



USAID
FROM THE AMERICAN PEOPLE

OFFICE OF INSPECTOR GENERAL

**AUDIT OF
USAID/COLOMBIA'S HUMAN
RIGHTS PROGRAM**

AUDIT REPORT NO. 1-514-09-007-P
MARCH 6, 2009

SAN SALVADOR, EL SALVADOR



USAID
FROM THE AMERICAN PEOPLE
Office of Inspector General

March 6, 2009

MEMORANDUM

TO: USAID/Colombia Mission Director, Susan Reichle

FROM: RIG/San Salvador, Timothy E. Cox /s/

SUBJECT: Audit of USAID/Colombia's Human Rights Program (Report No. 1-514-09-007-P)

This memorandum transmits our final report on the subject audit. We have carefully considered your comments on the draft report in finalizing the audit report and have included your response in appendix II of the report.

The report contains nine recommendations intended to improve the effectiveness and implementation of USAID/Colombia's Human Rights program. Management decisions have been reached for all nine recommendations. M/CFO/APC will record final action on these recommendations when planned actions have been completed.

I want to express my appreciation for the cooperation and courtesy extended to my staff during the audit.

CONTENTS

Summary of Results	1
Background	3
Audit Objectives	4
Audit Findings	5
Did USAID/Colombia’s human rights program activities achieve planned results and what has been the impact?	5
The Early Warning System Should Be More Independent.....	6
The National Action Plan for Human Rights Is Stalled.....	9
Implementation of Human Rights Contingency Plans Is Unlikely.....	10
Did USAID/Colombia’s reporting on its human rights program provide stakeholders with complete and accurate information on the progress of the program and the results achieved?	11
The Program Needs a Performance Monitoring Plan	11
Data Reporting Needs to be Strengthened	13
Mission Should Improve TraiNet Reporting	13
Evaluation of Management Comments	16
Appendix I – Scope and Methodology	17
Appendix II – Management Comments	19

SUMMARY OF RESULTS

Colombia's internal armed conflict has pitted security forces, paramilitaries, and guerrilla groups against one another for several decades. Although violence has decreased since 2002 and the human rights situation has improved, attacks on civilians continue. Former paramilitaries continue to operate under new names, using threats and violence to accomplish their objectives. The USAID human rights program in Colombia is the largest such USAID program in the world. The main implementing partner is Management Sciences for Development Inc. (MSD) under a \$38.8 million contract beginning in 2006 and running for up to 5 years. As of October 31, 2008 approximately \$14.9 million has been spent under the program (see page 3).

As part of the fiscal year (FY) 2009 audit plan, the Regional Inspector General/San Salvador audited USAID/Colombia's human rights program activities to answer the following questions (see page 4):

- Did USAID/Colombia's human rights program activities achieve planned results and what has been the impact?
- Did USAID/Colombia's reporting on its human rights program provide stakeholders with complete and accurate information on the progress of the program and the results achieved?

USAID/Colombia and its implementing partner achieved planned results for one of the six main areas of the program (strengthening the Ministry of Interior and Justice) and partially achieved planned results for five (strengthening the Office of Human Rights in the National Police, strengthening the Early Warning System, supporting development of the National Action Plan for human rights, assisting at-risk communities, and strengthening civil society organizations). Of particular note was the increase in the number of regional analysts in the Colombian government's Early Warning System for human rights (EWS) from 13 in 2006 to 22 in 2007. USAID/Colombia also provided support for the design of an overall strategy for the human rights office of the National Police. Another success was the draft National Action Plan on human rights, agreed to by 25 different entities within the Colombian government. Input from civil society will be needed to advance the plan (see page 5).

USAID/Colombia can strengthen the program by (1) increasing the independence of the EWS (page 6), (2) helping restart work on the National Action Plan (page 9), (3) reprogramming funds from a stalled contingency plan activity for at-risk communities (page 10), (4) finalizing and implementing a performance monitoring plan (page 11), (5) strengthening data reporting (page 13), and (6) improving reporting under USAID's Training Results and Information Network (TraiNet) (page 13).

This report recommends that USAID/Colombia:

- In coordination with its implementing partner and the Government of Colombia, augment the membership of the Inter-Institutional Committee for Early Warnings to include members from the independent oversight and control branch of the Colombia State, such as the National Ombudsman and the Inspector General, and charge

them with oversight of the committee's operations (see page 9).

- In coordination with its implementing partner and the National Ombudsman, ensure that the EWS makes risk reports available to the public on a timely basis by posting them on the Internet and/or publishing them while keeping reasonable confidentiality and security needs in mind (see page 9).
- In coordination with its implementing partner, the Government of Colombia, and the National Ombudsman, implement procedures for more timely and effective two-way communication between the Inter-Institutional Committee for Early Warnings and the Early Warning System (see page 9).
- In coordination with its implementing partner and the National Ombudsman, ensure that the Early Warning System establishes internal timelines for preparing and forwarding risk reports (see page 9).
- Exercise its influence with the Government of Colombia and civil society organizations to encourage them to resume work on the National Action Plan for human rights within the framework of the Coordination Level, while discouraging initiatives to narrow participation in the National Action Plan for human rights process (see page 10).
- In coordination with its implementing partner, reprogram the \$396,943 for the activities of the assistance program for at-risk communities to other efforts that will produce more significant results (see page 11).
- Develop a performance management plan for the human rights program (see page 13).
- In conjunction with its implementing partner, develop and implement a system to reasonably ensure that reported information is accurate (see page 13).
- Provide limited access to the Agency's Training Results and Information Network (TraiNet) to contractors who report on training so that the initial data entry can be done by them before being reviewed by the appropriate USAID/Colombia staff (see page 15).

USAID/Colombia agreed to implement the recommendations and has developed specific plans to address them. Management decisions have been reached on all nine recommendations. Our evaluation of management comments is provided in the Evaluation of Management Comments section of this report (page 16), and USAID/Colombia's comments in their entirety are included in appendix II.

BACKGROUND

Colombia's internal armed conflict has pitted security forces, paramilitaries, and guerrilla groups against one another for several decades. The conflict between government forces and antigovernment insurgent groups and illegal paramilitary groups escalated during the 1990s. The insurgents lack the military or popular support necessary to overthrow the Government, and violence has been decreasing since about 2002, but insurgents continue attacks against civilians and large swaths of the countryside are under guerrilla influence.

In a 2008 report, Amnesty International states that there have been reductions in certain types of human rights abuses in recent years. For example, the number of kidnappings has fallen, from a recent high of 3,570 in 2000 to just over 520 in 2007. Similarly, the number of conflict-related killings of civilians has fallen, from a recent high of around 4,000 in 2002 to some 1,400 in 2007. Despite the reduction of violence, there is strong evidence that many of the so-called "former" paramilitaries continue to operate – often under new names such as the New Generation Organization (Organización Nueva Generación) and the Black Eagles (Águilas Negras). These groups continue to use the threat of force and actual violence to further their economic and political objectives.¹ A 2007 mission of the Organization of American States suggested that 22 groups with around 3,000 combatants had reemerged, led by middle-ranking paramilitary leaders and consisting mainly of supposedly demobilized rank-and-file paramilitaries.

Members of the U.S. Congress have cited human rights concerns as a reason for their opposition to the Colombia Free Trade Agreement. The free trade agreement is currently pending ratification by the United States Congress.

The USAID/Colombia project is the largest USAID human rights initiative in the world. The program is implemented by Management Sciences for Development, Inc. (MSD) under a \$38.8 million contract that runs from 2006 through 2011 (2 years with an option for 3 additional years). As of October 31, 2008, \$21.2 million has been obligated and \$14.9 million spent under the contract. Additionally, USAID entered into a \$700,000 grant agreement with the United Nations Office of the High Commissioner for Human Rights in Colombia (UN/OHCHR).

The USAID Human Rights Program provides support for the prevention of and protection against human rights abuses, and for strengthening government and civil society responses. Some of the main activities are:

- Strengthening the Early Warning System (EWS) in the Office of the National Ombudsman
- Strengthening the capacity of the Ministry of Interior and Justice
- Assisting the Government of Colombia and civil society in the development of a National Action Plan for human rights (NAP)

¹ Amnesty International *Leave Us in Peace: Targeting Civilians in Colombia's Internal Armed Conflict*, (2008).

- Assisting at-risk communities in developing contingency plans for prevention of human rights abuses
- Strengthening civil society organizations
- Strengthening the Office of Human Rights in the National Police

AUDIT OBJECTIVES

As part of the fiscal year 2009 audit plan, the Regional Inspector General/San Salvador audited USAID/Colombia's human rights program activities to answer the following questions:

- Did USAID/Colombia's human rights program activities achieve planned results and what has been the impact?
- Did USAID/Colombia's reporting on its human rights program provide stakeholders with complete and accurate information on the progress of the program and the results achieved?

The audit scope and methodology are described in appendix I.

AUDIT FINDINGS

Did USAID/Colombia's Human Rights Program Activities Achieve Planned Results and What Has Been the Impact?

USAID/Colombia and its implementing partner achieved planned results for one of the six main areas of the program (strengthening the Ministry of Interior and Justice) and partially achieved planned results for the other five areas (strengthening the Office of Human Rights in the National Police, strengthening the Early Warning System, supporting development of the National Action Plan for human rights, assisting at-risk communities, and strengthening civil society organizations). The following paragraphs describe accomplishments in these areas and further actions that are needed to fully achieve planned results and increase the effectiveness of USAID's assistance.

- USAID/Colombia strengthened the Early Warning System (EWS) by increasing the number of regional analysts who report on threats to human rights. The number of regional analysts increased from 13 in 2006 to 22 at the end of 2007. However, in the section beginning on page 6, we make recommendations regarding augmenting the membership of the Inter-institutional Committee for Early Warnings (CIAT), publishing risk reports, improving communication between the EWS and the CIAT, and establishing internal timelines for the preparation and submission of risk reports.
- USAID/Colombia provided training to 17 Ministry of Interior and Justice (MOIJ) officials for human rights protection. This is important as MOIJ is charged with the protection of at-risk individuals.
- The program helped 25 different government agencies come to an agreement on a draft National Action Plan for human rights (NAP) in 2007. This is a significant accomplishment as developing a NAP has been a goal of the Government of Colombia (GOC) since 1993. The next phase of this process was for the GOC and civil society to agree on a final draft in 2008, but this was not achieved, as discussed further in the section beginning on page 9 below.
- USAID/Colombia, through MOIJ, provided six prevention training classes for leaders of displaced populations, labor unions, indigenous communities, afro-Colombian communities, and human rights organizations. These groups are thought to be at particular risk of being victims of human rights abuses. Also, the mission helped to develop local contingency plans in 10 at-risk areas. To develop the plans, local community leaders and local government officials worked together to identify human rights risks and required responses in their communities. The next step is for these plans to be discussed and implemented by the GOC at the national level. This phase has encountered difficulties and is further discussed on page 10 below.
- USAID/Colombia provided technical assistance to 81 civil society organizations although this was achieved late due to difficulties in starting up the activity.
- USAID/Colombia provided the Office of Human Rights in the National Police with support for developing strategic plans at the regional and national levels.

Figure 1. Map of Early Warning System Regions



Despite the progress and achievements made by the program thus far, some issues need management attention. The following sections discuss needed actions to make the EWS more independent, restart the process of developing a National Action Plan for human rights, and revise the approach to human rights contingency planning.

The Early Warning System Should Be More Independent

Summary: The EWS was created to provide independent analysis of threats to human rights and provide early warnings so that human rights abuses could be prevented. However, its independence has arguably been compromised by giving final decision-making authority for issuing warnings to a committee composed of representatives from the military, the National Police, the Administrative Department of Security (DAS), and the Presidential Program for Human Rights. This occurred because the committee (known as the CIAT) initially operated informally, and until its authority was formalized in 2007 it was not obvious how its decision-making authority infringed on the independence of the EWS. There is evidence that CIAT's involvement in decision-making has reduced the number of early warnings issued.

EWS risk reports, which detail potential human rights abuses, are based on the work of a network of analysts whose findings undergo several levels of review. Regional analysts monitor risks and, when they determine that a human rights abuse is likely to occur, forward a risk report to a national analyst in Bogota. The national analyst reviews this information and may ask questions about the report or forward it to the director of the EWS who may then send it to the National Ombudsman.

The EWS was formed to provide independent assessments of potential human rights abuses and issue early warnings so that action can be taken to prevent rights abuses. The EWS was placed within the Office of the National Ombudsman, a part of the independent oversight and control branch of the Colombian State, to provide independence from the armed forces and the rest of the GOC. The importance of independence is evidenced by the contract with Management Sciences for Development, Inc. (MSD), which makes reference to strengthening the independent oversight capacity and accountability of public sector entities. Officials with MSD, USAID/Colombia, the GOC, and a consultant involved in the original design of the EWS also confirm that the purpose of the EWS was to issue early warnings of potential human rights abuses from an independent standpoint.

However, in 2002, the Office of the National Ombudsman stopped issuing warnings independently and began to issue risk reports addressed to an ad hoc committee called CIAT. This committee, composed of representatives from the Ministry of Defense, the Vice President's Office, the Ministry of Interior and Justice, the DAS, and a presidential counselor, makes the final decision on whether to issue a warning. Although the stated purpose of CIAT is to improve coordination with elements of the Government that need to take action in response to warnings of potential human rights abuses, its actual function is to decide whether or not an early warning will be issued. This arguably compromises the independence of the EWS.

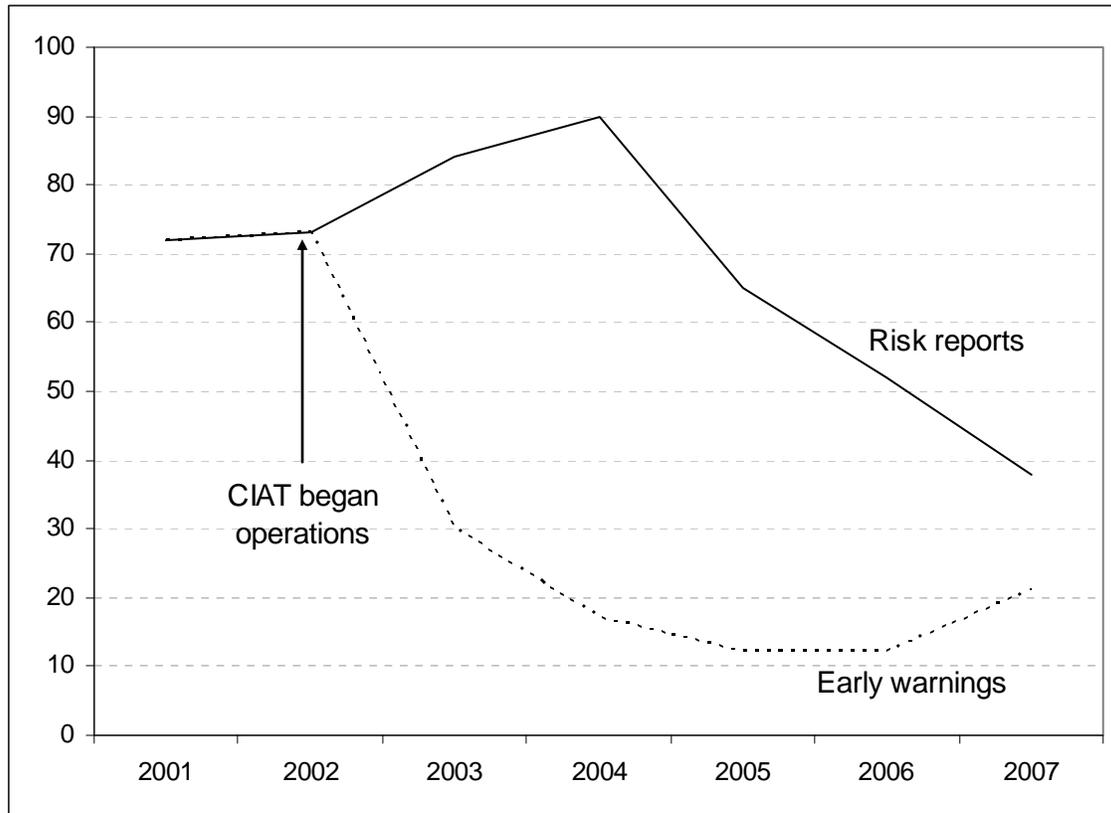
In addition, representatives of nongovernmental organizations (NGOs), USAID/Colombia, MSD, and the GOC state that EWS and CIAT are not working well together. For example, according to EWS officials, when EWS submits risk reports to CIAT through the Office of the National Ombudsman, CIAT's reply is often delayed for anywhere from two to eight months. Communication between the EWS and CIAT is not good: Some EWS officials say they are not aware of what CIAT has discussed or decided, and a consultant for CIAT acknowledged this weakness. Disagreements sometimes arise when CIAT members minimize the importance of risk reports issued by EWS, or when CIAT, relying on assurances from local police or military officials, declines to issue warnings based on risk reports issued by EWS. EWS analysts maintain that some citizens may be reluctant to share information on potential human rights abuses with local police and military officials.

This problem occurred because CIAT originally met informally, and until USAID suggested that CIAT's authority be formalized, it was not obvious how CIAT's decision-making authority infringed on the independence of the EWS and the National Ombudsman. When CIAT's authority was formalized through a presidential decree in July 2007, its effects on the authority of the National Ombudsman became more apparent. A USAID-financed evaluation in 2008 also shed light on how CIAT's position at the top of the chain of approval for warnings adversely affected the independence of the EWS.

It is probably impossible to quantify the effect that this institutional arrangement has had on issuance of early warnings, but there is some evidence that CIAT's involvement has

reduced the number of warnings issued. Figure 2 illustrates the trend in EWS risk reports and CIAT warnings from 2001 to 2007. While the scale and intensity of armed conflict fell during this period, leading to a 47 percent decline in EWS risk reports, the number of warnings fell even more (71 percent).

Figure 2. Risk Reports and Early Warnings Issued, 2001-2007



According to several sources, human rights abuses have at times occurred even though a risk report has been forwarded by the EWS to CIAT. For example, the EWS sent a risk report to CIAT on March 21, 2007. CIAT decided not to issue an early warning, based on information it obtained from a mayor, but a community leader was then assassinated on April 27, 2007. CIAT members say that at times a risk report is received from the EWS after the human rights abuse has already taken place.

Two tangential issues have also limited the effectiveness of the EWS:

- The EWS does not have internal timeframes establishing limits for the number of days that it may take to prepare and forward risk reports after information about a threat to human rights is received. The EWS director agrees that this weakness exists and should be addressed.
- Risk reports and early warnings, while considered public documents, are not routinely published or placed on the Internet. Members of the public can request to see the reports, but NGO officials say that it takes months to get access to the reports. This lack of transparency makes it difficult for NGOs, the media, or members of the public to hold

the GOC accountable for acting or not acting in response to risk reports and early warnings.

To correct these problems, we offer the following recommendations.

Recommendation No. 1: We recommend that USAID/Colombia, in coordination with its implementing partner and the Government of Colombia, augment the membership of the Inter-institutional Committee for Early Warnings to include members from the independent oversight and control branch of the Colombian State, such as the National Ombudsman and the Inspector General, and charge them with oversight of the committee's operations.

Recommendation No. 2: We recommend that USAID/Colombia, in coordination with its implementing partner and the National Ombudsman, ensure that the Early Warning System makes risk reports available to the public on a timely basis by posting them on the Internet and/or publishing them while keeping reasonable confidentiality and security needs in mind.

Recommendation No. 3: We recommend that USAID/Colombia, in coordination with its implementing partner, the Government of Colombia, and the National Ombudsman, implement procedures for more timely and effective two-way communication between the Inter-institutional Committee for Early Warnings and the Early Warning System.

Recommendation No. 4: We recommend that USAID/Colombia, in coordination with its implementing partner and the National Ombudsman, ensure that the Early Warning System establishes internal timelines for preparing and forwarding risk reports.

The National Action Plan for Human Rights Is Stalled

Summary: According to the contract signed with MSD, the GOC and civil society organizations were to work toward a new National Action Plan (NAP) for human rights. Currently there is very little interaction between the Government and civil society organizations. This is because both sides often make disparaging comments about one another and this has led to the main civil society groups refusing to discuss the matter until the GOC provides guaranties of their safety. As a result, the NAP process is stalled.

According to the contract signed with MSD and the monitoring and evaluation plan, the Government of Colombia (GOC) and civil society organizations were to consult with one another to produce a National Action Plan for human rights (NAP). Colombia signed an international agreement in 1993 in Vienna, Austria pledging to develop a National Action Plan for human rights. The goal for FY 2008 was for the GOC and the civil society human rights groups to discuss a draft and together agree on a final draft to be voted on.

This goal was not achieved. There has been very little interaction between the GOC and civil society on this issue, and officials representing MSD, NGOs, USAID/Colombia, the State Department, and the Office of the United Nations High Commissioner for Human Rights (UN/OHCHR) think that this is unlikely to change. UN/OHCHR has ceased to work

on the NAP process and has been using its resources for education efforts instead.

This is because of accusations and counter-accusations between the GOC and human rights groups. The GOC accuses some human rights groups of aiding left-wing terrorist organizations. This makes members of human rights groups fear for their safety. On the other hand, some human rights groups accuse the GOC of aiding or supporting paramilitary groups. In this environment, some civil society organizations that make up the Coordination Level² refused to discuss the NAP until the GOC provided certain guarantees related to safety. The GOC responded by saying it would bypass these groups and advance the NAP process with those elements of civil society that wish to participate. This would not be helpful since it would reduce the legitimacy of the NAP. The GOC recently indicated its willingness to reopen discussions, but it has committed itself to providing the guarantees requested. The NGO community response was unfavorable and no discussions appear imminent.

As a result of this impasse, the NAP process is stalled, and without a NAP, the country does not have a national policy regarding human rights.

Recommendation No. 5: We recommend that USAID/Colombia exercise its influence with the Government of Colombia and civil society organizations to encourage them to resume work on the National Action Plan for human rights within the framework of the Coordination Level, while discouraging initiatives to narrow participation in the National Action Plan for human rights process.

Implementation of Human Rights Contingency Plans Is Unlikely

Summary: According to the monitoring and evaluation plan, the program for attention to at-risk communities should develop contingency plans at the local level. Once this was accomplished, a committee at the national level was to meet to discuss and then implement these contingency plans. According to members of this committee, MSD, and USAID/Colombia officials, the committee has rarely met and when it has met very little has been accomplished. This is because the committee is made up of five members that all have equal authority, and there is a lack of clarity on how they are to go about discussing and then implementing these plans. While local authorities are able to use the contingency plans to some degree, without implementation at the national level the impact of the plans will be limited. This is because authority to undertake police and military actions in support of the contingency plans is highly centralized. As a result, the \$1.7 million spent in support of this activity to date has not had the desired impact at the national level.

According to the monitoring and evaluation plan, communities at risk with regard to human rights abuses were to develop contingency plans at the local level. Once this was accomplished, a committee at the national level was to meet to discuss and then implement these contingency plans. This was to fit within an overall goal of prevention with regard to human rights abuses in at risk areas.

According to two members of this committee, the committee has rarely met. When it has

² The Coordination Level is the name of a group that includes the GOC and civil society organizations that meets to implement the NAP.

met, very little has been accomplished. MSD and USAID/Colombia officials have confirmed this.

The national committee has accomplished little because it is made up of five members that are all equal in authority, and a lack of clarity on how they are to go about discussing and then implementing these plans. One member said that without a clear leader within the committee, it was difficult to achieve consensus. In addition, the fact that the committee has rarely met to discuss the contingency plans raises questions about the political will or priority of this review. Two of the members have also indicated to USAID that they are not keen on continuing to be part of this committee. USAID/Colombia officials agreed that the next step for the contingency plans was unlikely to be achieved.

While the local authorities are able to use the current contingency plans to some degree, without implementation at the national level, the impact is limited. This is because the Colombian political system requires buy-in from the central government in order to have the most impact as the actions required for communities at risk (police or military) will often need national level approval. As a result, the \$1.7 million spent in support of this activity to date has not had the desired impact at the national level. Therefore we are recommending that the remaining budget of this project (\$396,943) set aside for this activity be reprogrammed to activities that are more likely to produce significant results.

Recommendation No. 6: We recommend that USAID/Colombia, in coordination with its implementing partner, reprogram the \$396,943 for the activities of the assistance program for at-risk communities to other efforts that will produce more significant results.

Did USAID/Colombia’s reporting on its human rights program provide stakeholders with complete and accurate information on the progress of the program and the results achieved?

USAID/Colombia’s reporting on its human rights program provided stakeholders with complete and accurate information for six of the nine reported results we selected for review. However, three reported results were inaccurate.

USAID/Colombia’s main reporting to stakeholders for the period covered by the audit was through the FY 2007 performance report for the operational plan (the FY 2008 report had not been submitted when the audit fieldwork was completed). The mission provides separate reporting on performance indicators for the Andean Counter-drug Initiative.

The following sections include findings on the need for (1) a performance management plan (PMP), (2) the strengthening of data reporting, and (3) improved Training Results and Information Network (TraiNet) reporting.

The Program Needs a Performance Management Plan

Summary: Automated Directives System (ADS) 203.3.3 establishes a requirement for USAID missions to develop performance management plans (PMPs). USAID/Colombia
--

has not developed a PMP for the human rights program, mainly because mission staff thought that a monitoring and evaluation plan developed by MSD served much the same purpose. A PMP is needed, however, to more formally define the program performance indicators and explain why they were chosen. As a result of these issues, the information on actual performance reported could not be relied on and did not provide a reasonably complete picture of program activities and their progress.

ADS 203.3.3 states that operating units must prepare a complete PMP for each strategic objective (SO) within 1 year of approval of the SO. ADS 200.6 defines a PMP as a tool used by an operating unit and SO team to plan and manage the process of assessing and reporting progress toward achieving an SO. According to ADS 203.3.3.1, the PMP should include, among others, the following information:

- A calendar of performance management tasks that an operating unit will conduct over the life of the SO; the calendar should include with it an illustrative timeline for when each task will be conducted.
- The set of performance indicators (at the SO and intermediate results levels) that will be used to assess progress over the life of the SO, and may indicate subsets of indicators that will be used in certain years or phases of the SO.
- Performance indicators should be disaggregated by gender to the maximum extent possible.
- A justification of why each performance indicator was selected, including any milestone indicators.
- Baseline values and targeted values for each SO and intermediate results level performance indicator included in the PMP.
- The source of the data and the method for data collection. The description of data collection should be operationally specific enough to enable an objective observer to understand how the raw data are collected, analyzed for meaning, and reported.
- Known data limitations of each performance indicator, including any data quality limitations and steps to be taken to address them.
- The quality assessment procedures that will be used to verify and validate the measured values of actual performance of all the performance information.

USAID/Colombia did not develop a PMP because mission staff became accustomed to relying on the monitoring and evaluation plan developed by MSD. MSD's chief of party acknowledged that a formal PMP would be helpful, and in fact he requested a PMP when he began work on the human rights program in 2007. However, he was given the monitoring and evaluation plan instead. Moreover, the monitoring and evaluation plan developed by MSD did not contain all of the information required to be included in a PMP. For instance, it did not include a calendar of performance management tasks, did not provide a justification of why each performance indicator was selected, and did not describe the quality assessment procedures that would be used to verify reported information. Additionally, the monitoring and evaluation plan did not provide baseline

values or annual targets for each year of the program as required by ADS 203.3.3.1.

It is important to present complete and accurate information in the PMP, since the information may be used to make decisions about the success of USAID's programs and the level of resources needed to implement the programs.

Recommendation No. 7: We recommend that USAID/Colombia develop a performance management plan for the human rights program.

Data Reporting Needs to Be Strengthened

ADS 203.3.5.1 requires that performance data meet five data quality standards: validity, integrity, precision, reliability, and timeliness. Behind these standards is the idea that data should accurately reflect the program's performance and enable management to make appropriate decisions based on the reported data.

For three of the nine reported results that we verified, the results reported by USAID/Colombia did not accurately reflect actual performance:

- In its FY 2007 results report, USAID/Colombia stated that the program supported training for 196 at-risk persons. However, according to MSD's records for 2007, 406 at-risk persons were actually trained.
- USAID/Colombia reported that it helped 10 communities develop contingency plans in FY 2007, but this included 5 communities that developed plans without any assistance from USAID.
- The mission overstated the number of individuals covered by a human rights protection program in FY 2007, because it reported the cumulative number of individuals since 2001 (4,740) instead of the number for FY 2007 (121).

These inaccuracies were caused by reliance on the contractor to report accurate results, without any verification by mission staff. While USAID/Colombia staff performed site visits and data quality assessments were done by the program office, reported results were not verified by examining supporting documentation. USAID/Colombia staff indicated that the mission will hire an additional staff person who will be responsible for verifying reported results.

When data are not verified, a risk exists that conclusions or decisions about the program will be based on inaccurate information.

Recommendation No. 8: We recommend that USAID/Colombia, in conjunction with its implementing partner, develop and implement a system to reasonably ensure that reported information is accurate.

Mission Should Improve TraiNet Reporting

Summary: USAID policy states that missions (or their implementers) must enter certain data regarding in-country training programs into the Agency's Training Results and Information Network (TraiNet). However, reporting for FY 2007 was incomplete and according to USAID officials, this will likely be the case for FY 2008. In order to have the required information, the contractor must fill out physical forms regarding training before USAID/Colombia enters the data into the system. However, MSD did not always fill out these forms correctly. Once information is found to be lacking, USAID/Colombia has to ask the contractor and re-enter the data again. As a result, the process is delayed and the information has been incomplete.

ADS 253.3.3 states that missions or their implementers must enter selected data on in-country training programs into the Training Results and Information Network (TraiNet) for training under their respective strategic objectives or activities. The data to be entered are:

- Subject area of training
- Start and end date
- Total trainees per training, with gender breakdown
- Total cost of training for each program (broken down by instruction, participant, and travel)

ADS 253.3.3 further states that missions or their implementers are required to enter data for any in-country training lasting three consecutive class days, or 15 hours scheduled intermittently. However, missions may wish to report shorter duration in-country training events. In addition, ADS 253.3.1.c specifies that missions must design and carry out participant training activities with the fullest possible application of cost control and cost-sharing practices.

USAID/Colombia is entering the required data, but it is incomplete. Those in charge of entering the information acknowledged that this was the case for FY 2007. They also indicated that this would likely be the case for FY 2008 as well.

In order to have the required information, the contractor is to fill out physical forms regarding training before USAID/Colombia enters the data into the system. However, MSD did not always fill out the forms correctly. Unfortunately, the system does not allow for one to enter only partial information regarding a training course while one is awaiting further information. When information is found to be lacking, USAID/Colombia has to ask the contractor for it. The data entry work done up until then will have to be re-entered once the full or corrected information is provided. MSD acknowledged that errors were made. However, because MSD staff did not have access to the system, it was difficult for them to appreciate the reporting issues in detail or how to correct them. According to USAID/Colombia officials, other USAID missions provide USAID contractors with limited access to TraiNet so they can see what the system requires firsthand.

As a result, the process of entering the training data required is delayed. This means the information in USAID's training database is incomplete, and any agency reporting on

training to its stakeholders is also incomplete. Moreover, this important tool could not be used for planning and management purposes.

Recommendation 9: We recommend that USAID/Colombia provide limited access to the Agency's Training Results and Information Network (TraiNet) for contractors who report on training so that the initial data entry can be done by them before being reviewed by the appropriate USAID/Colombia staff.

EVALUATION OF MANAGEMENT COMMENTS

In response to our draft report, USAID/Colombia agreed to implement all nine recommendations and has developed specific plans to implement them. We agree with the mission's planned activities and, therefore management decisions have been reached for all of the recommendations.

Mission comments in their entirety are presented in appendix II.

SCOPE AND METHODOLOGY

Scope

RIG/San Salvador conducted this performance audit in accordance with generally accepted Government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. The purpose of the audit was to determine if (1) USAID/Colombia's human rights program activities achieved planned results and what was the impact and (2) whether reporting provided stakeholders with complete and accurate information on the progress and results achieved. Audit fieldwork was conducted at USAID/Colombia from November 4, through November 21, 2008. The audit covered the period from October 1, 2006 through September 30, 2008.

In planning and performing the audit, we assessed management controls related to management review of performance measures and indicators. Specifically, we obtained an understanding and evaluated (1) the fiscal year (FY) 2007 operational plan, (2) fiscal year 2008 operational plan (phase 1), (3) the monitoring and evaluation plan prepared by Management Sciences for Development (MSD), (4) the mission's Federal Managers' Financial Integrity Act of 1982 assessment, (5) the oversight performed by cognizant technical officers, (6) performance measures, and (7) data quality assessments. We also conducted interviews with key USAID/Colombia personnel, implementing partners, Colombian government officials, and beneficiaries. We conducted the audit at USAID/Colombia, located in Bogota, Colombia and visited implementing partners and beneficiaries in Bogota, Monteria, and Medellin.

We reviewed 6 main activity areas from a total of 40. These areas were selected judgmentally from the budget by activity area, and the associated indicators for FYs 2007 and 2008 from the monitoring and evaluation plan were reviewed to determine results achieved. To verify the accuracy of the program results reported by USAID/Colombia, we selected 9 of 21 reported results for FY 2007.

Methodology

To answer the audit objectives, we met with personnel from USAID/Colombia, the implementing partners MSD and the Office of the High Commissioner for Human Rights, Colombian Government officials, and beneficiaries. We reviewed documentation provided by MSD and USAID/Colombia such as operational plans, the monitoring and evaluation plan, results achieved, and the contract and subsequent modifications. We also reviewed progress reports and site visit reports.

In order to assess whether results were achieved, we focused on six main activity areas and the associated indicators for FYs 2007 and 2008. We conducted interviews with mission personnel, implementing partners, Government of Colombia officials, and beneficiaries. When possible, we reviewed partner documentation such as training lists and products such as contingency plans.

In order to determine whether accurate and complete information was reported, we interviewed mission and implementing partner personnel. We reviewed documentation to determine how results were collected for the nine selected FY 2007 indicators (reported in the phase one 2008 operational plan and Andean Counter-drug Initiative indicators). These indicators were selected judgmentally with some input from the mission. The phase two 2008 operational plan had yet to be reported to Washington, DC, at the end of fieldwork. We validated these reported results by tracing mission-reported results back to documented results and records (e.g., progress reports, participant training lists, draft contingency plans) at the offices of the implementing partner.

We also determined the level of monitoring done by the cognizant technical officer and USAID/Colombia as a whole by reviewing site visit reports, data quality assessments, and interviewing officials of USAID/Colombia, and the implementing partner.

We reviewed applicable laws and regulations and USAID policies and procedures pertaining to USAID/Colombia's human rights program, including the mission's 2007 Federal Managers' Financial Integrity Act of 1982 assessment, contracts and modifications, and Automated Directives System chapters 203 and 253.

MANAGEMENT COMMENTS

The following table was provided by USAID/Colombia as its official comments on our draft audit report:

RECOMMENDATION	PLAN FOR CORRECTIVE ACTION	DEADLINE
<p>Recommendation No.1: <i>We recommend that USAID/Colombia, in coordination with its implementing partner and the Government of Colombia, augment the membership of the Inter-institutional Committee for Early Warnings to include members from the independent oversight and control branch of the Colombian State, such as the National Ombudsman and the Inspector General, and charge them with oversight of the committee's operations.</i></p>	<p>We agree with this recommendation. However, lobbying by USAID and its implementing partner will not guarantee compliance since final decisions depend on the Ombudsman and GOC. USAID and MSD will, however, carry out all necessary actions to fulfill this recommendation.</p> <p>Regarding participation of the National Ombudsman through the EWS in CIAT meetings, MIJ Regulatory Decree No. 2862 of 2007, clause 2, article 5 on the committee's meetings establishes: "The Ombudsman or his deputy will permanently participate". The CIAT has notified EWS's director for each of the sessions since August, 2008. However, the EWS has only occasionally attended them.</p> <p>To address this issue, we have included activities in both the CIAT and EWS operational plans for 2009 for coordination between the two entities, including appointing representatives to ensure presence of the EWS in CIAT sessions.</p> <p>In meetings between USAID and the Ombudsman (26 January 2009), MSD and the Ministry of Interior and Justice (3 February 2009), and with the Minister of Interior and Ombudsman (6 February 2009), all participants indicated their agreement with EWS participation in CIAT sessions. In addition, all participants agreed to establish a working group to review CIAT and EWS systems and procedures with the objective of improving communication, participation and coordination. The Ombudsman agreed to send a high-level representative to every CIAT meeting.</p> <p>Regarding participation of the Inspector General's Office, USAID with technical assistance of MSD, will discuss with the CIAT the possibility of inviting the IGO to its meetings and that the IGO participate through a representative from the Preventive Inspector General's Office in order to monitor performance of authorities at regional and local levels regarding risk situations analyzed within the framework of the committee and recommendations stemming from it.</p>	<p>June 30, 2009</p>

<p>Recommendation No. 2: <i>We recommend that USAID/Colombia, in coordination with its implementing partner and the National Ombudsman, ensure that the Early Warning System makes risk reports available to the public on a timely basis by posting them on the internet and/or publishing them. All of this in order to enable monitoring and oversight processes regarding performance of local authorities in terms of prevention and protection.</i></p>	<p>We agree with this recommendation. We have agreed on and included the following activities in the operational plans of both the EWS and CIAT:</p> <ol style="list-style-type: none"> 1. Determine, jointly with the EWS and CIAT, the types of information they handle and their degree of confidentiality. 2. Prepare a template for an abridged version for public dissemination of risk reports and early warnings. 3. Work with EWS and CIAT to develop a color-coded system, based on the level of risk, which the CIAT will use to categorize all risk reports and inform its response. <p>USAID will also work with EWS and CIAT to develop a system for disseminating risk reports to as wide a public audience as possible while respecting confidentiality and security needs.</p> <p>In meetings between USAID and the Ombudsman (26 January 2009) and MSD and the Ministry of Interior and Justice (3 February 2009) both EWS and MIJ officials committed to studying the possibility of and means for public dissemination of risk reports, and added that they are considering issuing alerts for all risk reports of the EWS and involving local, departmental authorities and a wider range of governmental agencies in CIAT efforts.</p>	<ol style="list-style-type: none"> 1. April 30, 2009 2. June 30, 2009 3. August 31, 2009
<p>Recommendation No. 3: <i>We recommend that USAID/Colombia, in coordination with its implementing partner, the Government of Colombia and the National Ombudsman, implement procedures for more timely and effective two-way communication between the Inter-institutional Committee for Early Warnings and the Early Warning System.</i></p>	<p>We agree with this recommendation. USAID will provide technical assistance to EWS and CIAT to establish an implement a plan for regular meetings at the national and departmental level.</p> <p>In meetings between USAID and the Ombudsman (26 January 2009), MSD and the Ministry of Interior and Justice (3 February 2009) and a presentation for the Minister of Interior and Ombudsman (6 February 2009) the necessity for more effective communication was emphasized to and recognized by both the EWS and CIAT.</p>	<p>March 31, 2009</p>
<p>Recommendation No 4: <i>We recommend that USAID/Colombia, in coordination with its implementing partner and the Government of Colombia, ensure that the Early Warning</i></p>	<p>We agree with this recommendation. We have agreed on and included in the EWS's operative plan, within the framework of consultancy for conceptual and methodological adjustment, work on redefining times and procedures.</p> <p>In a meeting between USAID and the Ombudsman (26 January 2009), the importance of establishing</p>	<p>June 30, 2009</p>

<p><i>System establishes internal timelines for preparing and forwarding risk reports.</i></p>	<p>internal timeframes was emphasized and recognized by the EWS.</p>	
<p><i>Recommendation No 5: We recommend that USAID/Colombia exercise its influence with the Government of Colombia and civil society organizations to encourage them to resume work on the National Action Plan for Human Rights within the framework of the coordination level, while discouraging initiatives to narrow participation in the National Action Plan for Human Rights process.</i></p>	<p>We agree with this recommendation. In this regard, we have written into the MSD work plan to fund National Action Plan activities if, and only if, this is done within the framework of the coordination level (Instancia de Coordinacion).</p> <p>To ensure progress on this subject, USAID and its implementing partner proposes the following activities:</p> <ul style="list-style-type: none"> i) A meeting between USAID and the Vice-president's Office in order to inform him of concerns regarding stalled talks; ii) A workshop between civil society organizations and the GOC to discuss options for advancing the development of the National Action Plan; and iii) A meeting between the US Ambassador and the President of Colombia to highlight the importance of human rights issues for the bilateral agenda. <p>However, it is worth pointing out that resuming work on the National Action Plan depends on the political will of the GOC and civil society participants. Neither USAID nor MSD can ensure that the intended consensus in this area will be achieved.</p> <p>In a meeting at Accion Social that coordinates international donors with GOC agencies on 6 February 2009, and attended by a representative of the Presidential Human Rights Program, USAID Human Rights Program stated its intention to continue working on the National Action Plan for Human Rights through the coordinating agency (Instancia de Coordinacion) to ensure broad participation.</p>	<p>June 30, 2009</p>
<p><i>Recommendation No. 6: We recommend that USAID/Colombia, in coordination with its implementing partner, reprogram the \$397,000 dollars for the activities of the Assistance Program for At-risk Communities to other efforts that will produce more significant results.</i></p>	<p>We agree with this recommendation. USAID will work the GOC to develop an Inter-institutional Prevention Strategy that will guide coordinate GOC prevention efforts.</p> <p>The USAID Human Rights Program will reprogram its Communities at Risk activities to prevention activities in accordance with the new strategy.</p> <p>The new Prevention Strategy will incorporate lessons learned and best practices from the Communities at Risk Program but will be more comprehensive and better coordinated.</p> <p>It will prioritize the following: (i) establishing preventive security mechanisms among targeted populations, (ii)</p>	<p>December 15, 2009</p>

	<p>defining concrete mechanisms and measures to protect threatened populations, (iii) conducting analysis, diagnostics and risk scenarios in focus areas, (iv) defining contingency plans, and (v) defining prevention and protection plans.</p> <p>This strategy will be focused on the departments with the highest levels of conflict based on a series of publicly available statistics, such as numbers of displacements and homicides.</p> <p>USAID Human Rights Program will conduct workshops on prevention with various GOC agencies between 11-13 February 2009 and has a meeting scheduled with the Vice-Minister of Interior to discuss this subject on 20 February 2009.</p>	
<p>Recommendation No. 7: <i>We recommend that USAID/Colombia develop a Performance Management Plan for the Human Rights Program.</i></p>	<p>We agree with this recommendation. USAID will work with MSD to expand the existing Monitoring and Evaluation Plan to ensure that it includes all required information in accordance with the ADS guidance on Performance Management Plans.</p>	<p>May 31, 2009</p>
<p>Recommendation No. 8: <i>We recommend that USAID/Colombia, in conjunction with its implementing partner, develop and implement a system to reasonably ensure that reported information is accurate.</i></p>	<p>We agree with this recommendation. USAID will design a quarterly information verification system within site visits and verification of data against original source documents.</p>	<p>April 30, 2009.</p>
<p>Recommendation No. 9: <i>We recommend that USAID/Colombia provide limited access to the Agency's Training Results and Information Network (TraiNet) for contractors who report on training so that the initial data entry can be done by them before being reviewed by the appropriate USAID/Colombia staff.</i></p>	<p>We agree with this recommendation. USAID/Colombia confirmed with the TraiNet coordinators at EGAT/ED that MSD is allowed to report its training data directly into the web based TraiNet system.</p> <p>USAID/Colombia has provided MSD with the contact information for the TraiNet/VCS Help Desk at USAID/EGAT/ED. They will request an access password and start entering their own TraiNet data directly.</p>	<p>April 30, 2009</p>

U.S. Agency for International Development
Office of Inspector General
1300 Pennsylvania Ave., NW
Washington, DC 20523
Tel: (202) 712-1150
Fax: (202) 216-3047
www.usaid.gov/oig