

PROJUSTICE

**USAID / PROMOTING AND STRENGTHENING JUSTICE IN THE DEMOCRATIC
REPUBLIC OF CONGO PROJECT**

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USAID
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4th Quarterly Progress Report

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3. TABLE OF ACRONYMS

Acronyms	
AFEJUCO	Association des Femmes Juristes Congolaises
CMJ	Comité Mixte de Justice
CoP	Chief of Party
CSM	Conseil Supérieur de la Magistrature
CSO	Civil Society Organization
DAI	Development Alternatives Incorporated
DRC	Democratic Republic of Congo
EC/D	European Commission/ Delegation
EFRPJ	Ecole de Formation et de Recyclage du Personnel Judiciaire
ESM	Ecole Supérieure de la Magistrature
EU	European Union
MoJ	Ministry of Justice
MoU	Memorandum of Understanding
NGO	Non Governmental Organization
OPM	Office Program Manager
PAG	Programme d'Appui à la Gouvernance
PCC	Pilot Court Coordinators
PMEP	Performance Monitoring & Evaluation Plan
RCN	Réseau des Citoyens Network
REC	Review & Evaluation Committee
SDE	Service de Documentation et d'Etudes
TA	Technical Assistance
TNA	Training Needs Assessment
ToRs	Terms of Reference
UNDP	United Nations Development Programme
USAID	United States Agency for International Development

4. SUMMARY / INTRODUCTION

This 4th **Quarterly Report**, covering the period July-September 2009, describes major activities and achievements that ProJustice has attained during the reporting period. In the early development of a project such as the ProJustice project, these activities often provide the foundation for a longer term process. Efforts will continue to reach expected results over subsequent reporting periods.

In the **ProJustice Component 1**, relating to institutional reform and strengthening, a major step in further establishing the “Conseil Supérieur de la Magistrature” (CSM) came during the September 21-25 seminar organized by ProJustice in cooperation with UNDP and the EC-funded Programme d’Appui à la Gouvernance (PAG), when the new members of the Permanent CSM Secretariat (the management team of the CSM) were publicly introduced. The seminar resulted in the definition of strategies to improve access to justice and to advance judicial independence (see Attachment 1 for *the Report on Participants’ Evaluation of the Workshop*). This seminar had a difficult backdrop as no official recognition of the new Permanent Secretariat by the MoJ had taken place. Holding the seminar, although consistent with our work plan and independence of the judiciary goals, has resulted in some almost inevitable tension between the MOJ and CSM and the project has been caught in the middle.

ProJustice began the process of broadening the constituency to push for judicial independence and accountability by establishing strategic alliances with other USG partners, including Global Rights, Search for Common Ground, Avocats sans Frontières and DAI, that have developed important networks within civil society. ProJustice finalized a subcontract with Global Rights during reporting period. The Global Rights subcontract has two major objectives in training activities: 1. Training on sexual and gender-based violence; 2. Training on monitoring of the judicial system and the judicial recruitment process.

ProJustice undertook consultations with key stakeholders to move forward with the establishment of a transparent merit-based career system, including the recruitment dimension. After receiving the official request from the MoJ for ProJustice participation in the provision of technical assistance for the organization of and participation in the recruitment process, ProJustice developed a draft timetable, budget and procedure for undertaking a merit-based selection system that was shared informally with national and international counterparts (see Attachment 2 for the final draft of proposed recruitment documents). ProJustice worked closely with its MONUC and UNDP partners, and enlisted French cooperation as well to build consensus around a unified proposal for a recruitment process calendar and budget.

ProJustice developed the methodology to collect data on case management and undertook a total of three workshops in Bandundu, Bukavu, and Uvira with court implementation teams. A calendar of activities was included in the sites’ PACTs, teams of court clerks were designated in each pilot site, and training on how to undertake the workload data collection was provided to the external data collection team as well the teams of court clerks. One day of the September 21-25 workshop was dedicated to introducing the fundamentals and benefits of case management. This included a presentation on the ProJustice findings of the first ever case load analysis undertaken in the DRC (see Attachment 3 for preliminary findings of caseload analysis), as well as providing technical assistance to help identify case processing bottlenecks and solutions.

Through collaboration with the USAID/DAI project, a new organizational structure of the Ministry of Justice was proposed and received approval by the Minister of Justice.

With respect to **ProJustice Component 2**, the ProJustice team concluded a management skills needs assessment in the four pilot sites (see Attachment 4: Training Needs Assessment Findings of management and administrative skills). In addition, an organizational audit of the Ministry of Justice and a program for continuing training of magistrate and non-magistrate judicial personnel were developed (see Attachment 5 for the final version of the program).

The draft program was adopted after consultation and cooperative planning with the two existing schools for continuing professional training during a seminar organized by ProJustice on September 18. A timetable for implementation of the training activities was included in the training plan. This will govern the forthcoming training sessions.

Training activities for non magistrates in areas such as court management for court clerks have started and seminars were organized in Kinshasa and in Bandundu.

In the **Component 3 Pilot Program**, active work continued in the pilot courts on the basis of the methodologies developed in the previous reporting period.

The PACT methodology has now been introduced in Kindu where very little international assistance is concentrated and in all other pilot courts. Planning has been introduced in all pilot courts during a seminar organized in August by ProJustice in Lubumbashi. On the basis of the court improvement activities defined within the framework of the PACT development process, ProJustice developed a proposal that outlines the types of incentives that the project should provide to the courts in the pilot sites to help them implement their prioritized improvements.

As part of the PACT process, ProJustice developed the technical specifications for shelving for active and inactive cases.

The pilot program has generated considerable interest within the international community; specifically, the EU/PAG program has taken a keen interest in the pilot court methodology for possible replication in its Kinshasa-based jurisdictions component.

Data collection continued throughout the reporting period in Bandundu and Bukavu. Data was collected going back two and a half years in each one of these pilot courts.

An active search for a resident Senior Court Administrator has been implemented during the reporting period and candidates are being interviewed. Candidates for pilot court coordinators in Kindu and Bandundu have been identified and reference checks and salary negotiations are underway.

ProJustice Component 4. During the past quarter, ProJustice launched a grants program to support civil society organization's efforts to promote better access to justice for vulnerable populations. As a result of a competitive selection process, 20 applicants were invited to submit full proposals to implement legal aid, court monitoring, and other access to justice activities. Proposals submitted by CSOs based in Bandundu, Bukavu-Uvira, Lubumbashi, Kindu, and Kinshasa were reviewed and three proposals were recommended for funding to USAID. Another 15 will be review by the Proposal Review and Evaluation Committee in October and those recommended for funding will be submitted to USAID by early November. The assistance and support to be provided by the project

should create a critical mass of Congolese CSOs working to improve access to justice for vulnerable populations (see Attachment 6 for the scoring table of proposals). Implementation of the grants will take place early in the next quarter.

Supplemental program in Eastern Congo

During the reporting period, two pilot offices in Bukavu and Kindu were staffed and furnished.

The PACT process was introduced in the eastern pilot sites through workshops launching the Pilot Court Program in each site. Launching workshops included basic training in the concept of court administration as well as working sessions where participants identified court modernization priorities which were then packaged in a PACT document for each court.

Access to Justice for vulnerable population: ProJustice's efforts focused on provision of technical assistance (TA) and resulted in several activities, such as:

- A CSO mapping exercise started in Maniema. This activity will result in the drafting of a guide to CSOs' resources and services available.

Assistance to CSOs: The ProJustice grants team visited Kindu to both launch the grants program and to provide hands-on technical assistance to the CSOs that had been invited to submit full proposals. During the reporting period the project team has undergone major changes with the departure of the Chief of Party (CoP), the appointment of an interim CoP, and finally (on September 30th) the appointment of a new CoP who took up his functions in October. Other staff changes and admin-related activities that have taken place in the present reporting period are described in Section 8 below.

During the reporting period, the unexpected reassignment or removal by the President of the country of 96 magistrates (including the 1st President of the Supreme Court and the Attorney General) on July 15, caused important delays because the project team had to wait until the new judicial authorities were sworn in both in Kinshasa (at the CSM level) as well as in the four pilot sites (a process that lasted up until mid-August). This upheaval affected ProJustice's timetable for implementation under all components except component 4.

5. FOURTH QUARTER ACTIVITIES AND RESULTS

The following section outlines activities undertaken consistent with our annual work plan, providing the status and outlook of each. We also note those activities which will require more intensive work in the upcoming reporting period.

Component 1: Support the Establishment of New Judicial Institutions

1.1 Percentage of ProJustice's projects that successfully promote judicial independence and the establishment of new judicial institutions.

During the reporting period the unexpected reassignment or removal by the President of the country of 96 magistrates (including the 1st President of the Supreme Court and the Attorney General) on July 15, caused delays in progress on some fronts because, for certain activities, the project team had to

wait until the new judicial authorities were sworn in both in Kinshasa (at the CSM level) as well as in the four pilot sites (a process that lasted up until mid- August). The majority of the counterparts that ProJustice had built working relationships with in these locations since the beginning of the project were impacted by the President's decision.

ProJustice sought meetings with the new authorities in Kinshasa and the pilot sites to gain their support and build new relationships. ProJustice was able to shift its strategy and modify the originally planned activities to respond to the changing and challenging political context. Achieving judicial independence, both external (undue influence or intervention from other branches of government) and internal (undue influence or intervention from hierarchical authorities or disciplinary chambers within the judicial branch) is a long term and complex process. During Fourth Quarter Reporting period, the following initiatives were undertaken in support of judicial independence:

- The September workshop provided a forum for discussion of strategies to overcome barriers that impede respect for judicial ethics. During the second year of the project, and based on the proposals made by participants at the September workshop, ProJustice will move forward with providing technical assistance to judicial training units so that they can deliver judicial ethics training programs.
- September workshop participants also identified strategies for improving management of judicial records. Transparency in records management is a key ingredient to reduce undue influences and will therefore strengthen judicial independence. During the second year of the project, Projustice will build upon the recommendations developed at the September workshop to implement records management systems in the pilot courts designed according to standards that improve efficiency and transparency.
- ProJustice collected data in two pilot sites to identify the magnitude of judicial delay in different phases of the adjudication of cases. In democracy, even the most independent judiciary is obliged to be accountable to the citizenry. Statistics about average age of pending cases and ratios of disposed cases to pending cases, among others, were presented at the September workshop. The poor performance reflected in the statistics generated reactions of surprise and created a sense of urgency among the judicial authorities to reduce delay. Strategies to do so were developed and will be the basis for the work that will continue during the second year of the project.

1.2 Number of USG assisted campaigns and programs to enhance public understanding, NGOs support and media coverage of judicial independence and accountability.

Opposition to reforms aimed at improving judicial independence and impartiality is often strong because in strengthening the independence of the judiciary there is usually a transfer of power and responsibility from an external branch or institution to the judiciary. The situation in the Democratic Republic of Congo is no exception. The PMP indicator that has been identified as a way to measure ProJustice's progress in this area establishes "Number of USG assisted campaigns and programs to enhance public understanding, NGOs support, and media coverage of judicial independence and accountability".

During the reporting period the following initiatives took place towards the accomplishment of this indicator:

- ProJustice commenced the process of broadening the constituency to push for judicial independence and accountability by establishing strategic alliances with other USG partners, including Global Rights, Search for Common Ground, Avocats sans Frontières, and DAI, that have developed important networks within civil society. A direct result of this alliance is the use of a proven public outreach tool created by Search for Common Ground, called MOPILA, to conduct a DRC-wide public outreach and information campaign to increase awareness on judicial independence and access to justice.
- ProJustice entered into a subcontract with Global Rights (GR) during reporting period. The GR Program will contribute to the promotion of judicial independence and accountability, specifically through education and training on the judicial appointment process and court monitoring and oversight.
- The Project finalized the ProJustice's Grants Program which will benefit civil society organizations that are interested in court monitoring and oversight as a means of promoting judicial independence. Implementation of grants will commence early in the next quarter.

A summary description of the accomplishment of deliverables under Component 1 is contained herein. More specific information is contained in the monthly reports that were submitted to USAID.

1.3 Establish a CSM Working Committee on policy making and administration of the judicial branch chaired by the President of the Supreme Court.

With the project's support, the CSM working committee on policy making has functioned on an ad hoc basis with the participation of the chiefs of cabinet and legal advisors of the four members of the CSM Bureau. Since the inception of the new judicial authorities in July of this year, ProJustice has organized seven meetings with CSM authorities to discuss the adoption of the appropriate working and operating environment that will empower the CSM, its Permanent Secretariat, and its operating units to take on the responsibilities assigned to them by law. Each policy-level meeting had a set agenda and resulted in action items. This approach is directed to create and keep focus on key policy issues and develop fruitful policy dialogue on these issues.

1.4 Design and Host a CSM Implementation and Justice Sector Reform Workshop to discuss optimal roles for each central institution (CSM, MOJ, and Constitutional Court).

From September 21 - 25, under the auspices of the Judicial Council, ProJustice organized and coordinated a second workshop aimed at developing the Council's organizational structure and management units. ProJustice's initiative was backed by the European Commission-funded Governance Program (EC-PAG) and the UNDP-funded Governance Program which co-financed the workshop. Ninety-eight (98) court of appeals and trial court judges and court clerks, 23 of them Judicial Council members, from nine Congolese cities (including the pilot sites) gathered to propose solutions on important judicial reform topics, among others, best practices in organizational structures for judicial councils, judicial delay, case management, and records management.

Participants discussed the main functions of the Council's core management units (finance, human resources, general services, planning and information management, communications and press, and information technology). They tackled what has been a critical development issue—the roles that the



Group representative reporting back to the plenary after the group sessions

Ministry of Justice should have in the management and policy making for the judicial branch. Participants concluded that the best way to ensure coordination between the management units of each institution was by institutionalizing inter-institutional dialogue and particularly between the Council's Permanent Secretariat and the MOJ's General Secretariat.

1.5 Design and execute a strategic planning and policy formulation process to guide development of the CSM

Earlier this year at a ProJustice-organized workshop, members of the Judicial Council initiated a strategic planning process. At the September workshop, ProJustice helped restart this process which was interrupted due to the reassignment or removal of numerous Judicial Council members that attended the March workshop. The ProJustice team had continued to work with the ad hoc planning team established at the March workshop to develop a draft five year strategic plan for the Judicial Council. This document was presented at the September workshop. During one full day, workshop participants adjusted the proposal and adopted a new Mission and Vision statement as well as defined risks and needed strategic orientation for the five-year plan. Participants developed a roadmap to validate the draft Strategic Plan with broader justice sector participation. That roadmap foresees discussion and adoption of the plan by the 157-member General Assembly in 2011 (see Attachment 7 for the roadmap).

Component 1A. Establish Transparent Procedures for Recruitment, Selection, and Promotion of Magistrates

1.6 Facilitate internal workshops for MOJ, magistrates, civil society and other interested stakeholders

ProJustice undertook consultations with key stakeholders to move forward with the establishment of a transparent merit-based career system, including the recruitment dimension. Political sensitivities have made the recruitment issue a political hot potato. During the reporting period, the recruitment process led by the executive branch reached a critical juncture for lack of funding. ProJustice was able to engage the MoJ by agreeing to facilitate a recruitment process with the CSM's leadership.

The MoJ responded by issuing an official request for ProJustice participation in the provision of technical assistance for the organization of and participation in the recruitment process. In response to this request, the ProJustice team developed a draft proposal of a merit-based selection procedure as well as a timetable that was shared informally with national and international counterparts. ProJustice worked closely with its MONUC and UNDP partners and enlisted French cooperation as well to build consensus around a unique proposal for a recruitment process calendar and budget.

Selecting 500 magistrates nationwide from a pool of 12,000 candidates is a complex task that requires full buy-in from all stakeholders to ensure transparency, legitimacy, and credibility of the process. A key challenge was to convince the MoJ that the process must be perceived to be transparent and those implementing the process must be held fully accountable. The acceptance of the magistrates selected greatly depends on the credibility of the process utilized. On September 17, ProJustice submitted a letter to the MoJ stating that ProJustice was ready to present this proposal to the Council and the MoJ in a joint formal meeting to take place after September 30. The Ministry of Justice decided to move ahead with the recruitment process with its own process and calendar.

Component 1B. Establish Transparent Organizational Procedures for New Judicial Institutions

1.7 Assist in the development and implementation and management of case management and record keeping systems including Court use of technology

With the full participation of court counterparts, ProJustice began gathering data to spearhead the implementation of case management systems in the pilot sites. The process is not easy because courts in DRC do not always maintain and track data in a uniform or complete manner. Reliability of the data maintained is weak. ProJustice carried out three data collection training workshops in Bandundu, Bukavu, and Uvira with court



Court clerks and interns reviewing court registers in the Bandundu pilot site

implementation teams. At each workshop, the data collection supervisors/trainers trained data collection teams made up of court clerks and interns and established a calendar for the implementation of the data collection at each site.

The first phase of the data collection process in the Bukavu and Bandundu pilot sites has been successfully concluded. A total of 63 young law professionals (interns) and court staff participated in the data collection process. As of August 31, approximately 10,000 cases were inventoried for the period May 2007 to June 2009 in Bukavu, Uvira, and the control site Kavumu. In Bandundu, a total of 4,000 cases were inventoried.

One day of the September workshop was dedicated to introducing the fundamentals and benefits of case management. This included a presentation on the findings of the data collection effort undertaken by ProJustice in the pilot courts, as well as providing technical assistance to help identify case processing bottlenecks and solutions. The analysis provided important real numbers on the extent of delay in the courts. For example, the average age of pending criminal cases in a trial court is 564 days. This and other findings stimulated attendees to prioritize developing strategies to reduce judicial delay. The work in the pilot courts will focus on developing and implementing programs to address the bottlenecks in case processing identified.

More information on this deliverable is included under Component 3 below.

1.8 Help define the needed functions and procedures of the Ministry of Justice to address mandates defined by the new laws

Through collaboration between the EC-PAG and ProJustice projects, a new organizational structure of the MoJ was proposed and received approval by the Minister of Justice. The new organization streamlines and clarifies functions and makes better use of existing resources. At the same time, it creates certain challenges for the role and functions of the CSM management units because the Ministry maintains primary control of the judicial budgetary, infrastructure, and information systems. The new structure recognizes the CSM's powers to the extent that was politically feasible at this time. It also has the positive impact of providing much needed clarification of roles and responsibilities in the management both at the central and local (court) levels.

1.9 Conduct a workshop with CSM staff to help define the needed functions and procedures to address mandates defined by the new laws

The main functions of the Judicial Council core management units were developed at the September 21-25 workshop by participants with ProJustice and PAG technical assistance. These include:

At the Bureau level:

- Communications Unit

At the Permanent Secretariat level:

- Information Technology Unit
- Planning and Information Management Unit
- Career Unit
- Finance Unit
- Training Unit

This work forms the foundation upon which to develop comprehensive and operational CSM structures, job descriptions, and staffing plans with the new Permanent Secretariat designated by the CSM Bureau during the next reporting period.

Component 2: More Effective and Transparent Management of the Judiciary and Ministry of Justice

Training Needs Assessment and Continuing Training Program for Magistrates and non-Magistrates

This quarter has seen the completion of the comprehensive **Training Needs Assessment (TNA, see Attachment 4 for the table of findings in the four sites)** and of a **Program for Continuing Training** for both magistrate and non-magistrate personnel. The TNA was prepared on the basis of interviews with MoJ personnel by the ProJustice team in Kinshasa and in the four pilot sites. The TNA describes the needs identified during the interviews and field visits. Meetings were also conducted with members of the resource centers that ProJustice works with to organize training sessions. These are the following institutions:

- i. Ecole de Formation et du Recyclage du Personnel Judiciaire (EFRPJ); and
- ii. Service de Documentation et d'Etudes (SDE).

Key training needs identified in the TNA were judicial ethics, drafting of judicial decisions, case management, and court management.

Component 2A. Strengthen Management Skills of Magistrates and MOJ Personnel

2.1 Enhanced management skills among magistrates, CSM staff, and MOJ staff

Carry out an organizational audit and management skills needs assessment

This activity was initiated during the previous reporting period in partnership with DAI and the EC-funded Programme d'Appui à la Gouvernance (PAG) and finalized in the present one. A first draft report was prepared by the short-term expert and is expected to be completed during the following quarter (see Attachment 8 for the report).

Develop realistic organizational development and training plans

As mentioned above, a comprehensive training program was prepared during the reporting period for both magistrate and non-magistrate personnel. This training program was discussed and approved during a seminar organized by ProJustice in Kinshasa on September 18, 2009. Examples of training programs included in the training plan include judicial ethics, court management, and court management.



Group discussion on the proposed training program facilitated by Mme NDala Marie Louise Director of one the Schools

Implement training programs for both in-service personnel and new entries into the system and train trainers in these areas.

During the present reporting period, the training plan was completed. Two modules were tested in Bandundu with the participation of 32 court clerks, bailiffs, and inspectors. Training sessions for magistrates will be initiated during the upcoming quarter.



Bandundu Practical Training Workshop participants and Trainers

Component 2B. Enhance the Skills and Qualifications of Court Personnel

2.2 Standardized Introductory and Continuing Training Program for Court Personnel including Bailiffs and Judicial Inspectors

Conduct assessment of management and administrative skills needed by court personnel

ProJustice completed a series of field visits to undertake an assessment of management and administrative skills needed by court personnel. Lubumbashi, Kindu, and Bukavu were visited. Survey forms were distributed based on the guidance of court authorities. To date a total of 60 survey forms have been received. In Lubumbashi and Bukavu, court leaders expressed great satisfaction on the team's approach, underlining the importance of assessing the needs in the field as opposed to preparing a training course in the capital without considering local realities. ProJustice's counterparts were pleased that the project's approach is geared to strengthening the institutional capacity of the existing training structures such as the Ecole du Personnel Judiciaire, and offering training programs through these structures, as opposed to offering specific courses on a sporadic basis. The Ecole leadership team is eager to begin work with our project and offered to make a space available in their premises for our training team.

On the basis of the field visits and analysis of the forms received, the same TNA exercise as the one noted above for magistrates has been carried out for non magistrate personnel and resulted in a comprehensive training programme. Key TNA findings highlighted the need for court management training, magistrates' professional and behavioral ethics, case management, and judgement drafting. Main elements of the training program included all these aspects. The TNA and training program are attached to this report (Attachments 4 and 5).

Develop and implement an in-service and new entrant training program for court clerks, bailiffs, and inspectors

During the reporting period, ProJustice took part in two training committees organized by the "Comité Mixte de Justice" (CMJ). Because of the large number of donors providing or funding

training programs, both for magistrates and for non-magistrates, the DRC government has special interest in making sure efforts are well coordinated. One committee will be in charge of harmonizing the supply of training programs from a content and geographic standpoint, whereas the other will focus on developing a unified list of equipment needs for the training schools.

Together with the training programme for magistrates mentioned above, a training plan for non magistrates has been drafted during the reporting period. Both programmes are included in the same document and were approved during the above mentioned seminar of September 18 by the two continuing training institutions (SDE and EFRPJ) that are ProJustice partners.

Initial modules for two courses were drafted during the reporting period. These two courses are:

- Practical court management for “greffiers”;
- Practical management for Prosecutors’ office secretariat.

A second module for each training session will be prepared in the course of the upcoming quarter.

Training sessions for non magistrate personnel

A first training session on the above mentioned “Practical court management for greffiers” was organized in Bandundu on Sept 28 – Oct 2, 2009. 32 participants were trained by the Ecole de Formation et du Recyclage du Personnel Judiciaire (EFRPJ) trainers supported by ProJustice. Other sessions are scheduled to take place in November and December.

Component 2C. Improve Budget and Resource Management by the CSM and MOJ

Activities under this sub component will be further developed by the Budget, Finance and Internal Control Advisor who is currently being recruited to join the ProJustice team.

2.3 More Effective and Transparent Resource Management by MOJ and Judiciary

Facilitate the implementation of the systems including assistance if budgeting is transferred to the judicial branch under the CSM

The Judicial Council and the MoJ participants at the September workshop defined the basic functions of the Council’s Finance Management Unit within the existing legal framework which limits the financial autonomy of the Council and thereby of the Judiciary. The designated working group discussed this issue at length and proposed mid-term solutions for increasing the financial autonomy of the Judicial Branch which will be the basis of a broader campaign for which ProJustice will provide support in the near future.

Component 3: More Effective, Transparent, and Accessible Court Operations in Pilot Jurisdictions

Component 3A. Enhance the Effectiveness and Transparency of Court Management Practices

3.2 Current management practices and procedures assessed and a strategy for improvement established

Analyze backlogs of cases

Data collection has continued throughout the reporting period in Bandundu and Bukavu. Data was collected going back two and a half years in each one of these pilot courts.

Analyze the use of court forms and develop standardized forms to ensure uniform legal practice, improved access to courts, and improved information and record-keeping systems

As part of the PACTs process, ProJustice developed the technical specifications for standards for records management storage systems for active and inactive cases.

Equipment for Lubumbashi is expected to be delivered during the next quarter. Arrangements for construction of records equipment (which, unlike Lubumbashi, will be built locally) for other pilot sites began during this quarter and will continue during the next quarter. Finally, requests for quotations for additional materials to implement the modernized records storage systems were issued during the quarter, but no vendors were able to provide adequate bids. Efforts are underway to broaden the procurement effort to non-local providers. These standards for records storage systems were addressed during the September 21-25 seminar.

A form design model was developed during the quarter, reviewed with court staff in two pilot sites, and later addressed during the CSM workshop in late September. During the workshop, attendees proposed processes for forms development and approval and for ongoing development and approval of records management standards. ProJustice will work on implementation of these processes and the development of modernized forms in upcoming quarters. This activity is coordinated with REJUSCO which has already developed a catalogue of forms that are utilized in the courts where that project is active. This coordination will ensure the utilization of a consistent set of forms in court administration/ reform activities.

3.3. Strategy for increasing effectiveness and transparency of court management developed

3.4 Improvements to court operations realized through PACT Planning Process

Introduced PACT Planning process with each pilot court, CSM, Supreme Court, and MOJ

The PACT methodology has now been introduced in the last remaining pilot site: Kindu. Unlike Bukavu where there is considerable international donor presence, Kindu has received little or no assistance, nor support in its modernization. The activity plans developed within the framework of the September 21-25 seminar are reflective of this situation because the needs identified are as basic as the need for tables, chairs, magistrate robes, and an electricity generator. Given its low level of resources and the lack of prior technical assistance, ProJustice will give particular focus to the Kindu pilot site to visibly enhance modernization and performance.

With the Lubumbashi workshop in August, the PACT planning has now been introduced in all pilot sites, in spite of delays caused by the July 15 Presidential decrees (see Attachment 9 for the table to monitor implementation of pilot site PACTS). All pilot sites were impacted by the decrees because most of the judicial authorities were dismissed, asked to retire, or transferred to a different site.

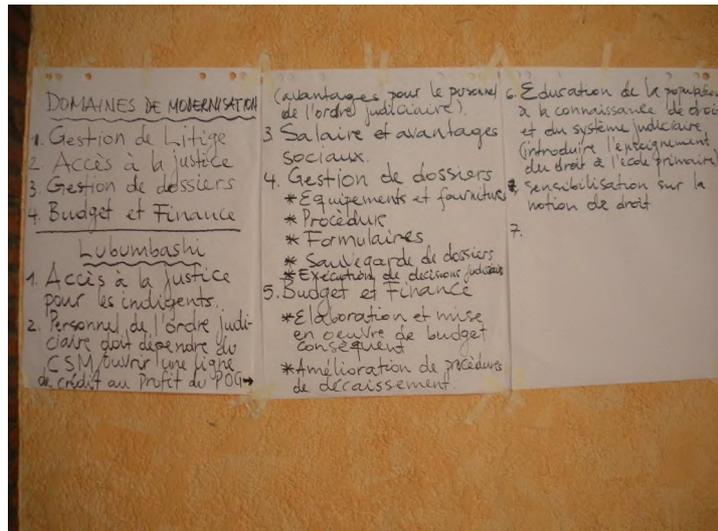
ProJustice adapted to changing circumstances by:

- Postponing the Lubumbashi workshop from July to August,
- Holding the Kindu workshop without the presence of high-level authorities, and

- Reinitiating working relations with the Bandundu authorities and the Bukavu authorities through our Bukavu Regional Office staff.

Uncertainty about which justice officials would be transferred to which jurisdiction was finally settled by the government publishing new destinations for magistrates and prosecutors at the end of August. The project's strategy to maintain reform momentum included holding a follow-on workshop with the new Kindu authorities in September and following up closely with the Bukavu authorities through project staff posted there.

Of the four pilot sites, Lubumbashi has proved to be the site most ready to introduce technology in its court improvement process. Three activity plans (shown to the right) will make up the final PACT for Lubumbashi, including budget management, records management, and access to public information through public computers. The ProJustice project was especially well-received by court officials and was offered office space in the court to house our Pilot Court Coordinator.



Activity Plans from Lubumbashi PACT Planning Sessions

Define the types of incentives that the project can and will provide through a Court Accountability Fund

On the basis of the court improvement activities defined by the magistrates and court personnel within the framework of the PACT development process, ProJustice developed a proposal that outlines the types of incentives that the project will provide to the courts in the pilot sites to help them implement their prioritized improvements such as funding, equipment, materials, and various forms of technical assistance.

The following are the types of specific results that would be supported through the different incentives:

- Records management and preservation
- Automated case histories to be accessible via hard copy reports, public computers, and, where feasible, court websites
- Improved public access and service to the public
- Basic case history tracking, calendaring, and management
- Increase court productivity and public access
- More efficient decision making

Procurement:

- **Computer equipment for the four sites:** The request for approval was submitted to USAID in August and approved in early September. The equipment is installed.

- **Shelving equipment:** A purchase order was issued and delivery is pending.
- : Procurement process to provide furniture to Bandundu and Kindu was initiated. The procurement process was completed in Bandundu.

Official delivery will take place in the forthcoming quarter in the frame of the MoUs. Appropriate publicity will be initiated for each occasion.



Condition of shelving and furniture in the Bandundu TGI



Local providers finishing the new shelving

Increase knowledge of ethics standards and internal regulations across all pilot courts

ProJustice continued to keep the topic of judicial ethics at the forefront of rule of law development in DRC, and during the reporting period worked to increase the knowledge of ethics standards in the pilot courts. Pilot court workshop participants engaged in discussions to identify the major breaches of judicial ethics in the DRC and to develop strategies to confront these breaches. Some examples include the need to recruit magistrates based on merit; train magistrates on what judicial ethics breaches entail in practice; ensure factual implementation of a disciplinary system but also the use of positive encouragement; among others. ProJustice will build upon these conclusions to develop its on-going plan for the pilot courts in this area.

Component 3B Enhance Accessibility of Pilot Courts

3.5. New policies increase accessibility through improved court performance

Activities in this subcomponent will be developed in following quarters through the PACTs process and pilot court program.

3.6 Mobile Court System Expanded and Systematized

Identify and train mobile courts judges

During the previous quarter, ProJustice began exploring the possibility of carrying out this activity through a partnership with Avocats Sans Frontieres, a leader in the area of mobile courts, and may be accomplished either via a grant or sub-contract mechanism.

Establish a calendar of visits for mobile courts' proceedings

ProJustice is exploring the possibility of carrying out this activity through a partnership with Avocats Sans Frontieres, a leader in the area of mobile courts, and may be accomplished either via a grant or sub-contract mechanism.

3.7 Increase Civic Engagement in Court Monitoring

Develop outreach plan with pilot courts to increase interaction and involvement of CSOs in administration of justice and court monitoring

ProJustice and Global Rights will focus efforts in the pilot court areas to bolster the network of CSOs carrying out activities that increase access to justice directly and contribute to an environment in which citizens are better informed of the law and their rights and obligations under the law and are more effective advocates for a transparent, efficient, and equitable justice system (see Attachment 10 for a calendar of activities submitted by Global Rights).

Engage CSOs to work with the courts as volunteer public information officers, serve as advocates for indigent defendants, and other activities

The ProJustice-Global Rights alliance will work with CSOs in their advocacy role, while the grants program will address legal services shortcomings in target areas. This activity is cross-referenced with Component 4 – Access to Justice.

Launch public education programs, post judicial ethics standards and information for citizens about how to report misconduct

During the quarter, ProJustice entered into a strategic alliance with Search for Common Ground (SFCG) to conduct a DRC-wide public outreach and information campaign to increase awareness on judicial independence and access to justice issues. SFCG offers many unique advantages as a partner in the development of media and outreach campaigns. They have a national network and are active in each of the DRC's 11 current provinces and 26 future provinces, with offices in Kinshasa, North Kivu, South Kivu, and Katanga. The campaign will utilize the popular comic book series on governance "MOPILA" that was developed by SFCG in 2005. The series follows the adventures of a taxi driver as he navigates the challenges of everyday life caused by a lack of good governance in the DRC. The theme of the last edition was democracy, the current edition, the 6th in the series, is Justice. Implementation is currently taking place.

Component 4: Increased Access to Justice for Vulnerable Populations

Component 4A. Capacity Building Assistance to Civil Society for Access to Justice Activities

During the months of July, August, and September 2009, the ProJustice Grants Team met with grantees in Lubumbashi, Kinshasa, and Kindu to provide hands on technical assistance in proposal writing. The team worked with CSO that have been pre-selected to submit proposals through an open and competitive shortlisting process. These working sessions constituted an important part of ProJustice's CSO strengthening activities since many of those organizations have never received such hands on assistance.

ProJustice staff also met with subcontractor Global Rights' staff to discuss implementation timelines and coordination of the Global Right subcontract, which includes:

- Education and training on SGBV laws
- Education and training on the judicial appointment process and court monitoring and oversight

Since many CSOs have submitted grant applications concerning both SGBV laws and court monitoring and oversight, ProJustice ensured that there is a strong linkage between the Global Rights activities and those of our grantees. As concerns the judicial appointment process, ProJustice worked closely with Global Rights to share the most recent information on the appointment process.

Component 4B. Sub-Grants to CSOs

During the last quarter of FY 09, ProJustice completed the series of launching workshops of the grants program in Lubumbashi, Kindu, and Kinshasa. The civil society sector demonstrated a huge interest for the grants program. A total of 253 civil society organizations attended the Lubumbashi, Kindu, and Kinshasa workshops.

To date, ProJustice received 88 concept papers from organizations interested in implementing access to justice activities. The Review and Evaluation Committee (REC) met several times to review the concept papers and selected 20 concepts that will be developed into full proposals by the applicant organizations.

In August, ProJustice conducted two workshops for Bandundu and Bukavu applicants to explain how to use the proposal and budget templates that they need to use when they submit their full proposals. The grants team met individually with each applicant to provide detailed input on how to translate their concept paper into a full proposal that takes into account the recommendations made by the REC. These capacity building workshops serve the purpose of ensuring high quality grants projects while at the same time strengthening the CSOs' capacity to better respond to future opportunities. ProJustice has developed 5 documents that serve as training material for this capacity building exercise.

From September 14-16, the REC reviewed 11 grant proposals and recommended the approval of three proposals pending minor proposal revisions. Of the remaining proposals, four were returned to the potential grantees for revision. They will be reconsidered at a follow-up REC meeting. The remaining 4 proposals were not recommended for funding.

In September, the Grants Team met with applicants in Lubumbashi, Kinshasa, and Kindu to work with them on modifying their proposals. In these cases, all of the applicants had already submitted first drafts of their proposals and budgets so the grants team was able to give very specific input on how to improve their applications. The team also had the chance to suggest opportunities for collaboration among applicants that had submitted proposals with the same target group and/or topic area. For example, in Lubumbashi, the grants team suggested that Action Large des Femmes Avocates (ALFA) and Dynamique des Femmes pour le Développement du Congo (DFDC) collaborate on their two proposals since ALFA has the legal knowledge and DFDC has a large base of grassroots organizations that enable it to reach a large base of women.

Similarly, in Kindu, the Grants team linked Association des Femmes Juristes Congolaises (AFEJUCO) and Département Femme et Famille (DFF) to take advantage of the same synergies. In this case, however, the Grants team was able to build larger synergies between these local CSOs and the two international NGOs that are working in Maniema to strengthen the justice sector and increase access to justice: Avocats sans Frontiers (ASF) and the American Bar Association (ABA). Philippe Luanghy and Katie Kampmann organized a meeting among all these organizations to ensure that proposed grant activities of AFEJUCO and DFF, which have a legal aid and a sexual and gender-based violence (SGBV) focus, made sense within the larger context of legal aid and SGBV assistance being provided by these large international NGOs, and the mobile courts that are being organized by ASF in Maniema Province.

ABA has a legal clinic in Kindu Ville, the capital of Maniema Province, and antennas in Punia, Kampene, Kalima, and Kasongo sous-Provinces. All of the ABA clinics focus on sexual violence and

these activities are carried out in partnership with Isle Afrique, which takes charge of the psycho-medical care of victims of sexual violence. ASF has a legal clinic in Kindu and an 'itinerant' clinic that travels every weekend to sites within a 30-40 km radius of Kindu ville. NGOs are associated with these clinics to 'sensibilise' the local population on general legal issues and how the justice system functions. ASF also organizes three 'audience foraines = mobile courts' per year in Kindu Province. These rotate among the sub-provinces of Lubutu, Punia, Kalima, Kampene, Kibombo, and Kasongo. Kabambare is not covered.

Based on the discussions with all of the relevant organizations, the Grants team worked with AFEJUCO and DFF to revise their proposals to take advantage of the planned audience foraine at the end of February 2010. The general approach to the AFEJUCO/DFF project will be as follows: In November 2009, AFEJUCO will work with DFF and other CSOs working on sexual violence issues to craft messages about preventing sexual violence and gaining access to legal recourse when a person has been a victim of sexual violence. AFEJUCO will then travel to Kayuyu to train DFF animatrices in carry out sensitization in Kayuya ville and in 10 villages surrounding Kayuyu. The animatrice will inform the communities about the clinique itinerant and the planned audience foraine in Feb/Mar so that people will understand that justice is attainable. AFEJUCO will organize monthly visits of the clinique itinerant in Kayuyu and lawyers from the Clinique will prepare cases of sexual violence in anticipation of the audience foraine. During the audience foraine, lawyers will defend cases before magistrates. The Clinique itinerant and sensibilization will continue through end of 9-month project period. An AFEJUCO Clinique permanent in Kindu will provide the same services in Kindu. ProJustice will provide the vehicle for the Clinique Itinerant and the ProJustice Kindu Regional Office and Program Manger will accompany Clinique to monitor activities and provide quality control.

Note: ProJustice is also working with Global Rights to organize its first training program on sexual and gender-based violence in Kindu in November. This session and the choice of location have been specifically programmed to build synergies between the Global Rights program and the ProJustice Grants Program.

Component 5 – Windows of Opportunity

Take advantage of windows of opportunity to advance justice sector reforms

Activity: Undertake activities, to be identified, that help promote the reform agenda and result in increase support for that agenda

The "window of opportunity" activities are to be defined and carried out on a rolling or as-needed basis. There were two requests for such activities during the quarter, which ProJustice was prepared to support. The project received a request for logistical support from the Political, Administrative and Judiciary Commission of the National Assembly. Through discussions with DAI, it was determined that the reference activity was subsequently cancelled and thus the request has been withdrawn.

ProJustice proposed to USAID the use of window of opportunity funds to support the magistrate recruitment process. USAID voiced interest in supporting the idea. The corresponding documentation

and technical proposals were prepared by the ProJustice team and submitted as drafts with the September report. This activity will continue in the upcoming quarter.

6. SUPPLEMENTAL PROGRAM FOR EASTERN DRC

1. Overall Project Management and Reporting

Pilot Courts selected

During reporting period, the specific courts that were selected in each site are:

- In Bukavu: the Cour d'Appel (Appellate Court) and the Tribunal de Grande Instance (Trial Court).
- In Uvira: the Tribunal de Paix (Peace Court).
- In Kindu: the Cour d'Appel (Appellate Court) and the Tribunal de Grande Instance (Trial Court), and the Peace Court located in Puna

Project office establishment

During the quarter, the Project office, equipment, and staff were established in Kindu and Bukavu.

2. Programs to Strengthen the Courts

Use the PACT process to define pilot court activities focusing on effectiveness and transparency and enhancing the accessibility of pilot court

The PACT process was introduced in the eastern pilot sites through workshops launching the Pilot Court Program in each site. The court administration approach, with one person and support office to undertake the whole gamut of court modernization processes in a court, is a new concept to the DRC. The launching workshops therefore became both a training process of what court administration is, as well as a process for each court to identify its own court modernization priorities which were then packaged in a PACT document.

Since the judicial authorities with whom the launching workshops took place were removed as a result of a Presidential decree on July 15, 2009, the new authorities had to be retrained in the PACT methodology during the remainder of the reporting period. During this second round this was also a good opportunity to train the recently hired pilot court coordinators on the program itself.

The PACT developed in Kindu with ProJustice technical assistance includes components to:

- Increase effectiveness and transparency:
 - o Implement improved records management filing systems
 - o Identify and implement improvements in the physical infrastructure of the courts
- Enhance the accessibility of pilot courts:
 - o Establish a law library available to magistrates, as well as to lawyers and civil society organizations
 - o Develop informational guides for litigants to improve understanding of court processes and improve access (in collaboration with other pilot sites)

The new leadership in the Kindu pilot court also indicated a desire to:

- Develop a plan for enhancing the use of mobile courts. This initiative is being pursued by ProJustice in collaboration with the court and with other local partners.
- Establish a law library available to magistrates, as well as to lawyers and civil society organizations. This initiative will be formally developed as an action plan during the next quarter.

The PACT developed for Bukavu and Uvira includes components to:

- Increase effectiveness and transparency:
 - o Implement improved records management filing systems
 - o Work in Bukavu on this issue has led to development of new standards for filing and archive management, which will be implemented in all pilot sites.

3. Increase Access to Justice for Vulnerable Populations

ProJustice's efforts in Eastern DRC have focused on the provision of technical assistance to courts and pilot jurisdictions in Bukavu-Uvira and Kindu and on the launching of an ambitious grants programs to build local CSOs' capacities to provide legal assistance and other services to populations which have suffered from violence and other forms of human rights abuses.

Specific activities have included:

Conduct a stakeholder mapping exercise in Maniema

ProJustice is currently in the process of conducting a mapping of CSOs working on access to justice activities in the Eastern part of the DRC including the South Kivu and Maniema provinces. The objective of the mapping is to identify donor-supported programs, activities, and beneficiaries of human rights assistance. The CSO mapping exercise will result in the drafting of a Guide to CSOs resources and services available for pilot courts, international donors, and the civil society in the project's five intervention sites in general and the Eastern region of the DRC in particular. This Guide will also serve as a tool to develop networks of CSOs and judicial actors working on common objectives relating to the protection of human rights, judicial reform, and better access to justice for vulnerable populations.

While carrying out the CSO mapping exercise, ProJustice is also identifying documents, publications, training modules, awareness tools and others materials produced by national and international NGOs implementing program in the Eastern part of the Congo. The data relating to rule of law and access to justice contained in those documents will be integrated into the CSO mapping to inform Eastern DRC's organizations about the potential support they may receive from other actors implementing activities on the field.

Provide project assistance to carry out institutional strengthening work with CSOs in Maniema

ProJustice grants team already conducted three field visits in Kindu, Maniema to assess the capacity of CSOs based in that region of the DRC. Those visits revealed the weaknesses and limited capacities of those CSOs to implement sustainable access to justice activities or programs. To

address this situation, the project conducted, as part of its institutional strengthening program, a technical writing and capacity building working sessions for three local CSOs in Kindu. This initiative will be followed by the implementation during FY 10 of an institutional strengthening and technical assistance program for CSOs located in that province.

Establish a grant program in Maniema focusing on issues related to access, outreach, oversight and advocacy

Since the launching of the grants program in Eastern DRC, ProJustice received nineteen (19) concept papers submitted by CSOs located in the Maniema province. During the prior quarter, proposals produced by two local CSOs based in Kindu were selected for review and evaluation. The proposals selected for Kindu will focus on the implementation of legal clinics to provide free legal consultations, judicial assistance and representation of victims before the mobile courts and other jurisdictions in and around the cities of Kampene and Kindu.

Help establish a network of CSO-run legal resource clinics to expand access to free legal consultation

As a second step to its access to justice efforts, ProJustice will encourage selected CSOs in Maniema and South Kivu to create CSO-run legal resource clinics. Through the provision of training and technical assistance to local CSOs that receive USAID funding, the project will help CSO establish networks to expand free access to legal services and consultations for the low-income and vulnerable populations in Eastern DRC. Preparation for this activity took place in the prior quarter.

Help develop court watch programs

A certain number of Maniema and South Kivu's CSOs were selected by the project to be part of Global Rights' court watch training in Eastern DRC. The Global Rights trainings that are scheduled for FY 10 will develop Eastern DRC organizations' skills and abilities to implement court watch programs in the areas where they have been implementing justice reform and awareness programs.

7. SUMMARY OF PLANNED ACTIVITIES FOR UPCOMING QUARTER

Please see table of planned activities for upcoming quarter in Attachment 11.

8. 4TH QUARTER PROBLEMS AND REMEDIAL ACTIONS

- There are still many obstacles blocking the Judicial Council in its quest for greater autonomy as mandated by the Congolese Constitution. For example, the second workshop organized by ProJustice, UNDP, and the European Union's PAG program on the establishment of the internal structures for the CSM concluded with the presentation to the public of a new Permanent Secretariat that should be in charge of executing the CSM Bureau's plan and vision for the modernization of the Congolese judicial apparatus. Unfortunately, the designation of this new Secretariat did not receive the Minister of Justice's support. There is

a degree of tension between the two institutions regarding their respective roles and attributions in the management of the judiciary. To respond to this problem, ProJustice has been in close contact with USAID and other international donors to determine the appropriate way to deal with this new and challenging situation.

- The July 15 Presidential decree establishing the dismissal and or removal of 96 magistrates also represented an obstacle to the project, both financially and programmatically. All of the representatives we had begun working with in the pilot sites changed. ProJustice staff had to meet with and enter into strategic alliances with the new authorities and conduct for a second time the initial PACT planning sessions that had been implemented with their predecessors. As far as the financial impact of having funded the same workshop twice in each site, DPK tapped into unused programmatic resources of the previous quarters to solve this problem.
- During the data collection process a limited number of newly appointed judges chose not to collaborate by either denying access to their court registries, complaining that they were not in agreement with the process, or simply by not allowing the court personnel who had been designated as members of the data collection team to work in the process. This is not uncommon in our experience undertaking similar processes in other countries. In the short term we solved the problem by reminding those authorities that expressed these concerns that this had been part of a participatory planning process and that court authorities had signed a document (PACT) as a testimony of commitment. We also relied more heavily on external interns to collect data. Showing the first caseload analysis at the September workshop helped generate a better understanding of what the purpose of this process is: i.e., it is not an inspection but rather a mechanism that the court itself can use to improve its own efficiency and transparency. In the medium term, a strategy has been developed to include a more substantive involvement of court personnel and higher degree of leadership of the court itself. This is a learning process for the courts and it will take some time for them to do it themselves.

9. PRESS CLIPPINGS SUMMARY TABLE

Name of Press Outlet	Type (weekly/daily newspaper, radio, TV)	Date	Article Title or Feature	Comments/Description
RTNC	T.V	30/7/09	Lancement du Programme des subventions des ONGs	Diffusion des activités de lancement du Programme des subventions aux organisations de la Société Civile A Kinshasa, le 29/7/2009
Antenne A	T.V	30/7/09	La subvention pour accroître l'accès à la Justice	Réalisations de l'interview avec un représentant du projet ProJustice sur le bien fondé de l'octroi de la Subvention.
Global TV	T.V	30/7/09	Le rôle de la société civile dans la reforma de la justice	Interview avec les représentants des ONGs sur le rôle de la société civile.
TV S, Télé 7	T.V	30/7/09	ProJustice pour une	Diffusion de l'exposé sur la présentation du Projet

Name of Press Outlet	Type (weekly/daily newspaper, radio, TV)	Date	Article Title or Feature	Comments/Description
			justice forte	dans son ensemble avec les quatre volets.
Okapi	Radio	30/7/09	Lancement du Programme de Subvention des ONGs	Reportage sur le lancement du Programme
Le Palmares	News paper	30/7/09	ProJustice prêt à subventionner les ONGs de la Société Civile	Article de presse paru le 30/7/2009 sur le lancement de Programme de Subvention des ONGs le 29/7/2009
Observateur	New paper	30/7/09	ProJustice lance son programme de subventions aux organisations de la Société civile	Article de presse paru le 30/7/09 expliquant le Programme des Subventions et le rôle de la société civile face à l'accès de la population à la justice
Le Phare	New paper	30/7/09	Appui de l'USAID à la justice congolaise	Article de presse sur le lancement du Programma des Subventions à Kinshasa le 29/7/2009
Tempête de Tropique	News paper	30/7/09	USAID mobilise 210.000usd pour promouvoir la justice en R.D.C	Article de presse sur le lancement du Programma des Subventions à Kinshasa le 29/7/2009
Forum des AS	New paper	30/7/09	Un Programme d'appui aux ONGs lancé par ProJustice	Article de presse sur le lancement du Programma des Subventions à Kinshasa le 29/7/2009
Agence Presse Associer	News paper	30/7/09	Présentation du Programme de Subvention de ProJustice	Article de presse sur le lancement du Programma des Subventions à Kinshasa le 29/7/2009
RTNC	T.V	22/9/09 ET 26/9/09	Ouverture de l'atelier Deuxième étape de la mise en place des Système du CSM	Diffusion de la cérémonie d'ouverture et la cérémonie de clôture des travaux de l'atelier Deuxième étape de la mise en place des Systèmes du CSM.
Antenne A	T.V	22/9/09 , 23/9/09 26/9/09	Diffusion des allocutions des intervenants aux deux cérémonies (ouverture et clôture) et interview des participants	La télévision Antenne A (chaîne privée) à diffuser les travaux de l'atelier sur la Deuxième étape de la mise en place du CSM pendant trois jours (ouverture ,deuxième jour et la clôture)
Télé 7 2 AS T.V MIRADOR T.V GLOBAL T.V	T.V	21/9/09 26/9/09	Diffusion des travaux de l'atelier Deuxième étape de la mise en place des Système du CSM.	Diffusion des travaux de l'atelier sur les différentes chaînes de télévision (cérémonie d'ouverture et clôture)

Name of Press Outlet	Type (weekly/daily newspaper, radio, TV)	Date	Article Title or Feature	Comments/Description
Radio okapi	radio	21/9/09 26/9/09	Deuxième étape de la mise en place des systèmes du CSM.	Diffusion de l'extrait des travaux sur l'atelier (cérémonie d'ouverture et clôture)
AVENIR	Newspaper	22/9/09	Deuxième étape de la mise en place des systèmes du CSM	Article de presse paru le 22/09/2009 sur l'atelier Deuxième étape du CSM tenu au Grand Hôtel de Kinshasa du 21 au 25 /9/2009
Le Climat Tempéré	New paper	22/9/09	CSM la formation des magistrats un préalable à la nomination des nouveau	Article de presse sur la cérémonie d'ouverture de l'atelier Deuxième étape de la mise en place des Systèmes du CSM.
Observateur	New paper	22/9/09	Les experts réfléchissent sur la mise en place des systèmes du CSM	L'article fait état de préalable d'un état de droit qui se caractérise par un appareil judiciaire fort et indépendant.
Tempête de Tropicque	New paper	22/9/09	Les Systèmes du Conseil Supérieur de la Magistrature en chantier	L'article dresse le bilan de fonctionnement du CSM face à l'indépendance de la magistrature.
FORUM des AS	Ne w paper	22/9/09	Les magistrats réfléchissent sur l'organisation du CSM	L'article passe en revue les différents intervenants à la cérémonie d'ouverture
PALMARE S	New paper	23/9/09	Deuxième étape de la mise en place des Systèmes du CSM.	L'article passe en revue les différents intervenants à la cérémonie d'ouverture
Agence Presse Associé	New paper	22/9/09 28/9/09	Création d'un cadre de travail pour les magistrats en R.D.C	Deux articles sur l'atelier Deuxième étape Sur les conclusions de l'atelier.
PALMARE S	New paper	26/9/09	L'atelier du CSM augure d'une nouvelle ère d'efficacité	L'article parle des conclusions de l'atelier
TEMPETE DE TROPIQUE	New paper	26/9/09	Conseil Supérieur de la Magistrature doté d'un plan stratégique. C'est ce qui ressort d'un atelier organisé à Kinshasa avec le concours de l'USAID	L'article parle de la possibilité de la modernisation du système judiciaire congolais par le fonctionnement du CSM.

10. STAFFING/MANAGEMENT UPDATES

Kinshasa Project Office Staff

- **CoP Position:** Upon departure of the former CoP, Brian Treacy on August 15, Ms. Paola Barragan was appointed as interim CoP. Meanwhile the CV of Daniel Dobrovoljec was submitted to USAID for approval. A positive answer was received from USAID on August 29th. He took up his position as ProJustice CoP on October 10, 2009.
- **Senior Budget, Finance and Internal Control Advisor:** Recruitment process underway. CV submitted to USAID.
- **Senior Court management advisor:** Recruitment process underway. **Other Offices**

Kindu, Regional Staff

- **Office/program manager and finance and admin assistant: Hired. Began work in September.**

Pilot Court Coordinators

- **Bandundu and Kindu Court Coordinators:** Recruitment underway.

Management Issues

During the quarter, DPK Director Bob Page made a management visit to Kinshasa from July 25-30 to work on COP transition issues and other management and communication issues.

Katie Kampmann, DPK Senior Program Officer and Grants Specialist, traveled to DRC from September 3 – October 20 and worked with the Grants Team to organize the first Proposal Review and Evaluation Committee (REC) meetings, held September 16-18, and to work with grant applicants from Lubumbashi, Kindu, and Kinshasa to finalize their proposals for the second round of REC meetings planned for Oct 28-30. Ms. Kampmann also worked with the Grants team to revise concept paper and proposal templates and provided guidance to reflect lessons learned from the first proposal round and to adapt grants management templates for the project implementation phase.

Ms. Kampmann also worked with the entire ProJustice team on developing the Year 2 Work Plan and with the Finance and Admin team on finalizing plans to move the Kinshasa office to a new location (starting November 1). The new office location is still in the Gombe area of Kinshasa. It is located just a few hundred meters from the old location.

11 PERFORMANCE MONITORING PLAN TABLE – CORE PMP

The table below summarizes ProJustice’s performance in FY 09. The sections following the table set forth definitions for the project’s quantitative and qualitative indicators and provide explanations on the reasons why some results are below target.

CORE PMP

Objective 1: Support the Establishment of New Judicial Institutions

Results	Indicator	FY 09		Performance Rating
		Target	Actual	
1.1: Ratification and implementation of new legislation for the CSM and Constitutional Court supported	1.1.1 Percentage of ProJustice project’s initiatives that successfully promote judicial independence and/or the establishment of new judicial institutions.	60%	67%	Exceeded Target by 10%
	1.1.2: Number of laws, regulations and procedures related to judicial independence supported with USG assistance.	2	1	50% of Target
1.2: Transparent, merit-based criteria for recruitment, selection, discipline and promotion of magistrates adopted	1.2.1: Number of Merit –Based Criteria or Procedures for Justice Sector Personnel Selection Adopted with USG Assistance.	4	0	MOJ has not undertaken the needed recruitment steps to name new personnel therefore the Project unable to perform in this area during the reporting period.
1.4: Public and justice sector awareness of CSM’s process increased and new judicial selection and promotion process established	1.4.1: Number of USG-assisted campaigns and programs to enhance public understanding, NGOs support and media coverage of judicial independence and accountability.	1	4	Exceeded Target by 300 %

Results	Indicator	FY 09		Performance Rating
		Target	Actual	
Result 1.5: CSM established and functional with internal operating procedures and organizational structures	1.5.1: Number of Regulations or Procedures that Improve Judicial Transparency Adopted with USG Assistance.	1	1	Achieved Target

Objective 2: More Effective and Transparent Management of the Judiciary and Ministry of Justice

Results	Indicator	FY 09		Performance Rating
		Target	Actual	
2.1: Management skills among Magistrates, CSM Staff, and MOJ staff enhanced	2.1.1 Mechanisms established by the MOJ and CSM to support a more effective and transparent management of the judicial system.	3	3+	Internal operating regulations adopted for by MOJ and CSM . New organigram for MOJ adopted and new organigram for CSM under review. Achieved and exceeded target
Result 2.2: Budget and resource management by the CSM and MOJ improved	2.2.1 Judicial budget adopted and implemented through transparent procedures and reflecting real expenditures of the justice system.	Development of an inventory of pilot courts' resources and needs (1 point).	None	Courts do not have budgetary authority at this time
	2.2.2: Number of Justice Sector Personnel that Received USG training.	200	194	95% of target

Objective 3: More Effective, Transparent, and Accessible Court Operations in Pilot Jurisdictions

Results	Indicator	FY 09		Performance Rating
		Target	Actual	
3.4 : Improvements to court operations realized through PACT Planning Process	3.4.1: Number of USG Assisted Courts with Improved Case Management.	6	NA	PACT program being implemented. Progress will be measurable starting in next quarter.
Result 3.5: Accessibility increased by new policies and through improved court performance	3.5.1: Ratio of New Case Filings to Case Dispositions in Courts Assisted by the USG in the Area of Case Management.	-1%	NA	PACT program being implemented. Progress will be measurable starting in next quarter.
	3.5.3: Mean case disposition time in courts assisted by USG in the area of Case Management.	2%	NA	PACT program being implemented. Progress will be measurable starting in next quarter.
Result 3.6: Mobile Court System Expanded and Systematized	3.6.1: Number of Courts Operating in Areas of Low Income Populations with USG Assistance.	6	NA	Mobile Court should be implemented during FY 10.

Objective 4: Increase Access to Justice for Vulnerable Populations

Results	Indicator	FY 09		Performance Rating
		Target	Actual	
Result 4.1: Capacity of CSOs to provide access to justice services increased	4.1.1 Percentage of vulnerable populations in the project's targeted sites/jurisdictions who know how to access the judicial system.	20%	0%	Grants program to be implemented in the next quarter. Currently below Target.

Results	Indicator	FY 09		Performance Rating
		Target	Actual	
Result 4.2: Grants provided to CSOs to help increase activities and impact in justice sector	4.2.1 Percentage of ProJustice's grantees that develop activities to increase information, access or availability of justice services for vulnerable populations.	60%	NA	Grants program to be implemented in the next quarter.
	4.2.2: Number of Domestic Human Rights NGOs Receiving USG Support.	8	12	Exceeded Target by 50%.
	4.2.3: Number of individuals/groups who received legal aid or victims assistance with USG support.	60	NA	Grants program to be implemented in the next quarter Currently below Target.
	4.2.4: Number of legal aid groups and law clinics assisted by USG.	2	NA	Grants program to be implemented in the next quarter Currently below target.

Objective 5: Take Advantage of Windows of Opportunity to Advance Judicial Reform

Results	Indicator	FY 09		Performance Rating
		Target	Actual	
5.1: Windows of opportunity are identified and transformed into activities promoting justice sector reforms	5.1.1 Number of activities undertaken to take advantage of opportunities to promote the reform/institutional change agenda.	2	1	50% of target

PERFORMANCE DETAILS

Objective 1: Support the Establishment of New Judicial Institutions

Result 1.1: Ratification and implementation of new legislation for the CSM and Constitutional Court supported

Indicator: 1.1.1 Percentage of ProJustice project's initiatives that successfully promote judicial independence and/or the establishment of new judicial institutions.

Definition: Determination of the percentage of ProJustice project's initiatives that support the new judicial framework created by the Constitution of the Democratic Republic of Congo and contribute to the establishment of new judicial institutions i.e. the CSM¹ and Constitutional Court.

Percentage of ProJustice project's initiatives that successfully promote judicial independence and/or the establishment of new judicial institutions.		FY 09		
		Target	Actual	
Initiatives carried out by ProJustice	Result		60%	67%
Elaboration of the internal rules for the CSM	√	Rules adopted		
Criteria for the recruitment of magistrates	–	Criteria not used for recruitment		
Adoption of a strategic vision and mission by the CSM	√	Strategic mission and vision adopted		

Explanations: Since the beginning of the project, three major initiatives have been developed to promote judicial independence and/or the establishment of new judicial institutions. The first one is the elaboration of the internal rules for the CSM. The second one is the criteria for the recruitment of magistrates and the third one is the organization of two workshops during which the CSM developed a strategic vision and mission statement. ProJustice was successful in two of them i.e. the adoption of a strategic vision and mission and the enactment of internal rules by the CSM.

Indicator: 1.1.2 Number of laws, regulations and procedures related to judicial independence supported with USG assistance

Definition: Number of regulations and sub-regulations related to the CSM and Constitutional Court that are passed. This indicator refers to laws, regulations and procedures that are official and have been passed in accordance with the country's legal requirements.

¹ Conseil Supérieur de la Magistrature (Judicial Council)

Explanations: The internal rules governing the functioning of the CSM were adopted by this judicial body during the month of June 2009 with the support and technical assistance of ProJustice’s experts.

Result 1.2: Transparent, merit-based criteria for recruitment, selection, discipline, and promotion of magistrates adopted

Indicator 1.2.1: Number of Merit –Based Criteria or Procedures for Justice Sector Personnel Selection Adopted with USG Assistance.

Definition: Merit-based selection criteria or procedures are based on educational background, experience, and related factors. Even if political criteria also come into play, the merit standards should set a minimum below which no contacts will help. Criteria or procedures could be assessed for Judges, Prosecutors, Police, or Defense Attorneys.

Explanations: The MOJ has not undertaken the needed recruitment steps to name new personnel. Therefore the Project was unable to perform in this area during the reporting period.

Result 1.4: Ratification and implementation of new legislation for the CSM and Constitutional Court supported

Indicator: 1.4.1 Number of USG-assisted campaigns and programs to enhance public understanding, NGOs support, and media coverage of judicial independence and accountability.

Definition: Number of campaigns funded and/or supported by ProJustice. Campaigns include all organized outreach activities intended to build support for the particular cause, relying, for example, on electronic media, print media, public meetings, plays etc.

Number of USG-assisted campaigns and programs to enhance public understanding, NGOs support and media coverage of judicial independence and accountability.		FY 09	
		Target	Actual
Campaigns and/or programs on judicial independence	Implementation Period	1	4
Series of TV interviews covering ProJustice first workshop on the establishment of systems for the CSM	From February 27-March 2009 onwards		
Series of TV interviews on ProJustice training program	From September 18, 2009 onwards		
TV program on the role of CSO in promoting access to justice and women participation	From September 2, 2009 onwards		
TV program and interviews covering the workshop on the establishment of systems for the CSM’s management units	September 26, 2009 onwards		

Explanations: During FY 09, ProJustice implemented four media campaigns and TV programs to raise awareness on the USG efforts and initiatives to promote judicial independence and accountability. Those campaigns and programs consisted of a series of TV broadcasts and interviews covering different and diverse workshops, seminars, and training activities implemented during FY 09. They focused mainly on the activities carried out by this USAID-funded project to put in place the Judicial Council (CSM) and reinforce other groups such as civil society organizations in their efforts to increase and improve access to justice for vulnerable populations.

In addition to those campaigns, more than 38 press articles covering ProJustice's activities were published by local and national newspapers.

Result 1.5: Ratification and implementation of new legislation for the CSM and Constitutional Court supported

Indicator: 1.5.1 Number of Regulations or Procedures that Improve Judicial Transparency Adopted with USG Assistance.

Definition: Number of procedures, regulations, administrative reforms, management changes or civil society initiatives enacted. Regulations or procedures that improve transparency include all legal, regulatory, administrative, or management changes, as well as civil society initiatives, that enhance public access to legal and judicial processes or to information about those processes and their outcomes.

Explanations: As described above (see indicator 1.1.1), the internal rules governing the functioning of the CSM were adopted by this judicial body during the month of June 2009 with the support and technical assistance of ProJustice's experts.

Objective 2: More Effective and Transparent Management of the Judiciary and Ministry of Justice

Result 2.1: Management skills among Magistrates, CSM Staff, and MOJ² staff enhanced

Indicator: 2.1.1 Mechanisms established by the MOJ and CSM support a more effective and transparent management of the judicial system.

Definition: Number of administrative and/or budgetary systems developed and implemented by the MOJ and CSM to improve the management of the justice system.

Explanations: ProJustice has started to work on the development and implementation of administrative systems and budgetary mechanisms that promote a more effective and transparent management of the justice system in the DRC. For example, the strategic planning workshops organized in February and September 2009 have identified management units within the CSM that will need technical assistance and support. In addition, the organigram proposed by ProJustice for the CSM and that adopted by the MOJ with ProJustice support define new management structures that will improve management of the justice system (See CSM workshops reports).

² Ministry of Justice

Result 2.2: Budget and resource management by the CSM and MOJ improved

Indicator: 2.2.1 Judicial budget adopted and implemented through transparent procedures and reflecting real expenditures of the justice system.

Definition: The budget refers to the document drafted by judicial authorities with ProJustice’s technical assistance. A Numeric Scale for measuring progress will include the following scores: 1) Development of an inventory of pilot courts’ resources and needs (1 point); 2) Elaboration of a forecasted budget for the Judiciary (1 point) ; 3) Budget is presented to the government and Parliament (2 points); 4) Budget is passed (1 point); 5) Systems are in place in the CSM and the Ministry of Finance for the implementation of the budget; actions are taken by the CSM and Ministry of Finance to implement budget (4 points).

Explanations: ProJustice developed a numeric scale for measuring progress under this indicator. The first scale/stage in the judicial budget adoption process is the development of an inventory of pilot courts’ resources and needs. This activity should normally start during FY 10 with the recruitment of an expert in charge of elaborating a forecasted budget for the Judiciary.

Indicator: 2.2.2 Number of Justice Sector Personnel that Received USG training.

Definition: Number of judges, CSM, MOJ staff and justice personnel trained with ProJustice’s support. Personnel include judges, magistrates, prosecutors, advocates, inspectors, and court staff. Training refers to all training or education events whether short-term or long-term, in-country or abroad.

Table- Number of Justice Sector Personnel that Received USG training

Number of Justice Sector Personnel trained with ProJustice assistance FY 09						
Topic	Target Group	#Females	# Males	TOTAL Trained	2009 Target	2009 Actual
Pilot Court Program First Training	Magistrates and court personnel					
	Pilot courts and Prosecutor’s Office administrators	4	40	44		
CSM Capacity Building Workshop (Phase 1)	Magistrates					
	Judicial personnel	3	56	59		
	CSM members					

Training for non judicial personnel on Practical Management for Court's Registry Office and Prosecutors Office Secretariat	Court and justice system personnel	5	27	32		
CSM Capacity Building Workshop (Phase 2)	Magistrates					
	Judicial personnel	2	50	52		
	CSM members					
Capacity Building Training for CSOs' lawyers and members	CSOs' lawyers	3	4	7		
TOTALS		17	177	194	200	194

Table- Number of Justice Sector Personnel that Received USG training by location

Type of Training	Bandundu	Lubumbashi	Kinshasa
Pilot Court Program First Training	23	21	0
CSM Capacity Building Workshop (Phase 1)	0	0	59
Training for non judicial personnel on Practical Management for Court's Registry Office and Prosecutors Office Secretariat	32	0	0
CSM Capacity Building Workshop (Phase 2)	0	0	52
Capacity Building Training for CSOs' lawyers and members	1	4	2
TOTALS	56	25	113
Total trained	194		

Objective 3: More Effective, Transparent, and Accessible Court Operations in Pilot Jurisdictions

Result 3.4: Improvements to court operations realized through PACT Planning Process

Indicator: 3.4.1 Number of USG Assisted Courts with Improved Case Management.

Definition: Number of courts with improved case management systems implemented by ProJustice. Examples of improvement include: case documents are available to parties upon request; statistical data on cases is routinely compiled; system manages flow of cases through scheduling set by procedural law; data elements are coherent and compatible with related information systems such as those of the police, prosecution and corrections agencies; cases are uniquely identified, registered, indexed and filed.

Explanations: ProJustice experienced many delays in the implementation of this activity because of logistical constraints and difficulties relating to travel in the DRC's provinces where the project's pilot courts are located. However, the introduction of the PACT planning process in pilot courts in Bukavu, Bandundu and Kindu has set the stage for defining the court management improvements that will be undertaken in the project's pilot courts starting in the first quarter of Year 2. In addition, the data collection activities initiated in pilot jurisdictions during the last quarter of Year 1 constitute the first step in compiling statistical data at the court level that will inform the case management improvements and allow us to measure future progress.

Result 3.5: Accessibility increased by new policies and through improved court performance

Indicator: 3.5.1: Ratio of New Case Filings to Case Dispositions in Courts Assisted by the USG in the Area of Case Management.

Definition: Calculation of the annual ratio of new case filings to case dispositions in courts assisted by USG in the area of case management. Courts as defined by specific jurisdiction. The ratio of cases filed to cases disposed during a judicial year will be calculated in pilot courts assisted by ProJustice.

Explanations: Baselines data are currently being collected in pilot jurisdictions to determine the pilot courts' performance in terms of cases processing and disposition time. Data collected in Bandundu and Bukavu-Uvira has provided baselines and reliable statistical information to significantly improve court performance.

Indicator: 3.5.3: Mean case disposition time in courts assisted by USG in the area of Case Management.

Definition: Determination of the number of months from filings to dispositions. Median case disposition time is measured from filing to the date parties are notified of case resolution by the court. Courts as defined by specific jurisdiction.

Explanations: Mean case disposition time has been determined for pilot courts in Bandundu and Bukavu-Uvira. Data collection activities will be implemented in Lubumbashi and Kindu to find out the same information. Once established for all pilot courts, baselines data will serve as starting points to measure progress accomplished by ProJustice to reduce judicial delays in all pilot jurisdictions.

Result 3.6: Mobile Court System Expanded and Systematized

Indicator: 3.6.1: Number of Courts Operating in Areas of Low Income Populations with USG Assistance.

Definition: Number of mobile courts operating in low income areas with ProJustice assistance. Areas of low income should be those where 60% of the population has an income in the lowest quintile of the country as a whole.

Explanations: During FY 10, mobile courts proceedings known as *audiences foraines* will be implemented with the support of CSOs benefiting from ProJustice's assistance in the project's pilot jurisdictions. Those proceedings should normally start in Kindu and then will be replicated in other provinces.

Objective 4: Increase Access to Justice for Vulnerable Populations

Result 4.1: Capacity of CSOs to provide access to justice services increased

Indicator: 4.1.1: Percentage of vulnerable populations in the project's targeted sites/jurisdictions who know how to access the judicial system.

Definition: Determination of the percentage via a survey carried out on a representative sample of vulnerable population in ProJustice's target sites or populations.

Explanations: A survey to determine the percentage of vulnerable populations in pilot sites who know how to access the justice system is underway in Bandundu and Bukavu. ProJustice will take into consideration the results and information provided by this survey to develop outreach and public education campaigns to increase the percentage of people from vulnerable populations who know how to use the justice system to solve conflicts, defend and protect their rights. Through a partnership with Global Rights, a series of activities relating to training on sex and gender based violence, public awareness and NGOs outreach campaigns will be implemented in Kindu first in November 2009 and then in the project's other pilot sites.

Result 4.2: Grants provided to CSOs to help increase activities and impact in justice sector

Indicator: 4.2.1: Percentage of ProJustice's grantees that develop activities to increase information, access, or availability of justice services for vulnerable populations.

Definition: Determination of the percentage of beneficiaries of the grants programs that successfully increase access to justice services via the implementation of legal assistance, awareness campaigns, training, and other legal aid activities.

Explanations: ProJustice has already selected CSOs to implement legal aid and access to justice's programs in Bandundu Ville, Kikwit and Bukavu. Proposals submitted by CSOs based in Lubumbashi, Kindu and Kinshasa are being reviewed by ProJustice and USAID. The provision of grants, technical assistance and support to a great number of CSOs will increase access and availability of legal services for vulnerable populations.

Indicator: 4.2.2: Number of Domestic Human Rights NGOs Receiving USG Support.

Definition: Number of Congolese domestic human rights non-governmental organizations focusing on human rights that receive USG assistance via ProJustice

Explanations: As a result of a competitive selection process, three grantees from Bukavu, Uvira, and Bandundu were selected by ProJustice and USAID to implement legal aid and access to justice activities and another 4 have finalized their proposals and will be recommended for funding in October 2009. Fourteen proposals submitted by CSOs based in Lubumbashi, Kindu and Kinshasa will be reviewed and those selected will be submitted to USAID for funding. Therefore, financial assistance and support to be provided by the USG should create a critical mass of Congolese CSOs providing free legal aid and consultations to populations that are vulnerable or victims of human rights abuses.

Indicator: 4.2.3: Number of individuals/groups who received legal aid or victims assistance with USG support.

Definition: Number of individuals or groups assisted. Legal aid or victim's assistance includes legal consultation, advice, representation, or mediation services for poor, marginalized, or other vulnerable groups who have difficulty paying for or accessing legal services. Legal aid is often combined with referrals or assistance accessing other types of support, including health and psycho-social counseling. Assistance can be provided through state-sponsored public defenders, bar associations, NGOs, semi-private or private agencies, or law students through legal clinics or internship programs.

Explanations: Same as above.

Indicator: 4.2.4: Number of legal aid groups and law clinics assisted by USG.

Definition: Number of legal aid groups and law clinics assisted by ProJustice. Legal aid groups mean NGOs or other private or private/state mixed entities existing to provide legal advice to citizens. Law clinics means programs established by the bar and law schools where students, under close supervision, give legal advice to citizens.

Explanations: Same as above.

Objective 5: Take Advantage of Windows of Opportunity to Advance Judicial Reform

Result 5.1: Windows of opportunity are identified and transformed into activities promoting justice sector reforms

Indicator: 5.1.1: Number of activities undertaken to take advantage of opportunities to promote the reform/institutional change agenda.

Definition: Number of previously unplanned activities implemented to promote judicial reform.

Explanations: Following a request by the Ministry of Justice of the DRC, ProJustice convened a panel of experts including the project's specialists in judicial career and institution building to develop a program aimed at supporting the Congolese government in the selection and recruitment of new magistrates. Rules for the recruitment of magistrates as well as a budget and a full implementation calendar have been drafted with ProJustice's assistance.

12. PERFORMANCE MONITORING PLAN TABLE - SUPPLEMENTAL PROGRAM FOR EASTERN DRC PMP

Objective 1: Establish permanent ProJustice project presence in Eastern DRC

Results	Indicator	FY 09		Performance Rating
		Target	Actual	
1.1: Project office, equipment and staff established in Kindu, Bukavu and Uvira	1.1.1: Kindu and Bukavu office spaces located and equipment/furniture procured.	Kindu and Bukavu offices established and operational.	Kindu and Bukavu offices established and operational.	Achieved Target
	1.1.2: Kindu and Bukavu office staff recruited.	Pilot courts coordinators and support staff working in Kindu and Bukavu offices.	Pilot courts coordinator working in Bukavu support staff working in Kindu and Bukavu office.	75% of Target
1.2: Consultation mechanisms with court users established to produce recommendations for making courts more efficient and effective	1.2.1: Host initial and subsequent public stakeholder and judiciary joint conferences in each location in Eastern DRC to introduce new reforms, increase understanding of the justice process and facilitate discussions on needs of the public.	2	3	Below Target In 3 of our pilot court sites, Global Rights conducted Justice Sector Stakeholder Forums that generated recommendations that are being used by ProJustice to make courts more efficient and effective. ProJustice will be continuing these forums in the future.
1.3: A Monitoring and Evaluation strategy developed and implemented for Eastern DRC	1.3.1: Indicators and PMEPE drafted to evaluate progress accomplished in Eastern DRC.	Indicators and PMEPE drafted and used to monitor progress in Eastern DRC.	Indicators and PMEPE drafted and used to monitor progress in Eastern DRC.	Achieved Target

Results	Indicator	FY 09		Performance Rating
		Target	Actual	
	1.3.2: Relevant data and results accomplished in Eastern DRC reported in quarterly reports to USAID.	Data and results for all indicators on Eastern DRC's activities included in quarterly reports to USAID.	Data and results for all indicators on Eastern DRC's activities included in quarterly reports to USAID.	Achieved Target

Objective 2: Develop and implement programs to strengthen the courts in Eastern DRC

Results	Indicator	FY 09		Performance Rating
		Target	Actual	
2.1: Strategy for increasing effectiveness and transparency of court management developed	2.1.1 Pilot courts identified and selected.	6	6	Achieved Target
	2.1.2 Pilot courts coordinators recruited and mobilized in Eastern DRC pilot courts.	Two Pilot courts coordinators recruited and mobilized.	One Pilot Court coordinator recruited and mobilized in Bukavu.	50% of Target (Note: 3 PCCs have been recruited for Bukavu; two had to be fired for fraud. In Kindu, for ST, we have hired one person who is serving as PCC and Office/Program Manager)
2.2: Improvements to court operations realized through PACT Planning Process	2.2.1: Percentage of Eastern DRC pilot courts where the PACT Planning process is introduced.	100%	100%	Target Achieved
	2.2.2: Number of Eastern DRC courts that received resources or where minor facility upgrades and needed materials are distributed.	2	1	50% of Target

Results	Indicator	FY 09		Performance Rating
		Target	Actual	
	2.2.3: Number of delay reduction programs developed with court personnel in each targeted Eastern DRC court.	6	3	50% of Target
	2.2.4: Number of USG Assisted Courts with Improved Case Management.	3	NA	PACT program being implemented. Progress will be measurable starting in next quarter.
	2.2.5: Ratio of New Case Filings to Case Dispositions in Courts Assisted by the USG in the Area of Case Management.	-1%	NA	PACT program being implemented. Progress will be measurable starting in next quarter.
	2.2.6: Ratio of New Case Filings to Case Dispositions in Courts Assisted by the USG and in Courts not Assisted by the USG. (Control group)	NA	NA	PACT program being implemented. Progress will be measurable starting in next quarter.
	2.2.7: Mean case disposition time in courts assisted by USG in the area of Case Management.	-5%	NA	PACT program being implemented. Progress will be measurable starting in next quarter.
2.3: Introductory and continuing training program provided to judges and court personnel in pilot courts	2.3.1: Number of judges and court personnel trained to become regional trainers to work locally and in collaboration with national training schools.	10	0	Below Target What about the two trainers who are working with C2?

Results	Indicator	FY 09		Performance Rating
		Target	Actual	
	2.3.2: Number of Justice Sector Personnel that Received USG training.	50	58	Exceeded Target 32%
2.4: Mobile court system expanded and systematized	2.4.1: Number of mobile courts' proceedings held in Eastern DRC pilot courts.	5	0	Below Target

Objective 3: Increase Access to Justice for Vulnerable Populations

Results	Indicator	FY 09		Performance Rating
		Target	Actual	
3.1: Courts in Eastern DRC are more responsive to cases involving vulnerable populations	3.1.1: Number of cases involving vulnerable populations including gender-based violence cases resolved through the fast track and differentiated case management procedures.	0	NA	NA
	3.1.2: Percentage of vulnerable populations in the project's targeted sites/jurisdictions who know how to access the judicial system.	20%	NA	Activities will normally start in FY 10.
	3.1.3: Number of Courts Operating in Areas of Low Income Populations with USG Assistance.	6	NA	Activities will normally start in FY 10.
3.2: Increased capacity of CSOs in Eastern DRC to provide access to justice services	3.2.1: Number of people that benefited from free access to justice services provided by a network of CSO-run legal resource clinics.	0	NA	NA

Results	Indicator	FY 09		Performance Rating
		Target	Actual	
	3.2.2: Percentage of recommendations produced by the CSO court watch program that was successfully followed by Eastern DRC pilot courts.	60%	NA	ProJustice selected grantees during FY 09. Activities to reach target are schedule for the first quarter of FY 10.
	3.2.3: Percentage of ProJustice's grantees that develop activities to increase information, access or availability of justice services for vulnerable populations.	60%	NA	ProJustice selected grantees during FY 09. Activities to reach target are schedule for the first quarter of FY 10.
	3.2.4: Number of Domestic Human Rights NGOs Receiving USG Support.	3	9	Exceeded Target by 200%
	3.2.5: Number of individuals/groups who received legal aid or victims assistance with USG support.	30	NA	Legal aid or victims assistance program will start during the first quarter of FY 10.
	3.2.6: Number of legal aid groups and law clinics assisted by USG.	1	NA	Legal aid or victims assistance program will start during the first quarter of FY 10.

Objective 4: Create Linkages with the Work in Other Provinces

Results	Indicator	FY 09		Performance Rating
		Target	Actual	
Result 4.1: Court administration best practices integrated and exchanged between all projects locations	4.1.1 Percentage of Eastern DRC pilot courts' best practices shared and implemented in ProJustice's pilot courts.	60%	NA	This activity will start during FY 10.

PERFORMANCE DETAILS

Objective 1: Establish permanent ProJustice project presence in Eastern DRC

Result 1.1: Project office, equipment and staff established in Kindu, Bukavu and Uvira

Indicator 1.1.1: Kindu and Bukavu office spaces located and equipment/furniture procured.

Definition: Office space located or not and equipment procured or not.

Explanations: Since January 2009, ProJustice has established a permanent presence in Bukavu, South Kivu. ProJustice office which is shared with Global Rights is equipped with the necessary tools and equipment to carry out the project's activities in the region.

Indicator: 1.1.2 Kindu and Bukavu office staff recruited.

Definition: Office staff recruited or not.

Explanations: The Bukavu regional office is fully staffed since August 2009 and most of the Kindu office staff has been identified and recruited.

Result 1.2: Consultation mechanisms with court users established to produce recommendations for making courts more efficient and effective

Indicator 1.2.1: 1 Host initial and subsequent public stakeholder and judiciary joint conferences in each location in Eastern DRC to introduce new reforms, increase understanding of the justice process and facilitate discussions on needs of the public.

Definition: A series of conferences, meetings or events initiated or not in Kindu and Bukavu.

Explanations: This activity should normally be implemented during FY 10.

Result 1.3: A Monitoring and Evaluation strategy developed and implemented for Eastern DRC

Indicator: 1.3.1 Indicators and PMEP drafted to evaluate progress accomplished in Eastern DRC

Definition: Indicators and PMEP drafted or not.

Explanations: Indicators and PMEP for the supplemental program in Eastern DRC were drafted and approved by USAID COTR on July 31, 2009.

Indicator 1.3.2: Relevant data and results accomplished in Eastern DRC reported in quarterly reports to USAID.

Definition: Data and results submitted or not to USAID during the quarterly submission of ProJustice's activities reports

Explanation: Since the approval of the supplemental program for Eastern DRC's PMP monthly and quarterly reports with data and results have been submitted to USAID.

Objective 2: Develop and implement programs to strengthen the courts in Eastern DRC

Result 1.5: Result 2.1: Strategy for increasing effectiveness and transparency of court management developed

Indicator 2.1.1: Pilot courts identified and selected.

Definition: Pilot courts identified/selected or not.

Explanations: All the Eastern DRC's pilot courts where ProJustice is implementing court performance and improvement activities have been identified. They are: the Court of Appeals and First Instance in Bukavu, the Justice of the Peace court in Uvira, the Court of Appeals, First Instance and Justice of the Peace courts in Kindu.

Indicator 2.1.2: Pilot courts coordinators recruited and mobilized in Eastern DRC pilot courts.

Definition: Pilot courts coordinators which are employed by ProJustice are recruited/mobilized or not.

Explanation: A Pilot Court Coordinator has been recruited for Bukavu on August 10, 2009 and the Kindu Pilot Court Coordinator should be recruited soon in FY 10.

Result 2.2: Improvements to court operations realized through PACT Planning Process

Indicator 2.2.1: Percentage of Eastern DRC pilot courts where the PACT planning process is introduced.

Definition: Determination of the percentage of Eastern DRC pilot courts where the PACT planning process is in place.

Explanations: PACTs on case management have been introduced in all Eastern DRC's courts.

Indicator 2.2.2: Number of Eastern DRC courts that received resources or where minor facility upgrades and needed materials are distributed.

Definition: Number of courts where the ProJustice project distributes equipment or proceed to some improvements of the physical conditions of the courts.

Explanations: Office equipment was provided to the Court of Appeals in Kindu. Additional equipment will be provided to Eastern DRC's courts in FY 10.

Indicator 2.2.3: Number of delay reduction programs developed with court personnel in each targeted Eastern DRC court.

Definition: Number of delay reduction programs implemented by ProJustice in each of the pilot courts selected.

Explanation: Delay reduction programs have started in Bukavu at the court of appeals and first instance court with the collection of baselines data regarding the ratio of new case filed and disposed and the average time for the disposition of cases. The same activities were conducted at the justice of the peace court in Uvira and will start during the first quarter of FY 10 in the pilot courts in Kindu.

Indicator 2.2.4: Number of USG Assisted Courts with Improved Case Management.

Definition: Number of courts with improved case management systems implemented by ProJustice. Examples of improvement include: case documents are available to parties upon request; statistical data on cases is routinely compiled; system manages flow of cases through scheduling set by procedural law; data elements are coherent and compatible with related information systems such as those of the police, prosecution and corrections agencies; cases are uniquely identified, registered, indexed and filed.

Explanations: ProJustice already carried out data collection activities to improve case management at the court of appeals and first instance court in Bukavu and at the justice of the peace court in Uvira. The same activities will start during the first quarter of FY 10 in Kindu.

Indicator 2.2.5: Ratio of New Case Filings to Case Dispositions in Courts Assisted by the USG in the Area of Case Management.

Definition: Calculation of the annual ratio of new case filings to case dispositions in courts assisted by USG in the area of case management. Courts as defined by specific jurisdiction. The ratio of cases filed to cases disposed during a judicial year will be calculated in pilot courts assisted by ProJustice.

Explanations: The data already collected at the court of appeals and first instance courts in Bukavu as well as those collected at the justice of the peace court in Uvira will served as baselines to improve the ratio of cases files to cases disposed in those pilot courts. The data collection exercise should normally begin in the project's pilot courts in Kindu.

Indicator 2.2.6: Ratio of New Case Filings to Case Dispositions in Courts Assisted by the USG and in Courts not Assisted by the USG. (Control group)

Definition: Comparison of the ratio of cases files to cases disposed in a court of appeals, first instance court and justice of the peace court where no court management system has been implemented.

Explanations: The First Instance Court in Uvira and the secondary first instance Court in Kavumu have been chosen by the project as control groups in South Kivu to compare the results accomplished by ProJustice in Eastern DRC's courts. Data collection activities relating to the ratio of new cases filed to cases disposed were carried out at the control courts of Kasongo and Punia in Maniema Region during FY 09.

Indicator 2.2.7: Mean case disposition time in courts assisted by USG in the area of Case Management.

Definition: Determination of the number of months from filings to dispositions. Median case disposition time is measured from filing to the date parties are notified of case resolution by the court. Courts as defined by specific jurisdiction.

Explanations: ProJustice already carried out the collection of data to determine the mean case disposition time at the court of appeals and first instance court in Bukavu and at the justice of the peace court in Uvira.

Result 2.3: Introductory and continuing training program provided to judges and court personnel in pilot courts

Indicator: 2.3.1 Number of judges and court personnel trained to become regional trainers to work locally and in collaboration with national training schools.

Definition: Number of judges including prosecutors and court personnel including administrative support staff trained by ProJustice.

Explanations: No introductory and continuing training program was conducted for judges and court personnel in Eastern DRC's pilot courts. This activity will start during the first quarter of FY 10.

Indicator 2.3.2: Number of Justice Sector Personnel that Received USG training.

Definition: Number of judges, CSM, MOJ staff and justice personnel trained with ProJustice's support. Personnel include judges, magistrates, prosecutors, advocates, inspectors and court staff. Training refers to all training or education events whether short-term or long-term, in-country or abroad.

Table- Number of Justice Sector Personnel that Received USG training

Number of Justice Sector Personnel trained with ProJustice assistance FY 09						
Topic	Target Group	#Females	# Males	TOTAL Trained	2009 Target	2009 Actual
Pilot Court Program First Training	Magistrates and court personnel	6	47	53		
	Pilot courts and Prosecutor's Office administrators					
Capacity Building Training for CSOs' lawyers	CSOs' lawyers	3	2	5		
TOTALS		9	49	58	50	58

Table- Number of Justice Sector Personnel that Received USG training by location

Type of Training	Bukavu	Kindu
Pilot Court Program First Training	27	26
Capacity Building Training for CSOs' lawyers	1	4
Total in each site	28	30
TOTALS TRAINED	58	

Explanation: A total of fifty eight justice sector personnel including pilot courts' magistrates, court personnel and CSOs' lawyers were trained by ProJustice during FY 10.

Result 2.4: Mobile court system expanded and systematized

Indicator 2.4.1: Number of mobile courts' proceedings held in Eastern DRC pilot courts.

Definition: Number of proceedings or hearings organized in all Eastern DRC's pilot court during a quarter.

Explanations: No proceedings or hearings were organized by ProJustice in Eastern DRC's pilot court during FY 09. This activity will start in Eastern DRC during FY 10.

Objective 3: Increase Access to Justice for Vulnerable Populations

Result 3.1: Courts in Eastern DRC are more responsive to cases involving vulnerable populations

Indicator 3.1.1: Number of cases involving vulnerable populations including gender-based violence cases resolved through the fast track and differentiated case management procedures.

Definition: Determination of the number of cases where fast track and differentiated case management procedures were used as the procedure applicable to gender-based violence and vulnerable populations.

Explanations: The fast track and differentiated case management procedures are not yet in place in Eastern DRC' courts. An assessment leading to the implementation of the fast track and differentiated case management procedures in Eastern DRC court is scheduled for the first quarter of FY 10.

Indicator 3.1.2: Percentage of vulnerable populations in the project's targeted sites/jurisdictions who know how to access the judicial system.

Definition: Determination of the percentage via a survey carried out on a representative sample of vulnerable population in ProJustice's target sites or populations.

Explanations: Baselines data relating to this activity have already been collected in Bukavu. A survey on the percentage of vulnerable populations who know how to access the judicial system will be carried out in Kindu during the first quarter of FY 10.

Indicator 3.1.3: Number of Courts Operating in Areas of Low Income Populations with USG Assistance.

Definition: Number of mobile courts operating in low income areas with ProJustice assistance. Areas of low income should be those where 60% of the population has an income in the lowest quintile of the country as a whole.

Explanations: Due to travel and logistical constraints, this activity could not be implemented in FY 09. Mobile Courts activities will normally start in FY 10.

Result 3.2: Increased capacity of CSOs in Eastern DRC to provide access to justice services

Indicator: 3.2.1 Number of people that benefited from free access to justice services provided by a network of CSO-run legal resource clinics.

Definition: Count of the number of people from vulnerable populations that received assistance in legal resource clinics supported by ProJustice.

Explanations: Assistance to victims of vulnerable populations has not yet started in Eastern DRC. This activity is scheduled to start during FY 10.

Indicator: 3.2.2 Percentage of recommendations produced by the CSO court watch program that was successfully followed by Eastern DRC's pilot courts

Definition: Count of the percentage of recommendations relating to court performance or administration implemented to improve access to justice services.

Explanations: The CSO court watch program has not yet been implemented in Eastern DRC. This program should normally start in FY 10.

Indicator 3.2.3: Percentage of ProJustice's grantees that develop activities to increase information, access or availability of justice services for vulnerable populations.

Definition: Determination of the percentage of beneficiaries of the grants program that successfully increase access to justice services via the implementation of legal assistance, awareness campaigns, training and other legal aid activities.

Explanations: Although the selection of grantees started in FY 09, local CSOs based in Eastern DRC will begin providing assistance to vulnerable populations during the first quarter of FY 10.

Indicator 3.2.4: Number of Domestic Human Rights NGOs Receiving USG Support.

Definition: Number of Congolese domestic human rights non-governmental organizations focusing on human rights that receive USG assistance via ProJustice. To be considered a Human Rights NGO, the NGO should be focused on strengthening human rights e.g. in providing services, reporting,

advocacy, outreach, education or protection of citizens. USG assistance includes training, grants or other support designed to improve the human rights services, reporting, and advocacy for the citizens. Training measured is that assistance provided as a result of USG programs, whether short-term or long-term, in-country or abroad, provided with USG assistance.

Explanations: During FY 09 ProJustice, ProJustice provided technical support via the organization of technical writing and capacity building workshops for nine CSOs based in Eastern DRC. Three CSOs in Kindu, four in Bukavu and two in Uvira benefited from this assistance.

3.2.5: Number of individuals/groups who received legal aid or victims' assistance with USG support.

Definition: Number of individuals or groups assisted. Legal aid or victim's assistance includes legal consultation, advice, representation or mediation services for poor, marginalized or other vulnerable groups who have difficulty paying for or accessing legal services. Legal aid is often combined with referrals or assistance accessing other types of support, including health, psycho-social counseling, etc. Assistance can be provided through state-sponsored public defenders, Bar Associations, NGOs, semi-private or private agencies, or law students through Legal Clinics or internship programs.

Explanations: Legal aid or victims' assistance activities have not yet started in Eastern DRC.

Indicator 3.2.6: Number of legal aid groups and law clinics assisted by USG.

Definition: Number of legal aid groups and law clinics assisted by ProJustice. Legal Aid groups means NGOs or other private or private/state mixed entities existing to provide legal advice to citizens. Law Clinics means programs established by the bar and law schools where students, under close supervision, give legal advice to citizens.

Explanations: No legal aid groups and law clinics received financial assistance from the project in FY 09. With the implementation of the grants program in Eastern DRC, ProJustice will start providing financial to selected organizations implementing legal service activities in Eastern DRC.

Objective 4: Create Linkages with the Work in Other Provinces

Result 4.1: Court administration best practices integrated and exchanged between all projects locations

Indicator: 4.1.1: Percentage of Eastern DRC pilot courts' best practices shared and implemented in ProJustice's pilot courts.

Definition: Count of the percentage of best practices relating to court administration that were introduced and successfully implemented in ProJustice's other pilot courts.

Explanations: This activity has not yet started. It should start during FY 10.