



# Project Brief

## Democracy and Governance

June 2016

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### Situation Analysis

The political context in Guatemala fundamentally and irrevocably changed in Guatemala on April 16, 2015 when Guatemala's Attorney General ordered the arrest of a number of high ranking public officials for participation in a customs tax evasion scheme, *La Linea*. For seasoned observers of the Guatemalan political scene, the arrests, which targeted the inner circles of President Otto Perez Molina and Vice President Roxana Baldetti, were the start of a political earthquake. Over the next several months, a host of senior officials including ministers, congressmen and women, judges, candidates (including the leading candidate for Vice President), and the country's sitting President and Vice President would be arrested and charged. Nineteen weeks of massive civil society protests resulted in the President resigning four days before the general election, and a broad new coalition of civil society forces has demanded action on legal reform, including the elections law, anti-corruption laws and judicial reform. A new coalition for reform, combined with continued prosecutions of high-level corruption cases by the United Nation's Comision Internacional Contra Impunidad en Gutemala (CICIG) and the Attorney General has opened new windows of opportunity for serious engagement on governance and transparency initiatives.

Guatemala is a transit country for the trafficking of humans, drugs, arms and contraband. As other drug routes are disrupted, traffickers take advantage of the country's geographic proximity to Mexico and thus land routes to the United States. Additionally, transnational youth gangs including MS 13 and Barrio 18, have a strong presence in the country's urban centers, and are responsible for a major share of homicides and other violent crime.

Recent surveys have found that over 60% of Guatemalans believe insecurity is the most significant problem facing the country. However, unlike its Northern Triangle neighbors, Honduras and El Salvador, the homicide rate has been steadily dropping since 2009. Though Guatemala still has the world's fifth highest homicide rate, it has dropped from a peak of 46.5 in 2009 to 29.5 in 2015.

Achieving accountable and inclusive governance has been a challenge for Guatemala. With one of the lowest tax collection rates in the hemisphere (10.8%)<sup>1</sup>, social spending levels are also abysmally low. Inclusion of marginalized communities has long been an issue, characterized by systemic exclusion of indigenous populations. Unresolved social conflict impedes economic and social development in communities that need it the most. Widespread corruption across all levels of government reduces legitimacy and impedes much-needed social spending. However, recent prosecutions of corrupt officials have chipped away at the high levels of impunity and have awakened a formerly apathetic middle class, prompting the formation of broader coalitions for reform.

### USAID Response

Following a wave of migration to the United States by tens of thousands of unaccompanied children (UAC) in 2014, USAID/Guatemala, through its democracy and governance programs, is addressing the lack of social, educational and economic opportunity and insecurity, the main underlying causes of migration from Guatemala." USAID's Democracy and Governance Office supports Government of Guatemala (GOG) and civil society efforts

<sup>1</sup> World Development Indicators 2016. <https://openknowledge.worldbank.org/bitstream/handle/10986/23969/9781464806834.pdf>

in two main areas: (1) greater security and justice for the country's citizens; and (2) improved accountable governance and social inclusion.

*Citizen Security:*

Specifically, USAID seeks to reduce levels of violence in target communities facing high crime rates and strengthen the prosecution and adjudication of crime.

- USAID has worked closely with Guatemala's Attorney General's Office (Public Ministry) to establish two new specialized prosecutors' offices over the past 18 months:
  - With USAID's support the Public Ministry established the Specialized Prosecutors Office Against Extortion in 2015. USAID has supported the office with a new case management model developed hand-in-hand with prosecutors, advanced investigative models for extortion cases, and improved interagency coordination. In May of 2016, the new Anti-Extortion Prosecutor's Office had its first operation, an incredibly successful take-down of a clique of the Barrio 18 gang for extortion and extortion-related homicide. The operation netted 62 arrests. In June, a similar operation targeted an extortion ring within a different click of Barrio 18 gang.
  - USAID also supported the establishment in 2015 of a new Specialized Prosecutor's Office Against Corruption, working with the institution to develop new models for case management and investigation. The new Prosecutor's Office has already opened several high-profile cases targeting mayors, municipal officials, officials within the tax authorities, and police. Strengthening this prosecutor's office complements CICIG's initiatives in Guatemala.
- In close cooperation with Guatemala's Security and Justice Sector institutions, USAID has established new types of courts to meet specific needs of Guatemalans within the judicial sector.
  - USAID established and continues to support a 24-hour court model under which judges are available 24 hours a day to comply with Guatemala's constitutional mandate to present a detainee to a judge within six hours of arrest. These courts also allow prosecutors to request court orders for wiretapping and search warrants around the clock. USAID launched and supports a specialized 24-hour court for cases of violence against women and sexual exploitation to ensure victims receive the assistance they need and strengthen criminal investigation by using scientific evidence. In total there are eight 24-hour courts.
  - USAID supported the GOG in establishing a High Impact Court model to provide greater security for Guatemala's justice sector personnel and enable the conclusion of the most risky cases involving gangs, narcotrafficking, transitional justice and high-level official corruption that in the past would not have made it through the justice system. USAID established these courts in 2009 and has supported their expansion based on caseloads. On June 23, the Supreme Court approved the fourth High Impact Court.
  - Most recently, USAID supported the Supreme Court in the establishment of a Pluripersonal Criminal Court where minor felonies with sentences of up to five years are tried. This new court relieves pressure from the over-burdened First Instance Criminal Courts.
- USAID is supporting efforts that promote accountability and good governance of institutions that work on security and justice issues.
  - USAID works to bring the financial and administrative management procedures in security and justice sector institutions up to international standards, thereby contributing to long term institutional efficiency and effectiveness. International standard certifications have been received in human resources, pay role, procurement among other administrative processes.
- Since 2006 USAID has supported the establishment and strengthening of an autonomous National Institute of Forensic Science (INACIF). INACIF has contributed to the reduction of impunity by replacing the dependence on witness testimony with scientific evidence. USAID is currently in the process of supporting international standard certification for the ballistics, toxicology and genetics laboratories.
- To complement security and justice sector reform efforts USAID has worked with the Ministry of Governance to propose a new Organic Law for the Police which includes processes and procedures from recruitment through retirement with a clearly define police career path. The law initiative has been presented to the minister who will then present it to the executive.
- USAID works to decrease the vulnerability of at-risk communities to gangs and organized crime, improve trust between police and communities and increase civic responsibility.
  - USAID's programs reduce the vulnerability of at-risk youth by providing educational and vocational training as well as recreational and cultural activities.
  - In coordination with the municipalities and police, USAID assists citizen groups to map neighborhood vulnerabilities and develop prevention plans to reduce crime.

- USAID also helped support the creation of a community-based policing degree program for the National Police Academy and provided assistance on a public policy on violence prevention.

#### *Governance and Inclusion:*

- USAID supports civil society efforts to promote accountable governance and combat corruption as well as to strengthen the institutional and technical capacities of target CSOs. Through a newly awarded \$25 million project, USAID can provide immediate technical and grant support to civil society organizations engaged in transparency, accountable governance, and legal reform issues. This support has been key for ensuring that civil society is able to engage effectively during the recent political crisis by holding the government accountable and coalescing around a reform agenda.
- The DG Office supports USAID's strategy for reducing poverty and chronic malnutrition in the Western Highlands with targeted assistance to local governments in the 30 Western Highland Integrated Project municipalities. USAID strengthens Western Highlands' municipalities to foster more responsive, inclusive, and effective socio-economic development; increase revenue; respond to citizen concerns related to violence and security, food insecurity and global climate change; and manage public resources in a participatory and financially sound manner.
- USAID/Guatemala is well-regarded within USAID for its leadership in integrated programming addressing issues faced by the lesbian, gay, bisexual, transgender and intersex (LGBTI) community. In 2015, the DG Office included a pilot component addressing barriers to political participation by the LGBTI community. The pilot achieved numerous successes including advances in the process for transgender registration in the National Civil Registry inclusion of transgender voting issues in polling manuals issued by the Supreme Elections Tribunal (TSE), and an LGBTI voter registration day sponsored by the TSE.

#### **Principal Results and Accomplishments**

- **Reduced levels of violence** – An impact evaluation of USAID's violence prevention programming demonstrated that communities targeted by USAID reported an 18% decline in robberies, a 50% decline in illegal drug sales, and a 50% decline in extortion and blackmail.
- **Increased effectiveness of the Public Ministry** – Over the past year, USAID support has implemented new investigation and case management models in the Specialized Prosecutors' Offices for Extortion and Anti-Corruption resulting in 19 key arrests for corruption and more than 100 for extortion.
- **Increased efficiency of Guatemalan courts** – The 24-Hour Courts have reduced the number of cases dismissed for lack of merit from 77% to less than 15%. In 2013, the Pluripersonal Court resolved 4,342 cases, representing an increase of over 400%, dramatically improving system efficiency.
- **Support in combatting gender-based violence** – In 2013, USAID supported 18,451 women victims of violence, including domestic violence, through the implementation of key legislation and successful operation of the specialized 24-Hour Court for Violence against Women and Sexual Exploitation.

#### **Current Implementing Partners**

<b>Project Name</b>	<b>Implementing Partner</b>	<b>Implementation Period</b>	<b>Total Amount</b>
Acción Joven	Fundación Paiz para la Educación y la Cultura	October 31, 2013 – June 30, 2016	\$1,4 million
Civil Society for Accountable Governance and Citizen Security Project	Counterpart International	Sept. 30, 2015 – Sep. 29, 2020	\$25 million
Convivimos Project	Mercy Corps	June 12, 2015 – June 11, 2020	\$40 million
Elections – More Inclusion, Less Violence	Consortium for Elections and Political Process Strengthening (CEPPS)	August 16, 2012 – January 31, 2017	\$7,9 million
Nexos Locales	Development Alternatives, Inc. (DAI)	June 23, 2014 – June 19, 2019	\$16.3 million
Nominations Oversight Program	Familiares y Amigos contra el Secuestro y la Delicuencia (FADS)	Nov. 24, 2014 – Nov. 25, 2016	\$354,000

Nominations Oversight Program	Movimiento Nacional por la Integridad (MNI)	Jan. 28, 2015 – Jan. 29, 2017	\$278,000
Security and Justice Sector Reform Project (SJSRP)	Checchi and Company Consulting, Inc.	August 16, 2012 – August 16, 2017	\$36 million
Protection for Victims of TIP	El Refugio de Niñez	September 17, 2014 – Sept. 17, 2017	\$1.5 million
Youth and Gender Justice Project	Chemonics	May 20, 2016 – Feb. 7, 2021	\$37.4 million