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CONSEJO NACIONAL DE LA JUDICATURA DE EL SALVADOR (CNJ)

1. GENERAL INFORMATION

Agency: Consejo Nacional de la Judicatura de El Salvador (CNJ)
Sector: Judiciary
Project Title: A Gender-Based Approach to Justice: Training Judges in El Salvador
Location: San Salvador, La Libertad, Chalatenango, La Paz, Cabañas, Cuscatlán y San Vicente (El Salvador)

2. EXECUTIVE SUMMARY

Following the recommendation of the Law for a Life Free of Violence and Discrimination among Women (LEIV in Spanish), El Salvador is establishing Specialized Tribunals to process cases involving violence against women. The National Judicial Council (CNJ) has the constitutional mandate to train peace judges, who will determine whether cases go to these new tribunals or are processed via existing administrative routes. For this reason, CNJ must ensure that the peace judges receive comprehensive training for the adequate categorization of offenses under the LEIV. This will help avoid conflicts of jurisdiction (when a case is sent to the wrong tribunal) that slow legal cases and delay access to justice. Moreover, it is necessary to sensitize peace judges in criminal matters with a gender-based approach. CNJ proposes a training program for peace judges to achieve these goals and a randomized controlled trial to identify the causal effect of this program.

3. IMPLEMENTING ENTITY

CNJ is a Salvadoran institution created by the 1992 Peace Accords. It is tasked with, among other functions, training judges, magistrates, and justice sector operators. To complete its mission it has the support of the School of Judicial Training “Dr. Arturo Zeledón Castrillo,” which is in charge of planning, developing, and implementing training programs for civil servants in order to strengthen and assist in the administration of justice. CNJ continuously carries out diagnoses to identify the training needs of civil servants. In 2016, CNJ carried out 396 training activities, benefiting a total of 9,629 recipients.

4. PROJECT DESCRIPTION

A. PUBLIC POLICY PROBLEM

In El Salvador, the misclassification of legal cases can lead to conflicts of jurisdiction, which create unnecessary delays in the resolution of cases and in providing legal protection to victims. In the particular case of women, this may produce revictimization within the judicial system. The lack of awareness about gender-based violence among peace judges and the lack of specialized training in the LEIV makes it difficult for peace judges to correctly interpret and



apply the law, leading to the misclassification of cases involving violence against women. As a result, it is essential to have an evaluation that allows for a rigorous analysis of the impact of CNJ's training programs.

B. PUBLIC POLICY OBJECTIVES

In accordance with legislation on prevention, punishment, and eradication of violence against women, this pilot project has the following objectives:

1. Strengthen the cognitive (theoretical-practical) elements of peace judges regarding specialized laws on violence against women, including the LEIV
2. Reduce the number of conflicts of jurisdiction due to peace judges' misinterpreting the LEIV
3. Raise awareness among peace judges in order to guarantee access to justice among women who are victims of violence

C. PROPOSED ACTIVITY

This program will use a randomized controlled trial (RCT) to analyze the causal effect of the training imparted to peace judges in the central and paracentral zones of El Salvador, which includes the departments of San Salvador, La Libertad, Chalatenango, La Paz, Cabañas, Cuscatlán, and San Vicente, together representing half of the Salvadoran population.

The intervention consists of offering a training program to the 132 peace judges in the areas mentioned. For this purpose, four groups will be created, each composed of 33 judges. The training consists of two modules, one relating to gender theory and perspective and the other concerning the legal-penal analysis of the LEIV and criminal procedures with a gender perspective. Each module will have a duration of 20 hours of training distributed across five afternoon sessions and taught in a total of two weeks (40 hours of training for each group).

To evaluate the impact of the training program, four groups will be randomly selected and will be trained in a sequential manner. This allows for the first trained group to be considered the treatment group and all other untrained groups the control group.

The project includes the following activities:

1. **Development of the training program:** CNJ will design the modules for the training and will carry out the logistical steps to plan and summon the judges to the trainings
2. **Implementation of the training program:** CNJ will train all peace judges in the central and para-central zone of El Salvador (132 judges) to develop conceptual, procedural, and attitudinal tools related to the specialized legislation on gender
3. **Monitoring and evaluation:** CNJ will implement a monitoring system related to the administration of justice imparted by the peace judges. This system will analyze the way in which the judges in the region of study solve cases related to crimes that fall within the jurisdiction of the specialized courts for violence against women



D. EXPECTED RESULTS

The project seeks to achieve the following results using different measurement instruments:

Short-term results:

1. Minimize the number of conflicts of jurisdiction in which peace judges erroneously refer cases to specialized courts. This information will be obtained from the monthly reports generated by peace judges and specialized courts.
2. Improve the way peace judges treat women who face acts of discrimination and violence. This will be measured by surveys applied to judges. To avoid distortion of responses, questionnaires will include indirect questioning strategies, such as “list experiments.”

Long-term results:

1. Promote better conditions of access to justice for women in El Salvador

E. POTENTIAL IMPLEMENTATION CHALLENGES

The CNJ has extensive experience in judicial training, so no specific risks are foreseen in the training program. However, there may be some difficulty in securing the appropriate permits from the Supreme Court that will allow judges to excuse themselves from their chambers to participate in the training. To avoid such difficulty, the CNJ will send the training announcements well in advance.

At the measurement stage, there is a risk that some judges may be reluctant to send the respective reports to the CNJ, which may delay the generation of impact metrics. To solve this problem, the Plenary Council (maximum authority of the CNJ) has expressed its interest in supporting this project to request that judges issue these reports.

Another potential risk lies in the difficulty of some judges in preparing the reports because of the excessive workload or lack of IT infrastructure to do so. To solve this problem, the CNJ proposes to hire a team of 16 interns from law schools in El Salvador through agreements with universities who would be responsible for the preparation of these reports.

F. PRELIMINARY TIMELINE

	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb
Develop training content									
Randomization and design of measuring instruments									
Convene judges									
Logistics for training									
Provide training to judges									
Measurement and monitoring									
2nd session Academy for Security Analysis									
Preliminary data analysis									



G. BUDGET

Item	Project costs		Cost sharing		Grand total
	JJ for CNJ		CNJ	Other	
<i>Personnel</i>	\$ -	\$ -	\$ -	\$ -	\$ -
<i>Fringe Benefits</i>	\$ -	\$ -	\$ -	\$ -	\$ -
<i>Travel</i>	\$ 5,940	\$ -	\$ -	\$ -	\$ 5,940
<i>Equipment</i>	\$ -	\$ -	\$ -	\$ -	\$ -
<i>Supplies</i>	\$ 21,000	\$ -	\$ -	\$ -	\$ 21,000
<i>Contractual</i>	\$ 19,900	\$ -	\$ -	\$ -	\$ 19,900
<i>Other</i>	\$ 8,160	\$ -	\$ -	\$ -	\$ 8,160
Total Direct Charges	\$ 55,000	\$ -	\$ -	\$ -	\$ 55,000
Indirect Charges	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL	\$ 55,000	\$ -	\$ -	\$ -	\$ 55,000

