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ASSESSMENT OF PARLIAMENTARY CAPACITY

The Good Governance Program

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The Good Governance Program For More Effective Democratic Parliaments in the Democratic Republic of Congo

Intermediate Result 2.1.1

Baseline Assessment of DRC Selected Assemblies

&

Integrated Action Plan for More Effective Democratic Parliaments

2

*R.I. 2.1.1 Baseline Assessment of the Functional Capabilities of DRC Selected Assemblies
& Integrated Capacity Building Action Plan*



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I. Introduction

I.1 Content of the Report

This report covers Intermediate Activity 2.1.1 “Baseline Assessment of the Functional Capabilities of Selected Parliaments of the Democratic Republic of Congo (DRC) & Integrated Action Plan for More Effective Democratic Parliaments” of the Good Governance Program (GGP) funded by the United States Agency for International Development (USAID).

The report contains four sections:

- I. **The Introduction,**
- II. **The Baseline Assessment,**
- III. **The Integrated Action Plan,**
- IV. **The Appendix.**

After a brief presentation of the logical framework of the good governance program (GGP), the introduction section dedicates several chapters to the evaluation approach: It details the orientation of this baseline assessment, delineates the functional capability of the Assemblies considered and presents the characteristic of the sample compared to the total concerned population. The performance measurement scales, constituting the functional capability matrix, are drawn from two grids frequently used to assess (1) the efficiency of parliaments and (2) the governance compliance of public institutions (Constitutional Assembly, Supporting Offices and Territorial Administration)¹.

The second section contains six chapters. The first presents the performance of the Selected Assemblies and of their Supporting Offices according to the eight (seven) functional capabilities measured and underlie their practices. The subsequent chapters present the specific results of each Assembly and of their Supporting Offices by giving their specific capability profile and detailing their actual level of legislative and governance practices (practices in, and not in, place). Since the reliability of the calculation method used in this baseline assessment was demonstrated elsewhere², when the legislative and governance practices of a given Assembly are shared by at least 80% of the respondents they are considered as significant, reflecting therefore, the situation prevailing in the DRC selected parliaments.

¹ International Association of Representatives: See the recommendations of the Parliamentary Centre of Canada, active in the assessment of parliamentary performance since 1964, at http://www.parlcent.ca/indicators/index_f.php, which inspired the indicators of the survey questionnaires.

Multi-National Division for Iraq, USDoS, USAID, DFID: “Governance Target Indicators for Transition” 2005.

² H. Masson, C. Roufousse “*Increasing the selectivity of sustainable development checklists by merging data base advanced Boolean processings and non parametric statistics.*” American Evaluation Association, Washington, 2002.

C. Roufousse, H. Masson “*Assessing compliance of initiatives with policy documents and clustering of organizations according to their level of policy compliance,* Corporate Social Responsibility and Environmental Management Conference, University of Leeds, Leeds, 2003.

The third section formalizes an indicative plan of actions for more effective democratic parliaments. This supporting action plan aims to strengthen and build the institutional capability of DRC Parliaments and of their Supporting Offices to undertake and monitor the decentralization reform envisioned by the 2006 Constitution while, becoming more accountable to their citizens. Within the recommended action plan, activities are presented according to a stepwise approach that covers the 2010-2015 period of the program. The recommended activities are presented according to (1) the type of support required: material and logistical support, technical assistance support and training support (including all activities related to informing and increasing the awareness of the concerned stakeholders, the media and the population) and to (2) the sub intermediate results supported (internal management, law making, governmental oversight, citizen outreach, inter-governmental linkage).

The last section presents the appendix of this report. The appendix includes a list of acronyms, the term of reference of the mission and the standardized questionnaires used in the selected Assembly and the Supporting Offices.

I.2 Program Orientation

The 2006 Constitution of the Democratic Republic of Congo (DRC) turned a unicameral parliament into a bicameral chamber where the National Assembly and the Senate show promise to act as an independent branch of the Nation overseeing the activity of their government:

- In 2006, the citizen directly elected the National Assembly Deputies, while the Provincial Assembly Deputies indirectly elected the Senators.

The mandate given by the citizens to the National and Provincial parliaments is threefold. According to the Constitution, parliaments are accountable for:

- **Representing the population of their territorial entity**
- **Making policy reforms that are necessary for the well-being of the population**
- **Overseeing the activities of their governments**

The National government planned to accelerate the preparation of key decentralization laws, among those:

- **KL 1: The Budget Law that will regulate public expenditures distribution at the National, Provincial and Local government levels**
- **KL 2: The Local Revenues Law that will organize income tax preemption and distribution at the Local and National levels**
- **KL 3: The Caisse Nationale de Péréquation (CNP) Law that will organize its structure, role, and responsibility**

The other critical decentralization laws to be completed after the local elections are:

- **KL 4: The Territorial Power Law that is to re-organize the 11 DRC Provinces into 26 Decentralized Territorial Units**
- **KL 5: The Civil Service Devolution Law that will organize State, Provincial and Local public services and clarify their specific role and responsibility**

The additional related laws in needs of modernization concern:

- ARL 6: The Election Law
- ARL 7: The Law on Access to Information,
- ARL 8: The Law on Association,
- ARL9 : The Law on NGO and media registration,
- ARL 10: The Code of Family

To accompany the DRC democratic process, the program focuses its effort on three categories of beneficiaries:

1. Community-based organizations that can report citizens concerns to Parliamentary Assembly
2. The National and Provincial Assemblies that are responsible for the adoption of the foreseen decentralization laws
3. The Public Institutions that are responsible for the implementation of the decentralization laws

In this regard, the Good Governance Program expects to achieve three Intermediates Results (IR) within the five forthcoming years of its duration:

Figure 1 : Expected Intermediate Results of the GGP

- **Increase citizens' involvement in fighting corruption and promoting good governance by increasing their ability to participate into the legislative process.**
(Intermediate Result 1: Citizens accountability)
- **Improve the capabilities of National and Provincial Assemblies in their Constitutional mandate: (1) representing the citizens, (2) adopting decentralization laws, (3) controlling the actions of their governments, in particular, those related to the budget process and the decentralization.**
(Intermediate Result 2: More Effective Democratic Parliament)
- **Support the territorial administrations in charges of decentralization implementation to conduct their activities and to serve the citizens.**
(Intermediate Result 3: Decentralization Laws, policies and procedures established and implemented)

The US-AID Cognizant Technical Officer approved the work plan of the GGP on the 13 December 2009. Based on the GGP work plan narrative, its deliverables and key performance indicators, this document presents:

- The functional capability matrix used to establish the baseline assessment.
(See Chapter II and the Appendix)
- The functional capability of the selected Assemblies and of their Supporting Offices. (See Chapters III to VII)
- The integrated action plan for **"More effective democratic selected parliaments"IR2.**
(See Chapter VIII)

The preliminary version of the report was submitted to the US-AID Cognizant Technical Officer and the Selected Assemblies in April and finalized, to include their comments, by the 30 of June 2010.

I.3 Program Objective

State modernization called for in the 2006 Constitution of the Democratic Republic of Congo requires a strong enabling policy framework environment for decentralization and the existence of functional supporting institutions at the National and Provincial levels.

Recognizing those are fragile, the GGP was tailored to bolster National and Provincial selected parliaments in the resolution of their main concerns. Those concerns, mainly inherited from the former period of dictatorship, include:

- Traces of a paternalistic mentality and nepotism
- Traces of patronized systems of decision making
- Weak public institutions and public services
- Outfitted administrative and financial systems
- Few oversight institutions and mechanisms

These considered, specific areas of parliamentary functions in need of supportive activities include:

- Openness in the mentality of public servants and elected representatives
- Increased commitment to the decentralization reform agenda
- Improved organizational management of mandatory duty
- Prerequisites of budgeting and financial management process
- Intergovernmental dialogue mechanism for inclusive public policy making

Therefore, in compliance with Task Order DFD-I-00-08-00071-00, activities under IR 2 address the material, technical and empowerment needs of DRC legislators striving to advance reforms essential to an overall improved governance and corruption reduction.

- ***At the National level,*** GGP is to advance confidence, ownership and commitment of legislators over their three constitutional mandates and the foreseen decentralization laws.
- ***At the Provincial level,*** GGP is to improve the understanding of the day-to-day responsibilities of some Deputies in the transcription of national decentralization laws into provincial edicts. The selected Provincial Assemblies are those of Maniema, South Kivu, Bandundu and Katanga.

More specifically, in the five forthcoming years, program activities are to strengthen Parliaments Capabilities in:

- **IR 2.1 Internal Management** *(of Parliaments Constitutional mandates)*
- **IR 2.2 Law Making** *(of three to five of the envisioned decentralization laws)*
- **IR 2.3 Governmental Oversight** *(over the decisions related to the five key decentralization laws and the annual budget cycle review)*
- **IR 2.4 Citizen accountability** *(by supporting public access to parliamentary agenda and reports)*
- **IR 2.5 Intergovernmental linkage** *(by establishing institutional mechanism for inclusive public policy making)*

II. Methodology

II.1 Scope of Work

Mission Organization

Intermediate Activity 2.1.1 “**Baseline Assessment of the Functional Capability of DRC Selected Assembly & Integrated Actions Plan for More Effective Democratic Parliaments**” was conducted by Development Alternatives Inc. (DAI) under the Resident International Adviser to the Parliamentary Assemblies (Géraldine Pelzer-Salandra).

The International and National Legislative Advisers (Francis Buhendwa Rushinga) and the National Governance Advisers from Maniema (Gilbert Leya), South Kivu (Maheshe Bisimwa) and Bandundu (Jean Fils Ngaikwomo) carried out the field mission, the collection of data and prepared the local context reports.

The International Governance Adviser (Caroline Roufosse) formalized the evaluation methodology, adjusted the standardized questionnaires, processed the data, formalized the indicative action plan and finalized the report.

Mission Calendar

1. The evaluation protocol was established in January 2010.
2. The baseline assessment phase began on January 27, 2010 and ended on March 26, 2010.

Specifically, the questionnaires and the semi-structured interviews with the National and Provincial Selected Assemblies were conducted from:

- January 27 to February 2, 2010 for the Province of Maniema;
 - February 4-11, 2010 for the Province of South Kivu;
 - February 21-26, 2010 for the Province of Bandundu ;
 - March 22 to 26, 2010 for the National Assembly;
 - Due to a significant decline in the prevailing security conditions,³ the baseline assessment in the Province of Katanga was postponed to a later date.
3. The report was prepared from February 26 to March 31, 2010.
 4. Restitution sessions before the Assemblies and amendments were completed between April and June 2010.

³ During the field mission several armed attacks against the Katanga Deputies occurred following the presentation of a motion of non-confidence against the President and the Provincial Budget Minister. The Provincial Assembly was closed during several weeks. The baseline assessment in this Province will be organized as soon as the security situation allows it.

II.2 Orientation of the Baseline Assessment

To provide the Members of Parliament (MPs) and their Supporting Offices with appropriate means to fulfill their constitutional mandates, an assessment of their actual capability to pass the envisioned decentralization laws and to act on reducing corruption and improving governance was completed during the first semester of 2010.

The evaluation of the prevailing situation (or, time zero of the GGP, T0) meets the five basic requirements for an effective use of Official Development Aid as advocated in the Paris Declaration and the Accra Agenda to which the Democratic Republic of Congo subscribes. These require to establish;

1. A common assessment framework⁴ to direct development aid⁵
2. The commitment of the beneficiaries over the priority needs to be satisfied to improve their own practices and level of development
3. An objective basis of measurement to determine the best strategy of actions to achieve the expected results
4. A set of verifiable objective indicators to measure progress as the development aid program is executed
5. A set of verifiable objective indicators to measure the impact of the development aid program over the expected results

To assist the DRC ambition to move toward decentralization and corruption reduction, the baseline assessment uses semi-structured interviews and standardized questionnaires to delineate the priority needs and the functional capability of the Selected Assemblies to fulfill their three constitutional mandates. Key local figures, Members of Parliaments and Administration Employees of the Selected Assemblies all participated into the 2010 Baseline Assessment on a voluntary basis, approved the questionnaires and the results.

⁴ The adoption of a Common Assessment Framework – CAF – focuses on identifying priority activities and processes that public authorities must be able to deliver to citizens. It provides public authorities with a clear picture of their own internal structure and functioning. The CAF has the advantage of being compatible with the most in-depth methods of total quality management.

⁵ Paris Declaration on Aid Effectiveness, OCDE Publishing, March 2005 & Progress Report on the implementation of the Paris Declaration, OCDE Publishing 20 09

Functional Capability Measured

We understand “**functional capability**” as the capabilities of a selected Assembly or, a Supporting Office to:

- **Interact with the parties concerned by the adoption and the implementation of legislative reforms** (Institutional Component)
- **Organize its resources (financial, material and human) to carry out its mission** (Organizational Component)
- **Work with transparent reference methods, techniques, models or, standardized procedures to carry out its mission** (Technical Component)
- **Use appropriate means or, equipment in the execution of its mission** (Logistical Component)

Indeed, the functional capability of a given Assembly largely determines its capacity to assume its mandatory tasks, to establish good governance regulatory frameworks, to apply them and to control their appropriate execution.

To assess the functional capabilities of the Selected Assemblies⁶ of the Democratic Republic of Congo (or, of their Supporting Offices), 106 indicators (or, 77) were used to determine

- **the frequency** (absent, rare, regular, systematized)
- **the structure of the working practices** (undefined, partially defined, defined, well defined)
- **encountered** (most represented category)

⁶ See the Governance Target Indicators checklists used by the MND, USAID and DFID in post conflict emerging democracies and the recommendations of the Parliamentary Centre of Canada, active in the assessment of parliamentary performance since 1964, at http://www.parlcent.ca/indicators/index_f.php, from which the performance indicators are drawn.

As indicated in the following table, eight functional capacities were considered to determine the overall functional capability of the eleven DRC concerned⁷ Parliamentary groups.

Figure 1: Functional Capability Measured within the Selected Assemblies

Functional Capability Measured in the Assemblies	# Indicators
Functioning of the Assembly	18
Relationships Assembly-Commission	11
Relationships with the Supporting Offices	9
Relationships with the Government	12
Relationships with the Administration	7
Relationships with the Public	22
Relationships with the Media	10
Relationships with Other Entities	15
Total	106

To assess the overall functional capability of the numerous offices supporting parliamentary work, 77 indicators organized into seven functional capacities were used, as indicated in the table below.

Figure 2: Functional Capability Measured within the Supporting Offices of the Selected Assemblies

Functional Capability Measured in the Offices	# Indicators
Administration Support	7
Professional Qualifications and Experience	9
Budgeting and Equipment	13
Internal and External Collaboration	11
Work Organization	13
Workload	12
Motivation	12
Total	77

The two standardized questionnaires⁸ (one for the Assembly, one for the Supporting Offices) contain a series of lines after each functional capacity measured to allow the respondents to comment further and to make recommendations on their priorities needs. These open comments, while more difficult to compare than the results of the standardized questionnaires, give strong indications on the willingness of the beneficiaries to undertake specific actions. The identification of the priorities needs of the respondents (given in the comment of the questionnaires and the semi-structured interviews) and of the specific practices or, situation (given by the standardized questionnaires) ground the indicative action-plan.

⁷ The Provincial Assembly of Maniema, its PAJ & ECOFIN Commissions + The Provincial Assembly of Bandundu, its PAJ & ECOFIN Commissions + The Provincial Assembly of South Kivu, its PAJ & ECOFIN Commissions + The PAJ & ECOFIN Commissions of the National Assembly.

⁸ The standardized questionnaire for the Assembly and the Supporting Offices are given in the Appendix.

Structure of the Sample

The hierarchy of decision given by the Constitution structured the sampling of the population concerned by the 2010 Baseline Assessment:

- The Majority (largest in number, decides) and the Opposition (smaller in number, participates more or, less in the decision)
- The Chief Officer (smaller in number, tasks his team) and the Employees (largest in number, participate more or, less in the task allocation)
- The Observers (composed of other local political and administrative figures have an external point of view over the prevailing situation).

While the observers only participated in semi-structured interviews, MPs and Assembly staff participated in semi-structured interviews and completed the questionnaires according to the minimal structure of the sample given below

Figure 2 : Structure of the Sample

Total Population Concerned	
<ul style="list-style-type: none"> ➤ The National Assembly ➤ The Provincial Assembly of Maniema, Bandundu and South Kivu (Katanga is postponed)⁹ ➤ The Supporting Offices of the Selected Assemblies 	
Parliamentary Assembly [PA]	Parliamentary Offices [PO]
<ul style="list-style-type: none"> ➤ Population N PA= 644 ➤ Sample npa= 61 	<ul style="list-style-type: none"> ➤ Population N PO = 646 ➤ Sample npo= 126
Minimum Structure of Respondents per Selected Assembly	
Observers : 3	
Parliamentary Assembly <ul style="list-style-type: none"> ➤ President (1) ➤ Vice President(1) ➤ Secretary(1) ➤ Opposition (1) 	Offices Considered <ul style="list-style-type: none"> ➤ Presidency ➤ Secretary ➤ Commission ➤ Questure ➤ Office of the Clerk of Court ➤ General Services
ECOFIN Commission <ul style="list-style-type: none"> ➤ President (1) ➤ Vice President (1) ➤ Secretary (1) ➤ Opposition (1) PAJ Commission <ul style="list-style-type: none"> ➤ President (1) ➤ Vice President (1) ➤ Secretary (1) ➤ Opposition (1) 	Officers <ul style="list-style-type: none"> ➤ Chief Officer (1+) ➤ Employed since 3 years,(3+)

This sampling technique was preferred because it does not focus on individuals (who change with election and staff rotation) but rather on the institutional positions of the parliamentary structure (which remain constant and associated with the provision of specific tasks).

⁹ Due to the security condition the baseline assessment in the Province of Katanga is postponed to a later date.

II.3 Processing of the Data

Two methods were used to process the data:

- One was applied to process the data coming from the questionnaire
- Another was used to process the information gained in the interview and in the comments made at the end of the questionnaire.

Processing of Questionnaires

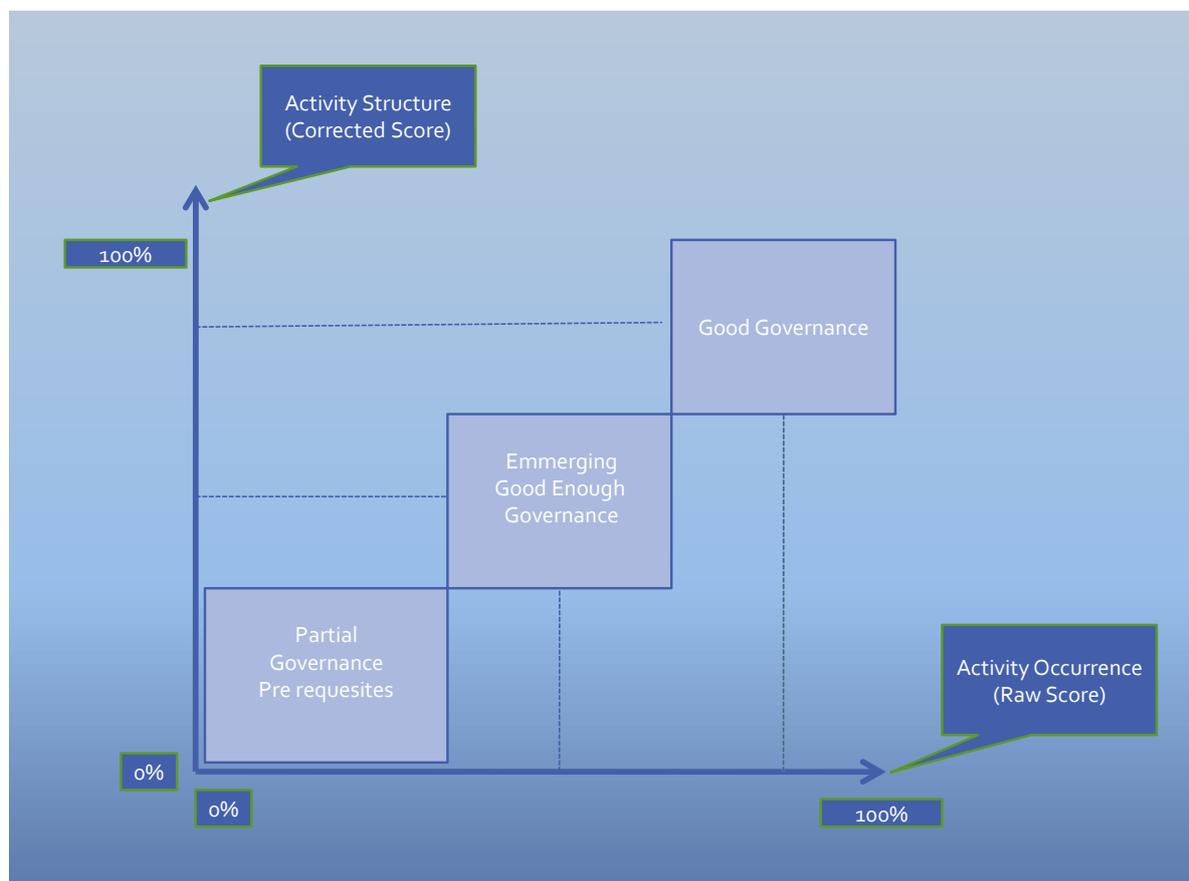
The data from the questionnaires was processed to calculate:

- The raw score obtained for each indicator (sum of all individual scores for a given indicator).
 - The raw score indicates the prevalence of a given practice (When all respondents apply the practice, its score is 100%. When the practice does not exist among the respondents, its score is 0%).
- The corrected score obtained for each indicator (multiplier of an indicator according to its structure).
 - The corrected score indicates the structuring of a given practice (undefined, partially defined, defined and well defined).
- The mean corrected score for all indicators of a given functional capability, which provides the Key Performance Indicator (KPI)
 - A score below 25% indicates a situation where the basic prerequisites to comply with parliamentary efficiency and good governance are not in place. At this level, the necessary conditions to engage in good governance and efficiency are not met. The risk of collapse is high.
 - A score between 25 and 40% indicates a situation where the necessary conditions to engage in governance and efficiency are gaining in diversity and consistency, establishing the necessary foundation. Nevertheless, these foundations are not yet satisfactory.
 - A score between 40% and 60% indicates a fragile but (virtually) satisfactory situation. The prerequisites for carrying out mandatory assignments are in place, but would benefit to be strengthened. The risk of collapse is low.
 - A score between 60% and 80% indicates a situation where the structures of activities meet the requirements while being sufficiently diversified and applied to persist over time. Parliamentary efficiency and good governance are presents. There is no risk of collapse.

- A score of 80% and higher indicates a situation where the functional capability of the selected assembly is mature.

A schematic illustration of the calculation method used to determine the specific score of the selected Assemblies over the 8 (or, 7) functional capacity measured in the Baseline Assessment is shown below.

Figure 3: Calculation Method

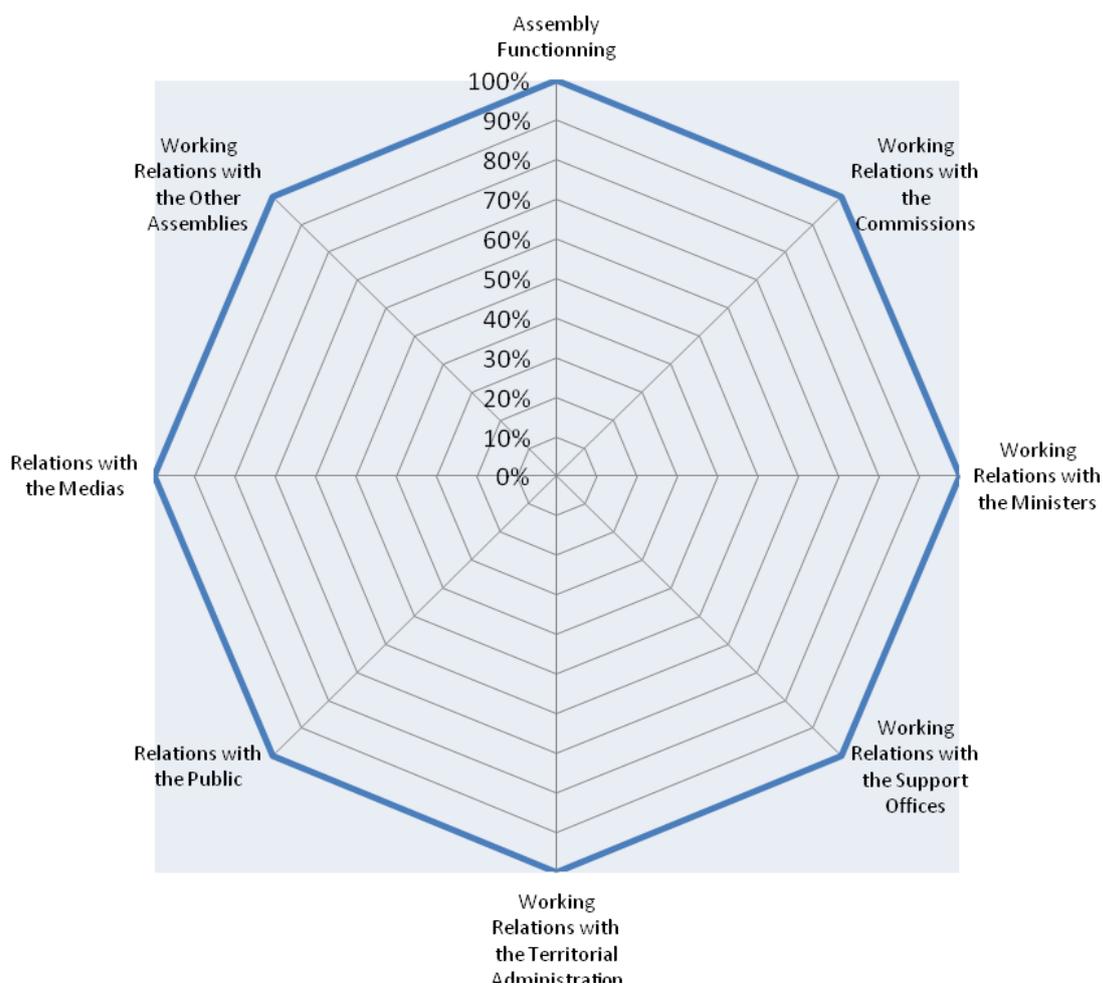


- The mean corrected score of each of the functional capacity is then agglomerated into a Cumulated Key Performance Indicator, which summarizes the actual level of performance of a given Assembly or, of its Supporting Offices.

Presentation of the Results

The mean corrected score of each of the functional capacity is reported on a said “target or, radar graph” where each axis corresponds to a functional capacity. This graph shows the specific capability profile encountered within the selected Assembly while indicating its relative homogeneity. In the presentation of the result, a color is assigned to each Assembly (or, to their Supporting Offices).

Figure 4: Functional Capability Profile



The presentation of the results shows:

- For all Assemblies and their Offices,
 - The concordance-discordance between the different profile, as well as the rank obtained by the selected Assemblies according to their level of performance.
 - Four successive tables, which indicate the common (score in that Assembly at 50% minimum) and the significant practices (score in that Assembly at 80% minimum) in place.
- For a specific Assembly (or, their Supporting Offices),
 - The specific pattern of the functional capability encountered, the homogeneity-heterogeneity of the profile, the overall level of performance as well as, the particular score obtained in the different functional competency measured.
 - Since not doing a task or, abstaining from doing a given task are indeed a practice, four successive tables present the practices that are in place or, not in place, within a given Assembly (or, their Supporting Office).
- The comment over the tables emphasizes the connections between the common and significant practices to identify the specific actions that would have a simultaneous effect on the functional capabilities of that Assembly (or, of its Supporting Offices) to fulfill its Constitutional mandate and take measures to reduce corruption and allocate resources to the priority needs of its population.

Processing of Semi-structured Interviews

Open comments made by the respondents during the semi-structured interview cannot be compared, as easily are the scores of the standardized questionnaire. Therefore, the points of views of the respondents over the situation prevailing in their Assembly are presented as expressed.

- In fact, these comments indicate the main concern of the MPs or, of their supporting staff, and their particular willingness to improve the situation.
- More, these open comments provide valuable indications on the political climate, (and eventual tension), underlying (or, complicating) the working relationships within the selected Assembly or, within that local community.

Priorities relating to a similar issue stated by several stakeholders of a same community are taken into account, according to their order of importance, to orient and delineate the specific supporting actions (identified through the questionnaires) to be implemented over the short, medium and long term. These establish the indicative plan of actions.

III. 2010 Baseline Assessment

III.1. Legislative Structure of the Democratic Republic of Congo

The legislative structure of the Democratic Republic of Congo¹⁰ is based on the Constitution adopted on February 18, 2006.

At the National level, it has two chambers of representatives

- The Senate is composed of 108 members elected by the Provincial Assemblies for a term of 5 years.
 - Last election: January 19, 2007
 - Next election: 2012.

- The National Assembly has 439 members elected, on open list of candidates, by proportional representation and 61 members elected, on a closed list, by a majority of votes, for a term of 5 years.
 - Last election: July 30, 2006
 - Next election: 2012.

The DRC has 11 Provinces (Bandundu, Bas-Congo, Equateur, Kasai-Occidental, Kasai-Oriental, Katanga, Kinshasa*, Maniema, North Kivu, Orientale, South Kivu). In accordance with the terms of Article 3 of the Constitution, the administrative division of DRC should be reviewed to organize the division of the territory into 26 Provinces. This revision should take place after the next election.

¹⁰ <https://www.cia.gov/library/publications/the-world-factbook/geos/cg.html>

At the Provincial level, the institutional structure includes:

- The Provincial Assembly Deputies are elected by direct vote or, are co-opted for a five-year term. The number of co-opted Provincial Deputies cannot exceed one tenth of the members of the Provincial Assembly.
- The Provincial Government comprises a Governor and a Deputy Governor and Provincial Ministers.
 - The Provincial Deputies elect the Governor and the Deputy Governor inside or, outside the Provincial Assembly.
 - The Governor appoints the Provincial Ministers inside or, outside the Provincial Assembly.
 - The composition of the Provincial government is established by proportional representation.
 - The number of Provincial Ministers cannot exceed ten.
 - Before taking office, the Governor presents his government before the Provincial Assembly, which approves it by an absolute majority of vote.
 - The Provincial Assembly can relieve, collectively or individually, the Provincial government by a vote of censure.

In terms of cooperation between the Provinces and the State, the Constitution of the Democratic Republic of Congo provides that:

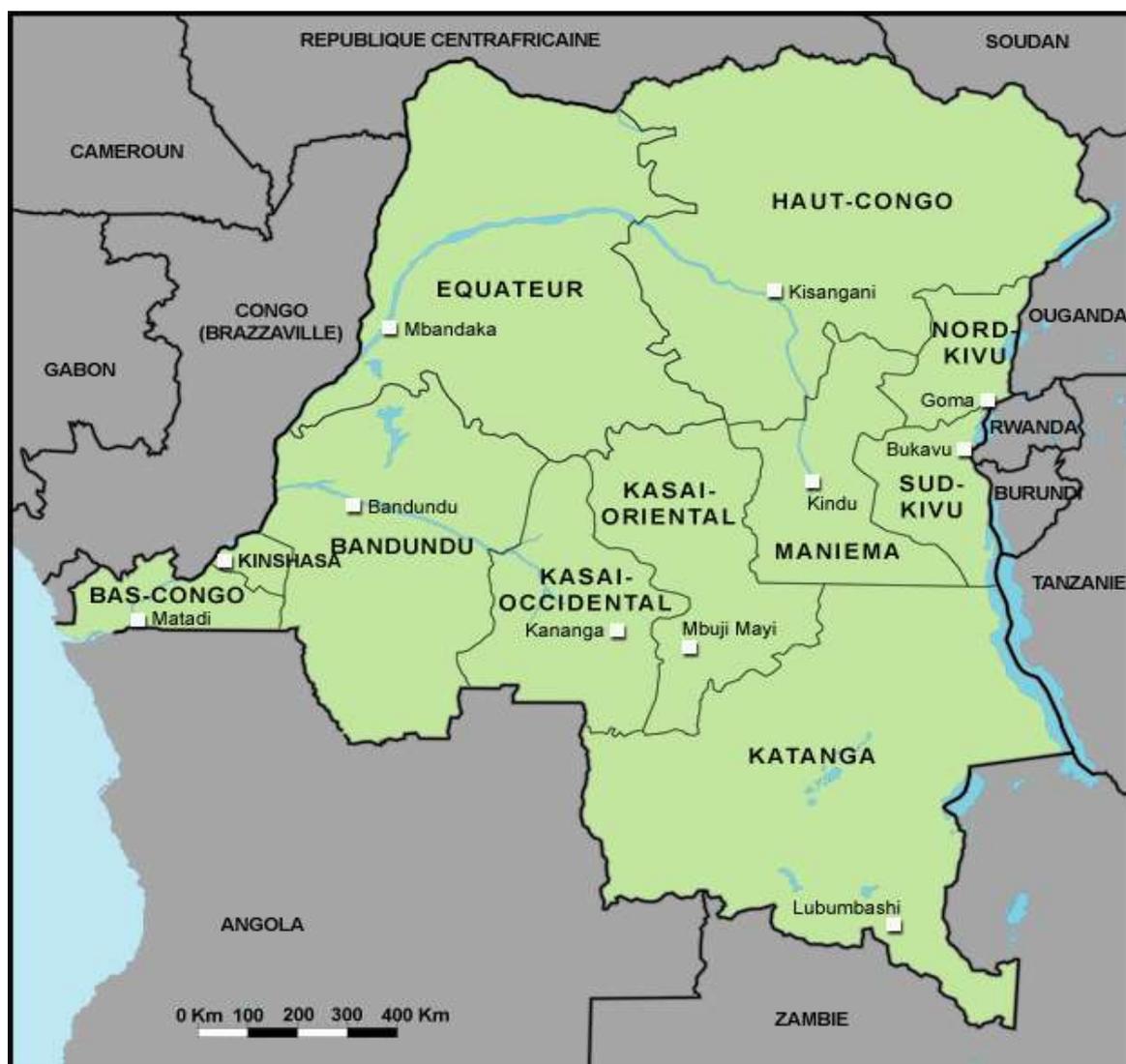
- By mutual agreement, two or more Provinces can create a framework to harmonize their respective policies and establish public services in their reserved competencies.
- Chaired by the President and composed of the Prime and Interior Ministers and by the Governors, the Conference of Governors meets at least twice a year for making policy and legislative reform proposals to the Republic.

III.2 Geographic Location of the Selected Assemblies

The following map presents the territorial division of the Democratic Republic of Congo by Province with their respective administrative center:

- The National Assembly is located in Kinshasa (in the middle left of the country), Bandundu Province is contiguous to its right administrative limit.
- Maniema and South Kivu Provinces are located in the middle right of the DRC .
- Katanga Province (to be assessed when the security condition comes back to normal). In February, a censure motion was made against several provincial ministers and a member of the Bureau of the provincial Assembly. The refusal of the President of the Provincial to put this motion on the agenda of the Assembly. This incident led the Deputies who signed this censure motion decided to quit the plenary session and they were aggressed while leaving the place. Because of these events, the Provincial Assembly of Katanga closed. So the PBG decided to postpone the assessment for this province to a date when this Assembly would have recovered its serenity.

Figure 5: Provincial Division of the Democratic Republic of Congo



III.3 Characteristics of the Selected Assemblies and their Offices

Characteristics

The characteristics of the total population concerned by the 2010 Baseline Assessment give indications on the prevalence of majority and minority groups who nurture the democratic reform in the selected Assembly. For instance, the portion of the opposition or, women or, contractual employees can modify the agenda of the Assembly and interfere with its capacity to address specific issues.

The following table presents the total and specific number of the concerned population and of those of the sample by Assembly.

Figure 6: Characteristics of the Selected Assemblies

Characteristics of the Selected Assemblies					
	South Kivu	Maniema	Bandundu	National ¹¹	TOTAL
Majority	35	17	62	350	Majority 464
Opposition	1	7	22	150	Opposition 180
Total	36	24	84	500	Total 644
Women	3	0	3	43 ¹²	Women 49
Statutory	14	13	23	268	Statutory 318
Contractual	42	39	30	217	Contractual 328
Total	56	52	53	485	Total 646
Women	5	9	3	192	Women 209
Total Women	8	9	6	235	Total Women 258

Under a democratic regime, the opposition plays an important role in questioning and balancing the legislative and budgetary direction taken by the majority. Except in the South Kivu Assembly where the opposition is nearly totally absent, the opposition represents a third of the MPs of the Selected Assembly. This indicates that the opposition can assume its traditional role within the democratic debate and that the majority is sufficient in number to pass the envisioned decentralization reforms.

Like in many other places, women are under-represented in the Selected Assembly. With this configuration it is not obvious that their specific role and needs in the DRC society will be taken care of, unless perhaps, at the national level. Nevertheless, during the field mission, several of them were interviewed to include their point of views in the formulation of the plan of action.

¹¹ We faced serious difficulty when collecting these numbers. Indeed, these varied with the interlocutor who answered. This indicates that the responsible of the National Assembly do not have a clear account of their resources. Regarding the opposition, it appears it has two subgroups that are not affiliated to a clear political group; the so-called opposition (130 MPs) and the said independent group (20 MPs).

¹² This number comes from the US Embassy Secretary to Human Rights.

Only few supporting staff has a statutory position in the Provincial Assembly while in the National Assembly their situation is better. This indicate that efforts to set the foundation of good governance anti-corruption and legislative efficiency practices within DRC Assemblies could be jeopardized by the importance of the turn over that traditionally follow an election. In many transitioning democracy, the existence of a body of trained and experienced statutory staff within the democratic institutions made a significant difference.

Size

Within this baseline evaluation, it is important to reemphasize the principal conclusions of the **“Organizational Audit of the Parliamentary Administration of the Democratic Republic of Congo”** conducted in June 2009 by the Congolese Parliament, Inter-parliamentary Union and the United Nation Development Program (UNDP) which describes, in details¹³, the situation prevailing in the National Assembly. However, this qualitative report mostly surveyed the Supporting Offices of the National Assembly and did not used standardized scales that would provide for objective comparison or, between years or, between assemblies.

To have a status for the National Assembly comparable to that measured in the Provinces, the questionnaire was only administered to the PAJ and ECOFIN Commissioners and Staff with whom the GGP works. Results from this sub group, while not formally reliable for the whole Assembly, should confirm or, eventually refine, the 2009 findings.

According to the sampling technique and structure adopted, the total number of respondents who participated in the 2010 Baseline Assessment compared to the total concerned population is given in the next table.

Figure 7: Size of the Sample

Size of the Sample						
	South Kivu	Maniema	Bandundu	National	TOTAL	
NPA	36	24	84	500	NPA	644
npa	12	12	12	25	npa	61
NPO	56	52	53	485	NPO	646
npo	46	24	36	20	npo	126
NT	92	63	137	985	NT	1290
nt	58	36	48	45	nt	187
%	63.04%	57,14%	35.04%	4, 75% ¹⁴		39.95%

¹³ The report gives clear indication on the principal legislations and term of references of the National Assembly and of its Supporting Offices and points out the many problems faced by the representatives and their supporting staffs.

¹⁴ This reduced number of respondents for the National Assembly is largely compensated by the references given in the **“Organizational Audit of the Parliamentary Administration of the Democratic Republic of Congo”** conducted in June 2009 by the Congolese Inter-Parliamentary Union and the United Nations Development Program.

Without making a strict and absolute rule of it, applicable to all situations, reference to the Pareto principle¹⁵ makes it possible to identify the properties of strategic problems and to separate them from non-strategic problems. According to this principle, 20% of a surveyed population identifies 80% of its issues. Among those issues, only 20% are crucial and to be addressed to solve 80% of the encountered problems.

According to the size of the 2010 Baseline Assessment sample that is well above the 20% threshold, results should point out the significant issues that need to be addressed to increase the functional capability of the selected Assembly to fulfill their constitutional mandate.

III.4 Selected Parliamentary Assemblies

Key Performance Indicator

Local figures, Members of Parliaments and Administration Employees of the Selected Assemblies all participated into the 2010 Baseline Assessment on a voluntary basis, approved the questionnaires and the results.

The following table presents the cumulative Key Performance Indicator (KPI) of the Selected Assembly like those observed in the Chamber of Representatives and in the Supporting Offices.

Figure 8: Key Performance Indicator of DRC Selected Assemblies and their Offices

<i>Key Performance Indicator</i>	<i>Maniema</i>	<i>Sud Kivu</i>	<i>Bandundu</i>	<i>National</i>	<i>Total</i>
KPI Cumulated	35,61%	25,20%	26,30%	30,91%	30,46%
KPI Assembly	46,49%	25,40%	27,38%	29,86%	32,28%
KPI Office	24,73%	25,00%	25,22%	31,96%	28,63%

The functional capability of the Supporting Offices of the Selected Assemblies¹⁶ is similar from one Province to another (with an average score around 25%), but higher in the National Assembly. This result shows that the basic pre-conditions to engage in legislative efficiency and good governance are not in place in the Supporting Offices of the Provincial Assembly. At the National level, these pre-conditions are not completely met either.

With regard to the parliamentary Assemblies, one Province distinguishes from the others with a score approaching 50%. This indicates this Provincial Assembly is reaching the stage of legislative

¹⁵ [Vilfredo Pareto](#) (1848-1923) Observed that 20% of the population possesses 80% of the wealth (distribution of the probability density or, of the mass function). The principle was then observed and tested on many segments of economic activities and is principally applied into management sciences.

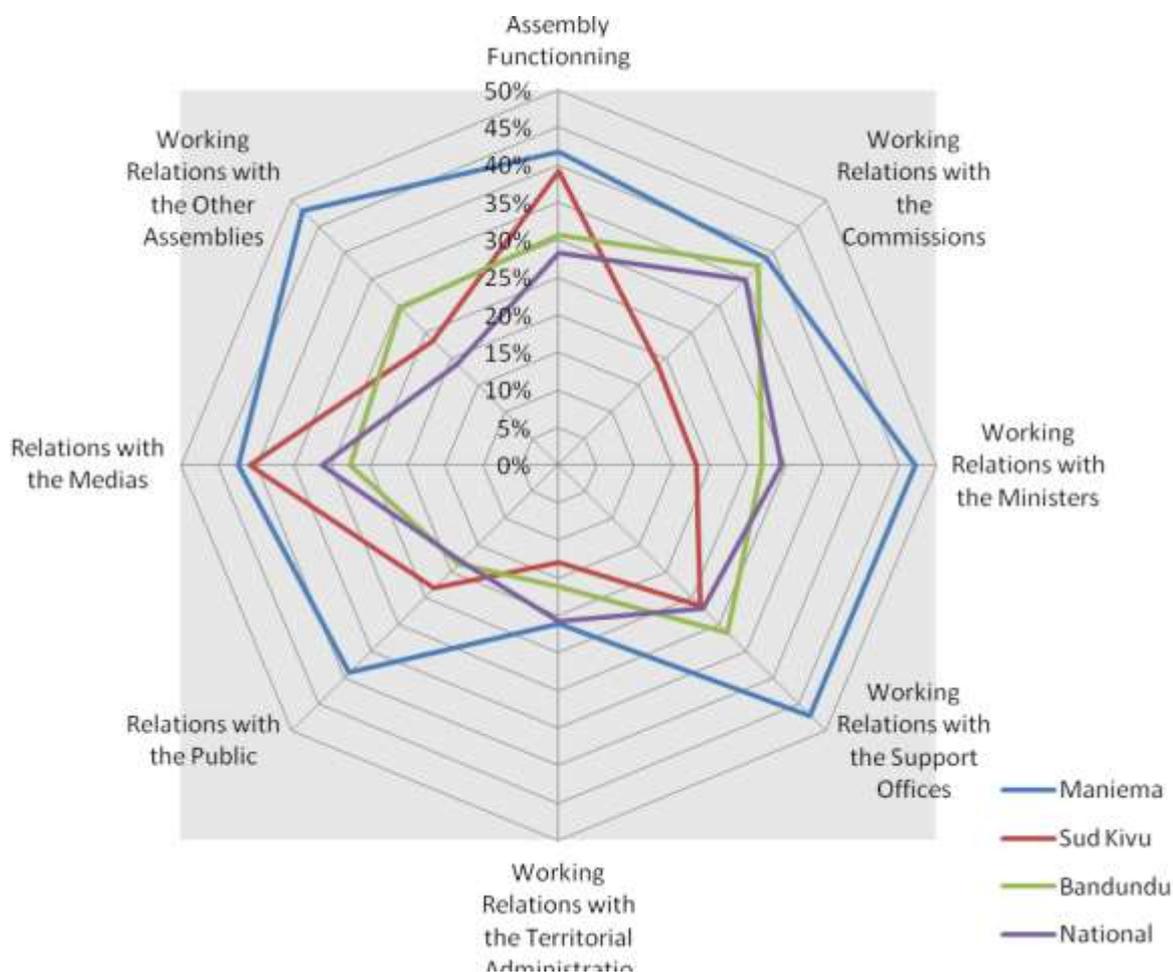
¹⁶ (measured in terms of basic equipment, experience and training of the employees, task organization, workload, collaboration between offices, support given to the employees and motivation)

efficiency and good enough governance¹⁷. More attention should be paid to the negotiation and management approaches taken there as these could well inspire the other DRC Assemblies. The National and the two other Provincial Assemblies demonstrate a relatively weak level of performance. Within the emerging democratic context of DRC, these scores are not surprising when considering these Assemblies operate under a new constitutional framework and support the weight of years of absence of investments and armed conflicts.

Functional Capability Profile

The figure presented below shows the specific capability profile of each of the selected Assemblies.

Figure 9: Functional Capability Profile of DRC Selected Assemblies



¹⁷ See the analyses of DFID on building democratic institutions, including the one related to the notion of “Good Enough Governance.”

The most advanced Assembly is Maniema, whose respective scores approach 50%. Its score indicates a situation where the basic prerequisites to engage in legislative reforms are in place and where a majority of MPs use good enough governance working practices. If encouraging, this situation is relatively fragile and should be strengthened to persist over time.

The results of the Bandundu and South Kivu Assemblies, while equivalent in absolute value, differ in their orientations:

- The Bandundu Assembly has more advanced working relationships with its Commissions, its Supporting Offices, and its Provincial government Ministers.
- The South Kivu Assembly is more advanced in the organization of its internal operations and in developing its relationships with the media and the public (which includes the consultation of the civil society).
- These differences seem to indicate that the Bandundu Assembly is taking a technical approach where the South Kivu Assembly is favoring a more participatory approach to parliamentary work, relatively speaking of course.

In all cases the weakest functional capacity of the Selected Assembly, to undertake the foreseen legislative reforms and to assume their new constitutional mandate, holds in the quasi-absence of working relationships with the territorial administrations. However, those are playing a pivotal role both, in the preparation of realistic legislative reforms and, in their effective execution.

Ranking of the Selected Assemblies

Here the table shows the mean corrected scores recorded for each Assembly in the 8 functional capacities measured. Following the table, the comment indicates the equivalence between Assemblies (the situations where the variation in scores is lower than 5%) and the functional capacities where the scores are lower than 25%, indicating where the most pressing needs are.

Figure 10: Ranking of DRC Selected Assemblies

Functional Capability	Maniema	Sud Kivu	Bandundu	National
Assembly Functioning	42%	39%	31%	28%
Working Relationships with the Commissions	39%	19%	38%	35%
Working Relationships with the Ministers	47%	18%	27%	30%
Working Relationships with the Support Offices	47%	27%	32%	27%
Working Relationships with the Territorial Administrations	21%	13%	16%	21%
Relationship with the Public	39%	23%	19%	18%
Relationship with the Medias	42%	41%	28%	31%
Working Relationships with the Other Assemblies	48%	23%	30%	19%
	Rank 1	Rank 4	Rank 3	Rank 2
KPI	46%	25%	27%	30%

There is no situation where the selected Assemblies have several equivalent functional capabilities.

- Maniema and South Kivu are similar in the operation of their Assemblies and the relationships they have with the media.
- Maniema and Bandundu have a similar, but very weak, level of working relationships with their territorial administrations.
- South Kivu and Bandundu have an equivalent level of working relationships with their supporting staff and the public.
- South Kivu is the least advanced Provincial Assembly.

Any score under 25% is of particular concern as it indicates the virtual nonexistence of the basic preconditions that are necessary to engage in a process that will improve parliamentary efficiency and governance:

- In fact at this level, the information collected on the practices in place refers directly to their absence or, to unstructured practices (that are shown with or, without pertinence to the task to complete) that seem to be carried out according to the goodwill or, the inspiration at the time.
- In all cases, the preconditions for working with the supporting staff are virtually nonexistent.
- Relationships with the public are extremely poor in two Assemblies.
- The most encouraging scores observed in at least two of the four Assemblies concern the functioning of the Assembly, the working relationships with the Permanent Commissions and the exchanges with the Media.

These observations are placed in their specific operating context in the subsequent section that presents, by the detail, the practices shared by at least 50% of the MPs, 65% or, 80% and more of them.

Practices in Place in the Selected Assemblies

According to the parliamentary efficiency and good governance scale, not completing a specific required task is indeed a practice or, rather an “Absent Practice”. The next table recaps all of the practices that are not displayed in the Selected Assembly. When indicated in deep blue, it means 80% of the MPs or more, never do that task. When indicated in pale blue it means 65% of them are concerned. Where there is no underlying color, it shows that at least 50% of the MPS do not display that specific practice.

Figure 11 : Absent Practices within DRC Selected Assemblies

Absent
Your Assembly review credits endorsed by the Government
All representatives have a Supporting Office
The public is invited during plenary session
There is at least one Supporting Office by political party to assist the representatives
Your Assembly organizes outreach activities for the citizen
The Medias follow over the activities of the Permanent Commission
Your Provincial Assembly has regular contact with the National Assembly
Your Assembly conduct evaluation review of policy and governmental programs
Reports from your Assembly generate changes in Government policy and programs
The Permanent Commission of your Assembly work according to international standards
Your Assembly has a proper operating budget
During your installation you receive an induction briefing
During your installation you receive the bylaw of your Assembly
Due to a lack of resources or agreement your Assembly has no Permanent Commission
Your Assembly oversee the annual ministries work plan and follow over their execution
Your Assembly can easily access to the reports established by the Administration
Only representatives with a specific mandate in the Assembly have an office
The Permanent Commission seeks for the advice of the population and welcome citizen witnesses
Your Assembly cares for the most fragile of your citizen
Between Assembly you are exchanging reports and files

Out of the four Selected Assemblies:

- None oversees credits engagements endorsed by their government.
- None organizes outreach activities for the Citizen or, invites them to assist to the plenary sessions.
- All have limited offices supporting resources.

Most of them:

- Were not welcomed when installed in their mandate and did not receive the bylaw of their Assembly.
- Do not review their Governmental policy, programs, and neither the annual work plan of their Ministries or, established their Assembly operating budget.
- In the Provincial Assembly, do not have regular contact with the National Assembly.

Half of them do not:

- Access the reports prepared by the Administration and circulate information between Assemblies

Figure 12 : Common Practices within DRC Selected Assemblies

Frequently
The Media rely your interview
Instead of inviting the Public, your Assembly relies on experts
The Media follows over the political debates you have with other representatives
Your Assembly has enough Plenary Sessions
Parliamentary debates allow for the confrontation of points of view of the Majority and the Opposition
The employees of the Offices of the Assembly are willing to cooperate

Half of them consider:

- They hold enough plenary sessions where the Majority - Opposition democratic debate take place.
- The staff of their Assembly is willing to cooperate despite they prefer to rely on experts.
- The Media reports political discussions between MPs but (from the previous table) do not cover the work of the Permanent Commissions.

Figure 13 : Systematized Practices within DRC Selected Assemblies

Systematically
Cooperation between Representatives depends on emerging needs
Your Assembly has several Permanent Commissions
The public can easily contact you
When critical draft law are discussed, a large proportion of representatives are presents
Your Assembly receives advices from the Public
The Permanent Commissions of your Assembly have support offices

Most of them recognize

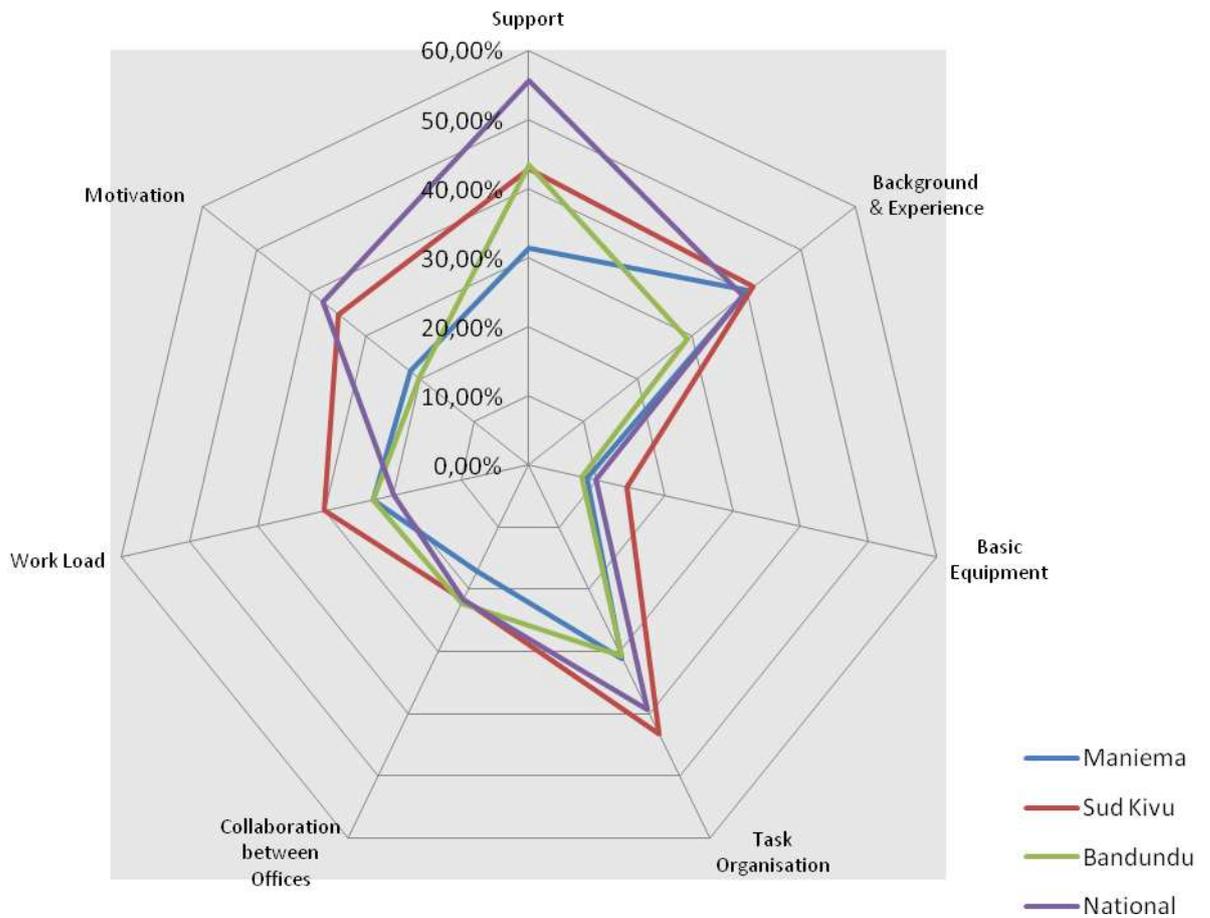
- Cooperation between MPs relies more on day-to-day emerging needs or, on the agenda of the plenary session rather than on a cooperative organized system.
- Citizens are addressing them (despite they organize no activity for them).
- Permanent Commissions have support offices (and are probably, the only ones).

III.5 Selected Assemblies Supporting Offices

Functional Capability Profile

The figure presented below shows the functional capability profile of the Supporting Offices of the Selected Assemblies.

Figure 14: Functional Capability Profile of DRC Selected Assemblies Offices



In all of the Supporting Offices, the cruel lack of basic equipment essential to performing the most common duties appears clearly. To progressively resolve this critical issue, several donors, among US-AID¹⁸ and the BTC¹⁹, scheduled a delivery of basic computer equipments in some of the Selected Provincial Assemblies while the SCAC²⁰ and UNDP both recommended to provide “*Commission offices equipment appropriate to both office automation and computer services tasks,*”²¹. Offices, which are “*the poor relatives of the activities performed for the parliament(s).*” In parallel, other indicates EUROP-AID is supporting the establishment of multi annual investment plan to equip the Assemblies but it extends could not be confirmed during the field mission.

The other functional capacities requiring an attentive support relate to the quasi-absence of internal collaboration between the Supporting Offices and the workload assumed by the staff. If the later will progress with the installation of basic equipment, the other supposes some evolution in the way the Supporting Offices carry out its work.

The Supporting Offices of the National and South Kivu Assemblies have the most advanced functional capability profile and their rank alternate when taking into account or not, their equipment score. However, with a maximum cumulated average score approaching 36% it is necessary to confirm the basic preconditions to perform assigned task are not yet in place in the offices that are supposed to prepare and follow over parliamentary work.

The most promising trends within the Supporting Offices relate to the professional background of the staff, the organization of tasks within teams and the support received.

¹⁸ For the BRIDG and GGP programs.

¹⁹ CTB, Belgian Technical Cooperation, 2008-2009 program.

²⁰ SCAC, Co-operation and Cultural Action Department of the French Embassy, 2007 program.

²¹ UNDP “2009 Organizational Audit”op cited.

Ranking of the Supporting Offices

The following table presents the mean corrected scores obtained in each of the functional capability measured in the Supporting Offices of the Selected Assemblies.

Below the table, the comments describe how the offices are similar (in this case, there is less than 5% deviation in the results) and highlight scores lower than 25% that require more attentive support.

Figure 15: Ranking of DRC Selected Assembly Offices

Functional Capability	Maniema	Sud Kivu	Bandundu	National
Support	31,36%	42,75%	43,34%	55,65%
Background & Experience	40,37%	41,22%	29,22%	39,32%
Basic Equipment	8,65%	14,44%	7,81%	9,87%
Task Organisation	31,06%	43,24%	30,75%	39,38%
Collaboration between Offices	17,03%	21,68%	22,26%	21,67%
Work Load	22,92%	30,10%	22,98%	19,95%
Motivation	21,71%	34,91%	20,16%	37,88%
KPI	24,73%	25,00%	25,22%	31,96%
KPI*²²	27,48%	35,65%	28,12%	35,55%

- The scores of the Supporting Offices of the Selected Assembly are similar in terms of collaboration between departments indicating that identical seminars could be conducted for all of the different offices concerned by decentralization.
- The offices of Maniema and South Kivu Assemblies share the same level of functional capability in terms of professional backgrounds and experiences of their employees.
- The offices of South Kivu and Bandundu Assemblies share the same level of functional capability in terms of support given to employees.
- The offices of Maniema and Bandundu Assemblies are similar in the organization of work activities, their workload and the motivation of their employees. These three functional capacities obviously support connection, and given the equipment level in these offices, the action plan should provide these two Provincial Supporting Offices with tailored activities having simultaneous effects on those functional capacities.

²² KPI*: Scores obtained without taking into account the level of equipment.

Practices in Place in the Supporting Offices

This paragraph reviews the practices that are in places within the different offices supporting the Assemblies in their legislative challenges. When 80% of the respondents share the same practice, this is highlighted in deep blue. When 60% of them pointed it out, it is highlighted in pale blue and when the consensus reach 50%, practices appear without highlight in the table.

Figure 16 : Absent Practices within DRC Selected Assemblies Supporting Offices

<i>Absent</i>
Your office works with National Minister cabinets
In your office you have a personal computer
In your office you have electronic registering form
In your office you have a fax
In your office you are using a paper data base
In your office you have an intranet connection
In your office you have an internet connection
In your office you are preparing a annual budget
This past 3 years you took on a new posting
This past 3 years your eventual complaints were took into consideration
You have an IT data base
Your professional experience allowed you to change your position
This past 3 years you had an evaluation of your work
This past 3 years your proposals were took into consideration
In your office there is a system to protect your files
Your office works with the other Assemblies
The important equipments of your office are fixed within two weeks
Your salary is entirely paid
In your office you have a desk

- The list of required equipment to create a basic enabling environment in which the employees of the Selected Assemblies can perform their normal daily routines is given through the successive lines of the table. This level of detail was not approached in the 2009 Organizational Audit of the Supporting Offices of the National Assembly²³.
- Most of the Staff of the Selected Assemblies encounters regular trouble in receiving their due salary on time. This situation does not help to increase their motivation or, their professional involvement, especially when they do not benefit from regular progress review).

Figure 17 : Common and Systematized Practices within DRC Selected Assemblies Offices

²³ Op cited

Frequently
Your office works daily with other internal offices

Systematically
In your office, each individual has a job to do
In your office, the director distribute the files between the employees
You have an office director
In your office, you work together since at least 3 years
In your office, each file has a reference number
In your office each file is reviewed by the director
In your office, you all worked before joining
In case of problem you know who to address
In your office, to complete a file it takes several steps.
Your office works on a daily basis with the Assembly
Your relationships with the public and the citizen are smooth

The Supporting Staff of the Selected Assemblies, while entertaining working relationships with colleagues of some other offices, mainly works within a limited circle. This finding reinforces the observation made for the MPs indicating that almost none of them see the necessity to build the decentralization legislative reform on a largely shared consensus between those who are or, responsible for its adoption or, for its operating transcription or, for its implementation in the field.

If all files of the Selected Assemblies have a reference number and are checked by the director there is no indication so far, this work directly serves the legislative process and satisfies the PAJ and ECOFIN Commissioners. Management support could be proposed to the responsible of the PAJ and ECOFIN Supporting Offices so that the organization of activities and tasks allocation directly serve the legislative process rather than the historical records of each individual comment made in parliamentary sessions.

III.6 Conclusions and Recommendations

Efforts to draw up the action plan will take into account each of the three sets of priorities mentioned by a Majority of the respondents:

- Those for which there is a large consensus will be proposed in year 1 and 2 of the program.
- Those for which there is a weak consensus will be addressed in years 2 and 3 of the program.
- Those for which there is no consensus or, in other words, are not yet considered as necessary by the beneficiaries, will be addressed in years 4 and 5 of the program.

This will allow the most popular activities to be conducted without too much delay (visibility) while, activities whose importance is not yet appreciated by the beneficiaries will be prepared (through information and awareness rising activities).

This approach will ensure all of the Selected Assemblies increase their functional capability and achieve legislative efficiency and good governance standard adopted by AID agencies in transitioning countries. It will also ensure that basic pre-conditions are fixed before moving on improving the normal conduct of mandatory activities and the systematic use of efficiency monitoring systems.

However, the volume of investment required to bridge the modern technology vacuum within the Selected Assemblies and their key Supporting Offices, is virtually certain to exceed GGP financial capability.

This situation makes it even more critical to work, from the beginning, with the beneficiaries (through awareness raising, consensus building and planning).

To ensure seed investment given under the GGP or, by other donors, will be not lost and resolve the PAJ and ECOFIN Commissions equipment issues, each of the Selected Assemblies has to establish a pluri-annual investment plan.

Conclusions

- The size of the sample indicates the results of the 2010 Baseline Assessment apply to the total concerned population of MPs and Supporting Staff.
- Women are underrepresented in the democratic institutions of DRC²⁴ but this situation could see drastic positive change with the revision of the Election Law.
- The ratio of statutory employees within the Provincial Supporting Offices does not provide a sufficient body to sustain progress over the election, unless these Assemblies mechanized more of them.
- Most of these supporting staff have an encouraging professional background and their level of motivation and professional involvement could progress with the normalization of the payment of their salary and, or, by giving more attention to their comments.
- Except in South Kivu, the balance between the Majority and the Opposition favors the democratic debate over the orientation of the envisioned decentralization reforms.
- Except in the Maniema Province, which reach the satisfactory threshold, the Functional Capability level of DRC Selected Assembly is weak but show encouraging scores in several of the functional capacities measured.
- The weakest functional capacity of the Selected DRC Assembly relates to the quasi-non existence of working relationships with their Territorial Administration.
- With an average score of 32%, only partial pre-conditions are in place to allow these Assemblies to, practically, engage into a more efficient legislative process for decentralization and the establishment of good governance control mechanisms.
- This score is similar to the one observed within the Supporting Offices (35%), where the crucial issue relates to the absence of the most basic equipment necessary to the performing of daily routines. This issue directly affects the organization of the work, the allocation of task and the workload faced by the employees who spend most of their time on recording MPs dialogue instead of nurturing the PAJ & ECOFIN Commissioners and plenary session debates.
- Without speaking of real strength, MPs have regular contact with the Media and are realist about the limits of the functioning of their own Assembly and of their Supporting Offices.

Taking into account the DRC historical context, especially the absence of investment over more than thirty years and the permanent risk of violence escalation, the results reflect the important evolution of responsibilities MPs and Supporting Staffs face since, only, four years.

²⁴ As an indicative point of reference, the signatory States of the Geneva declaration agree to achieve a minimum rate of 35% of female representation in their democratic institutions. As of today in DRC, this only reaches 12, 35% that is less than the half of the indicative reference indicator.

Recommendations

In this transitioning democracy where the role and mission to be assumed by the democratic institutions need to be defined at each level of society, it appears necessary to focus technical assistance and training activity on developing the practical know-how of MPs and their Supporting Staff.

- The recommended approach would consist of a mix between participatory and empowering techniques and provision of topical trainings dedicated to pass on specific know how starting with pacific conflict resolution, office software familiarization, note taking and report drafting, standard forms and procedure, managing, planning and monitoring methods that are necessary to the adoption of a DRC workable regulatory framework.
- These efforts should concern all the Selected Assembly to provide an equal intergovernmental cooperation, transparency, accountability and public outreach basis to those supposed to appraise the practical consequences of decentralization on the well-being of their population and to work together with the same legislative efficiency and good governance standards.
- Due to the high level of demand of the representatives of the population, it is recommended to organize restitution workshop followed by coordinating meetings to ensure the proposed delivery agenda addresses what needs to be first delivered before addressing more advanced or, complex issues with the beneficiaries. For instance, some topical training requires smaller preparation while other requires foundations to be in place to allow an effective evolution of their legislative and good governance efficiency.
- Among those foundations is the proper equipment of the key Supporting Offices of the selected assemblies. Considering the specific needs of the Supporting Offices, the tables present a clear checklist of what is precisely required.
- The tables presenting the prevailing practices of the Assemblies offer great opportunity to propose capability-building activities that respond to the practical difficulties faced by the beneficiaries. These tables also indicate how many steps separate the Selected Assembly from becoming an effective democratic parliament (at least, on the functional capability measured) which contribute to the progressive achievement of the 2006 DRC Constitutional ambitions.

IV National Assembly

IV.1 Local Context

Geography

Located in the heart of Africa, the Democratic Republic of Congo (DRC) has a total superficies of 2.345.410 km² and welcomes a total estimated population of 60 million inhabitants. Its capital is Kinshasa.

Despite the Presidential declaration that ambitions to make the year 2010 of Social Inclusion, challenges facing this emerging and fragile democracy are numerous.

The living conditions in DRC are particularly difficult for the poorest of its population as years of civil armed war deeply affected the socioeconomic structure of the country, which almost totally collapsed. Therefore, most of the active population of DRC is massively unemployed and faces social and sanitary difficulties. Many of the citizens live with less than one dollar per day. Those citizens are suffering from malnutrition and, in the remote areas from hunger. They have a limited access to poor public services, especially to medical care and education. Public services are to be modernized and country infrastructures are to be restored like agriculture reinstalled.

Security & Political Situation

The Democratic Republic of Congo faced years of continuous conflicts that involved numerous foreign armies and rebels armed bands. As the Sun City peace agreement occurred, the DRC started to modernize the structure of its democracy by promulgating a new Constitution and organizing Presidential and legislative elections that established the bicameral Assembly that is made of a Chamber of Representatives (the National Assembly) and a Senate.

The Government is a coalition made of the Presidential Majority Alliance (AMP), the Lumumba Party (PALU) and the Mobutu Democratic Union (UDEMO). When the first government was formed, an important rebellion started on the east side of the country. The armed conflicts in the Provinces of the North and South Kivu lasted until the Governments of the DRC and of the Rwanda signed a joint agreement to arrest the chief of the rebels (Laurent Nunda) and to chase up the militia of the Front of Liberation (FDLR). The United Nations Organization Mission in Congo (MONUC) which is probably the only organization with sufficient operational in country resources to assist organizing open and transparent election has now changed into MONUSCO, a stabilization force.

At the National level and despite the position is regulated by a law, the Opposition is nearly absent of the democratic debate since its internal divisions prevented the election of their spoke person. The opposition comprises two groups. This absence of a structured Opposition results in the continuous prevalence of the sole willingness of the Majority. Despite a "Tolerance zero" operation launched by the government, the corruption, inherited from 30 years of dictatorship, is widespread.

Perception of the Assessment & the Program

Due to the DRC parliamentary calendar, the field mission with the National Assembly was conducted between March 22 and 26, 2010. The legislative support team of the GGP met the Secretary General and the Chief of Staff of the President of the National Assembly on several occasions. These regular exchanges led President of the National Assembly to invite the Presidents of the PAJ & ECOFIN Commissions and the Directors of the Divisions of the National Assembly to participating in drawing up their institutional development plan.

25 members of the ECOFIN Commission as well as some 20 employees of the National Assembly completed the questionnaire and participated into semi-structured interviews with the Governance and the Legislative Advisers of the GGP.

However, it was not possible to conduct semi-directive interviews with PAJ Committee members :

- The PAJ Commission underwent a recent change in its composition
 - Its President was deposed by his original party and replaced by another Member of the Congolese Liberation Movement party of the Opposition leader Jean-Pierre Bemba²⁵.
 - DAI met the new President of the PAJ Commission who agreed to convene a session with all the PAJ Commissioners.
- During the exchanges with the Deputies, a long contradictory debate arose on the potential use of the results of the evaluation.
 - Some Deputies expressed their concerns about potential critics that observers could make over their work while other indicated their work will not improve if they have no clear evidence of the priority issues to resolve.
 - For the remaining Deputies, there was no need to discuss what they are lacking of because the donors know this well but fail to deliver what they need most.
 - The President reminded them that DAI is a longstanding partner that has been, so far, of great support.
 - DAI advisers explained how the assessment will provide them with clear information on what and where to act to ease their legislative reform process.

Semi-directive interviews were also conducted with the delegates of the different divisions of the National Assembly and the members of the ECOFIN Commission. Its President truly supported the GGP initiative and the ECOFIN MPs called for a rapid start of GGP supporting activities.

²⁵ Under the prevailing governmental agreement, the Presidency of the PAJ Commission has to go to a member of the Opposition. The discharged President is being considered as «newly married to the Presidential Majority» his mother political party replaced him to maintain its presidency over a major legislative Commission.

IV.2 Assessment of the Functional Capability of the National Assembly

The principle adopted for the collection of pertinent information within the National Assembly was to rely on the report of the **Organizational Audit of the Office of the National Assembly of the Democratic Republic of Congo** conducted by the Congolese Inter-parliamentary Union and the UNDP in June 2009. Despite the quality of the information provided in the report, it appeared that the baseline evaluation of the Functional Capability of the National Assembly to (1) pass critical decentralization laws (envisioned by the Constitution) and to (2) exercise control over governmental activities needed to rely on standardized objectively verifiable data's that were not available in the 2009 Audit.

According to the Good Governance Program (GGP), the assessment of the functional capability of the selected DRC Assemblies concentrates on the ECOFIN and PAJ Commissions and on their Supporting Offices that are supposed to play a major role in the decentralization legislative process. If in comparison, the sample in the other selected Assemblies is significant, the 2009 organization audit gives enough complementary indications as if our recommendations are valid.

Functional Capability Profile of the National Assembly

45 Deputies and support staff of the National Assembly and ECOFIN Commissions completed the questionnaire and participated in semi directive interview in March 2010. The following figure summarizes the average scores obtained for each of the eight functional capabilities considered. These 8 average scores establish the 2010 functional capability profile of this Assembly and its relative level of performance.

Figure 18 : National Assembly Capability Profile



The functional capabilities of the National Assembly present a continuum ranking from a reduced level of capabilities to a more encouraging one. Considered as a whole, the profile is relatively heterogen as the functional capabilities appear to be centered below 20%, around 25% and near 35%.

All scores below 25% indicate without possible doubt that the necessary conditions that would allow the National Assembly Commissions to engage in good governance and to become more efficient in their legislative effort are not yet in place. For instance, the different scores presented in the next table, show representatives of the Nation face serious difficulties when attempting to conduct their work.

Figure 19 : National Assembly Profile by Functional Capability

Functional Capability Profile	KPI
<i>Assembly Functionning</i>	28%
<i>Working Relationships with the Commissions</i>	35%
<i>Working Relationships with the Ministers</i>	30%
<i>Working Relationships with the Support Offices</i>	27%
<i>Working Relationships with Territorial Administrations</i>	21%
<i>Relationship with the Public</i>	18%
<i>Relationship with the Medias</i>	31%
<i>Working Relationships with the Other Assemblies</i>	19%

National Assembly Committee members have very limited working relationships with the other Assemblies (19%), their territorial administration (21%) and the public (18%) (comprising the civil society, interest groups and the citizens). Within the decentralization reform process, these sub-groups should provide the Deputies with information to ensure National policy gives equal access to services and takes care of the priority needs of the population. The GGP could work with the Deputies to resolve this difficulty by organizing with them systematized, but light and focused, consultation mechanisms.

National Assembly Commissioners develop working relationships with the other Permanent Commissions of the National Assembly that are essentials to de-conflict and harmonize the numerous modernization reforms the Democratic Republic of Congo ambitions to achieve (35%). Similar emerging positive signs concern the level of working relationships developed with the Ministers (30%) and the Support Offices of the National Assembly (27%) as well as on its internal functioning (28%).

If positive, these emerging signs are not yet sufficient to pretend legislative efficiency is on its way. Therefore, careful attention should be given to supporting activities that could have several simultaneous effects on the capabilities of the PAJ & ECOFIN Commissions to fulfill their mandate.

Practices in Place in the National Assembly

The four tables presented here after gives the different practices that are actually in and not in place within the National Assembly. For sure, an absence of practice is as much informative as a systematized practice can be. They indicate where exactly the Commissioners stand and inform on what could be improved in the short, medium and long term with a supportive action plan built on the practical know-how and willingness of the Members of Parliament (MP's).

In the tables, the practices appearing without highlights indicate that half of the respondents demonstrate them in their daily routine. The practices highlighted in blue indicate that at least 80% of the respondents share that practice. As such, these practices are considered as significant and central in the formulation of the indicative plan of actions.

Figure 20 : National Assembly Absent Practices

Absent
You participated in the elaboration of the Assembly Budget
Due to a lack of agreement or, resource you do not have permanent Commission
Your Assembly has Supporting Offices to assist your work
All representatives have a Supporting Office
Representatives have a Supporting Office per political party
There is Hearings on fragile citizens
Your Assembly ask for international expertise advice
The Media follows the work of the Commissions of your Assembly
Your Assembly has regular contact with the Senate
Your Assembly has regular contact with the Provincial Assemblies
Relationships with the Provincial Assemblies are smooth
Between Assemblies you are exchanging reports and information's

As indicated by the functional capacity profile, National Commissioners tend to work among a closed circle where contacts with Provincial Assemblies are seen has not necessary and to some extent, as not cordial. Further, they are not exchanging reports or, information with the other Assemblies; neither have regular contact with the Senate. Since both the Senate and the Provincial Assemblies are playing a pivotal role in the decentralization legislative process, it is fundamental to clarify what their expected contribution of the Senate and the Provincial Assemblies could be. In fact, Provincial Assemblies always play a pivotal role in decentralized States when it comes to cascade at the local level and rule of laws endorsed at the national level. In this regard, systematized exchanges of information between the National and Provincial Assemblies, the Senate and the concerned administrations should be supported to articulate and align the future laws and edicts and clarify their execution mechanism.

Like underlined in the 2009 Organizational Audit the National Commissioners confirm the offices of the National Assembly do not really support their legislative work. As of today, the Assembly do not organize sessions to allow the Deputies to participate in the formulation of their Annual Assembly Budget like there is no hearing session for fragile citizen.

Figure 21 : National Assembly Common and Systematized Practices

Frequently
Your Assembly has enough Plenary Sessions
Parliamentary debates allow for the confrontation of points of view of the Majority and the Opposition
The Commissions of your Assembly consider the functional implications of new law
The Provincial Assemblies integrate your Statements and the outcomes of your work

Systematized
When critical draft law are discussed, a large proportion of representatives are presents
In your Assembly you have several Permanent Commissions
The Permanent Commissions work on a regular basis
Your Assembly has Supporting Offices
Citizen and the Public can easily contact you

Between the plenary sessions of the Assembly and the work within the Commissions, the Deputies have a busy agenda. In addition, it appears that the plenary sessions of the National Assembly are crowded with Deputies when it comes to discuss critical laws between the Majority and the Opposition. Due to the reduced number of MP who completed the questionnaire, it is difficult to pronounce if non Commissioner MP would consider that the Commissions envision the operational consequences of new law in their numerous aspects and if these Commissions are working on a regular basis.

Nevertheless, what is clarified here is that, the Supporting Offices work for the National Assembly as a whole. Consequently, the 500 Deputies of the National Assembly have to rely more on, their own personal resources to conduct their analysis instead on, the institutional support the National Assembly, through its Supporting Offices, should be delivering to them. The same conclusion can be drawn from the lack of support delivered by the National administration to the MP's.

Last, the tables indicate citizen can easily contact the Deputies. Nevertheless, taking into consideration the living conditions of the Congolese's, especially of those living in the remote areas or, with very poor resources, it is not sure if these citizen can that easily contact their National representatives and discuss major issues at stake.

IV.3 Assessment of the Functional Capability of the National Assembly Offices

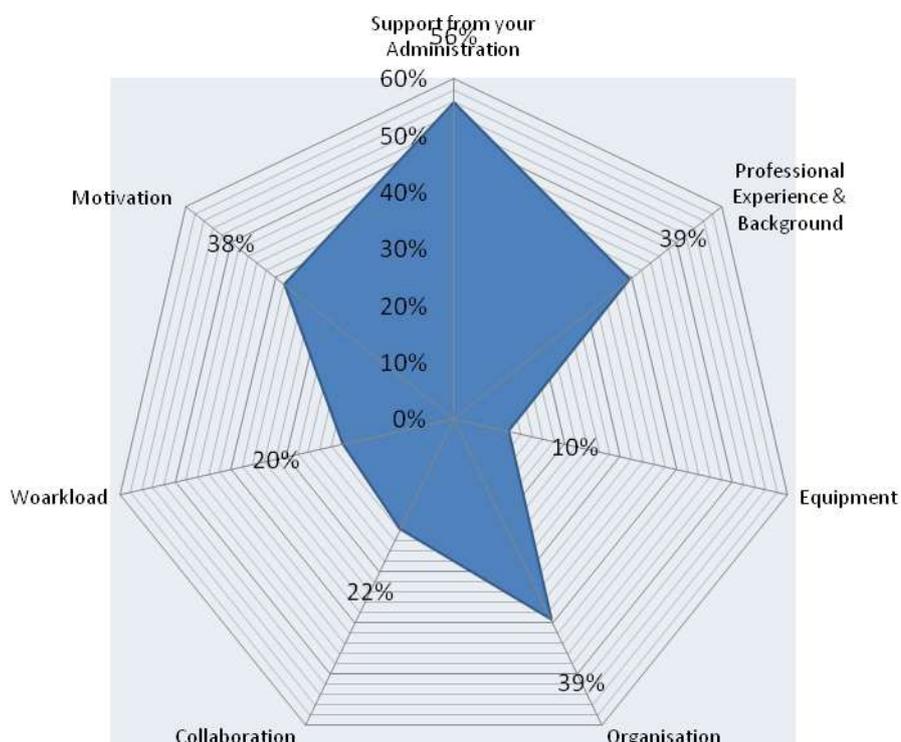
As Stated previously, to have an overview of the many difficulties the Supporting Offices of the National Assembly face in carrying out their duties, we mainly refer to the Organizational Audit conducted some months ago by the Congolese Inter-parliamentary Union and the UNDP. The assessment conducted here, is to have a standardized objective baseline to propose a supporting action plan that answer to the priority needs of the staff. The 25 employees of the National Assembly who completed the evaluation questionnaire in March 2010 work for the PAJ and ECOFIN Commissions.

Functional Capability Profile of the National Assembly Offices

The graph shows the profile of the Supporting Offices of the PAJ and ECOFIN Commissions of the National Assembly in the seven functional capabilities considered by the 2010 assessment.

It appears clearly that not all functional capabilities of the different offices supporting the Commissions are equal. Some are below 25%, indicating pre-conditions for legislative efficiency and governance are not in place while others, show encouraging promises reaching the stage of emerging legislative efficiency.

Figure 22 : National Assembly Office Capability Profile



Results show equipment is deeply deficient (10%) and thus, the Supporting Offices have important needs in this regard.

As indicated by the numerous inventories received, the donors working with the National Assembly demonstrated their concern and willingness to assist in this matter. If the GGP can modestly assist in resolving circumcised equipment issues within the National Assembly, it is the responsibility of MP to plan for the progressive resolution of this structural issue. If we were unable to confirm the existence of a Europe-AID mission for the elaboration of an NTIC²⁶ pluri-annuals investment plan, we recommend such effort to be conducted at the soonest.

Two other functional capabilities show low results in terms of staff workload (20%) and collaboration between Supporting Offices (22%). Since the quasi-non existence of ad-hoc, equipment in the Supporting Offices directly interferes with the capabilities of the different teams to conduct their daily routines as well as task organization and internal management do, some progress could be made if the supporting action plan focuses and works on these issues.

Ideally, to improve these functional capacities, the installation of basic office equipments in the key Supporting Offices of the PAJ & ECOFIN Commissions of the National Assembly should be accompanied by the organization of topical trainings. The first should target the maintenance staff, the second the employees who will use these equipments. In parallel participatory seminars should be organized with the responsible of these key Supporting Offices and delegates of the PAJ & ECOFIN Commissions to re-organize their tasks and orient part of their activities on establishing legislative reform preparatory documents.

Despite the many challenges and functional difficulties handled by the Supporting Offices, the staff is motivated (38%) and satisfied by the support they receive from their administration (56%). More, their scores in terms of professional experience (39%) and work organization (39%) constitute a solid foundation to build on their legislative and governance capability further.

²⁶ New Technology of Information and Communication

Figure 23 : National Assembly Office Profile by Functional Capability

Functional Capability Profile	KPI
Support from your Administration	56%
Professional Experience & Background	39%
Equipment	10%
Organisation	39%
Collaboration	22%
Workload	20%
Motivation	38%

With respective scores reaching 40 % in 4 of the 7 functional capabilities assessed, the Supporting Offices of the PAJ and ECOFIN Commissions of the National Assembly are reaching the stage of, good enough or, emerging legislative efficiency and governance (average mean scores comprised between 40 and 60%). Despite this encouraging result, the present situation of the Supporting Office stills particularly fragile.

On the three remaining functional capabilities with all scores below 25%, the Supporting Offices are facing a very difficult situation where the pre-conditions to perform their duties are not in place.

This situation could well improve with the delivery of NTICs basic equipments and the proposed concomitant organization of dedicated trainings. These concomitants trainings should address two different groups of assembly employees. The first should familiarize the staffs of the PAJ & ECOFIN Commissions offices, with the normal operation of offices software's. The second should address the IT offices employees who will be responsible for the proper maintenance of these equipments and minor breakdown repair.

The details of the related practical needs of the PAJ & ECOFIN Commissions supporting are listed in tables presented in the next paragraph.

Practices in Place within the National Assembly Offices

The current practices of the Supporting Offices of the PAJ and ECOFIN Commissions are presented each time they are shared by at least, half of the respondents and, when highlighted in blue, by 80% minimum of them.

Figure 24 : Absent Practices within the National Assembly Office

Absent
In your Office you are using a data base
Your professional experience allowed you to change your position
In your office you have a fax
In your office you have a personal computer
In your office you have an intranet connection
In your office you have an internet connection
You have paper registering form
You have electronic registering form
You have an IT data base
You are preparing a annual budget
In your office, each individual manage a specific file
In your office, the team organize file distribution
In your office, each file is considered at once
Your office works on a daily basis with external advisers
Your office works on a daily basis with civil society
Your office works on a daily with external auditors
Your office works with the other Assemblies
Your office works with National Minister cabinets
The equipments of your office are functional
The important equipments of your office are fixed within two weeks
In your office you are lacking of equipment
Your are receiving additional to your salary
This past 3 years you had an evaluation of your work
This past 3 years you took on a new posting
This past 3 years your eventual complaints were took into consideration
This past 3 years your proposals were took into consideration

The list of priority equipment to install, in the Supporting Offices of the National Assembly, clearly appears from the reading of the table. If this level of details was not given within the 2009 organizational audit, it clarifies greatly were effort should go first.

The second main finding is the absence of working relationships between the supporting staffs and the main actors concerned by decentralization. This result for the supporting staff is consistent with the score obtained by the Commissioners who also have few relationships with these groups, where indeed they should be systematized.

Figure 25 : Systematized Practices within the National Assembly Office

Systematically
In your office, each individual has a task to do
You know each day what you will have to complete
In case of problem you know who to address
You have an office director
In your office, you all worked before joining
In your office, you all have a higher education degree
In your office, you work together since at least 3 years
In your office, your position relates to your degree
In your office, you have a phone
In your office, the director distribute the files between the employees
In your office, to complete files it takes several steps.
In your office, each file has a reference number
In your office each file is reviewed by the director
In your office, you are producing an annual report of activity
Your office works on a daily basis with the Assembly
Your office works on a daily basis with the Permanent Commissions
In your office, everyone is present at work each day
In your office, you need training to be able to use the equipments
Your relationships with your colleagues are smooth
Your relationships with the director of your office are smooth
Your relationships with the public and the citizen are smooth
You receive your salary each month
The salary your are receiving correspond to the one of your contract

The table shows supporting staff works within a cooperative environment where employees, used to each other, operate under the supervision of a responsible within a positive climate and hold a higher education degree. This cooperative environment is a great foundation to assist in improving their actual planning, managing, monitoring and reporting practices by proposing them several established techniques that would solidify their performance.

Especially from the tables, the staff appears to complete a full range of organized tasks that are not serving the legislative and oversight mandates of the National Assembly. This could well improve within the forthcoming months since the Supporting Offices already produce annual and several topical reports. This result is consistent with the evaluation given by the MPs who do not see this staff as being supportive to their work. It could be well that, without adequate equipment these Supporting Offices are busy with administrative burden instead of performing legislative review and decentralization reform dedicated work.

It is important in the context of DRC and corruption complains to note, staffs confirm they receive their salaries where in most of the selected Provincial Assemblies they do not.

IV.4 Conclusions and Recommendations

National Assembly

For March 2010, the global Key Performance Indicator of the National ECOFIN Commission is 30,91%. This indicates that only partial pre-conditions to engage in legislative efficiency and good governance are in place. Indeed, National ECOFIN Commissioners show two levels of functional capabilities :

- Their emerging capabilities relate to the existing working relationships Commissioners have with the Supporting Offices, the other permanent Commissions and their Ministers. These working relationships require to be strengthened to foster de-confliction, coherence and harmonization between the diverse legislations. **With scores just passing 30%, pre-conditions are in place but, practices need to be developed further to allow MP to rely on an information and management tool that would meet their needs and of those participating in the reform process. To improve the prevailing situation, the supportive action plan should work with MP on the organization of an effective and systematic system for structuring and circulating information between the Commissions, the Supporting Offices, the Ministers and the Assembly, then, envision to enlarge it to the concerned administrations, the other Assemblies and to citizen interested groups.** Technical assistance would be appropriate to at least, propose and delineate with the Commissioners Information report structure and minimum content.
- Their legislative capabilities are tempered by the quasi absence of working relationships with the other Assemblies (of those, the Senate and the Provincial Assemblies), their Territorial Administration and the Public. All of them have a role to fulfill in the decentralization process. Despite this, PAJ Commissioners estimate the functional consequences of new draft law are taken into account. With the quasi absence of working relationship with the main concerned groups, reserve is formulated regarding the effective capability of National Assembly Commissions to conduct sounded qualitative democratic reforms. **On these issues, results indicate that the pre-conditions allowing MP to engage in an efficient legislative process are not in place. Therefore, the supportive actions plan should seek and assist MP in the establishment of consultation mechanism to ensure decentralization reform considers citizen needs like envisions its practicality for the Provinces and the Territorial Administration that will have to oversee or, execute it.** It appears essential, not to deliver training on the Constitution, but to clarify the different roles and responsibilities public institutions and citizen have to or, can play in, the decentralization process, as well as, in reducing corruption.

ECOFIN Commissioners express the internal functioning of their Assembly is open to contradictory debate and there are enough plenary sessions to confront critical draft laws.

- Nevertheless, they did not participate in annual budget formulation. However, according to their Constitution, MP should conduct that activity, which is part of the traditional duty assigned to a democratic Assembly.

With half of the respondents indicating no participation at all in the elaboration of the budget, effort is to be made to allow all MP to have a critical reading. The supportive action plan should provision for focused workshops and topical trainings. Issues here, are not to provide MP with a technical accountant capability but to provide them with sufficient know-how on (1) the DRC annual budget cycle and its different critical steps and main contents, (2) realistic budget needs estimate techniques, (3) public expenditure annual revision and (4) public tender control.

National Assembly Offices

The functional capability profile of the Supporting Offices of the PAJ and ECOFIN Commissions of the National Assembly is particularly heterogen:

- The functional capability of the Supporting Offices is mainly disrupted by the cruel lack of basic office equipments that would allow the staff to conduct their normal routines without administrative burden. **Since a lack of equipment also interferes on the scores related to the workload and time left to cooperate with the other services, these should improve, as the equipment issue is progressively resolved. By a greater coordination in donor effort and a concomitant organization of dedicated training, this issue should progress as the NTIC package is delivered.** The supportive action plan should provision for the organization of equipment and NTIC basic and advanced maintenance trainings as well as for basic and advanced offices software trainings and provide technical assistance session to assist in the reorganization of the activities of these offices.
- With average scores comprised over 40%, in 4 of the 7 functional capabilities measured, the Supporting Offices of the National Assembly are reaching the stage of emerging legislative efficiency. **While fragile, this result is very encouraging and mainly calls for technical assistance to increase the planning, managing, monitoring and reporting capabilities of the staff supporting the PAJ and ECOFIN Commissions.** The supporting action plan should include topical workshop with the responsible of the Supporting Offices on task organization and cooperation between services where technical workshop should be proposed to the staff in charge of report preparation.
- **To foster a common understanding of what involves legislative efficiency, decentralization reform, reducing corruption, and assist in the adoption of well-structured and systematized practices, some staff of the Supporting Offices of the PAJ and ECOFIN Commissions should participate in topical workshops and trainings with the Deputies.** This will also allow for concerted adoption of a set of common norms, procedures, forms and ensure circulation of information's serve the legislative process.

V. Maniema Province

V.1 Local Context

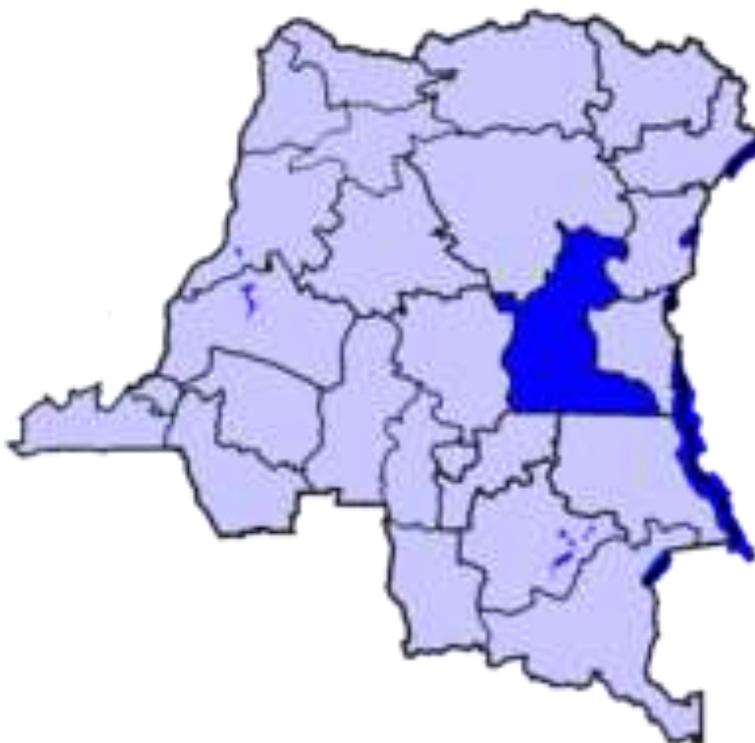
Geography

Formed by the partition of 1988, Maniema is a land-locked Province with an area of 132,000 square kilometers (larger than the North and South Kivu Provinces combined). It has an estimated population of over 2 million inhabitants. It borders the Kasai-Oriental Province on the west, the North Kivu and South Kivu Provinces on the east, and the Katanga Province on the south.

The administrative division of Maniema comprises:

- 1 City
- 3 municipalities
- 7 territories
- 21 sectors
- 13 chiefdoms
- 317 tribes
- 2808 villages

Figure 26 : Location of Maniema Province



Security Climate

Maniema is a militarily strategic region with a well-run airport able to accommodate large aircraft. Its administrative capital of Kindu houses the Mai Mai headquarters in the building of the Provincial Assembly.

Maniema Province was at the very center of fighting during the civil war, but nowadays-large part of the Province is generally considered secure. However, there are notorious unsafe spots in two territories on the northern administrative border with South Kivu.

- Despite awareness-raising campaigns designed to encourage civilians to lay down their arms, there are still military weapons in civilian hands that are organized in self-defense militias
- Lubutu and Kabambare territories are beset with security problems nourished by armed militia groups (the Mai Mai, the Simba, and the Raya Mutomboki).
- The presence of the FDRL (Democratic Forces for the Liberation of Rwanda) chased from South Kivu is creating security problems in the Loama, Kama, and Lisenge reserves.

Political Situation

The legislative elections of 2007 strengthened the position of the political alliance of pro-Presidential supporters (the Alliance for a Presidential Majority, or AMP).

When the assessment took place, the provincial government's stability was weakened by fraud and corruption charges made by population from Kasongo against the Governor.

There were violent demonstrations against the Governor in February, in his home region of Kasongo. This uncertainty in the Governor's Office is affecting the Provincial Assembly.

- A Deputy from the Opposition party also from the Kasongo region, relying the concerns of the civil society, is threatening to introduce a motion of defiance to remove the Governor from office should he fails to produce the requested evidences.
- As parlementarian questions asked by the Provincial Assembly were not answered to in a satisfying way, the President of the Provincial Assembly, in accordance with Assembly internal rules, put the censure motion on the agenda of the plenary session.
- This procedure caused tensions within the Assembly between the short majority of Deputies in favor of the Governor's dismissal and those supporting him . Some Deputies who signed the censure motion were attacked at their private residences and the Provincial Assembly was closed for 3 months.
- A consensus was finally reached with the election of a new Governor and the forming of a new provincial government..

Perception of the Assessment & the Program

- The Governor said he is very interested in the program and he is offering to facilitate its implementation. He personally took part in prior BRIDG training activities (USAID previous program).
 - He would like to see his staff to participate in the future program activities.
 - He insists on the need to coordinate the activities of the various donors active in his Province.

- The Minister of the Interior and Decentralization is also acquainted with the previous BRIDG program and has a positive interest in the current program.
 - He realizes that, aside from the edicts establishing Provincial Assemblies and government budget, the legal framework for decentralization is not developed.
 - His own staff could benefit from assistance in this area

- The Minister of Planning was away. At his request and that of the Minister of the Interior, the meeting took place with their Chiefs of Staff, both of whom commented on the lack of progress in decentralization legislative work.
 - Both Chiefs of Staff are advocating the need for better relationships between the Assembly and the Provincial Government. Each edict presented before the Assembly, particularly, budget edicts, requires bargaining with the Deputies, even with those of the same Majority, to get their vote.
 - The Ministry of Planning would like to benefit from practical training in project planning, budgeting, and monitoring. In his opinion, the Province should be better coordinated.

- In this Province, all members of the Economics and Finance (ECOFIN) and the Political, Administrative, and Judicial Affairs (PAJ) Commissions attended various training activities in the past, including on:
 - The general decentralization framework, budget analysis, legislative writing, records management, etc.

- The BRIDG program organized a field visit to a Benin Provincial Assembly.
 - Participants included the President of the Provincial Assembly, a member of the Opposition party, the President's Chief of Staff, and ECOFIN Commission members. They returned from the field visit very impressed, and are asking for additional assistance.

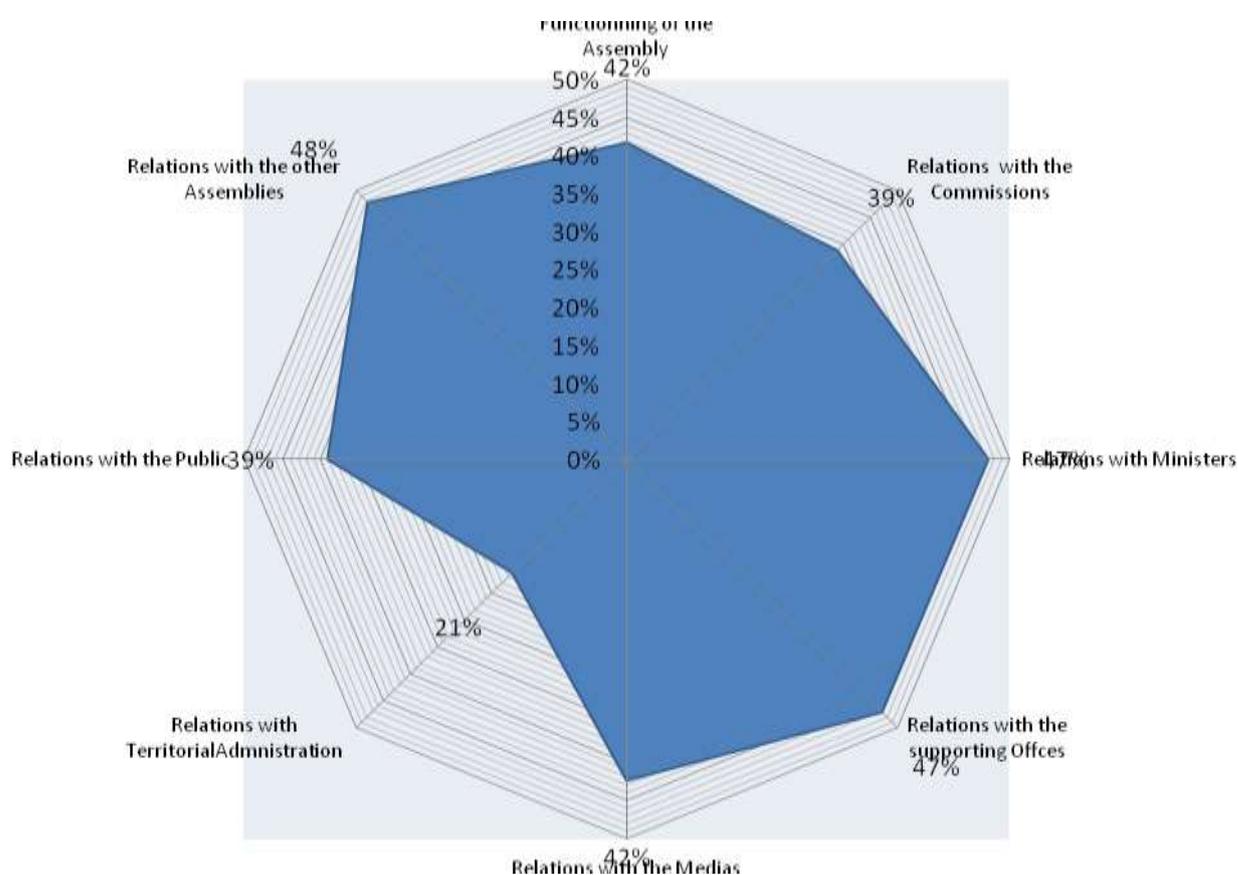
V.2. Functional Assessment of Maniema Provincial Assembly

Functional Capability Profile of Maniema Assembly

Half of the elected representatives of the Maniema Provincial Assembly completed the assessment questionnaire, including PAJ and ECOFIN Commissioner.

The following figure presents the mean scores obtained in the eight functional capabilities considered. These eight mean scores give the functional capability profile of this Assembly. As illustrated by the figure the functional capability of the Provincial Assembly of Maniema is closed to 50% reaching the stage of quasi-satisfactory legislative and governance efficiency. Compared to the situation in the other Assemblies, Maniema is more advanced.

Figure 27: Maniema Provincial Assembly Capability Profile



The functional capability profile of the Assembly is relatively homogenous but with a clear weakness in the level of working relationships with the territorial administration, which score, is below the 25% threshold. For all of the other seven functional capabilities the scores are reaching and passing the 40% threshold indicating this Assembly is actually showing positive legislative and governance activities.

The respective score obtained for each of the eight functional capabilities measured are given here.

With regards to the different levels of threshold (less than 25%, less than 40%, below 60%, about 80% and more) supplemental comment is made on an eventual risk of collapse like on the direction of effort to take.

Figure 28 : Maniema Provincial Assembly Profile by Functional Capability

Functional Capability Profile	KPI
Functioning of the Assembly	42%
Working Relationships with the Commissions	39%
Working Relationships with Ministers	47%
Working Relationships with the Supporting Offices	47%
Working Relationships with the Medias	42%
Working Relationships with Territorial Administration	21%
Working Relationships with the Public	39%
Working Relationships with the other Assemblies	48%

More specifically, as indicated by the table:

- The Assembly entertains constructive working relationships with its Supporting Offices, the others Assemblies and with its Ministers.
- More, the exchanges between its Commissions, the Media and the Public are quasi-satisfactory.
- All of these sub groups are concerned by the decentralization reform and despite they play a different role, their contributions are necessary to ensure decentralization edicts are balanced, answer the needs of the population and provide equal access to all of them.
- In Maniema, out of the eight functional capabilities measured, six are reaching the threshold of good enough and emerging legislative efficiency.
- The only score that call for attention is the lack of working relationships with the territorial administrations.
- If very encouraging these positive results require to be strengthened to stand over time and to progress further.

In the successive tables presented next, the absence like the prevalence of practices displayed by the Deputies is reviewed to point out those requiring attentive support and or, improvement.

Practices in Place in Maniema Assembly

The blue highlights indicate that at least 80% of the MPs agree on the issue and when presented without highlight it indicates a level of consensus of 50% and more.

The following table presents the non-existent practices of Maniema Provincial Assembly, clearly indicating where effort should go first to improve the functional capability of the Deputies to fulfill their three constitutional mandates, especially to pass decentralization and anti-corruption edicts and their corresponding operational regulations.

Figure 29: Absent Practices within the Provincial Assembly of Maniema

Never
When installed in office, you were given a proper induction.
Due to a lack of resources or, agreement, your Assembly has no Permanent Commissions.
To your knowledge, your Assembly backs loans contracted by the Provincial government.
All elected representatives have a supporting staff at their disposal.
Elected representatives have a Supporting Office for each party.
To your knowledge, your Assembly accesses to reports drawn up by the Administration
In your opinion, the delay for obtaining a response from the Administration is acceptable.
To your knowledge, the media reports on the work of your Commissions

There are three main weaknesses in the organization and the structuring of the current practices of Maniema Provincial Assembly, namely:

- The Deputies have very limited access to report prepared by the administration and to supporting staffs.
- The Provincial Assembly is not involved in decision-making on Provincial government debt.

Other practices rarely found in Maniema Provincial Assembly are summarized in the next table.

Figure 30: Rare Practices within the Provincial Assembly of Maniema

Rarely
To your knowledge, it is easy to obtain requested clarifications and/or explanations in your Assembly.
To your knowledge, your Assembly has an adequate operating budget.
You have been involved in designing and/or approving the operating budget for your Assembly.
There is not enough transparency in the appointment of Commission members in your Assembly.
To your knowledge, your Commissions hold regular meetings.
Your Assembly is in regular contact with Ministers.
To your knowledge, responses from Ministers provide requested clarifications and/or explanations.
To your knowledge, your Assembly examines ministry work plans and monitors their implementation.
To your knowledge, your Assembly makes program and policy evaluations.
To your knowledge, reports by your Assembly bring changes in Provincial government policies and in their implementation.
To your knowledge, office staffers have good basic training.
To your knowledge, office staffs have functional equipment at their disposal.
Your Assembly is in regular contact with the Administration.
To your knowledge, the reports drawn up by the Administration contain needed information.
To your knowledge, Administration staff members have adequate basic training.
Your Assembly organizes events with the public.
Your Assembly organizes events for the public.
To your knowledge, it is always the same members of the public whose voices are heard.
Most experts are members of the Administration staff.
To your knowledge, there are regular public disclosures of information.
To your knowledge, publicly disclosed information provides a good picture of the status and/or impact of new legislation.
To your knowledge, the public knows about or understands your work.
To your knowledge, women’s groups are consulted as part of the budgeting process.
Your Assembly is in regular contact with the media.
To your knowledge, the proceedings of your Assembly are reported in the media.
To your knowledge, the National Assembly takes your opinions and work into account.

This shows Deputies do not have sufficient supporting staff to assist in their legislative activities, only those with a formal position within the Assembly are assisted by staff. Clearly, there are problems with the dissemination of information, and lawmakers do not have the necessary background information required for the due conduct of their constitutional mandate. However, this does not prevent them from taking the floor, asking questions, engaging in debate, and voting, but, most of the time, they find themselves working “in the dark” and or, on rapidly assembled piece-meal information. Consequently, they rarely follow over the activities conducted by the government or the administration and public release are poor.

Figure 31: Common Practices within the Provincial Assembly of Maniema

Frequently
To your knowledge, most elected representatives attend and take part in plenary sessions of the legislature.
In your opinion, the speeches made at plenary sessions are well organized and delivered.
To your knowledge, requests to speak in discussions of important edicts are honored.
To your knowledge, you have needed information at your disposal for the discussion of important edicts.
To your knowledge, your Assembly has functional equipment at its disposal.
To your knowledge, Commissions consider the implications of their work for the public.
To your knowledge, Commissions base their work on international standards.
To your knowledge, Commissions consider the budgetary implications of their work.
To your knowledge, Commissions consider the functional implications of their work.
To your knowledge, case file managers tend to be available.
To your knowledge, your Assembly uses the expertise of outside agencies in the budgeting process (the Auditing Office, etc.)
To your knowledge, office staff tend to be available.
The public is called on to testify or to give its opinion at plenary sessions of the Assembly.
The public is called on to testify or to give its opinion at meetings of Commissions.
To your knowledge, the range of public voices heard is varied and diversified.
There are procedures for appointing experts.
Most experts are from the private and nonprofit sectors.
Your Assembly calls on international experts.
Your Assembly has Commissions.
It is easy to appoint Commission members in your Assembly.

The involvement of Deputies in the democratic debate over critical items is adequate and the Assembly of Maniema seems to use external references, witnesses and experts to support its decision. Actually, the conduct of parliamentary activity seems to be normal and exempt of major conflict. If Deputies have a limited access to the staff, they tend to make themselves available. The work conducted by the Commissions is appraised as being adequate by a minimum of 50% of the Deputies.

Figure 32: Systematic Practices within the Provincial Assembly of Maniema

Systematically
When installed in office, you received a copy of the internal bylaw.
To your knowledge, it is easy to speak in your Assembly.
In your opinion, your Assembly holds enough plenary sessions.
To your knowledge, a large Majority of elected representatives are present during discussions of important edicts.
To your knowledge, you are able to obtain any needed clarifications and/or explanations for the discussion of important edicts.
To your knowledge, you have needed information at your disposal for approving the annual budget.
To your knowledge, you have needed information at your disposal for the examination of expense reports.
To your knowledge, debates held by the Assembly allow for a discussion of the Majority view and that of the Opposition.
To your knowledge, it is easy to obtain copies of Commission reports and findings.
To your knowledge, Commission reports contain needed information.
In your opinion, the delay for obtaining responses from Ministers is acceptable.
To your knowledge, your Assembly can freely question Ministers and their administrative staffs during the budgeting process.
To your knowledge, your Assembly can influence budget priorities.
To your knowledge, your Assembly makes changes in proposed revenues and expenditures included in the budget edict.
Your Assembly has support staffs to assist with its work.
Only elected representatives with a specific rank in the Assembly have access to research staffs.
Permanent Commissions have Supporting Office staffs.
In your opinion, the work performed by office staffers provides useful input for your speeches at plenary sessions and/or Commission meetings.
To your knowledge, Administration staff members tend to be available.
To your knowledge, your Assembly scrutinizes obligations incurred by top officials.
Your Assembly accepts public opinion.
Your Assembly regularly discusses public opinion.
To your knowledge, the poor are consulted in evaluations of the anti-poverty program.
Your Assembly consults experts rather than the public.
Your Assembly consults experts and the public as part of the budgeting process.
To your knowledge, the public can contact you easily.
To your knowledge, information released by your Assembly is reported in the media.
To your knowledge, the media follow Commission proceedings.
In your opinion, the media are accessible.
You find it easy to communicate with the media.
Your press releases are reported in the media.
Your interviews are reported in the media.
The media attend your debates with other elected representatives.
You cooperate on different issues as needed.

You cooperate on different issues as needed.
You cooperate on specific issues as required by law.
You have no institutional cooperation or information-sharing arrangement with other Assemblies.

This table shows a large number of practices have been systematized by Maniema Provincial Assembly. For instance, most of them received the Assembly bylaw and the conduct of their debates seems to respect it. In Maniema 80% or more of the Deputies confirm they work with the Minister and participate in the review of budget revenues and expenditures.

This, with the other detailed practices, confirms the conduct of parliamentary work in Maniema complies with the good enough governance standards established by AID agencies. In this regard, without being able to establish a clear link, it appears that the diversity of trainings delivered to the Deputies of Maniema in the past is showing positive outcomes²⁷.

Most of the effort is, not in the establishment of a proper structuring of activity but more in increasing the qualitative level of their work content and the establishment of public and financial governance control or, monitoring system.

Within this, the availability of staff is to be improved and the regularity of exchanges with Ministers and the administration to be systematized and enlarged. A large applied consensus is to be build on the minimum content of information report, frequency and contributors. Equally, major decisions and achievements of the Assembly and its Commissions have to be better reported in the Media and resources allocated to inform the population and the fragile citizens.

In a later phase, the establishment of an inter-assembly exchange mechanism should accelerate the decentralization reform and contribute to reduce corruption each time enforcement of Assemblies decision will be effective.

Within the specific context of DRC, more exchanges with the Deputies of Maniema could well contribute to the transfer in the other Provincial Assemblies of their “workable and functional model” of parliamentary activity.

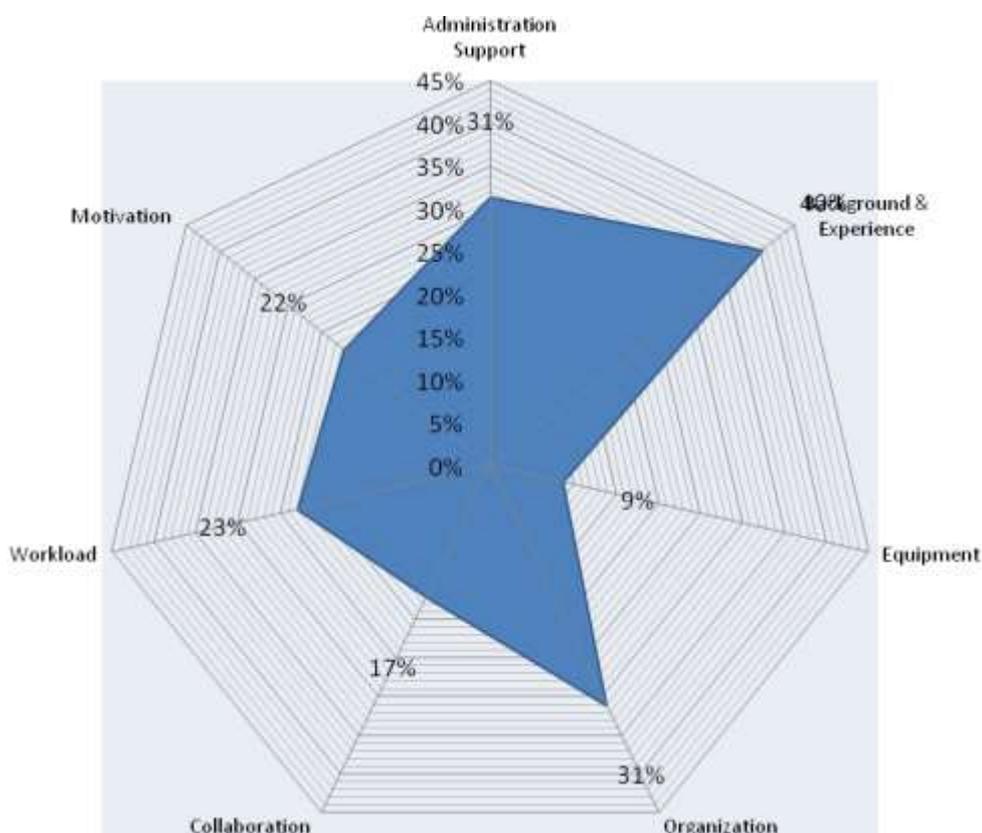
²⁷ During the Baseline Assessment, most of the Selected Assemblies established the list of trainings, workshops and field visits they had in the past. Maniema, for instance, came with the largest one. Regarding the list established by the other Assemblies it could be that no one kept a record or that, they did not participate into numerous capacity building activities. Of interest is that Maniema recorded which Deputy participated in what training and was able to extract this information without difficulty, showing they do monitor and update the activities of the member of their Assembly. This does not dispense them to be involved in other and supplemental trainings that are necessary to “fix and improve” their professional operating practices.

V.3. Functional Assessment of Maniema Provincial Assembly Offices

46.15% of contracted personnel and statutory employees of the Maniema Provincial Assembly completed the assessment questionnaire and made recommendations for improving their work.

As illustrated in the following figure, the functional capability of the Supporting Offices of Maniema is below the 25% threshold for four of the seven capacities measured. This clearly indicates that the Supporting Offices of the Provincial Assembly do not have the basic components necessary to the conduct of their normal tasks. This result requires careful attention and a proper orientation of effort to improve the situation.

Figure 33: Maniema Provincial Assembly Office Capability Profile



If weak, the functional capability profile of the Supporting Offices is also heterogeneous indicating that its development is not equally progressing but split. Two scores are of particular concern. They relate to the quasi-absence (less than 10%) of offices basic equipment and the lack of cooperation (17%) which leaves the staff alone to resolve daily issues or, to produce qualitative work.

More specifically, as indicated by the table, the Supporting Offices have no basic equipment and material, have almost no form of collaboration within or outside their office, their workload is overwhelming the staff and their level of motivation is low. Nevertheless, the staff and the chief officers consider their professional background and experience is quasi-satisfactory, and that they receive positive but reduced support. If their work is not well organized, organization of activity is not absent.

Figure 34 : Maniema Provincial Assembly Office Profile by Functional Capability

Functional Capability Profile	KPI
Administration support	31%
Background & Experience	40%
Equipment	9%
Organization	31%
Collaboration	17%
Work load	23%
Motivation	22%

Practices in Place within Maniema Assembly Offices

The following table presents an in-depth breakdown of the mean scores obtained in the seven functional capabilities. The tables show a lack of

- Personal or, general office space (lack of office and conference room)
- Modern communication technology (telephone, fax, computer, internet service)
- Compensation (only part of salary is paid to the employees and they receive no other form of benefits)
- Career advancement (performance evaluation, job mobility)

The activity of the Supporting Offices is poorly organized (weaknesses in the breakdown, assignment, scheduling, and planning of activities) and staff left alone (despite their daily presence at post no constructive professional contacts other than with their close colleagues take place). The actual role assumed by the task leader can be summed up as follows:

- He monitors the comings and goings of employees and signs off completed case files.
- The completion of tasks follows a procedure but its utility for the staff or, parliamentary work is unknown or, not understood by the staff.

Figure 35: Absent Practices within the Offices of the Provincial Assembly of Maniema

Never
The division chief or office manager changes.
You use databases in your division or office.
Your experience helped you get another job.
You have your own desk in your division or office.
You have a telephone in your division or office.
You have a fax machine in your division or office.
You have a personal computer in your division or office.
You have an intranet connection in your division or office.
You have an internet connection in your division or office.
You have a file protection system.
You have paper registration forms.
You have a paper data base at your disposal
You have computer registration forms.
You have an electronic database.
You have the use of a conference room.
You draw up a yearly budget.
Everyone in your division or office works together on all case files.
The staff of your division or office divides up the case files itself.
Work on each case file in your division or office is completed "all at once."
Your division or office works with outside experts or auditors on a daily basis.
Your division or office works with civil society on a daily basis.
Your division or office works with the other Provincial Assemblies on a daily basis.
Your division or office works with the National Assembly on a daily basis.
Your division or office works with the staff of a National Minister on a daily basis.
Employees in your division or office are replaced after a week's absence.
Everyone in your division or office goes home at the end of the workday.
Case files pile up in your division or office because there are not enough of you to process them quickly enough.
Your division or office has hired new staff in the last three years.
The equipment in your division or office is in working order.
Important equipment in your division or office is repaired within two weeks.
Your salary is paid every month.
Your salary is paid in full.
In addition to your salary, the Administration gives you other benefits.
You had a performance evaluation in the last three years.
You changed jobs in the last three years.
Any grievances you may have had in the last three years were taken into consideration.
Your suggestions were taken into consideration in the last three years.

This table clearly indicates the list of required equipments necessary for conducting normal daily routines in the Supporting Offices of the Assembly. In addition, it shows there is or, some fraud in the payment of salary to the employees or, important blockage and, or, delay in the transfer of the Provincial Budget allocation. These two issues have to be progressively resolved if reducing corruption and legislative efficiency is expected. The identification of the place and the operational reason of salary blockage require a complete analysis of the chain of budget allocation transfer.

Figure 36: Rare Practices within the Offices of the Provincial Assembly of Maniema

Rarely
You know in advance, what you have to do every day.
Each member of your division or office is in charge of a different case file.
The first person available in your division or office is put in charge of the next incoming case file.
Work on each case file in your division or office is completed in phases.
Your division or office works with the Governor's office on a daily basis.
Your division or office works with the staff of a Minister on a daily basis.
Work on case files in your division or office is completed in due course, without too long a delay.
Your division or office made an evaluation of its staffing needs in the last three years.

The table indicates, there is no form of activity planning for the good conduct of duties assigned to the Supporting Offices of the Assembly, leaving the employees in the unknown.

Figure 37: Common Practices within the Offices of the Provincial Assembly of Maniema

Frequently
Your division or office works with other divisions of the Administration on a daily basis.
Your division or office works with other administrative offices on a daily basis.
Your relations with other administrative offices are cordial.

There is no significant frequent practice, suggesting everyone relies on his personal know-how instead on those of a democratic institution ruled by good governance standards. The table of systematic practices presented on the next page confirms these findings, breaking down the data in detail.

Figure 38: Systematic Practices within the Offices of the Provincial Assembly of Maniema

Systematically
Each member of your division or office has a specific job to do.
The work you do can change daily.
In case of a problem, you know who to go.
In the event of a problem, you get help.
You have an office manager.
You had prior work experience before going to work for the Assembly Administration in your division or office.
You previously worked in another office of the Assembly Administration before joining your division or office staff.
The members of your division or office have a technical secondary school diploma or more advanced degree.
The members of your division or office have been working together for at least three years.
The work performed by the members of your division or office is related to their degree.
The members of your division or office undergo yearly training.
You use a computer in your division or office.
Incoming case files in your division or office are assigned according to each person's specialty.
Your division head or office manager assigns case files.
There are different steps, which must be followed in your division or office.
Every case file in your division or office is assigned a number.
A co-worker reviews every case file in your division or office.
The office manager reviews every case file in your division or office.
Your division or office draws up reports on its work.
Your division or office works with the Assembly on a daily basis.
Your division or office works with one of the Assembly Commissions on a daily basis.
Each member of your division or office is present at his or her post every day.
There has been a change in the organization of work in your division or office in the last three years.
The members of your division or office would need training in order to use your equipment.
You have a cordial relationship with your co-workers.
You have a cordial relationship with your boss.
You maintain cordial relations with the public.
You have a cordial relationship with the legislators.

Office staff members have basic diploma and professional experience used to assign a specific set of tasks to them. Nevertheless, the completion of these tasks does not rely on a standardized operating framework compliant with public efficiency and good governance. Since cordial relationships underlies work completion within the Supporting Offices, the current know-how and practices of the supporting staff could be adjusted to come with a transparent standardized operating framework that would better serve the legislative activities of the Assembly.

V.4 Conclusions and Recommendations

Conclusions

The Provincial Assembly of Maniema is deploying good enough governance legislative activities compliant with those used by AID agencies in transitioning countries. This result is particularly encouraging for the Deputies themselves, the other Assemblies and the program. Effectively the result shows Maniema succeeds in establishing an acceptable and workable model within the difficult and challenging context of DRC.

If this is encouraging, it requires to be further strengthened to stand over time. What is most needed in this Assembly is the establishment of a mechanism to exchange information with those concerned by decentralization. Equally, supporting activities should focus on the definition of the minimum content of information required and the clarification of the responsibilities assumed by those concerned by decentralization.

Within the Supporting Offices of the Assembly, the functional capability is lower. Four of the seven functional capabilities measured indicate the required basic conditions to perform daily routines are not in place. The action plan will have to identify where the blockages of salary payment are and to progressively resolve them. The lack of basic equipment in the Supporting Offices is affecting staff workload, organization and collaboration. If employees work within a collaborative climate they rely on their personal reference instead on a transparent standardized reference framework to complete their duties. In the organization of activity there is a lack of planning and collaborations that require to be resolved with the participation of the chiefs of staffs and the employees.

Recommendations

Within the Assembly, technical assistance should focus on

- Increasing Deputies access to qualitative information and on clarifying who is supposed to do what, how and when, to increase the legislative efficiency of their work.
- Additional assistance will mainly concern the establishment of public finance monitoring system to ensure the resolution of blockages and transparency in public spending.
- This should be accompanied by negotiation seminars where conflicting priorities can be resolved and by topical trainings on dealing and communicating with the Media and the Population.

Within the Supporting Offices

- Basic offices equipments and training are to be proposed. Two type of training will be proposed to ensure the proper maintenance and effective use of equipments.
- Technical assistance should include the development and implementation of a performance-driven management working structure and of its corresponding standard operating procedures and information templates.

VI. South Kivu Province

VI.1 Local Context

Geography

South Kivu Province was formed by the partition of the Kivu region in 1988. The Province borders Rwanda and includes a 60,070 square kilometer lake, which gives it its name. The Provincial Government is in the City of Bukavu on the shore of Lake Kivu.

According to a 2007 estimate, the Province has a total population of 3,824,059 inhabitants distributed among the administrative subdivisions:

- 1 City
- 3 municipalities
- 8 territories
- 5 Districts
- 18 chiefdoms

Figure 39: Location of South Kivu Province



Security Climate

Bordering on Rwanda, South Kivu Province is both militarily strategic and politically sensitive. In fact, it has been at the center of the raging fighting in the eastern part of the Democratic Republic of Congo since 1994.

The latest military offensive referred to as Operation KIMIA II designed to neutralize armed Rwandan Interham militia groups (FDLR) ended only a few days before the DAI delegation arrived in Bukavu. Due to the operation's failure to adequately protect the civilian population, the government of the DRC and the MONUC (the United Nations Mission in the DRC) decided to launch Operation AMANI LEO to pursue ongoing efforts to bring peace and security to this Province, whose start-up is imminent.

In the face of this especially volatile situation, the notion of security is extremely different in the villages and in the City of Bukavu. Life in villages moves to the beat of military offensives designed to neutralize armed militia groups, while City residents live in fear, terrorized by the frequent assassinations of journalists, clerics, and activists of civil society organizations.

Political Situation

Formed by the elections of 2006, the South Kivu Provincial Assembly has 36 Provincial Deputies, including three women: an officer (treasurer); a traditional leader; and a regular Deputy with no special rank. Note that, this Assembly has only one Opposition party member, namely the Chairman of the Foreign Relations Commission.

The South Kivu Provincial Assembly has six permanent Commissions

- Economics and Finance Commission (7 members)
- Political, Administrative and Financial Affairs Commission (6 members)
- Environment and Natural Resources Commission (7 members)
- Sociocultural Affairs Commission (5 members)
- Defense and Security Commission (4 members)
- Foreign Relations Commission (6 members)

At the time the assessment took place, the political climate in South Kivu was permeated by a continuous crisis between the members of the Majority, separating the elected representatives into two camps:

- The Governor;
- The Deputy Governor, the Provincial Assembly, and part of the population.

As the Governor was established, his relationship with the other Provincial AMP Deputies began to deteriorate almost immediately after his appointment. Following this, his Deputy Governor became more and more popular with the local population.

The President and Deputy Secretary of the Assembly are in one camp and the Deputy President and Secretary are in the other camp, with the latter accusing the former.

In 2009, a group of Deputies launched the procedure to remove the President from office, but the Bukavu Court of Appeals found irregularities in the procedure. Therefore, he is still in place. Only a few days before the arrival of the DAI delegation in Bukavu, the population launched a petition signed by thousands of citizens to remove the Governor from his office.

Perception of the Assessment & the Program

➤ **Governor of South Kivu (at that time)**

The Governor indicated, he was honored by the presence of the DAI delegation in his Province and by the choice of his Province by the Good Governance Program.

- He declared himself ready to serve as an advocate for the promotion of decentralization with a view to the synchronization of efforts at the National and Provincial levels. He welcomes the Good Governance Program as a means of promoting discussion. It complements the Assistance Program for Community Development Initiatives (PAIDECO). Well before the organization of elections, the PAIDECO program set up local structures for assessing local needs and mobilizing the necessary resources to address local problems with local solutions.
- He underscored the problems presented by the transfer of authority and responsibilities from the National government to the Provinces. According to the Governor, most Provincial governments have not developed necessary management tools for the decentralization process. The elections triggered a proliferation of new institutions while, so far, there has been no reform in budget allocation. There is no civil services employees' census that is a big budget-eater. The Governor estimates over 40% of the National budget is spent on politicking, while rural areas lack the very "foundations" of general government and basic public services (registry office, population, justice). All of these are necessary for the planning, implementation, and enforcement of democratic laws.

➤ **Provincial Planning Minister**

The Minister expressed her gratitude to the DAI delegation for its visit to her ministry and indicated her readiness to support the Good Governance Program. She believes that the objectives of the Good Governance Program and envisioned program activities (logistical support, technical assistance, training, etc.) are responsive to the concerns of her ministry. She explained that :

- The Planning Ministry now has offices in the Province's eight territories and three municipal Districts of the City of Bukavu thanks to the World Bank Governance Capability-Building Program (PRCG).
- This makes an important difference for the population who was forced, until 2006, to travel a long way to make their concerns heard and to the projects that in the past were only addressing issues encountered in the City while the rural areas were abandoned.
- These progress have not solved yet the problem of the staff working in these offices because they have not the required qualifications.
- The Minister referred to the establishment of a « **Provincial Coordination and Monitoring of Development Aid Committee** » in charge of keeping track of AID allocations to each specific project and corresponding beneficiaries.²⁸

Two of the Minister's advisors talked about the progress to integrate the various sector development plans (of government agencies, humanitarian organizations, development agencies, etc.) into an overall plan and asked about the selection criteria used by the Good Governance Program.

- With the assistance of the UNDP, five territories have a local development plan and negotiations are continuing in the other three territories of South Kivu for the formulation of similar plans.
- The Minister salutes the PAIDECO program for its work in renovating buildings and constructing multipurpose facilities in Uvira, Mwenga, and Walungu. She finds this model particularly interesting, as it allows the beneficiaries to have a say in setting their own priorities.

²⁸ Although the details are vague at this stage of the program, the composition and operations of this Committee appear to be similar to those of the structures set up by the international community at the Provincial level to manage the flows of donor funding and transfers of National budget funds for reconstruction and development work, particularly in Afghanistan, Lebanon & Iraq

➤ **Minister of the Interior, Justice, and Relations with the Provincial Assembly**

The Minister of the Interior, Justice, and Relations with the Provincial Assembly is temporarily replacing the Health Minister, who is sick.

- He arranged for the meeting to be attended by the various health officials of South Kivu Province, including the Provincial Medical Inspector, who reported on the progress to develop a Health Provincial Plan to be used as input for a National Plan.
- He gave to the DAI delegation a copy of the « **Strategic Analysis of the Health Sector.** » report.
- He confirmed one of the advisors to the Minister of the Interior will work closely with the Good Governance Program to make progress in the decentralization process.

➤ **President of the Provincial Assembly**

The President of the Provincial Assembly expressed his thanks for starting up the Good Governance Program in South Kivu, pointing out that « *when you're sick, it's important to have a doctor in the house since, if you have to take a plane to get care elsewhere, you run the risk of dying.* »

- His Chief of Staff reviewed the needs of the different offices, particularly those of the documentation and communications departments, and of the Political, Administrative and Judicial Affairs and the Economics and Finance Commissions.
- In his view, the presence of the Good Governance Program is good for the Provincial Assembly

➤ **Provincial Assembly Secretary**

The Secretary reviewed the various training activities given by the donors to the Provincial Assembly, pointing out their weaknesses. In his view,

- The training on the legislative process did not go far enough.
- The training on the budget was too basic.
- He suggested an evaluation of the bylaw of the Assembly, whose findings would be presented to the Provincial Assembly.
- Furthermore, there has been deterioration in the relationships between the Provincial Assembly and the Provincial Government.
- The public, which started a petition against the Governor, is also reproaching the Deputies for doing nothing in the Province.
- While lamenting the politicizing of the hiring process of the supporting staff, he is in favor of giving them statutory civil service appointment.

➤ **Administrative Director of the Provincial Assembly**

According to the Administrative Director of the Provincial Assembly, «*the Administration is the guardian of the temple.* »

- Unlike in the other Provinces, where the departments of the Provincial Assembly are ran by political staffs, in South Kivu, this role is assumed by the Assembly's Administration.
- The Provincial Assembly Administration has three main divisions:
 - The Clerk's Office (Plenary Support Department, Commission Support Department, Press and Communications Department, Documentation Department);
 - The Fiscal Division (Personnel Department, Finance Department, Protocol Office);
 - The Research Division.
- Applicable texts include the bylaw of the Assembly, administrative regulations, financial regulations, and a decision by the President establishing the duties and functions of each employee. However, this administrative structure has a number of functional problems.
- Members of the Provincial Assembly Administration staff are hired on criteria adapted to local conditions in South Kivu Province. Since Provincial Deputies represent each territory of the Province, the Assembly decided that each Provincial Deputy should recommend the appointment of one member of the Administration staff.
- As currently stand, out of a staff of 56 employees, only 9 have statutory civil service appointments.
- In principle, the Administrative Director should serve as chief advisor to the President of the Assembly but, in practice, this role belongs to the Chief of Staff.
- The Provincial Assembly Administration has serious operating problems because it is getting only 30% of its requested budget.

➤ **Mayor of the City of Bukavu**

The DAI delegation was received by Mrs. ZITA KAVINGIRWA, mayor of the City of Bukavu, seconded by Mrs. HENDWA Esperance, burgomaster of the Municipality of Ibanda. The mayor specifically talked about how the Good Governance Program could help organize meetings of different National, Provincial, Local, and Civil Society stakeholders with a view to the creation of a decentralization framework. There are numerous training needs.

- As far as decentralization is concerned, she underscored the importance of participatory budgeting in that, if the public took part in drawing up and implementing the budget, it would be easier to get it involved in City management.
- There is an ad hoc Commission, which draws up a City budget proposal and submits it to the Mayor before the Mayor presents her budget to the Assembly.
- In the absence of elected officials able to explain the subsections of the City budget to the public there is public distrust.
- The mayor welcomed the idea of organizing discussions with other countries within and even outside the sub region, to share positive and negative experiences.
- In addition, she felt it important to raise the issue of the negative sanitary conditions of the City of Bukavu.
- In fact, despite efforts at Citywide and municipal levels, resources are not sufficient to collect citizen garbage 's and wastes. The Mayor felt resolving « public sanitation » is to contribute to the Health Development Plan in South Kivu Province.

➤ **Burgmaster of Kadutu Municipality**

Kadutu Municipality was selected as one of the 3 local administrative units targeted by the Good Governance Program in the wake of territorial partition.

- The Burgomaster confirmed she was ready to welcome all development activities in her Municipality.
- She also indicated she would like to see the Good Governance Program start up quickly given the enormity of the needs of her Municipality.

VI.2 Functional Assessment of South Kivu Provincial Assembly

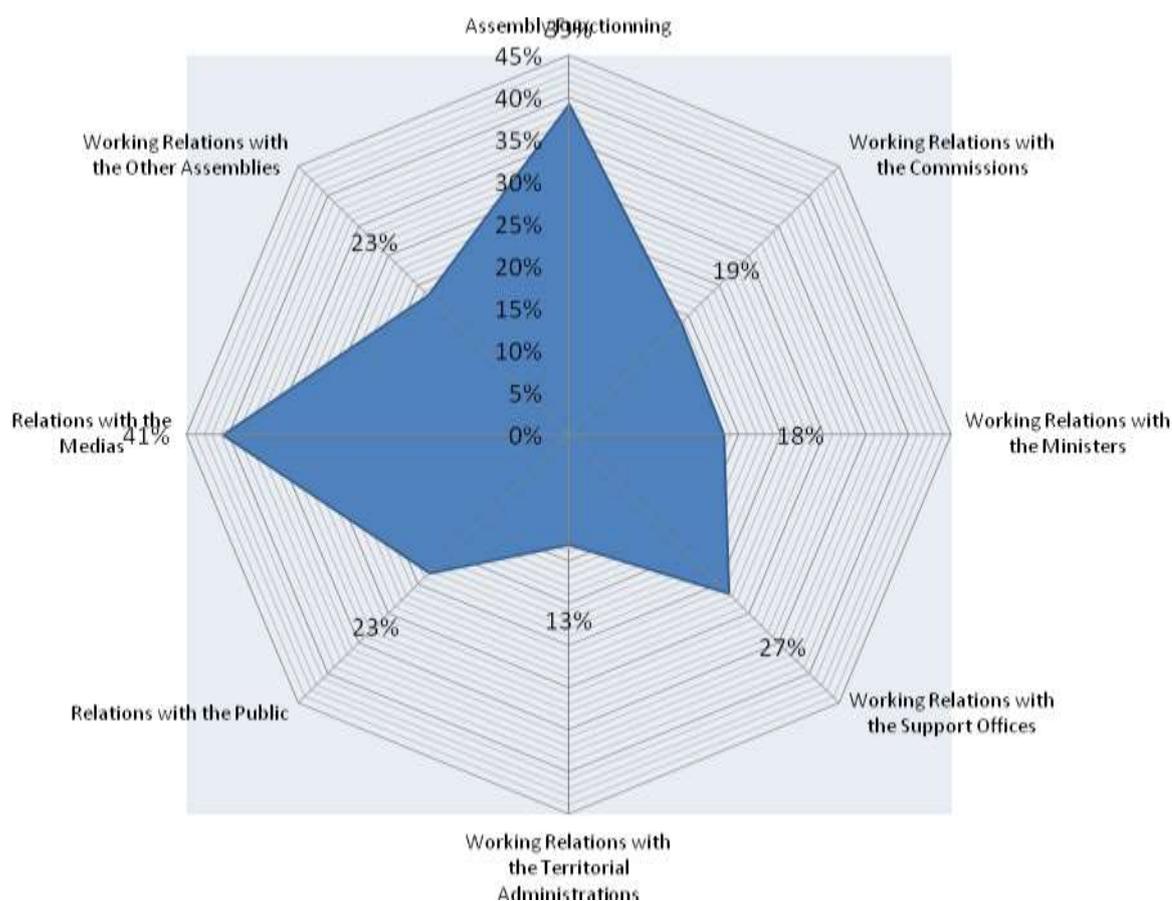
Functional Capability Profile of South Kivu Assembly

A third of the elected representatives in the South Kivu Provincial Assembly completed the assessment questionnaire, including the members of the Political, Administrative and Judicial Affairs Commission and the Economic and Finance Commission.

The following figure shows the average scores for each of the eight functional capabilities considered. A comparison of the average scores establishes the functional capability profile of South Kivu Provincial Assembly.

In general, the South Kivu Assembly's functional capability is rather weak (with a score of 25.40%) with mixed scores varying from one functional capability to another, indicating the presence of certain weaknesses along with some encouraging strengths.

Figure 40: South Kivu Provincial Assembly Capability Profile



More specifically, the breakdown of scores for the South Kivu Assembly indicates:

- Serious difficulties in its working relationship with its Commissions, the territorial administration, and the Ministers (scores under 20%)
- Encouraging but still rather weak scores regarding working with the other local authorities and the Public (scores comprises between 25% and 40%)
- Quasi-satisfactory scores in terms of internal Functioning of the Assembly and communicating with the Media (scores between 40% and 60%)

Figure 41 : South Kivu Provincial Assembly Profile by Functional Capability

Functional Capability Profile	KPI
<i>Assembly Functionning</i>	39%
<i>Working Relations with the Commissions</i>	19%
<i>Working Relations with the Ministers</i>	18%
<i>Working Relations with the Support Offices</i>	27%
<i>Working Relations with the Territorial Administrations</i>	13%
<i>Relations with the Public</i>	23%
<i>Relations with the Medias</i>	41%
<i>Working Relations with the Other Assemblies</i>	23%

Practices in Place in South Kivu Assembly

The following series of four tables shows the practices demonstrated by at least 50% (without highlight) and 80% or more (highlighted in blue) of the respondents. The latter practices, which are significant, indicate the specific areas of work to be given priority.

The comments following the tables underscore the linkages between the different practices.

Figure 42 : Absent Practices within the Provincial Assembly of South Kivu

Never
When installed in office, you were given a proper induction.
When installed in office, you were given a copy of the bylaw of the Assembly.
To your knowledge, in examining important legislation, you are able to obtain needed clarifications and/or explanations.
To your knowledge, your Assembly has an adequate operating budget.
To your knowledge, you have the necessary information at your disposal for examining expense reports.
Your Assembly has no standing Commission for lack of an agreement or resources.
There is not enough transparency in the appointment of Commission members In your Assembly.
To your knowledge, permanent Commissions hold regular meetings.
To your knowledge, Commissions consider the implications of their work for the public.
To your knowledge, Commissions base their work on international standards.
To your knowledge, Commissions consider the budgetary implications of their work.
Your Assembly is in regular contact with Ministers.
In your opinion, the turn-around time for obtaining responses from Ministers is acceptable.
To your knowledge, responses received from Ministers provide requested clarifications and/or explanations.
To your knowledge, your Assembly examines ministry work plans in depth and monitors their implementation.
To your knowledge, your Assembly makes program and policy evaluations.
To your knowledge, reports by your Assembly bring about changes in Provincial government policies or in their implementation.
To your knowledge, your Assembly makes decisions on loans contracted by the Provincial government.
All elected representatives have a Supporting Office staff.
Elected representatives have a Supporting Office staff for each party.
Only elected representatives with a specific rank in the Assembly have an office staff.
Permanent Commissions have Supporting Office staffs.
In your opinion, the work performed by office staffers provides useful input for your speeches at plenary sessions and/or Commission meetings.
Your Assembly is in regular contact with the Administration.

To your knowledge, Administration staff members tend to be available.
To your knowledge, your Assembly has ready access to reports drawn up by the Administration.
In your opinion, the turn-around time for obtaining a response from the Administration is acceptable.
To your knowledge, reports prepared by the Administration contain needed information.
To your knowledge, your Assembly scrutinizes obligations incurred by top officials.
Your Assembly organizes events with the public.
Your Assembly organizes events for the public.
The public is called on to testify or to give its opinion at plenary sessions of the Assembly.
The public is called on to testify or to give its opinion at meetings of permanent Commissions.
To your knowledge, it is always the same members of the public whose voices are heard.
To your knowledge, the range of public voices heard is varied and diversified.
To your knowledge, the voices of the poor and helpless are being heard.
Most experts are members of the Administration
Your Assembly calls on international experts.
To your knowledge, there are regular public disclosures of information.
To your knowledge, publicly disclosed information provides a good picture of the status and/or impact of new legislation.
To your knowledge, the public knows about or understands your work.
To your knowledge, the <i>parties</i> are consulted as part of the budgeting process.
To your knowledge, your Assembly studies the budget, comparing its effects on women and men, to try to influence budget priorities.
To your knowledge, the media follow Commission proceedings.
Your Assembly is in regular contact with the National Assembly.
Your concerns are too different.
You discuss your work.
To your knowledge, your opinions and work are taken into account by the other Provincial Assemblies.
You share your work products.
You have no institutional cooperation or information-sharing arrangement with other Assemblies.

The first and most obvious comment relates to the size of the non-existent practices. In fact, nearly half of the legislative efficiency and effective governance assessment indicators are found here, indicating that Deputies are not addressing these concerns. There is a large consensus (over 80%) among Deputies over a quarter of the indicators to reckon there are not working according to these transitioning country standards.

This could indicate, Deputies received no information so far, on what decentralization, good governance and reduction fighting involve.

- The Assembly’s facilities are so inadequate that there are (virtually) no office to welcome the Deputies and the Commissions.
- The Deputies did not benefit from an induction briefing neither receive the bylaw of the Assembly indicating they cannot refer to it to rule their legislative debate.
- They have no contact with the National Assembly or with the Administration, do not have access to their reports, and do not scrutinize obligations incurred by top officials or, examine ministry work plans or, evaluate current programs and policies.
- There is no event organized for or, by the public and no consultation of experts or, interests groups, not even as part of the budgeting process.

With these poor working conditions, their reports do not beget any changes in Provincial government policies, and they are not in a position to consider the impact of the budgets they pass on the well-being of their population.

Figure 43: Rare Practices within the South Kivu Provincial Assembly

Rarely
To your knowledge, it is easy to obtain requested clarifications and/or explanations in your Assembly.
To your knowledge, most elected representatives attend and take part in plenary sessions of the Assembly.
To your knowledge, your Assembly has functional equipment at its disposal.
To your knowledge, Commissions take the functional implications of their work into account.
To your knowledge, office staffers have good basic training.
To your knowledge, it is easy to obtain copies of Commission reports and findings.
To your knowledge, your Assembly uses the expertise of outside agencies as part of the budgeting process (the Auditing Office, etc.)
To your knowledge, your Assembly makes changes in proposed revenues and expenditures included in the budget edict.
To your knowledge, office staffers have functional equipment at their disposal.
To your knowledge, Administration staff members have adequate basic training.
To your knowledge, information released by your Assembly is reported in the media.
Your interviews are reported in the media.
To your knowledge, the National Assembly takes your opinions and work into account.
To your knowledge, relations with the other Provincial Assemblies are cordial.

The table of quasi-nonexistent practices in the South Kivu Provincial Assembly confirms that at least half the Deputies believe their Commissions cannot consider the functional implications of their work and that their Assembly only rarely makes changes in proposed revenues and expenditures in budget edicts. Moreover, most elected representatives rarely attend plenary sessions of the Assembly.

Figure 44: Common Practices within the South Kivu Provincial Assembly

Frequently
To your knowledge, it is easy to obtain copies of Commission reports and findings.
To your knowledge, your Assembly uses the expertise of outside agencies as part of the budgeting process (the Auditing Office, etc.)
To your knowledge, your Assembly makes changes in proposed revenues and expenditures included in the budget edict.
To your knowledge, office staffers have good basic training.
To your knowledge, office staffs have functional equipment at their disposal.
In your opinion, the work performed by office staffers provides useful input for your speeches at plenary sessions and/or Commission meetings.
To your knowledge, Administration staff members have adequate basic training.
Your Assembly is in regular contact with the media.
To your knowledge, information released by your Assembly is reported in the media.
Your interviews are reported in the media.
The media are present at your debates with other elected representatives.
To your knowledge, the National Assembly takes your opinions and work into account.
To your knowledge, relations with the other Provincial Assemblies are cordial.

Deputies of South Kivu Assembly appear to be split into two camps on budget issues:

- First, some feel that it is difficult to get access to Commission reports, while others feel that these reports are easily obtained;
- Second, some believe that the Assembly rarely uses outside expertise in the budgeting process, while others consider this a frequent practice.

In contrast, most of the respondents (80% and more) agree that the media follow political debates between elected representatives. This assessment of the situation with respect to the media is confirmed by the smaller consensus on the existence of frequent contacts with the media, as reflected in the interviews given by the Deputies and of public information released by the Assembly.

Figure 45: Systematic Practices within the South Kivu Provincial Assembly

Systematically
To the best of your knowledge, your Assembly has no such document and/or rarely refers to it.
To your knowledge, it is easy to get recognition to speak in your Assembly.
To your knowledge, a large Majority of elected representatives are present during discussions of important legislation.
To your knowledge, requests to speak in discussions of important legislation are honored.
You were involved in drawing up and/or approving the operating budget for your Assembly.
To your knowledge, you have needed information at your disposal for approving the annual budget.
Your Assembly has permanent Commissions.
It is easy to appoint Commission members in your Assembly.
To your knowledge, office staffers tend to be available.
Your Assembly accepts public opinion.
To your knowledge, the public can easily contact you.
To your knowledge, the public regularly attends plenary sessions of your Assembly.
Your Assembly is in regular contact with the media.
In your opinion, the media are accessible.
You find it easy to communicate with the media.
You cooperate on different issues as needed.

A look at this table shows the basic practices effectively in place in the South Kivu Provincial Assembly acknowledged by at least 50% and, in the case of the blue-shaded items, at least 80% of the Deputies.

A review of these practices suggests that one of the first information activities to be proposed should focus on the rationale for internal rules of order for an Assembly and its Commissions. Other information activities should address the role which can (or should) be played by the Supporting Office Staff, Ministries, the Administration, Outside experts, and the Public in the legislative decentralization and corruption reduction process.

It is equally apparent that a major effort is to be made to ensure all Assembly MPs access to needed information.

Note that, despite the poor working conditions in the South Kivu Provincial Assembly, according to the Deputies, they have no problem in working with each other, or dealing with the media, either in their routine work or, in dealing with more sensitive legislation.

VI.3 Functional Assessment of South Kivu Provincial Assembly Offices

The Supporting Offices of South Kivu Provincial Assembly are organized into three main divisions:

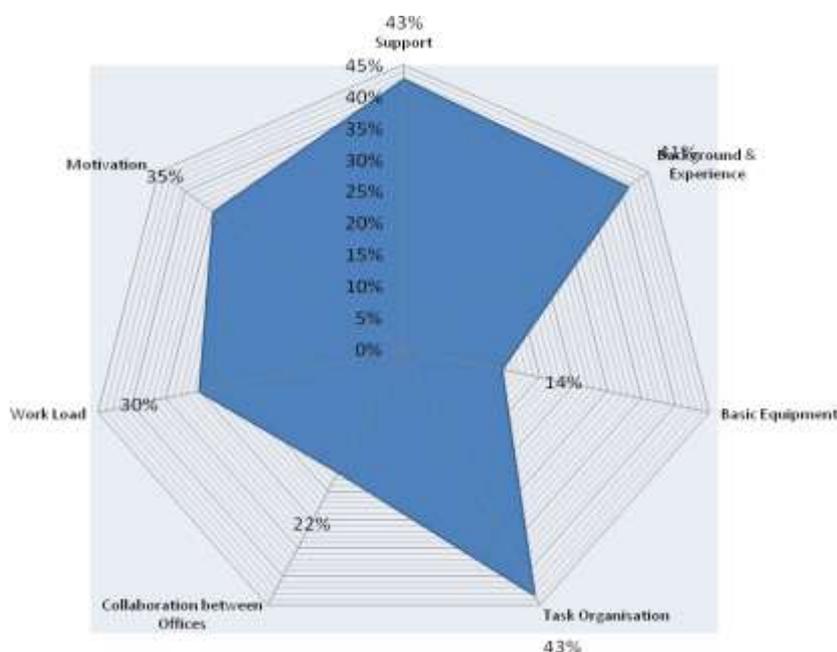
- The Clerk Division
 - Plenary Support Department
 - Commission Support Department
 - Press and Communications Department
 - Documentation Department
- The Fiscal Division
 - Personnel Department
 - Finance Department
 - Protocol Office
- The Research Division

Staff members are hired on a territorial criteria corresponding to the geographic origin of the Deputies who recommended the candidates. Out of a staff of 56 employees, nine have statutory civil service appointments while the other are contracted for the term of the legislature.

Functional Capability Profile of South Kivu Assembly Offices

46 of the 56 South Kivu Provincial Assembly staff or, 82 % of the total concerned population, completed the questionnaire in February 2010. The following figure shows the specific functional capability of the Supporting Offices.

Figure 46: Functional Capability Profile of the Supporting Offices of South Kivu Provincial Assembly



As in the case of the other Supporting Offices of Provincial Assemblies, there is an urgent need for basic equipment.

Their respective performance in three of the seven functional capabilities shows the Supporting Offices are reaching the threshold level of good enough or emerging activity efficiency (scores between 40 and 60%). For the other, they stand slightly lower in two cases and much lower in one case.

Thus, the functional capability profile for the South Kivu Provincial Assembly Supporting Offices forms a continuum ranging from clearly weak (score under 25%) to quasi-satisfactory but fragile level of functionality.

More specifically, as indicated by the following table

- The support, experience, professional training, and task organization of the staff are quasi-satisfactory.
- Their workload and motivation are problematic.
- Substantial improvements in basic office equipment and inter-office cooperation are required for greater efficacy and compliance with basic principles of good governance.

Figure 47 : South Kivu Provincial Assembly Offices Functional Capability by Axis

Functional Capability Profile	KPI
Administration Support	43%
Background & Experience	41%
Equipment	14%
Task Organization	43%
Collaboration	22%
Work load	30%
Motivation	35%

Practices in Place within South Kivu Assembly Offices

The existents and non-existents practices deployed by the Supporting Offices of South Kivu Assembly are reviewed to highlight those shared by at least 50% of the staff and by 80% or more of them (highlighted in blue).

Figure 48 : Absent Practices in South Kivu Provincial Assembly Offices

Never
The office manager changes.
Your experience helped you get another job.
You have your own desk in your office.
You have a fax machine in your office.
You have a personal computer in your office.
You have an intranet connection in your office.
You have an internet connection in your office.
You have a file protection system.
You have a paper database at your disposal.
You have computer registration forms.
You have an electronic database.
You draw up a yearly budget.
Your office works with civil society on a daily basis.
Your office works with the Governor's office on a daily basis.
Your office works with a Minister's office on a daily basis.
Your office works with other Provincial Assemblies on a daily basis.
Your office works with the National Assembly on a daily basis.
Your office works with a National Minister's office on a daily basis.
Staff members in your office are replaced after a week's absence.
There has been a change in the organization of work in your office in the last three years.
Important equipment in your office is repaired within two weeks.
Your salary is paid every month.
Your salary is paid in full.
Along with your salary, the Administration also gives you other benefits.
You changed jobs in the last three years.
Any grievances you may have had in the last three years were taken into consideration.
Your suggestions were taken into consideration in the last three years.

Among other things, this table indicates a significant shortage of basic operational office equipments. Essential to the conduct of the most routine tasks, the lack of fax machines, computers, file registration and protection system, databases and computer networks severely limits any possibility of efficient work performance by the Assembly's administrative offices.

There is a lack of

- external collaboration (with the Governor's office, the administration, the civil society, or the public)
- possibility for career advancement (no performance evaluation, no job mobility, no improvement in the organization of work, an entrenched hierarchy)
- Effort to estimate capital and operating budget needs
- Recurring problems with pay checks (in terms of punctuality and full payment).

These various elements directly affect the motivation and the efficacy of work performed by the Supporting Offices

Figure 49: Frequent Practices in South Kivu Provincial Assembly Offices

Frequently
Work on case files in your office is completed without too long delay.

While there are numerous consensuses around nonexistent practices, there is no consensus whatsoever over quasi-nonexistent practices and only a single consensus around a frequent practice, which could go either way (the result is not statistically significant).

Figure 50: Systematic Practices in South Kivu Provincial Assembly Offices

Systematically
You have an office manager.
You know who to go to in case of a problem.
Your office staff has been working together for at least 3 years.
You had prior work experience before going to work for the Provincial Assembly Administration, in your office.
The members of your office staff have a technical secondary school diploma or more advanced degree.
The work performed by the members of your office staff is related to their degree.
The office manager assigns case files.
Each member of your office staff has a specific job to do.
Incoming case files in your office are assigned according to each person's specialty.
There are different steps, which must be followed in your office.
Each case file in your office is assigned a number.
Each case file in your office is reviewed by the office manager.
Your office draws up reports on its work.
Everyone in your office is present at his or her post every day.
Your office does not have enough equipment for you to handle your case files.
Your office staff would need training in order to use your equipment.
You have a telephone in your office.
Your office works with the Assembly is other administrative offices on a daily basis.
Your office works with the Assembly on a daily basis.
Your relationship with your co-workers is cordial.
Your relationship with your boss is cordial.
You maintain cordial relations with the public.

This show

- The only type of equipment available per office is a telephone.
- At minima, employees have a higher degree diploma.
- Employees are working together for at least 3 years on case files related to their field of expertise.
- They show up at their job every day and know who to go to if facing difficulty.
- They have cordial relationships with other co-workers, with their office manager, and with the public.
- The office manager assigns case files to staff members (and checks their work).
- They follow a set procedure in working on their assigned case files and draw up annual reports, which, unfortunately, never leave the division, despite Assembly requests.
- There is only internal collaboration between the employees

VI.4 Conclusions and Recommendations

Conclusions

The Deputies of the Provincial Assembly of South Kivu are facing a wide range of difficulties in assuming their legislative mandate.

- Offices spaces and equipments are deficient and aside from one telephone per office, Deputies and Staff have no material. This is seriously limiting their capabilities to function normally.
- When installed, Deputies did not receive any form of induction briefing either the Assembly bylaw. While this document exists, it does not regulate the activities and the debate of the Assembly.
- The level of cooperation between the Assembly and those concerned by decentralization is too low like the only type of collaboration between different offices is internal.
- Deputies have no difficulty to debate over legislative issues but do not access technical reports that would support their efficiency, the budgetary consequences or, the effects on their population.
- Actually only one third of the required budget arrives at destination badly delaying the full payment of the salaries to the employees and the conduct of activities.
- Deputies established recruiting principles for engaging the staff. The Supporting Offices have an organized operating structure and the employees have a basic but good level of qualifications and work under a supportive climate that supports the completion of their tasks that are checked by their superiors. If they establish activities reports, those are not given to the Assembly.

Recommendations

- The provision of logistic support in workspace (offices) for the Assembly and basic functional equipment for the Supporting Offices is among the most pressing issue to solve. Topical training is to be organized to ensure a proper maintenance and use of these equipments by the staff who will receive them.
- Training support to provide MPs with a better understanding of the practical consequences of decentralization reform, basic anti-corruption and good governance mechanisms (for use in the day-to-day performance of their duties and in their relationships with the Provincial Government and the Territorial administrations). Considerations such as the concurrent implementation, programming, and evaluation of the progress of the corresponding legislative reforms should be part of the training support provided.
- Technical assistance in the establishment of formal information-sharing mechanisms is required. First within the Assembly and its Supporting Offices to be extended second, to key outside stakeholders concerned by the decentralization process and battle against corruption. This technical assistance is to be accompanied by topical seminars on developing Standard formats case files, reporting forms and data base operation. Other topical seminars should concern sessions on defining who is responsible, who does what, to what end, based on what types of standards, for whom.
- Training support for MPs and Office managers to estimate budget requirements (for the due and proper performance of their work) and to develop registration forms are to be proposed like technical assistance to increase the negotiation capability of the Provincial Assembly in obtaining its budget (or, in resolving the blockage in its delivery to the Province). This should be accompanied by topical training on the DRC annual budget cycle, including budget design, review, and performance monitoring, attempting to raise the awareness of Deputies on the importance of multi-year investment plan.

VII. Bandundu Province

VII.1 Local Context

Geography

Bandundu Province covers an area of 295,658 square kilometers and has a population of 5 200 100 inhabitants. Bordering on Kinshasa and Bas-Congo on the west, Equateur on the north, and Kasai-Occidental on the east, its Provincial capital is the City of Bandundu.

Formed in the 1960s, Bandundu Province consists of :

- 2 Cities (Bandundu and Kikwit)
- 3 Districts (Kwilu, in the center of the Province, Kwango, and Mai-Ndombe, also known as the plateau District, in the north)
- 7 Municipalities (Disasi, Basoko, Mayoyo, Kazamba, Lukemi, Lukolela, and Nzida)
- 13 territories.

Figure 51: Location of Bandundu Province



Security Climate

Conditions in Bandundu City appear to be unusually peaceful for the DRC and are generally considered to have no major security problems. Nevertheless, there have been some problems connected with the strong-arm operations used to break up the demonstrations organized by residents of Maï Ndombe to denounce the exploitation of local resources by international companies, which are threatening their livelihoods.

Political Situation

The 2006 legislative elections significantly strengthened the position of the pro-Presidential bloc (the AMP), which won 62 out of the 84 seats of the Provincial Assembly.

The Assembly has six permanent Commissions and a Special Commission referred as the “Commission of the wised”. The six permanent Commissions are

- Political, Administrative and Judicial Affairs Commission
- Economics and Finance Commission
- Commission on Sociocultural Affairs, Women, Family, and Children
- Environment and Natural Resources Commission
- Reconstruction and Development Commission
- Commission on InterProvincial Relations

The Opposition is not very active aside for one or two Deputies who regularly challenge and question the Governor and the Ministers. The Ministry of Environment and Agriculture and the Ministry of Education are generally recognized as strong and efficient and are innovative in their respective areas.

Mr. Richard Ndambu Wolang heads the Provincial government.

- Most governmental work is centered on the Provincial Governor’s Office.
- The Provincial Government has strong leadership, with a Governor who keeps track of all government work, and appointed a Deputy to replace him while absent.
- In the Governor’s absence, it is not the Deputy Governor who takes up the reins of government but the Minister of the Environment, Mr. Edouard Kinanga or, the Minister of Health, Mr. Philippe Akamituna.

The Bandundu government is in regular contact with the donor community.

- A permanent discussion framework with the United Nations Agencies and the other donors is followed by the Governor.
- They have been holding monthly meetings since December.
- USAID has been active in this Province for the past several years, and many local leaders are familiar with its previous program activities.

Perception of the Assessment & the Program

- **The Governor** was out of the Province and the **Minister of Education** was delegated to receive DAI and facilitate the baseline assessment and the presentation of the program.
 - In his opinion, the proposed activities of the GGP are needed in the Province.
 - He pointed to the excellent cooperation between DAI/USAID and Bandundu and expressed his delight with the new 5-year program.

- **The President of the Provincial Assembly** talked about the positive effects of joint venture by the Assembly and USAID. According to him
 - The Democratic transition in DRC is still in a pilot phase, having only just made the transition from an embryonic to a growth stage. Its problems are a natural outcome of the poverty conditions in this Province but, with the help of a program the Province could make some progress on decentralization and start to resolve the most crucial corruption and poverty issues.
 - The President felt that DAI's services to the Assembly under the BRIDG program were extremely valuable and went a long way towards creating the current peaceful conditions and helped to improve the work of Provincial Deputies. The field trip to Benin was a key point, in which they learned a lot from the experiences of their foreign counterparts.
 - He would like to see more logistic assistance from DAI and to see training services focus on the needs identified by Provincial Deputies, **who want to be able to « perform their legislative work skillfully and with honor. »**
 - He underscored the need to rehabilitate the meeting hall for plenary sessions of the Assembly, which is too small to provide the Assembly's 84 Deputies with the requisite facilities for ensuring quality legislative work.
 - The Deputies are confined to a small space and forced to write on their knees. In his opinion, there is an urgent need to improve the coverage of the Provincial Building VSAT antenna to give a larger number of Provincial Deputies' simultaneous access to information. **« A Deputy who does not do any research ends up completely out of touch of the political, economic, and social realities. »**
 - He acknowledged the Assembly weaknesses in drafting legislation and publishing proceedings of its meetings.
 - In addition to edicts on the Provincial budget emanating from the executive department, the Provincial Assembly passed two pieces of legislation introduced by the Provincial government (an edict on the creation, organization, and operation of the Bandundu Revenue Office, and an edict establishing enforcement measures for the collection of taxes, fees, charges, and other levies due the Province).

VII.2 Functional Assessment of Bandundu Provincial Assembly

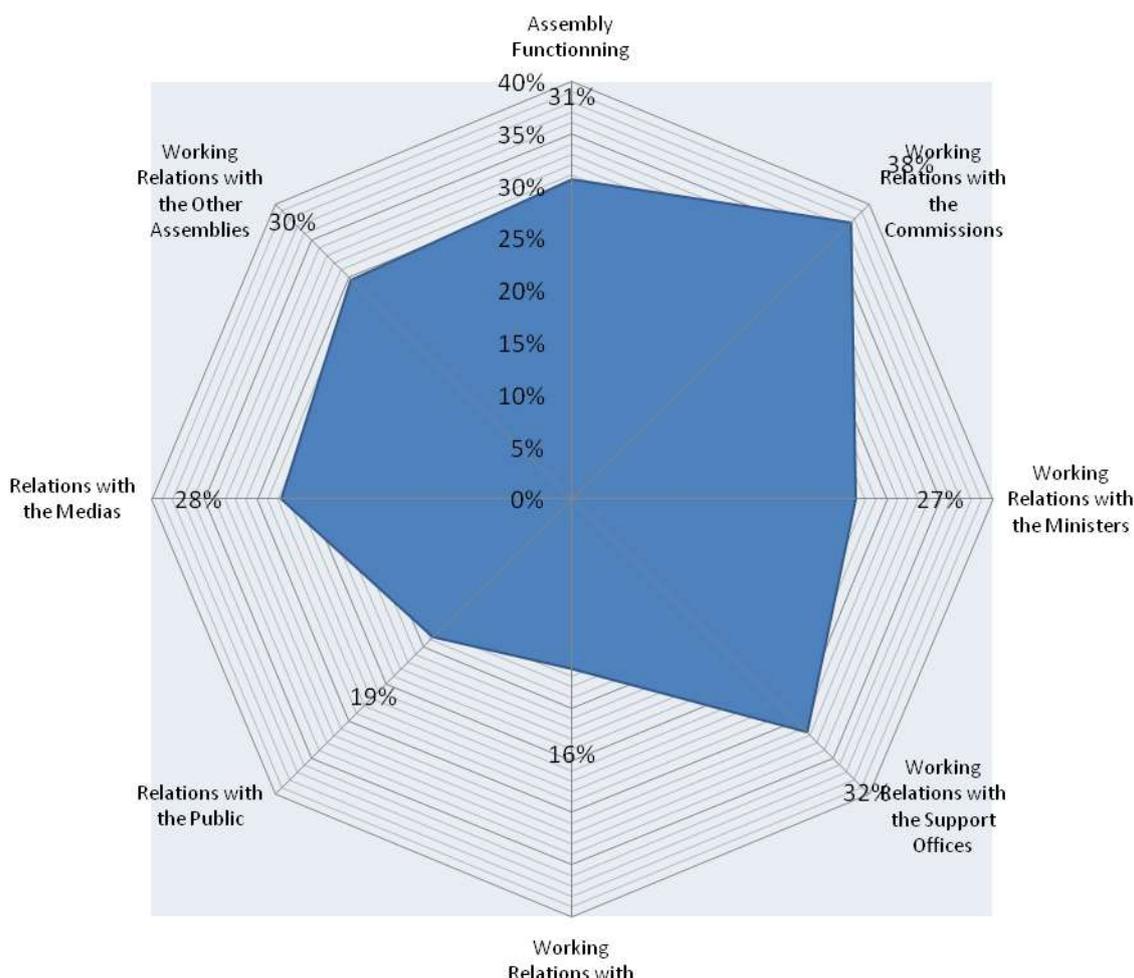
12 Deputies took part in the baseline assessment including MPs of the Political, Administrative, and Judicial Affairs Commission and the Economics and Finance Commission and semi-directive interviews conducted with the DAI team included major local leaders.

Functional Capability Profile of Bandundu Assembly

The following figure summarizes the average scores for each of the eight functional capabilities considered. This gives the functional capability profile of Bandundu Assembly.

In general, the Bandundu Assembly's functional capability score is rather weak (27.38%). Looking at the profile, there is a low but consistent basic level of capability with a good homogeneity.

Figure 52: Functional Capability Profile of the Bandundu Provincial Assembly



The following table breaks down the scores for each functional capability measured:

Figure 53 : Bandundu Provincial Assembly Profile by Functional Capability

Functional Capability Profile	KPI
Operation of the Assembly	31%
Working Relationships with Commissions	38%
Working Relationships with Ministers	27%
Working Relationships with the Assembly Offices	32%
Working Relationships with the Territorial administration	16%
Working Relationships with the Public	19%
Working Relationships with the Media	28%
Working Relationships with other local authorities	30%

- The Assembly’s working relationship with Commissions and Supporting Offices, its internal operations, and its relations with other local authorities have the most promising scores.
- There is a strong and clear will to improve, as reflected by its encouraging scores in half of the 8 functional competencies measured.
- Its relationships with the territorial administration and with the public have the two lowest scores. Those call for a greater attention.
- The basic pre-conditions to engage in legislative efficiency and good governance are not in place complicating the attempts of the Provincial Assembly to progress towards decentralization and corruption reduction.

Practices in Place within Bandundu Assembly

In the following tables the existing and non-existing practices demonstrated by the at least 50% of the Deputies are listed. When highlighted in blue, these are applied by 80% or, more of the respondents. The comments focus on the link between these practices and legislative efficiency.

Figure 54 : Absent Practices within the Provincial Assembly of Bandundu

Never
To your knowledge, you have needed information at your disposal for examining expense reports.
To your knowledge, your Assembly makes decisions on loans contracted by the Provincial government.
All elected representatives have a Supporting Office staff.
Elected representatives have a Supporting Office staff for each party.
Only elected representatives with a specific rank in the Assembly have an office staff.
Your Assembly organizes events with the public.
Your Assembly organizes events for the public.
The public is called on to testify or to give its opinion at plenary sessions of the Assembly.
The public is called on to testify or to give its opinion at meetings of permanent Commissions.
To your knowledge, <i>parties</i> are consulted as part of the budgeting process.
To your knowledge, your Assembly studies the budget, comparing its effects on women and men, to try to influence budget priorities.
To your knowledge, the media follow Commission proceedings.
To your knowledge, the National Assembly takes your opinions and work into account.

At least 80% of the Deputies in the Provincial Assembly acknowledged there is no event organized for or, by the public.

A minimum 50 % of them encounter problems in their access to and in the support supposedly provided by the offices of the Assembly for their legislative work and with respect to the different phases of the budgeting process.

This latter indicator is important for focusing program activities on anti-corruption efforts. If the Deputies are expected to make visible progress in fighting corruption, it is essential for them to be involved in, and have full control over all steps of the budgeting process and to be able to discuss its components and related decisions with the Ministries and the Local Administrative offices in charge of budget implementation.

Figure 55 : Rare Practices within the Provincial Assembly of Bandundu

Rarely
To your knowledge, you are able to obtain necessary clarifications and/or explanations for the examination of important legislation.
To your knowledge, your Assembly has functional equipment at its disposal.
To your knowledge, your Assembly has an adequate operating budget.
To your knowledge, responses from Ministers provide requested clarifications and/or explanations.
To your knowledge, case file managers tend to be available.
To your knowledge, reports by your Assembly bring about changes in Provincial government policies and in their implementation.
To your knowledge, office staffs have functional equipment at their disposal.
To your knowledge, the voices of the poor and helpless are being heard.
Your Assembly consults experts rather than the public.
There are good procedures in place for the appointment of experts.
Your interviews are reported in the media.
Your Assembly is in regular contact with the National Assembly.
You cooperate on different issues as needed.
To your knowledge, relations with the National Assembly are cordial.
To your knowledge, the other Provincial Assemblies take your opinions and work into account.

Half the Deputies are not obtaining needed explanations and the responses provided by the Ministers are unsatisfactory like offices managers are rarely available.

The other main problem hindering the work of the Assembly has to do with the quasi-nonexistence of a cooperation mechanism serving as a source of information for legislative debate.

Figure 56 Common Practices within the Provincial Assembly of Bandundu

Frequently
In your opinion, your Assembly holds enough plenary sessions.
To your knowledge, you have needed information at your disposal for approving the annual budget.
To your knowledge, permanent Commissions hold regular meetings.
To your knowledge, Commissions consider the implications of their work for the public.
To your knowledge, Commission work is based on international standards.
To your knowledge, your Assembly uses the expertise of outside agencies as part of the budgeting process
To your knowledge, your Assembly makes changes to proposed revenues and expenditures budget edict.
To your knowledge, reports by your Assembly bring changes in Provincial government policies
To your knowledge, your Assembly makes decisions on loans contracted by the Provincial government.
Your Assembly is in regular contact with the other Provincial Assemblies.

Bandundu Provincial Assembly is in contact with other Provincial Assemblies and its Commissions hold regular meetings. The Deputies use the expertise of the Auditing Office and amend the proposed budget edicts, particularly with respect to the debts contracted by the Provincial government, with half the Deputies believing that their reports inspire changes in Provincial government policies.

Figure 57 : Systematic Practices within the Provincial Assembly of Bandundu

Systematically
To the best of your knowledge, your Assembly has no such document and/or refers to it only rarely.
To your knowledge, most elected representatives attend and take part in plenary sessions of the Assembly.
To your knowledge, a large Majority of elected representatives are present during discussions of important legislation.
To your knowledge, requests to speak in discussions of important legislation are honored.
It is easy to appoint Commission members in your Assembly.
In your opinion, the turn-around time for obtaining responses from Ministers is acceptable.
To your knowledge, your Assembly is able to freely question Ministers and their administrative staffs during the budgeting process.
To your knowledge, your Assembly makes changes in proposed revenues and expenditures included in the budget edict.
Your Assembly has office staffs to assist it with its work.
Permanent Commissions have Supporting Office staffs at their disposal.
To your knowledge, the public is able to contact you easily.
To your knowledge, relations with the other Provincial Assemblies are cordial

The internal operation of the Assembly parliamentary work is following a normal course

- The Majority of MPs are present, the nomination of certain members does not pose problem, speaking order and times are respected, and the Deputies obtain answers from their Ministers. (but as observed in the previous table if they obtain an answer, this answer is not satisfactorily)
- The Assembly is able to vote changes to the budget. The Offices of the Assembly properly support the Commissions (but leave the other MPs without technical assistance).

VII.3 Functional Assessment of Bandundu Provincial Assembly Offices

Since March, 2009 the annual funding of the Assembly has dropped considerably. Administrative personnel count 52 employees, including 3 women. 30 are contracted by the Assembly while 8 drivers are detached from the Public Works Department and the Police Force. In accordance with the organizational chart, the Administrative Director coordinates all the administrative and legislative departments.

Three Divisions divided up into Departments constitute the structure of the administration of this Provincial Assembly:

- Division Responsible for the Questure (Administration and Finance)
 - Accounting,
 - Supplies,
 - Protocol,
 - Personnel,
 - Data processing.

- Division responsible for the Clerk
 - Office of Parliamentary sessions
 - Office of Commission work
 - Office of Documentation and Archives
 - Office of Communication and Press.

- Division responsible for Research
 - It is composed of six specialized researchers and divided into units.
 - The second and third divisions constitute the “Legislative Division”
 - The offices for archiving and the annals operate relatively well but lack equipment.

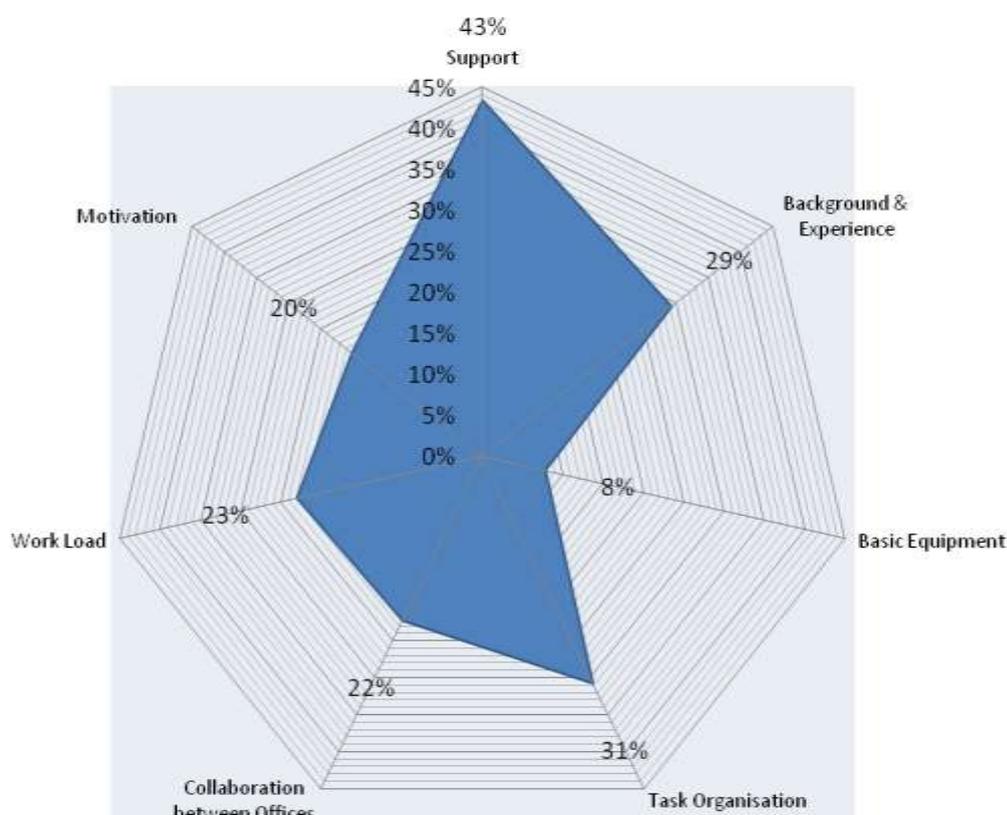
Thanks to the audio recording system provided by the previous BRIDG program, the sessions of the Assembly are recorded. The minutes are drafted and sent to the Parliamentary Commissions for their consideration and to the Provincial Deputies before the next plenary session. In case of doubt, the Provincial Deputies can consult the records to be sure of what was said.

Functional Capability Profile of Bandundu Assembly Offices

69% of the staff of the Provincial Assembly of Bandundu answered the questionnaire. The following figure gives the average score obtained for each of the seven functional capabilities measured. These give the functional capability profile of the Supporting Offices.

Overall, the functional capability of the Supporting Offices of the Bandundu Assembly shows a rather weak result (25.22 %). Its profile shows heterogeneous results with mixed scores. This indicates that basic pre-conditions to ensure legislative activities are not in place jeopardizing attempt to progress towards decentralization reform, corruption reduction and good governance.

Figure 58 Functional Capability Profile of Bandundu Provincial Office



The Supporting Offices of the Provincial Assembly of Bandundu suffer from a significant lack of basic material and equipment. The graph also indicates that the core functional competencies of the Departments supporting parliamentary work are very weak, even if two results appear to be encouraging. This situation strongly suggests that the main effort in the Province of Bandundu should be directed toward developing the expertise of the Departments.

In particular, for future support, the table indicates:

Figure 59 : Bandundu Provincial Office by Functional Capability

Functional Capability Profile	KPI
Administration Support	43%
Background & Experience	29%
Basic Equipment	8%
Task Organization	31%
Collaboration between Offices	22%
Work Load	23%
Motivation	20%

- Administrative employees of the Assembly feel supported in their work but consider that much progress has to be made in the organization of their work and in gaining technical competencies through dedicated trainings.
- Three other results with an average results under 25% indicate Supportive Staff encounter an heavy workload and have a low level of collaboration and motivation.

The next table show in detail the points, which pose the most problems for the departments in terms of carrying out their missions.

Practices in Place in Bandundu Assembly Offices

The tables present the existents and non-existents practices displayed by at least 50% of the respondent or, by 80 or more of them (highlighted in blue). The comments following the tables emphasize the consequences on the normal conduct of the legislative work.

Figure 60 : Absent & Rare Practices within the Provincial Assembly Office of Bandundu

<i>Never</i>
The office manager changes
In your office, you have worked in another office of the administration before
In your office, you use data bases
Your experience has allowed you to change jobs
In your office, you have a personal office space
In your office, you have a telephone
In your office, you have a fax
In your office, you have a personal computer
In your office, you have an intranet connection
In your office, you have an internet connection
You have a system for keeping your files safe
You have paper registration forms
You have a paper data base available
You have electronic registration forms
You have an electronic data base
You can use a meeting room
You make a budget each year
In your office, it is the team that divides up the cases among themselves
In your office, each case is dealt with several times
Your office collaborates on a daily basis with one of the parliamentary Commissions.
Your office collaborates with a Minister's staff on a daily basis
In your office, absent staff members are replaced after a week's absence
In your office, personnel needs have been assessed during the past three years
In your office, the equipment works
In your office, important equipment is repaired within two weeks
In your office, you lack equipment to manage your files
Your salary is paid each month
Your salary is paid entirely
Along with your salary, the administration provides you with other benefits
You have had a professional evaluation over the past three years
You have changed jobs over the past three years.
Any complaints have been taken into consideration during these past three years
Your suggestions have been taken into consideration these past three years.

Rarely
When you have a problem, you receive help

The supporting staff of Bandundu Provincial Assembly is working under very difficult conditions. There is a lack of equipments and facilities in the offices despite these are essential to the conduct of basic daily routines.

The employees seem to have to rely on their own personal resources to complete their duties and do not receive assistance when facing a problem. At least half of them did not have previous professional experience when hired and had no evaluation within these past three years.

They have no collaboration with those external departments concerned by decentralization and the chronic delay in the payment of their salaries is creating a chronic source of dissatisfaction.

Figure 61 : Systematic Practices within the Provincial Assembly Office of Bandundu

Systematically
In your office everyone has a particular job to do
When there are problems, you know who you need to see
You have an office director
In your office you have a degree in technical or higher education
In your office, you have been working together for at least three years
In your office, the director divides up the tasks
In your office, there are different steps that must be followed
In your office, each file has a number
In your office, each file is reviewed by the office director
Your office collaborates with the Assembly on a daily basis
In your office, you would need training to use your equipment.
Your relations with your colleagues are cordial
Your relations with the public are cordial

If the employees entertain cordial relationships there is also a clear organization and set of procedure to complete the assigned tasks that are checked by their responsible. On the remaining performance indicators, there is too much dissention between the supporting staff to identify a common pattern in the conduct of activities related to legislative efficiency and good governance in transitioning democracy.

Conclusions and Recommendations

Conclusions

The Provincial Assembly of Bandundu has a rather weak core of functional competencies (average result just over 25%) where the essential prerequisites for legislating and for fighting corruption are not in place.

- A strong and clear willingness to progress exists, and this willingness is evident when taking into account the comments made by the key community figures.
- Promising trends appear for several functional capabilities but they are too fragile to compensate the lack of equipments and working relationships with those concerned by decentralization reforms.

The main difficulties encountered by the Members of Parliament involve

- Improving the internal operating procedures of the Assembly
- Access to the Assembly offices and support they should receive
- Participation in the different steps of the budgetary process

Those faced by the supporting staff concern

- Major material and organizational deficiencies limiting their abilities to successfully carrying out their work and servicing the legislative activities of the Assembly

Recommendations

The facilities of the Provincial Assembly building are to be improved to provide the MPs and the Staff with sufficient working spaces and offices equipments.

None of them is familiar with NTIC. Therefore, they will require specific training to be able to use these essential technologies. In the delivery of these equipments, other training should be proposed to the staff responsible for their maintenance and repairs.

Participatory seminars should assemble MPs and heads of the Supporting Offices to make sure their work services legislative advancements. As of today the records of the legislative works is satisfactory but recording does not provide MPs with useful reports and advices on the practical consequences of decentralization and corruption reduction.

In a second stage, these seminars should evolve to establish formal system of cooperation and exchanges of information between the external departments concerned by the future implementation of decentralization laws.

In parallel, MPS should benefit from planning and budgeting trainings that would allow them to provision for and monitor public expenditures.

If communicating with the Media does not seem to pose difficulty it is equally important MPs have regular reporting activities with their constituents to explain how they are progressing.

VIII. Indicative Integrated Action Plan

VIII.1 The 2010 Baseline Assessment in Brief

In accordance with the recommendations of the Paris Declaration on Official Development Aid Efficiency, the evaluation of the willingness and capability of the Selected Assemblies and their Supporting Offices to progress towards decentralization and corruption reduction used participatory dialogue techniques and standardized questionnaire to delineate an objectively verifiable baseline of the situation prevailing in DRC.

To assess the functional capability of the selected Assemblies and their Offices, the evaluation paid attention to the capability of the Representatives and Staffs to:

- **Interact with groups concerned by the adoption and the implementation of decentralization reforms.** (Institutional component)
- **Organize their overall resources (human, financial, material) to achieve their mandatory duty** (Organizational component).
- **Use transparent procedure, model or reference method to execute their mandatory duty** (Technical component);
- **Use ad-hoc material and equipment to complete their mandatory duty** (Logistic component).

To this end, two reference grids were used to build the legislative performance capability matrix

- The first, used by the International Association of Representatives, appraises the legislative efficiency of Parliament.
- The second, used by Multi National Coalitions and Donors, appraise the governance compliance of democratic institution in transitioning countries.

The Assembly capability matrix is composed of:

Functional Capability Measured	# Indicator
Functioning of the Assembly	18
Working Relationship Assembly-Commission	11
Working Relationship Assembly -Government	12
Working Relationship Assembly-Offices	9
Working Relationship Assembly-Administration	7
Assembly Relationship with the Public (including the civil society and fragile citizen)	22
Assembly Relationship with the Medias	10
Assembly Relationship with the other Assemblies	15
Total	106

The Offices capability matrix is composed of:

Functional Capability Measured	# Indicator
Support by the Administration to the Staff	7
Professional background	9
Budget & Equipment	13
Task Organisation	13
Internal-external cooperation	11
Workload	12
Motivation	12
Total	77

The size, diversity and structure of the sample ensure results represent the actual capability level of Assemblies and Offices assessed.

The leadership position of Majority-Opposition-staff delegates who participated into face-to-face semi directive interview indicates the priorities concerns and willingness of the beneficiaries to move towards more democratic and effective parliaments acting on decentralization and corruption reforms.

VIII. 2 Main Findings of the 2010 Baseline Assessment

Both at National and Provincial levels, Assemblies obtain a better capability result than their Offices.

If in the overall, the capabilities of Assemblies are weak and particularly fragile, one of them is demonstrating basic satisfactory practices of good (enough) governance where the other shows encouraging results on several functional capabilities but do not meet the primary conditions to conduct normal parliamentary activity and consequently, to engage in decentralization reform and corruption reduction.

In all cases, it appears that Assemblies have almost no working relationships with their territorial public administration (but these territorial administrations are supposed to implement and to comply with parliament policy and regulatory decisions like nurture the legislative reform process).

If the selected Assemblies of DRC started to organize their internal functioning, they are far to demonstrate legislative efficiency with the exception for one Assembly that passed several edicts where the others did not.

Finally, there is a direct link between an Assembly capability result and the list of training received through prior AID supporting programs.

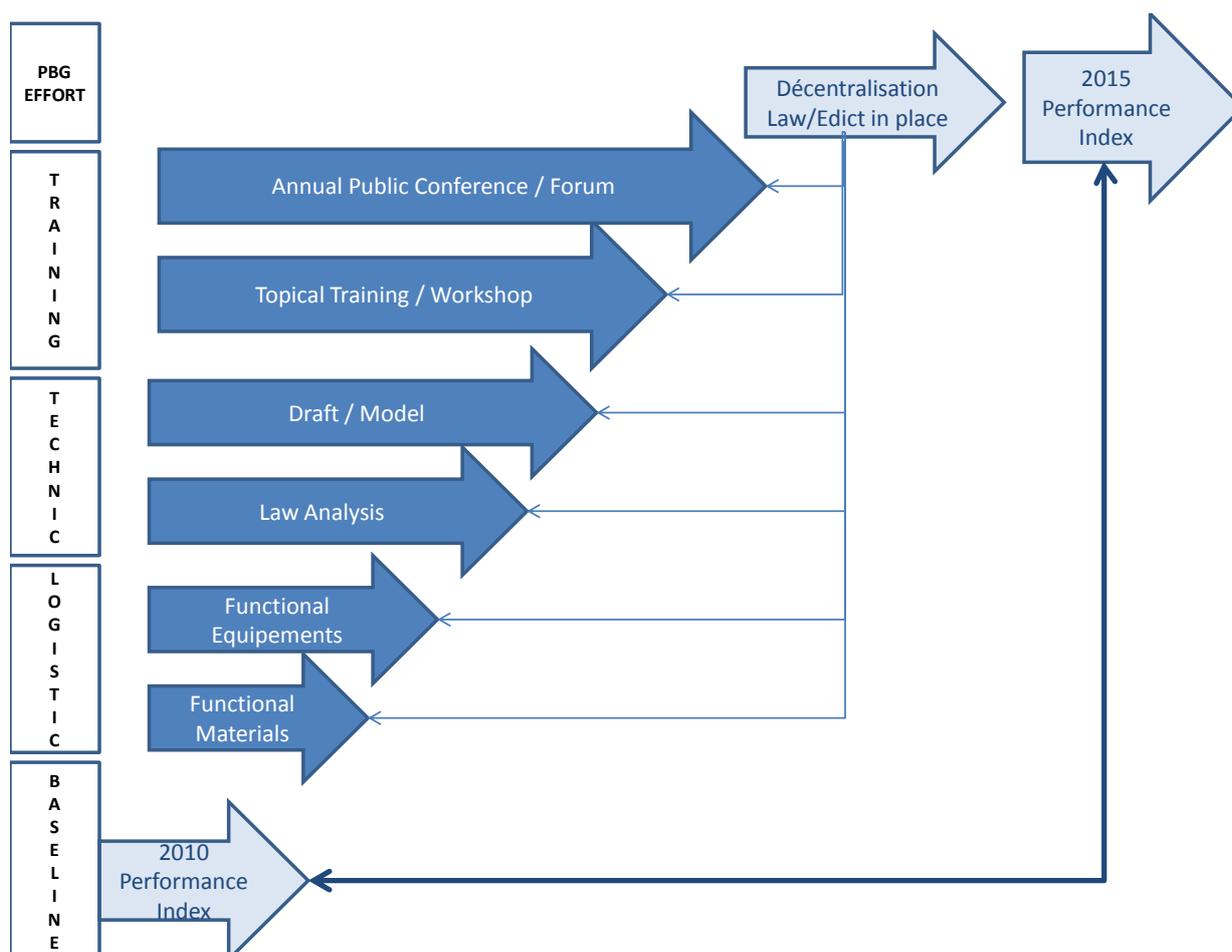
In terms of Effort or type of support required, the GGP will provide a baseline evaluation of the selected parliament's legislative capability and their operating needs (logistical, technical and educational) to both foster adoption of key decentralization law in DRC and increase the overall governance capabilities of parliaments.

For instance, progress for IR 2 More Effective Democratic Parliaments is to be measured against;

- IR 2.1.: Assembly Internal Management & Support Services.
- IR 2.2.: Assembly Law Making Capability.
- IR 2.3.: Assembly Oversight of Government Institutions.
- IR 2.4.: Assembly Accountability to Citizens.
- IR 2.5.: Linkage between Assemblies.

While several activities and sub activities of the Integrated Action Plan will take place simultaneously, the progressive contribution of the GGP over time can be illustrated as shown in the next figure.

Figure 62 : GGP effort contribution to IR 2 More Effective Democratic Parliaments



Here, the approach is based on the delineation of the final main expected result. As the GGP ambitions to support adoption of decentralization laws in DRC, this guides the identification of the required activities that will best support intermediate results completion. Local figures, Members of Parliaments and Administration Employees of the Selected Assemblies all participated into the 2010 Baseline Assessment on a voluntary basis, approved the questionnaires and the results.

Since several topical activities will be conducted each year, the indicative action plan organizes the different activities along a one-year calendar.

As more coordination needs to take place to de-conflict AID support and to minimize overlapping, it is expected modifications will arise in the indicative action plan:

- In the different selected Assemblies, donors can deliver support on the very same issue. In this case, to reduce overlapping, some activities of the calendar of activity will be or, reduced or, suppressed for all selected Assemblies or, only for those concerned.
- In the different selected Assemblies, donors can deliver support on the very same issue. In this case, the calendar of activity will be reviewed to ensure continuity in the progression of donor's efforts.

While the situation slightly varies from one Assembly to another, they all need to work with the same operating standards. They also need to benefit from numerous opportunities to work together peacefully to agree over a DRC anti-corruption, good governance and decentralization workable model that comply with AID agencies minimum requirements.

The indicative integrated action plan shows what type of support will contribute in the forthcoming five years to the achievement of these objectives:

- For each type of support, a summary table is proposed.
- Each table recaps what are the most needed topical issues identified during the baseline evaluation.
- Each table lists the proposed topical activities that will support the selected DRC Parliaments to fulfill their Constitutional mandates, pass critical decentralization laws and edicts and, improve their overall governance capability.

To allow monitoring of progress during or, after the GGP, the successive tables present activities

- Or, by type of support provided.
- Or, by functional capability of parliaments supported.

VIII.3 Key Recommendations by Type of Support Required

Indicative Logistic Action Plan

Figure 63 : Logistic Support Effort

MATERIAL & LOGISTIC SUPPORT	
The proposed estimate takes into consideration prior donor's contribution as well as USAID funding.	
Objective	<p>Ensure Selected Parliaments & their Support Offices have basic equipments & services providers to Fulfill their Constitutional mandate.</p> <p>Ensure basic equipments provided will be properly maintained and operated by Selected Assemblies MPs & Staffs, during and after the GGP.</p>
Prevailing situation	<p>National and Provincial Assemblies do not have proper building facilities to conduct their legislative mandate.</p> <p>Other donor contribution targets specific Provincial Assembly but not the other selected Assemblies</p> <p>Other donor contribution focuses on one or, two specific chambers or, office rooms but not on the other Assembly offices facilities.</p> <p>Assembly Building security is not assumed (entrance control, secured or lockable rooms, power generation, and air conditioning).</p> <p>Provincial Assemblies have nearly no functional NTIC equipments and lack of basic office materials.</p> <p>Assembly's staffs and MPs cannot use NTIC basic offices software's.</p> <p>The functional layout of the AIMS & Assembly Website has to be defined.</p> <p>Finalizing the required functional assessments, completing the cost estimate, securing necessary budget allocation (AID and Assembly) will take a year due to DRC and Donors budget cycle. As much as possible equipment will be selected according to its resistance to adverse environmental conditions. When selecting equipment and service providers attention will be paid to update and maintenance guarantees.</p>
Identified Needs	<p>Rehabilitate Assembly Building key chambers or, offices spaces facilities.</p> <p>Secure Assemblies Buildings Facilities.</p> <p>Equip Assembly Chambers and Support Offices with basic materials.</p> <p>Equip Assembly Chambers and Support Offices with basic NTIC equipments and software's.</p> <p>Conduct with Questure and IT Support Staff, functional assessment, cost estimate and procurement monitoring workshops.</p> <p>Deliver basic office software trainings (at least for example under windows 7 Microsoft offices topical software trainings would be on Outlook, Word, Excel, Power Point or their equivalents under another operating system).</p> <p>Deliver advanced Information Management System trainings.</p> <p>Deliver equipments maintenance trainings (power generation, air conditioning, NTIC, control room)</p>
Beneficiary	<p>The National Assembly</p> <p>The 4 Selected Provincial Assembly</p> <p>Their 2 Key Commissions</p> <p>Their 2 Key Support Offices</p> <p>The Liaison Office</p> <p>The Gazette Office</p> <p>The AIMS & Website maintenance Office (Assembly Information Management System)</p> <p>The Provincial Assembly Association</p> <p>Or, as restricted or, approved by the CTO</p>
Task	<p>Specify functional rehabilitation, security and NTIC needs</p> <p>Identify operating system functions and layout (AIMS & Website)</p> <p>Identify equipments providers</p> <p>Identify services providers</p> <p>Set up training agenda</p> <p>Identify budget requirements</p> <p>Identify budget sources (Year Two)</p> <p>Procurement assistance(Year Two)</p>

	Control delivery (Year Two & Three) Control maintenance (Year Three, Four & Five)
Start	May 2010
End	October 2015
Activity indication	<ul style="list-style-type: none"> - Assembly Building Rehabilitation : - Basic offices materials - Supplemental Basic NTIC equipments - Advanced NTIC equipment
Long Standing Results	<ul style="list-style-type: none"> - Assemblies equipped with modern IT technology - Assemblies operate and maintain their facilities and equipments - Assemblies Database & Network in place (AIMS + Website) - Assemblies & Support Offices Trained - Assemblies using standard forms & protocols - Assemblies Educational Networks active - Assemblies Liaison Bulletin available to National-Local MP - Assemblies Reports available to the public - Assemblies Gazette available to the public
Governance	<ul style="list-style-type: none"> - Transparency (Public Access to Information) - Accountability (Assembly Property Inventory, Assembly Property Maintenance).
Legislative Capability Index	Result Progression towards the <ul style="list-style-type: none"> - Budget & Equipment Axis - Workload Axis - Professional background Axis - Assembly-Offices working relations Axis
KPI	<ul style="list-style-type: none"> - # of MP trained - # of Support Staff trained - # of Report Published (Website, AIMS, Liaison Bulletin) - # of Internal connections (AIMS) - # of Public consultations (Website)
OVI	<ul style="list-style-type: none"> - Functional Assessment sheets - Budget sheet - Procurement list - Equipment and services providers invoices - Equipment list of designated responsible - Equipment Inventory - List of trainees - Workshop & Training materials

Indicative Technical Assistance Action Plan

Figure 64 : Technical Assistance Effort

TECHNICAL SUPPORT	
The proposed estimate takes into considerations MP leader’s specific demands and baseline evaluation results but not technical support activities executed by the other donors as no donor coordination meeting took place at this early stage of the GGP.	
Objective	<p>Support MP in the resolution of the decentralization legislative cycle roadblocks.</p> <p>Ensure MP & their 2 key Commissions access quality recommendations on the 3 to 5 key envisioned decentralization draft laws and can reach out consensus over policy reform.</p> <p>Ensure MP & their 2 key Commissions access to qualitative analysis while discussing decentralization reform and government control oversight.</p> <p>Provide MP, their Staff & 2 Key Commissions with on the job mentoring and empowering topical sessions in order they adopt timely, structured, transparent and accountable practices.</p> <p>Provide MP, their 2 key Commissions & staff with standard model forms compliant with international best practices in order they draft and adopt their own documents structure, content, procedure and control list to pass National law, Provincial edict, other regulatory documents and public reports.</p> <p>Accompany MP, their 2 key Commissions and Offices directors in the organization of their internal and external communication system and in the clarification of the role and responsibility of their “information providers”.</p>
Prevailing Situation	<p>Assemblies entertain little working relationship with their territorial administration responsible for annual progress review over budget preparation and execution, as well as over basic services delivery to the citizens.</p> <p>Assemblies meet difficulties to obtain detailed and clear information from their government Ministers in a timely manner and MP often take decisions without receiving any information at all.</p> <p>Few MP receive supporting documents from their Assembly offices. Those last appears to encounter a deficient organization of their working scheme due to a lack of management, cooperation between the different offices of the Assembly and a quasi absence of functional equipments.</p>
Identified Needs	<p>Establish a process to circulate information between the territorial administration, the cabinets of the Ministers, the offices of the Assemblies and the MPs.</p> <p>Strengthen exchange of information between the Assembly and the 2 key Commissions.</p> <p>Support analytical report production in the Research Offices of the Assemblies over decentralization reform and budget allocation to the Provinces (structure and minimum content of the report)</p> <p>Develop a cooperation mechanism between the 2 key Commissions MP of the 5 selected Assemblies to reach consensual agreement over draft decentralization law or edict.</p> <p>Facilitate inter Assembly dialogue over key decentralization laws preparation and budget allocation to the Provinces.</p> <p>Support Parliaments Questions over Minister mandate execution (monitoring information required)</p> <p>Assist Offices directors in annual budget formulation (for capital investment and functional expenditures) and MP to integrate Assembly operating and investment costs into the Annual Provincial Budget and into an Assembly Pluri-annual investment plan.</p>
Beneficiary	<p>The National Assembly</p> <p>The 4 Selected Provincial Assembly</p> <p>Their 2 Key Commissions</p> <p>Their Assembly Offices directors</p>
Task	<p>Collect and analyze prevailing laws on decentralization</p> <p>Discuss options to resolve legislative roadblocks</p> <p>Discuss decentralization reform options</p> <p>Propose working principles</p> <p>Propose draft working agenda</p> <p>Propose standard models</p> <p>Propose draft documents</p> <p>Propose critical analysis over draft Commissions report</p> <p>Identify consensual trends</p> <p>Propose decision making synthesis</p>

	<p>Propose to include all the previous items within a standard operating procedure manual for circulating information's between administrative offices to allow Assembly oversight and legislative reforms to take place.</p> <p>Include a section on organization chart and term of reference design related to circulation of information.</p> <p>Assist MP in establishing their Association.</p> <p>Conduct annual Assembly capability review</p> <p>Coordinate with donors to reduce overlapping of efforts</p> <p>Adjust topical content of the Integrated action plan annually</p>
Start	May 2010
End	On going over the full duration of the program
Activity indication	<ul style="list-style-type: none"> - Public Forum Organization - Key decentralization laws - Standard models & training materials - Topical workshop delivery - DRC Association of Parliamentary
Long Standing Results	<p>Assemblies MP & support staff gained technical self supporting capability over</p> <ul style="list-style-type: none"> - legislative analysis - legislative drafting - legislative cycle management - government oversight - budget cycle management <p>Assemblies MP & support staff gained organizational self supporting capability over</p> <ul style="list-style-type: none"> - information circulation - information producers and information receivers - information required - information structure <p>Assemblies uses standard forms & procedures to conduct their activities</p> <ul style="list-style-type: none"> - National and Provincial Assemblies work with identical norms - Assemblies norms are transparent <p>Assemblies works can be monitored and reported to the public by external observers</p> <ul style="list-style-type: none"> - Minimal information contents and indicators are similar from an Assembly to another - Assembly reports minimum content is defined <p>Assemblies prepared or, passed key decentralization laws & associated legislatives task orders</p> <ul style="list-style-type: none"> - Inter Assembly dialogue mechanism offer a pacific and transparent mechanism to reach required consensus
Governance	<ul style="list-style-type: none"> - Decentralization: 3 to 5 key draft laws ready for endorsement or, passed. - Transparency : parliamentary work and inter – Assembly dialogue mechanism - Budget Predictability & Accountability
Legislative Capability Index	<p>Result Progression towards the</p> <ul style="list-style-type: none"> - Functioning of the Assembly Axis - Assembly-Commissions working cooperation Axis - Professional Background Axis - Cooperation's between Offices Axis - Assembly-Offices working cooperation Axis - Assembly –Territorial Administration working cooperation Axis - Inter-Assembly working cooperation Axis
KPI	<ul style="list-style-type: none"> - # MP assisted - # of Assembly Support Staff& DTA assisted - # of Forms in place - # of SoP in place - # of ToR in place - # MoA in place - # of mechanism for information circulation in place - # of cooperation mechanisms in place - # National decentralization draft laws - # Provincial decentralization draft edicts - # public forums

OVI	<ul style="list-style-type: none">- List of T.A. Attendees- List of Public Forums Attendees- T.A. Supporting materials- SoP Manual- ToR of the Inter Assembly Dialogue Platform (Commission)- ToR of the DRC MP Association- Decentralization draft laws- Decentralization draft edicts
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Indicative Training Action Plan

Figure 65 : Training Assistance Effort

SENSIBILISATION & TRAINING SUPPORT	
The proposed estimate takes into consideration prior donor's and USAID topical trainings	
Objective	<p>Ensure Selected Parliaments & their Support Offices have a sufficient practical and technical background to fulfill their Constitutional Mandate and adopt inclusive decentralization law.</p> <p>Ensure MPs use consistent methods and techniques to conduct their parliamentary work.</p> <p>Ensure MPs are sensitive to citizen outreach and establish regular exchanges with their constituents on progress made so far and on their forthcoming activities (decentralization, governance, corruption reduction)</p> <p>Ensure population and fragile citizen's interests are included into the decentralization process.</p> <p>Ensure population has access to information affecting their living conditions, in particular for those related to public expenditures.</p>
Prevailing situation	<p>Several of the selected Assemblies have regular contact with the media and consult public interest groups. Nevertheless, public participation tends to be very limited and public oversight over Assemblies achievements is particularly weak not to say inexistent when considering rural inhabitants.</p> <p>If Assemblies staffs hold a diploma and have some professional experience rare are those capable of operating basic office software's or, who attended political debates, rule of laws, public management, strategic planning, public finance, report writing or, notes taking professional seminars. Most of donor training efforts concentrated on National MPs and Staff and to a lower extend to the Maniema Provincial Assembly. In all cases, beneficiaries report trainings were not practical enough to allow them to really improve their organizational and practical skills. Despite these comments, the Assembly capability profile shows far better results when the beneficiary received several similar topical trainings in the past. Duplication of these topical training seem to have a positive outcome in the ability of MPs and their Staff to organize, structure and systematize their activities.</p> <p>The capability profile indicates two different levels of performance between the selected Assemblies as well as antagonist capability profiles between those having the weakest score.</p>
Identified Needs	<p>Taking into consideration the volatile environment in which DRC Assemblies operate and recent local conflicts escalations, negotiation and democratic conflict resolutions workshops should be organized for MPs, as well as topical communication workshop aimed at addressing and dealing with the Media, the Population and Organizing Participatory Consultation Forums with Fragile Citizens. In these Modules special attention will be paid to provide MP with model of press conference reports, public forum reports like with most frequent asked list of questions by type of interest groups and cases role-plays. Rather than organizing them locally, it is highly recommended to hold them with all of the targeted beneficiaries in order they gain the very same cultural reference and de-confliction reflex. This recommendation keeps intact the possibility to have session 1 in one location and the following sessions in other locations, giving each Assembly an opportunity to host National workshops.</p> <p>Basic comprehensive trainings on the practical consequences of the decentralization Constitutional mandate for parliamentary activities need to be set up as well as basic, advanced and specialized trainings on the role and responsibility of the DRC democratic institutions (who is in charge of what to serves who and to what purpose, who is producing what and what is the accountability chain? How to structure information, what are the minimal required information to produce and to look for, how to organize the circulation of information between the different institutions playing a role in the decentralization process and the control of public expenditures). When preparing for these topical trainings the trainers should prepare model templates or formats but leave sufficient rooms to participants in order, they organize circulation of information in a realistic and feasible way that would work in the DRC, if not perfect. These training modules would be of a great benefit for MP if delegates from the different institutions would present their scope of work (and thus assume some accountability over it).</p> <p>Offices directors like Commission Chairman would benefits from topical sessions on team building, public administration organization, activity planning and project cycle management like on public</p>

	<p>accountability management principles. Further sessions should give exercising opportunities to Assembly, Commission Chair and Office directors to prepare annual operating cost estimates, before familiarizing with capital investment cost estimate, annual budget structure, annual budget formulation and annual budget cycle management. The third series of topical sessions should pursue with principles of public finance oversight, annual budget control and adjustment, annual budget expenditures, Assembly expenditures and offices expenditures oversight. Dedicated workshops will review and discuss the main obstacles that are delaying budget allocation to the Provinces, as well as those interfering on budget allocation determination and DRC financial credibility.</p> <p>Technical training modules should be proposed to Offices staff in order their reporting skills improve as well as their ability to look for appropriate information and to establish comprehensive report on issues at stakes, points of disagreement and agreement. Concomitant to the delivery of basic NTIC equipment to the selected Assemblies, on the job training needs to be organized in order NTIC beneficiary employees learn how to use and work with offices software's. Parallel sessions will train IT employees to maintain the NTIC equipment and to resolve most current troubleshooting and breakdown.</p> <p>Basic and advanced on the job training modules will be organized as the Assembly Information Management System (AIMS) will be launched in the pilot Assembly and as the DRC Assembly website is restored. Basic familiarization training will be delivered to MP and Assembly staff as the testing phase of the AIMS will be conclusive.</p> <p>The concerned ministry delegates as well as decentralized territorial administration (DTA) delegates join specific topical training and workshop modules will be reviewed against key local leader's requests and against assistance delivered locally by the other donors.</p>
Beneficiary	<p>Selected Assembly MP according to their functional role. Selected Assembly Chair and key Commission Chair, Offices directors Support office staff IT staff</p>
Task	<p>Organize Assembly baseline capability evaluation restitution sessions with key local leaders. Review with key local leaders components of the integrated action plan. Negotiate Assembly designation of a responsible person by topical issues. Review topical training Term of Reference with designated reference person. Identify potential trainers by topical issues. Set up with designated reference person topical training delivery agenda. Monitor topical training, workshop, seminar and conference material production and quality. Oversee topical training session's delivery. Monitor topical training enrollment. Confirm final training delivery agenda. Deliver topical training modules, workshops, seminars and conferences. Assists selected Assembly in the organization of at least two annual public forums. Conduct training satisfaction evaluation with beneficiaries. Organize technical assistance on the job mentoring sessions to follow over topical training delivery and to foster functional ability amelioration. Organize annual Assembly capability progress review.</p>

Start	April 2010
End	October 2015
Activity indication	<ul style="list-style-type: none"> - Conflict Resolution: - Addressing the Media - Addressing Fragile Citizens - Annual Assembly Public Report Drafting - Annual Assembly Performance Review - Democratic Institutions Role & Responsibilities - Decentralization functional consequences - Legislative drafting - Plenary and Commission Report Drafting - Information circulation SoP Manual - Team Building and Management - Activity Cycle Management and Planning - Budget Cycle Management - Budget Formulation - Budget Analysis and Control - Budget Execution Oversight - Public Tender and Procurement Oversight - NTIC basic offices software's and maintenance (outlook, word, excel, power point) - AIMS and Website (basic, advanced and maintenance)
Long Standing Results	<ul style="list-style-type: none"> - DRC Assembly Information Management System and Websites in place - DRC Circulation of Information's between Democratic Institution is organized and transparent. - DRC Assemblies have SoP manuals. - DRC Assemblies edit Annual Progress Report. - DRC Assemblies hold regular Media Releases. - Public access thorough information DRC Assemblies activities. - Public oversight of DRC activities increased.
Governance	<ul style="list-style-type: none"> - DRC Assemblies assume Public Finance and Decentralization Policy Oversight - DRC Assemblies and Offices activities are predictable, transparent and accounted for. - DRC Assemblies and Offices demonstrate more systematic significant efficient governance practices.
Legislative Capability Index	<ul style="list-style-type: none"> - Significant progress is made along each capability axis within both Assemblies and Offices. - DRC weakest Assemblies reach the good enough governance and efficiency capability level (Minimum 40%) - DRC other Assemblies reach the good governance and efficiency capability level (minimum 60%).
KPI	<ul style="list-style-type: none"> - # Information Management Systems in place - # of DRC Assemblies documents on line - # of MP trained - # of MP staff trained - % of women trained - # of topical trainings, workshops, seminars and conference events
OVI	<ul style="list-style-type: none"> - DRC AIMS, website and software's contractors invoices - DRC Assemblies on line documents materials - List of trainees - Training materials - Training evaluation questionnaire - Training expenditure cost sheets

Indicative Integrated Action Plan by Type of Effort

Figure 66 : Integrated Action Plan by Type of Effort

US-AID Task Order DFD-I-00-08-00071-00
The Good Governance Program for the Democratic Republic of Congo

Support Type	Activity	Topical Activity	#	J	F	M	A	M	J	J	A	S	O	N	D
Baseline	Evaluation Questionnaire	Semidirective Questionnaire	2												
	Parliamentary Capility Matrix	Efficiency & Governance over the 3 Constitutional Mandate	2												
	Evaluation Sessions	Parliament Interview	550												
	Data Analysis	Calculation of the 5 Assembly Results + 5 Offices	55												
	Data Analysis	Systematic and absent practises	55												
	Parliamentary Capility Matrix	5 Assemblies + 5 Offices profiles+ 2 Overall	60												
	Parliamentary Capility Matrix	Strenght & Weakness	60												
	Law Making Process Roadblocks	Strenght & Weakness	5												
	Priority Leverage Issues	Resolving action to undertake	15												
	Institutional Capacity Building Action Plan	Integrated Approach	1												
Donor Coordination	No AID overlapping	20													
Material & Logistic Support	Functional Need Assessment	Assembly Operation	5												
		Key Committees & Support Offices	30												
		Website Function	5												
		Services Packages	5												
		Assembly Database	1												
		AIMS	1												
		Liaison Bulletin	1												
		Liaison Office	1												
Provincial Assembly Association	1														
Technical Support	Key Decentralisation Law Analysis	Law Making Process Roadblocks	5												
		Law Making Process Strenght & Weakness	5												
		Comparative	5												
		Critical	5												
		Cost	5												
	Standard Model Draft Proposal	Standard Law-Provincial Edict	16												
		By Law	1												
		Scope of Work Form	1												
		Standard Operating Procedure	5												
		Inquiry Form	1												
		Request Form	1												
		Agenda Form	1												
		Participant Form	1												
		Report Form	3												
		Notification Form	3												
		Press Conference Form	1												
		Job Description Form	1												
		Annual Performance Review Form	3												
		Budget Cycle Control Sheet	1												
		Activity Cost Sheet	1												
Operational Budget Cost Sheet	1														
Capital Budget Cost Sheet	1														
Budget Expenditure Control Sheet	1														
Education Support	National Conference	Constitutional Oversight and Decentralisation	5												
		Annual Budget Analysis	5												
		Corruption Fighting	5												
	Topical Training	Conflict Resolution	3												
		Consequences of Decentralisation	3												
		Role & Responsibility	5												
		Law & Edict drafting	5												
		Bylaw drafting	5												
		SOP Manual	5												
		Budget Cycle Management	25												
		Budget Formulation	25												
		Budget Analysis & Control	25												
		Budget Expenditure	25												
		Team Buidling	25												
		Management	25												
		Planning	15												
		Public Tender Oversight	15												
	Procurement Oversight	15													
	Topical Workshop	Note & Report Writing	15												
		Annual Assembly Report Drafting	5												
Annual Performance Review Report Drafting		5													
Addressing the Media		5													
Making the Media		5													
Budget Execution Report to the Media		5													
Assembly Annual Report to the Citizens		25													
Public Forum	Assembly Annual Report on Reducing the Corruption	25													

VIII.7 Key Recommendations by Functional Capability Supported

Indicative Internal Management Action Plan

Figure 67 : Internal Management Effort

IR 2.1 Internal Management (of Parliaments Constitutional mandates)

- **IR 2.1.1 Assess current functions and capability of parliamentary staff** and develop a training plan to improve their skills
 - Adjust Parliament Efficiency and Governance Grid
 - Adjust Parliament Office Efficiency Grid
 - Conduct baseline evaluation data collection
 - Calculate baseline results for the 5 Assemblies and their Offices
 - Analyze Assemblies and Offices capability results
 - Formulate recommendations
 - **Integrated Institutional Capability Building Action Plan**
- **IR 2.1.9 Provide technical assistance to the Ecofin & Paj selected Assemblies Commissions**
 - Define technical assistance topic based on Assembly performance measurement
 - Adopt TA delivery agenda
 - Organize TA delivery
- **IR 2.1.3 Provide technical assistance to selected Assembly for realistic functional budget**
 - Assist selected Assembly in functional and capital needs assessment
 - Assist selected Assembly in cost estimate
 - Assist selected Assembly in annual budget drafting
- **IR 2.1.4 Support adoption of a legislative calendar for decentralization policy reform**
 - Provide technical assistance to National Assembly staff
 - Review National Assembly Staff Draft Calendar
 - Assist National Assembly Staff in Calendar Distribution
 - Assist National Assembly in Calendar endorsement
- **IR 2.1.6 Develop manual, standard operating procedures & forms** for selected Assemblies
 - Assist selected Provincial Assemblies in organizing circulation of information
 - Assist selected Provincial Assemblies in adopting standard operating procedures
 - Assist selected Provincial Assemblies in adopting standardized forms
- **IR 2.1.14 Provide material and logistic assistance** to selected Assemblies targeted Commissions
 - Assess material and logistic assistance needs of selected Assemblies targeted Commissions
 - Assist selected Assemblies targeted Commissions staff in public bidding of required material and services
 - Accompany selected Assemblies targeted Commissions staff in procurement of required material and services
- **IR 2.1.2 Develop an Assembly Information Management System**
 - Assist in the edition of the Assembly Gazette
 - Assist in NITC & services provider needs assessment
 - Assist in NTIC utilization & maintenance training layout (offices software suite & maintenance)
 - Assist in AIMS and website functional and layout design
 - Assist in AIMS and website training design utilisation & maintenance)
- **IR 2.1.15 Propose training** to selected Assemblies in management and strategic planning
 - Propose management and strategic planning training calendar
 - Control the quality of management and strategic planning training package
 - Organize management and strategic planning training delivery
- **IR 2.1.16 Propose training** to staff of the selected Assemblies targeted Commissions
 - Based on selected Assemblies performance measurement identify priority topical trainings
 - Propose training calendar to staff of the selected Assemblies targeted Commissions

- Control the quality of priority topical training packages
- Organize delivery of priority topical training packages
- IR 2.1.17 Propose training in **note taking and report writing**
 - Propose training calendar
 - Control the quality of the note taking and report writing training package
 - Organize delivery of the note taking and report writing training
- **IR 2.1.5 Adopt a joint action plan with donors** to build the governance capability of democratic DRC institutions
 - Organize Donor action-plan review
 - Identify Donor overlapping activities
 - Review GGP IR 2 integrated action plan to establish Year 2 action plan
 - **Adjust GGP IR 2 action plan for Year 2**

Indicative Law Making Action Plan

Figure 68 : Law Making Effort

IR 2.2. Law Making (of the three to five key decentralization laws)

- **IR 2.2.1 Provide technical Assistance in Decentralization Key Law Endorsement Process**
 - Review of National & Provincial Laws endorsement roadblocks
 - Joint review of the roadblocks of key decentralization laws endorsement process
 - **Leverage actions to resolve legislative reform endorsement.**
 - Functional Consequences of Decentralization
 - Consensus building for Decentralization Law Endorsement
- **IR 2.2.2 Provide technical assistance to selected Assemblies on the 3 to 5 key decentralization laws**
 - **Critical or, comparative or, cost analysis of the critical items of key decentralization laws**
 - Provide technical assistance to selected Assemblies on **budget items and expenditures**
 - Provide technical assistance to selected Assemblies for **communicating on budget issues with the media and the population**
- **IR 2.2.3 Provide training support to selected Assemblies on the 3 to 5 key decentralization laws**
 - Assembly , PAJ & Ecofin report drafting
 - Legislative drafting on 3 to 5 key decentralization laws
 - Assembly Annual Report Drafting
 - Assembly Annual Report on Decentralization Drafting
 - Assembly Annual Report on Corruption Reduction Drafting

Indicative Governmental Oversight Action Plan

Figure 69 : Governmental Oversight Effort

IR 2.3 Governmental Oversight

(over the annual budget and decisions related to the five key decentralization laws)

- **IR 2.3.1 Strengthen the selected Assemblies to oversee public finance and National budget expenditures** management by their governments
 - National Conference on **Constitutional oversight mechanism**
 - National Conference on Decentralization implications
 - National Conference on Corruption reduction
- IR 2.3.2 Provide technical assistance on legislative oversight
 - Selected Assembly workshop on **targeted Commissions roles and responsibilities**
 - Selected Assembly workshop on circulating information's between those concerned by decentralization
- IR 2.3.3 Provide technical assistance to Provincial selected Assembly on public policy monitoring
 - Assist in the **monitoring of Decentralization policy** (devolution of authorities, executive and legislative roles and responsibility, territorial units, strategic planning, share of incomes, fiscal harmonization, public services and utilities management)
 - Assist Assembly in the production of their Annual Report
- IR 2.3.4 Support selected Assembly oversight initiatives
 - Support **establishment of topical oversight Commissions** by the Provincial selected Assemblies
 - Support organization of **public hearings on corruption** in education and health public services by Provincial selected Assemblies (Public Forum Local Conferences on decentralization and corruption progress)

Indicative Citizen Accountability Action Plan

Figure 70 : Citizen Accountability Effort

IR 2.4 Citizen Accountability

(Public access to parliamentary agenda and reports)

- **IR 2.4.1. Establish tools to increase selected Assemblies accountability to citizens**
 - Provide technical assistance to increase citizen inputs on corruption practices
 - Facilitate website re-opening
 - Support Assembly in the production and the edition of annual and topical report
 - Support Assembly to organize public forum on fighting corruption and budget expenditure
- **IR 2.4.2 Support dissemination of the legislative calendar into the public**
 - IR 2.4.2.1 Support dissemination of the legislative calendar into the National and local medias
 - IR 2.4.2.2 Support in selected Assembly media coverage workshops

Indicative Intergovernmental Linkage Action Plan

Figure 71 : Intergovernmental Linkage Effort

<p style="text-align: center;">IR 2.5 Intergovernmental linkage <i>(Institutional mechanism for inclusive public policy making)</i></p>
--

- Support the establishment of a **cooperation mechanism between Assemblies**
- Establish a **DRC Assemblies liaison bulletin**
- Support the establishment of **DRC law online database (AIMS: Assembly Information Management System)**
- **Support the establishment by the MP of a DRC Association of parliamentary**

IX Appendix

IX .1 List of Acronyms

	ENGLISH		FRENCH
AIMS	Assembly Information Management System	SGIA	Système de Gestion de l'Information de l'Assemblée
ARL	Additional Related Laws	LSA	Loi Significative Additionnelle
BRB	Bandundu Revenue Office	BRB	Bureau des Recettes de Bandundu
BTC	Belgian Technical Cooperation	CTB	Coopération Technique Belge
CTO	Cognizant Technical Officer	CTO	Officier Technique Référent
DAI	Development Alternative Associate	AAD	Association Alternative au Développement
DRC	Democratic Republic of Congo	RDC	République Démocratique du Congo
DTA	Decentralized Territorial Administration	ETD	Entité Territoriale Décentralisée
ECCAS	Economic Community's of Central Africa States	CEEAC	Communauté Economique des Etats de l'Afrique Centrale
ECOFIN	Economics and Finance Commission	ECOFIN	Commission des Affaires Economiques et Financières
FDLR	Democratic Forces for the Liberation of Rwanda	FDRL	Forces Démocratiques de Libération du Congo
GCBP	Governance Capacity-Building Program	PRCG	Programme de Renforcement des Capacités de Gouvernance
GGP	Good Governance Program	PBG	Programme de Bonne Gouvernance
ICDSP	Initiative Community Development Supporting Program	PAIDECO	Programme d'Appui aux Initiatives de Développement Communautaires
IR	Intermediate Result	RI	Résultat Intermediaire
KL	Key Laws	LC	Lois Clefs
KPI	Key Performance Indicator	ICP	Indicateur Clef de Performance
MONUC	The United Nations Mission in the DRC	MONUSCO	Mission de l'Organisation des Nations Unies pour le Congo
MOPU	Mobutu's Partisans Union	UDEMO	Union des Démocrates Mobutistes
MP'S	Members of Parliament	MPI	Membres du Parlement
NTIC	New Technology of Information and Communication	NTIC	Nouvelle Technologie de de l'Information et de la Communication
ODA	Official Development Aid	APD	Aide Publique au Développement
OVI	Objectively Verifiable Indicator	IOV	Indicateur Objectif Vérifiable
PA	Parliamentary Assembly	AP	Assemblée Parlementaire
PAJ	Public Affairs and Justice Commission	PAJ	Commision de la Justice et des Affaires Publiques
PALU	Patrice Lumumba Partisan Party	PALU	Parti des Lumumbistes Unifiés
PMA	Presidential Majority Alliance	AMP	Alliance pour la Majorité Présidentielle
PO	Parliamentary Office	AP	Administration Parlementaire
SCAC	Southern African Development Community	DCSA	Développement Communautaire au Soutien Africain
UIP	Inter-Parlementary Union	UIP	Union Interparlementaire
UNDP	United Nations Development Program	PNUD	Programme des Nations Unies pour le Développement
USAID	United State Agency for International Development	USAID	Agence Internationale d'Aide au Développement des Etats Unis

IX. 2 Mission Terms of Reference

CONTEXT

Within the framework of the Program to Support Good Governance (GGP) financed by USAID and implemented by DAI, our organization is tasked with supporting the government of the DRC and Congolese Civil Society.

The program will be deployed at the National level in Kinshasa and at the Provincial level and the Decentralized Regional Bodies (ETD). The Provincial partners which have been consulted are South Kivu, Maniema, Bandundu and Katanga.

This program will last for five years and have three main goals:

1. Increase the involvement of citizens and their ability to influence the legislative process, and to intervene in the fight against corruption and the promotion of good governance (IR1)
2. Strengthen and improve the capabilities of the National and Provincial legislative bodies in their basic mission : ie. To represent, legislate, and monitor the government and the budgetary process (IR2)
3. Strengthen the capabilities of local governments as they work to implement decentralization. The GGP will assist the Government, the National Parliament, the Provincial Assemblies and the Decentralized Regional Bodies to complete the legal framework of decentralization and encourage its actual implementation (IR3)

Mission 1

The mission to consult is related to intermediate goal IR2 : The parliaments selected are more effective and more democratic.

The GGP, given its desire to provide support adapted to the real needs of the Assemblies, will make a participatory assessment involving the four selected Provincial Assemblies. This assessment will be based on the audit of the operations of the National Assembly, which was carried out with the support of the UNDP.

The goal is to come up with a diagnosis of the strengths and weaknesses of the Assemblies in the three areas targeted by the GGP:

- Legislative capability of the Deputies and administrative teams
- Organizational capability of the Assemblies and human resource management
- Logistical and material resources

The field diagnostic phase will begin in February

A DAI/RDC team will lead the field mission; the Advisor will lead the team to the Parliamentary Assemblies who will collect the data and prepare an initial report, which will serve as the basis for

analyzing the situation and developing an action and training plan aimed at making the selected Parliaments more democratic and effective.

The Consultant, in coordination with the DAI/DRC advisor:

1. Will give an opinion and make recommendations concerning the equipment to collect the information established by DAI (semi-directive questionnaires, legislative work performance matrix...).
2. Will analyze the draft report which he will receive at the end of each Provincial assessment
3. Will develop a diagnostic of the strengths and weaknesses of the Assembly concerned by the provisional report
4. Will identify the areas requiring strengthening in the three areas identified.
5. Will draw up an indicative action and training plan adapted to the needs of the legislators and their staffs.
6. A report including points 3, 4, 5 and 6 will be provided to the DAI Advisor
7. A report including the recommendations for implementation will be delivered to DAI/DRC

Mission 2

Objective

To develop an institutional development plan for each of the five legislative assemblies targeted by PBG.

Scope and Methodology

The institutional development plan will be developed through a review of the priorities cited by each assembly, against the respective assessment reports. The plan will also draw from the consultant's overall institutional development knowledge and iterative input from the PBG legislative strengthening staff.

Tasks

1) Develop an outline for the standard, final institutional development report that will serve for all five assemblies in question and submit it for PBG comment. Among other elements, the outline should include sections for recommended priorities for interventions and the strategic underpinnings of these priorities. Major categories of the outline should include the key categories of institutional development such as functional, organizational, and managerial – these are left to the consultant to identify.

The following sub-intermediate results (sub-IRs) of PBG's Intermediate Result 2 (IR2) relate closely to what might be considered functional aspects of the institutional development plan. Whether the consultant deems these as functional categories or subsections of other elements of the institutional development plan, the outline should include sections for information that will indicate how recommended interventions contribute to improvements in institutional performance under these sub-IRs:

- The Law Making capacity of the 4 selected assemblies and more specifically those of their PAJ & ECOFIN Committees (IR 2.2)
- The Governmental Oversight of the 4 selected assemblies and more specifically those related to the control of the annual budget and the progress of the decentralization reforms envisioned by the constitution of the Democratic Republic of Congo (IR 2.3)
- The Accountability of the 4 selected assemblies to their Citizen in terms of public access to parliamentary activities information (IR 2.3)
- The Intergovernmental Linkage among the 4 selected assemblies for more inclusive public policy making (IR 2.4)

The sections of the outline for recommending specific interventions should include those such as logistical and/or material support, technical assistance, training workshops, and awareness raising.

The outline should estimate the number of pages to be included in each section.

2) Review the feedback report on each assembly, against the findings laid out in the original assessment report. The feedback report is the report resulting from each assembly's session to discuss its feedback on the assessment.

3) Prepare the first draft of the institutional development plan for each respective assembly and submit it for PBG comments in accordance with the schedule laid out below.

Recommended interventions (activities) should span the time period of October 1, 2010, through the last year of the project, which ends in September of 2015. Certainly, descriptions of activities recommended for years four and five of the project will include less detail than those for Years 2 and 3. For these earlier years, activity descriptions for training courses should cite course objectives and targeted participants, as well as estimate the number of training hours required.

Two important considerations:

- a) Recommendations for interventions should identify where other donor support is a pre-condition to the effectiveness of the recommendations for PBG. Given PBG's inability to control when and how well other donors follow through on their planned programs of support, the institutional development plans should prescribe means of accommodating the possible non-delivery of other donor support.
- b) The attached set of required activities under DAI contract for the PBG project guides the development of all activities under this project. As such, each recommended activity must serve to implement at least one of these 75 required activities.

4) Incorporate PBG comments on each draft institutional assessment and submit it in final form.

5) As soon as PBG is able to conduct its assessment in the Katanga provincial assembly, PBG advisors will gather the information necessary for the assessment report and send it to the contractor. The contractor process this into an assessment report that follows the model of the assessments conducted in the other three provincial assemblies. This will be done in two segments: first for assembly staff and then for members.

6) The contractor will prepare an institutional development plan for Katanga.

VI.3 Administrative Staff Questionnaire

To the Administrative Staff,

Your Government is engaged in a process of gradual improvement funded by USAID. In this regard, we would like to consider your opinion in order to develop a logistical and professional support program, which corresponds to your needs. In order to best identify the points, which correspond to your greatest interest, we propose that you check the answer that most closely conforms to your work situation.

Although these are general questions involving your work, technical issues that you manage, the organization of your office and how it is equipped, as well as your relations with the elected members, you may wish to make other comments. Please do so; they will be considered in the formulation of the support program, which will be proposed to your administration.

This program will strive to provide you, in particular through exchanges – trainings - adequate equipment - modern communication and management tools, with the increased resources for the conduct of your legislative work.

Thanking you again for the time that you devote to this questionnaire, we ask that you accept our thanks and our highest regards.

Géraldine Pelzer

Advisor to the Parliamentary Assemblies

Please check the box, which best corresponds to your situation:

1. Does not apply, and / or, never happens
2. Rarely applies and /or sometimes happens
3. Applies frequently and / or happens regularly
4. Always applies and / or happens in all cases

Reception and Support of your Administration

		1	2	3	4
1	In your office everyone has a particular job to do				
2	Every day, you know what you have to do				
3	Your job can change from one day to the next				
4	When you have a problem, you know who you can go to for help				
5	When you have a problem, you get help				
6	You have an office director				
7	The office director changes				

Personal comment:

Experience and Training

		1	2	3	4
8	In your office, you worked before joining the administration				
9	In your office, you worked previously in another office of the administration				
10	In your office, you have a degree in technical or higher education				
11	In your office, you have worked together for at least three years				
12	In your office, you have a job related to your degree				
13	In your office, you receive training each year				
14	In your office, you use a computer				
15	In your office, you use data bases				
16	Your experience has allowed you to change jobs				

Personal Comment:

Equipment

		1	2	3	4
17	In your office, you have a personal office				
18	In your office, you have a telephone				
19	In your office, you have a fax				
20	In your office, you have a personal computer				
21	In your office, you have an intranet connection				
22	In your office, you have an internet connection				
23	You have a system to keep your files safe				
24	You have paper registration forms				
25	You have a paper data base at your disposal				
26	You have electronic registration forms				
27	You have an electronic data base				
28	You can use a meeting room				
29	You develop a budget each year				

Personal Comment:

Organization

		1	2	3	4
30	In your office, everyone collaborates on all the files				
31	In your office, everyone handles different files				
32	In your office, the first person available handles the new file				
33	In your office, the arriving files are divided up according to specialization				
34	In your office, it's the director who divides up the files				
35	In your office, it's the team that divides up the files				
36	In your office, each file is handled a single time				
37	In your office, each file is handled several times				
38	In your office, there are different steps to follow				
39	In your office, each file has a number				
40	In your office, each file is reviewed by a colleague				
41	In your office, each file is reviewed by the office director				
42	In your office, you draw up an activity report.				

Personal Comment:

Collaboration

		1	2	3	4
43	Your office collaborates with the other offices in the same administration on a daily basis				
44	Your office collaborates with other offices of other administrative staff on a daily basis.				
45	Your office collaborates with experts or external auditors on a daily basis				
46	Your office collaborates with civil society on a daily basis				
47	Your office collaborates with the Assembly on a daily basis				
48	Your office collaborates with one of the legislative Commissions on a daily basis				
49	Your office collaborates with the office of the Governor on a daily basis				
50	Your office collaborates with a Minister's staff on a daily basis				
51	Your office collaborates with the Assemblies of other Provinces on a daily basis				
52	Your office collaborates with the National Assembly on a daily basis				
53	Your office collaborates with a National Minister's staff on a daily basis.				

Personal Comment:

Workload

		1	2	3	4
54	In your office, everyone is at his/her desk each day				
55	In your office, absent employees are replaced after a week of not coming to work				
56	In your office, everyone goes home when his work for the day is completed				
57	In your office, files accumulate without there being enough staff to handle them quickly				
58	In your office, files are handled without too much delay				
59	In your office, staffing needs have been assessed during the course of the past three years				
60	In your office, recruiting has taken place during the past three years				
61	In your office, the organization of work has been changed during the past three years				
62	In your office, the equipment works				
63	In your office, major equipment is repaired within two weeks				
64	In your office, you lack the equipment to manage your files				
65	In your office, you would need some training to use your equipment				

Personal Comment:

Motivation

		1	2	3	4
66	Your relations with colleagues are cordial				
67	Your relations with your boss are cordial				
68	Your relations with the public are cordial				
69	Your relations with other administrative staff are cordial				
70	Your relations with Members of Parliament are cordial				
71	Your salary is paid each month				
72	Your salary is paid in its entirety				
73	Along with your salary, the administration gives you other benefits				
74	You have had a job evaluation during the past three years				
75	You have changed jobs during the past three years				
76	Any complaints you made were taken into consideration during the past three years				
77	Your suggestions have been taken into consideration during the past three years				

Personal comment:

Recommendations

Name three tools or equipment that you need the most;

Name three training courses that you need the most;

Name three improvements that you need the most;

VI.4 Assembly Questionnaire

To the Members of Parliament,

Your Government is engaged in a process of gradual improvement funded by USAID. In this regard, we would like to consider your opinion in order to develop a logistical and professional support program, which corresponds to your needs. In order to best identify the points, which correspond to your greatest interest, we propose that you check the answer that most closely conforms to your situation.

Although these are general questions, you may wish to make other comments. Please do so; they will be considered in the formulation of the support program, which will be proposed to your Assembly and your administration.

This program will strive to provide you, in particular through exchanges – trainings - adequate equipment - modern communication and management tools, with the increased resources for the conduct of your legislative work.

Thanking you again for the time that you devote to this questionnaire, we ask that you accept our thanks and our highest regards.

Géraldine Pelzer

Advisor to the Parliamentary Assemblies

Please check the box, which best corresponds to your situation:

- 5. Does not apply, and / or, never happens
- 6. Rarely applies and /or sometimes happens
- 7. Applies frequently and / or happens regularly
- 8. Always applies and / or happens in all cases

Your Assembly

		1	2	3	4
1	When you were installed, you receive an adequate welcome				
2	When you were installed, you received a copy of the internal regulations				
3	To your knowledge, your Assembly does not have such a document and /or does not refer to it much				
4	In your opinion, in your Assembly it is easy to have the floor to speak				
5	In your opinion, in your Assembly it is easy to obtain clarifications and / or the additional information requested				
6	In your opinion, your Assembly holds enough plenary sessions.				
7	In your opinion, most of the members are present and participate in the plenary sessions				
8	In your opinion, the plenary sessions are well organized and well-managed				
9	In your opinion, when major legislation is being discussed, a large Majority of members are present				
10	In your opinion, when major legislation is being discussed, requests to have the floor and speak are respected				
11	In your opinion, when major legislation is being discussed, you have the information that you need				
12	In your opinion, when major legislation is being discussed, you obtain clarifications and / or additional information, which you need.				
13	In your opinion, your Assembly has functional equipment				
14	In your opinion, your Assembly has an adequate functional budget				

15	You participated in the development and / or adoption of the operating budget of your Assembly				
16	In your opinion, concerning the adoption of the annual budget, you have the information that you need				
17	In your opinion, when examining reports on expenditures, you have the information that you need				
18	In your opinion, the discussions held allow you to compare the points of view held by the Majority and the Opposition				

Personal comment:

Your relations with the Commissions

		1	2	3	4
19	In your Assembly, you have permanent Commissions				
20	In your Assembly, for lack of agreement or lack of resources, you do not have permanent Commissions				
21	In your Assembly, appointing Commission members is easy.				
22	In your Assembly, the appointment of Commission members is not clear				
23	In your opinion, the permanent Commissions meet regularly				
24	In your opinion, the work of the Commissions takes into consideration the impact on the public				
25	In your opinion, the work of the Commissions is modeled on international standards				
26	In your opinion, the work of the Commissions takes into consideration the impact on the budget				
27	In your opinion, the work of the Commissions takes into consideration the impact on operations				
28	In your opinion, it is easy to obtain the reports and results of the Commissions				
29	In your opinion, the Commission reports contain the information that you need				

Personal Comment:

Your Relations with the Ministers

		1	2	3	4
30	Your Assembly maintains regular relations with the Ministers				
31	In your opinion, the delay in getting an answer from the Ministers is acceptable				
32	In your opinion, the answers provided by the Ministers give you the necessary clarifications and / or additional information requested				
33	In your opinion, those in charge of government bills make themselves available				

Personal Comment:

Your relations with the Assembly Offices

		1	2	3	4
34	Your Assembly has <i>offices</i> which support your work				
35	All members have a <i>bureau</i> providing support				
36	The members have a <i>bureau</i> by party				
37	Only those members having a specific role in the Assembly have a <i>bureau</i>				
38	The permanent Commissions have <i>offices</i>				
39	In your opinion, the staff of the <i>offices</i> have a good basic level of training				
40	In your opinion, the <i>offices</i> staff are ready to help				
41	In your opinion, the staff of the <i>offices</i> have functional equipments				
42	In your opinion, the work done by the <i>offices</i> is useful to you when you speak in plenary session or in the Commissions.				

Personal Comment:

Your relations with the Administration

		1	2	3	4
43	Your Assembly maintains regular relations with the administration				
44	In your opinion, the administration is ready to help				
45	In your opinion, your Assembly easily obtains reports prepared by the administration				
46	In your opinion, the delay in obtaining an answer from the administration is acceptable.				
47	In your opinion, the reports prepared by the administration contain the information you need				
48	In your opinion, the administrative staff has received enough basic training				

Personal Comment:

Your relations with the public (associations and private sector, citizens, education, cultural world, employers, workers, town, country, minorities, age groups ...)

		1	2	3	4
49	Your Assembly organizes activities with the public				
50	Your Assembly organizes activities for the public				
51	Your Assembly receives opinions from the public				
52	Your Assembly regularly deals with opinions from the public				
53	The public is invited to testify or to give opinions in the plenary sessions				
54	The public is invited to testify or give opinions in the sessions of the permanent Commissions				
55	In your opinion, the same representatives of the public always testify				
56	In your opinion, the public representatives who testify vary and are diversified				
57	In your opinion, the weakest testify				
58	Rather than ask the public to testify, your Assembly consults experts				
59	Your Assembly consults both the public and experts				
60	The experts selected are of high quality				
61	Usually the experts come from within your administration				
62	Usually, the experts come from the private sector and associations				
63	Your Assembly requests international experts				
64	In your opinion, the information is made public on a regular basis				
65	In your opinion, the information made public gives an idea of the situation and /or of the impact of new laws				
66	In your opinion, the public can easily contact you				
67	In your opinion, the public knows or understands your work				
68	In your opinion, the public regularly attends the plenary sessions of your Assembly				

Personal Comment:

Your Relations with the Media

		1	2	3	4
69	Your Assembly maintains regular relations with the media				
70	In your opinion, the work of your Assembly is reported in the media				
71	In your opinion, the media reflects the information communicated by your Assembly				
72	In your opinion, representatives of the media follow the work of the Commissions				
73	In your opinion, representatives of the media do not cover your Assembly enough				
74	In your opinion, representatives of the media are accessible				
75	It is easy for your to communicate with the media				
76	Media use your press communiqués				
77	The media carry your interviews				
78	The media participates in the discussions that you hold with other Members of Parliament				

Personal Comment:

Your Relations with the other Bodies

		1	2	3	4
79	Your Assembly maintains regular relations with the National Assembly				
80	You cooperate on various issues based on need				
81	You cooperate on issues as required by law				
82	In your opinion, the National Assembly takes your opinions and your work into consideration				
83	In your opinion, relations with the National Assembly are cordial				
84	Your Assembly maintains regular relations the other Provincial Assemblies				
85	In your opinion, your relations with the other Provincial Assemblies are cordial				
86	You have concerns which are too different				
87	You cooperate on various issues based on need				
88	You cooperate on issues as specified by law				
89	You exchange your documents				
90	In your opinion, the other Provincial Assemblies take your opinions and your work into consideration				
91	You pool the results of your work				
92	You bring your positions into alignment				
93	You have no mechanism for institutional exchanges or cooperation among Assemblies				

Personal Comment:

Recommendations

Name the three tools or pieces of equipment that you need the most;

Name the three training sessions that you need the most;

Name the three improvements that you need the most;

1. For your Assembly

2. For your relations with the administration

3. For your relations with the public

4. For your relations with the media

5. For your relations with the other Bodies

