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**PARAGUAY**

**PROGRAM TO STRENGTHEN THE JUSTICE SYSTEM**

**(PR-0146)**

**LOAN PROPOSAL**

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## Proposed resolution

Electronic Links and References	
Abbreviations	<a href="http://idbdocs.iadb.org/WSDocs/getDocument.aspx?DOCNUM=694176">http://idbdocs.iadb.org/WSDocs/getDocument.aspx?DOCNUM=694176</a>
Basic Socioeconomic Data	<a href="http://www.iadb.org/RES/index.cfm?fuseaction=externallinks.countrydata">http://www.iadb.org/RES/index.cfm?fuseaction=externallinks.countrydata</a>
Status of loan in execution and loans approved	<a href="http://ops/approvals/pdfs/PRen.pdf">http://ops/approvals/pdfs/PRen.pdf</a>
Tentative lending program	<a href="http://opsgs1/ABSPRJ/tentativelending.ASP?S=PR&amp;L=EN">http://opsgs1/ABSPRJ/tentativelending.ASP?S=PR&amp;L=EN</a>
Budget by Investment Category	<a href="http://opsws3.reg.iadb.org/idbdocswebservices/getDocument.aspx?DOCNUM=439387">http://opsws3.reg.iadb.org/idbdocswebservices/getDocument.aspx?DOCNUM=439387</a>
Transfer Agreement	<a href="http://opsws3.reg.iadb.org/idbdocswebservices/getDocument.aspx?DOCNUM=426791">http://opsws3.reg.iadb.org/idbdocswebservices/getDocument.aspx?DOCNUM=426791</a>
Agreement establishing the CIJUS	<a href="http://opsws3.reg.iadb.org/idbdocswebservices/getDocument.aspx?DOCNUM=426816">http://opsws3.reg.iadb.org/idbdocswebservices/getDocument.aspx?DOCNUM=426816</a>
Terms of Reference: Executing Unit	<a href="http://opsws3.reg.iadb.org/idbdocswebservices/getDocument.aspx?DOCNUM=426818">http://opsws3.reg.iadb.org/idbdocswebservices/getDocument.aspx?DOCNUM=426818</a>
Specialized Agency	<a href="http://opsws3.reg.iadb.org/idbdocswebservices/getDocument.aspx?DOCNUM=426822">http://opsws3.reg.iadb.org/idbdocswebservices/getDocument.aspx?DOCNUM=426822</a>
Terms of Reference: Subprogram	<a href="http://opsws3.reg.iadb.org/idbdocswebservices/getDocument.aspx?DOCNUM=691350">http://opsws3.reg.iadb.org/idbdocswebservices/getDocument.aspx?DOCNUM=691350</a>
Operating Regulations	<a href="http://opsws3.reg.iadb.org/idbdocswebservices/getDocument.aspx?DOCNUM=426739">http://opsws3.reg.iadb.org/idbdocswebservices/getDocument.aspx?DOCNUM=426739</a>
Procurement Plan	<a href="http://idbdocs.iadb.org/WSDocs/getDocument.aspx?DOCNUM=694180">http://idbdocs.iadb.org/WSDocs/getDocument.aspx?DOCNUM=694180</a>
Legal Measures	<a href="http://opsws3.reg.iadb.org/idbdocswebservices/getDocument.aspx?DOCNUM=436519">http://opsws3.reg.iadb.org/idbdocswebservices/getDocument.aspx?DOCNUM=436519</a>

## PROJECT SUMMARY

### PARAGUAY PROGRAM TO STRENGTHEN THE JUSTICE SYSTEM (PR-0146)

Financial Terms and Conditions <sup>1</sup>				
Borrower: Republic of Paraguay Executing agencies: Supreme Court of Justice (CSJ) and the Judicial Council (CM).			Amortization period:	25 years
			Grace period:	5.5 years
			Disbursement period:	5.5 years
<b>Source</b>	<b>Amount</b>	<b>%</b>	Interest rate:	Libor
IDB (OC/IFF)	US\$6.3 million	(72%)	Inspection and supervision fee:	0%
Local	US\$2.5 million	(28%)	Credit fee:	0.25%
Total	US\$8.8 million	(100%)	Currency:	US dollars from the Single Currency Facility
Project at a glance				
<p><b>Project objective:</b> The objective of the program is to help develop a more reliable and independent justice system that is both efficient and accessible. Specifically, the program will help improve management, efficiency, effectiveness and predictability in the workings of the Supreme Court of Justice (CSJ), the Ministry of Public Defense [Ministerio de Defensa Pública] (MDP), and the Judicial Council [Consejo de la Magistratura] (CM).</p> <p><b>Special contractual conditions:</b> See paragraphs: 3.1, 3.4, 3.5, 3.6, 3.7, 3.9, 3.11, and 3.12.</p> <p><i>Conditions precedent to the first disbursement of financing:</i> (i) the execution and funds transfer agreement between the Ministry of Finance, the CSJ, and the CM; (ii) the agreement establishing the Interagency Justice Commission (CIJUS) and the Program Coordination Committee (PCC); (iii) the program Operating Regulations (OR); and (iv) the hiring of the specialized procurement agency.</p> <p><i>Conditions precedent to the first disbursement to the executing agencies for their respective components:</i> (i) evidence that the Program Executing Units (PEUs) have been established, and their personnel hired and/or assigned; and (ii) presentation of the annual work plan (AWP) for the first year of execution.</p> <p><i>As a condition precedent to disbursement of financing for activities to broaden the scope of the Jurisdictional Management System (SGJ)</i> a cooperation agreement must be entered into between the CSJ and the Ministry of Justice and Labor (MJT).</p> <p><i>Special contractual conditions for program execution:</i> the executing agencies will submit to the Bank the AWP for subsequent years.</p> <p><b>Exceptions to Bank policies:</b> No exceptions to Bank policies are envisaged.</p>				
<div style="display: flex; justify-content: space-between;"> <div>Project consistent with country strategy: Yes [ X ]      No [ ]</div> <div>Project qualifies as: SEQ [ ]      PTI [ ]      Sector [ ]      Geographic [ ]      Headcount [ ]</div> </div>				
<p>Verified by CESI on: 01/30/04</p> <p>Environmental and social review: See paragraphs 4.5 and 4.6</p> <p>Procurement: See paragraph 3.13</p>				

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

\* With regard to the inspection and supervision fee, in no case will the charge exceed, in a given six-month period, the amount that would result from applying 1% to the loan amount divided by the number of six-month periods included in the original disbursement period.

## **I. FRAME OF REFERENCE**

### **A. Constitutional reform and the Paraguayan justice system**

- 1.1 Since the 1992 constitutional reform, major structural changes have been made to the Paraguayan justice system. Specifically: (i) the Judicial Council (CM), Electoral Tribunal, and Ministry of Public Defense (MDP) were created; (ii) the Ministerio Público [Public Ministry] (MP), formerly a branch of the Supreme Court of Justice (CSJ), was given operational and administrative autonomy; and (iii) the functions of the MP are separated from those of the General Prosecutor's Office [Procuraduría General de la República].
- 1.2 The 1992 constitutional reform also made it possible for the judicial branch to effectively become independent, affording greater access to justice for all citizens.
- 1.3 To strengthen the Judiciary's independence, the Constitution: (i) gave it budgetary autonomy, allocating to it not less than 3% of the central government budget. Prior to 1993, the average appropriation for the Judiciary amounted to 1.3% of the national budget; by 2003 its share had increased to 3% of the central administration budget (1.6% of the national budget);<sup>1</sup> (ii) established a transparent mechanism to select Supreme Court justices, lower court judges, magistrates and prosecutors, based on qualifications, merit, and competence. Prior to the constitutional reform, justices, judges, and prosecutors were selected and appointed by the Executive Branch. As a result of the reform, the Judicial Council (CM) now selects and proposes short lists of nominees to the Senate of the Republic who then, with the concurrence of the Executive Branch, appoints the justices. In the case of judges and prosecutors, the CM holds a competition based on merit and qualifications, then proposes a short list of nominees to the CSJ; and (iii) gave judges the security of tenure for five-year terms, and once confirmed for two additional periods, renewable indefinitely until the age of retirement (75 years). The Constitution further provides for the possible removal of magistrates as a result of prosecution for failure to meet their obligations during the exercise of judicial duties.<sup>2</sup>
- 1.4 To facilitate greater access to the justice system, the constitutional reform made free legal defense services available to the general public through the Ministry of Public Defense.

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<sup>1</sup> The increase in justice sector expenses, especially since 1993, is due in part to the creation of new agencies within the system.

<sup>2</sup> Law 1084/97 establishes the grounds and procedures to regulate the performance and actions of judges. It is enforced by the Impeachment Jury for Magistrates, comprising: two members from the CSJ, two members from the CM, and two senators, and two representatives who must be attorneys.

**B. Institutional capacities, key problems and some advances in the justice system**

- 1.5 The justice system comprises the Supreme Court of Justice (CSJ), the courts, the Ministry of Public Defense (MDP), the Judicial Council (CM), the Impeachment Jury for Magistrates, and the Public Ministry. Several other agencies, although not an integral part of the Judicial Branch, complete the system: the Accounting Board, the Electoral Board, and the Ministry of Justice and Labor (MJT), which is attached to the Executive Branch.<sup>3</sup>
- 1.6 Implementation of the constitutional reform and institutional capacity-building in justice system agencies have been hampered by the scope of the effort required and a lack of financial and human resources to undertake the institutional modernization. This can be better understood when considering the type and magnitude of the change. Before the 1992 constitutional reform, the Judicial Branch was closely attached to political power and there was practically no institutional strengthening in a system where justices of the peace provided the only form of national coverage. The constitutional reform sets in motion a partial transition attempting to strengthen Judicial Branch independence, criminal investigative capacities, access to justice, and internal controls for judges.
- 1.7 Developments in the legal field include the formulation of regulations to govern the work of the CSJ, the establishment of a Judicial Impeachment Jury, the CM, the Judicial College, the Criminal Code and the Code of Criminal Procedure including amendments to provide for alternatives to imprisonment, the Code on Children and Adolescents, the Domestic Violence Act and the Abductions Act. A number of institutional capacity-building actions were also undertaken. The Strategic Plan of Action for the 1995-2000 period was developed for the CSJ, with the active involvement of the justices, that set guiding principles to reinforce the functions of judicial governance. Using this framework of institutional policies, the management capacity of the CSJ and the MP were enhanced at the judicial and administrative levels, and a pilot program was devised to modernize building infrastructure. The Bank and other multilateral and bilateral institutions have supported this effort. Their contributions are described in the following section.
- 1.8 Despite the progress made and the accomplishments towards strengthening the judicial system, public surveys in the country on the administration of justice show little trust. The administration of justice is still slow, with high congestion and inadequate access for citizens. There is also a need to strengthen its independence and predictability. The *Latinobarometro* organization reports that only 20% of the Paraguayan public (the lowest in the region with Argentina) believes that the “*the judicial system punishes the guilty without regard for who they are*”. Furthermore,

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<sup>3</sup> A separate system of justice applies to military courts, which are governed in principle by the Military Courts Act (Law 840/80).

fewer than 5% of Paraguayans believe that their peers and citizens in general observe the law. Given this situation, a consensus developed in Paraguayan society on the need for change in the justice system. This consensus together with the commitment and willingness of the administration that took office in August 2003, led to the removal of six of the nine Supreme Court justices following the appropriate constitutional mechanisms. The new CSJ justices were selected based on merit, in accordance with the relevant legal precepts, striving for political balance and allowing citizens to evaluate the nominees at public hearings.

1.9 *Size and relative workload.*

The absence of complete judicial statistics restricts the analysis of the performance of the justice system in Paraguay. Available consolidated data shows a slight improvement in system performance in 2003 from the previous year, comparing the number of cases resolved to the number of complaints filed, but remains inadequate. In 2002, some 157,193 cases were filed

<b>Table 1 - Judicial system indicators</b>			
<b>Year 2002</b>			
	<b>Complaints filed / recorded</b>	<b>Inter locutory orders</b>	<b>Final judgments</b>
<b>Court of Appeals</b>	10,397	9,985	2,568
<b>Courts of First Instance</b>	117,418	153,544	61,092
<b>Justices' Court</b>	29,378	21,170	15,159
<b>Total</b>	157,193	184,689	78,819
<b>Year 2003</b>			
	<b>Complaints filed / recorded</b>	<b>Inter locutory orders</b>	<b>Final judgments</b>
<b>Court of Appeals</b>	10,804	10,097	2,621
<b>Courts of First Instance</b>	111,997	155,875	61,147
<b>Justices' Court</b>	32,319	26,524	19,993
<b>TOTAL</b>	155,120	192,496	83,761

Source: CSJ data

with the judicial system, 78,819 (50%) of which were resolved. In 2003, 155,120 cases were filed and 83,761 (54%) resolved. There is a wide gap between these figures, evidence of the need for improvement. The Judicial Branch comprises 591 judges (104 appellate judges, 219 lower court judges, and 268 justices of the peace).

- 1.10 It is estimated that on average 40% of court proceedings involve criminal matters, 30% civil matters, and the remaining 30% actions under labor and juvenile law. Statistics for 2003 show that Asuncion and the metropolitan area, with 40% of judges and 45.5% of the country's population, account for the largest number of court proceedings (61%). The courts of appeal generated 2,568 final judgments in 2002 and 2,621 in 2003. Based on the information provided, 10,397 cases were filed before the courts of appeal in 2002 and 10,804 cases in 2003. An appeals judge hears on average 8.65 new cases a month, or 104 cases a year. This equates to an annual backlog of 76% of cases. The lower courts handed down 61,092 judgments in 2002 and 61,147 in 2003, or an average of 163 judgments per judge in 2003. The information provided shows that on average a judge receives 24 new cases a month. Consequently, the backlog is approximately 41% of cases each year

(although a number of cases may be resolved by means other than adjudication). See Table 1.

- 1.11 Despite the lack of complete statistical data on judicial performance, it can be inferred that trends in Paraguay are relatively similar to those in other countries. Criminal and civil cases account for most of the workload. In civil matters, executory actions account for approximately 75% of the courts' work. In criminal matters, punishable acts against personal safety and property make up the majority of cases. Moreover, lower court judges have a higher relative productivity compared to appellate judges although the latter have a lighter caseload.

- 1.12 It is not possible to make any assumptions regarding the performance of the Ministry of Public Defense in the absence of judicial statistics. Existing statistics refer only to the number of cases filed each year with the Office of the Public Defender, without measuring productivity (see Table 2). This is an important issue that must be addressed for purposes of the agency's institutional development. A survey diagnostic conducted as part of program design revealed factors that affect the performance of the MDP.<sup>4</sup> For example, the Office of the Public Defender has barely enough financial and technical resources to perform its duties, thus adversely affecting the rights of citizens to efficient trial defense and access to justice. Indeed, most defenders use their own resources (office supplies, communications, and information systems) in the absence of institutional resources.

<b>Table 2</b>		
<b>Judicial system indicators</b>		
<b>Year 2003</b>		
<b>Indicator</b>	<b>CSJ</b>	<b>MDP</b>
Number of Judges/Defenders	591	180
Administrative staff	4,678	295
Number of cases filed	155,120	n.a.
Number of cases resolved	83,761	n.a.
Resolved cases / administrative staff	33	n.a.
Cases filed / judges, defenders	262	n.a.
Share of the National Budget	1.5%	

Source: CSJ, DJ and Finance Ministry accounting system (SICO)

- 1.13 Moreover, socioeconomic, gender, ethnic, and cultural factors seriously restrict, obstruct, and determine access to justice. Women are susceptible to legal inequality in part because justice operators are not well informed about the differential gender characteristics and conditions between men and women. This in turn impacts judicial system responsiveness. A common practice that has been observed is to downplay or give low priority to crimes against women such as domestic violence, rape, and sexual abuse. Furthermore, that judges are not familiar with the international agreements ratified by Paraguay protecting the rights of women poses yet another obstacle to access to and administration of justice without gender

<sup>4</sup> Evaluation report on the situation of the justice system prepared by Gonzalo Bernal Brito, consultant.



discrimination. Discrimination is also evident in the low number of women appointed to senior decision-making positions in the judicial system.<sup>5</sup>

- 1.14 The justice administration problems stem from different sources, such as: (i) institutional weakness of system agencies, and limited interagency and policy coordination in the sector; (ii) limited coverage of efficient work management systems in Chambers, where operating with different processing systems and standards persist; (iii) a complex civil procedural framework in the absence of a General Procedural Code, causing delays, lack of transparency, inadequate access to justice and legal uncertainty; (iv) multiple duties and overlapping functions (administrative and judicial) in Chambers, taking up too much of the judges' time; (v) lack of a policy to streamline and reorganize the judiciary's own source revenues to finance some judicial services without obstructing access to justice;<sup>6</sup> (vi) lack of a strategy for effective low-cost legal assistance, and limited use of alternative dispute resolution mechanisms; (vii) inability of indigenous and low-income populations to access justice, as well as discrimination and gender bias in the administration of justice; and (viii) inadequate training for judges and nonexistence of a judicial career.

## **C. The Bank's strategy and basis for participation**

### **1. The Bank's country strategy**

- 1.15 The Bank's strategy for Paraguay focuses on three basic areas: (i) *strengthening of governance* to restore the credibility of official institutions. This will lead to better coordination of the economic development process and will increase the efficiency and transparency of government, broaden citizen participation, and improve consolidation of democratic institutions, with special emphasis on strengthening the rule of law and the administration of justice; (ii) *creation of foundations for sustainable growth* by deepening the market economy as well as regional and global integration. This will foster the proper conditions for increased private-sector participation, more competitiveness, as well as deepening of the integration process; and (iii) *poverty reduction and improved living conditions for the low-income population*, which will be accomplished by developing the human capital and better access to quality essential services. A crosscutting issue common to all country strategy actions is the need to strengthen public sector management capacity to implement, coordinate, and evaluate policies and projects.

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<sup>5</sup> Figures for 2005 show women accounted for 30% of justices, men 55%, and vacancies 15%. These figures include the CSJ where women hold just 11% of seats (one of nine justices). There are 59 lower-court women judges out of 219, 12 appellate judges out of 104, and 107 women justices of the peace out of 268. In the MP, women hold 51% of ordinary criminal prosecutor positions and 49% of administrative management posts.

<sup>6</sup> Fees and penalties make up the judiciary's own source revenues.

- 1.16 The proposed program is consistent with the above strategy. Specifically, program execution will contribute to the success of the justice sector indicators contained in the country strategy to implement the judicial system administrative and juridical reform by 2008, including approval of a new General Procedural Code (GPC) and development of a judicial career system.

## 2. Program design

- 1.17 In light of the situation of the Paraguayan justice system and the experience of the Bank and other institutions in this sector (see the next section), the program will continue to support performance of specific activities to promote the justice sector modernization process.
- 1.18 The strategy to continue supporting the justice administration reform advocates a gradual and selective approach. The intention is to continue strengthening the sector by funding specific, high-impact, highly visible activities with a catalytic effect so that the advantages of reform are widely perceived and there is general support for a reliable, independent, effective, predictable, and responsive judicial system accessible to all people in Paraguay. This may be accomplished by executing the strategic plans developed by the CSJ, and inviting other system agencies that do not have plans of their own to join the effort wherever possible, thus improving interagency coordination and overall system performance.
- 1.19 The first Bank-funded operation deployed the Jurisdictional Management System (SGJ) in 42% of judges' chambers. The proposed program aims to increase SGJ coverage from 42% to 70% of chambers nationwide, so as to have a visible impact. The statistics produced by the first Bank program show that implementation of SGJ significantly decreased procedural times and judicial delays, and generated reliable judicial statistics for the universe of courts that adopted the system, making it possible to evaluate their performance. In order for this **improved judicial efficiency** to cope with effective demand, it will be necessary to complement the SGJ with actions such as simplification of judicial procedures. The program will therefore support development and implementation of a new General Procedural Code<sup>7</sup> to streamline civil case procedures and cases involving children and adolescents.
- 1.20 The constitutional reform created a new mechanism for the selection of magistrates, significantly improving **judicial independence**. Future measures to strengthen the independence in the administration of justice include: (i) strengthening the CM's process to evaluate and select magistrates; (ii) supporting education programs for new judges, prosecutors, and public defenders; and (iii) strengthening the

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<sup>7</sup> The General Procedural Code Project was developed through a highly participative process involving not only justice system agencies, but also representative civil society entities such as the Bar Association, Universities, Non-Governmental Organizations, etc.

evaluation, promotion, and disciplinary systems for judicial system operators. The program will finance activities that move in this direction.

- 1.21 To build on past achievements in the area of **access to justice**, principally for low-income groups, the program will strengthen the Office of the Public Defender that deals with criminal, civil, and labor cases. It will also make the Jurisdictional Management System available to prison inmates so they may access information on their cases and choose, if applicable, to participate in programs such as parole. The program will also support development of alternative dispute resolution mechanisms (mediation and conciliation). All program components will emphasize developing mechanisms to measure system performance in order to proactively seek improvements.
- 1.22 **Lastly, the design of the proposed program will take into account good practices and lessons learned** during the first Bank program for this sector (loan 934/OC-PR), as well as the Bank's experience with 16 loan operations for justice reform programs (IDB Publication SGC-101). Key lessons learned include: (i) ensure there is the political will for reform of the system; (ii) encourage active participation by all stakeholders in the operation design phase to guarantee the success of reform processes and overcome resistance to change (paragraph 4.1); (iii) build flexibility into the operations to accommodate unanticipated changes, while providing for closer monitoring during execution (paragraph 3.20); (iv) make sure the executing agencies have the necessary leadership skills and technical and institutional capacity to implement the operation successfully; (v) establish structures that support independent execution of activities involving agencies with different judicial functions, and effectively achieve high level coordination (paragraphs 3.3 to 3.6); and (vi) design actions that will generate speedy and noticeable impacts to maintain support for sector modernization (paragraphs 1.18 to 1.21).

### **3. Bank experience and other entities**

- 1.23 The Bank has been supporting institutional modernization through a State Modernization Program (loan 934/CO-PR), comprising activities to support the Supreme Court of Justice (CSJ), the Public Ministry (MP), and the Ministry of Justice and Labor (MJT). The chief objective of the operation for the CSJ is to help develop administrative and judicial management capacities and a pilot project to modernize the building infrastructure. The objective in the case of the MJT is to help modernize the registry of births, deaths, and marriages. The program approved on 26 June 1996 in the amount of US\$22 million, has two subprograms: (i) strengthening the judicial branch (US\$8.2 million); and (ii) registry of births, deaths, and marriages (US\$13.8 million). The contract was signed on 27 June 1996 and the project was declared eligible for disbursement on 18 November 1997. The program fulfilled the judicial branch subprogram development objectives with 99% of funds having been disbursed. Execution of the final activities financed with

local counterpart resources were under way until late 2005, at which point the subprogram was declared completed. The MJT subprogram, however, ran into problems during the bidding process. Execution began just recently with support from the Organization of American States (OAS), an agency with experience in the design and implementation of civil registry systems in the region. The subprogram is expected to attain its development objectives in late 2006.

- 1.24 Outcomes of the subprogram to strengthen the judicial branch include the formulation of the strategic plan for the institutional development of the CSJ,<sup>8</sup> streamlining judicial proceedings, reducing case backlogs, decreasing procedural times by 20% in courts that implemented the new processing systems, developing data systems, and modernizing administrative, accounting, and financial processes. Most importantly, the Jurisdictional Management System (SGJ) was developed and implemented, allowing the CSJ to reorganize justices' chambers, providing new jurisdictional management approaches, updated work procedures and a data processing tool that operates both on local and remote networks (JUDISOFT).

- 1.25 The SGJ is an integrated work tool with methods, procedures, technical tools and computer-aided systems that function as operational regulators and facilitators of the human resources group in judicial offices. This management tool revolves around the "Case," managing the relationship between those brought before justice and the Chambers, as well as

Table 3. SGJ operational modules	
Module	Objective
1. Information module for case analysis (Codes, Laws, Jurisprudence, Criminal Records, etc.) and a research system to assist judges.	Improve case resolution effectiveness
2. Case management support module – JUDISOFT – with new processing system for Chambers.	Improve case processing efficiency
3. Module to generate reports and identify actual problems encountered at judicial offices, providing an early warning system for a proactive judiciary.	Manage the legal office
4. Judicial orientation and information module for the public: booths, Internet	Services for outside users

the interaction between the judge in Chambers and the other officers. The objective is to improve the case efficiency and effectiveness of the legal system. Table 3 shows the SGJ operational modules. The SGJ is in turn cross-linked to the other CSJ Administrative and Institutional Strategic Management components, providing substantive data to guide future management actions with a view to

<sup>8</sup> The strategic plan includes identifying priority areas to improve the legal framework, jurisdictional management, build management capacities, improve access to justice, improve building infrastructure, streamline administrative procedures and budget resource allocations.

- correcting and systematically removing any constraints affecting day-to-day activities.<sup>9</sup>
- 1.26 The SGJ is now installed in 136 administrative offices of the 320 Courts of First Instance in Paraguay, i.e., 42% of all courts, and 421 judicial officers have been trained in its use. The system has processed 153,288 cases in all, and screened 22% to 30% of the caseload at each court. Integrated justice centers were created in order to assemble and specialize officers in administrative tasks with a view to expedite case management and keeping statistical data on the management of courts, and separating legal and administrative duties.
- 1.27 With respect to administrative support for the Judicial Branch, approximately 50 processes were streamlined using simplification criteria and data processing technologies, with training for officers at the nine judicial branch circuits: (i) 250 in administrative management systems developed by the program; (ii) 50 in human resource management processes; and (iii) 250 in institutional development systems.
- 1.28 With respect to data processing, 2,518 network points were installed and implemented nationwide to operate the computer applications developed for the legal and administrative areas. The nine circuits were connected over a wireless system making up the National Judiciary Network, and 1,356 computers, 26 servers, 455 printers, and 602 Uninterruptible Power Supplies (UPS) were procured and installed.
- 1.29 Finally, strategies to simplify noncriminal proceedings have progressed to the point there is now a proposed draft General Procedural Code;<sup>10</sup> diagnostic surveys are being conducted, and work is under way to simplify and design case filing procedures. The process to establish an effective judicial career path is in progress, assisted by a group of expert consultants; and an integrated judicial services center was built in the city of Villarrica, to house the offices of the CSJ, the MP, and the MDP.
- 1.30 **International cooperation.** International cooperation for the Paraguayan justice sector has been provided by USAID, GTZ (German Agency for Technical Cooperation), UNICEF, IIDH (Inter-American Institute for Human Rights), the European Union, France, the Justice Commission of Sweden, and the World Bank, among other agencies. In all cases the assistance provided was highly selective and

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<sup>9</sup> The SGJ implementation process follows a method approved and regulated by the CSJ, with the following major phases: (i) introduce timeframes for judicial processes; (ii) case inventory: method and control techniques; (iii) up-to-date courts: screen and expedite court action that may be handled informally; control procedural times, real-time court action; (iv) grounds for change: ethical climate for change towards efficiency and effectiveness, and a proactive court; and (v) strengthen the judge's proactive capacity (training modules).

<sup>10</sup> The new code will regulate civil and commercial proceedings, including family and occupational matters and those involving action challenging the central administration.

targeted. The United States government recently approved a nonreimbursable funding operation as part of the UMBRAL program under the Millennium Challenge Account.

- 1.31 *USAID* support was aimed at developing alternative dispute resolution mechanisms, training judges, prosecutors, and opinion-makers in the new legal order, developing a Code of Ethics for magistrates, and establishing a mediation office. *GTZ* supported implementation of the new Code of Criminal Procedure, the new Code on Children and Adolescents, and training for judges and prosecutors. *UNICEF* has focused its support on the office in charge of implementing the Code on Children and Adolescents, and implementation of conventions relating to adolescent offenders and the well-being of children and families. The *IIDH*, the *European Union*, *France*, and the *Justice Commission of Sweden* supported training activities for judges, prosecutors, and public defenders. Lastly, the World Bank has been supporting survey studies to develop the Code and Organization of the Judicial Career. These activities were coordinated under the Strategic Plan for Institutional Development prepared and approved by each beneficiary institution. This ensures that Bank-financed activities will be complementary. The UMBRAL program's operation with the CSJ envisages efforts to improve access to justice and consolidate supervisory procedures in the Consejo de Superintendency and the Superintendencia General de Justicia as a means of reducing corruption and impunity in the justice system. As to the MP, the UMBRAL program will improve training, fight economic crime, and outfit criminal investigation laboratories.

## II. THE PROGRAM

### A. Objectives

- 2.1 The objective of the program is to help develop a more reliable and independent justice system, that is both efficient and accessible. Specifically, it will contribute to improving management, efficiency, effectiveness, and predictability in the functioning of the Supreme Court of Justice (CSJ), the Ministry of Public Defense (MDP), and the Judicial Council (CM).

### B. Description

- 2.2 To attain the objectives of the operation, financing will be provided to execute activities grouped into three subprograms: 1. Strengthening of institutional performance; 2. Strengthening of judicial independence and support for a judicial career path; and 3. Improvements in legal assistance and access to justice.

#### 1. Strengthening of institutional performance (US\$5 million)

- 2.3 **Purpose:** Help establish a suitable organizational and operational structure to fulfill the mission and strategic objectives of the agencies participating in the program.
- 2.4 The subprogram will finance development of seven activities whose principal expected outcomes are summed up in paragraph 2.1.

#### (i) Modernization of the relevant regulatory framework

- 2.5 **Objective:** Introduce policy changes to support and regulate the reform processes contained in the CSJ strategic plan, particularly the Code of Judicial Organization, General Procedural Code, Public Defense Act and criminal norms (Criminal Code and Code of Criminal Procedure), so as to facilitate change through the Supreme Court's powers of legislative initiative. **Specific tasks:** (i) analyze the impact legal procedural rules approved in recent years have had on the organization of the justice system, and develop a draft Code of Judicial Organization incorporating the new **juridical, governance, and administrative function requirements**; (ii) evaluate the impact the new criminal system rules have had on the judicial system, and propose legislative adjustments with a view to adapting these rules to confirmed requirements; (iii) supporting approval of the new General Procedural Code (CPG), design a strategy to implement the related organizational changes and a method to evaluate the impact; and (iv) analyze the criminal system public defense requirements and formulate the draft Public Defense Act following the same plural, participatory method used in the earlier CPG operation.

**(ii) Implement procedural simplification strategies**

- 2.6 **Objective:** Streamline judicial procedures in all matters (except in criminal matters and in cases of children and adolescents) to facilitate access to justice, increase judicial certainty, and reduce procedural time, and thus judicial delays. **Specific tasks:** (i) design the transition and implementation phase for the strategy to simplify judicial procedures; (ii) prepare a case inventory, screening and closing of cases, organize the record keeping system for screened and closed cases, using the tools and methods tried and tested during implementation of the criminal procedural reform; (iii) implement the simplification strategy, organize citizen information campaigns, train judges, judicial officers, public defenders, and other judicial staff; (iv) continually evaluate the impact of the simplifications; and (v) remodel buildings (plan and adapt courtroom facilities and premises for the administrative support integrated centers) to adapt existing facilities to meet the requirements of the simplification strategy.

**(iii) Expand and optimize management systems**

- 2.7 **Objective:** Significantly expand the number of judicial bodies in all jurisdictions that work with transparent and publicly accessible computer-assisted information and management systems, and consolidate and expand the Integrated Justice Center model. **Specific tasks:** (i) implement the SGJ in the courts of first instance, with nearly 70% coverage of the judicial system by the end of the operation, using existing inventory, screening, closure, training and monitoring methods and tools; (ii) adjust the SGJ for its introduction in the three CSJ courtrooms and in a pilot trial in two courts of appeal; (iii) finish designing all aspects of the Criminal Justice Integrated Center and related support services; (iv) gradually develop integrated support centers for non-criminal courts, implementing them on a pilot basis in the civil courts of Asuncion; and (v) develop and implement those SGJ components that will increase system transparency and promote interaction with system agents (formats, queries, notices, web pages, consultation modules).

**(iv) Streamline and reorganize judicial revenues**

- 2.8 **Objective:** Improve the judicial revenues policy, simplify and optimize management methods, and increase judicial revenue collection. **Specific tasks:** (i) formulate a draft reform of the Judicial Revenue Act, send it to Congress under the CSJ legislative initiative and, once approved, establish internal rules governing implementation of the law; (ii) simplify procedures, redesign the revenue collection software, improve the physical infrastructure, and train officers in the use of the new tools and methods; and (iii) prepare studies and define procedures to increase revenue collection (on-line tax payment, streamlined procedures for payment of fines and penalties in arrears and late payment charges and interest; payment of interest for administration of judicial accounts; etc.), that do not obstruct access to justice for low-income population groups.



**(v) Develop system control and measurement mechanisms**

- 2.9 **Objective:** Generate capacity within the CSJ to analyze and use statistical information obtained through the data processing systems and other sources, and to formulate short- and medium-term policy proposals and recommendations to improve system efficiency. **Specific tasks:** (i) develop the organizational structure of the CSJ Strategic Analysis Unit and train its officers; and (ii) develop a method to measure and monitor the justice system performance.

**(vi) Strengthen CSJ strategic programming and management capacities**

- 2.10 **Objective:** Improve strategic programming and management capacities within the CSJ, restructuring judicial governance and administration functions in order to adopt organizational and operating methods and systems allowing justices to focus most of their attention on judicial matters. **Specific tasks:** (i) implement a judicial governance system with a strategic programming and management system, a results-based programming and management system, and an information and management system for relations between government and society; and (ii) implement the new judicial branch organizational structure reorganizing judicial, administrative and governance functions, and formulate a strategic plan to implement the new judicial organization in conformity with the Code of Judicial Organization.

**(vii) Optimize the justice system interagency coordination mechanisms**

- 2.11 **Objective:** Optimize the interagency coordination mechanisms of the justice system. **Specific tasks:** (i) organize coordination meetings between the Interagency Justice Commission (CIJUS) and other interagency coordination commissions; (ii) provide technical assistance to the CIJUS for the development of the Common Strategic Agenda for the justice sector; and (iii) provide technical assistance to the Program Coordination Committee (PCC) to formulate interagency coordination proposals for areas of shared or concurrent authority (selection of judges, judicial and prosecutorial training, procedural and administrative management systems).
- 2.12 **Principal outcomes:** (i) the Code of Judicial Organization approved establishes a new organizational structure for the CSJ and restructures the governance and administrative functions; (ii) the Public Defense Act is passed, strengthening and giving autonomy to the MDP; (iii) a General Procedural Code that reduces procedural times and uncertainty of outcomes is approved; (iv) the strategy to streamline procedures in noncriminal proceedings is instituted; (v) the Judicial Revenue Act to streamline and simplify procedures is approved, improving revenue collection without affecting access to services; (vi) two courts of appeals, three CSJ courtrooms, and 70% of courts of first instance are using the SGJ, thus reducing

procedural time and backlog of pending cases at Chambers by 60%; (vii) mechanisms to access information electronically and monitor the status of cases are in place and operational (web pages, notices, and consultation modules); (viii) reliable, periodically updated judicial statistics is accessible to the public; and (ix) judicial governance is strengthened through a new interagency coordination body (CIJUS) and the formulation of a Common Strategic Agenda for the justice sector.

## **2. Reinforce judicial independence and support a judicial career path (US\$755,900)**

- 2.13 **Purpose.** Strengthen the process for selecting justices, judges, public defenders, and prosecutors, adopting and applying competitive, technical, qualifications, transparency, and gender equality criteria, and support the development of a judicial career path linking the advancement of judicial officers to their performance and ethical behavior.
- 2.14 The subprogram will finance development of activities grouped into two components to strengthen judicial independence and support the judicial career paths at the CSJ and the CM.

### **a. Supreme Court of Justice (US\$270,000)**

- 2.15 The following two activities will be financed under this component. The main outcomes are summarized in paragraph 2.18.

#### **(i) Strengthen the career path system for justices, judges, and public defenders**

- 2.16 **Objective:** Strengthen judicial independence of Paraguayan public defenders, judges, and justices through a comprehensive, balanced, and transparent judicial career system, based on merit, capacity, and equality, guaranteeing access and tenure for the most capable judges and justices. **Specific tasks:** (i) design a framework to regulate the judicial career system, defining and enforcing guidelines, mechanisms and procedures to guarantee greater gender equality and equity in all the career processes; (ii) design judicial career processes based on the above framework (agency administering the career program, performance evaluation, pay scale, disciplinary process management, and training); (iii) implement judicial career processes taking into account the gender requirements set forth in the regulations; and (iv) develop a mechanism to evaluate the career system measuring the performance of system operators.

#### **(ii) Strengthen the Comprehensive Judicial Studies Center (CJSC)**

- 2.17 **Objective:** Ensure that incumbent justices and judges match the professional profile of their positions, improving their knowledge, skills and qualifications through

continuing education programs. **Specific tasks:** (i) integrate the programs and activities offered at training centers attached to different judicial branch institutions into a comprehensive judicial training system; (ii) reorganize the CIEJ, design its management and organization model; (iii) design and focus the CIEJ training program in coordination with the Judicial College and justice sector professional training center programs; and (iv) implement training actions (design and produce teaching material, improve the trainer network, offer training courses) that incorporate a cross-sectional gender equality perspective, conciliation skills, indigenous matters, environment, children and adolescents and related topics such as trafficking in persons.

- 2.18 **Principal outcomes:** (i) the Judicial Career Act is approved and in force, with an agency appointed to administer the judicial career system; (ii) career path processes are designed and implemented, and the first performance evaluation of a significant number of judges and justices finalized; (iii) the CIEJ is restructured and reorganized, its training program was coordinated with the Judicial College and matches professional profile requirements; (iv) half the judges received special skills training; and (v) a higher proportion of women advance along the judicial career path and fill managerial positions.

**b. Judicial Council (US\$366,900)**

- 2.19 The following two activities will be financed under this component. The principal expected outcomes are summarized in paragraph 2.22.

**(i) Strengthen the selection process for justice system agents**

- 2.20 **Objectives:** Endow Paraguay with a justice system agent selection process that adopts and enforces competitive, technical, suitability, transparent, non-discriminatory criteria based on qualifications and gender equality. **Specific tasks:** (i) reform the rules and regulations governing the justice system agent selection process, organized around the judicial career regulatory framework, bearing in mind the above-mentioned criteria; (ii) use the regulatory framework to design an agent selection process; and (iii) implement selection processes in full observance of the criteria contained in the new regulations.

**(ii) Strengthen the Judicial College**

- 2.21 **Objective:** Improve competence levels of candidates for judicial positions; ensure that incumbent judges, magistrates, prosecutors, and public defenders match the professional profiles of their positions, improving their knowledge, skills, and competence through initial and continuing education programs. **Specific tasks:** (i) integrate the programs and activities offered at training centers of judiciary institutions into a comprehensive judicial training system. In addition to covering the function-specific needs of judges, prosecutors, and public defenders, this system

will have a cross-cutting gender and nondiscriminatory perspective; (ii) restructure the Judicial College, design a management and organization model; (iii) develop and implement a computerized data processing and management system for the college's academic and administrative procedures; and (iv) implement prior, initial, and continuing education actions for classroom and virtual training, including new areas such as trafficking in persons.

- 2.22 **Principal outcomes:** (i) new system for the selection of justice sector agents is approved and in force, including an administrative body; (ii) the selection system processes are designed and implemented; (iii) the Judicial College is restructured and organized, its data processing and management systems installed, and course plan developed in coordination with the CIEJ and the CCMP Training Center to match the new professional profile requirements; and (iv) the Judicial College has implemented initial and continuing education programs both for classroom and virtual training, that are responsive to the needs of system agents.

### **3. Improve legal assistance and access to justice (US\$867,000)**

- 2.23 **Purpose.** Promote a legal assistance system to give citizens an efficient mechanism to resolve disputes that is both affordable and easily accessible.
- 2.24 The subprogram will finance development of four legal assistance and accessibility activities coordinated by the CSJ. The principal outcomes are summarized in paragraph 2.29.

#### **(i) Strengthen the Ministry of Public Defense**

- 2.25 **Objective:** Raise the level of the judiciary's free legal assistance for the general public, and the quality of technical defense. **Specific tasks:** (i) formulate a strategic plan for the MDP with a system of free public defense and legal assistance services enabling low-income and indigenous populations to access justice as mandated by the 1992 Constitution; (ii) design and implement a public defense management system; and (iii) develop and implement a training program for public defenders to cover immediate defense needs, including the cross-cutting gender perspective, and cases of abuse and discrimination among the most vulnerable sectors of the population.

#### **(ii) Create alternative dispute resolution mechanisms for the administration of justice**

- 2.26 **Objective:** Create dispute settlement options using alternative dispute resolution mechanisms (conciliation and mediation), incorporating the consuetudinary law of indigenous populations. **Specific tasks:** (i) conduct a assessment of the current responsibilities and workload of justices of the peace; propose possible new responsibilities that broaden their functions as conciliators and mediators; (ii) design judicial work procedures involving conciliation and mediation

techniques; (iii) design and implement a public awareness and sensitization strategy on the important benefits that would ensue from having disputes resolved before a justice of the peace and reaching conciliatory settlements; and (iv) implement work procedures initially at two judicial districts, and later at all Justices' courts in the country.

**(iii) Extend the SGJ to correctional facilities**

- 2.27 **Objective:** Improve the treatment of individuals before and after sentencing, ensuring that judicial agencies control and monitor their situation, location, and circumstances, and giving detainees access to accurate, reliable information on the status of their cases. **Specific tasks:** (i) conduct a census at the Buen Pastor and Tacumbú correctional facilities in Asuncion, as pilot cases; (ii) screen the judicial proceedings of Buen Pastor and Tacumbú inmates; (iii) implement the penitentiary interaction component; (iv) design and implement systems for prison supervision by the CSJ (CSJ Human Rights Unit); and (v) ensure that prison operators are given the necessary data processing equipment and training in the use of the correctional facilities system.

**(iv) Design and implement a communications strategy and system**

- 2.28 **Objective:** Improve dissemination and understanding of the accomplishments stemming from the judicial branch reform and modernization process, as well as current restrictions, progress, and actions to overcome the internal and external constraints impacting the quality of justice. **Specific tasks:** (i) design and implement a comprehensive communications strategic plan for the judicial branch; and (ii) generate and implement specific information agendas for the following strategic components of the 2005-2010 Plan: judicial career; criminal reform; evaluation and implementation of the legislative process; evaluation of the CPG reform; SGJ implementation and evaluation of its results.
- 2.29 **Principal outcomes.** (i) the strategic plan to strengthen the MDP is approved and implemented; (ii) 30% of public defender offices have implemented a public defender management system; (iii) a relevant proportion of public defenders have been trained in special skills specific to criminal investigation and prosecution incorporating the gender dimension; (iv) inmates and their families may access information on their cases from the correctional facility; (v) the CSJ and the district court system have accurate and exact records of the identity and status of persons who have been incarcerated; (vi) the responsibilities of justices of the peace is expanded as a result of legislative reforms (COJ, CPG) thus increasing the number of cases resolved through conciliation and mediation; and (vii) the CSJ institutional communications policy is defined and implemented.

#### **4. Management and Administration (US\$810,000)**

- 2.30 Program management and administration costs cover the professional services required to set up the program executing units (PEU) within the CSJ and the CM.
- 2.31 Each institution will appoint a team of three officers to its PEU, consisting of: a general program coordinator, an administrative and financial adviser, and a purchasing and procurement adviser, supported by an administrative assistant, with the cost of these appointments being recorded as management and administration expenses. PEU members will perform their duties pursuant to the terms of reference previously agreed with the Bank. Expenses in connection with the PEU teams will be funded out of local counterpart resources. In addition, given the satisfactory experience in executing the first program supporting this sector, and at the request of the participating executing agencies, the UNDP or another specialized agency will be engaged as a specialized agency for the program to support the procurement of goods, services, and civil works. The UNDP fees will be charged to the local counterpart resources.

#### **5. Associated costs (US\$1.050 million)**

- 2.32 Associated costs relate to expenses for: (i) amortization of up to US\$900,000 in connection with financing of a Project Preparation and Execution Facility (PROPEF) operation at the request of the executing agencies, in order to establish the baseline and calculation method for the logical framework indicators that will serve to monitor the program; to start work in areas essential for fulfilling the conditions precedent; and to give continuity to the accomplishments of the first operation and initiate the execution process; and (ii) hiring of external firms to conduct the annual audits and program evaluations in amounts of up to US\$150,000.

#### **C. Cost and financing**

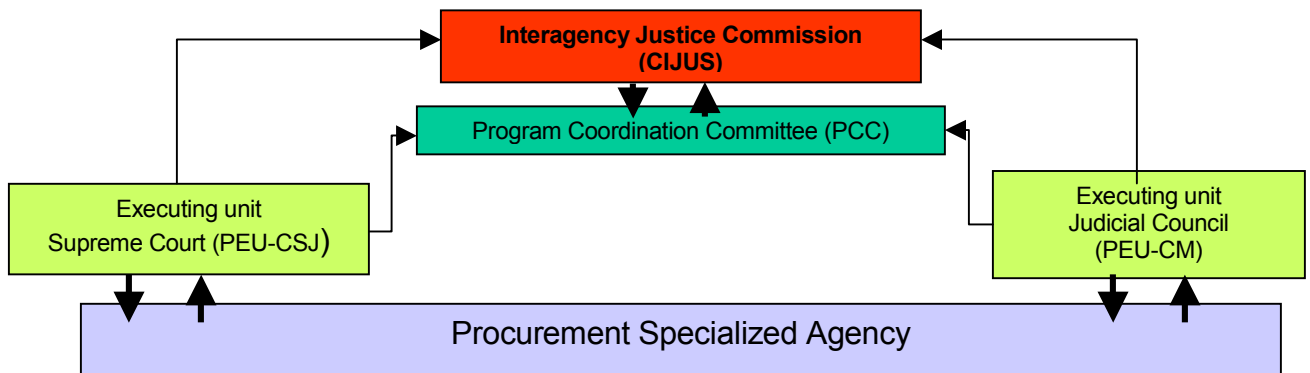
- 2.33 The total cost of this operation is estimated to amount to US\$8.8 million equivalent, of which the Bank will finance US\$6.3 million (72%). The borrowing institutions will contribute the balance of US\$2.5 million equivalent (28%). To develop and execute the operation, the program will finance consultant services for institutional strengthening, training activities, procurement of equipment, design and development of information systems and renovation of building facilities. The table below presents the consolidated program budget broken down by subcomponent. The detailed program budget for the three subprograms, itemizing the financial costs to be assumed by each executing agency, is shown in Annex II-1.

Consolidated budget itemized by investment category (US\$000s)				
Components and activities	IDB	Local	Total	%
<b>1. Strengthen institutional performance</b>	<b>4,040</b>	<b>927</b>	<b>4,967</b>	<b>56%</b>
1.1. Modernization of regulatory framework	84	30	114	1%
1.2. Streamlining of procedures and CPG	1,310	364	1,674	19%
1.3. Jurisdictional management systems	2,251	421	2,672	30%
1.4. Appropriate judicial revenues policy	112	39	151	2%
1.5. Development of performance control and evaluation mechanisms	48	0	48	1%
1.6. Strengthening strategic programming and management capacities	201	50	251	3%
1.7. Methods and means of coordinated action	34	23	57	1%
<b>2. Strengthen judicial independence and support the judicial career</b>	<b>481</b>	<b>156</b>	<b>637</b>	<b>7%</b>
2.1 CSJ component	229	41	270	3%
2.1.1. Strengthening of the judicial career path system	159	31	190	2%
2.1.2. Strengthening of the CIEJ	70	10	80	1%
2.2 Judicial Council (CM) component	252	115	367	4%
2.2.1. Strengthening of the justice system agent selection process	39	40	79	1%
2.2.2. Strengthening of the Judicial College	111	67	178	2%
2.2.3. CM and Judicial College management systems	102	8	110	1%
<b>3. Improvements in legal assistance and access to justice</b>	<b>538</b>	<b>329</b>	<b>867</b>	<b>10%</b>
3.1. Strengthening of the Office of Public Defense	348	177	525	6%
3.2. Extension of the SGJ to correctional facilities	22	12	34	0%
3.3. Alternative dispute resolution	62	60	122	1%
3.4. Development of a communications policy	106	80	186	2%
<b>4. Management and Administration</b>	<b>0</b>	<b>470</b>	<b>470</b>	<b>5%</b>
4.1. Executing unit – CSJ	0	370	370	4%
4.2. Executing unit – CM	0	100	100	1%
<b>5. Associated expenses</b>	<b>1,050</b>	<b>0</b>	<b>1,050</b>	<b>12%</b>
5.1. PROPEF	900	0	900	10-%
5.2. Program audit	150	0	150	2%
<b>6. Contingencies</b>	<b>196</b>	<b>242</b>	<b>438</b>	<b>5%</b>
SUB-TOTAL	6,305	2,124	8,429	96%
<b>7. Financial costs</b>	<b>0</b>	<b>389</b>	<b>389</b>	<b>4%</b>
7.1. Interest	0	372	372	4%
7.2. Credit fee	0	17	17	0%
7.3. Inspection and supervision	0	0	0	0%
<b>TOTAL</b>	<b>6,305</b>	<b>2,513</b>	<b>8,818</b>	<b>100%</b>
<b>%</b>	<b>72%</b>	<b>28%</b>	<b>100%</b>	

### III. PROGRAM EXECUTION

#### A. Borrower and executing agencies

- 3.1 **Borrower.** The Republic of Paraguay will be the borrower acting through the Ministry of Finance. Program resources will be transferred from the borrower to the executing agencies through funds transfer agreements. The draft agreement is presented in Annex III-1.
- 3.2 **Executing agencies.** Because program activities will be executed in jurisdictions assigned by law to different entities in the judicial system, the program will have **three executing agencies**: the Supreme Court of Justice (CSJ) and the Judicial Council (CM).
- 3.3 **Execution mechanism.** The execution plan will comprise three levels to ensure expeditious and efficient coordination while respecting the prerogatives of each participating entity: (i) level one for **Strategic Management**; (ii) level two for **Executive Supervision and Coordination** between the two executing agencies; and (iii) level three for **Technical and Administrative Program Execution**, supported by an agency specialized in procurement. The organizational chart for program execution is shown below.



- 3.4 **Program Strategic Management** will be entrusted to the Interagency Justice Commission (CIJUS), created for purposes of this operation for an indefinite term. This Commission will comprise: the Chief Justice of the CSJ, or such Justice as may be designated and the Chairman of the CM or such member of the Council as may be designated.<sup>11</sup> The main duties of the CIJUS under the program include:

<sup>11</sup> If the Public Defense Act establishing the autonomy of the MDP is approved and enters into force during program execution, the highest-ranking representative of that institution will become a member of the CIJUS. Other bodies within the judicial system may be invited to join the CIJUS.



- (i) to direct the general program strategy; (ii) to take note of the content and scope of the AWP, monitor operation progress and make recommendations on adjustments; (iii) to ensure sufficient counterpart resources are available for timely program execution; and (iv) to ensure the program fulfills its objectives. **Establishment of the CIJUS pursuant to an agreement will be a condition precedent to the first program disbursement.** The draft agreement establishing the CIJUS, agreed with the Bank, is presented in Annex III-2.
- 3.5 **Executive supervision and coordination between the three program executing agencies** will be entrusted to the Program Coordinating Committee (PCC) created for purposes of this operation, consisting of the general coordinators tasked with executing the components assigned to each participating institution: the CSJ and the CM. The chief duties of the PCC will be: (i) to approve the operating regulations; (ii) to take note of and analyze the work performed by each institution as part of the program in areas of shared competence (selection of judges, prosecutors, and public defenders, access to the corresponding careers, training systems, etc.). The PCC will also ensure that the policies and processes of each institution are properly coordinated under this program; (iii) to facilitate coordination and cooperation among sector institutions and in areas of common and shared competence; and (iv) any other duties assigned by the CIJUS. **Establishment of the PCC pursuant to an agreement will be a condition precedent to the first program disbursement.** The draft agreement establishing the PCC, agreed with the Bank, is presented in Annex III-2.
- 3.6 **Technical and administrative program execution.** To assure proper technical and administrative program execution, an executing unit will be established for both institutions (i.e., Supreme Court (PEU-CSJ) and Judicial Council (PEU-CM)). The PEUs will direct execution of the components assigned to their respective institution. They will support program administration and coordinate execution of activities. The PEUs will essentially comprise staff officers assigned by the institutions on a full-time basis. The chief duties of the PEUs are shown in Annex III-3. One key area in the first months of program execution will be to help define the baseline and calculation methods for the logical framework indicators that will ultimately serve to monitor the program (paragraph 2.32). **Establishment of the PEUs and their staffing will be conditions precedent to the first disbursement for components assigned to their respective executing agencies.**
- 3.7 At the request of the executing agencies, assistance will be provided for procurement of consulting services, civil works, and goods by the United Nations Development Programme (UNDP), given its experience with previous operations, or some other specialized agency in its capacity as an agency specializing in procurement and contracting. The cost of engaging the specialized agency will be financed out of local counterpart as specified in the terms of reference attached as Annex III-4.

- 3.8 A strategic agenda will be developed for the justice sector (component 1, activity vii) as a means of promoting coordination and organization among the agencies participating in the operation, so as to minimize any risks that might arise from insufficient coordination of activities. Furthermore, the program will ensure that the three subprograms contain the necessary provisions, where applicable, for achieving the objectives of institutional coordination and organization. The following agencies will be responsible for facilitating the inter-institutional coordination and organization: the CIJUS, the PCC, and the PEUs.
- 3.9 **As a condition precedent to the first disbursement for: (i) the activities relating to extension of the SGJ to correctional facilities, the CSJ must enter into a cooperation agreement with the Ministry of Justice and Labor.**

## **B. Program execution and administration**

### **1. Execution of components**

- 3.10 Contracts for consulting services, civil works, and the procurement of goods as provided in the program will be based on the draft terms of reference and/or technical specifications previously agreed between the Bank and the executing agencies, and presented in Annex III-5 of the report.
- 3.11 **As a condition precedent to the first program disbursement, the Operating Regulations governing program execution must be in force.** The draft OR are presented in Annex III-6.

### **2. Annual work plans**

- 3.12 To ensure proper programming for the operation, the PEUs will establish and develop annual work plans for the project (AWP). **The AWP for year one of the program must be submitted as a condition precedent to the first disbursement of financing independently to each executing agency.** The AWP for subsequent years must be submitted to the Bank within 60 days following the end of the previous year. **As a special contractual condition for program execution, the executing agency must submit to the Bank the AWP for subsequent years.**

## **C. Procurement of goods and services**

- 3.13 The procurement of good will be governed by the Bank's policies as set out in document GN-2349-4 of 19 January 2005. Consultants will be engaged in accordance with the Bank's policies as set out in document GN-2350-4 of 19 January 2005. The program procurement plan is attached as Annex III-7.

**D. Revolving fund**

- 3.14 A revolving fund will be established through a special bank account set up for each executing agency in the name of the program. Given the number of contracts and payments to be made in accordance with a schedule of critical activities, this revolving fund in an amount equivalent of up to 10% will ensure that adequate funds are available for program execution.

**E. Execution and disbursement schedule**

- 3.15 The program execution period is five years and the last disbursement will take place five and one half years after the effective date of the loan agreement. The table below shows the consolidated disbursement schedule.

Consolidated disbursement schedule						
Source	Year 1	Year 2	Year 3	Year 4	Year 5½	Total
IDB	1,542.3	1,824.3	1,750.3	725.3	462.7	6,304.9
Local	411.8	823.8	1109.8	97.8	69.8	2,513.0
Total	1,954.1	2,648.1	2,860.1	823.1	532.5	8,817.9

**F. Monitoring and evaluation**

- 3.16 Monitoring and evaluation of the program will be based on the progress of the operation and the extent to which the performance indicators in the logical framework have been achieved. Compliance with the goals established in the AWP will also be evaluated. Annex III-8 presents the logical framework for this program.

**1. Inspection and supervision**

- 3.17 The PEUs will be responsible for overall monitoring and supervision of their respective components. They will perform their duties in accordance with the annual work plans formulated for each component, the annual budgets, the monitoring indicators and logical framework for the program. Periodic monitoring and evaluation meetings will be held for this purpose. Regardless of each PEU's responsibilities in administering and monitoring its respective component, the PCC will function as general coordinator, especially where the areas of competence of individual institutions overlap. A monitoring and evaluation meeting at which a representative of the Bank may be present will be held semiannually.
- 3.18 During program execution, semiannual progress reports will be submitted to the Bank within 60 days following the end of each six-month period. The reports will describe the progress made with respect to the AWP and the outcomes of program performance indicators, explaining any deviations from the benchmarks and/or any adjustments that may be needed to the planning for the following six-month period.

The Country Office in Paraguay will supervise program execution on the Bank's behalf. The Bank will meet with the PCC once a year to discuss the extent to which each subprogram has fulfilled the previous year's annual work plan, evaluate the extent to which the logical framework indicators for each component have been fulfilled, and establish the AWP for the following year based on a draft plan updated annually by the PEUs. The outcomes of these annual evaluation meetings will be submitted to CIJUS for consideration.

## **2. Audit and control**

- 3.19 During program execution, each executing agency will submit to the Bank the audited financial statements for the components under its responsibility within 120 days after the end of the fiscal year. The final audited financial statements for each component will be submitted within 120 days after the last disbursement. The financial statements will be audited by independent public accounting firms acceptable to the Bank. **These firms will be selected in accordance with Bank policies.**

## **3. Midterm evaluation**

- 3.20 When 50% of the loan proceeds have been disbursed or half way through program execution, whichever comes first, the Bank project team will conduct a midterm evaluation, together with the PEUs and the PCC, to assess the outcomes as measured by the progress and impact indicators set out in the logical framework. Corrective measures may be proposed, if applicable, and specialized consulting services may be engaged for this purpose out of program resources. The outcomes of the midterm evaluation will make it easier to incorporate adjustments into the program, which will need to be done as logical framework indicators are updated.

## **4. Ex post evaluation**

- 3.21 In accordance with Bank policies, during the analysis mission, the project team consulted the executing agencies on possible interest in an ex post evaluation of the operation. The agencies expressed no interest. Nonetheless, the executing agencies will prepare a number of reports during project execution: AWPs, consultants' reports, special evaluations, progress reports, and the outcomes monitoring report on the logical framework indicators. Such reports could be helpful in carrying out an ex post evaluation of the project should the Bank so decide.

## **IV. VIABILITY AND RISKS**

### **A. Institutional and financial viability**

- 4.1 This project was designed closely in accordance with the actual mission and functions of the executing agencies so as to ensure that all activities performed as part of the operation were consistent with the tasks normally carried out by their individual units. In addition, the officials who will be involved in the execution of the components assigned to their departments and units, were actively involved in and consulted on matters pertaining to the content and scope of the program. These officials demonstrated their capacity to monitor project execution. Thus, there exists the necessary sense of ownership to guarantee that the operation is well received and implemented.
- 4.2 It should be noted that the CSJ executed an earlier operation with Bank resources. Accordingly, some officials from both institutions are familiar with the execution and administration of such operations, which will be an asset to the program. However, since execution of this operation involves two separate institutions (CSJ and CM), and possibly a fourth (the MDP) if the new policies supported by this program are approved, overall progress could be retarded by the capacity of the weakest institution. For this reason, it was agreed during project analysis to establish an interagency coordination mechanism to assure compliance with program objectives, periodic supervision of its implementation, and efficient coordination between the three executing agencies (paragraphs 3.4 and 3.5).
- 4.3 The financial viability of the program was evaluated against the capacity of the CSJ and the CM to have the necessary counterpart resources available for execution of the operation. The budgetary estimates of all participating institutions for the present year and the next few years of program execution (2006-2010), include provisions for additional resources to cover the local counterpart funding of US\$2.5 million over five and one half years.
- 4.4 No major changes are expected to current monetary costs for budgeted staffing expenses. Although implementation of systems to simplify proceedings and the new General Procedural Code (if approved) would entail creating some new judicial bodies and appointing judges and auxiliary staff, 15% of the now existing vacant positions in the judicial branch will absorb these new functions, and these positions are already covered in the budget. Lastly, there will be an increase in the associated expenses of the CSJ due to the new data processing systems and new technologies to be deployed. These expenses would amount on average to US\$112,000, starting in year three, and would also appear as recurrent expenses in the entity's annual budget.

## **B. Environmental and social impacts and proposed measures**

- 4.5 The program was reviewed by the Bank's Committee on Environment and Social Impact (CESI) on 30 January 2004. Since the program will finance activities to support administrative reforms and institutional strengthening of entities in the justice sector, no direct environmental impacts are anticipated from program execution. The training activities for judges and prosecutors will cover enforcement of environmental laws and regulations, and so the operation is expected to have a positive indirect impact on the environment, especially with respect to treatment of the so-called environmental crimes.
- 4.6 In general terms, it is anticipated that program execution will contribute to a more effective and more efficient use of public resources, translating into delivery of a quality justice sector public service for citizens. The strategic plan to strengthen the MDP will include access to justice for indigenous peoples as provided in the 1992 Constitution. In fact, the operation is expected to have a positive social impact as it will increase and improve MDP-provided judicial services, thus facilitating access to justice for the poorest sectors of the population, including excluded social groups. This issue will also be included in the activities carried out by the justices of the peace. Also, the judicial career design will include the gender perspective, and issues relating to gender violence will be addressed in the training activities for judges. Two nonreimbursable technical-cooperation operations have been approved with resources from the Fund for Special Operations (FSO) and the Japan Special Fund to bolster the fight against trafficking in persons. These operations include activities to support training for justice system agents in dealing with this type of crime.

## **C. Benefits**

- 4.7 The proposed program will strengthen key justice system institutions to consolidate democracy and the market economy in Paraguay (CSJ, CM, and MDP). As judicial certainty increases in the country, governance will improve, fostering a better climate for economic activities to flourish to its full potential and better protect citizens' rights and freedoms, facilitating access to justice for the underprivileged classes.
- 4.8 Specifically, **the principal benefits** anticipated from implementation of the program include: (i) greater independence of the justice system to assure procedural transparency, neutrality of court decisions, and public confidence; (ii) support for procedural policies to reduce court time and uncertainty about outcomes; (iii) greater judicial efficiency through expansion of the judicial management system; (iv) enhanced institutional, management, and technical capacity of justice system operators; (v) existence of a motivated body of officers (judges) better qualified to assume the many responsibilities in the exercise of the judicial career; (vi) a system better prepared to offer low-cost, highly accessible alternative dispute

resolution services for smaller claims; (vii) greater access for lower income population sectors to public defense services; (viii) access to justice extended to penitentiary populations; and (ix) availability of reliable statistical data to measure system performance and help the general decision-making process.

- 4.9 Another anticipated program benefit is **the establishment of a judicial governance coordination body** to help implement common strategic agendas, providing a tool for continuing supervision of the operation and performance of system agencies. To this end, the program would establish the Interagency Justice Commission (CIJUS) for an indefinite term (paragraphs 2.11, 2.12 and 3.4). The program will also promote **a more efficient allocation of resources for concurrent activities** among justice system entities (training, career development, procedural and administrative management systems) through mechanisms to coordinate service supply to satisfy what are often common needs, ensuring complementary efforts and best results.
- 4.10 Lastly, the benefits of the program would be enhanced by the approval of complementary regulations: laws, codes, regulatory standards, organizational and procedural manuals, etc. These instruments will improve further still judicial management and strengthen due process rules, which the operation is expected to support (paragraphs 1.19, 1.20, and 1.21).

#### **D. Risks**

- 4.11 **Political will.** Although there is consensus on the need for improvements in the workings of the country's democratic institutions, a project such as the one here proposed could be in for intense debate before receiving legislative approval. The political will to promote reforms and institutional modernization programs is tied to the present circumstances of Paraguay's political institutions, a risk that cannot be mitigated. However, the program has been designed to include financing for activities that will inform the decision-making authorities about the content, scope, and expected outcomes of the program. In addition, although some program activities require passage of laws, components were designed in such a manner that this is not a prerequisite for the program to have a positive impact on the performance of participating institutions. Annex IV-1 presents an analysis conducted by the project team on the impact the different legal standards will have on program benefits.
- 4.12 **Interagency coordination.** The justice system is best described as the interaction of several constitutional bodies with concurrent jurisdictional areas of authority and responsibility. The reality, however, is different. In recent years, the justice sector institutions have not worked in a coordinated manner in certain areas. This is a potential risk that could impact program execution. To mitigate this risk, the program will: (i) create an Interagency Justice Commission to define common sectoral policies and coordinate efforts to attain these objectives; (ii) create a

Program Coordination Committee to ensure that activities are coordinated among areas with obvious synergies or that the necessary compatibilities are in place; and (iii) formulate a common strategic agenda for the justice system.

- 4.13 **Resistance to change.** Adopting new and modern management processes, procedures, and management systems funded by the operation represents a potential risk to the success of the program. To mitigate this risk the program will offer training and communications activities to smooth the acceptance of change.



**LOGICAL FRAMEWORK**  
**PARAGUAY. PROGRAM TO STRENGTHEN THE JUSTICE SYSTEM (PR-0146)**

Narrative summary of objectives	Objectively verifiable indicators	Means of verification	Assumptions
<p><b>Goal</b></p> <p>Help develop a more reliable and independent justice system, that is both efficient and accessible</p>	<ul style="list-style-type: none"> <li>- Better perception among justice service users about the work performed by system agencies.</li> <li>- Greater quality and transparency in preparing short lists of nominees to replace justices, judges, and district attorneys.</li> <li>- Larger number of people receive legal aid.</li> </ul>	<ul style="list-style-type: none"> <li>- Surveys and publications on user perception of the system.</li> <li>- The legislative and judicial branches accept the lists of nominees, and the public is able to access information on candidate qualifications.</li> <li>- MDP annual management report.</li> </ul>	
<p><b>Purpose</b></p> <p>Improve management, efficiency, effectiveness, and predictability in the workings of the Supreme Court (CSJ), Ministry of Public Defense (MDP), Public Ministry (MP), and Judicial Council (CM).</p>	<ul style="list-style-type: none"> <li>- 70% of courts of first instance (224), two Courts of Appeal and the three CSJ courtrooms using SGJ by year two.</li> <li>- 30% of Public Defenders (54) work with the SGDP by year three.</li> <li>- 20% decrease in average length of proceedings in judicial bodies using SGJ (224 courts of first instance), and 20% reduction in judicial backlog at Chambers of these bodies by year two.</li> </ul>	<ul style="list-style-type: none"> <li>- CSJ judicial statistics.</li> <li>- MDP records and annual report.</li> <li>- CSJ judicial statistics and annual management report.</li> </ul>	<ul style="list-style-type: none"> <li>- There exists the political will to support implementation of program actions.</li> <li>- The agencies have the budget appropriations to support the reform effort.</li> </ul>

Narrative summary of objectives	Objectively verifiable indicators	Means of verification	Assumptions
	<ul style="list-style-type: none"> <li>- The Integrated Justice Center (CJ) is created as a model for administrative and judicial management (two CJ for criminal proceedings – Asuncion and Ciudad del Este, and one for civil proceedings – Asuncion) in year three.</li> <li>- A competitive, transparent system to select justices, judges, and defense counsel is in place. This system guarantees access to judicial, prosecutorial and public defender careers based on merit and capabilities, providing security of tenure to the most competent as of year two.</li> <li>- Paraguay has modern laws that introduce judicial certainty and reduce procedural times by year two (Code of Judicial Organization, General Procedural Code, Public Defense Act, and Judicial Revenue Act).</li> <li>- CIJUS established and operational based on a common strategy agenda for the sector in year one.</li> <li>- The CSJ and CM training centers coordinate their training programs and adapt their curricula to match the profiles of judges, district attorneys, and defense counsel by year two.</li> <li>- Reliable judicial statistics accessible to the public as of year two at the CSJ and during year four at the MDP.</li> </ul>	<ul style="list-style-type: none"> <li>- Annual CSJ report and survey of system agents on the use and workings of the CJ.</li> <li>- The legislative branch and the public accept the lists of nominees. CSJ annual performance evaluation reports.</li> <li>- Official Gazette and annual CSJ management report on progress in developing legislation promoted by the program.</li> <li>- Agreement establishing the CIJUS and strategic agenda document.</li> <li>- Judicial College and CIEJ records and management reports.</li> <li>- Electronic publication of CSJ and MDP statistical reports on jurisdictional management.</li> </ul>	

Narrative summary of objectives	Objectively verifiable indicators	Means of verification	Assumptions
<p><b>Subprograms</b></p> <p><b>1. Strengthen Institutional Performance</b></p> <p>Develop an appropriate CSJ and MDP organizational and operational structure to fulfill their strategic objectives and mission.</p>	<p><b>Supreme Court</b></p> <ul style="list-style-type: none"> <li>- The General Procedural Code and Public Defense Act approved by the CSJ and sent to Congress by the end of year one; Judicial Organization Code approved in year two; and Bill on amendments to the criminal and criminal proceeding reforms developed and approved by the CSJ and sent to Congress in year three.</li> <li>- The number of cases pending in judicial chambers (90 in total) where cases are screened decreases from 22% to 30% by the end of year five.</li> <li>- Judicial Orientation Services created (one per Circuit, 9 in total) and implemented early in year two of the program.</li> <li>- 100% of proceedings before courts of first instance (224), the Courts of Appeal (2) and CSJ courtrooms (3) applying the SGJ, are registered and processed using JUDISOFT by the end of year three of the program.</li> <li>- 350 CSJ clerks trained in and operating the SGJ by the end of year three of the program</li> <li>- Judicial statistics and web search modules implemented and 20,000 Internet searches by the public by the beginning of year four of the program.</li> </ul>	<ul style="list-style-type: none"> <li>- Official Gazette, CSJ records and registry of bills introduced to the Legislative Houses.</li> <li>- JUDISOFT reports and statistics.</li> <li>- On site visits to agencies and user surveys</li> <li>- SGJ queries. JUDISOFT reports.</li> <li>- Register of participants. Performance evaluations.</li> <li>- Inspection of the search system and the judicial statistics system. Stock books for inventoried material. JUDISOFT reports.</li> </ul>	<ul style="list-style-type: none"> <li>- The legislative branch passes laws needed to improve the Justice Administration (Judicial Organization Code, General Procedural Code, Public Defense Act, Judicial Revenue Act).</li> <li>- Judges, judicial clerks and attorneys accept the principles of reform and acquire the required skills.</li> <li>- Judges and clerks learn the necessary skills to operate the SGJ.</li> </ul>

Narrative summary of objectives	Objectively verifiable indicators	Means of verification	Assumptions
	<ul style="list-style-type: none"> <li>- CSJ revenues have increased by 15% (based on own revenues for 2004) by the end of year four of the program, as a result of the Judicial Revenue Act.</li> </ul>	<ul style="list-style-type: none"> <li>- CSJ annual budget and financial statements.</li> </ul>	
	<ul style="list-style-type: none"> <li>- Strategy Analysis Unit (UAE) operational, generating statistics by the end of year one, and first justice system performance document by the end of year three of the program.</li> </ul>	<ul style="list-style-type: none"> <li>- CSJ Resolution establishing the UAE, direct inspection of the unit's data and statistics systems, and copy of existing reports.</li> </ul>	
	<ul style="list-style-type: none"> <li>- By the end of year three of the program, the CSJ has changed its governance and management organizational structure, increasing time justices dedicate to judicial duties.</li> </ul>	<ul style="list-style-type: none"> <li>- CSJ approved resolutions and CSJ records.</li> </ul>	
	<ul style="list-style-type: none"> <li>- The CIJUS has drafted the Coordination Agreements for common and joint proceedings: selection and training early in year two of the program, management systems early in year three.</li> </ul>		<p>The institutions of the justice sector (CSJ, MP, and CM) are willing to cooperate in mutually advantageous joint developments and coordination processes.</p>
<p><b>2. Strengthen independence and support the Judicial Career</b></p> <p>Strengthen the selection process for justices, judges, and prosecutors; implement a judicial career system linking system agents' advancement to their performance and ethical behavior.</p>	<p><b>Supreme Court</b></p> <ul style="list-style-type: none"> <li>- Judicial Career Act approved and in force by the end of year two of the program, establishing the Judicial Statute, protecting the independence of judges and guaranteeing that the best are promoted and retained by the system.</li> <li>- CSJ develops and approves the Regulations and organizational manual and job descriptions.</li> </ul>	<ul style="list-style-type: none"> <li>- Official Gazette and Judicial Career Act available.</li> <li>- Regulations and Manuals available.</li> </ul>	<p>The Justice System institutions, essentially the CM and the CSJ, build, in due form, the complete judicial career path.</p>

Narrative summary of objectives	Objectively verifiable indicators	Means of verification	Assumptions
	<ul style="list-style-type: none"> <li>- Gender equality rules, ensuring non-discriminatory selection of judges, prosecutors, and defenders are applied by the end of year two of the program.</li> <li>- The professional performance of 50% of judges and appellate judges has been evaluated by the end of year three, 75% by the end of year four, and 100% by year five.</li> <li>- 100% of disciplinary proceedings entered into and managed by the management system.</li> <li>- CIEJ training plan coordinated with the other institutions governing the CIEJ duties, and the crosscutting gender equality perspective built into CIEJ curricula by the end of year one.</li> <li>- Network of instructors trained and in place by the end of year three of the program.</li> <li>- 50% of judges trained in skills specific to their positions at program conclusion.</li> <li>- 40% of judges and defenders understand and apply the gender perspective to analyze and process cases, judgments, and judicial decisions.</li> </ul>	<ul style="list-style-type: none"> <li>- Project progress reports, surveys of female judges, prosecutors, and defenders. CSJ, CM, and MDP evaluations.</li> <li>- System reports. Evaluations or surveys of judges.</li> <li>- System reports. Evaluations or surveys of judges.</li> <li>- CIEJ records and reports, CIJUS and CCP minutes, CSJ and CM executing unit files. Reports issued by and surveys conducted of training center directors.</li> <li>- CIEJ records. Surveys on the perception of judges and magistrates. Evaluations carried out at training events.</li> <li>- CIEJ reports. Surveys on the perception of judges and magistrates. Evaluations carried out at training events.</li> <li>- Evaluations of the quality of judicial decisions in selected cases. Program progress reports. Training evaluations.</li> </ul>	<ul style="list-style-type: none"> <li>- Justice Sector institutions coordinate their policies and their respective training centers under a Comprehensive Professional Training System for the Justice Sector.</li> <li>- Judges and Public Defenders are willing and able to take part in training activities.</li> </ul>

Narrative summary of objectives	Objectively verifiable indicators	Means of verification	Assumptions
	<p><b>Judicial Council</b></p> <ul style="list-style-type: none"> <li>- Regulations to select justice system agents (considering technical, competitive, qualifications, transparency, and gender equality criteria) determined by consensus with the CSJ and the MP, and approved by the CM in year one of the program.</li> <li>- Roster of nominees to justice system positions prepared by the CM starting in year two, in accordance with the evaluation criteria contained in the regulations for agent selection prepared under the program (a public, transparent system, based solely on merit and aptitude) and gender criteria.</li> <li>- The CM prepares the notices for the competitive selection and develops the selection processes as of year two, in accordance with the applicable schedule to cover positions and the selection process system developed in year one.</li> <li>- Citizens participate in the selection process through a program to present the candidates, starting in year two.</li> <li>- Comprehensive training system for justice system agents established and operational in year one of the program.</li> </ul>	<ul style="list-style-type: none"> <li>- CM Regulations Document.</li> <li>- The legislative branch accepts the lists. Information relating to the lists available, as well as administrative files pertaining to the selection process.</li> <li>- Consultants report and annual management report of CM activities.</li> <li>- Program progress report and minutes of the public hearings.</li> <li>- Annual training plans agreed by the Directors of the CM and CIEJ training centers.</li> </ul>	<p>The Justice Sector Institutions coordinate and integrate the steps of their respective judicial career systems with the CM.</p> <p>- The Justice Sector Institutions coordinate their training programs and activities.</p>

Narrative summary of objectives	Objectively verifiable indicators	Means of verification	Assumptions
	<ul style="list-style-type: none"> <li>- The Strategic Training Plan of the Judicial College, with a crosscutting gender perspective consistent with the comprehensive training system, is designed in year one and operational as of year two.</li> <li>- 300 judges, magistrates, prosecutors, and public defenders trained under the program, perform their duties more effectively, as evidenced by the performance evaluations, with a focus on gender issues, such as domestic violence, trafficking of persons and of children.</li> </ul>	<ul style="list-style-type: none"> <li>- CM course program and strategic training plan.</li> <li>- Enrolment records, course and agent performance evaluations.</li> </ul>	
<p><b>3. Improve legal aid and access to Justice</b></p> <p>Implement a legal aid system providing an efficient, low cost, accessible mechanism for citizens to resolve their conflicts</p>	<p><b>Supreme Court</b></p> <ul style="list-style-type: none"> <li>- The MDP Strategic Plan is drawn up and approved by the CSJ (if the MDP is not yet independent), or by the MDP by the end of year one.</li> <li>- Public Defense Common Services Office is operational beginning in year two.</li> <li>- Comprehensive Training Program for Defenders, incorporating a crosscutting gender perspective, approved in year one, and 50% of public defenders trained at CIEJ and CM at the end of the program.</li> </ul>	<ul style="list-style-type: none"> <li>- Public Defense Strategic Plan available. CSJ minutes.</li> <li>- Direct inspection. SGDP reports. MDP reports. Records of inventoried goods.</li> <li>- Program progress reports and list of training course participants.</li> </ul>	<ul style="list-style-type: none"> <li>- The process to modernize and reform the judicial branch is consolidated.</li> </ul>

Narrative summary of objectives	Objectively verifiable indicators	Means of verification	Assumptions
	<ul style="list-style-type: none"> <li>- Regulatory framework for the new responsibilities of justices of the peace approved by the end of year one. Increased use of alternative dispute resolution approaches by the end of the program.</li> <li>- 100% of justices of the peace trained by the end of the program.</li> <li>- Census covers 100% of inmates at the two Pilot Centers where the system is introduced (Buen Pastor and Tacumbú), and detainees may access information on their cases by the end of year one.</li> <li>- 100% of proceedings relating to inmates have been screened by the end of year two.</li> <li>- The CSJ Communications Office is defined and implemented, with installed capacity to handle 80% of its responsibilities by the end of year one.</li> <li>- By year four, 80% of existing communications agendas have been executed in compliance with the strategy and schedule.</li> <li>- A 10% improvement in the CSJ's public image in the first twelve months of the program, and more than a 20% increase in the number of publications referring positively to the CSJ by program end.</li> </ul>	<ul style="list-style-type: none"> <li>- Regulations on the responsibilities of justices of the peace developed by the CSJ, and magistrate's court statistics.</li> <li>- CSJ program executing unit files.</li> <li>- On site visits and program progress reports.</li> <li>- Program progress reports.</li> <li>- Direct inspection of the Communications Office. CSJ agreements.</li> <li>- Surveys conducted at awareness-raising events. Records of CSJ Information and Analysis Modules. Image barometers.</li> <li>- Newspapers and journals.</li> </ul>	