

Enduring Prosperity and the Rule of Law for the Northern Triangle

A Justice Sector Training, Research and Coordination (JusTRAC) Symposium



A Cooperative Agreement of the Rule of
Law Collaborative at the University of
South Carolina and the Bureau of
International Narcotics and Law
Enforcement Affairs, U.S. Department of
State



San Salvador, El Salvador

Thursday, October 1 and Friday, October 2, 2015

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Despite decades of direct foreign assistance by the United States, rule of law within most of Central America remains challenging. While the prospect of significant U.S. foreign assistance in the Northern Triangle, i.e., El Salvador, Guatemala, and Honduras, looms on the horizon, various constituencies remain concerned that this renewed involvement will simply recycle stale ideas and continue the endemic of poverty and lawlessness. If implemented, those ideas and approaches might not only cause foreign assistance efforts to fall into further disrepute, but also risk needlessly expending precious and scarce taxpayer resources for programming without remedying or improving the situation.

Consequently, helping to remedy the rule of law situation within the Northern Triangle requires a reimagining of rule of law programming that focuses on the foundational building blocks to a more effective rule of law: creating trust and promoting enduring economic prosperity, which must operate on the condition that such programming cause no further harm to these fragile societies. This symposium will address paths to economic prosperity while re-envisioning rule of law programming that takes into account, for example, promoting greater trust in the justice sector, protecting vulnerable populations, and considering ground-up approaches to promote the rule of law and coordinate thoughtful efforts to promote security and prosperity.

Program

Day 1: Thursday, October 1, 2015

8:00 AM **Registration**

8:45 AM **Welcoming Remarks**

Hamid Khan, Deputy Director, Rule of Law Collaborative, University of South Carolina

Ambassador Mari Carmen Aponte, Embassy of the United States in San Salvador, El Salvador

Sonia Elizabeth Cortez de Madriz, Solicitor General of the Republic of El Salvador

9:00 AM **Surveying the Landscape and Learning the Lessons of Past Rule of Law Efforts**

Jenny Willier Murphy, Senior Justice Advisor, Bureau of International Narcotics and Law Enforcement Affairs, U.S. Department of State

Lisette Dumit, Senior Specialist, Citizen Security and Rule of Law, United States Agency for International Development

Ambassador James Michel, Independent Consultant

Eric L. Olson, Associate Director, Latin American Program, Woodrow Wilson International Center for Scholars

To reimagine rule of law programming in the Northern Triangle, we need to take account of past experience in rule of law programming that focused on capacity building of justice sector actors and institutions. In the nearly thirty years since the latest wave of democratization swept over Latin America, many of the emerging democracies in Central America continue to struggle to install a truly democratic rule of law. Indeed, some have argued not only that there has been a decline in levels of democracy, but also that that decline is substantially attributable to deficiencies in the rule of law. The region once again has to pay attention to education, productivity and competitiveness if it is to sustain growth, and to the rule of law in order to turn back the tide of criminal violence that threatens its citizens' quality of life and that has led to epidemic levels of migration and trafficking in humans and drugs.

10:30 AM **Coffee Break**

10:45 AM **Increasing Overall Trust in the State**

Ronald Glass, Chief of Party, Chemonics International in the Dominican Republic, USAID Criminal Justice System Strengthening Project

Karin Slowing Umaña, former International Sector Planning Advisor, Secretariat of Government Coordination, Government of the Republic of Guatemala

Helen Mack, Founder, Myrna Mack Foundation

Alejandro Alvarez, Team Leader, Rule of Law, Justice and Security Adviser, Bureau for Policy and Programme Support, United Nations Development Programme

Facially, rule of law practitioners reflexively assume that trust in the state means simply improving the justice sector. This panel, however, takes a broader look at what constitutes the state. It seeks to build trust in state institutions, including its security apparatus, often seen as closest to the people, and in the case of the Northern Triangle, education, healthcare, and justice. Future generations are being deprived of an adequate start in life, without a state that can meet basic healthcare needs or provide basic skills and knowledge that become ever-pronounced in secondary educational settings. At the same time, they face a wholesale absence of vocational educational institutions, a justice system that is unable to provide a sense of safety amid an overwhelming and ubiquitous tide of violence, and a lack of institutions which are seen as serving the broader population as opposed to a select few.

12:00 PM **Lunch**

Remarks by Ambassador Carlos R. Moreno, United States Embassy in Belmopan, Belize

1:00 PM **Uncovering the Causes of Violence and Criminality with Solutions from Beyond the Justice Sector**

John Allelo, Director, Office of Vulnerable Populations, United States Agency for International Development/ Colombia

Enrique Roig, Director, Global Citizen Security Practice Area, Creative Associates

Dr. Gilberto Arriaza, Professor, Department of Educational Leadership, College of Education and Allied Studies, California State University, East Bay

Susan Snyder, Deputy Director, Western Hemisphere Program Office, Bureau of International Narcotics and Law Enforcement Affairs, U.S. Department of State

Fighting crime affecting the Northern Triangle is an urgent task. This panel is devoted to examining all realms of socialization (family, school and city) and looks to explore ways to strengthen the fabric of society to protect children and young people from exposure to violent settings and help reduce violence itself, insecurity, and their links to street gangs. Attention will be paid to programs that prevent violence and ensure peaceful coexistence, neutralize risk factors, and stimulate ones that provide protection at the individual, family, school and community levels for children, youths and women facing violence, gang activity and a lack of safety.

2:30 PM **Coffee Break**

2:45 PM **Enhancing Access to More Transparent Legal Institutions**

Judge Frank Montalvo, U.S. District Court for the Western District of Texas

Dr. Hugo Noé Pino, Country Economist, Central American Institute for Fiscal Studies

Josefina Coutiño, Director, USAID Pro-Integrity Program

In order to improve citizens' confidence in the state, we will work to contribute to the effectiveness of the criminal justice system, including generalized access to local-level justice services. To achieve this, better mechanisms for accountability and transparency must be introduced, including measures to increase transparency of the police, judiciary and governance.

4:15 PM **Open Discussion**

5:00 PM **Closing Remarks and Adjourn**

Kiel Downey, Research Coordinator, Rule of Law Collaborative, University of South Carolina

Day 2: Friday, October 2, 2015

9:00 AM **Renewing Investments in Human Capital by Developing Opportunities for the People**

Dr. Benjamin Roth, Assistant Professor, College of Social Work, University of South Carolina

William Pléitez, Chief Executive Officer, Fomilenio II (El Salvador)

James D. Filpi, Senior Counsel, Commercial Law Development Program, Office of the General Counsel, U.S. Department of Commerce

Edo Stork, Deputy Resident Representative, United Nations Development Programme Honduras

Nearly 9% of the Northern Triangle's population has decided to leave, resulting in a major loss of human capital. While much of this flight stems from the lack of economic and job opportunities, growing violence and compounding corruption are also to blame. To capitalize on economic opportunities requires strengthening the links between the productive sector and training programs, as well as fighting corruption, violence and lawlessness, to pave the way for a permanent inclusion of people in the workplace. To do so, we need to promote a business-friendly environment, implement policies aimed at improving labor market conditions, and improve skills through greater investment geared toward broadening and enhancing the quality of secondary education and raising retention rates.

10:45 AM **Coffee Break**

11:00 AM **The World Justice Project's Rule of Law Perception Exercise**

Joel Martínez, Index Program Manager, World Justice Project

11:30 AM **Lunch**

12:30 PM **Enhancing Public Safety and Preventing Violence**

Guillermo Céspedes, Crime Prevention Advisor, Creative Associates

Adam Blackwell

Javier Agosto, Chief of Party, Justice Sector Strengthening Activity/USAID-El Salvador

Preventing violence and enhancing public safety is an urgent task. To combat drug and human trafficking, as well as organized crime, will require enhancing the capacity and management skills of police forces, including training, skill-building, professionalization, and information systems for preventing and fighting crime. In addition, however, there must be mechanisms in place to bring the police closer to the community, including accountability mechanisms that improve the image of the police and people's faith in them. Attention will be paid to areas such as forensic science, vertical coordination among the different levels of government, and enhancing dialogues among local populations and the police that preside over them.

2:15 PM **Coffee Break**

2:30 PM **Plenary Session: Practical Approaches for Intractable Problems?**

Karen Hall, Director of Democratic Governance and Rule of Law LL.M and Assistant Professor of Law, Ohio Northern University

Omar Rivera, Coordinator, Alliance for Peace and Justice, Association for a More Just Society

This final session will be dedicated to examining comparative examples from the region and how such an ambitious agenda for enhancing and, more importantly, sustaining the rule of law within in the Northern Triangle will be achieved. Speakers and participants will be encouraged to offer off-the-cuff thoughts about lessons from local and national leaders, civic groups, and academia.

4:00 PM **Open Discussion & Agenda Setting**

5:00 PM **Closing Remarks and Adjourn**

Hamid Khan, Deputy Director, Rule of Law Collaborative, University of South Carolina