



*Government of the Republic of Rwanda*



**United Nations Development Program**

**Justice Sector Support Programme 2008-2012**  
**Access to justice for all, the foundation for good governance**  
**and poverty reduction**

**BRIEF DESCRIPTION:**

The Programme is articulated around the following areas:

To build the capacity of the ministry of justice to review and draft laws and policies and sensitise the citizens on basic laws and individual rights; to build the capacities of the justice institutions in the areas of administration of justice, and law enforcement by building a strong judiciary plus an effective and well coordinated justice sector; promote crime prevention through encouraging community policing; strengthen peace building and reconciliation through support to Gacaca and increase access of justice to the people especially the most vulnerable by reinforcing legal aid mechanisms and mediation committees. (Witness protection through PGR is running through a separate project for 2008, beyond that a review is necessary to see how the activities can be sustained) NB: Support to legal aid by strengthening MAJ and other related activities for 2008 will be funded through DGTTF and this is incorporated in this large program of support to the justice sector. For sustainability since DGTTF covers one year the program is designed for 5 years and funding will be provided from UNDP for the following 4 years to continue support to this important activity.

The Programme was conceived through the human rights based approach promoted by the United Nations since 2003 for all its international cooperation interventions. This approach requires, that the capacity of the leaders to meeting their obligations towards the most vulnerable people is strengthened and that the ordinary people are encouraged to voice their concerns and to participate more actively in the governance of the country.

**SIGNATURE PAGE**

**Country: RWANDA**

UNDAF Outcome: Rule of law: Enhanced capacity of the government and partners to develop and maintain a stable state where freedoms and human rights are fully respected and protected.

**UNDAF Outputs**

1. Strengthening of the capacity of the Justice sector in the field of Justice administration as well as in the area of law enforcement.
2. Strengthening capacities and mechanisms for conflict resolution, peace and reconciliation promotion at district and sector levels.
3. Enhancing the capacities of national human rights institutions, government and civil society to promote, monitor and report on Human Rights, of the government, and of the civil society.
4. Increasing access of Justice to all in particular to the poor and most vulnerable people

**Program Expected Outputs:**

- I. Strengthening the review and drafting of laws
- II. Increased awareness by the citizens of the main legal provisions crucial in their daily life (family, land, inheritance and penal law) and improved understanding of their fundamental rights and improved crime prevention through community policing.
- III. Reinforcing legal aid and mediation mechanisms for a justice accessible to the people especially the most vulnerable groups.
- IV. Improving the efficiency and effectiveness of the judicial system both classical and Gacaca courts for improved peace building and reconciliation.
- V. Strengthening justice administration and law enforcement by building a strong, effective and well coordinated justice sector.

<p><u>Programme Period:</u> 2008-12</p> <p><u>Programme Title:</u> Justice Sector Support Program</p> <p>Access to justice for all, the foundation for good governance and poverty reduction.</p> <p>Project Code: -----</p>	<p>Total budget: USD 5 M</p> <p><u>Allocated resources:</u></p> <p>UNDP – Rwanda: US\$ 4 .7 M</p> <p>Regular: UNDP DGTTF: US\$ 300,000</p>
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Agreed by GoR (MINECOFIN) .....

Agreed by Implementing Agency: **Ministry of Justice**  
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Agreed by Implementing Agency: **Supreme Court**  
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Agreed by Implementing Agency: **National Service of Gacaca Jurisdictions**.....

Agreed by Implementing Agency: **Rwanda National Police**  
 .....

Agreed by (UNDP Rwanda): .....

### **General Objective**

The Programme aims at strengthening the capacity and the efficiency of the key institutions of the Justice sector to sustain a peaceful state where freedoms and human rights are fully protected, respected and promoted in order to achieve the EDPRS objectives.

### **Implementing Agencies**

The implementing and executing agencies are the following: the Ministry of Justice (MINIJUST), the Supreme Court, the National Service of Gacaca Jurisdictions (NSGJ), and the National Police (NPR). NB: The National Prosecution's Office (PGR) is supported through a separate project.

### **Timeframe**

2008 – 2012. A Programme review will be organized at the end of 2010. An adjustment of the outputs to be achieved and of the activities to be implemented will be done on the basis of this review without altering the global logical framework of the Programme.

### **Brief Description of the Programme**

In general, the Programme aims at strengthening the capacity and the efficiency of the key institutions of the Justice Sector to sustain a peaceful state where freedoms and human rights are fully protected, respected and promoted in order to achieve the EDPRS objectives.

The programme is in line with the Government of Rwanda's priorities, as outlined in the key strategic documents (Vision 2020, EDPRS and the Prime Minister's Office's Programme for the period 2003-2010) priorities. It is also based on the United Nation's Assistance Framework (UNDAF) and the UNDP's Country Programme Document 2008-2012, specifically under the democratic governance outcome. According to these reference documents, the Programme focuses on the enhancement of access to justice for all and in particular for the most vulnerable people, as well as on the development of the quality of the justice administration and the efficiency of its services.

The basic principle underlining this Programme is that justice is a key sector for the promotion of good governance, and therefore a major element for national economic development and poverty alleviation.

The UNDAF was developed through a consultative process held between the United Nations Agencies and government counterparts. It presents the UNCT program for Rwanda for the years 2008 – 2012 and is aligned to the government priorities as provided by the EDPRS: Out of the five key UNDAF outcomes, this program contributes to the governance outcome.

UNDAF Key result: Good governance is enhanced and sustained

UNDAF Outcome: Rule of law: Enhanced capacity of the government and partners to develop and maintain a stable state where freedoms and human rights are fully respected and protected.

Related UNDAF (CPD) Outputs:

1. Strengthening of the capacity of the Justice sector in the field of Justice administration as well as in the area of law enforcement.
2. Strengthening capacities and mechanisms for conflict resolution, peace and reconciliation promotion at district and sector levels.
3. Enhancing the capacities of national human rights institutions, government and civil society to promote, monitor and report on Human Rights, of the government, and of the civil society.
4. Increasing access of Justice to all in particular to the poor and most vulnerable people

## **I. Context and environment of the Programme**

The Programme takes place within the overall United Nations Agencies' support aimed at contributing to the realization of the national objectives in the Justice Sector as set by the EDPRS. The Economic Development and Poverty Reduction Strategy (EDPRS), 2008-2012 is articulated around four central themes: economic growth; rural development; social development and governance. The theme of governance comprises four sub-themes: Justice; Reconciliation; Law and Order; decentralization and citizens' participation; and Security and regional cooperation. Four areas of intervention have been selected to achieve the objectives of the Justice sector:

### **Access to Justice for all**

This axis foresees the enhancement of the efficiency of the judiciary system by rationalizing the procedures of the courts and tribunals, the reduction of the case backlog, and the establishment of the Laws Reform Commission. The EDPRS also emphasizes the need to increase the number of trained professionals and mediators capable to intervene in the area of juvenile justice as well as in the cases of gender based violence, and the need to sensitize and to strengthen the respect of the rule of law and human rights.

### **Eradication of the genocide ideology and the promotion of a culture of respect for the rule of law**

This axis comprises mainly interventions in the area of the judgement of genocide cases, respect of human rights in general and particularly towards women, children, people with HIV/AIDS, as well as all vulnerable groups and assistance to the genocide survivors.

### **Promotion of transparency and accountability**

This axis integrates the mechanisms of fighting against corruption with a support to the civil society organizations intervening in the area of transparency promotion.

### **Reinforcement of law and order**

This last axis comprises the strengthening of community policing and enhancement of the detention conditions.

The United Nations' intervention, such as defined by UNDAF for the period 2008-2012 is organized around five key themes: Governance; Health; Population; HIV and Nutrition; Environment; Sustainable growth and Social Protection.

The expected outcome regarding Governance is the following: "Good governance is strengthened and sustained".

UNDP has already designed and signed a support programme to the Good Governance area in partnership with DFID. Considering the objectives and the challenges to be taken up by the Justice sector UNDP intends to grant a specific support to this sector throughout the « Justice Sector Support Programme». Note that support to the prosecution's office to strengthen the capacity of the unit in charge of witness protection will continue through an already existing separate project.

Considering the successive reforms of the Justice sector since 2004 as well as the ambitious national objectives set up for the years to come, numerous challenges are to be taken up by the sector and need sustained and coordinated efforts.

During the sector peer review retreat key priorities identified were the following : the end of the Gacaca jurisdictions process and the transfer of the genocide cases to the classical jurisdictions; the strengthening of the rule of law ; strengthening of legal aid and the mediation and systems ; the development of equal access of justice to the people and especially the most vulnerable among them,; the effectiveness and the efficiency of the judiciary system ; the enhancement of the respect of human rights ; the enhancement of the penitentiary system, and of detention conditions, and the development of alternative forms of punishments. In order to accompany these efforts, the adoption of a sector wide approach (SWAP). the coordination of the interventions and the development of the ICT are essential. Last but not least, the sector will have to deal with cross cutting issues, such as the gender equality, the specific needs related to juvenile justice, and fighting HIV/AIDS.

To develop the present program "support to the justice sector", all mentioned basic documents and sector retreat reports were consulted. The needs of the different sector institutions expressed during the stakeholders meeting and the previous areas of UNDP intervention were also considered. Out of the many priorities identified, only some of the areas of intervention have been selected for coherency of the program.

### **Involvement of the beneficiaries**

The future beneficiaries of the programme at the national and decentralised levels have been broadly consulted during the program formulation phase. The findings and recommendations of the evaluation mission of the programme "Good Governance for Poverty Reduction 2002 - 2007"; have also been taken into account. The key donors and several well-known organisations of the civil society have been consulted.

## **Program support activities**

Various forms of support are envisaged in the Programme, to respond to a wide range of needs. They include in particular: facilitation of exchanges and consultations between institutions, implementation of various training programmes, funding of human resources in charge of some key departments plus external, national and/or international technical assistance for specific sectors, depending on the capacity of the concerned institutions. In order to increase the effectiveness of technical and external assistance, the Programme design foresees different mechanisms to make sure that it will lead to sustainability through transfer of knowledge to the benefiting institutions

## **II. Description of the Programme**

Specific Objectives of the intervention

The Programme covers five years and foresees an intervention around the following specific objectives:

To build the capacity of the ministry of justice to review and draft laws and policies and sensitise the citizens on basic laws and individual rights; to build the capacities of the justice institutions in the areas of administration of justice, and law enforcement by building a strong judiciary plus an effective and well coordinated justice sector; promote crime prevention through encouraging community policing; improve the efficiency and effectiveness of the judicial system both classical and Gacaca courts for improved peace building and reconciliation and increase access of justice to the people especially the most vulnerable by reinforcing legal aid mechanisms and mediation committees.

### **I. Strengthening the review and drafting of laws**

**II. Increased awareness by the citizens of the main legal provisions crucial in their daily life (family, land, inheritance and penal law) and improved understanding of their fundamental rights and improved crime prevention through community policing.**

**III. Reinforcing legal aid and mediation mechanisms for a justice accessible to the people especially the most vulnerable groups.**

**IV. Improving the efficiency and effectiveness of the judicial system both classical and Gacaca courts for improved peace building and reconciliation.**

**V. Strengthening justice administration and law enforcement by building a strong, effective and well coordinated justice sector.**

### **I. Strengthening the review and drafting of laws**

The institutional reforms, judicial reform and the series of legislative changes, which occurred since 1994, have led to the multiplication of reference texts. Legal security is one of the fundamental principles of the rule-of-law and presently, this principle is hampered by the scattered character and the multiplicity of laws promulgated before

and after the above reforms. This makes the review, consolidation and codification of the texts an essential endeavour.

Legal drafting, review, consolidation and the codification of the laws is the responsibility of the Ministry of justice's (MINIJUST) department in charge of legislation. This service is also in charge of advising the government on designing, dissemination and vulgarization of laws. To achieve this triple mission, the MINIJUST intends to pursue its efforts towards consolidation/codification of the texts, development of its Web site - the maintenance and the updating of which should be managed by a webmaster - , and finally increase the use of ICT in order to improve access to information.

To achieve this, the staff of MINIJUST, need to be trained in legal drafting, translation and use of ICT.

The MINIJUST has already done a lot in the area of codification and consolidation of the legal texts, with the World Bank's support. Today, five volumes are available:

- Volume 1: Constitutional Law, political Institutional, International Treaties and Conventions;
- Volume 2: Administrative Law;
- Volume 3: Criminal Law and Penal Law;
- Volume 4: Civil and social Law;
- Volume 5: Business Law.

The specific objective of the Programme aims at strengthening and improving what has already been started. Support will be provided to the continued drafting and revision of laws, consolidation and the codification of the legal texts in key areas, to the development of a trilingual legal index and to the dissemination of information on services developed.

### **Support to the legal drafting, review, consolidation and codification of legal texts**

The programme will provide support to the MINIJUST to train staff in legal drafting and to continue the codification of the current laws and regulatory texts, promulgated since 2006. Support will be provided to upload them to the MINIJUST's Website ([www.amategeko.net](http://www.amategeko.net)) for their dissemination. The identification of the fundamental normative texts and laws remaining to be codified and/or consolidated will be executed by the department in charge of legislation in consultation with different stakeholders in the justice sector.

### **Development of a trilingual legal index**

To meet the needs of the users, a trilingual legal index (English- French –Kinyarwanda) will be developed using existing documents.

### **Support to the dissemination and the promotion of the developed services**

To increase the impact of the different laws, the legal drafting, revision, consolidation and codification activities will be accompanied by initiatives aimed at strengthening of technical capacities of the potential users (lawyers, civil servants, courts, ministries' and all staff using the laws on a daily basis, prosecutors, the human rights commission, Ombudsman, public and private universities, civil society...). This will be done at

national and district levels, to support the decentralised services of the Ministry and the justice sector and to benefit also to the ‘mediation’ committees. Thus, the programme will provide support to training of trainers in this area in view to bring about more impact at the local level and will develop training materials which will be integrated into the wider scope of the training provided to the mediation committees and other users.

**II. Increased awareness by the citizens of the main legal provisions crucial in their daily life (family, land, inheritance and penal law) and improved understanding of their fundamental rights and improved crime prevention through community policing.**

In 2004 to 2007 a number of reforms took place in the judicial system, through the revision, the promulgation and the consolidation of laws and this has significant impact on the lives of people. In order to support the Government’s efforts to promote equitable and accessible justice to all and to enhance the respect of the human rights, the Programme intends to facilitate dissemination of information and provide basic knowledge to the citizens of fundamental legal texts, relevant in their daily life, in particular family law, land law, inheritance law, penal law as well as rules related to the respect of individual fundamental human rights.

Planned activities include; information campaigns, based on various communications tools and messages. The first phase of the Programme will include the development of appropriate information and communication tools, an information campaign conducted in one pilot district. An evaluation will be done to review its effectiveness and to draw lessons for any necessary improvements and adjustments. During the second phase the information campaign will be extended to other selected districts of the country.

The ministry of justice ( in consultation with the program steering committee) may choose to work with a partner like an NGOs to coordinate the preliminary tasks, the organization of the information campaigns of the pilot phase and the preparation of the subsequent phases to cover other districts in the country. In order to achieve the necessary impact at the local level, the participation and the involvement of local authorities as well as the creation of a synergy between the judiciary, the police, the local administration and the civil society will be essential.

**Identification and definition key themes, topics and the messages**

The identification of the key themes, topics and messages will be done by the ministry in consultation with key stakeholders: the committee of mediators, the bar association, the organizations involved in the legal aid framework, especially through the Legal Aid Forum, the courts and tribunals, the police, the General Prosecutor, as well as the MINILOC and the Human Rights Commission. A survey will be conducted involving all the stakeholders with the aim of identifying the central themes and current topics. The results of the survey will be used as a base line of a collection of key areas, from which the stakeholders meeting can choose the priority messages and develop a work plan. Different thematic meetings can be held periodically to select themes that are important during that period. While defining key messages for a particular theme, it is

important to choose what appeals to a large audience; the form and content of the message should be simple and easily understood by ordinary people.

### **Selection of the activities and channels of communication and information**

The MINIJUST and partners should diversify channels communication in order to optimize the dissemination of the messages and to reach a wider audience. Strategies should be put in place to reach national and local levels (for example through community radios). Popular animations, such as dramas and visual aids like (posters, bill boards, cartoons,...) will be useful in passing clear and well understood messages even to the illiterate populations

### **Production of communication materials**

The ministry of justice and partners may subcontract an agency to design and produce the communication materials and tools; the most important thing is to ensure cohesion and clarity of the messages. Special care needs to be taken to ensure quality and harmonisation of messages passing through the different selected channels (radio production, drama sketches, visual aids...) by closely supervising the production, testing and validation of the communication materials and messages.

### **Selection of the pilot district and implementers for the pilot phase**

The program steering committee will select the pilot district. (this could be on the basis of how under served it is in terms of legal aid or having high rate of cases submitted to mediation committees or to courts). Different providers may be subcontracted to provide the communication materials and to choose the channels of communication Districts may also determine how they want to participate in these activities.

### **Monitoring and evaluation of the implementation of the pilot phase**

During the pilot phase, a monitoring and evaluation process, to observe the reactions of the population, to check the relevance of the subject and the themes and how well the messages are understood will be put in place. Based on this key messages may be adjusted and other the key messages and communication materials developed. This process will be coordinated by the agency or partner in close collaboration with the MINIJUST and other partners in the sector.

### **Information campaign extended to other selected.**

During the second phase, an information and communication campaign will be extended to other selected districts. Their selection will be based on a set of criteria, to be defined, such as vulnerability of the population, presence of service providers, rates of disputes, and land pressure.

### **Community Policing**

The government wishes to develop community policing, with the view to strengthen the links and the interaction between the communities and the police. The activities related to community policing are to be implemented essentially at the level of the districts, through the community policing and security committees. A ministerial decree establishing the community police committees was adopted on 18th October 2007, but

was not yet published at the time of the design of the present Programme. In order to accompany the strengthening of the community police services at the district level, the Programme will provide a support to them for initiating information and sensitization activities for the different categories of people, especially the youth in the districts and zones with the highest crime rates.

### **Mapping of the needy districts**

It will be necessary to identify and map the most needy districts and zones and potential areas of intervention and institution partners like schools, women councils sports clubs, associations etc groups that can be sensitised and partner in crime prevention and community policing.

### **Identifying themes and communication materials**

A consultant may be hired to work with the national police and also a workshop of different stakeholders may be organised to identify themes and development communication materials. It will be necessary to decide on the type of communication channels of to use, to monitor the production of communication materials, coordinate and supervision the activities

### **Sensitization activities**

Information and sensitization activities for different categories of the population and pre-selected groups (schools, community policing committees, women councils) will then have to be planned and carried out, may be first in selected districts and then country wide and then evaluated.

### **Capacity building and training for staff of the national police**

The members of the national police need to be trained in different field that will build the capacity of the police to effectively carry manage the crime prevention program through community policing. It has been observed that currently the gender based valance is one of the crime with highest prevalence, many victims, women and children find it easier to approach female police staff. Emphasis will be put therefore on the training of the women police staff to meet this challenge.

## **III. Strengthening legal aid and mediation mechanisms for a justice accessible to the people especially the most vulnerable groups.**

The Programme aims at strengthening the legal aid and mediation mechanisms for a justice at the service of the most vulnerable populations, especially the women and youth. In order to achieve this objective, the Programme foresees to intervene on two key areas: the mediation and mechanisms on the one side, and the legal aid services on the other.

### **Broadening and strengthening the mediation and mechanisms**

During the judicial reform the government established a mediation mechanism, at the level of each cell, with the creation of mediation committees. The mediators play a key role in community justice and the resolution of the ordinary disputes between citizens. The organization, role and competencies of the mediation committees were reviewed in

2006 through the organic law N° 31/2006 of 14/08/2006. It is mandatory for the citizens to present their civil cases to the mediation committees before submitting the cases to court. The mediation committees are also having the competencies to mediate on some cases of penal nature before the case can be presented to the Judicial Police or the Public Prosecutor. In case of non-agreement between the parties, the mediators make a decision “in the respect of the law and local custom, provided that it should not be contrary to the written law”. These decisions can be challenged within 30 days in before a competent jurisdiction. The mediators are elected and work on a voluntary and non-remunerated basis. The district is responsible for ensuring the operational expenses of the mediation system. This system intends to ensure that justice is rendered at community level to limit the volume of cases submitted to the regular courts.

The Programme envisages to carry out a study or an assessment of the existing mediation system (mediation committees - "Abunzi"); strengthening the capacity of the committees; a contribution to the formulation of proposals for broadening mediation mechanism. In this context, it might be interesting to also think of proposals for future use (after retraining) of Gacaca judges (inyangamugayo) based on the knowledge acquired during Gacaca trials in terms of judiciary procedures, conflict resolution and social cohesion.

### **Diagnosis of the existing mediation system**

The diagnosis must in particular take into accounts the following points: equal in access to the mediators; efficiency in the transfer of requests by the cellule authorities; nature of the requests; field of competence of the mediators and actual areas of intervention.; the nature of the service rendered (conciliation, non-conciliation); means available (status, agreement / disagreement); impact on court congestion; frequency of appeals and reasons; the effectiveness of the implementation of decisions and follow-up; the place of the system in the legal process; regularity of the sessions and of the presence of mediators; control mechanisms, rules and discipline. Considering the scope of the diagnosis, it is recommended to involve a panel of participants representing the different aspects covered (Justice sector, local authorities, civil society) and to ensure that the beneficiaries are consulted. It is planned to hire a national consultant to carry out a proper coordination of this activity and to follow up on the preparation of proposals aiming at enlarging the mediation and conciliation system.

### **Improvement of the mediation system**

The Programme plans to assist in the preparation of proposals for the improvement of the mediation system and the potential broadening of its framework and its forms. The discussions for the preparation of proposals will require consulting the institutions of the Justice sector, the local authorities and the decentralized structures involved in the mediation dynamics.

### **Support and development of a legal and regulatory framework for legal aid services**

The government has declared the willingness to ensure that justice is accessible to all. However putting in place a legal and regulatory frame work of an effective legal aid system and financing mechanism to support legal aid activities are issues yet to be

resolved. This is critical in order to allow the different stakeholders to fulfil their mission and offer harmonized and equitable services.

Between 2003 and 2007, UNDP supported the establishment of the Access to Justice House in Nyanza- 'maison d'access a la justice (MAJ). This pilot project was to contribute to the definition of the type of services requested to improve access to justice for the poor. The MAJ is now functional, although its start was hampered by the delays caused by the late launching of the institute of legal practice- ILPD, whose students were to be involved in the provision of services in the MAJ. A reflection on the future of the MAJ was recommended by the evaluation mission of the GGPR Programme in September 2007 and will be continued within the framework of the Access to Justice component of the Programme. In addition to strengthening the coordination mechanism for legal aid through MAJ and other systems that may be recommended, here is continued need to raise awareness about legal aid in general in the country and to strengthen capacities of legal aid providers. NB: This program will endeavour to contribute to these efforts, through DGTTF funding in 2008 and UNDP funding in subsequent years..

**During the initial phase the program intends to assist in a communication campaign to make legal aid in general** be understood by the population and the different stake holders, it will support the set up of a legal and regulatory framework of legal aid and make the new system known and promote it's financing (basket fund, assistance funds...).

**The programme will support the establishment of the harmonized legal system for the most vulnerable, in selected districts** which have a high demand and are under served. At the end of this first phase, the programme foresees to carry out an evaluation of the services rendered and based on the recommendations to provide support for improvement where necessary.

**The legal and regulatory framework will be set up by MINIJUST** in consultation with the different stakeholders. Support to legal aid services will be done through MINIJUST and the 'maison d'access a la justice' (MAJ) or in future under an entity that may be established by law.

**Legal aid providers will be supported financially and otherwise** to support the most vulnerable people and also training, study tours and workshops or seminars to exchange experience in this area will be encouraged.

#### **IV. Improving the efficiency and effectiveness of the judicial system both classical and Gacaca courts for improved peace building and reconciliation.**

##### **Timely handling of judicial files and clearing the case backlog**

The Rwandan judicial system, which was completely shaken and destroyed following the 1994 war and the genocide, had to be rebuilt and reformed, and combine assuming the responsibilities and services of a classical judicial system with facing the challenges of the post-genocide penal litigation. The destruction of the infrastructure, the limited number of remaining magistrates, of lawyers and of prosecutors were among the major

factors which put heavy constraints on the judicial system during the transitional period. The system itself was obliged to judge cases for which it was not prepared and whose magnitude was beyond the capacity of the classical institutions. In response to this situation, the Gacaca jurisdictions were created in 2001 and were given the responsibility to handle the biggest part of the penal issues related to genocide and to judge the category 2 and 3 suspects, while the classical jurisdictions dealt only with cases concerning the category 1 accused. After the adoption of the 2003 Constitution, the laws were heavily modified, the judicial system was reviewed, the recruitment criteria were revised, and this laid the basis for a more efficient and effective well managed justice system. This, however, stretched the capacity of the system to the limits and handling all the legal files within time in conformity with the international standards became impossible. At certain recent periods, some new specific constraints came in addition to an already difficult situation, for example the administrative reform, which forced the system to slow down its activities during the first semester of 2006. This is why there is backlog of about 12,000 cases. Partial statistics are available at the level of different jurisdictions (5000 files on stand by at the High Court, which can treat about 50 cases per month only, for instance). Unfortunately, it seems that there is no consolidated system of statistics, which would allow an exact estimate of the situation at national and local levels. Various steps were taken to clear this backlog such as, the creation of mobile groups of magistrates and clerks, allowing the overloaded jurisdictions to clear some cases within reasonable deadlines. In spite of these efforts, of the assistance expected from several donors together, and of the pilot actions already carried out with the help of international NGOs, it seems that the situation has not improved much. With between 600 and 700 new cases recorded daily, and relying on the possible case decrease as a result of the massive mediation committee's work, clearing of the backlog is still likely to be a major challenge for the legal system for quite sometime. Some new measures are being considered such as the recruitment of additional contractual magistrates and a draft law has been submitted to Parliament to that effect. To alleviate this difficult situation, the Programme intends to assist different responsible jurisdictions. This assistance will also concern the Supreme Court, which is responsible for overseeing the general situation in that field, the High Court responsible for the coordination of judges' redeployment and movement, and the high and basic instance jurisdictions.

### **Review of the situation of the case backlog at all levels of jurisdiction and creation of a permanent monitoring system**

The assistance of the Programme will start with the updating of the situation of the existing backlog at all jurisdiction levels. A computerized information gathering and transfer system of data will be established in liaison with the activity V.5. of the present programme.

### **Preparation of a mid-term strategy for clearing the backlog**

The concerned institutions will consult each other to determine the necessary period needed to clear the backlog, with an optimal use of resources, and organize a follow-up mechanism according to the system agreed upon. Some of the measures agreed upon by the stakeholders in this respect will be supported by the Programme, in accordance with the fixed priorities.

### **Fair trial and winding up of the genocide cases through the regular judicial system**

The issue of the judgment by the regular judicial system of the genocide cases of category 1 is also of major concern. It was not possible to get exact the number of the accused remaining to be judged, yet Rwanda is getting ready to receive the files transferred from the Arusha International Tribunal by the end of 2008. It is important that all the suspected people currently accused under this category - which includes people accused of the most serious crimes and of instigating the genocide – are put to fair trial within the shortest possible time, To this effect, the Programme will assist the judicial institutions so that they are able to define a strategy leading to an acceleration of these judgments. It will also support the monitoring of these trials so that they are judged fairly.

### **Finalizing the Gacaca process and transferring judgment files**

With the acceleration of the Gacaca process, following the enactment of the 2007 organic law, which emphasized the plea bargaining possibility and the increased number of the seats of Gacaca jurisdictions, the intention to wind-up the Gacaca process by the end of 2007 seems to be realistic in most areas of the country. The end of this experience in participatory justice must be followed by the reflection of the different actors involved on the lessons learned and on how the achievements of this initiative, combining the will to eradicate the culture of impunity with the national reconciliation imperative, could be reinvested for the country's benefit. Support already provided to the NSGJ by UNDP in the last period will be continued, the Programme will support the organization of discussion meetings between the partners of the Gacaca process, during the year 2008, which will be the last year of the NSGJ activity. It will also assist this service in the transfer of the Gacaca trial results to the Office of the General Prosecutor, in charge of registering and handling criminal records. There will also be support to set up a documentation system to properly record the Gacaca experience so that even other countries can learn from it.

### **Registration of data related to the judgments passed by the Gacaca jurisdictions by the General Prosecutor Office**

The acceleration of the transfer of files concerning the final judgments passed by the Gacaca jurisdictions and the need to register them in the shortest possible period will create new human resources requirements at the Office of the General Prosecutor. The Programme will carry out an estimate of the required support in terms of temporary staff for data entry and will finance the necessary recruitments for a period to be determined.

### **Reduction in the number cases of non-execution or delayed execution of justice decisions**

The execution of justice decisions within reasonable delays is hindered by several factors, due particularly to the limited number of professional bailiffs, and to the fact that this, mission is entrusted to the executive secretaries of local administration, who play the role of non professional bailiffs (with lack of training), a sensitive task coming in addition to other numerous duties falling under their responsibilities.

An assessment of the impediments to the good execution of justice decision will be undertaken and, based on the results of this diagnosis, support will be provided, starting

as a matter of priority with the training of non professional bailiffs. This type of training is likely to be among the priorities of ILPD. So, some of the trainers of this institute might be supported by the Programme to prepare, test and deliver adequate modules. Based on the conclusions of the diagnosis, other priority actions could be equally supported by the Programme.

### **Social applicability of sanctions**

The analysis of cases of non-execution of judgments reveals the importance of factors linked with the fact that some sanctions prove to be socially not easily applicable. Consideration to the good execution of such as envisaged and supported by the present programme, must go hand in hand with the encouraging the magistrates to render justice, while fully taking into account the material capacity of the condemned persons to defer to the passed sanctions. Before sensitizing the magistrates to such a situation, a study will be conducted on this matter and its conclusions and recommendations will be discussed during a workshop with both the judges and magistrates of various jurisdictions and the mediators.

## **V. Strengthening justice administration and law enforcement by building a strong, effective and well coordinated justice sector.**

The intention of setting up a justice sector coordination group and to support coordination of the different institutions forming the sector was provided for by the 2005-2007 sector strategy. This envisaged the creation of a structure specifically dedicated to that effect, it was established in 2005 and became fully operational 2006. The coordination mechanism operates at different levels; The first level is the political direction provided through quarterly meetings of the Ministerial steering Committee. The second is the technical level, attended by the Secretary Generals of the justice institutions and development partners including representatives from civil society. The third is the thematic level with six working groups, around the following areas: sector planning and financing; communication and information technology; training and sensitization; media; infrastructure; ethics and integrity. The sector coordination organ, which brings together 14 institutions, is chaired jointly by the Minister of Justice / Attorney General and by the UNDP Representative. This coordination structure is supported by a Sector Coordination Secretariat. This secretariat is located in the MINIJUST and is run presently by three people (a coordination officer, an assistant, an information officer). In the last period this Secretariat was granted institutional assistance by the Belgian technical cooperation (BTC) and UNDP. This support is expected to continue until 2009. The secretariat was also supported by UNDP during the same period through the GGPR Programme, to implement a number of activities including; the preparation of the ICT strategic plan and plan of action, legal aid survey, the communication strategy and the organization of a study tour for the justice sector members to learn lessons about coordination issues in neighbouring countries.

To improve coordination and harmonization it was decided that the sector wide approach to programming (SWAP) be introduced. This will have several implications on priority setting for the sector and on national and external financing. The development of this sector wide approach was also recommended during the EDPRS preparation, as a key point and as a condition for the success of the Justice Sector

strategy implementation. Already the terms of reference for a consultant to design the SWAPs, have been finalised and the activity will be financed by the Belgian Technical Cooperation (BTC). During the sector peer review retreat in May 2007, the decision to reinforce the Coordination Secretariat of the sector was also taken (mentioned as a priority in the resolution n°2). Reinforcement of the present role and functions of the Coordination Secretariat is crucial, presently the Secretariat is responsible for preparing the agenda of meetings and convening of institutions of the justice sector and does not seem to play a proactive role in the preparation and follow up of the work of the decision makers. Its reinforcement by the recruitment of 2 or 3 new officers, (budget specialist, monitoring expert/ evaluation, policy analyst), planned now, needs to be complemented by a reflection the secretariat's role and structure.

### **Providing technical assistance to the Secretariat**

The Secretariat needs sufficiently long-term technical assistance, to provide support for the development of a clear work plan. The technical assistance will be used in such a way that transfer of knowledge to the nationals is possible and the details of how this will be effected will be discussed during the steering committees.

### **Producing a consolidation strategy for the Secretariat and monitoring and evaluation tools related to the sector activity**

The Secretariat staff and the recruited person providing technical assistance will first prepare a strategy document to redefine the role and the new working mechanisms of the Secretariat. This document will have to be validated by the technical and steering committees of the sector. On the basis of the priorities defined in the document, the Secretariat will proceed with the preparation of monitoring tools and carry out the identified tasks.

### **Internal and external monitoring of the impact of the support to the Secretariat**

Development of monitoring will include the establishment of an internal monitoring process of the intervention and of its outcomes with two external impact assessments related to the performance of the support to the secretariat.

### **Supporting newly established key services within the sector institutions**

The Justice sector is evolving rapidly and its institutions are being reformed with the aim of providing better services to the people. The MINIJUST, which is in charge of sector coordination has undergone significant reforms itself both in the change of its structure and staffing. It is envisaged that in addition to the Minister's office and the General Secretariat, there will be other units (finance and internal resources management; information, communication and technology; planning and legal policy; legislation and community services human rights and legal aid).

In the context of the decentralization, MINIJUST has initiated a de concentration of some of its services, namely the civil registry, the legal bailiffs, the notary, which are now handled by the districts with the aim of bringing the basic legal and judicial services closer to the population. In order to be fully efficient, the decentralization process needs to be accompanied by the reinforcement of central regulation mechanisms and by the harmonization of procedures and processes. It is in this perspective that the government has recently put in place a decree, published in the

Official Gazette of 15/09/07, establishing a new structure, and giving to the Ministry, with effect from 08/08/07, a department in charge of community services, Human Rights and legal aid. The responsibilities of this new service are as follows: to render quality services of legal nature to the public; to promote the civil registry country wide; to find solutions to people's legal/ judicial requests; to promote human rights and ensure the monitoring of the implementation of provisions of the international instruments; to handle the legal aid issues and look for financing for legal aid for those in need. This service will be placed under the supervision of an Assistant to the Attorney General and will consist of four officers. The unit will play a central role for the success of the decentralization process therefore constant interaction will be necessary between this unit and the local administration, in order to harmonize work and the services provided to the population

Learning from existing experiences and best practices in the neighbouring countries also involved in the decentralization process in the justice sector will also be quite crucial for this service.

### **Training the staff of the unit**

In order to achieve these objectives, the newly recruited staff of the unit will have to be trained in their respective fields. Training is therefore planned to take place in an initial phase and as soon as the recruitment process is completed, training will be linked to the professional needs of the newly recruited personnel and to their previous working experience. This training programme will include a study tour in an appropriate country of the sub-region and training in country either using trainers from other countries or from Rwanda especially from the ILPD.

### **Evaluating the training delivered to the staff of the service**

An impact assessment of this training on the performance of the officers concerned will close this intervention.

### **Designing and implementing long term training plans for the institutions of the Justice sector**

Capacity building and all efforts towards improvement of human resources in the justice sector has made tremendous progress in the last few years, the new recruitment criteria defined and applied to several categories of staff, especially the magistrates is quite useful in this regard. At the same time, the country has set up an education/ training institution capable of responding to the overall training needs of the justice sector, for new courses and continuous education. The Institute of Legal Practice and Development (ILPD) was created by the law no 22/2006 of 28/04/2006.

This Institute will replace the National Training and Judiciary Development Centre (CNFDJ). The new Institute will have, throughout the time, to train all the lawyers wishing to become magistrates, advocates, counsels, and prosecutors in their respective professions both before they start work and during the course of their careers. It will train all categories of people wishing to improve their legal knowledge. Although the institution has started its activities, the official launch is planned during 2008. The institute now has a lector and management team with a five year strategic plan already completed. Several donors have expressed their intention to assist the Institute in

different areas. It seems, however, that this assistance will cover only a part of the priorities needs of this new institution. Some institutions of the sector have already prepared, or are about to prepare training programmes for their staff and needs mentioned in these document are quite substantial. Among these plans, one can note the training programme for the magistrates and clerks for 2007-2011 and the initiative of the General Prosecutor Office, which has recently launched a tendering process for the preparation of its training plan. This effort to rationalize continuous training needs to be followed-up and consolidated for all the institutions of the sector, taking into account the new requirements resulting from the decentralization and the evolution of the justice system, likely to include new, non-judiciary forms of conflict resolution. This consolidation should include the development of the capacity of each institution to assess its own training needs and to handle tasks linked with planning and management of the training activities of its own personnel.

### **Assessing training needs and developing ILPD capacity**

In order to harmonize the continuous training system of the justice sector staff, while respecting the independence of the institutions concerned, it is planned to assist the human resources / and training services of the institutions of that sector. In parallel, the services that the ILPD is likely to offer and develop will be assessed and analyzed. If necessary, trainers of that institution will receive the necessary training enabling them to become resource persons for the sector institutions.

### **Developing training plans and implementing core training actions**

The training of trainers mentioned earlier will include an action- training component leading to the training needs assessment and finalization of continuous training plans for two selected justice sector institutions, realized in cooperation with the human resources services / training of those institutions. On the basis of the plans prepared for these and of those that might have been prepared by some other institutions of the sector, pilot trans-institutional activities, acknowledged as priorities for the development of the sector human resources, will be identified and implemented.

### **Integrating institutional training plans within a training strategy of the justice sector**

On the basis of the needs assessed and reflected in the plans prepared by the institutions of the sector, a harmonization of the continuous training at sector level will be undertaken and conducted, especially with the assistance of the Coordination Secretariat.

### **Encouraging use of information technologies for a good administration of Justice**

The Justice sector, and each of its institutions, has developed a long term ICT strategic plan. In order to prepare the institutions for the implementation of the new services which will be developed according to this plan, the Programme intends to bring its support to the sector institutions and to the Coordination Secretariat to make the collect of information more systematic, and to consolidate the good use of basic data necessary for the coordination and the follow-up of the sector activities. The foreseen activities will include: assessment of the needs, by institution and by service (at local and national level), in respect of data and basic information necessary for a better administration of the justice sector; inventory, by institution, of existing tools and

supports frequency of use of these data, staff / service in charge of data gathering and consolidation , ...), adjustment of existing tools and creation of new ones, if necessary; development, by institution and for the sector, of an information gathering, consolidation and distribution mechanism adapted to the users' needs and compatible with the available tools and resources; support by institution and at the sector level, in order to ensure a good interface with the ICT services so as to monitor the compatibility of the developed systems with the needs and users' capacity.

### **Capacity building to PGR for witness protection**

The genocide that happened in Rwanda in 1994 left many victims and a back log of cases. For the justice system to deal with these and other cases of other crimes it is important to have witnesses. Most of these witnesses are threatened or are so poor and incapacitated that they are not able to help the system. The PGR also did not have a witness protection unit and were not trained on how to do this and encourage other justice sector institutions concerned to do the same. This project was conceived to support in this area. It is a project that has been funded for 2006, 2007 and 2008. Particularly for 2007 and 2008 there was a cost sharing between UNDP and DFID. Beyond 2008 it will be necessary to review the progress of the project and consider additional funding.

Results expected include Promotion and protection of witnesses by sensitizing the departments concerned (especially PGR), the general public and setting up legal provisions to protect them is strengthened, Victims are assisted materially and psychologically and the service in charge of witness protection at national and decentralized level is strengthened.

The table below gives an outline of the new justice sector Programme, presented by specific objectives and expected results. Presentation of the Programme by leading institution /service with the activity plan is provided in annexes 1 and 2 of this document.

### **Objective I. Strengthening the review and drafting of laws**

#### Expected results

Result I.1 Laws drafted and revised

Result I.2 Laws consolidated and codified and promoted among users

### **Objective II. Increased awareness by the citizens of the main legal provisions crucial in their daily life (family, land, inheritance and penal law) and improved understanding of their fundamental rights and improved crime prevention through community policing.**

#### Expected results

Result II.1. Harmonized messages and tools of communication are available to inform the citizens about the major legal provisions crucial in daily life.

Result II.2. The citizens, in the pilot districts, have a better knowledge of the major legal provisions crucial in their daily life.

Result II.3. The citizens, at national level, have a better knowledge of the major legal provisions related to their daily life.

Result III.4. The citizens and, in particular the youth, women and vulnerable work with the police and have a better knowledge of the community policing services.

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**Objective III. Strengthening legal aid and mediation mechanisms for a justice at the service of the population especially the most vulnerable categories**

Expected results

Result III.1. The mediation mechanisms are strengthened and professionalized.

Result III.2. The legal and regulatory frame work for legal aid is in place to allow better coordination and implementation of legal aid services. This framework defines the nature of the services to be rendered, the legal aid service providers and their roles and the financing mechanism to be put in place.

Result III.3. Legal aid and judicial assistance services are available for the most vulnerable categories of people, especially in rural areas with inadequate services.

Result III.4. The accessibility and the quality of legal aid and judicial assistance services for the most vulnerable categories of people are improved.

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**Objective IV. Improving the efficiency and effectiveness of the judicial system both classical and Gacaca courts for improved peace building and reconciliation.**

Expected results

Result IV.1. The judicial files are dealt with within a reasonable timeframe and the case backlog is cleared.

Result IV.2. The number of cases of delayed or of non-executed decisions of justice is reduced.

Result IV.3. The issue of social applicability of sanctions taken following justice decisions is the subject of a debate within the judiciary.

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**Objective V. Strengthening justice administration and law enforcement by building a strong, effective and well coordinated justice sector.**

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Expected results

Result V.1. The Coordination Secretariat of the Justice sector provides a proactive support to the sector decision-makers.

Result V.2. The new established MINIJUST service in charge of services to communities, human rights and legal aid operates efficiently in the decentralisation context.

Result V.3. The Justice sector institutions have well designed training plans responding to their needs.

Result V.4. The Justice sector institutions, at national and decentralized level, have at their disposal basic information and data necessary for a good administration of Justice, as well as for the coordination and follow-up of their activities.

**NB: Through a different project support to PGR 2008**

Result V.5 Promotion and protection of witnesses by sensitizing the departments concerned (especially PGR), the general public and setting up legal provisions to protect them is strengthened

Result V.6 Victims are assisted materially and psychologically

Result V.7 the service in charge of witness protection at national and decentralized level is strengthened

### III. Management of the Programme

#### **Execution Modalities**

The Programme is implemented within the framework of NEX procedures (national execution). National execution reflects the will of the government to assume responsibility for the management of UNDP interventions through the national sector institutions and assumes that the latter have the capacity to effectively play that role. The MINIJUST, the Supreme Court, the Office of the General Prosecutor, the National Service for Gacaca Jurisdictions (NSGJ), and the National Police are the national implementing agencies. The Coordination Secretariat, located in the MINIJUST, has no legal personality per se, and cannot be considered as a specific executing agency but will nevertheless be directly responsible for the implementation and the monitoring of its own activities; it will be located in MINIJUST and guided by all institutions.

The institutions mentioned above are responsible for: a) planning and management of programmed activities, including reports and accounts, internal monitoring and evaluation; b) financial management and audit on the resources utilization. They report to the Government and to UNDP for the good utilization of resources and the yielding of expected results. The General Secretariat, or its equivalent in each institution, has the overall responsibility for the project management and has the final authority for its general implementation and for the implementation of each planned specific activity. In the absence of the Secretary General, his designated representative assumes these functions.

UNDP will offer its support when required, in particular on procurement issues like bidding processes for goods and service and management of sub-contractors' contracts. It will oversee the good execution of the Programme and of its components, and check if the funds are utilized according to the planned destination and to the agreed procedures.

The programme partners are committed to ensure its sustainability and maintenance of the goods and services and property acquired during the programme execution.

The participants (donors and implementation agencies) are convened in the Steering Committee responsible for strategic orientation and implementation of activities. The terms of reference of the Steering Committee will be prepared in consultation with the partners and will need to be approved within the three months following the launching of the Programme.

A Programme office, attached to the Justice Unit of UNDP country office, will work under the supervision of the Head of Unit of that sector. He/ she will be responsible for the overall supervision of the Programme and of the observation of the monitoring and evaluation process and procedures, in liaison with the UNDP officer concerned.

The Programme coordinator will have the responsibility to assist the institutions in the preparation of their work plans, in the preparation of terms of reference and necessary tasks description for the implementation of the planned activities. He/ she will

participate as observer in the selection procedures of the national and international Technical Assistant. He/ she will be in charge of preparing and consolidating, on the basis of specific institutional reports, global annual narrative and financial reports on the progress status of the Programme. He/ she will advise UNDP on the quality of technical reports, tools, and procedures, developed within the framework of the Programme. He/ she will take advantage of his/ her presence in the country to offer short term training in project / programme management for national staff of the institutions.

Each beneficiary institution will appoint a focal person responsible for the project coordination and work in relation with the UNDP Programme Coordinator and those responsible for the Sector in UNDP. Depending on the need each institution supported may recruit a project coordinator, but this will be determined after assessment and discussions with the different institutions of the need for project coordinators.

### **Monitoring, reporting and evaluation**

The programmed logical framework will have to be completed by annual detailed plans, including performance indicators with appropriate results.

The monitoring and evaluation framework was not prepared during the elaboration phase of the Programme. The elaboration phase was entrusted to an external team and must be followed by discussions with the partners in order to develop a monitoring and evaluation framework and to agree on objective and verifiable indicators.

The establishment of a regular monitoring and evaluation process of the Programme and its components is recommended. Its modalities will be defined and approved by the Steering Committee.

An annual external review is recommended together with a mid-term review at the end of the second year of the Programme implementation. Each review and evaluation will be in the form of a report to be presented to the Steering Committee and to be submitted to the stakeholders. The provisions and modifications to be made to the Programme and its components, on the basis of the recommendations from the reviews, will lead to the revision of the action plan, to be approved by the Steering Committee.

An annual report will be prepared by UNDP, on the basis of quarterly reports of institutions and the results of the monitoring-evaluation process.

### **Budget**

The total budget for the Programme is fixed at 5.000.000 Dollars US for 2008-2012.

2008	2009	2010	2011	2012	TOTAL
1.000.000 USD	1.000.000 USD	1.000.000 USD	1.000.000 USD	1.000.000 USD	5 USD

The overall budget of 5.000.000 USD will come from the core UNDP funds (TRAC) and the one UN fund.

The overall budget includes

- The necessary budget for carrying out the activities corresponding to the five intervention areas and specific objectives, which will be implemented by the beneficiary institutions of the Programme and the following additional elements:

- The budget for the project coordinators deployed in the different institutions as the need may be.

### Budget by Specific Objectives

<b>Specific objectives</b>	<b>Budget</b>
<b>I. Strengthening the review and drafting of laws</b>	<b>650.000</b>
<b>II. Increased awareness by the citizens of the main legal provisions crucial in their daily life (family, land, inheritance and penal law) and improved understanding of their fundamental rights and improved crime prevention through community policing.</b>	<b>500.000</b>
<b>III. Strengthening legal aid and mediation mechanisms for a justice at the service of the population especially the most vulnerable categories</b>	<b>1.000.000</b>
<b>IV. Improving the efficiency and effectiveness of the judicial system both classical and Gacaca courts for improved peace building and reconciliation</b>	<b>2.000.000</b>
<b>V. Strengthening justice administration and law enforcement by building a strong, effective and well coordinated justice sector</b>	<b>850.000</b>
<b>Total</b>	<b>5.000.000</b>

The Programme will start in January, 2008. The financial year for the Programme will correspond to the calendar year, from 1st January to 31 December.

### IV. Legal Context

The Programme is placed within the of the general cooperation framework agreement signed between UNDP and the Government of Rwanda on February 2<sup>nd</sup>, 1997.

Modifications to this programme can be made, only after prior approval by the UNDP Country Representative, on condition that other signatories to the Programme have no objection to the proposed amendments in case of:

- Revisions not implying significant changes in the specific objectives, in the results or the programme activities, but are a result of the rearrangement in the means a priori defined by consensus or in the case of cost increase due to inflation ;
- Annual obligatory revisions modifying the activity schedule a priori defined by consensus or reflecting cost increase in expertise or in other costs or those taking into account the flexibility of expenses by the agency.

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**ANNEX****RWANDA Justice Sector Support Program 2008-2012****Access to justice for all, the foundation for good governance and poverty reduction**

The Programme covers five years and foresees an intervention around the following specific objectives:

To build the capacity of the ministry of justice to review and draft laws and policies and sensitise the citizens on basic laws and individual rights; to build the capacities of the justice institutions in the areas of administration of justice, and law enforcement by building a strong judiciary plus an effective well coordinated justice sector; promote crime prevention through encouraging community policing; strengthen peace building and reconciliation through support to Gacaca and increase access of justice to the people especially the most vulnerable by reinforcing legal aid mechanisms and mediation committees. It will support the Ministry of justice/Justice sector secretariat, Supreme Court, The National service of Gacaca jurisdiction and the Rwanda National Police. The Prosecution's office will be supported through a different program.

**Budget indicated is for 2008**

**MINIJUST Funds from UNDP 2008: 550 000 USD (TRAC UNDP 250 000 USD; DGTTF: 300 000 USD)**

The Ministry of Justice is the institution having the political **responsibility** for policy direction on justice matters, to ensure rule of law, access of justice to the people and implementing and coordinating the Government's programs related to the justice sector. The Ministry is co-sharing the coordination group of the justice sector, with UNDP since 2005. **The Coordination Secretariat of the Justice Sector (CSJS)** is a service that was established in 2005 and is supervised by MINIJUST. It has the mission to coordinate the activities and resources of the Justice sector; support to the Coordination Secretariat is through MINIJUST.

The Ministry receives funds from UNDP, European Commission, the World Bank, the Belgian Technical Cooperation, the Netherlands and GTZ..

**The Supreme Court (funds from UNDP 2008: 250.000 USD)**

The Supreme Court is the highest level of jurisdiction in the country and the institution holding the judiciary power, as provided by the article 140 of the Constitution of the 4<sup>th</sup> June 2003. At the administrative level, the President of the Supreme Court is responsible for the administration, the functioning and the discipline within the judicial system. She is responsible for the general good performance and functioning of the various regular jurisdictions and she is deputized by the Vice Chief Justice. The Secretary General is the key official to authorize the Financing of the Magistrate courts and ensuring good administration of the judicial services.

Presently the Supreme Court receives support from UNDP, DFID and various donors such as the Netherlands, the Belgian Technical Cooperation, the European Commission, USAID and the World Bank.

**The National Service of Gacaca Jurisdictions (NSGJ) (funds from UNDP 2008 final year: 300,000 USD) NB- 250.000 Gacaca activities, 50.000 recording of cases with Prosecutor General Office Project).**

The National Service of Gacaca Jurisdictions (SNJG) was put in place by the organic law no 16/2004 of 19th June 2004. It was created to continue the mission of the Gacaca jurisdictions Department of the Supreme Court, called the 6th chamber at that time. The mission of the Gacaca jurisdictions is to achieve reconciliation and justice in Rwanda, to eradicate the culture of impunity and to adopt the provisions allowing to ensure the legal proceedings and judgment of genocide criminals and accomplices, and to contribute to the rehabilitation of the Rwandan society, destructed by the bad leadership who incited the population to exterminate a part of that society during the genocide, as stipulated the preamble of the organic law no 40/2000.

The NSGJ receives support from UNDP and other donors notably Netherlands, Belgium and the European Commission.

**The Rwanda National Police (Funds from UNDP 2008: 150.000)**

The Government intends to develop the community police, to reinforce the links and the interaction between the people and the police. The activities coming under community policing should be mainly implemented at the district level, through the Security committees, community policing committees and the communities themselves with the support of the department responsible with in the Rwanda National Police. During this program formulation it was realized that a ministerial decree of the 18th October 2007 on the establishment of the community police committees exists. The services concerned have already conducted sensitization sessions towards the population at the cells level to different communities, and envisages extending these activities nationally. Capacity building for sensitization of especially the youth, schools, and women on common crimes like GBV etc will be crucial.

The National Police receives support for other activities, from the EC, Sweden, Belgium and other UN Agencies

**\*\*\*\*\*The Office of the General Prosecutor (there is a project ‘support to PGR’ in the area of witness protection that runs up to 2008, this project will be extended if need be)**

The Office of the Prosecutor General is the institution taking legal proceedings for penal offences. It has a unit responsible for criminal record, and is responsible for criminal investigations. It is also responsible for ensuring the rights of the victims and the witnesses and the protection of the rights of the accused.

The Office of the Prosecutor General receives support from a number of donors, including the Belgian Technical Cooperation, GTZ, the European Commission, UNDP and DFID

**UNDAF Outcome 1 Rule of law****Capacity of the Government and partners enhanced to sustain a peaceful state where freedoms and human rights are respected, enhanced****Justice Program Output I. Strengthening the review and drafting of laws****UNDAF Output**

1.1 Capacity of parliament and relevant government ministries (MINIJUST) to review and draft laws and policies and over see their implementation enhanced (Activities by MINIJUST)

<b>UNDAF Activity</b>	<b>Indicators</b>	<b>Risks</b>	<b>Sub Activities</b>	<b>Implementing Agency</b>	<b>Partners</b>	<b>Funds</b>
1.1 The capacity (through training and workshops) of the Law Reform Commission and legislative drafting unit at MINIJUST in the review and drafting of laws inline with international human rights standards Strengthened	# of staff trained #of laws codified and consolidated -Trilingual index legal developed -Public is aware of these services	- Lack of coordination among the donors' interventions	I.1.1.1 Training the staff of the law reform commission and legal drafting unit of ministry of justice in law review and legal drafting and translation. 1.1.1.2. Consolidating and codifying key legal texts. I.1.1.3. Developing a trilingual legal index I.1.1.4. Disseminating and promoting of the services developed.	<b>MINIJUST</b>	<b>Law reform Commission (if established)</b>	<b>50.000 USD</b>

**Justice program out put II. Increased awareness by the citizens of the main legal provisions crucial in their daily life**

family, land, inheritance and penal law) and improved understanding of their fundamental rights and improved crime prevention through Community policing.

**DAF Out put 1.2 Capacities of the Justice Sector in areas of administration of justice and the law enforcement financed (Activities by RNP)**

<p>2 Capacities (human material and institutional of the justice sector institutions in the administration and enforcement of justice reinforced (<b>Rwandan National Police</b>))</p>	<p>- #information and sensitization activities related to crime prevention and community policing for the general public, especially youth and women groups (schools, sport clubs ,...) -# number of districts and groups (associations, clubs,..) covered # of police staff trained especially women</p>	<p>Difficult to organize national partners  Police involved in other duties</p>	<p>1. 2.2.1 Identification and mapping of the most needy districts and zones and potential areas of intervention and institution partners (schools, sport clubs, associations...) in crime prevention and community policing 1.2.2.2 Identification of themes, development of communication materials and channels of communication, production, coordination and supervision of activities 1.2.2.3 Information and sensitization activities for different categories of the population and pre-selected groups (schools, community</p>	<p><b>Rwanda national Police (RNP)</b></p>	<p><b>MINALOC Community Policing Committees Schools, National Women Councils (NWC), Civil Society</b></p>	<p><b>150,000 USD</b></p>
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			<p>policing committees, women councils)</p> <p>1.2.2.4 Capacity building and training for RNP staff in area of sensitization and community policing , especially women police staff in GBV prevention and other common crimes</p>			
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**Justice program output IV. Improving the efficiency and effectiveness of the judicial system both classical and Gacaca courts for improved peace building and reconciliation.**

**DAF Output 1.2 Capacity of the justice sector in the areas of administration of justice and law enforcement enhanced (activities by Supreme Court)**

<p>2 Reinforce capacities human material and institutional of the justice sector institutions in the administration enforcement of justice (Supreme Court)</p>	<p>-Study on the situation of the backlog available</p> <p>-harmonized plan and tolls available</p> <p>#of back log cases handled</p>	<p>- Difficulty in the adoption of the new tools ;</p> <p>- delay in collection dissemination of data;</p> <p>-Delay in trial of backlog cases</p>	<p>1.2.2.5 Carrying out an assessment of the situation of the backlog of cases at the various levels of jurisdiction</p> <p>1.2.2.6 Strengthening and harmonizing the plan and tools for the backlog management and follow-up</p> <p>1.2.2.7 Dissemination of the backlog management tools to all jurisdictions.</p>	<p><b>Supreme Court</b></p>	<p><b>TGIs</b></p> <p><b>BCs</b></p> <p><b>Offices of Prosecutor</b></p>	<p><b>220.000 USD</b></p>
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			<p>1.2.2.8 Regular gathering of data on backlog case handling.</p> <p>1.2.2.9 Support to the task force for the acceleration of judgments of backlog cases</p> <p>1.2.2.10 Training of judges</p>			
<p>2 Reinforce capacities man, material and institutional of the justice sector institutions in the administration enforcement of justice. (MINIJUST)</p>	<ul style="list-style-type: none"> <li>- Availability of the report;</li> <li>- Presence within the ILPD of trainers for this component</li> <li>- Number and quality of training sessions conducted.</li> </ul>	<p>Delay in assessment</p> <p>Lack of trainers</p>	<p>1.2.2.11 Carrying out the assessment of the situation concerning the execution of judgments</p> <p>1.2.2.12 Developing within ILDP the capacity of the trainers in the good execution of judgments</p> <p>1.2.2.13 Carrying out training sessions for Bailiffs and local administration officers acting as bailiffs in charge of the execution of the judgments/mediation decisions.</p>	<b>MINIJUST</b>	<b>Supreme Court ILPD</b>	<b>25,000 USD</b>

**Justice program output IV. Improving the efficiency and effectiveness of the judicial system through classical and Gacaca courts for improved peace building and reconciliation.**

**DAF Out put 1.2 Capacities of the justice sector in the areas of administration of justice and law enforcement enhanced (by Supreme court again)**

1.2 Reinforce capacities (human, material and institutional) of the justice sector (institutions in the administration and enforcement of justice. (by Supreme court)	- Availability of the study and related proposals		1.2.2.14 Conducting a study on the obstacles to the social applicability of court judgments. 1.2.2.15 Organizing a workshop for discussing the results of this study. 1.2.2.16 Preparing proposals aiming at improving this applicability and submitting them to the competent institutions.	<b>Supreme Court</b>	<b>Courts, Tribunals and Offices of Prosecutor</b>	<b>30.000 USD</b>
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**Justice program output V. Strengthening justice administration and law enforcement by building a strong, effective and well coordinated justice sector**

**DAF Output 1.2 Capacities of the justice sector in the areas of administration of justice and law enforcement enhance (MINIJUST and Coordination Secretariat)**

1.1 Strengthening the capacity in benchmarking study to establish current levels of (human, material and institutional) capacities in the justice sector	- Training plans available in the selected institutions; - Cross institutional pilot	- The ILPD launching is delayed -Difficulty in recruiting the trainers' trainers	1.2.1.1 Assessing the quality of the mid-term training plans of the institutions of the justice sector. 1.2.1.2 Evaluating the	<b>MINIJUST (SCJS) + TA</b>	<b>ILDP, Institutions of the Justice sector + MIFOTRA</b>	<b>50.000 USD</b> (300,000 USD) different projects cost sharing with DFID for 2008)
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<p>2 Reinforce capacities  human material and  institutional of the justice sector  institutions in the administration  enforcement of justice.</p>	<p>actions identified</p> <p>Training plans  elaborated by the  internal services  of the sector  institutions  according to  standard defined  criteria</p> <p>#of cross  institutional  training priorities  implemented  #of human  resource staff  trained  -Report on  assessment of</p>	<p>for the ILPD;  Insufficient  staff number or  workload of the  concerned  services</p>	<p>ILPD capacity to  support the institutions  of the Justice sector in  assessing their training  needs and in  elaborating the  corresponding plans</p> <p>1.2.1.3 .Reinforcing the  ILPD capacity to train  the personnel required  to carry out such  assessments and plans.</p> <p>1.2.1.4 Defining  priority cross-  institutional training  needs at the central and  decentralized levels.</p> <p>1.2.2.17 Implement  priority cross  institutional training  actions identified</p> <p>1.2.2.18. Training the  human  resources/training  personnel of the  institutions of the  justice sector in  continuous training</p>			
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	<p>impact of training available -Integration of training plans in the over all strategic plan of the sector finalized</p>		<p>management 1.2.2.19. Carrying out an evaluation of the impact of the training sessions. 1.2.2.20.Integrating training plans in the institutions' strategic plans and in the overall sector strategic plan 1.2.2.21 Promote and protect witnesses by sensitizing the departments concerned (especially PGR), the general public and setting up legal provisions to protect them 1.2.2.22 Assist the victims materially and psychologically 1.2.2.23 Capacity building to the service in charge of witness protection at national and decentralized level</p>			
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**Building a strong, effective and well coordinated justice sector.**

**DAF Output 1.2 strengthening the capacity of the justice sector in justice administration and enforcement (activities by MINIJUST and coordination secretariat)**

<p>3 Strengthening the capacity through technical advice and consultancy) of the justice sector in the development and implementation of the SWAP a management information system(MIS) at national and decentralized levels to implementation of the ICT capacity</p>	<ul style="list-style-type: none"> <li>- TA in place with in three months after the launching of the program;</li> <li>- Strategic plan and the SWAP validated with in six months after the launching of the program;</li> <li>- Level of satisfaction of the decision makers of the sector and of the development partners;</li> <li>- Results of internal and external evaluations</li> </ul>	<ul style="list-style-type: none"> <li>-The decision making institutions of the sector are not ready to grant a sufficient initiative to the Secretariat or do not provide to it sufficient information;</li> <li>- The intervals between the TA missions are not sufficiently put into use.</li> </ul>	<p>1.2.3.1. Providing the Coordination Secretariat of the Justice Sector with short term technical support.</p> <p>1.2.3.2. Defining the new function of the Secretariat and validating them.</p> <p>1.2.3.3. Support to preparing the strategic plan and the SWAP of the justice sector according to the sector needs and validating it</p> <p>1.2.3.4 Training in SWAP and aid-management</p> <p>1.2.3.5.Elaborating the necessary M and E tools for the work of the sector</p> <p>1.2.3.6. Carrying out regular internal evaluations of the Secretariat work and of</p>	<p><b>MINIJUST/ Secretariat</b></p>	<p><b>All Justice sector institutions</b></p>	<p><b>50.000 USD</b></p>
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			<p>its impact on the functioning of the sector organs</p> <p>1.2.3.6. Carrying out periodical external evaluations of the sector activities and the role of the coordination secretariat</p> <p>1.2.3.8 Drawing up, by institution and by service, (local and national level) an inventory of the databases and information necessary for the good administration of the Justice services.</p> <p>1.2.3.9 Drawing up, by institution, an inventory of the existing tools and supports (up-dating frequency, staff/ service responsible for data collection and consolidation...), carrying out the necessary adjustments to the tools provided</p>			
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			<p>1.2.3.10 Developing, by institution and for the sector, a mechanism for collection, consolidation and circulation of information adapted to the needs and compatible with available equipment and resources</p> <p>1.2.3.11 Supporting, each institution and at the sector level, an interface with the ICT services to ensure compatibility of the systems developed with the users' needs and capacities.</p>			
4 Strengthening the capacity through consultancy of the justice sector in organizing surveys to measure the public perception on the quality of justice service delivered	<ul style="list-style-type: none"> <li>-Survey /study on quality of justice delivered</li> <li>- Satisfaction level of the support provided by the new service to the decentralized units;</li> <li>- Capacity of the</li> </ul>	<ul style="list-style-type: none"> <li>- Delay in recruiting the MINIJUST Service staff responsible for the services to the community;</li> <li>- insufficient number of the service staff</li> </ul>	<p>1.2.4.1 Conducting a study on quality of justice delivered and providing recommendations</p> <p>1.2.4.2. Analyzing the training needs for the MINIJUST service staff responsible for the services to the</p>	MINIJUST	<b>MINALOC</b>	<b>15.000 USD</b>

<p>service to transfer learned experiences;  - Intensity and nature of the centre - local exchanges;  - Evaluation Result.</p>	<p>Lack of coordination and collaboration of the justice sector at local level</p>	<p>community. Human Rights and Judicial assistance and the coordination secretariat staff.  1.2.4.3. Determining the training schedule of the staff according to their responsibilities and profiles.  1.2.4.4 Organizing the study tour in a neighboring country advanced in the decentralization of services to the community in the justice sector.  1.2.4.5. Facilitating coordination of justice sector at local levels and supporting the interactions between the justice sector institutions, the MINIJUST service responsible for the services to the community, Human rights and Judicial</p>			
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			<p>assistance with the decentralized institutions/ organs and the civil society</p> <p>1.2.4.6 Carrying out joint targeted complementary training sessions for MINIJUST service and the decentralized organs/institutions and the civil society.</p> <p>1.2.4.7 Evaluating the training program.</p>			
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**Justice program output IV. Improving the efficiency and effectiveness of the judicial system through classical and Gacaca courts for improved peace building and reconciliation.**

**DAF Output 1.3 Capacities and mechanisms of conflict prevention and peace promotion and reconciliation at district and sector levels strengthened (By Gacaca)**

<p><b>Activity</b></p> <p>1.3.4.1 Provide equipment to , structures and other institutions for implementation of peace building activities</p>	<p>Closure of Gacaca in process</p> <p>#of cases transferred to Prosecution's office</p>	<p><b>Delay in Gacaca closure</b></p>	<p>1.3.4.1Facilitating the closure of Gacaca courts by training and briefing judges on the new laws related to the closure of the courts</p> <p>1.3.4.2 Accelerating the transmission of the files</p>	<p><b>SNJG</b></p>	<p><b>PGR</b></p>	<p><b>200,000 USD (including 50.000 USD for recording cases in Gacaca)</b></p>
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	# of cases entered in criminal record data base #of Gacaca judges retrained for other peace building activities		of cases judged in Gacaca courts to the Office of the General Prosecutor to register them in criminal record registration. 1.3.4.3 Actual registration of the cases in the data bank of the criminal records registry. 1.3.4.4 Certification of the judges and retraining Gacaca judges for providing support in communities in other forms of conflict resolution once the Gacaca courts have been closed			
<b>ivity</b> 5 Strengthen the capacity through technical advice and consultancy Gacaca courts in developing a collection em and studies on the ory of Gacaca and its role in	Data collection system and history of Gacaca and its role in reconciliation available	Delay to put up a data collection system  Lack of interest in partners for	1.3.5.1 Strengthen the capacity (through material, technical advice and consultancy) of Gacaca courts in establishing a data collection set up for Gacaca for future	<b>SNJG</b>	<b>MIJESP OC and other partners</b>	<b>100,000 USD</b>

onal reconciliation for re	#of exchanges on the lessons learnt from Gacaca	exchange	reference 1.3.5.1 Facilitating the exchange among the institutional partners and other interested parties on the lessons resulting from Gacaca experience.			
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**Justice program output II. Increased awareness by the citizens of the main legal provisions crucial in their daily life (family, land, inheritance and penal law) and improved understanding of their fundamental rights and improved crime prevention through community policing.**

**Justice program output III. Reinforcing legal aid and mediation mechanisms for a justice accessible to the people especially the most vulnerable groups.**

**DAF Output 1.5 Access to justice especially by the vulnerable people increased (MINIJUST)**

<b>1 Strengthen the capacity (through technical advice and consultancy) of Government to incorporate, revise, popularize laws and policies that increase access to justice</b>	Themes and crucial laws identified  Sensitization activities carried out		1.5.1.1 Sensitizing the population on most crucial laws essential in daily life (in selected pilot districts) 1.5.1.2 Sensitizing the population on most crucial laws essential in daily life ( nationwide)	<b>MINIJUST</b>	<b>Local government</b>	<b>10,000 USD</b>
<b>3 Strengthen the capacities (through technical advice and consultancy/workshops) of the</b>	- Study report available - Proposals for	Poor involvement and	1.5.3.1 Study/assessment of the existing mediation	<b>MINIJUST</b>	<b>MINALOC (Local Authorities)</b>	<b>50,000 USD</b>

<p>Ministry of justice to fully develop the ABUNZI or committees of the mediators</p>	<p>improving and broadening the system adopted -# of trainings for mediators -dissemination, communication and promotion campaigns of measures adopted.</p>	<p>commitment of the implementation partners</p>	<p>system (mediation committees - "ABUNZI"). 1.5.3.2 Preparation of proposals for the improvement of the mediation system and the potential broadening of its framework and forms. 1.5.3.3 Support to MINIJUST in the sensitization of the general public on mediation mechanisms 1.5.3.4 Promotion of the improved mediation system to users (mediation committees, local authorities). 1.5.3.5 Training the mediation committees</p>			
<p>2 Strengthen the capacity (through technical advice, consultancy) of government and legal aid Unit, MAJ and legal aid forum to develop and provide legal aid services to every citizen, especially the poor and the vulnerable</p>	<p>- Law on legal aid is available and enforcement mechanisms adopted - Mechanism promotion achieved</p>	<p>- Delay in putting in place a new legal frame work for legal aid mechanism -Insufficient resources</p>	<p>1.5.2.1 Definition of the legal and regulatory framework for legal aid 1.5.2.2 Dissemination and Promotion of the legal aid principle in general and the established mechanism</p>	<p><b>MINIJUST</b></p>	<p><b>MAJ, Bar association, legal aid forum Parliament</b></p>	<p><b>300,000 USD</b></p>

<p>NIJUST, MAJ and Legal Forum)</p>	<ul style="list-style-type: none"> <li>- The mechanism for resource mobilization in place and resources are available (putting in place the basket fund for legal aid).</li> <li>- # of initiatives benefiting from the support</li> <li>- # of monthly consultations by district, entity</li> <li>- monthly statistics on the nature and the monitoring of the services</li> <li>- System evaluation achieved and available</li> <li>- identification and registration of the authorized providers</li> <li>- #number of providers</li> </ul>	<p>allocated to the system and refusal by some donors to put money in a basket fund.</p>	<p>in particular</p> <p>1.5.2.3 Develop modalities for Resource mobilization for legal aid financing (Basket fund for legal aid)</p> <p>1.5.2.4 Support to the launching of the harmonized legal aid system through two initiatives in the rural areas that are under served</p> <p>1.5.2.5 Support the coordination of legal aid activities through the MAJ pilot project</p> <p>1.5.2.6 Support to the activities of authorized legal aid providers according to the defined legal and regulatory framework, in under-served districts where high demand has been observed</p> <p>1.5.2.7 Support to MAJ and the different services providers and coordinators of the</p>			
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	benefiting from support -Monthly statistics on nature and monitoring of the service providers receiving support		legal aid services to implement the recommendations and optimize the accessibility and quality of services to the most vulnerable. 1.5.2.8 Evaluation of the performance of the legal aid system.			
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### Subjects by institution

**Institutional Support to the Ministry of Justice for increased capacities in rule of law, access of justice to the people sector coordination (MINIJUST)**

**Justice program output V. Strengthening justice administration and law enforcement by building a strong, effective and well coordinated justice sector.**

**UNDAF Output Capacity of parliament and relevant government ministries (MINIJUST) to review and draft laws and policies and over see their implementation enhanced (Activities by MINIJUST)**

<b>UNDAF Activity</b>	<b>Indicators</b>	<b>Risks</b>	<b>Sub activities</b>	<b>Implementing Agency</b>	<b>Partners</b>	<b>Funds</b>
1 The capacity (through training and workshops) of the Law Reform Commission and legislative drafting unit at MINIJUST in the review and drafting of laws inline with international human rights standards Strengthened	# of staff trained #of laws codified and consolidated -Trilingual index legal developed -Public is aware of these services	- Lack of coordination among the donors' interventions	I.1.1.1 Training the staff of the law reform commission and legal drafting unit of ministry of justice in law review and legal drafting 1.1.1.2. Review,	<b>MINIJUST</b>	<b>Law reform Commission if (established)</b>	<b>50.000 USD</b>

			consolidating and codifying key legal texts. I.1.1.3. Developing a trilingual legal index I.1.1.4. Disseminating and promoting of the services developed.			
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**Justice program output V. Strengthening justice administration and law enforcement**

**Building a strong, effective and well coordinated justice sector.**

**UNDAF Output 1.2 Capacities of the justice sector in the areas of administration of justice and law enforcement enhance (MINIJUST and coordination. Secret.)**

<b>UNDAF Activity</b>	<b>Indicators</b>	<b>Risks</b>	<b>Sub activities</b>	<b>Implementing Agency</b>	<b>Partners</b>	<b>Funds</b>
1 Strengthening the capacity in benchmarking study to establish current levels of human, material and organization capacities in the justice sector	<ul style="list-style-type: none"> <li>- Training plans available in the selected institutions;</li> <li>- Cross institutional pilot actions achieved</li> <li>- Training plans elaborated by the internal services of the sector institutions according to</li> </ul>	ILPD launching is delayed -Difficulty in recruiting the trainers' trainers for the ILPD; Insufficient staff number or workload of the concerned services	1.2.1.1 Assessing the quality of the mid-term training plans of the institutions of the justice sector. 1.2.1.3 Evaluating the ILPD capacity to support the institutions of the Justice sector in assessing their training needs and in	<b>MINIJUST, CSJS,TA</b>	<b>ILDP, Institutions of the Justice sector + MIFOTRA</b>	<b>25.000 USD</b>

	standard defined criteria		elaborating the corresponding plans . 1.2.1.4 .Reinforcing the ILPD capacity to train the personnel required to carry out such assessments and plans. 1.2.1.5Defining priority cross-institutional training needs at the central and decentralized levels.			
<b>UNDAF Activity 1.2.2</b>	<b>Indicators</b>	<b>Risks</b>	<b>UNDAF Sub Activities</b>	<b>Implementing Agency</b>	<b>Partners</b>	<b>Funds</b>
2 Reinforce capacities human material and institutional of the justice sector institutions in the administration enforcement of justice.	- Availability of the report; - Presence within the ILPD of trainers for this component - Number and quality of training sessions conducted.	Delay of assessment  Lack of trainers - The ILPD launching is delayed -Difficulty in recruiting the trainers' trainers	1.2.2.14. Carrying out the assessment of the situation concerning the execution of judgments 1.2.2.15 Developing within ILDP the capacity of the trainers in the good	<b>MINIJUST</b>	<b>ILPD, Supreme Court, Justice Sector institutions</b>	<b>50.000 USD</b>

<p>#of cross institutional training priorities implemented #of human resource staff trained -Report on assessment of impact of training available -Integration of training plans in the over all strategic plan of the sector finalized</p>	<p>for the ILPD; Insufficient staff number or workload of the concerned services</p>	<p>execution of judgments 1.2.2.16 Carrying out training sessions for Bailiffs and local administration officers acting as bailiffs in charge of the execution of the judgments/mediation decisions  1.2.2.17 Implement priority cross institutional training actions identified 1.2.2.10. Training the human resources/training personnel of the institutions of the justice sector in continuous training management 1.2.2.19. Carrying out an evaluation of the impact of the training sessions. 1.2.2.20.Integrating</p>			
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			training plans in the institutions' strategic plans and in the overall sector strategic plan			
<b>UNDAF Activity 1.2.3</b>	<b>Indicators</b>	<b>Risks</b>	<b>UNDAF sub activities</b>	<b>Implementing Agency</b>	<b>Partners</b>	<b>Funds</b>
3 Strengthening the capacity through technical advice and consultancy) of the justice sector in the development and implementation of the SWAP a management information system(MIS) at national and decentralized levels to implementation of the ICT capacity	<ul style="list-style-type: none"> <li>- TA in place within three months after the launching of the program;</li> <li>- Strategic plan and the SWAP validated within six months after the launching of the program;</li> <li>- Level of satisfaction of the decision makers of the sector and of the development partners;</li> <li>- Results of internal and external evaluations</li> </ul>	<ul style="list-style-type: none"> <li>-The decision making institutions of the sector are not ready to grant a sufficient initiative to the Secretariat or do not provide to it sufficient information;</li> <li>- The intervals between the TA missions are not sufficiently put into use.</li> </ul>	<ul style="list-style-type: none"> <li>1.2.3.1. Providing the Coordination Secretariat of the Justice Sector with short term technical support.</li> <li>1.2.3.2. Defining the new function of the Secretariat and validating them.</li> <li>1.2.3.3. Support to preparing the strategic plan and the SWAP of the justice sector according to the sector needs and validating it.</li> <li>1.2.3.4 Training in SWAP and aid management</li> <li>1.2.3.5.Continuous</li> </ul>	<b>MINIJUST/ Coordination secretariat</b>	<b>All justice sector institution</b>	<b>50.000 USD</b>

			<p>review and improvement of M and E tools for the work of the sector</p> <p>1.2.3.6. Carrying out regular internal evaluations of the Secretariat work and of its impact on the functioning of the sector organs</p> <p>1.2.3.7. Carrying out periodical external evaluations of the sector activities and the role of the coordination secretariat (national level) an inventory of the databases and information necessary for the good administration of the Justice services.</p> <p>1.2.3.9 Drawing up, by institution, an inventory of the existing tools and</p>			
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			<p>supports (up-dating frequency, staff/ service responsible for data collection and consolidation...), carrying out the necessary adjustments to the tools provided</p> <p>1.2.3.10 Developing, by institution and for the sector, a mechanism for collection, consolidation and circulation of information adapted to the needs and compatible with available equipment and resources</p> <p>1.2.3.11 Supporting, each institution and at the sector level, an interface with the ICT services to ensure compatibility of the systems developed with the</p>			
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			users' needs and capacities.			
<b>UNDAF activity 1.2.4</b>	<b>Indicators</b>	<b>Risks</b>	<b>UNDAF sub activities</b>	<b>Implementing Agency</b>	<b>Partners</b>	<b>Funds</b>
1.2.4 Strengthening the capacity through consultancy of the justice sector in organizing surveys to measure the public perception on the quality of justice service delivered	<ul style="list-style-type: none"> <li>- Survey /study on quality of justice delivered</li> <li>- Satisfaction level of the support provided by the new service to the decentralized units;</li> <li>- Capacity of the service to transfer learned experiences;</li> <li>- Intensity and nature of the centre - local exchanges;</li> <li>- Evaluation Result.</li> </ul>	<ul style="list-style-type: none"> <li>- Delay in recruiting the MINIJUST Service staff responsible for the services to the community;</li> <li>- insufficient number of the service staff</li> <li>-Lack of coordination and collaboration of the justice sector at local level</li> </ul>	<p>1.2.4.1 Conducting a study on quality of justice delivered and providing recommendations</p> <p>1.2.4.2. Analyzing the training needs for the MINIJUST service staff responsible for the services to the community. Human Rights and Judicial assistance and the coordination secretariat staff.</p> <p>1.2.4.3. Determining the training schedule of the staff according to their responsibilities and profiles.</p>	<b>MINIJUST</b>	<b>MINALOC</b>	<b>15.000 USD</b>

			<p>1.2.4.4 Organizing the study tour in a neighboring country advanced in the decentralization of services to the community in the justice sector.</p> <p>1.2.4.5. Facilitating coordination of justice sector at local levels and supporting the interactions between the justice sector institutions, the MINIJUST service responsible for the services to the community, Human rights and Judicial assistance with the decentralized institutions/ organs and the civil society</p> <p>1.2.4.6 Carrying out joint targeted complementary training sessions for MINIJUST service</p>			
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			and the decentralized organs/institutions and the civil society. 1.2.4. Monitoring and evaluation of coordination at local levels.			
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**Justice program output II. Increased awareness by the citizens of the main legal provisions crucial in their daily life (family, land, inheritance and penal law) and improved understanding of their fundamental rights and improved crime prevention through community policing.**

**Justice program output III. Reinforcing legal aid and mediation mechanisms for a justice accessible to the people especially the most vulnerable groups.**

**UNDAF Output 1.5 Access to justice especially by the vulnerable people increased (MINIJUST)**

<b>UNDAF Activity 1.5.1</b>	<b>Indicators</b>	<b>Risks</b>	<b>UNDAF sub activities</b>	<b>Implementing Agency</b>	<b>Partners</b>	<b>Funds</b>
<b>Strengthen the capacity (through technical advice and consultancy) of Government to cooperate, revise, popularize laws and policies that increase access to justice</b>	Themes and crucial laws identified  Sensitization activities carried out		1.5.1.1 Sensitizing the population on most crucial laws essential in daily life (in selected pilot districts) 1.5.1.2 Sensitizing the population on most crucial laws essential in daily life (	<b>MINIJUST</b>	<b>Local Government</b>	<b>10.000 USD</b>

			nationwide)			
<b>DAF Activity 1.5.2</b>						
2 Strengthen the capacity (through technical advice, consultancy) of government and legal aid Unit, MAJ and legal forum to develop and provide legal aid services to every citizen, especially the poor and the vulnerable (MINIJUST, MAJ and Legal Forum)	<ul style="list-style-type: none"> <li>- Law on legal aid is available and enforcement mechanisms adopted</li> <li>- Mechanism promotion achieved</li> <li>- The mechanism for resource mobilization in place and resources are available (putting in place the basket fund for legal aid).</li> <li>- # of initiatives benefiting from the support</li> <li>- # of monthly consultations by district, entity</li> <li>- monthly statistics on the nature and the monitoring of the services</li> </ul>	<ul style="list-style-type: none"> <li>- Delay in putting in place a new legal frame work for legal aid mechanism</li> <li>- Insufficient resources allocated to the system and refusal by some donors to put money in a basket fund.</li> </ul>	<ul style="list-style-type: none"> <li>1.5.2.1 Definition of the legal and regulatory framework for legal aid</li> <li>1.5.2.2 Dissemination and Promotion of the legal aid principle in general and the established mechanism in particular</li> <li>1.5.2.3 Develop modalities for Resource mobilization for legal aid financing (Basket fund for legal aid)</li> <li>1.5.2.4 Support to the launching of the harmonized legal aid system (MAJ) through two initiatives in the rural areas that are under served</li> <li>1.5.2.5 Support the coordination of legal aid activities through MINIJUST, the MAJ</li> </ul>	<b>MINIJUST</b>	<b>MAJ, Bar association, legal aid forum Parliament</b>	<b>300.000 USD (DGTTF)</b>

	<ul style="list-style-type: none"> <li>- System evaluation achieved and available</li> <li>- identification and registration of the authorized providers</li> <li>- #number of providers benefiting from support</li> <li>-Monthly statistics on nature and monitoring of the service providers receiving support</li> </ul>		<p>pilot project in Nyanza and capacity building of staff concerned</p> <p>1.5.2.6 Support to the activities of authorized legal aid providers according to the defined legal and regulatory framework, in under-served districts where high demand has been observed</p> <p>1.5.2.7 Support to and capacity building MAJ and the different services providers and coordinators of the legal aid services to implement the recommendations and optimize the accessibility and quality of services to the most vulnerable.</p> <p>1.5.2.8 Evaluation of the performance of the legal aid system.</p>			

UNDAF Activity 1.5.3	Indicators	Risks	UNDAF sub activities	Implementing Agency	Partners	Funds
<p>3 Strengthen the capacities through technical advice and consultancy/workshops) of the Ministry of justice to fully develop the ABUNZI or committees of the mediators</p>	<ul style="list-style-type: none"> <li>- Study report available</li> <li>- Proposals for improving and broadening the system adopted</li> <li>-# of trainings for mediators</li> <li>-dissemination, communication and promotion campaigns of measures adopted.</li> </ul>	<p>Poor involvement and commitment of the implementation partners</p>	<p>1.5.3.1 Study/assessment of the existing mediation system (mediation committees - "ABUNZI").</p> <p>1.5.3.2 Preparation of proposals for the improvement of the mediation system and the potential broadening of its framework and forms.</p> <p>1.5.3.3 Support to MINIJUST in the sensitization of the general public on mediation mechanisms</p> <p>1.5.3.4 Promotion of the improved mediation system to users (mediation committees, local authorities).</p> <p>1.5.3.5 Training the mediation committees</p>	<p><b>MINIJUST</b></p>	<p><b>MINALOC (Local Authorities)</b></p>	<p><b>50.000 USD</b></p>

### **Supreme Court (funds from UNDP 2008: 250.000 USD)**

Supreme Court is the highest level of jurisdiction in the country and the institution holding the judiciary power, as provided in the article 140 of the Constitution of the 4<sup>th</sup> June 2003. At the administrative level, the President of the Supreme Court is responsible for the administration, the functioning and the discipline within the judicial system. She is responsible for the general management and performance and functioning of the various regular jurisdictions and she is deputized by a Vice Chief justice. The Secretary General is the key official to authorize the Financing of the Magistrate courts and ensuring good administration of the judicial services.

Presently the Supreme Court receives support from UNDP, DFID and various donors such as the Netherlands, the Belgian Technical Cooperation, the European Commission, USAID and the World Bank

### **Project name : Capacity building to the Supreme court for improved administration of justice**

#### **UNDAF Outcome 1 Rule of law**

#### **Capacity of the Government and partners enhanced to sustain a peaceful state where freedoms and human rights are protected, enhanced**

**Justice program output IV. Improving the efficiency and effectiveness of the judicial system both classical and Gacaca courts for improved peace building and reconciliation.**

#### **UNDAF Out put 1.2 Capacities of the justice sector in the areas of administration of justice and law enforcement enhanced (by Supreme court again)**

<b>UNDAF Activity 1.2.2</b>	<b>Indicators</b>	<b>Risks</b>	<b>UNDAF sub activities</b>	<b>Implementing Agencies</b>	<b>Partners</b>	<b>Funds</b>
1.2.2 Reinforce capacities of human material and institutional of the justice sector and institutions in the administration and enforcement of justice	-Study on the situation of the backlog available -harmonized plan and tolls available	- Difficulty in the adoption of the new tools ;	1.2.2.5 Carrying out an assessment of the situation of the backlog of cases at the various levels of jurisdiction 1.2.2.6 Strengthening and	<b>Supreme Court</b>	<b>TGIs BCs Offices of Prosecutor</b>	<b>250.000 USD</b>



**Project name: Capacity building for Gacaca courts for reconciliatory justice**

**National Service of Gacaca Jurisdictions (NSGJ) (funds from UNDP 2008 final year: 300,000 USD) NB- 250.000**  
**Gacaca activities, 50.000 recording of cases with PGR**

National Service of Gacaca Jurisdictions (SNJG) was put in place by the organic law no 16/2004 of 19th June 2004. It was created to continue the mission of the Gacaca jurisdictions department of the Supreme Court, called the 6th chamber at that time. The mission of the Gacaca jurisdictions is to achieve reconciliation and justice in Rwanda, to eradicate the culture of impunity and to adopt the provisions allowing to ensure legal proceedings and judgment of genocide criminals and accomplices, and to contribute to the rehabilitation of the Rwandan society, destroyed by the bad leadership who incited the population to exterminate a part of that society during the genocide, as stipulated the preamble of the organic law no 40/2000.

NSGJ receives support from UNDP and other donors notably Netherlands, Belgium and the European Commission.

**UNDAF Outcome 1 Rule of law**

**Capacity of the Government and partners enhanced to sustain a peaceful state where freedoms and human rights are respected, enhanced**

**Justice program output IV. Improving the efficiency and effectiveness of the judicial system through classical and Gacaca courts for improved peace building and reconciliation.**

**UNDAF Output 1.3 Capacities and mechanisms of conflict prevention and peace promotion**  
**and reconciliation at district and sector levels strengthened (By Gacaca)**

<b>UNDAF Activity 1.3.4</b>	<b>Indicators</b>	<b>Risks</b>	<b>UNDAF sub activities</b>	<b>Implementing Agency</b>	<b>Partners</b>	<b>Funds</b>
<b>Activity 1.3.4.1</b> Provide equipment to , repair and reconstruct judicial structures and other	Closure of Gacaca in process	<b>Delay in Gacaca closure</b>	1.3.4.1Facilitating the closure of Gacaca courts by training and	<b>SNGJ</b>	<b>PGR</b>	<b>200.000 USD (including 50.000 recording cases in PGR)</b>

<p>stitutions for implementation peace building activities</p>	<p>#of cases transferred to Prosecution's office</p> <p># of cases entered in criminal record data base</p> <p>#of Gacaca judges retrained for other peace building activities</p>		<p>briefing judges on the new laws related to the closure of the courts</p> <p>1.3.4.2 Accelerating the transmission of the files of cases judged in Gacaca courts to the Office of the General Prosecutor to register them in criminal record registration.</p> <p>1.3.4.3 Actual registration of the cases in the data bank of the criminal records registry.</p> <p>1.3.4.4 Certification of the judges and retraining Gacaca judges for providing support in communities in other forms of conflict resolution once the Gacaca courts have been closed</p>			
<b>UNDAF Activity 1.3.5</b>	<b>Indicators</b>	<b>Risks</b>	UNDAF Sub Activities	<b>Implementing Agency</b>	<b>Partners</b>	<b>Funds</b>

<p><b>Activity</b></p> <p>1.3.5 Strengthen the capacity through technical advice and consultancy of Gacaca courts in developing a data collection system and studies on the history of Gacaca and its role in national reconciliation for the future</p>	<p>Data collection system and history of Gacaca and its role in reconciliation available</p> <p>#of exchanges on the lessons learnt from Gacaca</p>	<p>Delay to put up a data collection system</p> <p>Lack of interest in partners for exchange</p>	<p>1.3.5.1 Strengthen the capacity (through material, technical advice and consultancy) of Gacaca courts in establishing a data collection set up for Gacaca for future reference</p> <p>1.3.5.1 Facilitating the exchange among the institutional partners and other interested parties on the lessons resulting from Gacaca experience.</p>	<p><b>SNJG</b></p>	<p><b>MIJESPOC and other partners</b></p>	<p><b>100.000 USD</b></p>
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**Project Name: Strengthening the capacities of RNP for increased human rights and law enforcement**

**Rwanda National Police (Funds from UNDP 2008: 150.000)**

Government intends to develop the community police, to reinforce the links and the interaction between the people and police. The activities coming under community policing should be mainly implemented at the district level, through the Security committees, community policing committees

the communities themselves with the support of the department responsible with in the Rwanda National Police. During this program formulation it was realized that a ministerial decree of the 18<sup>th</sup> October 2007 on the establishment of the community police committees exists. The services concerned have already conducted sensitization sessions towards the population at the local level to different communities, and envisages extending these activities nationally. Capacity building and training RNP staff in the area of sensitization and community policing especially women police staff in GBV prevention, child abuse and other common crimes.

National Police receives support for other activities, from the EC, Sweden, Belgium and other UN Agencies

### **DAF Outcome 1 Rule of law**

**Capacity of the Government and partners enhanced to sustain a peaceful state where freedoms and human rights are respected, enhanced**

**Justice program output II. Increased awareness by the citizens of the main legal provisions crucial in their daily life (family, land, inheritance and penal law) and improved understanding of their fundamental rights and improved crime prevention through community policing.**

**DAF Out put 1.2 Capacities of the Justice Sector in areas of administration of justice and law enforcement enhanced (Activities by RNP)**

<b>DAF Activity 1.2.2</b>	<b>Indicators</b>	<b>Risks</b>	<b>UNDAF sub activity</b>	<b>Implementing Agency</b>	<b>Partners</b>	<b>Funds</b>
<b>2 Capacities (human resources and institutional of the justice sector institutions in the administration and enforcement of justice reinforced (Rwanda National Police)</b>	<b>- #information and sensitization activities related to crime prevention and community policing for the general public,</b>	<b>Difficult to organize national partners</b>	<b>1. 2.2.1 Identification and mapping of the most needy districts and zones and potential areas of intervention and</b>	<b>Rwanda National Police (RNP)</b>	<b>MINALOC Community Policing Committees Schools, National Women Councils (NWC), Civil Society</b>	<b>150.000 USD</b>

	<p>especially youth and women groups (schools, sport clubs ,...)          -# number of districts and groups (associations, clubs,..) covered          # of trained police staff especially women</p>	<p>involved in other duties</p>	<p>institution partners (schools, sport clubs, associations...) for crime prevention and community policing          1.2.2.2 Identification of themes, development of communication materials and channels of communication, production, coordination and supervision of activities          1.2.2.3 Information and sensitization activities for different categories of the population and pre-selected groups (schools,</p>			
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			<p>community policing committees, women councils) 1.2.2.4 Capacity building and training for RNP staff in area of sensitization and community policing , especially women police staff in GBV prevention child abuse and other common crimes</p>			
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**Project name: Support to Prosecutor General’s Office (PGR) for witness protection NB**

**ready existing project mentioned here for consistence and projections beyond 2008)**

**Prosecutor Generals Office (Funds from UNDP 2008: (300,000 USD)**

genocide that happened in Rwanda in 1994 left many victims and a back log of cases. For the justice system to deal with these and other cases other crimes it is important to have witnesses.

Most of these witnesses are threatened or are so poor and incapacitated that they are not able to help the system.

PGR also did not have a witness protection unit and were not trained on how to do this and encourage other justice institutions concerned to do the same. This project was conceived to support in this area. It is a project that has been funded for 2006, 2007 and 2008.

particularly for 2007 and 2008 there was a cost sharing between UNDP and DFID. Beyond 2008 it will be necessary to review progress of the project and consider additional funding.

the moment PGR receives other funding from German cooperation and EU

**UNDAF Outcome 1 Rule of law**

**Capacity of the Government and partners enhanced to sustain a peaceful state where freedoms and human rights are respected, enhanced**

Justice program output V. Strengthening justice administration and law enforcement by building a strong, effective and well coordinated justice sector.

**UNDAF Output 1.2 Capacities of the Justice Sector in areas of administration of justice and law enforcement enhanced (PGR)**

**There exists support to PGR for witness protection through a different project: \$ 300,000 (300,000 UNDP & 200,000 DFID) for 2008**

<b>UNDAF Activity 1.2.2</b>	<b>Indicators</b>	<b>Risks</b>	<b>UNDAF sub activities</b>	<b>Implementing agency</b>	<b>Partners</b>	<b>Funds</b>
1.2.2.2 Capacities (human, material and institutional) of the justice sector institutions in the administration and enforcement of justice reinforced (Prosecutor General's Office)	-Sensitization on witness protection carried out -Laws on witness protection in place -Training in witness protection carried out for different partners	Continuation of funding not sure Sustainability of capacities built for witness protection services	1.2.2.21 Promote and protect witnesses by sensitizing the departments concerned (especially PGR), the general public and setting up legal provisions to	<b>PGR</b>	<b>-Local government -Other justice sector institutions -Civil society organizations</b>	<b>Funded through an existing project (300,000 USD (cost sharing with DFID-2008))</b>

			protect them 1.2.2.22 Assist the victims materially and psychologically 1.2.2.23 Capacity building to the service in charge of witness protection at national and decentralized level			
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