

# **PROJUSTICE**

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

**Indefinite Quantity Contract No. 263-I-00-06-00019-00  
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**6<sup>th</sup> Quarterly Progress Report  
January-March 2010**

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**Croisement des Avenues Kalume et de la Gombe  
La Gombe - Kinshasa, DRC**

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### 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
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
SGBV	Sexual and Gender-Based Violence
SFCG	Search for Common Ground
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 6<sup>th</sup> Quarterly Report, covering the period January-March 2010, describes activities and major achievements of the ProJustice project during the reporting period.

##### **Component 1: Support the Establishment of New Judicial Institutions**

ProJustice supported the CSM President in preparing the necessary documentation to solicit stakeholder comment on the draft *Judicial Code of Ethics and Professional Conduct for Magistrates*. The draft code and an accompanying questionnaire were circulated to the provinces to seek input from magistrates and a wide range of other stakeholders. Component 1 finalized its work on the Criminal Code Compendium, and on March 31, 2010, ProJustice held a ceremony to official present the compendium to the Ministry of Justice. Representatives of the judiciary stressed the importance of providing magistrates access to legal tools such as the compendium.

The stalemate concerning the installation of the new CSM Permanent Secretariat (the management team of the CSM) continued throughout the quarter. Although the CSM announced the new members of the Permanent Secretariat at the September 21-25, 2009, CSM Implementation Workshop (a workshop specifically organized by ProJustice to discuss optimal roles for each central institution (CSM, MOJ, and Constitutional Court)), the MOJ has blocked the official transfer of power from the existing Permanent Secretariat, whose members were originally named by the MOJ.

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

ProJustice and the EU Good Governance Program (PAG) have met several times to discuss how to coordinate their planned support for specific aspects of the organizational development of the Permanent Secretariat and its management units. These meetings have laid the groundwork for a rapid start-up of activities once the transfer of power takes place and the newly appointed members of CSM Permanent Secretariat assume their roles.

In anticipation of the naming of new magistrates by the MOJ, the ProJustice training team began developing a comprehensive training program for the newly recruited magistrates. ProJustice and the French international cooperation agency presented slightly different versions of an initial training program at a meeting with other donors and representatives of the MOJ. The MOJ representatives expressed their preference for the ProJustice program, which emphasizes practical aspects of a judge's duties, such as drafting decisions and managing the court. The MOJ has encouraged ProJustice to take the lead in designing a final draft program to be presented at a forthcoming Comité Mixte de Justice (CMJ) meeting.

ProJustice continued activities in support of the DRC national institutions in charge of training (SDE and EFRPJ) to help them implement continuing training programs in Bandundu, South Kivu, and Katanga Provinces for magistrates and non-magistrate court personnel. Training sessions for magistrates included one on magistrates' professional conduct, ethics, and responsibilities and a second on fair trial and special issues related to Congolese civil procedure. For non-magistrate court personnel, ProJustice offered the second training module in the series "Practical Management for Court Clerks and Prosecutors' Secretaries".

ProJustice completed a preliminary diagnosis of the existing systems for budget preparation and financial management in the judicial branch both at central and local levels and assessed the feasibility of a more decentralized system. The preliminary analysis will inform ProJustice's next steps in helping the judicial branch improve the functioning of its financial system (income, expenditures, and equitable distribution of financial resources to jurisdictions, prosecutors' offices, and other entities of the judicial branch).

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

ProJustice continued to deliver IT and other material support to courts and prosecutors' offices and began basic computer training sessions for judges and court staff. The Component 2 team worked with the CSM Information and Planning Committee to initiate a forms design and development program based on ProJustice's work on forms at the pilot court level and initiated the development of a records retention standard and policy, working collaboratively with staff of the National Archives. ProJustice began developing a records retention schedule that will allow courts to establish a process for inactive storage and eventual destruction of records.

ProJustice implemented a delay reduction workshop in Bandundu where the Component 3 team presented an overview of delay reduction and reviewed the preliminary results of case management data analysis. Based on data analyses, feedback from the Bandundu working sessions, and discussions at the CSM strategic planning meeting back in September 2009, the ProJustice Component 3 team has identified mobile courts, structured participation of local bar associations, and case inventory management as short-term components of the overall delay reduction strategy.

As part of its public outreach and information campaign to increase awareness on issues of judicial independence and access to justice, ProJustice began distributing Mopila comic books to the media, pilot court partners, CSOs, and ProJustice grantees. *Mopila on the Road to Justice* follows Mopila's interactions with the police and the courts.

ProJustice provided financial support to enable courts in Bandundu and South Kivu Provinces to implement mobile hearings to reduce delay and increase access to justice.

### **Component 4: Increased Access to Justice for Vulnerable Populations**

Through its partnership with Global Rights, ProJustice organized training sessions for civil society representatives of human rights organizations in Katanga Province on the judicial appointment process and SGBV laws, and in South Kivu and Katanga Provinces on the judicial appointment process and court monitoring.

Access to Justice Coordinator Justin Ntakobajira met with representatives of bar associations and law schools to explore potential collaboration on increasing access to justice. Mr. Ntakobajira encouraged the organizations to submit funding proposals through the grants program to boost the capacity of the bar associations' bureau for free legal assistance and the legal clinics at the law schools to provide legal assistance for vulnerable populations.

ProJustice completed its first grants round with the signature of grant agreements with CSOs in Maniema Province. ProJustice's 13 grantees in Round 1 have begun delivering legal assistance, training, and other awareness activities to populations living in Bandundu, Katanga, Maniema, and

South Kivu Provinces. ProJustice also launched its second grants round, which will enable an additional 12-20 CSOs in the pilot sites and Kinshasa to initiate access to justice initiatives.

The ProJustice Component 4 team organized a grants management training session for the Maniema and Katanga-based grantees to explain the ProJustice Grants Management Manual, which has been developed as a tool for sound grants management. In the Maniema Province, ProJustice consultant Ms. Julienne Lusenge conducted a training session for ProJustice's grantees AFEJUCO and DFF to assist them in formulating messages against sexual violence and other forms of abuse against women that will be incorporated into these CSOs' awareness campaigns in the province.

### **Windows of Opportunity**

ProJustice used windows of opportunity funds to finance the participation of senior MOJ officials in a human resources training course in New York in January. Windows of opportunity funds were also used to fund a mobile court session by the Bandundu Court of Appeals.

### **Supplemental Program in Eastern Congo**

Through its regional offices in Kindu and Bukavu, pilot court coordinating teams have been using the PACT process to define and implement court improvement plans and activities focusing on effectiveness and transparency and enhancing the accessibility of pilot courts.

ProJustice completed data collection for the stakeholder mapping exercise in Maniema and South Kivu. It completed similar data collection efforts at the other pilot court sites and the results will be included in the CSO Resource Guide developed by ProJustice, which identifies CSOs providing legal aid and other access to justice services.

ProJustice continues to support mobile courts in Eastern Congo, which is having a direct impact on increasing access to justice. These activities are complemented by the pilot courts, Global Rights, and ProJustice grantees which continue to share information about the courts, monitor court activities, provide civic education on the functioning of the justice sector, and provide legal assistance.

ProJustice signed grant agreements and implemented grants management sessions for CSOs in Maniema, providing them with both the management tools and financial resources to implement programs related to access, outreach, oversight, and advocacy.

## **5. SIXTH QUARTER ACTIVITIES AND RESULTS**

### **COMPONENT 1: SUPPORT THE ESTABLISHMENT OF NEW JUDICIAL INSTITUTIONS**

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

##### **1.1. Transparent, Merit-Based Criteria for Recruitment, Selection, Discipline, and Promotion of Magistrates Adopted and Implemented**

###### **Magistrate Recruitment**

The magistrate recruitment process launched by the MOJ continued throughout the quarter and concluded on March 23, 2010, with the publication of a list of 1,000 new magistrates. Although the completion of the magistrate recruitment process and the publication of the list of new magistrates is welcome news, the fact that the recruitment was conducted by the MOJ outside of the authority of the Judicial Council (CSM) raises serious concerns regarding the political will to ensure the constitutional authority of the CSM and constitutional guarantees of a truly independent judicial system.

##### **1.2. New Career System for Magistrates Based on Transparent, Merit-based Criteria for Promotion**

###### **Ethics**

ProJustice's work on adopting and implementing a merit-based judicial career system progressed significantly during the quarter. ProJustice held working meetings with EUPOL and the UN Joint Office for Human Rights (BCNUDH) to discuss the follow-up steps for getting broad stakeholder input on the draft *Judicial Code of Ethics and Professional Conduct for Magistrates*, which was developed during November and December 2009. ProJustice supported the CSM President in preparing the necessary documentation to solicit stakeholder comment on the draft Code of Ethics, including a questionnaire for magistrates on their perception of the code. The draft code and questionnaire were circulated to the provinces to seek input from magistrates and a wide range of other stakeholders. ProJustice and BCNUDH will organize meetings of the original drafting group in April to incorporate the stakeholder feedback and prepare the code for adoption by the next general assembly of the CSM. ProJustice and partners EUPOL and BCNUDH jointly drafted a common report on the preparation of the code of Ethics (see Attachment 1).

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

##### **1.3. New Internal Procedures and Organizational Structure of Judicial Council Adopted and Implemented**

###### **Relationship Building: ProJustice, CSM, MOJ**

ProJustice maintained its close working relationship with the CSM during the quarter, meeting on a regular basis with the CSM President, his cabinet director, and his advisor in charge of external relations. The pilot court team met with the CSM Planning and Information Management Committee to draft a proposal for a forms development and management program and to begin developing a national records retention policy. ProJustice also held a number of meetings with the Minister of

Justice concerning initial training for magistrates, the code of ethics, and the compilation of the criminal code. ProJustice discussed with both the CSM and the MOJ the need to put in place a consultation framework that enables the MOJ and the CSM to meet regularly to ensure a good working relationship between the executive and judicial branch.

### **Donor Coordination on Justice Sector Reform**

ProJustice met regularly with other international stakeholders and organizations working in the justice sector to coordinate donor activities, including the provision of technical expertise and material support; agree on standardized working methods; and communicate a unified message to national partners about the donors' commitment to support the reform efforts. A key example of such collaboration is the ProJustice-EU Good Governance Program (PAG) plan to each support specific aspects of the organizational development of the Permanent Secretariat and its management units once the transfer of power between the old and the new Permanent Secretariats takes place. Another example of donor coordination is the joint effort by ProJustice, EUPOL, and BCNUDH on the judicial code of ethics.

### **Transfer of Power between the Old and New Permanent Secretariat**

The stalemate concerning the installation of the new CSM Permanent Secretariat (the management team of the CSM) continued throughout the quarter. Although the CSM introduced the new members of the Permanent Secretariat at the September 21-25, 2009, CSM Implementation Workshop (a workshop specifically organized by ProJustice to discuss optimal roles for each central institution (CSM, MOJ, and Constitutional Court)), the MOJ has blocked the official transfer of power from the old Permanent Secretariat, whose members were originally named by the MOJ.

### **Translating Pilot Court Experience into National Policies and Procedures**

The ProJustice pilot court team worked with the CSM Planning and Information Management Committee to develop a national records retention policy and to design a series of forms to streamline case management. The team and committee are preparing a strategic plan for forms development and management that will be submitted for approval to the CSM General Assembly scheduled for April. Other stakeholders, including the National Bar Association, the clerk of the Supreme Court, and the principal secretary of the general prosecutor, have reviewed the forms management plan.

### **The CSM 2010 General Assembly**

Although the law creating the CSM stipulates that the CSM General Assembly is to take place on the first Monday of April, the CSM Permanent Secretariat told ProJustice staff that Parliament did not vote any budget to allow for the preparation of the 2010 Assembly. In fact, since its creation, the CSM has never been able to hold its General Assembly at the designated time but has been meeting in extraordinary sessions because of lack of funding.

Much of the work ProJustice has carried out over the last year in support of building the institutional capacity of the CSM and the judiciary, including work with the CSM on its strategic plan, forms development, and the *Judicial Code of Ethics and Magistrates' Good Professional Conduct*, is to be validated by the General Assembly. ProJustice is working with the CSM to prepare a budget for the General Assembly, which the CSM will present to donors for their financial support. ProJustice will discuss with USAID the level of financial support that it can provide through ProJustice.

## **Component 1C: Strategic Planning and Policy Formulation Process**

### **Validation of the CSM Strategic Plan**

ProJustice began planning its interventions to support the validation process of the draft CSM strategic plan. In February, ProJustice coordinated the planning of this work with other donors through the CMJ. In earlier discussions, donors indicated that they would be willing to invest in assisting the CSM to implement specific aspects of the strategic plan, just as they have made commitments to support implementation of the MOJ's strategic plan. In April, Senior Organizational Management Consultant Paola Barragan will return to DRC to guide the validation efforts.

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

### **Component 2A. Strengthen Management Skills of Justice Institution Personnel and Training Institutions**

#### **2.1 Enhanced Management Skills Among CSM (Bureau, Secretariat, and New Management Units) and MOJ Staff (Staff of National Training Institutions: EFRPJ, SDE, others)**

##### **Administrative Structure of the CSM**

The failure to install the new CSM Permanent Secretariat (the management team of the CSM) has effectively blocked ProJustice from beginning the practical work of building the capacity of the CSM management team. In spite of the stalemate, ProJustice and the EU Good Governance Program (PAG) have met several times to discuss how to coordinate their planned support for specific aspects of the organizational development of the Permanent Secretariat and its management units. These meetings have laid the groundwork for a rapid start-up of activities once the transfer of power takes place and the newly appointed members assume their roles. In April, ProJustice will provide technical assistance to the CSM Permanent Secretariat to develop functional and procedural manuals for the management units, initiate a participatory process with the CSM and MOJ to revise and then obtain approvals for the functional and procedural manuals, and assist the CSM in recruiting staff for functional units.

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

#### **2.2 Standardized Introductory and Continuing Training Program for Court Personnel (Magistrates and Non-Magistrates)**

##### **Initial Training of Magistrates**

In anticipation of the naming of new magistrates by the MOJ and at the request of Minister of Justice Luzolo Bambi Lessa, the ProJustice training team began developing a comprehensive training program for the newly recruited magistrates. It took the lead in convening coordination and planning meetings with other partners and funding agencies, notably the EU-funded PAG project and the French international cooperation agency, to work towards a unified approach to the initial training program for the newly recruited judges. ProJustice also met frequently with the SDE director general to discuss the details of the initial training program. While the international partners worked together to develop the training plan, ProJustice and the French international cooperation agency came up with slightly different versions, with the ProJustice program putting more emphasis on practical aspects of a judge's duties, such as drafting decisions and managing the court. The management aspects link directly to ProJustice's pilot court work and its emphasis on improving court

administration. The MOJ representatives expressed their preference for the ProJustice program and encouraged ProJustice to take the lead in designing a final draft program to be presented at a forthcoming Comité Mixte de Justice (CMJ) meeting.

### **Continuing Training for Magistrates and Non-Magistrate Personnel**

ProJustice continued activities in support of the DRC national institutions in charge of training (SDE and EFRPJ) to help them implement continuing training programs for magistrates and non-magistrate court personnel. Component 2 staff organized training sessions in the following locations:

- Bandundu Province
- South Kivu Province
- Katanga Province.

The Bandundu workshop covered Magistrates' Professional Conduct, Ethics, and Responsibilities. The training covered 3 themes: defining ethics; distinguishing ethics from other concepts such as morality, discipline, and professional conduct; key ethical values of a good magistrate; and practical aspects of magistrates' professional conduct, with special emphasis on applicable Congolese legislation on disciplinary matters.

The Lubumbashi workshop for magistrates in Katanga Province, which was organized in conjunction with BCNUDH, addressed 2 themes: fair trial and special issues related to Congolese civil procedure.



First President and General Prosecutor of the Court of Appeals distribute CDs of laws relating to the courts at a workshop on professional conduct and judicial ethics and responsibilities

Within the framework of its continuing training program for non-magistrate court personnel, ProJustice offered the second training module in the series “Practical Management for Court Clerks and Prosecutors’ Secretaries” in Bandundu and South Kivu Provinces. These workshops were carried out under the oversight of the national institution in charge of judicial training, the “Ecole Nationale de Formation et de Recyclage du Personnel de l’Ordre Judiciaire” (EFRPJ).

For court clerks, the module covers the topics:

- Delay related to citation and summons

- Clerks' pre-hearing responsibilities
- Keeping hearing reports
- Clerks' post-hearing responsibilities
- Drafting preambles and documenting judgments and rulings.

For prosecutors' secretaries, the module covers the topics:

- Legal procedures pertaining to arrests and detainees in custody committal orders, and detention
- Tasks related to a charged defendant's pre-trial custody.



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

Another module is scheduled for clerks and prosecutors' secretaries, with a view to providing them with the minimum required practical knowledge to carry out their functions competently. Training sessions for the third module will start in May 2010 in South Kivu and will be repeated in June in Bandundu Province and in July in Katanga Province.

### 2.3 More qualified and ethical court personnel

#### Ethics

ProJustice completed the training sessions for magistrates on Ethics and Professional Conduct this quarter, while it continues to integrate ethics issues in other modules in the training program. The work under Component 1 to solicit stakeholder input on the draft *Judicial Code of Ethics and Professional Conduct for Magistrates* is raising awareness of judicial ethics among a wide audience in the Congo.

#### Criminal Code

Component 1 finalized its work on the Criminal Code Compendium and on March 31, 2010, ProJustice held a ceremony to officially present the compendium to the Ministry of Justice. High-level authorities attending the ceremony included the director of the Ministry of Justice's personal staff, who represented the



Criminal Code ribbon cutting ceremony: Director USAID and Representative of the Ministry of Justice

Minister; the current CSM president, representing the first president of the Supreme Court; the principal legal advisor of the head of state; and USAID Director Stephen Haykin. Other international partners supporting judicial reform in the DRC also attended the ceremony, including the European Union, UNDP, UNICEF, EUPOL, DAI, RCN *Justice et Démocratie*, and *Avocats Sans Frontières*.

The Ministry of Justice and the Judicial Council congratulated USAID for its support of the DRC judiciary via ProJustice and for spearheading the compilation of the Criminal Code. All of the speakers stressed the importance of increasing magistrates' access to legal tools such as the Criminal Code Compendium. Mr. Haykin reiterated USAID's commitment to supporting judicial reform efforts that stem from the 2006 Constitution and the laws establishing new judicial institutions.

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

### **2.4 Judicial budgets adopted through transparent procedures that increasingly reflect real operational costs of justice system operations**

The pilot court teams are undertaking work in the pilot sites to develop strategic priorities and tactical plans for infrastructure and capital improvements. These efforts are serving not only to establish priorities for ProJustice support and provide a basis for coordinating funding by other donors and NGO's, but are also laying the foundation for court-level capital spending requests that will be included in the Judicial Council budget request.

Two pilot sites have undertaken initiatives to develop model budgets with assistance from ProJustice. Training to facilitate these efforts has been developed and will be delivered early in the next quarter in Katanga and South Kivu Provinces. Representatives of other pilot sites will also participate in the training, in order to prepare them to undertake similar efforts in their jurisdictions in later quarters. These planning initiatives will form the basis for budget requests from pilot sites and will provide useful information to the CSM in formulating budget requests.

### **2.5 Improved and more transparent financial and resource management procedures adopted and implemented by the CSM and Ministry of Justice**

ProJustice completed a preliminary diagnosis of the current budget preparation and financial management systems of the judicial branch both at central and local levels and also assessed the feasibility of a more decentralized budget development and financial management system (Attachment 2). The study identified a variety of challenges that hinder the planning and execution of the judicial branch budget, including declining annual budgets allocated to the judicial branch; failure to pay salaries of court personnel on a regular basis; failure to allocate costs for court operations; and the lack of transparency in the use of funds allocated to the judiciary. Key recommendations include:

- That the government manifest its willingness to establish an effective and transparent budget system for the judicial branch
- That the government increase the funds allocated to the judicial branch in the national budget, without interference by the Ministry of Justice
- That the Comité Mixte de Justice play a coordinating role in overseeing donor funds to the judicial branch

- That the general public be informed through civic education and CSO initiatives on the importance of having a well-functioning judiciary. All justice users should be involved in this process, and in combating corruption.

This preliminary analysis will inform ProJustice’s next steps in helping the judicial branch improve the functioning of its financial system (income, expenditures, and equitable distribution of financial resources to jurisdictions, prosecutors’ offices, and other entities of the judicial branch). Broader discussion of the findings and recommendations will contribute to an informed debate about the need for the government to allocate sufficient and stable financial resources to the judiciary.

In its second grants round ProJustice has targeted \$100,000 of its overall grants budget to support Kinshasa CSOs to conduct advocacy initiatives. Any proposals that specifically seek to advocate for the government to allocate sufficient and stable financial resources to the judiciary will be especially welcome as will civic education programs on the role and importance of a well-functioning judiciary.

## **2.6 Baseline and follow-up analyses conducted that reveal the costs of civil and criminal justice relative to budgeted and real expenditures by courts and justice sector institutions**

As indicated above, ProJustice is providing technical assistance to Katanga and South Kivu pilot sites in the development of model budgets for the model courts and prosecutors’ offices in those jurisdictions. Similar planning efforts will be undertaken in Bandundu and Maniema Provinces. This will assist in calculating the resources required for supporting civil and criminal justice in comparison to funds currently appropriated for local justice systems. As noted previously, while funds are appropriated to local judiciaries, no funds have actually been made available to local judiciaries in pilot sites in recent years.

## **2.7 Baseline inventory conducted of material resources and personnel available to the justice system nationwide**

During the quarter, ProJustice received the final version of the joint DAI/ProJustice audit of the MOJ (Attachment 3).

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

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

#### **3.1 More streamlined and transparent court management procedures and regulations established and implemented in pilot courts, including budgeting, financial and resource management, court management, and public outreach; 3.2 Reduction in average time from case filing to disposition for minor cases without a corresponding increase in the time for major cases**

At both the national level (with the CSM) and the pilot court level, Component 3 team members have been working with counterparts and stakeholders to develop more streamlined and transparent court management procedures that are also laying the groundwork for delay reduction efforts. The following pilot court initiatives exemplify some of efforts being made to enhance the effectiveness and transparency of court management practices:

## Infrastructure and Equipment

ProJustice continued to deliver IT and other material support to courts and prosecutors' offices and began basic computer training sessions to teach judges and court staff how to use the IT equipment. The focus on infrastructure and equipment is the result of the needs expressed by pilot site authorities and implementation committees, as well as the project's own observation and preliminary analyses of pilot site needs. None of the courts or offices in the pilot sites has received operational (or capital improvement) funding from the government in at least 10 years, forcing the courts to rely on extra-legal fees to pay for paper and pencils and remuneration of "volunteer clerks," who are used by the court offices to fill the gaps when civil service employees retire and are not replaced. It is not possible to estimate the revenue from these fees, since no court issues receipts or tracks the fees. However, it is clear that the fees offer only the barest minimum of support and provide nothing for capital improvement or maintenance. The fees represent a burden for an already financially stressed client population and sharply decrease access to justice by the most vulnerable parts of the population. Case management data, reinforced by observations of magistrates during work sessions, indicate that a significant source of delay is the inability of the courts to cover the costs of serving documents and other costs of litigation, including, for example, costs of transport for witnesses and victims in initial stages of prosecution.

While there has been some limited donor support for capital improvement and more limited support for operational costs (e.g., REJUSCO has supplied paper, ledgers, etc. for courts in South Kivu), it has not been enough to make an appreciable impact on the courts' ability to function as viable institutions.

Progress can be made in improving court administration operations and access through better processes, but the dilapidated (and in some cases, dangerous) state of infrastructure and the

complete lack of operating and capital improvement funds will sharply limit the ability of the courts to secure those improvements and institutionalize them.

It is critical to continue to focus on improvements in infrastructure and operations to secure (and sustain) short- and medium-term gains. Given the clear difficulties with the effectiveness of the budgeting process at the national level and the apparent lack of commitment to adequately fund the judiciary, it is likely that progress in the short run will continue to be dependent on the project's activities and support as well as funds from other donors.



Ceremony to transfer IT equipment to courts and prosecutor's office in Lubumbashi

Pilot court teams developed strategic priorities and tactical plans for improvements in pilot site infrastructure and capital improvements that will improve court operations. The potential improvements ranged from procuring new or replacing broken furniture, establishing and/or repairing electrical service in court buildings as well as intranet and internet service, and building adequate and efficient records storage areas. Established priority lists will be used to identify areas of potential support by ProJustice, provide a clear basis for coordinating the funding by other donors and NGOs, and, most importantly, form the basis for capital spending requests to be included in the Judicial Council budget request.

### **Forms Development and Records Retention Policy**

To improve record-keeping practices, the pilot court teams began developing new and revising existing forms using modern forms design principles. The formats being developed will facilitate computer-generated forms as jurisdictions move towards computerized systems. The forms are designed to improve the efficiency of the record-keeping process and improve the readability and understandability of the forms. The forms have been vetted internally and plans are under way for review at the national level and by magistrates and administrative personnel in the pilot court provinces.

ProJustice developed a draft plan for managing the forms design and management process and presented it for review by the CSM Planning and Information Management Committee. The design was approved, and a strategic plan for forms development and management will be developed by the ProJustice pilot court team in collaboration with the CSM committee for submission to the CSM general assembly. Contacts were established with the National Bar Association, the clerk of the Supreme Court, and the principal secretary of the general prosecutor to review the forms management plan.

ProJustice began identifying legal requirements for retention of records as an initial step towards developing a records retention schedule. None of the courts has a regular record retention/destruction program, nor have they taken advantage of storage services available from the National Archives. ProJustice staff have developed a working relationship with National Archive staff, who have indicated a willingness to work with the courts to establish a retention policy, and, as appropriate, to accept archival records from the court.

Due to the unavailability of records materials (archival boxes, file folders, and out cards) in the DRC and the high shipping costs of procuring from US suppliers, ProJustice, with USAID approval, began working with a procurement specialist in Kenya to identify suppliers and shippers to compare costs with buying and shipping from the US. After receiving quotations for materials and shipping, ProJustice proceeded with the procurement and shipping from Kenya. It is expected that materials will arrive at the pilot sites in May.

## **Delay Reduction**

ProJustice has almost completed the first round of case management data collection. The data collected will support ProJustice's development of baseline data for the PMEP, and will be a key ingredient in case management/delay reduction planning. The general thrust of the work at the pilot court level is to build capacity to expedite case processing times. For example, the provision of computers and IT and other training, and the improvements in file management and data collection, lay the groundwork for delay reduction activities.



Working session on judicial delay in Bandundu

With the results of the data analysis in hand, ProJustice implemented a delay reduction workshop in Bandundu where the Component 3 team presented an overview of delay reduction and reviewed the data analysis results. Participants took part in brainstorming sessions and identified issues and solutions to delay in the pilot court, for consideration by the pilot court committee.

Based on data analyses, feedback from the Bandundu working session, and discussions at the CSM strategic planning meeting back in September 2009, the ProJustice Component 3 team has identified mobile courts, structured participation of local bar associations, and case inventory management as short-term components of the overall delay reduction strategy. Delay reduction work sessions are scheduled with other pilot courts in April and May. Data analysis is scheduled for completion at all pilot courts by mid-April.

ProJustice visited the TGI in Bukavu to study the fast-track mechanisms put in place in this court to accelerate the flow of criminal cases and improve access to justice. The court has developed fast-track mechanisms to reduce delays in legal cases of sexual violence and delinquent youth. ProJustice is documenting this experience to explore whether it is feasible to implement similar programs at other pilot sites.

## **Highlights of Pilot Site PACT Implementation**

The pilot court committees are advancing at different paces in their approval and implementation of their IT, documentation, and access to justice PACTs. In all cases, limited operational funding at the courts/prosecutors' offices is hampering implementation of PACT court improvement activities. Despite repeated reminders that ProJustice has limited funds to help the courts/offices implement their improvement plans, magistrates and court administrative personnel continue to have unrealistic expectations concerning potential ProJustice material support. This reinforces the need for ProJustice

to maintain effective communications with its pilot court stakeholders and to encourage the prioritization of court improvement plans based on budget constraints.

Notable developments in the implementation of PACT court improvement plans include the following:

- In Lubumbashi, computer training for magistrates and staff was well received and has already led to more rapid processing of notices, judgments, and other records. Participants expressed renewed interest in launching other elements of their court improvement PACTs, including the implementation of an internal network in the court and information sharing with stakeholders and the general public.
- After delivering computing equipment in Bukavu and Uvira, ProJustice provided basic computer training to court staff to support implementation of the PACT plans.
- The Katanga court improvement team is carrying out a needs assessment that will define the training needs of magistrates and justice personnel in that province.
- As part of its access to justice improvement plan, the Katanga access to justice sub-committee selected 10 priorities for educating the general public on initiating action with the prosecutor's office.
- The Bandundu access to justice sub-committee drafted a guide for accused persons, which is being edited and shared with other pilot sites.
- A comprehensive booklet on human rights was developed by members of the South Kivu access to justice sub-committee. The next steps will be to select specific topics for publication in brochure format, and to edit it for general, non-legal audiences.
- Access to justice initiatives in all sites have been informed by an extended outline of potential topics drafted by ProJustice access to justice staff, who will also coordinate the work of the pilot sites to ensure consistency and to enable pilot sites to share their work.
- The Bandundu justice system's mission and vision statements have been posted.
- Bandundu pilot court magistrates and staff have used the results of the analysis of case data to develop new plans to address delays in case processing. The first plans to be implemented include inspection of the detention centers to monitor excessive pretrial detention times and launching stakeholder consultations.
- The Bandundu pilot court coordinator is assisting the pilot court magistrates and staff in analyzing infrastructure and equipment requirements in Bandundu City. Requirements for Bagata will be identified next month, and overall priorities will be set for the province's pilot program.
- The Maniema pilot court coordinator is assisting the pilot court magistrates and staff in analyzing infrastructure and equipment requirements in Kindu and in Punia, the site of the pilot jurisdiction peace court. The poor condition of electrical infrastructure and the logistics of transportation within the province present challenges for the functioning of all courts.

Assessments of the peace court facilities and equipment needs in Punia and assessments of the facilities of the courts and prosecutors' offices in Kindu have been completed.

- Work on developing a model budget at the court level is moving ahead and ProJustice has developed training material for a budget work session for key magistrates and staff in Bukavu, which will take place in April. A similar session will be held in Katanga, where work on a model budget will also be undertaken. Representatives of Bandundu and Maniema pilot sites will participate in budget training sessions in preparation for undertaking similar planning efforts in those provinces.
- In South Kivu and Bandundu, work was completed on drafting a general policy for law libraries and identifying requirements for library materials. These lists are being exchanged between the sites to promote some uniformity and exchange of expertise. Locating resources to purchase even basic materials will be a challenge, particularly in the short run. Therefore, the plans will need to include a strategy for acquiring resources either through budgetary appropriation or donor contributions.

### **Component 3B. Enhance the Accessibility of Pilot Courts**

#### **3.3 Reduction in average cost to citizens for minor cases in pilot jurisdictions and 3.4 Increased number of cases involving vulnerable populations (women, children, indigent) resolved through the justice system in targeted jurisdictions, including outside the provincial capitals**

ProJustice's efforts to enhance the accessibility of pilot courts include initiatives to increase public access to information, public outreach by the courts, and mobile courts. These will ultimately reduce average cost to citizens and increase the number of cases involving vulnerable populations resolved through the justice system.

#### **Public Access**

In Bandundu, the pilot court implementation team identified topics for a series of public information brochures to be developed in coordination with other pilot court sites. The topics developed for Bandundu pilot court include:

- What Are the Roles of Police, Prosecutors, Court Personnel
- What Is a Civil Matter and What Is a Criminal Matter
- Interested Parties: Complainants, Offenders, Defendants, Plaintiffs, Victims
- The Rights and Obligations of Parties
- Elements of Civil and Criminal Matters (Procedure)
- Enforcement of Decisions in Criminal and Civil Matters
- Remedies Available
- Challenge of Acts: The OPJ and the Public Prosecutor
- The Elements of a Summons or Arrest Warrant
- Fines
- What Is Provisional Freedom
- The Difference between the Public Prosecutor's Office and the Court - Their Roles and Responsibilities.

In Maniema Province, the pilot court team identified the development of public guides to procedural codes in local languages as a priority PACT component. The South Kivu pilot team drafted a human

rights booklet that it circulated for comment locally and to other sites. The brochure will be edited to make the language and concepts understandable for the general population and to separate the information into smaller components for flexibility of use. The access working committee in Katanga began developing a court user survey to supplement the brochures and will recruit interns to assist in conducting the survey.

### **Public Outreach**

As part of its public outreach and information campaign to increase awareness on issues of judicial independence and access to justice, ProJustice has begun distributing Mopila comic books to the media, pilot court partners, CSOs, and ProJustice grantees. The popular Mopila comic book series on governance developed by Search for Common Ground (SFCG) 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. SFCG and ProJustice collaborated on the sixth edition in the series, *Mopila on the Road to Justice*, which follows Mopila's interactions with the police and the courts. This edition also includes a two-sided insert describing the mission and roles of DRC courts.



The representative of Search for Common Ground in Bukavu explaining the Mopila 6<sup>th</sup> edition: Mopila on the Road to Justice

### **Mobile Courts**

One outcome of the Bandundu delay reduction workshop was a decision by the Court of Appeals to initiate a mobile court session in Kikwit with the expectation of a measurable reduction in the number of outstanding cases. At other sites too, courts have already identified mobile courts as a direct means of reducing delay and increasing access to justice. In some cases, mobile courts are the only means that vulnerable populations in remote areas have to seek recourse through the courts. ProJustice is supporting mobile courts directly, through financial support to the mobile court sessions, such as in South Kivu and Bandundu Provinces, and indirectly through its support to CSOs providing legal aid to vulnerable populations so they can take advantage of mobile court sessions (e.g., in Maniema Province through grants to AFEJUCO and DFF). During the Kikwit mobile court hearings, the Court of Appeals rendered decisions on 39 of the 69 cases brought before it. Of the 39 cases that were dispatched, 12 include women as litigants. In South Kivu Province, the Uvira Peace Court conducted a mobile session hearing cases involving vulnerable litigants, including some involving gender-based violence.

## **COMPONENT 4: INCREASED ACCESS TO JUSTICE FOR VULNERABLE POPULATIONS**

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

### **4.1 Civil society (including NGOs, Bar Association and/or Law Faculties) capacity for legal aid and awareness-raising strengthened**

During the quarter, ProJustice worked directly with CSOs and indirectly through the grants program and the partnership with Global Rights, to build capacity to improve access to justice. CSOs and grantees will offer legal aid, educate the public on how the justice sector functions, and improve their understanding of specific legal issues, such as the law on sexual and gender-based violence. In addition, ProJustice reached out to law schools and bar associations to explore options to support their efforts to provide legal aid.

#### **Training in SGBV, Court Monitoring, and the Judicial Appointment Process**

Through its partnership with Global Rights, ProJustice organized the following training sessions for civil society representatives of human rights organizations during the quarter:

- Katanga Province on the judicial appointment process and SGBV laws
- South Kivu and Katanga Provinces on the judicial appointment process and court monitoring.

The training in court monitoring is increasing the number of Congolese CSOs that are capable of monitoring the quality of the justice services that are being provided by courts in the project's pilot sites. The sessions on SGBV laws increased participants' knowledge relating to sexual violence and offences linked to sexual violence, judicial procedures on sexual violence, and problems encountered in law enforcement in SGBV cases. They included an advocacy module that provides the CSOs with tools to initiate advocacy campaigns in their communities and with justice sector actors to ensure that SGBV laws are properly enforced. The judicial appointment training sessions addressed who is a magistrate, magistrate recruitment procedures, magistrate recruitment and appointment criteria, magistrate promotion, and the importance of having an independent and fair judicial branch. The session also addressed how to prepare advocacy campaigns to increase the number of women magistrates.



Group work during the ProJustice-Global Rights Training on Court Monitoring

#### **Outreach to Law Schools and Bar Associations**

During the quarter, Component 4 Coordinator Justin Ntakobajira met with the president of the Bukavu Bar Association, the dean of the Catholic University Law School in Bukavu, the vice dean of

the Lubumbashi University Law Faculty, and the president of the “Institut de Droits de l’Homme et Commission de Formation Professionnelle du Barreau de Lubumbashi” (the Institute for Human Rights and Professional Training Committee of the Lubumbashi Bar Association) to explore potential collaboration on increasing access to justice. Mr. Ntakobajira encouraged the organizations to submit funding proposals through the grants program to boost the capacity of the bar associations’ bureau for free legal assistance and the law schools’ legal clinics to provide legal assistance to vulnerable populations.

## **Component 4 B. Sub-Grants to CSOs**

### **4.2 Increased number of cases of vulnerable populations resolved through the justice system**

#### **Award Sub-grants from First Grants Cycle, Monitor Implementation of Grantee Activities, and Provide Technical Assistance**

ProJustice completed its first grants round with the signature of grants agreements with 3 CSOs in Maniema Province: Association des Femmes Juristes du Congo (AFEJUCO), Département Femme et Famille de l’Eglise du Christ au Congo (DFF), and l’Action pour la Promotion et la Défense des Personnes Défavorisées (APRODEPED); and 2 CSOs in Lubumbashi: Action Large des Femmes Avocates (ALFA) and Dynamique des Femmes pour le Développement du Congo (DFDC). The ProJustice Component 4 team organized grants management training session for these Maniema and Katanga-based CSOs to explain the ProJustice Grants Management Manual.

In Maniema Province, ProJustice consultant Ms. Julienne Lusenge conducted a training session for the members of AFEJUCO and DFF. The workshop focused on the elaboration of awareness messages against sexual violence and other forms of abuse against women. Among the topics addressed during the workshop were the obstacles to the promotion of women’s rights in the region, the social and cultural factors that contribute to the promotion of women’s rights, and Congolese legislation relating to the protection of children.

#### **Launch of Second Grants Cycle**

ProJustice launched its second grants round, which will enable an additional 12-17 CSOs in the pilot sites to initiate access to justice initiatives. During this round, Kinshasa CSOs are competing for grant funding to implement projects that focus on civic education and public awareness raising on citizens’ legal rights and the role of the justice system. Grants are intended to increase the capacity of CSOs and the Congolese public to participate in the legal reform process and in civic education; and support judicial reform advocacy.

### **4.3 Greater public awareness of legal rights and the role of the justice system**

#### **Grantee Initiatives**

ProJustice’s 13 grantees have begun delivering legal assistance, training, and other awareness activities to populations living in Bandundu, Katanga, Maniema, and South Kivu Provinces.

##### **Bandundu**

In Bandundu, Cause Rurale and LIFDED officially launched their joint activities with a workshop on the functioning of the justice system. They also held an awareness session for 100 students at Yedisa High School in Kikwit on the sexual violence law and organized 3 training sessions and produced 3 radio programs on the functioning of the justice system and the law on sexual violence. One of the radio programs was aired on *Radio Kimvuka Lutondo*, which has a potential audience of 176,000

people living in Bandundu City and Kenge and 2 aired on *Radio Tomisa*, with a potential audience of 800,000 people living in the cities of Kikwit and Tshikapa.

Through information and awareness campaigns, the Ligue Congolaise Pour la Défense, la Promotion et la Vulgarisation des Lois et des Droits Humains en Milieu Rural (LIDEPROVLDH) trained 35 trainers and educated 10,800 people on the DRC justice system, human rights, and citizens' rights and freedoms. LIDEPROVLDH has provided assistance to 5 victims of sexual and gender-based violence and produced 2 radio shows in Kikongo on SGBV for an estimated audience of 1,800,000 people living in the territory of Idiofa and in some regions of Gungu and Kasai.

### **Katanga**

In Lubumbashi, Action Large des Femmes Avocates (ALFA) has produced a skit to convey the message that the community should have zero tolerance for sexual violence. The spot was broadcast 5 times a month in Swahili on the *Mwangaza* TV channel which has 500,000 viewers. ALFA, which is working on 5 sexual violence cases, has contacted police and judicial authorities to facilitate the organization's access to different sites targeted for the collection of data relating to SGBV in the city of Lubumbashi. The data should facilitate the organization's work, which includes providing legal and judicial assistance to victims of SGBV.

The Dynamique des Femmes pour le Développement du Congo (DFDC) began developing posters and pictures which will be used in awareness sessions. They also produced training modules dealing with women's rights, the functioning of the justice system, and psychological, social, and medical support to victims of SGBV.

### **Maniema**

DFF/AFEJUCO conducted their first mobile legal clinic and awareness-raising session in Kayuyu with the support of the ProJustice regional office. The session included a presentation and explanation of the Congolese legislation on sexual violence. Participants consisted of 20 citizens, church leaders, and local authorities. Victims of sexual violence were encouraged to take advantage of the legal services provided by the AFEJUCO mobile legal clinic to bring their cases to court during the upcoming mobile court hearings to be organized in April in Kampene. AFEJUCO also launched its first media events to raise awareness on topics relating to women's rights, broadcasting 2 radio shows in Swahili and French on *KFM* and *Haki Za Binadamu Radio*.

APRODEPED, another ProJustice grantee based in Maniema Province, produced 7 radio shows broadcast by *KFM* and *Haki Za Binadamu Radio* and organized conferences on the need to fight discrimination and provide administrative, legal, and judicial support to indigents. The grantee's legal clinic registered 9 new cases whose litigants will receive legal assistance.

### **South Kivu**

In South Kivu, COVER-CONGO organized awareness campaigns in Kabare and Walungu on civil and penal procedures, access to justice for women, and sexual discrimination and approaches to combating it. COVER-CONGO produced and aired 2 radio programs on women's rights on *Radio Maendeleo*. The radio programs discussed women's rights and local customs in the territories of Kabare and Walungu as well as the discriminatory provisions of the Congolese Family Code.

ProJustice's Bukavu-based grantee FELEMA implemented its legal aid program for vulnerable populations including women and children. Thanks to their work, judicial authorities in South Kivu

released a group of 6 detainees comprised of 4 women and 2 children. FELEMA is providing legal assistance to 19 people and is following up another 10 cases.

CEDAC organized a community meeting in Bagira to prepare for an April advocacy campaign and conducted an awareness campaign on the functioning of the justice system in the DRC, including the role of the appeals and first instance courts.

OCET conducted a seminar for 15 local NGOs to build their capacity to educate the public on the SGBV law and on women's and children's rights and to provide assistance to victims of SGBV. As a follow-up to this seminar, OCET initiated activities aimed at identifying SGBV victims.

ProJustice's grantee Arche d'Alliance, based in Uvira, monitored 185 court hearings at the First Instance Court and 212 hearings at the Peace Court. It participated in 6 radio broadcasts on RTNC on the functioning of the justice system in DRC, the principles of access to justice and access to a fair trial, and the law on indigence in the DRC. Arche d'Alliance also organized a seminar for CSOs based in Uvira on access to justice and what constitutes a fair trial.

## **WINDOWS OF OPPORTUNITY**

Thanks to the financial support provided by ProJustice through the windows of opportunity fund, a delegation of 5 senior MOJ officials traveled to New York from January 17-30, 2010, to attend a human resources training course. ProJustice's support to this study tour served to strengthen the capacity of the MOJ to manage its human resources and contributed to a stronger working relationship between ProJustice and the MOJ. The participants were introduced to modern methods and strategies in the administration of human resources. They learned through participatory methods and case studies to manage by results and targets, identify barriers to greater productivity, resolve conflicts, and succeed in negotiations.

Windows of opportunity funds were also used to enable the Court of Appeals in Bandundu Province to organize a mobile court session in Kikwit, where it was able to dispatch 39 cases, 12 of which included female litigants.

## **6. SUPPLEMENTAL PROGRAM FOR EASTERN CONGO**

### **Relocation of Bukavu Regional Office**

The Bukavu regional office changed locations in January and the regional project team hosted an official opening ceremony for the office attended by the first president and the general prosecutor of the Bukavu Court of Appeal, the president of the Bukavu First Instance Court, other high-level magistrates, the ProJustice COP, and other Kinshasa office staff.

### **Programs to Strengthen the Courts**



Symbolic handover of travel documents to study tour participant Mme Ngalula, director in charge of planning and studies

Through its regional offices in Kindu and Bukavu, pilot court coordinating teams have been using the PACT process to define and implement court improvement plans and define activities focusing on effectiveness and transparency and enhancing the accessibility of pilot courts. These activities have been described in detail above.

### **Increase Access to Justice for Vulnerable Populations**

ProJustice completed data collection for the stakeholder mapping exercise in Maniema and South Kivu. It completed similar data collection efforts in the other pilot court sites and the results will be included in the CSO Resource Guide developed by ProJustice, which identifies CSOs providing legal aid and other access to justice services.

ProJustice's direct and indirect support to mobile courts in Eastern Congo is having a direct impact on increasing access to justice as are efforts by pilot courts, Global Rights, and ProJustice grantees. Activities include making available public information about the courts, monitoring court activities, providing civic education on the functioning of the justice sector, and providing legal assistance. All are intended to increase access to justice.

### **Provide project assistance to carry out institutional strengthening work with CSOs in Maniema and South Kivu**

ProJustice signed grant agreements and implemented grants management sessions for CSOs in Maniema, providing them with both the management tools and financial resources to implement programs related to access, outreach, oversight, and advocacy. In working with the Maniema CSOs that applied to the grants program, ProJustice linked AFEJUCO and DFF to take advantage of synergies between the two: DFF has a grassroots network of women's groups throughout the province and AFEJUCO has a pool of lawyers who provide legal assistance and work with women's groups to understand their legal rights. In addition, ProJustice provided technical assistance to help DFF and AFEJUCO craft messages on sexual violence tailored to specific audiences. Initiatives such as the DFF-AFEJUCO partnership respond to ProJustice's mandate to establish a network of CSO-run legal resource clinics to expand access to free legal assistance.

Global Rights implemented court watch training programs in Bukavu to build the capacity of South Kivu CSO to monitor the quality of the justice services that are being provided by courts.

## 7. STAFFING/MANAGEMENT UPDATES

### Project Office Hiring Update

The ProJustice pilot court team was reinforced in January with a second pilot court program co-coordinator, Delphine Mulamba, who immediately began establishing contacts with national bar association officials, reviewing existing laws relating to retention of records, and assisting with the development of forms for use in pilot courts. André Clement, a long-term court administration advisor, joined the team in mid-March, and will take a leadership role in Component 3 activities. Director of Major Projects Jessica Vapnek joined the ProJustice home office team and traveled to Kinshasa to meet with project staff and USAID. Institutional Strengthening Specialist Hugo Lorenzo resigned due to health reasons and ProJustice submitted a staffing realignment request to USAID to propose the integration of a legal advisor/organizational management specialist to replace him.

Current staff vacancies and the corresponding recruitment status are set forth below:

Position	Comments
<b>Kinshasa Project Office Staff</b>	
Senior Pilot Court Advisor	Mr. André Clément mobilized on March 18.
Senior Budget, Finance, and Internal Control Advisor	Mission of short-term expert Walter Espinoza started on January 17 and completed on February 17.
3 Part-Time Advisors: 1) Budget and Finance Specialist 2) Legal Advisor 3) Organizational Management Specialist	ToRs finalized in March, and RFA for staffing realignment submitted to Contracts Office on April 2, 2010.

### Team Coordination

ProJustice organized a week-long (March 15-19) working session of the regional office managers and pilot court coordinators in the ProJustice office in Kinshasa. Component 3 staff received training in data collection procedures and discussed strategies for ongoing data collection; held discussion sessions on Component 3 coordination, priorities, delay reduction strategies, and court improvement plans; and participated in a general project coordination meeting with all technical staff. This general project



Internal working session of the regional office managers and pilot court coordinators in the DPK-ProJustice office in Kinshasa.

meeting aimed at reinforcing internal team cohesion and communication in order to better deliver the expected services and achieve results.

## **8. SIXTH QUARTER PROBLEMS AND REMEDIAL ACTIONS**

The continuing stalemate in the transfer of authority between the outgoing and new Permanent Secretariat of the CSM has had a negative impact on ProJustice activities, notably for Component 1, whose interventions depend on the CSM having its personnel in place. Hence new delays were experienced in organizing the study tour to Benin and validating the CSM strategic plan. However, ProJustice continued work with individual members of the CSM. The Minister of Justice announced that the handover may take place in April.

The entire MOJ magistrate recruitment process has been frustrating to ProJustice staff. The MoJ first announced that a total of 1000 magistrates would be recruited, 500 in 2010 and 500 in 2011. During a CMJ meeting in February, the MOJ announced that the numbers had been revised to 1000 in 2010 and 500 in 2011. At the end of March, the MOJ changed course again, announcing that the Government had decided to name 1000 new magistrates in 2010 and another 1000 in 2011. The higher numbers will make implementation of the initial training for magistrates increasingly difficult.

The delivery of ProJustice-funded equipment to the recipient pilot courts has sometimes been problematic. In February a police officer in Goma (North Kivu Province) attempted to prevent some equipment (computers and printers) from embarking on the boat to Bukavu for distribution to the South Kivu Court of Appeals and First Instance Court in Bukavu.

The lengthy procurement procedures have generated some frustration in the pilot courts. ProJustice counterparts in the pilot courts are sometimes expressing impatience with the slow pace of delivering promised equipment or initiating infrastructure improvements.

## **9. MEDIA COVERAGE OF PROJECT ACTIVITIES**

ProJustice received press coverage of its events in print and broadcast media, as presented in the Press Summary Table below. This included coverage of training events, equipment handover ceremonies in Bukavu, the delay reduction workshop in Bundundu, the official presentation ceremony for the penal code compendium, and grantee activities.

**PRESS SUMMARY TABLE**

Name of press outlet	Type (radio, TV)	Date	Title of article or feature	Comments/ description
Digital Congo Radio Maendeleo RTGA RTVGL  Digital Congo RTNC Katanga	Radio, TV Radio Radio, TV Radio, TV	January 2010	Judicial personnel continue with training (module 2) on the management of the clerks' and prosecutors' office.  Ceremony on delivery of equipment to partners in Bukavu  Lubumbashi	The article announces the workshop for the training of non-magistrate personnel from January 25 – 29, 2010. Several participants discuss the importance of the event.  The articles quote the first president of the Court of Appeals of Bukavu and the prosecutor of the jurisdiction.  Commentary by judicial representatives of Lubumbashi
Digital Congo  APA	Radio, TV  Daily newspaper	February 2010	Magistrates and non-magistrate judicial personnel continue training  Resumption of workshop on training of magistrates	The article announces the training on ethics and professional conduct in Bandundu  The judicial training school holds a training course for clerks and prosecutors' secretaries (module 2)  The article quotes participants of the two training courses.
Digital Congo	Radio, TV	March 2010	Workshop on delay reduction in Bandundu and introduction of Mopila	The article announces the workshop on delay reduction and the delivery of the comic book Mopila to NGO partners.
RTRC 2	Radio, TV	March 2010	Program on the launch of activities of Cause	The show interviews two female representatives of NGOs on their activities (legal clinic, production of information materials,

Name of press outlet	Type (radio, TV)	Date	Title of article or feature	Comments/ description
			Commune and LIFDED	and campaigns to change mentality regarding sexual violence.
Digital Congo RTNC AA Congo Web Global TV Radio Okapi	Radio, TV  Radio, TV	March 2010	Official presentation of the DRC Criminal Code Compendium	Professor Téléphore Kavundja was interviewed on the contents of the Code. The Minister's representative was interviewed about the genesis of the compilation of the code and activities to date.  Interview of Professor Kavundja on the importance of the modified Criminal Code (Radio OKAPI)
Observateur, le Climat, Potentiel, Forum des as, APA	Daily newspaper	March 2010	Article on the presentation of the Criminal Code Compendium	Various articles on the official presentation of the Criminal Code Compendium, indicating that 2300 copies are available.  USAID presents 2300 copies of the DRC Criminal Code to Minister Luzolo Bambi.

## 10. SUMMARY OF PLANNED ACTIVITIES FOR UPCOMING QUARTER

Please see table of planned activities for upcoming quarter in Attachment 4.

## 11 PERFORMANCE MONITORING PLAN TABLE

In Attachment 5 the current status of the Performance Monitoring Plan are presented for respectively the core program and the supplemental program in Eastern DRC.