

**INTER-AMERICAN DEVELOPMENT BANK
THIRD CONFERENCE ON JUSTICE AND
DEVELOPMENT
IN LATIN AMERICA AND THE CARIBBEAN**

**PRINCIPAL TRENDS OF THE LAST DECADE AND A
VIEW TO THE FUTURE
QUITO, ECUADOR**

**PANEL ON JUSTICE REFORM AND INTERNATIONAL
COOPERATION**

**PRESENTATION BY
JENNY WILLIER MURPHY**

**UNITED STATES AGENCY FOR INTERNATIONAL
DEVELOPMENT
BUREAU OF DEMOCRACY, CONFLICT AND HUMANITARIAN
ASSISTANCE (DCHA)
OFFICE OF DEMOCRACY AND GOVERNANCE (DG)
RULE OF LAW DIVISION (ROL)
WASHINGTON, DC**

Priorities in Latin America and US Foreign Policies Objectives

What are the US Foreign Policy Objectives?

How do you reconcile Latin American Country Priorities with US Foreign Policy Objectives?

What are the US Foreign Policy Objectives?

- Economic Growth and Development
- Democratic Strengthening
- Promoting Respect for Human Rights
- Anti-Narcotics: Interdiction, Eradication, Prevention

How do you reconcile Latin American Country Priorities with US Foreign Policy Objectives?

- Broad consensus that LA country priorities and US Foreign Policy objectives are inter-related and interests are aligned. The LA country priorities and US Foreign Policy objectives may differ in the manner of implementation.
- The Glue: ROL You can start with a strong respect and adherence to Rule of Law

*Of the problems of Governance, most urgent and pervasive is the
weakness-*

*Often the decay-
Of the Rule of Law*

*No problem does more to alienate citizens from their political leaders and
institutions,*

*And to undermine political stability and economic development, than
endemic corruption among*

*The government, political party leaders, judges, and bureaucrats. The
more endemic the corruption*

*Is, the more likely it is to be accompanied by other serious deficiencies in
the Rule of Law: smuggling, drug trafficking, criminal violence, human
rights abuses and personalization of power.*

USAID Foreign Aid in the National Interest
Promoting Freedom, Security and Opportunity
("Natsios Report" – January 2003)

What Has USAID Accomplished in the Last Two Decades?

- Programs are effective and targeted
- Programs in Latin America began in 1984 and continue to the present

Reforming Laws and Legal Procedures

- Criminal Code Reform became an integral part of USAID justice programs
- Institutional strengthening to facilitate the enactment of new laws

- Strengthening and Reforming the Judiciary and Judicial Institutions
 - ◆ Judicial Councils
 - ◆ Court Administration and Operation
 - ◆ Formation of Professional Prosecutorial offices
 - ◆ Establish or expand Public Defender offices
- Increasing Public Awareness, Access, and Advocacy
- Strengthening Legal Education
- In FY 2003, USAID is providing Rule of Law technical assistance, loans and grants

What are the Lessons Learned in Rule of Law Projects?

■ Strengths

- ◆ USAID is part of an Embassy Team
- ◆ Bringing People to the Table
- ◆ Demonstrating Continuity and Flexibility
- ◆ Building the Role of Civil Society
- ◆ Mixing the Cement of Justice Systems
- ◆ Supporting the Next Generation of Judicial Reformers

■ Weaknesses

- ◆ Corruption – How is it handled?
- ◆ Application of Law and Enforcement of Judgments
- ◆ Coordination and collaboration on Rule of Law Projects

Millennium Challenge Account (MCA)

Perspective of USAID

Purpose of MCA

Foundation for MCA

The Future of USAID and Rule of Law Projects

- Rule of Law as it pertains to Economic Growth and Development
- Administrative and Regulatory Reform
- Contradictions in Laws
- Application of Laws and Enforcement of Judgments
- Cross-Sectional Analysis
- Continue improving the efficiency of the Courts

The End