

DOCUMENT OF THE INTER-AMERICAN DEVELOPMENT BANK

## **COLOMBIA**

### **PROJECT FOR STRENGTHENING JUDICIAL SERVICES**

**(CO-L1041)**

### **LOAN PROPOSAL**

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| ELECTRONIC LINKS (REQUIRED) |   |
|-----------------------------|---|
| 1                           | Plan of activities for fulfillment of conditions precedent to the first disbursement<br><a href="http://idbdocs.iadb.org/WSDocs/getDocument.aspx?DOCNUM=2020754">http://idbdocs.iadb.org/WSDocs/getDocument.aspx?DOCNUM=2020754</a> |
| 2                           | Monitoring and evaluation arrangements<br><a href="http://idbdocs.iadb.org/WSDocs/getDocument.aspx?DOCNUM=2017547">http://idbdocs.iadb.org/WSDocs/getDocument.aspx?DOCNUM=2017547</a>   |
| 3                           | Procurement plan (complete)<br><a href="http://idbdocs.iadb.org/WSDocs/getDocument.aspx?DOCNUM=2020633">http://idbdocs.iadb.org/WSDocs/getDocument.aspx?DOCNUM=2020633</a>  |
| 4                           | Safeguard Screening Form<br><a href="http://idbdocs.iadb.org/WSDocs/getDocument.aspx?DOCNUM=1361540">http://idbdocs.iadb.org/WSDocs/getDocument.aspx?DOCNUM=1361540</a>   |

| ELECTRONIC LINKS (OPTIONAL) |  |
|-----------------------------|--|
| 1                           | Diagnostic assessment of problems affecting the operation of Colombia's High Courts, and identification of potential institutional strengthening objectives<br><a href="http://idbdocs.iadb.org/WSDocs/getDocument.aspx?DOCNUM=2018529">http://idbdocs.iadb.org/WSDocs/getDocument.aspx?DOCNUM=2018529</a>   |
| 2                           | Draft annual work plan (first year)<br><a href="http://idbdocs.iadb.org/WSDocs/getDocument.aspx?DOCNUM=2017792">http://idbdocs.iadb.org/WSDocs/getDocument.aspx?DOCNUM=2017792</a>   |
| 3                           | Consejo Nacional de Política Económica y Social [National Council for Economic and Social Policy] 3559 – Favorable finding concerning external financing from multilateral banks to the country for up to US\$62 million or equivalent in other currencies to finance a project for strengthening judicial services<br><a href="http://idbdocs.iadb.org/WSDocs/getDocument.aspx?DOCNUM=2042266">http://idbdocs.iadb.org/WSDocs/getDocument.aspx?DOCNUM=2042266</a> |

## APPENDICES

Proposed resolution

## **ABBREVIATIONS**

|     |                                      |
|-----|--------------------------------------|
| AWP | Annual work plan                     |
| CC  | Constitutional Court                 |
| CS  | Council of State                     |
| MIJ | Ministry of the Interior and Justice |
| OR  | Operating Regulations                |
| PEU | Project execution unit               |
| SC  | Supreme Court                        |
| SJC | Supreme Judicial Council             |

## PROJECT SUMMARY

### COLOMBIA PROJECT FOR STRENGTHENING JUDICIAL SERVICES (CO-L1041) MULTIPHASE

| Financial Terms and Conditions  |                         |                             |                                 |  |
|---|-------------------------|-----------------------------|---------------------------------|--|
| <b>Borrower:</b> Republic of Colombia   |                         |                             | Amortization period:            | 20 years                                       |
| <b>Executing agencies:</b> Supreme Judicial Council (SJC) and Ministry of the Interior and Justice (MIJ)  |                         |                             | Grace period:                   | 5.5 years                                      |
|   |                         |                             | Disbursement period:            | 5.5 years                                      |
| <b>Source</b>   | <b>Phase I<br/>US\$</b> | <b>Phase II<br/>US\$***</b> | Inspection and supervision fee: | *  |
| IDB (Ordinary Capital)  | 21,382,325              | 26,000,000                  | Interest rate:                  | LIBOR**  |
| Local   | 0                       | 0                           | Credit fee:                     | *  |
| Total   | <b>21,382,325</b>       | <b>26,000,000</b>           | Currency:                       | U.S. dollars from the Single Currency Facility |
| Project at a Glance   |                         |                             |                                 |  |
| <b>Project objective:</b><br>The general objective of the project is to help strengthen legal certainty and the rule of law in Colombia by improving judicial services for the Colombian people so they have access to timely, efficient, effective, quality solutions to disputes. The specific objectives of the project in the High Courts and administrative courts are to: (i) streamline judicial processes in the High Courts and the administrative courts; (ii) improve the quality of juridical information; (iii) improve the public services provided by the High Courts; and (iv) systematize the body of national laws and regulations (responsibility of the MIJ). |                         |                             |                                 |  |
| <b>Special contractual clauses:</b><br>The special conditions precedent to the first disbursement will be: (i) formation of technical support groups for the High Judicial Bodies (paragraph 2.2); (ii) selection of the general coordinator for the project execution unit (PEU) (paragraph 2.2); and (iii) entry into force of the Operating Manual (paragraph 2.2).  |                         |                             |                                 |  |
| <b>Exceptions to Bank policies:</b> None.   |                         |                             |                                 |  |
| <b>Project qualifies as:</b> SEQ <input type="checkbox"/> PTI <input type="checkbox"/> Sector <input type="checkbox"/> Geographic <input type="checkbox"/> Headcount <input type="checkbox"/>   |                         |                             |                                 |  |
| <b>Project consistent with country strategy:</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>  |                         |                             |                                 |  |
| <b>Environmental and social review:</b> The project has been classified as a category “C” operation in accordance with the Environment and Safeguards Compliance Policy.  |                         |                             |                                 |  |
| <b>Rationale for a multiphase project:</b><br>The use of the multiphase modality for this project is justified by the magnitude and complexity of the proposed objectives, together with the long maturation period associated with the interagency coordination efforts needed to ensure implementation of the planned activities. These circumstances will likely require more than one project cycle and could extend beyond one government term. The two phases of the project are expected to have a total execution period of nine years: five years for phase I and four years for phase II. This document describes the first phase of the project.                       |                         |                             |                                 |  |

\* The credit fee and inspection and supervision fee will be established periodically by the Board of Executive Directors as part of its review of the Bank's lending charges, in accordance with the applicable provisions of the Bank's policy on lending rate methodology for Ordinary Capital loans. In no case will the credit fee exceed 0.75% or the inspection and supervision fee exceed, in a given six-month period, the amount that would result from applying 1% to the loan amount divided by the number of six-month periods included in the original disbursement period.

\*\* The adjustable rate was discontinued on 1 July 2009, and replaced by the LIBOR.

\*\*\* The amount for the next phase will depend on the programming of operations agreed upon by the Bank and the Government of Colombia.

## I. DESCRIPTION AND RESULTS MONITORING

### A. General context and background

- 1.1 **General context.** Consolidating the rule of law is a fundamental condition for sustainable, equitable growth. The rule of law promotes domestic and foreign private investment by guaranteeing legal certainty with respect to assets, contracts, and obligations, and consolidates the rights of citizens by securing access to justice and equality under the law. A basic premise for the rule of law to operate effectively is the existence of an independent, transparent, and effective judiciary, in addition to an orderly, predictable, and accessible legal and regulatory system.
- 1.2 The institutional structure of the judiciary in Colombia comprises several jurisdictions (general, administrative, constitutional, and special jurisdictions, such as for peace and indigenous peoples), in addition to the Office of the Public Prosecutor and the Supreme Judicial Council (SJC). The following actors are key to this project:
- 1.3 Courts of general jurisdiction hear all disputes between individuals that are not constitutionally or legally under another jurisdiction. The Supreme Court of Justice, the highest court of general jurisdiction, is an appellate court of last resort and the court with jurisdiction over the President of the Republic and other high-ranking public officials. The Supreme Court consists of 23 justices elected for individual eight-year terms and has five divisions: the Plenary Court, the Government Court, the Civil and Agrarian Appeals Court, the Labor Appeals Court, and the Criminal Appeals Court.
- 1.4 Courts of constitutional jurisdiction guarantee the basic constitutional rights of individuals and the supremacy of the Constitution in the legal system, through two fundamental mechanisms: preventive injunctions to protect constitutional rights and constitutional appeals.<sup>1</sup> The Constitutional Court, created by the 1991 Constitution, is the highest court of constitutional jurisdiction. It consists of nine justices elected by Colombia's Senate for individual eight-year terms from a list of candidates nominated by the President of the Republic, the Supreme Court, and the Council of State. Its principal functions are to hear and rule exclusively on the constitutionality of laws and decrees with the force of law, legislative acts, and international treaties; establish rules of precedent concerning the scope of constitutional rules; rule on the constitutionality of a referendum or a constituent assembly to amend the Constitution; and review court decisions relating to preventive injunctions to protect constitutional rights.

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<sup>1</sup> A preventive injunction to protect constitutional rights allows a person to file a petition with any judge in the country for immediate protection of the fundamental rights recognized by the constitution when these are threatened or violated by the action or omission of a public authority or, in certain cases, of an individual. Preventive injunctions are summary proceedings that are decided in fewer than 10 days and are only available to persons who do not have access to other means of judicial protection. Constitutional appeals allow any person to petition the Constitutional Court to annul laws or decrees with the force of law when they are contrary to the constitution.

- 1.5 Courts of administrative jurisdiction hear disputes and litigation arising from the activity of public entities. These courts are organized regionally under the Council of State, the highest authority (department-level higher courts and circuit-level lower courts).<sup>2</sup> The Council of State consists of 31 justices elected for individual eight-year terms from a list delivered by the SJC. The Council has three divisions: the plenary division, the consultation and civil service division, and the administrative division, in turn divided into six sections with jurisdictional functions.
- 1.6 The Supreme Judicial Council was created by the 1991 Constitution to administer and exercise disciplinary control over the judiciary. It has two divisions: the Administrative Court, responsible for the autonomous administration of the judiciary, with six justices elected for eight-year terms (one elected by the Constitutional Court, two by the Supreme Court of Justice, and three by the Council of State); and the Disciplinary Jurisdiction Court, comprised of seven justices also elected for eight-year terms by the National Congress, from lists submitted by the government. The Disciplinary Jurisdiction Court investigates and punishes disciplinary misconduct by judges, justices, prosecutors, other judicial officers, and trial lawyers.
- 1.7 The Administrative Court of the SJC is responsible for judicial governance, including preparation of the four-year judiciary development plan,<sup>3</sup> which identifies the goals and objectives of the judiciary, and an investment plan. This court also prepares an annual budget proposal for the judiciary, presents it to the national government, and executes it upon approval by Congress. In addition, the Administrative Court is responsible for management and administrative control of judicial business.
- 1.8 The various jurisdictions in Colombia's judiciary are headed by the "High Judicial Bodies,"<sup>4</sup> which include the maximum judicial decision-making, governance, and administrative authority. In their capacity as the highest entities in the judicial system, the High Courts have the authority to amend and review decisions by other

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<sup>2</sup> The latter were created pursuant to Law 446, of 1996, which was not implemented until 2006. Until that year, the department-level administrative courts were the courts of original jurisdiction in administrative matters.

<sup>3</sup> The current judiciary development plan identifies several priority challenges that are addressed in the activities of this operation, such as judicial delays (page 49), low confidence in the system (page 58), and weak interagency coordination (page 59). The plan can be consulted at: [http://www.ramajudicial.gov.co/csj\\_portal/assets/SEPARATA%20PLANEACION%20SECTORIAL%20EN%20LA%20JUSTICIA.pdf](http://www.ramajudicial.gov.co/csj_portal/assets/SEPARATA%20PLANEACION%20SECTORIAL%20EN%20LA%20JUSTICIA.pdf).

<sup>4</sup> The term "High Courts" has been adopted in Colombia's judicial system to refer to the Supreme Court of Justice, the Council of State, and the Constitutional Court. The Supreme Judicial Council, as the administrator and executing agency for resources allocated to the justice system, is also a central actor in this sector. Consequently, for purposes of this document, the term "High Judicial Bodies" is used to mean the three High Courts and the two Divisions—the Disciplinary Court and the Administrative Court—of the Supreme Judicial Council.

- government entities, rule on matters over which they have sole jurisdiction, and establish case law to guide the work of all other courts in the country. Accordingly, their actions have major, far-reaching repercussions not only on the judicial system, but also on a broad range of social, political, and economic sectors in the country.
- 1.9 **Main challenges.** Colombia is a country with a long juridical tradition. The government has made great efforts to ensure that citizens are guided primarily by the law, and significant progress has been made in strengthening the judiciary, while guaranteeing its independence and autonomy.<sup>5</sup> Nonetheless, institutional shortcomings persist,<sup>6</sup> mainly procedural delays, a strong perception of legal instability, and lack of public confidence in the justice system.
- 1.10 Case management in the Colombian justice system is perceived as slow according to the World Business Environment Survey, despite efforts made by the judiciary, with respect to the budget and infrastructure and personnel, to improve productivity at the different jurisdictional levels and shorten the length of judicial proceedings. However, given the great demand on the judicial system, additional measures are needed.
- 1.11 In the context of the High Courts, this challenge is particularly important. Although the High Courts have been partially successful in their efforts to reduce the backlog of cases, judicial demand is such that more advanced management tools are required for the timely processing of cases. To illustrate this point, a Bank-financed study found that in 2006, the Constitutional Court received 850 new constitutional petitions, 1,117 constitutional rights case files selected for review, and 256 conflicts of jurisdiction. This amounted to an average load of 247 new cases per judge (with 62% of cases decided that year). The Council of State received more than 20,000 cases in 2005, resulting in over 740 cases on average for each judge in the administrative division (with 40% of cases decided that year).
- 1.12 The High Courts have a case management tool (known as the “XXI Century System”),<sup>7</sup> but some major problems must be resolved before the tool can become an integrated system that supports the needs of each court. Not only are users forced to enter the same data multiple times, but the system does not allow them to generate statistics, monitor the physical transfer of files, pinpoint their location, determine the type of cases entered, or recognize the complexity of cases. In other words, the system does not provide judges with an effective tool for determining the review time and priority level they should give to the different cases. These problems will be compounded by the demand for additional speed that will be

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<sup>5</sup> Comparative studies show that Colombia has one of the highest indices for judicial independence in the region (e.g. see Feld, Lars and Stefan Voigt, 2003, “Economic Growth and Judicial Independence: Cross Country Evidence Using a New Set of Indicators” in the *European Journal of Political Economy*,” 19 (3): 497-527).

<sup>6</sup> For example, see *Governance Matters 2008* at [http://info.worldbank.org/governance/wgi/sc\\_country.asp](http://info.worldbank.org/governance/wgi/sc_country.asp).

<sup>7</sup> The Constitutional Court uses its own system, which, despite some problems, is better received by internal and external users than “Sistema Siglo XXI.”



imposed on the High Judicial Bodies when oral proceedings are introduced in Colombia (currently in the implementation phase). The lack of modern archiving techniques is yet another challenge for the timely administration of justice.

- 1.13 When asked about the reliability of the law, 67% of those surveyed by the World Business Environment Survey said that it is unpredictable, and Colombia ranked beneath the regional mean on the Political Stability Index (Fedesarrollo, 2005). One factor contributing to this perception of instability is the lack of clarity of court decisions as a source of law, notwithstanding the effects of the peculiarities of the legislative process. Indeed, the High Courts do not have effective mechanisms for organizing and consulting their own decisions, which would help standardize case law criteria and significantly reduce unpredictability in the system. This opens the door to conflicting case law from the different courts, which becomes an additional source of instability in the legal system. Some examples of the challenge this poses for the High Courts include: (i) no correction or systematization of information in the existing databases; (ii) inadequate technological infrastructure to support and manage existing data; (iii) limited access to information on decisions and case law; (iv) inadequate organization of the reporting function; and (v) infrequent notification of proceedings open to the public.
- 1.14 This situation is exacerbated by the country's extensive body of rules and regulations. Colombia lacks an effective system to verify the validity of laws and regulations, or a system for the express derogation of laws that would enable legislators to expeditiously ensure that new legislation is consistent with the rest of the legal system. This gap is further aggravated by the large number of bills that Congress must consider during each session. In the 2003-2004 session alone, Congress considered 558 legislative proposals. In addition, there are over 25,000 rules or regulations affecting all sectors of the national economy, many of which are contradictory and others that are of unknown or partial validity. This lack of legislative cohesion, added to the relative uncertainty about the validity of laws, makes it difficult to enact clear laws that are consistent with existing laws. To address this situation, the government has introduced an Integrated Legislative Information System, administered by the Ministry of the Interior and Justice (MIJ). However, there have been problems with the system's ability to ascertain the validity of laws and regulations and consolidate legislative information from the different sectors of the national government.
- 1.15 With respect to confidence in the justice system, reports that 87% of Colombians have little confidence in the system, and Colombia's judicial system ranks relatively low in the region in this regard. In the case of the High Courts, some complicating factors include: (i) ineffective models to serve the public; (ii) lack of public information about the administration of justice; (iii) insufficient public knowledge about the role of the High Courts, their rights, and judicial processes; (iv) lack of a communications strategy; and (v) inadequate technology infrastructure and human resources without sufficient training to use the mass media to disseminate information about the courts.

## **B. Objectives and components**

- 1.16 The general objective of the project is to help strengthen legal certainty and the rule of law in Colombia by improving judicial services for the Colombian people so they have access to timely, efficient, effective, quality solutions to disputes. The specific objectives of the project in the High Courts and administrative courts are to: (i) streamline judicial processes in the High Courts and the administrative courts; (ii) improve the quality of juridical information; (iii) improve the public services provided by the High Courts; and (iv) systematize the body of national laws and regulations (responsibility of the MIJ).
- 1.17 Full achievement of these objectives presupposes a relatively costly process with a long maturation and implementation period. Accordingly, it was decided with the national authorities and the beneficiaries to split the process into two phases, with execution of phase two, as requested by the government, subject to the achievement of substantive results in the first phase. Paragraph 1.31 describes the expected results and the triggers for a possible second phase.
- 1.18 Based on these objectives, the operation will finance activities in the following four components: (i) strengthen judicial administration; (ii) improve the quality of juridical information; (iii) improve public services; and (iv) support legislative information management.
- 1.19 **Component 1 – Strengthen judicial administration.** The objective of this component is to streamline judicial proceedings in the High Courts, the Disciplinary Court of the SJC, the Administrative Court of Cundinamarca, and the Administrative Courts of Bogota, and to decongest the dockets. Financing will be provided to: (i) improve the judicial administration system; (ii) support implementation of oral proceedings; and (iii) enhance the management and organization of archives. These three subcomponents are described below.
- 1.20 Improvement of the judicial administration system. This subcomponent will strengthen case processing, management of judicial business, and administrative coordination of the High Judicial Bodies, the Administrative Court of Cundinamarca, and the Administrative Courts of Bogota, helping to make them more efficient. The following activities are planned: (i) review the current organization and methods and recommend organizational and procedural reforms (including a plan to develop and improve judicial and administrative procedures and decongest the dockets); (ii) support implementation of plans to decongest court dockets; (iii) design and implement a judicial management system for the High Courts; and (iv) train judges and judicial officers in areas such as judicial management.
- 1.21 Support for implementation of oral proceedings. This subcomponent will support the steps needed to properly implement the oral proceedings system in the High Courts, as well as in the administrative courts. The following activities are planned: (i) provide training in oral trial techniques; (ii) procure tools for oral proceedings including computer and connectivity equipment; (iii) refurbish furniture and

- facilities to comply with the requirements of oral proceedings; (iv) upgrade information systems to comply with procedural requirements; and (v) provide technical and legal support to establish regulations for the new proceedings.
- 1.22 Management and organization of archives. This subcomponent will improve management of the archives of the High Courts, the Disciplinary Court of the SJC, the Administrative Court of Cundinamarca, and the Administrative Courts of Bogota, to help increase efficiency. To this end, the following activities are planned: (i) develop valuation tables and update the document retention table; (ii) organize archives physically and virtually in conformity with legal guidelines; (iii) digitize select archives; and (iv) refurbish facilities and procure and install rolling stacks.
- 1.23 **Component 2 – Improve the quality of case-law information.** The objective of this component is to provide the High Courts, the Disciplinary Court of the SJC, the Administrative Court of Cundinamarca, and the Administrative Courts of Bogota with sufficient tools to ensure that the results of their efforts are presented to system users in a timely, reliable, organized, and easily accessible manner. The following two subcomponents are envisaged: (i) management of the quality of information; and (ii) organization and systematization of law reports.
- 1.24 Management of the quality of information. The objective of this subcomponent is to incorporate quality standards in the case-law information management processes to ensure this source of law is consistently presented and accessible. The following activities are planned: (i) install case-law information systems in the High Courts and the administrative courts; (ii) set up a data warehouse, designed to meet the specific requirements of the users at each High Judicial Body; (iii) correct and update judicial information in all existing systems and introduce data quality management standards and methods; and (iv) procure specific hardware and software programs.
- 1.25 Organization and systematization of law reports. This subcomponent addresses a function that is crucial for the effectiveness of the High Judicial Bodies.<sup>8</sup> The objective is to create a unified and consistent system of legal and administrative concepts based on inputs provided by judges and other officials who generate relevant juridical information. The following activities will be pursued: (i) review the organization and functions of law reports; (ii) analyze information and set criteria; (iii) develop descriptors, restrictors, and thematic index; (iv) set parameters for the classification of case-law material; (v) train reporting clerks in new case-law

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<sup>8</sup> Reporting clerks are officers working at the High Judicial Bodies who extract the most relevant case-law concepts from judgments. This task is of paramount importance since the High Courts have a duty to unify criteria for their respective jurisdictions. Accordingly, reporting duties are crucial, not only to prevent contradictions between past and future court decisions, but also to make it easier for lower-court judges to follow and apply case law and to help legal practitioners and the general public consult it. In other words, it is a basic function supporting the rule of law in the country.

storage and retrieval methods; and (vi) procure communications equipment and infrastructure.

- 1.26 **Component 3 – Improve services for the public.** This component will implement a strategy to improve the level and quality of service provided to the public, thereby improving the image of the judicial system and the High Courts, the Disciplinary Court of the SJC, the Administrative Court of Cundinamarca, and the Administrative Courts of Bogota. The following subcomponents are envisaged: (i) services for the public; and (ii) image and civic education.
- 1.27 Services for the public. This subcomponent will strengthen communication with users through: (i) the preparation of a diagnostic assessment of what is needed for the High Courts, the Disciplinary Court of the SJC, the Administrative Court of Cundinamarca, and the Administrative Courts of Bogota to improve the services they offer to the public; (ii) the implementation of a new portal for the judiciary and a website for each High Judicial Body; (iii) provision of the required technological infrastructure; (iv) provision of equipment and furnishings, and refurbishment of facilities to better serve the users of the services provided by the High Courts; and (v) development of an in-house training program on specific customer service techniques and culture.
- 1.28 Image and civic education. Financing will be provided to: (i) design a project to educate citizens on the role of the High Courts and the exercise of their fundamental rights and duties (including brochures, printed materials, workshops, and forums); (ii) create and implement media and public communications strategies; and (iii) develop and deploy an organizational communications proposal.
- 1.29 **Component 4 – Support legislative information management.** This component will help consolidate the national legal system, supporting the efforts already being pursued in this regard at the MIJ (see paragraph 1.14). Financing will be provided to: (i) conduct a methodological, conceptual, and technological evaluation of the Integrated Legislative Information System, looking into the respective options for monitoring the system and making any necessary modifications; (ii) based on the resulting proposals, screen and validate the legislative information to be entered in the system; (iii) support a process to review the validity of laws and regulations; (iv) make institutional arrangements for ongoing system updates; and (v) procure equipment, software, and licenses.

### **C. Phase I outputs and key results indicators**

- 1.30 The key indicators included in the results matrix for this operation relate to: (i) decongesting the case dockets of the High Courts; (ii) improving and consolidating case-law information; and (iii) enhancing the quality of service provided by the Colombian High Courts. The results matrix describes the anticipated Phase I outputs.

**D. Phase II triggers**

- 1.31 Before preparing the second phase of the project, the Bank team, the national government and the beneficiaries will confirm that at least 60% of the loan resources have been disbursed, and at least 75% have been committed, and will evaluate whether the following triggers have been met satisfactorily:
- a. Judicial management models implemented in all of the High Judicial Bodies targeted by this project;
  - b. Websites for the High Judicial Bodies designed and active;
  - c. Wait times for public services provided by the High Courts reduced by 15%.

**E. Principal components and activities for the second phase**

- 1.32 The second phase will provide continuity for a number of activities carried out under the first three components, inasmuch as many of the underlying processes to strengthen the judiciary, improve the quality of juridical information, and improve the quality of services for the public require continuous updates and adjustments. In addition, project coverage will be extended to all courts of administrative jurisdiction in the country (phase I will exclusively cover the Council of State, the Administrative Court of Cundinamarca, and the Administrative Courts of Bogota), with specific provisions for: (i) improvements to judicial operations; (ii) comprehensive support for implementation of oral proceedings in administrative courts; and (iii) management and organization of their archives. The second phase of the project will also modernize the subnational divisions of the Disciplinary Court.

## **II. FINANCING STRUCTURE AND MAIN RISKS**

**A. Financing and contractual terms**

- 2.1 The first phase of this project will have a maximum total cost of US\$21,382,325, which will be financed by the Bank using resources from the Single Currency Facility of the Ordinary Capital. Table II-1 below shows the consolidated budget by component; the itemized budget is available in the ICF/ICS files. The cost categories to be covered by the project include procurement of equipment, refurbishment of facilities, technical assistance, and training activities. The amount of the next phase will depend on the program of operations agreed upon by the Bank and the Colombian government during the programming exercise.
- 2.2 **Contractual clauses.** The special conditions precedent to the first disbursement will be: (i) formation of technical support groups for the High Judicial Bodies (see paragraph 3.4); (ii) selection of the general coordinator for the project execution unit (PEU); and (iii) entry into force of the Operating Manual previously agreed upon by the executing agencies and the Bank.

**Table II-1 – Project cost (US\$)**

| <b>COMPONENT</b>   | <b>Bank</b>       |
|--|-------------------|
| <b>Component 1 – Strengthen judicial administration</b>          | <b>10,759,000</b> |
| 1.1 Improvement of judicial administration system                | 4,219,000         |
| 1.2 Support for implementation of oral proceedings               | 1,460,000         |
| 1.3 Management and organization of archives                      | 5,080,000         |
| <b>Component 2 – Improve the quality of case-law information</b> | <b>5,362,000</b>  |
| 2.1 Management of the quality of information                     | 3,120,000         |
| 2.2 Organization and systematization of law reports              | 2,242,000         |
| <b>Component 3 – Improve services for the public</b>             | <b>1,266,300</b>  |
| 3.1 Services for the public                                      | 1,066,300         |
| 3.2 Image and civic education                                    | 200,000           |
| <b>Component 4 – Support legislative information management</b>  | <b>1,054,500</b>  |
| 4.1 Organization of legislative information                      | 1,054,500         |
| <b>Management and administration for the High Courts</b>         | <b>1,126,000</b>  |
| <b>Audits and evaluations</b>                                    | <b>250,000</b>    |
| <b>Contingencies</b>   | <b>1,564,525</b>  |
| <b>TOTAL</b>   | <b>21,382,325</b> |

## **B. Risks and mitigation measures**

- 2.3 The design of this operation included a project risk management exercise, in which the beneficiary entities participated, to look at both fiduciary and non-fiduciary aspects. This exercise included: (i) identification of project-related risks; (ii) establishment of mutually agreed guidelines for risk evaluation and mitigation; and (iii) preparation of a matrix documenting the risk management strategies to be applied during project execution. The importance of risk management (including, beginning in the design phase, a consideration of potential risks and related mitigation measures) is a lesson learned from the Program to Strengthen the Office of the Attorney-General of the Nation (1459/OC-CO).
- 2.4 Some of the issues identified during the analysis are as follows: (i) insufficient coordination between the participants (the beneficiaries have no prior experience working together, some beneficiary Judicial Bodies do not have full-time technical teams, and the project coordinator has yet to be hired); and (ii) the governance-related vulnerability of the operation (associated with high turnover among High Judicial Body presidents, potential changes to the High Judicial Bodies' legal framework, and the unavoidable complexity of the project execution plan). The proposed measures to mitigate these risks have been discussed with the beneficiary entities and include institutional arrangements to ensure smooth coordination between the beneficiary entities (specifying, for example, the frequency and content of working meetings, the role of Judicial Body representatives, the rules to elect PEU members, etc.), and continuity in the work agreed upon by the teams representing each Judicial Body. These agreements will be part of the project Operating Manual, which must be approved as a condition precedent to the first disbursement.

- 2.5 On 25 March 2008, the Environmental and Social Impact Review Secretariat found that the activities envisaged as part of this operation entailed no environmental or social risks. The project has been classified as a category “C” operation in accordance with the Environment and Safeguards Compliance Policy.

### **III. IMPLEMENTATION AND MANAGEMENT PLAN**

#### **A. Summary of implementation agreements**

- 3.1 **Borrower and executing agency.** The Republic of Colombia will be the borrower, and the executing agencies will be the Supreme Judicial Council (SJC), acting through its Administrative Division (components 1, 2, and 3), and the Ministry of the Interior and Justice (MIJ) (component 4). The beneficiary entities will be the Supreme Court of Justice, the Constitutional Court, the Council of State, the courts of administrative jurisdiction, the Disciplinary Division of the SJC, and the MIJ.

#### **B. General execution and administration plan for the judiciary project**

- 3.2 Interagency committee. The interagency committee for the project will consist of the presidents of each High Court, the president of the Superior Judicial Council, and the president of the Administrative Division of the SJC. The PEU coordinator will also attend and will serve as secretary.
- 3.3 Among its functions, the interagency committee will: (i) verify the overall status of the project and report regularly to the national government and the Bank; (ii) prepare action plans and a procurement plan for the project and make changes over time to ensure they address the needs of the beneficiaries; (iii) monitor the fulfillment of commitments assumed in the loan contract; (iv) help settle any differences that arise between the participating entities; (v) monitor the reports prepared by the project coordinator and the monitoring and evaluation reports; (vi) ensure the participation of the offices and officers of the High Courts that are needed to execute project activities, in accordance with the loan contract; and (vii) if necessary, propose changes to the project execution plan or the Operating Manual for the Bank’s no objection.
- 3.4 The interagency committee will be advised by a technical support group<sup>9</sup> consisting of officers appointed by the High Judicial Bodies. The responsibilities of the technical support group will include: (i) proposing changes to the annual work plans (AWPs) and the procurement plan, for approval by the interagency committee; (ii) monitoring consulting contracts and the procurement of goods associated with the Judicial Body they represent; (iii) monitoring the satisfactory receipt of outputs from project contracts; and (iv) monitor outcomes upon completion of the contracts.

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<sup>9</sup> Program 1459/OC-CO, mentioned in paragraph 2.3, yielded a lesson on the importance of coordination between the execution units and beneficiary agency staff (create high-level teams to implement project activities in a concerted manner, actively involving officials from the beneficiary entities to ensure commitment to objectives, verifying outcomes, and ensuring the sustainability of actions).

- 3.5 Project execution unit (PEU). To discharge its duties, the PEU (working out of the Administrative Division of the SJC) will have a general coordinator and a group of qualified experts to perform administrative and technical tasks in support of the project.<sup>10</sup>
- 3.6 The PEU will consist of a group of professionals and support staff responsible for financial, contractual, and accounting management, and monitoring and evaluation of the project. To fulfill these duties, this group will include: (i) a technical coordinator specializing in budget management, responsible for keeping financial records for all project-related activities; (ii) an accountant, responsible for verifying that all project-related financial and budget operations are in conformity with the applicable national and Bank accounting standards; (iii) a procurement specialist, responsible for preparing the required bidding and contracting documents; and (iv) a monitoring and evaluation specialist, responsible for verifying fulfillment of project targets and proposing corrective measures as needed.
- 3.7 The PEU technical assistance services will be provided by experts directly supporting the specialized SJC units involved in the project, as well as the technical support group for each Judicial Body. Specifically, an information technology specialist and an infrastructure expert will be hired.
- 3.8 The functions of the PEU will include: (i) providing assistance, advisory services, and support to the entities involved in the project; (ii) taking the lead in developing, monitoring, and evaluating the projects that should be financed with resources from this operation and verifying fulfillment of project objectives and goals, in accordance with the guidelines adopted by the interagency committee and the Administrative Division; (iii) preparing any reports or documents requested by the interagency committee or the Administrative Division on project status, progress, or execution; (iv) making recommendations related to project execution and the adoption of any advisable adjustments; (v) monitoring the execution of resources allocated to the project in accordance with Bank policies; (vi) keeping duly updated project records in accordance with rules and regulations on record-keeping; (vii) preparing the technical, legal, financial, and administrative studies needed to prepare bidding documents, terms of reference, minutes, and other documents related to procurements made using project resources, in accordance with the Bank's criteria, policies, and procedures; (viii) coordinating the legal, technical, economic, and financial evaluations of the bids and proposals tendered by bidders for the execution of project resources; (ix) preparing the AWP and project execution reports; (x) preparing the documentation and taking the necessary steps to process disbursements of the loan proceeds; (xi) preparing budget documents and progress and performance indicators for project activities; (xii) preparing financial and accounting information on the project as stipulated in the loan contract;

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<sup>10</sup> The PEU will also execute a modernization project that the judiciary is pursuing in parallel with financing from the World Bank. The two multilateral agencies, along with the executing agencies, will periodically and jointly review this group's work, in order to make any necessary adjustments.



- (xiii) presenting audited financial statements in accordance with Bank policies; (xiv) preparing periodic project execution reports; and (xv) establishing effective contract administration and payment systems, financial accounting and internal control systems, and filing systems for documentation supporting transactions.
- 3.9 To strengthen the internal control mechanisms required to ensure efficient and transparent project monitoring and accounting, the PEU will be directly responsible for administering project resources and preparing the corresponding financial statements, independently from the general administration of the SJC. However, because the SJC is solely responsible for project expenses, it will be responsible for issuing payments for contracts and procurements made using project resources.
- 3.10 The PEU will coordinate closely and continuously with the Bank's Country Office in Colombia from project startup, ensuring that local accounting and financial control procedures are fully consistent with those used by the Bank.
- 3.11 **MIJ execution plan.** To help administer the resources corresponding to activities that will be implemented by the MIF, two experts will be hired in the Ministry's administrative area. They will be in charge of: (i) accounting and financial administration; and (ii) contracting and procurements associated with the corresponding component.
- 3.12 **Annual work plans.** Project activities will be implemented according to the schedule established in the AWP, which must have the no objection of the Bank following approval by the interagency committee. The AWP will identify the specific objectives within each component, the scheduled activities, the corresponding execution schedule, and the budget required to meet the indicative targets established for the project.
- 3.13 At the end of each year, the borrower, acting through the PEU, will deliver to the Bank a report on the implementation status of the AWP and the conditions established in the loan contract. The Bank will review the monitoring reports, evaluate the technical quality of project achievements, and assess progress towards the established targets.
- 3.14 **Procurement plan.** The Bank's team and the executing agencies have prepared a draft procurement plan that lists: (i) the goods and consulting service contracts required for the first 18 months of project execution; (ii) the proposed methods for the procurement of goods and the selection of consultants; and (iii) the procedures used by the Bank to review procurements. The borrower will update the procurement plan annually, in conjunction with the planned annual evaluations and with the AWP, or when substantial changes occur. The procurement plan will always cover the subsequent 18 months of project execution. Any proposed change to the procurement plan will be delivered to the Bank for approval. All project procurements will be governed by the applicable Bank policies, as established in documents GN-2349-7 and GN-2350-7. The current version of the procurement plan will be posted to the Bank's website and the Colombian government's procurement website once the operation has been approved. The PEU will be responsible for project procurements

relating to the components to be executed by the SJC (see paragraph 3.6), and the activities to be executed by the MIJ team as part of component 4 (see paragraph 3.11).

- 3.15 The **Operating Manual** for the project will contain the project execution plan, procedures to execute component activities, and the execution responsibilities assigned to each beneficiary.
- 3.16 **Accounting and audits.** Each executing agency will be responsible for the financial accounting of transactions and disbursements, keeping financial records, and maintaining the corresponding bank accounts. The executing agencies will deliver semiannual and annual financial and accounting audits for the respective project components. These audits will be done by independent auditing firms acceptable to the Bank, in accordance with the requirements (documents AF-100 and AF-300) and terms of reference previously agreed upon by the Bank. Audits will be conducted throughout project execution and will include a final audit. Auditors will be selected and contracted in accordance with Bank procedures (documents AF-200 and AF-400). Audit costs will be paid from the loan proceeds.

**C. Summary of arrangements for monitoring results**

- 3.17 **Monitoring and evaluation.** Project monitoring and evaluation will be based on the targets and the progress and success indicators established with the executing agencies and specified in the results matrix for the project. The PEU will have a monitoring and evaluation specialist as part of its permanent staff, who will verify achievement of project targets and propose corrective measures when required. The PEU will deliver semiannual progress reports for approval by the interagency committee and review by the Bank. The MIJ will deliver semiannual progress reports for component 4 directly to the Bank.
- 3.18 In addition, midterm and final evaluations will be performed when 60% and 90% of project resources have been disbursed, respectively. The objective of these evaluations will be to determine the progress achieved and degree of fulfillment of the planned indicators, results, and targets, as well as to make recommendations, propose corrective actions, and identify good practices and lessons learned. The PEU—the MIJ for component 4—will hire external consultants to conduct these evaluations, taking the following into consideration: (i) fulfillment of the targets established in the initial plan and the AWP, according to the schedule of activities for the different components; (ii) progress made in the implementation of the activities specified in the results matrix; and (iii) any recommendations that are needed, including adjustments to the amount of resources allocated to each project component, so as to ensure the fullest compliance with project objectives.
- 3.19 The midterm evaluation will be a critical element for the national government, the beneficiaries, and the Bank team to determine whether the requirements for initiating a possible second phase for this project were met satisfactorily.

- 3.20 **Monitoring of the execution model.** For the purposes of supervising project execution, semiannual monitoring meetings between the executing agencies, the interagency committee, and the Bank will be held. The topics of discussion at these meetings will include: (i) the status of activities identified in the AWP (and the corrective measures should progress prove unsatisfactory); and (ii) the degree of fulfillment of the indicators specified in the results matrix for each project component. In addition, the AWP for the subsequent year and the procurement plan for the subsequent 18 months will be reviewed every year. The National Planning Department will support these monitoring functions.

**Development Effectiveness Matrix  
Summary**

| Criterion   | Score      |
|---|------------|
| <b>Section 1. IDB Strategic Development Objectives – Area Rating</b>    | <b>0.7</b> |
| Country Diversification   | 0.7        |
| Corporate Initiatives   | 0.0        |
| Harmonization and Alignment   | 0.0        |
| Beneficiary Target Population   | 0.0        |
| <b>Section 2. Country Strategy Development Objectives – Area Rating</b> | <b>5.4</b> |
| Country Strategy Sector Diagnosis                                       | 1.8        |
| Country Strategy sector objective and indicator                         | 3.6        |
| <b>Section 3. Program Logic – Area Rating</b>                           | <b>6.4</b> |
| Program Diagnosis   | 3.0        |
| Proposed Solutions (@ PP)   | 0.7        |
| Proposed Solutions (@ POD)  | 0.0        |
| Results Matrix Quality  | 2.7        |
| <b>Section 4. Evaluation &amp; Monitoring – Area Rating</b>             | <b>4.3</b> |
| I. Evaluation   | 2.3        |
| II. Monitoring  | 2.0        |
| <b>Section 5. Economic Performance – Area Rating</b>                    | <b>0.0</b> |
| Economic Rate of Return   | 0.0        |
| Cost-effectiveness  | 0.0        |
| <b>Section 6. Risk Management – Area Rating</b>                         | <b>7.5</b> |
| Environmental & social risk classification                              | 0.0        |
| Environmental & social risk policy compliance                           |            |
| Risk Matrix Score   | 5.0        |
| Mitigation Matrix Score   | 2.5        |
| <b>Section 7. Additionality- Area Rating</b>                            | <b>3.3</b> |

## PROJECT FOR STRENGTHENING JUDICIAL SERVICES (CO-L1041)

### RESULTS MATRIX

|  |   |  |  |
|--|---|--|--|
| <b>Project objective</b>   | To help strengthen legal certainty and the rule of law in Colombia by streamlining judicial processes in the High Courts and the administrative courts, improving the quality of juridical information, and improving the public services provided by the High Courts |  |  |
| <b>Outcome indicators (Goal)</b>   | <b>Base level<br/>YEAR</b>  | <b>Target level at project completion<br/>2012</b> | <b>Comments</b>                                  |
| Percentage of survey respondents who believe justice is swift (to measure case management in the justice system)   | 19%   | 23%  | Source: <i>World Business Environment Survey</i> |
| Percentage of respondents who believe justice is applied consistently in case decisions (to measure the consistency and reliability of the legal system) | 8%  | 13%  | Source: <i>World Business Environment Survey</i> |
| Percentage of respondents who express confidence in the system (to measure the perception of confidence in the judicial system)                          | 41.25%  | 44%  | Source: Latinobarómetro                          |

| Indicators by Component  |      |  |   |   |  |  |                     |
|--|------|--|---|---|--|--|---------------------|
| Component 1. Strengthen judicial administration                            |      |  |   |   |  |  |                     |
|  | Base | Year 1   | Year 2  | Year 3  | Year 4                                 | Target   | Comments            |
| <u>Outputs</u>   |      |  |   |   |  |  |                     |
| New judicial administration system implemented in the High Courts.         | 0    | Organization and methods revised. Workload analysis completed. | Work environments adapted for new system requirements. Process reengineering plan designed. | Equipment needed to operate the system. Reengineering plan implemented. |  | New system implemented (operating in real time, with all applicable processes entered) in all High Courts.   | Source: PEU reports |
| Judges and judicial officers trained in judicial management topics.        | 0    |  |   | Courses designed and imparted.  |  | 340 officers and judges of the High Courts and administrative courts of Cundinamarca trained.  | Source: PEU reports |
| Properly equipped hearing rooms placed in service.                         | 0    |  |   | Equipment and furnishings provided.                                     |  | One courtroom in the Supreme Court, one in the Constitutional Court, six at the Council of State, four in the Cundinamarca administrative courts, and six in the Cundinamarca administrative courts.                 | Source: PEU reports |
| Files organized in accordance with legal guidelines and at new facilities. | 0    | 0  | Document valuation tables prepared.   | Facilities fully refurbished.   | Rolling stacks procured and installed. | 100% of active files organized in accordance with legal guidelines and at new facilities (by jurisdiction):<br>15,000 each for the CS and the SC; 3,000 at the CC; 20,000 for the Cundinamarca administrative courts | Source: PEU reports |

| Intermediate outcomes  |   |   |  |                              |  |  |  |
|--|---|---|--|------------------------------|--|--|--|
| Increase in the number of cases decided by members of the High Courts                              | CC: 153<br>CS: <sup>1</sup> 387<br>SC: 566  |   | Increase in the number of cases decided annually per judge since project startup: 10% at the CC (168 cases); 8% at the CS (417 cases); 8% at the SC (611 cases). |                              |  | Increase in the number of cases decided annually per judge since project startup: 20% at the CC (183 cases); 15% at the CS (445 cases); 15% at the SC (650 cases). | Values refer to the average number of cases decided annually by each High Court member |
| Outcomes   |   |   |  |                              |  |  |  |
| Decongestion of dockets  | CC: 38%<br>CS: 37%<br>SC: -17% <sup>2</sup> |   |  |                              |  | At project completion, a 15% decrease in the backlog at each High Court is expected.   | Based on data from the Integrated Legislative Information System                       |
| Component 2. Improve the quality of case-law information   |   |   |  |                              |  |  |  |
| Outputs  |   |   |  |                              |  |  |  |
| Case-law information system implemented for the High Courts and administrative courts implemented. | 0   | Reengineering of law reports completed. | Quality standards incorporated into data management processes.   | Case-law guidelines created. |  | At project completion, the reporting function has been completely reengineered, and a new system and related equipment are in place.                               | Midterm and final evaluations and PEU reports  |

<sup>1</sup> Administrative Division of the Council of State.

<sup>2</sup> The number of cases decided by the Supreme Court of Justice was greater than the number of cases filed.

|  |              |                    |                     |   |                           |  |   |
|--|--------------|--------------------|---------------------|---|---------------------------|--|---|
| Data warehouse in operation.   | 0            |                    |                     | Design process completed.   | Implementation completed. | Data warehouse installed and operational by project completion.  | Installation of the data warehouse includes the required hardware and basic software infrastructure, consulting services for development and installation, and software licenses, and system operation for a period of three years. |
| <b>Intermediate outcomes</b>   |              |                    |                     |   |                           |  |   |
| User satisfaction with the reporting services.   | No baseline. | Obtain a baseline. |                     | A 20% increase in satisfaction if the base level is between 0% and 25%; a 15% increase if base level is between 26% and 75%; a 10% increase if base level is over 75% . |                           |  | Source: Midterm and final evaluations and PEU reports. Values refer to the percentage of respondents satisfied with the reporting services.   |
| <b>Outcomes</b>  |              |                    |                     |   |                           |  |   |
| Case-law information is validated, organized, and accessible: user satisfaction with reporting services. | No baseline. | Obtain a baseline. |                     |   |                           | A 30% increase in satisfaction if base level is between 0% and 25%; a 20% increase if base level is between 26% and 75%; a 15% increase if satisfaction is over 75%. | Source: Midterm and final evaluations and PEU reports   |
| <b>Component 3. Improve services for the public</b>  |              |                    |                     |   |                           |  |   |
| <b>Outputs</b>   |              |                    |                     |   |                           |  |   |
| A public service strategy has been developed.  | 0            |                    | Strategy developed. | Facilities refurbished.   |                           | New public service model is operational at project completion. There is at least one dedicated area for users of High Court services.                                | Source: PEU reports   |



|   |              |                        |  |  |   |  |   |
|---|--------------|------------------------|--|--|---|--|---|
| New portal for the judiciary in operation.  | 0            |                        | New portal designed and in service.        |  |   | Portal is operational by project completion.   | Source: PEU reports                                   |
| <b>Intermediate outcomes</b>  |              |                        |  |  |   |  |   |
| Decrease in wait times for public services.   | No baseline. | Obtain a baseline.     |  | 15 to 20% decrease in wait times.  |   |  | Source: Midterm and final evaluations and PEU reports |
| <b>Outcomes</b>   |              |                        |  |  |   |  |   |
| Increased satisfaction among users of High Court services.                              | No baseline. | Obtain a baseline.     |  |  |   | 30% increase in satisfaction if base level is between 0% and 25%; a 20% increase if base level is between 26% and 75%; a 15% increase if satisfaction is over 75%. | Source: Midterm and final evaluations and PEU reports |
| <b>Component 4. Support legislative information management</b>                          |              |                        |  |  |   |  |   |
| <b>Outputs</b>  |              |                        |  |  |   |  |   |
| The new legislative information system has been installed and is in service.            | 0            | Methodology evaluated. | System information screened and validated. | Officials in charge of system administration trained.  | Interagency arrangements to ensure system sustainability established. | The system is operational by project completion.   | Source: Midterm and final evaluations                 |
| <b>Intermediate outcomes</b>  |              |                        |  |  |   |  |   |
| Legislative information validated and entered in the new system.                        | 0            |                        | Official launch of the new system.         |  |   |  | MIJ progress reports                                  |
| <b>Outcomes</b>   |              |                        |  |  |   |  |   |
| Increase in the government sectors with legislative information uploaded to the system. | 0            |                        |  | 50% (10) of central government sectors have organized, updated, and entered their legislative information into the new system. |   | 100% (19) of central government sectors have organized, updated, and entered their legislative information into the new system.                                    |   |

## PROJECT FOR STRENGTHENING JUDICIAL SERVICES

### PROCUREMENT PLAN SUMMARY TABLE

PERIOD COVERED BY THIS PROCUREMENT PLAN: JANUARY 2010 TO JUNE 2014

| Ref.<br>No. <sup>1</sup> | Category and<br>description of the<br>procurement contract                                     | Estimated<br>cost of<br>procurement<br>(US\$000) | Procure-<br>ment<br>method <sup>2</sup> | Review<br>(ex ante<br>or<br>ex post) | Source of financing<br>and percentage |                       | Prequali-<br>fication <sup>3</sup><br>(Yes/No) | Estimated dates                                     |                           | Status <sup>4</sup><br>(pending,<br>in process,<br>awarded,<br>cancelled) | Comments |
|--------------------------|--|--|---|--------------------------------------|---------------------------------------|-----------------------|--|---|---------------------------|---|----------|
|                          |  |  |   |                                      | IDB<br>%                              | Local /<br>other<br>% |  | Publication of<br>specific<br>procurement<br>notice | Completion of<br>contract |   |          |
|                          | <b>1. Goods</b><br><b>Component 1 –</b><br><b>Strengthen judicial</b><br><b>administration</b> |  |   |                                      |                                       |                       |  |   |                           |   |          |
|                          | <i>1.1 Improvement of<br/>judicial operations</i>  |  |   |                                      |                                       |                       |  |   |                           |   |          |
| 1.1.2                    | Communications<br>infrastructure   | 255  | NCB                                     | Ex post                              | 100                                   | 0                     | No   | May 2011  | Sept. 2011                | Pending   |          |
| 1.1.3                    | Equipment  | 924  | NCB                                     | Ex post                              | 100                                   | 0                     | No   | May 2011  | Sept. 2011                | Pending   |          |

<sup>1</sup> If there are a number of similar individual contracts to be executed in different places or at different times, these can be grouped together under a single heading, with an explanation in the comments column indicating the average individual amount and the period during which the contracts will be executed. For example: an education project that includes school construction might include an item “school construction”, for a total estimated value of US\$20 million, and an explanation in the comments column such as: “This encompasses some 200 contracts for school construction averaging US\$100,000 each to be awarded individually by the participating municipal governments over a three-year period between January 2006 and December 2008.”

<sup>2</sup> **Goods and works:** **ICB:** International competitive bidding; **LIB:** Limited international bidding; **NCB:** National competitive bidding; **S:** Shopping; **DC:** Direct contracting; **FA:** Force account; **PSA:** Procurement through specialized agencies; **PA:** Procurement agents; **IA:** Inspection agents; **PLFI:** Procurement in loans to financial intermediaries; **BOO/BOT/BOOT:** Build, own, operate / Build, operate, transfer / Build, own, operate, transfer; **PBP:** Performance-based procurement; **PLGB:** Procurement under loans guaranteed by the Bank; **CPP:** Community participation procurement. **Consulting firms:** **QCBS:** Quality- and cost-based selection; **QBS:** Quality-based selection; **FBS:** Fixed budget selection; **LCS:** Least-cost selection; **CQS:** Selection based on the consultants’ qualifications; **SSS:** Single-source selection. **Individual consultants:** **NICQ:** National individual consultant selection based on qualifications; **IICQ:** International individual consultant selection based on qualifications.

<sup>3</sup> This applies only to goods and works in the case of new policies; it applies to goods, works, and consulting services in the case of the old policies.

<sup>4</sup> The “Status” column will be used for retroactive procurement and procurement plan updates.

| Ref. No. <sup>1</sup> | Category and description of the procurement contract                    | Estimated cost of procurement (US\$000) | Procurement method <sup>2</sup> | Review (ex ante or ex post) | Source of financing and percentage |                 | Prequalification <sup>3</sup> (Yes/No) | Estimated dates                            |                        | Status <sup>4</sup> (pending, in process, awarded, cancelled) | Comments |
|-----------------------|---|---|---------------------------------|-----------------------------|------------------------------------|-----------------|--|--|------------------------|---|----------|
|                       |   |   |                                 |                             | IDB %                              | Local / other % |  | Publication of specific procurement notice | Completion of contract |   |          |
|                       | <i>1.2 Support for implementation of oral proceedings</i>               |   |                                 |                             |                                    |                 |  |  |                        |   |          |
| 1.2.3                 | Furnishings and technology  | 345                                     | NCB                             | Ex post                     | 100                                | 0               | No                                     | May 2012                                   | Sept. 2012             | Pending   |          |
| 1.2.4                 | Licenses  | 140                                     | NCB                             | Ex post                     | 100                                | 0               | No                                     | Oct. 2011                                  | Jan. 2012              | Pending   |          |
|                       | <i>1.3 Management and organization of archives</i>                      |   |                                 |                             |                                    |                 |  |  |                        |   |          |
| 1.3.5                 | Procure and install rolling stacks                                      | 1,260                                   | ICB                             | Ex ante                     | 100                                | 0               | No                                     | June 2012                                  | Oct. 2012              | Pending   |          |
|                       | <b>Component 2 – Improve the quality of case-law information</b>        |   |                                 |                             |                                    |                 |  |  |                        |   |          |
|                       | <i>2.1 Organization and systematization of case law and law reports</i> |   |                                 |                             |                                    |                 |  |  |                        |   |          |
| 2.1.3                 | Equipment   | 62.5                                    | NCB                             | Ex post                     | 100                                | 0               | No                                     | Sept. 2012                                 | Dec. 2012              | Pending   |          |
|                       | <b>Component 3 – Improve services for the public</b>                    |   |                                 |                             |                                    |                 |  |  |                        |   |          |
|                       | <i>3.1 Services for the public</i>                                      |   |                                 |                             |                                    |                 |  |  |                        |   |          |
| 3.1.3                 | Facilities for providing services to the public                         | 25.8                                    | S                               | Ex post                     | 100                                | 0               | No                                     | April 2012                                 | June 2012              | Pending   |          |
| 3.1.4                 | Communications infrastructure   | 180                                     | NCB                             | Ex post                     | 100                                | 0               | No                                     | July 2012                                  | Nov. 2012              | Pending   |          |
| 3.1.5                 | Equipment for providing services to the public                          | 62.5                                    | NCB                             | Ex post                     | 100                                | 0               | No                                     | July 2012                                  | Nov. 2012              | Pending   |          |

| Ref. No. <sup>1</sup> | Category and description of the procurement contract                    | Estimated cost of procurement (US\$000) | Procurement method <sup>2</sup> | Review (ex ante or ex post) | Source of financing and percentage |                 | Prequalification <sup>3</sup> (Yes/No) | Estimated dates                            |                        | Status <sup>4</sup> (pending, in process, awarded, cancelled) | Comments |
|-----------------------|---|---|---------------------------------|-----------------------------|------------------------------------|-----------------|--|--|------------------------|---|----------|
|                       |   |   |                                 |                             | IDB %                              | Local / other % |  | Publication of specific procurement notice | Completion of contract |   |          |
|                       | <b>Component 4 – Support legislative information management</b>         |   |                                 |                             |                                    |                 |  |  |                        |   |          |
|                       | <i>4.1 Support for legislative information management</i>               |   |                                 |                             |                                    |                 |  |  |                        |   |          |
| 4.1.5                 | Equipment, software, and licenses                                       | 132.5                                   | NCB                             | Ex post                     | 100                                | 0               | No                                     | July 2011                                  | Dec. 2011              | Pending   |          |
| 4.1.6                 | Communications infrastructure   | 30                                      | S                               | Ex post                     | 100                                | 0               | No                                     | Oct. 2011                                  | Dec. 2011              | Pending   |          |
|                       | <b>2. Works</b>   |   |                                 |                             |                                    |                 |  |  |                        |   |          |
|                       | <b>Component 1 – Strengthen judicial administration</b>                 |   |                                 |                             |                                    |                 |  |  |                        |   |          |
|                       | <i>1.2 Support for implementation of oral proceedings</i>               |   |                                 |                             |                                    |                 |  |  |                        |   |          |
| 1.2.2                 | Refurbish hearing rooms   | 575                                     | NCB                             | Ex post                     | 100                                | 0               | No                                     | June 2011                                  | May 2012               | Pending   |          |
|                       | <i>1.3 Management and organization of archives</i>                      |   |                                 |                             |                                    |                 |  |  |                        |   |          |
| 1.3.4                 | Refurbish facilities  | 1,680                                   | NCB                             | Ex post                     | 100                                | 0               | No                                     | Jan. 2011                                  | Dec. 2011              | Pending   |          |
|                       | <b>Component 2 – Improve the quality of case-law information</b>        |   |                                 |                             |                                    |                 |  |  |                        |   |          |
|                       | <i>2.1 Organization and systematization of case law and law reports</i> |   |                                 |                             |                                    |                 |  |  |                        |   |          |
| 2.1.4                 | Refurbish facilities  | 1,459.5                                 | NCB                             | Ex post                     | 100                                | 0               | No                                     | May 2013                                   | Nov. 2013              | Pending   |          |

| Ref. No. <sup>1</sup> | Category and description of the procurement contract                                     | Estimated cost of procurement (US\$000) | Procurement method <sup>2</sup> | Review (ex ante or ex post) | Source of financing and percentage |                 | Prequalification <sup>3</sup> (Yes/No) | Estimated dates                            |                        | Status <sup>4</sup> (pending, in process, awarded, cancelled) | Comments |
|-----------------------|--|---|---------------------------------|-----------------------------|------------------------------------|-----------------|--|--|------------------------|---|----------|
|                       |  |   |                                 |                             | IDB %                              | Local / other % |  | Publication of specific procurement notice | Completion of contract |   |          |
|                       | <b>Component 3 – Improve services for the public</b>                                     |   |                                 |                             |                                    |                 |  |  |                        |   |          |
|                       | <i>3.1 Services for the public</i>   |   |                                 |                             |                                    |                 |  |  |                        |   |          |
| 3.1.2                 | Refurbish facilities for providing services to the public                                | 308                                     | S                               | Ex post                     | 100                                | 0               | No                                     | June 2011                                  | Dec. 2011              | Pending   |          |
|                       | <b>3. Nonconsulting services</b>   |   |                                 |                             |                                    |                 |  |  |                        |   |          |
|                       | <b>Component 4 – Support legislative information management</b>                          |   |                                 |                             |                                    |                 |  |  |                        |   |          |
|                       | <i>4.2 Evaluations and audits</i>  |   |                                 |                             |                                    |                 |  |  |                        |   |          |
| 4.2.3                 | MIJ financial audit  | 40                                      | S                               | Ex ante                     | 100                                | 0               | No                                     | Oct. 2014                                  | Dec. 2014              | Pending   |          |
|                       | <b>Component 5 – Evaluations and audits</b>  |   |                                 |                             |                                    |                 |  |  |                        |   |          |
|                       | <i>5.2 Financial audit</i>   |   |                                 |                             |                                    |                 |  |  |                        |   |          |
| 5.2.1                 | Financial audit  | 80                                      | S                               | Ex ante                     | 100                                | 0               | No                                     | Oct. 2014                                  | Dec. 2014              | Pending   |          |
|                       | <b>4. Consulting services</b><br><b>Component 1 – Strengthen judicial administration</b> |   |                                 |                             |                                    |                 |  |  |                        |   |          |
|                       | <i>1.1 Improvement of judicial operations</i>  |   |                                 |                             |                                    |                 |  |  |                        |   |          |
| 1.1.1                 | Review operations, organization, and methods   | 1,120                                   | QCBS                            | Ex ante                     | 100                                | 0               | No                                     | June 2010                                  | Nov. 2012              | Pending   |          |

[illegible]

[illegible]

[illegible]



| Ref. No. <sup>1</sup> | Category and description of the procurement contract | Estimated cost of procurement (US\$000) | Procurement method <sup>2</sup> | Review (ex ante or ex post) | Source of financing and percentage |                 | Prequalification <sup>3</sup> (Yes/No) | Estimated dates                            |                        | Status <sup>4</sup> (pending, in process, awarded, cancelled) | Comments  |
|-----------------------|--|---|---------------------------------|-----------------------------|------------------------------------|-----------------|--|--|------------------------|---|---|
|                       |  |   |                                 |                             | IDB %                              | Local / other % |  | Publication of specific procurement notice | Completion of contract |   |   |
| 6.1                   | General coordinator                                  | 336                                     | SSS                             | Ex ante                     | 100                                | 0               | No                                     | Jan. 2010                                  | June 2014              | Pending   | Given the complexity of the operation, it was agreed with the beneficiaries and the national government to give the steering committee the authority to select the general coordinator on a noncompetitive basis, provided the minimum requirements endorsed by the Bank and the National Planning Department are met. The amount covers the duration of the project. Contracts will be annual. |
| 6.2                   | Financial coordinator                                | 96                                      | QCBS                            | Ex post                     | 100                                | 0               | No                                     | July 2010                                  | June 2014              | Pending   | The amount covers the duration of the project. Contracts will be annual.  |
| 6.3                   | Procurement and contracts administrator              | 96                                      | QCBS                            | Ex post                     | 100                                | 0               | No                                     | July 2010                                  | June 2014              | Pending   | The amount covers the duration of the project. Contracts will be annual.  |
| 6.4                   | Evaluation and monitoring advisor                    | 96                                      | QCBS                            | Ex post                     | 100                                | 0               | No                                     | July 2010                                  | June 2014              | Pending   | The amount covers the duration of the project. Contracts will be annual.  |

| Ref.<br>No. <sup>1</sup> | Category and<br>description of the<br>procurement contract | Estimated<br>cost of<br>procurement<br>(US\$000) | Procure-<br>ment<br>method <sup>2</sup> | Review<br>(ex ante<br>or<br>ex post) | Source of financing<br>and percentage |                       | Prequali-<br>fication <sup>3</sup><br><br>(Yes/No) | Estimated dates                                     |                           | Status <sup>4</sup><br>(pending,<br>in process,<br>awarded,<br>cancelled) | Comments  |
|--------------------------|--|--|---|--------------------------------------|---------------------------------------|-----------------------|--|---|---------------------------|---|---|
|                          |  |  |   |                                      | IDB<br>%                              | Local /<br>other<br>% |  | Publication of<br>specific<br>procurement<br>notice | Completion of<br>contract |   |   |
| 6.5                      | Administrative assistant                                   | 12   | QCBS                                    | Ex post                              | 100                                   | 0                     | No   | July 2010   | June 2014                 | Pending   | The amount covers<br>the duration of the<br>project. Contracts<br>will be annual. |