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Mission to Rwanda**

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Title: Institutional Development to the Rwandan Ministry of Justice  
Strategic Objective #01: Increased Rule of Law and Transparency in  
Government**

***FINAL REPORT***

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**December 12th to June 12th, 2002**

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## **Executive Summary**

As this report contains the very specific and pertinent recommendations to the implementation of the administrative measures at the Ministry of Justice, we have preferred to write it in French. Besides Kinyarwanda, French is still the most used language in the day-to-day activities. To inform all the involved partners on the thorough and extended work we include this Executive Summary in English.

This report covers the period from December 12, 2001 to June 12, 2002 during which this consultant performed consulting and training activities according to her assignment with tasks and objectives established by the contract with MSD within the Project of Institutional Support to Ministry of justice, financed by USAID.

The consultant's main objective was to assist the MOJ in its administrative tasks. The leading principle of her work was "help do" rather than "do to help" which meant supporting, advising, and exchanging knowledge and experience.

The largest activity area of the MOJ staff and this consultant was related to the study and the review of the current procedural practice and compare it to the written administrative procedures adopted by the ministry.

The recommendations on the administrative procedures made by the consultant and accepted by the concerned department heads, refer to:

### **(Related to the planning and evaluation procedures – Section I)**

- The role of the Planning and Evaluation Department in the planning and evaluation process as compared to the other departments of the ministry.
- Development of their appropriate written planning and evaluation procedures using the models suggested in this report.
- Development of a list of performance indicators for each unit for the ministry.

### **(Related to the human resources procedures – Section II A)**

- Updating the human resources procedure manual including most of the recommendations made by Yvan Porcheron in November 1999.
- Reviewing the list of references for the modifications that could have incurred recently in the legislation on human resources.
- Including new procedures on (1) developing a job description (**section IV annex11**) and (2) transferring procedures from one person to another (remise-reprise)
- Developing a new policy or eliminating the procedure on the overtime (N°7) that is not being applied at the moment.

- Including an internal procedure on the performance evaluation of the personnel on a quarter basis, in addition to the procedure on annual evaluation (N°15) done by the ministry of Public Function
- Assigning a person with the Human Resources Department to be responsible for including the modifications into the procedure manual and keeping it updated.
- Distributing the updated human resources procedure manual to all concerned and training the personnel who should use it.

**(Related to the financial procedures – Section 11B)**

- Making some modifications to the content and the structure of the manual.
- Including in the procedure manual (1) a paragraph in the Introduction of Internal control; (2) a list of references with all the laws and regulations that refer to the budgeting, book keeping, procurement and stock keeping; and (3) a list with the abbreviations used in the manual.
- Including in the annexes to the MOJ financial procedure manual of the State Expenses Execution Procedure Manual issued by the Ministry of Finance and updated by the General Auditor’s Office.
- Using the forms annexed to the financial procedure manual or requested by other ministries on a regular and systematic basis.
- Assigning a person within the Financial and Logistic Division to be responsible for including the modifications into the procedure manual and keeping it updated.
- Distributing the updated financial procedure manual to all concerned and training the personnel who should use it.

**(Related to the inventory and stock keeping procedures – Section II C and annex 8)**

- Developing procedures on inventory that would include the methods and the personnel in charge for attaching the inventory stickers on every fixed asset, recording in the Fixed Assets Ledger, annual physical inventory of the assets in stock and in use, writing off the assets old or out of use.
- Observing the principle of segregation of functions by the MOJ in the case of the procurement and stock keeping responsibilities; it is necessary to hire a person for the procurement officer position.
- Requesting from all the partners to observe the internal procedures adopted by the MOJ on procurement, inventory and distribution of the assets that suppose to address any demand or make any distribution of the furniture or any other asset through the Financial and Logistic Division.

**(Related to the data collection procedures – Section III)**

- Developing by the Planning and Evaluation Department for the data collection procedures that would specify:
  - Goals, methods and frequency of the data collection,
  - Types of data,

- Sources,
- Tools,
- Personnel in charge for collecting, processing and verifying the data
- Developing by each department or unit of important and relevant database to help them reflect/evaluate their activities/employees performance or make appropriate decisions.

**(Related to the training needs assessment procedures – Section VI)**

- Using by the National Judicial Training Center of alternative procedures for training needs assessment, in addition to the procedures developed by the Ministry of Public Function.

**The second group of recommendations made by this consultant** relates to the structure, the content or the policy relevant in developing:

**The MOJ annual action plan (Section I, in particular annex 1)**

The elements of action plan that could be improved are the following:

- Standardized and uniform structure and content.
- Use of same concepts and definitions by all the MOJ units in the planning process (mission, program, objective, strategy, program activities, outputs, outcomes, indicators)
- Extending the planning and evaluation process up to the division level encouraging them to develop appropriate objectives, activities, results and indicators.

**The strategic procurement and office space use plan (Section V)**

While developing this plan the MOJ should analyze the layout and the use of the working space in order to find the most efficient way to place the orienting signs, to insure the people security in case of a fire, to install the information system network, to suggest modifications to the building knowing the impact on the construction, personnel and the public or the repair works of the water and electricity systems.

This plan is also a tool to make reasonable procurement decisions of the office furniture and equipment knowing the exact quantity and optimal acceptable measures established for each office in order to assure favorable working conditions.

**The strategic recruiting and training (Section VI)**

All the interested partners should be invited to participate in developing this type of plan. The elements included in this plan should reflect:

- The vision on a permanent collaboration with the universities in order to search for and select according to specific criteria law students for the internship at the MOJ, prosecutor's offices our courts. The National Judicial Training Center could be assigned to supervise the interns
- The vision on a long term recruiting based on the analysis of the staff fluctuation rate.
- The vision on the in-service training that finalizes with a certificate of completion issued to the participants at the end of a specific training program. It could be necessary for the NJTC to be accredited by the Ministry of Education.

Another area of activity of this consultant was to develop job descriptions with and for all the MOJ employees (Section IV). Some important results of the individual sessions held with the MOJ staff were the opportunities to analyze and compare their jobs, to make the distinction between the main goal and the day-to-day activities related to the job. The staff was asked to think of the performance measures for their jobs and redistribute the workload, if necessary. We do not repeat the **recommendations** included in this section. It is enough to underline in the executive summary that the methodology and the models were presented to and used by the MOJ. The final goal of this task is to provide each employee with a copy of written job description and include another copy of it into the personnel file.

To increase the benefits from a scholarship in country or outside the country as an alternative to the request to work after the training for a certain period of time, the consultant **recommended (Section VI) to include in the commitment agreement**, the request to return the whole or partial cost of the benefited studies in the situation when the trainee wants to leave the job before the established period. The MOJ could send these recommendations as a proposal to the Ministry of Public Function in charge for recruiting and training of the public servants.

Concerning the translation of the laws and codes of Rwanda the **recommendations** (Section VII) were made based on the supposition that all the laws and codes updated by 1995 would be translated. And it would be from French into English in which case it is recommended to invite international institutions to participate in the bid as well. The costs might be much less.

Having the information of the translation costs used in Rwanda, the study gave the total of **3,724** pages to be translated with approximate costs of **\$80,000 USD** without including the costs for typing and photocopying.

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This report covers the period from December 12<sup>th</sup>, 2001 to December 12<sup>th</sup>, 2002 during which this consultant has carried out consultancy and training activities, mainly in conformity with tasks and objectives provided for in her contract with MSD and in contributing to the implementation of the project's terms of reference (ToR).

In general, the activity has been satisfactory and fruitful. The consultant has worked in close collaboration with the MSD Chief of project who has always offered her good advice and support. At the level of MINIJUST the consultant has worked with all the managements of the Ministry of Justice (MINIJUST), but the greatest efforts were focused on the support to the Management of Human Resources and Support Services (MHRSS) and of the Management of Planning and Evaluation (MPE). Good collaboration has been developed with the managements of Justice Administration (MJA) and of Legislation and Services to the Collectivity (MLSC) and of the Service of Matters in dispute and State Judicial Affairs (SMSJA) mainly in the area of statistical data and of translation of laws. The representatives of the ministry, always amicable and welcoming, have proved to be open-minded to new suggestions.

The consultant has begun her tasks half way of the project and this has emphasized the importance of the continuation and integration of all the achievements up-to-date in the areas concerning her tasks. Thus, she has studied and been inspired by the achievements of Yvan Porcheron for the manual of procedures in human resources, of AUGECO for the manual of financial procedures, of Michel Verge for the procedures concerning the inventory and the stocks management. It has been also necessary to study additional sources or documents relating to administrative procedures, among which are the manual of procedures of execution of state expenses published by the Ministry of Finance and revised by the Office of the Auditor General and the Law of Finances for 2002. That is why her activities have been coordinated with those of the other local MSD consultants.

In addition to the representatives of the Ministry of Justice, the consultant has visited and met representatives of other institutions such as:

- The Supreme Court,
- The General Public Prosecutor's Department in the Supreme Court.
- The Republic's Public Prosecutor's Department of Kigali
- The General Public Prosecutor's Department in the Court of Appeal
- The Prime Minister's Office;
- The Management of the Public Accountancy of the Ministry of Finance
- The technical Management of the Ministry of Public Works
- The Office of the Auditor General
- The National Centre for Judiciary Training

**List of persons contacted:**

1. Edda Mukabagwiza, Secretary General, Ministry of Justice
2. M. Jean-Marie Rusaku, Director, Legislation and Services to the Collectivity
3. Alberto Basomingera, Mandatory of State, Service of Matters in dispute and State Judiciary Affairs
4. Tharcisse Karugarama, Vice-President of the Supreme Court and President of the Legislative Reform Commission
5. Gerald Gahima, General Public Prosecutor near the Supreme Court
6. Eugene Kagina, Director, Human Resources and Support Services
7. Daphrose Mukakigeri, Head of Division, Financial Affairs and Logistics
8. Augustin Rujoyoli, Credits Manager
9. Faustin Munyamahoro, Transport Officer
10. Immaculée Kamikazi, Storeroom keeper
11. Perrine Mukankusi, Head of Division, Human Resources Management and Developpement
12. Siméon R. Sehumba, Staff Officer, Human Resources Management and Development Division
13. Fidèle Mansengo, Director, Justice Administration
14. Françoise Niyonkuru, Head of Division, Public Prosecutors' Departments Administration
15. Emmanuel Ndagijimana, Director, Planning and Evaluation
16. Leonard Ngerageze, Head of Division, Studies and planning, Acting Director until recently of the Management of Planning and Evaluation (MPE)
17. Emmanuel Munyagishali, Studies Officer, Division of Studies and Planning
18. Godwill Mwesigye, Studies Officer, Division of Studies and Planning
19. Paul Mwesigye, Studies Officer, Division of Studies and Planning
20. Immaculée Nyirinkwaya, Director, National Centre of Judiciary Training
21. Joseph N. Nambajimana, Director, Translation in the Services of the Prime Minister
22. Mbaga, Private Secretary to the Minister of Justice
23. Placide Muhirwa, Head of Division, Accountancy of Fixed Capital, Ministry of Finance
24. Xavier Mbarubukeye, Deputy Director, Fiscal Decentralization ARD/USAID Project, ex-Director, Management of Public Accountancy, Ministry of Finance
25. Elisée Rutahakare, Acting Chief Secretary, Republic's Public Prosecutor's of Kigali
26. Edouard Barema, MSD Consultant

27. Innocent Uwimana, MSD Consultant  
 28. Yvan Porcheron, MSD Chief of Project

### List of Acronyms used in this report

Acronym	English	French
MSD	Management Sciences for Development Inc.	Management Sciences for Development Inc.
Tde R	Termes de reference	Terms of Reference
MINIJUST	Ministère de la Justice	Ministry of Justice
DRHSA	Direction des Ressources Humaines et Services d'Appui	Department of Human Resources and Support Services
DPE	Direction de la Planification et de l'Evaluation	Department of Planning and Evaluation
DAJ	Direction de l'Administration de la Justice	Department of Justice Administration
DLSC	Direction de la Législation et Services à la Communauté	Office of Legislation and Community Affairs
SCAJE	Service du Contentieux et des Affaires Juridiques de l'Etat	State Legal Affairs & Litigation Department
AUGECO	(Rwandan Auditing and Management Consulting Firm)	AUGECO
OAG	Office de l'Auditeur Général	Office of the Auditor General
CS	Cour Suprême	Supreme Court
PGCS	Parquet Général près la Cour Suprême	Office of the Attorney General
MINECOFIN	Ministère des Finances et de la Planification Economique	Ministry of Finance and Economic Planning
MINITRAP	Ministère des Travaux Publics	Ministry of Public Works
CNFJ	Centre National de Formation Judiciaire	National Judicial Training Center
DAFL	Division des Affaires Financières et de la Logistique	Department of Financial and Logistical Affairs
DGDRH	Division Gestion et Développement des Ressources Humaines	Department of Management and Human Resource Development
ARD	Associates in Rural Development	Associates in Rural Development
USAID	United States Agency for International Development	United States Agency for International Development

## **Tasks and objectives relating to the terms of reference of the “Institutional Support to the Ministry of Justice Project”.**

The terms of reference of the consultant, based on the terms of reference of the “Institutional Support to the Ministry of Justice Project” and on the six months plan of action elaborated and approved by MINIJUST in May 2001, meant in general to support the MINIJUST in its administrative tasks.

Specifically, the following tasks have been entrusted to her:

1. Participate to the advisory support to the DPE (**Contribution to Task A-5 of the TdeR of the Project**).
2. Support to the work/committee of procedures in the drafting of administrative procedures and of the computerized stocks management system (**Contribution to Task A-1 of the TdeR of the project**).
3. Production of a list of planning procedures (**Contribution to Task A-5 of the TdeR of the Project**).
4. Improvement in financial management (planning and implementation) (**contribution to Task A-2 of the TdeR of the Project**).
5. Establish a profile of needs in the area of judiciary, professional and management information (statistics) (**Contribution to Task E-4 of the TdeR of the Project**).
6. Revision of job descriptions according to the organization chart (**Contribution to Task B – 5 of the TdeR of the Project**).
7. organization of the rooms and equipments (**Contribution to Task B – 1 of the TdeR of the Project**)
8. Participation and support to the implementation of the recommendations for the improvement of the clerical staff in the public prosecutors’ departments (**Contribution to Task C of the TdeR of the Project**).
9. Participation to the preparation of a plan of training implicating the bi and multilateral projects (**contribution to Task A-4 of the TdeR of the Project**).
10. Report on the cost of translation into English and of the conformity of that translation to the other languages (**Contribution to Task C-2 of the TdeR of the Project**).
11. Improvement in decentralization (planning and implementation), identification, with the Chief of Mission, of the areas of application of the administrative decentralization, of the separation of the services and of the delegation of powers, drafting the report.  
A plan of action for the improvement of the sense of responsibility (**Contribution to Task A-3 of the TdeR of the Project**).

Following meetings with the representatives of MINIJUST, the consultant has established the objectives and the goods to be delivered. This report is the evaluation of the achievement of these objectives and expected results.

## **Section I**

### **Task 1**

**Participate to the advisory support to the DPE.**

#### **Objectives:**

- Contribute to the development of the six months plan from February to July 2002.
- Study the current evaluation procedure
- Include in the six months plan of action, the establishment of a evaluation viable system
- Contribute to the production of a list of performance indicators for the plan of action of MINIJUST.

**Documents presented at the end of the task:** (1) a report with findings and recommendations on the evaluation procedures, (2) a list of performance indicators.

### **Task 3**

**Draft a list of planning procedures.**

#### **Objectives:**

- Study current procedures
- Promote the development of a complete list of planning procedures

**The document presented at the end of the task:** (1) a list of planning procedures.

The tasks 1 and 3 will be considered as a whole because their objectives referred to the same target group and the activities have been closely linked.

#### **Achievements and results**

Initially the consultant had to participate to the elaboration of the plan of action of six months from February to July 2002, but at the beginning of her tasks MINIJUST has already elaborated the preliminary annual plan of action. The objective had to be modified. Thus, she made comments and recommendations in order to improve the structure and the content of the plan on the basis of the draft plan of action translated from Kinyarwanda into French (**annex 1**).

In parallel, the consultant studied the existing planning and evaluation procedures and proposed lists with general planning and evaluation procedures (**annexes 2 and 3**). Annex 3 includes also a model of self-evaluation. A model of detailed description of the planning and evaluation procedures has also been suggested as a guide for the activity of the DPE (**annex 4**).

Like the ex-director and then the acting director of the DPE, who has been the only person in the management for almost all the period of activity of the consultant, have expressed the need to understand and know better the performance indicators, the consultant has prepared and presented didactic material on this theme and has given a list of indicators as examples (**annex 5**)

### **Important remarks**

All these comments and recommendations about the plan of action, about the planning and evaluation procedures as well as about the indicators have been discussed, analyzed and approved by DPE staff during the participative training. As 4 among the 5 DPE agents have been recently recruited for their positions, it has been useful to clarify and understand the definitions and all the elements of a plan as well as the role of the management in the planning and evaluation process in comparison with the other services of the Ministry. The fact that DPE should support and give technical advice to other services during all the cycle of planning, implementation and evaluation, has been underlined. It should elaborate and distribute the necessary and adequate instruments and instructions in order to facilitate, lead and standardize the planning and evaluation process.

### **Methods**

Methods used to achieve the objectives of this task have been:

- Meetings and discussions with DPE representatives,
- Study of documents elaborated by MINIJUST and other organizations on planning and evaluation,
- Participative training in order to discuss and test recommendations made (participative training means training whereby the method of presenting new elements of theory is used along with an active implication of participants; the exchange of knowledge, experience and opinions is highly encouraged)

### **Instruments**

- The plan of action 2002 of MINIJUST as object of analysis and training exercise
- A model of planning and evaluation procedures to serve as a guide in the elaboration of appropriate procedures
- Presentation in Power Point with printed documents
- An electronic copy of the material in English and in French for the DPE
- Two languages used during the training

### **Obstacles**

The obstacles that have slowed down the pace of the implementation of the consultancy activities are the following:

- The resignation of the Director of DPE who had already been trained with the support of USAID/MSD, during one month in the USA in planning and evaluation as well as performance indicators.
- The designation of two agents of this for six months courses in computer science and communication technology (ICT)
- All the work of this management done by one person alone during a period of 5 months.

**Activities to follow**

- Follow up the use of the model of planning and evaluation procedures in the elaboration of appropriate procedures in the DPE.
- Follow up the implementation of recommendations on the structure and content of the plan of action
- Evaluate the impact of participative training on the activity of DPE
- Offer an in-depth formal training in all or some themes proposed by the staff of the DPE, according to the means and terms of reference of the Project.

**FINDINGS, COMMENTS AND RECOMMENDATIONS ON THE STRUCTURE AND THE CONTENT OF THE PLAN:**

**I. INTRODUCTION – first 6 pages**

<b>FINDINGS</b>	<b>COMMENTS AND RECOMMENDATIONS</b>
<p>4) <b>Primordial Problems</b></p> <p>4.1 Overwhelming number of genocide cases - 110 000</p> <p>4.2 Rehabilitation (that is improvement of buildings and equipment) of the prosecutors' offices and of the courts</p> <p>4.3 Lack of qualified personnel and materiel at the local level. Solution: training and publishing brochures.</p> <p>4.4 Lack of communication system and network that explains the mistakes and the delays in data providing, lack of a tight collaboration between the central administration and the local level.</p> <p>4.5 Problems related to the legislative reform, some laws are obsolete, needs in new laws - it concerns the Legal Reform Commission.</p> <p>4.6 Lack of knowledge of the laws by the population, the ministry should make it aware through the means of radio, television, brochures, etc.</p> <p>4.7 Problems of corruption, justice is ready to fight against corruption and to increase the awareness of the population and the judges. Discussions and studies are made to develop a law against corruption.</p> <p>4.8 Delay in preparing the files of the accused guilty, the files should be finalized by the end of the first trimester.</p> <p>4.9 Despite the activity on increasing the population awareness, Gacaca has not been understood yet. The ministry thanks those</p>	<p><b>1. Problems to be solved</b></p> <p>This part only identifies the problems that should be solved without giving solutions. It is desirable to observe the uniformity in describing the problems.</p> <p>In FINDINGS the parts highlighted in gray indicate, in the majority of cases, that some phrases should be reformulated in a way to describe the actual problem. We suggest that anything describing the solutions be included, as appropriate, in the separate category of concrete solutions or means to achieve the goals.</p> <p>In the description of problem 4.4 we see three distinct problems:</p> <ol style="list-style-type: none"> <li>1. Mistakes and delays in data collection,</li> <li>2. Lack of tight collaboration between central and local administrations,</li> <li>3. Lack of a communication system and network.</li> </ol>

<p>who participated in the Gacaca elections. Solution: explain in more details the meaning of Gacaca and its steps, organize training, television and radio broadcasting.</p> <p>4.10 Participation of judges and magistrates in issues of financial embezzlement. Develop strategies to combat embezzlement.</p>	
<p>5) <b>Ministry's Policies</b></p> <ul style="list-style-type: none"> <li>• Monitor projects on building different levels of justice to address the victims' problems and the reconciliation of Rwandans.</li> <li>• (Insure) the respect et development of human rights</li> <li>• Protect the State and population interests according to the laws</li> <li>• Review the (existing) laws and develop new ones to develop the country.</li> <li>• Fight against the corruption and increase the efficiency of the justice.</li> <li>• Support the collaboration of the institutions</li> <li>• Develop programs and speed the process of creating files.</li> <li>• Develop collaboration between the prosecutors' offices and the courts.</li> <li>• Reinforce the work on increasing the public awareness about the laws on Gacaca.</li> <li>• Improve the knowledge of the law and train the employees of different institutions of justice at CNFJ</li> </ul>	<p><b>2. Ministry's Policies</b></p> <p><b>Policy</b> A governing principle pertaining to goals, objectives, and/or activities. It is a decision on an issue not resolved on the basis of facts and logic only. Usually a policy is expressed in general terms.</p> <p>In our opinion, the part named "Policy" in the MOJ action plan is more appropriate to be called "Goals".</p>
<p>6.</p>	<p><b>6. Planned Solutions</b> We suggest including this part as a guideline to solutions seen by MOJ to solve the problems.</p>

## II. TABLE

### Suggestions / Recommendations

#### 0. Program

- 1) A group of related activities performed by one or more organizational units to accomplish a function for which the government is responsible.
- 2) A major endeavor authorized and funded to achieve a significant purpose, defined in terms of the principal actions/activities required.

**Note: Programs** should be consistent with the budget document according to the format given by the Ministry of Finances. It also can be possible that a program go beyond the limits of an administrative unit.

## I. Goals

### Goal

A desired state of affairs that outlines the ultimate purpose of a program. This is the end toward which program efforts are directed. **FOR EXAMPLE**, the goal for the program No 4 (see the table below) could be reformulated as it follows: *Improve or reinforce the ministry activity by hiring qualified personnel.*

## II. Strategies

### Strategy

Methods to achieve goals and objectives. Formulated from goals and objectives, a strategy is the means of transforming input into outputs, and ultimately outcomes, with the best use of resources.

## III. Program Activities

Activities, services, or functions carried out by the program (i.e., what the program does). **FOR EXAMPLE**, for program No. 4, they could be: *(1) Identify the vacancies, (2) Search for qualified candidates for these vacancies, (3) Hire new employees through the Ministry of Public Function, (4) Develop job descriptions for the new jobs.*

**Recommendation:** Each department or decentralized service should develop their own action (operational) plans that derive from the ministry's action (strategic) plan but are much more detailed with the responsible going down to the division heads. The detailed action plans represent and encourage the implementation of the ministry's action plan. And these plans could be shorter than one year.

## IV. Output

Immediate measures of what the program did. **FOR EXAMPLE**, number of won cases, number of treated files. For program No. 4 the outputs could be *number of vacancies filled in, number of hired people with higher education.*

## Outcome -

Results of program operations or activities. **FOR EXAMPLE** anticipated outcomes of a program may include increased knowledge, changed attitudes. In our example of program No. 4 the outcomes could be *a better distribution of the workload among the employees, higher personnel performance.*

## V. Responsible

There are no comments for this part.

## VI. Deadline

The deadline should be more precise with the estimated date of the end of the activity.  
**FOR EXAMPLE**, for program No 4, the deadline could be *end of April 2002*.

## VII. Indicators

Any group of statistical values that when taken together indicate the performance of a project, organization, or group of people.

### Criteria for selecting performance indicators

- a) **Relevance**. Choose indicators that are relevant to the goals and objectives of the program and to what they are supposed to measure.
- b) **Importance**. Select indicators that provide useful information on the program and that are critical to the accomplishment of the department's or program's goals.
- c) **Availability**. Choose indicators for which data are accurate and readily available.
- d) **Ease of Implementation**. Use indicators for which measurement is easy to design, conduct, analyze, and report.
- e) **Validity**. Select indicators that address the aspect of concern and for which modifications in the value can be easily interpreted as desirable or undesirable and directly attributed to the program.
- f) **Uniqueness**. Use indicators that provide information not duplicated or overlapped by other indicators.
- g) **Timeliness**. Choose indicators for which you can collect and analyze data in time to make decisions.
- h) **Ease of Understanding**. Select indicators that the citizens and government officials can easily understand.
- i) **Costs of Data Collection**. Choose indicators for which the costs of data collection are reasonable.
- j) **Privacy and Confidentiality**. Select indicators without privacy or confidentiality concerns that would prevent analysts from obtaining the required information.

**FOR EXAMPLE:** For program No 4, the indicators could *be the time to fulfill specific tasks has decreased by ..... %, the number of mistakes has decreased by ..... %, the number of processed files or documents has increased from ..... % to ..... %*.

**Note:** The indicators could follow immediately after outcomes.

## VIII. Other concerned institutions

There are no comments to this part

**In addition, we would recommend adding one more column with three sub-columns:**

## IX. Financial Resources

- a) State Budget
- b) Donors
- c) Other sources

**Example taken from the 2002 draft action plan of MINIJUST**

<b>Goal</b>	<b>Strategy</b>	<b>Activities</b>	<b>Outputs</b>	<b>In charge</b>	<b>Date</b>	<b>Indicators</b>	<b>Other concerned institutions</b>
Human Resources Management and Support to Other Services	1. Monitor the employees' efficiency	<ul style="list-style-type: none"> <li>• Prepare the salaries every given period</li> <li>• Prepare and monitor the training programs</li> <li>• Payment of the arrears and follow up with Minecofin</li> <li>• Regularization of the files for pensions, social security</li> </ul>	<ul style="list-style-type: none"> <li>• Finalize the employees' files (100 %), every end of the month</li> </ul>	DRHSA	All year round	Completed employees' files	MSD, Social Security, Ministry of Public Function, Ministry of Finances
	2. Develop a list of essential needs for all the ministry's departments, monitoring	<ul style="list-style-type: none"> <li>• Management of the ministry's car park</li> <li>• Do the inventory of the ministry's equipment</li> <li>• Write monthly reports</li> </ul>	Observing the budget, all the materials will be available and provided on time	DRHSA	All the time, permanently	<ul style="list-style-type: none"> <li>• List of the vehicles in function</li> <li>• Monthly needs identified</li> </ul>	MSD, Ministry of Finances, NGO
	3. Develop tools to assure transparency and sound financial management	<ul style="list-style-type: none"> <li>• Budget monitoring</li> <li>• Monitor a sound financial management</li> <li>• Monitor the bidding process</li> <li>• Prepare the 2003 budget</li> <li>• Be acquainted with the MOF budget as far as NGOs and state budget contributions are concerned</li> </ul>	<ul style="list-style-type: none"> <li>• Budget monitoring on a monthly basis</li> <li>• Good management of the state houses</li> </ul>	DRHSA	August 2002	<ul style="list-style-type: none"> <li>• Monthly budget reports from departments</li> <li>• 2003 budget draft</li> <li>• Minijust and Minicofin plan</li> <li>• List of state houses and of their occupants</li> </ul>	Ministry of Public Service

	4. Fill the vacancies in the organizational chart	<ul style="list-style-type: none"> <li>• Check the ministry's houses and distribute them to those who have the legal right</li> <li>• Identify the vacancies</li> <li>• Hire new staff supported by the Mifotra</li> <li>• Job descriptions for the new positions</li> </ul>	Seeking for qualified candidates on the identified vacancies	DRHSA	End of March	Vacancies filled in by qualified specialists	Service
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## Annex 2

### LIST OF GENERAL PLANNING PROCEDURES FOR THE DPE

#### **Planning:**

It is a process for forecasting future events and problems; for evaluating their possible impact and elaborating in details policies, goals, objectives and strategies in order to solve problems.

This process includes the elaboration of optional documents, alternative solutions, and final plans.

The planning process is based on five main sources.

1. Elaboration of a planning policy (*Policy for the elaboration of technical instructions that must support the planning policy*).
  - 1.1 multi-annual or *strategic* plan
  - 1.2 annual or *tactic* plan
  - 1.3 half year or *operational* plan
  - 1.4 individual or *operational* plan for each administrative unit
  
2. Elaboration of planning procedures (*the planning procedures support the planning policy by describing the planning process and the steps to make in the implementation of this process.*)
  - 2.1 The steps
  - 2.2 The persons in charge
  - 2.3 the delays
  
3. elaboration of technical instructions (*the technical instructions are elaborated in order to explain and facilitate the use of planning instruments*)
  - 3.1 Data collection and analysis
  - 3.2 Decision and support
  - 3.3 Establishment and evaluation of the plan
  
4. Elaboration of the instruments

- 4.1 Standard forms on paper
- 4.2 Standard electronic forms on a program and its components agreed and approved by the ministry
- 5. The follow-up (*in order to facilitate the implementation of planned measures*).
- 5.1 Policy and instruments for administrating the programs of the plan

### **LIST OF GENERAL EVALUATION PROCEDURES**

#### **Evaluation**

Evaluation has several distinguishing characteristics relating to focus, methodology, and function. Evaluation (1) assesses the effectiveness of an ongoing program in achieving its objectives, (2) relies on the standards of project design to distinguish a program's effects from those of other forces, and (3) aims at program improvement through a modification of current operations.

#### **Evaluation Practice**

A practice or set of practices that consist mainly of management information and data incorporated into regular program management information systems to allow managers to monitor and assess the progress being made in each program toward its goals and objectives. Ideally, a program is self-evaluating, continuously monitoring its own activities.

<b>N</b>	<b>Steps</b>	<b>Responsible</b>	<b>Dates</b>
1.	Developing the evaluation plan - a written document describing the overall approach or design that will be		

	used to guide an evaluation. It includes what will be done, how it will be done, who will do it, when it will be done, and why the evaluation is being conducted.		
<b>2.</b>	Developing data collection instruments (for example, model of self-study document, standard data base forms with instructions)		
<b>3.</b>	Collecting data		
<b>4.</b>	Analyzing data (comparing the achieved results with the planned ones that were included in the action plan or the logic model worksheet, the degree of accomplishment of the objectives and indicators)		
<b>5.</b>	Writing the report.		
<b>6.</b>	Monitoring the evaluation results		

## SELF-STUDY DOCUMENTATION FOR PROGRAM OR ACTIVITY EVALUATION

The following is a list of recommended documentation to be provided by each unit for consideration during Ministry programs/activity evaluation. Information already available in MINIJUST data bases is to be utilized to minimize the effort required of the Unit. If some of this information is already available in self-studies, the documents should be attached, with specific reference to the source.

### 1. Executive Summary

Concisely state the overall mission of the Unit including overall goals. Summarize your impression of how the Unit has progressed (or regressed) in the past and goals for the future.

### 2. Administrative Structure

- Briefly describe the administrative structure. If the Unit has established, bylaws or rules of conduct attach a copy of this documentation.
- Summarize performance expectations for the staff, including workload.
- Describe how performance is evaluated for pay raises and promotions.
- Summarize grievance procedures for the personnel.
- List departmental divisions, members, and leadership.
- Describe duties and responsibilities assigned to the divisions.

### 3. Professional and Staff

- Summary Information--Give total number of professional, technical staff, office staff, and assistants. Describe any major modifications in the professional staff which have recently occurred or are projected for the future (e.g., resignations or retirements).
- Staff Information--For each staff member, list name, education where applicable (e.g., technical staff), other special qualification, years of service, and the job description. Add special duties or assignments not mentioned in the prepared job description.
- Briefly state initiatives to improve staff performance and programs for professional development.
- Describe efforts to enhance the diversity of the personnel and the results.

### 4. Facilities

- Describe the space occupied by this unit and space shared with other units. Provide floor plans.
- Describe the amount and quality of office space available for the personnel. (If recruitment is limited by the size or number of offices available, specify services affected and impact.)

- Describe the adequacy of office space in terms of such facilities as utilities, physical condition, cabinetry, and fume hoods.
- Evaluate the adequacy of library holdings.
- Describe the equipment available and its adequacy. Evaluate use by the personnel and outside parties, and describe age, operational state, sources of funds for purchase, and replacement plans for major facilities.

## **5. Plans for Improvement**

- Describe modifications taking place in the field and departmental priorities in hiring new or replacement staff, and efforts to increase diversity among staff.
- Describe priorities for changes or additions to the staff.
- Describe any initiatives for improving the number, quality, and diversity of s/c.
- List priorities for use of new space or conversion of existing space.
- List priorities for major equipment acquisition.
- Describe the most pressing budgetary constraints on the quality or performance of your program.
- List any initiatives to increase funding from outside sources such as contracts and grants or endowments.

**Annex 4**

**DETAILED DESCRIPTION OF PLANNING AND EVALUATION PROCEDURES (MODEL)**

Effective: 2002

**PURPOSE**

To emphasize the importance of planning and evaluation and to specify the process

## **AUTHORITY/SOURCE**

All levels of leadership are involved in the cycle of planning, implementation et evaluation. Based on its specific tasks, the Planning and Evaluation Department (DPE) evaluates new program proposals in the context of the ministry's overall mission. It supports and coordinates regular reviews of established programs. DPE strives to maintain and improve quality through a process of planning and evaluation.

## **POLICY**

The Ministry engages in continuous analysis and appraisal of its purposes, policies, procedures and programs. The Ministry evaluates effectiveness and efficiency at all its structure levels and uses the results in a broad-based, continuous planning and evaluation process.

Within the planning, implementation, and evaluation cycle adequate procedures for planning and evaluation are established.

The guiding principle is that critical self-evaluation is essential to maintaining effectiveness in an environment of changing conditions. Every administrative unit within the Ministry annually evaluates its past performance and plans its future directions following the planning, implementation, and evaluation cycle.

Each administrative unit plans its programs and activities so that its human, financial and material resources are synchronized and adjusted to the ministry's policy.

The planning process provides the framework for developing plans on the basis of economic, social, and policy considerations. Utilizing technical, educational, and financial assistance programs from other sources than the state budget may then facilitate implementation of these plans.

The planning and evaluation process should produce a shared sense of direction that supports adjustments to changing conditions, goal-oriented decisions, information sharing and calendar coordination.

## **PROCEDURE**

Planning is made at several levels, including many small planning units or being a part of a bigger planning unit. The focus at each level is the administrative unit or program. Planning at each level is completed in appropriate degrees of detail taking into account the objectives of those associated larger and smaller planning areas with the information and resource needs, the outcomes of the services they provide, and the impact on the needs and expectations of users of the program.

This process assesses the external environment, internal strengths and weaknesses, financial vigor, and the institutional and societal values that impact on courses of action.

The same planning process is used to develop plans or assessments, but different activities are required to complete each step of the process. On-site visits are an integral part of the planning process.

This process requires that unit planning and evaluation have the following characteristics:

- 1) Broad-based involvement of the members of the unit;
- 2) A clearly stated mission;
- 3) Goals and outcomes consistent with the mission of the Ministry;
- 4) Dissemination of information for reporting and decision making;
- 5) Procedures for evaluating the extent to which plans and desired outcomes are being achieved; and
- 6) The use of evaluation results to improve unit effectiveness.

Each unit's planning and evaluation report is consolidated into the next higher administrative unit's plan, next into the division's plan, then into the MOJ's annual plan.

The timing of the phases is dependent upon the activities of the unit or program, and its relationship to the next higher administrative unit, the division, and the MOJ annual cycle. The Secretary General, in consultation with the Directors, coordinates the planning cycle and annually distributes a schedule for these activities.

### **TECHNICAL INSTRUCTIONS/ DIRECTIVES**

The planning process used by DPE is a three-phase, nine-step process. Although the nine steps are shown in sequence, the process is very dynamic. The process could start with any of the first three steps or even step nine. Cycling back to previous steps is often necessary. For example, step one and two may not be finalized until step four is completed.

Each step contains a planning standard, a list of inputs, and a list of products. The planning standard sets the minimum quality level for each step. The inputs provide sources of information to plug into the process, while the products describe the outputs of each step.

Also, a detailed description is included of "what" items occur during each planning step along with recommendations on "how" to accomplish the items.

#### **Phase I - Collection and Analysis**      *(Understanding the Problems and Opportunities)*

**Step 1 - Identify Problems and Opportunities**

Identify resource problems, opportunities, and concerns. These are the problems and the opportunities identified by the organization itself during the resources inventory and by the existent legal framework. Issue or follow THE POLICY of the MOJ in order to establish the priorities and find solutions to the problems.

**Step 2 - Determine Objectives**

Identify and document the Ministry's programs and objectives.

**Step 3 - Inventory Resources**

Inventory the human, financial and material resources.

**Step 4 - Analyze Resource Data**

Analyze the resource information gathered in planning step three to clearly define the resource conditions, along with economic and social issues related to the resources. Develop the STRATEGIES to accomplish the programs.

**Phase II - Decision Support**

*(Understanding the Solutions)*

**Step 5 - Formulate Alternatives**

Formulate alternatives that will achieve the objectives, solve the problems, and take advantage of opportunities. Each administrative unit develops ALTERNATIVES ACTIVITIES to fulfill the identified programs.

**Step 6 - Evaluate Alternatives**

Evaluate the alternatives to determine their effects in addressing the objectives and the resource problems and opportunities. Evaluate the projected effects on social and economic concerns. Each administrative unit describes the OUTPUTS AND OUTCOMES of its activities as well as identifies the PERFORMANCE INDICATORS.

**Step 7 - Make Decisions**

The Executive Committee or the Task Force selects the alternative(s). Then each administrative unit suggests the deadlines and the assigned people to be responsible for the selected activities. At this step, the DPE reviews and adjust, if needed the proposed deadlines for the activities' implementation and prepares the necessary documentation.

**Phase III - Application and Evaluation**

*(Understanding the Results)*

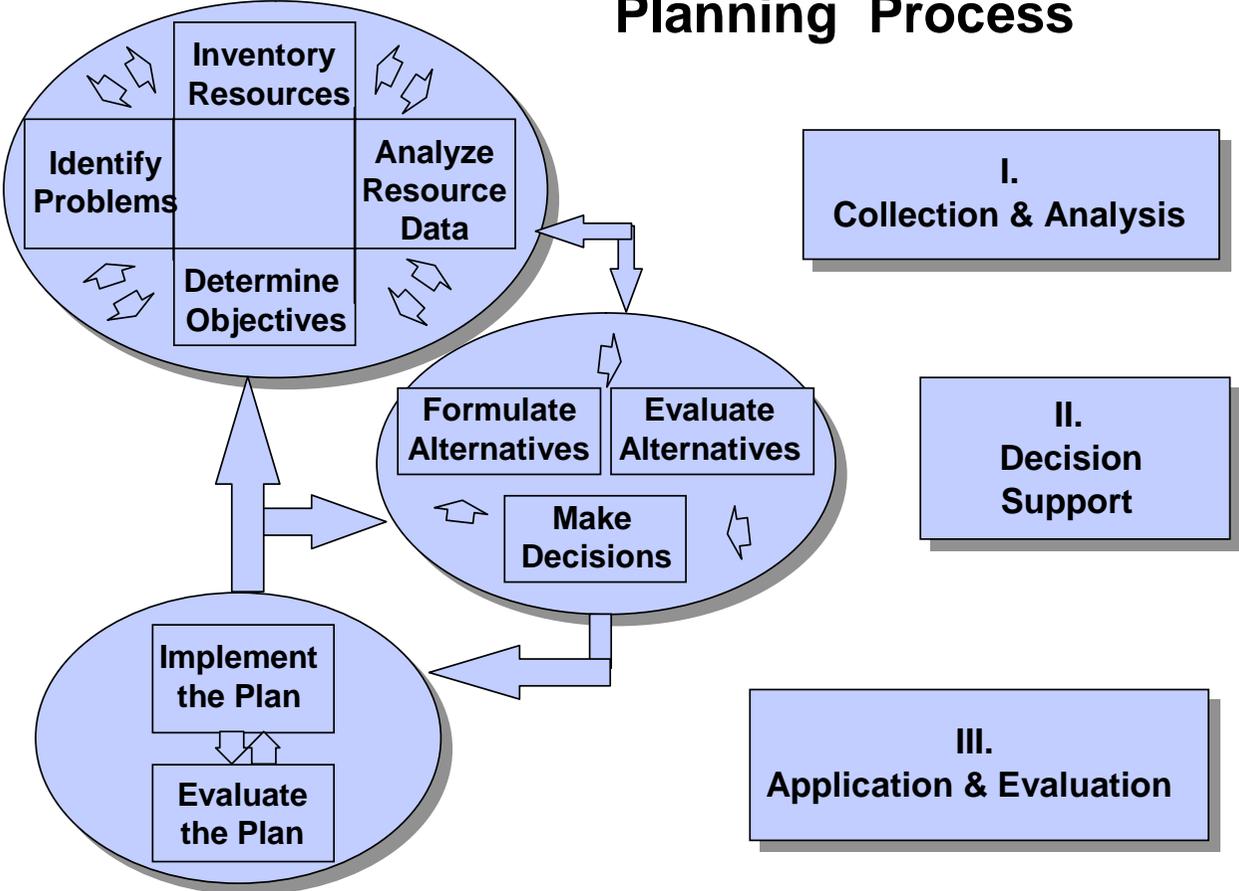
**Step 8 - Implement the Plan**

The selected alternative(s) are implemented. The DPE supports and coordinates regular reviews of established programs.

**Step 9 - Evaluate the Plan**

Evaluate the effectiveness of the plan, as it is implemented (monitoring or corrective evaluation) and make adjustments as needed. Evaluate the program or plan at the end of the year. The self-evaluation is prepared by each administrative unit and transmitted to the DPE for the annual report.

# Planning Process



An illustration of the dynamic nature of the planning process

## **Annex 5**

### **INDICATORS**

A group of statistical values which, taken as a whole, indicates the performance of a project, an organization or a group of people.

#### **Measuring the performance means:**

Improve the quality and the results of services and decisions on the distribution of resources;

Justify the decreases in the level of services and of the budget;

Increase the quantity of responsibilities, the confidence in the public.

#### **Types of indicators**

Resources “input”

Direct return or results – “output”

Expected results – “outcome

Efficiency – performance indicator

### **Output versus results**

Performance indicators are rather oriented towards the quantity of services offered, whereas the outcome indicators represent the effects of the services.

### **The steps of a performance measuring system**

1. Organize the process for elaborating a program.
2. Identify the goals, the objectives, and the groups – program targets.
3. Establish results to measure.
4. Select performance indicators.
5. Identify data sources and collect data.
6. Organize the data.
7. Group the indicators.
8. Compare obtained results.
9. Finalize the analysis and report on the indicators.
10. Improve the pilot procedures.
11. Use the information on the performance.

In order to give more details about some stapes:

#### **Step 3: establish the results to measure.**

The important sources that may be useful:

Legislation and regulations

Relationship with the policies of the organization that are in the budget document,

Strategic plans

Annual plans and reports

Discussions with superior hierarchical levels

Discussions with the beneficiaries and the suppliers of services

Participation of the staff of the program

Information about declarations from the beneficiaries

Reports on the objectives of other organizations which have similar programs

**Step 4: Select performance indicators.**

All results are not measurable. That is why it is necessary to convert each program result into a performance indicator that specifies what is measured.

**The criteria for selecting performance indicators**

**Pertinence**-for the goals and objectives

**Importance**-contain useful and crucial information for the implementation of program objectives or of unity

**Availability**-the correct data is available or easy to obtain

**Implementation**-easy to measure, organize, analyze and report

**Validity**- can be checked easily;

**Uniqueness** - do not repeat other indicators;

**Within a given period of time**-can be easily collected so as to make decisions

**Understandable** - Easily understandable

**The cost of data collection** – must be reasonable

**Confidentiality degree** – the data must not be part of data with limited access or restricted access

**Step 6: Organize the data**

After being collected, the data must be converted into useful indicators by the following modalities:

Data classification for each indicator

Programs data comparison with other reference values

Explanation of obtained indicators

Then, the indicators are presented in a clear and easily understandable format.

**Step 7: group the indicators.**

Following

Geographical location

Administrative unit or project

Characteristics of beneficiaries (sex, age, studies)

Level of difficulty

Process or procedure used in the supply of services

**Step 8: compare the results obtained with reference values**

Specific precedent performances

Performances of other similar administrative units

Different groups of beneficiaries

Expected results

Different methods of supplying services

**Step 9: Finalize the analysis and make a report on the indicators**

Make the report on the basis of:

Actual results versus expected results

Comparisons between different geographical locations

The level of project or program implementation

Supply explanatory information

Disseminate the reports with the results

Prepare the documents on the performance measuring process

**Conclusions:** the indicators are, in principle, expressed in percentage and represent a relationship between different categories of data considered within a given period of time. Graphics are usually useful in order to visualize that relationship.

**Example of the most used indicators:**

- I. *Economy* indicator: the relationship between resources effectively used and those planned
- II. *Efficacy* indicator: the relationship between obtained results and those planned
- III. *Efficiency* indicator: the relationship between the actual process and that planned
- IV. *Productivity* indicator: the relationship between the results obtained and the resources effectively used
- V. *Cost/Unit* indicator: the relationship between the resources effectively utilized and the results obtained
- VI. The ministry's *autonomy* indicator: the relationship between the resources that come from the State's budget and the resources that come from donors
- VII. *Absenteeism or lateness* indicator to the service: the relationship between the total of the staff members being late or absent and the total of the ministry's staff members

**Section II**

## **Task 2**

**Support to the task force/ procedures committee in the drafting of administrative procedures, stocks management computerized system.**

Objectives:

- Make an inventory of the administrative procedures (financial, relating to staff and to stocks management)
- Follow up the Michel Verge report on the stocks and equipments computerized management (SECM) presented on October 19<sup>th</sup>, 2001

**The document presented at the end of the task:** (1) one report with findings and recommendations on administrative procedures.

## **Task 4**

**Improvement in financial management (planning and implementation)**

Objectives:

- Consult the General Auditor's report on the financial management for 2001 when it will be available for the public
- Organize the creation of a task force that will be in charge of the study and analysis of the findings and recommendations contained in the General Auditor's report in order to make the appropriate modifications to the financial procedures
- Include in the six months plan of action the dissemination of the updated financial procedures manual at all the levels of MINIJUST

**The documents presented at the end of the task:** (1) a summary of the General Auditor's recommendations that are pertinent for the elaboration of the administrative and financial procedures of MINIJUST, (2) a plan of action for the implementation of the General Auditor's recommendations

### **Achievements and results**

In order to carry out these tasks, the consultant has worked with all the staff members of the DRHSA

#### **A. Manual of procedures in human resources**

In order to make the inventory of procedures in human resources three working sessions have been held with the Director of the DRHSA and the Head of Division of Human Resources Management and Development

The objectives of the working group have been established as follows:

- a) Review the comments and recommendations made by Yvan Porcheron in November 1999 about the procedures manual adopted by MINIJUST in October 1999 and identify what is still up to date
- b) Review all the procedures and identify the modifications that have occurred in the implementation and the rules in order to include them in the manual, and
- c) Define the steps to make in order to update and distribute the manual

The task force has confirmed that, most of the recommendations made by Yvan Porcheron in November 1999 were still valid and they should be included in the manual.

The revision has been made by sorting the procedures in the following manner: **to be kept, to be modified, to be excluded, to be added**. In the case of modification and addition, specifications have been made concerning the content of the procedures, the forms and the other steps that is was necessary to add.

SEHUMBYA R. Siméon, Staff officer in the context of the DGDRH, has been appointed as the person in charge of the introduction of modifications in the procedures manual, of the updating and distribution of it to all the persons concerned after carrying out all the modifications.

The consultant has made a report on the basis of the results of the inventory of procedures in human resources (**annex 6**) and has met SEHUMBYA R. Siméon in order to support him in the task of introducing the modifications proposed in the procedures manual.

## **B. Financial procedures manual**

A manual of financial procedures has been elaborated and adopted by the MINIJUST in June 2000 with the assistance of AUGECO. The consultant had the task of launching and animating the review of that manual in order to identify the modifications that must be made.

The objectives that the consultant has set up, for task 4 have been based on the results of discussions with the representatives of MINIJUST. The ministry has advised the consultant to wait for the General Auditor's report before the beginning of the review of financial procedures. For a number of raisons this report has not been published until today. The alternative has been a meeting with the Auditor General who has provided the consultant a copy of the Manual of the procedures o execution of State expenditure published by MINECOFIN and completed by his Office. In his recommendations, **in annex 7 – section “general recommendations”**, the consultant has suggested to annex this manual to the manual of financial procedures of MINIJUST.

In order to make the inventory of financial procedures, it has been necessary to add working sessions with the Chief of Division and one of his assistants -- the credits officer, the transport officer and the stocks officer-- in order to discuss the procedures that they use for the time being, to compare with those in the manual and to decide about those that should be changed, completed or suppressed.

The recommendations that have been proposed were focused on the structure and the content of the manual, on the structure and the content of the existing and new procedures, and on the use of forms. All the findings and recommendations are part of a separate report including a plan of action for the amendment of the financial procedures manual (**annex 7**). This report with modifications made on April 30<sup>th</sup>, 2002 has been reviewed with and accepted by the Director of the DRHSA and the Chief of the DAFL Division.

A staff member of the Division of the Financial Affairs and Logistics has been appointed in the position of officer in charge of introducing amendments in the procedures manual, and updating it and distributing it to the people concerned.

### **C. Stocks and inventory and management**

Concerning the stocks management procedure, they have been reviewed in the context of financial procedures of which they make part. The new procedures have been proposed mainly for the inventory of durable goods in the stocks and the place of appropriation (**see annex 7, points 5 and 6**).

In addition to the manual of procedures there was a program offered by AUGECO but the staff of the DAFL has never used it because they considered it as difficult. The consultant has not been able to see the program or to obtain an electronic copy.

The consultant has studied and discussed the May 2001 reports by Michel Verge on the management of stocks and equipments and on the stocks and equipments computerized management (SECM) of October 19<sup>th</sup>, 2001 with the DAFL, in order to follow it up. The findings have shown that the implementations of recommendations made by Michel Verge were taking too much time. Consequently, MSD has recruited another local consultant in order to study the possibility of development and acquisition of a program of stocks management.

A report has been made with the current needs of the ministry and steps to make in the area of stocks inventory and management (**Annex 8**)

### **Important remarks**

Among the results obtained it is important to mention that during the revision of administrative procedures the staff of DRHSA has had the opportunity to analyze their work, to reevaluate some practices and think of other possible options of improving and enriching them.

The terms of reference of the Project, Task 3 A4, specify that “in order to ensure the permanence of the improvements, the Contractor will work with a go-between task force of MINIJUST that shall review the existing procedures, approve and implement the new ones”.

The consultant has worked with small groups of technical staff members in order to make the inventory of administrative procedures. The manual of procedures with the amendments recommended by the technical groups will be presented to the Executive Committee (the functional Task Force) for discussion and approval. This committee composed of the Secretary General and all the directors, fill then the conditions specified in the TdeR of the Project.

### **Methods**

The methods used in order to fulfill the objectives of these two tasks have been:

- Meetings and discussions with the representatives of MINIJUST (SG, DRHSA), of MINECOFIN, of the Office of the Auditor General
- Study of the documents elaborated by the MSD consultants and other public institutions on financial procedures
- Study of laws and rules on public finance
  - Creation of task forces
  - Collaboration with MSD consultants

### **Instruments**

- Manual of human resources procedures with the recommendations of Yvan Porcheron
- Manual of financial procedures by AUGECO
- Manual of State expenditure execution procedures by MINECOFIN revised by the Auditor General

### **Obstacles**

The obstacles that have slowed down or hindered the realisation of consultancy activities are the following:

- Limited access to the public (the consultant in particular) to some documents (for example the Auditor General’s report)
- Legislation in reform or lots of official letters with no power of law which renders difficult to make the lists of references to laws, rules or instructions coming from different ministries in order to include them in the financial procedures manuals
- Limited availability of the DRHSA staff members (ex. Meetings postponed to other periods because of urgent tasks, meetings, trainings, sickness, leave or mission)
- Reduced motivation of the staff members for tasks perceived as additional

### **Activities that follow:**

- ◆ Make the follow up of the implementation of the plan of action concerning the amendment of the financial procedures manual
- ◆ Support the officers in charge appointed for the task of introducing modifications in the procedures manuals



## **REPORT ON THE MODIFICATIONS PROPOSED FOR THE MANUAL OF HUMAN RESOURCES PROCEDURES**

The consultant has coordinated three working sessions with Eugene Kagina, Director of Human Resources and Support Services, and Perrine Mukankusi, Chief of Division, Management and Development of Human Resources on February 19<sup>th</sup> and 20<sup>th</sup> , and March 5<sup>th</sup> , 2002;

**The aim of the meeting:** Conduct a workshop having the aim of revising the manual of human resources procedures in order to identify the unavoidable modifications.

### **The main points:**

The objectives of the task force have been established as follows:

- a) Review the comments and recommendations made by Yvan Porcheron in November 1999 relating to the manual of procedures adopted in October 1999 and identify what is still up-to-date
- b) Review all the procedures and identify the modifications that have occurred in practice and the rules allowing to include them in the manual, and
- c) Establish the steps to make in order to update and distribute the manual.

The revision has been made by sorting the procedures in the following manner: **to be kept, to be modified, to be suppressed, to be added.** In the cases of modifications and additions, specifications have been made concerning the content of the procedure, the forms and the other useful steps to be included.

For procedure N° 7 concerning the follow up of overtime it has been deemed necessary to elaborate a new internal policy or eliminate the procedure because for the time being overtime is neither taken into account nor paid.

It has been recommended to introduce a new procedure concerning hand over.

The task force has confirmed that, almost all the recommendations made by Yvan Porcheron in November 1999 are up-to-date and should be included in the manual.

SEHUMBYA R. Siméon, the Officer in charge of Personnel in the context of the DGDRH, has been appointed responsible for the introduction of all the people concerned after that the modifications would have been made.

### **Activities that follow:**

To support the responsible appointed for the task of introducing the modifications in the manual of procedures

### **The inventory of human resources procedures**

**N1 - to be modified** in accordance with Recommendations 1 and 2 of the Porcheron report,

**N2 - to be modified** in accordance with Recommendation 4

**N3 - to be modified:** content of C – c & d

- **to be added:** C - c: if this concerns the position of driver or *typist*
  - d: if this concerns the position of agent or *consultant*
  - e: *when this concerns senior positions*

*Note: is it necessary to enumerate the criteria of choice?*

- **to be suppressed** B-h: 1&4.

**N4 - to be modified** A- for the staff with an agreement, -: prepare and send a letter

- **to be suppressed** A-e,f,g

B-b and in the model of the agreement: seen for approval by MIFOTRA and MINECOFIN

**N5 - to be suppressed** by replacing it by the model of annex 1 of R9

- **to be added** in R9 with annex 1
  - B-3: is the cause is organizational
  - D-1: require the training course or training reports and
  - D-2: evaluate the performance of trained employees after 3 months

*Note: is it necessary to include the needs assessment evaluation questionnaire as annex to the procedure?)*

**N6 - to be kept and number the form**

**N7 – to be kept under the condition of elaborating the implementation policy of the procedure described in the manual an elaborate a form in order to evidence overtime**

**N8 - to be suppressed form D**

- **to be added**

2: adding the details of rules-R16

3: chief of division HR advise the employees +R 15

6: 1 approved & 2 refused, forward to the HR division in order to be added to the file therefore: by following the Recommendation 17 with annex 3 +some modifications

**N9 - to be kept**

- **to be added** following R19+review the rules

**N10 - to be modified** Note: medical certificate issued by a medical cabinet working with the Association of doctors

- **to be added 2** – by presenting justificatory documents , otherwise disciplinary measures will be applied, R16<sup>2</sup>with annex 5

**N11 - to be kept**

- **to be added**

2:or, in an accident with fatal consequences, make fill in by another person following the relationship

A: identification – residence

**N12 - to be kept**

- **to be kept** C-2 ask for the employer’s advise in order to make sure that there is no serious reason for refusal

**N13 - to be kept**

- **to be added** Note: Promotion position “inferior” – “superior” is in the realm of MIFOTRA

**N14 - to be kept**

- **to be added** D: (1) reduce the number of days off, (2) 2 warnings, (5) disciplinary transfer

**N15 - to be kept**

- **to be added** or created procedure N 23 with the title of the procedure “Evaluation of performance or productivity” + internal form of evaluation of performance, Note:

annual evaluation made by MIFOTRA

N16 - **to be kept**

- **to be added** B:...within 30 days.

N17 - **to be kept**

N18 - **to be modified** A: (1) “to the conditions of being admissible for recruitment” into “to the requirements of the position”; “civil laws” into “labor codes and social law”;

(4) check in the social law, (7) agents who have become morally, intellectually or physically inapt in such a way that they can not continue to carry out their duties;

*Note: to check art. 77 and 27 of the Status of the Central Administration agents*

- **to be added** A: to specify the duration and repetition of cases of absence in order to be able to apply resignation automatically; D-2: forward to MIFOTRA

N19 - **to be checked** for the list of documents that it is necessary to include in the personnel file - R 30

- **to be added:** to add two paragraphs in A-1 and 2, the last after R 29, and then B whereby :

chap. I-f –job description for the position occupied by the employee;

chap. II-d - accidents caused

chap. VIII – miscellaneous

**-to be modified:**

chap. I-c - certificates issued by the district (*birth, complete identity, marriage*);

chap. I-d - *police record extract*

chap. III – financial file with: a) salary, b) indemnity, pensions, d) overtime, e) advance payment on salary

chap. V-a-b – medical certificates for medical care and hospital fees

chap. V-c – accidents inflicted

**-to be suppressed:**

chap. VI-b,d,e

N 20 -**to be added:** D – On reintegration in service R 32

N 21 -**to be modified:** E – “is satisfied” into “has agreed”

-**to be added:** E-2 (see the statutes), send the money back to MIFOTRA

N 22 (Title: Handover)

## **Annex 7**

### **REPORT ON THE PROPOSED MODIFICATIONS FOR THE FINANCIAL PROCEDURES MANUAL**

The consultancy has coordinated the working sessions with Dafrose Mukadigeri, Head of Division, Financial Affairs and Logistics, Augustin Rujoyoli, Credits Manager, Faustin Munyamahoro, Transport Officer, Immaculée Kamikazi, Storeroom Keeper on March 19<sup>th</sup>, 21<sup>st</sup> and April 2<sup>nd</sup>, 2002.

**The aim of the meetings:** revise the financial procedures manual, elaborated by AUGECO and adopted by MINIJUST in 2000 and identify the modifications required.

#### **General findings:**

- a) the modifications to make concern the forms more than the content of the procedures because some forms are new having been changed by the Ministry of Finance or by the Ministry of Transport (Civil Service)
- b) some forms included in the manual are not used even if they are considered as useful by the DAF staff members, some forms are used only partially and only the forms used by the credits Manager are in the computer – the Transport Officer and the Storeroom Keeper do not have computers
- c) Even if the manual of procedures exists since 2000, the employees of MINIJUST, and even some authorities concerned, do not know it in details or do not use it as a guide or source of references during their work –a possible explanation would be that they never have been trained in the use of informed of the existence of that manual;
- d) In the manual of financial procedures in the part concerning procurement, there is an indication of the separation of functions between the storeroom keeper and the officer in charge of the procurement of equipments – en fact, there is only one person who

combines these functions and his title still needs to be clarified: storeroom keeper or officer in charge of procurement. The organizational chart of MINIJUST does not provide for the position of an officer in charge of procurement and its job description bears more responsibilities than the person who manages the stocks for the time being.

**General recommendations** that derive from findings and other observations made during the meetings are:

- a) It will be necessary to introduce a paragraph in the introduction about the internal basic control principles (see annex A). The General Auditor might be consulted in this field
- b) It would be useful to introduce a list of references concerning the laws, the rules, the ministerial decrees, the circulars concerning the budget and its execution, the transport management, the stocks and inventory management, procurement and public markets (see annex B)
- c) It would be necessary to introduce in the beginning of the manual a list with the abbreviations used in the manual (see annex C)
- d) Annex to the manual of financial procedures of MINIJUST the manual execution of State expenditures published by MINECOFIN and revised by the Office of the General Auditor
- e) It will be useful to introduce new procedures concerning the inventory, the liquidation of the material in a bad state of functioning that is still in stock, and these procedures might be concerted with the program for the inventory and the stocks.  
**Observation:** there is on the market a stocks' management program that could be studied because of its adaptability to the system of the ministry. The MSD consultants have begun to study that possibility.
- f) After updating this manual it will be necessary to distribute it to all the persons concerned and train the staff members who must use it.
- g) A member staff of the Division of the Financial Affairs and the Logistics should be appointed to be in charge of making the modifications or additions to the manual of procedures and then update it. The explanations concerning the process of updating the manual are included in the introduction of the manual (0.6)

**The modifications** suggested by the taskforce (the staff members of DAFL and the Consultant):

### **Table of Contents**

No modifications have been proposed for this table of contents:

0. Introduction
1. Organization chart and attributions of the services of MINIJUST
2. Administrative book keeping system
3. Elaboration, execution and budget control

4. Stocking
5. Storeroom management
6. acquisition of furniture, equipment and building
7. procedures of payment of entered expenditure
8. Treasury management
9. Motorized fleet management
10. Repair, maintenance of vehicles and durable goods
11. Staff management
12. Public markets procedures

**Recommendations:** review the order in the table of contents by grouping the procedures by themes, for example:

- I. Introduction**
- II. Organic framework of the MINIJUST**
- III. Credits management procedures**
  1. Administrative book keeping system

2. Budget elaboration, execution and control
3. Entered expenditure payment procedures
4. Treasury management

#### **IV. Material stocking management procedures**

6. Stocks procurement
7. furniture, equipment and building acquisition
8. storeroom management
9. furniture, equipment and building repair, maintenance

#### **V. Vehicles management procedures**

10. vehicles use and expenditure
11. vehicles repair, maintenance

#### **VI. Staff management procedures**

Annexes: MINIJUST's financial management forms

### **0. Introduction**

- **Complete** the 0.1 “Objective and Extent” with an overview of the internal control
- **Eliminate** the content of 0.5 which is a repetition of the table of content

### **1. Organization chart and attributions of the services of MINIJUST**

- **Change** the existing title in “Overview of the MINIJUST's organic framework” and **keep** only the introductory text on the organic framework and the diagram
- **Eliminate** the detailed descriptions of the attributions of the services o MINIJUST and the institutions services which have been decentralized

#### **Observation:**

the detailed descriptions of the services of MINIJUST already exist in a separate document which are not pertinent for the purpose of this manual

### **2. Administrative book keeping system**

- 2.4 book keeping documents

- **eliminate** the entered and paid expenditure book keeping sheet (Ref. 03 and 4a);

#### 2.5. MINIJUST's book keeping plan

- in the last sentence: “must include a Service, a Title, a Section, a Chapter and an Article” **is changed into** “must include Program, Department, Sub-program, Budget, Title, Chapter, Article, and Paragraph”
- **Eliminate** the table that follows this point

- **Change** the example of classification of the economic nature of the MINIJUST's expenditure according to the 2002 budget law.

### 3. **Budget elaboration, execution and control**

- **Eliminate** the paragraph or the parts in which the General Public Prosecutor's Department near the Court of Appeal or the Republic's Public Prosecutor's Department are mentioned;

### 4. **Stocking**

#### 4.5. Current procedures of procurement of goods and services

##### 4.5.1. Requisition of office supplies

- In “transmitted to the storeroom for the delivery of office supplies required once a” **change** “week” in “month”
- In the sentence “if the office supplies are not available in the storeroom” the content of the first paragraph **is changed** in the following manner:

The requisition of office supplies being approved,

- The two copies are thus distributed: Copy 1: Officer in charge of procurement, Copy 2: Secretary of the management concerned
- The DAF issues a radio advertisement asking the agreed suppliers their price offers. The suppliers send pro forma invoices in close envelopes that are opened by the internal committee of purchases
- The internal procurement committee composed as follows selects the most competitive supplier:
  - Director, Human Resources and Support Services, Chairperson of the committee
  - Head of Division, Financial Affairs and Logistics, Secretary to the committee
  - Director of the service directly interested by the purchase (in the case of acquisition of the vehicles)
  - Credits' manager

**Observation:** the task force has suggested suppressing the position of procurement manager because, as mentioned here above, for the time being there is nobody who really carries out the tasks described in the organic framework, as far as the storeroom keeper has limited responsibilities relating to procurement.

**Recommendation:** the responsibilities of the storeroom keeper and those of the procurement officer should be separated in order to ensure and reinforce the internal control

In the paragraph that begins with “the prices are examined with reference” **suppress** “to the catalogue of prices fixed by the National Board”

#### 4.5.2 Purchase order

- **Change** the form PURCHASE ORDER taking into account that the old one has been replaced by PURCHASE ORDER- INVOLVEMENT TITLE” which is established in direct link with MINECOFIN in a network system
- In the phrase “prepared in 4 copies” **change into** “prepared in 3 copies pre numbered”, **suppress** “of which the last copy remains as a counterfoil in the order book”.
- In the phrase “the 3 copies pre numbered” **change** “are detached from the order book” **into** “are prepared”

**Observation:** in the following paragraphs the procedure concerns the procurement manager.

**Recommendation:** revise the organic framework in order to find the possibility of introducing the position of storeroom keeper and ask the recruitment of another person in the position of procurement officer

### 5. Storeroom management

The procedures remain unchangeable.

#### **Observation N°1:**

Concerning the stocks sheet, in the manual, the responsibility of filling it in devolves upon the storekeeper whereas in the organic framework this responsibility devolves upon the officer in charge of the office supplies procurement.

**Recommendation:** Clarify that confusion

**Observation N°2:** For the time being, the evaluation of the value of the stock, taking into account depreciation, is not made.

**Recommendation:** Apply this procedure for internal control also for book keeping.

**Observation N°3:** In the manual of financial procedures there is neither policy nor procedure on the liquidation or discarding of malfunctioning or not used office supplies which are in stock or in places of affection. In his May 2001 report on stocks and equipments management on the basis of the oral response of the NTB, MSD Consultant Michel Verge has recommended the following discarding procedure:

- Write the minutes of discarding
- Transmit a copy for information to the Ministry concerned and to the NTB
- Evaluate the residual value of each article or of a batch of articles
- Organize an auction sale, donate or discard following the decision of the Ministry of Justice

Even with the procedure here-above mentioned, it is not clear who should organize the auction sales because the Ministry of Justice is not authorized to receive any money outside the budget and on the other hand the NTB is responsible only for public acquisition.

**Recommendation:** Get in touch with the Ministry of Finance and the NTB in order to obtain the required information concerning the complete discarding procedure and then insert it in the financial procedures manual.

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## 6. Furniture, equipment and building acquisition

The procedures remain unchangeable

**Observation:** policy (6.2) provides for the inventory of any durable good, but there is no written procedure relating to that area. The Ministry of Finance has sent an official letter on April 2001 asking all central institutions to make the physical inventory of State patrimony. A model of the inventory sheet as well as the inventory codes were attached

**Recommendation:** In order to support this policy, **introduce procedures** relating to the inventory of any durable good which:

1. specify the responsibilities for:

- The annual physical inventory
- Keeping the register of fixed capital
- Checking the theoretical list against the physical inventory

2. explain the modality of codification of the number of inventory, for example

- “the two positions that represent the category of fixed capital and the two positions in figures are attributed at the reception in the storeroom, the positions representing the owner or the place of appropriation are attributed at the time of expedition from the storeroom”
- “the inventory number is entered in the register of fixed capital after having put a tag with the inventory number pre numbered on each durable good at the time of delivery in the storeroom”
- “In the case whereby a durable good could have been dispatched without the inventory number, the number is attributed to it during the annual physical inventory at the place of appropriation”.

## **7. Entered expenditure payment procedures**

**7.1.** Current procedures of goods and services suppliers’ payment

**Suppress** from that procedure every provision relating to “the Auditor from MINECOFIN seconded near MINIJUST” because there is no more Auditor from MINECOFIN in every ministry.

**Replace** the PAYMENT ORDER form (Ref. 15) with the one in use currently and **change** the description of its use taking into account the fact that the payment orders are issued by the ministry concerned after the visa of the expenditure by **MINECOFIN** and are signed at the first and second level by the user ministry.

**7.2.2** Payment of non- marketable services without payment orders

**make** modifications in this procedure taking into account the fact that for the time being the expenditure relating to the consumption of water and electricity, as well as relating to mission fees up country are paid by check. To that effect, the ministry has opened a count at the National Bank of Rwanda on which is transferred the money for the payment of these fees.

**Replace** the MISSION ORDER form (Ref.19) with the one in use currently.

## **8. Treasury management**

**8.1** Petty cash does not exist at present, but it has been decided not to use the procedures anymore, as well as the forms relating to it in the case whereby it might be introduced in the future.

8.2 Bank accounts. The bank book (Ref. 05) is not used, but is considered as useful and likely to be used by the credits manager.

8.3 Collection of judiciary receipts. **Check its topicality!**

## **9. Motorized fleet management**

Change everywhere the content of the procedure “motorized fleet” into “rolling stock”.

### 9.2 Policy

- In the second paragraph: the phrase, “the vehicles of MINIJUST are repaired in supplier garages agreed by the National Tender Board”, is more appropriate to the policy (10.1.2) relating to the repair and maintenance of vehicles.
- **Change** the entire third paragraph in “All the vehicles are affected to services”.
- **Add** a paragraph about the timetable of the use of vehicles, in accordance with the instructions of the Ministry of Transport dated January 8<sup>th</sup>, 1999.

### 9.4 Documents

- **Replace** the form LOGBOOK (Ref.21) by the form ROAD AND TRAFFIC CONTROL NOTEBOOK
- **Replace** the forms FUEL DISTRIBUTION SHEET(Ref. 22,22a, 22b) by one in use at present, but with a slight remark: include in the latter the information about the right N°
- **Start using** the forms –Ref. 23, 24, and 25.
- **Make sure** that every vehicle has its file, as stipulated in the policy (9.2).

### 9.5 Procedures

- **Suppress** the entire paragraph “Category n°1: Vehicles assigned to the high authorities of MINIJUST”
- **Suppress** the differentiation by category, because there is none
- In the paragraph “Vehicles assigned to Head Offices, Public Prosecutors’ Departments and Jurisdictions”, **change** the phrase as follows: “the logbook is filled in by the driver and checked by the authority responsible for the vehicle each day. At the end of the week the Transport Manager controls if this procedure is respected.”
- **Replace** the title “pool of vehicles of common usage” by the sentence “For urgent situations, it is necessary to hand in a transport requisition”.

## **10. Repair – maintenance of vehicles and durable goods**

### 10.1 Repair and maintenance of vehicles

10.1.5 Procedures \* In the case of maintenance (oil change and lubrication) of vehicles

- **Complete** the second sentence of the first paragraph as follows: “in cases of repair of tires or other small repairs, the Transport Manager fills in a payment requisition by petty cash (Ref. 18).

10.2 Repair and maintain the furniture, equipments and buildings

**Recommendation:** as the person in charge of these procedures is the officer in charge of procurement, insert this chapter in the group of procedures concerning procurement  
(see recommendations on the table of contents)

**Annexes: Forms used in the financial management of MINIJUST**

<b>Reference number</b>	<b>Wording</b>	<b>Modifications</b>
01	Expenditure incurred book keeping sheet	To be replaced
02	Intercalary sheet	To be kept
03	Incurred and settled expenditure book keeping sheet	To be suppressed
	Incurred and settled expenditure report	To be suppressed
04		To be kept and used
	Bank book	To be kept and used
05		To be kept and used
	Cashbook	To be kept
06		
	Fixed asset registry	To be kept
07		To be replaced
	Expenditure forecast synthetic sheet	To be kept
08	Office supplies requisition	To be kept
09	Purchase order	To be replaced
10	Reception Voucher	To be kept and used
11	Expedition Voucher	To be kept and used
12	Stock sheet	To be replaced
13		To be kept and used
	Stock report	To be kept and used
14		To be kept and used
	Payment order	To be replaced
15	Petty cash entry voucher	To be kept and used
16		To be replaced
	Petty cash payment voucher	To be kept
17		To be kept
	Petty cash payment requisition	To be kept
18		To be kept
	Mission order	To be kept and used
19	Petty cash refunding requisition report	To be modified
20		
	Logbook	
21	Fuel distribution sheet	To be introduced
22	Vehicle repair individual sheet	
23	Vehicle use monthly report	
24	Transport requisition	
25	Vehicle repair estimate requisition sheet	
26		
	Fixed asset maintenance or repair requisition	
27	Staff carrier management table	
28	Amendments registry	
29	?	
30		

### **Internal control**

Internal control is an important component of the management of an organization. It includes the plans, the methods and procedures used in order to carry out the missions, the aims and objectives so as to support management based on performance. Internal control is used to defend and protect the assets or goods and prevent errors or frauds. The internal control being the synonym of management control helps the programs and services managers to achieve expected results thanks to public resources' efficient administration. The internal control necessarily ensures that the achievement of the objectives of an entity is determined on the basis of:

- Efficacy and efficiency of operations including the execution of the budget, the financial declarations and of other reports for internal and external information;
- Conformity with the laws and rules in force

The internal control is based on the three aspects: the environment, the book keeping system, the control procedures.

**Environment** means the existence of a model good management, of good communication, of an effective recruitment system, of a clear organizational structure and of an effective internal audit.

The **book keeping system** allows preventing the dissimulation of facts, to carry out the verification of counts and to measure the impact of financial transactions and events over a given period of time

**The control procedures or activities** include the separation of functions, the system of authorizations, the control of information processing, verifications coming from different sources, elements of physical backup, documents and registers.

**Annex B**

### **List of reference documents**

1. Financial law (Annual budget) N°...
2. Law and orders on the organization of Public Markets n°...
3. Public book keeping
4. Instructions coming from MINECOFIN?
5. Instructions coming from the ministry in charge?
6. Instruction relating to the use of vehicles, Ministry of Transport, January 8<sup>th</sup>, 1999. Central Secretary.

**Annex C**

### **List of abbreviations used in the manual**

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<b>Abbreviation</b>	<b>Meaning</b>
MINIJUST	Ministry of Justice and of Institutional Relations
MINECOFIN	Ministry of Finance
MIFOTRA	Ministry of Civil Service and Labor
MINITRAP	Ministry of Transport and Public Works
DRHSA	Management of Human Resources and of Support Service
DAF	Division of Financial affairs and Logistics
DAJ	Management of Justice Administration
NTB	National Tender Board
CMP	Level-headed Average Cost
CNCS	Salaries calculation National Centre

**Future activities (plan of action proposed)**

<b>N°</b>	<b>Activity description</b>	<b>Person in charge</b>	<b>Delays</b>
1	Identify in the content of the Division of Financial Affairs and Logistics, a staff member who will be in charge of introducing the modifications identified in the manual of procedures and of updating it	Kagina Claudine	
2	Introduce modifications in the manual of financial procedures		
3	<b>Submit the updated procedures manual for discussion and approval to the MINIJUST's Executive Meeting gathering the Secretary General, all the directors and heads of divisions</b>	<b>Kagina</b>	
4	<b>After the approval of the manual of financial procedures with the modifications/amendments made, distribute it to the MINIJUST staff members and its decentralized services</b>	<b>Daphrose Mukakigeri</b>	
5	<b>Organize a training for credits, procurement, stocks and transport managers in financial procedures, in collaboration with MINECOFIN and the support of MSD</b>	<b>Eugène Kagina, Fidèle Massengo Edda Mukabagwiza</b>	
6	<b>Introduce in the training program for the staff concerned the subjects of internal control and internal audit in collaboration with the Auditor General, MINECOFIN and the CNFJ</b>	<b>Eugène Kagina</b>	<b>Has been achieved</b>
7	<b>Draft a letter to the Prime Minister on the need to elaborate stocks discarding and liquidation policy and procedures with copies for information to MINECOFIN, MINITRAP, NTB</b>	<b>Eugène Kagina</b>	
8	<b>Develop a plan in order to make the inventory (theoretical and physical) of the MINIJUST's furniture, equipment and buildings and its decentralized services in consultation and with the support of MSD</b>	<b>Daphrose Mukakigeri Irina Balta</b>	
9	<b>Submit to discussion and approval the need and possibility to introduce the position of storeroom keeper and ask the recruitment of another person in the position of officer in charge o procurement in consultation with the Auditor General and the MIFOTRA</b>	<b>Daphrose Mukakigeri, Perrine Mukankusi</b>	

## **THE INVENTORY SYSTEM IN MINIJUST (IRINA BALTA AND EDOUARD BAREMA)**

In conformity with its Terms of Reference MSD has the task of evaluating the current system of inventory and undertake a complete inventory of stock items.

Support MINIJUST in order to develop a transparent and reliable inventory system taking into account MINECOFIN's current practices.

In May 2001 Michel Verge, MSD Consultant, has evaluated the inventory system in place in MINIJUST and has produced a report with findings and recommendations relating to that subject.

This year other MSD Consultants have evaluated the application and topicality of the stocks management procedures and of the inventory that are included in the financial procedures manual published by AUGECO and approved by MINIJUST in June 2000. They have identified the current needs of MINIJUST relating to the inventory of office supplies. These needs concern the procedures, the equipments and the program.

**General recommendation:** The procedures, the equipments and the program must be managed by MINIJUST and MSD in a coordinated manner.

### **Specific recommendations**

#### **1. -Procedures (see the table for details)**

As far as the procedures are concerned, our recommendations refer mainly to the following points:

- a) The need to introduce inventory procedures that describe the modality and the persons in charge for:
  - The labeling of any durable good,
  - The recording in the Fixed Assets Register
  - The annual physical inventory of office supplies in stock and at the place of appropriation
  - The discarding of obsolete material or malfunctioning
- b) The importance of observing the separation of the functions of procurement manager from those of storeroom keeper
- c) The obligation of all the persons concerned including donors mainly, to channel through DAFL any requisition or acquisition of office supplies before their appropriation taking into account established office supplies' procurement, inventory and appropriation procedures in the services of MINIJUST.

#### **2. -Equipment**

At present the staff in charge of stocks management and of inventory, as well as the staff in charge of vehicles management is neither equipped nor trained for that kind of responsibility. In the financial procedures manual, the inventory procedures and the storeroom management are conceived as automatic.

We recommend:

- ❖ For the procurement manager a computer and a UPS for the drafting of tender calls, the updating of the fixed assets and the forms needed for the acquisition of office supplies
- ❖ For the transport manager a computer and a UPS for keeping the vehicles files and evidencing the use of vehicles and fuel
- ❖ For the storeroom keeper, a computer and UPS and printer for updating the stocks sheets and printing of the necessary forms

**Note:** The storeroom keeper needs only one printer given the location of the room where she works. For the others, it is more efficient to connect them to the network with the head of division or the deputy credits manager who already have printers. If the printed quantity comes to be too much important, it is possible to purchase an additional printer.

The types of equipments are included in the following table:

**Computers, printers and UPSs**

Qty	Description
1	Server Pentium IV 1500 Mhz Computer 256 Mb RAM, 30 GB Hard disc Network card, Full Multimedia (CD ROM) CE RW French keyboard, Mouse, Screen 15”  <b>Program</b> Windows 2000 Server or others
1	1000 VA UPS
3	Workstation Pentium III 1000 Mhz computer 128 Mb RAM, 20 GB hard disc

	Network card, Full Multimedia (CD ROM), French keyboard, Mouse, Screen 15”
3	700 VA UPS
2	LaserJet 1200 Printer

### 3. –Stock management program

MSD has to systematize and automate the current procedures for the inventory. The system should include both the equipment and the program. The program should include a stocks control system, a real assets system, a vehicles park management system.”

It is worth mentioning that there are two components in the needs of MINIJUST: make the inventory of durable goods at the place of affection, this being also asked by MINECOFIN, and have a stocks management system mainly for the management of consumables considered as urgent by DAFL.

Following our interview with the DAFL of MINIJUST, about the urgent need of having a stock management program, MSD is in the course of evaluating a stock management program adapted to the needs of MINIJUST in order to make an internal report and the reports required by MINECOFIN.

#### A. Stock management program

- In order to improve stock management in MINIJUST, it is necessary to be able to use a stock management program which will allow making the following operations:
- Allow to key in durable and non durable goods and consult the condition of each product and know its value taking into account depreciation
- Allow to update the data regularly
- Give the real situation of the stock every time when the person in charge of the stock needs to know the condition of the stock
- Allow the person in charge of stock to know the critical quantity of each product so as to avoid stock outage (non durable goods)
- Print the inventory of durable goods according to the needs of MINECOFIN.

- NB You will receive the model tables for the printed forms in advance
- The program will function on the network in order to allow the head of division of the DAFL to consult the situation of the stock as often as she will need it without having to leave her office.
- Allow to know the appropriation of durable goods, in order to make a proper follow-up of MINIJUST's goods

## **B. Transport management program**

This program will help the person in charge of transport to follow-up the MINIJUST's automobile fleet properly

The program should fill the following conditions:

- Establish a vehicles' data base with all the required information on vehicles
- Allow the person in charge of transport to make a proper follow – up of the utilization and use of the MINIJUST's vehicles while knowing the value of the vehicle at a given time, taking depreciation into account
- Know the expenditure incurred for a vehicle for repairs and maintenance
- Manage fuel coupons
- Know the spare parts available in the stock for a given vehicle
- Have a link between the stock management program and transport
- You will receive the lists of forms to be printed
- The program shall function on the network

Consequently, we recommend:

1. To undertake the process of tenders call for the purchase of a program that shall have the capacity to draft a tenders call document and identify three possible firms
2. Make MINIJUST participate in the choice of a pertinent program
3. Purchase the program and install it on selected computers in MINIJUST
4. Appoint a person in charge of the program (the head of division of DAFL)
5. Identify the potential users of this program (the agents to train should be: the head of division of the financial affairs and logistics, the transport officer, the storeroom keeper and potential procurement manager)
6. organize the training of these users
7. make the inventory of the durable goods and the stocks



## Procedures

There some procedures that we have found important to highlight here

N°	Finding	Recommendation
1.	<p>The policy (6.2) of the manual of financial procedures provides for the inventory of all durable goods, but there are no written procedures in that field. The Ministry of Finance has sent an official letter on April 13<sup>th</sup>, 2001 asking all the central institutions to make the physical inventory of the State patrimony. A model inventory sheet was attached as well as the inventory codes</p>	<p>In order to support this policy introduce procedures relating to the inventory of all durable goods which:</p> <ol style="list-style-type: none"> <li>1. Specify the persons in charge for: <ul style="list-style-type: none"> <li>○ the annual physical inventory</li> <li>○ keeping of the fixed assets register</li> <li>○ the balance between the theoretical inventory and the physical inventory</li> </ul> </li> <li>2. Explain for example the inventory number codification modality <ul style="list-style-type: none"> <li>○ “the two positions that represent the category of the fixed asset and the two positions in figures are attributed at the time of delivery in the storeroom, the positions that represent the owner or the place of appropriation are attributed at the time of expedition from the storeroom)</li> <li>○ “in the case whereby a durable good would have been sent from the storeroom without the inventory number, this number is attributed during the annual physical inventory at the place of appropriation”</li> </ul> </li> </ol>

	<p>In the financial procedures manual there is no policy in the field of procedures of liquidation or discarding mal functioning or out of use office supplies that are in stock or in places of appropriation. In his May 2001 report on the stocks and equipments management, based on the oral response of the NTB (National Tender Board), MSD Consultant Michel Verge has recommended the following discarding procedure:</p>	<p>Make arrangements with the Ministry of Finance and the NTB in order to obtain the required information relating to the complete discarding procedure and then include it in manual of financial procedures</p>
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	<ul style="list-style-type: none"> <li>• draft the minutes of the discarding session</li> <li>• transmit a copy for information to the Ministry concerned and to the NTB</li> <li>• Evaluate the residual value of each article or batch of articles</li> <li>• Make an auction sale, donate or discard according to the decision of the Ministry of Justice</li> </ul> <p>But even with the procedure here-above mentioned, it is not clear to know who organize the auction sale because the Ministry of Justice is not authorized to receive any other money outside the budget and on the other hand NTB is responsible only for public acquisition</p>	
3.	<p>After the inventory of durable goods, not include the acquisition value and not evaluate the stock</p> <p>In their instructions MINECOFIN and the General Auditor recommend to do it but to take into account the fact that most of the office supplies are donations and that the Ministry of Justice does not always have the required data on the value of these office supplies</p>	<p>Inform everyone concerned (mainly donors) and reinforce the implementation of the procedure of sending any office supplies delivery with justifying documents or their copies bearing the information on the quantity and the acquisition value of the goods supplied.</p>
4.	<p>Sometimes it is not easy for the DAFL, also responsible for logistics, to update the MINIJUST's inventory because usually office supplies' requisition and delivery are not made via the DAFL but via the requesting service. This situation usually occurs in the case of donations.</p>	<p>Inform everyone concerned (directors, public prosecutors, donors) and reinforce the implementation of the procedures of submitting any office supplies request to the DAFL and distribute the office supplies acquired or donated only after having transited it in the stock in order to allocate an identification number and recorded it in the fixed assets register</p>

<p>5. In the manual of financial procedures, in the sections relating to procurement, a separation of the functions between the storeroom keeper and the person in charge of the office supplies procurement – in reality, there is only one person who assumes both functions and his/her title remains to be clarified – storeroom keeper or procurement officer. The organic framework of MINIJUST provides only for the position of procurement officer and its job description includes more responsibilities than those of the person who manages the stock currently</p>	<p>The responsibilities of the storeroom keeper and those of the procurement officer should be separated to make and reinforce the internal control Review the organic framework in order to find ways of introducing the position of storeroom keeper and ask the recruitment of an other person for the position of procurement officer</p>
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### **Section III**

#### **Task 5**

**Assess the needs in the field of judiciary, professional and management information (statistics).**

#### **Objectives:**

- Get informed about statistic data collected until know at the level of each management

- Evaluate the data collection procedure and make recommendations in order to improve that procedure.
- Include in the six months' development plan of action concepts and definitions of uniform data at the level of MINIJUST.

**Documents presented at the end of the task:** (1) a report with findings and recommendations on the procedure of statistical data collection (2) a list of needs in the field of judiciary, professional and management information (statistics).

## **Task 8**

### **Participation and support to the implementation of recommendations for the improvement of the work of the clerical staff in the public prosecutors' departments.**

#### **Objectives:**

- Discuss with the Management of Planning and Evaluation as well as with the Management of Justice Administration in order to better understand Michel Verge's report on that theme.
- Review the ministerial planning in order to include the recommendations made in the report here above mentioned.

#### **Achievements and results**

The Consultant has collected the information on the statistical data of each management relating its whole mandate during different meetings with MINIJUST Directors and sessions of study of documents of MINIJUST, public prosecutors' departments and tribunals.

The Management of Justice Administration has offered significant support in this field. Its division of Public Prosecutors' Departments had already developed a series of tables in order to centralize the data collected on the activity of public prosecutors' departments and tribunals. The DAP has organized visits to public prosecutors' departments for MSD Consultants. This Consultant met the Director of DAJ a number of times in order to discuss and validate the completed list of statistical needs in judiciary, professional and management information for public prosecutors' departments and tribunals.

As far as the data collection procedure is concerned, the findings are the following:

- For the time being there are no written procedures on statistical data collection
- Each management sends its quarterly or annual report containing a number of statistical data to the DPE
- The list of data is not always sufficient enough to show the full image of performance or enable decision making

- The data is not presented in a unique standardized format
- There are situations whereby the data bears contradictions
- Part of the data is not systematized or centralized on the computer in data bases

### **Recommendations:**

For procedures of data collection, it is necessary that they specify:

The aim, h modality and the frequency of collection

The types of data

The sources

The instruments

The persons in charge of data collection, processing and verification

A list of statistical needs for all the managements elaborated by the consultant is proposed in **annex 9**. The list is not exhaustive. Each management or service might continue it with the data which is important and pertinent enough to reflect/evaluate the performance of their activities/employees or to allow making adequate decisions. The DPE should be the service that coordinates the process of data collection in the framework of the cycle of planning, implementation and evaluation.

The material on performance indicators **in annex 5, section II** also should be useful in the elaboration of data collection procedures.

His task on statistical needs for public prosecutors' departments and tribunals as well as his collaboration with other local consultants, have allowed this consultant to participate to and support the implementation of the Michel Verge report's recommendations (this has been formulated in task 8).

The consultant has discussed with the Directors of DAJ and DPE the report by Michel Verge on the training of the clerical staff of the public prosecutors' departments and tribunals. The Director of DAJ has confirmed that the recommendations were still applicable.

In the 2002 MINIJUST's plan of action there is no reference to the follow-up of the report by Michel Verge but there are activities that might be based on this report's recommendations (ex.: study and organize training sessions for public prosecutors' departments' and tribunals' agents, study how to improve the quality of the work of public prosecutors' agents)

### **Methods**

The methods used in order to carry out the objectives of these two tasks are:

- Meetings and discussions with MINIJUST representatives (DRHSA, DJA, SCAJE, DLSC, DPE) and its decentralized services (General Public Prosecutor's Department near the Supreme Court, the General Public Prosecutor's Department near the Court of Appeal, the Republic's Public Prosecutor's Department of Kigali)
- Analysis and observation of each management's activities
- Inventory and study of administrative procedures
- Study of existing instruments used for data collection
- Study of the contents of existing registers and forms
- Collaboration with the other MSD consultants

### **Instruments**

Forms, check list (prepared by MSD)

### **Activities to follow:**

- ◆ Review and validate the list of statistical needs with all MINIJUST services
- ◆ Support the ministry's services (in particular the DPE) in the development of data bases and technical instruments required for data collection
- ◆ Standardize the forms used by the public prosecutors' departments and tribunals
- ◆ Support the DAJ in the training and improvement of the quality of the work of public prosecutors' departments and tribunals by supplying the required
- ◆ instruments and technical assistance

## **Annex 9**

### **LIST OF NEEDS IN THE FIELD OF JUDICIARY, PROFESSIONAL AND MANAGEMENT INFORMATION (STATISTICS)**

#### **Central Administration**

##### **SCAJE:**

##### **-Report on legal proceedings:**

- Number of legal proceedings won
- Number of legal proceedings lost

- Number of legal proceedings won by the State
- Number of legal proceedings tried
- Number of legal proceedings in appeal
- Number of legal proceedings in Court of Appeal

**-Report on files:**

- Number of files investigated
- Number of files investigated by proxy
- Number of files defended by institutions

**DLSC:**

**-Report on the legal reform:**

- Number of draft laws proposed
- Number of draft laws approved
- Number of draft laws sent back for review

**-Report on requests:**

- Number of requests received
- Number of requests resolved
- Number of request answered

**-Report on projects:**

- Number of successful projects
- Number of failed projects

**-Report on associations:**

- Total number of associations having a legal status at the beginning of a given period
- Number of associations having asked for a legal status during a given period
- Total number of associations having a legal status at the end of a given period

**DAJ:**

**Judiciary information obtained from public prosecutors' departments:**

**-Report on detainees in prisons and cells**

- Total number of detainees in prisons,
- Total number of detainees in confinement cells

- Total number of detainees (P+CC)
- Total number of detainees per district
- Number of detainees per age
- Number of detainees per sex
- Number of detainees per crime
- Genocide
- Common/penal law: rape, different kinds of theft, murder, etc.
- Civil/communicable law: accidents, etc.

-Number of detainees per sentence passed

- acquittal
- death sentence
- life imprisonment sentence
- imprisonment for a period between 15 and 20 years
- imprisonment for a period inferior to 15 years

-Number of accused out on bail

-Number of detainees having been heard by the Advisory Chamber

-Number of detainees transferred

-Number of detainees with confessions:

- accepted
- rejected

-Report on **files**:

- Number of files received/opened at the beginning of the month
- Number of files being investigated
- Number of files submitted to the Advisory Chamber
- Number of files closed
- Number of files transmitted to the tribunal
- Number of files definitely closed
- Number of files remaining with OMP
- Number of files postponed
- Number of files in appeal:
  - Genocide

- Common law
- Civil/communicable law

-Report on **Gacaca sheets:**

- Number of files
- Number of sheets
  - Filled in
  - Remaining

-Report on **documents:** forms, registers (see reports by Innocent Uwimana)

**DRHSA**

**Administrative:**

-Report on **office supplies in stock per article:**

- Quantity received
- Quantity delivered
- Value in stock

-Report on **durable goods at places of appropriation per category:**

- Total number
- Age ( in use for how long) and condition
- Number of goods in repair
- Number of goods discarded
- Number of goods replaced
- Number of goods acquired
- Source of funds per acquisition

-Report on **the staff**

- Number of administrative files
- Number of staff members recruited
- Number of staff members dismissed
- Number of staff members transferred
- Number of staff members retired
- Number of staff members deceased
- Number of staff members promoted
- Number of staff members trained

- Number of vacant positions

-Report on **staff members' discipline:**

- Number of traffic accidents caused by MINIJUST's drivers
- Number of staff members' unjustified lateness or absence occasions
- Number of frauds
- Number of disciplinary measures

-Report on **the expenditure per service**

- Expenditure provided for
- Earmarked expenditure
- Incurred expenditure

-Report on **administrative documents:**

- Number of documents received
- Number of documents dealt with
- Number of documents transmitted in other internal or external services
- Number of documents filed.

**DPE:**

-Report on **projects:**

- Number of projects elaborated
- Number of projects that have been funded
- Number of projects implemented

## **Section IV**

### **Task 6**

#### **Revision of job descriptions according to the organic framework (organizational chart)**

##### **Objectives:**

- Draft a report on the study on the organic framework of MINIJUST with the employees' job descriptions
- Include in the development six months plan of action more detailed job descriptions, uniform in the aspects of structure and content
- Include in the six months plan of action the application of the procedure that requires that each employee receive a copy of his/her job description at his/her disposal, another copy being put in the staff's file

**Documents presented at the end of the task:** (1) a report with findings and action for the revision of job descriptions, (3) a set of examples with the job description of position and the evaluation of performance.

##### **Achievements and results**

At the beginning of the mandate, the consultant met the representatives of MINIJUST services in order to know their opinion on the importance and utility of detailed job descriptions for each position. There have been different opinions. Some considered that job descriptions in the existing organizational chart were sufficient. But the majority has agreed that more detailed job descriptions for each employee were likely to increase the sense of responsibility of everyone in his/her position, make a fairer evaluation in respect with the quantity and the quality of the tasks that he/she carried out, and make a distribution of the work in a more equitable manner among the employees.

The consultant has prepared reference material with model job descriptions for a position and has presented them to the Director and to Heads of DRHSA Divisions. The comparison between the organizational chart and the model-table, has allowed them to confirm that the latter bear

complementary information to that contained in the organizational chart and that it allowed each employee to better know his/her tasks. The consultant and the DRHSA staff members have elaborated a plan of action for the revision of MINIJUST employees' job descriptions, of which 4 out of 6 steps have already been made. (**Annex 10**). An example of job description elaboration procedures is shown in **annex 11**.

Before the distribution of the form with the check list (annex 12) to all the employees, the consultant had individual sessions with DRHSA staff members (Director, the two Heads of Division, the Transport Officer and the Credits Manager) in order to help them to elaborate their job descriptions and ensure that they master the technique. The same method has been used with the Staff Officer who has been designated as the person in charge of the distribution of the forms and of the elaboration of job descriptions for new positions.

implied in the activities relating to the administrative decentralization of public prosecutors' departments and tribunals, any other activity has been postponed.

**Annexes 13-17** include the (5) job descriptions of the DRHSA staff members.

The problem that came up after the distribution of the forms was that the employees have not given full and precise information about their activities. In collaboration with the Directors of other services, the consultant has considered that it was better to organize individual sessions with each employee (100 employees). With the Staff Officer, the consultant has fixed meeting schedule per division (approximately 18 day). This timetable had to be submitted for approval to the Secretary General. Given the fact that all the staff members of MINIJUST were

Nevertheless, the consultant had once again an individual session with the Director of SCAJE and is for the time being processing his answers.

### **Important remarks**

One of the important remarks to mention is that during the individual sessions MINIJUST staff members had the opportunity to analyze their activities, compare them with the other similar activities, make the differences between the general objective of their position and the daily tasks, think of how to measure their performance and when necessary redistribute the tasks.

In the course of the analysis of the activities of the Head of Division of DAFL and of the revision of financial procedures, for example, it has been found that the Head of Division is overworked because the position of procurement manager, in the organizational chart, is replaced by the

position of storeroom keeper not provided for in the organizational chart. The tasks of the storeroom keeper are fewer than those of the procurement manager. These two functions can not be merged for reasons of internal control. The recommendation has been made to MINIJUST to decide upon the recruitment of a staff for the position of procurement manager.

### **Methods**

- Meetings, discussions, individual sessions with the DRHSA staff
- Participative training
- Study of the MINIJUST organizational chart
- Coaching
- Introducing models

### **Instruments**

- MINIJUST organizational framework
- Didactical material
- Form – Check list for job description
- Interview
- Documents prepared in two languages: French and English

### **Obstacles**

Obstacles that have slowed down or hindered the implementation of consultancy activities are the following:

- Limited availability of the DRHSA (example: meetings postponed because of more important urgent meetings, training sessions, sickness, leave or mission)
- Reduced staff's motivation for tasks perceived as additional
- Great volume or quantity of analysis work for the job descriptions of 100 employees

### **Activities to follow:**

- ◆ Hold individual sessions with all MINIJUST employees
- ◆ Process the answers
- ◆ Prepare all the job descriptions in French and I English
- ◆ Distribute to each employee a pertinent copy of the job description, a copy to his/her superior and a copy for his/her administrative file



## Annex 10

### PLAN OF ACTION FOR THE REVISION OF MINIJUST'S EMPLOYEES' JOB DESCRIPTIONS

<b>N°</b>	<b>Activity</b>	<b>Person in charge</b>	<b>Deadline</b>
1.	Revision of the check list and the final setting-up of the form	Irina Balta MSD Consultant	12/02/2002
2.	Communicate this plan of action to MINIJUST's agents	Eugène Kagina, Director DRHSA	08/02/2002
3.	Designate persons in charge of the distribution of the form and check list with the required explanation	Irina Balta and Perrine Mukankusi, Head of Division GDRH	Until 20/02/2002
4.	Fill in the forms and remit them to the management in charge	All staff members and their direct manager	28/02/2002
5.	Review, analyze and draft the job descriptions submitted	Irina Balta	Until 15/03/2002
6.	Distribute to each employee the revised version of his/her job description and add a copy to the staff file	Irina Balta, Eugène Kagina and Perrine Mukankusi	Until 20/03/2002

## **Annex 11**

### **EXAMPLE OF DETAILED JOB DESCRIPTIONS ELABORATION PROCEDURES**

The procedures of a position's detailed job description elaboration should be the following:

- a) In the case whereby an employee has been holding this position for a certain period of time
  - prepare a list of questions in order to help him/her describe his/her activities with as much details as possible (it is important to make him/her think of how he/she uses every minute of his/her office time and of the quantitative and qualitative measures of his/her work)
  - if the answers are not satisfactory, hold an individual session in order to clarify or obtain full information
  - consult the organizational chart while dealing with the answers and fill in the standard job description form
  - send the draft back to the employee for verification

- make adjustments, if necessary and send the draft to his/her direct rank superior who examines it and submits it to all the colleagues of the person holding the position in the same management or division
- redistribute the tasks, if necessary
- draft the final version
- submit to the Secretary General's approval
- Add a copy of the approved job description to the staff file
- Give another copy to the employee
  - b) In the case of the recruitment of a new staff member in a position provided for in the organizational chart
  
- consult the organizational chart
- discuss with the director of the service where the new staff member will work
- use the standard form and make a list of the expected detailed tasks
- submit to the director's and then to the Secretary General's approval
- give a copy with the required explanation to the new comer
- add a copy to his/her personal file

## **Annex 12**

### **JOB ANALYSIS CHECK-LIST: OFFICE STAFF**

The following are examples of the questions that might be asked in analysing an office job.

The questions would not necessarily be put in exactly these words or in this order, and it would be necessary to ask a number of supplementary questions to clarify replies.

#### *Job title*

1. What is the title of the job?

#### *Responsible to*

2. To whom are you directly responsible? Give the title of the job.

#### *Responsible for*

3. Are there any staff directly responsible to you? If so, describe briefly the main purpose of the job of each of your immediate subordinates.
4. Have your immediate subordinates any staff responsible to them? If so, what is the total number of staff under your control?.

#### *Main purpose of job*

5. What is the main purpose of your job, i.e. what, in general terms, are you supposed to do? - one or two sentences.
6. How can the results you achieve in the job be measured or assessed?

#### *Main tasks (includes the volume and frequency)*

7. What tasks or duties do you carry out? Describe them either in chronological order (that is, the order in which you do them during the day or week), in order of importance, in order of frequency.
8. Where does your work come from?
  - From outside the organisation by post or telephone
  - From another department or section
  - From your superior
  - From colleagues
9. Where does your completed work go?
10. How often, and in what quantities, is your work received, e.g. does it reach you as a single item, in batches, or continuously?

11. For each of your main tasks or group of tasks:

- How often has the work to be done – continuously, daily, weekly, monthly, or intermittently?
- What is the volume of work you are expected to complete per hour, day or week as appropriate?

- Approximately how long does it take to complete the work?

*Special Requirement s- Forms and equipment*

12. Do you have to complete or maintain any forms or records? If so, give examples and describe how they are completed.

13. Do you use any machines or equipment? If so, give details of the machines used and how often you use them.

14. To what extent does your work bring you into contact with:

- Members of other departments
- Other organisations
- Members of public

In each case, indicate the frequency of the contracts and describe what they are about.

*Knowledge and abilities*

15. What should you know and what can you do in order to fulfill your job well and efficiently? (official and foreign languages, legislation in specific areas, such as human resources or judicial, typing or editing letters, etc.)

16. How long did it take you to learn the new tasks related to your work?

*Education, qualification and special training*

17. What qualifications and special training do you think are necessary to carry out your work?

*Experience needed*

18. What experience do you think are necessary to carry out your work? (work several years with people, on the computer, do translations, etc)

*Personality requirements*

19. What personality features do you think one needs in your job? (communicating skills, hardworking, team working, open minded, leadership - strong personality, etc.)

*Physical requirements*

20. Name, if any, physical shortcomings that can prevent one from doing your job? (bad sight for the drivers, for example, hand problems for the secretaries)

*Other requirements - Working conditions*

21. What are the conditions under which you carry out your work?

22. What are your working hours?

23. Are there age or gender restriction to fulfill your job?

24. Do you have to travel a lot inside and outside the country? If yes, how often per week or month?

***Additional questions***

*Discretion*

25. To what extend are you able to vary:

The methods of work you use?

The order in which you carry out tasks?

26. Whom would you go to if you were in difficulties over an aspect of your work?

*Checking*

27. Who checks your work and how frequently?

28. How is your work checked?

*Supervision received*

29. On what matters and how frequently do you receive direct instructions from your supervisor or manager?

30. What matters have to be referred by your supervisor or manager, either for him or her to deal with or to obtain approval for an action you proposes to take?

31. How often do you have to refer matters to your supervisor or manager?

*Supervision received*

32. What authority have you got in respect of your subordinates to:

- Assign work
- Check work correct and discipline
- Deal with grievances
- Recommend appointments, salary increases, transfers, promotions, discharges
- Assess their performance



**Annex 13**

**JOB DESCRIPTION: DIRECTOR, HUMAN RESOURCES AND SUPPORT SERVICE**

MINISTRY OF JUSTICE AND INSTITUTIONAL RELATIONSHIPS

<b>POSITION DESCRIPTION</b>	
<b>POSITION LOCATION</b>	
CENTRAL ADMINISTRATION	
<b>MANAGEMENT</b>	<b>DIVISION</b>
HUMAN RESOURCES AND SUPPORT SERVICE	
<b>POSITION TITLE</b>	<b>CATEGORY: 1<sup>st</sup></b>
DIRECTOR	<b>GRADE: DIRECTOR</b>
<b>REPORTS TO (position title)</b>	
SECRETARY GENERAL	

**EMPLOYEES SUPERVISED BY THE POSITION(positions' titles)**

- Head of division (2)
- Credits Manager (2)
- Transport Manager (1)
- Office supplies procurement Officer (1)
- Manager in charge of personnel (2)
- Pensions Officer (3)
- Salaries calculation Officer (4)
- Secretary (4: 3 full time, 1 part time)
- Drivers (18)
- Office boys (7)

At present, the total is 44 employees

**POSITION'S GENERAL OBJECTIVE**

Give the Ministry's technical services human resources, financial and material support.

**MAIN ACTIVITIES/TASKS**

- Plan, organize, coordinate, control and evaluate the Management's activities (*Organic framework*)
- Plan, organize, coordinate, control and evaluate the needs and the acquisition of human, financial and material resources required for the activities o the ministry's technical services
- Supervise the management of human, financial and material resources of the ministry (*Organic framework*)
- Coordinate the annual an triennial budgets preparation and ensure the their smooth execution (*Organic framework*)+

- Plan the training and improvement of the ministry's staff (*Organic framework*)+
  - Manage the human resources and study measures aiming at continually improving the quality of their services (*Organic framework*)
  - Participate in the elaboration of the ministry's internal policies
  - Ensure the implementation of the government and the ministry's policies
  - Participate to the meetings with other public and private institutions' representative
  - Consult the ministry's other managements on management, staff training and planning matters
  - Draft monthly, quarterly and annual management activities' reports (*Organic framework*)
  - Participate in the elaboration of the ministry's annual plan of action
  - Prepare the adverts for acquisition by the ministry and transmit them to the Secretary General or the Minister of approval
  - Participate to the market attribution commission (*Organic framework*)
  - Establish the performance evaluation reports of the agents under his responsibility (*Organic framework*)
  - Decide upon the answers to give to the ministry's agents' requests, including those of the central administration, public prosecutors' departments and tribunals
  - Check, sign (if necessary) and transmit to the services concerned, financial documents, staff and office supplies requests
  - Exploit the financial reports of the National Centre for Judiciary Training and the various national and international projects relating to the ministry
  - Participate to the weekly meetings organized by the Secretary General and the Ministry
  - Communication with the superior...on the urgent matters of the day
  - Organize meetings with the management's staff two times a month or each time when necessary or urgent.
  - Give instructions and orient the heads of divisions on the ministry's policies, on their daily and weekly tasks
  - Resolve the claims of the management's employees in last resort
  - Resolve logistics urgent problems in cases whereby they can not be resolved by the division in charge of logistics
- 
- Draft letters, requests, proposals, etc. addressed to superior levels or external institutions
  - Evaluate his subordinates' performance every term
  - Sort ...and orient filing

## **PARTICULAR REQUIREMENTS (use of equipments, relationship with third parties, etc...)**

For this position, it is necessary:

To use the computer and the calculator,

To ensure and have a good relationship with the other services of the Ministry of Justice including public prosecutors' departments and more scarcely with courts and tribunals, with the ministries of Finance and Civil Service and Labor, the Pension Fund, the National Tender Board, the General Auditor's Office, the City Council of Kigali, and the National Bank of Rwanda.

## **OTHER CHARACTERISTICS OF THE POSITION: overnight work, traveling, working conditions, etc...**

The incumbent of this position should travel from time to time in the provinces.

## **POSITION'S REQUIREMENTS**

### **KNOWLEDGE AND CAPACITIES**

The position's incumbent must:

- Have a good knowledge of public finance legislation, public markets, procurement, stocks inventory; recruitment, disciplinary measures, leave, retirement, social security, individual working contract
- Be computer literate and have good command of programs such as: Word, Excel, Access
- Have a driving license

### **EDUCATION, QUALIFICATIONS AND SPECIAL TRAINING**

Economics, public finance, management or administration of resources within public or private administration with special training in leadership, planning and evaluation, coordination and control

### **REQUIRED EXPERIENCE**

2-5 years experience in a position of human resources management within the public or private administration.

## **REQUIREMENTS RELATING TO PERSONALITY**

Be able to work in a team, be exemplary and motivate his/her subordinates, delegate and distribute tasks to his/her subordinates, make decisions relating his/her tasks and activities independently.

Be strict, firm, punctual, open-minded, honest, just, understanding

Have a sense of responsibility, of show initiative and creativity in the use of working methods and procedures.

## **PHYSICAL REQUIREMENTS**

Be apt for physical and mental work in a permanently disturbing environment due to exterior factors, be mobile

## **OTHER REQUIREMENTS**

### **AGE**

There is no age restrictions other than those provided for by the labor code

## **WORKING HOURS**

Respect the working hours established for all the employees of the ministry: from 8:00 A.M. to 5 P.M. with a break between 12:30 and 01:30 for lunch. In emergency situations or additional tasks required by an immediate superior, it is possible to be asked to work overtime.

**Annex 14**

**POSITION'S DESCRIPTION: HEAD OF DIVISION, HUMAN RESOURCES MANAGEMENT AND DEVELOPPEMENT**

MINISTRY OF JUSTICE AND INSTITUTIONAL RELATIONSHIP

<b>POSITION DESCRIPTION</b>
<b>POSITION'S CATEGORY</b> CENTRAL ADMINISTRATION

<b>MANAGEMENT</b>	<b>DIVISION</b>
HUMAN RESOURCES AND SUPPORT SERVICE	HUMAN RESOURCES MANAGEMENT AND DEVELOPMENT
<b>POSITION'S TITLE</b>	<b>CATEGORY AND GRADE</b>
HEAD OF DIVISION	
<b>REPORTS TO (position title)</b>	
DIRECTOR, HUMAN RESOURCES AND SUPPORT SERVICE	
<b>EMPLOYEES SUPERVISED BY THE POSITION (titles of positions)</b>	
<ul style="list-style-type: none"> <li>• Manager in charge of staff (2)</li> <li>• Pensions officer (3)</li> <li>• Salaries calculation Officer (4)</li> <li>• Secretary – typist (1)</li> <li>• Office boys (7)</li> </ul> <p>At present the total is 17 employees</p>	

### **POSITION'S GENERAL OBJECTIVE**

Supply general services and advice in the field of human resources to all the staff members of MINIJUST's Central Administration.

### **ACTIVITIES/MAIN TASKS**

- Ensure the daily distribution of the incoming mail
- Ensure the follow-up of the regularity of staff members' files

- Write notes indicating how the files will be dealt with by technicians
- Deal with important files
- Record files to transmit to hierarchical services
- Ensure the follow-up of files' drafts dealt with in the division
- Key in the content of important files and consultants pay sheets
- Check payrolls
- Supervise tasks relating to seasonal workers' monthly lists
- Control attendance registers
- Control the cleanliness of the building of the ministry in general
- Assist his/her colleagues in improving the quality of the services
- Search for information relating to the ..... of the service
- Elaborate *each year* in collaboration with DRHSA and DPE directors training plans for the ministry's agents
- Participate or establish staffing forecasts and plan recruitments
- Manage vacant positions in the ministry. Draft job descriptions for new positions
- Ensure the annual planning of the ministry's employees' leaves
- Ensure, coordinate and follow-up *every term*, the division's and the ministry's employees' performance evaluation. Develop performance indicators
- Participate in the ministry's weekly meetings
- Organize meetings with his/her subordinates on a weekly basis for the distribution of tasks for the month and on a monthly basis for discussions about the division's draft activity report
- Find solutions to conflicts among his/her subordinates
- Make recommendations for the appointment, transfer, promotion, dismissal of his/her subordinated and their salaries' increase
- Represent the division in order to explain the files or possible problems in the service
- Prepare notes in order to sensitize the ministry's staff in matters of social or collective acts
- Ensure the follow-up of the budget execution: control of the keeping of intercalary sheets and of the drafting of periodical reports
- Wide distribution of procedures manual in order to ensure the application of human resources procedures and the training in that field of the staff concerned in the ministry, in public prosecutors' departments and in tribunals
- Ensure and control the updating of the human resources procedures manual

## **PARTICULAR REQUIREMENTS (the use of equipments, relationship with third parties, etc...)**

For this position, it is necessary:

- To use a computer and a calculator
- To use the forms and registers relating to mail and staff such as the register for transmitted files, register for incoming mail, register for outgoing mail, presence and

absence authorization sheets, leave request, office supplies request, salaries' modification form sent to the Minister of Civil Service and Labor, the ministry's staff's career management and the staff's administrative file

- Contact the authorities, the other services of the ministry and departments: Ministry of Finance, Ministry of Civil Service and Labor, National Bank of Rwanda, Social Security Fund of Rwanda, Insurance Companies "Sonarwa" and "Soras", Workers' Union "Cestrar" and the Human Rights Commission.

## **OTHER CHARACTERISTICS OF THE POSITION: overnight work, travel, working conditions, etc...**

Being responsible for the administrative and financial files of the entire ministry's staff, the head of division will have adequate working conditions in order to ensure their integrity and confidentiality.

## **POSITION REQUIREMENTS**

The incumbent of this position must:

- Be knowledgeable in the legislation concerning recruitment, disciplinary measures, leave, retirement, social security, salaries calculation and individual work contract
- Be fluent in the official languages of the country
- Be computer literate and able to use programs such as: Word, Excel and Access

## **STUDIES, QUALIFICATIONS AND SPECIAL TRAINING**

The main field must be public administration along with training in human resources management. It is wished to justify basic training in book keeping, economy or/and public finance, as well as special training in interpersonal communication, filing, computer science, work organization, resolution of work conflicts between employees and employers.

### **REQUIRED EXPERIENCE**

3 – 5 years experience in staff management

### **REQUIREMENTS RELATING TO PERSONALITY**

Be able to work in a team, be exemplary for the subordinates, delegate and distribute tasks to subordinates, make decisions relating to his/her tasks and activities, independently.

Be strict, responsible, punctual, open-minded, honest and understanding.

Have patience, show initiative and creativity in the use of work methods and procedures.

### **PHYSICAL REQUIREMENTS**

Be able to do physical and mental work in an environment permanently disturbed by exterior factors, be mobile

### **OTHER REQUIREMENTS**

### **AGE**

There is no age restrictions other than those provided for by the labor code

## **WORKING HOURS**

Respect the working hours established for all the ministry's employees: fro 8:00 A.M. to 5 P.M. with a break from 12:30 to 1:30 P.M. for lunch. In urgent situations or additional tasks required by his/her immediate superior, it is possible to be asked to work overtime.

**Annex 16**

**POSITION DESCRIPTION: STAFF OFFICER**

MINISTRY OF JUSTICE AND INSTITUTIONAL RELATIONSHIP

<b>POSITION'S DESCRIPTION</b>	
<b>POSITION'S LOCATION</b> CENTRAL ADMINISTRATION	
<b>MANAGEMENT</b> HUMAN RESOURCES AND SUPORT SERVICE	<b>DIVISION</b> HUMAN RESOURCES MANAGEMENT AND DEVELOPMENT
<b>POSITION'S TITLE</b> STAFF OFFICER	<b>CATEGORY AND GRADE</b> CIVIL SERVANT
<b>SUBORDINATE (title of position)</b> HEAD OF DIVISION, HUMAN RESOURCES MANAGEMENT AND DEVELOPMENT	
<b>EMPLOYEES SUPERVISED BY THE POSITION (titles of positions )</b>	

-

## **POSITION'S GENERAL OBJECTIVE**

Update administrative files and follow-up the regularity and training of the ministry's agents

## **ACTIVITIES/MAIN TASKS**

- Draft different letters such as letters of assignment, of service's aim, of explanation request, of transfer and record them in the registers before transmitting them
  - To welcome agents who come everyday to fill in RAMA – sickness insurance
  - File the different administrative files of the ministry's staff
  - File letters and files received for the Ministry of Civil Service and Labor
- 
- Prepare the form for the report on the training of the ministry's agents after two years of service
  - Prepare the evaluation form (descriptive form) for the ministry's agents after the 3<sup>rd</sup> year of service
  - Identify all the agents whose performance must be evaluated/marked
  - Create and update the administrative files of the ministry's agents including:
    - (1) check whether the file is complete or not, (2) draft an official letter with the usual request to completing the file, (3) include in time the changes that occurred in **the career, the salary, the family situation** of the agents
  - evaluate the needs in training of the Ministry's agents and ensure their improvement by following the needs identified

- follow-up the regularity of **the division**'s agents at work
- participate to the elaboration of the training plan and schedule for the agents of the Ministry of Justice in collaboration with the Ministry of Civil Service and Labor
- elaborate forms relating to staff management
- give advise and support to colleagues in matters of staff management
- update and distribute to the persons concerned the human resources procedures manual
- check the organization chart, identify the vacant positions and inform the Ministry of Civil Service and Labor

**PARTICULAR REQUIREMENTS (use of equipments, relationship with third parties, etc...)**

For this position it is necessary to:

- use a computer
- use forms and registers relating to staff such as: leave request form, social security affiliation form, training report form, evaluation performance form, register of transmitted files, register of employment request (for drivers to agents of the Central Administration of the Ministry of Justice), register of electronic files (in the computer)
- ensure and take care of the relationship with the Ministry of Civil Service, the department of sickness insurance – Rama, the Social Security Fund of Rwanda, the Insurance Company “Sonarwa”

**OTHER CHARACTERISTICS OF THE POSITION: overnight work, traveling, working conditions, etc...**

There are no special working conditions.

**POSITION'S REQUIREMENTS**

**KNOWLEDGE AND CAPACITIES**

The incumbent of this position must:

- know the legislation and rules in matters of filing and archiving the staff's administrative files

Be computer literate and have a good knowledge of the following programs: Word, Excel and Access  
Have a good knowledge of the official languages of the country (French and English)

### **STUDIES, QUALIFICATIONS AND SPECIAL TRAINING**

The incumbent of this position must have a degree in the field of public administration or management, but it is also in the field of education, psychology, sociology or human sciences. It is also necessary to have special knowledge in interpersonal communication, filing, and computer science and office automation.

### **REQUIRED EXPERIENCE**

Experience is not a pertinent requirement for this position

### **REQUIREMENTS CONCERNING PERSONALITY**

Be able to work in a team, make decisions concerning his/her tasks and activities independently  
Have a great sense of responsibility; be punctual, open-minded, honest and understanding  
Have patience, show initiative and creativity in the use of methods and procedures of work.

### **PHYSICAL REQUIREMENTS**

Be apt for physical and mental work in an environment permanently disturbed by exterior factors, be mobile.

### **OTHER REQUIREMENTS**

### **AGE**

There are not other age restrictions if not those provided for in the labor code.

### **WORKING HOURS**

Respect the working hours established for all the ministry’s employees: from 8:30 A.M. to 05:00 P.M with a break between 12:30 and 1:30 P.M. In emergency situations or additional tasks required by his/her immediate superior, it is possible to be asked to work overtime.

**Annex 16**

**POSITION’S DESCRIPTION: HEAD OF DIVISION OF FINANCIAL AFFAIRS AND LOGISTICS**

MINISTRY OF JUSTICE AND INSTITUTIONAL RELATIONSHIP

<b>POSITION’S DESCRIPTION</b>	
<b>POSITION’S LOCATION</b>	
CENTRAL ADMINISTRATION	
<b>MANAGEMENT</b>	<b>DIVISION</b>
HUMAN RESOURCES AND SUPPORT SERVICE	FINANCIAL AFFAIRS AND LOGISTICS
<b>POSITION’S TITLE</b>	<b>CATEGORY AND GRADE</b>
HEAD OF DIVISION	

<b>REPORTS TO (title of position)</b>
DIRECTOR, HUMAN RESOURCES AND SUPPORT SERVICE
<b>EMPLOYEES SUPERVISED BY THIS POSITION (titles of the positions)</b>
<ul style="list-style-type: none"> <li>• Credits Managers (2)</li> <li>• Transport Officer (1)</li> <li>• Office supplies procurement Officer (1)</li> <li>• Secretary (1)</li> <li>• Drivers (18)</li> </ul> <p>At present the total is 23 staff members.</p>

**POSITION’S GENERAL OBJECTIVE**

Ensure and supervise the management of credits and of the ministries and judiciary services patrimony.

**MAIN ACTIVITIES/TASKS**

- Make the follow-up of vehicles maintenance works ensured by the Transport Officer
- Check and sign purchase orders for the maintenance of vehicles/RCN.
  
- Draft minutes for deliberation sessions about pro-forma invoices for vehicles an equipments
- Make the follow-up of the procurement of office supplies ensured by office supplies procurement officer

- Receive and appreciate, once a month, office supplies' requests from the ministry's services, and in some cases, from public prosecutors' departments and tribunals
- Check and make decisions about office supplies' requests from other services in terms of availability and quantity
- Establish, every term, office supplies' needs from the managements of the ministry
- Check the stocks inventory and make reports
- Make a needs in stocks assessment for one term and prepare the purchase order
- Sign the requisition sheets for office supplies
- Inform the other services of office supplies' availability in stock *at the end of each month*
- Ensure the follow-up of the good functioning of all the equipments
- Draft according to NTB's model, sign and follow-up the execution of contracts relating to the acquisition of goods and services from third parties
- Check *at the end of each month* the situation of bank accounts
- Ensure the ministry's building maintenance works including electricity, water, telephone service and the generator
- Ensure and follow-up the orientation and signposting and marking in the ministry's building
- Follow-up the service of guard by checking everyday the presence of the guards
- Follow-up the financial management ensured by the credits manager
- Receive, check and approve the payment of bills
- Follow-up the payment of service termination fees'
- Prepare *at the end of the month of August*, the annual and triennial draft budget
- Authorize the establishment of appointment titles and purchase orders
- *At the end of each month*, file book keeping files and statements of account
- Exploit the reports of other services of the division, make the synthesis and evaluation of the division's activity for the ministry's monthly and annual reports
- Ensure the follow-up of the execution of the budget: control the sheet keeping and drafting of periodical reports
- Plan his/her subordinates' annual leaves
- Ensure, coordinate and follow-up the evaluation of his/her subordinates' performance, *every term*
- Participate in the ministry's weekly meetings
- Organize with his/her subordinates – weekly meetings for the distribution of tasks; monthly meetings for discussions about the division's activity draft report
- Find solutions to his/her subordinates' claims

- Make recommendations for the appointment, transfer, promotion and dismissal of his/her subordinates

- Ensure the application of financial procedures and logistics by distributing the manual of procedure and the training in that field of the staff concerned in the ministry and public prosecutors' departments and tribunals
- Ensure and control the updating of the financial and logistics procedures' manual
- Make the inventory and manage the ministry's houses

#### **PARTICULAR REQUIREMENTS (use of equipments, relationship with third parties, etc...)**

For this position, it is necessary:

- To use a computer and a calculator
- To ensure and keep good relationship with the Ministry of Finance, with the other services of the Ministry of Justice, and with the suppliers of goods and services

#### **POSITION'S OTHER CHARACTERISTICS: overnight work, traveling, working conditions, etc...**

Being in charge of the ministry's credits and having all the documents relating to book keeping and budgeting, the head of the division will have adequate working conditions in order to ensure their integrity.

### **POSITION'S REQUIREMENTS**

#### **KNOWLEDGE AND CAPACITIES**

The incumbent of this position must:

- Know the legislation in matters of public finance, public markets, procurement, stock inventory
- Have basic knowledge of engineering
- Be computer literate and be able to use programs such as: Word, Excel and Access

- Hold a driving license

### **STUDIES QUALIFICATION AND SPECIAL TRAINING**

Book keeping, economy, public finance with special training in budget and logistics management

### **REQUIRED EXPERIENCE**

2-5 years experience in the administration of a position with regards to the management of finance and logistics

### **REQUIREMENTS RELATING TO PERSONALITY**

Be able to work in a team, be exemplary for his/her subordinates, delegate and distribute tasks to subordinates, make decisions relating to tasks and activities, independently

Be strict, responsible, punctual, open-minded and understanding

Have patience, show initiative and creativity in the use of work methods and procedures

### **PHYSICAL REQUIREMENTS**

#### **AGE**

There are no other age restrictions apart from those provided for in the labor code

### **WORKING HOURS**

Respect the working hours established for all the ministry's employees: from 8:30 A.M. to 05:00 P.M with a break between 12:30 and 1:30 P.M. for lunch. In emergency situations or additional tasks required by his/her immediate superior, it is possible to be asked to work overtime.



**Annex 17**

**POSITION'S DESCRIPTION: TRANSPORT OFFICER**

MINISTRY OF JUSTICE AND INSTITUTIONAL RELATIONSHIP

<b>POSITION'S DESCRIPTION</b>	
<b>POSITION'S LOCATION</b>	
CENTRAL ADMINISTRATION	
<b>MANAGEMENT</b>	<b>DIVISION</b>
HUMAN RESOURCES AND SUPPORT SERVICE	FINANCIAL AFFAIRS AND LOGISTICS
<b>POSITION'S TITLE</b>	<b>CATEGORY AND GRADE</b>
TRANSPORT OFFICER	
<b>REPORTS TO (title of position)</b>	
HEAD OF DIVISION, FINANCIAL AFFAIRS AND LOGISTICS	
<b>EMPLOYEES SUPERVISED BY THIS POSITION (titles of the positions)</b>	
<ul style="list-style-type: none"><li>• Drivers (18) with 22 cars</li></ul>	

**POSITION'S GENERAL OBJECTIVE**

Ensure the quality of transport means for the ministry's agents

## **MAIN ACTIVITIES/TASKS**

- Decide each morning on the affectation of vehicles and distribution of fuel for those who go on mission or for special and social cases
  - Distribute every month the quota of 200 liters per vehicle
  - Deal with the mail everyday
  - Visit, everyday, the garages where the ministry's vehicles are being repaired
  - Receive, everyday, vehicle requests by different services and managements of the ministry, public prosecutors' departments and tribunals (the two latter are rare cases)
  - Ask for and analyze pro-forma invoices for vehicle repair services when necessary
- 
- Evidence the existence of vehicles, control their condition and use, by using the sheets in conformity to current procedures of the financial procedures manual
  - Draft reports on activities carried out: at the end of every month for monthly reports and every time when extraordinary cases occur (accidents, for example)
  - Follow-up problems declared by the drivers.
  - Organize meetings once a month with the drivers in order to evaluate each driver's performance, and each time when necessary in order to remind the importance of road security
  - Develop performance indicators relating to transport service
  - Resolve social cases, such as sickness, mourning, etc... (average occurrence of 2 times per month)
  - Follow-up disciplinary cases: 3 written explanations (5 cases last year), temporary exclusion for two weeks, dismissal (2 cases last year)

## **PARTICULAR REQUIREMENTS (use of equipments, relationship with third parties, etc...)**

For this position, it is necessary:

- To use a computer and a calculator
- To use forms and registers such as: vehicle logbook, fuel distribution sheet per monthly quota, for missions, special and social cases, individual sheet for vehicle repair, requisition form for transport, evaluation request sheet for vehicle repair, monthly report on fleet use, exit and entrance sheet, presence register
- To ensure and keep good relationship with the Ministry of Transport, with the other services of the Ministry of Justice, with suppliers of goods and services in matters of repair and maintenance of vehicles and with NGOs, such as the Citizens' Network, for example

**POSITION'S OTHER CHARACTERISTICS: overnight work, traveling, work conditions, etc...**

There are no special work conditions

## **POSITION'S REQUIREMENTS**

### **KNOWLEDGE AND CAPACITIES**

The incumbent of this position must:

- Have a good knowledge of the legislation and rules in matters of road traffic, vehicle insurance and procedures in cases of accident
- Be computer literate and be able to use programs such as: Word, Excel,
- Hold a driving license

### **STUDIES, QUALIFICATION AND SPECIAL TRAINING**

Automobile engineering with special training in vehicle fleet management, hold the higher driving license category

### **REQUIRED EXPERIENCE**

2 years experience in a service relating to vehicle fleet management.

## **REQUIREMENTS RELATING TO PERSONALITY**

Be able to work in a team, be exemplary for his/her subordinates

Be strict, responsible, and punctual

Have patience and show initiative and creativity in the use of working methods and procedures

## **PHYSICAL REQUIREMENTS**

Be apt for physical and mental work in an environment permanently disturbed by exterior factors, be mobile

## **OTHER REQUIREMENTS**

### **AGE**

There are no age restrictions other than those provided for in the labor code.

## **WORKING HOURS**

Respect the working hours established for all the ministry's employees: from 8:00 A.M. to 05:00 P.M with a break between 12:30 and 1:30 P.M. for lunch. In emergency situations or additional tasks required by his/her immediate superior, it is possible to be asked to work overtime.

## Section V

### Task 7

#### Space and equipments organization

##### *Objectives:*

- Obtain the updated information on the MINIJUST's building's plan for this purpose
- Make recommendations in order to contribute to the strategic plan of acquisition and use of space in MINIJUST

**The document presented at the end of the task:** (1) a report with recommendations on the strategic plan of acquisition and use of the space

#### **Achievements and results**

The objective of this task has been achieved only partially. The ministry's building's plan was obtained only after six months. The consultant received the plans of all the four upper levels only at the end of her contract while she was drafting her report.

It is important a useful to have the plan of the building for many reasons. Having the plan of the building it is easy to:

1. analyze the location of offices in order to ensure
  - Bill-posting or signaling
  - Staff security in case of fire
  - Planning of the installation of the computerized system networks
2. Find immediately breakdowns in the water and electricity installations
3. Plan changes of the building plan and analyze their impact on the existing building, on the staff and the public
4. Analyze and plan the use of the space
5. Analyze and plan the rational acquisition of office supplies and equipments
6. Establish acceptable optimal quantity and measures of furniture in every office in order to ensure favorable working conditions.

All these elements should be included in the strategic plan of acquisition and use of the space.

### **Methods**

- Meetings and discussions
- Observation and analysis of the current use of the space
- Analysis of the current acquisition process
- Repeated visits to the authorities of the Ministry of Public Works

### **Obstacles**

The obstacles that have hindered or slowed down the pace of the achievement of consultancy activities are the following:

- Limited availability of the DRHSA Staff (example: meetings postponed to other dates due to urgent tasks, meetings, training sessions, sickness, leave or mission)
- Reduced motivation of the staff for tasks deemed as additional
  
- Bureaucracy in public institutions (example: Ministry of Public Works)
- Destruction of archives following genocide

### **Activities to follow-up:**

- Obtain the plans of the two last levels
- Elaborate the steps and nominate the persons in charge of the elaboration of the strategic plan of acquisition and use of the space.



## Section VI

### Task 9

#### **Participation in the preparation of a training plan implying the bi and multilateral projects**

##### *Objectives:*

- Follow-up and make recommendations about the meeting of donors with the person in charge of Coordination and National Liaison, H el ene Mufunga, and the Director of the National Centre of Judiciary training, Immacul ee Nyirinkwaya.
- Contribute to a plan of strategic recruitment by adopting a policy on the selection of law students who are ready to do their practical training in MINIJUST.

**The document presented at the end of the task:** (1) a report with recommendations on the plan of recruitment and training.

##### **Achievements and results**

On December 2001 the consultant has participated to the donors meeting during which the 2002-2004 training plan has been presented. This plan has been elaborated in the first place for the judiciary staff of public prosecutors' departments and tribunals on the basis of their priority needs. During the meeting, the consultant has made recommendations on the system of certification of the participants to the training: the National Centre for Judiciary Training shall establish a minimal list of obligatory disciplines (curriculum) for the staff of public prosecutors' departments and tribunals at the end of which a training completion certificate will be given. The duration of this training shall be longer than one year.

The consultant has also studied the procedure of training needs assessment. It is the ministry of Civil Service that is in charge of the elaboration of these procedures. The current procedures include the following steps of training needs analysis (steps 2, 3, 5, 6 and 7 are accompanied by sheets):

- The elaboration of the training needs identification document
  - a) On the basis of the analysis of the organizational chart
  - b) On the basis of the evaluation of performances of each agent in his/her position
  - c) On the basis on needs expressed by the agent him/herself
- The elaboration of the synthesis of needs in training per institution
- The elaboration of the synthesis of needs in training of all the institutions

- Development of training programs (curriculum or syllabus) that must lead to the selected training subjects
- The elaboration of the indicative training plan per institution
- The elaboration of the programming of each training subject selected by all the agents of the Rwandan Civil Service
- Elaboration of the synthesis of the training plans of the Institutions of the Civil Service

The analysis of the training needs evaluation procedures for the public prosecutors' departments and tribunals has allowed the Director of the CNFJ to find that:

- Last year, a committee has been created in order to develop a questionnaire that has then been sent with a letter from MINIJUST to the whole judiciary and executive staff of public prosecutors' departments and tribunals
- The whole procedure along with the collection of the filled in and analyzed questionnaires has lasted three months and that is the reason why it is not efficient to use it each year.

As an alternative needs evaluation procedure, the consultant has suggested to add in the evaluation form after each subject taught, questions such as: (1) do you recommend this subject to your colleagues and why?, (2) Which other subject do you need in order to improve your work, indicate the themes in priority order.

During the meetings and discussions with the representatives of MINIJUST and the Director of CNFJ of Nyanza some ideas have been exchanged on the usefulness and importance of the strategic plan of recruitment and training. The Director of CNFJ has been very interested in the development of such a plan that she considers as extremely useful in the Center's activities' planning. All the interested actors should be identified in order to participate to the development plan. This strategic plan shall include such elements as:

- The vision on a collaboration with universities in order to identify and select law students as trainees in MINIJUST, in public prosecutors' departments and tribunals, by using selection specific criteria and y fixing optimal training periods ( for example, six months in the course of the two last years of university studies).

**Note:** the Center may have the training program coordination as one of its main attributions. The Director has suggested applying this idea as a pilot project in public prosecutors' departments situated near the Center so that coordination be easier.

Public prosecutors' departments and tribunals should establish with the selected students a mutual agreement which will oblige the public prosecutors' departments to recruit students who have obtained results corresponding to such or such other position. The interest or support of MIFOTRA is necessary.

- The vision on vacant or new positions' forecast with recruitment and training needs. In this case, it is necessary to have statistical data on the supervised staff such as age (in order to provide for retirements), seniority in the position(s) and performance (in order to provide for possible promotions), etc...
- The vision on a permanent improving training at the end of which a certificate might be attributed to the participants. It might have been better that the Ministry of Education recognizes the Center.

Concerning the necessity of a recruitment agreement with the employees of MINIJUST before that they benefit from scholarships in or outside the country, the consultant has found that there are rules obliging the State's agents to sign such an agreement. The rules provide that the agents, who receive scholarships for a period not exceeding six months, should come back and work for the State for at least 2 years; if the period exceeds six months, the agents should work for at least 5 years. Unfortunately, even if the agreement, the agents do not always respect it. The Director of DRHSA has confirmed that it is necessary to reinforce the application of these rules.

The consultant has suggested including in the recruitment agreement, as an alternative to the obligation of working for the period established, the obligation to reimburse the entire or part of the studies' cost.

### **Methods**

- Meetings , discussions, ideas' exchange
- Procedures studies

**No particular instruments or obstacles in the fulfillment of this task.**



## Section VII

### Task 10

#### **Report on the cost of translation into English and of the conformity of this translation to other languages**

##### *Objectives:*

- Improve the knowledge in addition o details on the process of the translation of laws that have an impact of the activity of MINIJUST
- Evaluate the quantity of documents to be translated into English and proof red for conformity to the original

**The document presented at the end of the task:** (1) a report with findings and recommendations on the cost and conformity of the translation of laws

##### **Achievements and results**

The consultant has a meeting with the Head of the Translation Service of the Prime Minister's Office who has explained the role of his service in the translation of laws and rules of the country and who has drafted a table of costs estimates for the translation and revision of the translation's conformity (**Annex 14**)

It is important to underline the idea that the most pertinent translation is from French into English and could become cheaper if the participation of international organisations was encouraged.

Then, the consultant has established with Emmanuel SINDIKUBWABO, representative of the Management of Legislation and Services to the Community, the list of the data necessary for the evaluation of the quantity of documents to be translated into English and proof red for conformity to the original.

The consultant has found that there are:

- 3 volumes (green cover) with legal texts in Kinyarwanda and French
- 4 volumes (red cover) with legal texts in French edited in 1995
- 1 recent volume with legal texts in Kinyarwanda, French and English
- 1 glossary of legal terms in Kinyarwanda, French and English

- a great number of laws that are being reformed

Taking into account that at present any project or modification of law must be presented in all the three official languages, the representative of DLSC has confirmed that the most important translation workload is from French into English and concerns the 4 volumes (red cover) with legal texts In French, 2<sup>nd</sup> edition, 1995. He has also offered his assistance for making the list of laws and rules texts with the information put in tables, on the category, n° of text, date, title, judicial, n° of pages, English translation already existing, observation. The final product (approx. 150 pages) is a separate document in the form of a printed copy and an electronic copy. The next step will be the revision of the list of laws and rules texts in order to decide which texts will be selected for translation.

**The table below presents the preliminary calculation of costs for the translation of laws and codes of Rwanda, the total of which is estimated at 3,724 pages if Time New Roman 12 characters are used.**

N°	Services	Quantity work	Total days	Total persons	Unit price	Total costs
1	Translation	4-6 pages/ day	621 days	5	\$ 10/ page	\$ 37,240
2	First revision	12 pages/ day	310 days	2	\$ 5/ page	\$ 18,620
3	Final revision for the conformity of Languages and law terms	12 pages/ day	310 days	2	\$ 5/ page	\$ 18,620
4	Legal adviser	On request	6 months	2	\$ 200 – 300/ month	\$ 3,600
					<b>Total</b>	<b>\$ 78,080</b>

#### Methods

- Meetings, discussions
- Study, calculations

#### Instruments

- Tables

#### Obstacles

The obstacle that has slowed down the realization of the study is:

- Limited availability of the Private Secretary to the Ministry who had to fix a date for the meeting with the Prime Minister's Office.

**Activities to follow-up:**

- ◆ Review the list of laws and rules texts in order to decide which ones will be translated
- ◆ Finalize the report on the costs of translation

**Annex 18**

**NOTES ON THE MEETING WITH THE REPRESENTATIVE OF THE PRIME MINISTER'S OFFICE**

**Date:** 25 April 2002

**Place:** Prime Minister's Office

**MSD:** Irina Balta, Consultant

**MINIJUST:** M. Mbaga, Private Secretary to the Ministry of Justice

**Meetings with:**

- Joseph N. Nambajimana, Director of Translation in the Services of the Prime Minister,

**The aim of the meeting:** discuss about the possibilities of the translation of the laws and codes of Rwanda

**The main points:**

1. MSD has the task of supporting MINIJUST and the Legislative Reform Commission in the study of costs for the translation of laws and codes of Rwanda in English. The MSD consultant, Mrs. Balta, met representatives of MINIJUST in order to study the current modality of translation of laws (see her notes of meetings of December 2001). As there is no special translation service in MINIJUST it has been deemed necessary to meet the representative of the management of translation in the Prime Minister's Office
2. The role of the management of translation in the Prime Minister's Office is to translate into the official languages of the country any document that must be submitted to the Cabinet. The translation team is composed of 5 translators who are paid a fixed monthly salary. Given the quantity of the daily work in the service, it is excluded that this management translates the laws and codes of Rwanda even if they were offered the market price.
3. Nevertheless, the director of translation has given us useful information on the process of translation along with values estimates (see table below).

**Table on workload and cost/unit**

(Source: service of translation of the Prime Minister's Office)

N°	Service	Quantity of work	Unit price
1.	Translation	4-6 pages/day	\$10/ page
2.	First revision	12 pages/day	\$5/page
3.	Final revision for the conformity of languages and judicial terms	12 pages/day	\$5/page
4.	Legal adviser	On request	\$200-300/month
5.	Typing		
6.	Photocopy		

4. Before making any decision on the translation of codes and laws, it is necessary to decide on:

- From which language into which language translate?
- Which version of laws (current or updated) is to be translated?

**Unavoidable observations and recommendations:**

The Government of Rwanda represented by MINIJUST has the objective of reviewing the laws in order to adapt them to the current context, but it is possible that the period of expectation might be long and the study of the laws translation cost precipitated.

In the case whereby the decision would be made to translate the current laws, it would be more efficient to sign contracts for the service of translation of the laws and codes of Rwanda by calling for national and international tenders. The international companies might participate given the fact that the translation will be done from French into English.

In the context of MINIJUST, the managements in charge of the elaboration of draft laws will have to establish well defined procedures for translation, like for example:

“Any draft law or decree is drafted in Kinyarwanda. Translations into French and into English are done in parallel by a team of French and English speaking lawyers. The final revision of translations, if necessary, is done by a lawyer with wide experience in the field”.

“In the case whereby a draft project would have been drafted in French, the translation will be done into English first and then into Kinyarwanda, and vice versa, in the case whereby a draft law would have been drafted in English, the translation will be done into French first and then into Kinyarwanda”.

## **Section VIII**

### **Task 11**

**Improvement in decentralization (planning and implementation);  
Identification of fields of application of administrative decentralization, of redistribution of tasks in services, of powers delegation; with  
the chief of mission**

*Objectives:* In a context whereby the Government of Rwanda itself forces itself and MINIJUST to the redistribution of tasks in services and to delegation of powers, the objectives of the MSD Project seem to arrive beyond time

On the contrary the consultant has made the list of definitions

#### **Achievements and results**

The redistribution of activities and services from central level to local level is one of the most important priorities of the Government of Rwanda which has adopted a national policy of decentralization.

The policy of decentralization establishes steps, modalities, activities and authorities that need to be decentralized. In order to understand how this policy has been implemented by the Ministry of Justice it is important to review the definitions of terms that are used.

“Decentralization being the opposite of centralization means a process of transfer of powers, authorities, functions, responsibilities and required resources from central administration to local administrations or administrative units.

The implementation of decentralization will be carried out thanks to three modalities: redistribution, delegation and decentralization itself.

- (i) Thanks to **redistribution**, the services and functions reserved to the attributions of central administration will be executed by the agents of the central administration placed in local administrations who stay directly subordinated to the central administration.
- (ii) Thanks to **delegation**, the services and functions reserved to attributions of central administration will be entrusted for execution to local administrations by transferring the required resources in order to accomplish the delegated services.
- (iii) Thanks to **decentralization itself**, the currently centralized powers, authorities, functions, responsibilities, services and

resources will be transferred to local administrations that will be created by the law as legal entities having the right to sue or be sued in justice”.

Another important element to mention is the separation of powers. In the document of decentralization national policy is only mentioned the separation of the political and administrative powers.

The respect of the principle of separation of political and administrative powers will help avoiding the duplication, the conflict and merging of powers that renders the responsibility unclear.”

The current reality is that the judiciary system in Rwanda is subordinated to the administrative power. There are projects for changing the legislation which will allow to the judiciary structure to be completely independent from the administrative power and thus to ensure the respect of the principle of separation of the three powers: political, administrative and judicial.

The judicial system is among the functions of the central administration that may be delegated or transferred. The Ministry of Justice has recently delegated to prefectures the responsibilities of management and execution of the budget and procurement of office supplies for public prosecutors' departments and tribunals. At present, MINIJUST is in the course of transferring the responsibilities of management of human resources with all the administrative and financial files of the staff of public prosecutors' departments and tribunals.

As far as supervision, evaluation and control of judiciary activities are concerned, they stay in the attributions of the ministry.

The Ministry of Justice is in the course of preparing a report with the results of the decentralization in the judiciary system.

### **Observations**

In her study the consultant has used the English version of the decentralization national policy and it is possible that the translation of this document is not always adequate.

Some explanations given on decentralization create confusion

“the combination of these three phases of decentralization (transfer, delegation and decentralization itself) will lead towards the granting to the Rwandan people of the full powers in the field of economy, policy, and of administrative management so that they reconcile themselves and decide upon their means for living.”

Are these three phases or steps of decentralization or three management modalities? Does this mean that the institutions should pass from one step to the next obligatorily or is this a possible modality to choose for some services?

If one tries to interpret and analyze the situation in public prosecutors' departments and tribunals after the transfer of human, material and financial resources at the level of prefectures, one finds that:

- It is transfer of the administrative management from central administration (the Ministry of Justice) to representatives of central administration throughout the territory (prefectures)

- This does not mean at all that the public prosecutors' departments and tribunals have obtained the power or autonomy to make decisions on these resources, and
- The danger exist for the judiciary agents to be sensitive to political games and depend upon subjective wishes

### **Methods**

- Meeting, discussions with the directors of DAJ and DRHSA, with the General Public Prosecutors of PGCS, of PRK, with the President of the Supreme Court
- Study of the document on the decentralization of the national policy

### **Instruments**

### **Obstacles**

An obstacle that has rendered the study difficult is:

- Confusion of the relationship between the notions of decentralization, transfer and delegation
- Legislative uncertainty about the separation o powers including the supervision of the judiciary activity.