

DOCUMENT OF THE INTER-AMERICAN DEVELOPMENT BANK

ARGENTINA

PROGRAM IN SUPPORT OF JUDICIAL SYSTEM REFORM

AR-0124

LOAN DOCUMENT

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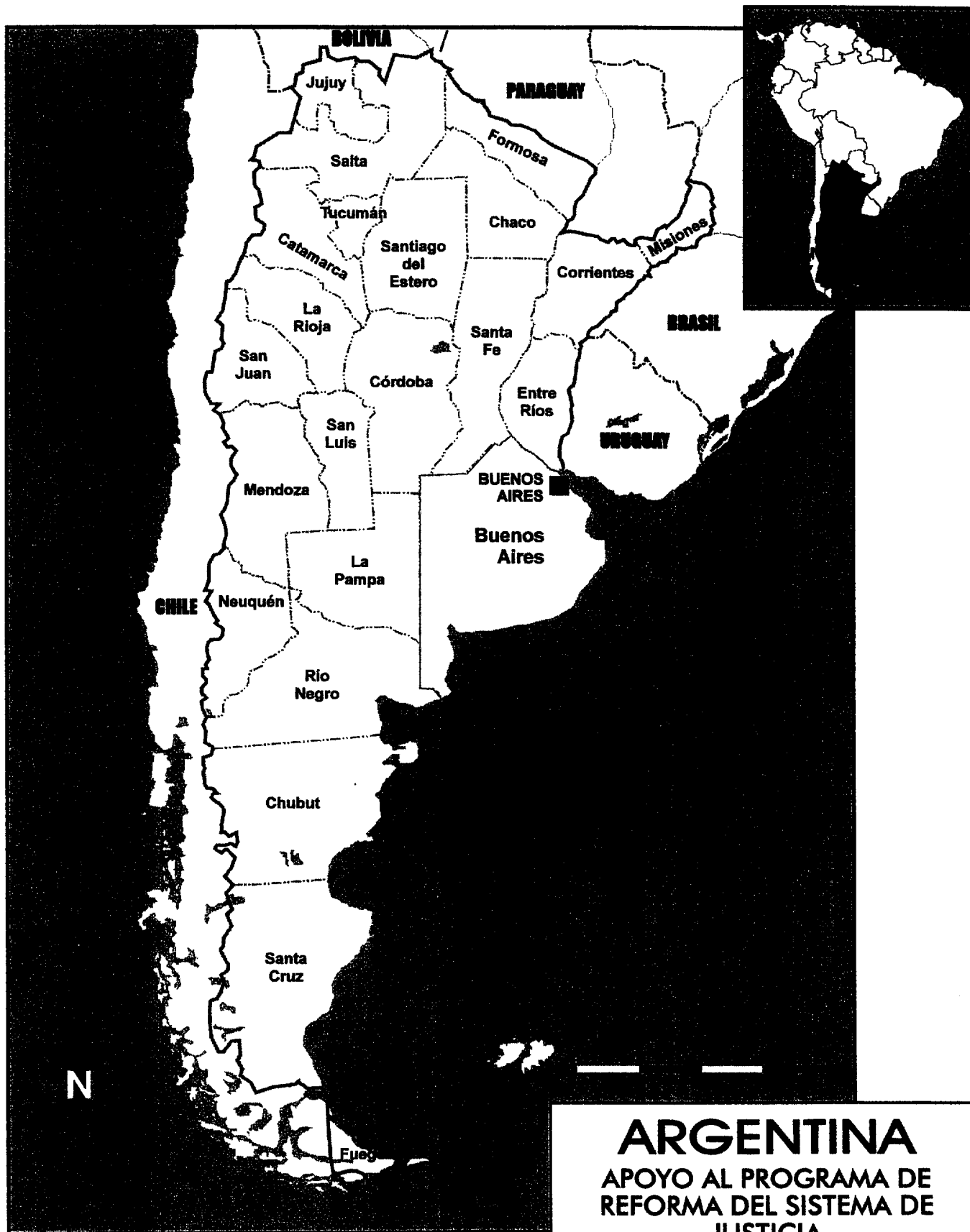
Proposed resolution

TECHNICAL ARCHIVES FOR THE PROGRAM

- Terms of reference for the consulting services, technical specifications for the goods and itemized costs and financing by investment category and program component
- Functions and terms of reference for the central executing unit
- Model subsidiary participation agreement

ABBREVIATIONS

AGN	Auditoría General de la Nación [Auditor General]
CAE	Cuerpo de Abogados del Estado [State Attorneys Corps]
CEJURA	Centro de Estudios Judiciales de la República Argentina [National Center for Judicial Studies]
CESI	Committee on Environment and Social Impact
CSJ	Corte Suprema de Justicia [Supreme Court of Justice]
CM	Consejo de la Magistratura [Council of Justice]
DGAF	Financial Administration Department [Dirección General de Administración Financiera]
DNPC	Dirección Nacional de Política Criminal [National Crime Policy Department]
ECAE	Escuela del Cuerpo de Abogados del Estado [School of State Attorneys]
FNIA	Office of the National Prosecutor for Administrative Investigations [Fiscalía Nacional de Investigaciones Administrativas]
IMJP	Instituto para el Mejoramiento de la Justicia Provincial [Institute for the Improvement of Provincial Justice]
MPD	Ministerio Público de la Defensa [Public Defender's Office]
MPF	Ministerio Público Fiscal [Public Prosecutor's Office]
AOP	Annual operating plans
PTN	Procuración del Tesoro de la Nación [National Treasury Prosecutor's Office]
PJN	Poder Judicial de la Nación [National Judiciary]
SAIJ	consolidated legal document reference system, Sistema Argentino de Informática Jurídica
SGPRS	Subsecretaría de Gestión Penitenciaria y Readaptación Social [Under Department for Penitentiary Administration and Social Rehabilitation]
SPF	Servicio Penitenciario Federal [Federal Penitentiary System]
UEC	Unidad Ejecutora Central [Central Executing Unit]
UES	Unidades Ejecutoras Sectoriales [sectoral executing units]



ARGENTINA

APOYO AL PROGRAMA DE REFORMA DEL SISTEMA DE JUSTICIA (AR-0124)

Este mapa, preparado por el Banco Interamericano de Desarrollo, no ha sido autorizado por ningún órgano competente y su inclusión en el documento de préstamo tiene por objeto exclusivo indicar el área de influencia del Proyecto que se propone financiar.

ARGENTINA

Basic Socio-Economic Data
Statistics and Quantitative Analysis
Inter-American Development Bank

Executive Summary

Social Statistics

Land Area (Km2)	1996	2,776,889
Population (Thousands)	1996	34,665
Population Under 15 (Percent)	1995	28.7
Population 60 and Over (Percent)	1995	13.3
Population (Average Annual Growth Rate)	1987-1996	1.2
Rural (Percent)	1996	12.0
Density (Population per Km2)	1996	12.5
Vital Statistics		
Total Fertility (Rate per Woman)	1993	2.7
Crude Birth (Rate per 1,000 Population)	1992	20.3
Infant Mortality (Rate per 1,000 Live Births)	1993	23.6
Crude Death (Rate per 1,000 Population)	1992	8.6
Life Expectancy at Birth (Years)	1993	72.3
Poverty and Inequality		
Gini Coefficient	1994	0.46
IDB Poverty Incidence (Percent)	1994	5
Poverty Gap (Percent)	1994	1
Labor Force (Thousands)	1992	11,910
Participation Rate (Percent)	1993	68.1
Unemployment Rate (Percent)	II-1996	17.0
Real Minimum Wage (Index 1990=100)	1995	198.5
Education		
Gross Enrollment Ratio - Primary	1993	107.0
Gross Enrollment Ratio - Secondary	1991	74.3
Gross Enrollment Ratio - Tertiary	1991	42.8
Pupil/Teacher Ratio - Primary	1991	16.5
Pupil/Teacher Ratio - Secondary	1991	8.0
Average Years of Schooling (Population > 25 Years)	1995	7.2
Illiteracy (Percent)	1995	3.8

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ARGENTINA

Basic Socio-Economic Data
Statistics and Quantitative Analysis
Inter-American Development Bank

Executive Summary

Economic Statistics

Exchange Rate (Pesos/US\$)	9-1997	1.0
GDP per Capita (Average Annual Growth Rate)	1987-1996	1.4
GDP (Average Annual Growth Rate)	1987-1996	2.6
Agriculture	1987-1996	1.8
Agriculture Terms of Trade	1984-1993	-3.8
Industry	1987-1996	2.0
Services	1987-1996	3.1
Gross Domestic Investment (% of GDP)	1996	18.4
Gross Domestic Saving (% of GDP)	1995	18.0
Consumer Prices (Twelve Month Variation)	8-1997	0.8
NF Public Sector Overall Balance (% of GDP)	1996	-1.8
Domestic Credit (% of GDP)	1996	24.6
Private Sector	1996	18.3
Public Sector	1996	6.4
Balance of Payments (Millions of US\$)		
Current Account Balance	1996	-3,952
Trade Balance	1996	1,621
Capital and Financial Account Balance	1996	7,734
Change in Reserves (- Increase)	1996	-3,782
Current Account Balance (% of GDP)	1996	-1.8
Capital and Financial Account Balance (% of GDP)	1996	3.5
Total External Debt (Millions of US\$)	1996	99,708
Long-Term Debt	1995	73,446
Short-Term Debt	1995	10,170
Total Debt Service	1996	11,200
Interest Payments	1995	520
Debt to GDP Ratio (Percent)	1996	44.9
Debt Service Ratio (Percent)	1996	41.3

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Basic Socio-Economic Data

1. Poverty and Inequality

	In Percent									
	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996
Gini Coefficient
Urban	0.48	0.46
Rural
IDB Poverty Incidence
Urban	4	5
Rural
Poverty Gap
Urban	1	1
Rural

2. Health and Nutrition

	Mortality by Cause - In Percent									
	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996
Communicable and Perinatal Diseases	9.9	9.7	9.5	9.5	9.8
Non-Communicable Diseases	63.0	62.5	63.1	63.6	62.9
External and Other Causes	24.8	25.2	24.7	24.0	24.6
Ill Defined Causes	2.3	2.5	2.7	2.9	2.8

	Percent of Central Government Expenditure									
	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996
Expenditure on Health	2.1	2.0	3.0	2.8
Hospitals	1.9	1.8	2.6	2.5
Clinics and Practitioners
Other	0.0	0.0	0.4	0.3

	Immunization as Percent of Age Group Nutrition/Per Capita in Units									
	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996
Other Indicators										
Children (< 1 Yr) Immunized DPT3	75.0	61.0	80.0	87.1	80.8	80.8	81.0	82.3	82.4	...
Children (< 1 Yr) Immunized Measles	81.0	68.0	89.0	93.1	100.0	90.8	94.9	95.6	95.4	...
Access to Safe Water (% Population)	64.3
Doctors per 1000 Inhabitants
Hospital Beds per 1000 Inhabitants	4.6
Daily Caloric Intake	3098.0	3090.0	3052.0	2964.0	2999.0	2880.0
Daily Protein Intake (grams)	100.3	100.0	99.0	94.1	98.0	99.3

3. Education

	In Percent									
	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996
Net Enrollment Ratios										
Primary	97.2	95.0
Gross Enrollment Ratios										
Primary	110.7	111.4	111.0	111.0	111.0	...	107.0
Secondary	70.2	70.7	74.3
Tertiary	40.4	42.8
Primary Survival Rate

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Basic Socio-Economic Data

3. Education (cont.)

	Ratios									
	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996
Pupil/Teacher Ratios										
Primary	19.5	19.3	16.5
Secondary	7.2	7.1	8.0

	Percent of Central Government Expenditure									
	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996
Expenditure on Education	6.9	9.3	9.9	9.4
Pre-Primary through Secondary	3.8	4.9	5.8	5.4
Tertiary	2.9	4.2	3.8	3.7
Other	0.3	0.3	0.3	0.2

4. Labor Market

	In Percent Index 1990=100									
	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996
Labor Force by Sector										
Agriculture
Industry
Services
Participation Rate	63.8	65.0	64.6	65.5	68.1
Male
Female
Unemployment Rate	5.9	6.3	7.6	7.5	6.5	7.0	9.6	11.2	16.4	...
Real Minimum Wage Index	301.4	234.2	104.6	100.0	126.2	112.8	174.6	202.4	198.5	...

5. Exchange Rates

	Pesos/US\$, End of Period Index 1990=100									
	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996
Exchange Rate	0.0	0.0	0.2	0.6	1.0	1.0	1.0	1.0	1.0	1.0
Real Effective Index	119.1	130.3	148.7	100.0	73.4	64.6	59.0	58.1	57.7	...

6. Prices

	Average Annual Growth Rates in Percent									
	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996
Consumer Price Index	123.1	348.3	3086.9	2313.7	171.7	24.9	10.6	4.2	3.4	0.2
Wholesale Price Index	200.0	466.7	3347.1	1606.5	110.5	5.5	2.1	2.0	6.2	3.3

7. International Liquidity

	Millions of US\$									
	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996
Reserves	3038	4784	2884	6013	7435	11436	15463	15978	15967	19715
Reserves minus Gold	1617	3363	1463	4592	6005	9990	13791	14327	14288	18104
Special Drawing Rights (SDRs)	...	0	0	297	193	375	453	563	539	399
Reserve Position in the IMF
Foreign Exchange	1617	3363	1463	4295	5812	9615	13339	13764	13749	17705
Gold (National Valuation)	1421	1421	1421	1421	1430	1446	1672	1651	1679	1611

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Basic Socio-Economic Data

8. National Accounts

Millions of 1990 US\$
1990 US\$

	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996
Gross Domestic Product	170243	166852	155364	153216	169073	186470	198057	214798	205008	214617
GDP Per Capita	5467	5291	4866	4740	5168	5633	5914	6341	5983	6191

Annual Growth Rates in Percent - Constant Prices

	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996
GDP Per Capita	1.3	-3.2	-8.2	-2.5	9.2	9.0	5.0	7.3	-5.7	3.1
GDP by Type of Expenditure (MP)	2.6	-2.0	-7.0	-1.3	10.5	10.3	6.3	8.5	-4.6	4.3
Consumption	2.4	-4.2	-6.1	-1.1	14.3	13.3	5.7	6.9	-6.1	5.2
Gross Domestic Investment	10.2	-3.5	-21.6	-15.2	31.5	33.5	16.0	21.8	-16.3	8.3
Exports of Goods and Services	-2.8	18.7	7.5	16.8	-5.1	2.1	2.4	15.9	22.7	6.3
Imports of Goods and Services	15.0	-9.2	-16.4	-0.7	75.6	66.5	13.4	22.5	-11.6	15.9
GDP by Sector of Origin (MP)										
Agriculture, Forestry and Fishing	-2.7	8.3	-8.6	8.4	4.3	-1.0	3.1	3.6	2.3	1.6
Mining and Quarrying	7.5	5.4	-0.8	2.9	2.9	11.1	10.0	8.8	6.7	7.6
Manufacturing	1.0	-4.5	-7.6	-2.3	9.9	10.2	5.1	6.2	-7.0	5.2
Electricity, Gas and Water	5.1	-6.8	-4.8	7.3	3.3	8.7	10.4	9.5	5.6	13.4
Construction	14.5	-2.9	-24.5	-16.1	25.4	16.9	11.2	15.2	-10.9	1.1
Wholesale and Retail Trade	0.7	-4.5	-7.1	-0.7	15.3	14.4	4.2	8.5	-7.9	...
Transport and Communications	3.6	-1.8	-1.1	-3.2	10.4	12.8	5.5	9.7	0.2	...
Financial Services	2.8	-2.0	-8.0	-2.1	17.8	14.2	9.2	12.8	-5.4	...
Government
Other Services	3.7	-0.1	-1.1	-0.9	3.3	6.1	6.2	7.2	-1.9	...

Composition in Percent - Current Prices

	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996
GDP by Type of Expenditure (MP)										
Consumption	80.1	78.0	78.1	80.2	83.7	84.9	83.6	82.6	82.0	...
Gross Domestic Investment	19.6	18.6	15.5	14.0	14.6	16.7	18.4	20.0	18.0	18.4
Exports of Goods and Services	7.9	9.5	13.0	10.4	7.8	6.7	6.2	6.7	8.6	...
Imports of Goods and Services	7.6	6.2	6.6	4.6	6.1	8.3	8.2	9.3	8.6	...
GDP by Sector of Origin (MP)										
Agriculture, Forestry and Fishing	8.1	9.0	9.6	8.1	6.7	6.0	5.5
Mining and Quarrying	1.8	2.3	3.2	2.9	2.1	1.8	1.7
Manufacturing	27.5	28.0	30.9	26.8	24.4	21.8	20.5
Electricity, Gas and Water	2.0	1.9	2.0	1.9	1.6	1.7	1.8
Construction	6.4	6.3	6.2	4.4	4.7	5.3	5.6
Wholesale and Retail Trade	15.4	15.5	16.9	15.6	15.9	15.4	14.9
Transport and Communications	4.5	5.0	4.2	5.2	5.2	5.2	5.1
Financial Services	15.9	15.2	12.1	13.7	14.7	16.7	17.3
Government
Other Services	18.3	16.8	14.8	21.3	24.8	26.1	27.6

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Basic Socio-Economic Data

9. Non-Financial Public Sector

As a Percent of GDP

	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996
Current Revenues	23.5	22.1	24.0	20.4	20.3	20.9	19.4	17.8	17.5	15.9
Current Expenditures	25.0	24.8	25.2	20.9	20.8	20.3	17.2	16.9	17.3	16.7
Current Savings	-1.5	-2.7	-1.2	-0.5	-0.5	0.6	2.3	1.0	0.2	-0.8
Capital Expenditure	3.9	4.2	3.1	1.4	1.0	0.8	1.5	1.4	1.1	1.2
Overall Balance (- Deficit)	-5.0	-6.0	-3.8	-1.5	-0.5	0.6	1.1	-0.1	-0.5	-1.8
Domestic Financing	0.3	0.2	1.4	-0.1	-0.6	-0.4	-0.6

10. Monetary Survey

As a Percent of GDP

	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996
Domestic Credit	19.7	18.9	13.6	21.1	20.9	20.4	22.0	23.5	24.4	24.6
Public Sector	9.6	10.4	7.5	12.1	10.7	7.8	4.2	4.1	5.7	6.4
Private Sector	10.2	8.6	6.1	9.0	10.2	12.6	17.8	19.4	18.7	18.3
Money (M1)	3.4	2.2	0.9	1.9	2.8	4.2	4.7	5.2	5.3	5.9

11. External Trade

Direction in Percent - Customs Basis Index 1990=100

	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996
Exports of Goods (fob)										
Developed Countries	49.7	49.4	44.9	49.7	49.4	46.4	42.7	39.1	32.5	30.7
Developing Countries	50.3	50.6	55.1	50.3	50.6	53.6	57.3	60.9	67.5	69.3
Latin America	21.5	20.3	25.8	26.0	29.2	32.9	41.4	43.0	46.2	47.4
Imports of Goods (cif)										
Developed Countries	61.7	59.1	59.7	58.9	53.3	54.3	55.0	56.9	54.9	52.3
Developing Countries	38.3	40.9	40.3	41.1	46.7	45.7	45.0	43.1	45.1	47.7
Latin America	30.4	34.1	33.5	34.7	30.8	34.6	33.4	29.5	30.7	29.6
Terms of Trade Index	91.7	97.9	96.6	100.0	101.6	109.5	111.6	109.7	111.6	120.5

Millions of US\$ - Customs Basis Composition in Percent

	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996
Exports of Goods (fob)	6360.2	9134.2	9565.4	12351.5	11974.9	12234.9	13114.4	15803.3	20962.6	...
All Food	61.1	59.7	55.0	56.3	60.1	61.0	55.3	52.0	49.8	...
Agricultural Raw Materials	3.5	4.7	3.9	4.3	3.8	2.8	2.1	3.4	4.3	...
Fuels	1.3	1.5	3.4	7.8	6.3	8.7	9.5	10.5	10.4	...
Ores and Metals	8.0	9.5	12.4	8.8	7.0	4.7	4.5	4.3	5.1	...
Manufactured Goods	26.0	24.6	25.3	22.8	22.9	22.8	28.6	29.9	30.4	...
Chemicals	6.6	7.5	7.2	6.2	5.9	5.9	5.3	5.8	6.3	...
Machinery and Transport Equipment	6.4	6.1	6.5	5.8	6.9	7.5	11.0	11.2	10.8	...
Other Manufactured Goods	13.0	11.0	11.6	10.8	10.0	9.3	12.3	12.9	13.3	...
Imports of Goods (cif)	5817.8	5321.5	4200.5	4076.7	8275.3	14863.7	16772.9	21581.1	20121.7	...
Capital Goods	25.3	23.7	22.1	19.8	21.5	26.4	30.0	35.6	29.9	...
Consumption Goods	6.2	5.3	5.2	8.0	17.9	21.6	21.1	19.9	17.3	...
Intermediate Goods	67.8	70.8	72.5	71.8	58.1	46.6	43.8	44.5	52.3	...
Fuels	0.4	0.0	0.0	0.2	0.0	0.5	...
Other	0.3	0.2	0.2	0.3	2.4	5.4	5.1

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Basic Socio-Economic Data

12. Balance of Payments

	Millions of US\$									
	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996
Current Account Balance	-4235	-1572	-1305	4552	-647	-5401	-7046	-9363	-2446	-3952
Trade Balance	1017	4242	5709	8628	4419	-1450	-2426	-4236	2238	1621
Exports of Goods (fob)	6360	9134	9573	12354	11978	12235	13117	15840	20964	23811
Imports of Goods (fob)	5343	4892	3864	3726	7559	13685	15543	20076	18727	22190
Service Balance	-772	-687	-600	-674	-1599	-2209	-2660	-2856	-2175	-2412
Transportation	-83	43	155	219	-161	-388	-746	-966	-904	...
Travel	-275	-341	-224	-268	-957	-1430	-1608	-1639	-1010	...
Other Services	-414	-389	-531	-625	-481	-391	-306	-251	-2175	...
Addendum: Freight and Insurance	108	137	193	142	-224	-513	-584	-853
Income Balance	-4472	-5127	-6422	-4400	-4260	-2404	-2372	-2590	-2941	-3495
Compensation of Employees	13	0	0	0	0	0	0	0
Investment Income	-4485	-5127	-6422	-4400	-4260	-2404	-2372	-2590	-2941	...
Current Transfers Balance	-8	0	8	998	793	662	412	319	432	334
General Government	0	0	0	0	0	0	0	0
Other Sectors	-8	0	8	998	793	662	412	319
Capital and Financial Account Balance	3045	3625	-272	-2145	3028	8337	11579	10040	2296	7734
Capital Account Balance
Financial Account Balance	3045	3625	-272	-2145	3028	8337	11579	10040	2377	7734
Direct Investment	-19	1147	1028	1836	2439	2562	3482	477	4179	4340
Abroad	0	0	0	0	0	7	0	-126
In Reporter	-19	1147	1028	1836	2439	2555	3482	603
Portfolio Investment	-96	-656	2618	-1309	483	715	26421	3662	4701	...
Assets	0	0	0	-241	-8261	-80	-2037	-185	64	...
Liabilities	-96	-656	2618	-1068	8744	795	28458	3847	4637	...
Other Investment	3160	3134	-3918	-2672	106	5060	-18324	5901	-6503	3394
Assets	104	879	-399	661	426	4038	399	2853
Liabilities	3056	2255	-3519	-3333	-320	1022	-18723	3048
Change in Reserves (- Increase)	1302	-1888	1826	-3121	-2040	-3261	-4279	-685	69	-3782
Errors and Omissions	-112	-165	-249	715	-341	325	-254	7	0	...

13. External Debt

	Millions of US\$									
	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996
Total Debt	58107	56610	59615	54672	56778	59269	70575	77434	89747	99708
Long-Term Debt	51074	49346	53632	48706	49374	49855	58403	66052	73446	...
Public and Publicly Guaranteed	49221	47546	51832	46906	47574	47611	52034	55832	62181	...
Bilateral	4730	4710	5246	6219	7157	8130	9722	11082	11709	...
Multilateral	4229	4029	4361	5007	5419	5037	7112	7748	9414	...
Bond Holders	9527	9117	9824	11514	11661	11620	33974	35628	39441	...
Banks	28774	27943	30869	22661	22019	21618	804	916	1207	...
Suppliers	1576	1392	1242	1218	1084	1015	422	459	410	...
Other Creditors	386	355	291	286	234	192	0	0	0	...
Private Non-Guaranteed	1853	1800	1800	1800	1800	2244	6369	10220	11265	...
Use of IMF Credit	3853	3678	3100	3083	2483	2314	3520	4211	6131	...
Short-Term Debt	3180	3586	2883	2883	4921	7100	8652	7170	10170	...
Interest Arrears on Debt	351	2131	5642	7562	8625	9076	1	1	0	...
Total Debt Service	6988	5023	5060	6161	5545	5003	6556	8175	9732	11200
Public and Publicly Guaranteed	4624	3746	2764	4812	3872	3320	5131	4523	6303	...
Bilateral	214	239	95	130	261	336	548	671	1677	...
Multilateral	482	681	771	780	1101	1174	1039	1252	1129	...
Private Non-Guaranteed	576	393	269	144	133	361	267	1050	2150	...
IMF Repurchases and Charges	844	761	992	975	1228	1077	590	618	759	...
Short-Term Debt (Interest only)	200	123	333	231	312	246	568	502	520	...

ARGENTINA **Basic Socio-Economic Data**

13. External Debt (cont.)

Ratios in Percent

	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996
Debt to GDP Ratio	40	38	41	36	32	29	32	36	43	45
Debt Service Ratio	86	45	43	42	39	34	42	44	41	41

... Not Available

0.0 Indicates that the amount is nil or negligible

ARGENTINA

Basic Socio-Economic Data

Sources and Notes

Executive Summary

Social Statistics:

Land Area: Organization of American States (OAS), *América en cifras*, 1974.

Population: IDB estimates based on data from Latin America Demographic Center (CELADE) and United Nations Population Division (UNPOP).

Vital Statistics:

World Bank, Social Indicators of Development (WBSID), and Economic Commission for Latin America and the Caribbean (ECLAC), *Statistical Yearbook*.

Labor Force:

WBSID.

Education:

Average Years of Schooling (Population >25 yrs): Number of completed grades of formal education of population older than 25 years. IDB estimates based on data from United Nations Educational, Scientific and Cultural Organization (UNESCO), using the Perpetual Inventory Method.

Illiteracy: Number of adult illiterates as a percentage of that age group. UNESCO Data Base.

Economic Statistics:

Agricultural Terms of Trade: Index of ratio of agricultural GDP deflator to non-agricultural GDP deflator. IDB estimates from National Accounts data. Base year 1990.

1. Poverty and Inequality:

Gini Coefficient: Measure of inequality based on the income distribution of the population. A coefficient equal to one (1) indicates perfect inequality, and a coefficient equal to zero (0) perfect equality.

Poverty Incidence: The poor as a percentage of total population, using a poverty line of US\$60 (constant 1985 prices) per month per capita inflated using the Consumer Price Index (CPI).

Poverty Gap: Average income deficit of the poor in relation to the poverty line multiplied by the Poverty Incidence. IDB estimates based on income data from the "Encuesta Permanente de Hogares". For 1980-1989 it covers only the Greater Buenos Aires area, for 1994 it covers 23 provincial urban areas. Income data were corrected for likely underreporting using national income accounts estimates. Poverty estimates probably are "lower bounds". Greater Buenos Aires 3% in 1994.

2. Health and Nutrition:

Mortality Causes: Main causes of death by type of disease. Pan American Health Organization (PAHO) Data Base.

Expenditure on Health: Consolidated Central Government. International Monetary Fund (IMF) Government Finance Statistics (GFS) (magnetic tapes).

Immunization: Percentage of children under one year who have been immunized for dpt3 and measles. WBSID.

Access to Safe Water: Percentage of population with access to safe water. WBSID.

Doctors/hospital beds per 1000 inhabitants: Number of doctors/hospital beds per 1000 inhabitants. WBSID.

Caloric and Protein Daily Intake: Apparent daily per capita average intake. Food and Agriculture Organization of the United Nations (FAO) Data Base.

3. Education:

Net Enrollment Ratio Primary: Enrollment for the age group corresponding to the official age of primary education. ECLAC, *Statistical Yearbook*.

ARGENTINA

Basic Socio-Economic Data

Gross Enrollment Ratio: Total enrollment in primary, secondary or tertiary education, regardless of age, divided by the population of the age-group which officially corresponds to primary, secondary or tertiary (ages 20 to 24 only) education. UNESCO and UNPOP. WBSID.

Pupil/Teacher Ratio: Number of students per teacher in primary and in secondary school. UNESCO Data Base and WBSID.

Expenditure on Education: Consolidated Central Government. IMF, GFS.

4. Labor Market:

Participation Rate: World Bank. Economically Active Population as a percentage of population age 15 and older.

Unemployment Rate: National urban. Programa Regional del Empleo para América Latina y El Caribe (PREALC).

Real Minimum Wage Index: Base year 1990. ECLAC, various years.

5. Exchange Rates:

International Financial Statistics (IFS). Official rate.

Real Effective Index: IDB estimates based on data from the IMF.

6. Prices:

IMF, IFS. Annual figures are expressed as average annual growth rates; monthly figures as a twelve month variation.

7. International Liquidity:

IMF, IFS.

8. National Accounts:

GDP in 1990 US Dollars: IDB estimates.

GDP by Type of Expenditure and Sector of Origin: Ministerio de Economía y Obras y Servicios Públicos, Secretaría de Programación Económica. Government is included in Other Services.

9. Non-Financial Public Sector:

Ministerio de Economía y Obras y Servicios Públicos, Secretaría de Hacienda. Corresponds to the National Non-Financial Public Sector, excluding the provinces.

10. Monetary Survey:

IMF, IFS and IDB estimates based on information from the Banco Central de Argentina (mid-year observations).

11. External Trade:

Trade by Direction: IMF, Direction of Trade Statistics (magnetic tapes).

Terms of Trade: ECLAC, Balance preliminar de la economía de América Latina y el Caribe.

Export Composition: United Nations Statistical Division (UNSTAT) Commodity Trade (COMTRADE) Data Base; Exports include Re-Exports.

Import Composition: ECLAC. Fuels and Lubricants and Passenger Automobiles are included in Other.

12. Balance of Payments:

Ministerio de Economía y Obras y Servicios Públicos, Subsecretaría de Programación Macroeconómica and IMF, Balance of Payments Statistics (magnetic tapes).

13. External Debt:

World Bank, World Debt Tables (magnetic tapes) and estimates.

ARGENTINA

Regional Support Services

RE1/RO

IDB LOANS

APPROVED AS OF OCTOBER 31, 1997

	US\$Thousand	Percent
TOTAL APPROVED	10,864,256	
DISBURSED	7,767,721	71.5%
UNDISBURSED BALANCE	3,096,535	28.5%
CANCELLATIONS	1,109,377	10.2%
PRINCIPAL COLLECTED	3,079,304	28.3%
APPROVED BY FUND		
ORDINAY CAPITAL	10,174,636	93.7%
FUND FOR SPECIAL OPERATIONS	640,607	5.9%
OTHER FUNDS	49,014	0.5%
OUTSTANDING DEBT BALANCE	4,688,417	
ORDINAY CAPITAL	4,495,651	95.9%
FUND FOR SPECIAL OPERATIONS	190,649	4.1%
OTHER FUNDS	2,118	0.0%
APPROVED BY SECTOR		
AGRICULTURE AND FISHERY	839,926	7.7%
INDUSTRY, TOURISM, SCIENCE TECHNOLOGY	699,226	6.4%
ENERGY	1,966,923	18.1%
TRANSPORTATION AND COMMUNICATIONS	805,278	7.4%
EDUCATION	568,888	5.2%
HEALTH AND SANITATION	919,920	8.5%
ENVIRONMENT	31,541	0.3%
URBAN DEVELOPMENT	476,336	4.4%
SOCIAL INVESTMENT AND MICROENTERPRISE	849,718	7.8%
REFORM PUBLIC SECTOR MODERNIZATION	3,175,101	29.2%
EXPORT FINANCING	180,969	1.7%
PREINVESTMENT AND OTHER	350,431	3.2%

* Net of cancellations with monetary adjustments and export financing loan collections.

ARGENTINA

REGIONAL SUPPORT SERVICES

ITC/IRO

TENTATIVE LENDING PROGRAM

US\$ Millions

1997			
AR0144	SUPPORT FOR ENTERPRISE REESTRUCTURING	100.0	APPROVED
AR0161	CARE FOR VULNERABLE GROUPS	33.0	APPROVED
AR0169	SUPPORT FOR EMPLOYMENT/EMPLOYABILITY	370.0	APPROVED
AR0220	INSTITUTIONALIZED SUPPORT AFIP	96.0	APPROVED
AR0200	AES PARANA PROJECT	66.0	APPROVED
AR0136	ENVIRONMENT. RECOVERY MATANZA-RIACHUELO	250.0	APPROVED
AR0181	TERTIARY EDUCATION REFORM PROGRAM	82.5	APPROVED
AR0151	INVESTMENT IN LARGE CITIES	260.0	APPROVED
TOTAL A		1,257.5	
TOTAL 1997		1,257.5	
1998			
AR0124	JUSTICE SYSTEM REFORM SUPPORT PROGRAM	10.5	
AR0209	INTEGRAL REFORM SUPPORT MENDOZA PROVINCE	80.0	
AR0226	BUENOS AIRES TRAINS	75.0	
AR0234	COMMUNICATIONS	73.0	
AR0218	FISCAL REFORM SUPPORT GCBA	200.0	
AR0175	POTABLE WATER SECTOR REFORM PROGRAM	250.0	
AR0127	MICROENTERPRISE CREDIT PROGRAM II	100.0	
AR0120	PRIMARY HEALTH CARE REFORM PROGRAM.	150.0	
AR0223	SAN LUIS PROVINCE SUPPORT	70.0	
AR0198	CHILDREN IN DIFFICULT CIRCUMSTANCE II	10.0	
AR0227	ENVIRONMENTAL NATIONAL FUND	40.0	
AR0235	TRANSPORTADORA GAS DEL SUR (TGS)	50.0	
TOTAL A		1,108.5	
AR0202	ANDEAN HIGHWAYS	200.0	
AR0210	SUPPORT FOR THE PROVINCE OF THE RIOJA	50.0	
AR0230	SUPPORT PROGRAM NEUQUEM PROVINCE	100.0	
AR0231	INSTIT. STRENGTHENING NAT. ADVISORY WOMEN	15.0	
AR0199	PRESERVATION OF HISTORICAL HERITAGE	30.0	
TOTAL B		395.0	
TOTAL 1998		1,503.5	



INTER-AMERICAN DEVELOPMENT BANK
REGIONAL OPERATIONS DEPARTMENTS
INFORMATION RESOURCES MGT. UNIT

ARGENTINA

STATUS OF ACTIVE LOANS AS OCTOBER 31, 1997

(Amounts in US\$ thousands)

APPROVAL PERIOD	NUMBER OF PROJECTS	AMOUNT APPROVED	AMOUNT DISBURSED	% DISBURSED
Before 1991	1	97,500	34,114	34.99%
1991 - 1992	5	387,066	297,334	76.82%
1993 - 1994	11	1,650,350	480,780	29.13%
1995 - 1996	12	1,434,268	410,969	28.65%
1997	5	731,000	12,750	1.74%
TOTAL	34	\$4,300,184	\$1,235,947	28.74%

* Net of Cancellations . Excluding export financing loans.

PROGRAM IN SUPPORT OF JUDICIAL SYSTEM REFORM

(AR-0124)

EXECUTIVE SUMMARY

BORROWER AND GUARANTOR: The Argentine nation.

EXECUTING AGENCY: The Ministry of Justice and justice system agencies.

AMOUNT AND SOURCE: IDB (OC): US\$10.5 million
Local counterpart funding: US\$10.5 million
Total: US\$21.0 million

FINANCIAL TERMS AND CONDITIONS: Amortization period: 20 years
Disbursement period: 4 years
Interest rate: variable
Inspection and supervision: 1%
Credit fee: 0.75% (of the undisbursed balance)
Currency: US dollars from the Single Currency Facility

OBJECTIVES: The objective of the program is to support reform of the justice system by financing targeted, catalyzing projects, suitable for replication, to help change and modernize the justice sector. These projects will contribute to the development of a more reliable and independent justice system that is efficient as well as accessible.

DESCRIPTION: In pursuit of the program objective, support would be provided to activities grouped in three subprograms: (i) legal protection; (ii) design and implementation of crime prevention and judicial access policies; and (iii) provincial justice and legal compendium.

1. Legal protection subprogram (US\$4,311,000)

This subprogram would include two components: (i) strengthening of the Procuración del Tesoro de la Nación [National Treasury Prosecutor's Office] (PTN), to improve the State's ability to defend itself in judicial proceedings, through modernization of the State's case load management and training for government staff and attorneys; and (ii) strengthening of the Ministerio Público Fiscal [Public Prosecutor's Office] (MPF), to help it better defend the interests of society in judicial proceedings, by

providing support for administrative, financial, and human resource management, the development of internal rules, the introduction of information systems, and the training of prosecutors.

2. Subprogram to support the design and execution of crime prevention and judicial access policies (US\$6,232,000)

The subprogram would include four components: (i) evaluation and improvement of mediation as an alternative dispute settlement method; (ii) support for the Ministerio Público de la Defensa [Public Defender's Office] (MPD) to help it better defend the rights of, and access to justice for, lower-income segments of the population through institutional and technical strengthening of the MPD, development and installation of information systems, and training of MPD officials and administrative staff; (iii) support for the formulation of policies to prevent crime, by developing information systems and strengthening the technical capacity of the Dirección Nacional de Política Criminal [National Crime Policy Department] (DNPC); and (iv) computerization of the penitentiary system to facilitate access to justice for the accused and convicted through the institution of information systems for the observance of prisoner rights and monitoring of prison terms.

3. Subprogram on provincial justice and legal compendium (US\$4,292,000)

This subprogram would include two components: (i) improvement of provincial justice to help modernize justice administration in the provinces, through the creation of an Instituto para el Mejoramiento de la Justicia Provincial [Institute for the Improvement of Provincial Justice] (IMPJ), as well as training, promotion of best practices and model experiences in judicial administration, and studies and surveys on the administrative efficiency of provincial justice; and (ii) development of a legal compendium classifying and consolidating all current national legislation and a manual of legislative procedure to promote a coherent national legal order.

DATE CESI/TRG:

In view of the nature of the operation, the Committee on Environment and Social Impact (CESI), at its May 16, 1997, meeting, did not request preparation of an additional social and environmental study for the program (paragraph 4.32).

BENEFITS:

The proposed program should lower the transaction costs associated with judicial proceedings in the following ways: (i) improve "supply" by introducing new management and administration systems in the public prosecution and defense offices and strengthening the provincial courts; and (ii) lower "demand", by strengthening alternative dispute settlement systems and establishing crime prevention policies. Finally, an improved system for defending public interests must strengthen the State's capacity to ensure recovery and protection of fiscal revenue.

In addition, as a result of the program: (i) the system for defending the interests of the State and society would be strengthened; (ii) mediation would be developed as an alternative dispute settlement mechanism; (iii) greater access would be provided to low-income population segments through strengthened public defense services; (iv) crime prevention policies would be formulated and implemented; (v) access to justice for the prison population would be facilitated; (vi) initiatives and the exchange of experiences among the provincial courts would be better coordinated to promote the adoption of best practices; and (vii) the country's legal order would be better defined, thus strengthening the rule of law.

RISKS:

As a whole, the program is institutionally complex. Five separate institutions would be involved in its execution: the Ministry of Justice (mediation, crime prevention policy, computerization of the penitentiary system, and the compendium); the PTN (strengthening of the PTN); the MPF (strengthening of the MPF); the MPD (public defense); and the Junta Federal de Cortes [Federal Board of Provincial Courts] (improvement of provincial justice). To minimize this risk, the execution plan has been designed to ensure: (i) homogeneous execution criteria through the signature of interagency agreements; (ii) total functional independence of the agencies, giving the Unidades Ejecutoras Sectoriales [sectoral executing units] (UES) all decision-making authority in the selection and monitoring of procurement; and (iii) staffing of the UESs and the Unidad Ejecutora Central [Central Executing Unit] (UEC) with professionals highly qualified in the operational areas concerned.

**PROCUREMENT AND
CONTRACTING FOR
GOODS AND
CONSULTANT
SERVICES:**

The Bank's current procedures for procuring goods and hiring consulting services to be financed with loan resources would be applied. The thresholds above which international competitive bidding would be required for procurement and contracting are US\$350,000 for goods and US\$200,000 for consulting services. Construction work is not planned under the program (paragraph 3.28).

**THE BANK'S
COUNTRY AND
SECTOR STRATEGY:**

The operational strategy for the Bank's activities in Argentina gives priority to activities in the following three basic areas: (i) deepen and consolidate modernization of the State; (ii) reduce poverty and raise living standards; and (iii) improve productivity and the competitive position of the national economy. The program proposed in this document is consistent with the strategy, since it would further the process of State reform and modernization and, in particular, the national justice system.

Participation by the Bank in financing the proposed program would provide support for the first joint initiative to reform the justice system nationally with the participation of the other branches of government, on a coordinated basis, but with the appropriate degree of independence. This would ensure a comprehensive vision of the process and parallel institutional development to accompany the reform process. In addition, it would help to disseminate best practices among the provincial judiciaries.

**POVERTY TARGETING
AND SOCIAL
CONSIDERATIONS:**

In accordance with the Eighth Replenishment document (AB-1704), it has been determined that the proposed program does not have the characteristics of a poverty-targeted operation and is not specifically directed toward women (paragraph 4.31).

**EXCEPTIONS TO
BANK POLICIES:**

The program does not entail exceptions to Bank policies.

**SPECIAL
CONTRACTUAL
CONDITIONS:**

- a. As a condition precedent to the first disbursement under the program:
 - (i) Evidence that the UEC staff has been hired (paragraph 3.13).
 - (ii) Presentation of the Annual Plan of Operations for components to be implemented by the Ministry of Justice (paragraph 3.20).

- b. As a condition precedent to the first disbursement for each component to be executed by the MPF, the MPD, and the Federal Board of Provincial Courts:
 - (i) Evidence that a subsidiary participation agreement has been signed (paragraph 3.10), and in the case of the agreement with the Board, that measures to ensure program sustainability have been included (paragraph 4.34).
 - (ii) Evidence that the staff of the UEC has been hired or designated (paragraph 3.16).
 - (iii) Presentation of the Annual Plan of Operations for the first year (paragraph 3.20).
- c. The contract would also include provisions to ensure proper monitoring and evaluation of the program (paragraphs 3.21, 3.23, 3.24, and 3.26), and the recognition and retroactive financing of expenses charged against the local counterpart (paragraph 3.29).

I. BACKGROUND

A. Frame of reference

1. Federal and provincial justice

- 1.1 **Judicial system.** Because of Argentina's federal structure, a Poder Judicial de la Nación [National Judiciary] (PJN) coexists alongside various provincial judicial systems. The National Constitution provides that the PJN is composed of the Corte Suprema de Justicia [Supreme Court of Justice] (CSJ) and national courts in the Federal Capital and provinces. The provincial constitutions in turn define the judicial structures within their territories, generally following the structure of the National Constitution. In each province, there is a provincial supreme court (sometimes called Superior Court of Justice), with provincial courts of appeal, courts of first recourse and, in some cases, communal justices and justices of the peace.
- 1.2 **Jurisdiction of the PJN.** The PJN has jurisdiction *ratione materiae* over legal actions concerning matters governed by the National Constitution, by national laws, by international treaties, and by interprovincial transportation and trade agreements. It has jurisdiction *ratione personae* for legal actions involving diplomatic personnel, a foreign State or citizen, ministers of the federal Executive Branch, and matters involving two or more provinces or their inhabitants. The PJN has jurisdiction *ratione loci* over cases originating in any territory subject to national jurisdiction. To date, the PJN has had jurisdiction over all common or ordinary judicial actions originating in the city of Buenos Aires.
- 1.3 **Jurisdiction of the provincial justice system.** Under the constitution, the provinces retain all power not delegated to the federal government. Provincial judicial systems have jurisdiction *ratione materiae* for matters governed by their own constitutions and provincial laws. *Ratione personae* they have jurisdiction in criminal, commercial, or civil cases exclusively involving their own provincial residents. They have jurisdiction *ratione loci* for acts originating in their respective provinces.
- 1.4 **Size and relative case loads.** The consolidated information available for the year 1992 ^{1/} indicates that the Argentine judicial system receives approximately 1.9 million cases each year. The national justice system handles one-third of these cases, with one fifth of the judges (3,095), and accounts for 30% of public spending on justice. That same year, Argentina allocated nearly

^{1/} See Fundación de Investigaciones Económicas Latinoamericanas, La Reforma del Poder Judicial en la Argentina, Buenos Aires, 1996.

twice the financial resources allocated by other countries such as the United States or Spain, accounting for 0.60% of GDP. Judges in the latter two countries handled 50% more cases than the judges in Argentina, with only 60% of the support staff for each judge. This suggests that there is considerable room for improvement in the Argentine justice system. Indeed, the diagnostics performed indicate that about 70% of a judge's time goes to solving administrative problems, time which could be used to resolve cases.

2. The constitutional reform of 1994 and the national judicial system

- 1.5 **The objectives of the constitutional reform of 1994**, in respect of the justice system, were: (i) to reestablish balance between the branches of government, strengthening judicial independence; (ii) to reform the system for appointing and removing judges and magistrates; and (iii) to separate judicial and administrative functions to improve the efficiency of the system.
- 1.6 To accomplish these objectives, the reform altered the structure, function, and responsibilities of the agencies constituting the national Argentine justice system (see Annex I-1). The **structural** changes included establishment of the Consejo de la Magistratura [Council of Justice] (CM), and the Office of the Attorney General (Prosecution and Public Defense) was raised to constitutional rank and given administrative and financial autonomy. Today, the national justice system consists of: the Supreme Court of Justice (CSJ), the Office of the Attorney General, the Council of Justice, the Ministry of Justice (Executive Branch), the Legislative Branch, and the Procuración del Tesoro de la Nación [National Treasury Prosecutor's Office] (PTN).
- 1.7 With regard to **functions and responsibilities**, the reform: (i) changed the process for selecting and appointing federal judges and magistrates (until 1994, federal judges and magistrates were selected and appointed by the Executive Branch, subject to Senate agreement. Following the reform, responsibility for selecting federal judges and magistrates through public competitive selection was transferred to the Council of Justice, whose nominations are binding on the Executive Branch); (ii) entrusted the Council of Justice with overall management of the judicial career system; (iii) entrusted the Council of Justice with the administration of resources and execution of the justice administration budget, which had been responsibilities of the CSJ; and (iv) gave the city of Buenos Aires a new regime of autonomous government, under which it will be given responsibility for national justice in the Federal Capital, today under the PJN. The process of transferring this responsibility is now at the stage of discussion between the municipal and national governments, and is expected to take place next year.

3. The main problems of the national justice system

- 1.8 Recent public surveys show that justice administration ranks sixth, out of eight possibilities, on the scale of societal confidence, ahead of political parties and labor unions only. 2/
- 1.9 According to the diagnostics, 3/ Argentina's justice system is slow, highly congested, and not sufficiently accessible to the general public. The origin of these problems has been traced to several sources, such as institutional weaknesses in the response capacity of judicial bodies, ineffective procedural mechanisms, inadequate recourse to alternative dispute settlement mechanisms, and the lack of incentives for efficiency within the system - all of this set against the backdrop of a major transformation and redefinition of the justice system.

a. The process of defining the Council of Justice and institutional development of the Office of the Attorney General

- 1.10 Definition of the Council's structure is currently under legislative consideration. Until it is approved, and the Council formed, the work necessary to establish its administrative and financial units cannot be started. Once the Council is operating, activities to support its operation can be defined and there will be sufficient clarity to move forward in areas of priority for its members.
- 1.11 In the case of the Attorney General's Office, both the MPD and MPF are operating under a provisional regulatory framework in line with the constitutional mandate of 1994, the Organic Law that will regulate their new functions and organization. Thus far, the law has received only partial legislative sanction; however, the offices exist and are operating, so action can be taken to strengthen them.

(i) Public Defender's Office (MPD)

- 1.12 **Functions.** The main function of the MPD is to represent and defend, before judicial authorities, the interests of persons considered by the law to be minors, disabled, poor, or *in absentia*.

2/ The confidence ranking was as follows: the media (press); the Church; the Executive Branch; the education system; the Legislative Branch; justice administration; political parties; and labor unions.

3/ FIEL, Reform of the Judicial Branch in Argentina, Buenos Aires, 1996; and Terzano, M. and consultants; Reform of Justice Administration, IDF-Grant, Final report, four volumes, Buenos Aires, 1994.

Under the law, such defense is provided not only to persons without material resources, but also to those who, for any reason, are not represented by their own attorney. The main activities performed by public defenders are two: legal counsel and legal aid. 4/

1.13 **Workload.** In the last three years, the MPD's workload has increased substantially. In 1994, 1,806 cases were defended before the oral tribunals (65% of the total). By 1996, the figure had risen to 2,547 cases (70% of the total) without an increase in staff. Another aspect of the MPD's workload is the relative disproportion between the number of defenders and the number of prosecutors. In general, the ratio of public defenders to public prosecutors is on the order of one to three. Thus, while prosecutors try an average of 76 cases per year, the average for public defenders is 171. Moreover, an estimated 80% of all criminal cases tried in the national and federal courts are publicly defended.

1.14 **Main problems.** In contending with this increased workload, the MPD does not have the tools needed to ensure efficient administration and operation. First, the administrative infrastructure and procedures need to be modernized. Specifically, the following are lacking: organization and function manuals in the administrative, financial, and personnel areas, technical procedures, case monitoring systems to determine, for example, the case backlog; statistical data; and output indicators. The material conditions under which public defenders perform their work are inadequate. Most lack the most minimal computer and reference support. Finally, there are no long-term training policies, which affects the technical quality of the defense provided - particularly in the courtroom, where new skills are required.

(ii) Public Prosecutor's Office (MPF)

1.15 **Functions.** The MPF is the body responsible for representing and defending the public interest before the judiciary. To this end, the MPF acts as both the charging and prosecuting authority in judicial proceedings. Prosecutors are independent of the judges, but participate in the administration of justice. In criminal law, prosecutors seek punishment for the perpetrators of criminal acts. In other areas of the law (civil, commercial, labor, and administrative), they monitor the legality of the process, issuing opinions to the judges.

4/ Public defenders plead in the federal capital to the following courts: (i) National courts for juvenile, civil and commercial, economic, and criminal cases; and (ii) Federal courts for criminal, correctional, civil and commercial, and administrative cases. In the interior of the country they plead in oral proceedings to federal courts without distinction according to fields of law.

- 1.16 **Main problems.** Until 1994, the MPF was part of the nation's judicial branch. At the current time, the institution functions with an inherited regulatory framework that does not reflect its new juridical status as an independent agency. There are no internal regulations governing, for example, career and disciplinary systems, removal, replacement, and dismissal of prosecutors.
- 1.17 In recent years, the personnel structure of the MPF has grown substantially in response to the new requirements. This growth, however, has not been accompanied by the needed institutional development, particularly in the administrative, financial, and personnel areas. In the area of personnel, some of the staff come from other areas of the judicial branch and lack the training required to perform their duties. In addition, many of the officials perform functions without formal appointment. Also lacking is a complete inventory of buildings used by the MPF, which has made it difficult to separate its assets from those of the judicial branch.
- 1.18 Computer equipment and systems are needed to facilitate operational processes in the areas of administration, finance, budget, and human resources. There is no organized set of rules nor any compilation of prosecutor reports, reference material, or information needed to follow the cases. The lack of these information systems limits the effectiveness of the prosecutors. Finally, although there is a training center for prosecutors, its capacity is limited and it does not have an up-to-date program addressing their needs.

b. Alternative dispute settlement methods (mediation)

- 1.19 In 1995, Law 24.573 amended the national code of civil and commercial procedures, introducing mandatory mediation prior to the initiation of legal action, with the aim of lightening the courts' heavy case load. This law took effect on April 23, 1996, and expires April 23, 2001. 5/
- 1.20 Of the 33,000 cases handled as of December 1996, no agreement was reached in 48%. Agreement was reached in 31% of the cases, and the remaining 21% were dropped, because of non-appearance or other reasons. A year and a half after the law entered into force, it is necessary to evaluate its impact on court delays and congestion, its cost, the real time it represents for the system and parties to disputes, and the quality and quantity of the results.

5/ This system is based on an extensive list of mediators (2,100) consisting of lawyers with at least two years in the profession and a license issued by the ministry.

- 1.21 The problems initially detected include the following: (i) the low remuneration of mediators (incentives); (ii) the high rate of non-appearance by parties to the disputes; (iii) difficulties in notifying the parties; (iv) disparities in mediator qualifications; and (v) the legal aid obligation and the requirement that mediators be lawyers.
- 1.22 Community mediation is performed in Buenos Aires by offices of the National Ministry of Justice or Municipal Government of Buenos Aires. The Ministry has nine community mediation offices in operation since 1990, which to date have handled 14,000 cases with a settlement rate of 60%. The community mediation program of the municipal government began operations in May 1997 and is conducting its activities in 11 integrated community administration centers. Five additional administrative centers are planned. Unlike the mediation offices of the Ministry of Justice, where mediators receive a fee, mediators for the city of Buenos Aires operate ad honorem.

c. Information systems and crime prevention policies

- 1.23 The National Crime Policy Department (DNPC) of the Ministry of Justice, which has national responsibility in this area, has conducted a number of studies on criminal activity in several Argentine cities and in the Federal Capital, but does not have the consolidated information and research systems needed to generate data for use in prevention planning.
- 1.24 Information on the occurrence of crimes obtained from the police and judicial records is inconsistent, because different criteria are used to classify crimes. Statistical information is not collected and disseminated with the necessary frequency and is not very reliable, which makes decisions difficult. In the interior of the country, many of these statistics do not exist. These information deficiencies have prevented the DNPC from formulating an effective crime policy, given the multicausal nature of violence and the diversity and complexity of its determining factors.
- 1.25 The government considers it important to create an information system to establish prevention strategies and policies, beginning the work of surveying the five regions of the country with the highest levels of urban violence (the Federal Capital, Greater Buenos Aires, Córdoba, Rosario and Tucumán), before consolidating the system at the national level.

d. Access to justice for the accused and convicted

- 1.26 The Servicio Penitenciario Federal [Federal Penitentiary System] (SPF), under the authority of the Subsecretaría de Gestión Penitenciaria y Readaptación Social [Under Department for Penitentiary Administration and Social Rehabilitation] (SGPRS) of the Ministry of Justice, is the federal authority responsible for

custody and detention of the accused, and for the execution of prison sentences. As of August 1997, the number of prisoners within the federal penitentiary system totaled 6,126.

- 1.27 The main problems identified for the SPF is the large number of prisoners and inadequate communication between the various prisons, the National Department, and the courts. From the standpoint of access to justice, the lack of effective information and communication mechanisms and systems results in a delay of six to eight months between the time a judgement is received and final sentencing, causing unnecessary confinement of the prisoner. Delays in receiving reports from the Federal Capital courts alone affect approximately 45% of the prisoners.

e. Judicial defense of the State

- 1.28 The National Treasury Prosecutor's Office (PTN) is the authority responsible for ensuring that the interests of the State are properly represented in judicial proceedings brought by or against the State. For administrative and budgetary purposes, the PTN is part of the Ministry of Justice, although it is autonomous from a technical standpoint. The PTN coordinates the permanent legal services of the National Public Administration, centralized as well as decentralized.
- 1.29 As of June 1997, the State was involved in 219,000 cases as defendant, representing approximately US\$15.8 billion, and 479,000 cases as plaintiff, representing approximately US\$15.5 billion. Adding in cases with no determined monetary value, it is estimated that the potential liability could increase by another US\$20 billion.
- 1.30 In recent years, case recordkeeping has improved substantially. A donation from the Government of Japan (1994) was used to develop information systems to improve information on the cases and their status (in the various judicial offices as well as those of particular economic importance) and increase the PTN's oversight capacity.
- 1.31 Despite this progress, the large backlog of State cases poses problems for the PTN in terms of interaction with and oversight of the decentralized judicial offices, as well as internal management. In the first area, the PTN does not have the modern network information systems needed for integrated monitoring of cases and coordination of the various services. Information is transferred by diskette, the loading process is slow and cumbersome, and the interface is not user friendly. The system is a DOS application and cannot be integrated with other word processors. Given these characteristics the corps of attorneys have been reluctant to use it. In addition, less than 3% of the judicial offices transmit case information over networks. Even within the PTN itself, prosecutors lack integrated, modern systems for the development,

monitoring, control, and auditing of files, opinions, and briefs. Finally, the equipment is outdated, internally, externally, technologically, and functionally.

f. Judicial authorities at the provincial level

- 1.32 In 1994, combining efforts to improve provincial justice, it was decided to establish a Federal Board of Argentine Provincial Courts (Board). The Board has legal personality and is composed of 21 lower and higher courts. The Board has entered into cooperation agreements at national level (the national judicial, legislative, and executive branches 6/), and at the international level with the National Center for State Courts, the Federal Judicial Center of the United States, and with other tribunals and courts in Latin America.
- 1.33 In 1992, prior to establishment of the Board and with assistance from the USAID, the Centro de Estudios Judiciales de la República Argentina [National Center for Judicial Studies] (CEJURA), was created, and placed under the authority of the Fundación La Ley, for the purposes of providing technical support for provincial justice. 7/ Only 11 provincial courts signed bilateral agreements with CEJURA. In 1996, this project was discontinued when the USAID closed its operations in Argentina, there being no alternative financial mechanism or institutional structure to give it continuity.
- 1.34 To improve justice administration at the provincial level, institutional mechanisms for coordination must be supported. Despite the best intentions of its members, the Board's activities have been limited by the lack of interprovincial communication and dissemination technology and inadequate financial resources to effectively exchange experiences, study common problems, and conduct training activities. Given its ability to elicit the active participation of its members, the Board constitutes the most effective tool for promoting change and disseminating information on successful practices, thus maximizing the use of resources. Consequently, it has been proposed that the Institute for the Improvement of Provincial Justice (IMJP) be established as part of the Board.

6/ To support the efforts to modernize provincial justice, the national government, in 1996, entered into an agreement with the Board, entitled la Rioja Federal Declaration. This declaration stresses the need for cooperation and coordination among the branches of government, without altering the independence of provincial justice.

7/ CEJURA performs such tasks as: the publication of comparative studies, opinion surveys on justice administration, and the creation of a personnel data bank and entities linked with the justice system, inter alia.

g. The regulatory framework

- 1.35 At the national level, there are approximately 25,000 approved laws. Many have introduced changes that have not been incorporated and consolidated within the existing legal framework, contributing to "legal insecurity". This abundance of legislation renders the administration of justice difficult, and prevents uniform application. Legislation that has been explicitly derogated has been identified, but the practice of implicit derogation ("supersedes all contrary provisions") compromises the partial or full effect of regulations, since their validity cannot be fully ascertained.
- 1.36 In 1981, the Department of Legal Data Bases of the Ministry of Justice developed a consolidated legal document reference system, (Sistema Argentino de Informática Jurídica-SAIJ). This system has since been modernized, operationally and technologically, with assistance from the Italian government (1981) and World Bank (1992). 8/
- 1.37 With the information on legal provisions organized, systematized, updated, and published, the next step is to clean up the files of current legislation to ensure the following: (i) validity (ensuring that all of the provisions derive from provisions of higher authority); (ii) effectiveness (ensuring that the general rule has been translated into individual concrete provisions); (iii) current applicability (clarifying the situation regulated and the date on which the provision entered into force); (iv) interpretation (ensuring conceptualization of the concrete case); and (v) security. In addition to this cleanup exercise, it is important to improve the quality of the new legal provisions and minimize ambiguity in the regulatory texts, by preparing and distributing a technical legislative manual.

8/ The data base available in the SAIJ contains files on: (i) all general and objectively applicable national legislation (3,389 laws, decree-laws, and international treaties published in the Official Journal; (ii) national legislation summary (22,978 references to laws, without complete text); (iii) derogated national legislation (1,378 laws, with full text); (iv) current provincial legislation from provinces participating in the system; (v) summarized and derogated provincial legislation; (vi) national decrees (3,902 general decrees issued since 1975); (vii) case law; (viii) opinions issued by the PTN; (ix) scholarly legal commentary (summaries of legal articles published in the major specialized reviews; and (x) legal provisions harmonized by the Mercosur countries.

4. Strategy for progress with judicial reform

- 1.38 Reform of the justice system is viewed by national authorities as a condition necessary to ensure the country's sustained economic growth and development. A lack of regularity, efficiency, and effectiveness in the mechanisms for applying the law is seen as undermining juridical security and compromising economic growth. Accordingly, it is proposed that all reforms of the sector should include measures to strengthen juridical security to guarantee that the current order will be maintained, and that the laws will be known, understood, applied only to acts performed subsequent to their enactment, and at the same time, clear and respected by those who are empowered to enforce them.
- 1.39 In this context, reform of the justice system is conceived as a continuous process of transformation and modernization of its component parts, in order to ensure the rule of law. The strategy proposed has identified specific, targeted measures that can be taken in the near term with immediate results, as well as measures whose impact will take longer to be felt. To make progress in implementing this strategy and initiating the process of reform, it has been decided to proceed with an operation addressing specific problem areas. This will produce an effect visible to the public in terms of the effectiveness of the changes introduced and, at the same time, create the operational basis and coordination necessary for subsequent, more wide-ranging operations.
- 1.40 The process of identifying problem areas in the various national justice system components, and of prioritizing specific problems, was carried out by means of a diagnostic of each entity. ^{9/} This process was conducted through a joint effort of authorities participating in the system and the Bank, which financed a technical-cooperation operation to provide specialized consulting services to these entities in support of this work.
- 1.41 The activities included in the proposed program meet four or more of the following selection criteria: (i) contribute to implementing the constitutional reform of 1994; (ii) produce a demonstrator effect; (iii) be reproducible; (iv) not require a legislative approval for execution; (v) be applicable immediately at the federal level and eventually at the provincial level; (vi) be defined and quantifiable with success criteria and reference indicators; (vii) be financially sustainable; and

^{9/} This exercise was not performed for the Supreme Court of Justice (CSJ) since, although the relevant information was available, the World Bank is supporting an operation specifically in that area. The Council of Justice was also excluded from this exercise, because it does not yet exist operationally; the Federal Board of Provincial Courts, which would be participating in the program, was included.

(viii) have the institutional commitment of the beneficiary entity, within its field of responsibility, to implementation of the program.

B. Participation and experience of the Bank

1. Participation of the Bank

- 1.42 The operating strategy for the Bank's activities in Argentina assigns priority to activities in the following three basic areas: (i) continue and consolidate modernization of the State; (ii) reduce poverty and raise living standards, and (iii) improve productivity and the competitive position of the national economy. The program proposed in this document is consistent with the strategy, since it would further the process of reform and modernization of the State, specifically with respect to the justice system.
- 1.43 Bank participation in financing for the proposed program will provide support for an initial joint effort to reform the judicial branch nationally with the participation of the other branches of government, in a coordinated fashion, but with the necessary independence. This would ensure a comprehensive vision of the process and a parallel institutional development to accompany the reform process. In addition, it would help to disseminate best practices among the provincial judicial systems, with a specific component to that effect.

2. The experience of the Bank

- 1.44 As of this writing, the Bank has not financed support operations for judicial reform programs in Argentina. The program of support for comprehensive reform in the Province of Mendoza (AR-0209), under negotiation, would be the first Bank operation including a component supporting the provincial judicial branch. This program seeks to strengthen the provincial supreme court of justice and improve the quality and coverage of provincial judicial services. The Bank is expected to continue supporting the sector within each province. However, although the present program would be almost entirely devoted to strengthening the national justice system, a component has been included, to be executed by the Federal Board of Provincial Courts and the Superior Courts of Justice, to promote dissemination of best practices and advances made at the national level.

C. Participation and experience of other agencies

- 1.45 The World Bank financed a descriptive diagnostic of justice administration at the federal and provincial levels, identifying the main problems of the system, which coincide with those listed

above, 10/ but has not participated in financing loans for the country's justice system. For 1998, the IBRD has included an operation that would support execution of the pilot experiments to streamline the prosecution of cases before the CSJ. The pilot program would cover three judicial districts (Mar del Plata, Resistencia, and Social Security in the Federal Capital) and would have an estimated cost of US\$5 million. The Bank's project team has coordinated its actions with the IBRD team to complement that effort.

- 1.46 From 1989 to 1995, **USAID** provided support for modernization of the Argentine justice system through activities for consensus building, code reform, the introduction of alternative dispute settlement systems, and judicial training. USAID's experience in Argentina as well as other countries suggests the approach to judicial reform should be gradual and selective. 11/

10/ Terzano, M. and consultants: *Reforma de la Administración de Justicia*, IDF-Grant, Final report, 4 volumes, Buenos Aires, 1994.

11/ Blair, H. and Hansen, G.: *Weighing in on the Scales of Justice, Strategic Approaches for Donor-Supported Rule of Law Programs*, USAID Program and Operations Assessment Report No. 7, USAID, 1994.

II. THE PROGRAM

A. Objective

- 2.1 The objective is to support reform of the justice system by financing targeted, catalyzing projects, suitable for replication, to help change and modernize the justice sector. These projects will contribute to the development of a more reliable and independent justice system that is efficient as well as accessible.

B. Goals

- 2.2 The main goals of the program are: (i) establish a system to record and monitor cases for the 108 judicial offices and 30 delegations in the interior, installed and accessible via Internet by the end of the second year; (ii) increase the annual number court cases filed by the MPF by 30%; (iii) have the results of applying mandatory pre-trial mediation (strengths and weaknesses) by the end of the second year, with recommendations for adjustments in the system; (iv) increase the total supply of public defense and counsel by approximately 70% in four years; (v) have an annual strategic document for four years, on crime prevention in the five urban areas with the country's highest crime rates (Federal Capital, greater Buenos Aires, Córdoba, Rosario, and Tucumán) for distribution; (vi) reduce delays in the receipt of judgements and final sentencing from eight months to 30 days over a period of four years; (vii) promote best practices in the administration of justice and model experiences at the provincial level; and (viii) have a compendium of all national legislation in force for consultation in the SAIJ by the third year.

C. Description

- 2.3 In pursuit of the program objective and goals, support would be provided to activities grouped in three subprograms: (i) legal protection; (ii) design and implementation of crime prevention and judicial access policies; and (iii) provincial justice and legal compendium. ^{12/}

1. Legal protection (US\$4,311,000)

- 2.4 The subprogram would include two components: (i) strengthening of the National Treasury Prosecutor's Office (PTN); and (ii) strengthening of the Public Prosecutor's Office (MPF).

^{12/} The terms of reference for the consulting services, the technical specifications for the goods, and a cost and financing breakdown, by investment category, are available in the program technical files.

a. Strengthening of the National Treasury Prosecutor's Office (PTN) (US\$1,530,000)

- 2.5 The purpose of this component is to improve the State's ability to defend itself in judicial proceedings through modernization of the State's caseload management and training for PTN staff and attorneys.
- 2.6 The component would include the development of: (i) an integrated justice administration system; and (ii) an internal information system for the PTN.
- 2.7 The integrated justice administration system includes: (i) modernization of the system for recording and monitoring judicial proceedings (modification of the solution and adaptation for a new platform, expansion of coverage, development of the new platform, ongoing application of the solution); (ii) training in the systems to be introduced, including a "digital conference room"; (iii) the communications network (via Internet) with the decentralized judicial systems; and (iv) computer equipment (hardware, software, peripheral devices) required for the judicial system offices.
- 2.8 Development of the PTN internal systems includes: (i) redesign (reengineering) of the processes; (ii) development of the PTN internal network (design and connection of the network, supply of hardware, office applications); and (iii) development of specific applications for the various areas of the PTN (judgements, preliminary proceedings, internal administration, internal case monitoring, library control).

b. Strengthening of the Public Prosecutor's Office (MPF) (US\$2,781,000)

- 2.9 The objective of this component is to strengthen the capacity of the MPF to defend the interests of society in judicial proceedings.
- 2.10 The component would include: (i) regulatory development; (ii) strengthening of administrative, financial, and human resource management; (iii) development and installation of information systems; and (iv) training.
- 2.11 Regulatory development includes support for the development of rules governing the career, disciplinary, and procedural systems for the prosecutors; the replacement and dismissal system; and the regulations for the Office of the National Prosecutor for Administrative Investigations [Fiscalía Nacional de Investigaciones Administrativas] (FNIA).
- 2.12 Strengthening of administrative and financial management would include: (i) a survey of the existing structure; (ii) definition of alternative organizational models, including alternatives for

contracting with third parties; (iii) a proposed functional organizational structure for the Financial Administration Department [Dirección General de Administración Financiera] (DGAF) and its staff; (iv) development of an accounting plan for the integrated system of budget administration; (v) development of position profiles and a hierarchical structure; and (vi) development of the related manuals. With regard to human resources, the following measures would be taken: (i) survey of the existing structure; (ii) definition of alternative organizational models; (iii) a proposed functional organization structure and internal organization plan for the area; (iv) proposal for reengineering of internal processes; (v) the development of position profiles and a hierarchical structure; (vi) support for the design of personnel policies; and (vii) the preparation of personnel manuals.

2.13 The development and installation of information systems would include: (i) information systems for the areas of financial administration and budget; (ii) a case monitoring system; (iii) a judicial information system (judgements); (iv) a management information system to monitor the quality of the institution's service; and (v) purchase of computer equipment in addition to that already in place.

2.14 Training would consist of: (i) strengthening of the training center, including the design of curriculums; (ii) specific courses (criminal law, human rights, crime research systems, and new forms of crime).

2. Support for the design and execution of crime prevention and judicial access policies (US\$6,232,000)

2.15 The subprogram would include four components: (i) mediation; (ii) public defense; (iii) formulation of crime prevention policies; (iv) computerization of the penitentiary system.

a. Mediation (US\$284,000)

2.16 The aim of this component is to evaluate the development of mediation as an alternative dispute settlement method.

2.17 To be executed by the Ministry of Justice (through the National Department of Alternative Dispute Settlement Methods), the component would include a comprehensive evaluation of experience with the mediation requirement established in 1995 (Law 24.573) and that of the Municipal Government of Buenos Aires with community mediation.

- 2.18 Evaluation of experience with the pre-trial mediation requirement would include: (i) analysis of the results of mediation; 13/ (ii) study of the legislative and regulatory system, including an evaluation of the mandatory character of legal counsel in the process and the requirement that the mediator be a lawyer; (iii) studies on mediator training, minimum content and levels of training, evaluation of the training entities; (iv) opinion of users; and (v) formulation and organization of a mediation trainer training program.
- 2.19 Evaluation of community mediation would include: (i) analysis of the community mediation program, especially in the area of academic mediation; (ii) design of a community training program; and (iii) community mediation trainer training.

b. Public defense (US\$2,752,000)

- 2.20 The aim of this component is to better defend the rights of, and access to justice for, low-income population segments.
- 2.21 The component would include: (i) institutional and technical strengthening of the Public Defender's Office; (ii) development and installation of information systems; and (iii) training of professional and administrative staff.
- 2.22 The institutional and technical strengthening activities would consist of: (i) reform of the current structure, including the creation of new departments (technical support, statistics, the superintendency of penitentiaries), modification of the training and data processing structures and establishment of a high-level coordination body (Institutional Coordination Council); (ii) the development of manuals for organization, functions, administrative procedures, finance, and personnel; 14/ (iii) preparation of a compendium compiling current provisions, rulings, and internal decisions relevant to the Public Defender's Office, as well as proposals to change and consolidate the legal and regulatory framework.

13/ This analysis would include the number and frequency of cases; duration, results, cost, and financing of the system; incentives and level of satisfaction of mediators, attorneys, and parties; effects on the judicial caseload; financing of the system; effects on judicial processing and delays; level of voluntary compliance with the agreements; effects on alternative private mediation; and a survey of private mediation services.

14/ Need for the following manuals has been identified: communication reception desk, supplies, administration of assets, maintenance, budget, cash management, accounting, payments, liquidations; selection, appointment, and career development, sanctions and dismissals.

- 2.23 The development of information systems would include: (i) strengthening of the computer department by expanding its field of activity to administration of the local network, assigning it support responsibilities for all of the institution's computer resources, supervising training, and establishing national-level "help desks"; (ii) development and introduction of management control systems (including administration, finance, personnel, and executive information systems); (iii) development and introduction of a decentralized case monitoring system to replace the current case record books, including consultation with respect to basic data for each case, as well as facts and procedural deadlines; (iv) the purchase of equipment (servers, local networks, software, and communications) for management, the administrative offices and the Public Defender's offices. It is estimated that upon completion of the project, networks will be in place for approximately 25% of the Public Defender's offices and individual computers will be provided for the rest.
- 2.24 The training activities would include: (i) 10 change-management workshops, with a view to systematizing processes and controlling management, for 160 public defense attorneys; (ii) an annual "public defender's course", for 20 public defense attorneys, each on specific technical problems; three courses (total) for public defense attorneys pleading before the Supreme Court;; 10 courses and four refresher workshops for public defenders in the interior of the country and five courses for public defenders in the capital; and (iii) the design and introduction of a distance-learning system starting the second year. The program would also finance the consulting services needed to perform the training activities.

c. Formulation of crime prevention policies (US\$2,454,000)

- 2.25 The aim of this component is to strengthen the information systems needed to design and execute crime prevention policies and programs.
- 2.26 The component would include: (i) strengthening of the technical capacity of the National Crime Policy Department (DNPC); (ii) support for the design and implementation of information systems for crime prevention; and (iii) equipment.
- 2.27 Strengthening of the DNPC would include specialized consulting support to improve: (i) capacity for crime prevention policy formulation; and (ii) analysis of statistical information and improvement of the quality management and control systems for this information. This support would include training for department staff in information systems, statistics, and criminology.
- 2.28 The development and introduction of information systems is intended to help in the formulation of prevention strategies through the timely capture of data on urban crime. Victim and attitude

surveys, the compilation of judicial cases, and the establishment of an early alert system would be carried out for this purpose. The victim and attitude surveys and the compilation of judicial information would be performed in the five areas with the highest incidence of urban violence in the country (Federal Capital, Greater Buenos Aires, Córdoba, Rosario, and Tucumán). This series of instruments would be linked with geographic information systems.

- 2.29 The victim surveys would help to quantify and characterize crimes that are not reported; disseminate this information to the government, police, media, NGOs and the community at large; and provide a scientifically valid data base for decision making. An annual survey would be conducted for three years with a sampling of 7,800 cases.
- 2.30 The survey on attitudes and behavior in respect of violence would follow the PAHO methodology (ACTIVA), with questions on domestic violence. This survey would be used to identify patterns of attitude and behavior with regard to crimes and violence for use in developing prevention programs. A survey will be conducted at the start of the program in the five cities mentioned above, with a sampling of 2,700 persons.
- 2.31 The comprehensive compilation of court cases will provide a base of reliable information on crimes tried in court (mainly felonious homicides, armed robbery, and drug use and trafficking) showing trends of concern to the authorities. Two such compilations are planned.
- 2.32 The establishment of an early alert and analysis system would provide timely, reliable, and systematic information on felonious homicides and traffic accidents. These acts would be periodically mapped, the information would be used in decision-making, and the results would be disseminated. The financing includes resources for installation of the necessary systems (computer equipment and software).

d. Computerization of the penitentiary system (US\$742,000)

- 2.33 The aim of this component is to facilitate access to justice for the accused and convicted by developing information systems for the observance of prisoners' rights and monitoring of prison terms.
- 2.34 The activities would be carried out by the Under Department for Penitentiaries and Social Rehabilitation of the Ministry of Justice, and would include the improvement of judicial and penitentiary administration by providing the necessary equipment and software.
- 2.35 Improvement of judicial administration would include the design and introduction of information systems on the situation of prison inmates for responding to queries from judges, prosecutors, and

defense attorneys. The system would include timely information on the legal situation of the cases, the main dates and facts in the case (completion of sentence, changes in legislation affecting its application, conditional liberty), the type of crime, pending cases, the jurisdiction for each case, the situation, of transfers, and developments in the system of imprisonment. The system will also include the development of early warning instruments for circumstances altering the prisoners' situation to ensure compliance with the legal terms. Finally, the system would promote a proactive approach for courts seeking information, thus improving communication and interaction. The component includes training activities to ensure proper implementation and management of the systems indicated above and the computer equipment and software required.

- 2.36 The information system will also be used to follow the medical condition of inmates carrying diseases requiring complex treatment to ensure comprehensive health service for inmates and penitentiary officers. Sound human resource management is indispensable for the effective administration of penitentiary medical treatment.

3. Provincial justice and legal compendium (US\$4,292,000)

- 2.37 This subprogram would include two components: (i) improvement of provincial justice; and (ii) the legal compendium.

a. Improvement of provincial justice (US\$2,264,000)

- 2.38 The objective of this component is to support the modernization of justice administration in the provinces.
- 2.39 To be conducted by the Federal Board of Argentine Provincial Courts (Board), this component would also include support for the establishment of an Instituto para el Mejoramiento de la Justicia Provincial [Institute for the Improvement of Provincial Justice] (IMJP) within the Board, ^{15/} in addition to the following activities: (i) training; (ii) dissemination of best practices and model experiences; and (iii) studies.
- 2.40 The training activities to be assumed permanently by the Institute once execution of this component has been completed include: (i) technical assistance for judicial schools through periodic visits by specialized consultants; (ii) the organization of five legislation refresher seminars for judicial staff each year in each of the five regional areas; (iii) training of judicial experts and

^{15/} Since the cost of creating and operating the IMJP relates to the Institute's staff, which will also support execution of the activities described in this component, it was decided to consider these costs as program execution costs. Nonetheless, they would be covered by the IMJP once the operation is completed.

auxiliaries at the Board's headquarters in 15 specialized areas each year; (iv) two annual refresher courses on high social impact issues (environmental protection, women, ethnic minorities) for judges of the Board's member courts; and (v) financing for the teaching materials and dissemination costs required for training activities.

- 2.41 The following activities will be conducted to disseminate best practices and model experiences for provincial justice: (i) the development of model ethics codes for the provincial justice systems; (ii) the promotion of access to justice, including feasibility studies for the establishment of smaller jurisdictions, improvement of justices of the peace, and definition of alternatives for the organization of public defense systems; (iii) judicial administration, which includes the development of proposals to restructure the administrative, financial, and human resource areas; the design of organizational and operational models for courts and their application in a pilot experiment; the development of model security systems for the management and control of cases, documents, and evidence, and the definition of criteria for the selection and supervision of judicial experts and auxiliaries; (iv) statistics, which includes a survey of minimum needs for statistical information in each of the jurisdictions, the design of common and basic model software, and the definition of standards for judicial output and productivity; (v) court congestion and delays, which includes an analysis of causes of delay in the provinces, the formulation of recommendations, and the development of a pilot experience in this area; (vi) data processing, which includes a survey of the courts' computerization needs, analysis of alternatives for communication among them, the design of a common model for case-flow management in each court, and the development of a data base of judicial experts.
- 2.42 To provide incentives for the adoption of best practices, the program will finance regional annual awards in recognition of judicial excellence for courts successfully applying one or more of the models indicated above. These awards will be administered by the Board and issued in accordance with rules to be defined by the Board.
- 2.43 The component includes the following studies: (i) feasibility study for the creation of a federal judicial school for the provincial courts and other training alternatives; (ii) surveys of direct users of the system on the operation of provincial justice; (iii) study on the Board's computerization needs; and (iv) development of bidding specifications and detailed terms of reference for hiring the consulting firms.

b. Legal compendium (US\$2,028,000)

- 2.44 The aim of this component is to contribute to juridical security by establishing a legal compendium compiling national legislation in organized, classified, and consolidated form (approximately 25,000 laws).
- 2.45 To be conducted by the Department of Legislative Affairs with the participation of the Department of Juridical Data Bases and the National Department of the Official Journal of the Ministry of Justice, the component would include: (i) the formation of working groups composed of individuals and organizations for each of the identified issue areas; 16/ (ii) the preparation of a basic topic index; (iii) the compilation and classification of legal provisions, including selected case law and scholarly legal commentary; (iv) epistemological analysis and verification of the information, including implicit derogations, gaps, contrary provisions, contradictions, etc.; (v) analysis of the substantive codes; (vi) harmonization of texts; (vii) organization of two seminar-workshops to discuss the results; (viii) development of a legislative procedural manual; (ix) publication of the compendium and manual on CD ROM; and (x) development of on-line data bases using the information existing in the SAIJ.

4. Execution costs (US\$3,246,000)

- 2.46 The execution costs relate to: (i) hiring of consulting services and procurement of minimum equipment necessary to set up the Program Central Executing Unit (UEC), in the Ministry of Justice, whose responsibility will be to coordinate and administer the execution of the operation; and (ii) financing of support consulting services and the Sectoral Executing Units (UES) to be set up for execution of the components outside of the Ministry's area of responsibilities.
- 2.47 Financing will be provided, as an execution cost, for the UEC team and its five consultants to be hired in accordance with the terms of reference agreed upon for each of the members, which can be found in the technical archives of the program (paragraphs 3.12 and 3.13).
- 2.48 For execution of the components in the entities outside the Ministry of Justice, the analysis indicates a need to support the

16/ The tentatively identified issue areas are: labor and social security, health and social welfare, education and culture, natural resources, industry and commerce, public works and services, interior and defense, justice and constitutional matters, foreign trade, and taxation and finance. This list could be changed according to the conclusions reached in preparing the Basic Issue Index.

respective UESs with additional consulting services to complement current staff, ensuring that each of the components is executed efficiently. Accordingly, three consultants would be hired for the MPF strengthening component, and four for the MPD component (paragraph 3.15).

- 2.49 In the specific case of the Board, since support would be provided for the creation and operation of the Institute for the Improvement of Provincial Justice (IMJP), the three consultants who would form the Institute's structure are treated as execution costs for the purposes of the program (paragraphs 3.15 and 4.34).

D. Cost and financing

- 2.50 The cost of the program would total US\$21 million, of which US\$10.5 million would be financed by the Bank and US\$10.5 million from the local counterpart (the National Budget). The following table summarizes the program costs and financing sources by component in thousands of dollars.

ESTIMATED PROGRAM COSTS

SUBPROGRAMS	EXECUTOR	Total by Fund (in thousands of US\$)			
		IDB	Local counter-part	Total	% Total
1.0 LEGAL PROTECTION		2,156	2,155	4,311	20.5
1.1 National Treasury Prosecutor's Office	Min. Justice	765	765	1,530	7.3
1.2 Public Prosecutor's Office	MPF	1,391	1,390	2,781	13.2
2.0 CRIME PREVENTION AND JUDICIAL ACCESS POLICIES		3,116	3,116	6,232	29.7
2.1 Mediation	Min. Justice	142	142	284	1.3
2.2 Public defense	MPD	1,376	1,376	2,752	13.1
2.3 Formulation of crime prevention policy	Min. Justice	1,227	1,227	2,454	11.7
2.4 Computerization of the penitentiary system	Min. Justice	371	371	742	3.6
3.0 PROVINCIAL JUSTICE AND LEGAL COMPENDIUM		2,379	1,913	4,292	20.4
3.1 Provincial justice	Board	1,365	899	2,264	10.8
3.2 Legal compendium	Min. Justice	1,014	1,014	2,028	9.6
4.0 EXECUTION COSTS		1,695	1,551	3,246	15.5
4.1 Central Executing Unit (UEC)	Min. Justice	792	648	1,440	6.9
4.2 Sectoral executing units					
- UES: MPF	MPF	288	288	576	2.7
- UES: MPD	MPD	312	312	624	3.0
- UES: Provincial justice	Board	303	303	606	2.9
5.0 CONTINGENCIES		1,049	5	1,054	5.0
6.0 FINANCIAL COSTS		105	1,760	1,865	8.9
- Interest			1,635	1,635	
- Credit fee			125	125	
- Supervision and monitoring		105		105	
Total		10,500	10,500	21,000	100.0
% Fund/program		50.0	50.0	100.0	

2.51 The Bank's contribution to the project (US\$10.5 million) will be charged to the dollar window of the ordinary capital (OC) in accordance with the conditions shown in the adjacent table.

Source:	OC
Amount:	US\$10.5 million
Amortization period:	20 years
Grace period:	4 years
Disbursement period:	4 years
Interest:	Variable
Supervision and monitoring:	1% of the loan
Credit fee:	0.75% of the undisbursed balance

III. PROGRAM EXECUTION

A. Borrower and executing agency

- 3.1 The general executing agency for the program will be the National Ministry of Justice, through a central executing unit (UEC), under the authority of the Department of Legislative Affairs. In addition to the Ministry, the following entities will act as direct executors, within their respective areas of responsibility and with the appropriate degree of autonomy and independence: the National Treasury Prosecutor's Office (PTN), the Public Prosecutor's Office (MPF), the Public Defender's Office (MPD), and the Federal Board of Argentine Provincial Courts (Board).

B. The executors

1. Ministry of Justice

- 3.2 The following departments of the Ministry of Justice will participate in program execution: the Department of Technical and Legislative Affairs (for the Legal Compendium and institutional coordination); the Under Department for Penitentiary Administration and Social Rehabilitation (for computerization of the penitentiary system); the National Crime Policy Department (for the formulation of crime prevention policies); and the National Department of Alternative Dispute Settlement Methods (for the mediation component). All purchases and contracts for the various components within the Ministry will be handled by the UEC. Technical supervision, approval of the services hired and goods purchased, and the monitoring of activities will be the responsibility of each of the ministerial departments concerned.

2. The National Treasury Prosecutor's Office (PTN)

- 3.3 The PTN will be responsible for executing the component to strengthen the PTN, but all purchases and contracts pertaining to the PTN component will be the responsibility of the UEC. To conduct the activities indicated, a working group of PTN officials will be set up, reporting to the National Treasury Prosecutor and assisted by two deputy prosecutors; the five national departments for Rulings, Judicial and Fiscal Affairs, Preliminary Investigations, Auditing, Technical and Administrative Coordination; and the Escuela del Cuerpo de Abogados del Estado [School of State Attorneys] (ECAE). The PTN's staff is composed of 215 officials (135 lawyers and 80 administrative staff). The Cuerpo de Abogados del Estado [State Attorneys Corps] (CAE) totals 3,000.

3. The Public Prosecutor's Office (MPF)

- 3.4 The MPF will be responsible for executing the MPF strengthening component. For this purpose the Prosecutor General has entrusted the Public Prosecutor before the CSJ with management of the UES staff to be appointed within the MPF. The administrative organization of the MPF includes the following: (i) the Office of the Prosecutor General; (ii) four prosecuting attorneys (public law, private law, and two for criminal law); (iii) The Office of the Attorney General; (iv) the coordination department; (v) the department of studies and training; (vi) the office of the coordinator of the deputy prosecutors; and (vii) the department of administration, finance, and human resources, with two separate units for administration and human resources. The Public Prosecutor's Office has a staff of 300 prosecutors in the Federal Capital, 180 prosecutors in the interior of the country, and direct support from 1,300 professionals and 620 administrative and general service employees.

4. The Public Defender's Office (MPD)

- 3.5 The MPD will be responsible for execution of the public defense component. A UES will be set up for this purpose and will report to the National Public Defender. The MPD is divided administratively into six main areas: (i) the Office of the National Public Defender; (ii) the Department of Superintendency and Management; (iii) the Department of Juridical Affairs and Institutional Relations; (iv) the Criminal Appeals Chamber Division; (iv) the National Supreme Court of Justice Division; (v) the Federal Capital Division; and (vi) the Interior Division. The MPD employs 735 officials: 168 public defenders; 4 magistrates; 14 functionaries; and 450 staff. These human resources are distributed among the 149 Public Defender Offices and 12 Advisory Offices engaged in judicial proceedings at the national and Buenos Aires municipal levels (55 Public Defender Offices and 12 Advisory Offices); Federal Justice in the capital (7 Public Defender Offices); and Federal Justice in the interior of the country (87 Public Defender Offices).

5. The Federal Board of Provincial Courts

- 3.6 The Board will be responsible for execution of the component for the improvement of provincial justice. A UES will be set up for this purpose and will report to the Board's Executive Committee. The Board is a legal entity composed of 21 provincial courts and tribunals. Its objectives, among others, are to preserve and consolidate the independence of the provincial judicial authorities; coordinate in the exchange of experiences, information, and ideas; promote and organize seminars, conferences, courses and meetings; promote the publication of studies and the dissemination of specific information of value to its members.

- 3.7 The Board consists of: (i) the Assembly, which is the supreme governing body, responsible for matters of general institutional importance; and (ii) the Executive Committee, which represents the Board and implements the Assembly's resolutions.

C. Implementation strategy

- 3.8 The proposed execution mechanism takes into account the fact that the program will cover areas under the responsibility of separate entities within the judicial system. Given the importance of independence for the various participating jurisdictions, an execution plan has been developed to allow for swift and efficient coordination while at the same time respecting the prerogatives of each entity to execute its respective component directly. The plan proposed avoids subjecting the decisions of any of the executors to a central unit, while at the same time maintaining a single channel of communications with the Bank.
- 3.9 The program execution mechanism has been defined using the criteria of simplicity and transparency to ensure efficient operation.

D. Organization for execution

- 3.10 Plans for program execution call for the establishment of a central executing unit (UEC) which will function in the Ministry of Justice, ^{17/} and three sectoral executing units (UES), responsible for executing the activities within their jurisdiction (MPF, MPD, and the Board). As a condition precedent to the first disbursement for the components administered outside of the Ministry of Justice, evidence must be provided that a subsidiary participation agreement has been signed between the Ministry of Justice and each administering agency, including a clause committing the parties to a mechanism for settling disputes (the model subsidiary agreement is available for inspection in the program technical files).

1. Central Executing Unit (UEC)

- 3.11 The UEC will be responsible for administration of the program, serving as a nexus between the UESs and the Bank. The UEC will be assigned to the Department of Technical and Legislative Affairs of the Ministry of Justice.

^{17/} The Ministry of Justice has experience in executing other projects with external financing such as: technical and administrative reconversion of the SAIJ (with the World Bank), the program for monitoring judgements against the State (donation from Japan); study of the state of federal justice in Argentina (World Bank donation); and training program for judges and university professors on oral argument in criminal proceedings, among others.

- 3.12 The main functions of the UEC will be: (i) to support the fulfillment of all conditions precedent to the first disbursement of the loan; (ii) to support execution of the components within the Ministry of Justice (strengthening the PTN, mediation, formulation of crime prevention policies, computerization of the penitentiary system, legal compendium); (iii) to support the preparation and signature of subsidiary agreements for the participation of agencies outside the Ministry of Justice (MPF, MPD, and the Board); (iv) to provide administrative and supervisory support for UESs in the agencies outside the Ministry, ensuring that the program is executed in accordance with the provisions agreed upon by the IDB and the national government (Ministry of Justice); and (v) to effect the payments requested by the UESs for the procurement of goods and services required for their respective components.
- 3.13 To fulfill its functions, the UEC will be staffed by: a general manager, an executive assistant, a chief of operating unit and procurement coordination, a chief of administrative and financial unit, and an accounting assistant, in addition to two secretaries. As a condition precedent to the first disbursement of the program, evidence must be provided that contracts have been signed with the UEC personnel.

2. Sectoral Executing Units (UES)

- 3.14 A UES will be set up in each of the participating agencies outside the jurisdiction of the Ministry of Justice. The structure and staffing of the UESs have been conceived in each case taking into consideration the activities to be conducted and the need to supplement existing staff in each agency.
- 3.15 In the case of the MPF, a project manager, a financial manager, and a legal and procurement assistant will be hired. In the MPD, general coordinators will be hired for the component, the information systems area, and the training area, supported by an administrative assistant. Finally, in the case of the Board, an executive coordinator, a chief of operating unit, and a chief of administrative-financial unit will be hired.
- 3.16 As a condition precedent to the first disbursement of the components to be executed by these units, evidence must be provided that the UES staff have been hired.

E. Operational procedures

- 3.17 Execution of the various program activities will be conducted in accordance with the implementation strategy indicated. All procurement of consulting services and goods necessary to conduct each program component will be in accordance with the terms of reference or technical specifications defined for each component.

- 3.18 To develop the program activities, each UES would be responsible for executing its respective component and in particular: (i) defining and developing the annual operating plans (AOP); (ii) preparing and organizing competitive bidding, selecting candidates, and awarding contracts in accordance with Bank rules and procedures; (iii) providing the UEC with all documentation on the competitive bidding process; (iv) approving the reports of the consulting services and preparing follow-up reports; and (v) requesting payments from the UEC for goods and services received, indicating acceptance of the work performed.
- 3.19 The UEC must in turn: (i) receive and consolidate the AOPs for the entire program and turn the consolidated materials over to the Bank; (ii) review the procedures followed by the UESs in organizing the competitive bidding, selecting candidates, and awarding contracts, this information then being transmitted to the Bank with a request for nonobjection to the process; (iii) prepare contracts for the procurement of goods or services after nonobjection from the Bank has been received and submitted for signature to the corresponding authority within the Ministry of Justice; (iv) review the disbursement request received from the UESs; (v) request disbursements from the Bank; (vi) effect the necessary payments; and (vii) transmit the program monitoring and audit reports to the Bank.
- 3.20 The AOPs to be prepared by each UES and the consolidated AOP to be prepared by the UEC for the program must be presented to the Bank within the last 60 days of the calendar year and will consist of a report and a plan of activities for the next calendar year, which will include: projection of the number of activities to be performed, the objectives and goals established for the period; the timetable for executing the plan of activities; and financing needs for the period, indicating key targets in achieving the objectives pursued. As a condition precedent to the first disbursement under the program, the UEC must present the AOP for the components to be executed within the Ministry of Justice (strengthening of the PTN, mediation, formulation of crime prevention policies, computerization of the penitentiary system and legal compendium). Also, as a condition precedent for each component outside the Ministry, each UES must present its respective AOP.

F. Evaluation and monitoring

- 3.21 In monitoring and evaluating the program, the success indicators defined in the logical framework for the program will be taken into account. In addition, accomplishment of the goals established in the individual AOPs and the consolidated AOP must be evaluated. Annex III-1 provides the logical framework.

1. Inspection and supervision

- 3.22 Monitoring of each component will be the responsibility of the respective UES and general supervision of the program will be entrusted with the UEC, based on the annual plans prepared for each subprogram. For this purpose, periodic monitoring and evaluation meetings will be held to consider reports to be provided sufficiently in advance by the sectoral executing units.
- 3.23 Throughout the execution period, and within 60 days of completion, an advance semiannual report will be presented. The report will include a description of progress made in relation to the AOP and the results obtained with respect to the program performance indicators, the explanation of delays or disparities in relation to the established reference points, and any adjustments in plans for the following semiannual period. In addition, an annex should be provided including the advance semiannual reports presented by the UESs.
- 3.24 It is also proposed that the Bank perform a mid-term evaluation two years after program startup to measure the results obtained and to schedule operations through program completion. Based on this evaluation, resources may be reallocated among the subprograms if necessary.

2. Audit and control

- 3.25 The replenishment of funds after the first advance will be subject to a rendering of accounts by the UEC, which will maintain its records in accordance with the accounting plan approved by the IDB as a condition precedent to the first disbursement.
- 3.26 During the period of program execution, the borrower will present audited annual financial statements on the program, within 120 days from the close of the fiscal year. The financial statements would be audited by the Auditoría General de la Nación [Auditor General] (AGN).

3. Ex post evaluation

- 3.27 In accordance with Bank policies, the borrower was approached to finance the ex post evaluation of the program, but declined. In view of the special and innovative characteristics of the operation, the project team consulted with the Bank's evaluation office (EVO) about the possibility of obtaining its support for this evaluation, which was granted. The evaluation would take into account the success and monitoring indicators contained in the logical framework.

G. Procurement

- 3.28 Bank procedures will be applied to the selection and hiring of services and the purchase of goods and materials provided for under the project. The thresholds above which international public bidding would be required for procurement and contracting are US\$350,000 for goods and US\$200,000 for consulting services. Bidding for amounts below these limits would be conducted in accordance with national legislation. The program does not provide for the financing of works.

H. Recognition of expenses and retroactive financing

- 3.29 Following the analysis mission, the authorities of the Ministry of Justice requested the Bank to recognize up to US\$65,000 equivalent as chargeable to the local counterpart, as well as retroactive financing (reimbursement of expenses) up to US\$65,000 against the Bank financing. The cost would be incurred in setting up the UEC for the program, beginning November 1, 1997, and until financing is approved by the Bank. Since the services will be hired in accordance with the terms of reference and specifications agreed upon with the authorities during the analysis mission, and Bank procedures will be followed for such procurements, the project team recommends that these expenses be recognized. In both cases, the request falls within the time frame established by the Bank for the recognition and reimbursement of expenses.

I. Revolving fund

- 3.30 A revolving will be set up for program execution with up to 5% of the financing resources, once the conditions precedent to the first disbursement have been fulfilled. A special account will be opened for this purpose in the Banco de la Nación Argentina, and funds for the program will be deposited therein. This fund can be replenished, using the same percentage, as the activities are completed and the expenses are justified to the satisfaction of the Bank. The allocation of resources for each component will be flexible in order to support effective execution of the programmed activities.

J. Period of execution and disbursement timetable

- 3.31 The program execution period will be four years from the date of the loan contract. The disbursement timetable, by component, is provided below. The schedule for bidding is provided in Annex III-2.

DISBURSEMENT TIMETABLE

FINANCING SOURCE BY SUBPROGRAM	TOTAL	Year of execution			
		1	2	3	4
LEGAL PROTECTION	4,311	962	2,018	1,148	183
- IDB	2,156	481	1,009	574	92
- Counterpart	2,155	481	1,009	574	91
PREVENTION AND JUDICIAL ACCESS POLICIES	6,232	1,216	2,888	1,346	782
- IDB	3,116	608	1,444	673	391
- Counterpart	3,116	608	1,444	673	391
PROVINCIAL JUSTICE AND LEGAL COMPENDIUM	4,292	1,310	1,712	947	323
- IDB	2,379	716	916	525	222
- Counterpart	1,913	594	796	422	101
EXECUTION COSTS	3,246	812	812	812	810
- IDB	1,695	424	424	424	423
- Counterpart	1,551	388	388	388	387
FINANCING COSTS	1,865	172	390	592	711
- IDB	105	26	26	26	27
- Counterpart	1,760	146	364	566	684
CONTINGENCIES	1,054	215	314	313	212
- IDB	1,049	213	312	312	212
- Counterpart	5	2	2	2	-
TOTAL	21,000	4,687	8,134	5,158	3,021
- IDB	10,500	2,468	4,131	2,534	1,367
- Counterpart	10,500	2,219	4,003	2,624	1,654

IV. PROGRAM BENEFITS, RISKS AND VIABILITY

A. Benefits

1. Overall program benefits

- 4.1 As a result of the program: (i) the system for defending the interests of the State and society would be strengthened; (ii) mediation would be developed as an alternative dispute settlement mechanism; (iii) greater access would be provided to low-income population segments through strengthened public defense services; (iv) crime prevention policies would be formulated and implemented; (v) access to justice for the prison population would be facilitated; (vi) initiatives and the exchange of experiences among the provincial courts would be better coordinated to promote the adoption of best practices; (vii) the country's legal order would be better defined, thus strengthening the rule of law; and (viii) the country's juridical framework would be strengthened, also ensuring the rule of law.
- 4.2 The proposed program should lower the transaction costs associated with judicial proceedings in the following ways: (i) by improving "supply" through the introduction of new management and administration systems in the Public Prosecutor's and Defender's offices and strengthening of the provincial courts; and (ii) by lowering "demand" through the strengthening of alternative dispute settlement systems and the establishment of crime prevention policies. Finally, an improved system for defending public interests should strengthen the State's capacity to ensure fiscal revenue.

2. Benefits of the components

a. Legal protection

- 4.3 **Strengthening of the PTN.** The main benefits of this component are: (i) improved control and monitoring of State judgements (if this improved management results in a 0,1% reduction in the case load, the savings would be equivalent to US\$35 million); (ii) more efficient work from the State attorneys, expanding capacity of service; (iii) reduced delays and inefficiencies in the communication and transmittal of information between the offices of the judiciary and the PTN; and (iv) higher quality work within the institution through training.
- 4.4 **Strengthening of the MPF.** Implementation of better administrative and information systems and training activities in the MPF will permit: (i) improved efficiency and quality in the work of the General Prosecutor and prosecuting attorneys at various levels;

- (ii) improved integration and communication within the agency;
- (iii) more direct monitoring of cases.

b. Support for the design and execution of prevention and judicial access policies

- 4.5 **Mediation.** Mediation provides important benefits: court congestion is alleviated, access to justice and the quality of solutions is improved, and a higher degree of satisfaction for the parties is obtained. Since the component is limited to evaluating the effectiveness of the mediation requirement and community mediation, the main benefits consist of ascertaining, with reliable information, the effectiveness of the mandatory mediation law and its real impact on cost, time, and the participants, as well as that of the community mediation centers of the city of Buenos Aires.
- 4.6 **Public Defense.** The main benefit of this component is improved judicial access for the poorest population segments, through an increased and improved supply of defense services (70% over three years) provided by the 160 public defenders.
- 4.7 The implementation of better administrative and information systems would result in: (i) a reduced administrative workload for public defenders (currently 40% of their time); (ii) better quality of defense through access to better sources of information; (iii) greater integration among the various courts; (iv) greater efficiency, security, and transparency for administrative systems by reducing the manual transcription of information, the duplication of effort, and the duplication of archives and records; and (v) more direct monitoring of cases using such administrative indicators as processing times and operating volumes. Specific training activities would also be included to address the problems of domestic violence and indigenous rights.
- 4.8 **Formulation of crime prevention policies.** This component will result in highly reliable information on the causes of and trends for the main forms of crime in Argentina. This information will make it possible to design prevention policies lowering crime rates. It is important to know that in places where prevention policy has been based on epidemiological-criminal information it has been successfully targeted and accompanied by significant reductions in crime. This is the case in New York as well as Cali, Colombia, where the component was designed by an official responsible for this type of policy.
- 4.9 **Computerization of the penitentiary system.** The main benefit of supporting the penitentiary system relates to improvements in the procedural guarantees for the accused and convicted, reducing the time required for communication between courts, the department, and the operational units.

c. Provincial justice and legal compendium

- 4.10 **Improvement of provincial justice.** The main benefit of this component is the creation of an interprovincial information and communication mechanism to disseminate best practices in provincial courts. The mechanism will result in economies of scale by providing standard designs for common technical areas, such as information and statistical systems and judicial administration. In addition, through the introduction of awards for excellence for the best judicial practices, positive incentives will be created for modernization of provincial justice. This type of institution has been highly successful in other federal countries, as in the case of the National Center for State Courts of the United States.
- 4.11 **Legal compendium.** Modernization of the compendium will help to significantly improve the quality of information contained in the SAIJ data bases. With the compendium organized, cleaned up, harmonized, and brought up to date with all national legislation, the result would be: (i) clear knowledge of legislation actually in effect, improving the awareness of rights within the democratic system; (ii) less ambiguity in the provisions; (iii) greater juridical security and, accordingly, a better climate for commerce and national and foreign investment; (iv) improved quality in the activities of the Executive Branch; (v) a technical instrument to help Parliament produce legal provisions consistent with existing law; and (vi) better application of the law and greater efficiency in judicial proceedings, avoiding the costly processes of recompilation of information for the preparation of judgements.

B. Risks

1. Overall risks of the program

- 4.12 As a whole, the program is institutionally complex. Five separate institutions would be involved in its execution. The Ministry of Justice, the PTN (which, however, will use the UEC for all processing of procurements), the MPF, the MPD, and the Federal Board of Provincial Courts.
- 4.13 To minimize this risk, the execution plan is based on three strategic principles. The first is homogeneous execution criteria through the signature of interagency agreements. These agreements will contain a clause committing the entities to designate, by mutual agreement, an arbitrator whose rulings will be binding. The second principle is total functional independence of the agencies, giving the UESs all decision-making authority in the selection and monitoring of procurement. In those cases, the UEC would handle disbursements and the signature of contracts, and would monitor compliance with Bank procedures. In addition, it has been ensured that there are no cross conditionalities. The third principle is to staff the UESs and the UEC with professionals highly qualified

in the operational areas concerned. In the case of the UEC, at least one high level expert will be hired with experience in procurement with international credit institutions. In addition, before execution begins, the Bank will provide training for the participating entities in its procedures.

2. Risks of the components

a. Legal protection

4.14 **Strengthening of the PTN.** The main risk of this component pertains to the commitment of government judicial agencies to the objectives of the project. This risk is mitigated by the full commitment shown by the PTN and National Executive Branch generally, as well as the resources provided for training and computerization of the system.

4.15 **Strengthening of the MPF.** The main risk for the MPF component, like that for the MPD, relates to its institutional capacity. To minimize this risk, more than 13% of the financing resources have been allocated to supporting and coordinating execution, and 15% of the resources for institutional strengthening are dedicated to this component.

b. Support for the design and execution of prevention and judicial access policies

4.16 **Mediation.** Evaluation of mandatory pretrial mediation should lead to technical recommendations and proposed legislative reforms. It is up to the Executive Branch to submit these proposals to the Parliament when the time is right, and up to the Parliament to act on them. Unforeseen modifications could occur.

4.17 **Public Defense.** Despite its long existence, the MPD is an institutionally weak body. Execution of this component will require the hiring of three consultants for the coordination of activities in the different areas. Moreover, in view of the geographic dispersion of individual public defender's offices, it is important to ensure that they adopt the new procedures. Accordingly, more than 25% of the resources will go to training for public defenders.

4.18 **Formulation of crime prevention policies.** Effective use of judicial information requires easy access to court judgements of conviction. The activities planned include initial and periodic visits to each of the courts involved and the design of systems based on the needs of judges and judicial officials, providing them with the necessary programs.

4.19 **Computerization of the penitentiary system.** Penitentiaries are dispersed throughout the national territory which will make

effective communication of progress with the project difficult. The systems to be implemented have incorporated training activities for the officials through seminars and workshops.

c. Provincial justice and legal compendium

- 4.20 **Improvement of judicial justice.** The Federal Board of Provincial Courts is a collegial body and none of its members reside in Buenos Aires, where the institute will be established. Despite this situation, the members of the Board met periodically during preparation of the project, formally endorsed the design of the program, and actively participated in its formulation. The program reflects the initiatives presented by the member courts which have been approved by the Executive Committee.
- 4.21 **Legal compendium.** The main risk of this component is that the work of the committees may not be consolidated if executed only by individual consultants. Since there is no previous experience in this area, the Argentine government has requested that flexibility be allowed for implementation of this component, allowing individual consultants as well as firms to be hired.

C. Viability of the program

1. Legal protection

- 4.22 **Strengthening of the PTN.** Experience in recent years indicates that the PTN has shown a high capacity for managing cases in which the State brings legal action. The PTN has sufficient personnel, particularly in the computer area, to move ahead with the planned activities.
- 4.23 **Strengthening of the MPF.** The plan of execution, with its strong emphasis on specialized consultant support, should ensure successful completion of the component and the effective transfer of knowledge to the institution.

2. Support for the design and execution of prevention and judicial access policy

- 4.24 **Mediation.** Since it is limited to the hiring of two consulting firms, this component does not have institutional implications.
- 4.25 **Public defense.** As in the case of the MPF, the execution plan, with a strong emphasis on specialized consultant support, should ensure successful completion of the component and effective transfer of knowledge to the institution.
- 4.26 **Formulation of crime prevention policies.** During preparation of the component, it was noted that the DNPC has the staff and capacity necessary to move ahead with planned activities.

- 4.27 **Computerization of the penitentiary system.** The National Department of Penitentiaries has the staff needed to ensure continuity in the use of the systems to be developed. In particular, its computer department has three highly trained units in which many programs have been developed for internal use. Finally, one of the aspects underscored by the consultant hired to support preparation of the component is that the political authorities as well as the authorities of the department and the operational units all alluded to the same problems, from different perspectives, and suggested solutions similar to those contained in this proposal.

3. Provincial justice and legal compendium

- 4.28 **Improvement of provincial justice.** The Federal Board of Provincial Courts is a technically weak institution. However, for the first time in Argentine history, this collegial body has the full participation of 21 provincial courts and is using its own resources to finance a Federal Capital center and the required support personnel. At the current time, it is organizing the annual assembly, which will include an international seminar on judicial ethics, with participation by Supreme Court Justices of the United States and other countries. It is important to note that the Steering Committee designated a group composed of four provincial court presidents, which was continuously involved in defining the activities to be financed, holding periodical meetings during the preparation period.
- 4.29 The Department for Judicial Data Bases of the Ministry of Justice has assembled, using its own personnel with outside specialized support, one of the largest juridical data bases in the hemisphere. Today, the SAIJ has more than 24,000 laws in its data base, accessible via an internet web page. The fact that the activities were prepared entirely by the staff of the institution without technical consulting support attests to the Department's great technical capacity.

4. Environment, social impact, and women

- 4.30 Since the activities to be financed under the program pertain to support for administrative reforms and institutional strengthening of judicial system entities, execution of the operation should not have an environmental impact. Nonetheless, as part of the component of support for provincial justice, training has been included for judges and magistrates in areas pertinent to the application of laws and regulations in the environmental field.
- 4.31 In accordance with the Eighth Replenishment document (AB-1704), it has been determined that the proposed program does not have the characteristics of a poverty-targeted operation and is not specifically directed towards women. Nonetheless, the activities

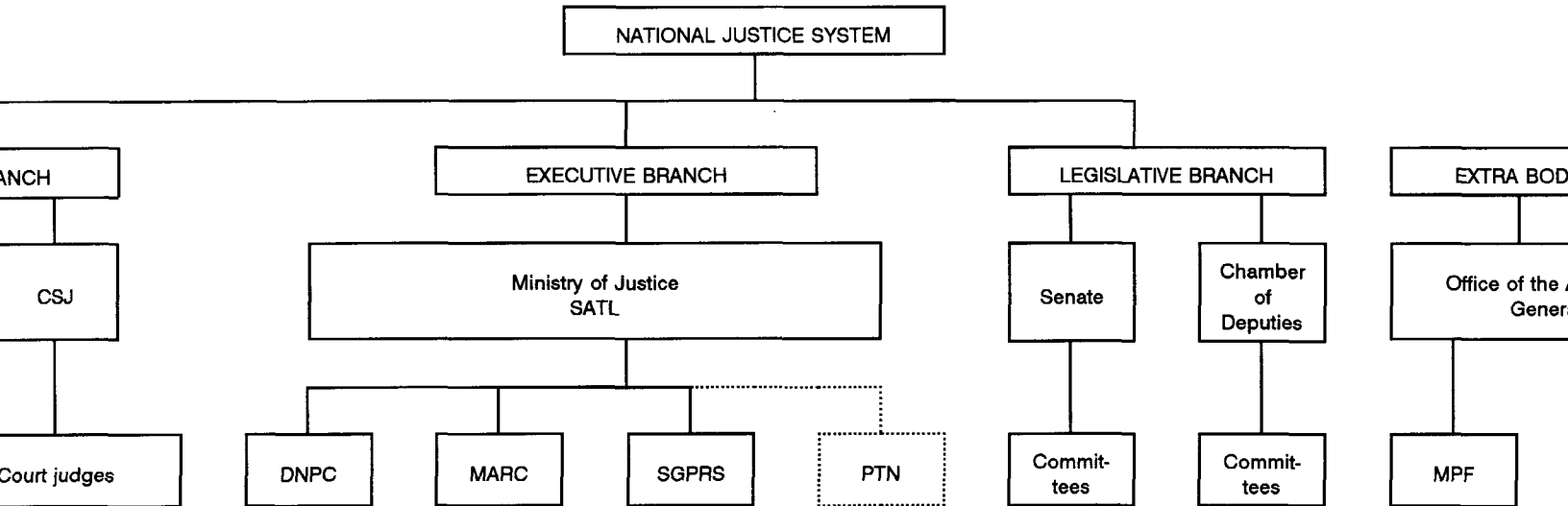
to be supported under the program include those allowing greater access to justice for the poorest segments of the population, through an increase in and improvement of the "supply" of judicial services (70% in three years) offered through the 160 official public defenders. With regard to women, the component includes work in obtaining information for formulating prevention policies in the area of domestic violence (paragraph 2.30).

- 4.32 At its May 16, 1997, meeting, the Committee on Environment and Social Impact (CESI) did not request an additional social impact and environmental study for the program, given the nature of the operation.

D. Sustainability of the program

- 4.33 The great majority of program activities are of a specific, targeted, and catalyzing nature. The functions assigned to the long-term consultants respond to the need to ensure full dedication to execution of the project. Once its activities have been completed, responsibility for ongoing activities will be assumed by the participating entities which, with the exception of the Federal Board of Provincial Courts, all have professional staff and the resources needed for continuity.
- 4.34 In the case of the Board, the component has been designed so that the institution will gradually assume responsibility for operating and recurring costs generated by the IMJP, which it is hoped will continue once execution has been completed. Financing of the IMPJ's operating costs would be absorbed gradually by the Board during execution to guarantee the IMPJ's sustainability (25% the second year, 75% the third, and 100% the fourth). The Board must also assume responsibility for all of the recurring costs once program execution has been completed, for which purpose it must increase the contributions paid by the 21 members by 100% (from the 1996 level) beginning with the third year of execution. A clause to this effect will be included in the participation agreement to be signed with the Ministry of Justice.

NATIONAL JUSTICE SYSTEM AGENCIES



National Supreme Court of Justice [Corte Suprema de Justicia de la Nación], the highest authority of the Judicial Branch

Council of Justice [Consejo de la Magistratura], responsible for the administration of resources and the judicial career system

Department for technical and legislative affairs [Secretaría de Asuntos Técnicos y Legislativos] of the National Ministry of Justice, which drafts preliminary reform proposals and maintains the compilation of juridical provisions

National Department of Crime Policy [Dirección Nacional de Política Criminal], formulates and implements crime prevention policies and programs

National Department of Alternative Dispute Settlement Methods [Dirección Nacional de Métodos Alternativos de Resolución de Conflictos], issues licences for mediators and maintains

Under Department for Penitentiary Administration and Social Rehabilitation [Subsecretaría de Gestión Penitenciaria y Readaptación Social], defines policies and executes measures within the federal system of penitentiaries and social rehabilitation

National Treasury Prosecutor's Office [Procuración del Tesoro de la Nación], ranked as the equivalent of an executive branch ministry and responsible mainly for: legally representing the executive branch and representing the State in judicial proceedings and in cases submitted to arbitration, issuing instructions as necessary to prosecution representatives, and cases where the Prosecutor-General of the Nation intervenes. For budgetary purposes, the PTN is part of the structure of the Ministry of Justice, but is independent from a functional standpoint.

Committees on constitutional matters, justice, general legislation, and criminal matters, in both the Chamber of Deputies and Senate.

An independent body, functionally and financially autonomous, which intervenes in the judicial system to defend the general interests of society. It performs its functions independently and is composed of the Public Prosecutor's Office (MPF) and the Public Defender's Office (MPD). Although the MPF and MPD are part of the Attorney General's Office, they are autonomous in the performance of their specific functions. Their officials are appointed separately, and are immune from arrest.

Public Prosecutor's Office [Ministerio Público Fiscal], functions mainly in the areas of public criminal proceedings, the investigation of the administrative conduct of government officials, and the issuance of opinions on constitutionality in cases before the CSJ. This office is composed of the Prosecutor-General of the Nation, the public prosecutors, prosecutors, attorneys before the courts, and prosecutors for administrative investigations.

Public Defender's Office [Ministerio Público de la Defensa], responsible mainly for defending human rights, promoting and executing policies to facilitate access to justice, and acting *ex officio* for the judicial defense of minors and persons without legal capacity.

LOGICAL FRAMEWORK: PROGRAM IN SUPPORT OF JUDICIAL SYSTEM REFORM (AR-0124)

PRIMARY OF OBJECTIVES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS
to contribute to the development of a more reliable and independent justice system that is efficient and accessible	Support for the development and strengthening of independent bodies such as the Public Prosecutor's Office, the Public Defender's Office, and the Treasury Prosecutor's Office; improved knowledge on current legislation; optimized processes in the judicial offices.	Semiannual reports Consultant reports Annual reports from participating agencies Budgetary execution by participating agencies Annual operating plans	Institutional Interinstitutional coordination Commitment of agencies to change procedures Election period
to support the process of reforming the justice system	Performance of specifically targeted and catalyzing activities in the following areas: 1. <u>Institutional strengthening</u> : capacity for defending the State and society strengthened; 2. <u>Access to justice and prevention</u> : (i) development of mediation as an alternative instrument for dispute settlement, (ii) increased supply of judicial services to defend the rights of low income population segments, (iii) development of instruments for the design of crime prevention policies, and (iv) defense of prisoner rights; 3. <u>Dissemination of information and legal security</u> : dissemination of best judicial practices among the provinces and consolidation of current Argentine legislation.		

LOGICAL FRAMEWORK: PROGRAM IN SUPPORT OF JUDICIAL SYSTEM REFORM (AR-0124)

PRIMARY OF OBJECTIVES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS
<p>PROTECTION</p> <p>Strengthening of the PTN</p> <p>Enhance the defense capacity of the judicial proceedings</p> <p>Computerized systems for management and control of the State's judicial case</p> <p>Integrated system for the administration of judicial offices and an information system for the</p> <p>Staff and attorneys trained in the new systems</p>	<p>System for recording and controlling judgments for the 108 judicial offices and 30 delegations in the interior installed and operating by Internet by the end of the second year (45% the first year and 55% the second year)</p> <p>100% of judgments entered into the judgment records by the end of the second year, including judgments recorded in other data bases and approximately 10,000 judgments transferred from the interior of the country by the federal public prosecutors.</p> <p>PTN's internal processes (opinions, briefs, case monitoring, auditing and record keeping, administration, and library) redesigned and operational by the end of the second year based on ISO 9000 quality standards, including systematization of at least 400 key opinions (first year pilot program) and 300 administrative investigations.</p> <p>Effectiveness and efficiency indicators for the individual processes (specific baselines consistent with ISO 9000) defined during the first semiannual period; programming completed the first year, including projected reductions in the time required to issue opinions and briefs over the four year period;</p> <p>Network for 215 PTN officials developed and installed, operating in Windows, independently of the data base, by the end of the third year (paperless operation).</p> <p>Training in the systematization of substantive and administrative processes provided for the 215 officials of the PTN (30% the first year and 70% the second);</p> <p>Training in systematization of computerized management of judicial information for 50% of the corps of state attorneys (200 the first year and 650 the second and third)</p>	<p>Semiannual monitoring reports</p> <p>Annual management reports from the PTN</p> <p>Statistical reports on administration of the judicial system</p> <p>Annual Operating Plans</p>	<p>The effectiveness of the judicial system for the program to continue.</p> <p>The support commitment of the PTN's management for reengineering processes will continue.</p>

LOGICAL FRAMEWORK: PROGRAM IN SUPPORT OF JUDICIAL SYSTEM REFORM (AR-0124)

PRIMARY OF OBJECTIVES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS
Overall strengthening of the MPF Increase capacity for prosecution in proceedings Internal rules approved and Administrative-financial and personnel management strengthened. Information systems developed and Prosecutors and staff trained	<ul style="list-style-type: none">- 30% annual increase in the number of cases prosecuted by the MPF in the courts. The baseline figure will be 12,295 for year one.- Internal rules developed and implemented within a period of two years: rules governing the career, disciplinary, and procedural systems for the prosecutors; rules governing the replacement and dismissal system; and regulations for the Office of the National Prosecutor for administrative investigations.- 100% of the new prosecutor positions filled by competitive selection by the third year.- Reengineering of processes, including information and communications systems for integrated budget, personnel, case management, legal information (opinions), and executive management systems.- Definition of the baseline for each of the processes described above by the first year; baseline-related targets for years 2, 3, and 4 met.- New organizational structure proposed by the end of the first year, in place by the end of the third year; 30% reduction in central administrative staff by the end of the third year.- Personnel and administrative manuals prepared by the end of the first year and in place by the end of the third year for: administrative career, financial administration, budget, accounting, procurements, contracting, disbursements.- Inventory and survey of municipal requirements started the first year and completed the second.- Integrated budget administration system initiated the second year, completed the fourth year; general department for administration and finance (DGAF) in full operation the third year.- Integrated personnel administration system (with the DGAF) managed by the general human resource department with the proposed adjustments proposed the second year, implemented the fourth year.	<p>Statistical reports by jurisdiction</p> <p>Approved regulations</p> <p>Consultant reports</p> <p>Annual operating plans</p>	<p>The new charter of the MPF is finalized and sanctioned by law.</p> <p>Commitment to adopting new rules.</p> <p>Commitment to adopting recommended new processes, organizational structures and manuals.</p>

LOGICAL FRAMEWORK: PROGRAM IN SUPPORT OF JUDICIAL SYSTEM REFORM (AR-0124)			
SUMMARY OF OBJECTIVES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS
	<ul style="list-style-type: none"> - Proposal for organization of the school of prosecutors presented the first year. School in full operation the third year. - Four annual courses on specialized problems (criminal law procedure, new forms of crime, etc.) initiated the first year. 		

LOGICAL FRAMEWORK: PROGRAM IN SUPPORT OF JUDICIAL SYSTEM REFORM (AR-0124)

PRIMARY OF OBJECTIVES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS
END EXECUTION OF CRIME ON AND JUDICIAL ACCESS of mediation as an alternative tlement method on of experience with the mediation requirement on of the results of community n	<ul style="list-style-type: none">- The results of applying the pretrial mediation requirement (strengths and weaknesses) available at the end of the second year, with the necessary recommendations concerning changes in the system.- Proposed amendments to law 24.573 presented to Congress at the end of the second year.- The required ministerial resolutions amended at the end of the second year.- Six training courses for mediator-trainers designed and held (40 hours each) covering a total of 240 students by the end of year two.- The results of the evaluation of community mediation in Buenos Aires available by the second year.- Two courses (40 hours) held in the first year to train community mediator-trainers providing coverage for 80 community mediators	<ul style="list-style-type: none">Consultant reportsAnnual operating plansSemiannual monitoring reports, including lists of participants in the trainingProposed legal modifications	<ul style="list-style-type: none">Willingnessthe recommof the studie

LOGICAL FRAMEWORK: PROGRAM IN SUPPORT OF JUDICIAL SYSTEM REFORM (AR-0124)

PRIMARY OF OBJECTIVES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS
<p>Defend the rights of, and access to, low income population</p> <p>Legal and technical structure of the Defender's Office</p> <p>Information systems developed and in use</p> <p>Defenders trained.</p>	<p>Total increase of 70% (10% the first year, 20% in subsequent years) in the "supply" of public defense and counsel (using a 1996 baseline of 27,663 cases and 13,412 consultations)</p> <p>Creation of a high level coordination authority (Institutional Coordination Council) in the first year; restructuring of the MPD, including creation of three new departments (technical support, statistics, the superintendency of penitentiaries, modification of the training and data processing structures, expanding their field of operations to administration of the local network and creation of the national "help desks")</p> <p>Budget, treasury, accounting, payments, personnel selection and appointment, career system, sanctions and removals, help desk, supplies, contracting, asset management, and maintenance in the first two years</p> <p>Development (year two), and introduction (year three) of control and administrative systems (including administrative, financial, and personnel matters)</p> <p>Design and introduction of a pilot executive information system in the first year</p> <p>Design and development (year one) and introduction (30% year one, 70% year two) of a decentralized system for monitoring cases to replace the manual case record books (modules for updating and consulting basic case data, updating and consulting case facts, monitoring procedural deadlines, historical analysis of previous cases and administrative control)</p> <p>160 public defenders would be provided with a basic reference library (Argentine constitution, codes (annotated) of civil, commercial, and criminal procedure, the appeal of criminal cases, constitutional cases, manuals, legal dictionaries) in the second and third years of the project</p> <p>Development (year one) and introduction (year two: 100%) of a compendium including rules, opinions, and internal decisions in effect in the MPD</p> <p>Ten introductory workshops for 300 defenders during the first three years; an annual course for 20 defenders each on technical problems; three courses (total) for defenders before the Supreme Court; 10 courses and four refresher workshops for defenders in the interior of the country; and five courses for defenders in the capital</p>	<p>Consultant reports</p> <p>Semiannual reports</p> <p>Annual operating plans</p> <p>Semiannual monitoring reports including lists of the participants in training</p>	<p>The new charter of the MPD is fully sanctioned by the public</p> <p>Commitment to the new internal structure</p> <p>Commitment to implement recommendations of the new process, organizational structures, and manuals</p>

LOGICAL FRAMEWORK: PROGRAM IN SUPPORT OF JUDICIAL SYSTEM REFORM (AR-0124)

ARY OF OBJECTIVES	INDICATORS	MEANS OF VERIFICATION	ASSUMP
<p>n of crime prevention</p> <p>ng of information systems for and implementation of crime policies</p> <p>on system for crime prevention d and in operation in the five n the highest incidence of violence in the country (Federal Greater Buenos Aires, Rosario, and Tucumán)</p> <p>capacity for technical analysis ned</p>	<p>An annual strategic document prepared on crime prevention for each of the five areas with the highest rates of urban violence in the country (Federal Capital, Greater Buenos Aires, Córdoba, Rosario, and Tucumán)</p> <p>Information systems for the design of crime prevention policies strengthened</p> <p>The following are conducted:</p> <p>(i) A total of three victim surveys in the five urban areas, with a sampling of 7,800 cases, to quantify and characterize crimes that are not reported;</p> <p>(ii) An attitude survey in the second year of the five urban areas, with a sampling of 2,700 persons, to identify patterns of attitude and behavior with regard to crimes and violence, with particular emphasis on domestic violence;</p> <p>(iii) Two compilations of court cases, one per year, in the five urban areas, to provide a reliable data base on the crimes tried in court (mainly felonious homicides, armed robbery, and drug use and trafficking); and</p> <p>(iv) The establishment of an early alert system, providing monthly maps of violent incidents and timely, reliable, and systematic information on felonious homicides and traffic accidents</p> <p>On-the-job training of 30 DNCP professionals in the analysis of statistical information and the formulation of crime prevention policies over a period of 24 months</p>	<p>Publication in the media of information on the surveys and judicial compilations</p> <p>The annual reports of the DNCP include analysis of trends and strategies for crime prevention, based on an analysis of the survey findings</p> <p>Semiannual monitoring reports</p> <p>Annual operating plans</p>	<p>Cooperation municipal au and</p> <p>Cooperation judges in the collection an exchange of information</p>

LOGICAL FRAMEWORK: PROGRAM IN SUPPORT OF JUDICIAL SYSTEM REFORM (AR-0124)			
ARY OF OBJECTIVES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS
ization of the penitentiary			
ing of information systems on tiary population as an for access to justice for the nd convicted	The time required for receiving judgments and sentencing will be reduced from eight months to 30 days over the life of the project, according to the following timetable: year one: eight months; year two: six months; year three: two months; year four: 30 days	Semiannual progress reports	Specialized are hired for systems are
ary and judicial administration developed and in operation	A computerized judicial management system will be designed (year one and first half of year two) and introduced (second half of year two and year three) providing timely information for judges, prosecutors, and defense attorneys on the situation of the 6,126 prison inmates and 29 establishments of the federal penitentiary system	Annual operating plans	Cooperation courts in the of informatio
	The system includes: (i) information on the legal situation of the cases (completion of sentence, changes in legislation affecting its application, conditional liberty); (ii) type of crime, pending cases, the jurisdiction for each case, the situation of transfers and developments in the system of imprisonment; (iii) the development of early warning instruments for circumstances altering the prisoners' situation to ensure compliance with the legal terms; and (iv) promotion of a proactive approach for courts seeking information, thus improving communication and interaction.	Internal audit reports, including a survey of system users	Geographic dispersion o penitentiari

LOGICAL FRAMEWORK: PROGRAM IN SUPPORT OF JUDICIAL SYSTEM REFORM (AR-0124)

ARY OF OBJECTIVES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS
<p>JUDICIAL JUSTICE AND LEGAL SYSTEM</p> <p>Improvement of provincial justice</p> <p>For the Improvement of Judicial Justice (IMPJ) established and operating</p> <p>and administrative personnel in provinces trained</p> <p>practices and model experiences identified and developed</p> <p>and surveys on the provincial system conducted and identified</p>	<p>IMJP is established and placed in operation the first year, with the staff (three), functions, and resources (operational) required for its operation</p> <p>Training is provided for provincial judicial staff by means of: (i) five legislation refresher seminars for judicial staff each year in each of the five regional areas; (ii) annual courses for judicial experts and auxiliaries, in 15 areas; (iii) two annual refresher courses on high social impact issues (environmental protection, women, ethnic minorities) for provincial judges; (iv) financing for the teaching materials and dissemination costs</p> <p>Activities will be conducted to disseminate best practices and model experiences in the following areas: (i) codes of ethics (year one); (ii) promotion of access to justice: establishment of smaller jurisdictions, improvement of justices of the peace and alternatives for the organization of public defense systems (years two and three); (iii) administration of justice: design of organizational and functional models for courts; development of security systems for the management and control of cases, documents, and evidence (years two and three); (iv) statistics, basic common model, and definition of standards for judicial output and productivity (years two and three); (v) congestion and judicial delays: analysis of the types of judicial delay and development of a pilot experience in this area (years three and four); (vi) data processing: computerization needs in the courts: common model for case-flow management in each court (years two and three) and development of a data base of judicial experts (year one); and (vii) annual awards for judicial excellence (years one-four)</p>	<p>Semiannual progress reports</p> <p>Annual operating plans</p> <p>Resolutions of the Executive Committee of the Federal Board of Provincial Courts</p>	<p>Cooperation of provincial courts implementing recommendations of the studies and practices</p> <p>100% increase in contributions year to cover IMJP's recurrent costs</p>

LOGICAL FRAMEWORK: PROGRAM IN SUPPORT OF JUDICIAL SYSTEM REFORM (AR-0124)			
PRIMARY OF OBJECTIVES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS
Legal compendium completed, and available for consultation	Legal compendium with all current national legislation prepared and available for consultation in the SAJJ by the first quarter of the third year. Progress in accordance with the following timetable: 30% the first year, 80% the second year; 100% the third year for the 25,000 laws to be consolidated	Semiannual progress reports	The many w groups can coordinated period of tw
Technical legislative manual prepared	Two seminars to disseminate information on the work performed (one after a year and a half and the other at the end of the work)	Annual operating plans	
	A technical legislative manual prepared by the second year	System for consultation via Internet	

PROGRAM IN SUPPORT OF JUDICIAL SYSTEM REFORM (AR-0124)

BIDDING TIMETABLE BY COMPONENT AND ACTIVITY	Amount (US\$000)	Type of bidding	Estimated date
TREASURY PROSECUTOR'S OFFICE			
Integrated Justice administration system			
1. Consulting services			
Judgment records and monitoring system	163	CNCF	1998
Training consultancies	261.4	CINC	1998
Judicial system network	79.5	CNCF	1998
2. Goods and equipment			
Hardware for judgment records and monitoring	12	NPB	1998
Digital conferencing equipment	30	NPB	1998
Networking equipment	20	NPB	1998
Equipment for offices in the interior	120	NPB	1998
Internal information systems			
1. Consulting services			
Reengineering of processes	158	CNCF	1998
2. Equipment and goods			
Internal network	457	IPB	1998
Procurement and installation of internal applications	229.1	NPB	1998
TOTAL	1,530		
MPF			
Regulatory development			
1. Consulting services			
Individual consultants (6)	120	SPP	1998
Administrative-financial strengthening			
1. Consulting services			
Reorganization of the administrative-financial area	140	CNCF	1998
Reorganization of the human resource area	150	CNCF	1998
Inventory of municipal requirements	160	CNCF	1998
Information systems			
1. Consulting services			
Administration, finance, and budget	353.5	CICF	1999
Human resources	163.5	CNCF	1999
Review of opinions	80	CNCF	1998
Case monitoring systems	285	CICF	1998
Judicial information	226	CICF	1998
Executive management information system	184	CNCF	1999
2. Equipment and goods			
Initial equipment	161	NPB	1998
Additional equipment for prosecutors	450	IPB	1999

PROGRAM IN SUPPORT OF JUDICIAL SYSTEM REFORM (AR-0124)

BIDDING TIMETABLE BY COMPONENT AND ACTIVITY	Amount (US\$000)	Type of bidding	Estimated date
Training			
1. Consulting services			
Individual consultants (12)	273	SPP	1998 - 2001
2. Equipment and goods			
Teaching materials and equipment	35	NPB	1989
TOTAL	2,781		
MEDIATION			
Evaluation consultancy			
1. Consulting services			
Evaluation and training in mandatory mediation	186	CNCF	1998
Evaluation and training in community mediation	98	CNCF	1998
TOTAL	284		
PUBLIC DEFENSE			
Institutional development and technical strengthening component			
1. Consulting services			
Administrative structure, organization, functions, and procedures	328	CICF	1998
Legal compendium, including publication	202	CICF	1998
2. Equipment and goods			
Library materials for the public defenders (160)	160	NPB	1998
Information systems component			
1. Consulting services			
Individual consultant (1)	108	SPP	1998
Monitoring of cases and statistics	72	CNCF	1998
Administrative information systems	216	CICF	1999
Human resource systems	216	CICF	1999
2. Equipment and goods			
Executive information system	40	NPB	1998
Expansion of the local DGN network	15	NPB	1998
Local networks	228	NPB	1998
Workstations, including printers	432	IPB	1999
Training component			
1. Consulting services			
Individual consultants (10)	266	SPP	1998-2000
Courses and workshops	469	CNCF	1998-2001
TOTAL	2,752		
CRIME PREVENTION			
Strengthening of the technical capacity of the DNPC			
1. Consulting services			
Individual consultants (27)	900	SPP	1998 - 2000

PROGRAM IN SUPPORT OF JUDICIAL SYSTEM REFORM (AR-0124)

BIDDING TIMETABLE BY COMPONENT AND ACTIVITY	Amount (US\$000)	Type of bidding	Estimated date
Surveys			
1. Consulting services			
Victim survey	819	CICF	1998
Attitude survey	95	CNCF	1999
Judicial compilations	556	CICF	1999
Early alert system	43	CNCF	1998
Computer and logistical equipment			
2. Equipment and goods			
Local network, hardware and software	41	NPB	1998
TOTAL	2,454		
COMPUTERIZATION OF THE PENITENTIARY SYSTEM			
Penitentiary and judicial administration			
Individual consultants (5)	246	NPB	1998
Equipment and goods			
Unit equipment, cable connections, and equipment for ports	321	NPB	1998
DNCP equipment	45	NPB	1998
Office software	130	NPB	1998
TOTAL	742		
IMPROVEMENT OF PROVINCIAL JUSTICE			
Training			
1. Consulting services			
Individual consultants (16)	535	SPP	1998 - 2001
2. Equipment and goods			
Local network for the board	45	NPB	1998
Dissemination of best practices and model experiences			
1. Consulting services			
Statistical needs and design of a common package	144	CNCF	1999
Study on judicial congestion and delays	300	CICF	2000
Provincial computerization study	170	CNCF	1999
Expert data base and selection criteria	54	CNCF	1998
Judicial output and establishment of standards	36	CNCF	1998
Case security systems	30	CNCF	1998
Standard administrative models	385	CICF	1998
Public defense models	72	CNCF	1998
Smaller jurisdiction models	69	CNCF	1998
Awards for judicial excellence	40	SPP	1998 - 2000

PROGRAM IN SUPPORT OF JUDICIAL SYSTEM REFORM (AR-0124)

BIDDING TIMETABLE BY COMPONENT AND ACTIVITY	Amount (US\$000)	Type of bidding	Estimated date
Studies			
1. Consulting services			
Feasibility, National School of Justice	150	CNCF	1999
Judicial system finances	144	CNCF	1999
User surveys on justice administration	90	CNCF	1999 and 2000
TOTAL	2,264		
LEGAL COMPENDIUM			
Development of the compendium			
1. Consulting services			
Individual consultants (27)	1,912	SPP	1998
2. Equipment and goods			
Local network with workstations, printers, remote connection, and software	116	NPB	1998
TOTAL	2,028		

SPP = Standard procurement procedure of the Bank

\$200,000 = Competitive selection, national consulting firms (CNCF)

\$200,000 = Competitive selection, international consulting firms (CICF)

\$350,000 = National public bidding (NPB)

\$350,000 = International public bidding (IPB)

PROPOSED RESOLUTION

ARGENTINA. LOAN /OC-AR. TO NACION ARGENTINA
PROGRAM IN SUPPORT OF JUDICIAL SYSTEM REFORM

The Board of Executive Directors

RESOLVES:

That the President of the Bank, or such representative as he shall designate, is authorized, in the name and on behalf of the Bank, to enter into such contract or contracts as may be necessary with the Nación Argentina, as Borrower, for the purpose of granting a financing to cooperate in the execution of a Program in Support of Judicial System Reform. Such financing will be for the amount of up to ten million five hundred thousand dollars of the United States of America (US\$10,500,000) from the Single Currency Facility of the Ordinary Capital resources of the Bank and it will be subject to the "Terms and Financial Conditions" and the "Special Contractual Conditions" of the Executive Summary of the Loan Proposal.