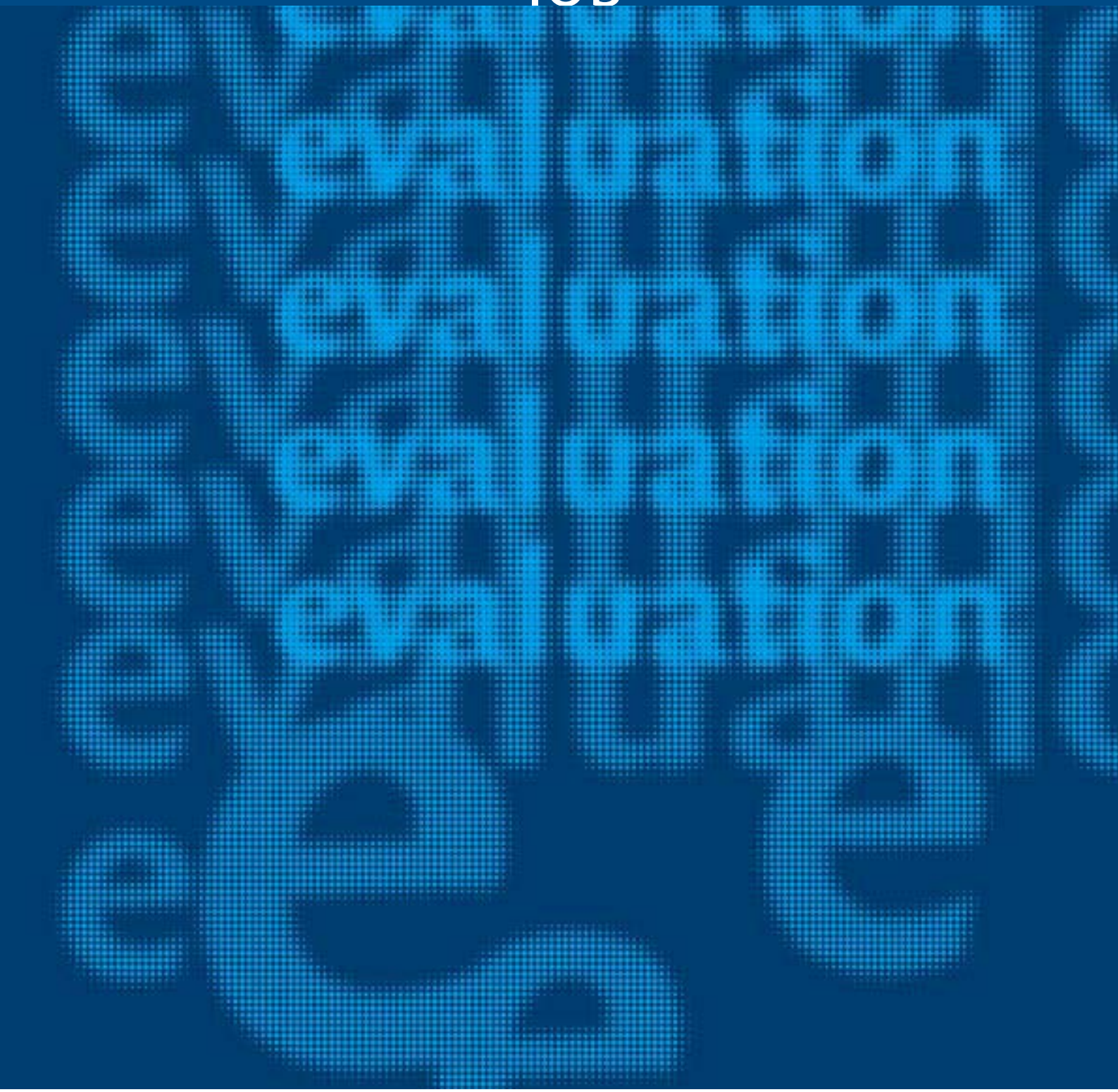
IOB



EVALUATION OF THE DUTCH 'GOVERNANCE AND HUMAN RIGHTS PROGRAMME' IN GUATEMALA 1997 - 2003

Kees Biekart, Beate Thoresen and Fredy Ochaeta

Working Document | The Netherlands | September 2004

POLICY AND OPERATIONS EVALUATION DEPARTMENT

Evaluation of the Dutch ‘Governance and Human Rights Programme’ in Guatemala 1997 - 2003

Kees Biekart (Team leader),
Beate Thoresen & Fredy Ochaeta

IOB Working Document | September 2004

PREFACE

Late in the 1980s, a peace process was initiated in Guatemala to put an end to a long period of civil war and human rights violations. Early in the 1990s, the process gained momentum and negotiations intensified, focusing on human rights, refugees and displaced people, Indian rights, socio-economic reforms and the strengthening of civilian rule over the military. In December 1996, the negotiations resulted in the signing of Peace Accords. In the period following the signing, the Netherlands participated in the international political debate on the implementation of the Accords. In addition, the Netherlands provided financial support to a variety of programmes and projects on peace-building, good governance and human rights.

Between October 2003 and March 2004, the Dutch bilateral policy in the field of human rights and governance in Guatemala was evaluated. This evaluation was one of several sub-studies in an overall evaluation of Dutch policy in the field of human rights, the purpose of which was to assess the implementation of the human rights policy. Only a few limited evaluations of human rights programs have been carried out during the past decade. The policy and operations evaluation department (IOB) therefore included this policy area in its evaluation programme.

Guatemala was selected for a country study because it has been among the top recipients of Dutch development co-operation in the field of human rights. The aim of the sub-study was to gauge the efficiency, effectiveness and, if possible, the relevance of the programmes and projects that received Dutch support. In addition it aimed to assess the contribution of the Dutch interventions in the political field to the implementation of the peace process. To these ends, an evaluation framework was designed and a large number of key actors were interviewed. The results presented in this report reflect the main issues arising from the analysis of the data collection from all sources.

IOB evaluator Marijke Stegeman is responsible for the overall evaluation of human rights policy. The sub-study presented here was carried out by Kees Biekart, Beate Thoresen and Fredy Ochaeta. Research assistants Helene Pulles and Inge Sturkenboom participated in preparing the documentation for the evaluation. The responsibility for the contents of the report remains, however, with the authors. This report is one in an IOB series of "working documents" that consists of studies which may be of interest to a broader audience.

Henri Jorritsma
Acting Director Policy and Operations Evaluation Department
(IOB)

TABLE OF CONTENTS

Preface *i*
List of tables *iv*
Abbreviations and acronyms *v*

1 MAIN FINDINGS AND ISSUES FOR THE FUTURE **3**
1.1 Introduction 3
1.2 Main findings 3
1.3 Issues for the future 4

2 OBJECTIVES AND APPROACH **5**

3 THE GUATEMALAN PEACE PROCESS **8**
3.1 Roots of the Guatemalan civil war 8
3.2 The peace process 8
3.3 Implementation of the Peace Accords 9

4 DUTCH HUMAN RIGHTS AND GOVERNANCE POLICIES IN GUATEMALA **11**
4.1 Diplomatic action for human rights 11
4.2 Governance and human rights policies 12
4.3 Policy assessment 16
4.4 Conclusions 18

5 POLICY COHERENCE AND OUTPUT **19**
5.1 Policy coherence 19
5.2 Output and efficiency 22
5.3 Conclusions 28

6 OUTCOME AND SUSTAINABILITY **29**
6.1 Good performers 29
6.2 Sufficient performers 33
6.3 Insufficient and bad performers 36
6.4 Sustainability of outcome 40
6.5 Conclusions 41

7 OVERALL ASSESSMENT OF GOVERNANCE PROGRAMME **42**
7.1 Relevance and impact 42
7.2 Overall assessment 45
7.3 Programme performance and diplomatic efforts 47
7.4 Conclusions 49

Annexes:
(i) Organisation of the study *51*
(ii) Terms of reference (in Dutch) *55*
(iii) List of documents reviewed *67*
(iv) Evaluation checklist Guatemala *71*
(v) List of interviews *77*

LIST OF TABLES

Table 1	Activities and counterparts in Guatemala (1997-2003)	6
Table 2	Classification by intermediary organisation	15
Table 3	Classification by implementing organisation	16
Table 4	Consistency with human rights defence, state reform and peace process	20
Table 5	Expected output and realised output	23
Table 6	Implementation quality	25
Table 7	Monitoring and evaluation	27
Table 8	Effectiveness and sustainability	31
Table 9	Gender focus and success factors	44
Table 10	Overall partner assessment scores	46
Table 11	Impact and role of diplomacy	48

ABBREVIATIONS AND ACRONYMS

AMVA	*Asociación 'Mujer Vamos Adelante'* Association 'Women Let's Go Forward'
ASC	*Asamblea de la Sociedad Civil* Civil Society Assembly
CAII	Creative Associates International Inc.
CAJ	*Centro de Administración de Justicia* Judicial Administration Centre
CALDH	*Centro para la Acción Legal en Derechos Humanos* Centre for Legal Human Rights Action
CECI	*Centro Canadiense de Estudios y de Cooperación Internacional* Canadian Study Center for International Co-operation
CEH	*Comisión de Esclarecimiento Histórico* Truth Commission
CFA	Co-Financing Agency
CONAVIGUA	*Coordinadora de Viudas de Guatemala* Guatemalan Widow Co-ordination
COPMAGUA	*Coordinadora de las Organizaciones de Pueblos Mayas de Guatemala* Co-ordinating Body of the Guatemalan Maya People
CSJ	*Consejo Supremo Judicial* Supreme Judicial Council
DEFEM	*Defensoría de la Mujer* Ombudsman Office for Women
DGIS	Directorate General for International Co-operation (Netherlands)
ECAP	*Equipo de Estudios Comunitarios y Acción Psicosocial* Community Studies and Psycho-Social Action Team
EMP	*Estado Mayor Presidential* Presidential Guard
EU	European Union
FAFG	*Fundación de Antropología Forense de Guatemala* Guatemalan Anthropological Forensic Foundation
FLACSO	*Facultad Latinoamericana de Ciencias Sociales* Latin American Social Sciences Faculty
FRG	*Frente Republicano Guatemalteco* Guatemalan Republican Front
GAM	*Grupo de Apoyo Mutuo* Mutual Support Group
HIVOS	Humanist Institute for Development Co-operation
IADB	Inter-American Development Bank
ICCO	Interchurch Organisation for Development Co-operation
ICCPG	*Instituto de Estudios de Ciencias Penales de Guatemala* Guatemalan Institute for Penitenciary Studies
IMD	(Netherlands') Institute for Multiparty Democracy
INAM	*Instituto Nacional de la Mujer* National Women's Institute
IOB	Policy and Operations Evaluation Department (Netherlands)
MAGA	*Ministerio de Agricultura* Ministry of Agriculture
MINUGUA	*Misión de Verificación de las Naciones Unidas para Guatemala* United Nations Verification Mission for Guatemala
OAS	Organisation of American States
ODHA	*Oficina de Derechos Humanos del Arzobispado*

	Human rights office of the Archbishop
ONAM	*Oficina Nacional de la Mujer* National Women's Office
PAC	*Patrulla de Autodefensa Civil* Civil Patrol for Civilian Self Defence
PAN	*Partido de Avanzada Nacional* National Progress Party
PCS	Project Counselling Service
PDH	*Procuradía de los Derechos Humanos* Human Rights Ombudsman
PPD	*Programa de Participación y Democracia* Programme on Participation and Democracy
PRODECA	*Programa de Dinamarca Pro Derechos Humanos para Centroamérica* Danish Human Rights programme for Central America
PRORED	*Programa de Resolucíon de Conflictos y Justicia Penal* Programme for Conflict Resolution and Prison Justice
REMHI	*Proyecto Interdiocesano de Recuperación de la Memoria Histórica* Joint Dioceses Project to Recover the Historical Memory
RNE	Royal Netherlands' Embassy
SEPAZ	*Secretaría de la Paz (de la Presidencia)* Presidential Peace Secretariat
SEGEPLAN	*Secretaría General de Planificación (de la Presidencia)* Presidential Planning Secretariat
SEPREM	*Secretaría Presidencial para la Mujer* Presidential Women's Secretariat
TSE	*Tribunal Supremo Electoral* Supreme Electoral Council
UNDP	United Nations Development Programme
UNOPS	United Nations Office for Project Services
URNG	*Unidad Revolucionaria Nacional de Guatemala* Guatemalan Nacional Revolutionary Unity
WSP	War-torn Societies Project

1 MAIN FINDINGS AND ISSUES FOR THE FUTURE

1.1 INTRODUCTION

After the signing of the 1996 Peace Accords the Dutch bilateral governance programme experienced a budget increase of 100 % over a four-year period. The Netherlands, as a result, became one of the most dedicated supporters of the post-peace process, together with Spain, Germany, Sweden, Norway and Denmark. The governance programme was built around three priority themes (human rights defence, state reform, and peace-building and reconciliation), and largely implemented by UNDP and the special UN agency for Guatemala (MINUGUA).

An external evaluation of the Dutch Governance and Human Rights programme in Guatemala was realised between October 2003 and March 2004 at the request of the Policy and Operations Evaluation Department (IOB) of the Dutch Ministry of Foreign Affairs. A selection of 18 programmes implemented in the period from 1997 to 2003 was assessed, representing total disbursements of nearly 32 million Euro (and covering about 95 % of the bilateral Governance programme).

1.2 MAIN FINDINGS

These are the main findings of the evaluation:

1. The programme has been consistent with overall Dutch policies which aim to respect human rights, strengthen the rule of law and promote social justice. All programmes and projects directly or indirectly aimed to further the peace process, or at least to improve conditions for the implementation of the accords.

2. The programme was not guided by an explicit policy on governance, although an effort was made to provide coherence via the three policy priorities. The programme contained an explicit gender focus in all aspects of planning, implementation, monitoring and evaluation, but it had a surprisingly weakly developed vision on the role of Guatemala's Indian majority in improving governance.

3. Complementarities between the Dutch bilateral programme and the Dutch NGO-supported activities were generally weak: there is quite some overlap and thus a potential for more intensified collaboration. The evaluation team also concluded that the Dutch Embassy trusted too much the implementation quality of UNDP.

4. The realised output of the programme was in general satisfactory, if compared to its expected output. In only a few cases (3 out of 18) output was more than disappointing.

5. One-third of the programmes had a disappointing outcome and were categorised as 'insufficient'. Of the remaining two-thirds, a majority had an outcome that was certified as 'sufficient'. In five out of 18 cases we considered outcome to be substantial. Among the 'good performers' were the Truth Commission and the Land Registration Service *(Catastro).*

6. In most programmes monitoring procedures were insufficient, whereas (external) evaluations were better organised: over 80 % of the programmes had been externally evaluated at least once during the implementation period. The quality of the

evaluations was not always sufficient and the impression is that the Dutch Embassy benefited more from the reports than the partner organisations.

7. The performance of the Dutch Embassy as a donor was positively valued: the hands-off approach was much appreciated, although this contrasted with rather bureaucratic procedures and serious delays in financial disbursements, especially in 2003.

8. The sustainability of many projects was generally good. Key factors contributing to effective project outcome included the quality and dedication of staff, intensive co-ordination with other donors, and the level of (specialised) technical capacities of the partner organisation.

9. Therefore, the overall judgement of the Dutch governance programme in Guatemala was positive, despite the deteriorating human rights situation after 1999. The programme was overall highly valued by Guatemalan as well as foreign observers. There was particularly appreciation for the process approach applied by the Dutch programme in which positive conditions were created to generate social and political changes in the longer run, and in which a commitment with the underlying issues central to the peace process was reconfirmed.

10. The 'silent' diplomatic role of the Netherlands was important and generally effective. Together with the Nordic countries, the Netherlands was perceived by human rights groups, political party representatives and other local experts as one of the key international players in Guatemala with a clear commitment to the Peace Accords and to the ongoing efforts towards social justice and reconciliation.

1.3 ISSUES FOR THE FUTURE

The evaluation team made the following suggestions to the Embassy and the Ministry of Foreign Affairs to keep in mind for future programming:

- Continue the moral, diplomatic and financial support for the peace process and the implementation of the Accords, and facilitate efforts aimed at longer-term structural changes in the existing unequal power balances;
- Develop an explicit policy on how to incorporate a clear focus on governance in which the Indian majority will perform a more prominent role, possibly also in relation to the bilateral environmental programme;
- Improve co-ordination with the Dutch NGOs in programming and project implementation, as a basis for broader co-ordination with other bilateral donor agencies and multilateral organisations;
- Try to guarantee the possibility of flexible resource allocation within the framework of multi-annual planning, in order to be able to react to a changing national context;
- Give more priority to developing a proper monitoring system of projects and programmes administered by the Royal Dutch Embassy, and stimulate adequate follow-up to project evaluations;
- Invest targeted resources in establishing some structural analytical and thinking capacity on local developments in order to compensate for a loss of this capacity at the Ministry of Foreign Affairs;
- Maintain a profile as an outspoken defender of human rights, both in bilateral activities as well as jointly with other countries and organisations, in order to prevent the escalation of the current process of impunity in Guatemala.

2 OBJECTIVES AND APPROACH

This report presents the findings of an evaluation study of Dutch bilateral policies to support human rights, ('good') governance and peace building in Guatemala.[1] The study was commissioned by the Policy and Operations Evaluation Department (IOB) of the Dutch Ministry of Foreign Affairs and is part of a broader evaluation exercise of Dutch human rights policies worldwide, of which a Synthesis Report will be submitted to the Dutch parliament.

Guatemala was selected as a case study for this human rights evaluation as it was worldwide among the top recipients of Dutch development co-operation as far as human rights-related projects are concerned in the period 1998-2002. This can be explained, as will be done in more detail in Chapter 3, by the sharp increase of Dutch bilateral assistance to Guatemala after the signing of the Peace Accords in December 1996.

The central objectives of this evaluation study were threefold (see the Terms of Reference, Annex II, p. 6):

- To understand how the Netherlands actively contributed to the peace process in Guatemala and which efforts were made to improve governance and the defence of human rights;
- To assess the extent to which the Dutch support to programmes and projects in this field have been efficient, effective and/or relevant;
- To assess whether – and if so, in what way – the combination of political efforts and programme financing constituted an effective instrument to provide conditions for the promotion of social justice, the rule of law and the respect for human rights.[2]

Each objective has been further clarified by a set of questions, which can be found in the Terms of Reference (see Annex II). The political role of the Netherlands in Guatemala was to be assessed by looking at the role of fora such as the Dialogue Group and the European Union meetings, and in particular to the contribution of the Netherlands to these fora.

The main task of the evaluation study was to analyse a package of 18 programmes with different partner organisations (see Table 1), which were implemented between early 1997 and the end of 2003. Only bilateral projects were included within the framework of the Governance and Human Rights programme of the Royal Dutch Embassy in Guatemala. Therefore, projects directly handled and managed by the Dutch Co-financing agencies were not included, unless they had been co-financed by the Dutch Embassy. The evaluation focused on all the projects related to human rights defence, peace-building and the reform of the judicial system.[3] The total disbursements for these projects amounted to almost 32 million Euro, which represented over 95 % of the expenses for the bilateral Governance programme in the period 1997-2003.

[1] The Dutch concept 'goed bestuur' is translated throughout this document as 'governance', rather than 'good governance'.
[2] The Dutch term 'rechtsstaat' has been translated here as 'rule of law', although it is acknowledged that this entails a slightly different meaning. However, no better term has been suggested so far.
[3] Only excluded were a few projects that had been completed very recently (such as the support to the High Electoral Tribunal TSE in 2003) or projects that were part of regional programmes (such as ILANUD).

Table 1 Activities and counterparts of the Dutch Governance: Programme in Guatemala (1997-2003)

Nr	*Programme/activity*	*Handled by*	*Implemented by*	*Implementation period*	*Grant m EUR*
1	**MINUGUA Trust Fund**	MINUGUA	MINUGUA	Dec 1995 – Feb 2003	2,500
2	**Nat. Women's Institute (ONAM); Presidential Women's Secretariat (SEPREM)**	UNDP	ONAM SEPREM	Jul 1996 – Dec 2003	0,423
3	**Q'Anil B**	UNDP	UNDP	Oct 2001 – Dec 2002	0,438
4	**UNDP Trust Fund**	UNDP	UNDP	Nov 1997 – Dec 2002	4,218
5	**Democratic Security Policy**	UNDP	FLACSO	Oct 2001 – Dec 2002	0,167
6	**Defensoría de la mujer (DEFEM)**	PDH	PDH	Jul 1998 – Feb 2005	1,298
7	**Alternative methods for conflict resolution**	ICCO	ICCPG	Oct 1998 – Jun 2007	1,695
8	**Strengthening Judicial System (Jueces de Paz)**	UNDP	CSJ/UNDP	Oct 1996 – Dec 2003	2,264
9	**Governance Fund**	RNE/GT CECI	Various CECI	Jan 2000 – Mar 2005	3,297
10	**Truth Commission (CEH)**	UNDP/ UNOPS	CEH	Apr 1998 – Dec 1999	0,931
11	**Anthropologic-forensic research (FAFG)**	UNDP/UNOPS	ECAP/FAFG	Nov 1999 – Dec 2003	2,230
12	**Democratization (CALDH)**	HIVOS	CALDH	Dec 1999 – Feb 2004	1,065
13	**Land Registration Service (Catastro)**	UNDP	MAGA	Dec 1998 – Dec 2004 (Frozen July 2003)	8,426
14	**Creatives Associates Int** **CAII**	Kuchuj Voz Ciudadana	CAII	Jul 1999 – Feb 2000	0,261
15	**Women against violence** **(AMVA)**	HIVOS	AMVA	Oct 1999 – Nov 2002	0,320
16	**Rural women org - Political participation of women**	PCS	PCS	Jul 2000 – Dec 2003 (Postponed Dec 2004)	1,238
17	**Democratic values and political parties**	OAS.	OAS	Nov 2000 – Dec 2003	0,970
18	**Programme for political participation (PPD)**	University Rafael Landívar	PPD-GT	Jan 2001 – Aug 2002	0,151
	Total in million EUR				***31,892***

N.B.: The expenses of these 18 programmes exclude the disbursements meant for external evaluations.
Source: Project documents (BEMO's) and annual plans.

The evaluation was *ex-post* and used a constructivist approach: each project was assessed separately by analysing documentation (see Annex III) and interviewing (former) Embassy staff, project partners and independent observers. The interviews were semi-structured and based on a previously elaborated checklist (see Annex IV). Interviews in the Netherlands were conducted between October 2003 and January 2004. In Guatemala the interviews were held in two rounds: November/December 2003 and February 2004. A total of 170 persons were interviewed in Guatemala and five group discussions were convened. In addition, 16 persons were interviewed in the Netherlands, some of them formerly working at the Dutch Embassy in Guatemala (see Annex V).

Preliminary results of this study were presented during a special seminar at the Dutch Embassy in Guatemala City on 24 February 2004 with participation of Guatemalan human rights experts and Embassy staff, as well as representatives from MINUGUA, UNDP and the Dutch Ministry of Foreign Affairs (IOB).

We would like to thank all those who generously offered their precious time to provide us with information and opinions about the role of the Netherlands in the field of human rights and governance in Guatemala. We also would like to thank the staff of the Dutch Embassy for their kind collaboration, and in particular for offering us the valuable assistance of Lyla van der Kaaden, and for their willingness to incorporate lessons of this evaluation in future policy-making.

The current report is structured as follows: Chapter 2 provides a short analysis of the historical and political context in Guatemala previous to and during the implementation of the Dutch Governance programme. Special attention will be given to the content of the Peace Accords that were signed in 1996. Chapter 3 analyses Dutch bilateral policies in Guatemala related to governance and human rights, and also looks at the diplomatic efforts of the Dutch Embassy in the human rights field. In Chapter 4 the policy coherence and the output of the 18 programmes are assessed. The effectiveness (outcome) and sustainability of the projects and programmes is analysed in Chapter 5. Here the reader will find the most detailed descriptions of the various programmes and their results. Chapter 6 makes an overall assessment of the programme, looking at impact on the peace process and analysing the role of the Dutch Embassy.

3 THE GUATEMALAN PEACE PROCESS

In December 1996 one of the longest civil wars in Latin America was formally ended with the signing of Peace Accords that had been negotiated for almost a decade. The Dutch governance programme in Guatemala directly built on the recommendations of these accords. This chapter provides a short background analysis of the successful peace process that started in the early 1990s.

3.1 ROOTS OF THE GUATEMALAN CIVIL WAR

The origin of the armed confrontation in Guatemala is commonly dated back to 1954, when the reformist Arbenz government was overthrown by a US-sponsored coup. Supporters of Arbenz reacted strongly against the coup and organised an uprising against the new military government. The first guerrilla movement was founded in 1961 by former military officers who started an armed struggle, eventually leading to the integration of four major guerrilla groups in the National Revolutionary Union of Guatemala (URNG) in 1982.

The internal armed confrontation intensified in the late 1970s as a result of a complex set of factors. One element was the growth of social protest against poverty and social injustice which also included indigenous communities; this movement was well organised and received increasingly popular support. Another element was the lack of political reform, driving moderate political forces into the camp of the radical left. A third factor was the polarising climate of the Cold War, which was fuelling militarised societies and triggering the emergence of revolutionary movements in four of the five Central American countries.

A military campaign of selective repression was started by the national armed forces physically eliminating the leadership of social movements, political opposition parties and community organisations. The worst period of repression, with hundreds of massacres in the rural indigenous communities of the highlands, took place between 1980 and 1982 during the military governments of General Lucas García and General Rios Montt. During this 'scorched earth' campaign over 200.000 people were killed or disappeared and many thousands fled to the mountains or abroad. According to the 1999 Truth Commission Report (CEH) 83 % of the victims of the genocide were of Indian (especially Mayan) background, and 92 % of all documented human rights violations had been committed by state forces and paramilitary groups.[4]

3.2 THE PEACE PROCESS

The URNG was militarily defeated during the campaign by the armed forces in the early 1980s, laying the basis for a change in tactics of the armed forces. The peace process started as a product of a broader regional process to find an end to civil conflict throughout the region. The Catholic Church played a major role in this process of peace dialogue up to 1990, when international actors became more involved.

Under the leadership of Bishop Quezada consensus documents were produced by a Civil Society Assembly (ASC) as input for the peace negotiations. They focussed on

[4] These figures are quoted from the summary of the Truth Commission Report '*Guatemala, Memoria del Silencio'*, Informe presentado por la Comisión de Esclarecimiento Histórico, Guatemala (CEH, 1999).

five substantive themes: human rights, refugees and the displaced, Indian rights, socio-economic reforms and strengthening civilian rule over the military. Three agreements were quickly reached between the government and the URNG in 1994, also thanks to the mediating role of the United Nations: on human rights supervision, on the reintegration of refugees and the displaced, and on the installation of a Truth Commission.

Probably the most important agreement was the Accord on Indian Rights and Identity, as it tried to address the deeply rooted colonial (and racist) attitudes against the Indian majority. With active public pressure from Indian organisations the agreement was signed in 1995, guaranteeing Guatemala's multi-ethnic and multi-cultural character. It was an agreement welcomed by the national Indian coalition COPMAGUA (later supported by the Dutch Embassy) as an important first step in ending the marginalisation of the Mayan people.

Peace negotiations entered an impasse in 1995 over the issue of socio-economic reforms. Fundamental issues, such as limiting the power of the agro-export sector and civilian control over the armed forces eventually were tacitly arranged in order to complete and sign the final Peace Accords by late December 1996. The power of the armed forces was restricted by dissolving the paramilitary forces, creating a civilian police force and it was agreed to clean up the ranks of the armed forces by purging officers accused of corruption and human rights abuses.

One of the factors slowing down the speed of the peace process was the weakness of the URNG: as a military force it did not pose a threat anymore and the armed forces were therefore not willing to give up their privileges. Politically speaking, the URNG also turned out to be a lot weaker than it had pretended. Many believe that the URNG tried to achieve through negotiations what had not been realised during the armed conflict: this explains why the Peace Accords are rather ambitious documents.

3.3 IMPLEMENTATION OF THE PEACE ACCORDS

Shortly after the signing of the accords a donor meeting was convened in Brussels (January 1997), where the international community pledged a total of US$ 3.2 billion (of which 68 % were grants) in order to finance the implementation of the accords.[5] Rapid implementation was required, as many feared that the next president would be less committed. With the 1999 elections approaching, several sectors within president Arzu's party PAN feared that it had been too 'soft' on the URNG. Necessary constitutional reforms to implement the accords were therefore delayed several times by the government. When finally a package of 54 amendments to the Constitution was presented in a referendum in May 1999, the election campaign was already in full swing. As a result, to the surprise of many, the package was rejected by the population, basically due to low voter turn-out and to the effective mobilisation of groups and parties (such as the FRG) opposing the accords. The referendum was also an indication that people were disappointed by the initial results of the peace process, which had generated such high expectations.[6]

With the change of government in 2000 the prospects for a continuation of the peace process deteriorated, despite promises by the new president Portillo to implement the accords. The human rights situation had already become more critical since the

[5] These figures come from the Hemisphere Initiatives Report *'Who Governs? Guatemala Five Years After the Peace Accords'* (Sieder, 2002).
[6] In April 2001, according to an opinion poll by *Vox Latina,* even a majority of the respondents (53 %) believed that the accords had brought no benefits at all for the Guatemalan people.

brutal assassination of Bishop Gerardi in 1998 – only days after he had presented the Church-sponsored Truth Commission Report (REHMI) – and would further deteriorate in 2001. The new FRG government was supported by those sectors of the security forces involved in counterinsurgency and also believed to be involved in drug trafficking. Together with other right-wing elements these were called the 'parallel powers' in Guatemala, responsible for the genocide of the 1980s and enjoying the support of an impressive army of former rural paramilitary members. The reduction of the military budget during Arzu's presidency, was reversed and with the polarising attitude towards the business association CACIF and a Congress dominated by the FRG and chaired by former General Rios Montt all ingredients seemed to be prepared for initiating a new period of instability.

Looking back, the Portillo government (2000-2003) did not so much represent a step back in the peace process, but rather a step sidewards delaying much legislation. Among them key pieces of legislation related to political parties, a tax reform, and a reform of the land registration system. At the same time, important legislation on decentralisation and strengthening local participation (Municipal Code, Law on Local Development Councils) was eventually approved. The main source of tension during the Portillo government was the intention of FRG party leader Rios Montt to run for president in the 2003 elections, despite the fact that the Constitution of 1985 gave no permission to former coup leaders to do so. Despite rulings of the Supreme Court and due to a endorsement of the Constitutional Court (in which Rios Montt supporters managed to get a majority), he was finally allowed to participate in the November 2003 elections.

The political costs for the FRG were high. After staging riots in July 2003 in support of Rios Montt and threatening business organisations as well as Supreme Court judges and international diplomats, the FRG could not expect to win the presidency again, although it remained the largest party in local elections and the second party in the national Congress. The election turnout was larger than ever, basically preventing an FRG victory, despite the considerable weakness of the other parties and candidates. The election of Oscar Berger as the new president (2004-2007) was perceived as a vote of support for the democratic (albeit conservative) elites that had ruled the country over the past few decades.

More than seven years after the signing of the Peace Accords the implementation process has produced a substantial reduction in repression and a relative improvement in the human rights situation.[7] Political participation of all ideological tendencies is now guaranteed, rights of women and indigenous people are broadly recognised, and the general intention of civil society groups is to keep using the Accords as a guideline for a national agenda for reconciliation and poverty reduction. However, the Accords have not led to structural transformations within the inefficient state bureaucracy nor in a deeply divided society in which racism and exclusion of vulnerable groups is still dominant. Parallel security forces are still organised and ready to destabilise the country. The presence of the international community is therefore considered to be of crucial importance, in particular after the final withdrawal from Guatemala of the UN verification mission MINUGUA in 2004. The Dutch Governance programme will have to be judged against this highly fragile background.

[7] Although during the Portillo government (2000-2003) the total annual number of human rights violations increased again, in particular in 2002. See the report by GAM (2004).

4 DUTCH HUMAN RIGHTS AND GOVERNANCE POLICIES IN GUATEMALA

During the period examined for this evaluation (1997-2003), the Netherlands gradually increased its diplomatic presence in Guatemala and substantially enlarged its bilateral development co-operation. This chapter will examine the governance and human rights policies of the Dutch Embassy and how these were put into practice.

4.1 DIPLOMATIC ACTION FOR HUMAN RIGHTS

The promotion and defence of human rights is one of the central elements of Dutch foreign policy. Throughout the past 25 years the Netherlands has maintained that every democratic country has the responsibility to contribute to the strengthening of the international rule of law in which the social and spiritual development of all human beings is strongly promoted. The two global policy objectives are therefore (i) to establish international norms for human rights defence and (ii) to guarantee that these norms are being respected.

Following the signing of the 1996 Peace Accords, the Netherlands actively contributed to human rights defence in Guatemala in three different ways. First of all, bilateral dialogue between the Embassy and the government was maintained at several occasions, generally in relation to the implementation of development programmes. One of these programmes (which will be discussed later in more detail) was the establishment of the Land Registration office (*Catastro*), which was an important step towards dealing with the unequal land tenure in Guatemala. After tensions occurred between the Minister of Agriculture and the Director of the Land Registration about his mandate, the Embassy resolved the conflict via dialogue at the highest governmental level, eventually leading to the replacement of the Minister of Agriculture.

Secondly, the regular meetings of EU Heads of Mission (HOMs) provided a forum in which joint declarations were produced on human rights abuses. According to local observers, this EU forum was – next to MINUGUA – probably the most important channel for making political declarations on human rights. An important case critically followed by the EU was the prosecution of the suspects of the assassination of Bishop Gerardi, who was brutally killed in 1998 shortly after he had presented the Church-sponsored Truth Report (REMHI). The EU sharply condemned a deterioration of the human rights situation in the first semester of 2002, followed by high-level meetings with EU ministers (among them the Belgian minister Michel) and cabinet members of the Portillo administration. The EU was, however, not very strong in using development projects as an instrument for political pressure for human rights protection due to many internal differences.[8]

The third channel used by the Dutch Embassy to put pressure on the government was the Dialogue Group, a forum composed of representatives from the large donor countries and international institutions (such as World Bank and IADB).[9] This '*Grupo de dialogo*' was a by-product of donor co-ordination meetings after Hurricane Mitch (November 1998), but since Guatemala was barely affected by Mitch it soon became the key donor forum for the government as well as for civil society groups. The

[8] This frustration was reconfirmed during a group discussion with key officials from the Dutch Ministry, Den Haag, 9 January 2004.
[9] This included about 18 representatives of donor countries and institutions: only donors with an annual contribution to Guatemala larger than US$ 3 million were invited to participate in the Dialogue Group.

Dialogue Group was perceived by human rights groups as a forum of the international community that would listen to their opinions and would act accordingly, if necessary, towards the government. Some even viewed the Dialogue Group as a necessary 'parallel power' in Guatemala in order to counter the 'other parallel powers' dominated by military and drugs mafia related groups.

The main difference between the role of the EU Heads of Mission and that of the Dialogue Group was that the latter dealt more with longer term donor-related issues, whereas the EU Group tended to focus on current political themes which were discussed with governments and parliaments at home. Although overlap existed in the discussions and roles between the two groups, only a handful of countries were participants in both forums (apart from the Netherlands, also Sweden, Spain and Germany).

The role of the Dutch Embassy in defending human rights in Guatemala was generally highly valued by local human rights groups. The Dutch approach was characterised as 'very committed' and at the same time 'not confrontational but looking for consensus'.[10] At several occasions over the past few years Embassy staff had acted directly at the request of partner organisations that were seeking support or protection as a result of threats or harassments. Particularly highlighted was the diplomatic support given to the Forensic Anthropological Foundation (FAFG), whose office had been under attack by opponents several times. The Embassy staff was generally easy to approach, according to human rights groups, and their knowledge of the local context was praised.[11]

Critical assessments were only collected from some of the members of the Guatemala Platform in the Netherlands, who sometimes distrusted the position of the Embassy at international meetings.[12] This platform of Dutch NGOs often demanded a more radical position from the Netherlands on Guatemalan human rights issues. Especially in 2003 the Platform rallied for a more active and pronounced rejection by the Dutch government of Rios Montt's participation in the November elections. Despite these criticisms, the Platform also agreed that the Dutch Embassy generally had developed a productive and respectful working relationship with civil society groups in Guatemala, and that it had been helpful to actively involve representatives of the Platform in the preparation and in the sessions of the 2003 Consultative Group.[13]

4.2 GOVERNANCE AND HUMAN RIGHTS POLICIES

Dutch bilateral development assistance to Guatemala has been from a recent date, despite the existence of large Dutch programmes in the Central American region (especially Costa Rica and Nicaragua) with roots in the 1980s. A few smaller programmes in Guatemala were initiated by (and directed from) the Dutch Embassy

[10] According to representatives from various human rights groups, such as GAM, CALDH, Fundación Myrna Mack, and Alianza contra la Impunidad.
[11] Although this was also person-related and therefore temporary. Several observers commented to the evaluation team that the analytical capacity (on human rights and governance issues) at the level of both the Embassy and the Ministry had deteriorated seriously over the past few years. This was identified as a real problem and as a direct consequence of the decentralised structure introduced in the 1990s.
[12] The Guatemala Platform against Impunity is an alliance of half a dozen Dutch NGOs (Hivos, Novib, Solidaridad, ICCO, Cordaid, and the Guatemala Committee) advocating for social justice in Guatemala together with a dozen human rights' groups. The platform engages in lobbying national and international fora, promotes Dutch parliamentary delegations to visit Guatemala, organises public events in the Netherlands and has become the primary lobbying group on Guatemala in the Netherlands. Its main current theme is the implementation of the CICIACS commission to investigate parallel powers and paramilitary groups that obstruct democratic changes.
[13] The constant political lobbying of the Guatemala Platform in the Netherlands has, according to many observers, contributed to substantially raise the profile of the Guatemala human rights situation in the Netherlands, especially at the level of politicians and civil servants.

in Costa Rica in the early 1990s, mostly related to education and rural development. After the signing of the Peace Accords in December 1996 Dutch development assistance to Guatemala changed substantially. According to close observers, this was the product of a coincidence. The Netherlands had taken up the presidency of the European Union in January 1997, just when the first post-Peace Accords donor conference was convened in Brussels. The Dutch Prime Minister Wim Kok had been urged to make a gesture to the Guatemalan President Alvaro Arzú, and – advised by the Minister of Development Co-operation Jan Pronk – offered to double Dutch aid efforts as a contribution and an incentive to implement the new Peace Accords.

In practice, this implied an annual increase of US$ 7 million in 1996 to US$ 14 million in 1997, with a continuation over the four-year period that had been envisaged to implement the Accords (scheduled for late 2000). Most of this increase (US$ 4 million) was allocated to the re-integration process of ex-combatants, while US$ 2 million was to be channelled to MINUGUA and US$ 1 million to the Embassy-administered 'Governance Fund'. More capacity had to be created in Guatemala to put this enlarged programme into practice. Therefore, in September 1997 a new Embassy was opened in Guatemala and the staff was gradually increased, although only in 1999 were sufficient staff assigned to the Embassy to effectively implement all the new programmes.

During these initial years (1997-1998) the Dutch programme in Guatemala was characterised by a range of diverse projects (education, environment, rural development, economic development, human rights, etc.) without very much coherence, an explicit policy or structural co-ordination with other donors. Due to the limited capacity most projects were implemented by UN institutions such as MINUGUA and UNDP, and by civil society organisations via the small grants programme (the '*Kleine Ambassade Projecten"* – KAP). At the same time, the Dutch Embassy made an explicit commitment to the implementation of the Peace Accords, both in political as well as in terms of financial support, although direct support to the Guatemalan government was generally avoided.

During 1998 a first effort was made to restructure the programme and concentrate it around the three priority themes of that period: governance, primary education and rural development. For each of these new priority areas policy papers were being prepared. Although eventually none of these papers were officially endorsed, an analysis of the draft governance paper has been helpful to clarify the thrust of the Dutch programme on governance and human rights in Guatemala.[14] Three complementary fields were identified in the Guatemalan bilateral governance programme: (i) human rights, (ii) state reform and (iii) peace-building and reconciliation. These three fields more or less coincided with the general priority areas of the Dutch governance programme for development co-operation.[15]

(i) Human rights defence

In the field of human rights defence, the Dutch programme focused in the first place on the analysis of human rights violations during the civil war period. Therefore, via MINUGUA, substantial support was given to the Truth Commission (*Comisión de Esclarecimiento Histórico* – CEH), which presented its findings in 1999. One of the recommendations of this Commission was to facilitate the exhumations of the victims

[14] The policy paper is called '*Gobernabilidad en Guatemala'* and was drafted by Embassy staff in late 1998. There is no agreement among ministry officials whether this paper was endorsed as a formal policy paper or not. However, there is indeed a consensus that policy priorities (and hence policy papers) experienced a process of rethinking and reshuffling with the replacement of minister Pronk by his successor Herfkens after the 1998 elections.

[15] A general policy paper on governance ('goed bestuur') was still in preparation at the moment of evaluation. Delays in producing this policy paper had to do basically with changing policy priorities of subsequent ministers, according to officials at the Ministry (DGIS).

of the hundreds of illegal cemeteries scattered over the country. One of the organisations specialised in this work, the Forensic Anthropological Foundation of Guatemala (FAFG), was supported by the Dutch programme, first with a small grant and later with a large multi-annual programme grant.

A second area of human rights defence concerned women's rights, in particular support to activities to confront domestic ('interfamilial') violence against women or to counter discrimination of women. Only a few of these projects directly supported efforts at the level of the state, such as the National Women's Office (ONAM) which later became the Presidential Women's Secretariat (SEPREM) and the Women's Department (DEFEM) at the office of the national Human Rights Procurator (PDH). Most activities, were implemented by non-governmental organisations and aimed at directly supporting affected women and their organisations at local levels.

A third line of activities in terms of human rights promotion was the establishment of a Governance Fund, providing the Embassy with opportunities to give direct support to NGOs, civil society groups and even local governments in the area of human rights and governance. This fund replaced the previous fund for Small Embassy Activities (KAP), and became substantially larger (about US$ 0,75 million annually).

(ii) State reform

The second area of activities aimed to contribute to democratising the political system and to reforming the state, especially the judicial system. Even before the finalisation of the Peace Accords the Netherlands had already supported the offices of the so-called Peace Judges (*Jueces de Paz*) in the capital. Via a Trust Fund of MINUGUA several projects were supported to improve the quality and independence of the judicial system, including the national police and the penitentiary system.

Support was also given to develop legislation for a tax reform (*Pacto Fiscal*), as Guatemala's tax revenue (9 % of GDP) is among the lowest in the region. In addition, strategic support was provided to the establishment of a national Land Registration system (*Catastro*). For this Land Register the Netherlands financed one of the five pilot projects, and a larger follow-up project that will be discussed later in this report.

Other activities that were supported by the Dutch bilateral programme included a programme for decentralising government, a project to strengthen the National Electoral Tribunal (TSE), the central independent council for election monitoring, and a programme focusing on strengthening political parties. The last two activities were co-ordinated and implemented by the Organisation of American States (OAS).

(iii) Peace building and reconciliation

The main reason in early 1997 to increase the Dutch contribution to Guatemala by 100 % was to facilitate the implementation of the Peace Accords. Although many projects (if not all) were in one way or another related to the Accords, only a few of these directly dealt with their recommendations. Among these were, for example, extensive programmes dealing with demobilisation and re-integration of former combatants, programmes generally co-financed with the Nordic governments and implemented by UNDP.

Another UNDP-managed programme which provided a direct follow-up to the Accords, in this case the 'Indian identity agreement', tried to increase participation of indigenous organisations in the post-peace process. The Dutch contribution to this so-called 'Q'Anil B project' was significant, although (as will be argued later) not without dispute.

Within the framework of 'reconciliation' the Netherlands also gave support to the resettlement of the internally displaced people (partly via UNDP, but also through NGOs). In 2000 UNDP initiated a follow-up to these reconciliation programmes by starting up a dialogue about new civil-military relationships (with the research institute FLACSO), and by facilitating the demilitarisation of the very influential former Presidential Guard (EMP) into a civilian-led intelligence service.

Table 2 Dutch Governance programme: Classification by intermediary organisation

Channel	*Type*	*# of programmes*	*Dutch grants m EUR*	*%*	*%*
(Semi-) government	PDH	1	1,298	4,1	4,1
Multilateral	MINUGUA	1	2,500	7,8	70,5
	UNDP	8	19,097	59,9	
	OAS	1	0,970	3,0	
NGOs	Dutch	3	3,080	9,7	21,8
	Canadian	1	2,142	6,7	
	United States	1	0,261	0,8	
	Consortium	1	1,238	3,9	
	Local	1	0,151	0,5	
Direct	Dutch Embassy	(*)	1,155	3,6	3,6
TOTAL		**18**	**31,892**	**100**	**100**

(*) Refers to the Governance Fund, which was later transferred to the Canadian NGO CECI.
Source: calculations based on project documents (BEMO's) and annual plans

Of the 18 programmes, only one was handled directly by the Dutch Embassy (the Governance Fund, until 2002), while the majority of the programmes (70 %) was managed by three different multilateral organisations (OAS, MINUGUA and UNDP). Table 2 provides an overview of these intermediary organisations that served as the Embassy's partner organisations. The implementation was often delegated to other entities. Table 3 illustrates that almost 39 % of the Dutch programme was directed to governmental institutions, and that 29 % was implemented by non-governmental organisations. The Dutch NGOs only played a marginal role, both in the channelling of funds and in the implementation of the various elements of the governance programme.

Table 3 Dutch Governance programme: Classification by implementing organisation

Channel	*Type*	*# of programmes*	*Dutch grants m EUR*	*%*	*%*
(Semi-) government	PDH, SEPREM MAGA, CSJ	4	12,411	38,9	38,9
Multilateral	MINUGUA	1	2,500	7,8	28,4
	UNDP	3	5,587	17,6	
	OAS	1	0,970	3,0	
NGOs	Dutch	-	0	0	29,1
	Canadian	1	2,142	6,7	
	United States	-	0	0	
	Consortium	1	1,238	3,9	
	Local	7	5,889	18,5	
Direct	Dutch Embassy	(*)	1,155	3,6	3,6
TOTAL		**18**	**31,892**	**100**	**100**

(*) Refers to the Governance Fund, which was later transferred to the Canadian NGO CECI.
Source: calculations based on project documents (BEMO's) and annual plans.

4.3 POLICY ASSESSMENT

Let us first assess the consistency of the Dutch governance policy. Apart from the content and the results of the individual projects that were supported by the Dutch governance programme (which will be discussed in the following chapters), the policies encompassed within the governance and human rights programmes suggested a number of clear strategic lines, with the following (partly overlapping) characteristics:[16]

- An explicit commitment to the Peace Accords and to the implementation of their recommendations;
- A long-term vision on strengthening and democratising the state and civil society, with special attention to gender and indigenous peoples as cross-cutting themes;
- A mix of relatively 'safe' programmes (such as the Peace Judges) and relatively 'innovative and risky' programmes (such as Q'Anil B, National Land Register and FAFG);
- A diverse group of partner organisations for the implementation of the programmes: both UN agencies (UNDP, MINUGUA), OAS and a number of Northern NGOs (Canada, United States and the Netherlands), though with an emphasis on UNDP as the predominant intermediary organisation;
- No direct bilateral programmes with the Guatemalan government, but preferably through multilateral agencies in close co-ordination with the 'like-minded' (Nordic) donors;
- No prominent bilateral political profile (such as Sweden), but instead multilateral action (through the EU and the Dialogue Group) and occasionally 'silent diplomatic action' in favour of short-term human rights defence;

This approach was implemented from 1998 onwards by a new team in the Dutch Embassy In Guatemala City, taking over the steering role of the Dutch Embassy in San José (Costa Rica). Given the fact that so many new programmes had to be initiated and monitored, the delegation of management responsibilities to MINUGUA

[16] This analysis is based on annual plans of the Embassy (1998-2003) and interviews with (former) Embassy staff.

and UNDP was understandable (although later in this report the role of these multilateral organisations will be assessed rather critically). From a very low profile, the Netherlands gradually became one of the larger donors in Guatemala with an explicit strategic focus on supporting the peace process.

Apart from that, the Dutch governance programme strongly emphasised the importance of a gender focus in every project and programme. Even in programmes where this was less obvious (such as for example the Land Registration system) a gender focus was explicitly included. Another feature of the Dutch approach, becoming clearer during the period of the FRG-led government of Portillo (2000-2003), was the emphasis on stimulating depolarisation and consensus-building. All new projects initiated from 2000 onwards were directed at dialogue, reconciliation and building consensus. Examples are the OAS project on promoting democratic values within political parties, the dialogue about a new intelligence service and the support to the National Election Council TSE.

However, somewhere during the 1999 election campaign preceding the change of the Guatemalan government in January 2000, the Dutch governance programme was losing its momentum: virtually no new programmes in the field of governance and human rights were initiated. Policy-making on governance also was stagnating: apart from never reaching the stage of an official document, the 1998-99 Governance policy paper was not renewed or adjusted.[17] After 2000, the governance programme was (with the few small exceptions mentioned above) basically dealing with the implementation of previously approved activities of which the majority were being finalised in 2002-2003.

This loss of momentum was mainly caused by the changing political climate, which began with the dramatic rejection of the constitutional reforms in the referendum of May 1999. These reforms were necessary to validate the most important accords, such as the agreement on Indian Rights and Identity. The loss of the referendum was a key victory for the opposition party FRG, led by Rios Montt, and an important boost for its election campaign. The victory of FRG candidate Alfonso Portillo in the November 1999 elections, despite his insistence on a continuation of the peace process, was perceived as a concern by the Dutch Embassy. The smooth implementation of many Dutch-financed projects related to the Peace Accords had become insecure, and newly planned 'investments' were postponed.

In addition to these changes in the political context, several key staff members in the Embassy were replaced in the early 2000s as part of regular rotation procedures for diplomats. As a result, the team that had started off the governance programme in 1997 was dissolved, which, according to many observers, also affected the dynamism of the programme. Even in early 2004, the evaluation team received comments from partner organisations that the former team had been of an exceptional good quality.

But it was not only staff changes and/or a new political context. Another factor that probably caused a loss of dynamism in 1999 was the fact that substantial multi-annual commitments had been made already in 1997-98, leaving little room for newly designed and/or shorter term programmes. This was especially felt in 2001 and

[17] The evaluation team was provided with an initial draft of an adjusted policy paper, which had been elaborated apparently in 2002, but which was for some reason never completed. During a discussion on a draft of this report it was suggested by a DGIS official that the 1998 draft policy paper on governance in Guatemala had indeed been approved by the Ministry. But he admitted that it was not a policy paper in the true sense, but rather an overview of already existing practice.

onwards, when new resources had become scarce, exactly at a moment when these were required.[18]

From a perspective of policy innovation, the Dutch governance programme has not recovered from the loss of momentum in 1999/2000. Two simultaneous developments in 2003, at a moment that the Dutch programme seemed to regain force, triggered a further setback. One was of a political nature: the end of the Portillo government and the start of the election campaign generated renewed insecurity about the political setting in the post-election period. The other was that the Dutch budget allocations for Guatemala (and Latin America in general) were drastically cut in 2003. As a result, there was virtually no financial leeway for initiating new programmes. The evaluation process therefore coincided with a natural end of most of the governance programmes that had been started up after 1997. This package of approximately 18 programmes, all briefly introduced above and outlined in Table 1, is the focus of the assessment in the following pages.

4.4 CONCLUSIONS

The Dutch governance programme grew substantially in size after the signing of the 1996 Peace Accords, leading to a 100 % increase over a four-year period. The Netherlands, as a result, became one of the most dedicated supporters of the post-peace process, together with Spain, Germany, Sweden, Norway and Denmark. However, there was no clear policy on governance in Guatemala, other than choosing for three priority themes (human rights, state reform, and peace-building and reconciliation), a prominent role for the United Nations (UNDP and MINUGUA), and an active diplomatic role in co-ordination with other countries. The Dutch programme was dynamic and successful in its initial stage (1997-99) but lost its momentum afterwards, due to political developments, staff changes inside the Embassy and lack of resources due to multi-annual commitments. In addition, the programme lacked a proper policy formulation that was sensitive to a rapidly changing political context.

[18] This comment was conveyed to the evaluation team by the current staff of the Dutch Embassy in Guatemala City in a written reaction to a first draft of the final report (11 August 2004). This situation triggers the question about what to do with a recurrent dilemma: providing longer term security to partner organisations with multi-annual commitments (adding to a predictable programme), or focusing more on shorter term commitments, with more flexibility and less security.

5 POLICY COHERENCE AND OUTPUT

The core activity of this evaluation process consisted of an assessment of the coherence, efficiency, effectiveness and relevance of the selected programmes and projects, plus their relationship with diplomatic efforts to defend human rights and strengthen governance in Guatemala. This chapter presents a meta analysis of these projects and uses examples to illustrate the findings.

In presenting the findings, we (the evaluation team) had to tackle a dilemma. On the one hand, we were to provide an analysis of the entire Dutch governance programme, thus aggregating all the findings of the individual projects and programmes. On the other hand, we needed to disaggregate the Dutch programme by closely analysing each individual project, despite the fact that these projects would not get detailed attention in the final report (for which no sufficient space would be available). Therefore, the reporting method chosen by the team was to prioritise general and aggregated findings, and to include more detailed findings of individual projects in the next chapter on outcome and sustainability.

5.1 POLICY COHERENCE

The first evaluative question posed by the Terms of Reference was whether the projects and programmes supported have been consistent with Dutch governance and human rights policies. To assess this question, each programme element was separately analysed using a checklist of a dozen indicators (see Annex IV). These included, for example, the relationship with the Peace Accords, but also with governance, gender and human rights criteria. It also included more technical criteria, such as viability, sustainability, potential risks and complementarities with other programmes.

The key objectives of each programme can be compared with the characteristics of the Dutch governance policy, which were outlined earlier (Chapter 3). This information is summarised in Table 4. On the basis of these findings it can be concluded that out of the 18 programmes under the heading of the Dutch Governance programme at least 12 programmes, or two-thirds, directly focused on implementing the Peace Accords. Either because they coincided with the recommendations of the Accords dealing with the effects of the war (such as the Truth Commission Report, or the demobilisation and reintegration of former URNG combatants) or because they tackled substantial reform issues outlined in the Accords (land issues, reform of the judicial system) and tried to constructively follow these up. Of the six projects not directly related to the recommendations of the Accords, three aimed to strengthen political participation in general and three others aimed to increase participation of women. As such, these issues can be considered as indirect objectives of the peace process.

Table 4 Dutch Governance Programme in Guatemala: Consistency with human rights defence, state reform and peace process

Programme/activity	*Key objective*	*Relationship with Dutch policy*
(i) Human rights defence		
Defensoría de la mujer (DEFEM)	Strengthening defence and promotion of women's rights	Increasing women's participation and autonomy is priority of gender policy
Governance Fund	Strengthening citizen's participation	Improving governance and strengthening democratic participation
Truth Commission (CEH)	Analyse and document human rights abuses during the civil war	Implementation of Peace Accords
Anthropologic-forensic research (FAFG)	Contribute to processes of pacification, democratization and reconciliation via exhumations	Recommendation of CEH, which was a product of the Peace Accords
Prevention of violence against women (AMVA)	Reduce violence against (indigenous) women and reduction of domestic violence	Contribute to combat gender inequality
Rural women org – Political participation of women (PCS)	Strengthening women's organisations and their political participation	Increasing women's participation and autonomy is priority of gender policy
(ii) State reform		
MINUGUA Trust Fund	Human rights promotion, strengthening rule of law and independent justice and penal system	Implementation of Peace Accords
National Women's Institute (ONAM); Presidential Women Secretariat (SEPREM)	Contribute to gender equality via institutional support to consolidating and lobbying state organs on gender	Increasing women's participation and autonomy is priority of gender policy
Strengthening Judicial system (Jueces de Paz)	Improving access to the judicial system at the lowest level	Implementation of Peace Accords; contribution to 'good governance'
Democratization (CALDH)	Promoting democratic development and strengthening civil society	Improving governance and strengthening democratic participation
Land Registration Service (Catastro; Min of Agriculture)	Creating and consolidating a technical and legal framework to guarantee and promote legal land titles	Implementation of Peace Accords (resolve land issues); defend right to land access
Democratic values and political parties (OAS)	Strengthening system of political parties and its legitimacy	Improving governance and strengthening democratic participation
Electoral participation project (Kuchuj-Voz)	Influencing party programmes and citizen's participation in 1999 elections	Improving governance and strengthening democratic participation
(iii) Peace process and reconciliation		
Q'Anil B	Follow-up to the 'comisiones paritarias' and support government in formulation of intercultural policies	Implementation of Peace Accords; increasing political participation of *indigenas*
UNDP Trust Fund	Realising demobilisation and re-integration of ex-combatants	Implementation of Peace Accords
Democratic Security Policy	Developing policies for a democratic security apparatus	Implementation of Peace Accords; stimulate dialogue on security issues
Alternative methods for conflict resolution (ICCPG)	Contributing to reduce state and social violence by applying alternative conflict resolution methods	Promotion of dialogue and consensus
Programme for democratic participation (PPD)	Promoting dialogue between the state and civil society	Promotion of dialogue and consensus

Did these programmes aim to promote social justice, the rule of law and respect for human rights? According to the findings presented in Table 4 all programmes indeed effectively aimed to contribute to these goals. Moreover, all programmes contained explicit concerns for incorporating a gender focus. On the other hand, despite policy intentions to target the indigenous population, only a handful of programmes (such as Q'Anil B, AMVA, and several projects supported by the Governance Fund) effectively prioritised this 'indigenous component'. In that sense, the analysis of the main problem of Guatemala's lack of democratic governance (that is, the political exclusion of the indigenous population) was not really matched by developing or supporting concrete programmes to tackle this issue.

Another question addressed the level of programme coherence and complementarities with other (Dutch) donors. As was stated in the previous chapter, the design of the Dutch governance programme was focused on strategic issues, tried to target both national, regional and grassroots levels, made use of a variety of intermediary organisations and generally worked together with a number of other donors. In that sense, the programme was balanced and coherent; this was also confirmed by the majority of local observers interviewed. There was one main point of criticism: the Dutch failed to make a necessary programme adjustment after about three years (in early 2000), at a moment when political developments (the referendum and the new government) required such an adjustment. But as was stated in the previous chapter, the Embassy already had made longer term commitments and was therefore unable to reallocate its resources.

Complementarities existed on paper between a number of programmes, such as between the programme on alternative conflict resolution methods (ICCPG) and the Peace Judges, and between the Land Registration *(Catastro)* programme and the support to rural women organisations (PCS). A number of smaller projects supported by the Governance Fund also tried to give a complementary civil society component to some of the larger programmes. Whether and to what extent this worked out in practice will be discussed later.

The Netherlands worked together with a number of other donors on a regular basis. In particular Sweden, Norway and Denmark have been supporting similar programmes and some of these (such as the OAS programmes) required regular joint consultations. Collaboration with other major donors (Spain, Germany, United States) was (and still is) incidental or absent. Also in the framework of many collaborative programmes handled by UNDP, co-ordination with the Nordics was often a fixed ingredient. By supporting the same programmes, the level of complementarities often depended on the organisation implementing the project. An example is the office of the Human rights Ombudsman (PDH): the research area was supported by Denmark, the *indigena* area was financed by Sweden and the Netherlands supported the area focusing on women's rights. Although contact among donors on this programme was limited, the Ombudsman himself decided about grant allocation.[19]

Complementarities with programmes of the Dutch co-financing agencies (CFAs) were relatively scarce. In the 18 programmes reviewed only two had a clear complementary nature (CALDH and ICCPG) in which generally the CFAs took the lead in longer term institutional funding and the Embassy provided additional

[19] Complementarities are not necessarily leading to the most efficient or effective use of resources. For example, the Ombudsman decided that a remodelling of his office was a higher priority than expanding the women's programme. He asked the Dutch Embassy for permission to use part of the funds for the *Defensoría de la Mujer* (DEFEM) for this purpose, which was accepted by the Dutch in order to respect the ownership of the programme, and indirectly, hoping that donor grants would be used more complementarily.

resources for particular programmes. The absence of complementary funding with the CFAs in the rest of the governance programme is particularly striking in the case of the Governance Fund. A special meeting in March 2004 between the Dutch Embassy and the CFAs was convened to deal with the lack of collaboration and at least there seems to be the intention on both sides to improve the current situation of poor complementarities.

5.2 OUTPUT AND EFFICIENCY

Efficiency was defined in the Terms of Reference as the extent to which resources had been used in an economic way to generate a predefined output. For each programme the expected output and the 'real output' was documented. This is summarised in Table 5 and will be analysed below. The following research questions, derived from the Terms of Reference, will guide the analysis on output and efficiency:

- Have the programmes been implemented within the expected budget and time-frame?
- Were programmes clearly formulated, was output explicitly defined, were the objectives realistic, sufficiently tangible and activities logically following these objectives?
- Did a monitoring system exist to assess the implementation of activities and the realisation of the objectives; was gender getting attention in this monitoring system?
- Were evaluations used to adjust and improve the programmes?
- Which factors facilitated or obstructed the implementation of programmes?

The overview in Table 5 of expected and realised outputs indicates that the primary results of most projects were satisfactory over the entire range. Expected outputs were often a bit too optimistic, but in some cases realised output was even larger than what had been predicted. For example, FAFG, responsible for the exhumations of illegal cemeteries throughout the country, managed to complete more of these than had been planned initially. In other cases targets were nearly achieved or were hard to nail down as results had been process-related (such as the human rights work of CALDH or the support to women's groups by PCS).

Of the 18 projects under review, only in three cases (Programme for Democratic Participation, AMVA and DEFEM) was the output rather disappointing. In six cases output was less tangible or substantially less than had been expected. The remaining nine cases (half of the total) all sufficiently realised their expected output. Most of these projects had well-developed objectives and explicit expectations about possible outputs, although the majority used a logical framework analysis generating too many indicators. The project of the human rights organisation CALDH for example seemed to have very clear indicators based on this logical framework analysis, but these indicators with hindsight were so diverse that it was impossible to monitor these. While CALDH is praised for its important national role in human rights defence, its output is not only intangible but also hard to assess in qualitative terms.

Table 5 Dutch Governance Programme in Guatemala: Expected output and realised output

Programme/activity	Expected output	Realised output
(i) Human rights defence		
Defensoría de la mujer (DEFEM)	Training of 300 female 'trainers'; creation & consolidation of 8 regional Women's Ombudsmen offices	10 offices were created, but not yet consolidated, problems with getting qualified staff
Governance Fund	Strengthening of capacities in civil society; result-based management introduced in partner organisations	Positive results by partners, though methodology of CECI was generating frictions too
Truth Commission (CEH)	Clarity on past human rights violations, produce report with recommendations	Report with recommendations was produced
Anthropologic-forensic research (FAFG)	Realise over 100 exhumations in 3 years, produce legal evidence to Judicial system, improve mental health service provision	More exhumations than expected; high percentage of identified victims; mental health team less successful than was expected
Prevention of violence against women (AMVA)	Set up a system of legal workers in 8 languages, train 500 women, 180 men and complete strategic planning	Results less than expected: 36 women trained, no men; having introduced the topic at the local level
Rural women org - Political participation of women (PCS)	Women's groups trained, organised, permanent exchanges and lobby activities on land issues	Groups are active and lobby is ongoing, but very much a process approach in which direct output is blurry
(ii) State reform		
MINUGUA Trust Fund	Rule of law strengthened; improvements prison system; human rights promoted	In most cases very concrete output realised, such as Centre for Judicial Administration (Nebaj)
National Women's Institute (ONAM); Presidential Women's Secretariat (SEPREM)	Setting up SEPREM and implement its programmes and strategies	SEPREM was a step further than ONAM, but still rather weak; support by civil society is good and stimulating
Strengthening Judicial system (Jueces de Paz)	New offices for peace judges and mediators operating	Offices established in metropolitan area
Democratization (CALDH)	Application of justice, human rights defence, construction of peace culture	Difficult to judge process output
Catastro (Min of Agriculture)	Successful pilot study in San Jacinto; development of regional *Catastro* office for two departments	Partly realised, but Dutch support frozen due to lack of legal framework
Democratic values and political parties (OAS)	Stronger political parties, better management of parties	More co-ordination (Party Forum) but hardly any strengthening of parties
Electoral participation (Kuchuj-Voz)	Influence on electoral agenda; citizen's participation, establishing a coalition of civil society groups	4 parties signed 'citizen's proposal'; public forum organised; database of politicians elaborated
(iii) Peace process and reconciliation		
Q'Anil B	Civil servants have been trained in 'tema indigena'; 9 regional offices of COPMAGUA installed	Training courses not completed due to end project; COPMAGUA even established 13 offices, but collapsed soon after
UNDP Trust Fund	URNG combatants demobilised and process of reintegration started	Demobilisation completed, but reintegration still in process
Democratic Security Policy	Proposals for new national security policies; basic consensus between main stakeholders	Basic consensus was reached on a range of proposals after intensive sessions
Alternative methods for conflict resolution (ICCPG)	Judicial system has incorporated alternative conflict resolution methods	Alternative methods better known, but still long way to go
Programme for democratic participation (PPD)	Creation of national dialogue, permanent forum on sustainable development, network of CSOs	No concrete output related to original planning

This seems to be an important issue in evaluating human rights and governance programmes: monitoring and evaluation of this type of intangible output requires additional instruments and efforts, especially when it concerns the strengthening of processes. In general, monitoring of the larger programmes was insufficiently developed, especially with the programmes implemented by UNDP and MINUGUA. With the smaller programmes monitoring was often better (and also easier), but there seems to be a gap between the theory (making a list of indicators) and the practice of effectively using the monitoring system for quality assessment and improvements. Of all the projects reviewed, only a handful took monitoring seriously, making this evaluation effort often a rather time-consuming exercise (see Table 7).

Evaluation practice was generally much better organised. External evaluations of projects were in most cases initiated by the Dutch Embassy, or previously agreed with partners to be realised after the implementation of the project. Over 80 % of all projects under review had been evaluated, in the majority of cases by external (and often foreign) evaluators. The quality of these evaluations was mixed: we encountered some excellent evaluations (such as those of the MINUGUA-sponsored CAJ project, or of FAFG) with clear analyses and recommendations, but also evaluations that were rather descriptive and technical (such as the evaluation of the Governance Fund). Important to note is that lessons drawn from evaluations were carefully used to prepare follow-up projects. These evaluation reports were often better used by the Dutch Embassy (the donor) than by the organisations evaluated. Only in exceptional cases (notably PCS and FAFG) did we perceive explicit learning by partner organisations from external evaluation exercises.

Gender received particular attention in evaluation and monitoring activities. The Dutch Embassy had put strong emphasis on the incorporation of gender indicators in project planning, monitoring and reporting. An example of this effort was the incorporation of gender criteria in the development of the Land Registration system *(Catastro)*. When monitoring was not very well developed – such as in the Democratic Values project of the OAS, which aimed to strengthen political parties and their rooting in society – the attention to gender criteria was also not clearly worked out. However, overall the Dutch governance programme in Guatemala did have an explicit gender dimension which was considered by local observers to be one of its main strengths.

Factors that facilitated a satisfactory output were generally related to the quality of the organisation of the programme, the staff quality, whether there was attention for cultural dimensions (such as the use and command of Maya languages) and a coherent programme approach. Context factors were less important, although it appears that programmes directed at changing existing institutions and reforming the security apparatus realised better results before the FRG government of President Portillo came to power in early 2000, than during its rule until the end of 2003. The explanation can be that programmes require some sort of (in)direct political support from the government or the civil service in order to facilitate institutional changes. Coherent and focused objectives were also an important factor in achieving good results, as programmes with vague and abstract objectives generally did not perform very well.

Table 6 Dutch Governance Programme in Guatemala: Implementation quality

Programme/activity	*Implementation within time and budget*	*Clear, logical and realistic objectives*
(i) Human rights defence		
Defensoría de la mujer (DEFEM)	Problematic: 17 % of budget was used for other purposes (such as renovation of the office of the Ombudsman)	No clear strategy, objectives were vague, PDH is a very vertical organisation
Governance Fund	Due to strict criteria less spent than expected; monitoring very strict, also rather technocratic	CECI introduced the logical framework to make objectives more explicit and tangible
Truth Commission (CEH)	No, commission extended period and increased budget	Clear objectives, but critique that mandate of CEH had not been broader
Anthropologic-forensic research (FAFG)	Number of exhumations from 60 to almost 100 a year, though 75 is the target; finances always too short	Clear and unambiguous objectives; mental health care initially not well defined
Prevention of violence against women (AMVA)	Less activities realised for same budget; budget too high	Objectives were changed during implementation
Rural women org - Political participation of women (PCS)	Slow implementation process: two projects were merged. Budget was too high (extension necessary)	Objectives are clear but output is not tangible (empowerment of indigenous women)
(ii) State reform		
MINUGUA Trust Fund	In general implemented according to schedule and budget	Often too ambitious and optimistic
National Women's Institute (ONAM); Presidential Women Secretariat (SEPREM)	Majority was implemented according to scheduled plan and budget	Too many objectives
Strengthening Judicial system (Jueces de Paz)	Realised in time, but concerns about strict RNE policy on budget changes	Realistic and clear
Democratization (CALDH)	Many activities realised, but even more activities planned were not realised	Clear objectives but rather broad and diverse
Catastro (Min of Agriculture)	Yes within time, but budget was frozen before end of programme	Clear objectives, though some were too ambitious
Democratic values and political parties (OAS)	Many activities delayed or not implemented	Very strategic but also quite ambitious and sometimes unrealistic
Electoral participation (Kuchuj-Voz)	Time yes, but problems with budget allocations (too much donor driven)	Clear but very ambitious
(iii) Peace process and reconciliation		
Q'Anil B	Project was no completed due to crisis of COPMAGUA	Objectives clear but too many funding agencies involved
UNDP Trust Fund	Many delays during the implementation phase	Part on demobilisation was, but reintegration part too optimistic
Democratic Security Policy	Implemented within time and budget and realised by FLACSO	Realistic and clear objectives
Alternative methods for conflict resolution (ICCPG)	Within budget realised; long-term commitment from the Netherlands	Ambitious objectives that need to be pinned down to specific output
Programme for democratic participation (PPD)	Internal conflict impeded implementation	Objectives were changed during implementation

The factors that obstructed the proper implementation of programmes and thus reduced the potential output had to do with a lack of focus and dispersion of activities, the lack of command of Maya languages, internal tensions in the organisation and in the case of the Land Registration Service the lack of an approved legal framework in the form of legislation on land registration (see Table 6). In two cases (AMVA and Q'Anil B) too much funding was allocated by the Dutch Embassy to the programmes. This over-funding is remarkable, as both programmes were closely monitored by third organisations (respectively Hivos and UNDP). The evaluation team therefore concluded that the Embassy often had too much confidence in the capacities of third parties; in particular the poor monitoring and support role of UNDP was striking, especially since this was the largest partner organisation of the Netherlands in Guatemala.

The delegation of projects to UNDP had been a deliberate choice in the late 1990s, ensuring that the Dutch programme did not directly support the Guatemalan government, plus it had the advantage of being well-administered and monitored by an independent institution. The Embassy simply did not have the capacity to handle this directly. Moreover, by working with UNDP the collaboration with other donor agencies in this way would be better co-ordinated. However, in practice we found the role of UNDP rather disappointing. Monitoring was considered to be a formal requirement, reporting was not adequate, and at key moments UNDP refused to put pressure on the Guatemalan government. The clearest example is the *Catastro* (Land Registration) project, of which UNDP knew that several donors would withdraw if the necessary legislation was not going to be approved. Political pressure by high-level UNDP representatives was, however, not very efficient and as a result the legislation was delayed and several donors (among them the Netherlands) decided to end their support. (More details about this project will be analysed in Chapter 5).

Another critical remark about the role of the Dutch Embassy in relation to the efficiency of programme implementation was the delay of financial disbursements, in particular during 2002 and 2003. Many partner organisations complained about these delays, ranging from two to eight months, and the lack of explanations for them given by the Dutch Embassy staff. Asked why, the staff responded that delays in 2003 were caused by a combination of reduced staff capacity and a lack of financial reserves as a result of budget cuts. Other delays were apparently caused by differences of opinion regarding financial and narrative reporting. However, UNDP and other donors also observed that the Dutch were known for their tight criteria and bureaucratic procedures, for example providing very little flexibility when budgets were adjusted half-way during the implementation phase.[20]

At the same time, the Dutch were praised by partner organisations as well as by other donors and independent observers for being a "hands-off" donor, in other words, a donor that preferred to keep a certain distance to the implementing organisation and to avoid direct interference. This "respectful" and "non-colonial" attitude was recognised by the Embassy, but was actually explained by a lack of capacity, though in some cases (with programmes delegated to NGOs and multilateral organisations) also put forward as a deliberate strategy.

[20] Adjusting budgets and time schedules is a common practice in the world of development co-operation. The Dutch were accused of being too strict, which in turn caused the Embassy to deal with additional paper work. More flexibility and more autonomy on the part of the partner organisations would have been more adequate.

Table 7 Dutch Governance Programme in Guatemala: Monitoring and evaluation

Programme/activity	*Quality M & E*	*Key factors to obstruct implementation*
(i) Human rights defence		
Defensoría de la mujer (DEFEM)	Two external evaluations, but bad follow-up. Insufficient monitoring (problematic change of objectives)	Lack of qualified staff; lack of clear focus; language problems; bad co-ordination with other departments
Governance Fund	Monitoring improved by CECI; external evaluation recommended	Strict and technical demands are obstacle to quick and efficient disbursements
Truth Commission (CEH)	Good M & E, also thanks to involvement of many donors	Political resistance to the findings
Anthropologic-forensic research (FAFG)	Has improved, but staff is overworked and has little time for M&E. External evaluation was of good quality.	Very few staff speak Maya languages of the victims; external threats to staff and premises
Prevention of violence against women (AMVA)	Hivos did M & E rather well, though evaluation used wrong criteria	Internal tensions; Dutch allocation was too high in relation to project goals
Rural women org - Political participation of women (PCS)	M & E hampered by regular staff changes	Focus of programme not totally clear; budget too high
(ii) State reform		
MINUGUA Trust Fund	Problem often was lack of follow-up due to changes of Minugua staff	Resistance to change by institutions
Presidential Women Secretariat (SEPREM)	Good external evaluations, but doubtful if results were used	Male resistance to more political influence by women
Strengthening Judicial system (Jueces de Paz)	Poor monitoring, no evaluation	Lack of command of *indigena* languages by justice personnel
Democratization (CALDH)	Logical framework was made, but has too many indicators to be used for simple monitoring	Dispersion of activities, too much autonomy of various departments, low institutional strength
Land Registration Service (Catastro; Min of Agriculture)	Technical monitoring; no evaluation took place after freezing support	Lack of legal framework; ambiguous social communication strategy
Democratic values and political parties (OAS)	Evaluation Norway not well followed up	Election period; distrust in political parties and politicians
Electoral participation (Kuchuj-Voz)	It was planned, but not implemented	Political tensions and disagreements in pre-electoral period
(iii) Peace process and reconciliation		
Q'Anil B	Poor monitoring by UNDP; no ex-post evaluation	Internal crisis of COPMAGUA; over funding of project
UNDP Trust Fund	Modest monitoring but good final evaluation	Lack of funding and political will
Democratic Security Policy	Systematisation with lessons learned was produced	Follow-up trajectory (put policies in practice) will be key challenge
Alternative methods for conflict resolution (ICCPG)	Good monitoring of training courses	Weak social mobilisation; culture of judicial system is against change
Programme for democratic participation (PPD)	Poor monitoring, no evaluation	Too much trust of RNE in big names that formed the board of PPD

5.3 CONCLUSIONS

The Dutch governance programme in Guatemala has been consistent with overall policies aiming to respect human rights, strengthening the rule of law and promoting social justice. All programmes and projects directly or indirectly aimed to further the peace process, or at least to improve conditions for the implementation of the accords. Complementarities between the Dutch bilateral programme and the Dutch NGO-supported activities could have been better. We also reached the conclusion that the Embassy had put too much confidence in the implementation quality of UNDP.

The realised output of the programme was in general very satisfactory, if compared to its expected output. In only a few cases (3 out of 18) output was really disappointing. Monitoring and evaluation was, however, poorly organised. Despite the high number of externally evaluated projects (over 80 %), the quality of evaluations was not always sufficient and the impression is that the Dutch Embassy benefited more from the reports than the partner organisations. Gender criteria were generally explicitly present in evaluation and monitoring activities, and also in project design and implementation.

The performance of the Dutch Embassy as a donor was positively valued: the hands-off approach was very much appreciated, although this sometimes contrasted with rather bureaucratic procedures and serious delays in financial disbursements, especially in 2003.

6 OUTCOME AND SUSTAINABILITY

Effectiveness was defined as the extent to which the project output contributed to achieving the stated programme objectives. This so-called 'outcome' was assessed by looking at the way in which the immediate output of each project (as this was outlined in Chapter 4) was used. On the basis of this assessment we tried to aggregate the findings into a broader analysis of the effectiveness of the Dutch governance programme.

The following guiding questions were identified in the Terms of Reference:

- To what extent were ultimate project objectives realised? If so, how have these been realised? If not, why not?
- Did project objectives pay any attention to a gender perspective? To what extent have project objectives related to gender been realised?
- Did project objectives pay any attention to project sustainability? To what extent are we dealing with sustainable results?
- Which factors enabled or obstructed the realisation of programme objectives?

In order to discuss the effectiveness of projects and programmes, project partners were divided up into 'good performers', 'sufficient performers' and 'insufficient and bad performers'. (See Table 8 and 10 for more details). Each category is analysed below and commonalities are identified where possible.

6.1 GOOD PERFORMERS

Five out of the 18 projects (28 %) were classified as having been effective and 'good'. These five good performers were the Truth Commission Report, the alternative methods for conflict resolution (ICCPG) supported together with ICCO, the Democratic Security Policy project that was implemented by FLACSO Guatemala and the War-Torn Societies project (WSP), the *Catastro* project, and the exhumations programme implemented by FAFG. The common features of these programmes are that they were well-designed and that highly qualified staff had been a key to success. Apart from that, each project had a number of particular characteristics important for effectiveness that will be discussed in more detail below.

CEH: Truth Commission Report

The Truth Commission Report which was finalised in 1999 was a direct product of the Human Rights Agreement (1994), one of the Accords that was part of the peace process. The Commission (CEH) had a mandate to investigate human rights abuses during the period of armed conflict and to come up with recommendations to encourage peace and reconciliation. However, the mandate was restricted: the Commission had no permission to attribute responsibility of human rights violations to individuals, nor was any legal follow-up included. This 'historical clarification' process was broadly supported by the international donor community, including the Netherlands that contributed US$ 1 million to the Commission (10 % of the total budget). In its conclusions the CEH stated that over 200.000 people had been killed or disappeared as a result of political violence and that 83 % of these victims were Mayas. The report had a strong impact as it was now independently endorsed that a genocide had taken place in Guatemala in the early 1980s. The success of the report was due to the fact that it was prepared by a highly qualified and motivated staff who managed to process enormous amounts of data in a relatively short period. The recommendations of the report generated a detailed post-accords agenda for human rights, a follow-up process that is still being implemented.

ICCPG: Alternative Conflict Resolution Methods
The Institute for Comparative Penal Studies focused on reforming the judicial system through a change of mentality of its main officers (judges, prosecutors, police officers, etc.), and by incorporating civil society groups in countering a culture of violence. The effects of ICCPG's training courses and workshops were explicitly felt. Judges acknowledged that a prison sentence can contribute to more violence and crime, so alternative sentences were welcomed. Prosecutors were taught how to deal with mediation of conflicts, coming up with a solution that was acceptable to all parties and thereby preventing the 'losing party' feeling frustrated and neglected (which, in turn, often can become a new cause for social conflicts). We also witnessed how citizens involved in ICCPG's programme PRORED tried to convince us of the importance of solving small accidents, conflicts in a neighbourhood, quarrels, etc. with dialogue and to avoid confrontational methods. The effectiveness of ICCPG therefore lies in its gradual transformation of the judicial system – even if this is a slow process – and to point to alternative means to deal with the incredibly violent past and the no less violent present. Involving both civil servants and citizens in this programme was (and is) a key ingredient to guarantee a longer term impact.

FLACSO: Democratic Security Policy
This project encouraged dialogue between former guerrilla commanders and generals in order to develop a more democratic security policy in Guatemala. It has probably been one of the most innovative projects supported by the Dutch governance programme, both because of the target (a repressive intelligence system) and of the method (consensus building workshops). It consisted of research efforts to get the issues worked out on the table, followed by a range of workshops to generate a dialogue between high-level officials and former opponents in the period of conflict. The key objective was to realise a basic consensus about a future security policy, which was effectively achieved, although it took more time than was expected.

Proposals that came out of this process were used for follow-up activities, such as the transformation of the private presidential security unit EMP (in the past responsible for several coups d'état) into a civilian institution. The real effect of this project (and in particular the sustainability of its outcome) will have to be judged in the longer run. An important aspect was the non-participation of political parties in the dialogue process, a deliberate choice to avoid political polarisation. One of the main lessons learned was the need to involve more rural participants and representatives of the *indigena* population, and the importance of governmental endorsement for this type of crucial dialogue. UNDP and other institutions (such as OAS) have built on the outcome of this project, which is very well documented. A crucial factor in the success of the project was the thorough design and follow-up, plus the participation of a range of well-respected (and hence 'neutral') national intellectuals.

Table 8 Dutch Governance Programme in Guatemala: Effectiveness and sustainability

Programme/activity	*Effectiveness*	*Sustainability of outcome*
(i) Good performers		
Truth Commission (CEH)	Commission Report is considered as a key reference guide; many recommendations were implemented	High: recommendations such as need for finding the truth by exhuming victims were followed up
Alternative methods for conflict resolution (ICCPG)	Judges and official Public Ministry have become sensitive to alternative methods	Good prospects: justice staff is trained and will see effects in practice
Democratic Security Policy (FLACSO)	Consensus realised between key actors about new security policies and bodies	Meanwhile put into practice by setting up new democratic presidential guard and intelligence service
Land Registration Service (Catastro; Min of Agriculture)	Pilot project on land registration was influential for design in other regions	Training of local staff has already led to availability of specialised knowledge and equipment
Anthropologic-forensic research (FAFG)	Substantiate truth about massacres; providing relief to relatives	High: exhumations and re-funerals are a key to national reconciliation
(ii) Medium performers		
MINUGUA Trust Fund	Project effectiveness was regular, depending on project	Project visited by evaluation team (CAJ Nebaj) had sustainable results
National Women's Institute (ONAM); Presidential Women Secretariat (SEPREM)	Opened up new spaces for women at government level, but influence still is very limited	The existence of the secretariat is a guarantee that the lobbying work for women will continue (but difficult)
Strengthening Judicial system (Jueces de Paz)	Mediation practice starts to become integrated into local judicial system	High: practice will show the usefulness
Democratic values and political parties (OAS)	Alliance of political parties (Forum) forged consensus on minimal agenda	Unsustainable, as it is very much dependent on the political climate
Rural women org - Political participation of women (PCS)	Women's groups working together to campaign on land issues; co-owner-ship of land in 15 % of communities	Low: alliance-building is a tool; results will be achieved on longer term (process)
UNDP Trust Fund	Demobilisation of ex-guerrillas completed, reintegration only partly	So far demobilisation has been very successful; reintegration is slower process
Democratization (CALDH)	HR are kept high on national agenda, though not possible to make this tangible	Not possible to assess
(iii) Insufficient performers		
Q'Anil B	Little, although issue of 'inter-culturalidad' put on the political agenda	COPMAGUA was dismantled, so no sustainable result
Defensoría de la mujer (DEFEM)	Central goal to strengthen DEFEM was not achieved: still weak institution	Results of DEFEM nor the institution are sustainable
Governance Fund	Many projects supported had good outcomes, but the performance of the Fund itself was problematic	Depends on the project, but on average projects had sustainable outcomes
Electoral participation project (Kuchuj-Voz)	Output not very clear, nor is outcome	No results that will be sustainable
Prevention of violence against women (AMVA)	Little effects: programme too small and marginally executed	No concrete output means no outcome
Programme for democratic participation (PPD)	Very meagre output and no attributable effects	No results that will be sustainable

Catastro: National Land Registration System
The development of a national land registration system has been, in financial terms, at the core of the Dutch governance programme. As was explained earlier, this was by far the largest Dutch programme in Guatemala in financial terms (8,5 million Euro). After a successful pilot project in two municipalities the programme continued in a number of other municipalities in the Zacapa and Chiquimula provinces despite the fact that the necessary legislation had not yet been approved by the national parliament. By implementing this second stage prior to parliamentary approval of the Law on the Land Registration, the Embassy took a major risk, leading eventually to the dramatic decision to freeze all funding (in June 2003).

Apart from this problematic issue, in terms of effectiveness the *Catastro* programme scored very well. The activities related to the Land Registration Service supported by the Dutch were generally considered to be of a higher quality than those of other donors. Moreover, the technical and methodological assistance offered by the Dutch was also used in other regions. The pilot projects (in Huité and Cunén) have shown that the initial distrust of the population disappeared as soon as they saw the importance of an independent land registration system and realised it was more than simply a method to collect additional taxes. A major achievement of this programme is that it takes a first step towards tackling one of the central problems that triggered the civil war, that is, the unequal distribution of land. The Dutch-supported pilots in the Zacapa region, plus similar efforts by other donors elsewhere have shown that these experimental land registration projects are beneficial for all actors involved.

Initially we believed that the large Dutch investment in the Land Registration System had been lost due to the non-approval of the necessary legislation. However, field visits convinced us that this was indeed a good investment, although the process of social acceptance might take a lot longer than was foreseen. With hindsight, more should have been invested in the social part of the programme (especially in communication), at the cost of the technical elements. A gender focus was explicitly incorporated in the registration system (co-ownership of land by men and women), but this entails only a small achievement given the large political and legal problems that still need to be solved in the years to come.

FAFG: Exhumations of War Victims and Mental Health to Relatives
The exhumation of illegal war cemeteries in order to bring relief to the relatives and to collect concrete evidence on the hundreds of massacres (which certain layers of Guatemalan society still claim did not happen) was one of the recommendations of the Truth Commission Report (CEH), published in 1999. The Guatemalan Foundation for Anthropological Forensic Research (FAFG) was initially supported by a small grant from the Governance Fund. When it applied later for a follow-up grant, the Embassy suggested that a larger financial contribution was more appropriate and transformed the proposal into a larger multi-annual programme administered by UNDP with the participation of a range of human rights groups representing the interests of the relatives of the victims.

In quantitative terms, the programme run by FAFG was both efficient and effective: more exhumations a year were realised (up to the current maximum of 65 a year), and due to better organised laboratory work one out of every two exhumed victim had been identified. This last element was of course very important for the families of the victims. As a result of FAFG's activities, more people overcame their fear to speak out about massacres, resulting in the identification of even more illegal cemeteries. The estimated total number of war victims has already been increased due to the work of FAFG and some other foundations. The most important effect was, however, that families and relatives were given the opportunity to give the victims a decent

funeral, which is a prerequisite for initiating the process of mourning and reconciliation. So far no one has been found guilty or was convicted as a consequence of the exhumations, but it is believed this will happen in the near future.

The enormous dedication of the FAFG staff was and is the driving force of this project, which is reinforced by the support of human rights and widows groups that help to find the remains of loved ones and assist in the careful documentation of historical circumstances of the human rights violations. With its support to these groups and organisations, the FAFG programme covers all aspects of the exhumation process: the organisation of communities, legal support, mental health provision, as well as the anthropological-forensic element.

It was remarkable that out of these five 'good performing' projects supported by the Netherlands only one had an explicit gender focus in its design (*Catastro*), which in practice even worked out relatively weak. However, the sustainability of the results achieved with all these projects was very high, as will be analysed in section 5.4. A common element is the high dedication of project staff in all these five programmes combined with high technical capacities and a more than average co-ordination with other organisations involved in the project.

6.2 SUFFICIENT PERFORMERS

Next to these 'good performers', the evaluation team classified seven partner projects or programmes (39 % of the total) and their implementing organisations as 'sufficient performers', without suggesting that these projects were very effective nor mediocre or ineffective. In every project we found a number of reasons that inhibited an exceptional result, despite the fact that all these projects had some strong characteristics. For this evaluation it was in particular relevant to look at the various features of each project, why it made them particularly effective or not, how sustainable the results were (see also 5.4) and how the gender focus was integrated into the project.

MINUGUA and UNDP Trust Funds

In two cases (MINUGUA and UNDP) the projects supported were part of larger programmes financed via Trust Funds. MINUGUA established a trust fund in the mid-1990s to finance a number of projects related to the reform of the judicial system, the prison system, and the reform of the national police. Another Trust Fund supported by the Dutch was managed by UNDP, mainly aimed at implementing programmes directly related to the recommendations of the Peace Accords.

The UNDP Trust Fund programmes financed by the Dutch Embassy focused on the demobilisation and reintegration of ex-guerrillas of the URNG. These complex programmes in which over a hundred organisations were involved were generally realised according to the initial planning. The most delicate part was of course the demobilisation of the URNG and the repatriation of its leaders, and later its transformation into a political party. The projects oriented at the reintegration of ex-guerrillas (education, housing, economic activities, etc.) were more problematic and did not sufficiently deal with the problems that had been identified. An evaluation of all these projects stated that the economic reintegration part was particularly ill-designed and not well implemented. But overall, the UNDP support had been a key contribution to the furthering and consolidation of the peace process. UNDP was explicitly praised for performing a central role in negotiating the conditions for the demobilisation and reintegration process and by being a flexible facilitator in the

various conflictive moments that occurred during the implementation process.

The MINUGUA Trust Fund programmes were of a different nature, though indirectly strongly related to the follow-up of the peace process, in particular to the improvement of the judicial system. Examples of projects are the integrated Justice Administration Centres, the School for Legal Studies and the transformation of the Penitentiary System. The evaluation team visited one of these projects many years after completion (the CAJ in Nebaj) and was quite impressed with what had been achieved, despite all the difficult conditions in the Ixíl region which had suffered the most from military repression. An external evaluation of these MINUGUA-managed projects concluded in 2000 that most of these projects had not been very well implemented by MINUGUA. Especially monitoring and follow-up was weakly organised and considerable tensions were generated between MINUGUA and the national partner organisations. The most serious criticism was that MINUGUA lacked a clear strategy to transfer or build up local capacities, which was actually at the core of all these projects. In other words, MINUGUA was not considered to be the right organisation to manage and implement this type of institution-building project. The outcome of the projects was on balance positive, but often was considered positive (by the evaluation team of 2000) 'despite' the role of MINUGUA, rather than 'due' to its efforts.

SEPREM: Presidential Women's Secretariat
This project was initially started with the aim to set up a national women's institute, together with Canada and Sweden, to promote women's rights at a national level. With changing governments the objective was adjusted and upgraded, when a special secretariat of the presidency for women's issues was established. The project aimed to consolidate this institution and to stimulate active collaboration from women's organisations. An evaluation in late 2003 concluded that the secretariat was recognised by most civil society groups (although not by all) as an important intermediary platform which had a significant impact on government policies, and in particular to get specific legislation approved.

Simultaneously, the secretariat also encountered resistance from several government institutions and ministries, which made clear that consciousness-raising and training of civil servants on gender issues continued to be necessary. The effectiveness of SEPREM over the longer run was not easy to assess, but perceived as potentially positive by the evaluators. The conclusion was that SEPREM still needs more institutional strengthening and acceptance within the state apparatus before it really can become an effective part of it with a certain degree of autonomy.

Rural women's organisations and political participation (PCS)
The project focused on strengthening rural women's organisations, especially of those aimed at women who had returned from refugee camps or had been internally displaced. Accompanied by the Project Counselling Service (PCS) – an international donor consortium specialised in supporting the reintegration of former refugees and the internally displaced – the women's organisations were strengthened, received training and worked together in campaigns and lobby activities related to land issues. Most of the former refugee and internally displaced groups returned to collective land that was later split up into small parcels. The main result of the lobbying work by the women's organisations has been that co-ownership of land (by husband and wife) for which they had been struggling for years was gradually being accepted. In eight of the 60 communities where the women were organised, this co-ownership had been introduced.

Other achievements of the project were less tangible and were more process-

oriented (empowerment, training, etc.), and the effectiveness is likewise not explicitly assessable. One of the obstacles in the project has been the constant changes of staff (from PCS as well as from the Embassy), which was not very helpful for a project that was ill-defined and rather fragile. For a pilot project it could have been better monitored and evaluated in an earlier stage. An additional problem was that the budget was too high, leading to forced project continuation and doubts about financial sustainability. However, these types of projects with vulnerable groups (*indigena* women) that are barely organised, but still highly motivated, showed that the Dutch Embassy was innovative and ready to take risks in an important but thus far neglected human rights area.

Strengthening democratic values of political parties (OAS)
Guatemala has one of the weakest and least established political party systems: only one party (the Christian Democrats) can build on more than a decade of institutional existence. The OAS-initiated programme to strengthen democratic values, political leadership and socio-political acceptance of political parties was therefore a strategic move to further governance in Guatemala. The first two years of the programme achieved more co-ordination between all political parties (Political Party Forum) and their commitment to respect and implement the Peace Accords. However, the effects of training programmes for new leaders and a new type of party culture are not yet visible. Several elements of the programme (especially those aimed at involving women and *indigenas* – priority areas for external donors) were insufficiently implemented.

The election campaign of 2003 increased competition and polarisation between the political parties (especially against the ruling party FRG) and almost made all previous achievements of the programme redundant. Collaboration with another Dutch-funded programme (which was co-ordinated by the Dutch Institute for Multiparty Democracy – IMD, a specialised NGO linked to the Dutch political parties – and implemented jointly with UNDP) was encouraged by the Dutch Embassy and led to the development of a joint national agenda, in which the Peace Accords figure as guiding principles. Due to budget cuts, the Dutch contribution was discontinued in early 2004, although the programme continues and will likely generate better results in the post-electoral period. Dutch support for the political party system in Guatemala from 2004 onwards will be entirely handled by the Institute for Multiparty Democracy (IMD).

Peace judges: Strengthening the judicial system
The Peace Judges project was one of the many projects supported by the international community to strengthen Guatemala's judicial system. According to human rights activist Helen Mack, too much funding to improve the judicial system has been spent on projects that did not improve the staff quality. Mack believes the quality of the judges at the lowest level is insufficient and that the Peace Judges project was too much focused on infrastructure, which is not the real problem. The training programme that was part of this project was positively valued. However, the results were never properly evaluated. At a visit to one of the offices of the Dutch-funded Peace Judges in Guatemala City it appeared that the mediation unit (a fundamental part of the project) had been closed down, due to a lack of funding. This illustrates the sustainability problem of this type of project.

CALDH: Human rights and democratization
The Dutch support to one of the key human rights organisations in Guatemala was meant to provide CALDH with some additional international protection when they were threatened by the state or by 'irregular forces'. The programme was co-ordinated with (and co-funded by) Hivos and initially supported for three years. A

follow-up period of four years was planned, however, at the very last moment budget cuts in 2003 obliged the Embassy to reduce this period to one year with a possible follow-up, though this was effectively ruled out in early 2004. The assessment of the effectiveness of the programme is not easy, due to its broad areas of activity and the virtual absence of a monitoring system of its results. The evaluation team did however assess the local governance programme in Sololá and part of the support to *indigena* organisations in the Quiché region.

In general, we were rather disappointed by the fact that very few recommendations of the 2003 general evaluation of CALDH had been implemented. Many of the critical points identified in the evaluation report (fragmentation, weak institutional leadership, lack of overall strategy, high level of activism, etc.) were still valid, which probably impact on the effectiveness of the organisation. In legal and political aspects, CALDH was seen as very effective and strategically important due to its support to the (only) two legal cases on genocide in Guatemala. However, in organisational terms CALDH still needs to improve its performance, which is not an easy task. A complicating factor here was the transfer of its co-ordinator Frank LaRue to the new government, who appointed him in early 2004 as the director of the presidential Human Rights Commission. This change of leadership could be the starting point for a beneficial internal reorganisation.

6.3 INSUFFICIENT AND BAD PERFORMERS

In our assessment of six projects or programmes that were part of the Dutch governance programme (one third of the total number of projects under review) we concluded that the outcome was 'insufficient' and even 'disappointing'. We should emphasise, however, that we have not found any case in which funding was abused or misused, or cases in which the Embassy has made grossly wrong judgements or other major errors. The lack of outcome generally was caused by a number of factors that will be analysed at the end of the chapter. Each project will be looked at in more detail below.

Project Q'Anil B: Support to the indigena alliance COPMAGUA
On paper the Q'Anil B project (the Maya word for 'reflection') was a key initiative to introduce a multicultural approach into national policy-making.[21] The dialogue between the government and COPMAGUA, the alliance of a broad range of *indigena* organisations, had been a direct follow-up to the peace negotiations and to the discussion in the working groups *(comisiones paritarias),* which worked out the agreements into concrete proposals on a range of policy issues. Apart from that, the project also was directed at raising consciousness among civil servants on multicultural approaches: after all, these civil servants would have to implement many of the reforms agreed in these commissions. According to an informed observer, the additional Dutch co-financing to the COPMAGUA part of the project was also warmly supported by the government as it considered the expanding infrastructure of COPMAGUA as a useful instrument to canvass support for the vote in the May 1999 referendum on the constitutional changes necessary to implement the Peace Accords.

After the referendum was unexpectedly lost by the government, tensions inside

[21] The Q'Anil B project was part of a broader programme. It was a follow-up to the Q'Anil A project, which had been a forum of discussion preceding the Peace Accords, and which performed a facilitating role in the background to design the Accord on Indian Rights and Identity. After the Q'Anil B a follow-up named Q'Anil C had also been planned, which had an even wider reach to put the Accords into practice, but due to the pre-emptive ending of Q'Anil B this element was never started.

COPMAGUA escalated and within a year this key co-ordinating body for *indigena* issues collapsed. Many argue that the various conflicting tendencies of the URNG played a major role here, in addition to the fact that COPMAGUA pushed the limits too far on many proposals, which gave opponents to *indigena* rights (and in particular the agreement on Indian identity) arguments to rally against the referendum proposal. Some even suggest that the exaggerated funding from the Netherlands (half a million US dollar) in fact 'destroyed' COPMAGUA. However, this assumption was rather speculative and could not be sustained by any evidence.

According to the former co-ordinator of the project appointed by the governmental planning office SEGEPLAN, the project generated many valuable lessons for donors, despite its pre-emptive ending. Moreover, part of the funding was returned to the Dutch Embassy, to prevent that this would be used by political parties (FRG and URNG) for their electoral campaigns. An important lesson was that donors wanted to see too quickly results from this project, which was simply not possible. The donors, for their part, were rather bitter about the (lack of) outcome of the project, although the project co-ordinators considered the high-level dialogue between Indian leaders and the government as a crucial achievement. This had generated for example the Municipal Code, but it gave also new opportunities for participation by a new generation of Indian leaders due to their participation in hundreds of workshops. Others were less positive about the outcome of the Q'Anil B project and saw the role of UNDP as problematic and irresponsible: it should have been aware that large funding to COPMAGUA would have been lethal, but it failed to monitor this sufficiently.

On balance, the outcome (in terms of effectiveness) of the Q'Anil B project can hardly be judged as positive: despite its good intentions and the fact that the issue of '*interculturalidad*' (multiculturalism) remains very relevant and original, the negative effects seem to dominate. After all, the disappointment of a failed dialogue with the government was enormous after the high expectations which were generated by the Peace Accords. The unfavourable political context of 1999-2000, with an unexpected change of government after the elections, was another factor that can explain the failure of this project. The new FRG government had a very different opinion on the type of dialogue it preferred to have with the indigenous population. The remarkable feature of this project was, however, that those who accepted that the project was a failure also confirmed that they would have done the same project again if it was proposed to them again today. In order words, the thrust of Q'Anil B remained valid.

National Ombudsman: Special defence for women's rights

The Dutch support to DEFEM (Defensaría de la Mujer), which is part of the office of the National Human Rights' Ombudsman (PDH), was generally highly valued by other donors, women's organisations and human rights' groups. However, as was outlined in the previous section, the output of the DEFEM has not been very tangible, which automatically made it hard to assess its outcome. The 2003 external evaluation of DEFEM suggested that its biggest success had been the empowerment of women at the local level, especially of *indigena* women, by providing workshops on human rights and methods on how to proceed legally in denouncing violations of human rights. However, the main objectives of DEFEM were different, that is, to set up local offices of DEFEM in order to better defend women and their rights. Instead, most of the project was reoriented towards assisting victims of human rights violations, men and women, thereby reducing the budget for what was intended to strengthen the local offices of DEFEM and to contribute to its sustainability. These objectives were not realised at all.

Our conclusion was therefore that the results of DEFEM have been insufficient and

that the Dutch Embassy did not give proper attention to the many changes that were going on inside the Ombudsman's office. The intention to give a financial commitment to PDH-DEFEM until 2005 was well-intended, but not very helpful to strengthen the position of DEFEM. After all, many activities were not realised (such as a separate Report on Women's Rights, or strengthening the psychological unit) and key staff was dismissed or left, leading to a lack of continuity in the implementation of DEFEM's programme. Moreover, labour rights of the local co-ordinators were not respected – according to the recent evaluation, which criticised the absence of labour contracts – which was harmful for the image of the Ombudsman in general.

Monitoring by the Dutch Embassy could have been better, also in co-ordination with the other donors supporting the Ombudsman. The Embassy could have prevented internal adjustments of programmes and budgets of DEFEM weakening the institution rather than strengthening it as it was proposed in the central programme objective. The well-intended idea to provide budget security for five years, possibly contributing to institutional sustainability, was with hindsight also not a good decision. The central problem of PDH was its vertical structure, leading to a combination of an enormous bureaucracy and an undemocratic governance structure, without a clear strategic vision, with very little output and barely any effect. The Dutch Embassy should have been able to detect this weakness sooner than only at the end of the programme.

Governance Fund: The transfer from the Dutch Embassy to CECI

The fund for small governance projects was established in the mid-1990s and was handled by the Dutch Embassy from 1996 to 2001. After having been evaluated positively (in 2000), a recommendation of the evaluators was followed up to delegate the implementation and administration of the fund to an independent entity outside the Embassy. The administrative burden for managing the fund simply had become too much. In addition, this external organisation would also provide training to partner organisations in project management and administration, which would generate a more sustainable output. After identifying several organisations, the Canadian private aid agency CECI was eventually selected by the Embassy to take over the management of the Governance Fund, among other reasons because it had gathered experience with a similar fund from the Canadian government. A committee of CECI staff and (a majority of) Embassy staff was to decide about funding allocations.

After being operational for about 18 months, it appeared that some recipients were not satisfied with the new procedures implemented by CECI. The evaluation team therefore assessed the quality of the new decision-making and support structure of the Governance Fund. The assessment made clear that several partner organisations were very concerned about the technocratic approach of CECI, which mainly looked at the quality of monitoring and reporting and very little at the content of the projects. The strict rules defined and applied by CECI (we spoke to an organisation which was obliged to hand in monthly working plans!) seemed to be contrary to the flexible and hands-off philosophy of the Fund. The Embassy staff was, due to work pressures, unable to properly accompany CECI and to bring the programme into tune with newly developed policy criteria, leading to a virtual paralysis of the Fund in early 2004, the moment of this evaluation.

Moreover, the Embassy had not overseen well enough the consequences of its decision to delegate the Fund to CECI. An example was the fate of the former project officer who administered the Fund at the Embassy. She was told that her employment contract would be continued by CECI; however, within a year she was

dismissed with questionable arguments by the director of CECI. Several partner organisations communicated to us that her departure negatively affected the positive image of the Fund in Guatemala. Some even believed that the Dutch Fund had been discontinued and that the Fund now had become entirely financed by the Canadian government.

These developments with the Governance Fund were unfortunate, especially since the Fund represented one of the few flexible mechanisms available to the Embassy to support civil society initiatives in the area of (local) governance and to complement larger bilateral programmes. Several partners of the Embassy had previous experiences as recipients of small grants via the Fund. The Embassy was therefore strongly advised by the evaluation team to critically review and evaluate the new procedures and to assess whether the delegation of the Fund to a third organisation had after all been a wise decision. This recommendation was triggered by our conclusion that the delegation to CECI had not been beneficial for the historically good image of the Fund, plus it did not seem to deal very tactfully with some important partners of the Embassy. The number of activities supported via the Fund had decreased substantially after it was delegated to CECI: less projects were approved and less funding was allocated, leading to insufficient programme performance.

AMVA: Prevention of domestic violence

The purpose of this project was to train *indigena* women as legal advisors ('*animadores legales*') in their own Maya language, in addition to a training programme for women to make them conscious of their rights related to domestic violence. The ultimate objective was to reduce violence against *indigena* women, which has become a growing concern in Guatemala. The project approach (especially the development of a training methodology for indigena women) was innovative, and the Embassy intended to realise synergies with this project and with two other Embassy-supported programmes (DEFEM and SEPREM). Hivos was asked to accompany the women's association *Vamos Mujer* (AMVA) to implement the programme. However, internal tensions within the association – caused by a leadership crisis – led to a total paralysis of the programme. As a consequence, Hivos decided to provide additional 'hands-on' institutional strengthening, which was not appreciated by AMVA, leading to additional tensions that were never entirely resolved. The project output was limited to the production of a training methodology manual and a number of workshops. The effects of these activities on the reduction of domestic violence can be questioned. The lessons from this programme are that it was too large (in terms of budget) for this particular NGO, that the Embassy should have been more careful in approving this donation and that better monitoring and appropriate action probably could have prevented the failure of the project.

Kuchuj Voz: Citizen's participation in the 1999 elections

This project aimed to influence the agendas of the political parties during the 1999 pre-electoral period and to guarantee that the central issues of the Peace Accords would be taken into account. After all, the 1999 referendum had put these achievements at risk. Another objective was to increase citizen's participation in the elections and in particular to strengthen a coalition of NGOs that were involved in the peace negotiations. The project was initiated by a US NGO (CAII) that handled the USAID funds to promote civil society advocacy activities. Although part of the output was realised (workshops, database, organisation of observers) it was only partly attributable to the efforts of *Kuchuj Voz*. In addition, increasing internal tensions between the members of the coalition limited the outcome of the activities. An obstacle to success was that the coalition was initiated by an external agency (in this case USAID) and not fully endorsed by Guatemalan civil society groups. The main

lesson from this project was that it entailed political risks which should have been detected earlier by the Embassy. A Dutch non-governmental aid agency would have been better placed to implement and accompany this project, rather than the Embassy delegating this to a US NGO with which it had little experience nor any leverage.

PPD: Promotion of a Permanent Dialogue on Human Governance
Some of the programmes we reviewed appeared to be brilliant, at least on paper. This programme of an organisation called 'permanent programme for dialogue promotion to achieve human governance in Guatemala' (PPD) was launched by a group of well-known public figures in the democracy debate, among them the vice-minister of Foreign Affairs Gabriel Aguilera. The programme focused on promoting a dialogue between civil society and the state on key issues such as governance, multiculturalism, and human development, and to initiate regular studies and monitoring of the causes and effects of the conflict situation in Guatemala.

The problem with the programme was that it was not managed by an established and experienced organisation, so it had to be delegated partly to a (legally registered) third organisation, in this case the Rafael Landívar University. However, this university expressed several objections to the quality of the research output generated by PPD. Moreover, it perceived competition with its own research programmes and decided to pull out of the project half way. PPD for its part managed to do a preliminary study on local governance, but was not able to implement the ambitious goal of setting up a dialogue programme. The changing political circumstances also affected the initial project goals, as the increased polarisation during the FRG government (2000-2003) generated several new dialogue programmes. PPD maintained it had been successful, but as evaluators we were not convinced that the realised output (a study on dialogue methods) led to the expected outcome (national dialogue). It rather seemed to duplicate efforts by other networks that had been doing the same thing in a more efficient way. The lesson that can be learnt here is that PPD as a 'starter' probably would have benefited from the more intensive accompaniment that could have been provided by one of the Dutch CFAs, rather than by the Dutch Embassy.

6.4 SUSTAINABILITY OF OUTCOME

For each project it was assessed whether the achieved outcome was sustainable. Sustainability had been an important criteria in the approval procedure of all projects, so it would have been expected that this was monitored and at least taken into account in evaluation processes. We were positively surprised that sustainability indeed figured as an evaluation criteria in virtually all the evaluation studies reviewed. Table 8 provides a summary of these findings.

What can be learned from this overview is that about half of the projects and programmes showed sustainable results. In one-third of all cases we concluded that sustainability was very good. Factors that determined good sustainability are for example the extent to which a project had autonomy towards ministries or towards political parties. For example, the Democratic Security Policy project was shielded from political influence, making the outcome of this dialogue a lot more sustainable. Another element was the extent to which progress had been made in the implementation of the Peace Accords: programmes that were closely related to the Accords were more embedded in a national process of reconciliation and depolarisation (examples were CEH, FAFG and UNDP Trust Fund).

In half of the projects we found the results were not (or less) sustainable, which often coincided with those projects that were also classified among the 'insufficient and bad performers'. This is in a sense obvious: if little output is generated, outcome will also be low or absent and the sustainability of what has been achieved is then by definition not very high. However, there are some exceptions. In the case of the human rights organisation CALDH or the women's groups supported by PCS, outcome was more process-related with a longer time-frame. In these two projects the focus was on processes of empowerment and the strengthening of democracy. Sustainability of such projects can be assessed with certainty only after a decade or more.

In sum, the sustainability of the outcome of most programmes is on average quite good. For several projects it was not possible to assess the sustainability of their outcome, as this will only become evident in the longer run.

6.5 CONCLUSIONS

Of the 18 projects and/or programmes supported by the Dutch governance programme, six (one-third) did not perform well and were categorised as 'insufficient' or even 'bad'. Of the remaining two-thirds, a majority had an outcome that was labelled as being 'sufficient', and in five out of 18 cases we considered the outcome to be 'good' and sometimes even quite impressive. Among these 'good performers' were the Truth Commission and also the largest programme co-financed by the Dutch, the Land Registration Service (despite the sudden end of the Dutch funding due to financial and legal impediments).

The sustainability of many projects (and in particular of the 'good performers') was generally very good, whereas their gender approach was often disappointing. Key factors for effective project results include the quality and dedication of (young) staff, intensive co-ordination with other local donors, and the level of (specialised) technical capacities of the partner organisations.

7 OVERALL ASSESSMENT OF THE DUTCH GOVERNANCE PROGRAMME

7.1 RELEVANCE AND IMPACT

Now that we have given an overview of the findings related to policy coherence, output, outcome and sustainability, this last section will analyse the *impact* of the projects and programmes that were part of the Dutch governance programme in Guatemala. Impact in this context has been understood in the Terms of Reference as 'relevance', with the guiding question: "Has the implementation of these projects and programmes created better conditions for the promotion of social justice, the rule of law and the respect for human rights?"

In order to answer this point, two related questions were added to address the relevance of the programme:

- Are people effectively experiencing an improved human rights situation?
- Which external factors influenced negatively and/or positively on the peace process?

These questions are quite general and very hard to answer without being grossly generalist. Moreover, assessing impact of development interventions is a very difficult undertaking as one has to take into account (or rule out) a range of context factors and other variables affecting the outcome of project implementation. However, we tried to make a short inventory of the impact of every individual project and programme, which is outlined in Table 10. Consequently, some general trends became visible that gave us a pointer about the 'relevance' of the Dutch programme. Here we can identify a number of positive and negative issues.

On the positive side, two projects stand out in contributing to favourable conditions for an improved human rights situation. The Truth Commission (CEH) and the follow-up to one of its recommendations (the exhumations by FAFG) have contributed to a process of reconciliation, a condition for respecting human rights in the longer run. Both projects have had an impact (and will continue to do so) by dealing with the consequences of past human rights violations. The FAFG project has the potential to generate new evidence on the circumstances of the 1980s genocide that can lead to judicial cases against the perpetrators. As virtually all human rights groups are directly involved in all these cases, it has been of enormous importance that this part of the FAFG project has also been supported and co-ordinated by UNDP. Despite our critical remarks on activities in other areas of UNDP's work, in this particular area of reconciliation it has played a key role.

A second important area in which the Dutch programme had a substantial impact was in the realm of judicial system reform, including the incorporation of new methods (ICCPG and Peace Judges) and the local Judicial Administration Centres (CAJ). The results of these activities are still incipient but we were able to see concrete improvements for the population in terms of getting better access to the judicial system and getting acquainted with new methods (such as mediation) that will indirectly also contribute to reconciliation. In Nebaj we witnessed the impact of the early Dutch support to the CAJ, which initially was a project that was not well prepared but which is now benefiting many who seek support from the judicial system in the Ixil region.

A third area where the programme helped to create a basis for fundamental changes in the human rights field was the issue of land titles, and in particular the Dutch

efforts to set up a National *Catastro*. The successful pilot study in the Zacapa-Chuiquimula area (with direct results for the population in two municipalities) and the technical support provided by the Netherlands to improve the measuring and management system of the National Land Registration System has proven to be a major incentive for the Guatemalans to expand this system. The crucial problem has been the lack of approved legislation, therefore triggering the withdrawal of the Netherlands and other donors from the programme in mid-2003. The programme could have benefited from a more systematic monitoring and evaluation by UNDP in this stage in order to incorporate lessons into the future implementation of a programme that still has an enormous potential for other regions.[22]

A fourth broad area where the Dutch governance programme has had a tangible impact was the way in which gender was systematically included and promoted in projects and programmes. This was a deliberate choice by the Embassy staff and has been widely recognised and appreciated by other donors and by programme beneficiaries. As was said earlier, it might even have been the most important overall contribution of the Dutch programme. Although some caution is necessary here, as we also found that the five best performing programmes were not particularly strong in their gender focus. In Table 9 an overview is given of the extent to which gender was included as a central element in the project objectives and how this worked out in practice.

[22] In a comment on an earlier draft it was suggested that the rather critical assessment of UNDP's monitoring was contradictory with the positive outcome of several UNDP-monitored projects. The point that the team was making here is that monitoring by UNDP could have been a lot better, in almost all projects that were financed through the governance programme, having triggered very likely even better results.

Table 9 Dutch Governance Programme in Guatemala: Gender focus and success factors

Programme/activity	*Gender focus*	*Decisive factors for success (or failure)*
Defensoría de la mujer (DEFEM)	100 %	Failure: vertical structure of Ombudsman, lack of monitoring by RNE
Governance Fund	Criteria for approving funding	Tighter criteria for reporting not always guarantee for better performance
Truth Commission (CEH)	Not explicit	Technical capacity of staff; good co-ordination of international support
Anthropologic-forensic research (FAFG)	Not explicit, but important role for widows (CONAVIGUA)	Dedication of staff, co-ordination with civil society groups, technical capacities
Prevention of violence against women (AMVA)	100 %	Failure: too much funding, too little monitoring; internal disagreement
Rural women org - Political participation of women (PCS)	Programme focused mostly on women, though men are focus too	Dedication of leaders of women's groups
MINUGUA Trust Fund	No	Failure: bad monitoring and follow-up by MINUGUA
National Women's Institute (ONAM); Presidential Women's Secretariat (SEPREM)	100 %	Important element for recognition of SEPREM is support from the national women's organisations
Strengthening Judicial system (Jueces de Paz)	Not explicitly mentioned in results	Factor diminishing the results is island structure of Supreme Court
Democratization (CALDH)	Only visible in 100% gender programme	Continuation of external funding
Catastro (Min of Agriculture)	Dutch Embassy encouraged to include category of co-ownership in land registration system	Technical support from abroad
Democratic values and political parties (OAS)	On paper strong, in practice remarkably weak	Factor for failure: election process and political polarisation
Electoral participation project (Kucuj-Voz)	Not mentioned	Failure: too ambitious, too little monitoring, external intervention by US donor
Q'Anil B	No explicit gender focus	Failure: superficial assessment by RNE; too much funding; weakness indigena movement
UNDP Trust Fund	Special programmes directed at women were successful	Success: Excellent role of UNDP
Democratic Security Policy	No particular gender focus	Well-designed project, professional implementation
Alternative methods for conflict resolution (ICCPG)	No particular gender focus, though women most active in communal groups supported by ICCPG	Level of violence: people realise confrontation generates more conflict, lynching and civil war
Programme for democratic participation (PPD)	Not mentioned	Failure: too little monitoring by RNE; complexity of pre-electoral process

7.2 OVERALL ASSESSMENT

One way of making the final judgement of the Dutch governance and human rights programme is to jointly analyse all the elements that have been discussed throughout this report and to put all the findings into a simple 'performance overview'. The governance programme can after all only be judged on the basis of the combined assessment of all its components. The challenge was to make some sort of quantifiable comparison between the various projects (and/or programmes) and between the variables that were discussed so far.

To tackle this issue, all projects were scored on a set of eight variables: consistency with the Dutch programme objectives, project coherence, efficiency, quality of monitoring and evaluation, effectiveness, sustainability, gender focus and impact (on the peace process). Every project was scored for each of these variables on a scale from 1 (very low or bad) to 4 (very high or good), which in turn are all based on the qualitative judgements outlined in the previous Tables. The scores on effectiveness and impact were counted double, as these are the most important variables regarding project performance. The results of this scoring is reflected in Table 10.

Several conclusions can be drawn from this aggregated overview. The first is that the distinction between good, sufficient, insufficient and bad performers is congruent with the overall performance of the partner organisations in relation to most of the other variables. In that sense this cross checking confirms earlier findings, and at the same time provides some more subtle differentiation between the various programmes. It suggests, for example, that the projects funded through the UNDP Trust Fund, CALDH, Peace Judges and PCS are among the 'best of the sufficient performers', and overall not at all performing substantially less than the earlier identified 'good performers'.

Another conclusion that can be drawn from this overview is that if the line between sufficient and insufficient is drawn at a score of 2,5, only five out of 18 projects are really considered to have been insufficient. This is a very positive outcome and confirms what had been stated before: despite the low average scores for efficiency and gender focus, the overall judgement of the governance and human rights programme can be considered positive.

Table 10 Overall partner performance scores

Project or programme	*Consistency with Dutch programme*	*Coherence*	*Efficiency (output)*	*Quality M & E*	*Effectiveness (outcome)*	*Sustainability*	*Gender focus*	*Impact on peace process*	*TOTAL (*)*	*Overall Assessment (**)*
Truth Commission (CEH)	4	4	3	4	4	4	2	4	3,7	Good
ICCPG	4	4	4	4	4	4	2	3	3,6	Good
Democr. Security Policy	4	4	4	4	4	4	1	3	3,5	Good
FAFG	4	3	3	3	4	4	2	3	3,3	Sufficient
Catastro	3	4	3	3	4	3	3	3	3,3	Sufficient
UNDP Trust Fund	4	4	2	3	3	3	3	3	3,1	Sufficient
CALDH	4	3	3	2	3	2	3	3	2,9	Sufficient
Peace Judges	4	4	3	1	3	4	1	3	2,9	Sufficient
PCS	4	3	2	2	3	2	4	3	2,9	Sufficient
MINUGUA Trust Fund	4	2	3	3	3	3	2	3	2,9	Sufficient
Democratic Values (OAS)	4	3	2	3	3	1	2	3	2,7	Sufficient
SEPREM	4	2	3	3	3	3	4	1	2,7	Sufficient
Governance Fund	4	3	2	3	2	3	3	2	2,6	Sufficient
Q'Anil B	4	4	2	1	2	2	1	3	2,4	Insufficient
Defensoría de la Mujer	3	1	1	2	2	1	4	2	2,0	Insufficient
Kuchuj Voz	3	3	2	2	1	1	1	2	1,8	Insufficient
AMVA	3	2	1	2	1	1	4	1	1,7	Insufficient
PPD	3	2	1	1	1	2	1	2	1,6	Insufficient
TOTAL	*67*	*55*	*44*	*46*	*50*	*47*	*43*	*48*		
Average	*3,7*	*3,1*	*2,4*	*2,6*	*2,8*	*2,6*	*2,4*	*2,7*	*2,8*	

(*) In ranking: effectiveness and impact on peace process counted double.

(1) = very low / bad

(2) = low / insufficient

(3) = high / sufficient

(4) = very high / good

(**) This overall assessment differs from the categorisation in Chapter 5 (good, sufficient and insufficient performers), as in Table 10 all variables are included (and in Chapter 5 only the variable effectiveness).

7.3 PROGRAMME PERFORMANCE AND DIPLOMATIC EFFORTS

Another way of making a final assessment, and which was explicitly requested in the Terms of Reference, was to assess the combined impacts of programme performance and diplomatic efforts by the Dutch Embassy. In Table 11 for each programme element an assessment was made of the particular 'diplomatic' role of European and/or Dutch actors.

From this overview it can be concluded that the Dutch Embassy at several moments intervened politically or diplomatically to deal with problems the programmes were struggling with. In some cases this had to do with threats or attacks to human rights or women's groups (in particular CALDH, FAFG and AMVA), in which the Dutch Chargé d' Affaires was asked to put pressure on the authorities, generally in co-operation with his (European) colleagues. As was said before, the role of the Dutch Embassy was repeatedly valued by our interview partners as adequate and very helpful and therefore highly appreciated.[23]

In two cases the Dutch role was especially prominent. The first case was the Land Registration programme (*Catastro*), in the initial stage of which the director was almost fired by the new Minister of Agriculture. When the Dutch Embassy was informed about this development, high level meetings were organised with the Guatemalan government to prevent one of the driving personalities of the *Catastro* programme being neutralised. It also turned out that the new minister tried to weaken the Land Registration programme. The Dutch intervention was successful: the minister had to step down and the director of the programme was reinstalled into his position.

A second example of active Dutch diplomatic intervention had a more Dutch flavour. It was in March 2002 when the Netherlands' Institute for Multiparty Democracy (IMD) was planning to start up a new programme with UNDP in Guatemala on strengthening the political party system. However, the Dutch Embassy was already supporting a similar programme via the OAS. The Embassy therefore convened all (Nordic) donors of the OAS programme, plus the representatives of IMD and UNDP and urged them to work together in order to prevent the duplication of efforts. Although a bit reluctant at the start, both programmes eventually reached a fruitful level of co-operation which was crucial for the 2003 electoral period.

[23] One of our interview partners admitted that the Netherlands was probably not the first Embassy a human rights group would seek support and advice, "but very likely the second or third one."

Table 11 Dutch Governance Programme in Guatemala: Impact and role of diplomacy

Programme/activity	*Impact on peace process*	*Role of European/Dutch diplomacy*
Defensoría de la mujer (DEFEM)	Possible marginal effect by empowering women at the local level	Lack of co-ordination between European donors supporting Ombudsman (PDH)
Governance Fund	Could not be assessed	Main decision Dutch Embassy: delegate implementation to Canadian NGO
Truth Commission (CEH)	Key to reconciliation: the Truth Commission Report was part of the human rights agreement	RNE gave support and follow-up to recommendations
Anthropologic-forensic research (FAFG)	Contribution to national reconciliation and by possibly prosecuting those responsible for the genocide	Only few European governments gave support to this work; Dutch were helpful when FAFG was threatened
Prevention of violence against women (AMVA)	No outcome, so no impact	RNE took action when AMVA office was attacked
Rural women org - Political participation of women (PCS)	Better position for rural women is one of the key issues in the peace process	No particular role other than supporting the project (and inflating it)
MINUGUA Trust Fund	Not yet visible: transformation of judicial system is very slow process	Positive support and attitude towards the work of MINUGUA in general
National Women's Institute (ONAM); Presidential Women's Secretariat (SEPREM)	Limited impact, as women's issues were secondary in the Peace Accords	Limited, also as a consequence of bad co-ordination between donors
Strengthening Judicial system (Jueces de Paz)	More general: contributing to sense of justice and tackling polarisation	Not clear
Democratization (CALDH)	Key monitoring of peace process; Rios Montt judicial case	Political support at moments of threats and emergencies
Catastro (Min of Agriculture)	Too early to judge: it will generate discussion about need of better land distribution	RNE prevented dismissal of Catastro Director by Minister of Agriculture, who then had to leave himself
Democratic values and political parties (OAS)	Positive: political parties all committed to implement Peace Accords	Key intervention by RNE to link up IMD-UNDP project with this OAS project
Electoral participation project (Kuchuj-Voz)	Marginal: encouraging voters responsibility for peace process	Indirectly: Dutch support for a transparent electoral process
Q'Anil B	When functioning COPMAGUA served as a key intermediary for indigena issues with government	Not a positive role: too much confidence in the weak structure of COPMAGUA
UNDP Trust Fund	Demobilisation and transformation of URNG into political party was crucial ingredient of peace process	Positive role of international diplomacy at several moments
Democratic Security Policy	Indirectly contributing to reform of intelligence service	Dutch and Nordic governments warmly supported this process
Alternative methods for conflict resolution (ICCPG)	Reconciliation starts at local level and in judicial system: impact only visible in the longer term	Mainly financial support to justice reform, but political-diplomatic support in times of set-back peace process
Programme for democratic participation (PPD)	Hard to tell whether workshops had at all an effect	None

7.4 CONCLUSIONS

The overall judgement of the Dutch governance and human rights programme in Guatemala is generally positive. Despite some programme elements performing less well, the performance of the governance programme as a whole was on average 'good' and positively valued by Guatemalan observers. The appreciation of the Dutch role especially concerned the process approach, which favoured the creation of positive conditions for social and political change in the longer run. This approach reconfirmed a commitment to the underlying issues that are central to the Peace Accords and the process of their implementation.

The diplomatic role of the Netherlands has been of the 'silent' and rather 'invisible' type, but according to all our sources extremely important and quite effective. Together with the Nordic countries, the Netherlands is perceived by human rights groups, political party representatives as well as other local experts as one of the key international players in Guatemala. It was therefore highly appreciated that the Dutch Minister of Development Co-operation visited Guatemala in September 2003 and convened a special meeting with human rights groups. This was considered to be a clear expression of the Dutch commitment to the Peace Accords and to the ongoing efforts towards social justice and reconciliation.

ANNEX 1

ORGANISATION OF THE STUDY

The evaluation study "The Dutch 'Governance and Human Rights Programme' in Guatemala (1997-2003)" was commissioned by the Policy and Operations Evaluation Department (IOB) of the Dutch Ministry of Foreign Affairs and is part of a broader evaluation exercise of Dutch human rights policies worldwide. IOB inspector Marijke Stegeman co-ordinates these studies, which will result into a Synthesis Report to be submitted to the Dutch parliament in 2005.

The present study was prepared and co-ordinated by Kees Biekart (Independent researcher and Senior Lecturer at the Institute of Social Studies, The Hague), who acted as the Team Leader and who was responsible for drafting the final report. He was supported by a team of two local experts, Beate Thoresen (Norwegian consultant, living in Guatemala, working on issues related to the uprooted population, governance and the role of international co-operation) and Fredy Ochaeta (Guatemalan lawyer specialised in indigenous rights, formerly working as the Deputy High Commissioner for Human Rights in Guatemala). In addition, one of the secretaries of the Embassy, Lyla van der Kaaden, was contracted part-time for logistical and administrative assistance.

The Terms of Reference (TOR) for the study were drafted in June 2003 by IOB, which were discussed and commented by officers from DGIS, the Dutch Embassy in Guatemala and members of a Reference Group. The definitive Terms of Reference were approved by IOB in September 2003, after which the Team Leader was contracted to prepare the evaluation process. Initially, the evaluation was due to be concluded in 2003. However, the electoral process in the fall of 2003 was demanding too much energy and attention from the organisations involved in Guatemala, so it was decided to do a first round of research after the November 8th 2003 elections and to schedule a second round of research in January-February 2004.

Preparatory meetings with Embassy staff were held by the Team Leader at several occasions (May, August and October 2003) to discuss the time frame of the evaluation, and to get input from the outgoing Chargé d'Affaires Arend Pieper (who left Guatemala in September 2003). Preparatory file research in Guatemala was completed in May 2003 by IOB (Marijke Stegeman en Helene Pulles). Potential evaluation team members were interviewed and contracted in October 2003, after consulting several counterparts and the Royal Embassy staff. Additional file research by IOB (Helene Pulles and Inge Sturkenboom) at the Dutch Ministry of Foreign Affairs was completed in December 2003.

ANNEX 2

TERMS OF REFERENCE (IN DUTCH, AUGUST 2003)

1 AANLEIDING

Een FEZ/IOB inventarisatie van evaluaties heeft het beleidsterrein goed bestuur, mensenrechten en vredesopbouw als witte vlek geïdentificeerd. Een terreinverkenning op het gebied van goed bestuur en mensenrechten heeft dit bevestigd. Dit vormde de aanleiding om een evaluatie te entameren op het gebied van de mensenrechten, waarbij wordt nagegaan in welke mate de beleidsuitvoering overeenkomt met de voornemens; en in welke mate de uitvoering van het beleid via verschillende instrumenten efficiënt en effectief is geweest. Omdat het een complex beleidsterrein betreft is het besluit genomen de evaluatie op te splitsen in een aantal deelstudies.[24] In een van de deelstudies wordt de effectiviteit en de efficiëntie van een steekproef van gefinancierde programma's en projecten beoordeeld. In de beleidsanalyse en in een andere deelstudie staan de politieke inspanningen centraal. Er zijn twee landenstudies in de reeks deelstudies opgenomen, waarin zowel de politieke inspanningen als de programma's en projecten onderwerp van evaluatie zijn. In deze studies wordt nagegaan of met de combinatie van politieke inspanningen en financiering van programma's en projecten voorwaarden zijn geschapen voor een betere naleving van de mensenrechten. Dit levert bouwstenen voor beantwoording van de vraag naar de effectiviteit van de verschillende instrumenten die ter beschikking staan voor de implementatie van het Nederlandse mensenrechtenbeleid.

Guatemala is als eerste land geselecteerd omdat dit het land is met de hoogste uitgaven op het gebied van de mensenrechten in de afgelopen vijf jaar. [25] Daarnaast heeft Nederland via politieke invloed beoogd een bijdrage te leveren aan de naleving van de mensenrechten. Betere naleving van de mensenrechten vormt een wezenlijk onderdeel van de implementatie van het vredesproces, beschreven in de volgende paragraaf. Het door Nederland gefinancierde pakket programma's en projecten op het gebied van vredesopbouw, mensenrechten en goed bestuur (GMV) vormt een samenhangend geheel waarmee beoogd wordt een bijdrage te leveren aan het vredesproces. Derhalve vormt het hele GMV programma onderwerp van onderzoek.

2 ACHTERGROND

2.1 HET VREDESPROCES IN GUATEMALA

Guatemala heeft een decennialange periode van gewapend conflict tussen een de facto militair bewind en een revolutionaire beweging[26] gekend. De wortels van het conflict liggen in de grote verschillen in rijkdom en toegang tot voorzieningen. De bevolking op het platteland, de Indiaanse en de niet-Indiaanse, was verstookt van voorzieningen en van communicatie met de stad en met de overheid. Het conflict en de daarmee gepaard gaande repressie heeft bijgedragen aan een zwijgcultuur, met name bij de Indiaanse bevolking.[27] De inzet van de revolutionaire beweging was het verminderen van ongelijkheid en discriminatie, met name van de Indiaanse bevolking.

[24] Voor meer informatie over deze deelstudies wordt verwezen naar de startnotitie.
[25] Bron MIDAS; selectie op basis van uitgaven voor CRS code 15063 (human rights).
[26] URNG (Unidad Revolucionaria Nacional Guatemalteca); de nationale revolutionaire eenheid van Guatemala.
[27] Bron: mondelinge informatie over datacollectie in Indiaans gebied.

Vooral eind jaren ’70 en begin jaren ’80 ging het conflict gepaard met grove schendingen van de mensenrechten, zoals verdwijningen en moorden op grote schaal onder vermeende sympathisanten van de gewapende oppositie. Met name de gebieden met een Indiaanse meerderheid zijn hierbij zwaar getroffen. De proclamatie van de grondwet in 1985 vormde een eerste voorzichtige stap in de richting van democratisering en respect voor de mensenrechten. Het aantal schendingen werd minder, maar selectieve moorden en verdwijningen bleven voorkomen. De slachtoffers waren –en zijn- vaak leden van inheemse organisaties of van de sinds de jaren ’80 opgerichte mensenrechtenorganisaties.

In 1990 kwamen er vredesbesprekingen op gang tussen de regering en de revolutionaire beweging. Na een interruptie van het vredesproces in 1993 werd in 1994 de VN verificatiemissie ingesteld. Deze heeft op verschillende manieren bijgedragen aan het vredesproces: het bevorderen van de dialoog tussen verschillende sociale groeperingen in plaats van de confrontatie; het bezweren van ernstige conflicten; het verminderen van mensenrechtenschendingen; consolidering van het maatschappelijk middenveld; het tonen aan de bevolking dat er mensenrechten bestaan en dat deze in de grondwet en in internationale verdragen zijn verankerd.[28]

Na een aantal deelakkoorden kwam het in 1996 tot ondertekening van de uiteindelijke vredesakkoorden. Deze hadden betrekking op het staakt het vuren; de demobilisatie van de revolutionaire beweging en reintegratie van ex-strijders in de politieke en sociale structuren; versterking van de civiele macht en terugdringing van de rol van het leger; constitutionele hervormingen en een verkiezingssysteem; en sociaal-economische ontwikkeling en de agrarische situatie, gericht op het respecteren van de identiteit en de rechten van de Indiaanse bevolking.[29] Dit betekent erkenning van de Indiaanse cultuur, bi-cultureel onderwijs en het juridisch formeel vastleggen van grondbezit en grondgebruik. Daarna is het proces van implementatie van de vredesakkoorden begonnen, een dynamisch proces waarbij de regering, het parlement, het maatschappelijke middenveld en de internationale gemeenschap betrokken zijn.

De vredesakkoorden hebben in 1998 geleid tot goedkeuring van een aantal constitutionele hervormingen door het Congres, met onder meer de expliciete erkenning van het feit dat Guatemala een multi-etnische samenleving is. Bij een volksstemming in 1999 werd dit pakket maatregelen echter verworpen. Slechts 18 procent van de stemgerechtigden bracht zijn stem uit. Tegenstand was er vooral in Guatemala stad en de gebieden waar de niet-inheemse bevolking woont. Deze ontwikkeling betekende een serieuze tegenslag voor het vredesproces. Ondanks deze tegenslagen gaat het vredesproces voort. Een van de winstpunten in het vredesproces is een grotere participatie van het maatschappelijk middenveld in het besluitvormingsproces.

2.2 INSTITUTIONELE CONTEXT

Guatemala is een republiek met een grondwet, waarin de scheiding van wetgevende, uitvoerende en rechterlijke macht is vastgelegd. [30] De wetgevende macht berust bij

[28] S. Burgerman. Building peace by mandating reform. United Nations-mediated human rights agreements in El Salvador and Guatemala. Latin American Perspectives, 2000, Issue 112, Vol 27, No.3: 63-87.
[29] IRELA briefing. The peace process in Guatemala. Determinants and Prospects, 1997. (IRELA= Institute for European-Latin American Relations).
[30] Informatie in deze paragraaf hoofdzakelijk uit: Jaarplan Guatemala 2003; informatie Guatemala intranet; Evaluation of Danish support to promotion of human rights and democratisation 1990-1998. February 2000.

het parlement, dat bestaat uit 113 leden die voor vier jaar worden gekozen. Er zijn verschillende politieke partijen. De president is staatshoofd en regeringsleider, en staat daarmee aan het hoofd van de uitvoerende macht. De president wordt gekozen voor een periode van vier jaar.[31] Het hoogste orgaan van de rechterlijke macht is het hooggerechtshof dat bestaat uit zeven rechters die voor een periode van vijf jaar worden gekozen.

Van overheidszijde zijn er verschillende ministeries betrokken bij de uitvoering van de vredesakkoorden. Voorts is er een overheidsinstituut op het gebied van de mensenrechten voortgekomen uit de vredesakkoorden, de ombudsman op het gebeid van de mensenrechten (Procurador de los Derechos Humanos). Deze wordt gekozen door en rapporteert aan het parlement.

De belangrijkste niet-gouvernementele organisaties die betrokken zijn bij de implementatie van het vredesproces zijn vakbonden, boerenorganisaties, kerkelijke organisaties en een rijk scala aan mensenrechtenorganisaties.

De belangrijkste VN organen die betrokken zijn bij het vredesproces zijn de in paragraaf 2.1 genoemde VN missie (MINUGUA) en UNDP. Voorts zijn WFP, FAO, Unicef, Unesco en ILO in Guatemala vertegenwoordigd.

De EU speelt een belangrijke rol in het vredesproces, waarbij evenwel politieke inspanningen en ontwikkelingssamenwerking niet altijd goed geïntegreerd zijn. Op het politieke vlak zijn de HoM's de belangrijke spelers. Op vergaderingen met de president, de vice president en de ministers vormt de voortgang in de vredesakkoorden bijna altijd het hoofdthema van gesprek. De Commissie beoogt het vredesproces vooral te bevorderen via het hulpkanaal. Guatemala is bovendien een pilot land voor de 'mesodialogo'. Dit betekent dat de Commissie thematische discussies, onder meer op het gebied van de mensenrechten, voert met verschillende instituties.[32]

De belangrijkste bilaterale donoren die actief zijn in Guatemala zijn de VS, Japan, Noorwegen, Denemarken, Finland, Zweden, Duitsland, Spanje en Nederland.

Belangrijke mechanismen voor overleg over de voortgang van het vredesproces en de coördinatie van verschillende inspanningen zijn de jaarlijkse 'consultative group' bijeenkomsten, het hiervoor genoemde overleg van de EU partners en de 'groep van de dialoog' die bestaat uit vijf internationale organisaties en acht donoren.

2.3 NEDERLANDS BELEID IN GUATEMALA OP HET GEBIED VAN VREDESOPBOUW, MENSENRECHTEN EN GOED BESTUUR

Een beknopte samenvatting van het Nederlandse mensenrechtenbeleid is opgenomen in annex 1. In Guatemala krijgt de uitvoering van het Nederlandse mensenrechtenbeleid vorm in de inzet voor het vredesproces en de bevordering van sociale rechtvaardigheid, de rechtsstaat en het respecteren van de mensenrechten. Deze inzet bestaat uit politieke inspanningen en uit financiële steun aan een aantal programma's en projecten. De politieke steun is onder meer tot uitdrukking gekomen in bilateraal overleg met de overheid en in participatie in de hiervoor genoemde fora van overleg. In lijn hiermee geeft Nederland financiële steun aan een aantal

[31] Verkiezingen gepland in november 2003.
[32] Informatie afkomstig uit e-mail bericht Chef de Poste Guatemala.

initiatieven op het terrein van de mensenrechten, versterking van de rechtsstaat, institutionele versterking en participatie.[33]

Via het 'programma vredesopbouw, goed bestuur en mensenrechten' werd of wordt een bijdrage geleverd aan overheidsinstellingen, aan VN instellingen en aan het maatschappelijk middenveld. UNDP is beheerder van een aanzienlijk deel van de programma's en projecten. De in financiële termen belangrijkste bijdragen waren of zijn die aan:

- De UN verificatiemissie (MINUGUA); naast politieke steun voor het werk van de verificatiemissie heeft Nederland ook een financiële bijdrage aan het trustfund gegeven. In 1999 heeft een evaluatie plaatsgevonden, waarin kritische kanttekeningen werden geplaatst bij Minugua als uitvoerende organisatie.
- Een overheidsorgaan dat belast is met rapportage over de uitvoering van de vredesakkoorden. SEPAZ: het vredessecretariaat van de Presidencia.
- Een tweetal NGO's op het gebied van de mensenrechten: CALDH en ICCPG, aanvankelijk respectievelijk via HIVOS en ICCO, nu direct. CALDH is zowel werkzaam in de uitvoerende sfeer alsook voert deze organisatie een lobby op nationaal niveau inzake wetgeving op het gebied van decentralisatie, geweld tegen vrouwen, hulp aan slachtoffers en berechting van militairen die schuldig zijn aan (massa) moord. CALDH is in 2002 geëvalueerd. Aanbevelingen van de evaluatie zijn in het nieuwe werkplan opgenomen. ICCPG combineert onderzoek, training en advocacy.
- Een aantal initiatieven op het gebied van de rechten van de vrouw.
    - Het secretariaat voor de verdediging van de rechten van de vrouw (DEFEM) van de ombudsman voor de rechten van de mens (Procuradoria de los Derechos Humanos). In 2000 vond een externe evaluatie plaats, die zich positief uitsprak over de psychosociale hulp aan slachtoffers van geweld.
    - Het presidentiele secretariaat voor de vrouw (SEPREM)
    - Een financiële bijdrage aan de 'Consejeria de los en Proyectos' voor twee programma's: capaciteitsopbouw van vrouwenorganisaties in ruraal gebied en verbetering van de toegang van vrouwen tot grond.
- Forensisch antropologisch onderzoek in massagraven en psychologische hulp voor slachtoffers van geweld en nabestaanden. UNDP beheert; een NGO (FAF-G) voert uit. Het project is in 2002 geëvalueerd, waarbij kritische kanttekeningen bij de wijze van hulpverlening werden geplaatst.
- Het kadastreren van grond; gestart als pilot programma in twee gemeentes. In totaal waren er zeven donoren bij het kadaster betrokken en het eerste beoogde resultaat was het ontwikkelen van een methode voor Guatemala via zeven pilots. Vervolgens ging het om de implementatie. Nederland heeft veel aandacht aan gender geschonken en dit is in het gehele land overgenomen. UNDP is beheerder; een overheidsinstelling is uitvoerder. Aanwezigheid van een wettelijk kader werd als voorwaarde gesteld. Dit kader bestaat nog steeds niet.
- Het functioneren van de vredesrechters; rechters die het laagste echelon van de rechterlijke macht vormen. UNDP is beheerder; het hooggerechtshof uitvoerder.
- Het goed verloop van verkiezingen, via een bijdrage aan de hoge kiesraad en aan een niet-gouvernementele organisatie.
- Participatie en democratie, onder meer via steun aan beleid en organisatie van politieke partijen, via UNDP en OAS.
- Hervorming van het leger en opbouw van een civiele macht.

[33] Brief aan de Tweede Kamer 23-10-2001.

- Een ‘good governance fund’ waaruit kleinere activiteiten, merendeels ten behoeve van de Indiaanse bevolking, worden gefinancierd. Dit is in 2000 geëvalueerd. Sinds 2002 wordt het fonds door een NGO beheerd.

De totale committering bedroeg 38,3 miljoen Euro; de totale uitgaven in de periode 1997 tot en met 2002 bedroegen 27 miljoen Euro. Bijlage 2 bevat een overzicht van alle programma’s en projecten.

De achterliggende gedachte bij het programma is dat goed bestuur onderdeel vormt van het vredesproces en een voorwaarde vormt voor de bevordering van sociale gelijkheid en respect voor de mensenrechten.. De synergie tussen de programma’s binnen het thema goed bestuur onderling en de synergie met programma’s op het gebied van onderwijs en milieu vormde een criterium voor beoordeling en financiering.

3 DOEL VAN DE EVALUATIE EN ONDERZOEKSVRAGEN

Het doel van de evaluatie is drieledig:

1 inzicht verkrijgen in de manier waarop Nederland zich heeft ingezet voor het vredesproces en de bevordering van sociale rechtvaardigheid, de rechtsstaat en het respecteren van de mensenrechten;
2 te beoordelen in welke mate de ondersteuning van programma’s en projecten efficiënt, effectief en relevant is geweest;
3 te beoordelen of, en zo ja op welke wijze, de combinatie van politieke inzet en financiering van programma’s en projecten een effectief instrument vormt voor het scheppen van voorwaarden ten behoeve van de bevordering van sociale rechtvaardigheid, de rechtsstaat en het respecteren van mensenrechten.

1 Inzicht in de Nederlandse inzet

De politieke inspanningen zullen in kaart worden gebracht, met als onderzoeksvragen:
- Op welke wijze heeft de inbreng van de EU en de ‘groep van de dialoog’ de voortgang van het vredesproces beïnvloed?
- Wat was de inbreng van Nederland in deze fora?

Aan de hand van de voortgangsrapportage van de VN missie (MINUGUA) zal nagegaan worden wat de voortgang is van het vredesproces en van de diverse deelakkoorden; welke factoren faciliterend dan wel belemmerend hebben gewerkt; welke rol de EU en de ‘groep van de dialoog’ hierbij hebben gespeeld; en wat de Nederlandse inzet in deze fora was.

2 Efficiëntie, effectiviteit en relevantie van de programma’s en projecten

Hiertoe zijn vier kernvragen geformuleerd; elk met een aantal sub-vragen.

Consistentie met het beleid
- Op welke wijze sloot het pakket programma’s/projecten aan bij het vredesproces?
  - Waren de doelstellingen gericht op bevordering van sociale rechtvaardigheid, de rechtsstaat en het respecteren van de mensenrechten?

- Hoe was de samenhang tussen de verschillende programma's en projecten? Was er sprake van complementariteit met inspanningen van andere actoren?

Efficiëntie

- In welke mate zijn de middelen economisch ingezet om de beoogde output te realiseren?
  - Zijn de activiteiten binnen de programma's en de projecten uitgevoerd met het beoogde budget en binnen het beoogde tijdsbestek?
  - Was er sprake van een goede opzet van de programma's/projecten? Waren de activiteiten en de beoogde output duidelijk geformuleerd? Waren de doelstellingen helder geformuleerd, realistisch, voldoende geoperationaliseerd en meetbaar? Waren de activiteiten goed afgestemd op de doelstellingen?

- Bestond er een monitoring systeem om de uitvoering van de activiteiten en het bereiken van de doelstellingen te volgen? Kreeg gender aandacht binnen dit systeem?
  - Op welke wijze zijn de evaluaties instrumenteel geweest voor aanpassingen ter verbetering van de uitvoering van de programma's en projecten?
  - Welke factoren hebben uitvoering van de activiteiten gefaciliteerd dan wel belemmerd?

Effectiviteit

- In welke mate heeft het realiseren van de output bijgedragen om de beoogde doelstellingen van de programma's en projecten te bereiken ?
  - In welke mate zijn de doelstellingen bereikt? Zo ja, op welke manier? Zo niet, waarom niet?
  - Bestond binnen de doelstellingen aandacht voor het genderperspectief? In welke mate zijn de doelstellingen op het gebied van gender gerealiseerd?
  - Bestond binnen de doelstellingen aandacht voor duurzaamheid? In welke mate is er sprake van duurzame resultaten?
  - Welke factoren hebben het bereiken van de doelstellingen van het programma gefaciliteerd dan wel belemmerd?

Relevantie

- Zijn er door de uitvoering van programma's en projecten betere randvoorwaarden gekomen voor de bevordering van sociale rechtvaardigheid, de rechtsstaat en het respecteren van de mensenrechten?
  - Is het feitelijk genot van een aantal mensenrechten voor een aantal mensen aantoonbaar verbeterd?
- Welke externe factoren hebben een positieve dan wel negatieve invloed uitgeoefend op het vredesproces?

In paragraaf 5.1 staat een evaluatieschema waarin de vragen nader zijn uitgewerkt, met vermelding van indicatoren en bronnen.

3 Effectiviteit van de combinatie van politieke inspanningen en de financiering van programma's en projecten

- Heeft de combinatie van inbreng in overlegorganen en financiering van programma's tot betere voorwaarden geleid voor de bevordering van sociale rechtvaardigheid, de rechtsstaat en het respecteren van de mensenrechten?

- Is de financiering van programma's van invloed geweest op de positie en inbreng van Nederland in de overleg organen; zo ja, op welke manier?

4 REIKWIJDTE EN REPRESENTATIVITEIT

Bij de politieke inspanningen zijn de discussies en de Nederlandse inbreng daarin in de 'groep van de dialoog' en in het EU overleg onderwerp van evaluatie. De overige politieke inspanningen ter bevordering van het vredesproces blijven buiten beschouwing omdat het niet haalbaar is hier binnen het beoogde tijdsbestek voor de evaluatie voldoende aandacht aan te besteden.

Voor het pakket programma's en projecten is gekozen voor de periode vanaf 1997, i.e. het begin van de implementatie van de vredesakkoorden. Alleen projecten die in deze periode zijn gestart en afgerond, dan wel minimaal tweederde van de looptijd in uitvoering zijn geweest (peildatum medio juni) worden in de evaluatie betrokken. Bijlage 2 geeft een overzicht. Het pakket wordt gepresenteerd als een geheel van elkaar aanvullende inspanningen. Het is dan ook niet logisch programma's en projecten niet mee te nemen. Toch worden enkele activiteiten buiten de evaluatie gehouden:
Een project ter preventie en bestrijding van huiselijk geweld, dat de laatste fase vormt van een regionaal project. De uitvoering van de regionale activiteit valt buiten de evaluatieperiode (Ilanud; 290.000 Euro).

- Een project dat een studie en de publicatie van een boek betreft. Het boek is inmiddels gepubliceerd. (Seguridad democratica; Euro 167.000).
- Een project dat het functioneren van een aantal overlegorganen heeft gefaciliteerd. Het is lastig te evalueren in hoeverre dit heeft gewerkt, mede omdat dit project bijna drie jaar geleden is afgesloten. Dit vergt een grote tijdsinvestering die niet opweegt tegen de voor dit project ingezette middelen (Q'Anil B, 438.000 Euro)
- De bijdrage aan de hoge kiesraad. Voor deze activiteit is een evaluatie gepland die na de verkiezingen van november 2003 zal worden uitgevoerd. De bijdrage aan de hoge kiesraad wordt alleen omschreven. Indien een goed evaluatierapport tijdig beschikbaar is, zal dit ook worden meegenomen. (GT 013101/2; 2,2 miljoen Euro)

Het goed bestuur fonds (GGF) voor kleinschalige activiteiten is in 2000 geëvalueerd. Begin 2002 is een nieuwe fase gestart. In deze evaluatie zal alleen de evaluatie van de eerste fase worden betrokken.

Wanneer de hierboven genoemde programma's/projecten buiten beschouwing worden gelaten komt het totaal aantal programma's/projecten dat zal worden geëvalueerd, met inbegrip van het GGF, op 15 activiteiten. Het aantal activiteiten in termen van het MIDAS bedraagt 32, waarin inbegrepen een zestal evaluaties die een apart nummer hebben. De totale uitgaven in de periode 1997 - 2002 bedroegen 23,5 miljoen Euro, i.e. 87 procent van de totale uitgaven in die periode.

5 ONDERZOEKSOPZET EN METHODE VAN GEGEVENSVERZAMELING

5.1 ONDERZOEKSOPZET

De evaluatie over de politieke inzet van Nederland is ex-post. Het onderzoek is beschrijvend. De halfjaarlijkse rapportage van Minugua vormt de leidraad voor de

beschrijving van de voortgang van het vredesproces. De inbreng van donoren vormt slechts een van de vele factoren die hier invloed op uitoefenen. Interviews met vertegenwoordigers van MINUGUA, UNDP en enkele donoren bieden additionele informatie over de Nederlandse inbreng.

De evaluatie van de gefinancierde programma's en projecten is ook ex-post. Een beperkt deel van de programma's en projecten is nog in uitvoering. In dit geval worden de consistentie met het beleid, efficiëntie, effectiviteit en indien mogelijk relevantie in de achterliggende periode beoordeeld.

Het onderzoek inzake de consistentie van het beleid en de efficiëntie, effectiviteit en relevantie van de programma's en projecten heeft een toetsend karakter. Voor het beoordelen van de consistentie met het beleid vormen het vredesproces, i.e. de bevordering van sociale rechtvaardigheid, de rechtsstaat en het respecteren van de mensenrechten het kader. Per programma en project zal gekeken worden in hoeverre het aansluit bij bepalingen uit de akkoorden; een en ander met inachtneming van inspanningen van andere spelers. Een oordeel komt tot stand op basis van de visie van de partners die betrokken zijn bij de uitvoering van de programma's en de projecten; en op basis van de visie van onafhankelijke deskundigen. Dit zijn mensen die respect genieten in de Guatemalteekse maatschappij, zowel van de kant van de overheid als van die van het maatschappelijke middenveld. In andere woorden: er wordt een constructivistische benadering gevolgd.

Toetsing van de efficiëntie, effectiviteit en relevantie zal geschieden aan de hand van het hieronder staande evaluatieschema, waarin vermeld de indicatoren en de bronnen. Het betreft een groot aantal programma's en projecten, op verschillende terreinen. Het schema vormt een leidraad en er kunnen bij een bepaald programma/project aanvullingen of wijzigingen in worden aangebracht. Wanneer de beoogde outcome ligt op het terrein van methode ontwikkeling, wetgeving, opbouw van instituties en spelregels voor een rechtsstaat waarbij gelijkheid en non-discriminatie ijkpunt vormen, betekent het beoordelen van de effectiviteit een oordeel over de bijdrage van dit programma aan genoemde processen. Deze bijdrage is vaak niet in indicatoren te vangen. Het oordeel zal hier vooral gebaseerd zijn op de visie van sleutelfiguren: partners betrokken bij de uitvoering; vertegenwoordigers van cliënten; en de hierboven genoemde onafhankelijke deskundigen.

Het oordeel over de relevantie, i.e. de mate waarin de inspanningen de randvoorwaarden voor de implementatie van het vredesproces hebben verbeterd, zal net als dat over 'consistentie met het beleid' voornamelijk gebaseerd zijn op de visie van partners die betrokken zijn bij het vredesproces en op die van onafhankelijke deskundigen. Dit geldt ook voor het oordeel over de effectiviteit van de combinatie van politieke inspanningen en financiering van programma's.

Figuur 6 Evaluatiematrix

Middelen/producten/ Resultaten	**Indicatoren**	**Bronnen**
Input - Financiële bijdrage uit NL - Overige financiële middelen - Personele inzet	- NL budget - Totale budget	- Jaarverslagen - Bemo's - Contract - Financiële rapportage
De mate waarin de middelen economisch zijn ingezet om de output te realiseren		**Efficiëntie**
Output - Leden NGO's opgeleid - Hulp aan slachtoffers - Forensisch onderzoek uitgevoerd - Vredesrechters opgeleid - Grond in kaart gebracht	- Aantal trainingen; participatie M/V; cursusmateriaal toegankelijk - Aantal slachtoffers geholpen M/V; Indiaanse bev./n-Indiaanse bev; - Aantal opgravingen/ beoogde aantal - Aantal opleidingen; participatie M/V; cursusmateriaal toegankelijk - Aantal percelen/ beoogde aantal	- Tussentijdse- en eindrapportage - Evaluatierapporten - Correspondentie - Informatie betrokken partijen - Informatie overige partijen
De mate waarin het realiseren van de activiteiten heeft bijgedragen aan het bereiken van de beoogde doelen		**Effectiviteit**
Outcome - NGO's functioneel - Situatie slachtoffers verbeterd - Vredesrechtbanken functioneel - Wet- en regelgeving op gebied van grondrechten aangenomen; gender-gelijkheid wettelijk vastgelegd	- Toegang tot besluitvorming/ Invloed op besluitvorming; samenwerking met andere NGO's - Berichtgeving in de media; visie slachtoffers en familie - Zaken behandeld bij vredesrechtbanken (M/V) - Publicatie wet	- Tussentijdse- en eindrapportage - Evaluatierapporten - Correspondentie - Informatie betrokken partijen - Informatie overige partijen
De mate waarin het realiseren van de beoogde doelen voorwaarden heeft geschapen voor de bevordering van sociale rechtvaardigheid, de rechtsstaat en het respecteren van de mensenrechten		**Relevantie**
Impact - Feitelijk genot van een aantal mensenrechten voor een aantal mensen aantoonbaar verbeterd - Onderliggende randvoorwaarden voor de naleving van mensenrechten verbeterd	- Berichtgeving media; rapportages VN; rapportages mensenrechten NGO's; Visie betrokkenen bij het vredesproces - Visie onafhankelijke deskundigen op gebied MR en goed bestuur	- Tussentijdse- en eindrapportage - Evaluatierapporten - Correspondentie - Informatie betrokken partijen - Informatie overige partijen

5.2 METHODEN VAN GEGEVENSVERZAMELING

De voortgang van het vredesproces en de rol van de EU en de groep van de dialoog hierbij zal in kaart gebracht worden op basis van de halfjaarlijkse rapportage van MINUGUA. De Nederlandse inzet in de 'groep van de dialoog' en het EU overleg zal beschreven worden op basis van: de visie van enkele sleutelfiguren die deel uitmaken van dit overleg; de visie van onafhankelijke deskundigen; en verslagen van bijeenkomsten. De interviews zijn semi-gestructureerd en worden aan de hand van een checklist afgenomen. In overleg met HMA wordt een lijst van te benaderen personen opgesteld.

Het oordeel over de consistentie met het beleid van de programma's en projecten komt tot stand op basis van: dossieronderzoek; interviews met bij de uitvoering betrokkenen; en interviews met onafhankelijke deskundigen. De interviews zijn semi-gestructureerd en worden aan de hand van een checklist afgenomen. In overleg met HMA wordt een lijst van te benaderen personen opgesteld.

Het toetsen van de efficiëntie en de effectiviteit van de programma's en de projecten vindt plaats op basis van: dossieronderzoek; interviews met sleutelfiguren, die bij de uitvoering zijn betrokken; en interviews met (vertegenwoordigers van) potentiële klanten. Een groot deel van de programma's is eerder geëvalueerd; wanneer de evaluatie van voldoende kwaliteit is, zal het dossieronderzoek van een eerder geëvalueerd programma of project grotendeels beperkt blijven tot het (de) evaluatierapport(en). De interviews zijn semi-gestructureerd en zullen plaatsvinden aan de handen van een checklist. Het onderzoek zal ten dele plaatsvinden buiten Guatemala stad, in een of meer nog te bepalen gebieden.

Het oordeel over de relevantie komt tot stand op basis van: verslaglegging van MINUGUA; aanvullende literatuur; interviews met bij het vredesproces betrokken partners; en interviews met onafhankelijke deskundigen. Dit geldt ook voor het oordeel over de effectiviteit van de combinatie van politieke inzet en financiering van programma's. De interviews zijn semi-gestructureerd en worden aan de hand van een checklist afgenomen. In overleg met HMA wordt een lijst van te benaderen personen opgesteld.

6 ORGANISATIE

Inspecteur Marijke Stegeman is verantwoordelijk voor de opzet en begeleiding van het deelonderzoek. Dit houdt in het informeren van betrokken partijen en het organiseren van archiefonderzoek en het begeleiden van de uitvoering. Voorts draagt zij bij aan het schrijven van het deelrapport. Onderzoeksmedewerker Helene Pulles doet dossierstudie ter voorbereiding van het onderzoek.

Drie externe deskundigen, een Nederlander en twee Guatemalteken worden aangetrokken voor het analyseren van de dossiers, voor het houden van interviews in Guatemala en voor de verwerking van de gegevens en de analyse van de resultaten. De selectie is zodanig dat er binnen het evaluatieteam voldoende deskundigheid aanwezig is op het gebied van gender en etnische diversiteit.

Een referentiegroep bestaande uit twee externe en drie interne deskundigen begeleidt de evaluatie.

ANNEX 3

LIST OF DOCUMENTS REVIEWED

PROJECT DOCUMENTS:

- Of each project and/or programme the files were made available, consisting of project proposals, interim reports, internal correspondence between the Embassy and the various stakeholders, as well as internal documents of the Dutch Ministry of Foreign Affairs (DGIS), UNDP, MINUGUA, co-financing agencies, and external consultants. When appropriate, particular elements of these files have been cited in the text. As it would be quite a detailed list of (rather obvious) sources, we decided only to list the external project evaluations (see below).

DOCUMENTS DUTCH ROYAL EMBASSY AND DGIS:

- Jaarplannen Midden-Amerika 1997, 1998
- Jaarplannen Guatemala 1999, 2000, 2001, 2002, 2003

EVALUATION REPORTS:

Arditto, Wilfredo; Samandú, Luis (2001) *Programa de métodos alternativas y justicia penal (PRERED), ICCPG. Informe de evaluación externa*. Guatemala, agosto 2001.

Berntzen, Einar (ed.) (2003) *Repaso del programa 'Valores democráticos y Gerencia Política de la UPD/OAS*. Guatemala, Real Embajada de Noruega.

Calvaruso, Andrea (coord.) (2000) *Evaluación del Fondo de Gobernabilidad de la Embajada Real de los Países Bajos.* Guatemala, Duna S.A., noviembre de 2000.

HP Consult (2000) *Informe de evaluación externa Saqb'ichil-Copmagua.* Prodeca, Diakonia, Ibis y Proyecto Q'anil B. Guatemala, mayo de 2000.

GSD Consultores (1999) *Evaluación externa del proyecto Q'anil B*. Gobierno de Guatemala/PNUD, 1999.

Jimenez, Mónica (et al.) (2003) *The Guatemala programme of the Netherlands Institute for Multiparty Democracy (NIMD) 2002-03: Report of an external evaluation mission.* Guatemala, September 2003.

Kruijt, Dirk et. al (2000) *Informe de evaluación del aporte de la cooperación de la Real Embajada de los Países Bajos con MINUGUA (Fondo de Fideicomiso)*. Guatemala, 12 de octubre de 2000.

Kruijt, Dirk; Fondebrider, Luis; Alvarez, Francisca (2002) *Informe de evaluación de los proyectos ejecutados por la Fundación de Antropología Forense de Guatemala (FAFG)*. Guatemala/Utrecht, 29 de septiembre de 2002.

Luz, María de la (2004) *Informe final de la evaluación del proyecto 'Apoyo a la secretaría presidencial de la mujer (SEPREM) de Guatemala'*. Guatemala, febrero de 2004.

Plant, Roger et. al (2000) *Evaluation of Danish support to Promotion of Human Rights and Democratisation 1990-98: Guatemala*. Copenhagen, Ministry of Foreign Affairs-DANIDA.

Rodríguez, Irene; Tamayo, Josefina (2004) *Informe de evaluación del proyecto 'Fortaleciendo liderazgos de las mujeres rurales. Organización asesora y de acompañamiento al proyecto: Consejería en proyectos'.* Guatemala, enero de 2004.

Thoresen, Beate; Volio, Roxana; Enríquez, Alberto (2002) *Evaluación externa del Centro de Acción Legal en Derechos Humanos (CALDH).* Hivos/Embajada Real de Holanda, Guatemala, Julio de 2002.
Volio, Roxana; Rodríguez, Edna Victoria (2000) *Informe de la evaluación del proyecto 'Fortalecimiento de la Defensoría de la Mujer a nivel nacional (GT010102).* Guatemala, 14 de Julio de 2000.
Volio, Roxana; Zambrana, Ada (2002) *Evaluación externa del proyecto 'Prevención de violencia intrafamiliar contra las mujeres (AMVA)'. Hivos, Embajada Real de los Países Bajos.* Guatemala, noviembre de 2002.
Volio, Roxana; Zambrana, Ada (2003) *Evaluación de medio período del proyecto 'Gestión estratégica para la consolidación de la defensoría de la mujer'*. Guatemala, diciembre de 2003.

OTHER DOCUMENTS:

CEH (1999) *Guatemala, Memoria del Silencio.* Informe presentado por la Comisión de Esclarecimiento Histórico, Guatemala.
EU2002.DK (2003*) Assessment of progress in implementing the Guatemalan Peace Accords.* Danish EU Presidency , Guatemala, May 2003.
GAM (2004) *Informe sobre la situación de los derechos humanos en Guatemala 2003.* Guatemala: Grupo de Apoyo Mutuo.
Gauster, Susana; Barreda, Carlos (2003) *Impacto financiero y político del Grupo Consultivo para Guatemala y análisis de la reunión del Grupo Consultivo de mayo de 2003.* Guatemala, Coordinación de ONG y Cooperativas (CONGCOOP), Mayo de 2003.
Sieder, Rachel et.al (2002) *Who Governs? Guatemala Five Years After the Peace Accords*. Cambridge MA, Hemisphere Initiatives.

ANNEX 4

EVALUATION CHECKLIST GUATEMALA

1 DATOS BÁSICOS:

1.1 Número
1.2 Número de actividad
1.3 Nombre de la actividad
1.4 Objetivo (breve)
1.5 Organización responsable (manejo)
1.6 Organización implementando
1.7 Tipo de organización implementando (ONG, Org social, Inst estatal)
1.8 Número de proyectos y período
1.9 Apoyo Holanda (en millones de EUR)
1.10 Presupuesto total (por año)
1.11 Aporte financiero de Holanda
1.12 Otros donantes principales (y porcentaje del presupuesto total)
1.13 Evaluación (fecha y autor)
1.14 Persona de contacto (teléfono y dirección)

2 DATOS ESPECÍFICOS:

2.1 Análisis del problema
2.2 Objetivos generales
2.3 Objetivos específicos
2.4 Resultados previstos
2.5 Obstáculos previstos
2.6 Indicadores
2.7 Grupo meta
2.8 Tipo de DDHH involucrado
2.9 Tipo y nivel de intervención (p.e. fortalecimiento del estado, fortalecimiento del tejido social, etc.)
2.10 Area(s) geográfica(s)
2.11 Enfoque de género
2.12 Descripción de las actividades
2.13 Documentos revisados
2.14 Comentarios adicionales

3 COHERENCIA CON LA POLÍTICA DE DDHH DE HOLANDA:

Pregunta principal: ¿De qué forma el proyecto o el programa era coherente(e incidió) con el proceso de paz?

3.1 Relación con los acuerdos de paz
3.2 Relación con la gobernabilidad
3.3 Relación con la situación de los DDHH
3.4 Relación con la reducción de la pobreza
3.5 Relación con enfoque de género
3.6 Factibilidad (técnico, institucional, social-cultural, financiero, socio-econ.)
3.7 Sostenibilidad de los resultados
3.8 Posibles efectos imprevistos
3.9 Riesgos del proyecto

3.10 Obstáculos previstos / pre-condiciones necesarios
3.11 Percepción sobre la contribución a la defensa de los DDHH
3.12 Complementaridad con esfuerzos de otros actores
3.13 Valoración general de la actividad por parte de la embajada de Holanda
3.14 Valoración general sobre coherencia con la política de Holanda de DDHH
3.15 Comentarios adicionales

4 EVALUACIÓN EFICIENCIA:

Pregunta principal: ¿En que medida se han utilizado los recursos en forma económica para realizar el resultado previsto?

4.1 Claridad en la formulación de las actividades y el output previsto
4.2 Claridad en la formulación de los objetivos
4.3 Objetivos realistas en relación al tiempo?
4.4 Coherencia de las actividades visto los objetivos?
4.5 Existe un sistema de monitoreo?
4.6 Existen indicadores explícitos?
4.7 Existen indicadores específicos sobre género?
4.8 Calidad general del diseño del proyecto (Puntos positivos y negativos)
4.9 Calidad de los informes a la embajada
4.10 Se realizaron las actividades dentro del tiempo previsto?
4.11 Se realizaron las actividades dentro del presupuesto?
4.12 Factores positivos para realizar la ejecución
4.13 Factores negativos limitando la ejecución
4.14 Cambios en la ejecución
4.15 Se informó la embajada sobre estos cambios?
4.16 Utilización de las evaluaciones para adaptar la actividad
4.17 Valoración general sobre la implementación
4.18 Comentarios adicionales

5 EVALUACIÓN EFECTIVIDAD:

Pregunta principal: ¿En que medida ha contribuido la ejecución del proyecto (output) a la realización de los objetivos (outcome)?

5.1 Resultados principales del proyecto
5.2 Porcentaje de realización de los objetivos
5.3 Como se realizaron los objetivos?
5.4 Porque no se realizaron todos los objetivos?
5.5 Realización de objetivos de género
5.6 Realización del objetivo de sostenibilidad de los resultados
5.7 Factores positivos explicando los resultados
5.8 Factores limitando la realización de los objetivos
5.9 Principales lecciones sobre efectividad
5.10 Valoración general sobre efectividad
5.11 Comentarios adicionales

6 EVALUACIÓN RELEVANCIA:

Pregunta principal: ¿Se han logrado a través de la ejecución de los programas y proyectos mejores condiciones macro para el fomento de justicia social, el estado de derecho y el respeto de los DDHH?

6.1 Contribución de los resultados a la justicia social
6.2 Contribución de los resultados al estado de derecho
6.3 Contribución de los resultados al respeto de los DDHH
6.4 Contribución general al proceso de paz
6.5 Tipo de evidencia (explícita o circunstancial)
6.6 Papel de factores externos
6.7 Papel de los recursos de los donantes
6.8 Papel de la embajada de Holanda
6.9 Principales lecciones sobre relevancia
6.10 Valoración general sobre la relevancia del proyecto
6.11 Comentarios adicionales

ANNEX 5

LIST OF INTERVIEWS

Name	*Organisation/position*	*Place and date*
Guatemala, first round (November-December 2003):		**G= Guatemala City**
Marijke Otten	Dutch Embassy, Head of Development Co-operation	G, 19 Nov 2003
Ella de Voogd	Dutch Embassy, Programme Officer Governance	G, 19 Nov 2003
Claudia Paz	ICCPG, Executive Director	G, 20 Nov 2003
Fanuel García	ICCPG, Coordinador Capacitación	G, 20 Nov 2003
Javier Hernández	MINUGUA, Human Rights Department	G, 20 Nov 2003
Ricardo Changala	MINUGUA, Human Rights Department	G, 20 Nov 2003
José Saborio	MINUGUA, Human Rights Department	G, 20 Nov 2003
Maria Maldonado	MINUGUA, Deputy Director	G, 20 Nov 2003
Ana Luisa Rivas	PNUD	G, 21 Nov 2003
Sergio Duarte	PNUD, Advisor Q'Anil B Project	G, 21 Nov 2003
Claudia Masseli	PNUD, Programme Officer 'Jueces de Paz'	G, 21 Nov 2003
Maria Castells Arrosa	PNUD, Advisor Justice to Resident Co-ordinator	G, 21 Nov 2003
José Suasnavar	FAFG, Director	G, 21 Nov 2003
Christina Elich	PNUD,	G, 21 Nov 2003
Cecilia Alfaro	PNUD, Programme Officer Governance	G, 21 Nov 2003
Jorge Ruano	PNUD, Head Governance Programme	G, 21 Nov 2003
Denis Martínez	Dutch Guatemala Platform, Representative	G, 23 Nov 2003
Frank LaRue	CALDH, Executive Director	G, 24 Nov 2003
Mario Minera	CALDH, Coord Municipal Progr	G, 24 Nov 2003
Francisco Cali	CALDH, Coord Indigena Progr	G, 24 Nov 2003
Onelia de Trujillo	Fondo de Gobernabilidad, Co-ordinator	G, 24 Nov 2003
Ana María Méndez	CECI, Director	G, 24 Nov 2003
Rafael Toledo	PNUD, Head Socio-economic Progr	G, 25 Nov 2003
Chiharu Fukazawa	PNUD, Progr Officer 'Catastro'	G, 25 Nov 2003
Miguel Angel Albizurez	CALDH, Co-ordinator 'Alianza contra la Impunidad'	G, 25 Nov 2003
Nery Rodenas	ODHA, Co-ordinator	G, 25 Nov 2003
Mario Polanco	GAM, Co-ordinator	G, 25 Nov 2003
Julieta Hernández	HIVOS, Guatemala Consultant	G, 26 Nov 2003
Bernard Arévalo	War-torn Societies Project (WSP), Co-ordinator	G, 26 Nov 2003
Mercédes Asturias de Castañeda	AMVA, Vice-President of the Board	G, 27 Nov 2003
Odilia López Chai	AMVA, Project Official	G, 27 Nov 2003
Víctor Gálvez	FLACSO, Executive Director	G, 27 Nov 2003
José Suasnavar	FAFG, Executive Co-ordinator	G, 27 Nov 2003
Exhumation group	FAFG	G, 27 Nov 2003
Thelma Cortés	PDH, Defensora de la Mujer	G, 27 Nov 2003
Rossana Peralta	PDH, International Relations Officer	G, 27 Nov 2003
María Eugenia Sierra	PDH, Procuradora Adjunta	G, 27 Nov 2003
Eduardo Núñez	OAE, Co-ordinator progr 'Democratic Values'	G, 28 Nov 2003
Carlos Roberto Enriquez	TSE, Former Magistrate (now consultant to UNDP in the 'Jueces de Paz' project)	G, 28 Nov 2003

Efraín Ramirez Montejo	Peace Judge, Zona 5 Guatemala	G, 28 Nov 2003
Claudia Azevedo	CALDH, Proyecto APREDE	G, 28 Nov 2003
Gustavo Fuentes plus six members of APREDE	CALDH, APREDE, Co-ordinator	G, 28 Nov 2003
Jazmin de Léon	Peace judge in Palencia / San José del Golfo	Palencia, 28 Nov 2003
Pascual Yuxtun	Saq'be	Comalapa,29 Nov 2003
Rosalina Tuyuc (and women's group)	CONAVIGUA	Comalapa, 29 Nov 2003
Francisco Calí Amavilia Simon	CALDH, Proyecto indigena	G, 1 Dec 2003
Ivan Buitron, Flori Yax Tiu Pilar del Barrio	PCS, Proyecto mujeres rurales	G, 1 Dec 2003
Harold Sibaja	CAII,	G, 2 Dec 2003
Helen Mack	Fundación Myrna Mack, Director	G, 2 Dec 2003
Sergio Pivaral	USAID, Project Officer	G, 2 Dec 2003
Ricardo Stein	Fundación Soros, Director	G, 2 Dec 2003
Helmer Velázquez	CONGCOOP, Co-ordinator	G, 2 Dec 2003
Klavs Wulffs	PRODECA, Director	G, 3 Dec 2003
Marcie Mersky	MINUGUA, Transition Co-ordinator	G, 3 Dec 2003
Lili Caravantes	SEPREM, Presidential Secretary for Women	G, 3 Dec 2003
Renzo Rosal	Univ Landivar, Fac Ciencias Politicas, Dean	G, 3 Dec 2003
Elizabeth Estrada	Fondo de Gobernabilidad, Former Co-ordinator	G, 4 Dec 2003
Barbara Pesce	PNUD, Director, Deputy-UN Resident	G, 4 Dec 2003
Guri Rüsten	Norwegian Embassy, Programme Officer	G, 4 Dec 2003
Maria Leissner	Swedish Embassy, Ambassador	G, 4 Dec 2003
Bea ten Tusscher	Dutch Embassy, Chargé d'Affaires	G, 5 Dec 2003
Antonio Coolen	SEPRODI	G, 5 Dec 2003

Guatemala, second round (February 2004):

Klavs Wulffs	PRODECA, Director	G, 4 Feb 2004
Carlos Cabrera	Catastro Nacional, Executive Director	G, 4 Feb 2004
Carlos Castro	Catatastro, Nacional Co-ordinator	G, 4 Feb 2004
Luís Felipe Tolaque	Catatastro Nacional, Vice-Director	G, 4 Feb 2004
Bea ten Tusscher	Dutch Royal Embassy, Guatemala	G, 5 Feb 2004
Ella de Voogd	Dutch Royal Embassy, Guatemala	
Braulia Thillet de Solórzano	PPD, Director	G, 5 Feb 2004
Gabriel Aguilera	Ex-minister of Foreign Affairs; Chair PPD Board	G, 5 Feb 2004
Onelia de Trujillo	Fondo de Gobernabilidad, Co-ordinator	G, 5 Feb 2004
Ana María Méndez	CECI, Director	G, 5 Feb 2004
Henrik Riby	Swedish Embassy; Programme Officer ASDI	G, 6 Feb 2004
Eda Gaviola	CALDH, Executive Director (Jan 2004)	G, 6 Feb 2004
Christina Laur de Perez	CALDH, Administrative Co-ordinator	G, 6 Feb 2004
Jan van Hemert	Kadaster Nederland, Manager International	G, 6 Feb 2004

Carlos Camacho	PNUD, Advisor on Agrarian issues	Panajachel, 8 Feb 2004
Mario Minera	CALDH, Programa Municipal	Sololá, 9 Feb 2004
Jorge Tzunum	ASUDI, Sololá (partner organisation of	Sololá, 9 Feb 2004
Florian Saloj	CALDH)	
Dominga Vazquez	Indigena Mayor of Sololá	Sololá, 9 Feb 2004
Julajuj	Human rights observers network	Sololá, 9 Feb 2004
José Quino	In Sololá (partner of CALDH)	
Ismael Macario		
Margarita de la Cruz	MINUGUA, Director of Quiché Office	Sta. Cruz del Quiché,
Beatriz la Fuente	MINUGUA, Project Officer for Nebaj	10 Feb 2004
María Salomé	MINUGUA, National Transition	Nebaj, 10 Feb 2004
Herman Córdoba	Volunteers (Sta. Cruz del Quiché Office)	
Marcio Palacios	Rep Swiss Human Rights project Ixil	Nebaj, 10 Feb 2004
Miguel Angel	CAJ, General co-ordinator	Nebaj, 10 Feb 2004
Avendaño		
Vicente Chivaldan	Bufete Popular CAJ, Legal advisor	Nebaj, 10 Feb 2004
Hernan Vitorio	Public Ministry, CAJ, Prosecutor	Nebaj, 10 Feb 2004
Monzon		
Juan Hernández	CAJ, Juez Primera Instancia	Nebaj, 10 Feb 2004
Bertha Luíz	Public Ministry, CAJ, Criminal	Nebaj, 10 Feb 2004
	Investigator	
Favian de Léon Perez	CAJ, Juzgado Instancia Penal	Nebaj, 10 Feb 2004
Simón Cristóbal	CAJ, Co-ordinator of Mediation Centre	Nebaj, 10 Feb 2004
Eduardo Estrada	CAJ, Peace Judge	Nebaj, 10 Feb 2004
Juan Solís Uluan	PNC, Chief of Police of Ixchil Region	Nebaj, 10 Feb 2004
Diego Rivera	Movimiento de Desarrollo del Norte del	Nebaj, 10 Feb 2004
	Quiché	
Pedro Ramírez	Human Rights co-ordinator Dev	Nebaj, 10 Feb 2004
	Movement	
Carmen María Santos	Assistence to victims of Pulic Ministry	Nebaj, 10 Feb 2004
Miguel López	Mediation Center of CAJ	Nebaj, 10 Feb 2004
Wilby García	INAB (National Nevrionmental Institute)	Nebaj, 10 Feb 2004
Juan Manos	Youth Association of Nebaj	Nebaj, 10 Feb 2004
Miguel Velasco Matom	Vice-Mayor of Nebaj	Nebaj, 10 Feb 2004
Mario Chamay	Auxiliary of PDH in Nebaj	Nebaj, 10 Feb 2004
Rodríguez		
Pedro Gallego	Defensoria Indigena Nebaj	Nebaj, 10 Feb 2004
Promotores Jurídicos	Group discussion with legal advisors	Nebaj, 10 Feb 2004
CAJ		
Manuel Felipe Pérez	CALDH, Coord Indigena Project Ixil	Nebaj, 11 Feb 2004
Juan Velasco Pérez	CALDH, Officer Indigena Project Ixil	Nebaj, 11 Feb 2004
Tiburcio Utuy	Survivor of imprisonment and tortures	Nebaj, 11 Feb 2004
Joey Maximiliano Itzep	ADIQK, counterpart of CALDH in Ixil	Nebaj, 11 Feb 2004
Alberto Hernández	ADIQK, counterpart of CALDH in Ixil	Nebaj, 11 Feb 2004
Pedro Raymundo	ADIQK, counterpart of CALDH in Ixil	Nebaj, 11 Feb 2004
Roberto Macayo	ADIQK, counterpart of CALDH in Ixil	Nebaj, 11 Feb 2004
Andrés Cruz	Peace Corps, Cunen	Cunen, 11 Feb 2004
Suliana de Leon	Municipal Planning Office, Cunen	Cunen, 11 Feb 2004
Balthazar Amador	(counterpart of Movimundo in Catastro	
	project)	
Juan Rodríguez	Local farmers and beneficiaries of	Cunen, 11 Feb 2004
Ricardo Purchiznena	Catastro project	
Fernando González,	National Catastro in Alta Verapaz	Cobán, 12 Feb 2004
Wilmer Quin		
Manuel Herrera,		

Erwin Cacul		
Esvin Guevara	Mayor of Huité	Huité, 13 Feb 2004
Claudia Terraza	Catastro Office, Municipality of Huité	Huité, 13 Feb 2004
Hector Solis	Head of Catastro Zacapa-Chiquimula	Chiquimula, 13 Feb 2004
Willy Aragon	Catastro Zacapa-Chiquimula, Head Technical dept	Chiquimula, 13 Feb 2004
Enrique Osegueda	San Jacinto, Head of Land Policy office	Chiquimula, 13 Feb 2004
Monica Velázquez	UTC, Head of social communication (Guatemala)	Chiquimula, 13 Feb 2004
Carlos Cabrera	UTC, National Director	Chiquimula, 13 Feb 2004
Gustavo Porras	Former Private Secretary of President Arzú	G, 16 Feb 2004
Marcy Mersky	MINUGUA, Transition Manager	G, 16 Feb 2004
Reyna de Contreras	Country Rep World Vision, formerly UNDP (Q'Anil B)	G, 16 Feb 2004
Rolando Castillo	SEGEPLAN, Formerly Presidential Advisor	G, 17 Feb 2004
María José Risco Ceniceros	Spanish Embassy, Vice-Co-ord Co-operation Programme	G, 17 Feb 2004
Hugo Cayzac	EU Delegation, Human Rights and Indigena Co-ordinator	G, 17 Feb 2004
Joao Melo de Sampaio	EU Country Representative	G, 17 Feb 2004
Dominga Montez and 15 colleagues	Madre Tierra, Discussion on PCS projects	La Lupita, 18 Feb 2004
Hermitaneo Lopez (and five other authorities of La Lupita)	Former President Cooperative La Lupita	La Lupita, 18 Feb 2004
Ernestina Olivares (and 10 other members)	Madre Tierra in Monte Gloria	Monte Gloria, 18 Feb 2004
Brenda Leticia, Mario Actun, Everardo Chuc Xum	Centro Timach, supported by Governance Fund	Quetzaltenango, 19 Feb 2004
Alexander Gómez, Pascual Romero	ACODIMAM (MAM Community Association)	San Juan, 19 Feb 2004
Rosa Ixcol Mus	Defensoría de la Mujer Indígena, Quetz office	Quetz, 19 Feb 2004
Erica Sierra Coy		
Cecilia Escobar & colleagues	CODECOT, Council of Comadronas (midwives)	Quetz, 19 Feb 2004
Sandra Baguiax	PDH, Defensora de Mujeres Xela (Defem)	Quetz, 19 Feb 2004
Rudy Castillo Ramírez	PDH, Auxiliary for Xela	Quetz, 19-20 Feb 2004
Henri Morales	Mivimeineto Tzuk Kim Pop (supported by Governance Fund/CECI)	Quetz, 19 Feb 2004
Alfonso Ixcot		
Francisco Matulo (ICCPG), Angela Salazár, and others	Visit to Pastoral de la Mujer and Development Association of Colomba (supported by ICCPG)	Colomba, 20 Feb 2004
Group discussion (14 persons)	PDH, Auxiliaries and staff from Sololá, San Marcos, Coatepeque, Quiché, Totonicapan, Xela	Quetz, 20 Feb 2004
Group discussion	Prosecutors Public Ministry in ICCPG course	Quetz, 20 Feb 2004
	ICCPG, Course leader	Quetz, 20 Feb 2004

Sergio Parilla	BID, Human Rights officer	G, 23 Feb 2004
Raquel Vásquez (Madre Tierra) Maria Domingo Pérez (Mama Maquín) Eulalia Silvester (Ixmucané)	Rural Women's Alliance for Life, Land and Dignity (Before: Commission to Negotiate Land Rights)	G, 23 Feb 2004
Laurent Umans	Dutch Embassy, Environment Specialist	G, 24 Feb 2004
Ella de Voogd	Dutch Embassy, Governance and Gender Specialist	G, 25 Feb 2004
Rolf Berg	Norwegian Ambassador in Guatemala	G, 25 Feb 2004
Yolanda Aguilar	Independent Feminist	G, 25 Feb 2004
Walter Eickhoff	German Ambassador in Guatemala	G, 26 Feb 2004
Bea ten Tusscher Marijke Otten	Dutch Embassy; debriefing	G, 26 Feb 2004
Eduardo Núñez	OAS, Co-ordinator Democratic Values Project	G, 26 Feb 2004

In the Netherlands:

Arend Pieper	Former Chargé d'Affaires Guatemala	Haarlem, 4 Nov 2003
To Tjoelker	Former TD Governance and Women	Den Haag, 12 Nov 2003
Lucie de Zwaan	DGIS/DWH	Den Haag, 12 Nov 2003
Jan-Jaap Groenemeijer	DGIS/DWH	Den Haag, 12 Nov 2003
Arend Pieper, DWH, IOB	Group discussion on Dutch policies in Guatemala	Den Haag, 9 Jan 2004
Guatemala Platform Netherlands (Group of seven representatives)		Den Haag, 12 Jan 2004
Suzan van der Meij	ICCO	Zeist, 14 Jan 2004
Marlies Stappers	Solidaridad,Guatemala Platform against Impunity	Amsterdam, 16 Jan 2004
Tejo van der Schoot	Hivos, Guatemala Platform against Impunity	
Wouter Plomp	Former HOS Embassy Guatemala; currently DGIS/DMV/MR	Den Haag, 21 Jan 2004

ISSN 15166-3000

ORDERCODE: BZDR6228/E

Ministerie van
Buitenlandse Zaken

BZDR6228/E