

## Data Sheet

<b>USAID Mission:</b>	Nicaragua
<b>Program Title:</b>	Ruling Justly
<b>Pillar:</b>	Democracy, Conflict and Humanitarian Assistance
<b>Strategic Objective:</b>	524-021
<b>Proposed FY 2004 Obligation:</b>	\$6,750,000 DA
<b>Prior Year Unobligated:</b>	\$0
<b>Proposed FY 2005 Obligation:</b>	\$5,283,000 DA; \$2,500,000 ESF
<b>Year of Initial Obligation:</b>	FY 2003
<b>Year of Final Obligation:</b>	FY 2008

**Summary:** This strategic objective helps build the foundations for more responsive, transparent governance by strengthening the rule of law and increasing government accountability. The overall program supports the consolidation of democracy by promoting transparent, accountable and professional government institutions and greater citizen participation. The democracy strengthening program features technical assistance and training for a more transparent, independent, and effective justice system that is fully accessible to Nicaraguan citizens. The inter-agency anti-corruption pilot program capitalizes on the political will of the current administration to assist Nicaraguans in deepening anti-corruption reforms, both to foster good governance and increase economic growth.

### Inputs, Outputs, Activities:

#### FY 2004 Program:

Justice system reforms (\$3,712,000 DA). USAID-funded technical assistance and training will help consolidate past gains in the creation of a modern criminal and civil justice system and strengthen implementation of justice reforms. Assuming no negative downturn in political will for reform, USAID will fund technical assistance and training for judges, prosecutors, public defenders, and other officials, which will help Nicaragua successfully implement the critically important Criminal Procedures Code and the Criminal Code, which is expected to pass in FY 2004. (The Criminal Procedures Code was developed with technical assistance from USAID and went into effect in December 2002). If an acceptable judicial career law is enacted, USAID will fund training and technical assistance for the adoption and implementation of a merit-based system for selection, promotion, and discipline of judges and other judicial personnel. In addition, USAID-funded training for non-governmental organizations (NGOs) will increase the capacity of civil society to play stronger roles in public dialogue, advocacy for judicial reform, monitoring of government activities, protecting human rights, and educating the public on topics related to the legal reform process. Principal contractors through FY 2004 are Florida International University and Checchi and Co. For the remainder of the strategy period, principal contractors, grantees, or agencies will be selected through a competitive process.

Transparency and accountability (\$3,038,000 DA). USAID will advance legal reforms that are key to government accountability and transparency, as well as business confidence and investment. Assuming continued political will for the fight against corruption, USAID will continue its assistance to entities that are taking lead roles in anti-corruption cases. As part of the U.S. government inter-agency anti-corruption pilot activity, USAID will continue to focus on core activities including prosecutor training to improve prosecution of corruption cases and technical assistance to develop and strengthen social auditing mechanisms to improve government oversight. USAID also plans to fund technical assistance to advance drafting and passage of an alternative dispute resolution law aimed at providing an accessible, effective, and transparent mechanism that meets international standards for resolving commercial disputes. In addition, USAID-funded training and technical assistance for selected NGOs will increase civil society participation in government decision making, oversight, and analysis of political institutions, and enhance advocacy for citizen rights. Civil society will be mobilized to promote and implement justice and transparency reforms through mechanisms that facilitate access to information, and journalists will receive

training to improve investigative techniques for corruption cases. Through continued consensus and coalition building, this activity will build government and civil society capacity, forge alliances, facilitate institutional strengthening, and support citizen participation in the fight against corruption. Principal contractors through FY 2004 are Florida International University and Checchi and Co. For the remainder of the strategy period, principal contractors, grantees, or agencies will be selected through a competitive process.

**FY 2005 Program:**

Justice system reforms (\$3,212,000 DA). Assuming continued cooperation from leaders of the judicial system, USAID plans to provide assistance aimed at increasing the independence and efficiency of the judiciary. USAID will continue training and technical assistance activities that advance implementation of the Criminal Procedures Code and the Criminal Code. Technical assistance will be provided to consolidate the public prosecution and defense functions, and to strengthen civil society involvement and support for legal reforms. USAID plans to promote policy dialogue to advance key elements of the legal framework needed to extend and consolidate the rule of law. Implementers will be selected in FY 2004.

Transparency and accountability (\$2,071,000 DA). USAID plans to provide technical assistance and training to NGOs in areas related to transparency, monitoring of government activities, human rights protection, advocacy, and public awareness. USAID will work with public and private institutions on aspects of ethics, accountability, and transparent procurement. Ongoing technical assistance and training for judges, prosecutors, public defenders, and other officials will strengthen prosecution of corruption cases, provided that progress continues in promoting judicial independence. Implementers will be selected in FY 2004.

Free and fair national elections (\$2,500,000 ESF). With national elections scheduled for 2006, USAID plans to provide limited support for election-related activities by continuing successful efforts in organizing Nicaraguan NGOs to perform domestic electoral observation, voter education, and related activities, contingent on availability of ESF resources. Support for international election observers may also be considered. USAID also anticipates allocating resources for discussion of issues related to the 2006 elections. Principal contractors, grantees, or agencies will be selected through a competitive process.

**Performance and Results:** This is a new strategic objective that began in late FY 2003 under the Central America and Mexico Regional Strategy. Activities in support of this objective are expected to result in the full implementation of the Criminal Procedures Code and other legal reforms in FY 2004 and FY 2005, including the Criminal Code. Local-level courts will be technically prepared for the full implementation of the Criminal Procedures Code, with all pertinent personnel, including judges, prosecutors, and public defenders, effectively trained. The public defender system will be expanded to help guarantee due process to Nicaraguan citizens regardless of their ability to pay. Passage and implementation of key legislation will enhance government accountability, transparency, efficiency, and effectiveness.

By program completion, USAID expects that Nicaragua will have progressed in establishing the strong democratic institutions and practices that are essential to achieving a full, functioning democracy and attracting domestic and foreign investment. Access to justice will have expanded through more capable justice institutions, as well as through the availability of alternative dispute resolution mechanisms. Accountability of government and private institutions will have improved through better internal standards and increased citizen monitoring to prevent corrupt acts; and the government will have an enhanced capacity to identify and prosecute these acts when they occur.

## US Financing in Thousands of Dollars

Nicaragua

	DA	ESF
524-021 Ruling Justly		
<b>Through September 30, 2002</b>		
Obligations	0	0
Expenditures	0	0
Unliquidated	0	0
<b>Fiscal Year 2003</b>		
Obligations	5,580	0
Expenditures	860	0
<b>Through September 30, 2003</b>		
Obligations	5,580	0
Expenditures	860	0
Unliquidated	4,720	0
<b>Prior Year Unobligated Funds</b>		
Obligations	0	0
<b>Planned Fiscal Year 2004 NOA</b>		
Obligations	6,750	0
<b>Total Planned Fiscal Year 2004</b>		
Obligations	6,750	0
<b>Proposed Fiscal Year 2005 NOA</b>		
Obligations	5,283	2,500
Future Obligations	20,420	0
Est. Total Cost	38,033	2,500