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# USAID/MALI JUSTICE PROJECT QUARTERLY REPORT

YEAR ONE – QUARTER ONE  
DECEMBER 8, 2015 THROUGH MARCH 31, 2016



MJP DCOP Olivier Kambala wa Kambala and a team of Deme-so paralegals in front of a newly built legal clinic  
(25 January 2016)

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Submitted by:

Checchi and Company Consulting, Inc.

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## ACRONYMS

AJM	Association des Juristes Maliennes
AEG	Accelerated Economic Growth
APDF	Association pour le Progrès et la Défense des Droits des Femmes
CAFO	Coordination des Associations et ONG Féminines
CAO	Citizen Advocacy Office
CSO	Civil Society Organization
CPS	Planning and Statistics Cell
DEMESO	Clinique Juridique Deme-so
DNAJ	National Direction for Justice Administration
ECOWAS	Economic Community of West African States
ETLS	ECOWAS Trade Liberalization Scheme
GESI	Gender and Social Inclusion
GOM	Government of Mali
INFJ	National Institute for Judiciary Training
ISJ	Inspectorate of Judiciary Services
HR	Human Resource
MJP	Mali Justice Project
MOJ	Ministry of Justice
NGO	Non-Governmental Organization
PDG	Peace Democracy and Governance
STTA	Short-Term Technical Assistant
TDR	Traditional Dispute Resolution
USAID	United States Agency for International Development
USG	United States Government
WILDAF	Women in Law and Development in Africa

## SECTION I: EXECUTIVE SUMMARY

The USAID Mali Justice (MJP), executed by Checchi and Company Consulting, Inc. (Checchi) started on December 8, 2015. This quarterly report covers the period from December 2015 through March 2016. While the majority of work involved mobilization and start up activities, progress was made on programmatic activities.

The project staff deployed in January 2016, including Checchi DC-based management staff. MJP key personnel, including the Deputy Chief of Party and Component 1 Team Leader (Marie Breda); the Chief of Party and the Component 3 Team Leader, joined the project in February.

The following logistics start up activities were performed, including:

- registration of project (Checchi) in Mali
- hiring of local staff
- space allocation and assignment for MJP staff at the National directorate of the Administration of Justice (DNAJ)
- office space procured in ACI 2000, in Bamako

Currently, 70% of project staff members have been recruited and hired.

The MJP Work Plan was submitted on March 4, 2016, and final USAID approval is expected in May. MJP moved forward with activities as approved by the COR, including the following:

- (1) Advancing the implementation of the Ministry of Justice's *Urgent Plan for the Reform of the Judiciary* and the implementation of the *Algiers Agreement* through technical assistance provided to the DNAJ to elaborate its annual plan; this assistance is crystalized in the Security Governance Initiative Joint Country Action Plan for Mali.
- (2) Conducting a comprehensive business process analysis of the DNAJ, including an organizational assessment. (Note: This activity provided a significant opportunity for MJP and DNAJ collaboration)
- (3) Developing tools to measure the judiciary's capacity to manage and administer human resources and court administration. The tools will be used for data collection at pilot courts in Bamako, Kati, Koutiala, Kayes, Mopti, Bougouni and Koulikoro as a part of the MJP court assessment initiative. The assessment is scheduled to begin in May.
- (4) Initiating business process analysis of CSOs that facilitate and support programs focusing on access to justice. The analysis will inform MJP activities designed to build CSO organizational and institutional capacity.
- (5) Developing the protocols and procedures to organize and implement mapping of the informal justice sector.

While MJP is beginning program initiatives on solid ground, particularly with the confidence of GoM counterparts, MJP faced a number of challenges during the reporting period. The security situation in Mali, and particularly in Bamako, remained unstable; the attack of the European Union Training Team Headquarters at the Azalai North South Hotel, in the middle of ACI 2000 is a striking illustration.

Several terror attacks-related alerts were issued on a weekly basis. The volatile situation in Northern Mali and the slow pace in the implementation of certain aspects of the *Algiers Agreement* recommendations that relate to the Project subject matters, are challenges that the MJP has already started to experience.

## **SECTION 2: PROJECT DESCRIPTION**

### **THE MALI JUSTICE PROJECT**

The purpose of the USAID Justice Program in Mali is to support the Government of Mali's goal of more efficient, effective, and competent Malian justice sector institutions that are accountable and responsive to the needs of Malians. The project aims to work with the formal and informal justice sector to 1) improve the institutional capacities of key justice sector institutions, especially the National Direction of Justice Administration (DNAJ) and courts; 2) improve the framework and processes of access to justice by supporting the work of organizations facilitating access to justice through expanding paralegal and legal aid clinics, but also through working to connecting the informal justice to the formal justice sector, and 3) provide targeted legal services, advocacy, and public information campaigns along a key trade route to reduce the level of corruption.

This is a project with a broad mandate that spans justice, security, trade (economic growth) and anti-corruption sectors with the overarching goal to show measurable improvement in the effectiveness, efficiency and operational capacity of GoM institutions to meet the needs of Mali citizens. To affect the change required for institutional reform, the project plans to develop initiatives – in partnership with the GoM and other local counterparts, who will often take a leading role – that are data driven with decisions based on verifiable information. This will be a major change to the way policy and operational decisions are currently made within the Malian judicial sector.

### **HIGHLIGHTS OF THE QUARTER**

#### **COMPONENT I:**

With the approval of the Ministry of Justice, the MJP embedded the Component I team at the DNAJ to provide day-to-day technical assistance.

Met with Appeal Courts Presidents (*Premiers Presidents*) and Regional Prosecutors (*Procureurs Generaux pres les cours d'appel*) to introduce, coordinate and agree as to locations for a planned court needs assessment. Program counterparts fully supported the initiative and committed assist with implementation (on site, detailed data collection).

Provided substantial support to the development of the DNAJ annual work plan. The work plan was approved by the Minister of Justice in February. To date, the DNAJ annual work plan is the only approved work plan within the Ministry.

Began conducting the DNAJ business process analysis; as a means to better understand the day-to-day work procedures and administrative oversight objectives. Since the judiciary is overly dependent on legal and normative frameworks, MJP proposed (and drafted) a sub-legal act to recognize salient DNAJ powers in terms of human resources and judicial management. In addition, MJP developed the following support documentation:

- Organigram to match the functions of DNAJ to be borne in the sub legal act

- Administration of justice report describing the existent, the challenges and recommendations on how to improve the business of administering justice in Mali

To complement the early outcome of the administration of justice business process analysis, MJP developed data collection tools focusing on human resource management and court administration at pilot courts in Bamako, Kati, Koutiala, Kayes, Mopti, Bougouni and Koulikoro.

## **COMPONENT 2**

MJP organized a series of meetings with CSOs facilitating access to justice through the network of paralegals; the most salient encounters were held on January 18 and 26 with representatives of Deme-so, AJM, APDF, CAFO and WILDAF. An agreement was reached to organize organizational and institutional analysis of these CSOs as first step towards the beginning of the MJP technical and financial support.

MJP made a field visit to Deme-so legal clinics in Baroueli and Segou City to observe operations and discuss potential program activities.

As MJP is preparing to provide technical and financial support to CSOs that support access to justice, it plans to conduct a business process analysis of the paralegals network and other grass roots organisations operating in this sector. MJP conducted an analysis of Deme-so and AJM in March that will be continued in April. This analysis aims at establishing the kind of human and financial management within those organisations in order to develop a capacity building action plan that is adapted to their needs. Plenary sessions that took place at the end of each of those activities have been an opportunity for MJP and CSOs members to strengthen the spirit of cooperation and partnership.

A Reference Group to accompany the design and implementation of the Informal Justice Mapping was created. In preparation of the informal justice mapping, MJP established a working group that will provide advice on protocols required to conduct the mapping ; members of the group will also accompany staff conducting data collection and analysis. The working group includes representatives of the Islamic High Council, Christian Faith based representatives, representatives of Northern communities including Tamasheq, Songhoi, Peul, Arab, representatives of the traditional communicators (*Reseau des Communicateurs Traditionnels*), academia, and representatives of organizations such as Temedi and ONG Azhar. The working group will assist with the identification of data collection sites and the final design of questionnaires.

MJP began drafting an access to justice strategy document, sensitive to gender and social inclusion, is being developed, and will zed levels and will eventually form the basis of an access to justice policy in Mali.

## **COMPONENT 3**

MJP conducted two field visits in the region of Sikasso. MJP organized a meet and greet trip to introduce the anticorruption activities to a number of stakeholders, including the Governor of the region of Sikasso, the President of the Regional Council of Sikasso, the Head of the Regional Agency for Development (*Agence pour le Developpement Regional*), the President of the Instance Tribunal, the Traders' Association, the Network of Business Women, the Regional Coordination of NGOs (CR-ONG), the Regional Commerce Chamber, the Coordination of Women's Association and NGOs (CAFO), Young Lawyers and Sympathizers' Organization and the Cattle Raisers Cooperative. The presence of USAID brought some solemnity to the trip as formal introduction of MJP was done to official stakeholders. The trip offered an opportunity to sketch the first interventions and identify key

partners, particularly CSOs, such as the Network of Business Women, and the Young Lawyers and Sympathizers' Organization. The trip identified an existing synergy for anticorruption stances held by the Regional Council of the region of Sikasso, named "Anticorruption Forum".

MJP Is also began preparing for an analysis of the impact of corruption on women.

## **MANAGEMENT OVERVIEW**

Start-up phase challenges:

Recruitment: the recruitment of qualified local staff for the MJP proved to be a difficult exercise. To date, the MJP needs to fill about 25% positions to be fully staffed. These positions include the grants manager, the court administration and the business analyst specialists (Component 1), and the legal and transportation specialist (Component 3). The MJP is also exploring means to re-organize its staffing plan in order to meet its objectives: these could include the reorganization of positions and or the merging of certain positions to fill.

### SECTION 3: INDICATORS AND RESULTS [DUMMY TEMPLATE]

	INDICATOR	BASELINE		FY 2015			FY 2016		
		DATE	ACTUAL	TARGET RATIONALE	TARGET	ACTUAL	TARGET RATIONALE	TARGET	ACTUAL
1.1.1	NUMBER OF PUBLIC POLICIES INTRODUCED, ADOPTED, REPEALED, CHANGED OR IMPLEMENTED CONSISTENT WITH CITIZEN INPUT	2012	0	MECHANISMS FOR CITIZEN INPUT NEED DEVELOPMENT	1	1	MECHANISMS FOR CITIZEN INPUT IMPROVED	5	4
	DIMENSION OF NGO SUSTAINABILITY INDEX: ADVOCACY	2011	4.3	TREND ANALYSIS OF LAST 5 YEARS	4.2	4.2	PROJECT GAINS MOMENTUM	4.0	4.2
1.1.2	DIMENSION OF NGO SUSTAINABILITY INDEX: LEGAL ENVIRONMENT	2011	3.3	EXPERT JUDGMENT	3.3	3.5	PROJECT GAINS MOMENTUM	3.0	3.5
	NUMBER OF LAWS AND REGULATIONS ADOPTED/AMENDED TO IMPROVE CSO ENABLING ENVIRONMENT	2012	0	POLITICAL ENVIRONMENT RESTRICTIVE; NO CURRENT BILLS UNDERWAY	1	1	IMPROVED ADVOCACY PRACTICE BY CSOS	3	3
1.1.3	NUMBER OF LAWS AND REGULATIONS ADOPTED/AMENDED TO IMPROVE MEDIA ENVIRONMENT	03/2013	4	PROJECT WILL SUPPORT ADOPTION OF 4 LAWS IN PROCESS + 2 NEW ONES	6	6	PROJECT SUPPORTS 6 LAWS	6	3

MJP is in the process of establishing baselines throughout the assessment processes that will be taking place in April and May, including the court assessment, the informal Justice mapping and household survey, and the corruption legal gap analysis, as well as a number of other baseline data collections ( Traders Marketing budget, permanent and intermittent control points, and corruption reporting mechanisms ).

## **SECTION 4: NEXT THREE MONTHS**

### **COMPONENT 1:**

- The completion of needs' assessment of 10 courts
- The completion of the DNAJ human resources assessment
- The establishment and functioning of the Working Group for the betterment of justice sector practices, including the adoption of court's administration procedure improvements
- The establishment of a DNAJ charter with various functions of courts established
- The development of individual judicial staff evaluation tools and methods
- The completion of the DNAJ business process analysis
- The development and adoption of the DNAJ operating procedure manual
- The implementation of quick impact project at selected/identified courts
- The development of a strategic plan document for the INFJ
- The completion of the INFJ training assessment
- The adoption of a donor-training coordination policy adopted by DNAJ and INFJ
- The development of the MOJ media materials, including a web portal and selected thematic outreach materials

### **COMPONENT 2**

- The realization of the informal justice mapping
- The adoption of recommendations for an integrated approach for the operationalization of informal justice practices in the purview of rule of law provisions
- The adoption of recommendations to support the implementation of objectives of the justice and reconciliation cluster of the Algiers Agreement
- Technical assistance for the development and operationalization of the justice related mandate of the Truth Justice and Reconciliation (as an ad hoc informal justice institution)
- The issuance of MJP block grants to CSOs facilitating access to justice in semi-urban areas and local communities
- Development of an access to justice action plan
- Technical assistance to CSOs to develop a victims and witness protection strategy
- Establishment of a Women and Disadvantaged Groups' Rights Advocacy Network
- Finalization of the business process analysis of CSO facilitating access to justice and development of a capacity building (organizational, institutional, outreach and financial) action plan
- Access to justice media campaign developed and aired on national television and regional community radios

### COMPONENT 3

- Development of a Gap analysis to identify critical lacunae in efforts to comply with key ECOWAS and other trade regulations and standards related to the transport of goods in trade corridors
- Media outreach to ensure that reporting on regional trade integration and anti-corruption initiatives undertaken within the context of Mali's membership in ECOWAS, CEDEAO and CILSS, and Mali participation as a partner in the West African Trade Hub, Borderless Alliance
- Stakeholder identification study produced in collaboration with CSO and government partners
- Economic assessment of mechanisms and impacts of rent-seeking in Sikasso-Kourou and Sikasso-Heremakono corridors produced
- Organization of Monthly "*seances de reflexion*" in Sikasso
- Realization of a training needs assessment for paralegals who will operate the CAOs and develop training curriculum
- Development of a Guidelines for registration and pursuit of sanctions for victims of rent-seeking and harassment
- Development and airing of a media campaign that will raise public awareness about rights and responsibilities vis-à-vis control agents
- Production of a sample trader marketing budgets that indicate
- Development of a White paper on the subject of the impact of rent-seeking and predation on women as economic actors, vulnerable citizens and prospective leaders in establishing a culture of political integrity
- Production of a communication strategy and outreach materials
- Revival of "*aucun paiement sans quittance*" as an energetic print, radio, television and social media campaign throughout the life of the project
- Training for medias working on anticorruption issues
- Realization of an assessment of impact of corruption on women
- Development of guidelines for media reports on women as targets of corrupt activities

## **SECTION 5: SECURITY**

A security plan has been drafted and measures are considered to reinforce the security within the office premises, and plan staff evacuation.