

United Nations Development Programme



Guatemala

Project Title: Fight against impunity and the strengthening of peace in Guatemala: Facilitating the implementation of the NAASJ, the Institutional strengthening of the Judicial Branch and legislation on security and justice

Expected UNDAF Outcome: In 2012, the rule of law will have been strengthened through the fulfillment of the law and of the international norms on human rights by the duty bearers and the right holders, and the institutions in charge of security and justice will warrant legal certainty in response to cultural diversity and gender equity in the country, offering an effective human right protection and acting with independence, impartiality, transparency and with a systematic and coordinated vision.

Expected CPAP Outcome: The Guatemalan State has developed public policies and programs aimed at mitigating and reducing armed violence and impunity, as well as to ensure security and justice, specially for indigenous populations.

Project Start Date: August 2011

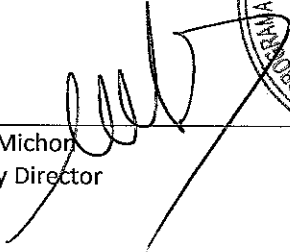
Implementing Partner: UNDP Guatemala CO, in consultation with the Judicial Branch and the Congress of the Republic of Guatemala

Brief description: This project, defined under the framework of the programme “Fight against impunity and the strengthening of peace in Guatemala”, is aimed at achieving three outputs, the first-one related to the facilitation of the comprehensive fulfillment of the National Agreement for the Advancement of Security and Justice (NAASJ), with an adequate focus on gender; the second, to the modification of the organizational structure and the operational functioning of the Judicial Branch (*Organismo Judicial*) in order to separate the administrative functions from judges and Magistrates; and, the third, to provide technical assistance and support to the Congress for the enactment of legislation on security and justice, according to the NAASJ. The second output will be focused on the reengineering of the administrative procedures of the institution, as well as the implementation of integrated control mechanisms of efficiency and effectiveness of management (including the application of the Supreme Court’s initiative “Zero tolerance to corruption, impunity and influence peddling”).

<p>Programme period: 2010-2014</p> <p>Results area (Strategic Plan): Democratic Governance</p> <p>Award and Project numbers (in Atlas): Award 62387 Projects 79866, 79867 y 79868</p> <p>Date of meeting of The Local Project Appraisal Committee: 19 August 2011</p> <p>Start Date (probable): 16 September 2011</p> <p>End date (probable): 31 December 2012</p>	<p>Total resources required: US\$ 1,000,000</p> <p>Total resources allocated: US\$1,000,000</p> <ul style="list-style-type: none"> • BCPR US\$1,000,000 <p>In kind contributions: N/A</p>
--	--

Approved by UNDP:





Xavier Michon
Country Director

24 August 2011

Date

I. SITUATION ANALYSIS

The project "Fight against impunity and the strengthening of peace in Guatemala: **Facilitating the implementation of the NAASJ**", the **institutional strengthening of the Judicial Branch and legislation on security and justice**" responds to the government's demand for support from the United Nations Development Program and CICIG.

The reasons of UNDP for addressing challenges related to rule of law and peace, are related to how UNDP understands these and other related concepts and the interpretation of the interrelationships that exist in practice between them.

For UNDP, work in support of the Rule of Law and the Consolidation of Peace makes sense in terms of strengthening the State, focused on common interests, respectful of democracy and human rights, which means specific work on issues of a democratic state and the Rule of Law. But beyond that, it requires that the State itself can be a machine capable of building and sustaining human development.

In the case of Guatemala, its multicultural situation involves challenges to democratic governance that represent the need for the Guatemalan State progress towards becoming a plural state. Thus, the plural state, to ensure democratic governance, must: (i) act as a democratic state, (ii) be an effective developmental state and (iii) be a guarantor of the rule of law.

The conditions of governance in a country are historically linked when it has suffered an internal armed conflict with the consolidation of peace, which in turn relates to how its causes were addressed in the post- conflict period and, more specifically, with the fulfillment or not of the commitments of the peace accords.

Assessments made with respect to compliance with the commitments of the peace agreements in the areas of governance, can confirm that particular progress has been achieved in the democratization of the country. But in other areas, including particularly when it refers to the consolidation of the rule of law and transitional justice, very limited progress has been attained.

In fact, the report issued by the UN Secretary General at the end of the presence of the Verification Mission of United Nations in Guatemala (MINUGUA) in the country¹, identified in mid-2004 conditions that still prevail and that require urgent attention, such as the fact that: "... Guatemala still faces major problems ... corruption, inequality, crime and weak rule of law ... Guatemala also needs a more serious effort to consolidate rule of law in which reform plans are backed by financial resources and political will to strengthen and modernize the main institutions that compose the criminal justice system. "He adds: "Even when it comes to leave behind the conflict, Guatemala still has a vast unpaid debt to the victims ... The truth and reparations are part of the response needed" ... And more specifically on security issues, concerns that "this remains the most important specific concern for the majority of the population that is suffering from violent crime increase, characteristic of post-conflict societies. The location of Guatemala in the corridor of drug trafficking between South America and the United States makes it especially vulnerable to violent organized crime groups that have used corruption to infiltrate the institutions responsible for law enforcement. "

¹ MINUGUA. Ninth report. July 2004. Paragraphs 60, 62, 63 and 24.

This outlook or general situation not only prevails today, but has deteriorated, as evidenced by the fact that the homicide rates in 2007-2009 accounted for 45 to 49 per 100,000 inhabitants, which is twice the average annual death toll during the conflict period, and only slightly less than twice the average rate for Latin America in 2005 (25 per 100,000²). This situation is even worse in certain areas of the country, as the case of Guatemala City, which in 2006 reached a rate of 108 homicides per 100,000 inhabitants, as is when it comes to violence against women, situation evident in the fact that between 2001 and 2006 the rate of murders against women doubled³. These figures "position Guatemala as one of the world's most violent countries officially at peace," as noted in a study prepared by UNDP in 2007 on the statistics of violence in Guatemala⁴..

How the institutional system responds to this situation shows many weaknesses. For example, of the total reported crimes against life and the integrity of the person submitted to the Attorney General in 2006, 2008 and 2009 sentencing were issued respectively to only 2.63%, 4.02% and 4.06% of the cases⁵.

The Human Development Report for Central America 2009-2010 conducted under the auspices of UNDP, confirmed that the situation of insecurity and violence in Guatemala also responds to regional factors, as announced by MINUGUA in 2004. In fact, the study identifies that Guatemala, together with El Salvador and Honduras form a "Northern Triangle", which indicators of violence are more serious than those of other Central American countries and above the average for Latin America⁶. Apart from the direct impact that this situation poses to the general public, the collateral damage it causes and the costs involved limit the scope of the country to achieve the Millennium Development Goals and to improve overall human development. Moreover, a study conducted by UNDP in 2004 identified that the country spends the equivalent of 7.3% of GDP⁷.

Significant progress has been made, however, in recent years. On justice and security –for example– there is now a more comprehensive legal framework, including the Framework Law on National Security. A clear reference instrument in this regard is the National Agreement for the Advancement of Security and Justice (NAASJ), signed on April 2009 by the Presidents of the Executive, Legislative and Judicial branches of the State and also by the National Prosecutor.

The NAASJ contains 101 commitments, relating to "implementation of legal, technical, administrative, strategic and political actions to make possible a politically binding (something) and ensure its sustainability in terms of social welfare." Its contents are organized according to areas of work, aimed at addressing the following issues: I. Policies and security institutions; II) Police reform; III) Prison system; IV) Policies and institutions for criminal investigation and against impunity; V) Administration of justice; VI)

² NHDR team's calculations from UNDP data, developed by Patrick Ball and others in comparison with the figures of the Civilian National Police. The rate for Latin America is taken from Figure 3.1, p. 68,: UNDP. Human Development Report for Central America, 2009-2010.

³ UNDP. Statistical report of violence in Guatemala, 2007, p. 30

⁴ UNDP, 2007, p. 9.

⁵ The source is the memoirs of Work for the years 2006, 2008 and 2009 of the Public Ministry. The total of complaints received each year were respectively 3.687, 3.965 and 3.332, and total cases for which the sentence was issued were respectively 97, 134 and 161. The Memory of 2007 does not provide figures for numbers of sentences.

⁶ UNDP. Human Development Report for Central America 2009-2010: Open spaces for citizen security and human development, 2009. p. 68

⁷ Gross Domestic Product. UNDP. The economic cost of violence in Guatemala, p. 63, Table 10. The calculation includes estimations based on variables such as losses in health, institutional, institutional costs, expenditure on private security, investment climate and material losses.

Firearms Control; VII) Business and supplemental security services; VIII) Communication and social participation; IX) Legislative agenda, and X) Commitments of joint actions of the signatories of the agreement.

On July 24, 2010 the signatories of the agreement, approved a list of 17 priorities within the NAASJ concerning multiplier or catalytic processes to be supported or generated to develop a strong dynamic and irreversible progress on security and justice, the fulfillment of which will, at the same time, ensure a gradual achievement of the whole agreement.

Early in 2010, the UNDP country office identified the need to create a programme in support of the NAASJ, addressed to the implementation of the priorities which, at that time, were being defined. The programme, known as "Fight against impunity and the strengthening of peace in Guatemala", also called "Programme in support of the fulfillment of the NAASJ", started with a contribution of US\$919,118 of the Department of Foreign Affairs and International Trade (DFAIT) of Canada, confirmed through an agreement signed with UNDP in February 2010.

The programme is already being implemented under the guidance of an Executive Committee integrated by the signatories of the NAASJ, and the DFAIT's funds have been allocated to attend important priorities related to the reform of the National Civilian Police, the strengthening of the National Prosecutor's office in regards to the use of special methods for crime investigation, and also the protection of judicial operators.

In the third quarter of 2010, the UN Resident Representative and the UNDP country office, in joint effort with the Government, started consultations with the United Nations Peace Building Fund (PBF) to apply for resources aimed at the fulfillment of the NAASJ. In March 2011, in his visit to the country, the General Secretary, Ban Ki-moon, announced a contribution of US\$10 million of the PBF, in support of the NAASJ, to strengthen and consolidate security, justice and peace in Guatemala, and to be channeled through the UN programmes, funds and agencies which are currently involved in cooperation in those matters. This project, which is also a part of the programme "Fight against impunity and the strengthening of peace in Guatemala", will be addressed to support the fulfillment of the NAASJ as well as to promote peace consolidation.

The project described in this document constitutes a third front, after DFAIT's and the PBF's projects, aimed at supporting the NAASJ under the umbrella programme "Fight against impunity and the strengthening of peace in Guatemala". It will cover important priorities of this agreement in a coordinated effort with the mentioned projects. It will be focused, specifically, on three outputs, the first one related to the facilitation of the comprehensive fulfillment of the NAASJ, with an adequate focus on gender; the second, to the modification of the organizational structure and the operational functioning of the Judicial Branch (*Organismo Judicial*) in order to separate the administrative functions from judges and Magistrates; and, the third, to provide technical assistance, support and political accompaniment to the Congress for the enactment of legislation on security and justice, according to Section IX of the NAASJ.

The second intended output is a challenge which includes the reengineering of the administrative procedures of the institution, as well as the implementation of integrated control mechanisms of efficiency and effectiveness of management (including the application of the Supreme Court's initiative "Zero tolerance to corruption, impunity and influence peddling"). Commitments 66, 64 and 63 of the NAASJ, respectively, will be addressed with this work. The third intended output is aimed at supporting primari-

ly the enactment of the laws that are still pending approval of the legislative agenda established in the NAASJ, which correspond to Section IX of it and specifically to commitments 83 to 91.

II. STRATEGY

UNDP Guatemala, being consistent with the principles of the Paris Declaration⁸, has made a policy analysis that could serve as a framework to organize the cooperation in the country in matters rule of law and peace, which are listed below⁹:

- Regarding the rule of law:
 - o Ensure public security, including work to strengthen the field of crime and violence prevention, and involvement of citizens and local governments in this area, ensure the legal control and monopoly of the use of force by the state, ensuring respect for human rights, strengthen civil control of security and public order.
 - o Ensure and expand access to justice; strengthening state capacities in matters of criminal investigation and criminal proceedings; support the independence of the judiciary and the legislature and strengthening their quality; promoting alternatives in resolution of conflicts in a legal and peaceful way; strengthening the capacity of the system in the fight against corruption and impunity.
 - o Ensure coordination of all state agencies and entities related to security and justice.
- Regarding consolidation of peace:
 - o Promote a culture of peace and peaceful coexistence, based on citizen participation in democratic dialogue and peaceful conflict resolution; promoting small arms control; promoting transparency in governance.
 - o Promote equity, gender and cultural relevance, as principles for peaceful coexistence and development.
 - o Support the work on transitional justice, with its elements of the right to truth, justice, reparation and non-repetition.

These policy statements keep full consistency with relevant policy areas that have been agreed to by the United Nations System (UNS) in the framework of the UNDAF 2010-2014, particularly effect 5 of said framework¹⁰ and with the expected results settled in the UNDP Country Programme for the same period¹¹. In fact, the approach to the results regarding the rule of law and the consolidation of peace is in

⁸ Paris Declaration on the effectiveness of cooperation, Paris, 28 February-2 March 2005

⁹ These policies have been taken or interpreted from the National agreement for the Advancement of Security and Justice, from commitments in the Peace Accords pending fulfilment, and from institutional and legal instruments related to the Guatemalan State. These are a selection made as a reference, which also reflects the conceptual framework proposed.

¹⁰ UNDAF effect 5 says: "For 2014, the rule of law will be strengthened through the law enforcement and international standards on human rights by duty and rights holders and security institutions will ensure justice and legal security, responding to cultural diversity and gender equality in the country, providing effective protection of rights (civil, political, economic, social, cultural and environmental) and acting with independence, impartiality, transparency and with a systemic and coordinated vision."

¹¹ The UNDP Country Program includes: An outcome of the program, within the democratic governance component, which reads: The state government has developed policies and programs to mitigate and reduce armed violence and impunity, ensure security and access to justice, especially for indigenous peoples. For this outcome defines two expected outcomes: The national institutions of justice and security sector have the capacity to reduce levels of impunity and ensuring greater efficiency in matters of investigation and prosecution, and public institutions responsible for security have increased capacities for security

the logic of work of the UN System, a joint challenge of the different agencies, funds and programs, which must be complementary in their efforts and have to generate synergies with the state institutions and civil society, as appropriate. However, the specific outcomes set out in the Country Programme correspond to the work areas in which UNDP has experience and can contribute.

More specifically, UNDP has taken as a reference tool to define its specific program in the field of rule of law, what is established in NAASJ and its priorities, but also other instruments of public policy definition consistent with explicit policies mentioned above.

In coherence with that, the respective strategy of UNDP in these areas include a coordinated and joint effort with the signatories of the NAASJ, who are participating as members of the respective Executive Committees of the projects mentioned in the previous section and who, therefore, provide guidance for orienting the umbrella programme "Fight against impunity and the strengthening of peace in Guatemala".

The financial strategy to ensure the necessary catalytic resources for the programme, as has already been mentioned, has been based on the mobilization of funds in the framework of the umbrella programme, from three sources: bilateral donors, the PBF and BCPR/UNDP. At this time, the approved resources for the programme include: from bilateral donors, US\$1.2 million from DFAIT/Canada; from the PBF, US\$10 million; and from BCPR, US\$1.0 million.

The strategy includes the orderly allocation of funds to support implementation of the different priorities of the NAASJ, in a way in which the funds from the involved sources are being assigned to cover them, avoiding overlaps and duplications. Accordingly, the general strategy implies coordination with the national institutions acting as beneficiaries or counterparts, as well as with cooperation agencies supporting those institutions.

Based on an analysis of the priorities of the NAASJ compared with the mandate and the recommendations of the CICIG, the UNDP country office identified four strategic areas of support to be covered by the umbrella programme: (i) Transfer of CICIG capacities for combating impunity to national authorities and thus contribute to reducing violence and strengthening the rule of law, giving a high degree of participation to civil society in this process; (ii) The National Civil Police retakes its reform process and increases its effectiveness in preventing crime and violence; (iii) The commitments in the National Agreement for the Advancement of Security and Justice are implemented, considering the empowerment of civil society on its oversight and monitoring of security and justice initiatives; and (iv) The administration of justice responds more effectively to crime through a greater ability to resolve conflicts with a special focus on indigenous peoples. The first three areas are to be supported with projects that are already in execution or are to be implemented with resources of DFAIT/Canada and the PBF funds. The fourth one, concerning the administration of justice, will be a main focus of this project.

Additionally, in order to facilitate the implementation of the umbrella programme, an international expert, who will be integrated to the UNDP country office team in charge of the corresponding programmatic area, will be the Project Coordinator. This person will be generating and supporting catalytic ac-

policy, and the capacity to generate information. It also includes a result of the program, within the component of crisis prevention and recovery, which reads: The state has developed policies, programs aimed at ensuring transitional justice. For this define a product: state institutions and civil society organizations have capabilities to ensure the right to justice, reparation for the victims and the promotion of measures to prevent recurrence.

tions to accelerate the fulfillment of the priority commitments of the NAASJ and to emphasize a gender focused approach, as well as the identification, definition, setting up and internal coordination of the project portfolio being generated, and the mobilization of fresh financial resources.

In relation specifically to the support to the Judicial Branch, the strategy is based on assuring the participation of the President of the Branch or of another Magistrate of the Supreme Court as the main delegate for conducting the project, combined with the designation, by the same institution, of high management level officials as project counterparts.

The project will be focused on achieving three outputs, the first-one related to the facilitation of the comprehensive fulfillment of the National Agreement for the Advancement of Security and Justice (NAASJ), with an adequate focus on gender; the second, to the modification of the organizational structure and the operational functioning of the Judicial Branch (*Organismo Judicial*) in order to separate the administrative functions from judges and Magistrates; and, the third, to provide technical assistance and support to the Congress for the enactment of legislation on security and justice, according to the NAASJ. Consequently, applying a result based management approach, the project will depend on the implementation of two main activities (called "Indicative activity results", in the result framework) for the first outcome, three for the second, and one for the third.

The two main activities of the first output are: AR1.1 Facilitate formulation and implementation of the programme's project portfolio, and AR1.2 Generate mechanisms and catalytic actions for facilitating the comprehensive implementation of the NAASJ, with an adequate focus on gender, and mobilize additional resources. The three activities of the second output are: AR2.1 Design and approval of the institutional organizational model appropriate to the separation of the administrative functions from judges and Magistrates, and of the respective manuals, instructions and protocols, as well as mechanism for its monitoring and evaluation; AR2.2 Training of judges, magistrates and administrative staff, as appropriate, on the new organizational model and on the manuals, instructions and protocols, and delegation of responsibilities to management level officials; and AR2.3 Implementation of the new organizational model according to a plan. The activity of the third output is: AR3.1 Provision of technical assistance and support to the Congress on analysis and study of law.

Activities AR1.1 and AR1.2 are to be implemented directly by the UNDP Country Office, through its justice and security programmatic team, with the specific support of an international expert (at level P4) who will be hired with project funds, will be the Project Coordinator, and will be specifically in charge of generating mechanisms and implementing catalytic actions aimed at assuring an integrated fulfillment of the NAASJ through the umbrella programme, with a strong focus on gender. This expert, who will work in consultation with the UN Women country office, will, in addition, support the formulation of the respective project portfolio and the mobilization of fresh financial support. All these actions, as has already been stated, will be implemented in coordination with the signatories of the NAASJ and the national institutions involved, as well as with the UNS agencies, programmes and funds with mandates in these matters.

Activities AR2.1, AR2.2 and AR2.3 will be specifically coordinated with the Judicial Branch, as has also been said. Activity AR2.1, focused on the design of the organizational model, will be based on the analysis of the different studies that have been carried out since the signing of the Peace Accords, that is, since 1996, in relation to the institution. Specific consultations and coordination with the different international cooperation agencies that have provided or are providing cooperation assistance to the Judicial Branch have been carried out, since it is known that some of this support is related to these matters.

Activity AR2.2 will be implemented separately for judges, for Magistrates and for administrative staff, in their places of work or close to them (in regional-based workshops). Activity AR2.3 will be basically in charge of the authorities of the institution, and will include coordination with the National Prosecutor's Office and with other institutions involved.

Activity AR3.1 will be implemented in coordination with National Congress, through its President and the President of the Legislative Roundtable on Security and Justice, and will be aimed at supporting its legislative work, which integrates three legislative commissions: the Commission on Legislation and Constitutional Issues, the Commission on Governance, and the Extraordinary Commission on Reform of the Justice Sector. It will include the provision of technical assistance on the specific subjects, facilitation of intersectoral discussion on law proposals, political accompaniment for the enactment of the prioritized agenda, as well as support for regional inter-parliamentary coordination on security and justice.

III. RESULT AND RESOURCES FRAMEWORK

<p>Intended outcome as stated in the CPD: The Guatemalan State has developed public policies and programs aimed at mitigate and reduce armed violence and impunity, as well as to ensure security and justice, specially for indigenous populations.</p> <p>Outcome indicators of the CPD Result and resources framework:</p> <p>Indicators: Number of governmental officials with capacities for criminal investigation and penal legal proceedings. Existence of a national security policy approved and in implementation. Number of security commissions of the development councils system which design and implement programs aimed at preventing and reducing armed violence. Number of development programs aimed at preventing and reducing armed violence formulated and implemented.</p> <p>Baseline: The officers have specialized training on standard and non-criminal investigation and prosecution. There is not a national security policy. 3 development council security commissions that design and implement programs for the management and prevention of conflict and violence. There are not development programs aimed at preventing and reducing armed violence.</p> <p>Goals: At least 50 officers trained in investigation and criminal proceedings. A national security policy approved and in implementation. 15 development council security commissions that design and deliver programs. 5 development programs formulated and being implemented.</p>				
<p>Applicable Key Result Area (of the UNDP Strategic Plan 2008-2013): Democratic Governance</p>				
<p>Implementation strategy: Direct implementation (DIM)</p>				
<p>Project title and ID (ATLAS Award ID): Fight against impunity and the strengthening of peace in Guatemala: Facilitating the implementation of the NAASJ, the institutional strengthening of the Judicial Branch and legislation on security and justice (Award 00062387)</p>				
INTENDED OUPUTS	ANNUAL OUTPUT TARGETS	INDICATIVE ACTIVITY RESULT	RESPONSIBLE PARTIES	INPUTS
<p>Output 1</p> <p>The priority commitments of the NAASJ are taken up by institutions and other state actors through a comprehensive set of ongoing projects (supported by UNDP and the UNS) in order to ensure their compliance, with an adequate focus on gender.</p> <p>Baseline:</p> <p>i. The programme Fight against impunity and the strengthening of peace in Guatemala is already underway, and 19 projects have been identified and two are already being implemented, but it is necessary to formulate and put into implementation most of them (at least other 17).</p> <p>ii. The programme counts with two financial sources (besides of this) that will provide near US\$1.5 million, however, in order to cover the priorities of the NAASJ, more resources are needed.</p>	<p>Targets year 1 (August-December 2011):</p> <p>i. At least 10 new projects formulated, approved and started (meaning a total of 12 projects running) as part of the component supported by the PBF.</p> <p>ii. At least a 15% of increment in fresh resources mobilized in support of the fulfillment of the NAASJ in the framework of the programme.</p> <p>iii. A mechanism for facilitating the implementa-</p>	<p>AR 1.1- Facilitate formulation and implementation of the programme's project portfolio.</p> <p>1.1.1 Facilitation of coordination within the UNS interagency thematic group aimed at the formulation of the PBF project portfolio;</p> <p>1.1.2 Identification and proposal of implementation strategies for the programme and its projects, in consultation with national state counterparts.</p> <p>1.1.3 Project formulation and implementation, including coordination with national state counterparts.</p>	<p>UNDP CO</p>	<ul style="list-style-type: none"> • International expert (P4) • Office space and equipment (including computers) for the expert and consultants • Travel (in support of project formulation and resource mobilization) • Facilities and resources for workshops (in support of program and project formulation and coordination) <p>Sub-Total AR 1.1: US\$ 250,000.00</p>

<p>iii. In order to assure the necessary coordination within the programme, as well as to mobilize fresh financial resources, there is the need to generate specific mechanism and implement catalytic actions.</p> <p>Indicators:</p> <ol style="list-style-type: none"> # of new projects formulated and implemented. % of additional resources mobilized for the fulfillment of the NAASJ in the framework of the programme (considering the initial 100% equivalent to US\$12.5 million). # of mechanisms and catalytic actions for facilitating the implementation of the programme set up and in implementation. 	<p>tion and monitoring of the programme's projects set up with UNDP support</p> <p>Targets year 2 (January-July 2012):</p> <ol style="list-style-type: none"> At least 7 new projects formulated, approved and started (meaning a total of 19 projects running). At least another 15% of increment (meaning a 30% accumulated) in additional resources mobilized in support of the fulfillment of the NAASJ in the framework of the programme. A mid-term programme evaluation designed and implemented. 	<p>AR 1.2 – Generate mechanisms and catalytic actions for facilitating the comprehensive implementation of the NAASJ, with an adequate focus on gender, and mobilize additional resources</p> <ol style="list-style-type: none"> 1.2.1 Identification and design of mechanisms and catalytic actions 1.2.2 Implementation of the mechanisms. 1.2.3 Mobilize additional resources in support of the NAASJ in the framework of the programme. 	<p>UNDP CO</p>	<ul style="list-style-type: none"> International expert (P4) Office space and equipment (including computers) for the expert and consultants Travel (in support of project formulation and resource mobilization) Facilities and resources for workshops (in support of program and project formulation and coordination) <p>Sub-Total AR 1.2: US\$ 250,000.00</p>
<p>Output 2</p> <p>Generated the basic conditions for the institutional strengthening of the Judicial Branch (<i>Organismo Judicial</i>) for the separation of the jurisdictional of the administrative roles of judges and Magistrates (related to the administrative as well as to the operational structures and its control mechanisms for assuring efficiency and effectiveness).</p> <p>Baseline:</p> <ol style="list-style-type: none"> The Judicial Branch has already begun the process of separation of functions, through the creation of a General Manager, but lacks an organizational structure appropriate to this separation of functions. The institution doesn't count with the methodological tools and procedures to promote the separation of 	<p>Targets year 1 (August-December 2011):</p> <ol style="list-style-type: none"> A study aimed at the analysis and design of an organizational model appropriate to the separation of judicial functions of administrative judges and magistrates, based on the studies that have been developed for the institution, including proposals for specific units, and an implementation plan approved. A draft of the general organization and opera- 	<p>AR 2.1.- Design and approval of the institutional organizational model appropriate to the separation of the administrative functions from judges and Magistrates, and of the respective manuals, instructions and protocols, as well as mechanism for its monitoring and evaluation.</p> <ol style="list-style-type: none"> 2.1.1 Analysis and design of the organizational model, based on the analysis of previous institutional studies, including proposals for specific units; 2.1.2 Preparation of an implementation plan based on the model; 2.1.3 Generation of manuals, instructions and protocols, and mechanism for monitoring and evaluation. 	<p>UNDP CO in consultation and coordination with the President of the Judicial Branch</p>	<ul style="list-style-type: none"> International and national consultants (including, when necessary, tickets and DSS) Office space and equipment (including computers) for consultants. Travel (mainly internal, to Judicial Branch offices) Facilities and resources for workshops (in support of the model design) Printing and publications (manuals, instructions and protocols) <p>Sub-Total AR 2.1: US\$ 120,080.00</p>

<p>functions and to ensure efficiency and effectiveness in administrative management.</p> <p>Indicators:</p> <p>i. # of institutional units redefined or created for the purpose of institutionalizing an appropriate organizational model to the separation of judicial functions of administrative judges and magistrates</p> <p>ii. # of number of operational tools designed to separate the administrative functions from judges and Magistrates, and in general to improve institutional management, approved, formalized and implemented, including manuals, instructions and protocols.</p>	<p>tion manual developed.</p> <p>Targets year 2 (January-December 2012):</p> <p>i. At least 4 institutional units redefined or created for the purpose of institutionalizing an appropriate organizational model to the separation of judicial functions of administrative judges and magistrates: (i) the General Manager's office; (ii) the Administration manager's office; (iii) the General Supervision of courts; and (iv) the Public communication office.</p> <p>ii. At least 1 general organization and operation manual; 1 protocol for the preparation of hearings and other activities of the courts; and 1 instruction for the public and online management of information concerning activities of the courts.</p>	<p>2.1.4 Approval of the model and the implementation plan.</p> <p>AR 2.2 – Training of judges, magistrates and administrative staff, as appropriate, on the new organizational model and on the manuals, instructions and protocols, and delegation of responsibilities to management level officials.</p> <p>2.2.1 Training of judges and Magistrates</p> <p>2.2.2 Training of administrative staff</p> <p>2.2.3 Delegation of responsibilities of management level officials according to the model.</p> <p>2.2.4 Internal and external communications on the implementation of the new model.</p>	<p>UNDP CO in consultation and coordination with the President of the Judicial Branch</p>	<ul style="list-style-type: none"> • National consultants • Office space and equipment (including computers) for consultants • Travel (mainly internal, to Judicial Branch offices) • Facilities and resources for workshops (for training) • Printed material (for didactic purposes) • Press releases and public announcements <p>Sub-Total AR 2.2: US\$ 121,780.00</p>
<p>Output 3</p> <p>Technical assistance, support and accompaniment provided to the Congress, through its Legislative Table on Security and Justice, for the enactment of laws on security and justice in the framework of the NAASJ and beyond this.</p>	<p>Targets year 1 (August-December 2011):</p> <p>i. Two legislative initiatives (out of nine) are supported for enactment.</p> <p>Targets year 2 (January-</p>	<p>AR 2.3 – Implementation of the new organizational model according to a plan.</p> <p>2.3.1 Setting up of the new model in the first units selected, according to the plan.</p> <p>2.3.2 Setting up of the model in the rest of the units, according to the plan.</p> <p>2.3.3 Setting up of mechanisms for the monitoring and evaluation of the new model.</p> <p>AR 3.1- Provision of technical assistance on specific subjects, facilitation of intersectoral discussion on law proposals, political accompaniment for the enactment of the prioritized agenda, and support for regional inter-parliamentary coordination.</p>	<p>President of the Judicial Branch with UNDP CO support</p> <p>UNDP CO in consultation with the President of the Congress and the President of the Legislative Round Table on Security and Justice</p>	<ul style="list-style-type: none"> • National consultants • Office space and equipment (including computers) for consultants. • Equipment (furniture and IT equipment) for institutional staff (when strictly necessary, according to the plan). • Travel (mainly internal, to Judicial Branch offices) • Facilitates and resources for meetings (in support of implementation activities) <p>Sub-Total AR 2.3: US\$ 108,140.00</p> <ul style="list-style-type: none"> • International and national consultants (including, when necessary, tickets and DSS) • Office space and equipment (including computers) for consultants. • Travel (in support of the regional inter-parliamentary coordination)

<p>Baseline:</p> <p>i. Of the ten commitments of the NAASJ concerning the legislative agenda, nine are still pending to be fulfilled. These comprise: the creation of the Ministry of Public Security; the reforms to the Law on the Judicial Career; the framework to regulate the institution in charge of criminal investigation; the strengthening of the regulatory framework of the National Civilian Police; the reforms to the penal and the penal proceedings code to adapt it to the implementation of anticorruption measures, and to establish the influence peddling and the illicit enrichment crimes; promote the enactment of a substantive and proceeding legislation on agrarian issues; reforms to the Law of the General Prosecutor's Office; promulgation of the Framework Law on Intelligence ; and reforms to the law on appeals for legal protection. According to the Congress, for the enactment of these laws the institution requires to count with specialized technical assistance, facilitation of intersectoral discussion on law proposals, and support for regional inter-parliamentary coordination on security and justice, but lack the necessary resources.</p> <p>Indicators:</p> <p>i. # of legislative initiatives concerning the pending NAASJ commitments which are supported with technical assistance, facilitation and other means, aimed at the enactment of the respective laws.</p>	<p>December 2012):</p> <p>i. At least other six legislative initiatives (adding a total of eight) are supported for enactment, including initiatives related to the pending commitments of the NAASJ and others.</p>	<p>3.1.1 Provision of technical assistance with national consultants, as required.</p> <p>3.1.2 Support for the organization of workshops and work-meetings aimed at analysis and discussions on proposed laws.</p> <p>3.1.3 Support for regional inter-parliamentary coordination, including organization of meetings in Guatemala and participation in meeting in neighbouring countries.</p>		<p>• Workshops and meetings (for analysis and discussions on proposed laws)</p> <p>Sub-Total AR 3.1: US\$ 150,000.00</p>
--	--	---	--	---

IV. ANNUAL WORK PLAN

Year: 2011

EXPECTED OUTPUTS <i>And baseline, indicators including annual targets</i>	PLANNED ACTIVITIES <i>List activity results and associated actions</i>	TIMEFRAME				RESPONSIBLE PARTY	PLANNED BUDGET	
		Q1	Q2	Q3	Q4		Funding Source	Budget Account
<p>Output 1: The priority commitments of the NAASJ are taken up by institutions and other state actors through a comprehensive set of ongoing projects (supported by UNDP and the UNS) in order to ensure their compliance, with an adequate focus on gender.</p> <p>Baseline: i. The programme Fight against impunity and the strengthening of peace in Guatemala is already underway, and 19 projects have been identified and two are already being implemented, but it is necessary to formulate and put into implementation most of them (at least other 17). ii. The programme counts with two financial sources (besides of this) that will provide near US\$11.5 million, however, in order to cover the priorities of the NAASJ, more resources are needed. iii. In order to assure the necessary co-ordination within the programme, as well as to mobilize fresh financial resources, there is the need to generate specific mechanism and implement catalytic actions.</p> <p>Indicators: i. # of new projects formulated and implemented. ii. % of additional resources mobilized for the fulfillment of the NAASJ in the framework of the programme (considering the initial 100% equivalent to US\$12.5 million). iii. # of mechanisms and catalytic actions for facilitating the implementation of the programme set up and in implementa-</p>	<p>AR 1.1- Facilitate formulation and implementation of the programme's project portfolio. 1.1.1 Facilitation of coordination within the UNS interagency thematic group aimed at the formulation of the PBF project portfolio; 1.1.2 Identification and proposal of implementation strategies for the programme and its projects, in consultation with national state counterparts. 1.1.3 Project formulation and implementation, including coordination with national state counterparts.</p> <p>AR 1.2 – Generate mechanisms and catalytic actions for facilitating the comprehensive implementation of the NAASJ, with an adequate focus on gender, and mobilize additional resources 1.2.1 Identification and design of mechanisms and catalytic actions 1.2.2 Implementation of the mechanisms. 1.2.3 Mobilize additional resources in support of the NAASJ in the framework of the programme</p>			XX	XXX	UNDP CO	UNDP-BCPR	21,617.92 8,314.58 6,352.35 5,231.25 1,250.00 125.00 5,000.00 2,946.00 1,000.00 1,237.90
				XX	XXX	UNDP CO	UNDP-BCPR	21,617.92 8,314.58 6,352.35 5,231.25 1,250.00 125.00 5,000.00 2,946.00 1,000.00 1,237.90

<p>tion.</p> <p>Targets (August-December 2011):</p> <p>i. At least 10 new projects formulated, approved and started (meaning a total of 12 projects running) as part of the component supported by the PBF.</p> <p>ii. At least a 15% of increment in fresh resources mobilized in support of the fulfillment of the NAASJ in the framework of the programme.</p> <p>iii. A mechanism for facilitating the implementation and monitoring of the programme's projects set up with UNDP support</p>								
<p>Output 2:</p> <p>Generated the basic conditions for the institutional strengthening of the Judicial Branch (<i>Organismo Judicial</i>) for the separation of the jurisdictional of the administrative roles of Judges and Magistrates (related to the administrative as well as to the operational structures and its control mechanisms for assuring efficiency and effectiveness).</p> <p>Baseline:</p> <p>i. The Judicial Branch has already begun the process of separation of functions, through the creation of a General Manager, but lacks an organizational structure appropriate to this separation of functions.</p> <p>ii. The institution doesn't count with the methodological tools and procedures to promote the separation of functions and to ensure efficiency and effectiveness in administrative management.</p>	<p>AR 2.1- Design and approval of the institutional organizational model appropriate to the separation of the administrative functions from judges and Magistrates, and of the respective manuals, instructions and protocols, as well as mechanism for its monitoring and evaluation.</p> <p>2.1.1 Analysis and design of the organizational model, based on the analysis of previous institutional studies, including proposals for specific units;</p> <p>2.1.2 Preparation of an implementation plan based on the model;</p> <p>2.1.3 Generation of manuals, instructions and protocols, and mechanism for monitoring and evaluation.</p> <p>2.1.4 Approval of the model and the implementation plan.</p>	XX	XXX	UNDP CO in consultation and coordination with the President of the Judicial Branch	UNDP-BCPR	71300 71400 71600 72500 74500 75700	46,500.00 8,000.00 2,500.00 200.00 100.00 3,000.00	
<p>Indicators:</p> <p>i. # of institutional units redefined or created for the purpose of institutionalizing an appropriate organizational model to the separation of judicial functions of administrative judges and magistrates</p> <p>ii. # of number of operational tools designed to separate the administrative functions from judges and Magistrates, and</p>	<p>AR 2.2 – Training of judges, magistrates and administrative staff, as appropriate, on the new organizational model and on the manuals, instructions and protocols, and delegation of responsibilities to management level officials.</p> <p>2.2.1 Training of judges and Magis-</p>			UNDP CO in consultation and coordination with the President of the Judicial Branch	UNDP-BCPR			

<p>in general to improve institutional management, approved, formalized and implemented, including manuals, instructions and protocols.</p> <p>Targets (August-December 2011):</p> <p>i. A study aimed at the analysis and design of an organizational model appropriate to the separation of judicial functions of administrative judges and magistrates, based on the studies that have been developed for the institution, including proposals for specific units, and an implementation plan approved.</p> <p>ii. A draft of the general organization and operation manual developed.</p>	<p>trates</p> <p>2.2.2 Training of administrative staff</p> <p>2.2.3 Delegation of responsibilities of management level officials according to the model.</p> <p>2.2.4 Internal and external communications on the implementation of the new model.</p> <p>AR 2.3 – Implementation of the new organizational model according to a plan.</p> <p>2.3.1 Setting up of the new model in the first units selected, according to the plan.</p> <p>2.3.2 Setting up of the model in the rest of the units, according to the plan.</p> <p>2.3.3 Setting up of mechanisms for the monitoring and evaluation of the new model.</p>		<p>President of the Judicial Branch with UNDP CO support</p>	<p>UNDP-BCPR</p>		
<p>Output 3:</p> <p>Technical assistance, support and accompaniment provided to the Congress, through its Legislative Table on Security and Justice, for the enactment of laws on security and justice in the framework of the NAASJ and beyond this.</p> <p>Baseline:</p> <p>ii. Of the ten commitments of the NAASJ concerning the legislative agenda, nine are still pending to be fulfilled. These comprise: the creation of the Ministry of Public Security; the reforms to the Law on the Judicial Career; the framework to regulate the institution in charge of criminal investigation; the strengthening of the regulatory framework of the National Civilian Police; the reforms to the penal and the penal procedure code to adapt it to the implementation of anticorruption measures, and to establish the influence peddling and the illicit enrichment crimes; promote the enactment of a substantive and proceeding legislation on agrarian issues; reforms to the Law of the General Prosecutor's Office; prom-</p>	<p>AR 3.1- Provision of technical assistance on specific subjects; facilitation of intersectoral discussion on law proposals, political accompaniment for the enactment of the prioritized agenda, and support for regional inter-parliamentary coordination.</p> <p>3.1.1 Provision of technical assistance with national consultants, as required.</p> <p>3.1.2 Support for the organization of workshops and work-meetings aimed at analysis and discussions on proposed laws.</p> <p>3.1.3 Support for regional inter-parliamentary coordination, including organization of meetings in Guatemala and participation in meeting in neighbouring countries.</p>	<p>XX</p> <p>XXX</p>	<p>UNDP CO in consultation and coordination with the President of the Congress and the President of the Legislative Table on Security and Justice</p>		<p>71300</p> <p>71600</p> <p>74500</p> <p>75700</p>	<p>12,500.00</p> <p>6,250.00</p> <p>800.00</p> <p>14,000.00</p>

<p>ulation of the Framework Law on Intelligence ; and reforms to the law on appeals for legal protection. According to the Congress, for the enactment of these laws the institution requires to count with specialized technical assistance, facilitation of intersectoral discussion on law proposals, and support for regional inter-parliamentary coordination on security and justice, but lack the necessary resources.</p> <p>Indicators:</p> <p># of legislative initiatives concerning the pending NAASJ commitments which are supported with technical assistance, facilitation and other means, aimed at the enactment of the respective laws.</p> <p>Targets (August-December 2011):</p> <p>i. Two legislative initiatives (out of nine) are supported for enactment.</p> <p>TOTAL</p>													US\$200,000.00
---	--	--	--	--	--	--	--	--	--	--	--	--	----------------

Year: 2012

EXPECTED OUTPUTS <i>And baseline, indicators including annual targets</i>	PLANNED ACTIVITIES <i>List activity results and associated actions</i>	TIMEFRAME				RESPONSIBLE PARTY	PLANNED BUDGET	
		Q1	Q2	Q3	Q4		Funding Source	Budget Account
<p>Output 1:</p> <p>The priority commitments of the NAASJ are taken up by institutions and other state actors through a comprehensive set of ongoing projects (supported by UNDP and the UNS) in order to ensure their compliance, with an adequate focus on gender.</p> <p>Baseline:</p> <p>i. The programme Fight against impunity and the strengthening of peace in Guatemala is already underway, and 19 projects have been identified and two are already being implemented, but it is necessary to formulate and put into im-</p>	<p>AR 1.1- Facilitate formulation and implementation of the programme's project portfolio.</p> <p>1.1.1 Facilitation of coordination within the UNS interagency thematic group aimed at the formulation of the PBF project portfolio;</p> <p>1.1.2 Identification and proposal of implementation strategies for the programme and its projects, in consultation with national state counterparts.</p> <p>1.1.3 Project formulation and implementation, including coordination</p>	XXX				UNDP-BCPR	61300 62300 63300 71400 71600 72500 72800 73100 74500 75700	93,677.66 36,029.87 27,526.82 22,668.75 3,750.00 325.00 1,000.00 8,838.00 846.81 2,262.10

<p>plementation most of them (at least other 17).</p> <p>ii. The programme counts with two financial sources (besides of this) that will provide near US\$11.5 million, however, in order to cover the priorities of the NAASJ, more resources are needed.</p> <p>iii. In order to assure the necessary coordination within the programme, as well as to mobilize fresh financial resources, there is the need to generate specific mechanism and implement catalytic actions.</p> <p>Indicators:</p> <p>i. # of new projects formulated and implemented.</p> <p>ii. % of additional resources mobilized for the fulfillment of the NAASJ in the framework of the programme (considering the initial 100% equivalent to US\$12.5 million).</p> <p>iii. # of mechanisms and catalytic actions for facilitating the implementation of the programme set up and in implementation.</p> <p>Targets (January-July 2012):</p> <p>i. At least 7 new projects formulated, approved and started (meaning a total of 19 projects running).</p> <p>ii. At least another 15% of increment (meaning a 30% accumulated) in additional resources mobilized in support of the fulfillment of the NAASJ in the framework of the programme.</p> <p>iii. A mid-term programme evaluation designed and implemented</p>	<p>with national state counterparts.</p> <p>AR 1.2 – Generate mechanisms and catalytic actions for facilitating the comprehensive implementation of the NAASJ, with an adequate focus on gender, and mobilize additional resources</p> <p>1.2.1 Identification and design of mechanisms and catalytic actions</p> <p>1.2.2 Implementation of the mechanisms.</p> <p>1.2.3 Mobilize additional resources in support of the NAASJ in the framework of the programme</p>	<p>XXX</p>	<p>XXX</p>	<p>XXX</p>	<p>XXX</p>	<p>UNDP-BCPR</p>	<p>UNDP CO</p>	<p>61300 62300 63300 71400 71600 72500 72800 73100 74500 75700</p>	<p>93,677.66 36,029.87 27,526.82 22,668.75 3,750.00 325.00 1,000.00 8,838.00 846.81 2,262.10</p>
<p>Output 2:</p> <p>Generated the basic conditions for the institutional strengthening of the Judicial Branch (<i>Organismo Judicial</i>) for the separation of the jurisdictional of the administrative roles of judges and Magistrates (related to the administrative as well as to the operational structures and its control mechanisms for assuring efficiency and effectiveness).</p> <p>Baseline:</p>	<p>AR 2.1- Design and approval of the institutional organizational model appropriate to the separation of the administrative functions from judges and Magistrates, and of the respective manuals, instructions and protocols, as well as mechanism for its monitoring and evaluation.</p> <p>2.1.1 Analysis and design of the organizational model, based on the analysis of previous institutional</p>	<p>XXX</p>				<p>UNDP-BCPR</p>	<p>UNDP CO in consultation and coordination with the President of the Judicial Branch</p>	<p>71300 71400 71600 72500 74200 74500</p>	<p>46,500.00 6,000.00 3,080.00 100.00 4,000.00 100.00</p>

<p>i. The Judicial Branch has already begun the process of separation of functions, through the creation of a General Manager, but lacks an organizational structure appropriate to this separation of functions.</p> <p>ii. The institution doesn't count with the methodological tools and procedures to promote the separation of functions and to ensure efficiency and effectiveness in administrative management.</p>	<p>studies, including proposals for specific units;</p> <p>2.1.2 Preparation of an implementation plan based on the model;</p> <p>2.1.3 Generation of manuals, instructions and protocols, and mechanism for monitoring and evaluation.</p> <p>2.1.4 Approval of the model and the implementation plan.</p>	<p>XXX</p>	<p>XXX</p>	<p>XXX</p>	<p>UNDP CO in consultation and coordination with the President of the Judicial Branch</p>	<p>UNDP-BCPR</p>	<p>71300 71400 71600 72500 74200 74500 75700</p>	<p>63,000.00 12,000.00 5,580.00 500.00 500.00 200.00 40,000.00</p>
<p>Indicators:</p> <p>i. # of institutional units redefined or created for the purpose of institutionalizing an appropriate organizational model to the separation of judicial functions of administrative judges and magistrates</p> <p>ii. # of number of operational tools designed to separate the administrative functions from judges and Magistrates, and in general to improve institutional management, approved, formalized and implemented, including manuals, instructions and protocols.</p> <p>Targets (January-December 2012):</p> <p>i. At least 4 institutional units redefined or created for the purpose of institutionalizing an appropriate organizational model to the separation of judicial functions of administrative judges and magistrates: (i) the General Manager's office; (ii) the Administration manager's office; (iii) the General Supervision of courts; and (iv) the Public communication office.</p> <p>ii. At least 1 general organization and operation manual; 1 protocol for the preparation of hearings and other activities of the courts; and 1 instruction for the public and online management of information concerning activities of the courts.</p>	<p>AR 2.2 – Training of judges, magistrates and administrative staff, as appropriate, on the new organizational model and on the manuals, instructions and protocols, and delegation of responsibilities to management level officials.</p> <p>2.2.1 Training of judges and Magistrates</p> <p>2.2.2 Training of administrative staff</p> <p>2.2.3 Delegation of responsibilities of management level officials according to the model.</p> <p>2.2.4 Internal and external communications on the implementation of the new model.</p> <p>AR 2.3 – Implementation of the new organizational model according to a plan.</p> <p>2.3.1 Setting up of the new model in the first units selected, according to the plan.</p> <p>2.3.2 Setting up of the model in the rest of the units, according to the plan.</p> <p>2.3.3 Setting up of mechanisms for the monitoring and evaluation of the new model.</p> <p>AR 3.1- Provision of technical assistance on specific subjects, facilitation of intersectoral discussion on law</p>	<p>XXX</p>	<p>XXX</p>	<p>XXX</p>	<p>UNDP CO in consultation and coordination with the President of the Judicial Branch with UNDP CO support</p>	<p>UNDP-BCPR</p>	<p>71300 71400 71600 72200 72500 72800 74200 74500 75700</p>	<p>33,000.00 6,000.00 3,720.00 40,000.00 3,000.00 18,120.00 1,000.00 300.00 3,000.00</p>
<p>Output 3:</p> <p>Technical assistance, support and accompaniment provided to the Congress, through its Legislative Table on Security and</p>	<p>AR 3.1- Provision of technical assistance on specific subjects, facilitation of intersectoral discussion on law</p>	<p>XXX</p>	<p>XXX</p>	<p>XXX</p>	<p>UNDP CO in consultation and coordination with the President of the Judicial Branch with UNDP CO support</p>	<p>UNDP-BCPR</p>	<p>71300 71600</p>	<p>42,500.00 23,750.00</p>

<p>Justice, for the enactment of laws on security and justice in the framework of the NAASJ and beyond this.</p> <p>Baseline:</p> <p>iii. Of the ten commitments of the NAASJ concerning the legislative agenda, nine are still pending to be fulfilled. These comprise: the creation of the Ministry of Public Security; the reforms to the Law on the Judicial Career; the framework to regulate the institution in charge of criminal investigation; the strengthening of the regulatory framework of the National Civilian Police; the reforms to the penal and the penal proceedings code to adapt it to the implementation of anticorruption measures, and to establish the influence peddling and the illicit enrichment crimes; promote the enactment of a substantive and proceeding legislation on agrarian issues; reforms to the Law of the General Prosecutor's Office; promulgation of the Framework Law on Intelligence ; and reforms to the law on appeals for legal protection. According to the Congress, for the enactment of these laws the institution requires to count with specialized technical assistance, facilitation of intersectoral discussion on law proposals, and support for regional inter-parliamentary coordination on security and justice, but lack the necessary resources.</p> <p>Indicators:</p> <p># of legislative initiatives concerning the pending NAASJ commitments which are supported with technical assistance, facilitation and other means, aimed at the enactment of the respective laws.</p> <p>Targets (January-December 2012):</p> <p>i. At least six other legislative initiatives (adding a total of eight) are supported for enactment , including initiatives related to the pending commitments of the NAASJ and others.</p>	<p>proposals, political accompaniment for the enactment of the prioritized agenda, and support for regional inter-parliamentary coordination.</p> <p>3.1.1 Provision of technical assistance with national consultants, as required.</p> <p>3.1.2 Support for the organization of workshops and work-meetings aimed at analysis and discussions on proposed laws.</p> <p>3.1.3 Support for regional inter-parliamentary coordination, including organization of meetings in Guatemala and participation in meeting in neighbouring countries.</p>	<p>nation with the President of the Congress and the President of the Legislative Table on Security and Justice</p>	<p>74500 75700</p>	<p>4,200.00 46,000.00</p>
<p>TOTAL</p>				<p>US\$800,000.00</p>

V. MANAGEMENT ARRANGEMENTS

The project will be implemented by UNDP, through its country office (UNDP CO), in the form of direct implementation (DIM, for its acronym in English). Consequently, the UNDP CO will be the "implementing partner" of the project, and as such will be the same entity responsible and accountable for its management, including monitoring and evaluation of its activities, the achievement of its products and the effective use of resources.

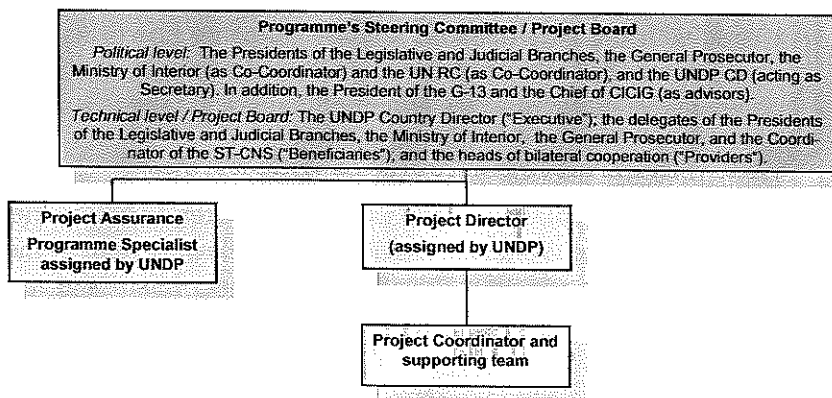
The UNDP CO will appoint a "Project Director" who shall be the officially designated to take over the leadership of the project on its behalf, and a "Project Coordinator", who will work under the guidance and the supervision of the project and be responsible for the management and daily decisions relating to it. The Project Director will be responsible on behalf of UNDP CO, of achieving the project outputs and also of managing it administratively and financially.

For the implementation of Output 2, related to the institutional strengthening of the Judicial Branch, the President of the Supreme Court will act as the main delegate of the institution for conducting the activities related to that Output or will name another Magistrate to play that role. In addition, the Supreme Court will designate a high management level official to act, under the guidance of the main institutional delegate, as the day-to day liaison with UNDP for technical and administrative matters related to the implementation of the activities.

The project is part of the Programme "Fight against impunity and the strengthening of peace in Guatemala", also called "Programme to support the implementation of the National Agreement for the Advancement of Security and Justice" (the program document is attached as Annex).

Based on this, the "Project Board" will be the Steering Committee at the technical level of this program. The Steering Committee has overall responsibility for the program, but also has specifications for each of the projects that comprise it, such as the present one, particularly with regard to monitoring and evaluation. The Steering Committee of the programme is organized in two levels: the Executive and the Technical Committee. The Executive Committee is integrated by the signatories of the NAASJ: Presidents of the executive, legislature and judiciary and the National Prosecutor and Head of the Public Ministry, the ambassadors for bilateral cooperation that have formalized specific financial contributions to support the program, i.e., Canada -, the Coordinator of the Technical Secretariat of the National Security Council (ST-CNS), and the UNDP Resident Representative or, instead, the Country Director of UNDP. The Technical Committee is integrated by UNDP, who chairs it, delegates at the technical level of the signatories of ANASJ, the heads of bilateral cooperation participating in the programme, and the ST-CNS.

In their role as the Project Board members, the Technical Committee will act in the following roles: the Country Director of UNDP will act as "Executive", heads of bilateral cooperation, as "Providers" and the representatives of the Guatemalan state entities, as "Beneficiaries". In



addition, a Programme Officer, appointed by UNDP, will fulfill functions of "project assurance".

To achieve viability and sustainability of the work related to Output 2, the Judicial Branch will ensure the following conditions: a) Make available office space for the consultants; b) Allocate adequate office space, furniture and equipment to the new or redefined institutional units, according to the respective implementation plan; c) Assign personnel to these units, also according to the plan and needs. Similarly, for Output 3, the Congress will provide office space for the consultants.

VI. MONITORING FRAMEWORK AND EVALUATION

In accordance with the programming policies and procedures established in the UNDP Programme and Operations Policies and Procedures (POPP), the project will be monitored through the following:

Throughout the life of the project:

- On a quarterly basis, a quality assessment shall record progress towards the completion of key results, based on quality criteria and methods captured in the Quality Management table below.
- An Issue Log shall be activated in Atlas and updated by the Project Manager to facilitate tracking and resolution of potential problems or requests for change.
- Based on the initial risk analysis submitted (see Annex 1), a risk log shall be activated in Atlas and regularly updated by reviewing the external environment that may affect the project implementation.
- Based on the above information recorded in Atlas, a Project Progress Reports (PPR) shall be submitted by the Project Manager to the Project Board through Project Assurance, using the standard report format available in the Executive Snapshot.
- A project Lessons-learned log shall be activated and regularly updated to ensure on-going learning and adaptation within the organization, and to facilitate the preparation of the Lessons-learned Report at the end of the project
- A Monitoring Schedule Plan shall be activated in Atlas and updated to track key management actions/events.
- Final meeting for internal evaluation of the project: In the last year of the project, the meeting referred to in the preceding two paragraphs will become final. For this, the project coordinator will prepare a narrative report which will be reviewed by the Guarantor of the Project and presented for consideration to the Project Board.

Annually:

- Annual Review Report. An Annual Review Report shall be prepared by the Project Manager and shared with the Project Board and the Outcome Board. As minimum requirement, the Annual Review Report shall consist of the Atlas standard format for the QPR covering the whole year with updated information for each element of the QPR as well as a summary of results achieved against pre-defined annual targets at the output level.
- Annual Project Review. Based on the above report, an annual project review shall be conducted during the fourth quarter of the year or soon after, to assess the performance of the project and appraise the Annual Work Plan (AWP) for the following year. In the last year, this review will be a final assessment. This review is driven by the Project Board and may involve other stakeholders as re-

quired. It shall focus on the extent to which progress is being made towards outputs, and that these remain aligned to appropriate outcomes.

Quality Management for Project Activity Results

Output 1		
The priority commitments of the NAASJ are taken up by institutions and other state actors through a comprehensive set of ongoing projects (supported by UNDP and the UNS) in order to ensure their compliance, with an adequate focus on gender.		
Activity Result AR1.1	Project formulation & implementation	Start Date: 1Sep11 End Date: 30Mar12
Purpose	Complete the project portfolio in support of the implementation of the NAASJ	
Description	1.1.1 Facilitation of coordination within the UNS interagency thematic group aimed at the formulation of the PBF project portfolio; 1.1.2 Identification and proposal of implementation strategies for the programme and its projects, in consultation with national state counterparts. 1.1.3 Project formulation and implementation, including coordination with national state counterparts.	
Quality Criteria	Quality Method	Date of Assessment
Thematic coverage of the portfolio	Verifying if the priorities of the NAAS are being covered by the portfolio	1 July 2012
Participation and ownership of the state institutions in the projects	Verifying if the state institutions are playing important roles in project direction and implementation	30 June 2012
Activity Result AR1.2	Program consolidation	Start Date: 1Sep11 End Date: 30Mar12
Purpose	Expand the scope of the program to ensure maximum coverage of the commitments of the NAASJ and, accordingly, mobilize new resources	
Description	1.2.1 Identification and design of mechanisms and catalytic actions 1.2.2 Implementation of the mechanisms. 1.2.3 Mobilize additional resources in support of the NAASJ in the framework of the programme	
Quality Criteria	Quality Method	Date of Assessment
Adding of new fronts of work and resources to the basket programme, beyond the existing three (DFAIT, PBF and BCPR)	Verifying if there are new fronts, with fresh resources	Jan12
Output 2		
Generated the basic conditions for the institutional strengthening of the Judicial Branch (<i>Organismo Judicial</i>) for the separation of the jurisdictional of the administrative roles of judges and Magistrates (related to the administrative as well as to the operational structures and its control mechanisms for assuring efficiency and effectiveness).		
Activity Result AR2.1	Definition of the organizational model	Start Date: 1Sep11 End Date: 30Mar12
Purpose	To analyse and define (including the approval of the Supreme Court) the organizational model to be implemented for the separation of the jurisdictional of the administrative roles of judges and Magis-	

	trates.	
Description	2.1.1 Analysis and design of the organizational model, based on the analysis of previous institutional studies, including proposals for specific units; 2.1.2 Preparation of an implementation plan based on the model; 2.1.3 Generation of manuals, instructions and protocols, and mechanism for monitoring and evaluation. 2.1.4 Approval of the model and the implementation plan	
Quality Criteria	Quality Method	Date of Assessment
Existence of an organizational model to be implemented, approved by the Supreme Court	Verifying if the model was approved by the Supreme Court, in the respective minutes	April 2012
Activity Result AR2.2	Training	Start Date: 1Apr12 End Date: 31Aug12
Purpose	To prepare the judges, Magistrates and administrative staff for the implementation of the model.	
Description	2.2.1 Training of judges and Magistrates 2.2.2 Training of administrative staff 2.2.3 Delegation of responsibilities of management level officials according to the model. 2.2.4 Internal and external communications on the implementation of the new model.	
Quality Criteria	Quality Method	Date of Assessment
Coverage of the training activities	Verifying if the training was conducted to all persons involved, and if the thematic coverage was appropriate to the different persons according to their roles, through analysis of training plans and documents, and lists of participants.	Sep12
Activity Result AR2.3	Implementation of the new model	Start Date: 1Jul12 End Date: 31Dec12
Purpose	To organized the institution according to the new model in order to separate the administrative functions from judges and Magistrates and improve institutional management capacities.	
Description	2.3.1Setting up of the new model in the first units selected, according to the plan. 2.3.2 Setting up of the model in the rest of the units, according to the plan. 2.3.3 Setting up of mechanisms for the monitoring and evaluation of the new model.	
Quality Criteria	Quality Method	Date of Assessment
Compliance with the organizational plan	Verifying the compliance with the plan, according to its different elements	Jan12
Output 3		
Technical assistance, support and accompaniment provided to the Congress, through its Legislative Table on Security and Justice, for the enactment of laws on security and justice in the framework of the NAASJ and beyond this.		
Activity AR3.1	Result	Provision of technical assistance and support
		Start Date: 1Sep11 End Date: 31Dec12

Purpose	To provide support and advocate for the enactment of the laws	
Description	3.1.1 Provision of technical assistance with national consultants, as required. 3.1.2 Support for the organization of workshops and work-meetings aimed at analysis and discussions on proposed laws. 3.1.3 Support for regional inter-parliamentary coordination, including organization of meetings in Guatemala and participation in meeting in neighbouring countries	
Quality Criteria	Quality Method	Date of Assessment
Coverage of the assistance and support	Verifying if all assistance and support request from the Congress, coherent with the purpose of these activities, has been satisfactorily granted (based letters exchanged and project execution documents).	Jan13

VII. LEGAL CONTEXT

This project document and the Country Programme Action Plan (CPAP) [http://www.undp.org/latinamerica/country-docs/Guatemala_CPAP_2010_2014.pdf], signed by the Government of Guatemala and UNDP, constitute together a project document, according to Article 1 of the "Agreement between the United Nations Development Programme and the Government of the Republic of Guatemala" [http://www.undp.org.gt/downloads/Acuerdo_MG_Guatemala-PNUD.pdf] signed on 20 July 1998 and approved by the Congress of the Republic of Guatemala through Decree N° 16-2000 of 29 March 2000.

ANNEXES

1. Risk log
2. Terms of reference of the international expert and key consultants

ANNEX 1: RISK LOG

#	DESCRIPTION	DATE IDENTIFIED	TYPE	IMPACT & PROBABILITY	COUNTERMEASURES / MANAGEMENT RESPONSE	OWNER	SUBMITTED, UPDATED BY	LAST UP-DATE	STATUS
1	Change of the political environment caused by the electoral process 2011	October 2010	Political	Probability= 3 Impact =4	- Proactive action to establish the ANASJ as the political framework of the State	Project Board	PO	July 2011	Identified
2	Delay in mobilizing additional resources to finance important projects (even the implementation of Activity Result 1.2)	October 2010	Financial	Probability= 3 Impact = 3	- Proactive action to liaise with potential partners - Project work-plans adjustments.	Project Coordinator	PO	July 2011	Identified
3	Lack of support from the involved State institutions	October 2010	Political	Probability = 3 Impact = 4	-To analyze the cases in the Steering Committee, in order to identify the measures to be taken.	Project Coordinator	PO	July 2011	Identified

ANNEX 2: TERMS OF REFERENCE**INTERNATIONAL EXPERT ON JUSTICE AND SECURITY AND PROJECT COORDINATOR**

Project:	Fight against impunity and the strengthening of peace in Guatemala: Facilitating the implementation of the NAASJ, the institutional strengthening of the Judicial Branch and legislation on security and justice
Location :	Guatemala City (with periodic visits to the interior of the country)
Application Deadline :	
Type of Contract :	
Post Level :	P-4
Languages Required :	Spanish and English
Duration of Initial Contract :	

Duties and Responsibilities

In agreement with the United Nations Development Assistance Framework 2010 - 2014 UNDP Guatemala has formulated a specific program on democratic governance which includes the strengthening of the rule of law and support to the reform of the justice and security sector. UNDP Guatemala has been successful in mobilizing resources to support key activities on these issues. The on-going projects and programs are backing the transition process towards the transferring of capacities and functions from the United Nations Commission Against Impunity in Guatemala (CICIG) towards national institutions as its mandate expires in 2012.

With this purpose, the UNDP country office generated the programme “Fight against impunity and the strengthening of peace in Guatemala”, which is particularly aimed at supporting the fulfillment of the National Agreement for the Advancement on Security and Justice (NAASJ), signed by the Presidents of the three branches of Government and the General Prosecutor in 2010.

Among the different projects that are being implemented within this programme, the project “Fight against impunity and the strengthening of peace in Guatemala: Facilitating the implementation of the NAASJ, the institutional strengthening of the Judicial Branch and legislation on security and justice” –or shortly, “the project”– is aimed at achieving three outputs. The first-one is related to the facilitation of the comprehensive fulfillment of the National Agreement for the Advancement of Security and Justice (NAASJ), with an adequate focus on gender; the second, to the modification of the organizational structure and the operational functioning of the Judicial Branch (*Organismo Judicial*) in order to separate the administrative functions from judges and Magistrates; and, the third, to provide technical assistance and support to National Congress for the enactment of legislation on security and justice, according to the NAASJ.

The International Expert on Justice and Security and Project Coordinator (or, shortly, “the International Expert”) will be the Coordinator of the project, and will have, additionally, the specific responsibilities of generating and supporting catalytic actions to accelerate the fulfillment of the priority commit-

ments of the NAASJ and to emphasize a gender focused approach in it, as well as the identification, definition, setting up and internal coordination of the project portfolio being generated, and the mobilization of fresh financial resources. The International Expert will develop this work under the guidance of the Project Director, in coordination with the Programme Specialist in charge of the Country Office's Democratic Governance Area, and with the accompaniment of the Rule of Law and Peace Projects Implementing Manager.

The objective of this post is twofold: (1) to ensure the technical and administrative implementation of the mentioned project, including the coordination with and support to the Judicial Branch and the National Congress for ensuring a smooth conduction of the respective components of the project, for achieving outputs 2 and 3 of the project, and (2) to assume directly the accomplishing of output 1 of the project.

He/she will provide services in:

1. The coordination of the project, acting as the "Project Coordinator":

- Building and proposing strategies for the implementation of the project, including the project entry and exit strategies and those focused on the strengthening of the participant institutions;
- Promoting coordination and synergy of efforts with programs and projects with overlapping objectives and related topics, particularly within the programme;
- Defining project work plans and annual budgets, and taking care of their required adjustments;
- Preparing project reviews and adjustments according to needs;
- Preparing project narrative and financial reports quarterly, annual and final project and program and others that are required by the Program Steering Committee / Board of Project or UNDP;
- Ensuring compliance with UNDP procedures in the execution of the project resources, and assuming direct responsibility for the strict compliance with them in the project;
- Designing and implementing a project monitoring system, coherent with the program's, in coordination with the project's participant institutions, in consultation with the UNDP M&E official, and sharing the respective information regularly to update the overall program's system;
- Build links with other programs and projects with overlapping objectives and issues to identify best practices and share lessons with partners;
- Support and facilitate the conduct of external evaluations;
- Ensuring that corrective actions are taken based on the findings of the monitoring and evaluation processes;
- Participate in and promote activities of communication and public information concerning the project, within the respective program's activities;
- Direct, supervise and ensure the good performance of the Administrative Assistant, as well as others that are incorporated into the project team;
- Assume direct responsibility for project management and compliance with UNDP procedures in the implementation thereof, including, among others, management of requests for administrative action, the processes of procurement, recruitment processes, planning and control of budget execution, reporting, monitoring performance and risk management, and field visits;
- Provide advice on his fields of expertise to the UNDP Country Director, the Programme Coordinator, and the Democratic Governance Area programmatic team;
- Support at specific requests, other programmatic processes of the UNDP Democratic Governance Area.

2. The accomplishing of Output 1 of the project, “The priority commitments of the NAASJ are taken up by institutions and other state actors through a comprehensive set of ongoing projects (supported by UNDP and the UNS) in order to ensure their compliance, with an adequate focus on gender”:

- Provide input and guidance criteria, scope and strategies for the programme and its project portfolio, aimed at assuring the widest possible coverage of NAASJ commitments;
- Manage institutional support, to create conditions conducive to the complete execution of the NAASJ;
- Promote the strengthening of institutional capacity of state actors involved to play such a role;
- Contribute to overall program planning;
- Mobilize fresh financial resources, in coordination with the project Director, for supporting new initiatives related to the compliance of the NAASJ;
- Collect and make analysis of information on donor contacts, funding priorities, criteria and processes related to Rule of Law, Human Rights and Access to Justice;
- Identify opportunities for the implementation of the programme and its projects, making specific recommendations on actions needed;
- Provide support to the Secretary of the Steering Committee of the Program / Project Board on two levels, political and technical, according to the needs;
- Support the program’s partners in the identification, formulation, implementation, management, monitoring and evaluation of program-specific projects, through technical assistance and advice and operational;
- Conduct analysis of results of monitoring program and submit to UNDP, in order to provide elements to adjust or confirm the intervention strategies;
- Design specific strategies aimed at assuring a strong and adequate focus on gender on all program’s projects, promote gender equality and empowering women from their ethnic and cultural diversity, in accordance with the commitments outlined in the UN Secretary General’s Report on Women’s Participation in Peacebuilding (A/65/354-S/2010/466), as well as, in compliance with the UN Security Council Resolution 1325 on women, peace and security, promote the incorporation of a gender perspective in the civil police reform and the justice sector;
- Generate specific mechanisms in the projects dealing with gender based violence data (GBV), for linking the collected data with the institutional and national databases.

Competencies

Corporate Competencies:

- Ethics and values
- Organizational awareness
- Developing and empowering people / coaching and mentoring
- Working in teams
- Communicating information and ideas
- Self-management and emotional intelligence
- Conflict management / negotiating and resolving disagreements
- Knowledge sharing / continuous learning
- Appropriate and transparent decision making

Functional Competencies:

People Skills:

- Recognizes and responds appropriately to the ideas, interests, and concerns of others;
- Builds trust and engenders morale by displaying open, transparent, and credible behavior;
- Evidences leading capacities for team conduction;
- Respect individual/cultural and gender differences; utilizes diversity to foster teamwork;
- Ensures others' understanding of, involvement in, and adaptation to a change process.

Partnering and Networking:

- Initiates and sustains relationships with key constituents (internal /external /bilateral/ public/ private/ NGO);
- Communicates sensitively and effectively across different constituencies.

Results-Oriented:

- Plans and produces quality results to meet established goals;
- Generates innovative, practical solutions to challenging situations.

Communication:

- Formulates written information clearly and persuasively;
- Shares information openly with co-workers and partners while using discretion to protect confidences.

Job Knowledge and Expertise:

- Thorough knowledge of rule of law and access to justice principles and procedure at the national or international level, and prefer knowledge of professional conduct and ethics codes;
- Strong analytical skills, with the ability to deal with a range of complex legal issues;
- Superior legal research and writing skills including relevant experience in legislative reform, drafting legislation and policy development experience;
- Sound and proven management skills, training experience, strong leadership, people development skills, and proven ability to work inclusively and collaboratively with host-country counterparts;
- In-depth practical knowledge and experience in capacity development/training approaches;
- Experience at high level policy advice and strategic planning within a national government or international organization;
- Strong personal knowledge and practice in formulating programs and projects focused on results;
- Ability to lead formulation, oversight of implementation, monitoring and evaluation of development projects;
- Proven capacity and experience on building strong relationships with clients, focuses on impact and result for the client and responds positively to feedback.

Required Skills and Experience

Education:

- Master's degree in law, Human Rights, political sciences or international relations, preferably with specialization in human rights and/or international criminal law.

Experience:

- At least 7 years' work experience dealing with issues related to access to justice, judicial reform and/or strengthening of the rule of law in conflict and post-conflict countries, preferable with important experience in Guatemala, including relevant experience on policy advice at national and institutional levels;
- Significant knowledge of development process and post-conflict related issues, particularly in the revival and development of accountable rule of law institutions in a post-conflict/peace-building environment;
- Highly qualified experience in promoting an equitable gender focus in institutional development and on UN programs and projects, and complete domain of the concepts and criteria of the UN Secretary General's Report on Women's Participation in Peacebuilding (A/65/354-S/2010/466) and the UN Security Council Resolution 1325 on women, peace and security, and excellent understanding of and proven experience in addressing sexual and gender based violence (SGBV);
- At least 7 years of relevant experience in project formulation, management and control; resource mobilization; and monitoring and evaluation of development projects, preferably with specific Rule of Law or Access to Justice focus;
- 5 or more years of experience within an International organization, preferably UNDP or other UN agencies, working on governance and project management issues;
- Experience working in a multi-cultural and/or international work environment.

Language requirements:

- Excellent written and spoken Spanish and English.

Technical skills required:

- Functionally-related professional management skills;
- Ability to plan and prioritize work activities to meet organizational goals and organize and oversee work processes efficiently to achieve quality results;
- Experience in the usage of computers and office software packages (MS Word, Excel, etc.) and advanced knowledge of spreadsheet and PowerPoint.

Previous UN Experience:

- Experience from previous UN assignments and/or multilateral organizations and bi-lateral aid organizations would be an asset.

Note:

- Female candidates are encouraged to apply.
- Knowledge of Prince2 and other proven Results Based Management methodologies would be an asset.
- Knowledge of ATLAS and PeopleSoft would be an asset.

UNDP is committed to achieving workforce diversity in terms of gender, nationality and culture. Individuals from minority groups, indigenous groups and persons with disabilities are equally encouraged to apply. All applications will be treated with the strictest confidence

