



USAID
FROM THE AMERICAN PEOPLE

IQC Quarterly Report

Building Recovery and Reform Through Democratic Governance (BRDG) IQC

January - March 2007

Contract No. DFD-I-00-05-00220-00

April 2007

This publication was produced for review by the United States Agency for International Development. It was prepared by Development Alternatives, Inc.

IQC Quarterly Report

Building Recovery and Reform Through Democratic Governance (BRDG) IQC Quarterly
Report No. 7
January – March 2007

The authors' views expressed in this publication do not necessarily reflect the views of the United States Agency for International Development or the United States Government.

TABLE OF CONTENTS

SECTION 1: CONTRACT PROGRESS REPORT	5
SECTION 2: TASK ORDER PERFORMANCE REPORTS	6
SECTION 3: ANNEXES – TASK ORDER QUARTERLY REPORT NARRATIVES ERROR! BOOKMARK NOT DEFINED.	

SECTION 1: CONTRACT PROGRESS REPORT

New Task Orders	
None	
Ongoing Task Orders	
Name:	Building Recovery and Democratic Governance to Advance and Consolidate the DRC Transition Program (BRDG ACT Program)
Contract No. and Date:	DFD-I-00-05-00220-00, Task Order No. 1, issued 9-30-2005
Modifications:	Modification 2 : Task Order fully funded to \$5,359,294
Percent Complete:	72% (18 of 25 months)
Subcontractor Notes:	None
Other Changes:	None
Name:	USAID Technical Support Project for Social Investment and Capacity Building in Equatorial Guinea(referred to as the "USAID Technical Support Program (USAID/TSP) to GREG")
Contract No. and Date:	DFD-I-00-05-00220-00, Task Order No. 2, Issued 08-07-2006
Modifications:	(Provide specific details of time extensions or incremental funding)
Percent Complete:	
Subcontractor Notes:	
Other Changes:	(i.e. Change of CO or CTO, 75% notification, completion of work)
Name:	Building Recovery and Reform through Democratic Governance- BRDG Liberia
Contract No. and Date:	DFD-I-00-05-00220-00, Task Order No. 3, Issued 8-31-2006
Modifications:	(Provide specific details of time extensions or incremental funding)
Percent Complete:	
Subcontractor Notes:	
Other Changes:	(i.e. Change of CO or CTO, 75% notification, completion of work)

SECTION 2: TASK ORDER PERFORMANCE REPORTS

Building Recovery and Democratic Governance to Advance and Consolidate the DRC Transition Program (BRDG ACT Program) – Task Order No. 1

Significant program activities completed during this Quarter include:

- **BRDG-ACT provided Direct Assistance to the IEC which enabled them to Print Ballots and Other Documents Necessary for them to implement the Indirect Elections of Senators, Governors and Vice-Governors.**
- **Contributed Logistical Assistance to Facilitate the National Workshop on the Fundamental Options Relative to the Draft Laws Concerning the Organization, Scope and Functioning of the Constitutional Court, the Court of Appeals and the State Supreme Judicial Council .**
- **Direct Assistance to the CONADER to Support Reintegration Activities of Ex-Combatants – This activity will reintegrate 1,212 ex-combatants by providing them with training, high intensity labor activities and reintegration kits in the Beni-Lubero Territory in North Kivu.**
- **Phase Two Assessment -The purpose of this assessment was to focus on the status of key institutions considered by USAID as potential partners in its efforts to help advance and consolidate the DRC’s transition to peace and democratic governance.**

Lessons learned during this quarter include:

-
-
-

USAID Technical Support Project for Social Investment and Capacity Building in Equatorial Guinea- Task Order No. 2

Significant program activities completed during this Quarter include:

-
-
-

Lessons learned during this quarter include:

-
-
-

Building Recovery and Reform through Democratic Governance- BRDG Liberia- Task Order No. 3

Significant program activities completed during this Quarter include:

-
-
-

Lessons learned during this quarter include:

-
-
-

SECTION 3: ATTACHMENTS

Annex A: Narrative of BRDG ACT DRC Quarterly Report 7 (Jan 1 – Mar 31 2007)

Contract Advancements

On December 28, 2006, modification #3 was approved by the USAID Contracts office in Nairobi. This modification authorized the following changes:

1. Total Obligated Amount is increased from \$5,093,418 to \$5,359,294 to fully fund the contract.
2. In modification no. 02 coversheet, Block 14, item 2), delete “\$1,497,136” and in lieu thereof insert “\$1,231,260”.
3. On page 4 of the previous modification no.2 dated 09/29/06, item 6, the fiscal data under the amount of \$265,876 is deleted and replaced with the fiscal data incorporated hereunder this modification no 03.
4. The following fiscal data for the \$265,876 obligated under this modification and the similar amount of \$265,876 obligated in part under the previous modification no. 02 dated 09/29/06, is incorporated under the Task Order Contract:

On February 22, DAI submitted a request for realignment due in part to the unexpected delays relating to the run-off elections (including a Consular Warden Warning from the U.S. Embassy in Kinshasa restricting travel to the country between October 19 and December 31, 2006), and the delay in the installation of the newly elected government, which resulted in the timing of the second Institutional Assessment being deferred. The other contributory factor was that the assigned Assessment Team Leader had since taken over as the Chief of Party of another project, and his availability was limited to a specific timeframe. DAI scheduled this assessment for early March 2007.

On April 13, 2007, DAI submitted a revised budget realignment, incorporating specifics requested by the CTO. The major changes since the earlier submission were as follows:

- LOE changes -

Assessment team: DAI retained only one expatriate expert on this team

Extension to the Period of Performance for local Governance Advisors

- FSN scale increase

Base rates were increased for long-term local staff in order to reflect the current FSN compensation plan.

- ODCs:

Assessment Budget: Due to the change in number of persons on the team and provinces to be visited, the assessment ODCs decreased.

- SAF:

The decrease in the overall operational costs, has allowed DAI to place extra funds in Special Activities Funds direct assistance pool.

Phase Two Assessment

This assessment was implemented during the period of March 3-22, 2007 with the purpose of focusing on the status of key institutions considered by USAID as potential partners in its efforts to help advance and consolidate the DRC's transition to peace and democratic governance. Numerous partners and stakeholders were interviewed in Kinshasa, the Orientale Province and North Kivu. Key entities that were considered as potential USAID partners were:

1. Select Committees within The National Assembly (such as the PAJ);
2. The Provincial Assemblies in Oriental Province and North Kivu;
3. The Permanent Commission on Congolese Law Reform (CPRDC);
4. Other Judiciary institutions including the "Conseil Superieur de la Magistrature";
5. The Provincial Court of Appeals and the Procurer in each of the two selected provinces;
6. Provincial Judges Unions and Lawyers Unions within the 2 selected provinces and several selected key civil society partners;
7. Provincial Executive in the two selected provinces.

One of the assessment's goals was to establish a baseline for each of these organizations and propose attainable benchmarks for their performance during Phase II. The team also considered some of the key constraints each organization faces, of its declared strategies for overcoming these, and of ways in which donors, and USAID in particular, can most effectively support its efforts.

The team also assessed the status of some key legislation required for successful democratic governance and the role of the Governance Advisors who will be assigned to work with the National Assembly and the target Provincial Assemblies.

1. Methodology

The DAI phase two assessment employed several complementary methods of inquiry:

- desk study of relevant reports and studies
- interviews with senior management and other officials of the organizations under study, and
- Interviews with other donor and implementing organizations (particularly the CEPPS partners) having direct knowledge of their work, and with other key stakeholders.

Close review of existing reports and studies allowed the team both to fact-check and to better target interview questions. The team employed an open-ended interview methodology for the interviews. This enabled DAI to secure answers to essential questions while simultaneously allowing us to pursue important additional issues raised by the interviewees.

Conclusions and Key Recommendations will be included in the Assessment report that will enable the DAI team develop a work plan for Phase II of BRDG-ACT.

Services Provided for Strengthening the Institutional Capacity of the IEC and the PAJ

Technical Assistance Provided to the IEC and the PAJ

DAI continued to provide local experts to the IEC. These local experts included a Legal Advisor, a Media Specialist, a Telecommunications Specialist, a Programming Specialist, and a Financial Specialist/Auditor. They will be employed through June 2007. Technical assistance to the PAJ was

suspended on September 30 with the option to be resumed once the incoming PAJ President is installed by the newly-elected National Assembly.

In addition, STTA Programmer/Analyst, Poincare Marcellus who arrived on August 3, 2006 continued his work at the National Data Base Center (CNT). He completed his first contract on December 31, 2006 and has returned to the US. The CNT Director has requested that Mr. Marcellus return. This request has been approved by USAID/Kinshasa and Mr. Marcellus was redeployed to Kinshasa on February 12. His contract will be coming to term on April 12, but is subject to renewal.

Direct Assistance to the Political, Administrative and Justice Commission of the National Assembly

Direct Assistance to Enable the IEC to Print Ballots and Other Documents Necessary for the Indirect Elections

Amount: \$36,200

Status: Started and Completed in January

Actual expenditures: \$16,880

At the request of the President of the IEC, BRDG-ACT provided material support in the form of a direct contribution towards the procurement of office and computer supplies, which enabled the printing of ballots and other documents necessary for the indirect elections of Governors and Senators.

The Constitution of the Third Republic foresees a certain number of essential institutions, of which three had already been installed (the Presidency, the National Assembly and the Provincial Assemblies). The electoral calendar dictated that the Senators, the Governors, and Vice Governors were to be elected during the month of January 2007. This task, according to what was stipulated in articles 130, 139, 158, and 159 of the Law 06/006 of March 9, 2006 concerning the Organization of Elections in the DRC was assigned to the recently elected Provincial Assemblies. With this indirect double election, the institutional chain concerning national and provincial governance was completed, and the country will have all of the national institutions in place in order to engage in the battle for reconstruction and development.

This procurement enabled the IEC to finalize the material and technical preparations of documents needed for the elections. Taking into consideration the smaller number of electors and therefore the reduced volume of documents, which required handling during the electoral operations, the IEC decided to utilize the technical capabilities installed in the CNT and the IEC print shop for the production of ballots results slips, and other working documents. This procurement concerned the acquisition of office supplies and consumables, which will make possible the operation of available equipment to produce these documents.

Results:

- Permitted the IEC to organize the indirect elections (senators, governors and vice-governors);
- Completed the institutional chain to put into place national and provincial governance.

Specific Objectives:

- Acquired computer consumables necessary for the production of ballots and results slips;
- Acquired office supplies necessary for the production of the vote count report forms and the vote package transmission slips, the checklists the elections procedures and operations

manual, memory assistance manual of the procedures manual and the electoral agents written declaration forms;

- Printed enough ballots for the number the of anticipated electors and candidates;
- Printed the final lists of candidates, electors, and the reduced lists.

Providing logistical support to the PAJ

Amount \$7,660

Status: Approved in January and Ongoing

At the request of the President of the PAJ, BRDG-ACT agrees to provide logistical support to help facilitate the operations of the Political, Administrative and Justice Office of the National Assembly who are assigned the critical task of providing the DRC with the judicial tools which will enable it to facilitate the successful installation and operation of the new democratic institutions.

In order to continue upon this formidable undertaking, the Political, Administrative and Judiciary (PAJ) Committee of the National Assembly has solicited the material and technical support of USAID. BRDG-ACT provided assistance, which will assure that the PAJ will have the capacity to continue to be operational throughout this crucial period. This package includes timely material support in the form of office space, office supplies, communications and utilities covering the period of February 1 through April 1, 2007.

Direct Assistance to the CPRDC

Amount: USAID/DAI Contribution: \$22,582, DFID Contribution: \$21,500, EU Contribution: \$6,700

Status: Started in February and Completed this Period

At the request of the President of the CPRDC, BRDG-ACT provided logistical support to help facilitate the National Workshop on the Draft Laws Concerning the Organization, Scope and Functioning of the Constitutional Court, the Court of Appeals and the State Supreme Judicial Council.

The CPRDC is a government institution, created by law No. 71-002 dated June 12, 1971. It was originally called the “Commission de Reforme et d’Unification du Droit Civil Congolais” (Commission on Reform and Unification of Congolese Civil Law). Its function was to reform laws inherited from the Colonial period with the objective of elaborating modern laws conforming to the social and cultural realities of the Congolese people.

On June 15, 1976, the law No. 76-017 was promulgated to entrust this commission with the task of reforming all of all Congolese laws and the Commission was renamed the “Commission Permanente de Reforme du Droit Congolais” which continues to function today as it did then. This Commission consists of state civil servants, Professors and former Professors from State Universities. All of the members of this Commission are nominated by the President of the Republic, and are at the disposition of the Justice Ministry.

Since June 2006, in conformity with the Constitution of the 3rd Republic, the CPRDC has been working on the elaboration of these three draft law proposals. The Constitution conceptualizes the creation of these three new jurisdictions to replace the Supreme Court, which has a current scope that includes Constitutional, Judiciary and Administrative matters. These three draft law proposals have been completed and the CPRDC has organized a national workshop, which will include as participants, international experts and magistrates and lawyers from throughout the country.

The objective of this National Workshop was to collect opinions on these draft laws in a consultative manner from individuals practicing law in the DRC and other judicial actors.

The participants did the following:

- Analyze the different scopes of the three new jurisdictions to be created;
- Share the experience of other jurisdictions in general and the Belgian jurisdictions in particular;
- Draft a critical document on these three draft laws, which expresses opinions, observations and makes proposals for improvement.

Results:

- A document was produced expressing opinions and concrete propositions for improving these draft laws;
- A list of fundamental questions and concerns were established revealing the general tendencies observed during the course of the workshop which will be included in the workshop final report;
- A strategy was laid out with the aim of capitalizing on the results of this workshop for its approval by law practitioners and other associated actors in the field

Technical Assistance Provided to the CONADER

Direct Assistance to the CONADER to Enter 10,622 Ex-Combatants and their Benefits Provided by the SECA Project into the National Data Base

Amount \$4,500

Status: Started and completed this quarter

At the request of the CONADER Coordinator, BRDG-ACT provided three data entry operators for a period of approximately 5 weeks in order to enter 10,622 ex-combatants and their benefits provided by the SECA Project into the CONADER national database.

On October 14, 2005, USAID signed a convention with CONADER, which would provide the Project SECA with the means to reintegrate 10,622 ex-combatants by providing them with training or high intensity labor activities and reintegration kits in the Ituri district in the Oriental Province.

The implementation of this project was completed during a period of 10 months between November 2005 and August 2006. When the project was completed, 10,066 ex-combatants had received benefits from SECA and had been reintegrated and their names and the benefits that they received had been entered into a database system using the SECA ACCESS Program.

After the project was closed out, CONADER, in response to recommendations made by the World Bank developed a standard program for entering all ex-combatants and their associated benefits into a national data-base system. The SECA data needed to be entered into the CONADER National Data-Base system. This necessitated the recruitment of three data-entry operators to work for approximately 5 weeks in order to accomplish this task.

General Objective:

- Enter 10,622 ex-combatant reintegrated by the SECA project and their associated benefits into the CONADER National Data-Base System.

Specific Objectives:

- Provide CONADER with the quantitative means to justify the project SECA/CONADER.
- Provide CONADER with access to the identities of and benefits received by 10,622 ex-combatants reintegrated by SECA;

This Data-Base will help ensure that the same ex-combatant will not be reintegrated twice by two different programs financed by CONADER.

Direct Assistance to the CONADER to Support Reintegration Activities of Ex-Combatants

Amount: CONADER Contribution: \$531,752, BRDG-ACT Contribution: \$53,210

OFDA Contribution: \$80,391

Status: Started this Quarter and Ongoing

Description/Purpose: At the request of the CONADER Direction, BRDG-ACT agrees to provide material support in the form of salaries and reintegration kits for community members who will participate in this activity, which supports the socio-economic reinsertion of ex-combatants through training and the rehabilitation of community infrastructure in North Kivu.

On March 7, 2006, USAID signed a convention with CONADER, which would provide various implementing partners, notably IFESH, German Agro Action and the Catholic University of Graben (UCG) with the means to reintegrate 1,212 ex-combatants by providing them with training, high intensity labor activities and reintegration kits in the Beni-Lubero Territory in North Kivu.

The implementation of this project started on March 10, 2007.

Division of Labor

- IFESH is undertaking the task of preparing the local population for the arrival of the ex-combatants and providing initial training to the ex-combatants in order to help them cope with reintegration into civilian life. Management and conflict resolution committees made up of local inhabitants are formed and trained and are actively involved with the target group.
- GAA is responsible for the technical aspects of the road rehabilitation and supervising the target group. GAA, through a grant issued by OFDA, pays for transport, materials, supervisory costs and any other costs associated with the road rehabilitation activity. They will also provide agricultural production training and seeds to the local population participants.
- CONADER is responsible for identifying and certifying the ex-combatants and providing DAI with funds to pay salaries to, train and procure reintegration kits for the ex-combatants.
- Under the BRDG ACT project, DAI pays salaries to the local community member participants with USAID funding and the ex-combatants with CONADER funding and will procure income generation kits for all of the laborers. DAI conducts regular on-site inspections in order to verify the nature and number of laborers participating in the activity.
- CEFADES under the direction of the UCG (Catholic University of Graben) is responsible for training the ex-combatants. Target groups will receive personal employment facilitation. Income

generation activities will be developed which will ensure the sustainability of the reintegration process

Overall goal: The Maboya-Mabalako road (nearly 35 km), considered to be a vital route for three communities is rehabilitated, creating short-term employment opportunities for ex-combatants and assisting in their eventual reintegration into the civilian community.

Objectives:

- A labor-intensive road rehabilitation program targeting ex-Mai-mai militia as laborers will be the focus of this activity. The manual job will consist of cutting and removing roots of trees along the road, moving earth to provide for a durable erosion-resistant road structure, and digging drainage ditches.
- This activity will provide employment and training for 1,612 workers targeting ex-combatants as a work force and will be a step towards a permanent reintegration of ex-combatants back into local communities.

Beneficiaries:

- Villages situated on the road will benefit from the rehabilitation of the road and the economic benefits provided by over 1,600 regular salaries being paid to ex-combatants and members of the local population;
- This project will also provide income generation activity training and reintegration kits to participants. Each ex-combatant will be able to choose what activity he would like to undertake. Upon successfully finishing his training he/she will be provided with a bicycle a reintegration kit which will enable him/her to apply the trade s/he learned.

Grants issued to local NGOs

The BRDG-ACT project did not issue and grants to NGOs during this period.

Management STTA

Poincare Marcellus was seconded to the IEC through the end of December 2006. He then returned to the US and was redeployed to Kinshasa on February 12, 2007.

Annex B: Narrative of BRDG Equatorial Guinea Quarterly Report 2 (Jan 1 – Mar 31 2007)

Annex C: Narrative of BRDG Liberia Quarterly Report 1 (Dec 1 2006 – Feb 28 2007)

