

PN-ACE-459

**RWANDA TRANSITIONAL NATIONAL  
ASSEMBLY:  
NEEDS ASSESSMENT**

**INTERNATIONAL PROGRAMS  
& DEVELOPMENT**

**FINAL REPORT**

**1 March 1999**

by

Dr Robert T Nakamura

Dr Elizabeth N Bourl

Margaret (Peg) L Clement

Prepared for USAID/Rwanda  
under IQC AEP-5468-I-00-6004-00

Delivery Order No 807

through

International Programs and Development



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Albany, New York 12246-0001**



**The Research Foundation**  
of State University of New York

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## Table of Contents

Acknowledgments	p 3
Executive Summary	p 4
Assessment Methodology	p 8
Introduction	p 9
Main Findings and Recommendations	p 11
- Institutional Framework and Groundlaying Process	p 11
A Legislative Modernization Committee	p 11
A Legislative Modernization Plan	p 12
A Parliamentary Civil Service	p 13
- Lawmaking Function	p 14
Legislative Bill Drafting	p 14
Legislative Committee Work	p 15
Legislative Research and Public Policy Analysis	p 19
Legislative Budget Analysis	p 23
- Legislative Representation Function	p 24
Public Hearings	p 24
NGOs	p 25
Press	p 26
- Legislative Oversight Function	p 27
Question Periods	p 27
Citizen Hearings	p 27
Conclusion	p 28
Table 1 Recapitulation of Training Recommendations	p 30
Table 2 Recapitulation of STTA Recommendations	p 33
Annexes	
A Scope of Work	p 34
B People Met	p 40
C Relevant Documents Consulted	p 42
D Analysis of TNA Information Environment	p 44
E Profiles of Possible Resource Institutions for Training and STTA Interventions	p 52
F Training Considerations	p 57

## **Acknowledgments**

The team is grateful to the Rwandan Transitional National Assembly for the graciousness with which it received our team. Members and staff alike were very open and forthcoming with information and opinions, and generous with their time. All was helpful and appreciated.

We would also like to thank the USAID/Rwanda mission for making our stay a pleasant one, and we look forward to working with the mission in the future.

Robert T. Nakamura  
Elizabeth N. Bour  
Margaret (Peg) L. Clement

1 March 1999  
Albany, New York and Austin, Texas

## Executive Summary

### Overview

USAID/Rwanda has identified "increasing the rule of law and transparency in governance" (SO1) as one of three priorities guiding its efforts. More specifically, they recognized the need to "develop and strengthen systems which increase good governance through greater representation and to support accountability and transparency in the development of public policy and legal structures (IR 1.3) "

Elsewhere, effective legislative bodies -- entities that actively represent the populace, play a positive role in law-making, and exercise oversight over executive activities -- are often critical core institutions for supporting the democratic order. Representative bodies draw whatever legitimacy they enjoy from the claim to speak for the people, and redeeming that claim often requires members of the governing elite to connect with citizens and institutions of the civil society. Facilitating popular participation in governing requires fostering transparency and soliciting citizen opinions, and here legislatures are useful places to begin because their deliberations are usually more public and open vehicles of decision making than are executive deliberations. The rule of law begins with the passage of effective laws and legislative bodies are where adoption occurs. Accountability in governance usually means holding the executive accountable because most governmental action occurs there.

The Rwandan Transitional National Assembly (TNA) was appointed in 1994 after the genocidal events that engulfed the entire country. Seventy members represent some nine political parties in carefully orchestrated numbers, drawn up during the Arusha Accords of that year. The TNA has substantial formal powers to legislate and to exercise oversight but currently lacks important elements of the capacity to fulfill those functions. Because the members and staff are inexperienced and they must deal with a government which is also in the process of creating itself, the list of needs far exceeds available internal and external resources. To date, capacity building efforts have been incremental and have focused on meeting needs as they occur. An important foundation has been laid-- in creating and staffing an administrative structure, in rehabilitating physical space, in providing basic levels of computer and communications equipment, and in establishing procedures for the handling of legislation-- to move beyond meeting immediate needs.

Sustained legislative assistance donor efforts-- particularly from UNDP and USAID-- are on the increase, and other donors have and will in the future make contributions. Greater levels of coordination will be necessary in order to avoid duplication, and more positively to create where possible synergies to gain maximum gain from investments made.

This report provides an assessment of the stated and observed needs of the TNA. The report's main recommendations are summarized below for the purposes of this Executive Summary.

Two Tables provide graphic views of both the recommended Training Activities, and Short-Term Technical Assistance. Six Annexes provide supplementary material: Scope of Work, People Met, Relevant Documents Consulted, Analysis of TNA Information Environment, Profiles of Possible Resource Institutions for Training and STTA Interventions, and Training Considerations.

## **Summary of Main Recommendations**

### **Institutional Framework and Groundlaying Process**

- *the creation of a modernization/capacity building committee or task group with the express function of taking charge of these efforts,*
- *that the members of the group be designated by the President, and that the Secretary-General be a member,*
- *that a member of this group be designated as the entity through which donors can routinely deal with the TNA in their joint-development work,*
- *that the TNA be encouraged and assisted in establishing a training function such as a Training Steering Committee or Task Force or Work Group within or exogenous to the proposed Modernization Committee,*
- *that the TNA be helped to design an integrated and differentiated Training Program in the various fields of specialization relevant to the legislative staff (and even Members to a lesser degree),*
- *that, to initiate this training program, the Transitional National Assembly consider this report's menu of proposed activities when preparing its longer-range strategic plan or Modernization Plan,*
- *that shortly after its constitution, USAID sponsor a short study/observation tour for up to six members to Uganda, and one or two other countries (possibly Benin, Cameroon, Senegal) who have had experience with setting up such task forces, for a comparative view and to forge alliances,*
- *that the TNA spearhead, with USAID technical assistance, the creation of a Modernization Plan over a period of two years,*

- ▶ *that the modernization plan should start with the present situation and identify the steps (sequence, tasks, activities, funding, sources etc ) necessary to get to get to where the institution can reasonably hope to be by the end of the chosen time period, and*
- ▶ *that the TNA continue efforts to establish a Parliamentary Civil Service*

#### The Lawmaking Function

- ▶ *bringing in an external bill-drafting expert who would collaboratively inventory existing data on laws, and make recommendations on multilingual operations,*
- ▶ *training the lawyers in bill drafting skills in a 2-week in-country workshop via the above expert, followed by one lawyer spending a one-month in-depth stage overseas, follow-up STTA over the next 18 months to gauge progress;*
- ▶ *a short-term expert be recruited to look very closely at report writing routines and the flow of information with other offices concerned and to train committee secretaries in technical legislative report writing skills,*
- ▶ *all committee staff should be given locally off-the shelf training courses in basic computing skills, while some should receive advanced computing such as spreadsheet and statistical analysis, follow-up STTA over the next 18 months to gauge progress;*
- ▶ *all the committee staff should be given locally off-the shelf training courses in English language, and general office management skills,*
- ▶ *the Department of Studies and Documentation ("Direction d'Etudes et de Documentation") be reconceptualized as an Information Center equipped with a Legislative Research Library, a Documentation and Archives units,*
- ▶ *a short-term technical expert in budget analysis take a longer and deeper look at the budgetary process, including the structure and accessibility of government accounting systems, and suggest strategies for dealing with existing information and time constraints,*
- ▶ *that the short-term expert also conduct a 1-2 week technical workshop in budget analysis practices and skills with follow-up 6 months later, and*
- ▶ *the advisers to relevant committees undergo a 1-2 month internship in US/Canada*

## The Representation Function

- ▶ *an expert from a neighboring country that has implemented successful practices in this regard (Uganda, Mozambique), to assist TNA staff in running such a meeting locally,*
- ▶ *a 2-day workshop be held in-country for Members on the Techniques of Effective Representation,*
- ▶ *a group of local NGOs be invited to provide a series of policy briefings in issue areas of forthcoming interest,*
- ▶ *the TNA's Documentation Unit should begin to identify and compile a list of in-country information resources, by institutions, subject matter matters, and experts among the citizenry as part of one of the in-house databases to be created and maintained by the future Information Center,*
- ▶ *the future staff be trained in basic computer skills, report writing skills, and English language training, and*
- ▶ *a follow-on or a repeat of a journalistic skills course such as the Action Alertte Internationale course of last year*

## The Oversight Function

- ▶ *including an overview of the use of ministerial questioning in other similar nations in the curriculum of the various seminars and workshops planned above,*
- ▶ *that study tour participants should be programmed to visit parliamentary bodies with similar oversight powers, and*
- ▶ *hearing training and other activities discussed under representation be broad enough to include the oversight uses of the public hearing process*

## **Assessment Methodology**

From January 17 to 30, 1999, a team of three legislative experts was fielded by the State University of New York's International Programs and Development office at the request of USAID/Rwanda under Delivery Order 807, IQC AEP-5468-I-00-6004-00. The team's Scope of Work appears as Annex A, and briefly stated, details USAID's need for analysis and recommendations concerning the Transitional National Assembly (TNA) of Rwanda, established in 1994. Specifically, the assignment included an evaluation of stated needs surrounding the legislative process, information resource and management needs, training interventions, and technical assistance for staff and Members of the TNA.

In January 1999, the team began work in the US with several teleconference calls between New York, Texas, and North Dakota to discuss among themselves and with the USAID/Rwanda Strategic Objective 1 Team Leader Ms. Connie Paraskeva, the major thrusts of the assignment.

Ample reading material, including three UNDP reports, was provided by the mission, and was supplemented by information off the Internet (the Constitution, country background) and in books and The Legislative Encyclopedia. The team prepared itself by thoroughly reading these documents (see Annex C).

After arrival in Kigali on January 18, the team had nine working days plus three weekend days to carry out the Scope of Work. The first day was spent in a four-hour meeting at the National Assembly with representatives of UNDP, USAID, the Assembly, and the team to agree on focal points of the mission which would not overlap UNDP's current project activities and consultancies.

The rest of the first week was spent in interviews with key personnel within and external to the National Transitional Assembly, including Members, committee chairs, senior personnel and junior staff in most of the Directions and Divisions, the three top members of the Bureau, several NGOs, a new training Institute, and the UNDP consultants. See Annex B, People Met. The team also spent the latter part of one early afternoon checking and confirming both the expectations and timetable established by USAID with staff.

The second week was devoted to team meetings, report writing, spot interviews for supplementary information, and three debriefings (for USAID staff, for National Assembly/UNDP and USAID, and finally for the American Ambassador and his Deputy Chief of Mission). The team departed Kigali late January 30, 1999.

The final days of the consultancy were spent in the US finalizing the report by making modifications and additions suggested in the debriefings. The report was translated into French and sent to the mission at the end of February, 1999.

## Introduction

USAID/Rwanda has identified "increasing the rule of law and transparency in governance" (SO1) as one of three priorities guiding its efforts. More specifically, they recognized the need to "develop and strengthen systems which increase good governance through greater representation and to support accountability and transparency in the development of public policy and legal structures (IR 1.3) "

Elsewhere, effective legislative bodies -- entities that actively represent the populace, play a positive role in law-making, and exercise oversight over executive activities -- are often critical core institutions for supporting the democratic order. Representative bodies draw whatever legitimacy they enjoy from the claim to speak for the people, and redeeming that claim often requires members of the governing elite to connect with citizens and institutions of the civil society. Facilitating popular participation in governing requires fostering transparency and soliciting citizen opinions, and here legislatures are useful places to begin because their deliberations are usually more public and open vehicles of decision making than are executive deliberations. The rule of law begins with the passage of effective laws and legislative bodies are where adoption occurs. Accountability in governance usually means holding the executive accountable because most governmental action occurs there. Executive hierarchies are created to facilitate action and are often less adapted to exercising restraint or interpreting the government's prerogatives narrowly. So guardians of the rule of law are often more likely to be found in judicial institutions whose job it is to decide how to apply law (what it permits, prohibits and requires), and legislative bodies who make laws and oversee execution.

In Rwanda, however, the prospects that the Transitional National Assembly will perform these important democratic functions are diminished by the state of its current capacities. USAID/Rwanda and the leadership of the TNA agree that serious deficiencies exist in institutional capabilities to make laws, to exercise oversight, and even to perform the routine administrative functions necessary to support those functions. Assessments -- by USAID, by UNDP, by members whose study tour experience has sensitized them to what other bodies do, and by the political and administrative leadership of the TNA itself -- have identified a long and often very specific list of needs.

This report is organized into three main sections consisting of major recommendations, assessments about functionality, and a suggested plan for proceeding. Next come a series of annexes providing more detailed rationales, activities, resources, and other supportive material in depth.

The first section of our report deals with the need to establish an institutional framework and groundlaying process for planning, coordinating and executing the tasks necessary to achieve legislative functionality. Our assessment and that of the UNDP agree that the

needs of the Transitional National Assembly are multiple, deep, and wide, and will take a sustained effort of years and the support of multiple donors to meet. Therefore, we began with recommendations that urge the establishment of a modernization group responsible for devising a development plan and urge the creation of a career, parliamentary service within whose structure much of the anticipated capacity will be lodged.

The second part is where we have dealt with the specific assessment tasks assigned in the Scope of Work (see Annex A). USAID's overall purpose in developing legislatures as core democratic institutions lies in their potential to serve as deliberative bodies capable of making good laws, of representing the people, and of exercising a degree of oversight on governmental activities. We have chosen to organize our analyses and recommendations along the lines of those basic elements of legislative functionality: lawmaking, representation and oversight. Each finding and recommendation is therefore aimed at identifying what it will take to achieve higher levels of functionality in those important categories.

Thus, the first part of our report deals with the "who" question by recommending a body to be created responsible for institutional development, and the second part identifies the "what" by identifying shortcomings in TNA's current capacity to write laws, represent people, and check government action and in linking them to a partial list of capacity-building activities to deal with each.

## MAIN FINDINGS AND RECOMMENDATIONS

### Institutional Framework and Groundlaying Process

#### A. A Legislative Modernization Committee

Our analysis has found that the TNA has substantial formal powers to legislate and to exercise oversight but currently lacks important elements of the capacity fulfill those functions. Because the membership and staff are inexperienced and they must deal with a government which is also in the process of creating itself, the list of needs far exceeds available internal and external resources.

In response to this situation of serious and immediate needs, donor efforts have necessarily been driven by circumstances and the TNA has not articulated their overall vision of how they should develop. It is time to move beyond incremental efforts shaped by circumstances. These earlier efforts laid the foundation by creating and staffing an administrative structure, by rehabilitating physical space, by providing basic levels of computer and communications equipment, and by establishing procedures for the handling of legislation. The next steps will require greater levels of focus and coordination.

Therefore, we recommend

- ▶ *the creation of a Modernization/capacity building Committee (task group, not legally-constituted "Commission") with the express function of taking charge of these efforts,*
- ▶ *that the members of the group be designated by the President, and that the Secretary-General be a member,*
- ▶ *that a member of this group be designated as the entity through which donors can routinely deal with the TNA in their joint-development work,*
- ▶ *that the TNA be encouraged and assisted in establishing a training function such as a Training Steering Committee to set training guidelines and policies, to develop and apply selection criteria for participant training, to develop long-term training strategy, to coordinate with national and international providers, and to continually monitor reassess training needs of current and new Members and staff,*
- ▶ *that the TNA must be helped to design an integrated and differentiated Training Program in the various fields of specialization relevant to the legislative staff (and even Members to a lesser degree),*

- p *that, to initiate this training program, the Transitional National Assembly consider this report's menu of proposed activities when preparing its longer-range strategic plan or Modernization Plan (below), and*
- p *that shortly after its constitution, USAID sponsor a short study/observation tour for up to six members to Uganda, and one or two other countries (possibly Benin, Cameroon, Senegal) who have had experience with setting up such task forces, for a comparative view and to forge alliances*

**TRAINING DETAIL:**

**Activity:** Modernization Committee Study/Observation Tour

**Objectives/Description:** This Committee's members would constitute a small study group who would travel outside of Rwanda to observe the practices, progress, and recommendations of other similar newly-established Committees, such as Uganda (perhaps also Benin, Senegal, Cameroon, others to be determined). To encourage exchange between Members as support in their new process; to create "buy-in" to the Committee's mandate and upcoming activities. This trip would take place just before or shortly after the Strategic Planning Workshop described directly below.

**Duration:** 3-4 days

**Target Group/Numbers:** Members of newly formed Modernization Committee; should number no more than six and should include high-ranking staff member such as the President, Vice-President, or Deputy Secretary.

**Locale/Site:** Counterpart legislature in Uganda or other.

**Comments:** A key activity with high visibility, high potential for impact, with direct relevance to modernization process now being considered.

## **B. A Legislative Modernization Plan**

We anticipate that a sustained capacity building effort will require the attention, will, work, and resources of both the TNA and outside donors. It is therefore important that the TNA be clear about what it wants to achieve so that it can establish priorities for the use of TNA resources and have a clear idea about what actions it must take on its own. Major donors, too, would find a plan useful as a means of avoiding duplication and forming the basis for an explicit division of efforts. Finally, a plan would allow donors less involved on a sustained basis to make contributions by selecting among unfunded portions of the plan that play to their relative comparative advantage.

We recommend therefore that

- *that the TNA spearhead, with USAID technical assistance, the creation of a Modernization Plan over a period of two years, and*
- *that the Modernization Plan should start with the present situation and identify the steps (sequence, tasks, activities, funding, sources etc ) necessary to get to get to where the institution can reasonably hope to be by the end of the chosen time period*

**TRAINING DETAIL:**

**Activity:** Strategic Planning Workshop with the TNA

**Objectives/Description:** Workshop would be organized to review findings and recommendations of this report more fully; to learn about legislative modernization efforts worldwide and in the region; to prioritize the institutional development needs of the National Assembly; to agree on goals and an institutional strengthening plan for the institution; and to determine specific activities to be carried out over the next two years to help meet TNA's strengthening goals. Workshop should be highly participative, product-oriented, with pair, team, and small group work. An outline of a possible Modernization Plan is a feasible outcome of the Workshop. Should take place one to two months after needs assessment is thoroughly vetted at the TNA to not lose the "elan" and "esprit" engendered.

**Duration:** 2 days, with repeat STTA visits over ensuing 2 years to work on Plan with same consultative group.

**Target Group/Numbers:** Senior leadership of TNA, or members of Modernization Committee if already formed. Also should be attended by USAID representatives, other donor representatives (e.g., UNDP).

**Locale/Site:** Should be held at the TNA.

**Comments:** This is a critical first step in ensuring that the planning process be initiated, owned, and carried forward by the TNA itself.

### C. A Parliamentary Civil Service

We recommend that

- *that the TNA continue efforts to establish a Parliamentary Civil Service*

Current capacity building efforts are focused on training the staff as an investment in the future. A Parliamentary Service would increase the chances of obtaining a nonpartisan, professionalized cadre of employees under the autonomous financial and administrative control of the TNA.

We realize, of course, that there may be constitutional and political obstacles to the creation of such a service. So it would be useful to consider strategies for dealing with these obstacles including exploration of statutory changes and devising other strategies to achieve a degree of continuity.

## **1. THE LAWMAKING FUNCTION**

### **1a. LEGISLATIVE BILL DRAFTING**

While Members have the right to introduce legislation, no organized system currently exists to guarantee that they will have assistance in drafting proposals. Of the 18 laws enacted in 1998, only two were initiated by members and the remainder came from the government. The President of the TNA and the Secretary General have identified the need for bill drafting assistance as a priority. Complicating efforts to improve drafting capacity is the language problem. Although it is required that proposed laws be submitted in three languages, and fulfillment of this requirement is necessary for many deputies and staff to understand what they are considering, in fact many proposed laws are not submitted in the requisite form.

Our team recommends that an office be established to begin to develop this capacity by

- ▮ *bringing in an external bill-drafting expert who would collaboratively inventory existing data on laws, and make recommendations on multilingual operations, and*
- ▮ *training the lawyers in bill drafting skills in a 2-week in-country workshop via the above expert, followed by one lawyer spending a one-month in-depth stage overseas, follow-up STTA over the next 18 months to gauge progress*

**TRAINING DETAIL:**

**Activity:** Bill Drafting Technical Skills Technical Workshop with Follow-On Internship Abroad

**Objectives/Description:** To provide an overview of the variety of institutional arrangements for bill drafting systems (manual, automatic, *ad hoc*); to impart the technical craft of bill drafting (manual or automatic system) of new and consolidated laws, including the study of existing legislation and possibly statutes from other locations, the use of legal language and templates, the arrangement of clauses and legal formats, in cleaning up and better organizing legal codes in specifications, and in reviewing legislation for constitutionality; and to help determine who the bill drafting efforts will serve, whether committees, all Members, parties.

**Duration:** Wkshp 2 weeks, internship 1 to 2 months. (Follow-up over ensuing 18 months to gauge progress and retrain if necessary.)

**Target Group/Numbers:** all "juristes" (presently 4) in the TNA committees (Economics, Budget, Foreign Affairs, Human Rights), plus interested MPs (up to 5 or 6). Choose one (1) for internship, probably Economic Committee lawyer/adviser or other motivated individual subsequently selected for follow-on technical "stage" abroad. Workshop could include ministry legal staff as participants?

**Locale/Site:** Workshop at TNA; Internship in US or Quebec at appropriate research entity.

**Comments:** Related to this activity is UNDP's project in Objective 4, in which they plan to organize conferences and workshops around legislative procedures in initiating laws, tentatively planned for May and August 1999. They intend also to arrange two or three observation/study tours around the theme of law initiation for 4 Members each to Northern Europe and/or developing or American countries. Note language requirements in Rwanda for bills -- must be finalized in three languages -- a training consideration.

## 1b. LEGISLATIVE COMMITTEE WORK

Woodrow Wilson said that "Congress in committee is Congress at work " The TNA has nine of them to support the legislative functions of the TNA Political, Economic and Budget, Science, Culture and Youth, Foreign Affairs and Cooperation, Social Affairs, Security and National Defense, National Unity and Human Rights, National Heritage, and Agriculture, Cattle Breeding, and Environment But the TNA in committee does not always translate into the TNA's best work

The staffs, secretaries and rapporteurs of these committees have to deliver on several levels -- technical writing, research and analysis, and administrative They record the minutes of the committees meetings, draft the report of the deliberation and actions taken

by the committee, and make available these reports to the Director of the Department of Parliamentary Works ("Direction des Services des Travaux Parlementaires") In addition, they take on research responsibilities in connection with their committee's work, and manage the administrative business of their committees

The staff of these committees are unable to carry these responsibilities effectively and in a timely manner due to several reasons The TNA has newly recruited its committee staff, none with any pertinent training in minutes taking, report writing, office management, computer skills and languages, especially English Committee minute-taking and report writing involve laborious manual and repetitive production routines The coordination of a committee's activities and the sharing of its reports with other departments within the TNA are time-consuming and drain off valuable human resources

The work of the committee staff can be made considerably easier with the streamlining of the production routines of minutes-taking and report writing activities The coordination of report sharing can be systematized through an analysis of the flow of information between the departments of the TNA and the schematization of a flow chart of information sharing The benefits of such an exercise are numerous It would clarify the sequence of report production, the levels and people involved in or authorized to access, and it would streamline the sharing routines Furthermore, it is an essential foundation for a Management Information System (MIS) and a Local Area Network should the TNA decide to move toward an automated environment of information sharing within its various departments and Divisions

We therefore recommend that

- *A short-term expert be recruited to look very closely at report writing routines and the flow of information with other offices concerned and to train committee secretaries in technical legislative report writing skills*

**TRAINING DETAIL:**

**Activity:** Legislative Report Drafting and Preparation In-Service Workshop

**Objectives/Description:** To impart the skills and knowledge, through practice, in developing rational, comprehensive reports, memos, briefing papers, policy statements, sector information and analyses, responses to simple information requests, in-depth option papers, issue briefs, background papers, and even strategic, action, and workplans (Modernization Plan, training plans, IT long-term plans, staff development plans) to improve the speed, accuracy and availability of these documents while using clear writing, the avoidance of jargon, and good editing to make the analysts' work understandable to non-specialists.

**Duration:** 5-day workshop (follow-up over ensuing 18 months to gauge progress and retrain if necessary.)

**Target Group/Numbers:** up to 10 staff in Comptes-Rendus, 9 secretaries of committees

**Locale/Site:** in-service on-site

**Comments:** A subset of this skill area is record keeping. It can be included in the syllabus of the workshop -- the accurate and efficient recording and subsequent production of all cumulative decisions, bills' status, committee referrals, committee meetings minutes, agendas and calendars, verbatim transcripts and memos -- to streamline and improve mid-level staff capabilities. A further consideration is that skills in translation and interpretation could be accented via this activity. Local NGOs also expressed interest in this workshop.

Secondly, although committees have seven computers at their disposition, none of the staff have adequate computing skills. It is essential that all the committee staff have sufficient knowledge in basic computing skills, and especially in word processing. Others, such as the Economic and Budget Committee staffs, should have an advanced knowledge in spreadsheet and statistical programs.

Most of the committee staff speak French, but they often have to carry out the TNA's business in English, do research and studies which involve English resources, and communicate occasionally with anglophone Members. In addition, their deficient office management skills contribute to a considerable lesser quality administrative performance within their offices.

We therefore recommend that

- p all committee staff should be given locally off-the shelf training courses in basic computing skills, while some should receive advanced computing such as spreadsheet and statistical analysis, follow-up STTA over the next 18 months to gauge progress;*
- p all the committee staff should be given locally off-the shelf training courses in English language, and general office management skills*

***TRAINING DETAIL:***

**Activity:** Information Technology and Basic Computer Training Courses "Informatique"

**Objectives/Description:** To enable all key staff in the Assembly to acquire the technical skills and generalized knowledge of computer usage for their specialized tasks be they clerical or technical: setting up databases or spreadsheets to track bills, constituency requests, budget submissions, minutes and reports; handling routine letters and reports through word processing; accessing the Internet and email for research and correspondence purposes; printing, troubleshooting; preparing publications such as the Assembly Newsletter; planning. Basics could include Introduction to the Personal Computer, Typing by Computer, Windows, Word Processing, Spreadsheets, Databases, Internet, Desk-Top Publishing.

**Duration:** (depends on theme)

**Target Group/Numbers:** 90 staff, 70 Members

**Locale/Site:** In-service, in-country

**Comments:** In 1996, all employees received a month-long training (3 days a week, 2 hours a day) in general computer orientation and word processing. This would be a follow-up three years later, and a more in-depth effort. In this area, there is high demand, and much potential for rapid impact.

***TRAINING DETAIL:***

**Activity:** English Language Training (English for Legislative Purposes) for Legislators and Staff

**Objectives/Description:** To allow the 160 individuals working within the legislature to acquire at least conversational, if not written and reading, capability in the newly-designated third official language of the country, English; to enable staff to perform administrative tasks such as translating, reporting, writing reports, and dealing with the public more efficiently in the anglophone environment. Will also allow specialized individuals such as staff in the Traduction/Interpretariat to more smoothly carry out their functions in the three languages.

**Duration:** probably over a matter of months, as work schedule allows

**Target Group/Numbers:** 160 staff and Members

**Locale/Site:** On-site and at a local training provider

**Comments:** In April 1999 the School for International Training (Vermont USA) will be fielding a long-term (one-year) adviser/teacher trainer who will work with local English teachers in providing ESL to all legislators and staff wanting to participate. Trained teachers may then be used for additional cycles of ESL teaching, among remaining legislators and interested staff. NGO staff have also expressed the need and interest in being trained in English.

**TRAINING DETAIL:****Activity:** Basic Management Skills Courses**Objectives/Description:** To enable mid-level to senior-level managers to acquire and practice basic office management skills such as planning, running effective meetings, communication skills, performance evaluation and feedback, supervisory skills, delegation skills, decision-making, conflict resolution, and time management. Specialized managers might take extra instruction in human resource management and/or financial management skills. Lower-level cadres could benefit from training in such simple administrative skills as filing, taking messages, organizing workflow, taking notes, etc.**Duration:** one week courses**Target Group/Numbers:** 10 Directors of Divisions or Services, the Secretary General, nine Secretaries of Committees up to five mid-level manager; approximate total: 25.**Locale/Site:** on-site or at local training institute**Comments:** The Rwandan Institute of Administration and Management in Gitarama is presently implementing such a course for four senior staff including the Secretary General; first run in November 1998 for one week, to be repeated in February 1999, perhaps again in 1999. Financed by Ministry of Public Function. USAID might consider extending the contract or hiring another contractor.

Committee work is at the core of any legislative system. The improvement of their work capabilities and performance contributes directly to an enhanced and effective legislative body.

### 1c. LEGISLATIVE RESEARCH AND PUBLIC POLICY ANALYSIS

TNA political and staff leaders hope to build policy area expertise primarily at the Committee level. To be effective, legislative bodies must be capable of considering a wide range of issues in depth. Thus, an effective division of labor into smaller, specialized work groups, is usually considered necessary for later informed deliberation by the plenary. Committees are expected to play this role. Committee staffs at the TNA are small, inexperienced, and have very limited facilities (library, translation, clerical) at their service. Their needs for help range from basic staff skills (report writing and presentation) to developing some capacity to understand and produce more specialized research by subject area.

It is unrealistic to expect that they will become the primary generators of policy knowledge in their respective areas. We therefore recommend that their role be conceptualized as that of information intermediaries, people who will know where to look, whom to ask, and how to meet the particular needs of elected decision makers. The focus should be on the acquisition of skills that would be useful across

subject areas (as committee jurisdictions are in some flux) and focused on increasing their capacity to understand and to restructure more specialized information for less knowledgeable political decision-makers with special needs

The TNA has a Department of Studies and Documentation (Direction d'Etudes et de Documentation) that is composed of two units -- one for research and one for documentation. The total number of staff is four. The Director of the department and the Director of the documentation unit have university education and two clerks with secondary education. The Studies unit does not have staff yet. The staff is mostly unskilled and inexperienced.

The TNA's Department of Studies and Documentation collection is currently in an unfortunate condition. The collection is made up of very few print items haphazardly acquired and badly maintained. There are old books, some United Nations reports, journals, and a few old reference resources. The collection is primarily in Kinyarwanda, French, and English (though some books in German and others on subjects completely irrelevant to parliaments can also be found). With no budget for collection development, the resources have been acquired mainly through gifts giving the library very little choice and control over subjects and language domains of its acquisition.

The depressing situation of the current collection escapes no one. It is addressed in the UNDP's Consultant report of 11 May 1998 and is the subject of a UNDP - Project RWA/98/022 "Renforcement des Capacités de L'Assemblée Nationale - VNU Documentaliste". This project will field a documentation/librarian expert for the duration of one year. The UNDP expert will work to upgrade the collection's management and access, will assist in identifying and acquiring new resources and to some extent will train the Director of the Department. The UNDP's assistance will definitely bear tremendous benefits for the TNA.

Nevertheless, the TNA may want to think more in terms of reinventing this department along the concept of an information center. That is a hub of print and electronic resources, information systems and services and official records, active and non-active, that are systematically collected and designed to strengthen the legislative capacities of members and their staff.

Therefore, we recommend that

- ▶ *the Department of Studies and Documentation ("Direction d'Etudes et de Documentation") be reconceptualized as an Information Center equipped with a Legislative Research Library, a Documentation and Archives units*

Also, a second important point in this category of Legislative Research and Policy Analysis To fulfill its functions of lawmaking, budgeting and oversight, the TNA needs constant access to national, regional and international information The information must be timely, accurate, current and usable, i e , packaged in a form and level suited for the purpose of the TNA users Such information is a key element to ensure that public policy decisions are rooted locally as well as informed from different experiences

There are few people at the TNA that have the knowledge and skills required to prepare legislative research, issues briefs and background papers, package and present the finding to Members Furthermore, few people in the TNA know how to access the Internet, online services, and other information technology products to generate policy briefing materials

Therefore, we recommend that

- *the Director of Information Center, the Director of the Legislative Research Library, the Director of the Documentation Unit and staff in these units, plus committee secretaries participate in an in-service course on research skills, followed by an in-depth overseas internship for one participant,*

**TRAINING DETAIL:**

**Activity:** Legislative Research and Policy Analysis In-Service Courses

**Objectives/Description:** To impart knowledge and skills in the preparation and packaging of basic public policy research, issue briefs, background papers, and in-depth policy option papers; in using objectivity in researching and writing; in critiquing bills, drafting amendments, and writing executive summaries; in using automated databases and the Internet and other information technology to generate such briefing materials; in using the wide variety of agencies and services (inside and outside the legislature, partisan and nonpartisan) to provide them the information needed by committee chairmen and Members to formulate public policy recommendations.

**Duration:** two-week intensive course at the Assembly

**Target Group/Numbers:** 4 staff in Etudes/Documentation Division, plus 2-3 staff in new Information Center if created, plus Library Director and librarian; total 9. Could include several interested MPs.

**Locale/Site:** Workshop at TNA.

**Comments:** In addition to the in-country courses and the external internship -- see below -- this theme lends itself particularly to a dynamic study/observation tour; see further below, which would further solidify and extend skills throughout many key staff in the Assembly.

**TRAINING DETAIL:**

**Activity:** Legislative Library Internship Abroad

**Objectives/Description:** To permit a senior library/research center staff member the opportunity of expanding skills and knowledge in such areas as collection policy and management, development of library services for Members' information needs, appropriate reference materials for information requests, data processing to support a research automation effort; referencing techniques and information technology skills, including library software skills; and library acquisition skills during a 1-2 month "stage" or internship in North America.

**Duration:** one to two months

**Target Group/Numbers:** One senior researcher or Director of new Information Center or Director of Library

**Locale/Site:** US state, Canadian, or Washington DC legislative library

**Comments:** Candidate must be anglophone if placed in US state or Congress's library. Other parliaments have considered not just an internship, but the matriculation of an appropriate candidate in a Masters program in Library and Information Science, a more expensive proposition.

- ▶ *the Vice President and senior research staff travel to Canada and the US on an observation/study tour of state-of-the-art legislative research and information sources practices, services, staffing*

**TRAINING DETAIL:**

**Activity:** Comparative Legislative Research and Information Sources Study/-  
Observation Tour to US/Canada

**Objectives/Description:** To contribute a state-of-the-art comparative approach to the management of integrated policy research and information organizations, processes, services, and products targeted for Member utilization in decision-making; to observe best practices in integrated policy research and information management from a comparative perspective; to have meaningful dialogue with their colleagues in other legislatures, both parliamentary and presidential; and to enable legislators create a "dynamique du groupe" in order to focus on the specific research and information needs of the TNA.

**Duration:** ten days

**Target Group/Numbers:** Vice-President of TNA, senior research staff to total no more than 6 participants.

**Locale/Site:** Ottawa, Canada (Parliamentary); or large US state and Washington DC (Presidential)

**Comments:** This very dynamic early study tour for both the leadership and senior ranking staff of the National Assembly should be among the first USAID initiatives. One of the attendant results is to create a nexus of change agents to provide the leadership and vision for future USAID interventions.

## **1d. BUDGET ANALYSIS**

The TNA's authority over the government budget is substantial. They have the annual responsibility of passing the budget bill and through this and other powers TNA could become an important arena for debating and shaping national priorities. We found that present capacity is lacking. Committee consideration of the budget is hampered by the inexperience of members and the inexperience of the recently hired staff. Furthermore, there are other problems including time constraints. The short 40-day period formally available for TNA consideration of the budget law is further consumed because the budget has been late, translation takes additional time, and the budget process itself is in transition (as committee jurisdictions change and responsibility for consideration is more widely shared with the plenary and committees in addition to the Economic Committee)

We would look to a strategy for first learning more about the process. Structural problems can be addressed at the same time as some analytic capacity can be built in the short-term. We therefore recommend

- *a short-term technical expert in budget analysis take a longer and deeper look at the budgetary process, including the structure and accessibility of government*

*accounting systems, and suggest strategies for dealing with existing information and time constraints,*

- ▶ that in addition to the above analysis, the budget expert will conduct a 1-2 week technical workshop in the budget analysis practices and skills, and*
- ▶ the advisors to relevant committees undergo a 1-2 month internship in US/Canada*

**TRAINING DETAIL:**

**Activity:** Budget Analysis Internship Abroad

**Objectives/Description:** To permit one to two senior staff member to spend one to two months alongside international counterparts learning the state of the art skills and knowledge necessary to efficiently and quickly analyze and report on budgets, including modeling techniques.

**Duration:** one to two months

**Target Group/Numbers:** One or two technical advisors to the Economic Committee and/or Budget Committee

**Locale/Site:** US state legislature with strong budgeting capacity.

**Comments:** Follows on from STTA expert examining processes. Candidate must be at least somewhat proficient in English. If not, alternate site would be Quebec provincial legislature.

## **2. THE REPRESENTATION FUNCTION**

### **2a. PUBLIC HEARINGS**

We found that the TNA is concerned about its capacity to communicate with the public and to meet their own information needs in legislating. Above under the Lawmaking Function we have recommended building the TNA's capacity to do policy analysis, but we believe that the public should also be a source of information for legislating. One means of getting the public's views better represented, and at the same time acquiring information for legislating and for exercising oversight is to use a public hearing process. Staff and Members cannot now use public hearings because they do not know how to initiate, organize, and use the findings in their legislative processes. We recommend

- ▶ an expert from a neighboring country that has implemented successful practices in this regard (Uganda, Mozambique), to assist TNA staff in running such a meeting locally, and*

- *a 2-day workshop be held in-country for Members on the Techniques of Effective Representation*

**TRAINING DETAIL:**

**Activity:** Techniques of Effective Representation for Members Workshop

**Objectives/Description:** To enable new and experienced MPs to observe, learn, and practice the techniques and comparative modes and methods of holding central and mobile public hearings, to better understand the needs of the electorate and to respond to those needs; to utilize the media as effective tools for communication the role and responsibilities and accomplishments of the legislature to citizens; to present methods of organization and coordination to address constituents' needs.

**Duration:** 2-day Workshop with real public hearing afterwards

**Target Group/Numbers:** all new and existing Members (70)

**Locale/Site:** In-country

**Comments:** This could be treated as a sub-theme of a future New Member Orientation program. Note that UNDP is already contemplating the organization of several awareness-raising campaigns ("sensibilisation") with all partners when it fields its Communication expert in March 1999. This will include several monthly field trips by Members to local areas either on their own initiative or following on requests by constituents/citizens.

## **2b. NGOs**

We think that another way that TNA could meet its expressed goal of better representing the public is through more routine involvement of the NGOs in the legislative process. While the public at large does not seem interested in participating extensively and directly in legislative matters, groups of citizens often have the desire and informational means to play a positive role. Recent examples of the budget process involving business groups from the society, or the relationship of female deputies with womens' groups, are examples of the potential that developments in this field hold for better representation. We therefore recommend encouraging practices to build more regular contacts between NGOs and legislators and legislative work groups.

Several local NGOs have expressed an interest in closer ties with the TNA in areas of common policy interest. We recommend that

- *a group of local NGOs be invited to provide a series of policy briefings in issue areas of forthcoming interest*

Finally, the information-gathering activities of the TNA should not be confined only to the resources available within its Information Center. Researchers must extend to national and

possibly international environments through a number of information-gathering techniques and cooperative agreements

There are many sources of information available to the TNA at the national level the academic and research institutions, private institutions, NGOS and independent subject experts Some of these have qualified professional skills essential to the TNA at some point

Linkages between these various information sources and incorporating information that is meticulously gathered through external sources is likely to enrich the TNA research analysis and bring about Members' opinion that is informed by outside expert sources

By identifying these sources of information and building linkages with them, the TNA extends its information potential beyond its available information resources Therefore, it is highly recommended that

- *the TNA's Documentation Unit should begin to identify and compile a list of in-country information resources, by institutions, subject matter matters, and experts among the citizenry as part of one of the in-house databases to be created and maintained by the future Information Center*

## **2c. THE PRESS**

The TNA press is mandated to inform the general public about the Transitional National Assembly's legislative activities of issue deliberations, tracking of project laws coming from the government and initiated by the TNA, and the activities of its president The TNA has a Department for the Press and Communication ("Direction de Presse et Communication") that is composed of two units -- one for the press and other forms of media, and one for communication The Department has four full-time staff a Department Director and his secretary, and a Director for the Communication unit and his assistant The Press unit does not have staff yet

The TNA publishes a monthly journal in Kinyarwanda This was made possible by a grant from Action Alertte Internationale However, the Journal does not have an editorial board, it relies mainly on a voluntary committee formed by the staff of the TNA This situation renders the publication of the Journal very dependent on the voluntary staff's time and availability, which often leads to substantial delay in the publication of the Journal

Moreover, those who do manage to contribute to the Journal lack the professional skills to write in a journalistic style In addition, the TNA plans to start publishing the Journal in English and French now that the TNA's President has given the authorization to do so The

implementation of such a plan is in question due to the lack of professional staff and to the lack of language skills, especially in English

The TNA needs to have a permanent editorial staff with professional skills in journalism. This will enable the TNA to communicate its legislature activities to the public in a timely and efficient manner. We recommend

- ▶ *the future staff be trained in basic computer skills, report writing skills, and English language training,*

**TRAINING DETAIL:**

(See training detail of these subjects above.)

- ▶ *a follow-on or a repeat of a journalistic skills course such as the Action Alert Internationale course of last year*

### **3. THE OVERSIGHT FUNCTION**

#### **3a. IMPROVING THE USE OF QUESTION PERIODS**

The oversight powers of the TNA are impressive and substantial. They include the capacity to question ministers— both in plenary and in commissions— and to compel the production of information and documents. Backing these substantial information gathering powers are a host of important sanctions (powers to remove ministers, bring down the cabinet by removal of the prime minister, and even to bring the President into removal proceedings tried in the high court)

The TNA's general approach to oversight is similar to that found in many parliamentary countries. It focuses on the Members' questioning powers. Due to the recency of the oversight law, and the press of other business along with the basic time-consuming tasks of initially setting up for legislative business, basic oversight skills have not yet been developed.

We expect that while questioning on the floor will remain an important tool, developing capacity at the committee level will facilitate better use of the power at a stage where it will most affect informed deliberations and allow them to set the stage for more useful plenary questioning. To address these capacities, we recommend

- ▶ *including an overview of the use of ministerial questioning in other similar nations in the curriculum of the various seminars and workshops planned above, and*

- ▶ *that study tour participants should be programmed to visit parliamentary bodies with similar oversight powers*

### **3b. IMPROVING OVERSIGHT USING CITIZEN HEARING INPUT**

The approach of questioning government officials, as a means of oversight, is most effective when it is combined with other information gathering strategies. These include oversight hearings to gauge the impact of government activities on citizens and other involved parties, commission practices which facilitate sustained looks at given governmental activities, background briefings in policy areas to provide deputies with a quick way to grasp the major issues at stake.

We therefore recommend that

- ▶ *hearing training and other activities discussed under representation be broad enough to include the oversight uses of the public hearing process*

### **CONCLUSION**

The formal powers of the TNA are substantial. In theory, Members pass the laws that define the government's powers and shape the exercise of them, they determine where government can get its money, how it can spend it, and whether or not the ministers that run the government can continue in office.

Our needs assessment, however, has indicated serious deficiencies in institutional capacity and capabilities. Most participants and observers inside and outside of the TNA see a lengthy and costly process of capacity building before the institution can expect to fulfill the substance as well as the form of its legal obligations.

In between the legal potential and the development of necessary capacity lies a substantial effort. The political and administrative leadership of the TNA have decided to focus their efforts on developing the staff's capacity to serve Members as lawmakers. We have, in our recommendations, also stressed the other legislative functions of representation and oversight in our recommendations for capacity building. Much has already been done, but the assessments indicate a substantial distance yet to be covered.

This needs assessment, and the expected product of UNDP's assessment processes should be conceptualized as producing the raw material for a more synoptic look at how the TNA should develop.

While incrementalist strategies are useful for identifying and dealing with the most pressing needs, a functional legislative body requires its parts to work in concert to represent and legislate effectively. At this point, the metaphor should be one of designing and assembling machinery rather than one of fighting fires as they occur.

Our overarching recommendation is for the TNA to now take the initiative in articulating its vision of what should be achieved, as well as devise a realistic plan for creating the kind of capacity they desire to have, and for USAID, for its part, to contribute to this effort through providing material assistance, appropriate knowledge, and access to lessons learned by others.

**TABLE 1: Recapitulation of Training Recommendations**

<b>Activity</b>	<b>Participants</b>	<b>Locale</b>	<b>Duration</b>	<b>Comments</b>
<b>GROUNDLAYING:</b>				
Modernization Committee Study/Observation Tour	Members of newly formed Modernization Committee (6)	Uganda, Benin, Senegal, Cameroon	1 week	Must dovetail or immediately follow Strategic Planning Workshop
Strategic Planning Workshop w/ TNA	Sr leadership of TNA, or members of Modernization Committee if formed	At TNA	2-day workshop	Crucial first step in process, see STTA for follow-on over 2 years
<b>LAWMAKING FUNCTION:</b>				
Bill Drafting Technical Skills Workshop and Follow-on Internship Abroad	all "juristes" (presently 4), choose one (1) for internship	Workshop at TNA, Internship in US or Canada bill-drafting office	Wkshp 2 weeks, intrnship 1-2 mo	UNDP plans workshops around legislative procedures for initiating laws in May & Aug 99, internship requires language fluency
Legislative Research and Analysis In-Service Courses	4 staff in Etudes/Documen 2-3 staff in new Info Ctr, plus Library Director and librarian, total 9	Workshop at TNA	2 weeks	This theme lends itself very well to research study tour, see below
Legislative Library Internship Abroad	One senior researcher or Director of new Information Center or Director of Library	US state, Washington DC, Canada	1-2 mo	Internship requires language fluency
Comparative Legislative Research and Information Sources Study/Observation Tour to US/Canada	VP of TNA & sr research staff (6)	US or Canada parliament/-legislature	10 days	

<b>Activity</b>	<b>Participants</b>	<b>Locale</b>	<b>Duration</b>	<b>Comments</b>
Legislative Report Drafting and Preparation In-Service Workshops	up to 10 staff in Compte-Rendus, 9 secretaries of committees	In-service workshop at TNA	5-day workshop	Tie-in to USAID's project in Uganda for regional expertise coupled with local talent Local NGOs also expressed interest in this workshop
Budget Analysis In-Service Workshop	up to 15 relevant committee staff, Members, budget analysts	In-service workshop at TNA	2-week workshop	
Budget Analysis Internships Abroad	(1) Tech advisor to Econ Comm and/or Budget Comm	A US state Assembly or Senate budget office (or Canada)	1-2 months	Requires English fluency, otherwise, posting to Quebec or other Follows on from STTA expert examining processes and conducting workshop, above
<b>REPRESENTATION FUNCTION</b>				
Techniques of Effective Representation for Members Workshop	all new and existing Members (70)	On-site	2-day Wkshp with real public hearing after	If TNA ever does New Member Orientation program, this would be component UNDP planning some activity along these lines
<b>LEG MANAGEMENT/ADMINISTRATIVE FUNCTION</b>				
Information Technology and Basic Computer Training Courses "Informatique"	all employees (90), & 70 Members	on-site or at local training institute	1- mo courses 3x wk for 2 hrs each (as done in 1996)	Could begin immediately, much impact WP, Spreadsheets, Typing by Computer, Windows, Databases, Internet, Desktop Pub

Activity	Participants	Locale	Duration	Comments
Basic Management Skills Courses	10 Directors & SG, 9 Sec'ys of Committees & mid-lev managers (5), total 25	on-site or at local training institute	one week courses, next one Feb 99, for one more yr	Currently financed by Min Fonction Publique till end 99, need HRD, Financial Mgmt, Office mgmt
English Language, English for Legislative Purposes for Legislators and Staff	roughly 60 MPs and 80 staff	on-site	in-service courses over a year	NGOs have also expressed need Subtheme is translation skills English-French-Kinyarwanda for researchers, report writers, journalists

**TABLE 2: Recapitulation of Short-Term Technical Assistance Recommendations**

Activity	Expert Needed	Level of Effort*	Comments
Legislative Strategic Planning Workshop STTA	French-speaking expert in legislative modernization (prob expat) coupled with French-speaking workshop facilitator (local or expat)	2 wks each if 2	If subject matter specialist is also adept at facilitating the process, LOE could be limited to one person Participants to number perhaps 10-12
Modernization Plan TA STTA	French-speaking legislative expert to help draft and refine, and plan for, then monitor, implementation of the TNA Modernization Plan over two-year period	2 p/m = 4 trips of 2 weeks each spaced over 2 yrs	STTA should work with same group of legislators/staff throughout the iterative process of developing the plan, over the course of 2 years to ensure viability, buy-in, accuracy, and to correct for political developments
Legislative Bill Drafting STTA	Bill drafting expert who has experience training as well, prefer French speaking	Total 4 p/m spaced 4 months apart	TNA also wants expert to work with MPs to actually initiate legislation, however UNDP may cover? Initial 1 p/m TA is followed by 3 more p/m spaced over the following 18 mo as follow-up to gauge progress of training efforts
Legislative Report Writing STTA	Legislative staff member or consultant with expertise in writing issue briefs, background papers, reports, policy option briefs, etc Probably must be French-speaking, also w/ training experience	Total 4 p/m spaced 4 months apart	Will carry out in-depth analysis of report writing routine and flow first, followed by training of committee secretaries in technical legislative report writing skills Training could include a local counterpart which would increase LOE Three follow-up TA trips spaced 4 months apart as follow-up to gauge progress of training efforts
Legislative Budget Analyst STTA	French-speaking budget analyst with training skills	3 weeks, repeat 3-week TA 6 months later	Could be co-trained with local counterpart from University or Institute, which would increase LOE Expert should return a half year later for 3 weeks to gauge progress, retrain, refine
Public Hearings STTA	French-speaking expert with experience in conducting public hearings with/for Parliaments	1 week	For example, expert from Uganda's Parliament Would actually conduct a real hearing in Kigali or local town for practice after reviewing practices with participants

\* LOE usually to include preparation, travel, initial briefings with USAID and TNA, interviews/data collection or in-depth study followed by actual workshop or training, debriefings, report writing

# **ANNEX A**

## **Scope of Work**

# **SCOPE OF WORK FOR TRAINING NEEDS ASSESSMENT OF THE RWANDAN NATIONAL ASSEMBLY**

## **Introduction**

Rwanda faces several social, political and developmental problems. The current Government of Rwanda therefore faces multiple challenges: reintegrating displaced people and returnees into the productive sector, restoring confidence in the rule of law, ending the cycles of impunity, and building a nation in which the rights of all people are respected and protected.

These challenges call for mobilization of the nation's human resources at the national and the local levels. It is indeed a daunting task and Rwanda's National Assembly is not an exception.

## **Background**

The present legislative body is a transitional National Assembly consisting of seventy legislators. All the legislators have been appointed following political quotas established in the Arusha Peace Accords. This legislative body came into existence on the heels of the 1994 war. Even though it is not an elected body, the current National Assembly is one of the key governmental bodies for introducing accountability in governance. As with the rest of the Rwandan branches of government, it needs support in most of its basic functions to be able fulfill this role.

The assembly has nine technical committees which support the work of the legislators:

- the Political Commission,
- the Economic and Commercial Commission,
- the Science, Culture and Youth Commission,
- the Foreign Affairs and Cooperation Commission,
- the Social Affairs Commission,
- the Security and National Defense Commission,
- the National Unity and Human Rights Commission,
- the Budget and National Heritage Commission, and
- the Agriculture, Cattle Breeding, and Environment Commission.

These commissions lack the basic elements to provide needed technical input to the legislators in the analysis of legislation, national budget and drafting of legislation. Every commission is at least made of 5 Members of Parliament. To become operational, the essential needs of the assembly are for substantive knowledge about the legislative process (drafting, analysis, review of laws), a dedicated professional cadre that can survive the future electoral process and become part of a civil service system, equipment, and, potentially, improved communications channels and enhanced dialogue with Rwandan citizens. It is also important to note that since Rwanda has now 3 official languages, this imposes an added burden on the National Assembly's resources.

What USAID hopes to achieve in its support to the National Assembly is to enhance the

analytic and legislative capacity of Members of Parliament serving on technical committees and their staff, including the capacity to analyze and draft legislation and review the national budget, the development of a well-trained and equipped technical staff, the establishment of a permanent legislative research center to service the needs of *all* Members of Parliament and their technical staff, the creation of a management information system (MIS) for the assembly members (both legislators and technical staff), the creation of an integrated MIS between the Assembly and the MOJ to improve accessibility to information (legislation, legislative reform, laws, etc), and strengthened dialogue between members of parliament and Rwandan citizens

## **1. Purpose**

Under SO1 “Increased Rule of Law and Transparency in Governance”, IR3 Improved Governance, Accountability and Transparency, Activity 3 2 it is contemplated that analytic capacity and legislative skills of Members of Parliament and technical committee staff will be improved

In keeping with this objective, the purpose of this procurement is to initiate a process that will lead to the improvement of the legislature’s capacity to investigate, research, propose and draft legislation that reflects the interests and needs of all Rwandans during this transitional period. To achieve this, several assessments need to be undertaken: the training needs of the Members of Parliament serving on technical committees, training needs of technical committee staff, identification of targeted observation tours as to how elected legislative bodies function in particular areas with an emphasis on African countries, resource and information needs of the National Assembly including resource management and a procurement and training plan for equipment and informational material, and the structure and effectiveness of mechanisms for citizen input to legislative processes. Given the already identified need for a management information system (MIS), the purpose of this procurement is also to develop a training plan (local and abroad) for the staff in their respective areas of expertise and in equipment use and maintenance related to such as system

## **2. Tasks to be performed**

The contractor shall analyze and make recommendations on how to improve

- i) the legislative process and techniques of law drafting, budgetary analysis, and analytical techniques currently in use in all committees,
- ii) the channels/means of communication between MPs and the general population,
- iii) the methods of writing reports and of reproduction of parliamentary debates,
- iv) the computer training needs of the staff,
- v) the press and communication functions and facilities,
- vi) resource needs and information available to the legislature (library, archives and

documentation services, etc ),

vii) the management of the library, archives and documentation services,

viii) the administrative management of the Assembly,

ix) the translation and interpretation services,

x) the maintenance of all computers and communications equipment, and

xi) potential targeted inter-parliamentary cooperation opportunities with selected African, European and North American countries

xii) communications channels between Members of Parliament and Rwandan citizens, and the level of citizen input to technical committee processes

### 3 Deliverables

i) Training needs identified for each of the nine technical committees identified and recommendations made

ii) Report writing techniques of the staff of each committee critiqued, training needs identified, and recommendations made,

iii) Resource and information need of the National Assembly as well as individual technical committees identified and recommendations made,

iv) Library documentation, archives and management needs identified and recommendations made,

v) Administrative management needs of the Assembly identified and recommendations made,

vi) Translation and interpretation needs (equipment and training) identified and recommendations made,

vii) Press relations and communication needs identified and recommendations made,

viii) Computer equipment, training and maintenance needs identified and recommendations made,

ix) Based on the above, candidate countries for inter-parliamentary exchanges leading to ongoing cooperation with selected African, European and North American countries identified and recommendations made

x) Mechanisms for citizen input to Members of Parliament and technical committees assessed and recommendations made

**Note** All recommendations should include estimated numbers of participants to be trained, types of training required (including whether training would need to be custom-designed or could be purchased through existing modules), estimated course durations, and whether training would be conducted in-country, within the region, or overseas. Recommendations calling for technical assistance should estimate Levels of Effort in person months or weeks.

#### **4. COTR**

The COTR for this position will be the USAID/Rwanda Justice and Governance SO team leader.

#### **5. Period of Service**

Not to exceed fifty (50) work days. Person days may be divided among the research team at the Contractor's discretion. Six day work week will be authorized.

#### **6. LABOR**

Optimally, the Team shall consist of not more than 3 experts whose educational backgrounds and professional experiences reflect the areas of focus of the nine parliamentary committees.

##### **Required**

I) Legislative/Parliamentary Development Specialist/Team Leader. Senior Level required. PhD with 8 years relevant experience, JD/ABD with 10 years relevant experience, or MA with 12 years relevant experience.

ii) Legislative Management Specialist. This person would have experience in managing the financial, administrative, procurement, and automation aspects of a legislative body. Senior Level required. PhD with 8 years relevant experience, or MA with 12 years relevant experience.

iii) Management Information/Library Sciences Specialist. Senior Level required. MA with 12 years experience, or BA with 15 years experience.

Spoken and written fluency in French and English is required for at least two of the three positions.

Familiarity with the social, political, and economic situation and culture of Great Lakes/East African region is desired.

#### **7. Methodology**

Upon arrival, team shall participate in a one-day Team Planning session with USAID and representatives of the National Assembly. During this session participants will develop a common understanding of the work to be completed and how it can be most effectively carried out. Approximately 13 working days into the assignment, the team will present a draft report to USAID. The team will then return to the U.S. to receive USAID comments on the report and complete it with the remaining 11 person days remaining under the

contract

## 8 Reports

Final report (6 copies), three in English and three in French, shall be submitted to USAID/Rwanda no later than 30 days from date of departure from Rwanda. The English version of the report will also be submitted on diskette in Word Perfect 6.0

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**Annex B**  
**People Met**  
**January 18-30, 1999**  
**Kigali, Rwanda**

**National Assembly**

Mr Joseph Sebarenzi Kabuye, President (Speaker)  
Mme Jacqueline Muhongayire, Vice President  
Mr Omar Hamidu (also MP, Islamic Party), Deputy Secretary  
Mr Sosthene Cytatire, Secretary to the President  
Mlle Claudette Uwonkunda, Secretary to Vice President  
Mr Stanley Safari, Economics Committee Chairman  
Mr V Butare, General Secretary  
Mr Justin Rwishema Kashema, Director of Interparliamentary Relations  
Mr Manuel Sebulimbwa, Chief of Conferences Division  
Mr Jerome Giconolo, Director of Press and Telecommunications  
Mr Froduald Munyankiko, National Coordinator, UNDP/ANT Project  
Mr Anicet Habarurema, Technical Advisor  
Mr S Esaie Misariro, Director of Translation and Interpretation  
Dr V Karambizi, Director of Protocol  
Mr Manasse Rwemangeyo, Director of Plenary Sessions  
Mr Beaudoin Bwana-Kweu, Director of Studies and Documentation  
Mr Dominique Mwemayire, Director of Parliamentary Works (Clerk's Office)

**USAID**

Ms Connie Paraskeva, Strategic Objective 1 Team Leader  
Mr Ahmed Jabri, Program Officer  
Mr George Lewis, Mission Director  
Ms Chris Hjelt, Assistant Program Officer  
Mr David Hess, Supervisory Program Officer  
Mr Diogene Ndazirgaruye, Program Advisor

**US Embassy**

Mr George Staples, Ambassador  
Ms Wanda Nesbitt, Deputy Chief of Mission

**UNDP**

Mr John Mary Kauzya, consultant & Dep Dir, Uganda Institute of Management

Mr Alphonse Mekolo, UNDP consultant and Professor, Cameroon  
Mr Apollinaire

**CLADHO** (survivors of genocide NGO)  
Mme Francoise Murorunkwere, Program Development

**PROFEMMES/Twese Hamwe** (NGO)  
Mme Suzanne Ruboneka, Director of Compagne Action pour la Paix)

**Kigali Institute of Science and Technology and Management**  
Mr Paul Murray, Academic Director  
Teachers and staff of school

## **Annex C**

### **Relevant Documents Consulted**

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## **ANNEX D**

### **Analysis of the TNA Information Environment**

#### **Findings**

##### *Department and Staff*

The Rwanda Transitional National Assembly (TNA) has a Department of Studies and Documentation "Direction d'Etudes et de Documentation" that is composed of two units, one for research and one for documentation

The total number of staff is four. The director of the department Mr. Bwana-Kweli Baudouin has a university degree in History. Mrs. Nizamwitakuze Sauda-Sandrine, director of the documentation unit, has a university degree in documentation. The other two clerks have secondary education. The Studies unit does not have staff yet.

##### *Location, Physical Plant, and Equipment*

The Department is located at the main entrance of the National Assembly. It consists of one large hall used for stacks, reading and general public services area, and one administrative office used by both directors. The Library has one typing machine and no computers.

##### *Library Collection*

The collection is made of approximately 3175 print items haphazardly acquired and badly maintained. There are old books, some United Nations reports, journals and few obsolete reference resources. The collection is primarily in Kinyarwanda, French, and English. Some books in German and others on subjects completely irrelevant to the TNA can be found such as the works of Kim Il-Sung.

With no budget for collection development, the library resources have been acquired mainly through gifts giving the library very little choice and control over subjects and language domains of its acquisition.

##### *Official Records*

The Library has very little control over its official records, whether those coming from the government or those generated by the Transitional National Assembly itself. There are many reasons that account for its inability to control TNA documents.

The TNA Department of Session and Journal "Direction Séances et Proces Verbal" is entrusted with the responsibility of producing the official journal and the verbatim transcripts of the plenary sessions. This department labors under manual routines that delay the productions of these records at various stages, transcriptions, typing, printing and binding.

Furthermore there is a serious backlog of audio cassettes that are still not transcribed -- apparently from May 1997 up the present. Ironically none of the current debates of the Rwandan Transitional National Assembly have been transcribed. Two exceptions are noted here, the debates concerning the Budget of 1999 and the Law of Genocide. However, even if these were successfully transcribed, they are not printed or bound yet!

Moreover, despite the fact that all the sessions covering the period of November 1994 to April 1997 were successfully transcribed and printed, they remain in the print shop!

The UNDP has pledged to assist the TNA in overcoming the current backlog problem. Another UNDP consultant in the area of organization and management will analyze the production processes.

The situation of the official records or archival resources before the founding of the TNA in November 1994 is not much better. Considerable collections of archival resources are currently available in the Department of Studies and Documentation. These are currently put in a makeshift office without proper storage, maintenance or access. This situation needs to be addressed, as it is critical for helping the Rwandan National Assembly preserve its institutional history.

### *Library Services*

Evidently the department provides few information services and carries out little public policy research. The committee secretaries explained that they seldom go to the library or do any legislative research. Moreover, the TNA lawmaking functions were limited and thus there was not much need for legislative research and analysis. During the period of 25/11/97 to 25/11/98, 18 bills were passed by the TNA. Of these, 16 were presented by the Executive and 2 were initiated by the TNA members.

However, the situation is changing. The TNA is resolved to increase its legislative functions. Yet the Department of Studies and Documentation "Direction d' Etudes et de Documentation" of the TNA does not set the ground for an active role in lawmaking defined here as bill drafting, budget analysis, legislative research and public policy analysis.

Major reforms in the organization, management, resources and services of this department are needed. For the TNA to take an active role in lawmaking, the Department of Studies

and Documentation "Direction d' Etudes et de Documentation" must be transformed into an Information Center guided by a dynamic user oriented legislative research approach adapted to the information needs of the TNA legislators and staff

## **The Case for an Information Center**

### *Definition*

An information center is a hub of print and electronic resources, information systems and services and official records, active and non-active, that are systematically collected and designed to strengthen the legislative capacities of members and their staff

### *The Rationale*

To fulfill their functions of lawmaking, budgeting and oversight, legislators need constant access to national, regional and international information in order to take informed public policy decisions. The information must be timely, accurate, current and usable. It is packaged in a form and level suited for the purpose of the user. Such information is a key element that ensures that public policy decisions are based within a local context and informed from diverse experiences.

### *Elements of the Information Center*

The information, documentation and archives components of an Information Center are commonly interrelated. Legislative decision-making is a complex cumulative process that relies on the acquisition of information from a host of resources --current and retrospective, local and international.

Legislators and their staff need to have access to the past legislative records before tackling new legislative initiatives. They need to be informed about policy decisions taken in other countries that are similar to the ones they are investigating. Their need for information involves a web of interrelated sources of information that are collected, organized and made available by three different information systems: a legislative research library, a documentation center and archives.

Accordingly, the recommended Information Center needs to have three information units: a research library, a documentation center, and an office for archives, each discharging their respective services to the users of the Rwandan Transitional National Assembly.

### *Information Center's Users*

The Information Center's immediate users are the TNA leadership, all the members of the TNA, committees' members and staff

Parliaments in a modern world normally provide the general public with information about their work. The Information Center will need to extend some services to a wider audience of the public, students, scholars, researchers and the general public.

### *Mission of the Information Center*

The Information Center is dedicated to serve the specialized information needs of the Rwanda Transitional National Assembly users in a proactive and service oriented mode. To achieve these mission necessary resources, human and materials, and service are needed.

### *Information Center's Staffing*

The information center will have a director, a professional librarian to head the research library unit, a record manager for the documentation unit and five support staff.

The Director of the Information Center needs to have management and information technology skills. It is desirable for the director to have some management experience in an information/library-related job. Also background knowledge in lawmaking work is advisable. The Director of the library will regularly interact with the TNA users, in order to determine member's needs, will reply to their queries, devise new services, and bring together resources and services. Therefore, service-oriented qualities are highly needed for this position.

The Director, assisted by the research librarian, will provide reference research services. Both Directors need to be trained in providing policy research analysis, background information, in preparing issues briefs and in gather information pertaining to a specific draft resolution.

The Director of the Information Center will help the Director of the research library in the selection of information resources. The Director of the Information Center needs to forge well-structured institutional linkages with the private sector, academic and research centers, as well as subject's experts. These linkages aim expand the TNA information gathering sources through various strategies of resource sharing.

The Director of the Library must have a degree in library and information science and sufficient skills in library and information related technologies. This professional candidate will assume mainly the responsibilities of the library collection development and

management and assist the director of the Information Center in legislative reference research

The Director of the Information Center and the Director of the Library will be responsible to coordinate with the TNA committees, to assess their information needs and to provide packaged information and services to meet their needs

Two support staff will assist the Director of the Library in library technical services and information provision. The support staff needs to have good experience in general library work, cataloging, classification, and indexing. All need to have basic computing skills and some knowledge in library related information technologies

In the current TNA organizational structure and under one of its main directorate "Travaux Parlementaires" there is a unit called Etudes, which is part of the Department of "Etudes & Documentation". This unit is responsible to provide information-research and to respond to reference questions and has no staff yet. The unit could become the legislative reference library and new staff hired fitting the above requirements

#### *Documentation Staff*

The documentation unit will have a director and a support staff. The Director of the current documentation unit, Ms. Sandrine, has a degree in documentation. This is a good start. However, she needs training in (a) basic computing skills and (b) documentation and indexing in particular. The UNDP VNU documentalist consultant will contribute to (b)

#### *Archives Staff*

The need for a unit responsible for preserving the institution's archives cannot be overemphasized in the case of the TNA. Two support staffs are needed in the archives unit. The UNDP VNU documentalist consultant will contribute to their training too

#### *Services of the Information Centers*

##### 1 Needs Analysis

The Information Center's services must be guided by a need analysis in order to ensure that the information services fit the information needs of the TNA various users. This presupposes developing channels of communication with the TNA users in order to define their information needs as a prerequisite for the planning and design of information systems and services

## 2 Collection Development

Provision of information services underlines the presence of a collection of resources, in print and electronic format, that would have been systematically selected to meet the needs of the TNA. The depressing situation of the current collection, as described in the findings, was also addressed in the UNDP report of 11 May 1998. The UNDP consultant has advanced several suggestions for collection development and types of resources.

These proposals will certainly be of help to the UNDP consultant coming on the UNDP/Project RWA/98/022 for one year. The consultant is a VNU Documentalist who will work with the Department of Etudes et Documentation. There are a number of deliverables in the terms of reference of the UNDP consultant that address specifically the collection development.

The author of this report wishes to stress the need to implement a thorough weeding of the collection before any new one is acquired. Weeding will revitalize the collection, make access easier, remove marginal resources and make space for new ones.

## 3 Legislative Research Services

Research partnerships need to be formulated between the library staff and their users, especially committee members and staff. Good communication arrangements need to be forged between the information center and the TNA's users. The information center needs to be aware of the TNA's agenda, items for discussions, and project laws under discussion. The information center can then prepare timely documentation to facilitate well-informed deliberations.

The staff of the information center will apply their reference skills in data collection, analysis in order to provide packaged information to their users. The staff should be in a position to provide background information on issues under discussion in the TNA, draft laws being considered, and any other request for information by a TNA member. The information center needs to develop procedures for alerting its users to the availability of relevant information.

## 4 Documentation Services

The documentation center will collect, organize and index all the public records created by the TNA. This involves a structured cooperation between this unit and the various records producing units of the TNA, especially those involved with official records, the journal and the verbatim transcripts. Documentation services should address the indexing of sessions, laws, and committees' reports.

In addition, the documentation center will collect local newspapers and provide members access to their content by developing indexing and clipping services

The documentation center will acquire and make access to the published documents of the Executive, the ministries and other government agency. The documentation center will collect information from local NGOs, foreign embassies, private sector, and others that is relevant to the needs of its committees and members

The documentation center will identify and compile a list of in-country information resources, by institutions, subject matter matters, and experts as part of one of the in-house databases to be created and maintained by the Information Center

## 5 Archives Services and Management

The ability of managing official records has not kept up with the ability of producing them. Archives are usually overlooked at the design phase of any information center, only to be addressed in response to a crisis situation with the accumulation of official records

The current situation of archival resources at the TNA is critical. There is an immediate need to do an inventory and an appraisal of the relevance all the archival materials pre-TNA before proceeding to the restoration of those deemed essential for the historical heritage of the Rwandan National Assembly

Following the inventory, assessment, maintenance of these records, there is a need to prepare access tools and indexes to these records

The official records created and used by the TNA should be deposited in the archives according to retention and disposition schedules. These schedules regulate the transfer of records to archives or their destruction when they cease to be needed for daily transactions of the legislature. These archives should be documented with appropriate indexes that facilitate access and use

### *Information Technology*

Information technology is vital for the functioning of the library technical operations and its information services

#### 1 Technical Operations

The Library's technical operations of acquisition, cataloging and circulation need to be automated. The UNDP consultant coming on the UNDP/Project RWA/98/022 for one year will address these areas

## 2 Information Services

Information services, such as selectively alerting potential users of relevant material, providing background information, and developing issue analysis databases, will have to be automated. This will involve setting up a Local Area Network (LAN) through which these various information services can be channeled to the appropriate users.

The dissemination of information will be carried through an Intranet environment for transactions within the TNA and an email environment for communications outside the TNA. Furthermore, access to major online databases and the Internet will be essential for the effective functioning of the information center.

Staff training should be envisioned for all of these information services. Training in basic computer skills, Intranet/Internet management and access, database management and access, and indexing systems will be required.

## **ANNEX E**

### **Profiles of Possible Resource Institutions for Training and STTA Interventions**

#### **1. Kigali Institute of Science, Technology and Management (KIST)**

The governmental Institute is finishing its first year of operation, and is already very active in a wide variety of activities from teaching languages, to training carpenters and welders, to consulting about the environment in the resettlement camps, to advising the Ministry of Education and other Ministries in a kind of think-tank capacity, to linking with business and industry. It is the only Institute of its kind in the country.

\* Financed by UNDP Core Funding and UNDP Trust Fund centrally, though receives other monies (Netherlands, Japan) all funneled through UNDP. GTZ administers the institute.

\* Campus is the former senior military institute compound right downtown, very well equipped, getting more land soon, many construction projects done in large part by students, 100 computers, Internet connection, large UPSs, new library, sports fields, cafeteria, dormitories, security provided by the military.

\* Well connected, has government's ear, as yet no interface with Parliament.

\* Two programs primarily

- \* Business and Management

- \* Engineering (civil, mechanical, electrical)

\* Adult continuing education programs at night, also serves the young employed folks looking for extra training. Long waiting list of English classes. No current offerings in simultaneous translation/interpretation skills, though we pointed out this need.

\* Can give workshops on demand, tailored or off the shelf (see list below). Examples of existing modules in their core curriculum of interest to us include Information and Communication Technology (IT) given by their Department of Computer Science and Technology, courses on report writing and research skills, and workshops on entrepreneurship -- all of which might interest AID vis-a-vis its assistance package for National Assembly staff and/or civil society NGOs.

\* 30% women enrolled, more than two hundred full-time and part-time students. Full scholarships underwritten by government for full-time students, affordable tuition for the continuing education classes.

\* Training in applied and technical skills is hands-on and project/product oriented (improved cookstoves, rainwater catchment basins, chairs, repairs on domestic appliances), in laboratories and workshops, with minimal theory Internships arranged every 4th semester Leave theory-based education to the University in Butare, which was severely diminished in capacity during the genocide, including the burning of many buildings

\* Aims to serve regional countries as well

\* Prepared courses (off-the-shelf)

French conversation

English conversation

Computer applications

Engineering

Mathematics and Drawing

Accounting and Bookkeeping

Applied Research

Financial Management

\* Career fields trained for

Town planning and management

Architecture

Water supply

Computer services

Business management

Building construction

Power supply

Mechanical Engineering

Road design and construction

Communication development (telephone, radio, TV)

\* Students

Businessmen and businesswomen

Civil servants

Youth

\* Staff

50 lecturers and professors (half Rwandan, half expatriate, mostly from Great Lakes region), number will increase soon and dramatically

6 administrators (Rector, Administrative Director, Academic Director, etc ), plus administrative staff

## **2). University at Butare, Law School and Political Science Faculty**

The team was unable to visit the University. Reportedly, it suffered extensive infrastructure damage during the events of 1993/1994, including the burning of many buildings. Several professors have already been engaged to provide *ad hoc* training at the Assembly. The Secretary General of the Assembly is also a professor of Political Science.

## **3). Institute of Administration and Management, Gitarama, Rwanda**

The team was unable to visit the Institute, but learned only that it is a Rwandan institution of good repute, with a PhD Director in Management from South Africa. They provide direct training (including to the Assembly), and correspondence courses in general management, financial management, human resource management, and other themes.

## **4). Interparliamentary Union, Geneva, Switzerland**

The Interparliamentary Union (IPU) is the world association of parliaments of sovereign states. It is the focal point for worldwide parliamentary dialogue. It works for peace and cooperation among peoples and for the firm establishment of representative institutions. As of January 1996, 134 national parliaments were members, and three international parliamentary assemblies (Andean Parliament, Latin American Parliament, and the Parliamentary Assembly of the Council of Europe) were associate members.

What distinguishes the IPU from other parliamentary organizations is its unique status as the association of *parliaments*, rather than parliamentarians.

Rwanda has been a member of the IPU since the inception of the Transitional National Assembly in 1994. It routinely participates in one to two events per year, especially conferences. By way of example, Rwandan participation has included:

- p 11-21 February 1997 in New Delhi. Two Members attended an IPU Conference on "Collaboration Hommes-Femmes."
- p 8-17 September 1997 in Egypt. Four TNA participants including the President attended the 98th IPU Conference, and received promise of assistance on Good Governance, Refugees in the Great Lakes Region, Democracy, etc.
- p 6-11 April 1998 in Namibia. Three participants including the Vice President attended the 99th IPU Conference, and resolutions were made around world economy, prevention of conflicts, and AIDS.

Note that Rwanda is also a member of other regional parliamentary associations, and regularly attends their conferences as well. The ACP-UE (Asia, Caribbean, Pacific), the UPA -- Union Parlementaire Africain, and the Francophone Association of Parliaments.

## **5). The Parliamentary Centre, Ottawa, Ontario (Canada)**

The Parliamentary Centre, a longstanding partner of SUNY, works with both the Canadian Parliament and, increasingly, with parliaments and legislatures worldwide. Examples of their projects are Russia, Vietnam, Cambodia, South Africa, Ghana, Lebanon, and Palestine. Owing to the bilingual work environment of Canada's national government in Ottawa, the Parliamentary Centre has both French and English language capacity among its staff. The Centre's Director, Robert Miller, has informed us of his interest in collaborating on any planned activities for Rwanda.

## **6). The International Development Law Institute (IDLI), Rome, Italy**

IDLI, with its many contacts in the European Parliaments, conducts training programs for lawyers in Rome and skills-building workshops worldwide. Although the Institute's focus is not specifically on parliaments, it regularly offers its contacts in Europe to help assistance projects make appropriate contacts in European parliaments.

## **7). The Fiscal Policy Institute, Albany, New York**

The Fiscal Policy Institute is a non-profit, non-partisan research and education organization that focuses on issues related to state tax and budget issues, particularly as they affect low income and other vulnerable populations. The Executive Director, Frank Mauro, was previously the Deputy Director of the Nelson A. Rockefeller Institute of Government, the public policy research arm of the State University of New York. He has served as a legislative budget consultant for SUNY and USAID in Bolivia, Guatemala, Russia, and Mexico. We would anticipate being able to call on his talents and services for the various planned training and TA efforts surrounding the budget analysis and preparation needs of the Assembly.

## **8). The State University of New York (SUNY), Albany, New York**

International Programs and Development of SUNY (SUNY/IPD) works under the auspices of the Provost's Office of the State University of New York. SUNY/IPD's mission is to promote international development through interdisciplinary collaboration among scholars, professions, and technical experts. In addition to the SUNY system's considerable intellectual and technical resources, SUNY/IPD works with partners worldwide to ensure successful fulfillment of its projects. SUNY/IPD believes that cross-fertilization between cultures and disciplines enriches all involved. Sustainability of its development projects is integral to SUNY/IPD's approach.

Since its inception in 1986, SUNY/IPD has designed and implemented more than \$70 million of international development projects on four continents focusing on Democracy,

Governance, and Civil Society, the Environment, Health, and Education, and Private Sector and Economic Development

SUNY/IPD's Democracy, Governance, and Civil Society portfolio includes projects in Argentina, Benin, Bolivia, Chile, Eastern Germany, Ethiopia, Gaza, Guatemala, Mexico, Mozambique, Nicaragua, Paraguay, Peru, Namibia, and now Rwanda. It holds an important Indefinite Quantity Contract Deliberative Bodies (1995-1999), and spent two years drafting studies for USAID missions worldwide on a contract called Legislative Strengthening Assistance to the Center for Democracy and Governance of the Global Bureau (1996-1997)

### **9). National Conference of State Legislatures (NCSL), USA**

In recent years, members of the National Conference of State Legislatures (NCSL) have sought public policy information from their foreign counterparts. NCSL members have also sought ways to share their legislative experience and expertise with colleagues in other countries. In response, NCSL has explored various ways in which legislators and legislative staff might become more involved in this area. NCSL develops professional exchange programs between legislators, legislative staff, and their foreign legislative counterparts, identifies NCSL's special resources and designs ways to assist foreign legislatures through technical assistance projects, study tours, needs assessments, workshops, internships, and/or seminars, and hosts official international delegations and familiarizes them with NCSL and state legislatures.

NCSL routinely carries out needs assessments (Moldova and Kazakhstan, South Africa), technical assistance trips (notably Paraguay and Russia), workshops (recently in Namibia, Ghana, Kenya, Zimbabwe, Zambia, Madagascar, Mali, Cote d'Ivoire, and Benin), symposiums or seminars (US, Canada, Brazil), and study tours (for Italian, Japanese, German, and Mexican parliamentarians)

## **Annex F Training Considerations**

### **Overview**

The training that USAID, or any other donor, provides in Rwanda for the National Assembly should be designed to improve the technical competencies, skills, and capabilities of the participants, and to deepen subject matter specialization of the staff of the TNA each in their respective areas, to provide them with the appropriate structures, attitudes, and values, and to relate all of the above to the needs and work of the elected members in their various roles within the legislature. Other sections of this report describe how the staff is organized in Services, Directions, and Divisions.

An in-depth, institution-wide training needs assessment was being carried out by two UNDP consultants at the time of this consultancy. The consultants were matching job descriptions to qualifications of position-holders and devising training actions to bridge any gaps. We were not afforded an opportunity to see the results of their work as we carried out our own assessment. Our assessment encompassed a wider view of legislative functionalities, a longer-range vision of desired outcomes and achievements, with an overlay of what other developing country legislatures can and do look like.

Generally speaking, the UNDP and USAID assessments have found that the legislative work of the TNA staff to date is essentially housekeeping, clerical, and process-oriented and logistical in nature. Most of it addresses the operational need of the institution as a whole rather than to support the role of the elected Member as a legislator. For their part, Members have played a limited role to date in making and deciding laws, representing any constituencies, and controlling the executive's actions.

Training to date has been sporadic, on an as-needed basis, uncoordinated among donors, and has served only as stop-gap measures without a coherent rationale. There is no in-house coordinating unit to handle training needs assessments, requests, or offers. Legislative leadership is convinced of the usefulness of training and human resource development in general as a way to improve efficiency, productivity, and quality of work, and as a means to retain qualified staff. The leadership is committed to investing in a training program.

### **Main Training Recommendations**

We recommend

- b *that the TNA be encouraged and assisted in establishing a training function such as a Training Steering Committee or Task Force or Work Group within or exogenous to the proposed Modernization Committee,*

It should be institutionalized with the following mandate to set training guidelines and policies, to develop and apply selection criteria for participant training, to develop long-term training strategy as in #2 below, to coordinate with national and international providers in the arrangements of workshops, tours, classes (the notion of "one-stop shopping") and to continually monitor reassess training needs of current and new Members and staff

- b *that the TNA be helped to design an integrated and differentiated Training Program in the various fields of specialization relevant to the legislative staff (and even Members to a lesser degree)*

The long-term program design should be based on the present skills of the legislative staff and their future needs. It must incorporate the needs and vision of the staff, the expertise of the Rwandan training institutions, and technical assistance from US and other international academic and legislative experts in the respective areas of specialization. This training design should also anticipate and plan for both formal training sessions conducted by specialized institutions and informal on the job training carried out by supervisors and professionals within the legislature. The present Training Activities in this report can serve as a jumpstart to that product.

The development of a monitoring and evaluation mechanism would become a management tool to assist the legislative leaders and staff in assessing their ongoing training needs and assuring that staff services continue to meet Members' requests.

Local training centers and the University would be the main training resources over the long-term, and in-house trainers would be created within the TNA for future sustainability of the training function. The Secretary General of the National Assembly is very much in favor of using local institutes, to reinforce their internal capacities. One excellent way to achieve this local institution-strengthening objective is to assure that training activities involving external or expatriate assistance are designed to include the local talent among these educational institutions as co-trainers or team-teachers.

- b *that, to initiate this training program, the Transitional National Assembly consider this report's menu of proposed activities when preparing its longer-range strategic plan or Modernization Plan*

***No single donor would be expected to pick up all of the interventions;*** rather, donors could meet to decide among themselves, according to their comparative

advantages and interests, which interventions they might like to support. The menu of recommendations appears interspersed within the body of the text of this report, and is recapitulated in the Tables 1 and 2.

### **Compatibility with USAID Strategic Objective**

This report makes a variety of training recommendations to address the needs of legislative Members and staff, as well as citizens and citizen groups, of Rwanda. Our recommendations support the third USAID/R Intermediate Results under Strategic Objective 1, "Increased Rule of Law and Transparency in Governance."

#### IR 1.3 Improved Governance, Accountability, and Transparency

In addition, our training and professional development recommendations support primarily the second of the three Activities listed under IR 1.3.

#### Activity 1.3.2 Quality of National Assembly technical staff improved

To a lesser degree, our recommendations will support the other two Activities:

- Activity 1.3.1 Increased participation of citizenry in local resource decision making,
- Activity 1.3.3 NGO/Advocacy groups strengthened to better represent their constituencies

### **Types of Training**

Training is one of several types or modes of interventions available to donors when contemplating a package of assistance to the TNA. Other interventions include short-term technical assistance, commodity/material assistance, salary assistance, and the preparation of handbooks and manuals. Training takes a variety of forms: short-term workshops, seminars, conferences or classes, long-term certificate or degree programs, study/observation tours regionally or further afield, internships in other legislatures or governance institutions such as libraries, short, technical courses either in-country or abroad.

A word on study/observation tours, which have been used already at the National Assembly, and are already planned by UNDP's project (see below). Study/observation tours (also called familiarization visits, exchanges) can help strengthen relationships among parliamentarians, building a desire for developing one's own institution, and they can help generate ideas to be adapted and implemented in one's own nation. A good tour clearly delineates learning objectives and appropriate site visits and assures a good mix of participants to avoid the impression that the trip is a vacation or "junket." Typically, a

university-related center or unit can provide the coordination and thematic input needed to ensure success, and can make sure the group receives a synthesis session at the end intended to explore the group's learnings and action plan for return to Rwanda

### **Training Activities to Date within the TNA**

Many Members and staff have already benefitted from sporadic and *ad hoc* professional development events and training activities. A partial list follows.

#### External Activities

- \* The Legal Advisor in the President's Bureau went to Canada in 1997 for 2 months to study Parliamentary Law in Quebec, financed by the Canadian Agency for International Development,
- \* The Secretary General visited Switzerland's national Parliament for two weeks,
- \* All told, some 50 Deputies and staff traveled outside the country in a 17-month period (early 1997 to late 1998) on 29 different missions -- parliamentary conferences, study visits, international seminars, to Senegal, Mauritius, South Africa, Mali, Switzerland,
- \* The Director of the Sessions/Clerk office went to Holland for one week in 1998 to receive technical training in the operations and maintenance of the Phillips Electronic Voting System in the Assembly Chamber,

#### In-Country Activities

- \* In December 1998, the Director of Press and Communication benefitted from four days of training in journalistic skills in Kigali financed by Agence Internationale Alerte and given by a Professor of Journalism from the national University,
- \* In January 1996, the IPU sponsored a seminar in Kigali for all MPs, for four days, on the Role of Parliament, with facilitators from Geneva and Germany,
- \* In mid-1998, the group Action Alerte Internationale from England financed a conference on the Role of Parliament in Conflict Resolution in Kigali over 5 days (3 for all MPs, 2 for Women only on the subtheme of Women Parliamentarians in Conflict Resolution), with participants from Ethiopia, Zambia, Kenya, South Africa, and other countries,
- \* In 1997, the UN Human Rights agency sponsored a 3-day seminar on the Role of Parliament in Human Rights, with Canadian support, in Kigali, for Members,
- \* In 1998, the General Inspector of the Public Accounting Committee in Uganda, a Ugandan of Rwandan descent, came to facilitate a conference and debate for 2 days on government oversight,
- \* In June 1998, a Professor from the University of Rwanda trained 10 staff members in documentation techniques over one week,

- \* In 1996, the Interparliamentary Union came to sponsor a seminar over one week for twenty staff members on the Organization of Parliaments, comparing especially the systems of francophone countries, with assistance from Germany,
- \* In 1996, everyone in the Assembly received computer training over one month, three times a week, on-site, in groups of 10, for 2 hours each day. General initiation to computers and wordprocessing, given by Sofitec (called RTI before), a private company, and
- \* In November 1998, 4 senior staff including the Secretary General underwent a one-week training in the techniques of management, given by the Rwanda Institute of Administration and Management of Gitarama and financed by the Ministry of Public Function, will be repeated in February 1999 and possibly beyond over one more year, to include correspondence courses,

## **Training Rationale**

Donors and training participants must continually remind themselves that training is not an end in itself, but rather a means towards the ends spelled out in strategic objectives and workplans, and assessments such as this one. Objectives and results desires must be clearly spelled out and understood for each activity.

Training interventions may be considered not only as a means of enhancing professional capacity, but also as a motivator and a means of retaining professional staff. While TNA staff appears to be the likely target for training efforts, due to their probable permanence at the legislature, this report also targets Deputies and the populace within organized advocacy groups.

While everyone recognizes that there may be some turnover later this year, or sometime soon among Members of the Assembly, any training in information sources, policy analysis, constituency relations, and the legislative process in general can only help to strengthen the national capacity wherever the current Deputies end up serving, be it in the public or private sector.

## **Training Locales**

Training locales included in these recommendations are varied -- they include within the National Assembly itself, which has adequate meeting and conference rooms, but lacks some of the necessary pedagogical tools as overhead projectors and screens, white boards, audio-visual aids, VCRs and televisions, and flipcharts.

In addition, the team was quite impressed with the facilities and capacities of the Kigali Institute of Science, Technology, and Management in downtown Kigali. (See Annex E for a more complete profile and description of KIST's and other providers' institutional

capabilities ) The Academic Director has expressed his firm interest in collaborating with USAID and other donors in providing training services to the legislature

A second national training resource is the Faculty of Law at the Butare campus of the national University, who has already provided several professors to conduct in-house training on journalism, management, etc Its capacity was severely undermined during the genocidal events of 1994, including the burning of buildings

The Gitarama Rwanda Institute of Administration and Management has conducted management courses at the Assembly already The Director is a PhD in Management from South Africa, the quality of instruction is reportedly excellent

Several private or parastatal groups are equipped to provide computer training It was accomplished at the Assembly in 1996 by SOFITEC (used to be called RTI), other Rwandan firms with computer training capacity include Someca, TransEntra, Business Machines Professionals, CAL/Rwanda There is no capacity at the University

In the USA, resources are many The SUNY network of 64 campuses, state legislatures (Maryland, New York, Arizona, Wisconsin, Maine), Congress in Washington DC and its supporting institutions such as the Congressional Research Service and the Library of Congress and external think tanks or policy institutes The National Conference of State Legislatures is another likely venue, either in Colorado or Washington DC or at its yearly International Conference (this year being held in Indianapolis in July) Florida International University in Miami sometimes provides training for journalists, as does USIS The Fiscal Policy Institute in Albany, NY may be called upon for budget-related work

Other national or state-level legislatures both regionally (possibly Mozambique, Uganda, Benin, and especially Cameroon for its bilingual structure and mandate) and internationally (Ottawa, Quebec, the Czech Republic, Poland, Belgium), all offer interesting comparative perspectives SUNY has already forged helpful contacts and alliances with most of these

The Interparliamentary Union and other multinational regional parliamentary associations will continue to play a role The Parliamentary Centre in Ottawa, Ontario, Canada, has francophone capacity, and long experience in conducting projects and programs for foreign parliamentarians The International Development Law Institute (IDLI) may be called upon

### **Training Beneficiaries**

Our report targets three groups of beneficiaries -- legislative staff in most of the Directions and Divisions of the Assembly, Deputies, and the general population as they figure in prominent civil society NGOs or advocacy groups

Of the approximately one dozen activities illustrated, the majority are aimed at legislative staff (but see recommendation on establishing a Parliamentary Service to guarantee professionalization and retention of recruited staff) Our reluctance to recommend many interventions with and for Members turns primarily around the November vote on whether or not to continue the Transition "team" of players currently in place It is widely believed that they will extend themselves for an additional two-year period (see Jabri, 1999) Once that determination is made, USAID could begin implementation of these and other Member-related training events with more guarantee of sustainability and institutionalization of resources

Note, below, that at the time of this assessment, UNDP was carrying out a systematic and institution-wide evaluation of staff capacities It is our team's belief that the existing staff, for the most part, is ready to absorb the training activities recommended in this assessment, however UNDP's report would be able to provide a more in-depth perspective on individual and collective absorptive capacity, pertinence to job descriptions, and likelihood for retention UNDP's report also will signal where positions are as yet unfilled, for example, the journalistic skills training recommended herein cannot be provided unless and until adequate staff are recruited and hired

### **Timing of Training Events**

The Secretary General of the National Assembly finds training on-site for Members difficult due to constant interruptions, he would prefer they be trained off-site In addition, he believes that it is wisest to program any training activities for Members *while* the Assembly is in sitting in session (he would cancel several days sessions if necessary to allow Members to attend training) It is harder to regroup the Members during the intersession vacation period

On the other hand, for senior and mid-level staff, he prefers training to occur on-site and during staff vacation periods or at least when the Assembly is not sitting

The Assembly meets according to statute during three periods (6 December - 1 March, 10 April - 1 July, and August through September), with one month of vacation between each trimester The days are usually structured with committee meetings in the morning and plenary sessions in the afternoon

### **Management of Training Activities**

If a program of training interventions is indeed designed, USAID/R will need to consider management of such a program As above, a Steering Committee or Training Office, appropriately staffed, would provide needed national coordination within the TNA Unless USAID is staffed to serve as the donor coordinator, thought may be given to the provision

of a long-term advisor, manager, or coordinator, PSC, either national or expatriate SUNY/International Programs and Development is prepared to lend coordination and management assistance of any programmed activities from its offices in Albany, New York, especially with the provision of trainers and technical assistance through its IQC mechanism

Finally, a kind of project-based coordination unit, such as the Center for Legislative Development in the Philippines and in CEDEL in Guatemala, could be mounted, this could serve to render human resource development efforts self-sustaining over the longer term

### **Contribution of Partners to Achievement of Objectives**

As the key partner in the current legislative assistance efforts, the Transitional National Assembly has cooperated with several external donors in conducting a series of studies to assess the actual needs of the Assembly. They have also expressed commitment and the political will to undergo measures of reform to strengthen their operations, services, and products, initiating many of their own accord

Externally, currently both UNDP and USAID have expressed interest in assisting the National Assembly achieve its long-term objectives, with training, technical, and material assistance. Other donors in the past four years have financed smaller, sporadic and immediate needs such as the electronic voting system and office equipment (England), rehabilitation of the buildings (Netherlands), conferences (European Parliament), publication of brochures and arrangement of internships in Quebec (Canada), office equipment (Germany). All share the same commitment to the reform and modernization of the legislature as a key deliberative body in the democratic process

All partners must work together to achieve and monitor progress through the sharing of quarterly reports, annual workplans and other relevant documents, and joint consulting and problem solving and decision making

### **UNDP Assistance Project**

The UNDP is currently beginning to implement its own package of training and other assistance measures for Parliament, beginning this month with the fielding of two Organizational Development and Training consultants to carry out further assessments. Our team collaborated with the consultants

Planned and budgeted activities at present include, at least indicatively, two study tours for 6-8 staff members (both for administrative personnel aimed at strengthening management capacities), three study tours for 4 MPs each to look at countries "with a long parliamentary tradition," a study tour for three people on the Human Rights Committee (no

other details given), and three "stages" or internships of 2-3 months duration each over the coming year 1999 (unspecified, but targeted at administrative personnel) The study tours are planned for June and October The "stages" are planned for April, July, and September

UNDP is also planning local seminars in law in February and May, 1999, and in-country general thematic seminars and conferences for MPs, in May and August 1999

**As stated above, the donors must continue to coordinate activities to avoid duplication, overlap, and redundancy.** There would be nothing worse than for the two organizations to trip over themselves trying to nominate candidates for identical study tours to the same countries within the same timeframe

### **Other Training Considerations**

- b Relations between the National Assembly and training providers such as KIST, the Rwandan Institute of Administration and Management, and the University who provide training and technical support should be formalized and institutionalized This is a no-cost measure that serves to ensure self-sustaining programs beyond project life
- b The English language capacities of Assembly Members and staff is an important training consideration It must taken into account when any training activity planned to an anglophone country is programmed, translators might be needed if the majority of participants did not speak and understand enough English
- b Often, legislative experts, academics, and other legislatures' Members and staff used for short-term technical assistance are willing to stay in touch over the Internet for continuing advice and support to counterparts This would constitute a kind of "groupe d'amitie" of the sort that the Rwandan legislature is familiar
- b Certificates or awards of participation and achievement must be presented to every individual pursuing a training activity, from study tour to in-service classroom work
- b Written materials should always emanate from any activity This includes handouts, manuals, handbooks, and related literature, the legislative library would be the appropriate repository for these materials

### **Next Steps**

Finally, SUNY recommends that the USAID/R mission schedule a follow-on activity to this assessment A 2-day Strategic Planning Workshop held collaboratively with the Assembly,

consultants, USAID, and eventually UNDP, a month or two months after this report has been vetted would serve several purposes

- \* to review findings and recommendations of this report more fully,
- \* to provide an overview of legislative modernization efforts regionally and worldwide,
- \* to prioritize the institutional development needs of the National Assembly,
- \* to agree on goals and an institutional strengthening plan for the institution, and
- \* to determine specific activities to be carried out over the next two years to help them meet their strengthening goals

# ANNEX

## POLITICAL ANALYSIS

### Introduction

The purpose of this Annex is to assess the prospects for the Transitional National Assembly (TNA) of Rwanda – and presumably its successor -- to become an effective democratic institution. Because the TNA is part of a transitional government, it is an appointed rather than elected body and its powers are defined by protocols and other agreements rather than a popularly approved written constitution or an established tradition. Nevertheless, it has functioned as a legislature for several years by passing and declining to pass laws, by dealing with the executive as a separate branch of government, and by serving at times as an arena for policy discussions.

The body of this report has already dealt with specific findings and recommendations responding to the detailed set of tasks set forth in the Scope of Work. This section is intended to be more analytic, presenting ways of thinking about legislative modernization in the Rwandan context, and structuring impressions gathered into a more coherent form to suggest more general strategies for proceeding.

USAID understands an effective legislature to be one that is capable of making good laws, of checking executive power through oversight, and of representing the people by linking them to government. To assess Rwanda's prospects for legislative development, then, requires looking at where they are beginning, looking at signs of movement for direction and promise, and gauging how much can be done to lessen the distance between their present state and functionality as defined above.

Context Rwanda is currently in what USAID-CDIE would characterize as a period of transition during which a legislative body has been established with new powers and promise and is struggling to define itself and to perform its functions. So while it may not be a "rubber stamp" legislature, it is still far from a functioning one. CDIE advises considering the big or immediate issues. Complicating the TNA's development is the press of immediate issues requiring expeditious approval of executive measures to establish the governments' powers to tax and spend, to deal with the legal aftermath of the genocide, and to deal with the vexing issue of tribal divisions. The need to act quickly militates against legislative deliberations and pushes in the direction of pro forma approval. And democratization is complicated in a place where the majority tried to wipe out the minority or at the least silently acquiesced.

The Plan for this Assessment This Annex will be organized on the following assumptions about the prospects for legislative development. The TNA, like all legislative bodies, is a creation of the laws that define it, of the space that the political system grants for its operations, and of the uses to which its members put it. The possibilities for the development of the TNA, then, are initially defined by the above framework of circumstances. Thus useful speculation about direction and prospects should begin with these initial realities.

- \* Legal/Constitutional Environment Legislatures have their potential limits defined by the laws they operate under which specify their powers and define their responsibilities.

- \* **The Political Environment** The potential for a legislature as an institution is also defined by the opportunities and constraints imposed by the political system (parties, media, other important participants) How much attention they pay, how much latitude they grant, what expectations they have and so on
- \* **Political Will** How important a legislature can become in the near term is defined by what members want to do, what the leadership will support, and what capacities exist in the institution

The following section will look at the major functions of legislatures—law-making, oversight and representation—and examine Rwanda’s attributes to assess prospects for development in each After that is a brief summary, a comparison of USAID and UNDP approaches, and a table presenting problems and suggestions for dealing with them

### **Assessment of Present Functionality and Potential For Development**

We are interested in the TNA’s potential to serve as a law-making institution, a body capable of oversight, and as a means for the representation of popular sentiments Thus we will organize the discussion along those lines

#### ***Law-making: General***

General Finding While the laws permit the TNA to be strong, circumstances -- both capacity related and political -- keep it weak

**Legal Environment** We will deal here with general law-making powers and then more specifically with budgetary power TNA’s law-making powers at least on paper are impressive

Members have the right to introduce bills

Laws are introduced either by members or by the Executive/Cabinet

Passage of laws require approval of the TNA, the approval of the Constitutional Court, and promulgation by the President of the Republic

There is no provision for an executive veto

But there is an important set of legal exemptions that prevent the power to make laws from being the exclusive province of the TNA

In cases of “emergency” or (not “and”) when the TNA is not sitting, the Cabinet can issue decree-laws

Institutional capacity and to a lesser extent executive opposition are two factors which prevent the promise of these impressive law-making powers from being fulfilled

Capacity Issues We dealt, in the body of this report, with capacity issues Briefly, while members have the right to introduce bills, they currently lack help in drafting, translating, and formulating the ideas for legislation The commission system—the committees which should serve as the work groups considering legislation—is similarly hampered Not surprisingly, then, only a small portion (in one session two of nineteen measures passed) originated with the members and the balance came from the executive

Political Space Issues While capacity issues can be initially addressed by the recommendations in the body of the report, the potential for executive opposition to a larger legislative role is more vexing. In February of 1997, for example, there was conflict between the President of the Republic and the TNA over an oversight law which had been passed by the TNA, approved by the Supreme Court and which should have been "sanctioned and promulgated." The President of the Republic did not sanction and promulgate the law, and the automatic mechanism that permits the President of the TNA to do so was not used. Instead, the resultant controversy led to change in TNA Presidents. Thus while the President does not have any formal right to veto legislation, his refusal to promulgate combined with his capacity to block promulgation by the TNA President gave him a de-facto effective veto in this instance.

While it is tempting to over-generalize from limited data, this incident suggests several things. First, the executive is concerned about how the TNA will exercise and define its oversight powers (see oversight discussion later). Second, the President was willing to confront the TNA with a refusal to act. Third, it was the TNA and not the Presidency of the Republic which ultimately "backed down."

Fourth, the President either chose not to or was unable to work his will on the TNA majority during the actual consideration and passage of the legislation. While the TNA did not prevail in this case, neither did it function as a "rubber stamp."

Political Will The TNA leadership -- the President and Bureau (the political executive committee) of the TNA and the Secretary General (the chief staff person) -- all have expressed the desire to address the capacity issues which currently prevent the TNA from exercising effective legislative power. All were forthcoming about what they perceived as the numerous shortcomings in present capacity and were anxious for foreign donor help in addressing them. We should not gloss over the importance of this willingness. In some countries, institutional pride or history lead to denial that capacity needs exist (Egypt and Costa Rica) or that foreign donors should play an explicit helping role in meeting them (Mexico).

In addition to the incident discussed above, TNA's passage of a measure opposed by the President, there was some additional evidence that leaders and members had some of the political will necessary to assert a larger institutional role. We were told, for example, of commissions that declined to pass executive proposals, sending back measures for clarification, and pressing for changes in measures. We should keep in mind that people in both the executive branch and legislative branch are new at their jobs and therefore there may be a degree of openness to accommodation that is less characteristic of more developed governmental systems.

### ***Law-making: Budgetary***

General Finding While lack of capacity and time constraints have kept the TNA from full exercise of its legal prerogatives in budgeting, the institution is taken seriously by the executive and the budget area should be an area for targeted capacity building.

Most scholars consider the legislative power of the purse—the power to pass the laws that regulate taxing and spending—to be potentially the most important of legislative powers. Effective legislative control of the purse sets priorities about the allocation of scarce resources for society and provides incentives for both the executive and public to pay attention to what happens in the legislature. (On

a side-note, the United States has because of its forms of national and state government and historical development, the most developed practices for legislative participation in budgeting. It is an area where Americans have developed considerable expertise and they have successfully exported some of it to other nations on request.

Legal Environment Briefly, passing the budget is a special case of the general law-making process. The steps and powers are as follows:

The Executive—through the ministries and the Prime Minister—presents the budget law for consideration by the TNA. TNA has 42 days to pass the budget. The President of the TNA receives the proposal and the Prime Minister addresses the plenary of the TNA to explain and defend his budget. Commissions then consider aspects of the budget law. Ministry personnel including ministers are called upon to answer questions of commissions about budget items. Commissions report back to the TNA with recommendations. The TNA passes the budget by majority vote. Should the TNA not pass the budget in the allotted time, the Bureau (the committee of the TNA) can approve provisional expenditures.

Capacity Issues Again, the TNA's powers are impressive in that they control what the government can spend by controlling the flow of money in through taxation and the flow out by approving expenditures. But TNA's capacity to actually exercise these budgetary powers are more limited than in the area of general law-making (above). The same capacity issues (lack of staff assistance, expertise, shortage of translation facilities, etc.) dealt with above and discussed in the main body of this report are further complicated by special requirements of the budgetary process, particularly the short period between Executive submission and passage.

Political Space Issues A very common practice for limiting legislative influence over shaping the budget is to have only a short period for legislative consideration of the budget law. Unlike many proposed laws, budget laws have to be passed in order for the government to continue functioning. Thus there is a hard and fast deadline with only limited room for adjustment. In Rwanda, the executive branch has submitted the budget late – further shortening the already short time available -- and has not submitted it with the requisite number of translations so that all members and what staff they have are able to study it.

There is evidence that the executive does take the budgetary powers of the TNA seriously. Members commented on the Prime Minister's attendance and continuing attention to the process. And ministers were quoted as seeing the process as a demanding one because of the intensity of questioning. Thus, in this area, the TNA is not treated as a "rubber stamp" in which outcomes are a foregone conclusion.

There is, in addition, evidence that the budgetary matters could become an important area of legislative advantage. While TNA leadership noted that the public and press generally paid little attention to its deliberations, there was a sharp increase in interest during the consideration of money matters. The new tax law, cited several times in interviews, occasioned considerable participation by business groups. The legislative commissions became arenas in which the government and affected groups could discuss these measures. For their part, the members—and in particular the economic

commission chair -- found themselves playing an important role in mediating these discussions. For a short time, at least, the TNA became an important arena for governmental decisions and presented a means for popular participation. The heightened levels of media attention -- attendance by the press, coverage on radio and television -- indicates that low attention is a variable and that when important things occur the press is ready to come.

**Political Will** For their part, the leadership of the TNA and commissions seem to welcome greater capacity in budgetary analysis. Indeed, interviewees expressed satisfaction with the role they played in the budget process. As evidence of a further desire to improve their position, the TNA has been altering their budget consideration strategy to bring more manpower to bear on these issues by a re-organization of commission participation (more participation by area of developing competence or at least jurisdiction). That move has the effect of spreading some of the workload from the Economic Commission to other commissions and will bring more legislative manpower to bear on budget consideration.

In a related development, it appears that, at least in nascent form, the current TNA budget process is developing in the direction of that found in some developed legislative bodies: the legislature as an appeals body. In places where the initiative in law making (or in issuing administrative regulations) rests with the executive, legislatures become the place where those dissatisfied with ministerial decisions can appeal decisions. So, for example in the case of the tax law, legislative consideration became an opportunity for potential tax payers to voice their concerns. This division of labor may be a development worth encouraging for both practical reasons of improving legislation by greater information about its consequences and for improving representation/transparency. In this way, the relative comparative advantage of legislatures as public institutions which are structurally more transparent (at least in comparison to executive branches) can be brought into play. Legislative committees and plenaries often do their business in public and offer access where executive decision making bodies normally do not.

Our recommendations in the body of the report indicated that a greater budgetary role would require both increasing capacity (training in analysis for staff, etc.) and a more comprehensive strategy for dealing with the chronic information shortage and time constraints associated with the current budget cycle. For that reason we recommended help in re-designing the process to get more information earlier, and to devise strategies for dealing with the ministries.

### ***Oversight Function***

**Finding and Recommendations** The TNA has, on paper, important oversight powers in accessing information and sanctioning executive officials if found wanting. It is yet unclear whether or not there is sufficient political will to exercise it. An oversight role is most likely to develop from expanding the information gathering powers of the TNA.

The second major area of legislative functioning is the exercise of oversight. Where legislatures function effectively, they serve as a check on executive power and can serve to curb abuses of power, corruption, and inefficiency. Legislative oversight then can serve as an important means for holding executive power accountable. Conversely when there are few institutional mechanisms for executive accountability, the prospects for excesses increase.

Legal Environment TNA's oversight powers consist of the following The right to review governmental actions The right to get information from government officials by compelling them to appear, by requesting documents, and by exercising the power to investigate government And finally, the TNA has powers to sanction executive officials individually by motions of non-confidence (with two-thirds vote) which result in removal, and to bring about the resignation of the government by such a motion directed against the Prime Minister In addition, TNA can bring about a removal trial (by a two-thirds vote) of the President of the Republic for violations of fundamental law, the trial would be held in the Constitutional Court

In short, the TNA has the power to get information from the government and the power to sanction executive officials should they refuse or should their performance in office be determined to be deficient

Political Space Oversight (or at least the oversight law) was the issue on which the President of the Republic and the TNA clashed and TNA replaced its own President and did not collectively pursue the issue On the other hand, government ministers have indeed cooperated with the TNA in responding to queries about their activities

It is a slippery slope for the executive when a legislature uses its the capacity to question to get information necessary to legislate because a more aggressive use of those powers can limit executive administrative discretion In what are in some respects less promising circumstances—one party domination in parliament—the Ugandans have been developing their similar investigatory powers into an effective oversight mechanism that has resulted in the removal of executives

Since the line between questioning and more aggressive oversight is hardly a bright one, we believe that the TNA may move incrementally into greater oversight on a case by case basis

Political Will For now, TNA leadership – particularly commission heads -- treat their questioning powers primarily as means of getting information about ministerial activities and proposed legislation TNA has, thus far, not tied their capacity to command information to the sanction of ministerial censure or removal to mount aggressive oversight efforts The President of the TNA mentioned the removal of ministers, he did not note that the removal had been done by the Prime Minister rather than the TNA

One latent factor which may play a role of encouraging oversight in the future is the make-up of the TNA itself The government is more dominated by the RPF than is the TNA because of the apportionment formula for legislative seats decided upon by the Arusha Accords Thus, discontent with governmental action is more likely to find a receptive hearing from within the TNA than it is from any other governmental body This has been the lesson of divided government on legislative oversight in most developed political systems and the same dynamics may apply in Rwanda

### ***Representation Function***

Finding and Recommendation The TNA's claim to be a representative institution is compromised by its appointed status, and further undermined by the limited role that the parties (who appoint members) can play in the political system during the time their activities are banned The TNA can, however, be encouraged to play an effective role as intermediaries between civil society groups and

the government And the TNA, of all the available governmental institutions (the executive, ministries, courts) is the one most open to performing that function

Legal environment Members are appointed and not elected They are appointed by a disparate set of parties with varying degrees of popular support, structure, clear ideologies or programs The apportionment system for parties and appointees was decided on during peace negotiations And the prospect of appointees linking to the people through party activities is diminished because parties are currently banned from being active Finally, the capacity of parties to control appointees is itself open to legal question as an attempt to remove some members has dragged on in the TNA, the courts, and in political circles

Thus the membership as a whole -- with individual exceptions — cannot be considered to be representatives in the usual conventional senses of being elected, or being sent by defined geographic regions, or being the emissaries of organized groups with links to mass followings

At the same time, in other senses, members of the TNA do have some claims to be representative at least in the descriptive sense of being in the aggregate more like the whole country than earlier bodies their membership covers the important divisions of tribe, religion, groups (including the military), and include others who were hitherto not represented such as the former exiles and refugees

Political space How much room is there for a more representative government?

The authoritative resolution of this issue awaits a new constitution but there are some indications of room for maneuver in the short run While the TNA's claim to be a representative body is not a strong one, it is probably a better claim than that of any of the executive organs of Rwandan government So, in the area of "compared to what," the TNA has a broader base than does the executive

Our impression is that while the TNA does not start out as a representative institution, it can perform at least part of that function in the Rwandan political system as it is presently constituted There are opportunities for the TNA to serve as a conduit for popular participation and in so doing they can function at least in part as a representative institution ought to function

Political Will TNA has demonstrated a receptivity to popular participation in several ways First, a womens group from civil society (Pro Femme) has developed a working relationship with women parliamentarians The womens groups, at least, feel "represented" in the TNA and are anxious to expand their participation there On the parliamentarian side, many women members seem to welcome that role Human rights groups are hoping for similar access Second, the relationship between the economic commission and business groups—initiated during the tax law consideration—might be the basis for future expansion or serve as a model for other commissions

From the groups point of view, the TNA and its commissions have been far more approachable and transparent in their processes than have government ministries And insofar as the TNA becomes an important arena for decisions of interest to groups, it is an attractive and open arena through which to channel their participation in government

In economically underdeveloped nations, popular participation in government is always problematic given the press of more basic needs on peoples' energies. Undoubtedly there would be more participation if there were elections, defined constituencies and party activity to mobilize the public.

For now, however, the TNA does have some advantages as a venue for popular participation. It is more open in its deliberations than ministries, some members have a few defined constituencies to deal with, and some organized groups have found it a useful place to air their concerns and to press for governmental change.

### **Strategy for Proceeding**

What are the chances that TNA can develop into an effective institution which can legislate, exercise oversight, and represent? To summarize: (1) The TNA has substantial potential to be a more effective law-making institution. It has impressive formal powers, it has realized that potential on at least one occasion, and the leadership is committed to increasing its general capacity to legislate. (2) It has some room to develop further as an oversight institution. The executive has not been able to treat the TNA as a "rubber stamp." And while the TNA has not yet posed a threat to ministers, it has pressed them for information and has the formal sanctioning power to do more. And (3) while the TNA's claim to be representative is not a strong one, we would advise strengthening that role through stimulating public participation in its deliberations. Compared to the other governmental institutions—the executive and courts—the TNA has proceedings most open to public participation. And at least some civil society groups have found a ready audience for their concerns in the TNA.

We suggested a three-prong strategy for developing the TNA. First, to encourage a more explicit modernization process (creating a parliamentary work group, developing a long-range plan). Second, to focus on building institutional capacity in the staff so that subsequent assemblies will be able to benefit from investments made in the relatively uncertain present. And third, to encourage current members to play a larger role in legislating, questioning and representation by following a strategy based on "targets of opportunity" in delivering short-term help in the form of policy briefings, greater civil society involvement, and other assistance (language training, study tours, etc.) to build both member capacity and motivation. (See recommendations in main report.)

#### *USAID Role?*

The main body of the report outlines a large number of capacity-building tasks that must be done, and the total is far in excess of the ability of any single donor to deliver. We were asked to think about how USAID might conceptualize its role in the process. For now, the other major donor in the environment is UNDP and so it makes sense to think about how UNDP and USAID compare and how each might contribute most effectively to the process.

UNDP/Rwanda seems primarily focused on articulating a table of organization for the TNA (the organigram). UNDP initially worked to define that structure. Next, they have brought consultants in an effort to ensure that the structure is an administratively sound one (complete, rational, demonstrating clarity of lines of responsibility etc.). More recently, they have been devising and implementing a training plan to ensure that personnel are equipped for their duties within that structure.

We suggest that USAID play to its relative comparative advantage which arises from its greater experience with functioning legislative bodies. Americans have been more concerned with the democratic functionality of legislatures than with their organizational forms. The American states, for example, exhibit considerable variation in structures and the US Congress has exhibited widely different characteristics over time. And we are somewhat more familiar with effective legislative bodies since they are more visible in systems where divided government is possible (as in presidential-congressional systems) than in parliamentary systems with stable majorities (as in many countries of the European Community)

In any event, the USAID experience-based functional approach should form a useful and necessary complement to UNDP more rationalistic efforts

If legislatures were like other bureaucracies, then the UNDP approach would be a sound one in itself. But effective legislatures are less about administrative efficiency than they are about performing difficult functions of law-making, oversight and representation in an often changing environment. Thus, adaptability and concern with functionality are important concerns in developing legislative capacity.

This suggests that USAID should play an initial role in helping the TNA to conceptualize the purposes for which institutions build capacity rather than focusing on capacity requirements per se. The venues for these efforts would include exercises in long-range planning which require clarification of goals, exposure through study tours of institutions that have transformed themselves or are transforming themselves into effective institutions, and observation of how capacity is actually used to make better laws, exercise oversight, and to represent.

Insofar as USAID invests in building particular capacities, for example in budgetary processes and analysis, it should target those most likely to contribute to the TNA's ability to perform core legislative functions. While other things may be important, the touchstone of contributions to core functions will help to distinguish USAID's priorities amidst the multiple needs encountered.

#### *Problems and Suggested Strategies for Dealing With Them*

Uncertain future of current TNA membership	Concentrate on building non-partisan staff capacity for future
Ban on general party activity	Encourage use of TNA as public forum for discussion of policy issues. The Ugandan Parliament, in a similar situation ban on parties situation, has become an arena for such discussions.
Uncertainty about the "representative status" of members	Encourage use of TNA as path for civil society group participation. If legislators cannot be traditional "representatives" they can still function to import public sentiments into government decision making.

Multiplicity of capacity needs and limited resources

USAID/UNDP potential overlap in efforts

Potential resistance of executive to TNA oversight efforts

Short term information needs of TNA for dealing with emerging "big issues "

Encourage more explicit modernization effort (committee) and formulation of modernization plan to establish priorities, direction and division of labor

Play to USAID relative comparative advantage and selectively stress activities that contribute to the functionality of TNA to legislate, represent and exercise oversight (for example increasing the TNA budgetary role by capacity building) Leave the more comprehensive filling out of administrative capacity to UNDP

Increase TNA capacity to use questioning and hearings as means for gathering information from ministries Then TNA, if it chooses, can move incrementally into more aggressive oversight once better informed

Respond with short term assistance for NGOs to give policy briefings, and other targeted informational assistance in areas like decentralization, human rights, constitution writing, etc