

PROJUSTICE

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

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USAID
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**5th Quarterly Progress Report
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**Croisement des Avenues Kalume et de la Gombe
La Gombe - Kinshasa, DRC**

TABLE OF CONTENTS

	PAGE NUMBER
1 TABLE OF CONTENTS	<i>i</i>
2 TABLE OF ATTACHMENTS	<i>ii</i>
3 TABLE OF ACRONYMS	<i>iii</i>
4 SUMMARY/INTRODUCTION	1
5 5 TH QUARTER ACTIVITIES AND RESULTS - (Information about activities planned for and/or completed during the past quarter)	3
6 SUPPLEMENTAL PROGRAM FOR EASTERN CONGO	16
7 SUMMARY OF PLANNED ACTIVITIES FOR NEXT QUARTER	19
8 5 TH QUARTER PROBLEMS AND REMEDIAL ACTIONS	19
9 PRESS CLIPPINGS SUMMARY	20
10 STAFFING/MANAGEMENT UPDATES	22

ATTACHMENTS

Attachment 1 Component 1: Updated Calendar of Training Activities

Attachment 2 Component 2: Initial Training Program for Magistrates for 2010-2012

Attachment 3 Component 3: PACT Tracker

Attachment 4 Component 4: Grant Agreements

Attachment 5 Summary of Planned Activities for Next Quarter

Attachment 6 Performance Monitoring Plan – Core PROGRAM

Attachment 7 Performance Monitoring Plan – Eastern DRC SUPPLEMENTAL PROGRAM

3. TABLE OF ACRONYMS

AFEJUCO	Association des Femmes Juristes Congolaises
BCNUDH	Bureau Conjoint des Nations Unies pour les Droits Humains
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
GR	Global Rights
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 Coordinator
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 Program
USAID	United States Agency for International Development

4. SUMMARY / INTRODUCTION

This 5th Quarterly Report, covering the period October-December 2009, describes major activities and achievements of the ProJustice project during the reporting period.

In October 2009, DPK submitted its draft Annual Work Plan for Fiscal Year 2 to USAID. In December, ProJustice presented the draft plan to the USAID COTR, Ms. Ruxandra Datcu, and Ms. Ina Pislaru, Program Manager, on temporary assignment in the DRC USAID Mission. During the presentation, which was held at the ProJustice office, the project team answered all questions and remarks. A second draft that included adjustments requested by USAID was submitted on December 18, 2009. Formal approval of the plan was granted by USAID on December 28, 2009.

For **Component 1 Institutional Reform and Strengthening**, the team provided support to the CSM, despite the fact that its efforts are hindered because new members of the CSM Permanent Secretariat have not yet taken over from the previous ones. The lack of the new team makes the implementation of activities that require the participation of the CSM Permanent Secretariat difficult. Nonetheless, the Component 1 team initiated critical activities during the quarter including those aimed at the adoption of a Judicial Code of Ethics and Professional Good Practices for Magistrates.

The ProJustice team continued its collaboration with other international stakeholders and organizations that are interested in building the capacities of the DRC justice sector. During the reporting period, collaboration efforts focused on standardizing working methods, conveying a unified message to national partners, and coordinating the provision of technical expertise. A good example of this fruitful cooperation is the participation of initiated EUPOL and the UN Common Office for Human Rights (BCNUDH) in the drafting of the Code of Ethics and Professional Good Practices. A common report was drafted by BCNUDH.

With respect to **Component 2 (More Effective and Transparent Management of the Judiciary and Ministry of Justice)**, ProJustice worked with relevant authorities (SDE, EFRPJ, MoJ, CSM, and CMJ), to establish an implementation calendar for ongoing training programs for magistrates and non-magistrate court personnel. The calendar includes at least one training session per month, for each of the court personnel groups, between November 2009 and September 2010 (see Attachment 1).

During the reporting period, two training sessions were organized. Training for magistrates concentrated on 'Ethics, Good Professional Practices, and Responsibilities of Magistrates'. The sessions were held in South Kivu and Katanga Provinces in November and December 2009. Training sessions for non-magistrates focused on hands-on training (on court and general management) for court clerks and prosecutors' secretaries. In view of the recruitment process underway of 1000 new Magistrates by the Ministry of Justice and the CSM and subsequent need for training, a first draft of a comprehensive Initial Training Program for Magistrates was drafted by Component 2 Leader (see Attachment 2).

In **Component 3 (More Effective, Transparent, and Accessible Court Operations in Pilot Jurisdictions)**, active work continued in the pilot courts on the basis of the methodologies developed in the previous reporting periods. In November 2009, ProJustice signed MoUs in Bandundu and Maniema Provinces and delivered furniture for the TGI in Bandundu and computer equipment in

Maniema. On both occasions, the ProJustice team organized highly publicized ceremonies that increased project visibility.

To support the implementation of improved records management processes and to take advantage of computers being installed in each of the sites, pilot court staff identified a series of new forms for development (principally card-style register forms to replace outdated and difficult to use registry books), and existing forms in need of revision to make them computer-compatible and more user friendly. Component 2 staff developed a management tool (PACT Tracker) to better monitor PACT implementation (see Attachment 3).

For **Component 4 (Increased Access to Justice for Vulnerable Populations)**, ProJustice held meetings with sub-contractor Global Rights to discuss the program implementation time frame and with the Carter Center to plan possible cooperation on the ProJustice CSO mapping exercise.

The CSO mapping exercise, which involves data and information collection on CSO activities, was finalized in Maniema Province. Similar mapping exercises in South Kivu and Katanga are under way and will be completed early in the next quarter. This information will be consolidated in ProJustice's *CSOs' Resources and Services Guide* to be available for the pilot courts, the public, international donors, and the larger CSO community.

ProJustice, in cooperation with Global Rights, organized three training sessions for CSO representatives in Maniema Province. The sessions took place in Kindu and focused on Magistrate selection in the DRC, Congolese legislation on sexual violence, and court monitoring.

From October 28-30, the Review and Evaluation Committee reviewed fourteen proposals from organizations based in Bukavu, Uvira, Bandundu, Kindu, Lubumbashi, and Kinshasa. USAID approved three grant proposals, two in Bukavu for projects by OCET and FELEMA, and one in Bandundu to be implemented by Cause Rurale and LIFDED. Four additional proposals were submitted to USAID for consideration. ProJustice signed its first grant agreements in South Kivu and Bandundu Provinces and held grant management training sessions for all the signatory CSOs (see Attachment 4).

ProJustice staff also met with high-level Magistrates in the South Kivu Province to prepare and better plan the forthcoming mobile court hearings ("audiences foraines").

Supplemental program in Eastern Congo

During the reporting period, the ProJustice team worked with counterparts to update and improve the PACTs, with special attention to the two Eastern Provinces. In November 2009, IT equipment and furniture were delivered to Maniema Province as part of the PACT program. The equipment will complement ProJustice technical assistance, especially as regards case and records management and access to justice (making information more available to the public). ProJustice signed a MoU with the Court of Appeal in Maniema Province. The MoU, among other issues, foresees quarterly monitoring of inventories of the equipment provided to the courts.

Access to justice for vulnerable populations: In December, ProJustice signed grant agreements with six CSOs located in Maniema and South Kivu Provinces and conducted grants management sessions with the new grantees. Under its sub-contract to ProJustice, Global Rights carried out three sessions in Kindu to build capacity and train representatives of human rights and civil society organizations based in the province. The training sessions focused on the following topics: the

magistrate selection and recruitment process in the Democratic Republic of Congo; Congolese legislation on sexual violence; and court monitoring. ProJustice and Global Rights developed a calendar of training activities on these topics for the other provinces that will be carried out for the remainder of Year 2.

5. FIFTH QUARTER ACTIVITIES AND RESULTS

The following section outlines activities undertaken consistent with our annual work plan, providing the status 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 Adopt and implement transparent and merit-based criteria for the selection, recruitment, disciplinary regime, and promotion of magistrates

Recruitment of magistrates

ProJustice, in collaboration with other donors, the MoJ, and the CSM, invested considerable resources in the previous quarter developing a plan (process and schedule) for competitive magistrate recruitment in response to an MOJ request for technical and financial support. In the end, the MoJ implemented the recruitment without any external support because it did not agree with the plan. The recruitment test was offered between October 17 and 21, 2009, at locations across the entire country for about 6,500 candidates. By the end of the quarter, the recruitment had reached the step of the compilation of results from the correction of written tests. According to the MOJ implementation plan, the entire recruitment process should have come to an end before the end of December, but the process continued into January and may not be completed until March, according to sources involved in the process. The MoJ has not offered any explanation for the delay.

Although ProJustice did not participate in the recruitment, it closely monitored the process. In response to a request made by the CSM, ProJustice will support the initial training for new magistrates recruited by the MoJ.

Relations with the CSM

ProJustice maintains close work relations with the Judicial Council (CSM). ProJustice management staff meets regularly with the CSM President and with either its cabinet director or its advisor in charge of external relations. The purpose of these meetings is to exchange information and discuss collaboration. Discussions have been initiated with a view to formalizing these meetings and establishing a CSM-ProJustice coordination committee, which will establish a common ground for collaboration. ProJustice and the CSM discussed plans for renovating office space to house the CSM Bureau and Permanent Secretariat and to provide ProJustice staff with a working space in proximity to the CSM.

Although a new CSM Permanent Secretariat has been named since September 2009, its members have not yet been able to officially take over from the previous ones. This issue is significantly affecting Component 1's work with the CSM. Several independent sources have informed us that once the results of the magistrates' entrance exams have been published, the new secretariat members will be allowed to take on their new roles. In the meantime, the CSM Permanent Secretariat new

members did take part in correcting the magistrates' entrance exams and have already started benefiting from bonuses linked to their new functions, which could be interpreted as a good omen foretelling the normalization of their current situation.

1.2. Adopt and implement a merit-based judicial career system

Ethics

During a September 21-25, 2009 workshop held in Kinsasha, participants manifested a keen interest in issues of ethics and professional good practices for magistrates. As a result, ProJustice collaborated with the United Nations Joint Office for Human Rights (BCNUDH) and the EUPOL to co-organize a series of activities during the quarter aimed ultimately at elaborating texts as part of the overall effort to draft the Code of Ethics and Professional Good Practices for Magistrates.

ProJustice also organized jointly with BCNUDH and EUPOL two major workshops in November and December on ethics issues.

During the workshop sessions, it emerged that magistrates were in need of a code or similar document which would provide them with guidance and case-specific examples of the behavior expected from a good magistrate. The working sessions provided participants with the opportunity to stand back as professionals and

objectively discuss both good and bad practices that they and their colleagues use in their everyday professional lives. Some of the examples of questionable behaviors and practices mentioned by participants included magistrates' participation in security coordination meetings presided over by political authorities, and heads of jurisdiction who interfere with the issuing of verdicts.

The next step in finalizing the draft Judicial Code of Ethics and Professional Good Practices will be to distribute it to magistrates, lawyers, and law professors for their comments and suggested amendments. The draft will then be submitted to the CSM General Assembly for adoption in April 2010.

Judicial Career

Within the framework of its work on judicial careers, the Component 1 team circulated a white paper: "*Notes on Judicial Careers*" to ProJustice technical team members. This white paper will frame discussions on judicial career issues and will enable ProJustice technical team members to reach a consensus on themes of recruitment, promotion, and transfer. ProJustice will next bring both



Working group during the November 2-6 Ethics Workshop: Technical experts from CSM, ProJustice/USAID, BCNUDH, EUPOL RD CONGO

national and international partners into the discussions by reactivating the judicial career working group to move ahead with work related to selection, recruitment, disciplinary regime, and promotion of magistrates.

1.3 Adopt and implement new internal structures as well as organizational structures for the CSM

ProJustice-EU-PAG Collaboration in Establishing the Administrative Structures of the CSM

ProJustice and the EU-funded PAG project have agreed to work jointly in supporting the establishment of the CSM administrative structures. To achieve this goal, they need to have the CSM Permanent Secretariat officially established, since the secretariat is the core management structure of the CSM. Until the secretariat is in place, there are limits on the work that can be done. During the reporting period, ProJustice and the EU-PAG met to work out the details of their collaboration and to determine a timetable for establishing the administrative structures of the CSM. They established joint working teams for each administrative unit of the CSM.

This collaborative work and partnership will enable ProJustice to provide the CSM with an operational and effective administrative structure. To launch this process with respect to the judicial budget, ProJustice's short-term expert in public finance will review the current budget preparation and financial management systems in the judicial branch both at central and local levels and assess the feasibility of a more decentralized (court of appeal level) budget development and financial management system. He will make recommendations for restructuring the budget development and financial management processes in view of constitutional and normative legal requirements and particularly in view of the judiciary's need for a sound budget planning, development, and management process. The ultimate purpose is to help the judicial branch improve the functioning of its financial system (income, expenditures, and equitable distribution of financial resources to jurisdictions, prosecutors' offices, as well as other entities of the judicial branch) and also to advocate for the government to allocate sufficient and stable financial resources to the judiciary.

COMPONENT 2: MORE EFFECTIVE AND TRANSPARENT MANAGEMENT OF THE JUDICIARY AND MINISTRY OF JUSTICE

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

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

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

Training sessions for magistrates

During the reporting period, ProJustice began implementation of a program of continuing training for magistrates. The training program was validated during the previous quarter by national institutions that are in charge of judicial training.

The Component 2 team finalized module one in the program "Professional Good Practices, Ethics, and Responsibilities of Magistrates" and produced a document on training for magistrates, which

outlines the content of an initial magistrate training program and will serve as the basis for discussions with the MoJ.

Using the newly developed ethics and professional good practices module, ProJustice implemented two training sessions for magistrates in pilot sites: in Bukavu on November 10 – 11, 2009, and in Lubumbashi on December 10 – 11, 2009. A total of 57 magistrates, including 8 women, took part in these workshops on “Ethics, Professional Good Practices, and Responsibilities of Magistrates”. The workshops were organized together with the Ministry of Justice through its “Service de Documentation et d’Etude” (SDE, The Center for Documentation and Studies).

The workshops allowed magistrates to clarify their lexicon and distinguish ethics from morality, discipline from professional good practices, as well as to exchange ideas on the key ethical values of a good magistrate. Sessions also addressed magistrates’ obligations, incompatibilities, and prohibitions.

The participant evaluations, the quality and interactive nature of the debates, and the high numbers of participants at the sessions demonstrated the magistrates’ appreciation of the training. In Lubumbashi, the Court of Appeals First President proposed that ethics be included as a sub-theme for the forthcoming training sessions.

The ProJustice training team met with Mr. Pungwe Nemba, who is the Substitute of the General Prosecutor and author of the book: *Guide Pratique de l’Officier du Ministère Public* (Practical Guide to the General Prosecutor’s Judicial Officer). This book appears to be an indispensable tool for sitting magistrates and for new entrants. ProJustice has negotiated with the author to update and publish a new edition of the book.



First President and General Prosecutor of the Court of Appeal distribute CDs of laws relating to the courts at the Lubumbashi workshop on professional good practices and judicial ethics and responsibilities

ProJustice held several working meetings, with the Comité Mixte de Justice (CMJ) of the MOJ with a view to coordinating ongoing training activities at the national level as well as to develop plans for the initial training for new magistrates.

The Component 2 team contributed to the achievement of Component 1 activities related to the drafting of a Code of Ethics for Magistrates by taking part in meetings and providing background materials.

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

Training sessions for non-magistrate personnel

During the reporting period, ProJustice finalized the drafting of *Module 1 on Practical Management for Court Clerks and Secretariats of the Prosecutors*, the first module in its continuing training program for non-magistrate personnel. Using the module, ProJustice organized two workshops for non-magistrate court personnel (clerks, bailiffs and prosecutors' secretaries), one in Bukavu from November 16 to 20, 2009, and one in Lubumbashi from December 14 to 18, 2009.



Working Group on Maintaining Court Registers, at the Lubumbashi Workshop on Practical Management for Court Clerks and Prosecutor Secretaries

These workshops took place under the oversight of the MoJ's Ecole de Formation et Recyclage du Personnel Judiciaire (EFRPJ). A total of 62 participants, including 17 women, participated actively in sessions on court and general management for court clerks and prosecutors' secretaries. At both sites, political and administrative authorities in charge of justice or provincial judicial authorities took part in the opening and closing ceremonies and participated in some of the training sessions. The presence of these different authorities constitutes an indicator of their commitment to judicial training and it contributed to the beneficiaries' buy-in to the training process.

COMPONENT 3: MORE EFFECTIVE, TRANSPARENT, AND ACCESSIBLE COURT OPERATIONS IN PILOT JURISDICTIONS

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

ProJustice pilot court staff updated the PACTs for each site to reflect necessary adjustments to the court improvement plans based on discussions with new leadership in the pilot sites. ProJustice also began working with pilot sites to implement the PACTs in the areas of facility improvements, records management processes, and other court improvements defined collaboratively with pilot site counterparts.

The various site visits resulted in some expansion of the scopes of the pilot court PACTs. The first addition was for the development of a facility and equipment strategic plan to identify and prioritize needed facility improvements and equipment needs. The needs for facility and equipment upgrades

outstrips the resources of the ProJustice project – the plans provide for a roadmap prioritizing needs as resources become available to the courts. In Bandundu and South Kivu, plan components were added focusing on developing public information guides to improve access to court services, similar to components in plans for other pilot sites.

Data collection to support baseline evaluation and to support case management/delay reduction activity was undertaken in two sites (Maniema and Katanga), and supplemental data collection was undertaken in Bandundu and South Kivu.

An MOU and equipment/facility inventory was drafted, approved, and implemented to allow for formal delivery of equipment and facility renovations to pilot court jurisdictions and for tracking of and accountability for items purchased with court improvement funds.

The newly hired ProJustice pilot court coordinator for Bandundu worked with colleagues on the pilot court team and in collaboration with newly appointed local authorities in Bandundu to revise the PACT and begin implementation of the PACT, focusing on infrastructure improvement and access to justice.

Renovations to the Grande Instance Court (TGI) facility were evaluated, as well as recently constructed office equipment. Local counterparts are pleased with the new equipment and facility repairs. ProJustice staff worked with local workers to ensure some adjustments to facility repairs and to arrange for improved finishes for desks and tables. A ceremony was held at the TGI to officially acknowledge the delivery of equipment and facility repairs and the delivery of computers to the pilot site. An MOU to establish roles of the ProJustice Project and local courts and to record the delivery of equipment and materials was signed.



*Court Improvements – Infrastructure Upgrades
Before and After Pictures: Ceiling at the Bandundu Tribunal de Grande Instance*

A new ProJustice pilot court coordinator began working late in the quarter for the Maniema Province pilot court jurisdiction. The coordinator was introduced to the local counterpart staff. He began working with local counterparts immediately on PACT components relating to improved access to courts and improved infrastructure. Discussions regarding the management of the pilot court project were held with the newly assigned First President of the Court of Appeals and newly assigned General Prosecutor. Both heads of jurisdiction expressed support for the project and appreciation for USAID support.

A brief ceremony was conducted late in November to officially acknowledge the delivery of basic office furniture and equipment, as well as the delivery of laptop computers and the anticipated delivery of typewriters for use in improved record-keeping processes. An MOU to establish roles of the ProJustice Project and local courts and record the delivery of equipment and materials was signed.

Key activities of ProJustice pilot court staff included:

- Documenting and evaluating current records management practices in court clerks' and prosecutors' secretaries' offices;
- Providing technical assistance to pilot courts in implementing improved records management practices based on workshop results and prior work in each site;
- Arranging for delivery and installation of office equipment through local contracts for the Bandundu and Kindu pilot sites.

Plans for installation of computers were discussed with local staff and potential vendors to ensure interoperability of the existing computers and network with supplemental computers supplied by ProJustice and to ensure that new computing resources will have optimal impact on improved records management.

Based on feedback from pilot site personnel and assessments of records processes in pilot sites, a plan for implementation of a new records registration and tracking process, focusing on the replacement of the current

“book” registration system with a card registration system recommended by ProJustice staff, was developed. The pilot court team began to document and verify the new system in December and this



Signing of a Memorandum of Understanding between ProJustice COP Daniel Dobrovoljec and the First President of the Appeals Court of Kindu

work will continue in January. This process will serve as the basic template for changes in all sites and is consistent with discussions at the September 2009 CSM strategic planning meeting.

To support the implementation of improved records management processes and to take advantage of computers being installed in each of the sites, pilot court staff identified a series of new forms for development (principally card-style register forms to replace outdated and difficult to use book registers), and the revision of existing forms to make them computer compatible and more user friendly. It is expected that ten or more forms will be drafted early in the next quarter for review and finalization with pilot court authorities and Judicial Council representatives. ProJustice will also seek the collaboration of national bar association representatives on the content and style of the forms.

Component 3B. Enhance the Accessibility of Pilot Courts

Pilot site PACTs now each have components relating to access to justice. For example, each site's plan includes the development of information guides for litigants. In Bandundu and Lubumbashi, public bulletin boards are being constructed for delivery and installation at the courthouse facilities.

Updated plans for access to justice components of PACTs were developed during technical assistance visits, and an updated court improvement plan for public access to information through the use of public computers was developed for all pilot sites in collaboration with the newly assigned magistrates and staff.

An assessment was undertaken to determine the feasibility of translating into local languages key laws and other information for facilitating access to justice by vulnerable populations, women and children in particular. It is expected that an implementation strategy will be developed and undertaken early in the next quarter.

In a collaborative effort, ProJustice Component 3 and 4 staff developed an extended outline of suggested topics for court information guides for use by pilot courts.

COMPONENT 4: INCREASED ACCESS TO JUSTICE FOR VULNERABLE POPULATIONS

During the first quarter of FY 2010, the ProJustice project provided grants to ten organizations located in South-Kivu, Bandundu, and Maniema. In addition to implementing an ambitious grants program, ProJustice provided technical assistance to build the capacity of Congolese CSOs and improve access to justice for vulnerable populations.

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

During the quarter, the ProJustice project provided grants to ten organizations located in South Kivu, Bandundu, and Maniema. In addition to implementing an ambitious grants program, ProJustice provided technical assistance to build the capacity of Congolese CSOs and improve access to justice for vulnerable populations.

To ensure linkage between the Global Rights (GR) activities and those of ProJustice's grantees, the access to justice team worked closely with GR during this quarter to develop a training calendar focusing on the implementation of education and training on SGBV laws, the judicial appointment

process, and court monitoring. By doing so, ProJustice ensured that its training sessions and capacity building assistance would directly respond to the needs of the CSOs working in the project's four pilot sites.

Training Sessions on SGBV in Kindu

Under the sub-contract with Global Rights and with the support of its access to justice team, ProJustice carried out three sessions in Kindu to build capacity and train representatives of human rights and civil society organizations based in the Maniema Province. The training sessions focused on the following topics: the magistrate selection and recruitment process in the Democratic Republic of Congo; Congolese legislation on sexual violence; and court monitoring.

The first training session on judicial selection and the recruitment of magistrates was carried out by Global Rights from November 16-17, 2009 for 19 participants representing 15 CSOs working in the Maniema Province. The seminar was aimed at providing participants a better understanding on the roles and functions of magistrates, the criteria applicable to magistrates' selection, recruitment, and promotion, the importance of an independent and fair judiciary that includes considerations of gender equality, as well as the methods for developing an advocacy campaign to increase the number of women magistrates.

The second training session focusing on the Congolese legislation dealing with sexual violence was conducted by Global Rights from November 18-20. Nineteen participants representing 17 civil society organizations attended this module which reinforced participants' knowledge of the notions of sexual violence, crimes relating to sexual violence, and judicial procedures applicable to cases of sexual violence. Also discussed were the problems concerning the enforcement of the law on sexual violence and the corollary need to develop advocacy programs. Grant applicants AFEJUCO and DFF attended the GR training on sexual violence and will be using materials and information from these sessions in their planned grant activities, which are aimed at assisting victims of sexual and gender-based violence and raising public awareness on these issues.

From November 23-25, Global Rights conducted a third training session on court monitoring for 15 participants from 13 Maniema-based CSOs. This module focused on providing participants with an overall understanding of court monitoring principles and the court practices to which those apply. Other issues discussed were the importance for an effective and efficient justice system, the rights and obligations of court monitors, and the elaboration of court monitoring reports.

CSOs Mapping

ProJustice is in the process of finalizing the mapping of CSOs that are working in the areas of access to justice and human rights. ProJustice staff met with the Carter Center and then with the *Réseau des Citoyens Network* (RCN) to identify documents and training materials produced by those two organizations. The CSO mapping exercise has already identified CSOs' programs, intended beneficiaries, and the donors that fund them. The *CSOs' Resources and Services Guide* which will be produced during the next quarter will provide ProJustice's pilot courts, the public, donor community, and civil society organizations a comprehensive guide to CSOs and activities in the justice sector. The guide will also serve as a networking tool to connect different and diverse civil society organizations working on similar programs and activities. Data collection in the Kindu, Bukavu, and Lubumbashi's pilot sites is completed.

Planning for Mobile Court Hearings

ProJustice has been planning the best approach to increase access to justice through the organization of mobile court hearings in pilot sites. A working session with the President and Public Prosecutor at the First Instance Court in Uvira and the President of the Justice of the Peace Court in Uvira took place during this quarter. The objective of the meeting was to brainstorm on the best way to support mobile court hearings in this jurisdiction.

A certain number of factors that should be taken into consideration for the success of the mobile court hearings were identified and analyzed during this brainstorming session. Those factors include providing for the safety of magistrates and justice personnel; funding those personnel; and scheduling and organizing the mobile court hearings so as to minimize the negative impact on court proceedings at stationary courts.

Meeting with Bar Association Leaders

ProJustice staff met with the president of the National Bar Association to discuss activities that could be carried out by Congolese local bar associations to improve access to justice for vulnerable populations and boost the local bar associations' bureau for free legal assistance. The president of the National Bar Association took advantage of this working session to inform ProJustice that his association is planning two major events in Lubumbashi in 2010 that should have a positive impact on the provision of legal assistance and other legal services to the population. These are the General Assembly of the National Bar Association, which will gather the presidents and members of the local bar associations, and the Conference of the Presidents of Congolese Bar Associations. Both activities will be an opportunity for the legal community to brainstorm on activities relating to the professional practice of law and access to justice in the Democratic Republic of Congo.

Component 4 B. Sub-Grants to CSOs

Submission of proposals to USAID for funding

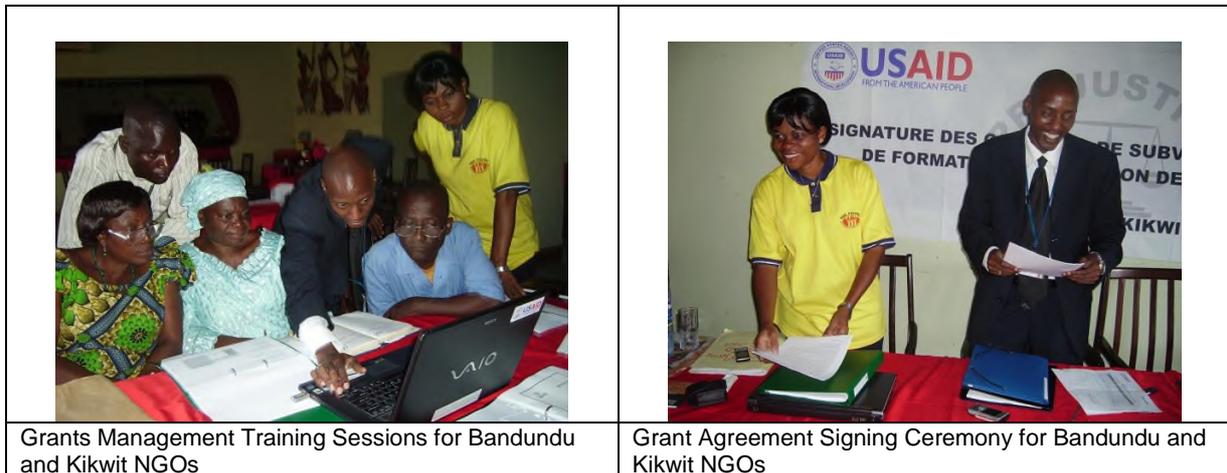
From October to December 2009, USAID approved for funding ten proposals submitted by ProJustice grant applicants. Those proposals were produced by CSOs located in Bukavu-Uvira, Bandundu, and Kindu. The proposals generally focus on the implementation of legal aid, awareness campaigns, trainings, and other access to justice activities for the populations of South Kivu, Bandundu, and Maniema Provinces.

Training sessions on grants management for ProJustice's grantees

ProJustice staff took advantage of the recent approval of several grants by USAID to organize training sessions to assist USAID-funded CSOs with the development of their monitoring and evaluation plans. Further, in preparation for the implementation and management by those organizations of grants funded by USAID through the ProJustice Grants Program, ProJustice provided instruction on the use of ProJustice's Grantee Handbook, which outlines all financial and programmatic reporting requirements, provides templates, and explains record keeping and accounting requirements for managing a USAID-funded grant.

Signature of grants agreements with Civil Society Organizations

ProJustice held grant agreement signing ceremonies with CSOs based in Bukavu, Uvira, and Bandundu. With the signing of grants agreements with CSOs located in two of its four pilot sites, ProJustice has completed a major step in its efforts to support the improvement of access to and delivery of justice services to the Congolese population by supporting a thriving civil society.



COMPONENT 5 – WINDOWS OF OPPORTUNITY

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

During the quarterly reporting period, ProJustice organized a study visit and training program in human resource management for five officials of the MoJ at the Hetta Institute in New York City. One of the participants is the Secretary General while the other four are Directors and Division Heads of the MoJ. The training program is taking place on January 19-31, 2010. Debriefing meetings of the five participants will be organized by ProJustice upon their return to DRC.

6. SUPPLEMENTAL PROGRAM FOR EASTERN DRC

1. Overall Project Management and Reporting

Project office establishment

During the quarter, the ProJustice regional office in South Kivu moved to new premises and lost one of its staff as the Administration and Finance specialist resigned and left the project in December 2009. The regional office in the Maniema Province was reinforced with the arrival, in December 2009, of a Pilot Court Coordinator.

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 courts

As mentioned above in the Component 3 activity report, the PACTs were updated during the reporting period in the two eastern provinces. Additional court improvement plans were developed in South Kivu and Maniema Provinces for incorporation in the PACT. These focus on physical rehabilitation in Kindu and on developing public information to improve access to court services in South Kivu. An MoU was signed during a highly publicized ceremony in the Maniema Province to accompany the delivery of computer equipment and furniture to the court in Kindu.

3. Increase Access to Justice for Vulnerable Populations

Several activities were implemented by ProJustice's Grants and Access to Justice Team in Eastern Congo during the October-December 2009 period. Those activities focused on signing grant agreements, conducting grants management sessions, and developing and implementing programs aimed at building the capacity of CSOs to provide legal services to the populations of Maniema and South Kivu.

Conduct a stakeholder mapping exercise in Maniema

One of the chapters included in the CSO Mapping developed by ProJustice concerns the identification and localization of CSOs providing legal aid and other access to justice services in the Maniema region. This mapping should therefore serve as a useful tool not only for Maniema-based CSOs but also for the Maniema population who will be in possession of an instrument with information about the legal aid and access to justice available in the province.

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

ProJustice's efforts to build the capacity of CSOs in Maniema consisted, during this quarter, of the organization of grants management training sessions for new grantees APRODEPED, AFEJUCO, and DFF. Staff members of these CSOs participated in hands-on working sessions with ProJustice staff to review the ProJustice Grantee Handbook which outlines all financial and programmatic reporting requirements to properly manage and implement a USAID-funded grant. The project also conducted practical sessions for those organizations on the elaboration of monitoring and evaluation plans to help them develop tools to monitor the progress accomplished under the grants they will be implementing in the Maniema Province.

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

From October to December, ProJustice reviewed, evaluated, and submitted proposals drafted by three Maniema-based CSOs to USAID for funding. Those proposals mainly focus on the establishment of two legal clinics in Kindu, one to provide support to victims of sexual violence and the other to provide mediation and arbitration services. The projects that will be implemented by APRODEPED and AFEJUCO in synergy with DFF will also focus on awareness and legal and judicial assistance to the population of Maniema Province.

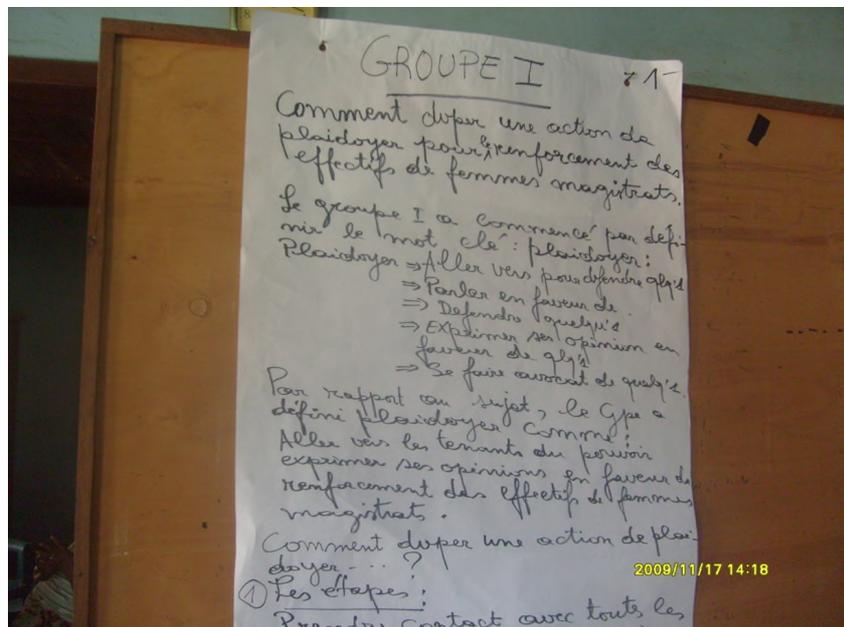
Help establish a network of CSO-run legal resource clinics to expand access to free legal consultation

As a normal follow up to the signature of eight grant agreements with civil society organizations in South-Kivu and Maniema, ProJustice will focus its efforts during the next quarter on encouraging CSOs that received assistance to start developing strategies to create a CSO-run legal resource clinic network. The objective of the legal clinic network will be to expand access to justice services for vulnerable populations via the coordination of the activities carried out by the legal clinics funded under the ProJustice project.

Help develop court watch programs

The training session conducted by Global Rights in Kindu from November 16-25, 2009 focused on providing 15 participants from 13 Maniema-based CSOs with an overall understanding of court monitoring principles and the court practices to which those apply. Other issues discussed were the importance of an effective and efficient justice system, the rights and obligations of court monitors, and the elaboration of

court monitoring reports. Participants in this training included members of civil society organizations and human rights groups working on monitoring of court and detention centers. The training was intended to assist ProJustice's grantees AFEJUCO, DFF, and APRODEPED in developing a better understanding of the Congolese justice system. This training will help them in the implementation of legal aid and assistance programs for the Maniema population.



Working group during the ProJustice/Global Rights Training Session on Court Monitoring in Kindu

7. SUMMARY OF PLANNED ACTIVITIES FOR UPCOMING QUARTER

Please see table of planned activities for upcoming quarter in Attachment 5.

8. 5TH QUARTER PROBLEMS AND REMEDIAL ACTIONS

As noted above, the delay in installing the newly appointed members of the CSM Permanent Secretariat is hampering ProJustice's ability to carry out work plan activities with respect to establishing the administrative structures of the CSM. At this point no remedial action has been taken as the action required is the actual availability of the counterpart. ProJustice has kept USAID informed of this situation through regular reporting and meetings.

9. PRESS CLIPPINGS SUMMARY TABLE

Name of Press Outlet	Type (radio, TV)	Date	Title of Article or feature	Comments/ description
Digital Congo	Radio , T.V	OCT /09	Les personnels non magistrat renforcer en capacités à travers une formation	L'article annonce la tenue de l'atelier de formation des personnels non magistrat du 25 au 29 octobre 2009. les objectifs de la formation, le propos du directeur chargé de la formation FRPJ et du représentant du projet Projustice.
Digital Congo ACP/Agence Congolaise de Presse	Radio, T.V Daily news paper	NOV/09 Nov. /09	Les magistrats de Bukavu à l'école de l'éthique et la déontologie	L'article annonce la tenue de la formation sur l'éthique du 10/11 nov. et du 14 au 18 pour les personnels non magistrats. L'école de formation et recyclage des personnels de la justice en formation sur les greffes et le secrétariat du parquet
Digital Congo	Radio, T.V	Nov./09	USAID/DPK appelé à soutenir le renouveau de la justice	L'article annonce la remise des matériels informatique au Tribunaux de Bandundu et la réfection du bâtiment du tribunal de Grande Instance.
RTG@	Radio T.V	Déc./09	Projustice s'engage a améliorer les conditions de travail de Court et Tribunaux	L'article parle de la dotation aux Juridictions de Kindu en : matériels informatique, CD rom, meubles. Témoignage du Premier président.
RTNC, RTG@, Antenne A	Radio, T.V	Déc. /09	Bientôt un code l'éthique pour les Magistrats	Reportage la présentation d'un avant projet du code d'éthique
Observateur, le Climat, Potentiel, Forum des as, APA	Dail news Paper	Déc. /09	Article sur la présentation de l'avant projet du code d'éthique	Les différents articles sur la présentation de l'avant projet du code d'éthique.
Digital Congo	Radio T.V	Déc./09	Les magistrats de Lubumbashi à l'école de la déontologie. Le FRPJ organise la formation des greffiers, et Secrétaires des Parquets	Formations des magistrats en éthiques et déontologie. Les personnels de la justice en formation sur le greffe et le Secrétariat.

10. STAFFING/MANAGEMENT UPDATES

The ProJustice project team now functions with essentially a full staff. There have been some positions that were filled in the quarter and others such as the Senior Court Management Advisor which are subject of discussions with USAID and international recruiting processes.

Kinshasa Project Office Staff

- **Senior Budget, Finance and Internal Control Advisor:** Recruitment process under way.
- **Senior Court Management Advisor:** Recruitment process under way.
- **Finance and Administration Assistant:** Staff member started on December 28.

Other Offices

Kindu, Regional Staff

- **Driver:** Hired.

Bukavu, Regional Staff

- **Finance and Administration Assistant:** Recruitment under way.

Pilot Court Coordinators

- **Bandundu and Kindu Pilot Court Coordinators:** Recruitment completed. Incumbents started work in December 2009
- **Pilot Court Program Co-Coordinator S. Kivu:** Staff member started on December 29.

11

PERFORMANCE MONITORING PLAN TABLE

In Attachment 6 the current status of the Performance Monitoring Plan are presented for both the core program and the supplemental program in Eastern DRC.