

HONDURAS

PROGRAM TO SUPPORT MODERNIZATION OF THE ADMINISTRATION OF JUSTICE STAGE II

(HO-0210)

LOAN PROPOSAL

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BASIC SOCIOECONOMIC DATA

For basic socioeconomic data, including public debt information, please refer to the following address:

English:

<http://www.iadb.org/RES/index.cfm?fuseaction=externallinks.countrydata>

Spanish:

<http://www.iadb.org/RES/index.cfm?fuseaction=externallinks.countrydata>

ABBREVIATIONS

AECI	Agencia Española de Cooperación Internacional [Spanish International Cooperation Agency]
CIJP	Comisión Interinstitucional de Justicia Penal [Inter-Agency Criminal Justice Commission]
MP	Ministerio Público [Public Prosecutor's Office]
MS	Secretaría de Estado en el Despacho de Seguridad [Ministry of Security]
PCU	Program coordination unit
PEC	Program executive committee
TUPR	Technical unit for penal reform
UNAH	Universidad Nacional Autónoma de Honduras [National Autonomous University of Honduras]
UNDP	United Nations Development Programme
USAID	United States Agency for International Development



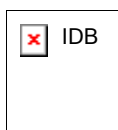
HONDURAS

IDB LOANS

APPROVED AS OF SEPTEMBER 30, 2002

	<i>US\$Thousand</i>	<i>Percent</i>
TOTAL APPROVED	2,227,842	
DISBURSED	1,822,983	81.8%
UNDISBURSED BALANCE	404,859	18.2%
CANCELLATIONS	163,235	7.3%
PRINCIPAL COLLECTED	627,151	28.2%
APPROVED BY FUND		
ORDINARY CAPITAL	507,600	22.8%
FUND FOR SPECIAL OPERATIONS	1,653,080	74.2%
OTHER FUNDS	67,161	3.0%
OUTSTANDING DEBT BALANCE	1,195,832	
ORDINARY CAPITAL	185,870	15.5%
FUND FOR SPECIAL OPERATIONS	1,009,582	84.4%
OTHER FUNDS	380	0.0%
APPROVED BY SECTOR		
AGRICULTURE AND FISHERY	292,002	13.1%
INDUSTRY, TOURISM, SCIENCE TECHNOLOGY	71,401	3.2%
ENERGY	404,497	18.2%
TRANSPORTATION AND COMMUNICATIONS	394,390	17.7%
EDUCATION	71,293	3.2%
HEALTH AND SANITATION	246,138	11.0%
ENVIRONMENT	68,143	3.1%
URBAN DEVELOPMENT	151,884	6.8%
SOCIAL INVESTMENT AND MICROENTERPRISE	303,294	13.6%
REFORM PUBLIC SECTOR MODERNIZATION	191,591	8.6%
EXPORT FINANCING	6,908	0.3%
PREINVESTMENT AND OTHER	26,300	1.2%

* Net of cancellations with monetary adjustments and export financing loan collecti



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Honduras

Tentative Lending Program

2002

Project Number	Project Name	IDB US\$ Millions	Status
HO0175	San Pedro Sula Municipal Dev II	9.0	APPROVED
HO0116	Sustainable Strength of Roads Sector	7.6	APPROVED
HO0217	Supplement Sewer System Puerto Cortés	4.5	APPROVED
HO0214	Statistics System Modernization	4.0	
HO0198	Bay Islands Environmental Management Program II	12.0	
HO0210	Judicial System Modernization	30.0	
* HO0211	San Pedro Sula Water and Sewerage Projec	13.7	
HO0212	Poverty Reduction Sector Program	30.0	
Total - A : 8 Projects		110.8	
TOTAL 2002 : 8 Projects		110.8	

2003

Project Number	Project Name	IDB US\$ Millions	Status
HO0221	Competitiveness Program	10.0	
HO0205	Sula Valley Citizenship Security	20.0	
HO0219	Financial Sector Program	25.0	
HO0208	modernization of budgetary system	10.0	
HO0220	Poverty Alleviation and Local Dev. phase II	35.0	
Total - A : 5 Projects		100.0	
HO0192	Credit Global Program	30.0	
HO0218	Pro-Bosque Program	20.0	
Total - B : 2 Projects		50.0	
TOTAL - 2003 : 7 Projects		150.0	
Total Private Sector 2002 - 2003		13.7	
Total Regular Program 2002 - 2003		247.1	

*** Private Sector Project**



INTER-AMERICAN DEVELOPMENT BANK
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HONDURAS

STATUS OF LOANS IN EXECUTION AS OF SEPTEMBER 30, 2002

(Amounts in US\$ thousands)

APPROVAL PERIOD	NUMBER OF PROJECTS	AMOUNT APPROVED	AMOUNT DISBURSED	% DISBURSED
Before 1996	5	59,300	47,932	80.83%
1996 - 1997	4	47,080	26,209	55.67%
1998 - 1999	8	252,416	118,468	46.93%
2000 - 2001	17	263,957	35,181	13.33%
2002	2	16,600	0	0.00%
TOTAL	36	\$639,353	\$227,790	35.63%

* Net of Cancellations . Excluding export financing loans.

**PROGRAM TO SUPPORT MODERNIZATION OF THE ADMINISTRATION OF
JUSTICE
STAGE II
(HO-0210)**

EXECUTIVE SUMMARY

Borrower and guarantor:	Republic of Honduras	
Executing agency:	Program executive committee comprised of the Corte Suprema de Justicia [Supreme Court], the Ministerio Público [Public Prosecutor's Office] and the Secretaría de Estado en el Despacho de Seguridad [Ministry of Security].	
Amount and source:	IDB (FSO):	US\$30,000,000
	Local:	US\$ 3,350,000
	Total:	US\$33,350,000
Financial terms and conditions:	Amortization period:	40 years
	Disbursement period:	5 years
	Grace period:	10 years
	Interest rate:	1% for the first 10 years and 2% thereafter
	Inspection and supervision:	1%
	Credit fee:	0.5%
	Currency:	U.S. dollars, from the Fund for Special Operations
Objectives:	The objective is to strengthen the rule of law by implementing, consolidating and continuing institutional and legal reforms in the justice system, providing better services for citizens and stepping up their participation in the judicial process. The specific objectives are: (i) institutionalization of a continuous and participative process of legal reform; (ii) improvements in the transparency, impartiality, accessibility and speed of the administration of justice; (ii) greater professionalism, use of due process and respect for citizen rights during criminal investigations; and (iv) establishment of functional relations among the institutions in the justice system, better communications and greater transparency in relations between judicial institutions and the citizenry.	
Description:	The program is built around four subprograms: (i) continued legal and judicial improvements; (ii) improvements in protection through due	

process, effectiveness and transparency of the judicial branch; (iii) greater professionalism and impartiality in investigating criminal cases; and (iv) inter-agency coordination.

The Bank's country and sector strategy:

The Bank's country strategy to support modernization of the justice system in Honduras focuses on three critical areas that require technical and financial contributions to make it possible to continue with activities to modernize and strengthen the system. The areas are: (i) effective implementation of changes that have been made in the legal and functional organization of the judicial branch; (ii) support for the Public Prosecutor's Office in carrying out the new responsibilities conferred under the Code of Criminal Procedure and in the pressing need for infrastructure in forensic medicine; and (iii) institutional coordination among the entities that make up the country's justice system. The Bank has been supporting the justice systems of its member countries since 1994. The Eighth Replenishment document (AB-1704) establishes that the Bank can cooperate with governments to promote the strengthening and modernization of the justice system. Further, the frame of reference for Bank action in programs for modernization of the State and strengthening of civil society (GN-1883-5, 1996) establishes principles and criteria for programs in the sector. The proposed program is consistent with this strategy and benefits from the execution of stage one and the lessons learned in recent years.

Environmental and social review:

Strengthening the justice system in Honduras, particularly the environmental crimes investigation bureau, will help to improve enforcement of environmental regulations. The protection of property rights relating to natural resources will also be strengthened, which is fundamental for their good management.

Benefits:

The program will support consolidation of the independence of the judiciary in Honduras and will contribute to the process of modernizing the administration of justice and judicial procedures in the country.

Risks:

During the first phase of implementation, the program intends to support the review and discussion of major legal initiatives awaiting passage by the legislature, including activities related to building consensus among the public authorities, civil society and professional associations in the sector. If the reforms are passed, the organizational framework of the judiciary and the exercise and effectiveness of its functions would be optimized. If that happens, the program's interventions would bring optimum returns. However, even if the initiatives fail, all the activities continue to be pertinent. The risks, then, are related to the evolution of the system as a whole. The program will help to improve the quality of the system, regardless of which hypothesis prevails.

Special contractual clauses:

Conditions precedent to the first disbursement:

1. The borrower is required to establish the program executive committee (PEC) and appoint its members, ensuring that it has the capacity and legal powers to act as program executing agency (paragraph 3.1);
2. The borrower and executing agency have signed an agreement on the transfer of funds, which includes the following aspects: (i) the nonreimbursable transfer of funds; (ii) the commitment of the PEC to transfer those funds, in turn, to other program co-executing agencies; (iii) the obligation to establish and appoint the program coordination unit (PCU) (paragraph 3.2);
3. The executing agency has established and staffed the PCU, which will execute the common components of the program, in terms acceptable to the Bank (paragraphs 3.11 and 3.12); and
4. The executing agency has selected and contracted a specialized procurement and contracting agency in terms acceptable to the Bank (paragraph 3.16).
5. The Bank may disburse up to the equivalent of US\$250,000 from the loan proceeds to support start-up of program activities, and especially to meet the conditions precedent listed below.
6. The disbursements will be in the form of advances to the program coordination unit's account, in amounts not to exceed 10% of the program's assigned resources.

Conditions precedent to the first disbursement of the subprograms:

1. The executing agency must present evidence that it has signed an inter-agency agreement with the Supreme Court (subprograms 1 and 2), the Public Prosecutor's Office (subprogram 3) and the Ministry of Security (subprogram 3), whose provisions include: (i) the commitment to include counterpart resources for the respective subprograms in their budgets; (ii) the nonreimbursable nature of the funds transferred under the program; (iii) the obligation to establish and staff the corresponding executing unit; (iv) the obligation to maintain equipment and buildings financed under the program; and (v) the obligation to execute the technical aspects of the program in their area, in accordance with their responsibilities and powers (paragraph 3.3); and

2. The Supreme Court, the Public Prosecutor's Office and the Ministry of Security have established and staffed their executing units to carry out the activities in their areas, in accordance with their responsibilities and powers (paragraph 3.15).

Poverty-targeting and social sector classification:

This operation qualifies as a social equity enhancing project, as described in the indicative targets mandated by the Bank's Eighth Replenishment (document AB-1704). This operation does not qualify as a poverty-targeted investment.

Exceptions to Bank policy:

None.

Procurement:

The selection and contracting of consulting services and all procurements under the program will follow Bank procedures. International competitive bidding will be mandatory for goods costing US\$350,000 equivalent and over and for works costing US\$1.5 million and over. International competitive bidding will be required for consulting services costing US\$200,000 equivalent and over. Procurements below these thresholds will be governed, in principle, by domestic legislation.

With the Bank's nonobjection, the executing agency may select consultants on the basis of a quality and cost evaluation for works that are not as complex or specialized or where several firms are able to compete under equal conditions. In no event may the cost criterion account for more than 20 percent of the total points.

I. FRAME OF REFERENCE

A. General framework

- 1.1 Honduras is in the process of strengthening its legal and judicial institutions, as a contribution to the consolidation of democracy and greater transparency and stricter ethics in the activities of public agencies. This gradual process is being supported technically and financially by the Inter-American Development Bank, in close cooperation with the international donor community, particularly USAID, the World Bank, the United Nations Development Programme, the Swedish International Development Cooperation Agency and the Spanish International Cooperation Agency (AECI).

B. The sector

- 1.2 The institutions in the justice sector in Honduras are:
- a. The judicial branch, to which the constitution grants the exclusive right to administer justice throughout the country, and which includes the Supreme Court, the appeal courts and the lower courts (including justices of the peace), the Court Auditor's Office, the Public Defender's Office, the Judicial School and the Property Register (which also includes the Register of Commercial Concerns and the Sentences Register);
 - b. The Public Prosecutor's Office, which includes all the country's prosecution offices, the Drug Trafficking Investigation Directorate, the Directorate of Forensic Medicine and the special investigation bureaus;
 - c. The executive branch, through the Ministry of Security, in charge of the police and the penitentiary system; the Department of Labor, responsible for labor conciliation and legal assistance for workers, and the Procuraduría General de la República [Solicitor General].
 - d. Other institutions with specific functions, including the College of Attorneys, universities that grant law degrees, civil society organizations working the field of justice and human rights, and certain congressional committees.

C. Country sector strategy

- 1.3 The country strategy for reforming the justice sector has four main objectives:
- a. To increase the independence of the justice system;
 - b. To reform the criminal trial process, moving from an inquisitorial process based on the presentation of documents, to an accusatorial process in which the trial is

public and oral, where the parties and witnesses participate in person in front of the judge.

- c. To provide access to the basic level of justice for a larger number of citizens, particularly the poor and vulnerable; and
 - d. To improve the service provided by the institutions of justice to the public, through the professionalization and better organization of the institutions in the system.
- 1.4 To increase the independence of the judicial branch, on 29 December 2000, congress passed Decree No. 262-2000,¹ which radically changed the methods and criteria for selecting Supreme Court justices. The decree makes congress responsible for electing the justices, with a two thirds vote in favor, from a list of candidates proposed by a nominating board composed of representatives of the judicial branch itself, the academic world and civil society. It also changed the term of appointment, raising it from four to seven years so that it will not coincide with the presidential term of office.
- 1.5 To achieve the second objective—change from a written process to an oral process—a new Code of Criminal Procedure was passed on 19 December 1999, but only came into force in February 2002. The code assigns the investigation of offences and the laying of charges to the Public Prosecutor's Office. If the charges go forward, the process moves to the next stage, described in the Code of Criminal Procedure as a stage marked by oral proceedings, the presence of the parties and consolidation of the evidence, and by the principles of due process, guaranteed by the presence of defense counsel, who may be private if the accused is able to afford one or a public counsel appointed to defend the poor.
- 1.6 Working toward the third objective of improving access to justice, the number of justices of the peace was increased, particularly in rural areas. For the fourth objective, a technical unit for penal reform (TUPR) has been established to support the process of reorganizing system structures and procedures to improve service for users. The TUPR was created by a decision of the Supreme Court in plenary session on 4 January 2000, to facilitate implementation of the Code of Criminal Procedure.
- 1.7 The recently-passed Legislative Decree No. 262-2000 and the entry into force of the new Code of Criminal Procedure have given rise to great expectations of positive changes in the Honduran justice system and have demonstrated the country's will and commitment to reforming and modernizing its judicial structures.

¹ Published in the *La Gaceta* on 26 February 2001.

- 1.8 Today, the country is equipped to place greater stress on modernization and reform of other key institutions in the judicial sector, including the Public Prosecutor's Office, which provides the prosecutors who supervise criminal investigations and public defenders who make it possible for the poor to be represented in a trial by a lawyer. The government that took office on 25 January 2002 has made continuing with the process of modernizing the administration of justice and citizen security one of the top priorities in its work plan. The country is also ready to emphasize accountability, promoting transparency and openness in relations with users, and achieving the coordination required to attain the objectives of reform in the justice sector. The new government's work plan also demonstrates the need and the political will to tackle a series of problems in the areas of impartiality, corruption, the backlog in the courts and politicization of the judicial branch.

D. Bank sector strategy

- 1.9 In the context of the country strategy described in the preceding section, the Bank began to support the judicial branch in Honduras with a project approved in 1996.² This first Bank project supported the Supreme Court in preparing legal reforms, broadened the geographic coverage of the judicial branch and helped to define and implement basic training and administrative measures.
- 1.10 The present operation is the second stage in Bank support for the justice sector, which will deepen the process of modernizing the judiciary and extend the reform to other entities that operate in the sector, particularly the Public Prosecutor's Office and the investigations police of the Ministry of Security, which are institutions that have a radically different role to play since the new Code of Criminal Procedure came into force. One important part of the Bank's strategy is to help the country to adopt and institutionalize new procedures, without interrupting the reform process. The process of reforming laws and institutions is ongoing, since a country's legal and institutional structure has to adapt continually to changes in an organized manner. Now that Honduras' justice institutions have experience with the process of change, the Bank will support them in institutionalizing that process, strengthening it by detecting the inputs that are required, through community consultation, consensus building and the presentation of proposals to the entities responsible for examining, reviewing and approving them.
- 1.11 The Bank agrees with the country that the new code can only work if it has the support and active participation of attorneys and, above all, of the public. The public needs to have sufficient confidence in the police, prosecutors and judges to be willing to lay complaints and act as witnesses in trials. Therefore, the Bank's strategy in this second project is to stress the transparency and public accountability of judicial institutions and support them in their efforts to draw closer to and educate citizens.

² Program for modernization of the administration of justice (974/SF-HO).

- 1.12 The Bank will also support efforts to professionalize crime investigation and prosecution. However, an important corollary in the Bank's strategy for criminal law programs is the guarantee of due process and protection of the human rights of the accused, witnesses and victims of crime. Therefore, the Bank will work simultaneously on professionalizing the prosecution and institutionalizing the protection of rights and due process, to strike a balance that builds and justifies public confidence in the justice system. All the actions undertaken in the fields of crime investigation and prosecution will be carried out in accordance with the IDB guidelines for the preparation of violence reduction projects.
- 1.13 The Bank has been supporting the justice systems of its member countries since 1994 and has supported the process of changing from an inquisitorial to an adversarial system in four countries (Uruguay, Colombia, El Salvador and Venezuela). The Bank's involvement in justice projects is based on the Eighth Replenishment document (AB-1704), which establishes that the Bank can cooperate with governments to promote the strengthening and modernization of the justice system. Further, the frame of reference for Bank action in programs for modernization of the State and strengthening of civil society (GN-1883-5, 1996) establishes principles and criteria for justice sector programs. The proposed program is consistent with this strategy and benefits from the execution of stage one and the lessons learned in recent years.

E. Evaluation of stage one

- 1.14 The impact of the program and the results were examined in an external evaluation which has confirmed that the proposed objectives were attained.
- 1.15 The first program was prepared in a context in which the independence of the judicial branch was limited on account of the procedures for appointing Supreme Court justices and the lack of job security of judges and officials. By the end of the first operation, cooperation between the executive, legislative and judicial branches led to passage of Legislative Decree No. 262-2000, which amends the make-up of the Supreme Court and the procedures for appointing its justices, expands the powers of the Constitutional Court and guarantees the financial independence of the judicial branch, which is a major step toward consolidating its independence and accountability. The first stage of the program supported the introduction of the new Code of Criminal Procedure through actions involving training for judges, lawyers, public defenders and prosecutors in the oral procedures to be adopted and by remodeling the court infrastructure to allow for public hearings. It financed the construction of 60 offices for justices of the peace in different municipalities, to give access to the most basic levels of justice.
- 1.16 The first stage also made it possible to draft and successfully implement legislation on domestic violence and the new Child and Adolescent Code, carry out a pilot project on mediation in the Legal Consultation Services of the National

Autonomous University of Honduras (UNAH) and strengthen labor conciliation in the Department of Labor and Social Welfare. The program supported the design of the judicial organization act and the judiciary council and judicial career act, which propose a new structure for management of the judicial branch. Significant impacts have been made on the Honduran justice system as a result of the successful execution of activities in stage one, whose profile has improved considerably: (i) impact on the democratic performance of the judicial branch; (ii) impact on the coverage and specialization of legislation; (iii) impact on ease of access to the system by the citizenry; (iv) impact by providing legal texts to substantiate the pending reforms; and (v) impact by providing new institutional infrastructure on which to erect the remaining reforms.

- 1.17 One of the lessons learned in stage one is the importance of the debate and consultations before passing and implementing new legislation, particularly legislation with an impact on all the players in the sector, on private lawyers and on users of the justice system. The texts of the draft legislation prepared in stage one will be the texts submitted for socialization and consultation financed under the proposed operation.
- 1.18 Stage one has demonstrated the need to be able to rely on the political commitment and will of the authorities to achieve long-term objectives and for direct participation by all the parties involved, including users of the system. This makes it important to build mechanisms for consultation with professional organizations and civil society into the program and to gain the support of external agents in the public and private sectors. Last, stage one showed the importance of having a program coordination unit composed of the beneficiary institutions themselves, whose staff belongs to them and has access to and a say in the decision-making process.

F. Current issues

- 1.19 The new Code of Criminal Procedure has been implemented to improve legal security and the speed with which criminal cases are processed. When the code came into force, more than 80 per cent of the Honduran prison population was awaiting trial, which meant that it was a priority to process their cases rapidly. The new code has eliminated the build-up of new cases in the criminal courts, while gradually reducing the number of people in jail who have not been tried. A permanent reduction in those numbers requires a determined effort by prosecutors, police, public defenders and lower court judges. The law requires that all cases that were begun before the new Code of Criminal Procedure entered into force must be resolved before 2004. It does not appear to be feasible to wind up those cases within the deadline unless the institutions involved hire temporary employees.

- 1.20 Entry into force of the new Code of Criminal Procedure has meant a radical change in criminal justice procedures in Honduras. The new code is an institutional challenge for the country and requires strong coordination between the police and the Public Prosecutor's Office during the criminal investigation stage and between judges, prosecutors and defense counsel during the trial stage. The institutions have begun a process of inter-agency coordination, but much remains to be done in this area (coordinated training, shared information systems and common infrastructure).
- 1.21 The new responsibilities shouldered by the three institutions imply the need for institutional and administrative strengthening in each entity to make a crime investigation and prosecution service and a system for the protection of the human rights of the prison population possible. For example, the demand for public defenders who guarantee the fundamental right to defense of anyone placed on trial has been greater than the government's capacity to provide the service. The role and function of public defenders under the new Code of Criminal Procedure is crucial. They have the responsibility of representing the accused in oral proceedings and of conducting investigations to refute the evidence introduced by the prosecution.
- 1.22 The professionalization of criminal investigations will be a key for the success of the oral trial system, where the new process requires testimony by experts in areas such as pathology and ballistics and maintenance of the security of the chain of physical evidence to be presented during the trial. The country has no training program in forensic medicine and training for police and prosecutors in investigation and the collection and preservation of evidence has been scant. The practice of forensic medicine also suffers from a serious dearth of basic infrastructure. In 1998, Hurricane Mitch destroyed the morgue and the forensic medicine laboratories and the temporary installations do not allow for the practice of professional science for the elucidation of criminal cases based on evidence. Likewise, the temporary installations for preserving physical evidence do not allow it to be kept under appropriate conditions of security and conservation.
- 1.23 Although the new code calls for greater protection of the right to due process than the earlier law and although it will increase the speed and quality of criminal trials, its introduction has led to some difficulties in absorption by users. The public does not clearly understand how to report a crime, how to participate in a trial as a witness, or what its rights and responsibilities are under the new code. Although trials are now open to the public, judicial institutions have relatively primitive information systems, which make public access to information difficult. This interferes with the goals of transparency and accountability that the institutions seek to achieve.
- 1.24 As was mentioned in the previous section, the first operation in support of justice prepared drafts of the judicial organization act and the judiciary council and judicial career act. Public discussion of the proposed legislation, debate in congress

and the judicial branch, and passage of the reforms under consideration will represent major steps toward consolidating the independence of the judicial branch and creating a more efficient and professional organization and administration. Experience in introducing a radical reform such as the reform of criminal procedure has created in the institutions involved the will to institutionalize an ongoing process of evaluating its implementation and willingness to make the adjustments required as a result of those reviews.

G. Program strategy

- 1.25 The proposed operation identifies the three institutional protagonists in the justice sector: the Supreme Court, the Public Prosecutor's Office and the Ministry of Security. The program is a cornerstone in the government's sector strategy.
- 1.26 As a result of evaluations of the actions of the Bank and other players in judicial reform in Honduras and conversations with the main operators in the sector (officials from the government and the judicial branch, civil society and professional associations, the Bank's Country Office in Honduras and other international agencies), three key areas have been identified that require technical and financial support to continue with actions to modernize and strengthen the justice system. These areas are: (i) implementation and start up of a participative and institutionalized process for proposing new texts and reforms of laws and institutions, that have their immediate expression in the changes to the judicial and functional organization of the judicial branch currently under consideration; (ii) support for prosecutors, the police, public defense counsel and magistrates in carrying out their new responsibilities under the Code of Criminal Procedure; and (iii) coordination among the judicial institutions and building their capacity to cooperate in the areas of communications, transparency and accountability, infrastructure and training.
- 1.27 The program's components, which are described in Chapter II, have been selected on the basis of their ability to respond to these three critical areas. The components have also been selected in response to the stress placed by the government of Honduras on supporting and consolidating judicial reform and the need to have a sequence and logical link with activities financed under the earlier operation. Also, the components that have been selected will support and complement program HO-0205 on citizen security in Valle de Sula that the Bank is preparing, and the interventions of other international agencies that are active in this area.

II. THE PROGRAM

A. Objectives

- 2.1 The objective is to strengthen the rule of law by implementing, consolidating and continuing institutional and legal reforms in the justice system, providing better services for citizens and stepping up their participation in the judicial process.
- 2.2 The specific objectives are: (i) institutionalization of a continuous and participative process of legal reform; (ii) improvements in the transparency, impartiality, accessibility and speed of the administration of justice; (iii) greater professionalism, use of due process and respect for citizen rights during criminal investigations; and (iv) establishment of functional relations among the institutions in the justice system, better communications and greater transparency in relations between judicial institutions and the citizenry.

B. Program description and structure

- 2.3 The program is built around four subprograms.

1. Institutionalization of a continuous and participative process of legal reform (US\$670,000)

- 2.4 This component will support the country in adopting and institutionalizing a process of continued and participative enrichment of legislation bearing on the administration of justice, so that the legal and institutional structures can adapt continuously to change in an organized and public manner. The program will finance consulting services to support the Supreme Court in studies and surveys of the need for legislation and new laws. It will support the introduction of reforms based on participation and continuous realignment, through funding for the following activities: consultations among the stakeholders, which could include judges, prosecutors, police, public defenders, the college of attorneys, law faculties, chambers of commerce and other civil society organizations; workshops, seminars and public debates on draft legislation; revision of draft legislation based on the inputs received from the consultation and discussion process; and the introduction of systems to monitor and evaluate the new legislation, which will help to consolidate the improvements in the law. The program will support this reform process, through the revision of the legislation described below.

a. Organization of the judicial branch

- 2.5 **Judicature council and judicial career act.** With financing from the first stage of the loan, a judicature council and judicial career act has been drafted that promotes the creation and defines the powers of this administrative organ of the judicial

branch, and the regulatory framework for the judicial career, with regard to access, administration, training, evaluation and discipline. The proposed project will finance consultation and consensus-building activities among the stakeholders, revision of the draft to reflect the comments received and presentation of the bill to congress.

- 2.6 **Judicial organization act.** Consultation, discussion, analysis and public debate of the text of the judicial organization act prepared under the first operation financed by the Bank will be promoted. The act defines the internal organization of the courts of law and the operating modes of the courts, based on modern criteria for their management.

b. Procedures for processing cases in the courts

- 2.7 **Evaluation and improvements in the Code of Criminal Procedure.** As part of the effort to establish a process of monitoring, realignment and ongoing review of legislation, during the second half of this operation, a review will be performed of the process of implementing the new Code of Criminal Procedure, whose results will be discussed with all stakeholders, in order to prepare studies and proposals for improving the code. Financing will also be provided for the process of participative review of the Criminal Code to adjust it and make it compatible with the new legal definitions of offences and procedures adopted in the Code of Criminal Procedure.
- 2.8 **Review of the Code of Civil Procedure.** A review of this code was financed under the first loan, with the intention of extending the oral proceedings to civil cases. The judicial authorities agree that these actions should not be rushed into, since the country has limited capacity to absorb and administer change, and that capacity is presently saturated with the introduction of the Code of Criminal Procedure. Therefore, this activity will be postponed until the third year of the program. Consultations, discussion and review of the text of the new Code of Civil Procedure will be financed. In parallel, financing will be provided for activities to familiarize legal professionals with the proposed rules, through workshops and seminars.

2. Improvements in protection, through due process, efficiency and transparency of the judicial branch (US\$5,080,000)

- 2.9 The objective of this subprogram is to improve: (i) the application of due process, ensuring access to justice by victims of crime and protection of accused and witnesses; and (ii) the efficiency and transparency of the judicial branch. The subprogram is organized into the following two components.

c. Due process

- 2.10 **Penal reform.** Through this activity, the program will provide continuity for actions begun by the technical unit for penal reform (TUPR), a body established by the Supreme Court to facilitate implementation of the reform, particularly through

technical and logistical assistance for the Inter-Agency Criminal Justice Commission and the programs for technical assistance for courts and tribunals and monitoring implementation of the transition plan.

- 2.11 **Clearing up the backlog in the courts.** By hiring temporary staff and using provisional facilities, pending cases in the criminal and civil courts will be reviewed to determine whether they should go forward or be declared null. This will make for a considerable reduction in the judicial backlog and allow for a faster flow of new cases that follow the new procedural rules. This program will complement the program to reduce the court backlog being carried out by USAID (pilot project in San Pedro Sula) and will include a study to define simplified procedures (decriminalization).
- 2.12 Activities will also be financed for training, design and preparation of manuals and procedures to: (i) manage the chain of custody of persons, evidence and seized property; (ii) protect witnesses, owing to the vulnerability created by the introduction of oral procedures which call for the presence of witnesses in the courtroom; and (iii) assistance for crime victims.
- 2.13 **Public defenders.** Article 82 of the Honduran Constitution and Article 14 of the Code of Criminal Procedure guarantee the fundamental right to defense of everyone subject to criminal charges. However, the demand for public defenders has been greater than the government's capacity to provide this service. As a result of the introduction of the new Code of Criminal Procedure, the role and function of public defenders is crucial. They are responsible for representing the accused in oral proceedings and for carrying out investigations to refute the evidence submitted by the prosecutor. This activity will involve organizational and functional strengthening for the Public Defender's Office and will expand it to ensure national coverage and facilitate its use by citizens.

d. Efficiency and transparency

- 2.14 **Training.** This activity will seek to consolidate the Judicial School in its functions of permanent training and evaluation of the professional capacity of magistrates, in relation to progress in their respective professional careers. The support includes an educational component to define types of courses and subjects and a component for the functional organization of the school. When the judicial career act is passed, the project will support its regulation, helping to define professional merit and ethics requirements for the selection and promotion of court officials and contributing to the establishment of a career path for them, based on professional criteria and independence. The activity includes coordination and the definition of joint activities with the Public Prosecutor's Office and the Ministry of Security relating to joint training, curriculum design, design of manuals and guides and shared educational resources.

- 2.15 **Administration.** This activity includes definition of administrative and organizational methods for the operation of courts and the establishment of a system for monitoring, control and statistical evaluation. The plan will be compatible with and will support implementation of the Court Organization Act.
- 2.16 **Control and transparency.** This activity will finance reengineering to strengthen and redefine the Court Auditor's Office, which is responsible for supervising and monitoring the actions of judges, based on the new rules for control, including territorial reorganization and the supervision of notaries. Profiles of positions for the new structure will then be defined and used as the basis for selecting personnel. Training will be offered in the new functions and in restructuring, and physical space will be upgraded.
- 2.17 **Infrastructure.** This activity extends the infrastructure component executed during stage one, with the goal of continuing to expand the geographic coverage of the judicial branch by building 10 facilities in mid-sized municipalities in the interior. The facilities will house sectional lower courts, specialized courts and justices of the peace, in addition to common administrative services. Existing infrastructure in other municipalities will also be modernized to support the creation of new special criminal courts, sentencing tribunals and courts to oversee sentence execution.

3. Greater professionalism and impartiality in investigating criminal cases (US\$11,120,000)

a. Strengthening the Public Prosecutor's Office

- 2.18 **Investigation capacity.** This activity will support the Public Prosecutor's Office in carrying out the new functions assigned to it under the Code of Criminal Procedure in the area of investigating and prosecuting criminal cases. In particular, the Public Prosecutor's Office's investigation capacity will be built up in the fields of forensic medicine and laboratories and the system for the custody of evidence and property that has been seized. Special attention will be paid to institutional and functional strengthening of the special investigation bureaus of the Public Prosecutor's Office (environmental offences, anti-corruption, human rights, consumer protection, the elderly, women, children and the disabled, ethnic groups and the cultural heritage, organized crime and protection of constitutional rights). The activity will finance training for officials, prosecutors and forensic experts, special investigation costs, witness protection in criminal cases -in coordination with the MS and the Supreme Court-, modernization of management, and consulting services to reengineer the investigation bureaus for crimes against women and children and the disabled.
- 2.19 **Training.** This activity will address the needs of the Public Prosecutor's Office's Training Department, strengthening it institutionally and supporting the design and preparation of training plans for the institution. The department's functions of permanent training and evaluation of the professional capacity of prosecutors for

the purposes of advancement in their professional careers will be consolidated, making it possible to establish a career path for prosecutors based on professionalism and independence. The support includes a component to define teaching methods and subjects, prepare materials, train instructors and institutionalize the diploma in forensic medicine (post-graduate course). This project includes coordination and joint activities with the judicial branch and the Ministry of Security relating to joint training, curriculum design, design of manuals and guides and shared educational resources.

- 2.20 **Infrastructure.** Support will be provided for the Public Prosecutor's Office in achieving full national coverage as called for by law, by constructing physical infrastructure and a network of centers to accept complaints and assist victims. In particular, the investigative capacity of the MP will be built up in the areas of forensic medicine and laboratories, with special priority placed on the construction and equipping of a forensic medicine center in the city of Tegucigalpa to replace the installations that were destroyed by Hurricane Mitch in 1998, since the temporary installations do not allow for scientific examination of the evidence in criminal cases. As for the investigation bureaus, the program will support the construction of decentralized offices of the MP in five cities in the interior. Last, the installations needed for the storage and custody of evidence on the central, regional and local levels will be built, following guidelines to be agreed on jointly with the judicial branch and the Ministry of Security.

b. Strengthening of the Ministry of Security

- 2.21 This component is intended to strengthen the Ministry of Security (police force and Crime Investigation Directorate) in the areas of the investigative capacity, understanding of and participation in the judicial reform, and community relations. It has been organized into the following activities.
- 2.22 **Penal reform.** Introduction of penal reform by strengthening criminal investigation. This activity includes coordination and joint activities with the judicial branch and the MP with respect to: definition of measures for cooperation and coordination between the Criminal Investigation Directorate, the police force and the MP; procedures for establishing and transmitting police files to the MP; analysis of the chain of custody of persons, evidence and goods that have been seized; and participation in designing a program for witness protection and assistance for the victims of crime.
- 2.23 **Training.** This activity is intended to strengthen the Directorate General of Police Education and to design and prepare training plans. Training will be offered in application of the Code of Criminal Procedure and in democratic values and citizen services for all members of the national police force. Manuals of procedures based on the Code of Criminal Procedure will be prepared and distributed to the police. This activity includes coordination includes coordination and joint activities with

the judicial branch and the Public Prosecutor's Office relating to joint training, curriculum design, design of manuals and guides and shared educational resources. In the design and execution phases of this component, special consideration will be given to the Guidelines for the Preparation of Violence Reduction Projects (CP-2190).

4. Inter-agency coordination (US\$9,900,000)

a. Social communications

- 2.24 The purpose of this component is to improve the transparency of institutions in the justice sector and promote the ability of citizens to participate in the process of modernizing the administration of justice. Support will be provided for the institutions that participate in this operation in designing and developing programs to bring justice closer to the citizenry and promote its involvement and evaluation of performance. Joint information programs will also be designed and implemented on progress in the field of criminal justice.

b. Integration of infrastructure

- 2.25 The purpose of this component is to coordinate the judicial branch, the Public Prosecutor's Office and the Ministry of Security with respect to the integration of physical infrastructure to carry out judicial tasks. The component includes physical infrastructure for the school (in coordination with the Public Prosecutor's Office). The integration of physical infrastructure and services in the different areas of the judicial branch, the Public Prosecutor's Office and the Ministry of Security will be studied, with a view to rationalizing and sharing physical plant and services, leading to savings and operating efficiency.

c. Integrated information network

- 2.26 Coordination among investigative, case preparation and trial functions in the different stages of judicial proceedings is fundamental for the rapid and efficient administration of justice. This component will support the establishment of an integrated information network for the Supreme Court, the Public Prosecutor's Office and the Ministry of Security on the entry and tracking of cases in the justice system. The network will have different levels of access and will use the digital communications infrastructure of the Ministry of Security.
- 2.27 The component will finance: (i) computerization of all the country's courts, prosecution offices, investigative police and public defenders; (ii) the costs of wiring buildings and connection to the network; (iii) digitization of legal forms and preparation of manuals on their use; and (iv) development of an operating system that permits legal cases to be prepared and transmitted through the system.

C. Cost and financing

- 2.28 The program will cost an estimated US\$33,350,000 equivalent. The loan will finance US\$30 million (90%) from the Fund for Special Operations and the national counterpart will finance US\$3.5 million equivalent (10%). The Bank loan will have an amortization period of 40 years and a grace period of 10 years. The interest rate will be 1 percent during the first 10 years and 2 percent during the rest of the period, with a credit fee of 0.5 percent and an inspection and supervision fee of 1 percent of the loan. The Bank may disburse up to the equivalent of US\$250,000 of the loan proceeds to support the start-up of program activities, especially to meet the conditions precedent listed below. The table on the following page shows budget allocations by sector of activity.

D. Execution period and disbursement schedule

- 2.29 The execution period will be 4.5 years and disbursements will take place over five years. The disbursement schedule is based on the annual timetables of disbursements for the individual components, which can be consulted in the project files.

Table 2.1
Disbursement schedule (in US\$ thousands)

	Year 1	Year 2	Year 3	Year 4	Year 5	Total
IDB	2,000	6,000	9,000	9,000	4,000	30,000
Local	235	670	1,005	1,005	435	3,350

Table 2.2 Summary of costs by component and source of financing
(US\$ thousands)

	IDB (90%)	Local (10%)	Total	%
(a) Organization of the judicial branch	350,000	0	350,000	0.01
1. Judiciary council	200,000	0	200,000	0.01
2. Judicial organization act	150,000	0	150,000	0.00
(b) Procedure for processing cases in court	320,000	0	320,000	0.01
1. Improvements in the Code of Criminal Procedure	150,000	0	150,000	0.00
2. Code of Civil Procedure	170,000	0	170,000	0.01
Subtotal Subprogram I	670,000	0	670,000	2.00
(a) Due process	1,130,000	0	1,130,000	3.40
1. Penal reform	600,000	0	600,000	1.80
2. Reduction in the court backlog	280,000	0	280,000	0.80
3. Public defenders	250,000	0	250,000	0.70
(b) Efficiency and transparency	3,950,000	383,000	4,333,000	13.00

Table 2.2 Summary of costs by component and source of financing
(US\$ thousands)

	IDB (90%)	Local (10%)	Total	%
1. Training	350,000	0	350,000	1.00
2. Administration	800,000	0	800,000	2.40
3. Control and transparency	300,000	0	300,000	0.90
4. Infrastructure	2,500,000	383,000	2,883,000	8.60
Subtotal Subprogram II	5,080,000	383,000	5,463,000	16.40
(a) Strengthening the Public Prosecutor's Office	10,170,000	929,000	11,099,000	33.30
1. Investigation capacity	2,000,000	49,000	2,049,000	6.10
2. Training	370,000	0	370,000	1.10
3. Infrastructure	7,800,000	880,000	8,680,000	26.00
(b) Strengthening the Ministry of Security	950,000	0	950,000	2.80
1. Investigation capacity	475,000	0	475,000	1.40
2. Training	475,000	0	475,000	1.40
Subtotal Subprogram III	11,120,000	929,000	12,049,000	36.10
(a) Social communications	1,800,000	143,000	1,943,000	5.80
(b) Infrastructure integration	1,500,000	120,000	1,620,000	4.90
(c) Integrated information network	6,600,000	540,000	7,140,000	21.40
I. Procurement	3,900,000	300,000	4,200,000	12.60
II. Services (recurrent costs)	900,000	90,000	990,000	3.00
III. Data links	1,500,000	150,000	1,650,000	4.90
IV Training	300,000	0	300,000	0.90
Subtotal Subprogram IV	9,900,000	803,000	10,703,000	32.10
(a) Program administration ^{1/}	1,500,000	900,000	2,400,000	7.20
(b) Mid-term and final evaluations	300,000	0	300,000	0.90
(c) Auditing	210,000	0	210,000	0.60
(d) Unallocated	330,000	0	330,000	1.00
Contingencies	330,000	0	330,000	1.00
(e) Financial costs	890,000	335,000	1,225,000	3.70
Interest	590,000	0	590,000	1.80
Credit fee	0	335,000	335,000	1.00
S&I	300,000	0	300,000	0.90
Subtotal Other costs	3,230,000	1,235,000	4,465,000	13.40
Grand total	30,000,000	3,350,000	33,350,000	100.00

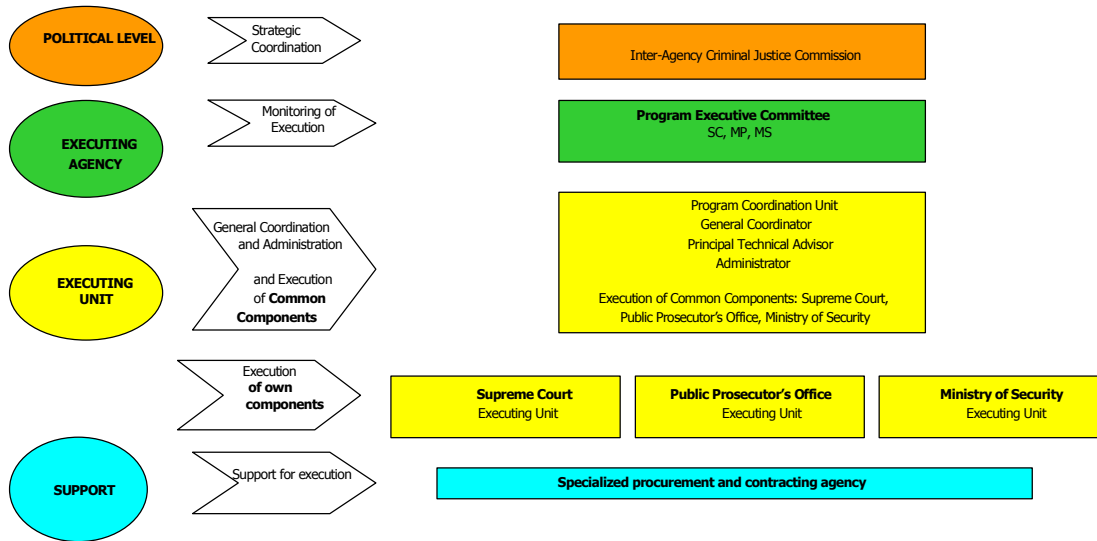
^{1/} Includes funds to contract the specialized procurement and contracting agency.

III. PROGRAM EXECUTION

A. Borrower, guarantor and executing agency

- 3.1 The borrower will be the Republic of Honduras, represented in the loan contract by the Department of Finance, which will make a nonreimbursable transfer of the loan proceeds to the program executive committee (PEC) in its capacity as executing agency. The PEC will be composed of the heads of the following institutions, or their representatives: the Supreme Court, the Public Prosecutor's Office and the Ministry of Security, which will make it possible to centralize program administration through a body composed of the three executing institutions. The PEC will act through the program coordination unit, which will be made up of representatives of the three institutions. The committee has been established under an inter-agency agreement signed by the heads of the three institutions, with the powers necessary to act as the executing agency. Full legal capacity will be conferred on it when congress ratifies the loan contract.
- 3.2 The borrower will present to the Bank's satisfaction prior to the first disbursement, a copy of the agreement between the Department of Finance and the PEC, establishing: (i) the obligation of the executive branch to transfer the loan proceeds to the committee under a nonreimbursable arrangement; (ii) the committee's commitment to transfer them to the different agencies in charge of executing the subprograms; and (iii) the obligation to establish the program coordination unit.
- 3.3 Prior to the first disbursement for each subprogram, the PEC will present, to the Bank's satisfaction, copies of the agreements it reaches with each of the entities responsible for executing the subprograms, i.e. the Supreme Court, the Public Prosecutor's Office and the Ministry of Security, establishing: (i) the commitment of the entity to include the local counterpart in its budget for the corresponding subprogram; (ii) the obligation to establish an executing unit for the respective subprogram; (iii) the obligation to maintain the works and equipment financed with program funds; and (iv) the obligations of the entity for technical execution of the program.
- 3.4 The execution plan is intended to strengthen the program's objective of achieving closer coordination among the operators of the justice system, while simultaneously capitalizing on the experience gained by the Supreme Court's technical unit for penal reform (TUPR), which has been practicing coordination in its sphere of competence. To that end and to make the most of installed capacity, the program coordination unit will operate out of the offices of the TUPR, without detriment to any additional facilities that might be required and the incorporation of staff from each of the executing entities, for specific program management.

B. Project execution and administration



1. General framework

- 3.5 Three levels have been established for program coordination and execution. One level involves policy and strategy coordination with other institutional players involved directly or indirectly in the administration of justice; the second level involves periodic executive supervision and coordination among the three executing organizations; and the third involves execution of the projects in the four subprograms. This last level includes coordination within each subprogram and between the different subprograms on the operating level, for common or shared components and for components whose execution is reserved for each entity.
- 3.6 Operating Regulations, whose content has been reviewed and approved by the project team during program preparation, will govern program execution.

2. Policy and strategy coordination

- 3.7 Policy and strategy coordination with other institutional players involved directly or indirectly in the administration of justice will take place under the auspices of the Inter-Agency Criminal Justice Commission, which will be composed of the three program executing institutions and the Department of the Interior and Justice, the Solicitor General and the Administrative Ethics Directorate. The commission will consider the annual operating plans and semiannual program evaluations but will not be involved in direct program execution.

3. Periodic executive supervision

- 3.8 Periodic program supervision and coordination among the three executing organizations will be performed by the program executive committee, composed of a representative from each organization, i.e. the Supreme Court, the Public Prosecutor's Office and the Ministry of Security.
- 3.9 The committee will ensure compliance with program objectives and coverage, good use of its resources, performance of the activities in the annual operating plans and the dissemination of information on its objectives and progress toward them.
- 3.10 The committee will decide on the timetable for its meetings and can be convened in extraordinary session by any of its members. Working meetings will be attended by the coordinator of the project coordination unit, as technical secretary, and the coordinators of the executing units of the subprograms in each of the entities. The committee may invite experts from the institutions to give opinions on special aspects of execution, as necessary. The committee may also invite the coordinator or director of the specialized procurement and contracting agency that provides services for the program. As background for its meetings, the committee will receive reports from the project coordination unit and the executing units of the subprograms.

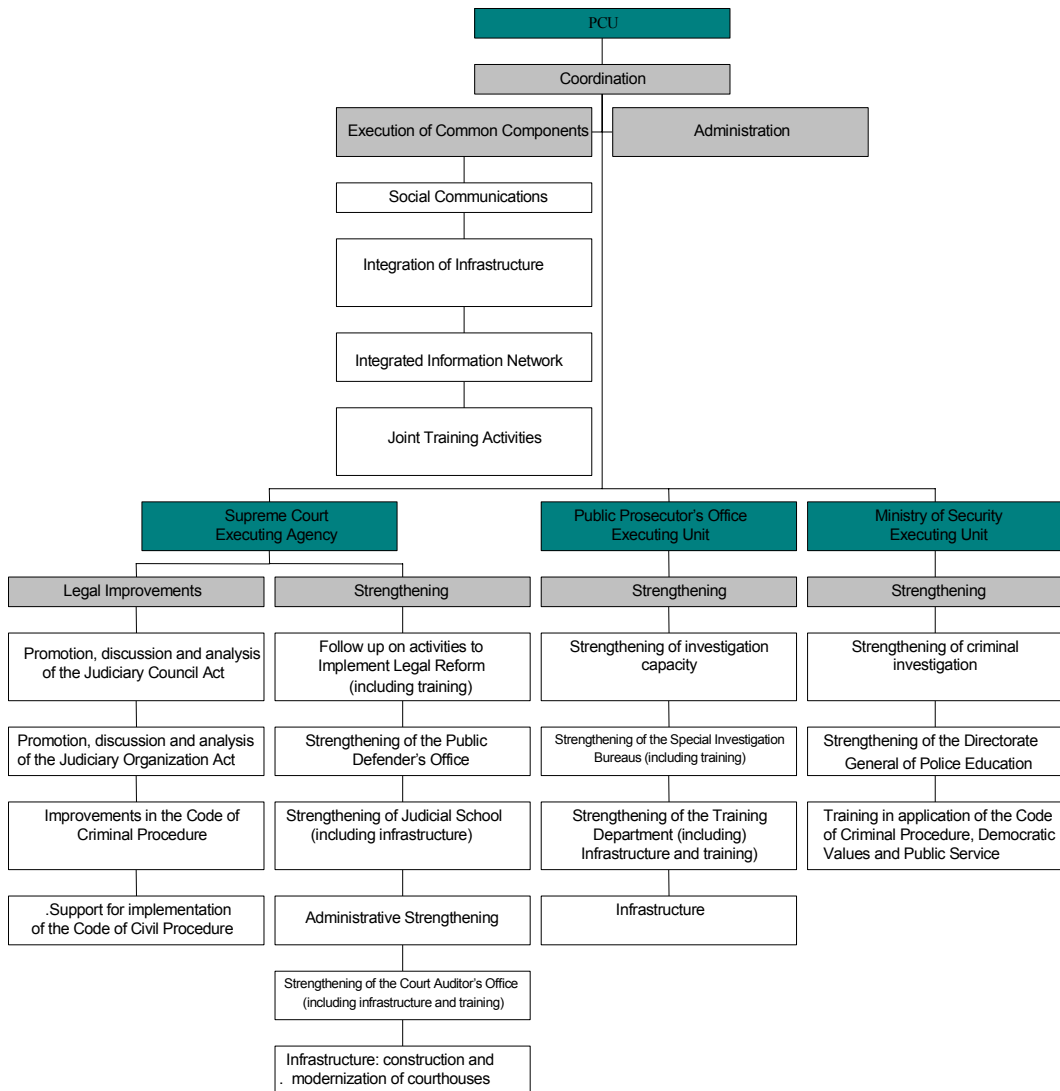
4. Coordination, administration and execution

- 3.11 General program coordination and administration and execution of the components that are common to the three executing institutions and beneficiaries will be the responsibility of the program coordination unit (PCU). The PCU's core staff will include a general coordinator, a principal technical advisor and an administrator for general coordination and administration and one official from each institution (Supreme Court, Public Prosecutor's Office, Ministry of Security) to oversee execution of the common components. The establishment and staffing of the PCU will be a condition precedent to the first disbursement. To make the most of installed capacity, the PCU will operate out of the offices of the of the Supreme Court's technical unit for penal reform (TUPR). It will have the functions described below.
- 3.12 **General program coordination and administration:** (i) to direct, coordinate, supervise and answer for the technical, financial and administrative development of the program; (ii) to coordinate and supervise compliance with the program by the specific operating units involved in the different program activities; (iii) to provide periodic follow-up on compliance with outcomes and deadlines for projects and components, in accordance with the logical framework, timetables and other program evaluation instruments; (iv) to present disbursement requests to the Bank in compliance with the stipulations of the loan contract; (v) to submit disbursement requests for the local counterpart to the program's senior authorities for

consideration; (vi) to forward requests for procurements and contracts to the specialized agency and to receive and study the reports and recommendations made by the agency; (vii) to submit requests for nonobjections to procurement and contracting processes to the Bank for approval; (viii) to maintain an up-to-date accounting and financial system for suitable control of operations and the program's investment plan; (ix) to keep the executive committee and the Bank informed of progress in all aspects of the program, also presenting consolidated semiannual progress reports; (x) to administer the information system for general program coordination and monitoring; and (xi) to coordinate and support the dissemination of program objectives and progress, on the proposal of the coordinators of each subprogram.

- 3.13 **Execution of the program's common components:** (i) to perform follow-up and control over compliance with the conditions established in the loan contract for the components for which it is responsible; (ii) to ensure compliance with the procedures established for program execution and obtain the necessary nonobjections from the Bank; (iii) to prepare the annual plans for executing the components for which it is responsible; (iv) to prepare periodic progress reports on the components for which it is responsible; (v) to prepare the budgets and flows of funds for the components for which it is responsible; (vi) to prepare the accounts of the advance payments received and requests for disbursements, payments or replenishments of funds for the components for which it is responsible; (vii) to keep the accounts for the components for which it is responsible and issue the corresponding financial statements; (viii) to review the terms of reference and technical specifications for executing the components for which it is responsible and instruct the specialized agency to process the procurement or contract; (ix) to perform control and follow-up of the procurement and contracting processes carried out by the specialized agency for the components for which it is responsible and review the corresponding reports; (x) to submit the procurement contracts and/or contracts for execution of the components for which it is responsible to the corresponding authorities for signature; (xi) to perform control and follow-up of due compliance with contracts for works, goods or services for execution of the components for which it is responsible; and (xii) to present reports and other documents to the general coordinator, as requested.

Distribution of responsibilities for Execution of Program Components



- 3.14 Execution, administration and supervision of the subprograms or components that are exclusive to each entity will be the responsibility of the executing units inside those institutions. The executing units of the Supreme Court and the Public Prosecutor's Office and the Directorate General of Police Education of the Ministry of Security will each carry out the following functions in its own sphere: (i) perform follow-up and control of compliance with the conditions established in the loan contract for the components for which it is responsible; (ii) ensure compliance with the procedures established for program execution and request the Bank's nonobjections through the PCU; (iii) prepare annual plans for executing the components for which it is responsible and submit them expeditiously to the PCU;

- (iv) prepare periodic progress reports on the components for which it is responsible and submit them expeditiously to the PCU; (v) prepare the budgets and flows of funds for the components for which it is responsible and submit them expeditiously to the PCU; (vi) prepare the accounts for the advance payments received and requests for disbursements, payments or replenishments of funds for the components for which it is responsible and submit them expeditiously to the PCU; (vii) keep the accounts for the components for which it is responsible, and prepare the corresponding financial statements and submit them expeditiously to the PCU; (viii) review the terms of reference and technical specifications for executing the components for which it is responsible and request the PCU to instruct the specialized agency to process the procurement or contract; (ix) through the PCU, perform control and follow-up of the procurement and contracting processes carried out by the specialized agency for the components for which it is responsible and review the corresponding reports; (x) submit the procurement contracts and/or contracts for execution of the components for which it is responsible to the corresponding authorities for signature; (xi) perform control and follow-up of due compliance with contracts for works, goods and services for execution of the components for which it is responsible; and (xii) present reports and other documents to the general coordinator, as requested.
- 3.15 To ensure that these tasks are carried out, the executing units' core staff will include a coordinator, a technical assistant, an administrative officer and a secretarial assistant from the staff of each institution and will be strengthened with the inclusion of an expert financed by the program. The establishment and staffing of these executing units will be a condition precedent to the first disbursement for the respective subprograms.
- 3.16 Procurements of goods and services, construction of works and the selection of individual consultants will be supported by an agency that specializes in procurement and contracting, hired in accordance with Bank procedures. Hiring the agency will be a condition precedent to the first disbursement of the loan. The agency will perform the following functions: (i) prepare, based on Bank policies and procedures and domestic contracting rules, standard bid documents for goods and consulting services, including instructions for bidders, criteria and methods of ranking proposals, forms for the presentation of bids and general contract conditions; (ii) prepare standards and provide methodological assistance for the executing units in preparing technical specifications and terms of reference; (iii) process the bids requested by the PCU, based on approved standard documents, from the time of publication of the invitations to the final report and recommendations, including receipt and evaluation of the bids and safekeeping of bids, guarantees and other documents related to the process; (iv) present reports evaluating bids and its recommendation for the award of contracts to the PCU; (v) develop a training plan in bid processes for staff from the PCU and the executing units, to gradually make the services of the agency unnecessary; (vi) present to the Bank, the PCU and the executing units, periodic reports on its

activities. The selection and contracting of the specialized procurement and contracting agency will be a condition precedent to the first disbursement.

- 3.17 The program will have instruments for internal and external dissemination, including: (i) a quarterly information bulletin on the program to be distributed to the staff of the executing institutions; (ii) a semiannual presentation of progress in the program, in which representatives of the different institutions involved and professional associations can participate; (iii) an annual presentation of progress in the program, in which representatives of civil society institutions interested in the performance of the judicial branch, the Public Prosecutor's Office and the Ministry of Security can participate; (iv) periodic publication of articles and press communiqués on program goals and progress toward them; and (v) a web page on the program.

5. Evaluation and control

- 3.18 The program will have annual operating plans covering the following elements: (i) the logical framework, establishing the sequence of objectives, purposes, components, activities, outcomes and indicators; (ii) the detailed program budget; (iii) the procurement plan; (iv) the follow-up and evaluation methodology; and (v) the timetable for auditing and evaluation. Presentation of the first annual operating plan will be a condition precedent to the first disbursement.
- 3.19 The respective executing unit will be responsible for follow-up of each subprogram and will base its work on the annual operating plans, the annual budgets, the performance indicators and the logical framework. For financial and accounting purposes, each unit will keep its own records, including the chart of accounts, accounting software, reporting system, system for filing supporting documentation and an auditing and supervision system.
- 3.20 Without detriment to the responsibilities of each unit for administering and monitoring the components for which it is responsible, the PCU will perform general coordination and administration functions, consolidating the reports of each executing unit into general program reports.
- 3.21 The program executive committee (PEC) will be responsible for general supervision, based on the annual operating plans. Semiannual follow-up and evaluation meetings will be held, which will use the semiannual reports prepared by the PCU based on its own records and the reports provided by the executing units as background. A Bank representative may attend the semiannual meetings of the PEC.
- 3.22 It is also proposed that the Bank perform a mid-term evaluation to measure the results achieved and define operations programming to the end of the program including, where necessary, the reallocation of funds among subprograms,

components or activities. This mid-term evaluation will coincide with the fifth semiannual meeting of the PEC.

- 3.23 At the end of the operation, a final evaluation of impact will be performed, to begin when at least 90 percent of the loan has been disbursed. The terms of reference for the final evaluation will be based on the indicators included in the logical framework. Funds for the evaluation have been included in the loan.
- 3.24 The project team consulted with the country's authorities on the possibility of performing an ex post evaluation of the results of the program five years after the operation is completed. The statistical information needed for the evaluation will be compiled during the project and will cover the entire period that the Bank provided technical and financial support for the sector in Honduras, including stage I of the program for the modernization of justice (974/SF-HO). The evaluation will depend on whether funding is available.

6. Auditing

- 3.25 Funds will be replenished subject to the submission of accounts for each subprogram, which will be reviewed by the PCU prior to their presentation to the Bank. Based on a uniform chart of accounts, each executing unit will keep the accounts for its subprogram and the PCU will consolidate the financial statements.
- 3.26 The executing agency will present the program's audited financial statements during the program up to the final report, within 120 days after the close of the financial year. The financial statements will be audited by independent firms of public accountants acceptable to the Bank, hired by the project executive committee using competitive procedures based on terms of reference for which the Bank's nonobjection has been obtained.
- 3.27 The costs of the audits will be paid from the loan proceeds, as shown in the program's cost table. The contracts signed with the independent auditor will establish that if its services are satisfactory, it will be hired to provide the same services during the subsequent years of the program, without the need for a competitive procedure before it is recontracted.

7. Procurement procedures

- 3.28 All procurements and contracts under the program will conform to Bank policies, rules and procedures, as will be established in the contract signed with the specialized procurement and contracting agency.
- 3.29 The program executive committee will contract the specialized agency following a competitive process acceptable to the Bank, which will be a condition precedent to the first disbursement of the loan.

- 3.30 The agency will receive the terms of reference or technical specifications and will be responsible for processing the procurements and contracts required by the program, from the time of publication of the invitations to the final report and recommendations. Publication of announcements in the press will be paid for by the PCU. The agency will not award contracts or make payments on its own behalf or on behalf of the program for works, goods or services. The award, contracting, administration and supervision will be the responsibility of the executing institutions (program executive committee, Supreme Court, Public Prosecutor's Office and Ministry of Security) assisted by their executing units.
- 3.31 International competitive bidding will be mandatory for goods costing US\$350,000 equivalent and over and for works costing US\$1.5 million equivalent and over. International competitive bidding will be required for consulting services costing US\$200,000 equivalent and over. Procurements below these thresholds will be governed, in principle, by domestic legislation.
- 3.32 In addition, for the selection of consultants, with the prior nonobjection of the Bank the executing agency may use an evaluation mechanism based on quality and cost for works that are not as complex or specialized or where several firms are able to compete under equal conditions. In no event may the cost criterion account for more than 20 percent of the total points. The program's Operating Regulations will establish the details of the procedures for procurement and contracting, including the obligations of the program executive committee, the PCU and the executing units, the line units in the institutions and the specialized agency, and will determine the cases in which the Bank's nonobjection will be required.

8. Disbursements

- 3.33 Program disbursements will be made by the program coordination unit, in its capacity as the operating representative of the program's executive committee and centralized program execution unit, based on an agreement with the parties. The PCU, in turn, will allocate funds to the executing units, based on their needs, and will use the share set aside for the program's common components. Bilateral agreements between the executing units and the PCU will regulate financial relations between the parties.
- 3.34 Disbursements will take the form of advance payments paid to the account of the PCU of not more than 10 percent of the funds assigned to the program. Direct payments will be made to suppliers when the executing institution so requests and the amount is not less than US\$50,000. This percentage is recommended, owing to the need to provide a constant flow of funds to the program executive committee and the three executing units to enable them to carry out their functions relating to this operation.

- 3.35 The final disbursement will be governed by the Bank's standard procedures and the loan contract. The program's Operating Regulations will establish the details of the procedures for processing disbursement requests, including the obligations of the program executive committee, the PCU and the executing units, and the necessary supporting documentation.

IV. FEASIBILITY AND RISKS

A. Institutional feasibility

- 4.1 President Maduro's administration, which took office on 25 January 2002, has made citizen security and implementation of the pending judicial reforms priorities in the government's new plan. Congress and the recently-appointed heads of two of the three public institutions involved—the Supreme Court and the Ministry of Security (the Public Prosecutor's Office has not changed since the mandate of its authorities does not coincide with elections)—are working actively on the preparation and discussion of measures to implement the new policy proposals. This program is a cornerstone in the sector design proposed by the government, which will facilitate Bank technical and financial supervision during implementation.

B. Socioeconomic feasibility

- 4.2 Stage two of the program to support modernization of the administration of justice in Honduras is marked by the support that the program provides for the investigation and processing of cases in the justice system. Improvements in the fields of efficiency, speed and legal security are indispensable for good governance and for helping the country's economy to develop its full potential.
- 4.3 Owing to the linkage between the perception of the smooth operation of the justice system under the rule of law and the investment climate in the country, it is expected that improvements in the legal framework and in processing court cases will help to create a climate that favors economic growth.
- 4.4 In addition, the reduction in delays and the increase in predictability and transparency of court judgements will help to improve protection of the rights and freedoms of users of the justice system, complying with the goals and strategies of the IDB for modernization of the State and strengthening of civil society.

C. Environmental and social impact and measures proposed

- 4.5 The proposed program includes measures to modernize the country's judicial and legal framework, measures to improve the processes of entering and processing cases in the system, measures to boost the investigation capacity of the Public Prosecutor's Office, training programs, and the design and implementation of a communications network inside the institutions of the justice system.
- 4.6 Each of these components has environmental and social implications relating to their positive impact or the need to mitigate negative impacts.

- 4.7 In the case of **modernization of the judicial and legal framework**, legislation will be reformed on the basis of participation and continuous feedback, through consultations with all the stakeholders, including judges, prosecutors, police, public defenders, the college of attorneys, law faculties and civil society organizations. This will ensure that social and environmental aspects are considered at the workshops, seminars and public debates promoted by the project.
- 4.8 In particular, the adoption of the new Code of Criminal Procedure will support the expeditious resolution of cases related to land tenure, supporting protection of property rights relating to natural resources, which is crucial for their good management. Also, application of the new Code of Criminal Procedure will help to improve effectiveness and speed in the prosecution of environmental offences.
- 4.9 **Measures to improve access to justice and entering and processing legal cases in the system** will contribute to better enforcement of the country's environmental legislation. The plan for this component will bring the structures of the judicial branch closer to the public, particularly people living in remote areas and the poor. It is expected that this closer presence of judicial institutions will encourage the reporting and rapid investigation of environmental and social offences and abuses.
- 4.10 The component to **strengthen the investigation capacity of prosecutors**, coupled with the plan to expand the network of courts, includes physical infrastructure that could cause possible adverse environmental impact during construction and operation of the works. Just as in stage one of the program, the works will be required to comply strictly with the country's environmental law during the design and execution stages and will have to obtain environmental permits, when necessary.
- 4.11 Environmental technical specifications will be prepared and will be included in the contracts for works and supervision, identifying measures to prevent, correct or mitigate potential impacts related to construction, suitable disposal of liquid waste (during operation of the infrastructure as well) and control of soil erosion.
- 4.12 The program will pay particular attention to strengthening the special investigation bureaus of the Public Prosecutor's Office (environmental offences, anti-corruption, human rights, consumer protection, the elderly, women, children and the disabled, ethnic groups and the cultural heritage, organized crime and protection of constitutional rights). It is hoped that these activities will have a considerable social impact in the country, bringing the citizenry closer to the justice system and educating users in their rights and obligations. The component to support the environmental offences investigation bureau, in particular, will contribute to better enforcement of environmental legislation.
- 4.13 The program includes specific actions to promote gender equity and support marginalized groups, such as indigenous groups, the elderly and children. It

includes specific components to strengthen the specialized investigation bureaus that have been created inside the Public Prosecutor's Office for the purpose of ensuring that the administration of justice will not contain gender biases or be prejudicial to bypassed groups. The program will strengthen these bureaus, making them more effective in carrying out their functions and will provide training for police and prosecutors in investigation techniques and management of cases involving women or children and cases in which they are witnesses to crimes. Last, the program will include a substantial social communications component, part of which will be targeted to informing women about their rights as victims, witnesses or persons accused of a crime.

- 4.14 Finally, the framework for this component will support the incorporation of ILO Convention 169 on indigenous peoples, ratified by Honduras in 1995, into the country's law, with respect to linkage between indigenous legal systems and national law and, where possible, the other areas of Convention 169.
- 4.15 No special measures have been planned to prevent environment impact for the component **to establish a communications network** inside the institutions in the justice system, since existing structures will be used to install the information transmission equipment.

D. Benefits

- 4.16 The program will support consolidation of the independence of the judiciary in Honduras and will contribute to the process of modernizing the administration of justice and judicial procedures in the country.

E. Risks

- 4.17 To improve the chances of Congress passing legislation such as the judicial organization act and the judiciary council and judicial career act, the program has provided for activities to discuss these initiatives during the first two years and for consensus-building activities aimed at the public sector, civil society and professional organizations in the sector. Implementation of the package of legal reforms and providing the Supreme Court with a new and improved regulatory framework that makes for better management of the justice system is a stated interest of all political and institutional stakeholders. The program, in coordination with the donor community interested in the field of justice, will support supervision by the judicial branch of a consensus-building process and activities to inform about and promote these initiatives, with a view to supporting the authorities in carrying out the reforms that are still pending.

LOGICAL FRAMEWORK

Narrative Summary of Objectives	Objectively Verifiable Indicators	Means of Verification	Assumptions
PURPOSE:			
The rule of law, the institutions and the services offered by the judicial system that consolidate a democratic society to the benefit of all the country's social classes and ethnic groups are strengthened.	Public satisfaction with the judicial system and the contribution of judicial organizations, particularly the judicial branch, the Public Prosecutor's Office and the Ministry of Security to socioeconomic development and social peace increases. There is better public understanding, particularly among vulnerable groups, of citizen rights and duties in relation to criminal policy.	Opinion surveys conducted at the start of the program and on its conclusion. The surveys will cover all social and ethnic groups. The desired percentages of increase will be established when the results of the first survey are known. Relevant press information that has been systematized.	
1. SUBPROGRAM FOR CONTINUITY IN LEGAL AND JUDICIAL IMPROVEMENTS			
Institutionalization of a continuing and participative process of legal reform.	System for monitoring, realignment and continuous revision of legislation implemented in the judicial branch. Each proposed piece of legislation is consulted with the stakeholders prior to submission to congress.	Annual program reports	
COMPONENTS			
Organization of the judicial branch Public discussion, revision, passage and introduction of: - The judiciary council and judicial career act, and - The judicial organization act.	Judicial Council established. Effective implementation of a system for the selection and promotion of judges, experts and officials of the judicial branch, based on merit, training and productivity and on the quality of professional performance.	Reports on judicial branch human resources Publication of laws in the Official Gazette Interviews with a small group of representatives of the College of Attorneys, law faculties and NGOs.	Consensus is built on the importance of implementing the judiciary council and judicial career act and the judicial organization act.

Narrative Summary of Objectives	Objectively Verifiable Indicators	Means of Verification	Assumptions
<p>Procedures for processing cases in court</p> <p>Better application of the Code of Criminal Procedure.</p> <p>A code of civil procedure is prepared.</p>	<p>Participative evaluation of application of the Code of Criminal Procedure performed at the end of year three.</p> <p>Improvements in application of the code implemented in year four.</p> <p>Draft code of civil procedure prepared and sent for consultation with stakeholders at the end of year four.</p>	<p>Project report</p> <p>Draft code</p>	
2. SUBPROGRAM FOR PROTECTION OF DUE PROCESS, EFFICIENCY AND TRANSPARENCY IN THE JUDICIAL BRANCH			
<p>Impartiality, transparency and efficiency in the administration of justice improve.</p>	<p>100% of new criminal cases are dealt with within the time limit established in the law.</p> <p>Reduction in appeals owing to technicalities as a percentage of cases presented.</p> <p>Improvements in the performance of public defenders.</p>	<p>Statistics of the judicial branch and the Public Prosecutor's Office</p> <p>Interviews with lower court judges, prosecutors and users of public defenders</p>	<p>Compliance with the constitutional commitment on public spending on the judicial branch improves.</p>
COMPONENTS			
<p>Due process</p> <p>Improvement in the administration of criminal proceedings.</p>	<p>Reorganization of the summonses and notifications service.</p> <p>Automation of the receipt and distribution of cases.</p> <p>Improvement in the administration of expired cases.</p> <p>Organization of court files.</p> <p>Organization of evidence related to earlier criminal trials.</p> <p>Inter-Agency Criminal Justice Commission and local and regional commissions strengthened.</p>	<p>Project reports</p>	
<p>Due process</p> <p>Backlog cleared</p>	<p>Reduction in the backlog of criminal cases.</p> <p>All pending judicial cases are reviewed to determine whether they should go forward or be declared null.</p>	<p>Statistics on cases that have been cleared</p>	

Narrative Summary of Objectives	Objectively Verifiable Indicators	Means of Verification	Assumptions
	Establishment of a team to clear up the backlog of cases of people in preventive custody in the Public Defender's Office in coordination with the Public Prosecutor's Office.		
Due process: Public Defender's Office Organizational and operational strengthening of the Public Defender's Office	Organization and operating manual of the Public Defender's Office and manual of administrative procedures prepared in a participative fashion. Temporary investigators hired and trained. Use of decriminalization measures (conciliation, opportunity criteria) in a minimum of 10% of cases. System for tracking cases in operation.	Manuals approved Report on the human resources of the judicial branch Judicial branch statistics Project reports	Increase in the resources allocated to the institution, consistent with the scope of the proposed plan.
Efficiency and transparency: Training The Judicial School is consolidated in its functions of permanent training and evaluation of the professional performance of judges.	100% of the Supreme Court's experts and administrative staff trained as planned by the end of the program in courses evaluated as better than 'good'. 100% of judges and experts trained according to the plan by the end of the program. Implementation of procedures for performance evaluation and consideration of training in the regulations governing the judicial career.	Training plans Certificates of attendance/course evaluation reports Statistics on training Survey of judges, experts and officials of the judicial branch Reports on human resources	
Administration Court functioning improved and systems for case registration and tracking implemented.	Units that provide support in the jurisdictional area reengineered. Financial administration system expanded through modules to control budget performance per program in function of results. Program to register and track cases implemented and operating. Administrative functions delegated to administrative professionals.	Project reports Organization reports	
Control and transparency Court Auditor's Office strengthened. Special notary auditing office created in the	Reengineering and territorial reorganization of the office in the second semester. Increase in the percentage of complaints	Regulations of the Court Auditor Statistical reports	

Narrative Summary of Objectives	Objectively Verifiable Indicators	Means of Verification	Assumptions
<p>judicial branch.</p> <p>Deconcentration of access to the case law of the Supreme Court.</p>	<p>investigated out of complaints received.</p> <p>Increase in the percentage of cases in which action is taken once the guilt of the accused has been demonstrated.</p> <p>Creation of the notary auditing office.</p> <p>Case law and documentation accessible through the integrated information system on the sector level.</p>	<p>Approval of the regulations governing the special notary auditing office</p> <p>Project reports</p>	
<p>Infrastructure</p> <p>National geographical coverage of the judicial branch increased and installations modernized.</p>	<p>6 judicial centers constructed.</p> <p>3 sectional lower courts with administrative services constructed.</p> <p>9 justice of the peace offices included in the judicial centers and in the lower court buildings.</p> <p>1 justice of the peace office built in Iriona.</p>	<p>Bid documents</p> <p>Reports on works, photographs, visual inspections</p>	
3. SUBPROGRAM TO IMPROVE PROFESSIONALISM AND IMPARTIALITY IN THE INVESTIGATION OF CRIMINAL CASES			
<p>Professionalism, application of due process and respect for citizen rights during criminal investigations improve.</p>	<p>Satisfaction by direct users of the services of the Public Prosecutor's Office and the police improves.</p> <p>100% of criminal cases are dealt with within a reasonable time.</p> <p>Reduction in appeals owing to technicalities as a percentage of cases presented.</p> <p>Increase in the number of complaints investigated out of the number received.</p>	<p>Permanent evaluation by direct users of the program during implementation</p> <p>Statistics of the Public Prosecutor's Office, the judicial branch and the Ministry of Security</p>	<p>Increased budgets for the Public Prosecutor's Office and the Ministry of Security.</p>
COMPONENTS			
<p>Strengthening of the Public Prosecutor's Office</p> <p>Investigation capacity of the Public Prosecutor's Office strengthened.</p>	<p>Implementation of a system of promotion based on merit and competitions for positions in the Public Prosecutor's Office.</p> <p>Forensic laboratories equipped.</p> <p>Witness and victim protection programs implemented. Witness protection center equipped.</p> <p>Opening of ethnic and cultural heritage</p>	<p>Report on Public Prosecutor's Office's human resources</p> <p>Project reports</p> <p>Interviews with lower court judges, witnesses and victims, representatives of indigenous communities and human rights organizations</p>	

Narrative Summary of Objectives	Objectively Verifiable Indicators	Means of Verification	Assumptions
	<p>investigation bureaus in six cities. Human rights investigation bureaus established in four cities.</p> <p>Updating of manuals on hiring, job classification, salaries. Proposal for reengineering of the investigation bureaus for children and women produced in the second semester and implemented in the second year.</p>	<p>Manuals approved</p> <p>Project reports</p>	
<p>Strengthening of the Public Prosecutor's Office: Training Training department consolidated in its functions of permanent training and evaluation of the professional capacity of prosecutors.</p> <p>Diploma in forensic medicine created.</p>	<p>Training plans approved annually. Manuals and instructions designed and updated. 100% of prosecutors and experts trained as planned by the end of the program in courses evaluated as better than 'good'. Consideration of training for prosecutors' careers. Manuals and instructions for the post-graduate diploma in forensic medicine.</p>	<p>Training plans Certificates of attendance Course evaluation reports</p> <p>Statistics on training</p> <p>Reports on human resources</p>	
<p>Strengthening of the Public Prosecutor's Office: Infrastructure Buildings of the Public Prosecutor's Office renovated to adapt them to new requirements.</p> <p>Coordination and joint undertakings with the judicial branch and the Ministry of Security regarding the integration of physical infrastructure for carrying out their tasks.</p>	<p>Forensic medicine building with a morgue built in Tegucigalpa. 5 regional prosecution offices built by the end of the program. Construction of an evidence storage facility in Tegucigalpa. Network of the center for complaints and victims.</p> <p>Joint plan with the judicial branch and the Ministry of Security to use the buildings.</p>	<p>Work plan Bid documents Reports on works, photographs, visual inspections</p> <p>Inter-agency plan</p>	
<p>Strengthening of the Ministry of Security: Penal reform Implementation of penal reform consolidated through the strengthening of criminal</p>	<p>Operational cooperation and coordination between the Ministry of Security and the Public Prosecutor's Office. Reengineering of the Criminal Investigations</p>	<p>Cooperation agreements signed</p> <p>Project reports</p>	

Narrative Summary of Objectives	Objectively Verifiable Indicators	Means of Verification	Assumptions
investigation.	Directorate. Revision of manuals on the transmission of police files, protection of the chain of custody for people, evidence and seized goods, witness protection and victim assistance.	Manuals revised	
Strengthening of the Ministry of Security: Training Directorate General of Police Education strengthened institutionally and training plans carried out.	8,000 crime prevention police trained in applying the Code of Criminal Procedure, in citizen rights and in related skills and values. Training plans for criminal investigation police approved annually. 100% of police trained as planned by the end of the program, in courses evaluated as better than 'good'. Manuals and instructions designed and updated.	Training plans Certificates of attendance Course evaluation reports Training statistics	
4. SUBPROGRAM FOR INTER-AGENCY COORDINATION			
Relations between the institutions in the justice sector strengthened, greater transparency and better communications with the public, and an integrated judicial information system established.	Joint training programs involving the judicial branch, the Public Prosecutor's Office, the Ministry of Security carried out each semester. Educational communications program in security and justice carried out by the judicial branch, the Public Prosecutor's Office and the Ministry of Security.	Joint program documents Program evaluation documents Press information	Political will exists to define national crime prevention and criminal action programs.
COMPONENTS			
Social communications Improvement in the transparency of institutions in the justice sector and promotion of the ability of citizens to participate in the justice modernization process.	Public better informed about the purposes and functions of the Public Prosecutor's Office, the Ministry of Security and the judicial branch. Citizens informed of their rights and duties with regard to the State and its policy. Public informed of how to demand transparency in the work of the operators of the justice system in the struggle against delinquency and impunity. 70% of justice sector operators and personnel aware of the quality of service they should	Public surveys Increase in requests for services in justice sector institutions Training statistics	

Narrative Summary of Objectives	Objectively Verifiable Indicators	Means of Verification	Assumptions
	provide and of the need to respect the fundamental rights of citizens.		
Infrastructure integration Coordination between the judicial branch, the Public Prosecutor's Office and the Ministry of Security with respect to the integration of physical infrastructure to carry out judicial tasks.	Joint plan of the judicial branch and the Ministry of Security to use judicial buildings. Joint training center for the justice sector built.	Works plan Bid documents Reports on works, photographs, visual inspections	
Integrated information network Establishment of an integrated information network for the Supreme Court, the Public Prosecutor's Office and the Ministry of Security, for the entry and tracking of cases in the judicial system.	Network installed and operating, hardware and communications equipment installed and tested. Software developed. Judicial branch, Public Prosecutor's Office and Ministry of Security offices with the capability of entering data and making consultations.	Information systems reports Plan of the network Consultations from computers in the three institutions	

PROCUREMENT PLAN

Main Procurements	Financing	Type	Prequal	Open Advertisement
CONTINUITY OF LEGAL IMPROVEMENTS				
1. Organization of the judicial branch				1st quarter 2003
• Individual international consultants (average contract US\$ 60,000)	IDB	ICB	No	
• Local individual consultants (average contract US\$ 11,000)	IDB	CSP	No	
• Publications and educational materials (1 contract for US\$40,000)	IDB/LC	LCB	No	
2. Case processing				1st quarter 2005
• Individual international consultants (average contract of US\$ 55,000)	IDB	ICB	No	
• Individual local consultants (average contract US\$ 13,000)	IDB	CSP	No	
• Publications and educational materials (1 contract for US\$60,000)	IDB/LC	LCB	No	
PROTECTION OF DUE PROCESS, EFFICIENCY AND TRANSPARENCY OF THE JUDICIAL BRANCH				
• Individual international consultants (average contract US\$45,000)	IDB	ICB	No	1st quarter 2003
• Individual local consultants (average contract US\$15,000)	IDB	CSP	No	1st quarter 2003
• Equipment (average contract of US\$50,000)	IDB/LC	LCB	No	2nd quarter 2003
• Infrastructure (10 buildings at a total cost of US\$3,195,000)	IDB/LC	ICB	Yes	2nd quarter 2003
PROFESSIONALISM AND EQUITY IN INVESTIGATION OF CRIMINAL CASES				
• Individual international consultants (average contract US\$50,000)	IDB	ICB	No	1st quarter 2003
• Individual local consultants (average contract US\$15,000)	IDB/LC	CSP	No	1st quarter 2003
• Equipment (total cost of US\$1,800,000)	IDB/LC	ICB	No	1st quarter 2004
• Infrastructure (total cost of US\$6,200,000)	IDB	ICB	Yes	1st quarter 2004

INTER-AGENCY COORDINATION

• Individual consultants (average contract US\$50,000)	IDB	ICB	No	1st quarter 2003
• Consulting firms (average contract US\$ 250,000)	IDB	ICB	Yes	1st quarter 2003
• Equipment (average contract US\$250,000)	IDB/LC	ICB	Yes	2nd quarter 2003
• Infrastructure (total cost US\$1,800,000)	IDB/LA	ICB	Yes	1st quarter 2004

Abbreviations

LC:	local contribution
ICB:	international competitive bidding
LCB:	local competitive bidding
CSP:	competitive selection process