

**INDEFINITE QUANTITY CONTRACT FOR  
RULE OF LAW SERVICES**

Contract No. AEP-I-00-96-90030-00  
(Formerly: AEP-5468-I-00-6030-00)

Quarterly and Final Progress Report  
July 1 – September 30, 2000

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**CHEMONICS CONSORTIUM  
QUARTERLY AND FINAL PROGRESS REPORT  
JULY 1 – SEPTEMBER 30, 2000**

***INDEFINITE QUANTITY CONTRACT FOR  
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**USAID CONTRACT NO. AEP-I-00-96-90030-00;  
formerly AEP-5468-I-00-6030-00**

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**A. CONSORTIUM MANAGEMENT**

There are no consortium management issues to report.

**B. ACCOMPLISHMENTS DURING THE REPORTING PERIOD**

**USAID/Russia - Russian American Judicial Partnership, Task Order No. 802,  
September 29, 1997 – August 15, 2000, Ceiling Price \$4,100,000**

*Home Office (HO) Project Management Unit: William Slocum, senior manager; and,  
Marisa Cebukski, acting project administrator.*

The purpose of this task order was to provide assistance to the Russian American Judicial Partnership (RAJP) in its work to develop a credible and fair Russian judiciary and court system. A series of mutually reinforcing activities with the Commercial Court, the Court of General Jurisdiction, the Supreme Court, and the Council of Judges accomplished this work. Through a partnership between Chemonics and the US-based National Judicial College, RAJP trained staff of the Commercial Court in new commercial legislation and the Courts of General Jurisdiction in systems development, court administration, and case management. In addition, RAJP worked with the Council of Judges to develop its capacity as a governing body and with the Supreme Court to create a judicial training institute. RAJP also worked with the Supreme Qualifying Collegia, a group of judges responsible for both the selection and discipline of judges, and the Judicial Department, a newly created entity which has the responsibility of administering the Federation's court system.

## Quarterly Progress Report

Although the Russian-American Judicial Partnership (RAJP) program officially ended on August 15, 2000, the project continues to contribute to a stronger and more independent Russian judiciary by having improved judicial understanding of legal reforms and judicial ethics, transferred court administration skills, developed sustainable partnerships between the United States and Russian judiciary, and educated judges and others through intensive and relevant workshops on issues related to judicial reform. Changes in Russian legislation have provided the judiciary with greater independence, and as the Russian judiciary responds to these changes, it will develop into a more credible, fair and independent branch of government.

### *Courts of General Jurisdiction (Judicial Department)*

Chemonics International's activities with the Courts of General Jurisdiction were targeted at promoting greater independence throughout the Judicial Department. For nearly three years, the Judicial Department has assumed the administrative and financial responsibility for court management previously held by the executive branch under the Ministry of Justice. RAJP viewed the development of the Judicial Department as a priority and a promising sign for the emergence of a free and independent judiciary in Russia.

Since the creation of the court administrator position in 1999, more than 78 percent of court administrators for regional courts have been appointed by the Judicial Department's regional offices. Although temporary instruction for court administrators was completed, the Judicial Department requested further assistance from the RAJP in the areas of developing model qualification requirements for court administrators and developing a court administrator curriculum and training manual. In August 2000, we submitted to the Judicial Department a draft court administrator training manual which includes an introduction to the Russian court system and comparative materials on court procedure, budgeting, and record keeping.

In July 2000, the RAJP team completed the "Guide to Automating the Courts of General Jurisdiction of the Russian Federation." The Guide is targeted at improving court processes, promoting a uniform case management system and ultimately enhancing the judicial system's ability to reduce delays and backlogs. One thousand copies of the Guide were printed and will be disseminated by the Judicial Department throughout Russia for use by judges, Judicial Department employees, and court staff. Copies were also provided to the Council of Judges for use by its automation committee and the Supreme Commercial Court.

In May 2000, the Judicial Department requested RAJP assistance in developing a Web site to improve court administrators' abilities to develop systems and manage cases effectively. The RAJP funded the development of the Web site and provided some

guidelines for its creation. By the end of July 2000, the Web site was operational and contained valuable information on the Department's structure and the role of court administrators. It is located at <http://www.cdepint.org.ru/eng/main-e.htm>.

### *Academy of Justice*

The Russian Academy of Justice was created on May 11, 1998, by Decree of the President of the Russian Federation with the Supreme Court of the Russian Federation and the Supreme Commercial Court of the Russian Federation as co-founders. A Government Resolution was signed on October 28, 1999, which formalized the creation of the Academy of Justice. As the Academy develops further, it will assume responsibility for training general jurisdiction and commercial court judges and court staff.

In July 2000, the RAJP worked closely with the Academy in completing the Russian "Judge's Book." The Book contains general information on judging, including ethical issues, court procedure and structure, judicial administration, and media relations. It also includes sections concerning the role of the newly appointed justices of the peace and court administrators.

The RAJP team also provided the library of the Academy of Justice (AOJ) with copies of more than 30 Russian language publications on Russian legislation and comparative law. Chemonics also donated law books, compact discs, and periodicals from the United States to the AOJ to help them further develop their library. In addition, the RAJP team transferred to the AOJ its judicial training tracking system database to assist in identifying judges who have received training and those who need additional training.

### *Collegia on Judicial Qualifications (CJQ)*

The RAJP's objectives for assisting the CJQ focused on reducing corruption and improving the integrity of the judicial branch by strengthening the Collegia. The RAJP's approach to discouraging corruption in the judiciary was to increase awareness among key members of the judiciary of models and best practices for judicial ethics, selection, evaluation and discipline.

### *Commercial Courts*

Assistance to the Commercial Courts was focused on increasing its capacity to train judges in substantive Russian commercial and administrative law, developing reference material in commercial and administrative law, improving court administration, and increasing Internet access so the court can publish key decisions and training materials on-line.

As a result of the project's work with the Commercial Courts, new provisions aimed at promoting pre-trial procedures were added to the draft Commercial Court Procedure Code to help speed up the process of case consideration and reduce caseloads in the Commercial Courts. The RAJP also continued to support the Supreme Commercial Court's Web site by providing funding for its operation and development and training court staff in the use of Internet and electronic mail to enable rapid dissemination of substantive information on current decisions.

### *Council of Judges*

The work with the Council of Judges (COJ) was targeted at improving the COJ's ability to function as a governing body for Russian judges. Chemonics assisted the COJ by providing presenters for its semi-annual meetings and supported the promising partnership of the COJ and the United States Judicial Conference. We also continued to promote possible COJ membership with the International Association of Judges through discussions with the IAJ. Admission to this association would assist the COJ and Russian judges in meeting international standards and add prestige to the Russian judiciary.

### Annual Summary

Please see the attached final project report for Chemonics International's accomplishments under this task order.

### **USAID/Zambia- Implementation of Court-Annexed Mediation in Zambia, Task Order No. 807, December 15, 1999 – September 30, 2000, Ceiling Price \$496,227.**

*HO Project Management Unit: Robert Buergenthal, senior manager; Anne Maschino, project manager; Beatrice Zimmermann, project administrator; and Catherine Burke, assistant project administrator.*

The objective of this task order was to provide a fully operational mediation system in Zambia. Toward this end, Chemonics: reviewed the Zambian mediation model; assisted the Judiciary to select lawyers and non-lawyers to be trained as mediators; provided mediation training and then co-mediated cases with trainees; evaluated and made recommendations following each training; and, provided technical assistance to design administrative systems and procedures.

### Quarterly Progress Report

During this quarter, the second training and settlement week activity took place. A team of six U.S. consultants traveled to Ndola to conduct mediation training, which included mediation theory and practice sessions. The training was conducted using the Mediator

Training Manual that was created by the Chemonics team. The manual contains information about the stages of mediation, the roles involved in mediation, and the relevant High Court of Zambia laws. Under the mentorship of the Chemonics team, the 28 newly trained mediators then mediated cases that were pending in the High Court of Zambia. Of the 79 cases scheduled for mediation, 66 cases were concluded and 13 were pending additional mediation at the conclusion of the settlement week activities.

Advocate training was also conducted in Lusaka and Ndola during this reporting period. The training was based on the Advocate Training Manual that was developed by the project team. The advocate training focused on the mediation process, the stages of mediation and role of the mediator, advocacy skills and techniques used during mediation, preparing and advising clients during mediation, and the mediation rules for the High Court of Zambia. The purpose of the training was to educate the legal community about mediation. The training resulted from recommendations made after the first training and settlement week, which was conducted in April in Lusaka, and is believed to have increased the advocates and their clients' participation in Settlement Week.

Seven Zambian judges participated in mediation training that was led by two Chemonics consultants, both of whom are judges in the Superior Court of the District of Columbia. The purpose of the training was to review the Judicial Training Manual, created by the Chemonics team, and provide an opportunity for the judges to express concerns about mediation outside of the presence of other court officials. The training focused on the differences between mediation and adjunction, the stages of mediation, Settlement Week policies and procedures, and the selection of cases to be referred for mediation. The judicial participants were enthusiastic about the increased use of mediation and requested additional training on the role of the judge in the referral and management of mediation cases.

The purpose of all three trainings was to establish and build the mediator, judicial, and advocate mediation skills-base in Ndola, the Copperbelt, and Lusaka. The activities also served to create the administrative and procedural systems for the development of the mediation systems. The trainings and manuals were based upon situations that were relevant to the Zambian environment. Additionally, the manuals will be used for future training of mediators and as a reference for parties involved in mediation cases. Copies of all three manuals are included in the final project report, which is an annex to this report.

Shortly after the Ndola training and settlement week activities, USAID's mediation activities in Zambia were publicized nationally through an August 23, 2000 article in the Zambia Daily Mail. A project team member provided insight into the mediation process for the article. There was additional media attention to mediation in Zambia when the local project coordinator gave an interview to a national radio program and wrote an article for a quarterly judicial publication, which discussed mediation in Zambia and

project activities. Copies of the Zambia Daily Mail articles and the judicial publication piece are included in the project final report.

In mid-September, the project's local coordinator traveled to Ndola and Kitwe to follow-up on the establishment of the mediation administrative procedures that were being established in those cities. The coordinator met with his local counterparts and other judicial officials to review the process for cases being referred to mediation and how the cases would be handled, administratively, while in mediation. The case allocation process was also reviewed.

The project ended on September 30, 2000. The final project report was submitted to USAID/Zambia and is attached as Annex D to this report.

#### Annual Summary

The final task order report, which highlights the project accomplishments, is included as an annex to this report.

### **C. TASK ORDER FINANCIAL DATA**

This information is provided in the hard copy of the report.

### **D. TECHNICAL REPORTS**

**USAID/Russia - Russian American Judicial Partnership**, Task Order No.802. Final Project Report. See hard copy of report for final project report.

**USAID/Zambia – Implementation of Court Annexed Mediation in Zambia, Task Order No.807**. Final Project Report. See hard copy of report for final project report.

## **Task Order Descriptions**

### **USAID/South Africa, Technical Assistance for the Development Employment Equity Legislative and Policy Framework, Task Order No. 800, September 5, 1997 – September 1, 1998, Ceiling Price \$364,983**

Chemonics International assisted the South African Department of Labor in the drafting and implementing of legislation ensuring equitable employment practices. The Chemonics consultants guided the development of employment equity legislation and a compliance and monitoring scheme. They also compiled and disseminated information on South African employer best practices in employment equity promotion and affirmative action.

USAID/Indonesia, Technical Assistance for Legal Reform Assessment, Task Order No. 801, September 29, 1997 – February 15, 1998, Ceiling Price \$229,443

This project studied the development of the Indonesian legal system, the technical needs of reform, and the level of local government support for changes to the legal system. The Chemonics team interviewed officials and ex-officials to identify areas where there was a need for harmonization of legislation concerning the regulation of a market economy, improvement of the preparation of lawyers, and the expansion of continuing education of lawyers, among other objectives. The assessment team recommended areas for further exploration including strengthening of the use of Alternative Dispute Resolution techniques and improving legal education.

USAID/Russia, National Judicial College Judicial Reform Program, Task Order No. 802, September 29, 1997 – August 15, 2000, Ceiling Price \$4,100,000

Chemonics assisted Russia in the development of a credible and fair judiciary through a partnership between the U.S.-based National Judicial College and the Russian court system. Activities included helping the country's Commercial Court develop its ability to train staff in new commercial legislation and helping the Courts of General Jurisdiction with systems development, court administration, and case management. Similarly, Chemonics helped the Council of Judges develop capacity as a governing body, and worked with the Russian Supreme Court to create a judicial training institute.

USAID/Rwanda, Technical Assistance to the Ministry of Justice on Improved Public Awareness Campaign, Task Order No. 803, May 27, 1998 – March 31, 2000, Ceiling Price \$2,647,189

Chemonics helped develop a workplan for a *gacaca* awareness campaign and developed an employment plan and budget for the Ministry to implement the campaign. Chemonics also produced a radio campaign, managed a national logo contest, developed a guide, drafted a professional journal on *gacaca* to serve as a professional forum, and co-sponsored seminars on the community work scheme and for genocide survivors, and a colloquium on *gacaca* jurisdiction. The Center of Conflict Resolution of the National University of Rwanda was

assisted in conducting research to define popular perceptions of victim compensation as input to the law on victim compensation.

**USAID/El Salvador, Legal Education Training, Public Information Dissemination, and ADR Services, Task Order No. 804, September 8, 1998 – June 30, 2000, Ceiling Price \$1,302,411**

Chemonics developed a program focusing on inter-institutional coordination and the importance of inter-relationships between legal education, public information dissemination, and court-annexed alternative dispute resolution (ADR) services. The Chemonics team developed workshops to train justice sector operators in campaigns for public legal education, conciliation and mediation, and media communications. Additionally, Chemonics performed a diagnostic study of the communication strategies of individual justice sector institutions and the sector as a whole and worked with the institutions to improve these strategies. Under the ADR component, a pilot-program for court-annexed mediation was designed and implemented in four municipalities. A public legal education campaign was developed. Chemonics also upgraded all hardware and software for the justice sector's Coordinating Body and provided computer training, conducted feasibility studies for a witness protection program and an independent forensics institute, and printed various legal publications for public distribution.

**USAID/West Bank & Gaza, Feasible Options for Rule of Law Programming, Task order No. 805, September 30, 1998 – December 4, 1998, Ceiling Price \$197,073**

This project helped USAID/West Bank and Gaza identify feasible options for rule of law programming. The continued applicability of rule of law programming constraints identified in 1995 and progress made toward meeting three programming pre-conditions established by USAID were evaluated. Finding sufficient progress had been made, six program options were recommended to the Mission by Chemonics including the creation of a judicial institute, development of the law schools and libraries, creation of a comprehensive commercial law development program, increased standards for lawyers, the addition of civil society components to the Mission programs, and increased transparency in the administration of law.

**USAID/Dominican Republic, Justice Sector Technical Assistance and Training, Task Order No. 806, February 15, 1999 – March 31, 2000, Ceiling Price \$1,585,095**

Chemonics and the Florida International University provided the country's judicial sector institutions with training and technical assistance to develop a Unified Justice Sector Training and Assistance Plan. Through carefully developed training activities, short courses, and study tours, Dominican judges, prosecutors, public defenders, inspectors of tribunals and anti-corruption prosecutors were exposed to successful legal reform programs. Chemonics also helped the country reform its criminal procedures code and supported civil society's contribution to justice sector reforms.

USAID/Zambia, Implementation of Court-Annexed Mediation in Zambia, Task Order No. 807, December 15, 1999 – September 30, 2000, Ceiling Price \$496,227

Chemonics developed a pilot program that included mediator training for a multi-disciplinary group of professionals and orientation programs for advocates and judges in both Lusaka and Ndola. In addition, Chemonics was instrumental in the administration of two Settlement Weeks—weeklong events during which cases were scheduled for mediation—and in mentoring Zambian mediators during each Settlement Week. Through these activities, Chemonics developed mediation and program and settlement week policy, procedures, forms, and planning checklists, all of which were adopted by the High Court for Zambia. Three manuals were created: a *Mediator Training Manual* that incorporates information about mediation, including theory, role-play scenarios and exercises to develop communication, negotiation and facilitation skills; an *Advocate Training Manual*; and a *Judicial Training Manual*.