

**CENTER FOR JUSTICE STUDIES OF THE AMERICAS**  
**QUARTERLY REPORT**  
**October 2001 – December 2001**

The following report provides a summary of the major activities and the financial situation of the Center for Justice Studies of the Americas for the final quarter of 2001, which corresponds to USAID- funded project N° LAG-G-00-00-00035-00.

**I. ACTIVITIES.**

**1. Institutional aspects**

- a) The process of subscribing agreements with justice-sector institutions continued. The first signatures for the institutional cooperative agreement with the Catholic University of Lima and the Chilean Institute for Judicial Studies were obtained.
- b) The steps necessary to begin the parliamentary process for the Center's Headquarters Agreement with the Chilean Government have continued, and the internal steps corresponding to the Executive Power are expected to conclude shortly.
- c) With respect to funding, we are still in the process of implementing support from the Chilean Government, and we continue to make contacts with other governments and funding agencies. Funding-related topics were specifically addressed in the VI Meeting of the CEJA Board of Directors and were also the motive for the Executive Director's trip to Canada and the United States, December 9-14, 2001. As is indicated in the attached document, the most important task of the Board Meeting was the resolution to create an Advisory Board to aid in CEJA's search for funding. The conclusions of the Director's trip follow:

Canadian Visit:

It was clear in the course of various meetings that the Canadian Government regards CEJA and its work positively and is highly interested in supporting that work. The following projects were discussed as real possibilities:

- CIDA has expressed its interest in a significant project with JSCA to be developed in South America (and then later in another country in a different area). The project would be directed toward topics similar to those found in our current Work Plan. They would prefer to see some degree of commitment (not necessarily financial) on the part of the countries involved and stated that their interest is in developing actions with or for civil society. It is also advisable to have some Canadian participation in carrying out the project. They also expressed a particular interest in the topics of connectivity and follow-up agreements to the meetings of the justice ministers and ombudsmen. We should present a project outline soon in order to begin the application process, which will take a minimum of three months.

- They stated that for small projects (such as travel expenses involved in transporting experts to and from Canada) we could use the funds available in CIDA's State Reform project, which are managed from Chile for this sub-region. In fact, we are currently using these funds to bring a Canadian expert to the course in January and they informed us that we could use this fund more intensively.
- Another concrete alternative was to use this fund, which is directly administered by the Ministry of Foreign Affairs, to finance Human Security projects. This is the same fund from which we received Canadian funds last year. They provided application forms, and there is a good possibility that it will be approved. Again, their interest is in civil society and geographically the Caribbean, although not exclusively.
- Connectivity Institute. This project is the initiative of the Canadian government as a consequence of the last Americas Summit. Backed by a start-up fund of \$20,000,000 Canadian dollars, it will begin financing projects in April or May of this year. The projects are related to the use of Internet to generate networks and virtual working systems, hopefully at the regional level. The JSCA Executive Director spoke with the person in charge of the project who confirmed that activities such as ours were precisely the type they wish to support.
- We were informed by the Canadian Ministry of Foreign Affairs that the OAS currently has a surplus and that ways of investing that money are currently under discussion. This information was later confirmed by both the Canadian embassy and the OAS in Washington. The Ministry stated that Canada would like to see part of those funds directed toward CEJA. This was further discussed in the US with representatives of the State Department and the Embassies of Argentina, Brazil, Costa Rica, Chile, Mexico, Uruguay and the US before the OAS.

In my meetings with the University of Ottawa, we discussed possible joint activities. We received a concrete offer of an residency in that university for a CEJA researcher, which could be used to organize the CIDA project.

I also met with Bill Graham, president of the FIPA (Interparliamentary Federation of the Americas. He offered CEJA a space in the next meeting, which will be held in Mexico.

A final activity was to attend a working meeting on indigenous rights where I was brought up to date on Canada's important initiatives in this area.

#### US Visit:

- We discussed CEJA's progress in a meeting with Fay Armstrong and Erin Krasik, and they expressed their truly positive opinions of CEJA. We also discussed the future, specifically the employment of surplus resources from the current USAID project, which expires in March, as well as a new project. We agreed to send a formal request to extend the USAID project by \$750,000 for a period of 18 months. Processing for this project could take as long as six months, and we must therefore begin soon in order to avoid a

gap in funding between the end of the current project and the beginning of the new one. Both the continuation and the new project should be directed toward activities approved in the Work Plan and use the resources already committed by other sources as counterpart funds.

- We had a very successful meeting with the team of the World Bank's Legal Department to inform them of CEJA's current situation. The World Bank is interested in supporting our work with the NGO network, which they originally promoted. They agreed to send us the alternatives available for funding our activities in this area. As both institutions are involved in statistical projects that are complementary but different in content and objectives, we agreed to coordinate our efforts. The WB expressed its satisfaction with the results they are obtaining from a joint virtual training project (a program on corruption and the Judiciary).
- We were informed in the IBD that our \$200,000, two-year project will soon be submitted to the Board of Directors and that it has priority for approval. The funds should be available in March or April of 2002. We took advantage of the opportunity to review other areas of possible joint efforts for the future.
- We met with Christopher Wray, of the Attorney General's Office, to bring him up to date on CEJA's developments. He expressed his complete satisfaction with our advances and reiterated the interest that the US government and the Justice Department have in this initiative.
- Chile's OAS Embassy offered a dinner in honor of our visit which was attended by representatives from the OAS Embassies of Argentina, Brazil, Costa Rica, Mexico, Uruguay, and the US. The participants commented that it would be very useful for CEJA to obtain an express resolution of support from the OAS to facilitate its fund-raising efforts.

CEJA also received resources from the projects it is undertaking with the support of Esquel Ecuador, the Ford Foundation and IFES.

- d) The VI Meeting of CEJA's Board of Directors was held in December, and the institution's annual budget and work plan for the year 2002 were approved, as were a number of resolutions. See attached documents.
- e) In October CEJA received Fulbright scholar David Bosco from Harvard University. David joins the CEJA staff for a period of one year.

## 2. Promotional efforts and participation in events.

Work continues in the preparation of CEJA's Web site, incorporating more information and improving its presentation.

A new brochure was prepared to explain CEJA's mission, structure, objectives and activities. The publication has been widely distributed throughout the region.

Our news bulletin (NEXOS) was also prepared and distributed monthly via Internet to an extensive data base of people interested in the region's judicial systems.

CEJA has actively participated in various events, which has made it possible to provide information about the institution and present its views with respect to judicial matters. Those events include:

- Supreme Court Summit. Panama City, Panama
- The International Congress on Criminal Policy and Regional Integration. Sponsored by CEJA. Curitiba, Brazil.
- First Judicial School Encounter, "Toward Excellence in Justice," Guatemala City, Guatemala.
- Seminar on the New Challenges in the Transition toward Regional Integration. Organized by the American Bar Association. Monterrey, Mexico.
- Seminar on Human Rights and Globalization. Organized by the Diego Portales University and the Ford Foundation. Santiago de Chile.
- International Conference of Experts on Democratic Transition and Consolidation. Organized by the Gorbachev Foundation for North America and FRIDE. Madrid, Spain.
- First Central American Congress of the Network of Judges, Attorneys General and Public Defenders for the Democratization of Justice. Guatemala City, Guatemala.
- Second International Congress on the Criminal Process Reforms. Sponsored by CEJA. Pucón, Chile.
- Extraordinary General Assembly of the Inter.-American Association of Offices of Public Prosecutors. Buenos Aires, Argentina.
- International South American Public Prosecutors Seminar on the "Application of Prosecutorial Discretion and Alternatives to Oral Trials." Co-organized by CEJA. Santiago de Chile.
- Presentation of the journal *Realidad Judicial*. Editorial La Ley (publisher). Buenos Aires, Argentina.
- Inter-American meeting for the Offices of the Public Defenders. Organized by CEJA. Santiago de Chile.
- Seminar on Judicial Independence. Co-organized by CEJA. Lima, Peru.
- Ford Foundation work meeting, "Role of the NGOs" project. Santiago de Chile.
- Second Meeting of the Latin American Magistrates for Gender Justice. Panama City, Panama.

### **3. Activities undertaken in accordance with CEJA objectives**

#### **3.1 Activities to facilitate training programs**

- a) Work has continued in organizing and publicizing the International Course on Instruments for Judicial Reform, to take place January 7-18, 2002 in Santiago de Chile.
- b) We are currently preparing a virtual training course on judicial systems and corruption in conjunction with the World Bank.

#### **3.2 Activities to facilitate information exchange and other forms of technical cooperation**

- a) The Civil Society Organizations Network, promoted by the World Bank, was transferred to us, and the corresponding invitations were sent to member institutions.
- b) The Judicial Statistic Homologation project began.
- c) The first edition of the *Sistemas Judiciales* journal continued to be distributed while the second edition was being prepared. N° 2 has since gone to press.

#### **3.3 Activities to facilitate support for regional reform processes and the modernization of justice systems**

- a) Studies: We have received the local reports from Cordoba, Costa Rica, Chile, and Paraguay. Local validation seminars and the comparative report are currently being prepared. A similar study has been launched in the Federal District of Mexico, and other countries of the region will begin their own studies in 2002.
- b) Technical Assistance. CEJA concluded its contribution to the preparation of a curriculum for teaching the new process for criminal proceedings at the university level in Ecuador.

## ***JUSTICE STUDIES CENTER OF THE AMERICAS*** **ANNUAL REPORT (December 2001)**

CEJA's first year has been particularly intense, and, we believe, quite successful. Working together, its Board of Directors and professional team have been able to build an institution with its own well-defined profile in the region that was able to make a substantive contribution to the improvement of public judicial policies. This progress has required us to address some complexities in our institutional role, while at the same time resolving countless institutional and administrative details.

This report summarizes this process and presents what we believe to be CEJA's principal results and achievements for the year. The first section addresses the strategic definitions we have developed concerning CEJA's role and contribution. The second part analyzes issues related to our institutional development. We then review of the results of the various projects undertaken during this period follows and conclude with a report on the financial aspects of CEJA's management.

### **I. DEFINITION OF THE MISSION**

Special priority has been given this year to the task of precisely defining the position that CEJA should occupy, or, in other words, the specific contribution it can make toward improving the region's justice systems.

While the institution's statutes constitute the general framework for its activity, the breadths of the objectives discussed in that document require make necessary additional elaboration, which is provided below:

#### **1. Defining Our Mission**

**We understand CEJA's mission to be improving the quality of public policy in the area of justice by taking advantage of the experience and possibilities generated by a regional approach.**

We believe that we can do this by increasing the information available on justice systems in the different countries of the Americas and by creating a regional community that is interested in these topics.

There is no doubt today that successful public policies can only be established when they are both based on a broad and thorough understanding of the situation and sustained by previously-internalized technical knowledge. However, in the legal and judicial arenas, emphasis has usually been placed on the theoretical aspects of the problems, leaving a gap between the legal disciplines and the concrete realities of our countries. And for these

reasons policy in this area is often based on intuition or personal experiences that do not adequately reflect the concrete problems that must be addressed and resolved.

This lack of understanding of the reality has been an impediment to productive feedback on policies and their results; it has also prevented the process of learning about other experiences, comparing them, and adapting them when appropriate. Such comparisons have been limited to analyzing regulations without obtaining the concrete results that could result from their application.

Especially representative of these problems is the inadequacy of statistical information on the workings of the judicial systems. Statistics are often either non-existent or inaccessible and, even when they are available, they are outdated and deficient. Furthermore, since there is little or no verification of statistical and budgetary information, it is impossible to make relevant comparisons between countries.

The lack of information has encouraged a certain impunity in the sector, because when very little is susceptible to measurement, it is difficult to evaluate with any certainty. There is a shortage of indicators and standards with which to judge the success or failure of a policy in terms of its efficacy and efficiency.

The justice sector's slow response in this respect is due, in part, to the absence or weakness of a professional community with an on-going commitment to those areas. Only through the existence of a broad critical mass can the institutions and other systems in general be pushed to produce the required information, placing justice firmly within the public agenda and providing continuity for the policies that have been advanced. Helping to form a community of this type is another of the relevant contributions that we believe CEJA can and should make in keeping with its mission.

These problems are, of course, not the only ones limiting the development of our justice systems. They are, however, the ones to which CEJA can make a significant contribution. They are problems that are not currently being addressed adequately, despite the existence of a deeply felt need to resolve them and the fact that doing so would have a positive spill-over effect in other important areas.

It is particularly important to address these problems from a regional perspective. There is no single country in the region, particularly the poorest nations, that can single-handedly generate all the information needed and create a vigorous community of the type discussed here. The regional perspective allows us not only to take advantage of the economies of scale presented here, but also to generate synergies that can promote a broader and more complex modernization process.

## **2. Relationships with other institutions and actors**

It has also been essential for CEJA to define with whom it will work and the nature of these relationships. This is a topic of exceptional importance in this area due to the multiplicity of existing actors and their very different features.

CEJA is an international institution that operates within the international community (OAS, REMJA, System of the Summits of the Presidents of the Americas and countless international organizations related to law and justice): As an organization created by the governments of the region, CEJA has a direct relationship with their respective foreign affairs and justice ministries. It operates in the area of justice, supported by autonomous and independent institutions that are not directly subordinate to the political branches, as is the case in other sectors. This requires CEJA to work simultaneously with judiciaries, judicial councils, constitutional courts, offices of public prosecutors and public defenders, as well as with legal defense systems and ombudsmen, each with its own priorities and methods. On the other hand, CEJA is particularly interested in working closely with NGOs specializing in judicial themes, because in this as in other sectors, non-governmental institutions can play a dynamic role. Finally, development agencies and multilateral financial institutions have an important place.

The plurality and complexity of our partners obliges us to adopt a very broad approach. We must work with all of them and make enormous efforts to forge productive relationships with each, adjusting our offer to meet their specific needs, while simultaneously being careful not to infringe on their specific agendas

It has been important for us to both use and further our existing knowledge of the medium in order to determine the best allies for each of our actions, thereby avoiding the creation of unnecessary overlap. Furthermore, our constant effort has been and will continue to be to coordinate and join efforts with the various institutions to increase the impact and decrease the cost of our activities.

CEJA does not privilege any one country of the region, but instead aims to be active in all that present opportunities. During the first year, many of our activities were concentrated in Chile. This was due largely to the fact that it was easier to find initial local support there and because we were reluctant to add to the many challenges we were already faced with at the beginning, along with the tremendous logistical and organizational efforts involved in organizing activities outside our home base. This situation will change rapidly next year when CEJA is settled. In any event, during its first year, CEJA initiated studies in various countries of the region (Argentina, Costa Rica, and Paraguay), provided technical assistance in Ecuador and Peru, and visited 11 countries of the region. In addition, delegates from 15 other countries participated in the events we organized. This is discussed in more detail later.

### **3. Privilege the quality and impact of the lowest costs**

We are aware that the establishment of CEJA depends less on its physical location and more on the concrete results that it is able to produce. This has motivated us to undertake short-term activities and projects that have high impact on the region. It has also required us to have an active presence in countless events and travel widely to make CEJA and its work known.

However, the demand for results has not caused us to lose sight of two elements that we believe are key to the success of our work: very strict control over the quality of every activity we undertake and the costs involved in them.

Quality control has led us to discard several proposals and concentrate on those in which we can directly ensure the results. Therefore we only become involved with projects in which we can access the necessary expertise, where we have adequate knowledge of the medium in which we will intervene, and where we can predict the possible impact with some degree of precision. It has also been important for us to be involved in projects that can be replicated and broadened in the other countries of the region, or at least in those with the greatest need.

We take a similar approach with expenses. We believe that we can demonstrate that it is possible to sponsor very significant, high impact activities at substantially lower costs than those usually required for such activities. One recent example is the Inter-American Meeting of Public Defenders, attended by 51 international delegates, for which the total cost to CEJA was only \$7,000. Another example was the criminal reform procedures follow-up study that required the development of instruments, the holding of international meetings, and the work of four legal teams collecting empirical information, for less than \$100,000. The key has once again been to associate ourselves with other institutions and transfer the costs to the participants (for example, those who attended the defenders' meeting were required to obtain their own funding, with assistance from the organizers). A third example is the aforementioned study in which the local institutions partially financed the data collection process.

Also key to controlling costs has been maintaining low operating expenses, with a small and flexible professional staff and facilities.

Another important limitation is that CEJA does not operate as a funding agency for third-party projects. CEJA is an active associate willing to enter into joint projects. In this sense it is involved in both the substantive development of those projects and in helping seek out the funding necessary to carry them out. We do not intend to ever become a passive entity that simply transfers funds to third parties.

These are the principles that we wish to maintain in our future work.

## **II. CEJA'S INSTITUTIONAL DEVELOPMENT:**

### **1. Internal Organization**

#### **a. Headquarters agreement and the Center's internal regulations**

The Headquarters Agreement was negotiated by the Chilean government with the advice of Mr. Federico Callizo, whom the Board entrusted with this task. Also taken into consideration were the comments made on the first draft by, Mr. Douglas Cassel. The

Chilean Ministry of Foreign Affairs used this information to formulate a proposed Agreement that was considered in the Fourth Meeting of the Board of Directors, at which time comments were made. The majority of those comments were accepted by the Chilean government, and the Agreement was signed on January 22, 2001. However, the parliamentary approval of this agreement was delayed due to internal circumstances of the Chilean government, and it is hoped that it will be concluded in the coming year.

Additionally, CEJA completed drafting its internal regulations, translated them into English and complemented them with the *association agreements* of other institutions, all of which were approved in the Fifth Meeting of the Board of Directors, held in Washington, D.C.

b. Staff

CEJA's professional and technical staff has been formed over the course of the year. Ms. Luciana Sánchez was hired as the Project Director, and the team was then complemented with a secretary, an information director, a designer and assistants to construct and input the contents of the web page. Coordinators and local experts have been hired for specific projects on an as-needed basis.

We have made many contacts to establish relationships with universities and various study centers, presenting CEJA as an attractive place for their students or researchers to perform internships for varying amounts of time. As a result, Ms. Carolina Krussig, a German student from the Johann Wolfgang Goethe-Universität in Frankfurt, held an internship in CEJA from June through September. In October, David Bosco, a Fulbright recipient from Harvard Law School, began his one-year internship with CEJA. The work of the interns has been enormously helpful to CEJA, and they lend a more international profile to the team.

CEJA has also benefited from the administrative and personnel support lent by CDJ as a *partner institution*, which has been essential for our operation. CDJ has also provided legal coverage for CEJA, which is necessary until the Headquarters Agreement process has been completed, and as such, CEJA currently operates in Chile under the auspices of CDJ.

c. Equipment and facilities

CEJA has made use of the physical facilities provided by CDJ, which additionally supplies the technological infrastructure necessary to achieve our goals. We currently have 1 server, 6 PCs, 1 notebook computer, and 2 printers. We originally administered our own hosting services, but they are now handled by an external specialized company.

**2. Dissemination and contacts**

a. Agreements signed

CEJA has proposed signing working agreements and mutual collaboration with various institutions of the justice sector, especially the Judiciaries and the Offices of the Public Prosecutor. These agreements facilitate establishing formal relationships with these institutions, access to the information that they generate, and the ability to plan joint actions for the future.

Agreements of this nature have been signed with:

- the General Secretary of the OAS
- the Attorney General of Argentina
- the Judiciary Council of Argentina
- the Attorney General of Chile
- the Attorney General of Ecuador
- the Catholic University of Lima (Peru)

The following agreements have been approved and are awaiting their respective signing ceremonies:

- the Supreme Court of Justice of Chile
- the Attorney General's Office
- the Superior Court Judiciary of Colombia
- the Attorney General of Colombia
- the Supreme Court of Justice of Costa Rica
- the Office of Public Defenders of Paraguay
- UNAM of Mexico

b. Association Requests

In accordance with its statutory regulations, CEJA has received formal requests from AREGENJUS and INECIP, both Argentine NGOs, to become associated members of our institution.

c. Dissemination Instruments

To make the institution and its activities known and to provide general useful information to the regional legal community, CEJA has prepared various publicity material, such as an institutional brochure, pamphlets that explain its projects and activities, and a monthly bulletin.

The bulletin has become a very useful channel of communication and is widely valued in the region. This is sent out by electronic mail and can also be found on our web site [www.cejamericas.org](http://www.cejamericas.org)

Information about CEJA has been distributed by mail, during trips and events, and through e-mail. We currently have a data base of 2,167 people and institutions throughout the Americas and other regions.

d. Travel, Events, Congresses and Seminars

Since its inception, CEJA's professional team has made efforts to establish a presence in a large number of countries of the region, taking advantage of special invitations, attending events, participating in projects and planning special trips to fulfill specific institutional objectives.

With respect to the events, CEJA sponsored important congresses on judicial matters and played a significant role in organizing a South American Seminar of Prosecutors, the First Inter-American Meeting of the Offices of the Public Defender, and an International Seminar on the Independence of the Judiciary. Additionally, CEJA professionals participated in the major congresses and seminars on justice that took place during this period, giving presentations and/or papers.

The following table details each of those activities.

**Table N° 1**  
**TRAVEL REPORT**  
**CEJA'S PROFESSIONAL TEAM**

| DATE             | PLACE                             | CEJA REPRESENTATIVE                   | INVOLVEMENT  |
|------------------|-----------------------------------|---------------------------------------|--|
| <b>YEAR 2000</b> |                                   |                                       |  |
| October 1-5      | ECUADOR (Quito)                   | Juan Enrique Vargas                   | Participation in the Seminar "Implementing the New Criminal Procedure in Ecuador: the Changes and Challenges Implied," organized by the Due Process of Law foundation.   |
| November 8-11    | ECUADOR (Quito)                   | Juan Enrique Vargas                   | Participation in a seminar on judicial reforms, organized by the <i>Comisión Andina de Juristas</i><br>Working meeting with Ecuadorian institutions.   |
| Oct 26-Nov 10    | USA (Washington and New York)     | Juan Enrique Vargas                   | Various meetings with representatives of OAS, the US government, USAID, NGOs, universities, and funding agencies.  |
| <b>YEAR 2001</b> |                                   |                                       |  |
| January 4-5      | ARGENTINA (Buenos Aires)          | Juan Enrique Vargas                   | Interviews with candidates for CEJA's Project Director position.<br>Meetings with the Ministry of Justice  |
| February 19-22   | USA (Washington)                  | Juan Enrique Vargas<br>Francisco Cruz | Board of Directors Meeting<br>Working meetings with the IDB, Department of State, OAS  |
| March 18-23      | PERU (Lima)                       | Juan Enrique Vargas<br>Carlos Peña    | Mission to observe and assess the Peruvian judicial system, requested by the Peruvian Ministry of Justice and coordinated by the PNUD.   |
| March 18-23      | BOLIVIA (Santa Cruz de la Sierra) | Luciana Sánchez                       | Attendance at the preparatory meeting of the Iberius Network of legal documentation, Santa Cruz de la Sierra.  |
| March 25-27      | PARAGUAY (Asunción)               | Juan Enrique Vargas                   | Attendance at the seminar "Relations between the Judiciary and the Mass Media," organized by the Inter-American Institute for Human rights and the Supreme Court of Paraguay.<br>Working meetings with the IIDH, the President, and technicians of the Supreme Court, the Attorney General and his advisors.<br>Preparation of the follow-up study on the criminal reform procedure. |
| May 2-6          | USA (Austin, Texas)               | Juan Enrique Vargas                   | Attendance at the Seminar on Independence and Judicial Responsibility among judicial Powers of the United States and Mexico, organized by the University of Texas.   |
| May 9-16         | MEXICO (Mexico City)              | Juan Enrique Vargas                   | Seminar on New Focuses to Respond to the Demand for Justice, organized by the World Bank and CIDE of Mexico.<br>Working meetings with the Supreme Court, the Office of the Attorney General, State Department, and Academic Institutions.  |
| May 22-26        | SPAIN (Tenerife)                  | Juan Enrique Vargas                   | VI Summit of the Supreme Court Presidents<br>Meetings with the various Court presidents (agreements)   |

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| June 3-8        | COSTA Rica (San José)                        | Juan Enrique Vargas | Attendance at the XXI General Assembly of the OAS<br>Working meetings with the ambassadors accredited before the OAS.<br>Meetings with the Supreme Court Ministers and representatives of the Judiciary.<br>Meeting with the President of the Board of Directors       |
| July 6-14       | RUSIA (St. Petersburg)                       | Juan Enrique Vargas | Attendance at the World Conference for Legal and Judicial Reform, organized by the World Bank.<br>Meetings with World Bank representatives.  |
| August 14-24    | USA (Baltimore, Washington and Williamsburg) | Luciana Sánchez     | Attendance at the CTC 7 conference and at Court Room 21.<br>Meetings with representatives of the State Department, USAID, NGOs and funding agencies.   |
| August 15       | BRAZIL (Rio de Janeiro)                      | Juan Enrique Vargas | Special invitation to introduce CEJA in the Meeting of the Inter-American Legal Committee  |
| September 4-9   | SWITZERLAND (Lausanne)                       | Cristián Riego      | Attendance at the Fourth Annual Meeting of the Directors of Governmental Research institutions and the World Criminology Congress.   |
| September 10    | CHILE (La Serena)                            | Juan Enrique Vargas | Commission to evaluate the Chilean criminal procedure reform   |
| September 11    | CHILE (Temuco)                               | Juan Enrique Vargas | Commission to evaluate the Chilean criminal procedure reform   |
| September 12    | CHILE (La Serena)                            | Luciana Sánchez     | Mission to evaluate USAID projects on justice  |
| September 19    | ARGENTINA (Buenos Aires)                     | Luciana Sánchez     | Participation in the Plenary Meeting of the Federal Board of the Judiciary, Administrative Commission  |
| September 26-29 | ECUADOR (Quito)                              | Mauricio Duce       | Working meetings on the Technical Assistance project to design a plan for training in the Ecuadorian criminal procedure reform.  |
| October 3-6     | BRAZIL (Curitiba)                            | Juan Enrique Vargas | Attendance at the International congress on Criminal Policy and Integration, organized by INECIP and the Federal University of Paraná, and sponsored by CEJA   |
| October 2-7     | PANAMA (Panama City)                         | Luciana Sánchez     | Attendance at the XI Meeting of the Supreme Courts of the Central American Isthmus.<br>Working meeting with the local USAID office, Public Defenders of Panama and the Attorney General of the Republic of Panama.   |
| October 7-8     | GUATEMALA (Guatemala City)                   | Juan Enrique Vargas | Attendance at the First Meeting of Justice Schools "Toward Excellence," organized by the Guatemalan legal Organism.  |
| October 9-13    | MEXICO (Mexico City and Monterrey)           | Juan Enrique Vargas | Attendance at Fall Meeting of the of the International Law and Practice Section of the American Bar Association (ABA)  |
| October 15-16   | ARGENTINA (Córdoba)                          | Cristián Riego      | Supervision of the follow-up project for the criminal justice reform process   |
| October 18-21   | SPAIN (Madrid)                               | Juan Enrique Vargas | Attendance at the International Conference of Experts on Transition and Democratic Consolidation, organized by the Gorbachev Foundation for North America and FRIDE.<br>Working meetings with the research team of the statistical project and with representatives of |

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| October 22-23            | COSTA RICA (San José)      | Cristián Riego  | Supervision of the follow-up project on criminal justice reform processes.  |
| October 22-24            | PARAGUAY (Asunción)        | Andrés Baytelman  | Supervision of the follow-up project on criminal justice reform processes.  |
| October 24-25            | MEXICO (Mexico City)       | Cristián Riego  | Working meeting with CIDE to prepare a diagnostic of the criminal justice system in Mexico  |
| October 23-27            | GUATEMALA (Guatemala City) | Luciana Sánchez   | Attendance at the First Central America Congress of the Network of Judges, Attorneys General and Defenders for the Democratization of Justice.<br>Meetings with the Judiciary   |
| October 25-28            | CHILE (Pucón)              | Fernando Santelices<br>Marko Magdic<br>Paz Pérez<br>David Bosco   | Attendance at the Second International Congress on the Criminal Procedure Reform  |
| November 2-3             | ARGENTINA (Buenos Aires)   | Juan Enrique Vargas<br>Luciana Sánchez  | Signing of the agreement with the National Supreme Court of Justice<br>Extraordinary Assembly of the Inter-American Association of the Offices of Public Prosecutors<br>Meetings with Argenjus, the Board of Provincial Courts and with Ricardo Gil Lavedra |
| November 13-14           | ARGENTINA (Buenos Aires)   | Juan Enrique Vargas   | Presentation of “ <i>Realidad Judicial</i> ” journal  |
| November 28 – December 1 | PERU (Lima)                | Juan Enrique Vargas<br>Luciana Sánchez<br>Marko Magdic<br>Alberto Binder<br>Daniel González<br>Ricardo Gil Lavedra<br>Carlos Peña | Seminar on Independence of the Judiciary<br>Signing of the Agreement with the Catholic University of Lima<br>Meetings with the Justice Ministry   |
| December 1-4             | PANAMA (Panama City)       | Luciana Sánchez   | Second Meeting with the Latin American Judiciaries for Gender Justice, organized by PRODECA   |

Table N° 2

## EVENTS ORGANIZED OR SPONSORED BY CEJA

| DATE             | PLACE                    | CEJA PARTICIPATION  | ACTIVITY  |
|------------------|--------------------------|---|---|
| <b>YEAR 2000</b> |                          |   |   |
| October 2-4      | ECUADOR (Quito)          | Sponsorship   | Seminar: "Implementing the New Criminal Procedure in Ecuador: the Changes and Challenges Involved," organized by Due Process of Law foundation  |
| October 12       | CHILE (Santiago)         | Organization  | Board of Directors Meeting  |
| <b>YEAR 2001</b> |                          |   |   |
| January 22       | CHILE (Santiago)         | Organization  | Official signing of the Headquarters Agreement between the Chilean Government and CEJA. Formal presentation by CEJA to the Government of Chile. |
| February 21      | USA (Washington)         | Organization  | Board of Directors' Meeting   |
| April 30         | CHILE (Santiago)         | Organization  | First working meeting with international experts on the criminal procedure reform follow-up project   |
| August 3         | CHILE (Santiago)         | Organization  | Second working meeting with the international experts on the criminal procedure reform follow-up project  |
| October 3-6      | BRAZIL (Curitiba)        | Sponsorship   | International Congress on Criminal Policy and Regional Integration  |
| October 25-28    | CHILE (Pucón)            | Sponsorship   | Second international congress on Criminal Procedure Reform  |
| November 6-7     | CHILE (Santiago)         | Co-organization with the Office of the Public Defender of Chile and GTZ | International Seminar of South American Public Prosecutors: "Application of Prosecutorial Discretion and Alternatives to Oral Trial"            |
| November 13      | ARGENTINA (Buenos Aires) | Sponsorship   | Presentation of the " <i>Realidad Judicial</i> " (Judicial Reality) journal, Editorial La Ley   |
| November 14 -16  | CHILE (Santiago)         | Co-organization with the Public Defender of Chile and GTZ               | Inter-American Meeting of Public Defenders  |
| November 20-30   | PERU (Lima)              | Co-organization with IFES, DPLF y IDL                                   | Seminar on Independence of the Judiciary  |

**Table N° 3****PRESENTATIONS GIVEN IN EVENTS BU CEJA PROFESSIONALS**

| DATE             | PLACE                     | CEJA PARTICIPATION                            | ACTIVITY  |
|------------------|---------------------------|---|---|
| <b>YEAR 2000</b> |                           |   |   |
| October 2-4      | ECUADOR (Quito)           | Presentation by Juan Enrique Vargas           | Seminar: "Implementing the New Criminal Procedure in Ecuador: the Changes and Challenges Involved", organized by Due Process of Law foundation.               |
| October 30-31    | CHILE (Santiago)          | Presentation by Juan Enrique Vargas           | International Seminar: "Criminal procedure Reforms in Latin America," organized by the Konrad Adenauer Foundation, GTZ.                                       |
| November 3       | CHILE (Santiago)          | Master class by Juan Enrique Vargas           | Closing ceremony for the academic year of the School of Investigations of Chile   |
| November 9-10    | ECUADOR (Quito)           | Presentation by Juan Enrique Vargas           | Seminar on judicial reforms, organized by the <i>Comisión Andina de Juristas</i>  |
| November 30      | USA (Washington)          | Presentation by Juan Enrique Vargas           | OAS Commission on Legal and Political Affairs   |
| <b>Year 2001</b> |                           |   |   |
| January 22       | CHILE (Santiago)          | Speech by Juan Enrique Vargas                 | Official signing of the Headquarters Agreement between CEJA and the Chilean Government. Formal Presentation by CEJA.  |
| January 26       | CHILE (Santiago)          | Presentation by Juan Enrique Vargas           | Seminar on Criminal Procedural Reforms, organized by the Diego Portales University  |
| March 19         | BOLIVIA (Santa Cruz)      | Presentation by Luciana Sánchez               | Iberius Network Seminar   |
| March 19-20      | PERÚ (Lima)               | Presentation by Juan Enrique Vargas           | International Seminar on Judicial Reforms, organized by the Peruvian Justice Ministry   |
| March 26         | PARAGUAY (Asunción)       | Presentation by Juan Enrique Vargas           | Seminar "Relationship between the Judiciary and the Mass Media," organized by the Inter-American Institute for Human rights and the Supreme Court of Paraguay |
| March 29         | CHILE (Valparaíso)        | Presentation and paper by Juan Enrique Vargas | II Mediation and Public Policy event, organized by the Corporation for Judicial Assistance of Valparaíso  |
| May 3-5          | USA (Austin, Texas)       | Presentation by Juan Enrique Vargas           | Seminar on Independence and Judicial Responsibility in the judiciaries of the United States and Mexico, organized by the University of Texas                  |
| May 10-12        | MEXICO (Ciudad de Mexico) | Presentation and paper by Juan Enrique Vargas | Seminar: New Perspectives for Meeting the Demand for Justice, organized by the World Bank and the CIDE of Mexico  |
| July 8-13        | RUSIA (St.                | Presentation of paper by                      | World Conference on Legal and Judicial Reform, organized by the World Bank  |

|                |                                 |  |   |
|----------------|---------------------------------|--|---|
|                | Petersburg)                     | Juan Enrique Vargas  |   |
| July 17        | CHILE (Santiago)                | Presentation by Juan Enrique Vargas  | Panel: The criminal procedure reform process in Chile on balance. Systems Engineering Workshop at the University of Chile                         |
| September 5-8  | SUIZA (Lausanne)                | Presentation by Cristián Riego   | Fourth Annual Meeting of Directors of Governmental Research Institutes<br>World Criminology Congress  |
| October 2-6    | PANAMÁ (Panama City)            | Presentation by Luciana Sánchez  | Eleventh Meeting of Supreme Courts of the Central American Isthmus  |
| October 3-6    | BRAZIL (Curitiba)               | Inaugural speech and presentation of the journal " <i>Sistemas Judiciales</i> " by Juan Enrique Vargas | International Congress on Criminal Policy and Regional Integration  |
| October 8      | GUATEMALA (Ciudad de Guatemala) | Presentation by Juan Enrique Vargas  | First Meeting of the Judicial Schools "Toward Excellence" organized by the Guatemalan Judicial Organization                                       |
| October 10-13  | MEXICO (Monterrey)              | Presentation by Juan Enrique Vargas  | Seminar: New Challenges in the Transition and Regional Integration, organized by the Section of Law and International Practice of the ABA         |
| October 18     | CHILE (Santiago)                | Presentation by Luciana Sánchez  | Seminar: Human Rights and Globalization, organized by Diego Portales University and the Ford Foundation   |
| October 19-20  | SPAIN (Madrid)                  | Presentation and paper by Juan Enrique Vargas  | International Conference of Experts on Transition and Democratic Consolidation, organized by the Gorbachev Foundation for North America and FRIDE |
| October 25-26  | GUATEMALA (Guatemala City)      | Presentation by Luciana Sánchez  | First Central American Congress of the Network of Judges, Attorneys General and Public Defenders for the Democratization of Justice               |
| October 25-28  | CHILE (Pucón)                   | Presentations by:<br>Fernando Santelices<br>Marko Magdic<br>Paz Pérez                                  | Second International Congress on Criminal Procedure Reform  |
| November 2     | ARGENTINA (Buenos Aires)        | Presentation by Juan Enrique Vargas  | Extraordinary General Assembly of the Inter-Americana Association of Public Prosecutors   |
| November 6-7   | CHILE (Santiago)                | Speech by Juan Enrique Vargas  | International Seminar of South American Public Prosecutors on the "Application of Prosecutorial Discretion and Alternatives to Oral Trial"        |
| November 13    | ARGENTINA (Buenos Aires)        | Speech by Juan Enrique Vargas  | Presentation of " <i>Realidad Judicial</i> " Journal, Editorial La Ley  |
| November 14-16 | CHILE (Santiago)                | Speech by Juan Enrique Vargas  | Inter-American Meeting of Public Defenders  |
| November 29    | PERÚ (Lima)                     | Presentation by Juan Enrique Vargas  | Seminar on Independence of the Judiciary  |
| November 30    | CHILE (Santiago)                | Presentation by Juan   | Working meeting of the FORD Foundation, Role of NGOs project  |

|            |                         |   |   |
|------------|-------------------------|---|---|
|            |                         | Enrique Vargas and<br>Patricio Valdivieso |   |
| December 3 | PANAMA (Panama<br>City) | Presentation by Luciana<br>Sánchez        | Second Meeting of the Latin American Judiciaries for Gender Justice organized by PRODECA. |

### **III. PROJECTS AND ACTIVITIES:**

#### **1. Information Center**

CEJA's Information and Exchange Center uses the latest technology to provide a space for communication, exchanging ideas, lending services, and disseminating available information to the regional legal community.

The Center for Information and Exchange has the following objectives:

- Contribute to generating and maintaining a Network of Information on Justice in the Americas by employing various means that facilitate communication between its members.
- Generate mechanisms that make possible the easy access to reliable, relevant, and high-quality information, such as instruments that facilitate the communication of that information in different sectors.
- Provide information to the different sectors in accordance with their wishes and specific needs and generate a space to optimize the participation of the different parties in the development of information.
- Avoid the overlap of projects in favor of cooperation among the organizations that propose and permit the optimal use of scarce resources.
- Contribute to increasing citizen participation in proposing and implementing projects.
- Contribute to generating a regional vision with respect to the advancement of projects and overcoming obstacles

The following is a description of the primary products that the Information and Exchange Center developed this year.

##### **a. Web site**

CEJA's web site has been proposed as one of the principal tools for regional communication. It also provides a readily available on-line data base and a regular means of obtaining up-to-date information about CEJA.

We have dedicated a great deal of time and effort this year to constructing and publicizing our web site. Although there is still much room for improvement – the site is currently being revised and redesigned in light of suggestions and comments by users – it has confirmed the need for a tool of this type: an Internet site that serves as a point of reference with respect to the many resources available on justice systems and their reforms in the Americas.

One of the additional difficulties that we have encountered is that Internet usage in the American countries is lower than expected. This may be the result of connection difficulties that stem from the communications systems themselves, of the prohibitively

high cost of Internet in many countries which restricts the general public's access to it, or of the public's lack of Internet skills. We have also identified a broad and highly diverse group of users: law students, researchers, members of the judiciary, NGOs, and cooperative agencies, among others. The needs vary from one group to the next, as do their Internet abilities and access, so we have therefore planned to redesign the page based on user feedback. We will also support the virtual activities with communications media and non-Internet activities as a means of encouraging the use of the web site and the inter-relationship between both processes.

Taking this into account, we have developed a preliminary site with very basic resources and a simple design in order to make it accessible to the greatest number of people. We are now developing more sophisticated resources, such as incorporating video, audio, more sophisticated data bases, etc., to meet the needs of our more demanding public without excluding those who have more limited Internet resources. Prudent use of technology will allow us to explore the greatest possibilities of Internet without doing so at the expense of broad access.

The site currently has the following resources in place:

- Data base and search engine on basic legislation in the Americas – constitutions, penal codes, criminal procedures, etc. This data base may be accessed through a search engine incorporated into the web page. The search engine, like all the others on the site, functions in such a way that the more information the user has, the more specific the results will be. However, good results are found even when the user has no information.
- Press information (brief news items and current events, etc.). The purpose of this resource is to make information about CEJA and its activities available to the specialized press in the Americas.
- Links: search engines, pages of other organizations involved in justice, international cooperative agencies, NGOs, foundations, and others. This is a classic web page resource used to provide visitors with information about related pages. This section is very large and ordered by subject. We are currently complementing the basic information on each site with a short summary to better guide the users.
- *Sistemas Judiciales* journal: partial publication of the printed version; includes access to articles on-line.
- Publication of developments in the different CEJA programs.
- Information on CEJA events and activities and its associated institutions.
- Newspapers of the Americas: this resource aims to offer visitors access to major on-line American newspapers.
- Official pages of CEJA's member countries.

During the months of September and October, a virtual forum took place, co-organized in conjunction with ALERTANET and the Due Process of Law Foundation.

Primary statistical site usage information through November 12, 2001 follows.

|                      |   |          |
|----------------------|---|----------|
| <b>Hits</b>          | Total number of successful visits           | 32,425   |
|                      | Average daily visits                        | 1,080    |
|                      | Number of visits per welcome page           | 243      |
|                      | Number of pages printed                     | 3,146    |
|                      | Average number of pages printed per day     | 104      |
|                      | Number of documents viewed                  | 2,949    |
| <b>User Sessions</b> | Total number of user sessions               | 606      |
|                      | Daily average of user sessions              | 20       |
|                      | Average duration of user sessions           | 00:11:13 |
|                      | International user sessions                 | 14.68%   |
|                      | User sessions of unknown origin             | 85.31%   |
|                      | User sessions from Chile                    | 0%       |
| <b>Users</b>         | Number of individual visitors               | 423      |
|                      | Number of visitors who visit just once      | 363      |
|                      | Number of visitors who visit more than once | 60       |

b. Data base

It is essential to develop data bases to order the information, provide continuity to our work, and to be able to make this information available to our users. Some of the data bases are restricted to CEJA members and staff, while others are accessible to the general public via our web page and its search engines. The data base operating system we work with is Microsoft Access. We are currently considering changing the system for one that is more complete and that will allow us to increase the information search capacity.

The CEJA data bases include:

- **Contacts:** this data base includes basic information about all the people and institutions with which CEJA has made contact for various reasons. It allows us to follow up with those contacts, keep their information up-to-date, and have a mailing list of more than 3,000 people and institutions in the Americas.
- **National Legislation:** this data base collects basic national legislation from the different American nations. It is available on-line through the national legislation search engine.
- **International Legislation:** a data base with information about treaties, declarations, jurisprudence, and other documents at the regional or international level. It is not yet available, as we are in the process of making agreements with the entities that produce this information in order to facilitate the availability and reliability of the information.

- Bibliography: summaries and bibliographic references on related topics. Now partially available on-line.
- Jurisprudence: contains information about jurisprudence in the different countries of the Americas. We are still collecting information, which varies widely from country to country due to the fact that there is a general lack of publication of this material in many of those countries. In the future we aim to include resolutions and directives of other organisms of the judicial system, such as the Ministries and Public Defenders or the Judiciary Councils.
- Documents: Contains documents available on-line, such as articles, summaries, on-line publications, etc. These materials are selected in order to contribute material on diverse topics of interest to our users. We are currently in the process of collecting information and seeking out authorization to publish the materials so they may be included in the data bases of those available on other pages.
- Consultants: We are constructing a data base of CEJA consultants from a variety of related areas with the intention of making their information readily available for those who may need it.
- Internships: information about different internship possibilities with dates, resources, areas of interest, etc. An on-line form allows candidates to enter their information. The intention is to provide this information on-line to interested parties who are interested in either performing internships or receiving interns. We have been collaborating with the Harvard Law School to make some of their scholarship and grant systems compatible with the regional internship programs of CEJA and other associated institutions.
- Statistics: The intention of this data base is to organize and make available statistics on the judicial systems and related topics in the Americas. It is not yet available on line. We are currently in the process of signing agreements with official institutions of the different countries in order to have access to the statistics and obtain the authorizations required to publish that information on-line.
- Scholarships and Grants: information on scholarships and competitive grants. This information was on-line in the past, but the information was limited and the demands were high, so we temporarily removed the data base while we make direct contact with the funding institutions in order to generate mechanisms through which they can provide the information more appropriately.
- Maps: This data base will provide graphical information in the form of maps of judicial systems, the countries, and their statistics. It is still in the information collection stage.
- Calls for project proposals: Information about calls for project proposals on justice and judicial system matters. It is not yet available on-line. This data base was created to provide information about calls for proposals, bids, projects, consultancies, etc., carried out by the countries with respect to judicial systems.

At this time, only some of these data bases are on-line, as we prefer not to make them available to users until a considerable amount of information has been accumulated. In order to facilitate the process of collecting and inputting the information, we currently have a minimum of four people involved in part-time data collection and getting signatures

on agreements with the institutions who produce the information needed (parliaments, courts, libraries, etc.).

It is also a priority that the information, particularly the substantive information, is completely reliable. We therefore verify the sources and dates of the information received before making it available to our users.

c. “Nexos” Bulletin

CEJA has published Nexos, a monthly news bulletin, since July of this year. This publication aims to provide a general overview of the most pertinent news on justice systems and reforms in the Americas, and has been very well received. It is published in Spanish and English and is distributed monthly via e-mail to its subscribers. It is also available on-line through CEJA’s web site and that of the World Bank. Past editions are also available through CEJA’s web page.

In addition to being one of the most stable means of communication with our users, this tool has also allowed us to expand our on-line presence and work with the Internet. The Bulletin is used to communicate the monthly agenda of relevant events and to inform users of anything new on the web page and other news. The users also participate; many contribute information, while others make additional inquiries about information contained in the bulletin.

The Bulletin has expanded since its inception and now includes new sections, including:

- Current events: news about justice systems in the Americas.
- Subjects: a report or news on some important regional judicial or legal topic.
- Reviews: reviews of recently-released publications on topics of interest to CEJA.
- Links: commentaries on web sites or pages of interest to users.
- Miscellaneous: assorted news on some topic of interest
- Agenda: calendar of events for the current and coming months.

As is evident, the bulletin provides us with a means to encourage the use of Internet. We aim to facilitate the use of resources available not only on our site, but through the Internet in general in an attempt to make information as accessible as possible to our wide range of readers.

d. Networks

One of CEJA’s missions is to facilitate and promote communication on justice reforms between public institutions and the organizations of civil society. To that end, the

Center sponsors two networks: one made up of private and academic institutions interested in these topics, and another of different public institutions in the justice sector. Although both networks have their own individual structure and dynamics, there are many contacts between the two such that there is a fluent and on-going dialogue between the sectors.

The network for official institutions has been further divided into three sub-networks. The first is the Public Defense Network, which held its First Seminar on Public Defense November 14-15 in Santiago, co-organized by CEJA, Chile's Office of the Public Defender, and GTZ. The second is the Public Prosecutors' Network, in coordination with the Inter-American Association of Public Prosecutors, and the third is the Justice Network, comprised of a mixture of institutions. The reason for dividing the groups is that CEJA is currently promoting activities to strengthen the Public Defenders and the Public Prosecutors, while the Supreme Court and the judiciaries already have associations and Networks.

CEJA conducts this work via the following resources:

- Web administration: CEJA administers the networks through its own web site by way of its web administration team to ensure that the contents are continuously updated, that the data bases are in order, and that the system is continuously monitored.
- Design: CEJA also provides technical support to update the design by introducing easy-access web tools, such as discussion forums, mailing lists, and e-mail, in an attempt to improve the quality of communication among the members of the network.
- Coordination: CEJA supports the activities and functioning of the Network by coordinating those activities that take place in virtual space, supporting the equal participation of its members, and seeking to help them maximize their abilities in using the Internet.
- Contents: Our primary objective is that the Networks (and the tools and elements included in them) provide its members with an effective means of communication. In order to facilitate communication, CEJA develops support tools consistent with the generation of standards of communication of activities and other "routine" information. This enables us to generate policies for the collection and dissemination of information that reflects the current situation of the justice Reforms debate and of the different constituents of the Networks.

The non-governmental component (NGOs, universities, businesses, etc.) of the Justice of the Americas Network was launched in October. Our proposal is to create a space for cooperation and coordination to provide a new impetus to the efforts already underway. Therefore, CEJA, in coordination with the World Bank, is re-launching a network that was originally begun years ago but which, for various reasons, was never very successful. New institutions of the region with USAID and IBD support have been added to this Network

e. *Sistemas Judiciales Journal*

The Justice Studies Center of the Americas and the Institute for Comparative Studies of Criminal and Social Sciences jointly publish the quarterly journal *Sistemas Judiciales* (Judicial Systems). The publication seeks to disseminate information about the administration of justice in all of the American nations from a global perspective based on the analysis and description of the judicial phenomenon as a whole and using a systematic approach. This implies a broad and comprehensive view that takes into account that issues as diverse as regulatory systems, human resources, the relationships between justice and society, and strictly administrative concerns are closely interrelated and form a unique system that allows either partial analysis or partial solutions. The objective of this journal is to open a space of on-going communication that connects the different networks, complements the work developed in virtual space, and becomes an influential publication in its area. Each edition addresses a central topic of special interest to the sector, and includes a dossier that describes the manner in which the subject is handled in the different countries of the region. It also contains interviews and debates, general news, bibliographic reviews, events, as well as relevant documents.

The journal's editorial review board is comprised of the following important experts on regional judicial matters:

- Christina Biebesheimer, justice expert of the IBD
- Rafael Bielsa, Constitutional Law Attorney, expert on judicial reforms
- Rafael Blanco, professor, advisor to the Chilean Ministry of Justice for the criminal procedure reform.
- Carlos Cordobés, Justice expert of the IBD
- María Dakollias, Senior advisor of the World Bank's Legal Department
- Florence Ellie, Professor, Former Justice Minister of Haiti
- Héctor Fix Zamudio, Former President of the Inter-American Human Rights Court and professor of UNAM, Mexico.
- Alfredo Fuentes, Dean of the School of Law at the University of the Andes, Colombia
- Linn Hambergren, Senior specialist in the Public Sector for the World Bank's Latin America Regional Department
- Julio Maier, Judge of the Superior Court of Justice of Buenos Aires, professor and author of the model for Ibero-American Criminal Procedural Code
- Luis Paulino Mora Mora, President of the Supreme court of Justice of Costa Rica
- Luis Moreno Ocampo, President of International Transparency for Ibero-American and the Caribbean, expert in Human Rights
- Luis Passara, Peruvian researcher, Doctor of Law and Sociology of Law
- Hernando París, Costa Rican expert in alternative systems of conflict resolution
- Carlos Peña, Dean of the School of Law of the Diego Portales University, Chile
- Rogelio Pérez Perdomo, Venezuelan researcher, Doctor of Law, specialist in law and economics, visiting professor at Stanford University

- Silvina Ramírez, Assistant Director of INECIP, expert in Indigenous Justice
- Cristián Riego, Chilean expert in judicial reform

The directors of the journal are Alberto Binder and Juan Enrique Vargas.

The first edition of the journal was released in July of this year and focused on judicial training. Parts of the journal may be found on-line through CEJA ([www.cejamericas.org](http://www.cejamericas.org)) and INECIP ([www.inecip.org](http://www.inecip.org)). The second edition, which is currently about to go to press, focuses on Alternative Forms of Conflict Resolution

The journal has been presented during different events throughout the continent. It has been sent to a mailing list that includes people and institutions all over the Americas. All of the members of the NGO Network, those who have signed agreements with CEJA, and other reform-related institutions and programs have been invited to participate.

This journal is crucial to the work of CEJA as one of its tools for dissemination that complements its work on the Internet. Due to the complications already discussed in that area, it is not desirable or feasible to maintain only on-line channels of communication. Although its contents and style do not pertain to those of the traditional academic sector, the journal has helped CEJA enter the most traditional sectors of the regional justice sector (and those most resistant to Internet use), through the production of a tangible and high-quality product. The journal is a means of disseminating information about CEJA's activities and is written in a manner that is comprehensible and accessible to the public, especially the legal sector. The journal also, however, provides a means of motivating people to seek out the on-line work being done as well. Moreover, CEJA's agreement with INECIP allows the journal to be published, printed, and promoted at a very low cost.

## **2. Studies**

One of CEJA's objectives is to promote activities that broaden the legal focus through which justice reform is usually approached, by incorporating public policy instruments. To do so, CEJA encourages study and research activities that favor the development of justice reforms in the Americas, particularly multidisciplinary studies that address the vast range of factors involved in the changes in this area.

### **a. Follow-up studies of Criminal Procedure Reforms**

This project develops a process for systematically evaluating the results of the criminal justice reform system that have taken place in recent years in various countries of the region. In the first stage we selected a set of four countries (Argentina, Costa Rica, Chile and Paraguay) and formed local research groups. A group of experts especially hired by CEJA along with the heads of the local teams have prepared instruments for data collection, and then the local teams collected it. At this time the local teams, as well as the central group that directs the project development, are preparing the data collection process

reports. The discussion and results of these reports will be released in the coming months by means of a series of seminars and meetings conducted at the national and international levels.

We have been able to collect a significant and substantive quantity of information on how the new criminal justice systems are operating. The quantitative and qualitative information, which we will soon make available to anyone interested in the matter, without a doubt, will constitute a very valuable factor for the countries studied, as well as for those countries involved in similar processes.

In a similar fashion, work began with a local team from Mexico, which is applying a table of observations that has been modified to produce information on the workings and results of the criminal justice in the federal District.

b. Statistics

The objective of this project is to produce a complete system for data collection and processing in order to generate statistics and judicial indicators for Latin America and the Caribbean. This in turn allows us to apply it to judicial statistics in order to improve their quality, the basis upon which they were collected, and the comparison of different countries and justice systems. One of the major problems today for using statistics and carrying out later comparative analysis (on, for example, the success or failure of a measure taken to resolve a specific problem in the judicial sector) is that the basic statistics used by researchers and public employees are not homogenous, reliable, or complete. This diminishes their utility as an aid for decision making. Therefore CEJA's aims for this project include:

- Generating the basic tools necessary to develop efficient systems for comparing inter-institutional and international statistics and judicial data.
- Applying those tools to validate them in the field and test their efficiency, correcting any difficulties that may arise.
- Producing a justice systems data collection manual to improve the statistical systems in the different countries in order to make them more reliable and accessible to the different operators.

c. The role of the NGOs in the Process of the Democratization of Justice

The Ford Foundation charged CEJA with participation in a regional study with the objective of exploring current possibilities for stimulating programs to modernize the judicial systems. One of the particularly relevant factors considered in this study is an analysis of the role of NGOs to date in the development of public policies in this area.

The study is regional in nature and covers Argentina, Chile, Colombia, and Peru. CEJA's role in this first stage is with respect to the Chilean experience. The project will conclude in the first quarter of the year.

### **3. Training**

Another of CEJA's objectives is to provide training for human resources. It has therefore begun developing specific courses and has offered its support to local entities that offer judicial training to help improve their programs.

#### Course on justice reform tools

This course is directed toward professionals involved in designing and carrying out judicial reform processes in the region for the purpose of offering them information on and familiarity with a broad range of experiences, interdisciplinary perspectives and methods that have proven useful and relevant in this type of process. The curriculum is therefore designed to provide a short but intense course that will introduce the participants to some of the tools available to promote a successful reform process. Highly experienced professionals from different countries have been selected to share their knowledge of each specific subject area presented. The course also includes experiences from developed countries with stronger and more established judicial systems, and this material will be presented by experts who have had direct experience in the judicial reform processes of those countries. This two-week course will take place in January 2002 in Santiago, Chile.

### **4. Technical assistance**

CEJA's Technical Assistance Program makes the best accumulation of regional judicial reform experience available to parties involved in the process. Our institution's continuous contact with a variety of justice reform processes along with the studies we conduct allow us to offer assistance to the countries undergoing change in this sector in the form of valuable tools and information needed for their objectives.

CEJA aids the countries in all aspects of public policy, including diagnosis, regulatory and technical design, feasibility studies, economic analysis, implementation, follow-up and evaluation processes.

CEJA currently offers assistance in the following areas:

- Legal training and for operators of the judicial system
  - Regulatory and administrative design of institutions dedicated to training
  - Inclusion of training in the judicial career
  - Studies of training needs
  - Designing plans of study

- Training program design and evaluation
- Preparation of training materials
- Training for trainers
- Criminal Procedure: CEJA's primary area of expertise relates to the transition from an inquisitorial and written criminal system to an adversarial and oral system. This reform implies:
  - Transfer of investigative functions from the judges to the Public Prosecutor's Office
  - Establishing criteria for case selection
  - Impartial control systems for the investigative tasks of the attorney general in charge of the courts
  - Adversarial and oral trial systems

Beyond this overall transformation, CEJA offers assistance in the development of certain specific institutions of the criminal process, including:

  - the establishment of alternative outcomes to the criminal process
  - the application of prosecutorial discretion
  - the conditional suspension of the procedure
  - indemnification
  - the modernization of the systems of preventative measures
  - the structuring oral trials
  - the institutional and administrative organization of the Courts and the Offices of the Public Prosecutor and the Public Defender

CEJA also collaborates with the efficient resolution of problems related to the implementation and sustainability of this aspect of the justice reform processes already initiated in the majority of the countries of the Americas.
- Other judicial processes: CEJA offers advisory assistance for changes in the civil and commercial areas, which is changing from a written system to a system of hearings, and in the modernization of labor and family law.

CEJA also collaborates in specific matters such as the process of removing cases from the court docket, establishing systems of judicial fees, and structuring oral trials.

- Access to justice: CEJA also offers assistance in the processes of establishing, disseminating and managing alternative means of conflict resolution, such as mediation and arbitration.
- It also offers advisory assistance in the institutional and administrative design of legal assistance systems and in the development of legal information systems.

CEJA undertook activities of this type in two countries this year:

a. Observation mission to Peru

CEJA and other entities participated in a site visit organized by the United Nations Development Program to observe the Peruvian justice system March 1-23, 2001, at the

request of the Peruvian Ministry of Justice. The Center was represented by its Executive Director, who assumed the role of institutional analyst, and Mr. Carlos Peña, Dean of the Law School at the Diego Portales University, who was in charge of analyzing the Peruvian civil and commercial justice systems.

Over the course of this mission, meetings were held with the Minister of Justice and his colleagues, with the President of the Supreme Court of Justice and other ministers of that court, with representatives of the Executive Council of the Judiciary, as well as the presidents of the Superior Courts and various other judges in general. Meetings also took place with the Attorney General, members of the Judiciary Council, practicing attorneys, university professors, and members of civil society.

CEJA also took advantage of the opportunity to participate in a variety of dissemination activities, such as press conferences and an international seminar especially called by the Justice Minister.

As a product of the visit, CEJA prepared a report with suggestions for the strategic design of the judicial reform program in Peru and with specific proposals in the areas of civil and commercial justice.

b. Training program in Ecuador

The Esquel Foundation made an international call for “Proposals for the Incorporation of Teaching the New Criminal Procedure Code in the Undergraduate Law Degree Program.” CEJA, in conjunction with the Regional Center for the Promotion of Justice (PROJURIS) of Ecuador and the University of Azuay, won the project, which is now near completion. CEJA’s contribution has been to provide international expertise on the subject.

c. Commission to evaluate the criminal procedure reform process in Chile

The Chilean Ministry of Justice invited CEJA, through its Executive Director, to participate in evaluating and introducing improvements in the Chilean criminal justice reform process.

The Commission was made up of representatives of four institutions related to the reform in Chile and was the result of the expression of public discontent with respect to certain aspects of the new system, particularly those connected with the treatment of minor infractions and problems of public disorder. The Commission visited the regions in which the new system is in effect and interviewed the various parties and then issued a report suggesting legal and non-legal changes. The non-legal changes, such as inter-institutional coordination, training, and on-going evaluation, were considered by the Commission to be the most important. Changes of a legal nature were proposed to the government and are now being considered by the parliament.

#### IV. FINANCIAL SITUATION

In accordance with its statutes and as required by CEJA's funding sources, the Center is required to undergo an external financial audit once a year. The results of that audit are attached to this report.

CEJA's financial resources during this period correspond to a USAID project in the initial amount of \$880,000 USD, to which another \$120,000 was added over the course of the year to reimburse CDJ for direct expenses. There is no doubt that this is the institution's primary source of financial support. CDJ also received a \$28,575 donation from the Canadian government, as matching funds for the projects in which it has participated, some of which will generate a net surplus, such as those on the independence of the judiciary, the role of NGOs and training in Ecuador.

One of CEJA's most demanding efforts in this period has been fund raising, although the results have not been as successful as we had hoped.

With respect to obtaining "voluntary contributions from member states," which should be the normal means of funding for CEJA (being an international organization), our requests have been met with less than enthusiastic responses. In addition to the lack of a tradition of investing in the justice area, the countries are not sufficiently convinced of the benefits than an institution like CEJA can provide by working at a regional level. Furthermore, as the majority of the countries have been accustomed to receiving rather than supplying resources in this area, many assumed that CEJA would have other means of obtaining funds. This has also been a year of pronounced economic contraction, which has been an obstacle to fund-raising. In fact, many of the resources pledged by the Chilean government have been delayed for this very reason. Finally, the postponement of REMJA this year deprived us of the primary forum for procuring state funds. That opportunity would have provided CEJA with a long term funding plan, as stated in the Presidents' Summit of the Americas in Quebec.

Other funding sources have also been explored. The IBD is particularly important in that it has a \$200,000 regional technical cooperation program in effect – also delayed for financial reasons – that should be approved for the coming period, *without detracting from the already released* \$25,000. The World Bank is also discussing a judicial training project, which, if approved, will involve CEJA.

Contacts have also been maintained with other sources and minor funding has already been obtained in part from the Ford Foundation and some European governments. CEJA has defined and is now implementing a policy without exceptions of charging an overhead for participating in projects or activities, and these funds will be used to help finance general expenses.

As stated in the beginning, strict control of expenses along with alliances generated and the transfer of some costs to the recipients of the activities has allowed CEJA to

comply with its objectives set for the year, with only one relatively minor disbursement beyond the originally-planned resources.

Additional examples of these new working procedures are found in the production of the *Sistemas Judiciales* journal, which has been an important medium for introducing CEJA. The journal is prepared and funded by INECIP, an associated institution in Argentina; CEJA is only responsible for directing and obtaining the material and for committing to the purchase of 500 copies at \$10 each. Another example is the regional course on Tools for Judicial Reform, which is fully financed by its students, except for the presence of some foreign professors whose expenses were covered by their respective governments. This course is expected to generate a surplus for CEJA.

Even so, the subject of financing requires special attention on the part of our institution, and the definition of a more precise strategy to deal with this matter will be a topic of discussion in the current meeting of the Board of Directors.

## ***JUSTICE STUDIES CENTER OF THE AMERICAS*** **WORK PLAN YEAR 2002**

The following is the proposal for the organization, activities, and budget of the Justice Studies Center of the Americas submitted for the consideration of your Executive Board.

As in the previous Work Plan, this has been prepared based on the work areas previously defined for CEJA, specifying the activities that we anticipate carrying out in each area. Some of them will be undertaken using the resources that CEJA already has available for the next fiscal year. Others, which will be specified, will only be begun when additional funding is obtained.

Given that CEJA is still in its incorporation and development phase and given the particular characteristics of the area in which we work, we hope to always have adequate flexibility to take advantage of opportunities as they emerge, even if they have not been considered originally, provided that they fit in the objectives and strategy defined by the Executive Board and that we have adequate resources.

### **I. INSTITUTIONAL DEVELOPMENT OF CEJA:**

#### **1. Internal Organization**

##### **a. Agreement on headquarters and internal rules of the Center**

During 2002, great efforts will be made to complete the parliamentary proceedings of the Headquarters Agreement with the Chilean Government. The Agreement is essential for CEJA's management. Its absence hinders relations with donor agencies and organizations with whom we work, as we do not have our own legal status and we thus must operate through a third party's legal status. At the same time, our current situation requires us to pay taxes in Chile, from which we would be exempt with the Agreement.

##### **b. Work Team**

While we wish to maintain a small and flexible organization, which operates mainly with staff hired for specific projects, it is necessary to expand CEJA's human resources staff. This is due, on the one hand, to the large increase in the volume of our activities and in the management, supervision and central administration tasks these activities require, as will be discussed later. By the end of this year, this workload will probably exceed our professional team's capacity.

An expansion is also made necessary because our relationship with CDJ will change once the USAID's current project is completed. This institution's willingness to provide administrative support to us as a counterpart's contribution, will conclude with this project. Beginning in March 2002, CEJA will have to assume internally the necessary personnel for these tasks.

The proposed professional team for the next year would comprise the following persons:

- b.1 Professional Team:
  - Executive Director
  - Programs Director (Assistant Director)
  - Secretary of the Executive Board
  - Manager of the Information Center
  - Coordinator of Training and Events
  - Journalist
- b.2 Administrative Team:
  - Administrator
  - EDP officer
  - Accountant
  - Secretary 1
  - Secretary 2
  - Junior

Additionally, CEJA wishes to have international experts that will collaborate with the office during limited periods of time (from three to six months). The idea is that these experts will help to meet three objectives: (i) provide us with technical and field knowledge in areas important for the success of CEJA's activities, (ii) extend the international nature of our professional team, and (iii) initiate contacts and establish work methods and relationships that make it possible for us to stimulate the creation of CEJA's local offices. This last objective aims at maximizing the impact of our activities by taking advantage of cooperation opportunities in the legal arena in other areas of the region, with the support of CEJA representatives that may undertake these activities without increasing the organization's fixed costs.

Finally, CEJA is determined to continue promoting its training program. For this purpose, it has contacted universities in the United States (the formal agreement that we are discussing with Harvard University is the most advanced), Canada and Europe.

c. Equipment and Infrastructure

Although the current relationship with CDJ will change once the USAID project is completed, our proposal, which has been accepted by them, is to continue using their physical infrastructure and other facilities by paying rent.

The increase in the number of our personnel and projects will require new investments in computer and telephone equipment.

## **2. Dissemination and Contacts**

### **a. Agreements completed**

CEJA will continue with its policy of completing work agreements with the different institutions of the countries that work on legal issues. Special emphasis will be given to completing these agreements with the sector's public institutions: Attorneys General's offices, offices of Public Prosecutors and offices of Public Defenders.

These agreements are a very important basis for disseminating information and involving the institutions in the networking projects that we are promoting, as well as for planning possible technical cooperation in the future.

### **b. Associate organizations**

CEJA is also encouraging organizations, especially NGOs, to enter our network and to become associated organizations, so that they may have greater participation in defining the institution's strategic plans.

### **c. Communication and Dissemination of Products**

CEJA will continue with its communications strategy and will emphasize a closer relationship with the media at a national and regional level. We will continue publishing bulletins, which will include information on different subject's matters, as discussed below.

Travel to different countries in the region to make contacts and attend events related to our field will continue being one of the most important communication strategies. We intend to achieve complete coverage of the region by 2002.

Attending the next REMJA, to be held in Trinidad & Tobago in March 2002, and the next OAS General Meeting will be especially important for CEJA.

Two regular meetings of CEJA's Executive Board have been planned for 2002.

Our work plan also contemplates conducting international seminars or carrying out events in different countries of the region. We also plan 10 publications which, apart from their specific subjects, will act as a further mechanism for the communication of CEJA materials and ideas.

## **II. PROJECTS AND ACTIVITIES:**

### **1. Information Center**

#### **a. Web Site**

CEJA's web site plays two important roles. First, it is one of the best vehicles we have for promoting and communicate our activities. Second, the Information Center is centered on the web and we intend for it to become a meeting place for those interested in legal matters. To adequately meet these objectives, we will focus our efforts in strengthening the following areas:

- Improving the design and presentation so that it will be more attractive and free from computer and software problems.
- Focusing on providing more and better content in the areas we consider essential. The aim is to gradually increase the site's offerings.
- Establishing an efficient system for the management and updating of the site.
- Linking in an efficient way the specific pages we create, as specified below.

We wish to have professional personnel permanently in charge of the site and the pages that will be linked. We will contract specific services for design, search of contents, updating and downloading of information.

#### **b. Bulletin**

We will continue publishing our monthly bulletin, which covers current legal developments in the region, highlights8 activities and events, and offers a summary of the latest publications. To make better use of the bulletins for networking work, special sections with information related to individual sectors will be added (e.g., public prosecutors, public defenders, and NGOs), thus particularizing its distribution.

#### **c. Newsletters**

In addition to the regular bulletin, we will publish bi-monthly newsletters in which a relevant subject will be briefly developed, including a description of an important project, case studies, etc.

d. Justice Institutions Network

As a complement to the development of our web site, CEJA will prepare and maintain a specific site for the Inter American Association of Offices of Public Prosecutors and another one for the Offices of Public Defenders of the region that join our network. These sites will serve as a point of contact for the members of these institutions and will be linked to their respective institutional pages. Our proposal is that these network sites will generate both on-line activities (like bulletins, discussion forums or mechanisms for answering questions) and other activities (studies, publications, meetings, etc.).

We also wish to initiate concrete activities that will give life to these commitments, with the Legal Powers and Judiciary Councils with which we have signed joint work agreements. For the next year, in addition to the technical assistance and studies discussed below, we intend to conduct a specific event for the benefit of these institutions: a seminar that will gather the courts' professional administrators, a profession that is expanding in the region but has not found a place within the legal structure that enables it to reach its potential. We will study the feasibility of organizing a legal technology exhibit to complement this seminar.

e. Independence of the Judiciary

As a result of intense work carried out at a worldwide level in 2000-2001, USAID prepared a guide on the independence of the judiciary. The instrument's initial objective was to orient the justice programs promoted by USAID. However, given that the guide contains useful general information, we have thought of disseminating it and generating related activities in the different regions. One of the contributions in the global guide was a regional report on Latin America and the Caribbean, prepared by Maggi Popkin, executive director of Due Process of Law Foundation, who worked with a group of local experts. The text, prepared by Mrs. Popkin, has been translated into Spanish and USAID is planning to develop related events and research and to maintain a web page related to this publication. IFES is responsible for these activities and CEJA has been asked to assist in the organization of the events, by providing the regional expertise required, and designing and maintaining the web page. At least two events have been planned for 2002.

f. NGO Network

CEJA has assumed the management of the NGO justice network initially organized by the World Bank. For this purpose, we have invited the original NGOs to formally reiterate their interest, and have included new organizations in this initiative. This network will also require the preparation and maintenance of a web page linked to ours, the development of virtual activities with these institutions, as well as in-person activities. With respect to the latter, we have planned a seminar with the NGOs that make up the

Network, in association with the Esquel Foundation of Ecuador, during the first half of the year.

g. Legal Systems' Review

During the year, issues No. 3 and 4 of the review will be prepared and published. We also plan to launch No. 2 and hold the incorporation meeting of the Editorial Board of the Review. The high level of the participants of this board and their knowledge of justice issues at a regional level has led us to request their guidance in the direction of the publication. We would like to establish this Board as a high-level forum related to the challenges and perspectives of regional legal reform. Therefore, during the first meeting we will lead a guided debate on these matters, whose contents will be published in the following issue.

Starting next year we will expand the on-line version of the Review, without undermining the written edition as the principal product, necessary for having an impact.

h. Annual Report

We intend to make an annual publication that will gather recent developments, the most significant events, and decisions of the various legal systems in the region. For this goal, we would like to have a commissioner in each country, which will compile basic information and establish a matrix within which we can work. We believe it is also important that this person act as a local delegate to contribute to the monthly bulletin and the newsletters and to assist in the dissemination of our activities in his/her country and establish useful contacts for our activities. Our idea is that the information matrix should be very simple and descriptive at the beginning, and that it should become more sophisticated over time, both as regards the volume and the nature of the information. We have submitted this project to funding sources in order to obtain specific support.

i. Realidad Judicial Review

The La Ley publishing house of Argentina has requested our collaboration to form part of the Executive Board of the new review *Revista Judicial* that is being edited and which will have a large-scale distribution in that country's legal field. The Board will have representatives of the most important professional associations of the sector, for example, lawyers and judges. Apart from collaborating in the orientation of the review and supplying materials, the CEJA will disseminate on-line at least some parts of its contents.

## 2. Studies

a. Follow up of criminal procedure reforms

This study has two components: the dissemination and discussion of the study conducted in 2001, and an extension of the study to new countries.

In the first area, we plan to hold a working session with the local teams to validate the final report. Then a first publication will be made, in notebook form, of the local and final reports. Later, local seminars will be carried out in each of the four countries where the study took place. These seminars will seek not only to validate the reports, but also to offer explanations and hypotheses for its results. Additionally, a seminar will be held in Brazil (in collaboration with the University of Sao Paulo) to discuss the results, and an international seminar to disseminate the results to the general regional legal community. Finally, the corrected text and the most relevant conference papers and comments presented at the local and international seminars will be gathered for final publication in book form.

In 2002, this study will be extended to achieve our objective of covering the whole region. Specifically, the following countries will be included:

- Mexico. This study began in 2001, but most of the work and the conclusions will be issued in 2002. Once the final report has been prepared, a discussion seminar will be held (where the conclusions of the study in other countries will also be presented). This seminar will be held with the sponsorship of local institutions.
- Countries of English-speaking Caribbean. Two or four will be selected according to the availability of information.
- El Salvador
- Guatemala
- Peru
- Venezuela

All these studies will result in a report and a local discussion seminar. A second final report will be prepared with all the new information accumulated during the year.

This project will also be alert to the impact of the reports in the respective countries, for the purpose of taking advantage of opportunities generated by the response.

b. Statistics

At the beginning of the year the guide for the compilation of statistical information prepared under the guidance of Spanish expert Mr. Santos Pastor should be completed. This guide, which operates as a template for gathering information, will be discussed at a work meeting with regional experts. Once consensus has been reached on the text, it will be applied in two countries (Colombia and Dominican Republic) and then in three others, yet to be determined. The results will be published.

Work will continue during the second half of the year, with an analysis and proposal for a catalogue of “justice indicators”, which shall be discussed at a seminar and published.

With both projects, the CEJA aims at starting to improve the information generated in the region, to ensure high quality standards, the availability and reliability of the information, and a foundation for standardizing information at a regional level.

This project has the support of the Inter American Development Bank.

c. Project on the Role of NGOs in the Democratization of Justice

As discussed in the annual report, this project aims at analyzing the contribution of the NGOs in justice reform efforts at a sub-regional level and for establishing reform procedures that include these organizations as important participants. In the first semester we will conclude our local investigation, hold a work meeting to discuss these results and participate in the seminar to be organized by the Ford Foundation to compare different local experiences.

d. Criminal Policy and Regional Integration in Mercosur

This study comes within the goal of promoting uniformity in the handling of certain complex regional issues. The specific objectives are: (i) Identifying and proposing the areas of a legislative harmonization in the ambit of the MERCOSUR, on issues related to torture and corruption offenses; (ii) Evaluating systems for the prevention of torture and corruption and proposing mechanisms for the strengthening or reform of these mechanisms, and (iii) Identifying the obstacles for criminal prosecution of torture and corruption offenses, and proposing policies for overcoming them.

The study will be coordinated by CEJA and the INECIP and shall be conducted by local teams in each of the countries to be investigated:

- Argentina: INECIP-Argentina
- Brazil: Universidad Federal de Paraná
- Paraguay: INECIP-Paraguay
- Uruguay: Universidad Nacional

The study will be financed by the French Government and local institutions. CEJA will finance a final seminar for discussion and dissemination.

e. Other projects

Additionally, there are some projects in the initial stages of development and at this moment it is not possible to anticipate their development. Amongst them are the following:

- Conducting a comparative study on the interaction of civil and common law systems. This study is a joint idea with the National Institute of Justice and the National Center for State Courts
- Argenjus has asked CEJA to collaborate on a proposed modernization project with the Supreme Court of Justice of Argentina.
- Argentina-based CELS is holding discussions for a project to modernize the system
- Joint design with the American Bar Association of a regional system for accreditation of law schools
- Collaboration with the Latin American element of the project that supports the work of Prosecuting Attorneys of Harvard Law School called Times of Transition, led by Professor Phillip Heyman.
- A possible study on Gender and Justice together with the World Bank, with a special focus on Central America.

### **3. Training**

#### **a. Course on instruments for legal reform**

This course will examine certain non-legal components that make up a successful legal public policy, including the political and economic aspects and the management of cultural change. Additionally, other cases will be studied to see how these factors have been addressed in the legal reform experiences of certain developed countries. The course will be held in January, in Santiago, Chile and will last two weeks. It is directed at professionals with responsibilities for the design and implementation of public policy, whether from public institutions of the legal sector or from the academic or NGO sectors. The course will be financed with registration fees charged to the students, and through the contributions we receive from different governments that cover the expenses of those who will present the case studies.

After evaluating the results of this first activity (mainly in financial terms), we will decide if another activity with a similar methodology will take place in the second half of the year.

#### **b. Regional training program for public criminal defenders**

This program will fill an important gap, as at a regional level there is no initiative with this aim. While governments and aid agencies have created different training programs for judges and prosecuting attorneys, defenders have been largely neglected.

We intend to develop a complete program that will be composed of different courses and activities, addressing the variety of subjects related to the work of criminal public defenders' offices and individual defense attorneys.

For the first year we have decided to give two courses, the general objective of which will be to help generate a sense of professional community amongst the defenders of the different countries in Latin America, and to create in turn a common discourse as regards their sense of purpose and the professional skills required for its exercise. All of this is aimed at strengthening the function within the legal systems and raising the activity's professional standards. For the financing of these courses we have requested the support of the governments of Canada and the United Kingdom.

c. Correspondence Courses

In the first semester course, CEJA will participate in a correspondence course organized by the World Bank's training center, on the subject of corruption. We will be assisting in the preparation of materials and in the selection of speakers.

Additionally, The Inter American Network of Legal Schools, of which CEJA is a member, has submitted to the World Bank a project for preparing a regional curriculum of correspondence courses. This project comes within the ambit of the activities promoted at the Sixth Summit of Heads of Supreme Courts and the Iberius Network. CEJA would prepare the training materials for this project. The project is pending approval.

#### **4. Technical support**

The technical support activities to be provided by the CEJA are established by the demands the institution will receive and which correspond to our offer. For the time being, these activities should be self-financed.

### **III. SUMMARY OF PRODUCTS**

| <b>Products Summary</b> |    |
|-------------------------|----|
| Web Sites               | 5  |
| Seminars                | 21 |
| Courses                 | 7  |
| Bulletins               | 12 |
| Newsletters             | 6  |
| Publications            | 10 |

#### IV. SCHEDULE OF ACTIVITIES

[illegible]

## V. COSTS AND FUNDING

[illegible]

[illegible]

|  |               |               |                |                |                |               |               |               |                |               |                |                |                  |
|--|---------------|---------------|----------------|----------------|----------------|---------------|---------------|---------------|----------------|---------------|----------------|----------------|------------------|
| Criminal policy in the MERCOSUR        | 0             | 0             | 18.000         | 0              | 0              | 0             | 0             | 0             | 18.000         | 0             | 0              | 16.000         | 52.000           |
| <b>Sub Total</b>                       | <b>11.750</b> | <b>11.150</b> | <b>53.950</b>  | <b>36.250</b>  | <b>41.550</b>  | <b>15.750</b> | <b>22.050</b> | <b>16.250</b> | <b>20.250</b>  | <b>2.250</b>  | <b>71.450</b>  | <b>70.250</b>  | <b>372.900</b>   |
| <b>Training</b>                        |               |               |                |                |                |               |               |               |                |               |                |                |                  |
| Instruments course                     | 36.766        | 0             | 0              | 0              | 0              | 0             | 0             | 0             | 0              | 36.766        | 0              | 0              | 73.532           |
| Program for public defenders' training | 0             | 0             | 0              | 0              | 42.200         | 0             | 0             | 0             | 40.200         | 0             | 0              | 0              | 82.400           |
| Correspondence Course                  | 3.000         | 0             | 5.000          | 0              | 0              | 0             | 6.000         | 1.000         | 2.000          | 0             | 0              | 0              | 17.000           |
| <b>Sub Total</b>                       | <b>36.766</b> | <b>0</b>      | <b>5.000</b>   | <b>0</b>       | <b>42.200</b>  | <b>0</b>      | <b>6.000</b>  | <b>1.000</b>  | <b>42.200</b>  | <b>36.766</b> | <b>0</b>       | <b>0</b>       | <b>169.932</b>   |
| <b>TOTAL EXPENSES ACTIVITIES</b>       | <b>63.366</b> | <b>21.000</b> | <b>167.372</b> | <b>46.100</b>  | <b>97.600</b>  | <b>24.600</b> | <b>36.900</b> | <b>46.950</b> | <b>71.300</b>  | <b>47.866</b> | <b>130.800</b> | <b>89.100</b>  | <b>842.954</b>   |
| <b>TOTAL</b>                           | <b>98.062</b> | <b>47.696</b> | <b>214.068</b> | <b>113.796</b> | <b>147.946</b> | <b>66.946</b> | <b>77.246</b> | <b>87.296</b> | <b>111.646</b> | <b>90.212</b> | <b>181.146</b> | <b>146.796</b> | <b>1.382.856</b> |

The previous expenses will be financed by charging the following sources of funds:

|                                   |                |
|-----------------------------------|----------------|
| • USAID Project 2.000 – 2.002     | = \$ 400,000.- |
| • USAID Project 2.002 – 2.003     | = \$ 700,000.- |
| • Resources from CHILE            | = \$ 180,000.- |
| • Statistics Project (BID 2.002)  | = \$ 100,000.- |
| • Independence Project (IFES)     | = \$ 70,000.-  |
| • Mercosur Project (FRANCE)       | = \$ 50,000.-  |
| • Own income (Instruments Course) | = \$ 20,000.-  |
| • NGOs Project (FORD)             | = \$ 12,000.-  |
| • ECUADOR Overhead                | = \$ 6,000.-   |
| • COSTA RICA Resources            | = \$ 5,000.-   |
| <hr/>                             |                |
|                                   | \$1,543,000.-  |

In this list of funding sources, only projects that have been submitted and accepted have been considered. As discussed earlier, completing several of the aforementioned activities will depend on the approval of these projects.

**JUSTICE STUDIES CENTER OF THE AMERICAS  
VI MEETING  
of the  
Board of Directors**

The Sixth Meeting of the Board of Directors of the Justice Studies Center of the Americas took place on December 6-7, 2001 in Santiago de Chile. In attendance were Ms. Mónica Nagel, President; Mr. Douglass Cassel, Vice President, and Councillors Ms. Soledad Alvear and Mr. Federico Callizo. Also present were Mr. Rodrigo Quintana; Mr. Juan Enrique Vargas, Executive Director of CEJA, Ms. Luciana Sánchez, JSCA Director of Programs; and Mr. Francisco Cruz, Secretary of the Board.

In accordance with the meeting's agenda, the following topics were addressed:

- Composition of the Board of Directors
- Financial auditing
- Approval of agreements
- Resolution of requests for association
- Annual Account of the Executive Direction
- 2002 Working Plan presented by the Executive Direction
- Financial strategies
- Election of President and Vice President
- Resolutions to present in the next REMJA

The following minutes contain the agreements adopted in the final session of the meeting.

1° The Board of Directors declared its satisfaction with the decision made during the last OAS General Assembly Meeting to extend, for an additional three years, the term of office of two of the original members; Ms. Mónica Nagel and Mr. Federico Callizo.

2° The President of the Board of Directors was authorized to create a preliminary commission consisting of at least 2 board members to select the topics to be submitted for the consideration of the Board.

3° The international organization of Ernst & Young was ratified and approved as the external auditor for JSCA's activities. This company was chosen by CDJ as the result of an open selection process and within the scope of its commitments assumed as part of the USAID/CEJA project.

4° It was requested that the Executive Director send the Board members detailed financial statements of CEJA's income and expenses on a quarterly basis.

5° The Executive Director was authorized to explore the possibility of opening checking accounts for CEJA in countries other than Chile.

6° The Executive Director reported on the support that JSCA receives in Chile from other organizations. The contributions received in compliance with the proposal tendered by Chile and accepted by REMJA have consisted of physical facilities, equipment, and personnel. To date that support has come directly from CDJ, which also makes available its legal personality for JSCA's operations until the procedures for its Headquarters Agreement with the Chilean government are finalized. The support that has been received is fully satisfactory, for which the Board is thankful to CDJ. It is hoped that in the future, the support will come directly from the Chilean government, which has committed up to \$100,000 in the first year for its installation and a later voluntary annual contribution which will be adjusted in accordance with Chile's willingness to house JSCA's headquarters.

7° The agreements signed by JSCA's Executive Director with the following organizations were approved: the Executive Branch of Argentina; the Supreme Court of Argentina; the Office of the Public Prosecutor of Argentina, the Office of the Public Prosecutor of Chile, the Pontifical Catholic University of Lima, Peru, and the Institute for Judicial Studies in Chile.

8° The Executive Director was authorized to continue signing agreements similar to those already signed to the degree that they do not impose financial obligations on JSCA, that they will become effective immediately upon their signing, although they must later be approved by the Board of Directors in compliance with article 10 of its Statutes. Should the agreement to be signed vary significantly from those already signed, the Executive Director may sign it with prior consultation with the members of the Board of Director via whatever means of communication deemed convenient and as long as no opposition is presented during a period of ten days.

9° The Board approved with great satisfaction the associated membership of the Argentine institutions ARGENJUS and INECIP with JSCA. These institutions have fully complied with the regulations and completed the steps established for this purpose.

10° The annual account presented by the Executive Director was approved and authorization was given to present it with modifications as a report of the Board of Directors during the next REMJA meeting and General Assembly of the OAS. The Executive Director was asked to explore the possibility of making an oral presentation of this report to the Permanent Council of the OAS:

11° The 2002 Work Plan presented by the Executive Director was approved, as was JSCA's estimated budget.

12° The Executive Director was requested to send a quarterly calendar of CEJA events to the members of the Board so that they might participate in some of those events.

13° The Secretary of the Board was asked to make a presentation during the VII board of Directors' Meeting, consisting of a proposal concerning the manner in which the Board and the Executive Direction should treat the public reports issued by JSCA.

14° The President of the Board and its Executive Director were commissioned to determine projects or studies through which JSCA might effectively make a contribution in the fight against terrorism.

15° An Advisory Board to the Board of Directors was created, made up of high-profile members of the public and private sectors to collaborate in obtaining funds for JSCA's operations. The members of the Board of Directors will submit suggestions to the Executive Director about the way this board should work and be structured, as well as suggestions for possible members.

16° It was agreed that concrete proposals for medium and long-term funding programs for JSCA should be taken to multilateral regional forums, in compliance with the work plan agreed upon in the III Presidential Summit Meeting.

17° The members of the Board will take direct action to obtain voluntary contributions to JSCA by members States, particularly with respect to national entities and agencies that fund law and justice-related projects.

18° Direct contact will be made with the Justice, Foreign Relations and Finance Ministers of the countries of the Region to make concrete the voluntary contributions of their respective countries.

19° It was proposed that before the next REMJA, a closer relationship between REMJA and JSCA should be established. JSCA will be involved, as much as feasible, in the follow-up and distribution of the conclusions, procedures to be used, and recommendations of the meeting.

20° In consideration of the upcoming REMJA meeting to be held in March in Trinidad & Tobago, a work meeting will be organized with legal experts and governmental representatives from the different Caribbean countries. The objective is to learn about the actions that JSCA can develop to benefit their legal and judicial systems. Board members from the Caribbean will be notified well in advance

21° It was agreed to hold JSCA's VII Board of Directors Meeting during the REMJA meeting, with prior notification to the Board Members not present at the current meeting.

22° In accordance with article 13.4 of the Statutes and articles 11-15 of the Regulations, Mr. Douglass Cassel was named as the new President of the Board of Directors, and Councillor Federico Callizo as the new Vice President. Ms. Mónica Nagel was heartily congratulated on her excellent performance as the first President of the Board.