, Petén and Quetzaltenango"

Throughout August and September 2017, the consultancy was carried out by the Project to define a strategy for consolidating the networks and services provided in the departments of Alta Verapaz, Chiquimula, Petén and Quetzaltenango; which consisted of a process promoted by the MP so that the services provided to the victims improve in terms of their effectiveness and coverage, strengthening the models of holistic assistance of the victims implemented both from the institutions of the State and from organizations of society civil society, which already implement services towards victims of GBV.

It also established the current status of referral networks in the departments of Alta Verapaz, Chiquimula, Petén, and Quetzaltenango concerning the provision of services; evaluated the coordination and referral mechanisms used by local networks (especially the referral ballot and the needs and risk assessment instruments used); and assessed the communication mechanisms used by the networks to provide real-time care to victims who are referred by justice, health and education institutions, identifying the prioritization they use.

LLR 2.2.b. Improve and expand survivor's services for indigenous women

FY 2017 ANNUAL SUMMARY

The Project coordinated with the OJ's Indigenous Affairs Unit (IAU) to provide technical and logistical assistance to the Quetzaltenango Regional Delegation of the IAU (RDIAU). One of the first actions reported was to plan and schedule the technical assistance that the Project we will give to the RDIAU, which have been defined in a document, dated February 22, 2017. The Access to Justice Policy for Indigenous Women of the OJ is included as a fundamental strategy so that policy and decision makers, as well as justice operators, know and incorporate this policy in their daily work. The creation of the RDIAU in Quetzaltenango responds to an affirmative action case for indigenous victims and will provide highly qualified culturally and linguistically services, fulfilling linguistic and cultural relevance in the administration of justice, not only in Quetzaltenango, but also in Huehuetenango, San Marcos and Totonicapán.

Within the OJ, the Project accompanied the RDIAU and the *Movimiento de Mujeres Tzununijá* in disseminating the Policy on Access to Justice for Indigenous Persons of the OJ. The Project accompanied the inauguration of the new regional delegation of the RDIAU.

In Quetzaltenango, the Project is in contact with indigenous women's organizations to identify and strengthen services provided to victims of violence, primarily sexual violence against indigenous girls and women. To this end, the Project has held working sessions with CODECOT and AMUTED. The latter works in Quetzaltenango with the SBS, and practices Mayan ceremonies to promote the healing of victims from sexual violence.

In March 2017, USAID approved the Project's sub-contract with *Fundación Sobrevivientes*, which main objective is to promote actions to strengthen capacities in strategic litigation and services with cultural relevance, in cases of GBV against indigenous women with special emphasis on cases of sexual violence. It intends to work in close coordination with the *Defensoría de la Mujer Indígena* (DEMI), to strengthen its litigation capacity to represent indigenous women.

On May 1, 2017, *Fundación Sobrevivientes* (FS) delivered the first deliverable under its grant, which included an analysis of the context, a work plan, and the methodologies to be adopted in their work to strengthen the *Defensoria de la Mujer Indigena* (DEMI*)*. This product was approved by the Coordinator of Component Two. Subsequently, FS has made significant progress in completing its second deliverable, a document to facilitate the systematization of strategic litigation of the *Fundación Sobrevivientes* to share with DEMI. On June 14, 2017, FS and DEMI signed an inter-institutional cooperation agreement regarding the FS strengthening work, although this is being revisited in light of management changes within DEMI.

FY 2017 FOURTH QUARTER UPDATE

During the month of August 2017, the FS delivered its second product under the grant, the systematization of the "Experience of the *Fundación Sobrevivientes* in Strategic Litigation regarding Sexual Violence" and a diagnosis of "Conditions of Sexual Violence in Alta Verapaz and Huehuetenango."

Regarding this second product, FS provided:

- Documentary information for the analysis of cases as inputs to strengthen the strategic litigation strategies of indigenous girls and women in Guatemala, including initiatives for improvement, particularly methods and practices of litigation that are observed at the local level;
- Tools in strategic litigation to establish the level of effectiveness and efficiency of the justice system that serves girls, adolescents and indigenous women in the departments of Alta Verapaz and Huehuetenango;
- Level of specific responses of the justice and security system in the assistance of cases of sexual violence of girls, adolescents and indigenous women in the departments of Huehuetenango and Alta Verapaz, determining the increase in cases of sexual violence and early-age pregnancies, as well as the lack of incorporation of culturally and geographically relevant care, and there is also an underreporting of cases;
- Description of advocacy actions for legal reforms and interpretation in favor of the victim by officials and officials of the justice system;
- Information about the FS's own strategy, which is centered on the victims themselves and the importance of their decisions and needs;
- Description of the FS methodology in psychological care and specific care instruments, given that they have had a Protocol of Attention since 2006, which details how to provide care and support with a holistic and comprehensive approach, including psychosocial care, with a gender and human-rights perspective;
- Contributions that the FS has given to the justice system to eradicate hate speech against women, especially indigenous women, since in several sentences they had to attack the stereotypes, prejudices and discrimination based on gender reproduced in the Justice System of Guatemala. In addition, the incidence of the FS to include in the cases of sexual violence the international norm of protection, access and guarantee of the rights of women;

- Another contribution of the FS in the field of scientific evidence has been their use of an innovative and effective security mechanism for SGBV victims. The identity of victims within the judicial process is protected, using codes to identify them in the place of their names, and to safeguard their integrity and maximize their participation in and contributions to their cases; and
- One of the contributions in the innovation of legislation has been the case of Alba Michelle, who motivated the creation of the "Alba-Keneth" alert, which is an immediate search mechanism for girls and boys from the moment of the disappearance.

With Project support, FS now has a document that systematizes changes in the normative, interpretation, jurisprudential and the construction of the concrete cases, turning the FS into a national benchmark for strategic litigation in cases of GBV.

LLR 2.2.c. Support the strengthening of specialized offices for indigenous peoples in the justice and security sector

FY 2017 ANNUAL SUMMARY

Creation and strengthening of the Secretariat of Indigenous Peoples (SPI)

On April 24, 2017, the Project supported the inauguration of the MP's SPI, an important step for the MP in improving relationships and coordination with indigenous persons and indigenous justice systems. In late June 2017, the Project delivered furnishings ([redacted]) and equipment ([redacted].) necessary to the SPI, to replace the equipment and furnishings that, to date, the SPI had borrowed. This will also have a significant impact on securing the dignified treatment of indigenous victims within the MP.

The Project agreed to help disseminate the MP Access to Justice Policy for Indigenous Peoples 2017-2025 (*Acuerdo* 37-2017) through a series of regional training and dissemination events. This policy obligates prosecutors and prosecutorial staff to investigate and prosecute cases involving indigenous victims taking into consideration cultural and linguistic aspects. For example, this implies that the MP must make better use of "cultural experts" to prepare reports and act as experts during hearings and trials. It also obligates the MP to hire interpreters when and if the victims asks for one (the MP currently has 70 interpreters in 13 languages, usually in the departmental MP offices. Most are full-time staff members, which does not permit a lot of flexibility). The SPI took an active role part in the preparation of the terms of reference and profiles for the consultancies and the selection of people for initial interviews from the total of 34 applications that were submitted in response to the publication in the press. Of these 34, three were selected for: (1) preparation of the strategic plan for the implementation of the MP's Access to Justice Policy for Indigenous Peoples; (2) socialization of the Policy on Access to Justice for Indigenous Peoples; and (3) systematization and documentation of processes related to both the strategic plan and the socialization of the policy. These consultancies are in full force and will finish up in the next reporting period after finishing several regional dissemination events.

Regional Delegation of the Indigenous Affairs Unit, Quetzaltenango

In the framework of providing technical assistance to the Regional Delegation of Indigenous Affairs (RDIAU) in Quetzaltenango, the Project supported an initial working session with judges and other staff of the OJ to socialize the OJ's Policy of Access to Justice for Indigenous Women (that prioritizes the taking into consideration of cultural, linguistic, and gender based aspects in judicial cases involving indigenous women, and the importance of coordination with local indigenous authorities in the resolution of the case) the work of the RDIAU. The Project also helped to facilitate training in the Policy and in GBV victim service provision to 170 persons. Of these, 75 were Judicial Branch personnel (judges, secretaries and officers), and 96 were from other institutions of the justice system and from NGOs that that provide assistance to victims.
In a Project-supported workshop from in May 2017, the RDIA of Quetzaltenango explained its functions to officials and authorities of the justice system, as well as to civil society. The workshop also facilitated the sharing of experiences as well as the dissemination of national regulations regarding justice and indigenous peoples. The workshop also provided an opportune forum to analyze the JB Policy of Access to Justice for Indigenous Women and to stress the importance of drafting sentences with cultural relevance and pertinence. A total of 110 people attended this workshop, of which 46 were judicial staff (judges, secretaries and officials) and 62 were from other institutions of the justice system and NGOs that provide assistance to victims.

Indigenous Affairs Unit of the Judicial Branch

In June 2017, the IAU requested Project support to socialize the OJ's Policy of Indigenous Peoples (that is being defined by IAU, financed by the Spanish Cooperation, that is about to be printed). The IAU has requested support to be transformed into a Secretariat, with a higher level in the hierarchy of the OJ.

FY 2017 FOURTH QUARTER UPDATE

Justice of the Peace Court, Izabal

A visit to the JP in Livingston Izabal was carried out to verify the needs for technical assistance, furnishings and equipment requested by the CSJ, during which it was possible to identify that the majority population currently in the place is of K'ekchi 'Maya descent. Faced with this reality, there are many needs that must be addressed by the JP, including cultural and linguistic relevance, as to date, there are no interpreters for K'ekchi', Garífuna and English.
During this visit, the Project also identified that the personnel had not received any training in matters related to indigenous peoples, or the LGBTI population, which is a determining factor when issuing sentences without cultural and gender relevance. These situations were reported to the IAU, who informed that the problem would be solved immediately through interpreters of the OJ.

It is anticipated that by FY 2018, actions will be implemented to strengthen and provide technical assistance to the Livingston JP.

Secretariat of Indigenous Peoples (SPI)

In August 2017, the launching and first workshop on socialization of the MP's Policy of Access to Justice by Indigenous Peoples and the formulation of the strategic plan for the implementation of the policy was carried out in the department of Guatemala, using group dynamic and reflexive techniques that promote proactive participation.

By the end of the implementation of this series of dissemination events, a total of 7 workshops were organized with 25 participants each. It is expected that 175 people will be trained on the Access Policy of the Indigenous Peoples to the Public Ministry, which translates into a significant improvement in the assistance given by the officials and civil servants of the MP. Also, a strategic plan for the implementation of the policy will be defined, which will also serve as an instrument to consider when formulating the Annual Budget of the MP, so that the FG may request budget increases directed at access to justice for indigenous peoples.

Regional Delegation of the IAU of the OJ

With the support of the Project, the IAU, through its RDIAU in Quetzaltenango, carried out two training processes in the departments of Totonicapán and Huehuetenango for the analysis of the policy of access to justice for indigenous women and international instruments that regulate the access of indigenous peoples.

With these socialization processes, the Project contributed to: a) fostering the assistance of justice officials with a gender perspective and cultural relevance to indigenous women in access to justice; b) ensuring that the assistance given to the female indigenous woman is not conditioned on her condition of poverty, ethnic origin and dress; c) promoting that female indigenous women are served in their own languages; and d) encouraging that female indigenous court users are provided with timely and high quality services.

Within the framework of the Forum "Indigenous Peoples and Access to Justice", it was announced that the IAU was going to be converted into a "Secretariat of Indigenous Peoples of the Judiciary." [redacted], in a meeting held with the Project during the month of August 2017, reiterated his appreciation for the support that had been provided to the IAU, and stated that the possible transition to a Secretariat will require the support of the Project, which will be carried out during FY 2018.

LLR 2.3. Coordination between Government and Civil Society Integrated to Better Address GBV

FY 2017 ANNUAL SUMMARY

During FY 2017, the Project carried out a technical review of its expected results and indicators, after which we formulated a strategy to encourage improved coordination between State institutions and civil society regarding GBV. Civil society provides a large percentage of the services provided to GBV victims, particularly after the initial crisis intervention-oriented ones that are, for example, provided in the MAIs of the MP (as described above). Towards this end, the Project focused principally on strengthening civil society organizations through the award of grants and subcontracts to LAMBDA, CICAM and the *Fundación Sobrevivientes*, whose work is framed within the Project objectives, and their relation to the GoG regarding the provision of improved services for GBV victims and better coordination. The Project also, as described above

in ER 2.2(a), worked with the OAV and its NNVS to improve MP coordination with CSO's at both the national and local levels regarding the provision of services.

As previously mentioned, LAMBDA was chosen as a beneficiary of a grant that aims to improve access to justice for the LGBTI population, through a global strategy that guarantees the respect and fulfillment of their rights, as well as encouraging the provision of holistic assistance in the institutions of the justice and security sectors for LGBTI victims of GBV and other forms of violence. For its part, the *Fundación Sobrevivientes*, through a sub-contract with Chemonics, has worked closely together with the Project to promote actions to strengthen capacities of the GoG in strategic litigation and the providing of services with cultural relevance regarding sexual and GBV, originally focusing on DEMI and in the fourth quarter focusing more on possibly directly assisting the SIP of the MP. Finally, CICAM was also chosen as a beneficiary of a grant that aims to strengthen the quality and types of services provided by the NNVS to, among others, victims of GBV, as an element to support the creation and strengthening of the NVPPS in this field.

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The Project's sub-contract with *Fundación Sobrevivientes* was approved by USAID in March 2017. By the fourth quarter, FS delivered its second product, which consisted of the systematization of the "Experience of the *Fundación Sobrevivientes* in Strategic Litigation regarding Sexual Violence" and an assessment of "Conditions of Sexual Violence in Alta Verapaz and Huehuetenango." During the fourth quarter, we explored the option of working with SIP rather than DEMI on this sub-contract for a variety of reasons. CICAM's proposal was selected during the last quarter and since that time, the Project has worked with CICAM in finalizing the terms of the grant. LAMBDA's grant was approved by USAID during the last quarter of FY 2017, and it thereafter began a consultation and assessment process regarding the services provided to the LGBTI community by the institutions of the justice and security sectors.

Result 3: Government of Guatemala's Response to TIP Strengthened

This result includes the following lower-level results:

- LLR 3.1. Improved Policies and Protocols to Respond to TIP Institutionalized
- LLR 3.2. Coordination Between Government and Civil Society Actors to Respond to TIP Improved
- LLR 3.3. Awareness on TIP of Guatemalan Population Raised

LLR 3.1. Improved Policies and Protocols to Respond to TIP Institutionalized

The TIP area contributes directly to implementation of the legal agenda and existing protocols to establish TIP support activities sustainably, thus assuring that service providers fully grasp the important role they play and assume responsibility for the creation of a system that addresses the critical needs of populations in vulnerable conditions.

The Law against Sexual Violence, Exploitation and Human Trafficking approved in 2009, designates SBS and MINEX as responsible entities to further the discussion, formulation, implementation, monitoring and evaluation of the Interinstitutional Coordination Protocol for the Protection and Care for Victims of Human Trafficking and the Interinstitutional Coordination Protocol for Repatriation of Human Trafficking Victims, while taking into account the options and wishes of victims that do not wish to be repatriated.

Both protocols establish the interinstitutional coordination triggered when a public official comes into contact with a victim of human trafficking. This coordination is a four-phase victim approach: 1) detection[2]; 2) immediate assistance[3] 3) first order assistance[4] 4) second order assistance[5]. However, the coordination defined in existing protocols does not indicate a specific approach for TIP cases, and does not determine the institutions with whom the coordination must take place and what other stakeholders are responsible for the detection and for providing immediate assistance to TIP victims.

It is clear that the GOG urgently requires capacity strengthening in the detection of TIP cases. The Youth and Gender Justice Project thus was well poised to engage the MP, OJ as well as the Justice System more generally to support strategies that strengthen their TIP capabilities. The approaches and outcomes are explained in this report.

LLR 3.1.a. Increasing Government Capacity to Detect TIP

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The Project surveyed the groups and actors who serve as first responders in the detection of TIP activity or victims, i.e. Quick Response Teams or *Equipo de Respuesta Inmediata* (ERI) in Spanish.

The ERI lacks a protocol; therefore, it is not institutionalized as a practice within the MP, which renders the criteria unclear for the activation of inter-institutional coordination. SVET leadership is recognized for purposes of facilitating inter-institutional communication prior to initiating rescue operations.

Anti-TIP actors include:

- Public Ministry: Specialized TIP Prosecutor; *Oficina de Atención Permanente* (OAP)
- SVET: Department against human trafficking
- National Civilian Police, Unit against the Specialized Division of Human Trafficking and Criminal Investigation (DEIC): National Civilian Police – *Oficina de Atención a la Víctima (OAV), División de Seguridad al Turista* (DISETUR) and *División de Puertos, Aeropuertos en Puestos Fronterizos* (DIPAFRON)

[2] Process to assess a possible situation of human trafficking, through the application of risk or suspicion indicators.
[3] Includes critical situations that must be taken care of upon first contact with the TIP victim, that will take place before the victim enters any protection program.
[4] Includes the assistance provided to any TIP victim in a sheltered institution, such as providing treatment, or applying all measures that lead to understanding the victim's situation, knowing about the victim's situation and what type of help the victim needs to ease and overcome the consequences produced by TDP.
[5] Process where support is provided to the TIP victims for their recuperation and rights restitution, following first order assistance.

- Solicitor General (PGN)
- Human Rights Ombudsman: Human Trafficking Defender *Directora de Recepción de Personas*
- Public Health Ministry and Social Assistance: Migration Program and the Preventions Unit for the Program of Sexually Transmitted Diseases (STD) and the Human Immunodeficiency Virus (HIV)

Between December 2016 to February 2017, the Project conducted an assessment to better understand the capacities and/or knowledge of entities that provide detection and first response to TIP victims in Guatemala. The assessment focused on two types of institutions:

1. Institutions whose public officials could come in contact with possible TIP victims, in essence part of the first line detectors[6]:

    a. Office of Victim Assistance (OAV) of the National Civilian Police (PNC)
    b. PNC Division of Tourist Security (DEISTUR)
    c. PNC Division of Ports, Airports and Border Posts
    d. MP Permanent Attention Office (OAP) *(Oficina de Atención Permanente)*
    e. PDH Complaint Reception and Assessment, *Unidad de Recepción y Calificación de Denuncias de la Institución del Procurador de los Derechos Humanos -IPDH-*
    f. National Program for Health Assistance to Migrant Populations of the Ministry of Public Health and Social Assistance -MSPAS- *Programa Nacional de Atención en Salud a la Población Migrante del Ministerio de Salud Pública y Asistencia Social*
    g. MSPAS Prevention Unit of the National Program for Prevention and Control of STD, HIV and AIDS of MSPAS
    h. Solicitor General's Office / *Procuraduría General de la Nación* (PGN)

2. Institutions that have specialized units in TIP and belong to the Immediate Response Team -ERI[7]
    a. Secretariat Against Sexual Violence, Exploitation and Trafficking in Persons (SVET)
    b. Human Trafficking Unit in PNC's Specialized Criminal Investigation Division (DEIC)
    c. Prosecutor's office against Human Trafficking
    d. PDH Defender for Human Trafficking Victims

The assessment detected deficiencies in the institutions evaluated as well as in their dependent units, due to a lack of knowledge or the necessary mechanisms to detect, assist and/or refer

[6] Competent authorities (police agents, police officials, public officials and border post delegates, immigration officials, hospital and health post medical personnel, work inspectors, judges and officials) or individuals that could potentially come in contact with possible TIP victims.

[7] ERI was created in 2014, through the Inter-institutional Coordination Protocol for the Protection and Care of TIP Victims, with the objective of providing a prompt, integral and institutional response to victims of TIP. ERI is integrated by public and private institutions, coordinated by SVET, to guarantee the execution of administrative and judicial measures that will satisfy the needs of victims at the moment of their rescue.

possible TIP victims. Most of the public officials that belong to the institutions that were part of the diagnosis do not identify themselves as first line detectors; knowledge regarding TIP is minimal; the constant rotation of personnel makes it difficult to speak of sustainable capacities; and, the institutions lack protocols and/or defined routes in TIP cases.

From March to July 2017, the Project via ECPAT developed a follow-up assessment to identify the institutional capacities of each stakeholder within the ERI in the department of Guatemala. ECPAT held 8 interviews of public officials in charge of the institutions or units that participate within ERI. Three new institutions were added to ERI: Ministry of Foreign Affairs (MINEX), *Asociación La Alianza* y *Asociación El Refugio de la Niñez*.

This follow-on assessment identified persons familiar with the Protocol of Inter-institutional Coordination for the Attention and Assistance to Human Trafficking Victims. Nevertheless, this knowledge is not transferred to public officials at an operational level, resulting in a lack of understanding of the roles and responsibilities corresponding to each institution. The ERI institutions have limited human and material resources which in turn, influences their response capacity. Moreover, there is a need for strengthened management capacity at the SVET, the institution with the legal mandate to lead anti-TIP efforts including training on the relevant inter-institutional coordination protocols.

Possible TIP cases were identified where ERI was not activated because criteria for its activation were unclear. These cases have not been duly documented so precise information of the TIP victims served by ERI is incomplete.

By way of response to the findings of the two assessments conducted, the Project supported development of an ERI Operations Manual. This is a basic activity guide directed to the intuitions that integrate ERI and it is as a compliment to the Protocol of Inter-institutional Coordination for the Attention and Assistance to Human Trafficking Victims.

The manual establishes clear and concise instructions for inter-institutional coordination from the moment of possible TIP victim detection to their referral to the appropriate institutions. The manual serves as a Guide for TIP Victims as well as a TIP victims referral fact sheet, developed created and validated in concert with the CIT institutions that integrate CIT. The manual designates direct responsibility to SVET as the leader and provides follow-up to the actions taken within ERI.

Currently the manual is being validated by public officials in charge of the institutions or units that participate within ERI (convened by SVET), as well as by the YGJP technical group. The next step is to clearly identify institutional responsibilities of each stakeholder within the ERI teams in Quetzaltenango, Chimaltenango, Jutiapa and y Alta Verapaz. Subsequently, training programs will be designed for the first ERI team in Guatemala.

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The Project supported creation of the protocol that defines ERI implementation. Information required for this document was unavailable due to a lack of coordination between SVET and the

End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes (ECPAT). The lack of coordination was resolved and the protocol is expected to be finalized by the end of July 2017. It bears noting that this operational protocol is in effect an update to the ERI protocol which was reviewed for validation during the reporting period by the Project and ECPAT. This validation process by SVET and the CIT remained pending at the close of the reporting period.

LLR 3.1.b. Strengthen the MP's TIP Unit

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The Project signed a grant agreement with ECPAT in early 2017. This grant contributes to national efforts for the fulfillment of the mandates, attributions and functions of the government institutions providing assistance to and protection of victims, to define roles and responsibilities of government institutions combating trafficking in persons, and to assist with investigations to prosecute and punish the crime of trafficking in persons. The grant has 14 key activities related to criminal prosecution and the investigation of human trafficking crimes, strengthening public policy against human trafficking, developing protocols on victims of human trafficking in departmental networks, strengthening the Immediate Reaction Team, developing a proposal modifying the Criminal Code regarding human trafficking, and a proposal for changes to curricula regarding human trafficking in the Judicial Branch, National Civilian Police and Public Ministry training programs.

The Project provided significant support to the Human Trafficking Prosecution Offices. The MP is keen to place a focus on issues such as when children are recruited for criminal groups, training on digital evidence, and the support of mental health workshops for TIP Prosecution Offices personnel. The mental health workshops are especially important for the teams that work with child pornography.

The Project reached an agreement with the Attorney General to support the creation of an Anti-Trafficking Prosecutor in Quetzaltenango, a proposal that was formally approved in the final quarter of FY 2017. This support is in the framework of Project support for two models for the Human Trafficking prosecutor's office. One is a centralized model created for Guatemala City, and the other is more focused on regional coverage located in Quetzaltenango. The MP has requested Project support with providing equipment for both offices, as well as training. The Project also is supporting the launch and strengthening of eight MP Offices in border points to place a sharp focus on prosecution of human trafficking cases.

The Project is evaluating the criminal investigation model within the Human Trafficking Prosecutors office. Note the plan for training of 6,000 MP personnel in this key area.

The Project is strengthening TIP prosecution capacities at the regional level as well. Although Project support for the Xela TIP Prosecution office is not contemplated until September 2017, the Project has already begun meeting the appropriate authorities to develop the proposal for that office in Quetzaltenango. This information will be included as part of the MP's extension of their 2017 annual plan.

In April 2017, the MP requested support for establishment of eight municipal prosecution offices in border areas[8], including Tacaná, San Marcos; Nentón y Cuilco, Huehuetenango; Camotán, Chiquimula; Livingston, Izabal; Sayaxché y Dolores, Petén; y Atescatempa, Jutiapa. Given the critical role of these offices in combating TIP, the Project has prioritized this support to the MP, with equipment and furnishings, and training of prosecution and administrative personnel in TIP victim detection. Together with the launching of the Municipal Prosecutors Office of Atescatempa, Jutiapa in June 2017, the Project supported the training process for that office's new personnel, in coordination with UNICAP, as TIP first-line detectors. In these offices, trainings are ongoing in a variety of subjects, all of which are linked to human trafficking given the ties between human trafficking and migration generated by the large migration movement in the municipalities.

Through the ECPAT grant, the Project undertook an analysis of the existing legal framework on sexual violence, exploitation, and human trafficking. There are various law reform proposals in matters of classification of human trafficking generally, including the Law on Sexual Violence, Exploitation and Human Trafficking more specifically. ECPAT has reviewed these proposals and has undertaken a series of interviews with key stakeholders including judges and CSOs that represent victims as plaintiffs, as well as victim service providers, PDH, and SVET. ECPAT issued a report on its analysis of the legal framework, and a compendium of proposals on Criminal Code reform. The main results include: there should be a modification in the legal definition of human trafficking; the components of the definition must be improved to simplify the application of 'anticipated evidence' and define human trafficking as a crime that integrates elements of organized criminal activity, thus simplifying investigation as well as asset seizure and forfeiture; a humanitarian visa should be developed for human trafficking victims; and, there is a need to improve reparation mechanisms. One recommendation could be to add a new title to the law in its "Special Section" where the legal aspect to be protected would include a victim's moral integrity.

The PDH Report on the Situation of Human Trafficking in Guatemala 2016 notes that the MP recorded a total of 338 TIP complaints during 2016. Most cases were registered in the department of Guatemala where 39.9% (131) of the total were received. As such, a total of 61% (207) of complaints recorded nationally originate from outside of the department of Guatemala.

The same report states that the human trafficking prosecutor was assigned 165 (49%) of the TIP cases at a national level, 116 cases belonged to the department of Guatemala. Only 24% (49) of the TIP cases were registered outside of the department of Guatemala.

In late 2016, the Project presented its proposed activities with the MP to combat TIP cases, and to establish a cooperation route that results in the strengthening MP's approach to TIP cases. One of the areas of activity presented included the need to approve the general instructions that contain the Protocol for the Integral Attention to TIP Victims, and the Assistance, Coordination

[8] One of the recommendations of the CICIG-UNICEF report "*Trata de personas con fines de explotación sexual en Guatemala*," is that of deploying TIP Prosecutors to regions of greater TIP incidence especially in border areas.

and Intervention Mechanisms for the Public Ministry for Victim Attention and Strategic Criminal Prosecution of TIP cases in a manner consistent with the principals of the Palermo Protocol,[9] a recommendation of the CICIG/UNICEF report of 2016 on victims of sexual violence in Guatemala.

Finally, the Project via ECPAT designed and implemented a training program for personnel of both government and non-governmental institutions that make up the Victim Referral Networks, coordinated by the MP's OAV. This training is sensitizing and strengthening these personnel as first line detectors of human trafficking. Given the national coverage of the Victims Referral Network, the Project considered this training strategic for this new generation of first line detectors of possible TIP cases. The training was carried out between April and June 2017, in the departments of Baja Verapaz, Chimaltenango y Chiquimula, with groups of 25 persons, in accordance with USAID training standards. During the training that was made up of 3 modules, its pre-test determined that the victim referral network personnel had minimal knowledge of human trafficking. Following the pre-test the syllabus was revamped in order that it fully meet its objective of deepening fundamental TIP knowledge for network members. Trainees also were provided with copies of the Law against Sexual Violence, Exploitation and Human Trafficking (VET). In all a total 83 people were trained, from 3 departments.

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In September of 2017 the Project began to support development of a TIP curriculum for both prosecution and victimological personnel, which would focus on both general instructions. This training is carried out under the auspices of UNICAP and includes providing each trainee with a set for international treaties, laws, general instructions and assistance protocols, and materials on protection and repatriation of TIP victims, materials already validated by TIP Prosecutor.

As described above, another proposed area of Project support was the establishment of a Regional Prosecution Office against Human Trafficking, as part of the MP's regionalization of specialized prosecutor strategy, and as an effective mechanism to combat TIP in the interior of the country. In mid-2017, the Project learned of the MP's plan, which coincided with the Project proposal, to establish that regional TIP prosecutor office in Quetzaltenango. That office's geographical jurisdiction would include Huehuetenango, Quetzaltenango, Quiché, Retalhuleu, San Marcos y Suchitepéquez, and would also include specialized TIP victim assistance as well. The Attorney General formally approved this proposal on August 1, 2017. The MP has indicated it will budget for this regional TIP prosecutor in 2018, and immediately began the personnel selection and hiring as well as the search for physical space that office would occupy. In an ideal scenario, the TIP prosecutor would be collocated together with the women's prosecutor office in order that both may utilize the existing MAI, the victim support office being strengthened by the Project.

[9] United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (2000).

The Project also supported a review of the curriculum that UNICAP will use in training the new personnel. The project training will begin the in early FY 2018.

Purchasing equipment for the 8 municipal prosecutor offices described above began in June 2017, and delivery had been planned for October 2017. However, due to the current political environment in Guatemala, the Attorney General instructed that opening dates for the remaining seven municipal prosecutor offices be postponed until December 2017. Project training and logistical support in this regard is planned for FY 2018 in line with this request.

One of the MP strengthening activities the Project contemplated for year one is that of evaluating the TIP prosecutor criminal investigation model. The TIP prosecutor was reluctant to accept this support, which at the urging of the Project, was approved by the Attorney General in May 2017. The Project began preparations during the reporting period, and this evaluation will be finalized in FY 2018.

3.1.c Strengthening TIP approach for OJ

FY 2017 ANNUAL SUMMARY

Dignified restitution of TIP victims should be one of the prime objectives of the Justice System. Nevertheless, according to current legislation, TIP victims are not considered as such, until after a judge issues a sentence convicting the trafficker. It is only then that an order of dignified restitution for the victims and restitution hearings are held.

According to PDH 2017 data, 23 of 37 human trafficking cases resulted in convictions. The overall number of convictions is low when compared to the 338 TIP criminal complaints within the justice system in 2017. The disparity between TIP criminal cases and convictions obtained clearly demonstrates the need to strengthen justice system capacity in human trafficking.

The 2017's Department of State Human Trafficking report indicates that in 2016 Guatemala actually reduced efforts in applying the law to process and sanction human traffickers. The document recommends that judges be trained in the various forms of sexual and labor exploitation, especially in the regions, important to foment TIP specialization at a national level.

Prior to May 2016, only the First Instance Criminal Courts and Femicide Courts had jurisdiction to hear human trafficking cases. Upon adoption of the Supreme Court Agreement 05-2016 on became law "Reduction of Material and Functional Competence of the Jurisdictional Bodies over Femicide Crimes and other forms of Violence against women," jurisdiction over human trafficking cases was relegated to Justices of the Peace, First Instance and Trial courts.
The agreement introduces new challenges for the justice system, because it requires training judicial officials in human trafficking in an integral fashion, with a focus on dignified restitution, sensitization on the need to assure the correct application of justice, obtaining more convictions while assuring restitution with dignity for human trafficking victims.

The Project conducted an evaluation on human trafficking training needs, and demonstrated that an effective assessment would have to be focused in the field, and involved criminal court judges

especially in Cobán, Chiquimula, Guatemala, Chimaltenango, Quetzaltenango y Flores. This assessment sought to analyze judicial knowledge on the application of the VET law; understand judicial training needs; and, canvass judges' suggestions on the human trafficking training content and methods.

The Project worked closely with OJ authorities to define the actions and main strategies of an OJ institutional strengthening plan in a way that sets out a specialized approach in TIP and relevant judicial training. The plan would include: 1) virtual training modules that would be adopted by the OJ's Professional Performance and Court Supervision Evaluation Unit; 2) training and sensitizing judicial management personnel to assure a focus on avoiding secondary victimization measures; 3) analysis and diagnosis of implementing systems that will guarantee quality assistance for victims; and, 4) institutional strengthening to guarantee the optimum coordination on human trafficking cases.

As part of this plan, the Project developed a training course: Specialization in Exploitation and Human Trafficking. Its four modules are: 1) legal and social context of human trafficking; 2) rights of victims that experience sexual violence, exploitation and human trafficking; 3) legal procedure and due diligence in situations of exploitation and human trafficking; and, 4) presenting legal arguments. The main objective of the course is to provide criminal court judges the necessary tools to understand and resolve human trafficking cases when presented in their jurisdiction, with special attention to victim protection.

Finally, the Project developed a compendium of laws for in the TIP area for use by the Judicial Branch, which was designed, edited and printed to keep judges up to date on the existing legal framework in matters of TIP. This compendium seeks to reduce re-victimization attributable to improper application of legal procedures by courts and practitioners, and to achieve more judicial outcomes resulting in restitution for TIP victims. This set of documents contains national and international instruments, UN reports and Supreme Courte instructions related to sexual violence, exploitation and human trafficking.

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The Project together with the EEJ designed a TIP training plan for 242 criminal court judges. The training is planned for the final quarter of FY 2017 and into FY 2018. The training consists of 16 in-class hours and 36 virtual classes, and will be carried out in Chiquimula, Cobán, Guatemala, Quetzaltenango, and Petén. 25% of the professionals were trained during the reporting period.

The Project is assessing strengths and weaknesses of the institutions responsible for protection and prosecution in matters of TIP (PNC, MP and OJ). The objective of this assessment is to determine training needs for personnel engaged in combating TIP. The assessment is being carried out in regions of high incidence of TIP, including Escuintla, Cobán, Alta Verapaz and Huehuetenango. In the reporting period, the Project completed the interview phase for the following institutions:

1. MP: UNICAP, Child Protection Prosecutor, Women Prosecutor Offices, Office of Victim Assistance (OAV), Permanent Attention Office (OAP), and Integral Assistance Model, (MAI).
2. PNC: PNC Academy and OAV.
3. OJ: Judicial Studies School, Justices of the Peace Courts and First Instance Criminal Courts.

In the upcoming quarter, the information obtained from the interviews will be systematized and the assessment completed.

3.1.d Strengthening the Justice System on TIP

FY 2017 ANNUAL SUMMARY

The State Department's Annual Report on Human Trafficking released in 2017 describes the need to modify legislation to assure that victims have access to assistance and protection services. To respond to these recommendations, the Project in mid-2017 conducted an analysis of the existing legal framework relating to exploitation and TIP (described earlier in this report). Interviews were held with 21 public officials of various sectors[10] with expertise in the subject matter. The main results of the analysis include: there should be a modification in the legal definition of human trafficking; the components of the definition must be improved to simplify the application of 'anticipated evidence' and define human trafficking as a crime that integrates elements of organized criminal activity, thus simplifying investigation as well as asset seizure and forfeiture; a humanitarian visa should be developed for human trafficking victims; and, there is a need to improve reparation mechanisms. A final recommendation proposed adding a new title to the law in its "Special Section" to provide for protection of a victim's moral integrity.

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The Project analyzed the data collected during the reporting period, which led to the production of the first draft of a proposed law reform. This draft proposal was validated with 24 officials from the MP, OJ, and the Network against Human Trafficking. Validation of the data resulted in a proposal to create a specific law in matters of TIP, the "Strengthening Law for the Protection, Prosecution Sanction and Restitution for Human Trafficking Victims." This proposal provides tools to justice sector actors to handle evidence, provide dignified treatment of victims in the criminal process, and creates a new model for victim assistance. This proposal also includes reforms to the Criminal Code, the Code of Criminal Procedure, and the Property Extinction Law or 'asset forfeiture,' with the objective of strengthening the institutional framework and improve state action in protection, attention and assistance to TIP victims.

The proposal seeks changes to victim assistance with the creation of the "Protection, attention and Assistance Unit for TIP victims" within SVET, as an institutionalized approach to specialized attention to victims, with interdisciplinary teams, and whose main functions are:

[10] CICIG, MP, Civil Society (Fundación Sobrevivientes, Asociación La Alianza, El Refugio de la Niñez), OJ (Judges from Suchitepéquez, El Quiché, Sacatepéquez, Amatitlán, Metropolitanos), PDH (Human Trafficking Defensoría), and SVET.

1. Receive and provide assistance to any TIP victim detected, whether through MP or PNC activities or any other authority; or action of individual persons or social organizations.
2. Coordinate medical assistance with the Ministry of Public Health and Social Assistance
3. Identify institutions for victim protection.
4. Within the legal reform create a "TIP victim Fund" to be administered by the SVET "Protection, Attention and Assistance of TIP Victims Unit."

LLR 3.2. Coordination between Government and Civil Society Actors to Respond to TIP Improved

The VET Law states the creation of a governing body and coordination in TIP, the SVET, linked administratively attached to the Guatemalan Vice-president. SVET's mandate includes:

1. Advise and recommend actions to be taken by the entities and dependencies of the state that fight sexual violence, exploitation and TIP.
2. Promote rules and procedures for state entities relating to TIP.
3. Provide follow up and study the effects of the laws, programs and actions and recommend revisions.
4. Design and implement measures, plans, initiatives, information and strategic sensitizing programs at national and local levels, taking into account gender, cultural diversity and ethics, as well as vulnerability factors in each region.
5. Promote studies to ascertain, measure and evaluate factors that facilitate sexual violence, exploitation and TIP.
6. Promote the creation and functioning of registries to update TIP information.
7. Promote training and specialization processes.
8. Coordinate activities and projects with state entities and dependencies.

LLR 3.2.a. Strengthening of the SVET

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SVET is a key YGJP stakeholder in GOG strengthening capacity in the areas of prevention, assistance, protection, and prosecution. One of the GOG responses to prevention of and the fight against sexual exploitation of children and adolescents in tourism and travel is the creation of the National Roundtable against Sexual Exploitation for children and adolescents in Areas of Travel and Tourism – MENACESNNA[11]. This working group is comprised of SVET who leads it, the Guatemalan Institute of tourism (INGUAT), the Guatemalan Tourism Chamber (CAMTUR), the United Nations Children Fund (UNICEF), ECPAT, the PDH, the Guatemalan Conventions Bureau, the Hotel Professionals Foundation, and the PNC Division of Tourist Security (DISETUR). The Project via ECPAT coordinates with SVET and the institutions that integrate

[11] In 2013, through signing the interinstitutional convention on November 14th of 2013, SVET enabled the creation of the national roundtable for the prevention and protection of children and adolescents against sexual exploitation in the activities related with travel and tourism (MENACESNNA).
http://www.svet.gob.gt/sites/default/files/INFORME%20DE%20LABORES.pdf

MENACESNNA on activities for institutional strengthening and integration of activities and actions. The Project supported an institutional analysis of the MENACESNNA as a step toward eventual development of an Inter-institutional strategic plan, or "PEI" for the period 2017-2026. The institutional diagnosis revealed the achievements and challenges that MENACESNNA faces. MENACESNNA adopted a Code of Conduct even as it confronts a lack of financial resources and has not yet finalized an operative and strategic plan. The Project supported a series of interviews for development of the Inter-institutional Strategic Plan 2017-2026 in June 2017, with representatives of INGUAT, PDH, DISETUR, CAMTUR, *Asociación de Pequeños Hoteles*, SVET, and ECPAT.

The structure of PEI 2017-2026 includes its program framework and MENACESSNA core functions. It also includes achievements and challenges confronted from 2013-2017; national and international legal framework and other instruments; stakeholder analysis; analysis of internal and external environments; causal factors; principles and values; strategic objectives and results framework.

Among the strategic results identified for the next ten years are:

1. In 2026 MENACESNNA has been strengthened institutionally, functioning fully and sustainably.
2. By the end of 2026, the tourism sector will have developed improved capacity to detect and prevent the sexual exploitation of children and adolescents.
3. For 2026, tourist sector authorities, the educational community, mass media, and civil society, in the areas or higher tourism concentration, will be more actively involved in combating sexual exploitation of children and adolescents in tourism activities.
4. For 2026 the amount of complaints and judicial processes against people, companies and other stakeholders that participated in the sexual exploitation of children and adolescents in activities related to tourism increased.

In March of 2017 SVET presented its Report on the Human Trafficking 2016-2017[12], the first time SVET presented such a report, an event attended by the Vice-president of Guatemala and the Supreme Court. The report describes activities, regional coordination and efforts from the CIT institutions focusing on prevention, prosecution and TIP sanctioning. The report includes highlights such as:

1. Implementation of the "Blue Heart[13]" Campaign against Human Trafficking.
2. Partnering with institutions within the private sector: Camas Olimpia, Telefónica Móviles de Guatemala, Muebles Premium and Hotel Hilton Garden Inn[14].
3. Radio and television programs in Spanish, English and Mayan languages which have reached a total of 7,806,918 people.
4. Training of 41,000 public officials including authorities and community leaders of departmental committees.

[12] https://agn.com.gt/index.php/2017/07/27/gobierno-presenta-informe-de-estado-sobre-la-trata-de-personas-en-guatemala/
[13] http://www.svet.gob.gt/noticias/guatemala-se-adhiere-la-campa%C3%B1a-coraz%C3%B3n-azul-de-onudc
[14] http://www.svet.gob.gt/noticias/el-hotel-hilton-garden-inn-pacta-con-el-coraz%C3%B3n

5. Production and promotion of tools in topics such as a social assistance directory, a set of TIP instruments, a guide on TIP victim identification, and a guide for TIP victim referral.
6. Companies following the Code of Conduct against sexual exploitation of NNA.
7. SVET also reported the identification of 484 victims, 256 of whom SVET sheltered in the period of 2016 – 2017.

SVET requested assistance[15] to design a human rights promotion program for TIP survivors. This program, the "Integral intervention Model for the Restitution of Rights to Human Trafficking Survivors" seeks to guarantee second order[16] assistance measures for TIP survivors, and actions geared towards the creation of their life project. One challenge when working with SVET is the time required for approvals due to personnel shortages. As such, Project support to the SVET must be planned well in advance.

Also in FY 2017, the Project supported the SVET in the design of a communications strategy for an informational campaign to prevent sexual exploitation of children and adolescents related to tourism. The Project selected a company, "*Mentes Creativas*" to develop and present a proposal for the campaign, and which is under review and revision by both the Project and SVET.

The Project has joined the Inter-institutional Anti-Trafficking Commission or *la Comisión Interinstitucional contra la Trata de Personas* "CIT," which is coordinated by SVET. The Project welcomes its inclusion as an observer on the CIT where institutions meet at the national level together with other organizations and cooperating agencies. The Project supported development and validation of the CIT strategic and operating plan.

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During the reporting period, the PEI was validated with representatives of SVET, ECPAT and the YGJP. Among the challenges putting the PEI into place is the inconsistencies in SVET internal instructions. SVET presides over the Inter-institutional Commission on Human Trafficking (CIT[17]) which brings together governmental organizations, civil society organizations and international cooperation. Subjects reviewed within the CIT include its Strategic and Operational Plan, and the human trafficking victim situation within *Hogar Seguro Virgen de la Asunción* at the time of the March 2017 tragedy[18].

The Project via ECPAT undertook to analyze anti-human trafficking and victim protection public policy to identify institutions responsible for the development of strategic activities at the policy level. TORs for this activity were forwarded to SVET for approval in June 2017. The approval process suffered delays in part due to the political environment in Guatemala during the

[15] Note No. DS.742-2016 December 22nd, 2016.
[16] Second order attention refers to the restitution of rights to victims, which includes the actions that provide continuity to the previous stage of the attention process (first order attention) and concentrates efforts in the overall recuperation the victim, reintegration into their family or community, and alternatives to institutionalization. Fundamentally in the second order of attention, the victim's vulnerability factors should diminish, strengthening their empowerment to avoid becoming a victim of Human Trafficking again in any of its forms.
[17] CIT was created through Agreement No. 02-2009 as an interinstitutional advisory, management and formulation instance for indications and promotion for consensus for combating human trafficking according to internal law in harmony with international law.
[18] http://www.prensal bre.com/guatemala/justicia/hogar-seguro-virgen-de-la-asuncion-acusan-a-exdirectivos-de-la-sbs

reporting period which disrupted a number of such activities. It is now on track to begin in FY 2018.

LLR 3.2.b. Create an Effective TIP National Referral Mechanism

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One of the challenges in the fight against TIP is ensuring that public officials in the justice sector possess the capacity to engage, coordinate and effectively refer TIP cases in a comprehensive fashion. The Project via ECPAT is assessing the strengths and weakness of institutions charged with protection and prosecution of TIP cases, (PNC, MP and OJ), which will permit definition of institutional training needs to assure an integral TIP approach.

Development of the national referral mechanism necessitated a review of both the Protocol for General Work Inspection (IGT) for the detection and reference of cases in TIP within the Labor Ministry, and the Inter-institutional Activity Protocol for immediate response facing cases of sexual exploitation against NNA in travel and tourism. Review of the IGT protocol revealed that it contains the necessary content so that an inspector can properly identify, refer and file complaints. It is a standard inspection protocol which defines forced labor, labor exploitation and child labor.

Also necessary in the development of an effective national referral TIP mechanism, it is an understanding of the institutional challenges presented in providing care for TIP victims. An important first step is to evaluate the strengths and weaknesses of the institutions responsible for protection especially where a greater number of TIP cases emerge: Guatemala, Escuintla, Alta Verapaz, Chiquimula, Quetzaltenango, Huehuetenango, San Marcos, Chimaltenango, Izabal, Jutiapa, and Petén. To further this evaluative process, the Project during the reporting period began a mapping of institutions that provided assistance to victims, determine the types of assistance provided and determine those capable of applying the Inter-institutional Coordination Protocol for the protection and attention to TIP victims.

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The assessment noted above on strengths and weaknesses of institutions charged with protection and prosecution of TIP cases was launched during the reporting period, via canvassing of processes and institutions in regions with relatively higher levels of TIP activity (Escuintla; Cobán, Alta Verapaz; y Huehuetenango). This institutional mapping of institutions providing assistance to victims was done so to determine the types of assistance provided and determine those capable of applying the Inter-institutional Coordination Protocol for the protection and attention to TIP victims. The assessment has now interviewed personnel from:

1. MP: UNICAP, Child Protection Prosecutors, Women Prosecution Offices, OAV, OAP, and MAI.
2. PNC: PNC Academy, and PNC OAV.
3. OJ: EEJ, Justice of the Peace Courts, and Criminal First Instance Courts.

The information obtained from the interviews will be systematized early in FY 2018.

Following this analysis in August of 2017, exchanges with the Labor Ministry's its IGT noted that it would be useful to complement the protocol strategies that strengthen inter-institutional coordination, particularly in referral of cases and victim assistance. The IGT also expressed concern about security of the inspector at the moment of protocol implementation. In FY 2018 the Project will assemble a group of 25 labor inspectors study the security and related issues, and to devise a set of measures in this regard. SVET will lead this process given its national leadership role in combating TIP. Similarly, the Project is assessing the need for modifications to the Inter-institutional Activity Protocol for immediate response in cases of NNA sexual exploitation in tourism and travel. This process includes individual interviews of members of MENACESNNA, where it was determined that a basic guide for immediate response in cases of NNA sexual exploitation in tourism and travel would be of greater utility than a protocol. The Project proposed a guide that includes a section on minimal conditions for detection and warnings; it also provides alert and detection mechanisms and identifies the institutions responsible as well as appropriate protection activities following victim rescue.

LLR 3.2.c. CSO strengthening

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In January 2017, the Project signed an agreement with ECPAT[19] to strengthen national capacity for an integral TIP approach. A complementary project was launched shortly thereafter via a Request for Applications (RFA), "Strengthening capacities of the Public Ministry in the Departments of Quetzaltenango, Chiquimula, Alta Verapaz, Petén y Escuintla." This grant had multiple objectives:

1. Design and reproduction of the general instruction and the Protocol for Attention to Human Trafficking Victims.
2. Design of training modules to implement the MP General Instruction and Protocol for Attention to Human Trafficking Victims, for victimological personnel and prosecutor training.
3. Design of the Implementation and Monitoring Module of the general instruction and of the attention protocol with legal and methodological support.
4. Action Plan that defines an implementation route for the recommendations to MP contained in the CICIG-UNICEF Report on Human Trafficking.

The Project was unable to award a grant in this area, as no applications were received. Consequently, the Project implemented these activities directly.

The Project together with its ECPAT partner participated in the Latin-American Observatory on Human Trafficking, in Lima, Peru in June of 2017. The Project participated on a panel entitled "In Guatemala, Human Trafficking Victims are violating the right to live" in which best

[19] Agreement No. PJJG-6-G-001

practices developed with the Referral Networks of the Public Ministries in the departments of Chiquimula, Salama and Chimaltenango were shared with the audience.

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The Project via its ECPAT partner as follow-up to the V Latin-American Observatory on Human Trafficking undertook a presentation of the analysis of advances and challenges faced combating human trafficking in the Americas, to the departmental networks in Salama, Baja Verapaz and Chimaltenango. ECPAT undertook this series of exchanges with as a positive one which would serve to benefit and strengthen the local networks as they become aware of the various means of combating trafficking in effect in the Latin American region.

LLR 3.3. Awareness on TIP of Guatemalan Population Raised

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The Project developed a proposal for a public awareness campaign strategy to foment sensitivity and promote prevention of NNA sexual exploitation in tourism-related activities. Participating organizations include SVET and the company *Mentes Creativas*. This campaign includes television and radio spots to be launched at the national level. The strategy supports Guatemalan Government protection systems and focuses on public officials as agents to protect NNA against sexual exploitation in tourism-related activities. The campaign also seeks to inform the public on the steps required to file a complaint.

This activity is being implemented via the SVET, and thus is cross-referenced with activity 3.2.a, relative to SVET strengthening. The Project selected a group "*Mentes Creativas*" to develop and present a proposal for the campaign

A grant process is underway with *Universidad del Valle de Guatemala* to develop a study of nine municipalities considered as human trafficking zones in its various forms. The municipalities have never been subjected to an evaluation, and thus the Project will have a reliable mapping of organizations who could act as first line detectors.

SVET is the governing body responsible for the design and implementation of activities that provide information and sensitize in matters of exploitation and TIP. In January 2017 SVET requested Project support for development of an activity "Campaign of information, sensitizing and prevention of sexual exploitation of girls, boys, and adolescents in activities related to travel and tourism (sexual tourism)". SVET expressed a need for such a campaign to focus on national and foreign tourists in order that they be fully cognizant of the sexual tourism phenomenon, and its classification as a crime within Guatemalan and international law. Also deemed of importance was the need to promote a culture of filing complaints rather than remaining silent when such activity is detected, and thereby diminishing the amount of crimes committed against NNA in activities related with tourism and travel.

In April 2017, the company selected pursuant to a competitive process presented a creative proposal, "Guatemala, responsible tourism zone" and a supporting phrase "to admire the beauty

is natural, abuse of it, no". The main message was later modified to "In Guatemala we protect against Sexual Exploitation in Tourism… enjoy your trip."

A national -level communication campaign was created to include mass media such as radio and television. The campaign includes creative designs such as 'muppies," advertising billboards, SVET web page, radio spots, and designs for social networks. SVET will finance the campaign publicity and seek contacts within the hotel and business sectors through their corporate social responsibility units to include in the campaign. SVET plans to launch the campaign in November 2017. At the same time Guatemala will via INGUAT (MENACESNNA member) join the Regional Action Group of the Americas (GARA) for the prevention of sexual exploitation for girls, boys and adolescents in tourism and travel.

In the same line of TIP prevention, the Project with its ECPAT partner, proposes to engage the airline VOLARIS to prevent TIP and sexual exploitation in travel and tourism as well as provide direct information to passengers of that airline. In 2016 VOLARIS expanded operations to Guatemala, Costa Rica and to cities in the United States of America. In March 2017, the Project via ECPAT presented a proposal for a Letter of Understanding to sign a similar agreement to the one already underway in Mexico and promote "*The Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism*" - *The Code*-[20] in Guatemala. The proposal is that an agreement between VOLARIS and ECPAT Guatemala would be executed in the framework of the initial relationship that VOLARIS already has with The Code and ECPAT Mexico. Of note is that actions that derive from the Agreement are an instrument of protection to promote spaces for those NNA in response to the commercial exploitation tied to the tourism and travel industry. For such motives, the agreement to be signed in the framework of the YGJP between ECPAT Guatemala and VOLARIS will be an extension of the commitment that the airline had already acquired through ECPAT Mexico. In June 2017 ECPAT Mexico reviewed the agreement signed by VOLARIS with the objective to make an addendum to extend the implementation commitment in Guatemala.

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During the reporting period ECPAT Mexico provided a draft of the addendum signed by VOLARIS to The Code program manager, to begin to implement it in Guatemala. The addendum must be approved by The Code before it is signed. The addendum is expected to be signed in November or December 2017.

Also during the reporting period, the Project received the final proposal for the TIP public awareness campaign, following which the Project held meetings with USAID to review content and form, and adherence to branding standards. The Project held similar meetings with SVET

[20] The conduct code is an initiative of a multilateral nature of the stakeholders' interest in the hotel industry with the objective to sensitize and to provide the necessary tools to combat and prevent sexual exploitation and tourism of girls, boys and adolescents. TheCode.org. 20.09.2017. http://www.thecode.org/about/

counterparts to review and adjust content and products as required, since the campaign will be launched under SVET auspices.

V. MONITORING AND EVALUATION

Table 5 presents the performance and achievements related to the 15 performance indicators of the project. As seen in that table, three indicators have exceeded the goals set in the approved M&E plan (1, 2, 5 standard indicators). The standard indicator 14 also met the established annual target.

Five of the remaining eleven indicators are measured in terms of percentage changes established baseline results (6, 7, 9, 10 outcome indicators). Establishing the baseline results for these indicators has proven to be a challenging process with considerable need for follow-up with SICOMP, the only realistic source of data necessary to measure changes in these areas. Comparative measurements of percentage changes for each indictor may be calculated in January 2018 with the end of year data the MP provides in December 2017. The standard indicator 15, reflects the level of TIP knowledge displayed by the target population (measures "TIP awareness"), calculated based on and following a mass media campaign. It was necessary to measure the baseline in year 1, to be able to compare results through the life of the Project, up to year 5. This indicator was measured at the level of the population rather than at an individual level. Indicator 15 provides that 0.65% of the population has awareness of TIP, or 14 of a total of 1900 persons among the target population.

The remaining five indicators (4, 11, 12 standard indicators and 3, 13 outcome indicators) fell short of their targets. With respect to the outcome indicator 8, the Project plans to support an agenda that includes rehabilitation, reintegration and resocialization activities for ACL via a grant with CAIFGUA, expected to commence in the first quarter of FY 2018. (Additional details may be found in Annex 2 Annual M&E report[21], which is included as part of this annual report).

Table 5. Results FY2017; Annual and targets; projections against LOP targets

Project Goal	Performance Indicator	Baseline result	Target Year 1 2017	Achieved Year 1 2017	Status
Capacity of Guatemalan government strengthened to provide services to respond to the needs of juvenile offenders and victims as well as those of gender-based violence and trafficking in persons	1. Number of judges and judicial personnel trained with USG assistance* (F code 2.1.2-7)	n/a*	620	730	Exceeded
	2. Number of CSOs receiving USG assistance engaged in advocacy interventions* (F code 2.4.1-9)	n/a*	10	55	Exceeded
	3. Number of youth,	n/a*	10,000	5490	In process

[21] Note that the Annual M&E Report (Annex 2), presented on October 15, 2017 included several errors in the summary tables 5 and 17. The M&E report included as part of this annual report reflects an updated and more accurate presentation of the 4 summary tables (5, 11, 17 and 21) which should be considered as the finalized comprehensive tables of the M&E annual report for FY2017.

		adolescents, ACL, who have received services from project-supported entities			
	4.	Number of training days provided to executive branch personnel with USG assistance* (F code 2.2.2-6)	n/a*	15	6	In process
Result 1		**Performance Indicator**	**Baseline result**	**Target**	**Achieved**	**Status**
Government capacity to provide juvenile justice services improved	5.	Number of USG-assisted courts with improved case management systems* (F code 2.1.3-13)	n/a*	8	9	Exceeded
	6.	Percentage change in ACL conviction sentences that use alternatives to incarceration supported by the Project	99%	+3%	n/m [22]	In process
	7.	Percentage change in ACL cases diverted or resolved before trial supported by the Project	20%	+3%	n/m [23]	In process
	8.	Number of juvenile offenders who participate in rehabilitation and reinsertion programs supported by USAID	n/a*	50	0	In process[24]
Result 2		**Performance Indicator**	**Baseline result**	**Target**	**Achieved**	**Status**
Government of Guatemala services for GBV victims improved	9.	Percentage change of GBV cases filed in the PM in which an accusatory instrument is filed	1.3%	+3%	n/m [25]	In process
	10.	Percent change of GBV cases with a final verdict.	8.5%	+3%	n/m [26]	In process
	11.	Number of people reached by a USG-funded intervention providing GBV services (e.g., health, legal, psycho-social	n/a*	20,000	19,326	In process

[22] This has not yet been measured, as the data to calculate the percentage change (Δ) will be available from SICOMP in December 2017.
[23] This has not yet been measured, as the data to calculate the percentage change (Δ) will be available from SICOMP in December 2017.
[24] This indicator will be measured within the framework of a grant agreement expected to be signed in November 2017 with CAIFGUA.
[25] This has not yet been measured, as the data to calculate the percentage change (Δ) will be available from SICOMP in December 2017.
[26] This has not yet been measured, as the data to calculate the percentage change (Δ) will be available from SICOMP in December 2017.

	counseling, shelters, hotlines, other) * (F code GNDR-6)				
Result 3	**Performance Indicator**	**Baseline result**	**Target**	**Achieved**	**Status**
Government of Guatemala's response to TIP strengthened	12. The number of victims of TIP receiving services provided with USG assistance* (F code 1.5.3-18)	n/a*	130	29	In process
	13. Number of potential first responders trained in TIP identification techniques	n/a*	110	100	In process
	14. The number of anti-TIP policies, laws or international agreements strengthened and/or created with USG assistance. * (F code 1.5.3-19)	n/a*	3	3	Completed
	15. Percent change of target population that shows an awareness of TIP* (F code 1.5.3-13)	BL = 14 of 1900	n/a[27]	n/a[28]	In process

[27] This indicator was established without a target for year 1 of Project implementation in the approved M&E plan.
[28] This baseline data will be compared in years 3 and 5. The measuring of the indicator will apply the same methodology and sample size as those of the baseline to ensure consistency of results.

VI. COMMUNICATIONS

The Project communications component endeavored to fulfill ongoing needs and requirements in terms of day-to-day reporting and event calendar management.

The Project had during FY 2017 sought to expand the communications component, to include a manager and an assistant. The communications area witnessed significant changes over the course of the year. Upon the resignation of our first communications manager, we filled the void she left behind with a communications assistant. Some six months later she resigned as well. The Project also had identified a qualified manager for this area to take the lead, a person with solid experience in USAID-supported rule-of-law projects. Prior to extending a contract to this expert, she withdrew her name from consideration. Given the ongoing needs, the Project began to rethink the communications component and to reconsider how best to meet the needs in this important area. As an initial matter, we decided to request that the recently hired Executive Assistant assume the weekly routine communications tasks, which she has been doing admirably. At the same time, the Project is recruiting a new communications assistant, and will hold off on recruiting a manager for the time being, opting instead to cover the work plan tasks in this area on a case-by-case basis with a consultant or a communications firm should we require assistance in this regard.

For FY 2018, the Project is proposing a series of information activities and products, including public awareness campaigns, advocacy meetings and targeted outreach initiatives. This approach is grounded in the belief that improving the Guatemalan government's capacity to provide protection and related services to its most vulnerable populations, whichever and wherever they may be, will be greatly facilitated where there is an accompanying attitudinal shift, and an increase in knowledge of the rights of Guatemala's most vulnerable fellow citizens. Such a process would be a long-term one, a sustained and broad-based effort well beyond the scope of this Project and its FY 2018 work plan. Yet the process must begin, and the technical activities noted below, defined and approved for implementation in FY 2018 as elements of the larger strategy and integrated into the Project result areas, constitute an important first step in this regard.

Table 6

Result 1:	**Government capacity to provide juvenile justice services improved**
1	Provide technical assistance for preparation and implementation of the first phase of SBS Communication Strategy.
2	Develop, design and reproduce Child and Adolescent Protection System Law informational material.
3	Design and disseminate a public social media campaign on socio-educational approach to non-detention.
Result 2:	**Government of Guatemala services for GBV victims improved**
1	Design and implement information campaign (printed publications and radio spots) on institutions that provide care for women, victims of violence.
2	Provide technical assistance for design and implementation of an informational campaign on the operation and services provided by the MP Integral Assistance Model (MAI-Modelo de Atención Integral)
Result 3:	**Government of Guatemala's response to TIP strengthened**
1	Support anti-TIP communications strategy design and implement its first or pilot phase
2	Provide technical follow-up to the SVET's anti-Sexual Tourism Campaign
Result 4:	**Cross-cutting Activities**
1	Develop concept of regional network communications specialists.

2	Develop and implement communications regional offices plans.
3	Develop and implement forums to update journalists on current topics relating to the Youth and Gender Justice Project.
4	Monitor communications in print media or radio concerning the Youth and Gender Justice Project.
5	Conceptualize three real-life stories videos, one each per component of the Youth and Gender Justice Project.
6	Production and airing of radio interviews to address the main subjects of the Youth and Gender Justice Project

During FY 2017 the Project communications component supported a number of public events such as those included in the illustrative list that follows. It is important to note that the communications component also supported a great number of other Project activities, including trainings via counterpart institutions, technical workshops, institutional roundtables, and others.

Those listed below represent some which are of a larger and more public and higher impact nature:

- In October 2016, the Youth and Gender Justice Project visited the *Virgen de La Asunción* shelter together with the Social Welfare Secretariat (SBS) to observe the facilities and the environment in which more than 800 interns live among children, adolescents and young victims of sexual violence, trafficking, abuse or neglect, and people with special abilities, who require protection and shelter in a state institution.
- In November 2016, the Project conducted a field visit to the *Centro Juvenil de Privación de Libertad para Varones (Cejupliv),* a juvenile detention center in San Jose Pinula, to identify the needs for technical assistance and support of the *Secretaría de Bienestar Social* (SBS), which is responsible for caring of 223 adolescents and youth in conflict with the law, between 13 and 26 years of age.
- In November 2016, to observe the living conditions of 491 adolescents and young people detained at the *Centro Juvenil de Detención Provisional* (Cejudep), the Project conducted a field visit in which authorities and members of the technical team discussed possibilities to support the institution to integrate and coordinate a National Protection System for Vulnerable Populations.
- Also in November 2016, the 9th National Meeting of Referral Services Networks convened by the Public Ministry (PM) was carried out with USAID support through the Youth and Gender Justice Project, jointly with Save the Children.
- In February 2017, the Youth and Gender Justice Project supported the first inter-institutional meeting held to socialize, analyze and validate progress in the implementation of the Missing Women Search Law (Decree 9-2016).
- The Public Ministry Women/Gender Secretariat was launched on March 7, 2017 to commemorate International Women´s Day. This event was sponsored with Project support.
- The Project has supported the joint venture between the Guatemalan Congress and the PDH known as the *Gran Diálogo* Nacional for Children and Adolescents, including the launch of the activity in Guatemala, and regional events in the departments of Quetzaltenango, Santa Rosa, Escuintla, El Progreso, Zacapa, and El Petén.
- In May of 2017, the Project supported establishment and the inauguration of the “First Instance Criminal Court of Femicide and other forms of Violence Against Women and Sexual Violence” of the department of Chimaltenango took place on May 9, 2017. launch.

- In May 2017, the Public Ministry inaugurated its Indigenous Peoples Secretariat with Project support.
- The Project supported the establishment and opening of the Prosecutor's Office in the Regional Hospital in Cuilapa, Santa Rosa, July 21, 2017.
- In that same month, the Project supported a public event with the SVET, Presentation of the National Report on Human Trafficking.
- Also in July 2017, the Project supported the Public Ministry with public presentation of the Instructions and Protocol for an Integral Assistance to Human Trafficking Victims.
- The Project also in July 2017 supported the inauguration of the Women's Prosecutor's Office with the Public Ministry in Salamá, Baja Verapaz.
- One final activity in July 2017 is the Project support for inauguration of the Prosecutor's Office in the National Hospital of Cobán, in Alta Verapaz.
- In August 2017, the Project supported the inauguration of the Training Process Against Human Trafficking for Judges, and an accompanying forum "Justice System Challenges against Slavery of the Twenty-First Century.

VII. OPERATIONS AND MANAGEMENT

This section summarizes significant operations and administration activities carried out under YGJP between during FY 2017, from October 2016 to September 2017.

A. Operations

Startup of project activities. The project's first year of execution focused in large part, especially during the initial six-months, on starting up of activities. In this period, the project opened five offices (in Guatemala City, Quetzaltenango, El Petén, Alta Verapaz, and Chiquimula), staffed up, and setting up administrative systems, in support of implementation of technical activities. By the end of the fiscal year the project had moved past the initial phase, and is well into implementation.

Office expansion. As indicated in the budget for the FY2017 work plan, the project saw the need to expand the office space in Guatemala City to accommodate added staff. As a result, in May the project modified the lease to include an additional office area and parking to accommodate new project staff. The project obtained USAID approval for an environmental management and mitigation plan (EMMP) for make ready of the new office; make ready expected to be completed in November 2017.

Human resources. Between October 2016 and September 2017, the project successfully hired 52 long-term staff, 21 of whom were hired in the July to September 2017 quarter. Three staff left the project during the quarter vacating the positions of logistics and procurement coordinator, gender-based violence assistant, and administration and finance assistant in Cobán. The former position was filled during the quarter, and the latter two have since been eliminated from the project. In May, USAID approved the FY2017 work plan, which included a revised budget and organizational chart adding 23 new positions (nine long-term local professional and 14 local support). By the end of the fiscal year only two positions (communications assistant and grants assistant) were vacant, the project is conducting an active recruit and expects to fill these in the coming quarter. Please refer to updated Organizational Chart in Annex 5.

Safety and security. Throughout the year, the project security coordinator has prepared emergency protocols, including the Security Plan/Emergency Action, and shared these with USAID, Chemonics home office, and the project team. In February, a home-office security specialist visited each of the project offices, and produced a security risk assessment recommending measures for the project to take to ensure the safety and security of project staff. In mid-2017, the project team completed a two-day Red Cross first aid training, and during the last quarter participated in a two-day hostile environment awareness training. Also, three project drivers participated in a two-day driver safety training; a second training will be scheduled for new drivers that came on board this quarter.

Home office support. Throughout the year, the project received visits from the project management unit (PMU) director, manager and associates who conducted supervisory visits,

provided start up supports, and conducting administrative reviews and training, respectively. In September 2016 and again in July 2017, a finance and compliance manager and a procurement manager from Chemonics headquarters visited the project. The former conducted a review of Project administrative and financial files and procedures, and made improvement recommendations, and the latter trained local administrative staff on USAID regulations and Chemonics policies and procedures for conducting procurements. The project team is currently implementing the recommendations received as a result of these visits.

In September 2016 and in May 2017, a grants director visited the project, providing grants management training to the project team, reviewing grants files, and participating in during technical evaluation committee review sessions to evaluate concept papers received through the Annual Program Statement (APS) and other requests for applications.

In June, a HO TIP Specialist visited the team to provide general technical orientation and contribute to the strategic vision for Project's TIP component, share insights based on her prior experience constructing TIP detection and referral mechanisms, train the team in best practices for managing statistical data for TIP, and attend meetings with stakeholders.

B. Consultants

The project contracted multiple short-term third country national and local consultants to carry out a variety of activities in line with the approved project work plan, including:

- Evaluation of justice system actors regarding protections for child and adolescents
- National evaluation of actors in the juvenile justice system for adolescents in the conflict with criminal law
- Technical assistance to the SBS
- Technical and administrative assistance to the Coordination of the National Dialogue on Children and Adolescents throughout Guatemala
- Development of environmental, administrative and legal measures for the refurbishment of the MAI of the Public Prosecutor's Office, Gerona headquarters, and for the facilities of SBS's centers for protection and for the deprivation of freedom for adolescents in conflict with criminal law
- Needs assessment for infrastructure improvement and blueprint development to refurbish the facilities of the SBS's centers for protection and for the deprivation of freedom for adolescents in conflict with criminal law
- Strengthening and expansion of the Public Ministry's Prosecutor's Office for Children and Adolescents
- Strengthening of the Public Ministry's Prosecutor's Office for Adolescents in Conflict with Criminal Law
- Technical assistance in the development of training, strengthening and specialization processes, to strengthen the justice system in protection and adolescents in conflict with the criminal law

- Technical assistance to strengthen justice system institutions, and development of training processes for GOG officials on protection, juvenile justice, gender-based violence and TIP
- Technical assistance to the TIP component for on the development of training, strengthening and specialization processes for justice sector officials

C. Subcontracts

US Subcontractors

Transnational Development Associates (TDA). The period of performance for this subcontract is June 1, 2016 through January 31, 2021. TDA provided regular technical visits to Guatemala by senior expert consultants throughout the period, in support of the gender component in implementing key activities. The project team is currently working to obligate additional funds to the TDA subcontract for activities under CARSI and TIP over the coming year.

Center for Court Innovation (CCI). The period of performance for this subcontract is from December 15, 2016 through December 31, 2020. The CCI team has provided technical inputs based on their area of expertise to the project team via a joint work plan with the RGJP team, which will be implemented by the in-country coordinator who began work in September. as a fully integrated member of the YGJP staff, and is expected to travel to New York in October for a week-long orientation with the CCI team.

Local Subcontractors

TBD, MAI refurbishment. The Project team prepared the terms for the request for proposals for the architectural/engineering firm to be subcontracted to implement the refurbishment of the MAI, and expects to launch it in October. The project will publish an ad in the national newspaper Prensa Libre including a link to a page where they may obtain the detailed terms and have equal access to responses to questions. The process will have a 30-day turnaround time, with the aim of signing a subcontract to begin work in December.

Fundación Sobrevivientes (FS). Since then, FS has delivered quality products, including a report submitted in August on the state of gender-based violence in some of Guatemala's departments and the subcontractor's recommended response via strategic litigation. The total value of this fixed price subcontract is [redacted]) to be executed between April 2017 and March 2018.

Empresa JMatute. During the quarter, this subcontractor successfully carried out the baseline for the project on public TIP awareness in Guatemala, submitting the final deliverable in September. The total estimated value of the fixed price subcontract is [redacted]) to be executed between July and September 2017.

Contadores Públicos y Auditores (CPA) Consultores Empresariales. In August, Chemonics signed a subcontract with this local firm that will register accounting operations and prepare monthly financial statements to ensure compliance with the Guatemalan Super intendancy of Tax

Administration, the Ministry of Labor and the Guatemalan Social Security Institute. The Subcontractor will provide the service for the three USAID projects currently being implemented by Chemonics in Guatemala (Famine Early Warning System Network, FEWS NET; Procurement and Supply Management, PSM; and YGJP) which will split the cost of the service evenly. The first payment was made under the subcontract in September. The total estimated value of the fixed price subcontract is [redacted] - [redacted] corresponding to YGJP - to be executed between August 24, 2017 and September 15, 2018.

D. Grants Management

Capacity building to grantees. Throughout the year, the grants team has worked intensely with partners to build their capacity in administrative, accounting, procurement and financial procedures so that they are in a position to receive and successfully administer an award. The grants team also worked closely with technical and monitoring and evaluation staff, and projects partners to verify indicators, ensuring goals, objectives and all requirements are met.

Annual Program Statement (APS). In January 2017, the project issued an APS for [redacted] requesting proposals from local organizations interested in implementing funding for activities which will directly contribute to the achievement of project objectives. Throughout the year, the grants team carried out trainings for organizations in Guatemala City, Quetzaltenango, El Petén, Alta Verapaz, and Chiquimula on how to present a proposal through the APS. The project received expressions of interest from over 250 organizations in Guatemala, 32 of which presented proposals. Although the technical committee initially selected 11 organizations with which to issue grants agreements, taking into account the project budget for the year in the team decided to work only with five organizations identified through the APS during this period. Among these are IPS and CAIFGUA, both of which were identified as a result of the APS.

Also among the selected potential grantees identified through the APS is *Vivamos Juntos por la Niñez,* a non-profit organization with more than 15 years of working with children. The focus of the grant with *Vivamos Juntos por la Niñez* is on offering an alternative care model for children whose rights have been violated in coordination with SBS in Guatemala City and Quetzaltenango. The project team is preparing the subgrant package for the agreement, and expects to submit it to USAID for approval before the end of the year. The planned budget for the grant is for [redacted]), to be executed over a 12-month period.

By August, the funds assigned under the APS had been fully committed and the APS was closed.

Asociación para la Eliminación de la Pornografía, Turismo y Tráfico Sexual de Niños, Niñas y Adolescentes (ECPAT). The period of performance for this fixed grant agreement is from January 17, 2017 to March 19, 2018, though the project expects to continue to work with the organization beyond that period through an extension or by issuing a new grant agreement. Under the grants, ECPAT works with the GOG to implement laws and strengthen existing protocols, such as those related to assistance to victims of trafficking, and to design a referral mechanism on trafficking to ensure that service providers understand their role and are held accountable. ECPAT has met two of four milestones. The third milestone is under review by project staff, and expected to be approved in October. The project technical and grants teams

continue to work with the organization to strengthen its technical, financial, M&E and administrative capabilities. The total value of this grant is [redacted]).

Asociación LAMBDA. The project signed a fixed grant agreement with LAMBDA during the quarter, with a period of performance from August 1, 2017 to September 29, 2018. Under this agreement, LAMBDA works with the GOG to strengthen access to justice and security for the LGBTI community through design and implementation of a comprehensive strategy that promotes services related to civil rights, security and justice, with a focus on Quetzaltenango, Chiquimula, Alta Verapaz and El Petén. The organization complied with delivery of the first of five milestones in August, and is expected to present the next one in October. The total value of this grant is [redacted]).

Instituto de Protección Social (IPS). The project signed a Standard Grant Agreement with IPS during the quarter, with a period of performance from September 27, 2017 to November 29, 2019. Through implementation of this 24-month activity, IPS aims to replicate and establish a model based on UNICEF's guidelines for a Municipal Protection System, with the purpose of guaranteeing children´s and adolescents' rights at the local and departmental level, in Huehuetenango and El Petén. The total value of this grant is [redacted]).

Centro de Atención Integral para el Fortalecimiento de las Familias Guatemaltecas (CAIFGUA). The aim of this grant is to establish a service to give ACL the opportunity to access alternatives to detention. The project team has finalized the subgrant package for this agreement and will submit these to USAID for approval in October. The planned budget for this grant is for [redacted]) to be executed over a six-month period, with the potential to extend for up to two years.

Centro de Investigación y Capacitación de la Mujer (CICAM). The project issued a request for applications in June inviting three organizations to participate, known for their expertise in expanding access and services for vulnerable groups: *Unión Nacional de Mujeres Guatemaltecas* (UNAMG), *Centro de Estudios sobre Conflictividad, Poder y Violencia* (CENDES), and CICAM. In September, a technical committee evaluated the two applications received, with CICAM obtaining the highest score. The project team is preparing the subgrant package for the agreement with CICAM, and expects to submit it to USAID for approval in November. The planned budget for the grant is for [redacted]), to be executed over a 12-month period.

Limited scope grant agreements (LSGAs). Following the receipt of the obligation of funds for FY2018, the grants and technical teams, with support from the project DCOPs, restructured the grants budget to include funding for in-kind grants in response to requests from counterpart GOG institutions for the purchase and transfer of equipment and furniture, using the LSGA mechanism. The project expects to issue LSGAs with the Public Ministry (MP), the Judicial Organism (OJ) will begin coordination with GOG institutions regarding the grants process, The budget covers equipment and furniture for the MP, OJ, IDPP, PGN, and SBS. The sum total of the planned budget for LSGAs is for approximately [redacted]

The project is currently also negotiating grant agreements with five organizations identified either the APS or through RFAs, see the Table 7 below for details.

Table 7: Other Grants Under Negotiation

Partner	Component	Identification Mechanism	Type of Grant	Estimated Duration	Estimated Value
Instituto para la Enseñanza Sostenible (IEPADES)	Juvenile Justice	RFA	FAA	10 months	[redacted]
Centro de Investigación, Capacitación y Apoyo a la Mujer	Gender	APS	FAA	12 months	[redacted]
Nuevos Horizontes	Gender	APS	FAA	12 months	[redacted]
Consejería Camex	Gender	APS	FAA	12 months	[redacted]
Red de Mujeres Chitimultecas - REDMUCH	Gender	RFA	FAA	12 months	[redacted]
Total estimated value					[redacted]

E. Rapid Response Funds

The Project carried out the below activities with Rapid Response Funds (RRF) throughout the year. With Modification 4 to the Contract and approval of the FY2018 work plan (WP), the RRF mechanism was eliminated. Going forward, DV funds will be used more broadly for program activities, as per the FY2018 WP budget.

SBS. Between March and June 2017, the project completed the purchase and delivery of items including bunk beds, mattresses, blankets, bed sheets, comforters, mattress covers, living room furniture, wardrobes, shoes, underwear, clothing, personal hygiene items, and office supplies, to SBS. The total amount approved by USAID under RRF-002 was [redacted], adding [redacted] more for emergency assistance in response to the humanitarian crisis at the *Hogar Seguro Virgen de la Asunción*. The project executed approximately U[redacted] in aid to SBS. The Project shared the records of registration of the items with the Ministry of Finance with USAID in August.

DNA equipment for INACIF. In May, the project delivered the genetic analysis equipment to INACIF with the aim of strengthening the capacity of the government of Guatemala and its justice services institutions in the effective management and clarification of evidence in cases of criminal violence. As a result, INACIF now has the capacity in-house to effectively analyze DNA of both victims and perpetrators in GBV, ACL, TIP, as well as in youth protection cases. The final cost of the purchase was for [redacted] The Project obtained a signed record of delivery for the equipment upon transfer to INACIF, and is following up for the documentation that demonstrates the item has been registered with the Ministry of Finance.

Refugio de la Niñez. In October 2016, the Juvenile Justice Specialist participated in the *Red Latinoamericana de Acogida Familiar* (RELAF) conference in Panama, on "*Deinstitutionalization, separation prevention, constructing the subsystems for protection of children without parental care*". The total amount executed for this expense was approximately [redacted]

F. Other procurements for Project counterparts

With USAID approval, and in accordance with the project's approved FY2017 WP, during the past two quarters the project carried out the purchase and transfer of equipment and furniture to various counterpart GOG Institutions, see the Table 8 below for details. Next quarter, the project will seek approval for the purchase and transfer of additional items to various counterpart GOG Institutions under TIP.

Table 8. Summary of Procurements for Technical Support Commodities Approved for Purchase, FY2017

Name of Recipient Institution	Nature of items procured	Total Value in Q	Total Value in US$
First Instance Family Court of Quetzaltenango	Equipment	[redacted]	[redacted]
Judiciary and Court for Judgment of Femicide and other forms of violence against women, Chimaltenango	Equipment	[redacted]	[redacted]
Indigenous Affairs Unit, Quetzaltenango	Equipment and furniture	[redacted]	[redacted]
Public Ministry's Women's Secretariat	Equipment and furniture	[redacted]	[redacted]
Public Ministry's Indigenous People's Secretariat	Equipment and furniture	[redacted]	[redacted]
Court for Children and Adolescents in Conflict with Criminal Law	Equipment and furniture	[redacted]	[redacted]
Judicial Attention Center for Children and Adolescents, Quetzaltenango	Equipment and furniture	[redacted]	[redacted]
Total value of procurements for technical support commodities approved for purchase in the quarter		[redacted]	[redacted]

The Project obtained signed records of delivery for all items transferred thus far to GOG entities. These are in the process of registering the items with the Ministry of Finance and will provide documentation to the Project once the process is completed.