

DOCUMENT OF THE INTER-AMERICAN DEVELOPMENT BANK

## **GUATEMALA**

### **PROGRAM TO SUPPORT THE CRIMINAL JUSTICE SECTOR**

**(GU-0177)**

### **LOAN PROPOSAL**

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Electronic Links and References	
Basic socioeconomic data	<a href="http://www.iadb.org/RES/index.cfm?fuseaction=externallinks.countrydata">http://www.iadb.org/RES/index.cfm?fuseaction=externallinks.countrydata</a>
Status of loans in execution and loans approved	<a href="http://portal.iadb.org/approvals/pdfs/GUen.pdf">http://portal.iadb.org/approvals/pdfs/GUen.pdf</a>
Tentative lending program	<a href="http://opsgs1/ABSPRJ/tentativelending.ASP?S=GU&amp;L=EN">http://opsgs1/ABSPRJ/tentativelending.ASP?S=GU&amp;L=EN</a>
Information available in the ICF files	<a href="http://ops3.reg.iadb.org/idbdocswebservices/getDocument.aspx?DOCNUM=1098669">http://ops3.reg.iadb.org/idbdocswebservices/getDocument.aspx?DOCNUM=1098669</a>
Procurement plan	<a href="http://idbdocs.iadb.org/WSDocs/getDocument.aspx?DOCNUM=1162211">http://idbdocs.iadb.org/WSDocs/getDocument.aspx?DOCNUM=1162211</a>
Project Performance Monitoring Report (PPMR)	<a href="http://ops3.reg.iadb.org/idbdocswebservices/getDocument.aspx?DOCNUM=1108376">http://ops3.reg.iadb.org/idbdocswebservices/getDocument.aspx?DOCNUM=1108376</a>

## ABBREVIATIONS

AECI	Agencia Española de Cooperación Internacional [Spanish International Cooperation Agency]
AWP	Annual work plan
EU	European Union
ICAS	Institutional Capacity Assessment System
ICMSJ	Instancia Coordinadora para la Modernización del Sector Justicia [Coordinating Authority for Modernization of the Justice Sector]
IDPP	Instituto de la Defensa Pública Penal [Public Defender's Office]
INACIF	Instituto Nacional de Ciencias Forenses [National Forensic Science Institute]
IRER	Internal rate of economic return
MINGOB	Ministerio de Gobernación [Ministry of the Interior]
NPV	Net present value
PETSJP	Plan Estratégico para la Transformación del Sector Justicia Penal [strategic plan for the transformation of the criminal justice sector]
PVP	Plan Visión de País [country vision plan]
SIASEJU	Sistema Informático de Apoyo al Sector Justicia [justice sector information support system]
UNDP	United Nations Development Programme

## PROJECT SUMMARY

### GUATEMALA PROGRAM TO SUPPORT THE CRIMINAL JUSTICE SECTOR (GU-0177)

Financial Terms and Conditions <sup>1</sup>				
Borrower: Republic of Guatemala			Amortization period:	20 years
Executing agency: Executive Secretariat of the Coordinating Authority for Modernization of the Justice Sector (ICMSJ)			Grace period:	5 years
			Disbursement period:	5 years
<b>Source</b>	<b>Amount (US\$)</b>	<b>%</b>	Interest rate:	Variable
IDB (Ordinary Capital)	30,000,000	100%	Inspection and supervision fee:	0%
Local	170,020		Credit fee:	0.25%
Total	30,170,020		Currency:	U.S. dollars from the Single Currency Facility
Project at a Glance				
<p><b>Project objective:</b></p> <p>To improve the efficiency and effectiveness of the Guatemalan criminal justice system and access to the system.</p> <p><b>Special contractual conditions:</b></p> <p>a. <i>Conditions precedent to the first disbursement:</i> (i) agreements must be entered into between the borrower and the ICMSJ, and between the ICMSJ and the coexecuting agencies (see paragraph 3.1); (ii) the program Operating Regulations must enter into force (see paragraph 3.4); (iii) the annual work plan (AWP) for year one must be submitted (see paragraph 3.5).</p> <p>b. <i>Program execution:</i> (i) maintenance report (see paragraph 3.13); (ii) delivery of the AWP (see paragraph 3.5); and (iii) program evaluations (see paragraphs 3.14 to 3.16).</p> <p><b>Exceptions to Bank policies:</b></p> <p>Establishment of a revolving fund (see paragraph 3.12).</p> <p>Project consistent with country strategy:    Yes [ X ]                      No [ ]</p> <p>Project qualifies as:                              SEQ [ X ]              PTI [ X ]              Sector [ ]              Geographic [ ]              Headcount [ ]</p> <p>Environmental and social review: See paragraph 4.6.</p> <p>Procurement: See paragraphs 3.6 and 3.7.</p>				

<sup>1</sup> The interest rate, credit fee, and inspection and supervision fee mentioned in this document are established pursuant to document FN-568-3 Rev. and may be changed by the Board of Executive Directors, taking into account the available background information, as well as the respective Finance Department recommendations. In no case will the credit fee exceed 0.75%, or the inspection and supervision fee exceed 1% of the loan amount.\*

\* With regard to the inspection and supervision fee, in no case will the charge 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.

## I. FRAME OF REFERENCE

### A. Introduction

- 1.1 The internal armed conflict that lasted for nearly four decades ended with the signature of different peace accords. With regard to the commitments related to the administration of justice, the **Accord on the Strengthening of Civil Society and the Role of the Army in a Democratic Society** acknowledged that “*One of the greatest structural weaknesses of the Guatemalan State is its justice system,*” and stressed that “*the obsolescence and slowness of legal proceedings, the absence of modern office management systems, and a lack of control over judicial officials and personnel promote corruption and inefficiency.*”
- 1.2 The accord also establishes that the reform and modernization of the justice system should be directed to preventing it from creating and concealing a system of impunity and corruption. Therefore, a priority of judicial reform is “*to reverse ineffectiveness, eradicate corruption, guarantee free access to justice, its impartial application, judicial independence, ethical authority, the probity of the system as a whole, and its modernization.*” As called for in this accord, a commission to strengthen the justice system was formed in March 1997. It published its recommendations in April 1998.
- 1.3 In this context, the Guatemalan justice sector has been immersed for more than a decade in a process of change, given that strengthening this sector is decisive in efforts to consolidate peace, to guarantee the highest possible levels of legal predictability and, fundamentally, to establish the real and effective application of constitutional guarantees.

### B. The Guatemalan criminal justice system

- 1.4 The Guatemalan justice system is based on the tradition of continental European law and basically consists in criminal matters of: the Judicial Branch (Organismo Judicial), the Ministry of the Interior (MINGOB) to which the National Police Force and the Correctional Services Division report, the Office of the Attorney General (Ministerio Público), and the Public Defender’s Office.
- 1.5 **The Judicial Branch.** As the applicable legislation establishes, the Judicial Branch performs jurisdictional and administrative functions. The jurisdictional function corresponds to the Supreme Court and its subordinate courts. The administrative function is performed by the Office of the President of the Judicial Branch and the administrative units that report to it, defined in its new administrative management and organizational model.
- 1.6 The system has a vertical hierarchical structure, with the Supreme Court at the top with jurisdiction over the entire country. Below it in rank are the appellate courts (whose divisions are determined by the Supreme Court), other collegiate courts, and the criminal courts of first instance (which control sentencing and sentence execution) coming next, and last the justice of the peace courts or minor courts.

- 1.7 **Office of the Attorney General.** The applicable legislation defines the Attorney General's Office as an institution with autonomous functions, that is responsible for criminal prosecution and investigation and sees to the strict observance of Guatemalan law.
- 1.8 The Attorney General's Office is composed of the attorney general, the ministerial council, district and sectional attorneys, agents and deputy agents. The Office is headed by the attorney general who is responsible for its smooth operation. His authority extends to the whole country.
- 1.9 **Ministry of the Interior (MINGOB).** MINGOB is responsible for assuring civil security in the country. It is headed by a minister and organized into four vice-ministries responsible for security, administration, community support, and coordination with the justice administration.
- 1.10 The National Police Force (PNC) is responsible for law and order and domestic security. The basic functions of the correctional services system are to administer prisons and penitentiaries, provide security services and assistance for sentenced persons or persons held in pre-trial detention, and prisoner rehabilitation.
- 1.11 Creation of the new National Police Force was included in the Accord on Strengthening Civil Society and its functions are regulated by Decree No. 11-97.
- 1.12 **Public Defender's Office (IDPP).** The IDPP is an autonomous office established under Congressional Decree 129-97 of 5 December 1997 (the Criminal Public Service Act), which took effect on 13 July 1998. It is intended to ensure the full application of and respect for the right to defense enshrined in Article 12 of the constitution and to turn the commitment established in the Accord on the Strengthening of Civil Society and the Role of the Army in a Democratic Society into a reality.
- 1.13 Compliance with the mandate of providing public defenders in criminal cases is the responsibility of defense counsels employed by the IDPP, court-appointed defense counsels, and attorneys in training. The first are permanent employees of the IDPP who take on cases of serious crimes with high impact. The court-appointed attorneys exercise their profession privately and are contracted by the IDPP<sup>1</sup> to provide legal assistance free of charge.
- 1.14 **The Coordinating Authority for Modernization of the Justice Sector (ICMSJ).** The ICMSJ was created under a Letter of Intent on 25 September 1997. Its mandate involves joint activities to modernize the sector as a whole and avoid unnecessary duplication of efforts. Its decisions are taken by consensus and its sphere of action prohibits it from issuing directives that undermine the operational and economic independence of its member agencies: the Organismo Judicial, the Supreme Court,

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<sup>1</sup> The fees paid to the court-appointed counsellors are established in the fee schedule kept by the Public Defender's Office.

the Attorney General's Office, the Ministry of the Interior, and the Public Defender's Office.

- 1.15 The ICMSJ has an Executive Secretariat As the arm that implements its decisions, whose mission is to execute sector projects financed with international cooperation, which is one of the main sources for maintenance of the secretariat. It also receives allocations from the Guatemalan government, which assigns it funds from the current income budget.
- 1.16 The ICMSJ has a technical advisory body composed of a representative of each member institution, known as the Technical Planning and Sector Coordination Board. Its main function is to advise on and support planning, particularly strategic planning, and the implementation of sector plans, programs, and projects. This arrangement has provided a venue for coordination and agreement between the senior authorities in the sector and the technical area, in support of criminal justice and the process of change. The ICMSJ prepared a strategic plan for the transformation of the criminal justice sector for the period 2006-2010, which is the frame of reference for the design of the present operation in strategic areas such as access to justice and transparency.
- 1.17 **National Forensics Institute (INACIF).**<sup>2</sup> The Law Establishing the National Forensics Institute (Congressional Decree 32-2006) was passed on 31 August 2006. The main function of this autonomous body, which supports the administration of justice through technical and scientific expertise, is to provide independent scientific investigation services. Its creation responds to one of the commitments made in the Peace Accords. The central government has assigned it GTQ\$40 million for its operations. The international community (EU, GTZ, France, and the USA (NASS-LEAD) are also supporting this institution.

### **C. Background, progress, and main challenges in the justice sector**

- 1.18 As part of a movement that involved many countries in the region, in 1994 a 'new' Code of Criminal Procedure was approved, to modernize criminal proceedings, bringing them into line with international standards. One of the changes introduced was to replace the inquisitorial procedure with an adversarial system, and the introduction of oral hearings, and assignment of investigation and indictment responsibilities to the Attorney General's Office. Implementation of these legal reforms has required appropriate municipal infrastructure and technology, in addition to management and training systems for justice operators.
- 1.19 The strategic plan for the transformation of the criminal justice sector for the period 2006-2010 was approved by the ICMSJ in September 2006 and includes a comprehensive vision for transforming the sector and elements to improve the operation of the courts, improve access to justice, combat corruption, strengthen management, and improve social communications.

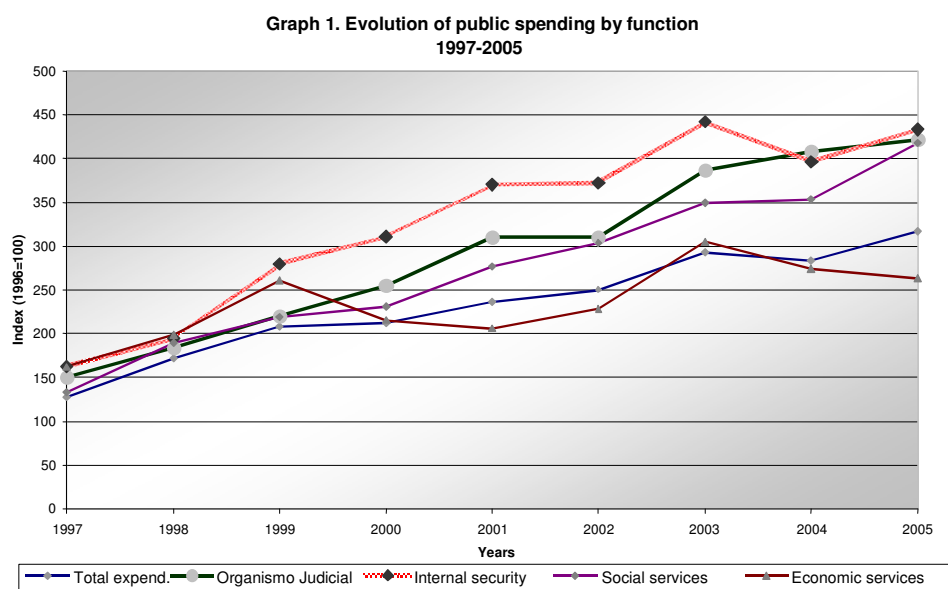
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<sup>2</sup> The director of INACIF was chosen on 7 July 2007. It is anticipated that INACIF will be functioning at full capacity by September 2007.



## D. The sector budget

- 1.20 Since 1996, the expenditure goals established for the justice sector have been related to the commitments made in the peace accords. Consequently, there has been a considerable increase in funds for the sector over the last ten years—or at least that is what national budget figures suggest. As shown in Graph 1, public spending on the Judicial Branch and internal security (excluding defense) was much more dynamic than total spending or spending on social services and economic services. Between 2000 and 2006, the Judicial Branch budgetary appropriation<sup>3</sup> grew by 60%; the budgets for the Attorney General's Office and the IDPP by 90% and 64% respectively; while the budget for internal security grew by more than 300% between 1995 and 2005. This demonstrates the government's commitment and the importance it attaches to the sector and the two main challenges facing Guatemalan society: fighting crime and improving human rights. These challenges have been taken up by the government and all sectors of society.



- 1.21 Budget allocations require precise evaluations of the expected outcomes and impacts, in addition to sector plans and programs expressed in terms of objectives, goals, actions, and financial requirements (current and investment) to achieve them,

<sup>3</sup> As required by the Constitution, the Organismo Judicial receives an annual budget from the executive branch that should not be less than 2% of the government's budget. The Organismo Judicial also has its own funds which come mainly from the public services it provides, such as certificates of good conduct, commutations, fines, certificates, auctions, and accrued interest, which have grown considerably owing to the changes brought about by reengineering processes supported by the World Bank. The budgets of the Attorney General's Office and the IDPP come from central government transfers and in the case of the Ministerio, also from capital income.

which permits funds to be allocated objectively and not based solely on the historical budget. In this scenario, the Ministry of Public Finance has incorporated the concept of a results-based budgeting into the multiyear budget for 2007-2009. This methodology is intended to support key sectors, particularly the justice sector, in establishing a budget based on medium-term investment planning, in close relation to the annual work plans. The strategic sector plan for transformation of the criminal justice sector (2006-2010) will be used henceforth as the reference framework for budget formulation by the sector's institutions. This will allow planning to be linked to the budget and funds to be allocated in accordance with the sector's objectives.

## **E. Achievements**

- 1.22 The IDB, together with the World Bank, the European Union, and the Spanish Cooperation Agency (AECI) (see annex in the technical files) have been supporting justice sector reform. In the case of the IDB, the support took the form of the program for justice sector reform (1120/OC-GU) which was completed in September 2006. Under the program, recognition was obtained of the ICMSJ and the legal status of its Executive Secretariat, which is a relevant body for building consensus among the sector institutions.
- 1.23 The program consisted of two components—access to justice and institutional strengthening. The first was intended to improve judicial coverage in low-income communities, facilitating physical, linguistic, and cultural access to justice through the construction of justice administration centers, justice of the peace courts, and district prosecutor's offices, and special activities targeted to indigenous communities. The second objective was to support sector institutions in building up their managerial, technical, and administrative capacity as a means of improving the internal efficiency of the systems and the quality of the public services provided.
- 1.24 As a result of that IDB program, access to justice was improved by establishing four justice administration centers, in Atitlán, Ixchiguan, Playa Grande, and Santa Eulalia, which are areas with large indigenous populations. The program evaluation noted that the model, as designed, has given the poor greater access to justice and to free assistance by an attorney, in addition to savings in travel times and costs compared to the previous situation. With construction of the centers, access times were reduced by 30% and decision-making capabilities in cases improved by approximately 50%. Also, the lack of a baseline for measuring performance made planning and strategic analysis in the implementation process difficult in terms of foreseeing problems and selecting alternative courses of action. Alternatives were adopted, but based on events now over or already existing problems, such as scaling back the justice administration center construction target from eight to four.
- 1.25 As to the objective of building up the capacity of justice sector institutions, being an initial experience in joint execution, the program needed to address the uneven development and nature of entities in the sector. The process of justice sector modernization has been implemented to differing degrees in each institution. The

imbalances among the four institutions led to delays and shortcomings in implementation. A typical case was the justice sector information support system (SIASEJU) approved by the ICMSJ in 2005 and financed under program 1120/OC-GU. The SIASEJU was designed as an integrated information system for the sector but although technical progress was made in some institutions and electronic interconnections exist inside each of them, owing to the different degrees of technological development it was impossible to exchange information for better coordination of sector institutions and greater efficiency in the system so it could serve as a mechanism for decision making and for user information.

- 1.26 As to training, all the participating institutions made a considerable effort to raise human resources quality in phase one of the Bank program. The impact of those efforts, however, was diminished by the large turnover of personnel in the sector. Among the weaknesses identified, the program evaluation reported that the joint, continuous, and permanent training program coordinated by ICMSJ Executive Secretariat was not institutionalized and there was no training program for trainers to replicate courses and workshops in the justice administration centers themselves, just where turnover has been greatest.
- 1.27 With support from the European Union over the last two years and with the involvement of members of the criminal justice sector (judges, prosecutors, defenders, and police) the new 24-hour courts (*juzgados de turno*) have been started up in the same building and provide uninterrupted service. This type of court has been highly successful since it has been able to: (i) respect due process with regard to the times established in the constitution for arraignment before a judge, satisfying the principles of immediacy, speed, and public proceedings; (ii) help to decongest the regular courts; and (iii) prevent persons charged with misdemeanors or offences that do not merit imprisonment from being sent to detention centers, thereby minimizing preventive detention. The experience of the 24-hour courts that have been operating in Guatemala City for more than a year now, has demonstrated optimization of the use of resources. The single window permits control by the Attorney General's Office (through the report by the arresting officer) and the presiding judge in preliminary proceedings (by providing certification as necessary) over the work of the arresting officer. It has also influenced the number of cases entering the Organismo Judicial, since there were a total of 274,772 criminal cases in 2005 and 193,690 in 2006, down 30%,<sup>4</sup> and the quality of arrests, thus reducing the number of cases that leave the system owing to lack of merit. In the 24-hour courts, judges devote 100% of their time to the jurisdictional function and none of their time to the administrative function.
- 1.28 Last, from the outset, the plan for modernization of the Judicial Branch financed by the World Bank included a comprehensive view for transformation of the system and elements to improve the operation of the courts, promote access to justice, strengthen management, and improve social communications. It also included the

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<sup>4</sup> The first 24-hour criminal court opened on 17 March 2006.

separation of jurisdictional functions from administrative ones, the creation of new courts, and an ambitious training program.

## **F. Sector challenges**

- 1.29 Justice sector reform in Guatemala has not shunned the rationale behind public sector reform in general. Although significant progress has been made, particularly in the institutional ground rules (such as the Criminal Code) and better access to justice (such as the justice administration centers and the 24-hour courts in Guatemala City), the efforts have not been sufficient to solve the problems of access to justice in high crime areas or to bolster criminal investigation capacity so that the work of sector institutions is better coordinated, thus making the justice system generally more efficient and more effective.
- 1.30 It is necessary to boost and fortify the efforts made thus far in the field of access to justice, since desirable levels of coverage and access have not yet been attained. Given the experiences in recent years, it is crucial to continue expanding the presence of security and justice institutions, giving priority to strengthening the justice services of sector entities, assistance for victims, and training and sensitization of justice operators. It is proposed the experience of integrated justice centers with 24-hour courts be replicated in order to broaden coverage and access to justice in the most populated departments where crime is highest (see Graph 1).
- 1.31 There is also a need to systemize the procedures of sector institutions, exchange information, and establish harmonized standards for capturing, processing, and disseminating statistics from institution to institution. To do so, it will be necessary to seek technological equivalencies in software and hardware in some institutions to allow for the fluid exchange of information and the design of a model for information processes and organization that goes beyond individual institutions. It is necessary to consider at least the following factors: (i) progress by each institution to systemize processes; and (ii) telecommunications systems within and between institutions.
- 1.32 This line of action will also have to develop mechanisms for permanent training and improve scientific and forensic investigation technologically in sector institutions. This is one of the most important areas that have been identified to strengthen the judicial system so that it can afford effective protection of the legal values established in the Criminal Code.

## **G. Country strategy in the sector**

- 1.33 The strategic plan for the transformation of the criminal justice sector (PETSJP) for the period 2006-2010 (see Table I-1) was drafted by the ICMSJ's Technical Planning and Sector Coordination Board, taking into account the different plans of each sector institution, an analysis of the problems in Guatemalan criminal justice, the policy guidelines of ICMSJ institutions, and the lessons learned from implementing the different projects financed by the donor community and implemented by the ICMSJ Executive Secretariat. The plan is also consistent with

the guidelines established in the Peace Accords and the recommendations of the Committee on Strengthening the Justice Sector.

**Table I-1**  
**Lines and objectives of the strategic plan and their relationship to the program**

<b>Access to justice</b>	To achieve a responsive and humane criminal justice system. To create certainty in the application of the Code of Criminal Procedure. To promote a criminal justice system that reflects the constitution. To improve access to justice for traditionally excluded groups (component 1). To improve the coverage and decentralization of criminal justice services (component 1).
<b>Improvement in sector management and coordination</b>	To strengthen the independence of criminal justice system officials and operators in exercising their functions. To promote the organizational restructuring of the criminal justice sector (component 1). To boost the quality of human resources (components 1 and 3) To improve the generation, exchange, and dissemination of information in the criminal justice sector (component 2). To modernize the system through technological growth (component 2).
<b>Transparency</b>	To promote transparency and accountability in the sector (components 2 and 3).
<b>Internal and external cooperation</b>	To optimize financial and technical cooperation in the criminal justice sector (coordination with other donors, see Annex 3).

- 1.34 The strategic plan is the frame of reference for the support provided by the international community. The European Union and the Spanish International Cooperation Agency have fit their assistance into the strategic plan and their activities are complementary to but independent from the program proposed here, which is a stand-alone operation. The program will help to attain some of the goals of the strategic plan by providing support for its central pillars: (i) access to justice; (ii) improved sector management, organization, and coordination; and (iii) transparency. The technical files contain a table showing the complementarity between the present program and the programs financed by the EU and AECI.
- 1.35 In Guatemala's political context, a proposed country vision plan (PVP) was devised, on the initiative of representatives of different political parties with

different backgrounds, experience, and ideologies, who agree on the importance of strengthening the security and justice system.<sup>5</sup>

#### **H. Rationale for Bank participation**

- 1.36 The proposed program is compatible with the government's strategy and efforts to consolidate a modern, multicultural, and multiethnic state that includes the poor, indigenous, and rural populations in the development process. The Bank's strategy for modernization of the State establishes that it is not possible to advance toward sustainable and equitable growth without progress in legal predictability and equality before the law for all individuals (document GN-2235, July 2003). This field identifies among other aspects, greater access and the development of modern systems for the management and administration of judicial bodies and trials. The present program fits into the strategy and will also contribute to better democratic governance, respect for human rights, and less crime.

## **II. THE PROGRAM**

#### **A. Objective and description**

- 2.1 The objective of this program is to improve the efficiency and effectiveness of the Guatemalan criminal justice system and access to the system.
- 2.2 The following components will be carried out to attain that objective: (i) expansion of access to justice in the departments, with the construction of integrated criminal justice centers; (ii) improvement in system efficiency and effectiveness through support for information management and tracking; and (iii) more effective institutions in the criminal justice sector by strengthening scientific investigation.

#### **1. Component 1. Access to Justice (US\$16,970,826)**

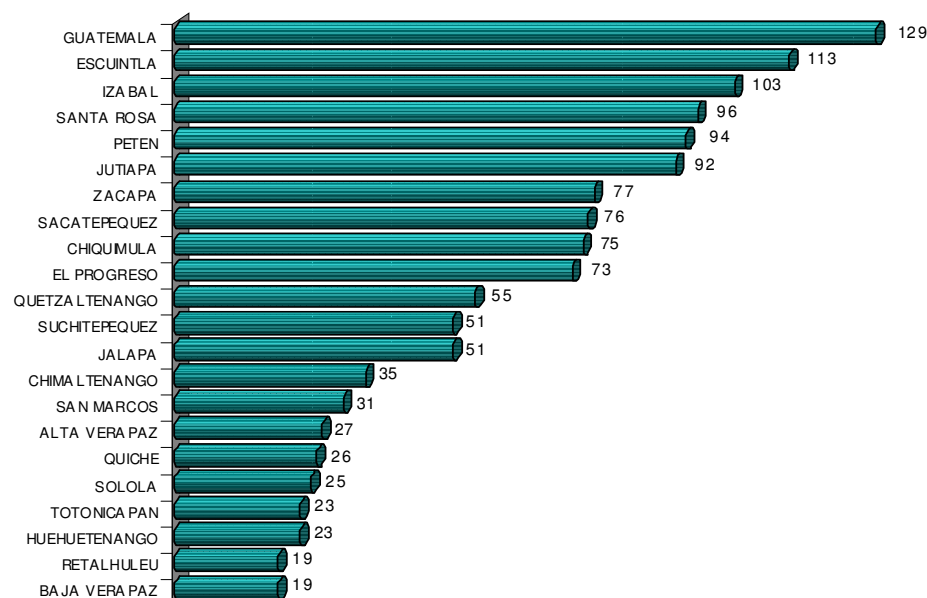
- 2.3 This component is designed to lower the barriers that stand in the way of access to justice, particularly for bypassed groups. The component is cross-cutting in the participating institutions, since it will facilitate consensus, agreements, and decision making by sector authorities, through orderly, coordinated, and gradual growth of system institutions in geographic areas that are priorities, providing continuity in urban and rural areas to the successful experience of the justice administration

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<sup>5</sup> In the PVP agreement on security and justice, the signatories designed security and justice policies based on the democratic security model, which were sketched out in a document called "Democratic security and justice, strategic lines for 15 years" which forms an integral part of the agreement. The policies are marked by being comprehensive, participative, flexible, and progressive and are developed with short-, medium-, and long-term horizons, with the objective of guaranteeing democratic security and efficient and universal access to justice. The determining factors in attaining the objectives defined in the document are: having a stable long-term legal framework that is consistent with the country's situation; having strong, transparent, modern, interlinked, and coordinated institutions; undertaking organizational restructuring of the institutions that make up the national security and justice administration systems directed to guiding and training human resources and consequently, respecting the professional career and strengthening disciplinary units to combat illegal and corrupt practices; and developing a national justice administration system that is operationally and financially independent.

centers and justice of the peace courts in stage one and the 24-hour courts financed by the European Union. Construction will be supported by up to 13 integrated justice centers, with courts that operate 24 hours a day, seven days a week.<sup>6</sup> These centers will be built in the departments (administrative and political divisions), with priority going to the most densely populated areas with the highest levels of conflict (see Graph 2).

**Graph 2. Crimes against life**  
**Rate per 100,000 population by the department where they occurred – 2006**



Source: Attorney General's Office case control information system

- 2.4 The establishment of integrated centers will provide 24-hour criminal justice service, seven days a week, and increase coverage in 60% of the most densely populated departments with the highest incidence of crime. These centers represent a new judicial management model, providing a different form of access to justice and preventing the criminal courts of first instance from being overloaded with cases that do not need to be heard by them.

<sup>6</sup> The infrastructure investment costs have been calculated based on recent experience with similar works and in some cases supported by preliminary designs. Prior to contracting services to design the works (buildings and remodelling), an updated investment program must be available. Each coexecuting unit will have the services of professional engineers or architects to review existing information, visit the sites, evaluate equipment requirements, standardize technical specifications, and prepared updated budgets. The targets for this component may be adjusted on the basis of that information. Also, up to 13 integrated justice centers will be built, since the analysis to select criteria for siting the centers indicated it was not cost-efficient to build centers in sparsely populated areas with little crime.

- 2.5 This component will finance: the design and planning, construction, supervision, equipment, and human resource training required for operation of the new centers mentioned in paragraph 2.3. The following will also be financed under this component: (i) up to five regional offices for the public defenders; (ii) remodeling of up to 15 justice of the peace courts; (iii) up to five standard police stations or substations; (iv) up to five prosecutor's offices; (v) purchase of land<sup>7</sup> and basic services for the buildings in question; and (vi) sensitization and training for justice system operators to start up the integrated centers. The training program will include the participation of trainers to reduce the risks related to staff turnover.
- 2.6 With the construction and outfitting of IDPP regional offices, the institution will no longer need to lease office space to house them. It will also facilitate the process of implementing the administrative and technical decentralization model, by grouping offices across the country into regions, based on monthly work load, the number of defense counsels assigned to the office, and the cost table for resource allocation. Regional distribution includes the following coordinated offices: Alta Verapaz, Quetzaltenango, Petén, Chiquimula, and Escuintla.
- 2.7 The construction and outfitting of buildings of the Attorney General's Office will directly benefit urban and rural populations in the municipalities in the jurisdiction of the offices, by providing better work environments in which to receive complaints at the Permanent Assistance Offices, delivery of social services through the Victim Assistance Offices for direct and collateral victims of crime, and attention to the victim referral networks. Also, it will reduce costs by replacing rented premises and providing infrastructure that is tailored to functions. The location selection criteria will be: (1) the largest number of complaints laid; and (2) the highest rental and maintenance costs.
- 2.8 To comply with the coverage plan, MINGOB will build police stations or installations for the National Police Force at places selected on the basis of the following criteria: crime rate, lack of coverage, and population needs. This type of construction will not be larger than 1,000 m<sup>2</sup> and should be suitable for the functions of the police. It is necessary to remodel the justice of the peace courts to rehabilitate buildings that do not meet the minimum requisites for imparting justice since they were built when during the inquisitorial system and when the code was changed to an adversarial system that promotes the principles of oral proceedings and immediacy, no provision was made for courtrooms or other services. It is also necessary to incorporate areas for promoting alternative methods for conflict resolution and attention to cases involving domestic violence against women, children and adolescents under adequate and safe conditions, not just for personnel, but also for users. The main beneficiaries will be rural and marginal areas that have large indigenous populations where the justice of the peace courts that operate in municipal jurisdictions are located.

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<sup>7</sup> Land will be purchased as stipulated in the guidelines for the application of the policy on the eligibility of expenditures (document CC-6004).



## **2. Component 2. Managing and tracking criminal justice sector information (US\$7,229,181)**

- 2.9 The purpose of this component is to provide technological working tools and information mechanisms that are essential for the justice system as a whole so that indispensable information will be available for the functions of each institution and reliable statistics can be generated. The purpose is to establish an orderly and gradual process of integrated sector information based on need, priority, viability, and availability of resources in system entities. It includes a diagnostic analysis of criteria and methods for the capture, analysis, processing, and exchange of information and development of a sector information system with standardized criteria and indicators. Although SIASEJU was able to strengthen the institutions in the area of information, the present component intends to go beyond technology tools, in that it seeks to strengthen information exchange and dissemination systems through adequate processing, which will improve the processes of providing the public with information on the sector under a general policy of transparency. Under the present program work will be done on the existing platforms, without trying to integrate the systems technically, but harmonizing the flow and processing of information for decision making. The information will also be made available to the public on the websites of the beneficiaries. This component will finance consulting services, equipment, licenses, and training for internal users.
- 2.10 The processes to be developed will make progress in information management control and will support public policies and decision making by the Coordinating Authority for Modernization of the Justice Sector.

## **3. Component 3. Strengthening criminal and scientific investigation (US\$1,340,000)**

- 2.11 This component will improve criminal and scientific investigation by offering comprehensive support to those responsible for these functions in each sector institution. It fundamentally seeks to optimize technical investigation capacity and coordinate the institutions involved in the process.<sup>8</sup>
- 2.12 The following activities will be financed: (i) training in criminal and forensic science, crime scenes, and verification of evidence; (ii) technical assistance and training in the use of high technology for criminal and scientific investigation; (iii) preparation of forensic protocols to establish the role of each justice operator (and other players present at crime scenes) and standardized manuals on obtaining and preserving evidence; and (iv) procurement of specialized equipment, transportation, and materials for field investigations, crime scenes, analysis, and verification of evidence.
- 2.13 The main benefits of this component will be: (i) preservation of the evidentiary chain of custody; (ii) scientific determination of the validity of incriminating

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<sup>8</sup> The resources assigned to this component reflect the expenditures needed to satisfy the demands of the beneficiary institutions to strengthen criminal and scientific investigation.

evidence; (iii) verification of the validity of the prosecution's evidence by the defense; (iv) improved training plans for justice operators; and (v) better quality and service for users.

## B. Cost and financing

2.14 The estimated cost of the Program is US\$30,170,020 million, broken down by investment category and source of financing as follows:

**Cost table (GU-0177)**  
(estimated costs in US\$)

Category	IDB	Country	Total
<b>Direct costs</b>			
<b>1. Access to justice</b>	<b>16,970,826</b>	<b>0</b>	<b>16,970,826</b>
1.1 Consulting services	884,467	0	884,467
1.2 Purchase of land	897,600	0	897,600
1.3 Works	12,907,550	0	12,907,550
1.4 Equipment and furniture (per center)	2,229,209	0	2,229,209
1.5 Training workshops for operators	13,000	0	13,000
1.6 Awareness campaigns	39,000	0	39,000
<b>2. Managing and tracking criminal justice sector information</b>	<b>7,229,181</b>	<b>0</b>	<b>7,229,181</b>
2.1 Equipment and licenses	6,309,900	0	6,309,900
2.2 Consulting and service	798,681	0	798,681
2.3 Training	120,600	0	120,600
<b>3. Strengthening criminal and scientific investigation</b>	<b>1,340,000</b>	<b>0</b>	<b>1,340,000</b>
3.1 Equipment	680,000	0	680,000
3.2 Vehicles	240,000	0	240,000
3.3 Training	420,000	0	420,000
<b>Indirect costs</b>		<b>0</b>	
<b>4. Administration</b>	<b>3,238,690</b>	<b>0</b>	<b>3,238,690</b>
4.1 Equipment and vehicles	152,384	0	152,384
4.2 Consulting services	2,790,724	0	2,790,724
4.3 Midterm and final evaluations	30,000	0	30,000
4.4 Operating expenses (materials, communications)	265,583	0	265,583
5. Contingencies	1,221,303	0	1,221,303
<b>Credit fee</b>	<b>0</b>	<b>170,020</b>	<b>170,020</b>
<b>Total</b>	<b>30,000,000</b>	<b>170,020</b>	<b>30,170,020</b>

## III. PROGRAM EXECUTION

### A. Borrower and executing agency

3.1 The borrower will be the Republic of Guatemala. The program will be executed through the Executive Secretariat of the Coordinating Authority for Modernization

of the Justice Sector (ICMSJ) with the participation of the Judicial Branch, the Office of the Attorney General, the Public Defender's Office (IDPP), and the Ministry of the Interior (MINGOB). Transfer of the loan proceeds and the assumption of program execution obligations will be effected by agreements entered into between the borrower and the ICMSJ, and between the ICMSJ and the coexecuting agencies, respectively. **As a condition precedent to the first disbursement, the executing agency must demonstrate to the Bank that such agreements have been signed.**<sup>9</sup>

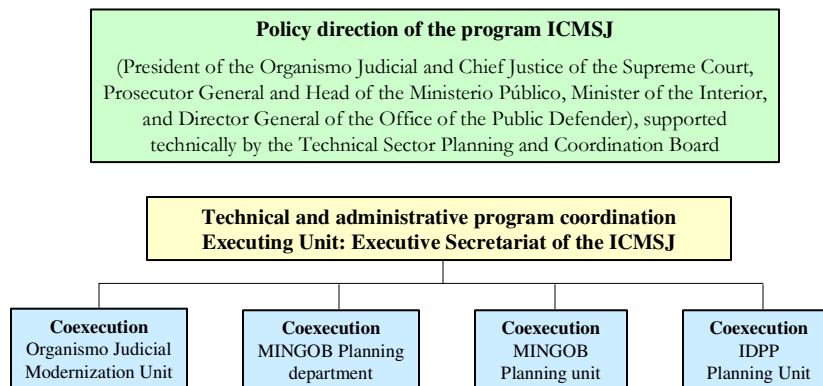
**B. Execution and administration**

- 3.2 The ICMSJ Executive Secretariat has experience in executing operations financed by multilateral agencies such as the IDB (GU-0092) and donors such as the UNDP and the European Union. The Judicial Branch, the Attorney General's Office, the IDPP and MINGOB, as coexecuting agencies, will bear technical, administrative and financial responsibility for the activities carried out in their respective institutions. Each institution will designate a unit to coordinate program activities.
- 3.3 The role of the Executive Secretariat is to promote coordination among the different coexecuting agencies and to support execution and the transparency of the administrative actions. Its functions will include: (i) to participate in the formulation and approval of the AWP and in program evaluation (ii) to arrange for program disbursements; (iii) to support the coexecuting agencies; (iv) to disseminate the results of the program; and (v) to act as liaison with the Bank.

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<sup>9</sup> The interagency agreements will address the activities described in the project components, such as the construction of justice administration centers and IDPP regional offices; remodeling of justice of the peace courts; standard police stations, prosecutor's offices; purchase of land and basic services for such construction, including maintenance; as well as training and awareness raising for justice system operators starting up the integrated centers, etc., justifying any allocation of budgetary resources. These agreements will include work execution timetables and performance indicators.

**Graph 3**  
**Program execution plan**



### **C. Program Operating Regulations**

- 3.4 Execution will be governed by Operating Regulations similar to those used in the first program, incorporating changes that reflect the lessons learned in executing the program in support of judicial reform (IDB 1120/OC-GU). The Operating Regulations include: (i) requisites for the presentation of disbursement requests; (ii) criteria for the selection and contracting of consulting services; (iii) financial management; (iv) execution timetable; and (v) definition of program monitoring and control. The Operating Regulations also include new arrangements to facilitate the study cycle, particularly for the procurement of goods and services, and to ensure that the coexecuting agencies have the capacity to support execution of their components. **As a condition precedent to the first disbursement of the loan, the executing agency will present evidence to the Bank that the Operating Regulations are in effect, as agreed on with the Bank.**

### **D. Annual work plans**

- 3.5 To ensure effective operational programming, the ICMSJ will establish and develop annual work plans (AWPs) for the program. The AWP will consist of a report showing the activities planned for the calendar year, which will include: (i) the projected activities to be carried out, their implementation timetable and costs; (ii) the programmatic objectives and targets for the period; (iii) the financing needs for the period, indicating the main milestones for achieving the objectives; and (iv) the procurement plan for the first 18 months. **As a condition precedent to the first disbursement of program resources, the AWP for year one must be presented to the Bank.** The AWP for subsequent years will be presented to the Bank within 60 days before the end of the previous year.

### **E. Procurement**

- 3.6 Program procurements will be made in accordance with the "Policies for the procurement of works and goods financed by the IDB" (document GN-2349-7) and the "Policies for selection and contracting of consultants financed by the IDB"

(document GN-2350-7), both of July 2006, and in accordance with the attached procurement plan.

- 3.7 The Bank's review of procurement and contracting procedures under the program will be performed ex ante, based on the results of the analysis of the executing agency institutional capacity performed by the project team. Subsequently, however, the Bank may decide, in coordination with the borrower and based on the results of a risk evaluation, to change to ex post reviews, provided that: (i) the Bank has received a request to this effect from the executing agency and finds that this modality is feasible, once it has been demonstrated to the Bank's satisfaction that the necessary conditions exist; (ii) the Bank may at any time revoke ex post reviews in full or in part; and (iii) as a result of the findings of the ex post reviews, the Bank may refuse to finance a procurement.
- 3.8 The executing agency, in compliance with Chapter V of the policy on consulting services and based on the principles of efficiency and economy, may directly contract certain individual consultants subject to the Bank's no objection.

**F. Audits and control**

- 3.9 The replenishment of funds will be subject to an accounting for each component, which will be reviewed, compiled, and presented to the Bank by the ICMSJ Executive Secretary. On the basis of a uniform chart of accounts, each coexecuting agency will keep accounting records for its activities, and the Executive Secretariat will consolidate the financial statements.
- 3.10 During the execution period and up to the year of the final report, the executing agency will present the audited program financial statements to the Bank within 120 days after the end of the fiscal year. The financial statements will follow terms of reference that have received the Bank's no objection.

**G. Execution period and disbursement timetable**

- 3.11 The estimated program execution and disbursement periods will be five years.
- 3.12 **Revolving fund.** A revolving fund will be established to facilitate the payment of advances out of the loan proceeds through a special bank account set up for the program. Given the number of simultaneous contracts and payments to be made, it is recommended that a revolving fund be established for up to 10% of the loan amount. This figure is justified since the contracts for construction of the integrated justice centers will be for considerable amounts. The executing agency will present semiannual reports to the Bank on the status of the revolving fund, within 60 days after the close of each six-month calendar period.

**Table III-1**  
**Estimated disbursements**

Source	Year 1	Year 2	Year 3	Year 4
%	20.10%	39.47%	34.00%	6.44%
US\$ millions	6,028,000	11,836,000	10,196,000	1,930,000

## **H. Maintenance**

- 3.13 The operation and maintenance of program installations and goods will be the responsibility of the coexecuting agency to which they belong. The interagency agreement will establish the obligation of each coexecuting agency to assign sufficient budgetary allocations to adequately cover the corresponding recurrent costs. During the execution period, the executing agency will submit to the Bank in the first quarter of each calendar year, starting in the year that the first program-financed work is completed, a report that includes the annual maintenance plan for the works and goods and information on the operation and maintenance of program-financed works and equipment.

## **I. Monitoring and evaluation**

- 3.14 A monitoring and evaluation plan based on the existing institutional options will be used. Program monitoring will be based on the statistics kept by each of the coexecuting agencies provided that, in component 2, the operation will strengthen the generation of information from each coexecuting agency thereby providing the sector with tools for a decision making information management system. Also, the ICMSJ, with the Bank's support, has created indicators with their respective baselines to measure the program's overall impact. They form part of the program's logical framework. The ICMSJ will monitor these indicators in order to expeditiously detect any deviations in the implementation of activities so that corrective measures may be taken if necessary, and to record the physical and financial progress toward each of the intermediate results and the program's overall progress. With regard to measuring the outcomes, instruments such as complaints boxes and surveys of user satisfaction with service at the integrated justice centers will enable the ICMSJ Executive Secretariat to gauge the program's impact on the target population.<sup>10</sup>
- 3.15 **Midterm evaluation.** Two years into the program or when 50% of the resources have been committed, the Bank's project team, together with the executing agency, will perform a midterm evaluation for the purpose of measuring advances in the progress and impact indicators set out in the logical framework and to recommend such corrective measures as may be necessary for execution. The midterm evaluation will include: (i) the relevance of program activities for achieving the objectives; (ii) the results of the investment activities; (iii) the operation of the

<sup>10</sup> The executing unit is working to start up a comprehensive monitoring and evaluation system in the ICMSJ. The proposal can be consulted in the technical files.

system for monitoring the impact of program activities; (iv) the quality and content of the terms of reference prepared by the beneficiary institutions; (v) the functioning of the training system; (vi) the functional and operating capacity of the ICMSJ to handle program administration and execution; (vii) recommendations on any adjustments to program items and components that might be needed to ensure better compliance with the objectives; and (viii) the feasibility, scope, and timing of the ex post evaluation.

- 3.16 **Final evaluation.** The final evaluation will be performed when 90% of the loan has been disbursed and will: (i) verify compliance with the program objectives and its components to determine overall advances in processes and systems during execution; (ii) evaluate program design and execution, identifying lessons learned; and (iii) recommend actions to be taken and aspects of the design to be replicated or eliminated in other operations of this type.

#### **IV. FEASIBILITY AND RISKS**

##### **A. Institutional feasibility**

- 4.1 As noted in Chapter I, the ICMSJ has executed the first stage of the Bank program and is satisfactorily executing technical assistance from the AECI and the EU. Although the institutional analysis demonstrates the executing agency clearly has the institutional capacity, such capacity is asymmetrical in the beneficiary institutions. This asymmetry introduces two risks: (a) the first is associated with the degree of management capacity of the coexecuting agencies; and (b) the high turnover of authorities, which could affect the effective absorption of competencies and the real advance of the program. These risks would be minimized by the continuity of the technical teams in the ICMSJ Executive Secretariat and the coexecuting agencies, and the executing agency's commitment to supporting the development of such capacity.
- 4.2 When the program was being prepared, the ICMSJ Executive Secretariat performed an institutional evaluation, using the Bank's Institutional Capacity Assessment System (ICAS). The following systems were assessed: (i) the activities and components programming systems; (ii) the administrative organization system; (iii) the personnel management system; (iv) the goods and services administration system; (v) the financial administration system; (vi) the internal control system; and (vii) the external control system.
- 4.3 The ICAS evaluation indicated that the ICMSJ Executive Secretariat does not present any significant weakness and has the institutional capacity to execute all types of operations with the Bank, as it has demonstrated in earlier programs. However, to improve program execution, the following activities have been agreed on with the Executive Secretariat: (i) strengthening its programming and control area to improve the system for tracking and processing documents with the Bank; (ii) strengthening the executing unit to support the program procurements to be made by the coexecuting units; and (iii) establishing a system for monitoring,

control, and evaluation of the impact of program-financed activities. Funds have been assigned to carry out those activities.<sup>11</sup> The detailed ICAS evaluation is available in the technical files.

**B. Socioeconomic feasibility**

- 4.4 An economic analysis has been performed to evaluate the program's economic benefits. The main benefits include: (i) a reduction in travel costs for low-income users of the justice system; (ii) the savings in property rentals; (iii) a reduction in pre-trial detention, with the consequent reduction in the economic losses for the family during the time that a member is unable to work because they have been held longer than normal in pretrial detention; (iv) a drop in the cost of maintaining those prisoners; and (v) an increase in the productivity of public employees and officials. The net present value (NPV) of the program at July 2007 was an estimated US\$59.5 million (corresponding to a benefit of US\$86.5 million NPV and a cost of US\$27.1 million NPV) using a "social" discount rate of 12% a year, for an internal economic rate of return (IERR) of 31.2%. The sensitivity analysis indicates that the IERR could be as low as 19.6% depending on the program's impact on execution possibilities and times. The detailed economic analysis can be consulted in the technical files.

**C. Financial feasibility**

- 4.5 A financial analysis was also performed to examine the program's financial feasibility and sustainability. It showed that the program would have a NPV, discounted at 15% a year, of US\$4.9 million for a time horizon of 15 years and a residual value in infrastructure and equipment of US\$7.5 million, indicating that the program will be financially viable. The project team also calculated the incremental costs and allocations that could feasibly be absorbed by the budgets of the beneficiary institutions. The sensitivity analysis indicates that net flows could fall below US\$2.8 million if implementation is delayed one year. The detailed financial analysis is available in the technical files.

**D. Socioenvironmental impact**

- 4.6 This operation qualifies as a poverty reduction and social equity enhancing loan as described in the report on the Eighth General Increase in the Resources of the Bank (document AB-1704). It has been rated as Class C after completing the form following the new environmental and social impact review guidelines.

**E. Benefits and impact**

- 4.7 The program proposes a dual strategy that permits the strengthening of the sector as a cohesive whole and promoting the development of coordinated activities (up to 13 integrated justice centers with 24-hour courts and integrated information systems), on the one hand. On the other, the strengthening of the different institutions through actions for more effective performance of their functions

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<sup>11</sup> The funds have been assigned under the "administration" category in the budget.



(strengthening of scientific and criminal investigation, training, up to five IDPP regional offices, up to 15 remodeled justice of the peace courts, up to five standard police stations, and up to five public prosecutor's offices).

- 4.8 The integrated justice centers, the regional, departmental and/or municipal offices of the Attorney General's Office, and the IDPP, and MINGOB's standard police stations will allow the criminal justice system to respond better by immediately addressing social conflicts of a criminal nature. The establishment of the centers will also decisively reduce total processing times and the percentage of persons in detention who have not been indicted, reducing overcrowding in detention centers. Immediate intervention by a judge will reduce unnecessary detentions in the case of misdemeanors and offences that are not punishable with imprisonment. The main benefits of the program are an increase of 25% in the population covered by justice services in the program area and an increase in the operation of criminal justice services from seven to 24 hours a day and from five to seven days a week. Also, the project seeks to improve user satisfaction with justice services in the program area by 10%. This is expected to improve access to justice since more cases will be settled, with a significant impact on respect for human rights.

#### **F. Risks**

- 4.9 An analysis of possible risks was conducted with the participation of the main players when the operation was being prepared. The results are described in the risk analysis that can be consulted in the program technical files. The main risks that are likely to occur are:
- a. Lack of coordination between the four institutions involved in the program. This risk has been foreseen and processes for coordination and consensual decision making were developed during program preparation, which are activities that will continue during execution. Also, the interagency agreements will include the framework of understanding.
  - b. Lack of maintenance of the installations built or remodeled could pose a risk for consolidating the financial efforts made through the program. To mitigate this risk, the interagency agreements will include the obligation of each of the beneficiaries to allocate sufficient budgetary resources to cover recurrent costs.
  - c. Training. The turnover of trained personnel could have a negative impact. To mitigate this risk, permanent courses will be included in the training plans of the schools operated by each of the coexecuting agencies to train operators in the functioning of the integrated justice centers, and to strengthen coordination between the coexecuting agencies in order to make the training program sustainable.

**GUATEMALA**  
**PROGRAM TO SUPPORT THE CRIMINAL JUSTICE SECTOR**  
**(GU-0177)**

**LOGICAL FRAMEWORK**

Narrative summary of objectives	Verifiable indicators	Means of verification	Assumptions
<b>Goal (impact)</b>			
Strengthening the rule of law, through an improvement in the effectiveness and delivery of criminal justice administration services.	Population covered by justice services increases by 25% in the program area. <i>Baseline: 2.5 million people.</i>  Public satisfaction with justice services improves by 10% in the program's area of influence. <i>Baseline: 0</i>	Official statistics of the justice sector  Complaint boxes and surveys of user satisfaction with the services offered by the integrated justice centers	Permanent and sustained support is provided by sector authorities for the sector-strengthening process.
<b>Purpose (outcomes)</b>			
Improved access and efficiency of the criminal justice system	<u>By the end of the program:</u> i. 25% increase in the number of cases examined and resolved. <i>Baseline: 140,058 <sup>1</sup>(*)</i> ii. The time required to comply with the procedural and constitutional time limits for arraignment before a judge in justice centers reduced to 24 hours. <i>Baseline: 30 days on average</i> iii. The number of illegal detentions processed in the areas where the integrated justice centers are built falls by 50% and there is an increase of	Reports from the management system  Consultants' reports on evaluation of outcomes and progress	i. The political commitment to expand coverage is maintained. ii. The information system is operating and is fed with reliable data by all the participating institutions. iii. All the installed resources are used by duly-trained operators. iv. Use of installed resources by duly trained agents and adequate collection of evidence at crime scenes by trained personnel.

<sup>1</sup> Refers to the number of cases that entered the justice system in 2005 in the 13 departments selected for construction of integrated criminal justice centers. If it is subsequently decided that centers should be built in a municipio and not in the departmental capital, the baseline must be modified to show the cases entering the system in that municipio.

Narrative summary of objectives	Verifiable indicators	Means of verification	Assumptions
	<p>20% in the number of cases processed. <i>Baseline: 20% and 70% of total illegal detentions reaching the system.</i></p> <p>iv. Criminal justice service availability increases from 7 to 24 hours a day and from 5 to 7 days a week in the program area. <i>Baseline: 7 hours and 5 days.</i></p>		
<b>Components (outputs)</b>			
<p>1. <b>Access to justice.</b> Access to justice is improved in the departmental capitals through the establishment of integrated justice centers.</p>	<p><u>By the end of the program:</u></p> <p>i. 13 integrated justice centers; 5 regional IDPP offices; 15 justice of the peace courts remodeled; 5 standard police stations or substations built; five public prosecutor's offices. <i>Baseline: 3 integrated justice centers;<sup>2</sup> 0 regional IDPP offices; 0 police stations; 57 district public prosecutor's offices; 24 remodeled justice of the peace courts.</i></p> <p><u>After 12 months:</u></p> <p>i) 13 integrated justice centers designed and land obtained for the buildings. <i>Baseline: 0 centers designed.</i></p> <p><u>After 24 months:</u></p> <p>ii. 13 integrated justice centers, courts, police stations, and regional and municipal offices under construction. <i>Baseline: 0 centers.</i></p>	<p>Evaluation reports, integrated information system reports, and statistics from the participating institutions</p>	<p>i. Effective progress is made in constructing the proposed infrastructure and the installed capacity is fully used by the institutions.</p> <p>ii. High participation by bypassed community in response to the installation of facilities representative of the civil society in their respective communities.</p>

<sup>2</sup> These centers are leased.

Narrative summary of objectives	Verifiable indicators	Means of verification	Assumptions
<p>2. <b>Justice system information management and monitoring.</b> The indispensable information for the necessary management control of the public function in the sector is available and reliable statistics are generated.</p>	<p><u>By the end of the program:</u></p> <ul style="list-style-type: none"> <li>i. Information management and monitoring system developed and implemented. <i>Baseline: Information systems operating in each institution.</i></li> </ul> <p><u>After 18 months:</u></p> <ul style="list-style-type: none"> <li>i. Analysis and design of the information and statistics system completed. <i>Baseline: 0</i></li> </ul> <p><u>After 24 months:</u></p> <ul style="list-style-type: none"> <li>i. Harmonized statistical information posted on the institutions' websites<sup>3</sup>. <i>Baseline: 0</i></li> </ul>	<p>Progress report on the status of the information management and monitoring system</p> <p>Consultants' midterm and final evaluations</p>	<p>Personnel is fully trained to operate the equipment. Professionals are fully trained to operate the systems.</p>
<p>3. <b>Institutional strengthening.</b> Technical and scientific investigation capacity, and organization and coordination capacity in the participating institutions is improved.</p>	<p><u>By the end of the program:</u></p> <ul style="list-style-type: none"> <li>i. All officials responsible for the substantive function and scientific investigation are trained under the plans of each institution. <i>Baseline: 0</i></li> <li>ii. Equipment and materials for criminal investigations and verification of evidence procured. <i>Baseline: 0</i></li> <li>iii. Units assigned to crime scene and evidence investigation are operating. <i>Baseline: 0</i></li> </ul>	<p>Progress reports on execution and procurement plans</p> <p>Management reports</p> <p>Final and midterm evaluation reports</p>	<p>Personnel trained and in a position to make full use of the equipment.</p>

<sup>3</sup> Each institution publishes the information based on its own criteria.

Narrative summary of objectives	Verifiable indicators	Means of verification	Assumptions
	<div>iv. Forensic protocol and standardized manuals for the treatment and conservation of evidence have been prepared. <i>Baseline: 0</i></div> <div><u>After 12 months:</u></div> <div>i. Methodology for training in scientific investigation has been designed. <i>Baseline: 0</i></div>		

DOCUMENT OF THE INTER-AMERICAN DEVELOPMENT BANK

PROPOSED RESOLUTION DE-\_\_\_/07

Guatemala. Loan \_\_\_\_/OC-GU to the Republic of Guatemala  
Program to Support the Criminal Justice Sector

The Board of Executive Directors

RESOLVES:

That the President of the Bank, or such representative as he shall designate, is authorized, in the name and on behalf of the Bank, to enter into such contract or contracts as may be necessary with the Republic of Guatemala, as Borrower, for the purpose of granting it a financing to cooperate in the execution of the program to support the criminal justice sector. Such financing will be for the amount of up to US\$30,000,000, from the resources of the Single Currency Facility of the Bank's Ordinary Capital, and will be subject to the Financial Terms and Conditions and the Special Contractual Conditions of the Project Summary of the Loan Proposal.

(Adopted on \_\_\_\_\_ 2007)

LEG/SGO/CID/IDBDOCS#1142060  
GU-0177