

**QUARTERLY REPORT OF THE  
JUSTICE STUDIES CENTER OF THE AMERICAS  
July – September 2002**

This report summarizes the major activities of the Justice Studies Center of the Americas during the third quarter of 2002.

The activities described herein were undertaken within the framework of the institutional support project signed with the USAID (LAG-G-00-00-00035-00). This program was formerly scheduled to conclude in August 2002, after having been extended for an additional six months. A second extension was requested prior to the termination date and was approved and signed by the USAID on September 16. This prolongation was retroactive to September 1, 2002 and extends the project until February 2003.

The JSCA operates under the legal framework provided by the Judicial Development Center of Chile (CDJ/CPU) until the JSCA's Headquarters Agreement with the Government of Chile becomes finalized.

<b>ACTIVITIES UNDERTAKEN</b>	<b>RESULTS OBTAINED</b>
<p><b>1. <u>Institutional Aspects</u></b></p> <p><b>1.1 Headquarters Agreement</b></p> <ul style="list-style-type: none"> <li>• Contacts made with the Executive Branch (Ministers of Foreign Affairs and Justice) and Parliamentarians</li> <li>• Attendance of the Senate Chamber sessions</li> </ul> <p><b>1.2 Staff</b></p> <ul style="list-style-type: none"> <li>• A journalist was hired as a press assistant</li> <li>• A Librarian was hired as of August</li> <li>• A new secretary was hired as of August</li> </ul>	<ul style="list-style-type: none"> <li>• Unanimously approved by the Senate on July 17</li> <li>• We received notice on August 8, 2002 that the Chilean Ministry had concluded the legal processes of the Agreement, and that it would become effective 30 days later.</li> </ul>

### **1.3 Projects and financing**

- In conjunction with the Special Office for Freedom of Expression of the IACHR, the JSCA presented a project to the South American regional office of the Ford Foundation on indicators of access to information related to justice systems and judicial reform, to be carried out in five countries of the Americas.
- The JSCA presented two projects to the Konrad Adenauer Foundation this quarter. The Foundation has expressed interest in the project on the role of the Ombudsmen in five countries of the Andean region in relation to the rights of the incarcerated.
- Conversations have begun with the OAS Inter-American Commission on Women to prepare a joint project on issues of gender and judicial reform.

- The Canadian Government approved the JSCA project for training activities and will provide \$1.5 million (Canadian) to fund the 3-year project.

### **1.4 Other**

- The JSCA participated in the capacity of expert in the meeting of the Inter-American Commission of Women, Sepia II, for the follow-up of the REMJA recommendations on gender and justice.
- The JSCA has remodeled its offices and now occupies both floors of the CDJ/CPU house from which it operates

## **2. Development of an Information System**

### **Virtual Information Center**

- With the object of centralizing the information of the various JSCA projects, a Virtual Information Center (VIC) will be included in the Web Site, as well as in other virtual and non-virtual products described below:

#### **Web Site:**

- The Web site was updated continuously
- The link page, Nexus newsletter, reviews and agreements were automated
- After evaluating the web page hosting, a and the decision was made to hire the services of Internova, which begin to operate in October 2002.
- Librarian Marco Castillo was hired to handle the information received by the JSCA
- The Web site is currently being redesigned to make the contents easier to see and facilitate navigation
- The Logical system for the VIC's computer support system is being upgraded. This implies redesigning the system's data base, which will be constructed or supported on the WEB.
- The JSCA web page registered a total of 28,054 user sessions this quarter, which corresponds to an average of 304 sessions per day.
- A thesaurus of JSCA terms was created to facilitate the work of classifying material for the site.
- The redesign of the site's home page and sub-menus has been completed.
- New data bases have been created, and the operating system of existing data bases has been improved. We are currently entering and classifying new information.

#### **Annual Report:**

- A data collection spreadsheet was created for compiling the most important information related to the justice sector
- The spreadsheet's informational support has been designed and we have begun loading the information that will be available through the site next quarter.
- The spreadsheet is being sent to justice sector institutions of the 34 OAS countries.
- Basic statistical information has been compiled for Argentina, Colombia, Chile, Guatemala, Trinidad and Tobago, and the United States.

### **Register of Alternative Methods of Dispute**

<p><b>Resolution (requested by the IV REMJA)</b></p> <ul style="list-style-type: none"> <li>• The data collection spreadsheet was prepared.</li> <li>• The spreadsheet was sent to the justice institutions in the OAS countries and MARC/ADR Centers.</li> <li>• The page that will house the MARC/ADR information compiled is currently in the process of graphic design and data bases are begin prepared.</li> </ul> <p><b>Contact Data Base</b></p> <ul style="list-style-type: none"> <li>• Our efforts continue to maintain the data base current.</li> </ul> <p><b>Nexus Newsletter</b></p> <ul style="list-style-type: none"> <li>• Newsletters were published for the months of July, August, and September.</li> <li>• A special printed 1000-copy edition in Spanish was published for distribution during international JSCA activities during the period.</li> <li>• A special Portuguese and French edition was released in electronic format. This is the first issue of a quarterly series of the newsletter in these languages.</li> </ul>	<ul style="list-style-type: none"> <li>• Responses have been received from 15 countries.</li> <li>• Data collection with secondary sources has begun.</li> </ul> <ul style="list-style-type: none"> <li>• 550 new contacts were entered into the data base this quarter.</li> <li>• Addresses were confirmed for the highest authorities of: Supreme Courts, Public Defenders, Attorneys General, and Embassies of the 34 OAS member states.</li> <li>• A system was created to facilitate data base consultations and prepare mailing lists.</li> </ul> <ul style="list-style-type: none"> <li>• July marked the completion of one year of uninterrupted publication of the newsletter in English and Spanish.</li> <li>• The total number of subscribers rose by 27.3% during the quarter, from 1,927 subscribers in June to 2,651 as of September 30. Subscribers numbered 2,094 in Spanish and 557 in English. Another 10,000 people receive the publication indirectly through forums and regional discussion lists on justice and law.</li> <li>• Authorities and representatives of international institutions working in the area of justice frequently write to congratulate our dissemination efforts achieved through the newsletter. During this quarter we have received</li> </ul>
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<ul style="list-style-type: none"> <li>• <b>Thematic Reports:</b> edited thus far as an autonomous section within the newsletter. The following issues were addressed this quarter: <ul style="list-style-type: none"> <li>i) <i>Restorative justice:</i> the Canadian Experience</li> <li>ii) <i>The Standardization of Judicial Statistics:</i> the experience of the National Center for State Courts</li> <li>iii) <i>Legal Pluralism and Indigenous Law:</i> the Guatemalan case</li> </ul> </li> </ul> <p><b>Sistemas Judiciales Journal</b></p> <ul style="list-style-type: none"> <li>• The journal's third issue was completed, published, and released. In this edition, the central topic included the Comparative Report of the "Follow-up Study of the Judicial Reform Processes in Latin America." The report was accompanied by two critical commentaries on the study, written by Linn Hambergren, World Bank expert in justice; and Alberto Binder, Vice President of the Institute for Comparative Studies in Criminal and Social Sciences (INECIP).</li> <li>• In addition to its regular sections, the volume also included a transcription of a March 2002 debate on the future of the justice reform agenda in the region, which took place in the OAS Washington DC headquarters by regional experts and authorities on the subject and representatives of the international cooperation agencies.</li> <li>• An independent English-version reprint of the journal's central topic plus the</li> </ul>	<p>letters of this type from diplomatic representatives to the OAS, Supreme Courts of Justice, the World Bank, and private institutions, such as the Vera Institute of Justice and others.</p> <ul style="list-style-type: none"> <li>• Volume 3 has had a great impact, particularly because it contains the study's Comparative Report. Researcher Fauzi Hassan Choukr, of the Instituto Brasileiro de Direito Processual offered to prepare a Portuguese translation of the volume's central topic, particularly the Comparative Report, for its distribution in Brazil. The journal has been presented in Argentina, Mexico, and the United States.</li> <li>• María González de Asís, World Bank Institute senior specialist in the public sector recently joined the journal's Editorial Committee. Ms. González de Asís has worked for the World Bank in the area of legal and judicial reforms in Latin America and the Caribbean since 1997.</li> <li>• Approximately 70% of the articles for volume 4 of the journal have been received.</li> </ul>
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<p>Comparative Report is currently being prepared.</p> <ul style="list-style-type: none"> <li>• Volume 4 is currently in production and will be released in December. The central topic will be Independence and Judicial Responsibility. It will include a dossier on this issue in the 34 active members states of the OAS.</li> </ul> <p><b>Standardization of Judicial Statistics and the Preparation of Indicators:</b></p> <ul style="list-style-type: none"> <li>• Data collection was completed in Argentina and the Dominican Republic in July and August.</li> <li>• Project coordinators Santos Pastor and Liliana Maspóns prepared the first part of the statistics manual in September.</li> <li>• The JSCA is collaborating with the Participa Foundation, of Chile, and FOCAL, of Canada, in preparing indicators on access to justice and judicial independence to enable NGOs to monitor compliance with the mandates of the Quebec Summit.</li> </ul> <p><b><u>3. Support for the Regional Community Interested in Judicial Reforms</u></b></p> <p><b>3.1 Public Justice Institutions Network</b></p> <ul style="list-style-type: none"> <li>• We remain in contact with and visit the institutions of the sector in order to sign mutual collaboration agreements.</li> </ul>	<ul style="list-style-type: none"> <li>• Local consultants currently have the reports</li> <li>• The first part of the manual has been sent to the designer for publication in electronic format</li> <li>• Venezuela has requested the manual for use in improving its Judicial Statistics System.</li> <li>• Preliminary guidelines for the indicators were released in late August.</li> </ul> <ul style="list-style-type: none"> <li>• We have signed cooperative agreements with the following institutions this quarter: International Cooperation Agency (AGCI), the Public Criminal Public Defense of Chile; the Supreme Judicial Council of Colombia; the Judicial Branch of Ecuador (Judiciary council), the Supreme Court of Justice of Guatemala; the Attorney General and</li> </ul>
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### 3.2 CSO Network

- Work has continued on the network's structure and plan of action for this year.
- We are preparing a network schedule (CSO INFONET) to be distributed via e-mail to members of the network and other interested institutions and parties to inform the public of network and member activities. The first CSO INFONET will be distributed in October.

### 3.5 Training and extension services

- Implementation of the JSCA scholarship program has begun
- In July we began to discuss a new distance-learning course to be developed by the JSCA and the WBI for English-speaking Caribbean countries.
- The International Seminar on Experience of Judicial Management was held in Santiago, August 20-22. The seminar was sponsored by the Supreme Court, the Ministry of Justice, and the Judicial Academy of Chile, the IDB, and the World Bank Institute. It was also supported by USAID, the World Bank, the British Council, and the US Embassy in Chile.
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the Public Prosecutor of Uruguay, and the Ibero-American Institute for Procedural Law.

- The exchange of information via e-mail has been strengthened.
- The discussion in the virtual forums among members of the network continues.
- Two finalists of the JSCA internship program were selected in July. Mr. Gino Persaud of Guana and Mr. Carlos Paz of Guatemala began working in the JSCA in August. Both are involved in the Virtual Information Center and the Annual Report, with very satisfactory results to date.
- A preliminary program was developed and is currently under discussion with interested institutions of the Caribbean.
- More than 170 people attended the seminar, including 10 presidents of Supreme Courts, Superior Courts and Judicial Councils, and another 15 were members of these same organisms. The Justice Minister of Chile also attended and participated. Twenty-seven countries (25 of the Americas and 2 European) were represented.
- The offer of Costa Rican Supreme Court President Luis Paulino Mora to host a Second International Seminar in his country was accepted as a means of concretizing and ensuring the continuity

<ul style="list-style-type: none"> <li>• Taking advantage of the presence of international experts, a local replica Seminar was held in Antofagasta (northern Chile) on August 23</li> <li>• An International Course on “Management in Court Administration” was held September 11-17. It was designed and offered at the request of the Modernization Unit of the Guatemalan</li> </ul>	<p>of this event.</p> <ul style="list-style-type: none"> <li>• Motivated by the subject and the high level of the participants, many interviews were conducted by various media. News agencies from Mexico and Peru, as well as the Telemundo Internacional television network covered the event. Chilean newspapers El Mostrador and La Nación printed detailed reports on the subject. Numerous web sites from institutions in at least 11 countries of the region published material distributed to the press.</li> <li>• A CD-Rom of the seminar was produced containing documents, presentations, and a video of the seminar. In order to go beyond the seminar itself, additional information on judicial management was gathered and included in the CD, thus providing an initial data base on this interesting and little-addressed topic. It will be distributed to those who attended the seminar and will also be available to any interested parties.</li> <li>• Opinions on the reform processes of judicial management and the modernization of justice were exchanged. Agreement was reached to work together as a common front with a continental perspective on the modernization of justice in the region through inter-institutional cooperation and collaboration.</li> <li>• More than 140 people attended this seminar, a considerable number given the characteristics of the cities of the north.</li> <li>• The course was very well evaluated by the attendees, thereby successfully opening a new line of training activities for the JSCA.</li> </ul>
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## Judicial System

- The JSCA and the Ecuadorian Regional Center for the Promotion of Justice (PROJURIS) presented a joint proposal for the “Abilities and Skills Training Program for the Major Parties in the New Ecuadorian Criminal Procedure Code.” The call for proposals was sponsored by the Esquel Foundation of Ecuador. This 6-month program financed by the USAID will begin next year.
- The JSCA is finalizing the design and about to enter the promotional phase of the International Course on Instruments for Criminal Procedure Reform. Modeled after the successful experience of the International Course on Instruments of Judicial Procedure Reforms that was held in January, this second version is directed toward the criminal area. It will take place March 24-29, 2003 in La Serena, Chile.

### **4. Analysis, Follow-up, and Evaluation of Justice Systems and Judicial Reforms**

#### **4.1. Local Reports: 2nd Stage of the Project**

- Local teams in Ecuador, Guatemala, El Salvador and Venezuela began collecting data this quarter. In late September they began writing the local reports, which should be submitted early in the next quarter. Seminars and validations will follow.

#### **4.2. Comparative Report: Dissemination and Impact**

- Efforts have concentrated on distributing the reports in Mexico and seeking out local members to work with us on criminal reforms in that country.

- The President of the Board of Directors and the Executive Director participated as key speakers in the inaugural ceremony of the Mexican Institute of Justice. They also had successful meetings with the President of the Supreme Court of Justice, the Secretary of Public Safety of Mexico, the Sub-Secretary of Human Rights, the Assistant Attorney General of Juridical and International Affairs, and the Chilean Ambassador to Mexico.

- During the week of September 23-27, three seminars were held in Mexico. The first took place in Mexico City; the second, “Future Diagnostics and perspectives of the Criminal Justice Model: Latin America and Guanajuato,” in Guanajuato, and the third, “A New Model of Criminal Justice: Latin America and New Leon,” in Monterrey. The three high-impact seminars generated a great deal of expectation within the local Mexican context.

- A high-level delegation from the State of New Leon (Monterrey) is planning to visit to Chile to see the reformed criminal system in action.

#### **4.3 New countries and future strategies**

- Our strategy is to attempt to establish long-term relationships with some of the countries in which we are conducting the study in order to encourage continuing lines of work and to renew the debate on the reform and its results. For example, we have visited countries such as Ecuador, Guatemala, and El Salvador to verify the progress of their studies. A meeting of local teams is being planned for November 14-15 in Santiago de Chile.

- A seminar and working meeting were held in Cordoba to follow-up on the conclusions of the study done there.

<p>In addition to checking on advances and finalizing the local reports, it will give team members the opportunity to see the way the reform works in Chile and appreciate its successes and difficulties.</p>	
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