

**QUARTERLY REPORT OF THE
JUSTICE STUDIES CENTER OF THE AMERICAS
January – March 2002**

The following report summarizes the primary activities realized by the Justice Studies Center of the Americas (JSCA) for the first quarter of 2002.

The activities summarized herein have been executed under the framework of the USAID institutional support project (LAG-G-00-00-00035-00) and with the collaboration of other funding sources aimed at specific activities, as indicated below.

In the development of its activities, JSCA acts under the legal framework provided by the Center for Juridical Development of Chile (CDJ/CPU), while it finalizes its Headquarters Agreement with the Government of Chile.

I. INSTITUTIONAL ASPECTS

1.1 Headquarters Agreement

In the month of March, the Headquarters Agreement between the Government of Chile and JSCA began parliamentary processing. We are currently working diligently with governmental authorities to make this process to be as brief as possible.

1.2 Board of Directors Meetings

Although a JSCA Board of Directors meeting had been scheduled to take place during the IV REMJA in Trinidad & Tobago (meeting of Justice Ministers and Attorneys General), March 10-13, prior commitments of several board members prevented this possibility. However, as Board members Douglass Cassel (President), Federico Callizo (Vice President), and Karl Hudson-Phillips were in attendance, various topics of interest for JSCA's progress were discussed at an informal meeting.

1.3 REMJA

In accordance with Article 2 of the JSCA Statutes, the organization should develop its activities in accordance with the guidelines contained in REMJA's conclusions and recommendations. In keeping with this mandate, JSCA participated in the IV REMJA held in Port of Spain, Trinidad & Tobago, March 10-13. On that occasion both the President of the Board of Directors and the Executive Director participated in the plenary session to present the 2001 Activity Report and the Work Plan for the current year. Both documents

were formally approved and the object of highly satisfactory commentaries on the part of the attending delegations. Pursuant to that and the debates sustained in the meeting regarding the topics addressed, a chapter of conclusions specifically referring to JSCA was approved, as appears below:

V. JUSTICE STUDIES CENTER OF THE AMERICAS

REMJA recommends:

1. Expresses its satisfaction that the Justice Studies Center of the Americas (JSCA) has successfully initiated its activities and that it has developed important projects to support the processes of modernization of justice in the region, and manifests its approval of the 2001 Annual Report and the Work Plan for 2002, as presented by JSCA.
2. Requests that JSCA contribute technical studies in the meeting of governmental experts in matters of legal and juridical cooperation in criminal matters, taking into account the consultations made by different parties in this field.
3. Urges JSCA to make the work it is doing with associated legal sector institutions available to the Network for Mutual Legal Assistance in Criminal Matters and that it make the necessary efforts to cooperate with the Network in the most efficient manner possible.
4. Reaffirms the need for the various States of the Region to support JSCA's work, submitting as soon as possible their voluntary contributions, which are necessary for the institution to comply with its commitments.
5. Requests that JSCA provide training to the member States of the OAS within the framework of its mandates and available financial resources.
6. Call upon the multilateral credit institutions to support the achievement of the initiatives that have resulted from this meeting.

Additionally, in chapter N° III with reference to the Improvement of the Administration of Justice, REMJA IV approved a resolution that directly concerns JSCA.

“III IMPROVEMENT OF THE ADMINISTRATION OF JUSTICE

In relation to the areas considered in this meeting with regard to the betterment of the administration of justice, REMJA IV recommends:

2. That the Justice Studies Center of the Americas (JSCA) concentrate the information of the mentioned register and publicize the alternative dispute resolution mechanisms used in different countries to encourage the adoption of these mechanisms in national legislation.”

Additionally, the meeting allowed JSCA to make bilateral contacts with a large number of the delegations present and, as previously mentioned, to hold an informal meeting with three of its Board members and implement a working session with a group of relevant experts and representatives of Caribbean justice, as will be explained below.

1.4 Work Team

Our staff has undergone various modifications during this period as a result of the

incorporation of new members and schedule changes for others. The team now comprises the following members:

- Juan Enrique Vargas, Director, full time
- Luciana Sánchez, Program Director, full time
- Marko Magdic, Events and Training Coordinator, full time
- Paz Pérez, Web Site Coordinator, full time
- Pamela Varela, Secretary, full time
- Soledad Soto, Assistant, full time
- Cristián Riego, Studies Coordinator, part time
- Francisco Cruz, Secretary to the Board of Directors, part time
- Pedro Galindo, Press Coordinator, part time
- Fernando Santelices, Studies Assistant, part time
- Alejandro Fica, Information Consultant, part time
- David Bosco, Fullbright Scholar, part time

In addition to the aforementioned staff, the personnel that CDJ makes available to JSCA should also be noted.

1.5 Projects and Funding

During the quarter, JSCA requested and obtained authorization to extend the duration of its current USAID project until August of this year, with its originally-assigned resources. Likewise, it formalized the presentation of the new USAID project for a period of one year (September 2002 – August 2003).

Additionally, JSCA presented funding requests to the following sources:

- The government of France, Regional Criminal Policy and Integration in MERCOSUR project; approved.
- The government of the United Kingdom, Project Annual Report; pending.
- The Canadian Human Security Program, Project Annual Report; pending.
- Canadian CIDA, Training program; pending.

Likewise, efforts continued to realize the voluntary contributions offered by the governments of Chile and Costa Rica. As previously indicated, JSCA obtained a REMJA resolution urging all of its member countries to comply with their respective pledges.

II. INFORMATION AND EXCHANGE SYSTEMS

1. Web Site

On March 15, 2002, new sections were added to the JSCA web site (www.cejamerica.org) and its information was updated. The visual presentation and the organization of the information were also modified. The new information now includes:

- JSCA's institutional information, which also contains general background material, the 2001 Annual Report and the 2002 Work Plan, the agreements that have been signed, and information on the Board of Directors and the permanent JSCA staff.
- A schedule of activities was created listing the events organized by the Center or in which it collaborates and a section on events by other institutions related to justice reform in the region.
- Information about the training programs and studies implemented by JSCA and information about the products in terms of progress made or the results obtained.
- With the goal of publicizing the Judicial Systems Journal, the first two issues were made available on-line along with subscription information. Likewise, the Nexos Newsletter is also continuously updated.
- Two sections were created on the site for user consultations on justice reforms in the region. The first is the **Information Center**, which at present contains the Constitutions, the Criminal Procedure Codes and the Criminal Codes of the OAS member nations and the Inter-American Human Rights Treaties. The second section, **Publications and Documents**, houses information obtained in the First Inter-American Meeting of Public Defenders, documents relative to the Meetings of the Justice Ministers or Attorneys General of the Americas, as well as links to the web sites of the National Institute of Justice and the national Criminal Justice Reference Service. This section is continuously expanding, thanks to the contributions received from member countries, the OAS, and the institutions with whom we have reciprocal agreements.

The contents of the web site are available in both English and Spanish.

All of the above-mentioned information is updated regularly, and new information produced or received by JSCA is added frequently.

During this period we have received a large number of user questions through the site. These requests receive a quick response, and the site has become an efficient tool for exchanging information with institutions and individuals alike.

2. Press and Publications Area

2.1 *Sistemas Judiciales* (Judicial Systems) Journal

The second edition of the journal, dedicated to the topic of alternative dispute resolution mechanisms, was recently printed and distributed. This edition, along with a general presentation of the journal, was launched in a special event held in Washington, DC on March 6. The event was attended by representatives of the missions of various OAS-accredited countries of the region, multilateral credit organizations, US governmental agencies, US-based NGOs, and the general public. The Journal was presented by the President of the Board of Directors, Mr. Douglass Cassel.

Likewise in Washington on March 6, the first meeting of the Journal's Editorial Board was held in the central offices of the OAS. The Board is comprised of distinguished regional experts in judicial matters, and the following members were in attendance:

- Biebesheimer, Christina. United States. Justice expert at the Inter-American Development Bank
- Blanco, Rafael. Chile. Researcher at Alberto Hurtado University
- Ellie, Florence. Haiti. Former Justice Minister
- Fuentes, Alfredo, Colombia. Dean of Law at the Los Andes University, Judicial reform expert
- Hammergren, Linn, United States. Justice expert of the World Bank
- Mora, Luis Paulino, Costa Rica. Supreme Court President
- Moreno-Ocampo, Luis. Argentina. Former Prosecutor and anti-corruption expert
- París, Hernando, Costa Rica. Expert in Alternative Disput Resolution Systems
- Peña, Carlos, Chile. Dean of Law at the Diego Portales University, judicial reform expert
- Pérez-Perdomo, Rogelio. Venezuela. Judicial systems expert
- Ramírez, Silvina, Argentina. Director of INECIP
- Riego, Cristián, Chile. Criminal justice expert, JSCA Studies Coordinator

The Journal's directors, Alberto Binder and Juan Enrique Vargas coordinated the meeting with the participation of the Journalistic Director, Ms. Sylvia Schulein and JSCA's Program Director Luciana Sánchez.

A number of strategic directions were identified for the journal in the following areas: public objective, sections, contents, format, distribution, and financing. A catalogue of topics for future issues was prepared, and the role of the Board was defined as obtaining and reviewing articles as well as publicizing it in their respective areas.

A forum/debate followed on the "future agenda of judicial reforms in the region," and its contents will be published in the next issue of the journal. The main topic of that edition will be the results of JSCA's follow-up study and evaluation of the criminal reform processes.

Issue N° 3 is already in production.

2.2 NEXUS NEWSLETTER

Issues N° 7, 8, and 9 of the Nexus Newsletter have been prepared and distributed in both Spanish and English, in plain text and in html formats. In addition to the usual content, the January edition included JSCA's 2001 Annual Report and the 2002 Work Plan. The February edition included a supplement with the first JSCA Bimonthly Informative Report (see explanation below). The Newsletter has become our active dissemination tool, and the information released there is reproduced in its entirety in Chilean periodicals such

as *La Semana Jurídica* (The Legal Week, from the LexisNexis group) and web sites from organizations in a number of countries.

The Newsletter is distributed through a data base that was revised in January (eliminating all the addresses from which earlier mailings had been returned). There are currently a total of 1,737 subscriptions; 1,259 in Spanish and 478 in English. This data base is growing in keeping with JSCA's activities and trips made by JSCA members. The Newsletter is also redistributed by Alertanet, a continuous virtual forum on topics of development and justice in the Americas; the Public Interest Law Network, which belongs to the Public Interest clinics project of the Universities of Palermo in Buenos Aires, NYU, and Diego Portales in Santiago; and More Law, an e-mail list of professionals dedicated to legal science and judicial reform that reaches more than 1,000 subscribers throughout the Americas.

2.3 JSCA Informative Reports

In February we initiated the Bimonthly Informative Report, and in March a topic list was prepared for the upcoming five issues. The first issue of this new dissemination product included a dossier of documents on judicial independence (a report on Latin America), Public Defenders (reports on 15 countries) and all of the documents available on our web site. The publication of the dossier coincided with the launching of the first stage of the reconstruction of the JSCA web site, and was very well received. This Informative Report was annexed to issue 8 of the Nexus Newsletter. The second bimonthly Informative Report will be edited in April and dedicated to the results and projections of the Follow-up Study on Criminal Procedures in Latin America.

2.4 General Press

Dissemination strategies were prepared for the various events organized by JSCA during the quarter, including press releases, contact with journalists. For the first meeting of the CSO Network (Civil Society Organizations Network), a virtual press room was prepared in the form of a web site consisting of 14 individual pages with all of the appropriate information to facilitate coverage: communications, clippings, curricular summaries, contact information, suggestions for interviews, a list of topics, and ad hoc documents.

There is also an audiovisual record of the event and an archive of press pieces relating to it.

2.5 Publication of the Annual Report and the Work Plan

A bilingual edition of the 2001 Annual Report and 2002 Work Plan, approved by the Board of Directors in their VI meeting in December 2001, was published with the intention of providing working material for JSCA during the IV REMJA.

Copies of this publication are being distributed to funding agencies and other institutions with which JSCA interacts.

3. Networking

3.1 Public Justice Institutions Network

JSCA was formally incorporated as a founding member with full powers into the Ibero-American Network of Judicial Schools.

We have continued to make connections with the various institutions of the region's justice sector, a mutual collaborative agreement with the Attorney General of Uruguay was finalized, and we have continued efforts to sign this type of agreement with other public institutions in the sector.

3.2 CSO Network (Civil Society Organizations Network)

JSCA launched the Network of Civil Society Organizations on Justice of the Americas as a result of an experience encouraged earlier by the World Bank with the collaboration of the Corporation for Excellence in Justice, from Colombia. Organizations that had already joined this first initiative were invited to participate in the Network, as were others who are playing an active role in the topics of justice in their respective countries. Our network is sponsored by the World Bank, IADB, and USAID.

With the intention of formalizing the creation of the Network, achieving a mutual recognition of its members, and officially initiating its activities, we called the First meeting of the CSO Network in conjunction with the Esquel Foundation of Ecuador. The meeting took place in Quito Ecuador on March 25-26. Representatives from 27 of the region's civil society organizations attended, from 14 American nations, as well as representatives of the USAID offices in Ecuador and Panama, IADB and JSCA.

The meeting was divided into two parts. The first day was dedicated to presentations by each of the attending organizations on different key topics of judicial reform in the region (citizen participation and democratization, criminal justice reform, modernization of judicial procedures, judicial training, access to justice and emerging topics, such as gender and indigenous concerns). The organizations were distributed among the different thematic panels according to the area closest to the central line of their activities.

Likewise an advance report was presented on the results of the Argentine-Chilean study of the role of civil society organizations in judicial reform, supported by the Ford Foundation. An explanation of JSCA's participation in this study is provided later in this report.

The second day centered on providing structure and content to the network. Discussions involved its general principles, membership conditions, JSCA's role as coordinator and a concrete work program proposed by JSCA. This program involves the realization of virtual activities through a special network web page inserted in the JSCA site, an e-mail list, an Internet bulletin and virtual forums. Physical activities or materials are also planned, such as the continuation of annual meetings, training activities, studies and analyses of various experiences, the involvement in the Annual Report on the state of justice in the region that JSCA prepares, and participation in other related meetings (IBCCRIM extended a specific invitation for active participation in its next seminar on civil society and justice in Brazil in May).

The IADB representative proposed that the network operate as a consulting organization as they define the Bank's strategy in this area.

The two-day event had considerable press coverage. The major newspapers, radios and television stations reported on the development and evolution of the meeting with great interest. The participants also expressed their enthusiasm, indicating that they had no doubts of the network's success, despite the difficulties normally encountered in this type of endeavor.

4. Virtual Forums

A virtual forum on Judicial Independence took place via e-mail and chat (on-line, real-time conversation) from March 11 to April 7. As of the end of March, 61 people had subscribed to the e-mail forum list, and three chat sessions had taken place, moderated by the distinguished experts Margaret Popkin (USA), Daniel González (Costa Rica), and Carlos Peña (Chile). Details of the activities of this forum are available on the JSCA web page. This forum is part of a larger project between JSCA and the International Foundation for Electoral Systems (IFES), with the support of the US Agency for International Development (USAID).

5. Miscellaneous Events

5.1 An open seminar was organized in conjunction with the Faculty of Law of the Diego Portales University on January 16 to take advantage of the presence of two distinguished experts, Todd Fogelson and Sydney Linden, in Chile. These experts had been invited to teach in the International Course on Instruments for Judicial Reform, and their participation was made possible thanks to support from the US and Canadian embassies in Chile. The seminar and its receptive audience provided

the guest professors with an understanding of the implications and realities of implementing justice reform processes.

- 5.2 Within the framework of the IV REMJA, a working meeting was held with experts and representatives of the Caribbean governments and justice sector. This was a first encounter with the intention of making JSCA's activities known in this media and exploring the possible areas for future cooperation and joint projects. A summary of the meeting and a list of those in attendance is found in a report included in Annex N° 1.

III. STUDIES

1. Follow-up and Evaluation of Criminal Justice Systems

During this period the reports on Costa Rica, Cordoba, Chile, and Paraguay underwent a process of revision and correction. This process included commentaries of the team that directed the research as well as communications from the validation workshops that were held in the different countries with a diverse group of representatives from the local legal community. These workshops took place on January 7 in Chile, on March 19 in Paraguay, and on March 21 in Cordoba, all of which were attended by Cristián Riego, JSCA's Project Coordinator. Upon the conclusion of this process, the final local reports were prepared (and are available on our web site). Costa Rica, the only remaining country, is currently completing some aspects of its research and will then conduct its validation workshop.

With the material in hand, the comparative report was prepared by the JSCA research team. This report contains a summary of the major findings of the local reports and then extracts the principle conclusions or aspects of the research that warrant attention.

The final report in Chile was also presented in a March 18 seminar organized by the local institutions responsible for the product, the community, and the national press.

JSCA was invited to a seminar March 25-26 in Rio de Janeiro, organized by the Judiciary School of Rio de Janeiro, Brazil, and the Institute for Comparative Studies in Criminal and Social Science, INECIP, and participated by delivering a preview of the results of the study. The seminar was basically designed to discuss and evaluate the Brazilian situation with respect to the reforms of its criminal justice system, in which JSCA contributed a comparative perspective. Our institution was represented by Patricia Cópola, responsible for the Cordoba report, Andrés Baytelman, responsible for the Chile report, and Cristián Riego, project coordinator.

JSCA also took on the responsibility of preparing an international seminar at which the results of the study were presented and discussed. This meeting took place on April 3-4 in Rio de Janeiro, Brazil.

Contacts to initiate similar research in Ecuador and Venezuela formally began during this quarter. Research in Ecuador will fall under the responsibility of the Esquel

foundation, which also funds the data collection. Responsibility in Venezuela goes to INVERTEC, which also covers the expenses. JSCA's role will remain limited to direction and supervision. On occasion, JSCA will defray minor expenses associated with processing information and preparing the final report. The Project Director traveled to Caracas, Venezuela February 5-8 to initiate the supervisory process.

2. Approval of the Judicial Statistics and Indicators Project

In keeping with its objective to promote research and studies that favor the development of justice reform in the Americas with a public policy perspective, JSCA has taken on the development of a research project on legal statistics. The objective is to produce a comprehensive system of data collection and processing for the generation of judicial statistics and indicators for the Americas.

This project comes within JSCA's request to the IADB for regional technical cooperation. As the processing of this request will take more time than allotted, JSCA decided to initiate the first stages with resources provided by the USAID, without prejudice to the IADB project, which had not yet entered the funding stage. In March the IADB informed us of the general approval of the project, which ensures that we will soon have access to sufficient funds to carry out the overall initiative.

In summary, the project consists of preparing a manual that will allow us to establish uniform minimum standards among the countries of the region based on the following matters: content of the statistical information to be collected, means of collection, analysis of the information and the application of indicators and mechanisms for the presentation and publication of the final product. Additionally, a basic model for data collection will be tested in a specified number of countries, with the information processed and made available through JSCA's Information Center.

International experts Mr. Santos Pastor and Ms. Liliana Maspóns were hired for the first stage. They prepared the general foundations of the manual and the data collection model. Both products were then evaluated in a validation meeting with distinguished regional experts on the subject, which, thanks to the extraordinary collaboration of ARGENJUS of Argentina, was held in Buenos Aires on March 22. The meeting was attended by 25 people from 7 countries and various institutions such as IADB, the World Bank, OAS, Attorneys General Offices, judiciaries, and civil society organizations with which JSCA has collaborative agreements. Among those present were representatives from the countries where data collection will begin.

All present in the meeting emphasized the need for a project that allows for the information of the region to be released in a homogenous manner in order to facilitate the comparison of legal statistics between different countries. They also specified the obstacles that had prevented this work from being carried out on the political, technological, and technical training levels as well as problems due to the significant changes in the region's justice systems in recent years. However, they also emphasized that it was precisely these reforms that had indicated the express need to have adequate legal statistics at the local and

regional levels, and that one of the benefits obtained from the reforms in many countries has been the opportunity to improve statistics and to carry out studies on this topic.

The data collection template was the subject of extensive discussion, and the information to be considered relevant and collection methods to be used were debated. Decisions were then made on the best way to analyze the data using the basic indicators in areas such as access to justice and judicial efficacy and efficiency.

3. The Role of Civil Society Organizations in the Process of Democratizing Justice

At the request of the Ford Foundation, JSCA participates in a regional project designed to assess the role of civil society organizations in legal reforms in Argentina, Colombia, Chile, and Peru. JSCA's role has been limited to the study of the Chilean experience and has required interviews with and analysis of information from more than 50 civil society organizations committed to the judicial system. As a result, an extensive report was prepared and was the object of discussion and validation in a seminar that we organized in Santiago de Chile on March 18. The meeting was attended by 40 people representing 20 Chilean civil society organizations and public institutions related to the sector, such as the Justice Ministry and the Attorney General. For this occasion, two written commentaries on the report were especially commissioned from experts Felipe González of the Diego Portales University and Sebastián Cox of the FORJA Foundation. The information collected was used to begin the process of preparing the final report for publication.

Furthermore, as previously indicated, the results of this investigation were made available in the First Meeting of the Civil Society Organizations convened by JSCA in Ecuador.

4. Criminal Policy and Integration in MERCOSUR

The preparation of this project, designed to strengthen the regional integration of MERCOSUR nations, promoting the adoption of common national and regional public policies in the area of criminal policy, concluded with the obtaining of support from the French Government. Local teams were later formed for research in Argentina, Brazil, Paraguay and Uruguay under the central coordination of INECIP in Argentina. Common guidelines for the information collection and study were prepared and will be discussed soon in a working meeting that is currently being organized.

IV. TRAINING

1. International Course on Instruments for Judicial Reform

This course, organized by JSCA, took place January 7-18, 2002 in Santiago de Chile in the facilities of CDJ/CPU, which also houses the JSCA offices.

The general objective of the Course was to provide participants, all of whom were broadly connected with the legal world, with a general view of the various instruments available in legal reform processes, including some not strictly related to mere legal changes. In particular, participants reviewed new training methods, management models, empirical observation methods, economic analysis, etc. All of which allowed the participants of the course to generate a new view of the judicial reform that they face in their respective countries, setting aside the traditional theoretical and conceptual approach in favor of one that is closer to public policy.

Sixteen students from Argentina, Chile, Colombia, Ecuador, El Salvador, Guatemala, Mexico and Paraguay attended. These participants included representatives from the judicial branches (Supreme Court and constitutional Court Ministers), Justice ministries, NGO's, universities and consulting companies. This diversity gave the course a heterogeneous quality and allowed debates from a variety of different perspectives.

Distinguished professors from Argentina, Canada, Chile, the United States, Spain and Venezuela participated in the course, which involved the extensive use of computer technology and audiovisual support, including a very successful video conference with Spain. This undoubtedly creates the possibility of using virtual educational systems more frequently.

The course was very positively evaluated by both the professors and the students, who assigned it an overall score of 8.3 (of 10). Especially well evaluated was the applicability of concepts and exercises to their respective professional practices and the high quality of the professors.

We are currently evaluating the possibility of offering this type of course in the future. An attractive alternative is to incorporate e-learning courses that do not require that participants be physically present. An ambitious project in that direction has been submitted to CIDA in Canada for consideration.

2. Course on Judicial Reform and Control of Corruption in Latin America and the Caribbean

We have been working on the design and organization of this course, which comprises a first stage of virtual training through video conferences and others with physical presence in Bolivia, Colombia, Ecuador, Guatemala, Mexico, and Peru from May 23 – June 3. The course is co-organized by the World Bank Institute, the Ortega y Gasset Foundation, the National University of Distance Learning of Spain and JSCA.

This is part of the training and technical assistance programs developed by the World Bank Institute with the objective of using case studies to examine the reform experiences in different countries, with particular attention to the relationship between

judicial reform and strategies for controlling corruption and to assisting those countries undergoing these processes.

JSCA has signed an agreement with the World Bank Institute with the principal objective of continuing to develop virtual training courses on judicial reform and elements for the general improvement of the administration of justice in the Americas.

**REPORT ON THE MEETING OF THE JSCA WITH CARIBBEAN JURISTS AND
REPRESENTATIVES OF MISSIONS FROM CARIBBEAN COUNTRIES AT REMJA
IV**

This is a summary of the informal meeting at REMJA IV between members of the Board and Staff of the Justice Studies Center of the Americas (JSCA) and Caribbean jurists and representatives of Missions from Caribbean countries. A wealth of opinions was exchanged on matters relating to the functioning of justice systems in the Caribbean. This Report mentions only those topics discussed which have some link to the JSCA, or to which the activities of the JSCA can usefully contribute.

For convenience in this report, the comments of participants are grouped informally by topic.

ATTENDEES:

Without exception and to our great satisfaction, those who attended the Meeting expressed a great interest in collaborating with the Center and its regional activities.

Attendees on behalf of the JSCA :

Douglass Cassel, President.
Federico Callizo, Vice President.
Karl Hudson-Philips, Director.
Juan Enrique Vargas, Executive Director.
Luciana Sánchez, Programs Director.
Francisco Cruz, Secretary of the Board of Directors.
Silvina Ramírez, Associate Member.

Representing delegations from Caribbean Countries:

Bahamas:

- Mr. Bernard S.A. Turner, Director of Public Prosecutions, Office of the Attorney General

Barbados:

- Mr. Charles Leacock, Director of Public Prosecutions

Haiti:

- Mr. Salim Succar, Ministry of Justice and Public Security.

Jamaica:

- Ms. Gladys Young, Attorney-at-Law, Attorney General's Department

Suriname:

- Acting Attorney General Soebhaschandre Punwasi

Trinidad and Tobago:

- Ms. Harriet (Lindi) Seenath, Legal Affairs Officer, Ministry of Foreign Affairs
- The Honourable Mr. Justice R. Nelson, Supreme Court of Judicature, Court of Appeal, Hall of Justice
- Mr. Samraj Harripaul, Attorney at Law/Senior Parliamentary Counsel, Law Reform Commission, Ministry of the Attorney General and Legal Affairs

Inter-American Juridical Committee:

- Vice President Brynmor Thornton Pollard

CARICOM:

- Ms. Gloria Richards-Johnson, Assistant General Counsel, CARICOM Secretariat.

Additionally, Mr. Douglass Cassel, President of the JSCA, Board Member Mr. Karl Hudson-Phillips and the Executive Director met with Attorneys General Gertel Thom of Antigua and Barbuda and Raymond Anthony of Grenada.

TOPICS DISCUSSED.

The following topics and proposals were among those discussed:

a) Bar Associations:

- It was proposed that measures be taken to upgrade the quality of the Caribbean bar to prepare lawyers to serve as judges.
- OCBA – the Organization of Caribbean Bar Associations - has recently proposed to levy a membership fee on attorneys.

b) Judicial Training:

- Training of judges in the region was unanimously pointed out as among the most significant needs in which the JSCA may collaborate. Ongoing initiatives in this sense were mentioned, but their potential could be increased. Integral training was emphasized, taking into account the differences among the diverse legal systems in the region.
- Cybercrime and e-commerce matters were proposed as subjects for which judicial training is specifically required, because these topics are new to judges in the Caribbean countries.
- There is a need for training in order to enhance cooperation, not only for judges but for all the players in the justice sector.
- Conducting Seminars for training and exchange of information on the different national and regional legal systems in the Americas was proposed, so as to encourage cooperation among judges, prosecutors, and other “operators” of judicial systems.
- It was also recommended to open communication channels with the Regional Judicial Training Institute, headquartered in Jamaica, so as to coordinate action.

- Court administration and court reporting pose problems for Caribbean Countries, because they do not have enough properly trained personnel. The paramount need was stressed for training to bring employees and judicial administrators up to date.
- A database was proposed of resource persons in Latin America, organized according to expertise, so that Caribbean institutions can thus have access to technical assistance and useful exchanges of high quality.

c) *Regional Issues:*

- The inclusion of Suriname, Haiti and Saint Lucia was discussed. These countries have a continental legal system (civil law), and for that reason assistance was requested from the JSCA to integrate them and their legal systems into the regional system in the Caribbean. This is especially important for regional economic integration treaties.
- Mechanisms should be organized to promote fluid information exchange between Caribbean Countries and Latin America on topics of common concern.
- There is a need for close relations with the Inter-American Juridical Committee.
- The possibility of a JSCA representative visiting the Office of Legal Affairs of CARICOM in Suriname was discussed.
- Topics concerning corruption and money laundering, as well as the drug-trade, are of concern in the Caribbean. It would be interesting to have information on how these topics are dealt with in the rest of the Americas, with a view toward possible joint action.
- Research might be conducted in regard to the historical relationships between Spanish Law and Common Law in Trinidad and Tobago.

d) *Alternative Dispute Resolution.*

- The importance of this issue was highlighted, especially in relation to the processes of economic integration in the region.
- It was noted a recent workshop in Grenada on alternative dispute resolution focused on reforming the judiciary.

e) *Prison and Imprisonment:*

- The need for alternatives to prison sentences, in order to reduce prison populations, was stressed.
- There is also a need to train people to run administrative institutions for community service and for rehabilitation and reintegration of offenders. There is a lack of prison rehabilitation programs and aftercare, as well as a serious lack of trained counselors.
- A study by Trinidad three years ago found that the cost of keeping a prisoner incarcerated is much higher than a judicial salary.

f) *Judicial Reform:*

- Grenada is involved in judicial reform projects with CEDA (Canadians) and OECS (Organization of Eastern Caribbean States). Any new initiative should be complementary to efforts already being implemented such as those of CEDA, USAID, IADB and CARICOM.
- An important topic for judicial reform is citizen participation in the administration of justice.

g) *Legislative Reform.*

- Many countries are planning or already carrying out constitutional reforms; there is a need for training and technical assistance on how to draft these constitutional reforms.
- The Jamaican representative proposed sending the JSCA legislation that might serve as models, such as the Public Defender Act and the ADR act.

h) *Juveniles.*

- An important problem is that juveniles enter prison and then mix with seasoned criminals. At present there is often no alternative. This is directly related to the concern for juvenile penal law that meets international standards. An exchange of experiences is needed with other countries in the Americas.

i) *New technologies:*

- Data about information technology and computerizing the courts is required.

j) *Judiciary:*

- The topic of judicial independence as suggested by several delegations as a burning issue in the Caribbean. They propose conducting an advanced course on judicial independence.

The meeting closed with acknowledgment of the need to consider these many suggestions and to conduct analyses and to make additional contacts to identify those topics on which the JSCA may most effectively be of assistance to the needs of the Caribbean.