



Rwanda National Assembly Support Project



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**Analysis of the Legislative Process at the Rwanda
Transitional National Assembly**

by

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General of the Rwanda Transitional National Assembly*

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Introduction

Eight years after the tragic events of war and genocide, Rwanda is in the midst of a process of reconciliation and transition to democracy. The long-term success of this transition depends, in part, on the capacity of the Rwanda Transitional National Assembly (“the Assembly”) to effectively fulfill its legitimate lawmaking duties and oversight functions. Since its 1994 creation, the Assembly has made enormous strides, and it is hoped that this report will contribute to this ongoing effort. The report is an analysis of the Assembly’s current capacity to function as an effective and empowered deliberative body with specific recommendations on how its capacity can be strengthened and enhanced.

The intent of this report is to “think big” and look beyond the current tenure of the ARD/SUNY Rwanda National Assembly Support Project. While the report provides some direction for the remainder of the project’s second-year contract (which ends March 2003), most of the recommendations are broad and far-reaching and will require substantial long-term commitment on the part of the Assembly, as well as the future support of donors and other partners. While much has been accomplished in the past eight years, efforts to create a fully-empowered Assembly require a long-term commitment with the leadership, and much of the resources, coming from the Assembly itself.

More specifically, the report (1) describes the critical role of a parliament¹ in democratic governance, (2) provides background information on the Assembly and its operations, (3) describes the Assembly’s strengths, accomplishments, limitations, and most critical needs, (4) makes 13 specific recommendations for improving the Assembly, (5) summarizes the activities of the ARD/SUNY Rwanda National Assembly Support Project (including proposed activities in support of the 13 recommendations), and (5) briefly describes the report’s implications for donors.²

While the thirteen recommendations are addressed specifically to the Assembly and its leadership, the report is intended for both internal and external use and will hopefully facilitate an ongoing dialogue within and among (1) Deputies and staff at the Assembly, (2) Rwandan government leaders, (3) Rwandan civil society, and (4) USAID and other donors interested in Rwanda’s governance and the Assembly’s critical role in the nation’s transition to democracy.

In undertaking this analysis, the author relied on numerous sources. He met with the Assembly President, Vice President, Deputy-Secretary, and the full committee or committee leadership of all nine standing policy committees. Individual meetings were also been with

¹ The term “parliament” in this narrative refers primarily to legislatures and legislative bodies in general, while the term “Assembly” is generally used to refer specifically to the Rwanda Transitional National Assembly. In this report, Assembly Deputies are sometimes referred to as Members of Parliament or MPs.

² Past donors to the Assembly have included the United Kingdom, Switzerland, the Netherlands, China, Canada, and Germany, with the United Nations Development Agency (UNDP or PNUD--the French acronym which is popularly used in Rwanda) and USAID the most significant. PNUD has provided funding for cabling the Assembly, transcription equipment, training of Assembly secretaries, manuals on the legislative process for Deputies, FilemakerPro-based software for verbatim reports, computer training, conferences on human rights and other topics before the Assembly, and Assembly field trips within Rwanda. The future of continued PNUD support of the Assembly is currently not known. The European Union has made a major commitment to complete the restoration of the Assembly facilities, a major portion of which is still heavily damaged from the 1994 war.

21 key staff, including the Secretary General, 2 Advisors to the President, the President's Secretary, the three staff Division Directors, and 5 Technical Directors. Meetings were also held with the two groups that have offices at the National Assembly, the PNUD Assembly support project and the "Forum des Femmes Rwandaises Parlementaires" (women's MP forum).

The author also had a number of formal and informal conversations with a range of individuals outside the Assembly, including diplomats, project directors, government functionaries, and Rwandan citizens in which he inquired about the effectiveness and perceptions of the National Assembly. Information was also gleaned from press reports.

The written resolutions and recommendations by both Deputies and staff that came from the ARD/SUNY project's Policy Analysis/Executive Oversight and Advanced Budget trainings were another valuable source of information. There were extensive discussions, both formal and informal, during these trainings from which the author gleaned numerous insights. Nearly every Deputy and 25 staff managers and technical directors participated in at least a portion of these 10 total training days. A variety of documents were also reviewed, as listed in Attachment B.

The author is Dr. Douglass P. Teschner, current Project Director/Chief of Party of the ARD/SUNY Rwanda National Assembly Support Project. Dr. Teschner, who earned a doctorate in administrative leadership, served for 12 years as a legislator in the New Hampshire House of Representatives. He previously served in the Peace Corps in Morocco and as a parliamentary trainer in Indonesia. His background also includes extensive management, consulting and organizational development experience. More details on Dr. Teschner's experience are included as Attachment A.

While the author accepts full responsibility for the statements in this report, he wishes to acknowledge that the ideas came from many sources. To a very large extent, he acted as a filter, editor, and synthesizer of many people's comments, observations, and suggestions, while integrating his own experiences and knowledge from many years as an elected legislator.

Lastly, the author wishes to acknowledge that the Rwandan social and economic context makes any long-term organizational change very challenging, indeed daunting. As a poor nation recovering from war and genocide, Rwanda faces enormous social and economic challenges which impact every level of the government and private sectors, including the Assembly. This said, hope is essential, and, in the author's view of the Rwanda National Assembly, certainly justified.

The Critical Role of Parliament in Democratic Governance

There is no single “blue print” for successful democratic governance. Each nation, including Rwanda, must find its own way, building upon its own culture and traditions. There are, however, at least four central principles in common to all the world’s successful democracies.

First, a democratic government needs to reflect the people’s will as so eloquently stated in Abraham Lincoln’s famous quote, “government of the people, by the people, and for the people.” This value is achieved through free and fair elections, as well as by elected officials who are responsive to the needs of their constituents and operate in an open, transparent, and accountable manner.

A second core principle of democracy is the protection of individual human rights; in a democracy one cannot allow the “tyranny of a majority” to overrule this fundamental principle. A third core value is the rule of law. No one is above the law, and fair, transparent processes must be followed to resolve conflicts and prosecute alleged criminals. A fourth principle of democracy is “checks and balances” on power, based upon the underlying assumption that “power corrupts” and must be controlled.

As a critical player in democratic governance, a legislature has three principal duties. The first duty, of course, is to make the laws. From a process perspective, this requires strong legislative commissions and legislators who engage thoughtfully and deliberatively in the work of these legislative committees.

A second duty of the parliament is responsiveness to the needs of citizens, through both individual casework and in passing laws that reflect their needs. The third duty of a legislature is to fully utilize its legitimate and lawful powers to exercise oversight of the Executive branch of government.³

These three roles of a legislature are often highly interrelated. For example, one can learn through civil society or from individual citizens, that a certain Ministry is not doing its job properly. Or perhaps a law needs to be changed to correct an injustice that becomes evident when the legislator investigates a citizen complaint. Lawmaking, especially when initiated by a Member of Parliament, can serve as executive oversight. And the role of staff is critical in providing legislators with the information they need to make sound decisions.

In analyzing the legislative process at the Rwanda Transitional National Assembly, the above-stated points, both the four critical elements in a democracy and the three interrelated roles of a legislature, are fundamental considerations. The suggestions and recommendations that follow are based upon these core ideas. A fundamental assumption of this report is that the long-term success of democracy in Rwanda will require the nation, generally, and the National Assembly, specifically, to bring these concepts to life in the day-to-day operation of Rwanda’s government.

³ Separation of powers has been widely recognized as an important component in successful economic development, since investors and entrepreneurs prefer to operate where government power is constrained, and therefore not capricious, as is most common in nations with democratic governance.

The Rwanda Transitional National Assembly

The Rwanda Transitional National Assembly was one of four government institutions created following the tumultuous 1994 events of war and genocide in this small East African nation.⁴ Initially designed to end after five years (in 1999), the transition period was extended until July 19, 2003 by vote of the Assembly.⁵ A process leading to a new Constitution is well underway.⁶ Following hoped-for final adoption of the new Constitution by public referendum in early-to-mid 2003, national elections are planned. The transition and current Government of National Unity will end, and the newly elected President of the Republic and National Assembly will assume power.

Officially constituted on November 25, 1994, the unicameral Transitional Assembly is comprised of 74 seats⁷ with appointment by political parties and designated groups following the allocation design of the 1993 Arusha Peace Accords (which predate the genocide and Rwanda Patriotic Front takeover in 1994) and subsequent revisions.⁸ None of the eight parties represented in the Assembly has more than 13 seats, and three nonparty groups are also represented (the army, women, and youth).⁹ The Members of Parliament (“Deputies,” “MPs,” or “members”) serve on nine policy committees (also called

⁴ The other three government institutions during the transitional period are the President of the Republic, the Transitional government, and the judiciary. The government, but not the President, may initiate legislation.

⁵ Under terms of the Arusha Peace Accords, no further extension of this transition period is possible.

⁶ A new Constitution was envisioned in the 1993 Arusha Peace Agreement. A law creating the Legal and Constitutional Commission was developed in 1999 and passed in June 2000 (and subsequently amended in November 2000). The Commission began its work in earnest in January 2001 and has undertaken a process of educating the public on the need for a new Constitution and seeking public input. The Commission recently summarized many of the ideas from the public input phase in a document entitled “A Compilation of Ideas on Constitution.” It plans to draft a proposed Constitution in the fall of 2002, followed by presentation to the Cabinet and Assembly for approval and public referendum in 2003.

⁷ At the time of this report, there were 69 Deputies with 5 seats vacant due to death, resignation, or appointment to other posts.

⁸ The activities of political parties in Rwanda are limited during the transition period, including restrictions against publicizing their activities or actively recruiting new members. Eight pre-war parties are recognized (while two associated with the genocide are banned), and no new parties can organize except through approval by law. The existing parties are limited in their activities, but do appoint the Assembly Deputies and participate in the Forum of Political Parties. The parties have the right to replace their Deputies at will, and this has happened on a fairly regular basis. (Only a minority of the current Deputies have served since 1994.) Otherwise, the political parties in general have limited direct influence in the Assembly’s legislative activities. For example, there are not official caucuses of Deputies from the same political party, although, obviously, some informal conversations do take place. The Deputies are each expected to represent the nation and, while appointed and identified by parties, do not actively acknowledge their party affiliation during debates and other legislative activities. Also, seating in the plenary hall is alphabetical so members of the same party do not sit together as a group. (Formerly, party members sat together.) It is fairly unusual for the Deputies to vote in party blocs.

⁹ The seat allocation among the eight parties is as follows: Rwandese Patriotic Front (RPF or FPR in French) -- 13 seats; Republican Democratic Movement (MDR) -- 13 seats; Social Democratic Party (PSD) -- 13 seats; Liberal Party (PL) -- 13 seats; Centrist Democratic Party (PDC) -- 6 seats; Islamic Democratic Party (PDI) -- 2 seats; Rwandese Socialist Party (PSR) -- 2 seats; and the Union for Democracy of the Rwandese People (UDPR) -- 2 seats. The three nonparty groups represented are the National Army (RPA) -- 6 seats; National Youth Council (NYC) -- 2 seats; and the National Women’s Council (NWC) -- 2 seats. Total seats 74.

commissions)¹⁰ and, as a body, have extensive legal powers¹¹ to initiate and make laws and adopt the state budget.

The top leadership of the Assembly, known as the “Bureau,” is comprised of the Assembly’s President (Speaker), Vice President (Deputy Speaker), and Secretary, all of whom are elected by the Deputies in a manner consistent with the power-sharing agreement in the Arusha Accords.¹² The Presidents¹³ (Chairs) and Vice Presidents of the nine policy committees are also elected by the full membership.¹⁴ The 21-member Conference of Chairmen, comprising the Bureau and the committee Presidents and Vice Presidents, meets monthly.

Each year, the Assembly holds three ordinary sessions of three months each, each of which is followed by a one-month recess. The committees may meet during the recess periods, but no plenary sessions are held.¹⁵ Except in special circumstances, plenary sessions are open for public viewing from the gallery.

¹⁰ The nine policy committees are as follows: Political Affairs; Economy and Trade; Science, Culture, and Youth (incl. Education); Foreign Affairs and Cooperation; Social Affairs; National Security and Integrity; National Unity and Human Rights; State Budget and Property; and Agriculture, Livestock Development and the Environment. The details of each committee’s subject matter are spelled out in the Assembly’s internal rules, and no Deputy can serve on more than one of these 9 policy committees. The three Bureau members do not serve on a committee.

¹¹ The powers of the legislature are described in a variety of documents including the so-called Fundamental Law (which encompasses the 1991 Constitution and amendments, the 1993 Arusha Peace Accords, the 1994 Declaration of the Rwanda Patriotic Front, and the 1994 protocol agreement of the Forum of Political Parties). Duties and powers are also defined in various agreements and so-called Organic Laws (which are distinguished from regular laws by their elevated degree of importance. Organic Laws rank immediately beneath the Constitution itself and are intended to complete provisions of the Constitution; unlike ordinary laws, which pass by simple majority, passage of Organic Laws requires a three-fifths vote). The new Constitution, when adopted, will replace the Fundamental Law.

¹² Under the peace agreement, power during the transition period is divided so that the top five government and Assembly posts are each held by members of different parties. The practice at the time of this report is as follows: President of the Republic (RPF), Prime Minister (MDR), National Assembly President (PSD), Assembly Vice President (PL), and Assembly Secretary-Deputy (PDC). Under present agreements, changing one of these posts to a person from a different party may require the changing of other positions in order to maintain the prescribed party balance. The Supreme Court judges are expected to be neutral with respect to party affiliation.

¹³ The title “President” is used for many positions including the President of the Republic, the President (or Speaker) of the Assembly, and President (Chair) of each of the Assembly’s nine policy commissions (committees).

¹⁴ While there is no formal requirement for distribution of political parties among committee leaders, the practice is that committee leadership posts are roughly distributed among the four largest (13 seat) parties, plus the army, as follows: 4 in the PSD (2 Presidents and 2 Vice Presidents), 4 RPF (3 Pres. and 1 VP), 4 PL (1 Pres. and 3 VP), 3 MDR (1 Pres. and 2 VP), and 2 Army/RPA (1 Pres. and 1 VP). The small PSR party has 1 President. The RPF has Presidents of two of the most powerful committees (Budget and Political Affairs), as well as Vice President of the important Social Affairs Committee.

¹⁵ It is important to understand the critical differences between “committee meetings” and “plenary sessions.” The former are the meetings of the small group of Deputies assigned to the specific committee (although other MPs may attend but not vote). In Rwanda, as in nearly all legislative bodies, most of the actual work of analyzing and amending bills is done in committee. In many legislatures (but not Rwanda), there is a formal “public hearing” period for proposed legislation at which time Ministers and interested groups and citizens may come before the committee to express their opinions on a particular bill (including offering suggestions for

There are 17 women Deputies (25% of the 69 current MPs) and a formalized woman's forum (the "Forum des Femmes Rwandaises Parlementaires," FFRP) was created in 1996.

A special Evaluation committee of Deputies (also known as the "Panel") is elected by the full membership to evaluate the Assembly's activities, including the work of the committees, as well as monitoring attendance records of each Deputy and reporting them to the political parties they represent.¹⁶ Ethics complaints are investigated by special ad hoc committees. (In one recent case, such a committee declined to recommend that the Assembly take action and passed the matter on to the Deputy's political party.)

The Forum of Political Parties, which is outside the Assembly, monitors the Evaluation Committee's data and may investigate possible ethics violations. The Forum also has the right to disapprove Deputy candidates proposed by the individual political parties.

Despite the considerable unrepaired war damage to other parts of the Assembly building, the plenary hall is impressive, modern, and well-equipped, with an unusually spacious public gallery. The Assembly has modern sound, translation, and electronic voting systems.

The length of speeches during plenary debates is limited as outlined in the internal rules (voted into law by the Assembly in 1998). The names of Deputies wanting to speak who sign up in advance of the debate are placed on the "first list" and, depending on the number of people speaking, may be allowed up to 10 minutes each. The names of MPs who sign up to speak once the debate has begun are placed on the "second list," and their speeches are limited to three minutes each.

While Deputies are designated by political parties, they are expected to vote as individuals, based upon their own views and conscience, as described in the Arusha Accords. Voting in plenary session may be done by a show of hands, orally, electronically, or by secret ballot at the request of one-fifth of the Deputies (or for decisions involving persons). Electronic voting is most common. Deputies who do not wish to express an opinion pro or con may abstain. Every article in a bill is voted individually (usually electronically), while the final vote on the entire bill is done by an oral recorded vote of the Deputies alphabetically.

changes or even to suggest that the bill be rejected altogether). The public hearing is then followed by a deliberative phase when the committee discusses the bill (including the public testimony it received), makes amendments (if desired), and votes recommendations to the full plenary. In many legislative bodies, deliberative committee meetings are open to the public for viewing, but not for participation.

"Plenary sessions" are attended by all the MPs at which time bills are debated and voted. Only MPs (and in Rwanda and other parliamentary systems Ministers also) can participate in the plenary debate and discussion, but the public may view the proceedings from the gallery. In Rwanda, it is normal procedure for each passed bill to be debated in the full plenary twice: first upon its receipt and then after the committee has done its work. The first plenary vote is intended to be a vote to accept the bill's concept "in principle" (and, if affirmative, it is usually passed on to a committee except in rare instances where there is consensus). The second vote is to act upon the details of the bill including the recommended changes (if any) from the committee to which the bill was assigned.

¹⁶This special committee has acted somewhat independently even, on at least one occasion, criticizing the Assembly's top leadership (the Bureau).

The votes of individual Deputies, while thus recorded, are not published or otherwise made available to the public except in special circumstances.

The Assembly's considerable powers to oversee government¹⁷ actions were defined in an "organic law" passed in April 1997 and recently revised. The Assembly adopts the budget and has the right to question Ministers.

The nine policy commissions organize field visits ("descentes sur le terrain") to examine the operation of government programs. The process involves a letter from the committee to the Assembly President requesting such a visit and, if approved, a request is made to the Prime Minister's office which helps make the local arrangements for the visit. Some of the Assembly committees make these field trips as often as nearly every month. After the site visit, a report is given to all the Deputies and, depending upon the results of the visit, the Assembly may request that Executive branch officials come to the full plenary to answer questions.¹⁸

In 2001, the Assembly held 11 plenary sessions devoted to interrogation of Ministers. Such formal interrogation periods are followed by a report stating whether the Assembly is satisfied with the responses to its questions. The Assembly also has the power, by two-thirds vote, to censure a Minister, thus forcing his or her resignation.¹⁹

The Assembly has 76 professional and administrative staff with personnel leadership provided by the Secretary General. The Assembly President has two counselors, one of whom is a lawyer. Ten staff Technical Directors (two of whom currently are lawyers) are each assigned to the nine policy committees plus the evaluation panel. Other staff members are responsible for protocol, plenary session sound system and document distribution, translating bills and other documents, administration and finance, planning and cooperation activities with other legislatures, and information technology.

The Assembly also has a press and communications office. (In order to get radio coverage, the Assembly has to pay the national radio station.) Assembly staffers manage a small library and paper archives stored in a room in the back of the plenary hall. One of the largest teams of staff is the secretarial group who create the minutes of the plenary sessions and plenary verbatim reports (using cassette tapes and Dictaphone equipment).

All Assembly staff members are nonpartisan members of the government civil service ("La Fonction Publique"). Only five staff, and none of the Deputies, participated in the pre-war version of the National Assembly and, as result, legislative experience and institutional history are limited.

¹⁷ The term "government" throughout this document is used in the narrow sense, referring specifically to the Executive branch of government (unless stated or implied otherwise). This terminology is confusing for Americans in particular who typically use the word government in a broader sense that includes all three branches (executive, legislative, and judicial).

¹⁸ A recent example was the National Security Committee's visit to Gisenyi to learn about the government's crisis planning in the event of another volcano eruption. Afterward, the Prime Minister was called to answer questions in a formal plenary.

¹⁹ In its eight-year history, the Assembly has censured two Ministers and voted not to censure a third who had been accused. In a fourth case, the accused Minister resigned prior to the Assembly vote.

While both Deputies and the Executive branch may submit bills, the vast majority come from the Executive branch. Executive branch bills are submitted by the Prime Minister only after there is consensus on the bill among Cabinet members. These Ministry bills must be submitted in all three official languages (Kinyarwanda, English, and French). Member bills can be submitted in one language, but, before being considered, Assembly staff members translate the bill into the other two languages.

Prior to assignment to one of the nine policy committees, the general merits of the bill's concept are debated and voted in the full plenary. The Minister or Deputy bill sponsor presents the bill during the session. If voted affirmatively, the bill is assigned to a committee where amendments are considered and the Minister or Deputy offering the bill is often invited to provide clarifications. Under the Assembly's internal rules, committee meetings are closed to the public, except by invitation of the committee leadership and notification of the Bureau. It is increasingly the practice, however, to allow groups interested in particular legislation to present their views during committee meetings.²⁰

The committees almost always amend bills to some extent before sending them back to the plenary session for a second debate on the specifics of the proposed law and the proposed committee amendments. A bill cannot be amended in the plenary session. Most committee meetings are held in the mornings (beginning at 9 am), while plenary sessions are generally held in the afternoon starting at 3 pm.

Once passed, all bills are automatically sent to the Constitutional Court (which is a branch of the Supreme Court) for review. If found in conformity to the Fundamental Law, the new law is sanctioned and promulgated by the President of the Republic and published in all three languages in the Official Gazette of the Republic of Rwanda. In the event of nonconformity, the bill is returned to the National Assembly for modification. Seven of the 55 (13%) bills passed in 2001 were sent back to the Assembly from the Court. Sometimes the nonconforming bill goes back and forth between the Assembly and the Court as many as three times, but, in nearly all instances, the differences are worked out and it eventually becomes law.

During its eight-year history, the Assembly has passed some 240 laws. Less than 20 of these were initiated by the Deputies, with the remaining proposed by the Executive branch. For example, in calendar year 2001, 55 bills were passed, of which two (4%) were introduced by the Deputies. In 2000 and 2001, Assembly staff reported that no Executive branch bills were "killed" (rejected), but one Ministry bill has been killed thus far in 2002. In prior years, there have been some instances of Ministry bills that were killed, but this is relatively rare.

Each year, the Bureau, with the assistance of the Assembly staff and the Budget Committee, develops a proposed budget for the Assembly which, after discussions with the Executive branch, is incorporated into the government's national budget proposal (along with the budget proposals of the government Departments and judicial branch). This combined

²⁰ Examples of access to committees include journalists who appeared before the committee considering the recently passed press law, as well as public discussion relative to the Gacaca law. In one recent case, government employees were able to present their views on proposed changes to the government employee health insurance program to an Assembly committee after making such a request in writing to the Assembly President.

national budget proposal (which includes both operational and capital expenses, as well as projected revenues) is then subject to review and modification by the Assembly's Budget Commission and adoption by the full Assembly. The Assembly's portion of the 2002 national operating budget is 1,307 million FRw, which represents 0.81 % of the total Rwanda national operating budget and is 44% higher than in 2001.

Findings: Strengths, Accomplishments, Limitations, and Critical Needs

The discussion that follows focuses on a number of key areas and describes the Assembly's strengths, accomplishments, limitations, and critical needs.

Formal Powers and Legal Authority. The National Assembly has considerable formal powers and legal authority to exercise its role as an effective deliberative body. Assembly powers include the authority to make laws, pass the state budget, and oversee the government. The Assembly has the right to acquire needed information from the Executive branch and, if necessary, to censure government Ministers. Despite its many formal powers, however, the Assembly has yet to take full advantage of them for a variety of reasons including the lack of institutional history and limited experience of the MPs and staff.

Deputy Commitment and Relationships. The author has been continually impressed by the seriousness and keen attitudes of the Deputies. He has also noted a significant degree of collegiality among the Deputies which is healthy for a legislative body. This may change somewhat in the future given the inevitable dynamics that follow elections.

Democratic Culture and Institutional History. Rwandans have little experience with democracy and many are distrustful of politicians and democracy. This common sentiment is reflected in the opinion of a secondary school teacher who told the author's son, "Democracy only leads to conflict, we would be better off under a king." Many Rwandans do not understand the fundamental principles of the "marketplace of ideas" and "public debate," fearing that open political discussions will result in violence. Given the history of this nation, this is understandable and a major obstacle that must be overcome. An active process of civic education²¹ is needed for democratic government to fully succeed in Rwanda. With respect to the Assembly specifically, eight years of history is very limited, especially when none of the Deputies, and only five staff, have prior legislative experience. While some of the MPs have been at the Assembly for the full eight years, they did not have the benefit of veteran legislators who could serve as mentors. Now, as new MPs arrive, those who have served since 1994 are a valuable resource.

Relationship to Rwandan Citizens. The current Assembly is transitional and nonelected, a practical reality of the post-genocide period. As a result, and given both their appointed status and lack of districts, the Deputies do not "represent" the people, except in a general sense. Each Deputy technically represents the entire nation, a situation which is not generally

²¹ The author is hopeful that the recent nationwide forums by the Constitutional Commission will help foster this type of open public dialogue. He also hopes that a side-benefit of the Gacaca courts will be people's increased willingness to express themselves in public forums. Another positive development is the National Election Commission's planning to implement a civic education program prior to the 2003 elections.

considered practical for an effective legislative body. Information on how individual Deputies vote is recorded, but not made available to the public. A higher level of transparency is desirable. It is difficult for the National Assembly to be fully accountable to Rwanda's citizens without electoral districts²² and a popular mandate. The new Constitution will hopefully address the issue of districts and the elections will give the MPs a popular mandate.

Involvement of Citizens and Civil Society in the Legislative Process. The limited participation of Rwandan citizens in the Assembly legislative process is a concern that relates to the prior discussion of Rwanda's undeveloped democratic culture. While field visits for executive oversight are a good step, the Assembly is encouraged to increase outreach efforts to involve Rwanda citizens in the legislative process. This need can most effectively be addressed by regular public hearings on all proposed legislation as discussed later under recommendations. As noted in a recent USAID assessment, civil society involvement in Rwandan governance has been historically limited as a result of traditions of NGO passivity and state control. While the current Assembly has perhaps had a limited responsibility for this history, it is encouraged to take a more proactive role in encouraging more open and active participation by citizens and NGOs in the legislative process.

Political Parties. Political parties have a somewhat negative reputation in Rwanda, and many people associate them with the genocide.²³ Given this history, party activities have been restricted during the transition period. Currently, political parties formally exist, but lack the legal authority to organize, recruit new members, or engage in party-building activities. Active political parties are, however, generally considered vital to democracy. Limiting party activities, while understandable during the transition, would be a future concern in regards to the nation's long-term ability to implement democratic governance. The Constitutional Commission's recent compilation of ideas suggests that parties should be allowed to exist with some limitations. The Assembly is encouraged to carefully review the proposed Constitution to ensure that these as yet undefined limitations are not unduly restrictive.

Formal Opposition. The presence of a "loyal opposition" is widely considered to be an important element in the debate and political discourse of a democratic legislative body. While there are differences of opinion within the Rwanda Assembly and many votes are not unanimous, there is no formal, organized opposition -- in part due to the weakness of the parties and the current transitional arrangement for parties to share leadership posts. While the party memberships of the Assembly Deputies are published and generally well-known, there is a reluctance for MPs to actively identify themselves as party members in debates or to openly discuss their political party's point of view. Reasons presumably include the legal restrictions on party activity, the public's sometimes negative perceptions of parties, and the interpretation of the Arusha Accords that all Deputies represent the entire nation. One authority told the author that another major factor is cultural since Rwandans are generally reluctant to openly state opposition, fearing that the result could be conflict and violence.

²² The author acknowledges that there is some sentiment in Rwanda, given the nation's history, that electoral districts would be divisive for the country resulting in geographic conflict and discrimination. The author contends, however, that some form of districts is necessary for an effective and accountable legislative body.

²³ For example, the highly popular Rwandan singer Ben Rutabana implies that the genocide started with parties in his song "Intwari Zirashize" (The End of Heroes).

Legislative Independence and Proactive Leadership. The fact that nearly every Ministry bill is amended is an indication that the Assembly is not a “rubber stamp.” At the same time, however, very few Ministry bills are killed. In a conversation with the author, one educated Rwandan referred to the Deputies as “functionaries,” reflecting a somewhat common view that the Assembly is no more than another Executive branch department. The Assembly is largely reactive to Executive branch initiatives rather than assuming a stronger leadership role. For example, only 3 Deputies’ bills (“propositions de loi”), introduced by Members independent of the Executive branch, were passed in 2000 and 2001. This stands in contrast to the 106 Ministry bills (“projets de loi”) passed during this same period. In fairness, this is true in many parliamentary systems. Still, the Assembly is encouraged to take a more proactive role in Rwanda’s governance and development.

Executive Oversight. The Assembly has made considerable effort to visit the countryside to assess and the impact of government programs on Rwanda’s citizens. A number of plenary sessions to interrogate Ministers are also held. At the same time, the Assembly lacks adequate staff and resources to fully research and assess government programs. Lack of independent auditing is also a concern.

Relations with Government Ministers. The Assembly has generally good working relations with Ministers, but has also been willing to assert its independent judgment, including the censure of Ministers for corruption. Unlike some parliamentary systems in which Ministers are also Members of Parliament, this is not the case in Rwanda. Even so, the 22 Cabinet Ministers and Secretaries of State²⁴ have significant powers to affect the legislative process. Ministers have the right to participate in the plenary debates and are often the only “outsiders” who regularly participate in committee meetings (although others may be allowed in). Also, the government has the authority to enact temporary “decree laws” when the Assembly is not sitting, as well as decrees to implement passed laws. While collaboration between the Executive and legislative branches is essential, Ministerial influence in the Rwanda Assembly is out of balance with the norms of democratic governance. Correcting this discrepancy does not so much require diminishing the government’s role, but instead requires increasing public and civil society access to a more comparable and equitable level.

The Budget Process. The balance of power in the budgetary process is heavily weighted toward the Executive branch. There is no Assembly staffer who is an expert on the details of the budget, and the Assembly’s Budget Committee is left largely to its own resources, with the only expertise available coming from the Ministers themselves. Further, the time allotted for work on the budget is insufficient and lacks public participation. Last year, for example, the Budget Committee did not start its work on the calendar year 2002 budget until November 29, 2001. The committee subsequently reviewed the budget in a series of meetings over eight days (with the constant presence of the Ministers) and presented its version of the budget to the Assembly leadership on December 13, 2001. The full Assembly debated and voted on the budget the very next day.²⁵ There is a general feeling in the

²⁴ There are 17 Ministers (including the Prime Minister) and 5 Secretaries of State (also called Ministers of State, but effectively acting as Assistant Ministers) who participate with the President of the Republic in the Cabinet. The Secretaries of State enjoy the same access as Ministers with respect to the legislative process.

²⁵ External factors can, and often do, play a role in the short time period of the budget review given that the budget is so dependent on donor funds. This is an unfortunate reality that makes the Assembly’s budget review process more difficult than it might otherwise be.

Assembly that its power to modify the budget is limited by the requirements of the International Monetary Fund. One MP told the author, “It is the IMF’s budget, nor our budget.”

Assembly Committees. Committee work is the cornerstone of the legislative process and the committees at the Assembly are generally active and engaged. Public participation is, as previously stated, somewhat limited. Civil society groups and others can, and sometimes do, send letters about specific bills and may come before committees on occasion, but do not benefit from participation in open public hearings. Further, the minutes and committee reports related to specific legislation are not publicly available until after the plenary session has voted on the bill.

Internal Leadership. The three top positions (President, Vice President, and Secretary-Deputy) are elected by the membership using a secret ballot.²⁶ They can also be removed by a majority vote. The commission Presidents (Chairs) and Vice Presidents (Vice-chairs) are also elected by the full Assembly membership. The Speaker and other leaders have predominately administrative and procedural responsibilities and do not generally attempt to direct the outcome of voting. The result is a democratic system of leadership. Also, while there is no single, comprehensive plan, the Speaker and other leaders have a positive vision for modernizing the Assembly.

Internal Rules. Fair and understandable internal rules are vital to any legislative body. The operational rules of the Assembly, as codified in a 1998 law, are generally clear and allow for open discussion and debate within the Assembly. Given the ongoing evolution of the legislative process, the Assembly may wish to consider developing a process for updating and revising these rules. One possible approach is a special Rules Committee with a mandate to bring forward proposed revisions, subject to Assembly approval, on a regular basis (for example, once every year or two) or, in the event of a special case, as needed.

Information Technology. With the support of USAID and the PNUD, the Assembly has made major strides in modernizing its information technology systems. 46 computers are now networked, and a network administrator has been hired and trained. Much work remains, however, as there is no internal email system and only 6 computers have Internet access. Only five email addresses (3 for Deputies and two for staff) are listed on the Assembly’s web site. There is no computerized bill tracking system, and the IT department is under resourced with only two staff.

Assembly Web Site. With support from USAID, a consultant created the Assembly’s web site (<http://www.rwandaparliament.gov.rw/>) which opened in 2001. Three staff received training in March 2002, and the site, which rests on a Rwanda Tel server, is now maintained by Assembly staffers. The site includes, in both French and English, background on the Assembly (including procedural rules), names and addresses of Deputies, and committees. Most of the site is static with respect to information, but the agenda of the plenary sessions and committees and news releases are often updated. Plans are underway to expand the site to possibly include passed laws, verbatim reports, minutes of plenary sessions, committee reports, the state budget, official journals, and archival information, as well as more information in Kinyarwanda. More staff training is also anticipated.

²⁶ Not all parties are eligible to field candidates for these top offices, however, following the transition period power-sharing agreement described previously.

Role of Women. There are 17 women in the Assembly and they are supported by the “Forum des Femmes Rwandaises Parlementaires” (FFRP). Since its creation in 1996, this organization has provided research, training, and exchanges on women’s issues and played an important role in legislation affecting women and children. Still, there is room for improvement: while one of the top three (Bureau) positions is held by a woman, only 2 of 9 Committees are chaired by women and only 4 out of 21 participants in the Conference of Presidents are women.

Public Information. Notices are placed in the Assembly and on the state radio of the subject matter of plenary sessions at least two days advance of the session. Plenary sessions are generally open for public viewing except at the request of the Speaker, Prime Minister, or a request of one-third of its members. The Assembly plenary hall has a very large public gallery but, unfortunately, very few citizens attend. Radio and television coverage of Assembly events is somewhat common for major issues. Not long ago, the plenary verbatim reports were as much as three years behind, but now both the minutes and verbatim reports are available within a few days of the end of the session. This has been a major accomplishment for the Assembly, although the information is not yet on the web site or widely available for public viewing. Press releases are regularly created and distributed, and the Assembly periodically publishes a journal which has a limited distribution. The Assembly’s web site is a critical public relations tool that should be expanded to include more information.

Facilities and Resources. After long delays, plans are underway, with financial support from the European Union, to finish the rehabilitation of the Assembly’s facilities damaged during the 1994 war. Also, last year, the Assembly voted to increase its 2002 operating budget by 44% over the 2001 amount. This is significant as a representation of the Assembly’s commitment to modernize its operations and add needed staff.

Staff. Last year, the committee secretary positions were upgraded to Technical Directors to better reflect the professional and technical responsibilities of these staff. Some of these 10 staff have had specialized training, including bill drafting skills, and two are lawyers. The completed reorganization of the library and archives staff was consistent with a recommendation in the 1999 SUNY assessment. Additional staff members in key areas (including budget analysis and IT) are needed. The current requirement that the Assembly staff be part of the general government civil service has restricted the Assembly’s independence and ability to hire and pay competitive salaries. In addition to low salaries, working conditions are a concern. Many skilled staff report that they are unappreciated by the Deputies and spend considerable time on secretarial duties. One staff member told the author that, for many Deputies, “there is no difference between an errand boy and a technical director.” Education/training for Deputies on how to most effectively use staff is needed. More staff training is also an important need.

Bill Drafting and Translation. There is widespread agreement that the quality of both bill drafting and the translations needs improvement. With only four lawyers presently employed at the Assembly (two of which are Technical Directors, one of which is an administrator, and the fourth a counselor to the Assembly President), the Assembly’s ability to draft quality bills is clearly constrained. While most of this work is done by the Executive branch, the Assembly is encouraged to do more to improve drafting and translations.

Library and Research Capacity. The Assembly has a library with minimal resources and only one internet-accessible computer. This is an ongoing issue for the Assembly which can be partially solved by increased internet access and training in internet research.

Staff and MP Training. There is no formal orientation program for new staff or MPs and no provision for ongoing internal training. The Assembly has relied on donor assistance for training rather than internalizing a program through the Administrative and Human Resources staff.

Donor Support. The National Assembly has taken advantage of support from a variety of donors, including USAID, PNUD, and the European Union. The US National Council of State Legislatures (NCSL) recently visited Rwanda offering potential assistance. There is, however, inadequate coordination and collaboration among the donors. Some early donors have also pulled back. With better coordination and more clearly articulated reform documents, the Assembly could likely attract increased donor support.

Recommendations

Thirteen major recommendations are offered as critical issues that the Assembly is encouraged to address in order to fulfill its role as an effective and empowered deliberative body.

The recommendations are addressed directly to the Assembly. The leadership and most of the resources needed to implement them will need to come from the Assembly itself. Of course, the ARD/SUNY project will participate in some selected, but limited, areas as described in the next section of the report. It is also hoped that there will be additional donors interested in supporting the enhanced capacity of the Assembly.

But, even with donor support, implementing these recommendations will require a major commitment on the part of the Assembly, especially as relates to increased staffing, and the Assembly will need to further increase its operating budget. The political difficulty of doing so is not lost on the author, but he believes that such action is necessary if the Assembly is to fully achieve its proper role in Rwanda's future democracy.

The thirteen recommendations are listed in order of importance, although there are some significant overlaps among them.

(1) Increased Involvement of Rwanda's Citizens in the Legislative Process. An active electorate and strong civil society are vital components in participatory democratic governance, serving as vital checks on government and legislative power. Increasing public participation in the legislative process is the top recommendation for enhancing the legislative process. The field visits that are regularly conducted now are important, but it is highly recommended that the Assembly do more.²⁷ Achieving this goal will require a multi-pronged effort by the Assembly with recommended activities as follows:

²⁷ The Constitutional Commission's extensive effort to solicit public participation for the new Constitution is perhaps a model effort in this regard. While it is unrealistic to follow the Constitutional Commission's process

- (a) Open committee public hearings on all proposed legislation. Transparency is a vital component of democracy. Civil society groups, the private sector, and everyday citizens should have a greater opportunity to express their opinions on legislation during open, committee public hearings. It is further recommended that commission meetings be open to the public for deliberative sessions as well. Currently, Ministers have a much higher presence at committee meetings than do citizens and civil society, and there is often less opportunity for others to express their opinions or challenge the testimony of Ministers. The result is that the executive branch has a major advantage, thus diminishing the independence of the Assembly. **Scheduling regular public hearings on all legislation and welcoming the public to testify at those hearings is the single most important recommendation in this report.** A designated public hearing time and place can be scheduled for every bill. Public hearings should be conducted in a manner that maximizes time for public testimony with committee member comments restricted to clarifying questions.
- (b) Publicize hearings and invite testimony by affected parties. It is recommended that the Assembly make special efforts to notify citizens (well in advance) of the dates and times of public hearings, including prominent postings at the Assembly, on the web site, and in notices given to the press. It is also recommended that the Assembly go one step further and specifically invite interested parties to testify. Often, Deputies know in advance which groups are especially interested in legislation. It is recommended that commissions develop a list for each bill and send invitations to testify to the representatives of these interested groups (business groups, trade unions, chamber of commerce, civil society, NGOs, etc.).
- (c) Review press and communications strategies. The role of the press is vital in communicating with the public. It is recommended that the Assembly review its press and communication strategies (including the use of the Assembly web site) to ensure that they are the most effective possible given limited Assembly resources. Consideration needs to be given to the impact that the new press law, which just went into effect on July 1, will have on the Assembly's relationship with journalists. Increased media outlets will, at a minimum, increase the demand on Assembly staff. The use of a Rwandan public relations consultant to assist in developing new and refined strategies could be beneficial.
- (d) Appropriate signage welcoming the public. Citizens need to know they are welcome at the Assembly. It is recommended that the Assembly replace the sign recently removed from the driveway entrance to the Assembly with a new and larger one that includes prominent words such as "Open to the Public" or "Please Come Visit Your National Assembly," or "Welcome to the People's House."
- (e) Visitor's center and improved internal signage. It is recommended that a prominent bulletin board (or computer screen) with that day's events be placed near the building entrance along with a sign directing people to a small "visitor's center" (which could be the same as the existing reception area) where they can get information from trained, friendly staff. This information could include a

for every piece of Assembly legislation, it is recommended that the Assembly study the Constitutional process and adopt some of the elements that were especially successful in the Rwandan context.

quick briefing on the National Assembly, a short video on the Assembly, a map of the facilities for self-touring, and perhaps even tours at designated times by an Assembly staffer. It is also recommended that the public entrance to the plenary hall be more clearly identified.

- (f) “User friendly” security. It is recommended that a new security strategy be developed for the driveway entrance. While everyone understands the need for security, armed guards at the entrance can send a “message” that people are not welcome. Perhaps the guards could dress in special, less-intimidating Assembly uniforms with weapons hidden in case they are needed, or some other more “user friendly” strategy could be adopted.
- (g) Deputy email access. Citizens and interested parties can now send letters to the Assembly on specific legislation. It is recommended that the opportunity to do so be further encouraged through published email addresses of all Deputies as well as other efforts to inform Rwanda citizens of their rights and opportunities to contact their representatives.

(2) Devote Increased Resources and Attention to the Budget and Policy Analysis. Passing the budget is among the most significant actions taken by any legislative body. To fully achieve its proper oversight role, it is recommended that the Assembly (1) increase staff expertise in budget and policy analysis, including at least one highly skilled staff member who is a budget expert,²⁸ (2) schedule ample public hearings to receive input from citizens, business groups, civil society, and others on the policy impacts of the proposed budget,²⁹ and (3) ensure that it has sufficient time for thorough review of the budget. It is recommended that the Assembly insist upon a “date certain” in the Constitution (or by statute) by which the Prime Minister must deliver the budget to the Assembly³⁰ and also set aside sufficient committee time for thorough review of the budgetary details and the budget’s impact on the citizens of Rwanda, including public hearings on the budget proposal. At the same time, it is recommended that the Assembly continue ongoing budget and policy analysis trainings for both Deputies and staff, building upon the trainings offered by this project in 2001 and 2002.

(3) Enhancement of the Professional and Technical Capacity of the Assembly Staff. The need to augment the capacity, training, and retention of the Assembly staff is critical to the Assembly’s future success. This requires a multi-pronged approach that includes (1) clarifying existing staff roles, (2) adding new staff in specific priority areas,

²⁸ The Assembly’s recent decision to hire outside expertise to evaluate tax policies is a positive step in this regard. Further, SUNY’s legislative support project in Uganda helped set up a formal legislative budget office in that nation’s Parliament, and this model could be helpful in Rwanda.

²⁹ Given the importance of the budget, the Assembly should make a substantial effort to educate the public, through the press and other media, on the significance of the budget to the lives of Rwanda’s citizens and invite people and interested groups to participate in the budget process through hearings, letters, email, etc.

³⁰ In the event the budget is not delivered in a timely manner, the Assembly is highly encouraged to insist on its right to adequate time for budgetary analysis and amendment. One technique that can be used is to pass a “continuing resolution” which continues state spending at the prior year’s level for a determinate amount of time (such as one month), allowing the Assembly time to complete its work.

(3) increased staff training (as described in recommendation 9 below), and (4) retention of staff through salary and work-quality enhancements (which can be partially achieved through an independent civil service as described in recommendation 7).

Often, highly qualified Assembly staff members are required to perform menial duties such as photocopying and taking meeting minutes. This is demoralizing to these staff and is a factor in the Assembly's employee turnover. It is recommended that the Assembly formalize staff roles and create up-to-date job descriptions and that Deputies are trained to use staff in the most appropriate manner possible. It is also recommended that the Assembly implement institution-wide efforts to ensure that staff talent is fully utilized.

The most critical new staff needs are (1) a budget expert, (2) an increase in IT staff from two (at present) to at least four³¹, and (3) an increase in the number of committee reporters (from one to at least four) thus freeing the ten committee Technical Directors to do research, bill drafting and other professional and technical duties and work collaboratively as a research unit. A fourth need (although this could possibly be developed internally without the need for new staff) is for a training coordinator. A fifth need, which may be less critical in the short-term, is for enhanced bill drafting capacity, although this may be handled by the existing Technical Directors (especially if efforts are made to fill future vacancies with lawyers).³² Expanded expertise in translation is a sixth potential need.

(4) More Independent, Proactive, Visible Leadership in Addressing Rwanda's Needs. It is recommended the Assembly assume a more proactive, leadership role in the national debate by sponsoring more of its own legislation. The Assembly can also act more independently and set a higher standard for review for Ministry bills, including a greater willingness to reject ("kill") legislation it considers undesirable or unnecessary. It is also recommended that the Assembly sponsor seminars and events on the fundamental issues facing the nation (such as national development strategies and poverty reduction). As recent trainers suggested, the National Assembly can assume a role of "Reflexion Permanente" on the critical issues before the nation.

(5) Enhance the Assembly's Capacity to Effectively Review the New Constitution. The Legal and Constitutional Commission is expected to complete its proposed draft Constitution by the end of this year or early in 2003. While it no yet known what will be in the Commission's proposal, the Commission did recently release a compilation of the ideas from the public forums. It is highly recommended that the Assembly use its full legal powers to thoroughly analyze the Commission's proposal, seek public input (including public hearings), and make amendments as necessary to ensure adherence to fundamental democratic principles. Of particular importance are protection of minority rights, free

³¹ IT consultant Kim Glenn recommends six IT staff in his assessment of the Assembly's IT needs.

³² Currently, however, virtually all the bills are submitted by the Executive branch, thus leaving the Assembly in a reactive (rather than proactive) position with respect to lawmaking. (One committee technical director told the author, "There is no drafting done here.") In fairness, it needs to be said that parliamentary systems in general tend to follow this trend, unlike, for example, the American system where the legislators play a much larger role in proposing legislation.

association through active and unfettered political parties,³³ fair and open election procedures, an independent judiciary, and Assembly electoral districts designed to ensure accountability to the people. The Assembly has an important role to ensure that the new Constitution includes the needed “checks and balances” on government power with a strong and independent National Assembly.

(6) Increase Government Accountability, including Independent Auditing.

The Assembly’s role of executive oversight can be enhanced through increased questioning of Ministers and more active follow-up by the Assembly’s committees. The Assembly has made some recent gains in this area, including field trips. Further, the number of issues set aside for plenary sessions on Executive Oversight increased from 5 in the year 2000 to 11 in 2001. Several recent efforts (including questioning the Education Ministry on the lack of classrooms for some children) have received considerable press attention. It is recommended that the Assembly follow through on its discussions to consolidate various government entities that do auditing and strengthen the office of the Auditor General. The Auditor General needs total independence from the Executive branch and should be either attached to the Assembly or an independent, stand alone agency. In its compilation document, the Constitutional Commission acknowledges the importance of the Auditor General. It is recommended that the Assembly carefully review the Commission’s Constitution proposal to ensure that the Auditor General has sufficient power and independence. In the interim, the Assembly should enhance channels of communication with Auditor General, requesting regular submission of audit reports to the Assembly.

(7) Fiscal Autonomy of the Assembly with an Independent Civil Service.

To be truly an independent body with effective oversight powers acting as a “check and balance” on the power of Executive branch, the Assembly needs the autonomy to manage its own budget and staff. Independence of resources will facilitate independence of action and enhance the Assembly’s will to act as an effective independent institution. Further, it will provide the Assembly with the flexibility it needs to pay desired salaries and create working conditions which will help retain and attract quality staff. Rwanda can look for examples to the neighboring countries of Uganda and Kenya, both of which have independent parliamentary service commissions. It is recommended that the Assembly research these and other models and develop legislation to address this issue. The September 2002 AWEPA seminar on this topic is a positive step in this direction.

(8) Enhanced Use of Information Technologies.

Both this project and the PNUD have been assisting the Assembly with needed Information Technology (IT) improvements. Current needs include both basic and advanced computer skills training for Deputies and staff, equipment (including installation), software, and technical assistance. Priority projects are (a) expanded internet access and use of the internet

³³ The author recognizes that the existence of political parties is controversial in Rwanda given the history of Rwandan political party activities in the years leading up to the 1994 genocide. According to press reports, the Constitutional Commission has also received much negative public comment about parties. Most scholars believe, however, that active and unfettered political parties are a vital component of democratic institutions and governance.

for research,³⁴ (b) internal and external email, (c) expansion of the web site (to include computerized bill tracking, passed laws, the budget, minutes of plenary sessions, verbatim reports, committee reports, Official Gazettes, etc.), and (d) electronic archiving. It is recommended that the Assembly increase the number of IT staff, increase funds for IT in both its operating and capital budgets, and continue to work with donors to seek support for equipment and start up costs (including training).

(9) Develop and Operationalize an Ongoing Training Program for MPs and Staff.

The Assembly has neither a coordinator of training nor a training curriculum, having relied instead, in a somewhat ad hoc manner, upon training programs offered by the Executive branch and donors. While the Assembly should be commended for taking advantage of outside resources, it is recommended that it assume a more proactive role in developing its internal capability to provide ongoing training for both staff and MPs. It is recommended that a needs assessment be undertaken and a comprehensive training curriculum developed that includes a variety of specialized and nonspecialized skills, on topics such as basic and advanced computer skills, English language instruction,³⁵ management, research techniques, budget and policy analysis, negotiation skills, preparing briefs, bill drafting, etc. Orientation programs should be developed for both new staff and Deputies. It is recommended that the Assembly hire a training coordinator (or reassign existing staff resources) to oversee this effort. The coordinator should develop a list of resources and trainers. To the extent possible, it is recommended that internal staff be trained to become trainers.

(10) Support Civic Education and Election Law Improvements.

Civic education is vital to the long-term success of democracy in Rwanda. It is recommended that the Assembly initiate and/or support efforts to undertake broad-based strategies to educate citizens about their rights and responsibilities under a system of democratic governance. These efforts can be collaborative, building upon and supporting the work of both the Legal and Constitutional Commission and the National Election Commission. Open and fair elections are a vital means for ensuring accountability of the Assembly to its citizens. In the past two years, local elections have taken place in Rwanda. While in many ways successful, these local elections provide useful data which can be used by the Assembly as part of a process to improve the laws and the Constitution prior to the upcoming Presidential and Assembly elections. Among the issues that the Assembly may wish to consider are methods of candidate selection, the role of political parties, “one man one vote” principles, direct vs. indirect elections, and electoral districts.

(11) Begin to Prepare the Assembly for Anticipated Post-Election Changes.

The Assembly has operated for eight years as a nonelected body, and it is highly likely that the culture and nature of the work will change as a result of the upcoming elections. Increased partisanship is likely. In the present Assembly, no political party has a working majority and this has contributed to the largely nonpartisan working environment. With

³⁴ The long-term goal, which requires both funding and increased IT staff, is to connect the Assembly network to the internet. An interim solution is to create an internet café in the Assembly library using the existing ISDN line.

³⁵ While not included in the second-year funding of the ARD/SUNY project, there is a high degree of interest among both Deputies and staff in English language instruction.

partisan campaigning, Deputies may suddenly find themselves having to work with their political adversaries. Also, the partition of party power among the leadership posts may no longer exist in the post-election period. A possible major change, which is under serious consideration by the Constitutional Commission, is implementation of a bicameral legislature. It is recommended that the Assembly recognize the likelihood of significant change and begin to plan accordingly. The Assembly may wish to consider some structural changes, such as reassigning some personnel to partisan staff roles, a common practice in some legislatures. Of course, the details of the new Constitution are as yet unclear, and it will have a significant impact on how this plays out in the future.

(12) Collaborate with the Executive Branch to Improve Bill Drafting & Translations.

The author made numerous inquiries to assess whether the dearth of member bills is more the result of lack of bill drafting capacity or, rather, the result of a lack of interest of Deputies to propose legislation. The results were mixed, but left the author feeling that, currently, many Deputies are not particularly inclined to sponsor bills. There remains the question of whether, if there was enhanced internal bill drafting capacity (for example, one lawyer who worked exclusively on drafting), would the bill drafting “supply” increase “demand”? Another way to put this: “If you built it would they come?” There is not a clear answer on this question. More Assembly resources will probably be needed in the future, although civil society can also be tapped to assist with drafting.³⁶

Efforts, including training, are also needed to improve the quality of legal translations. Since 1998, all three languages (English, French, and Kinyarwanda) are considered equal. Having to translate laws into three languages is time-consuming, challenging, and expensive, requiring highly skilled legal scholars with multiple language skills. The fact that Rwandan law requires all three languages to have equal status adds to the challenge. (One solution to help ameliorate this situation might be to designate one language as the “originating language” for each bill; this would allow for clearer interpretation in the event of discrepancies among the different versions of the same law.) The best short-term solution for both the bill drafting and translation issues would appear to be more collaboration with the Executive branch since that is where most of the drafting and translating are done.

(13) Create (a) Modernization/Strategic Planning Committee & (b) Donors Forum.

Modernization and training activities have been developed on a somewhat ad hoc basis. While the ARD/SUNY project has worked closely with key leaders in the Assembly (including the Bureau and Secretary General), the author believes that the Assembly would benefit from an ongoing committee, ideally consisting of both Deputies and staff, which could serve as a sounding board and give strategic direction to Assembly modernization activities. This committee could prioritize the recommendations in this report, help develop action plans, and articulate a broader vision for future improvements at the Assembly.

A second related need is for better coordination among the various donors providing support and material assistance to the Assembly. There presently is insufficient collaboration and communication among these donors. Periodic donor meetings (perhaps monthly),

³⁶ When they have an interest in particular legislation, business groups or NGOs can assume responsibility for drafting member bills. One recent example was a bill benefiting children for which UNICEF provided a legal consultant to do the drafting.

initiated by invitation from the Assembly, could help facilitate assistance, enhance collaboration, and better coordinate efforts to enhance the Assembly's capacity.

The existence of both the Modernization/Strategic Planning Committee and Donor Forum could further demonstrate to donors that the Assembly is very serious in its improvement efforts and thus serve to leverage increased donor support. In a time where donor support is declining generally, this could provide significant momentum for increased support for the Assembly.

The ARD/SUNY Rwanda National Assembly Support Project

Introduction. The Rwanda mission of the United States Agency for International Development (USAID/Rwanda) has recognized the importance of sound governance for Rwanda's future and has supported efforts to enhance the institutional capacity of the Assembly in this critical transition period. Responding to the National Assembly's request for assistance, USAID/Rwanda commissioned the State University of New York (SUNY) to conduct a legislative needs assessment in 1999.

Consistent with the recommendations in their report (and following the September 23, 1999 signing of an agreement of the United States and the Government of Rwanda to work together to promote good governance in this East African nation), USAID contracted with ARD, Inc. and SUNY to provide long-term technical assistance to support the institutional development of the Assembly.

Initially funded for 13 months (November 2000-December 2001), the ARD/SUNY Rwanda National Assembly Support Project (subsequently referred to as "the project") was extended through March 2003 in response to the Assembly's request for continued assistance. Dr. Douglass P. Teschner arrived in Kigali on April 8 (following prior two 2-week visits in December 2001 and February/March 2002) to replace Chief of Party (COP) Marcel Pelletier who retired in December 2001.

Project Goals are to support the National Assembly's efforts to (1) to strengthen and modernize the Assembly's management, administrative, and support systems and work methods (with a special emphasis on use of information technologies); (2) improve the legislative process (including more informed debate, improved budget and policy analysis, and enhanced executive oversight), and (3) enhance the efficiency and capacity of legislators and staff in anticipation of Rwanda's forthcoming Presidential and Assembly elections and transition to full democracy. The focus of the project is on institutional development, technical assistance, and training.

Summary of Year One Activities. Accomplishments and activities in the first year of the project (which ended in December 2001) included training seminars on budget analysis, legislative drafting, and fiscal decentralization. Strong working relationships were established between the project and the Assembly leadership, Deputies and staff, and discrete activities focused on the assessment of information technology needs, legislative drafting training,

budget analysis training, advisory assistance on internal organization systems, material and technical assistance to the Assembly documentation center and archives, information technology and library science training for documentation center staff (including a US study tour), as well English language instruction for members and staff.

Other first-year results included assisting with the ending of the verbatim report backlog and procurement of research materials for the Assembly library. In addition, modest levels of material assistance were provided to support Assembly operations, notably the provision of a medium-capacity photocopy machine.

Activities Accomplished to date in Year Two. The “Outline of Proposed Activities for Project Extension” (Attachment C and subsequently referred to as the “work plan”), as approved by USAID in March 2002, calls for a variety of activities in the current project period (which ends in March 2003). Work plan activities which have been completed to date are as follows:

A major activity during this initial phase of the project’s second year was the second visit of Information Technology systems consultant, American Kim Glenn. Mr. Glenn’s **Technology Consultancy** from April 29-May 10, 2002 included an update and reassessment of the analysis of the Assembly he did during a visit to Rwanda last year. Mr. Glenn also developed a template for the Assembly’s 5-year IT plan which is intended to be integrated in the Government of Rwanda’s IT Plan. Mr. Glenn’s recommendations are the basis for a number of technology improvements described below.

A major **Policy Analysis and Executive Oversight Training** was held June 19-21, for the Deputies and June 24-26 for the staff. The training enhanced the Assembly’s capacity to fully exercise its legitimate powers and thus will help ensure the “checks and balances” which are so critical to the success of democratic governance. This program was developed in collaboration with the National Assembly’s Political Affairs Committee. The principal trainer was Professor Edward R. McMahon, Dean’s Professor of Applied Politics and Director of the Center on Democratic Performance at Binghamton University (SUNY). He was assisted by a Rwandan specialist, Professor KANANURA Canisius who is a career diplomat and teaches political science at the Free University of Kigali. The training was well publicized and covered by Rwanda radio and television.

Advanced Budget Analysis Training was conducted July 22-23, 2002 for the Deputies and July 24-25 for the staff. This is a follow-up to the training conducted last year. The instructors were Professors RWANYINDO Ruzirabwoba Pierre and RUTAZIBWA Gerard, both of the Faculty of Economics and Management at the National University of Rwanda. This program was developed in cooperation with the chair of the Assembly’s Budget Committee.

Recommendations Translated and Distributed. Written recommendations from both these summer 2002 trainings, including those of Deputies, staff and trainers, were copied and distributed to MPs and staff. Adoption of these recommendations is under consideration by the Assembly leadership, and many of these recommendations are incorporated in this report.

An internet-based Boston University School of Law **Legislative Drafting Seminar** was completed by two National Assembly staffers. An ISDN line was established in the Assembly library to facilitate participation in this course. This library computer has also been used regularly by Deputies in the National Assembly since it is the only one of six internet accessible computers in the Assembly which is generally available.

Collaboration Opportunities. A document entitled “Opportunities for Collaboration with USAID Projects and Other Donors” was developed as a result of numerous meetings with Assembly Deputies. An informal collaboration with NCSL (the US National Conference of State Legislatures) was begun relative to their State Department funded project to enhance staff capacities and develop an orientation program for the Deputies who will be elected next year.

A significant quantity of books and documents were compiled and given as **Donations to the Assembly Library**, following up on similar donations made in the project’s first year.

Work Plan Activities in Remainder of Year Two. Future activities described in the work plan are as follows

The project will continue its **Ongoing IT Development** work. Specifics include (a) writing and distributing an RFP on connecting the Assembly’s network to the internet,³⁷ (b) assisting with the creation of an “internet café” in the Assembly library (using an existing ISDN line) to support increased internet access pending full network connectivity, (c) training and acquisition of software to support future expansion of the Assembly’s web site to include computerized bill tracking, email addresses, passed laws, the budget, minutes of plenary sessions, verbatim reports, committee reports, Official Gazettes, etc., (d) assisting with the Assembly’s efforts to increase email access, (e) electronic archiving equipment and training, and (f) training on use of the internet for research and information retrieval.

A planned **Study Tour to an African Parliament** for four participants (Deputies and/or staff) is an opportunity for the Assembly leadership to learn from counterparts and develop skills and perspectives in Organizational Management and Long-range Planning. The program will address a variety of topics (including some of the issues in this report’s recommendations). Topics may include public participation in the legislative process, press relations, political party activity in the parliament, the legislative budget process, organizational structure and staffing requirements, parliamentary civil service models, use of information technologies, auditing and oversight functions, staff development and MP training, election laws, bill drafting, relations with donors, techniques for effective representation, serving constituents in electoral districts, organizational development, management and planning, and administrative systems.

³⁷ While the project believes the network-internet connection is a high priority for the Assembly, it was not specifically foreseen in the work plan, and there are insufficient funds in the existing project budget to support all the necessary costs. There is also concern that the number of existing Assembly IT staff is insufficient to support such a system. However, by drafting an RFP Concept paper for possible submission to the private sector, the project hopes to move this important need forward, establish definitive costs, and assist the Assembly in procuring needed funds from other sources.

Discussions are underway on the feasibility of offering a **Joint Training on Bill Drafting and Translation Issues** in collaboration with MSD for both legislative and Executive branches. MSD currently manages a USAID-funded project assisting the Ministry of Justice, and this is a logical collaborative activity. Also, the opportunity for an internet-based bill drafting course in French (similar to what was offered in English by Boston University) is being researched.

As envisioned in the work plan, the project has also financed a **Photocopier Maintenance** contract.

Work Plan Activities of Diminished Importance. For various reasons, a number of the activities in the work plan are no longer high priorities. For example, the Assembly is moving toward possible adoption of a PNUD-funded Belgian consultant's computerized bill-tracking module based on FilemakerPro software, and project funds may not be needed for this purpose (although the project could possibly be involved in assisting with its integration on the web site). The initial work plan also called for LAN implementation/management support and training. The Assembly now has a LAN manager with recent university training who is successfully managing the Assembly's network while also receiving support and training through the PNUD. Thus, ARD/SUNY project support in this area is currently a lower priority than initially proposed.

The initial work plan also called for assistance in preparation of the daily sitting reports (compte rendu) and verbatim reports (proces verbaux). The Assembly has made major accomplishments in getting these reports up to date (including totally eliminating the three-year verbatim report backlog). Further assistance would seem to be a much-diminished priority, although helping to get this information onto the web site could be needed.

Binding costs, as originally envisioned, could probably be better spent on the electronic archiving. Also, while the project has donated some documents to the Assembly, acquisition resources allocated in the work plan may be better spent on enhancing internet research capacity.

Possible Revised/Modified Activities. As stated at the outset, many of the 13 recommendations in this report are long-term in nature and beyond the scope of work (and limited funds) of the ARD/SUNY project. However, in examining the project's work plan in relation to the 13 recommendations, there are some possible short-term opportunities which might be pursued -- given both their high need and the possible resources freed up by holding back on activities of diminished importance previously described.

All of these activities are consistent with the philosophy and goals of the project, and many clearly fit within the "Targets of Opportunity" section in the work plan. It is important to note, however, that, because some of these proposed activities described below are modifications from the project's second-year work plan, they are subject to Assembly interest, discussion with and approval by USAID, and project funding limitations.

Also, while it is unlikely that all of these projects described below could be accomplished by the current ARD/SUNY project, it is recommended that the Assembly

pursue additional means, including proposals to other donors, for these important activities. Where it cannot provide funding, the ARD/SUNY project may assist the Assembly to procure such needed funds from other sources.

Seminar on “Increasing Citizen and Civil Society Participation in the Rwanda Legislative Process.” As noted in the current work plan (Attachment C), “Efforts can and should be made to encourage greater contact between the Assembly and the Rwandan citizenry.” The ARD/SUNY project’s role to date in developing legislative outreach and constituent relations has been limited, largely due to funding limitations. Given the high need in this critical area, it is suggested that this should be reconsidered. Improved communication with constituents, the public at large, and other key stakeholders are crucial to the Assembly’s long-term success. Proposed training would likely involve an expatriate consultant working in partnership with a Rwandan expert. As with the Executive Oversight and Budget trainings, it is recommended that programs be offered to both the MPs and staff. A potential collaborator might be the USAID-funded CARE Rwanda Civil Society Strengthening Project which is working to increase citizen participation in government decision-making. Discussions with CARE are currently underway.

Consultation/Training on Implementing Public Hearings. The need for public hearings on proposed legislation is the author’s top recommendation for the Assembly. Training and consultation on the operation of these hearings could be conducted. The specific training would go into detail on the philosophy behind public hearings and how to run them. This topic could be incorporated as part of the prior seminar.

Consultation on the Constitution, Election Laws and/or Civic Education. Given the critical importance of these issues at this moment in Rwandan history, the project may be able to provide resources for consultants or trainers to assist the Assembly in these areas. All of these topics fit well within the “Targets of Opportunity” section of the work plan.

Consultation on Press and Communication Strategies. Given the importance of the press as a vital communication medium, the project may help fund a consultant to assess the Assembly’s current activities and make recommendations for possible improvements.

Enhancing Internal Training Capacity. The project proposes to move from a role as simply a training “provider” to that of a training “facilitator,” helping the Assembly to develop its own training capacity. A first step would be a needs assessment consultation. A second step might be development of a training curriculum. The US National Conference of State Legislatures (NCSL) may be able to assist using their US State Department-funded project to enhance staff capacities and develop an orientation program for the MPs elected next year.

Forum on Planning for the Post-Election Assembly and /or Training in Techniques of Effective Representation. This could be invaluable for the Deputies to help them better understand their duties and to prepare them for how their role may change in a “post-election” environment. It may be desirable to wait on this activity pending the details of the proposed new Constitution.

Lastly, the project will continue be as flexible and responsive as possible to the institutional and development needs of the Assembly within budgetary and regulatory constraints, including consideration of requests for assistance on other needs, as well as

critical substantive areas of national policy development, that may emerge. The project is thus open to discussing other elements from among the 13 recommendations not specifically described above. Funding limitations are a serious constraint, however, and it is recommended that the Assembly undertake active strategic planning (consistent with recommendation 13) to find resources within the Assembly and from other donors.

Long-term Implications for Donors

As noted in the ARD/SUNY work plan, “Institutional development is . . . a long-term process and sustained support will be required to ensure that the Assembly’s efforts to both refine internal administrative procedures and work methods, and to consolidate substantive skills produce sustainable improvements in organizational performance.”

While it is impressive what has been achieved to date at the National Assembly, much remains to be done. Developing a fully engaged and effective legislative body requires a long-term vision and a many-year commitment. Short-term “fixes” will surely prove inadequate.

Changes in the functioning of the Assembly, as may be proposed in the new Constitution, will create new challenges as well as opportunities. Furthermore, the election of Deputies will both change some of the “players” and also likely lead to major cultural changes within the institution. The result will likely be new developmental needs at the Assembly. In the post-election environment, a new needs assessment should be undertaken.

Despite major challenges, success, while always unpredictable, is highly possible in Rwanda. There are many positive ingredients that suggest that supporting the Assembly and other government institutions can make a real difference in the lives of Rwandans for many years to come. Long-term commitments today may well prevent a reoccurrence of the type of events seen in 1994 and the resulting, and very expensive, “crisis aid” that would invariably follow.

For democracy is to be fully successful in Rwanda, it is vital that donors engage the Assembly in articulating its long-term vision and make long-term investments to support needed reforms consistent with democratic principles. Anything less is insufficient.

Attachment A: Background of Douglass P. Teschner

Dr. Douglass Teschner is a senior-level government and NGO management expert and trainer who is currently Chief of Party of the ARD/SUNY National Assembly Support Project in Kigali, Rwanda. Through this USAID-funded, he is working to strengthen and modernize the Assembly's management systems, work methods, and use of information technologies; improve the legislative process, and enhance the efficiency and capacity of legislators and staff in anticipation of elections and transition to full democracy.

Dr. Teschner was elected six times and has served 12 years as a Legislator in the New Hampshire House of Representatives, where he assumed a variety of leadership posts, including Assistant Majority Whip and Coordinator of Legislator Continuing Education. Committee assignments included Election Law, Ways and Means, Environment and Agriculture, Constitutional and Statutory Revision, State-Federal Relations, and Local and Regulated Revenues. He assisted in the oversight of a comprehensive state revenue study, led an effort to reform state fee programs, and sponsored diverse legislation which became law, including campaign and election reforms, judicial reform, preservation of conservation land, and rural expansion of higher education.

Dr. Teschner served 14 years as the Director of Development and Public Affairs of a large nonprofit mental health agency. He has extensive leadership and administrative experience in the not-for-profit sector, as well as international experience (including two years in the Peace Corps in Morocco from 1971-1973, and governance/ political party training for Members of Parliament in Indonesia).

He earned a doctorate in administrative leadership at the University of Massachusetts, including studies in nonformal and international education. Dr. Teschner has substantial experience in grantsmanship, public speaking, strategic planning, media relations, publishing, organizational and staff development, health care, and outdoor education. He is fluent in French, speaks Moroccan Arabic, and has lived and traveled widely in Africa (including Sierra Leone, Kenya, Tanzania, Uganda, Zimbabwe, Rwanda, and Morocco, as well as brief visits to Congo, Sudan and South Africa), Asia (Indonesia), Europe, Canada, and Mexico.

Attachment B: Documents Reviewed

The following documents were reviewed for background information for this report:

“A Compilation of Ideas on Constitution” Republic of Rwanda Legal and Constitutional Commission. The New Times, September 12-15, 2002.

“Civil Society in Rwanda: Assessment and Options” submitted to USAID/Rwanda. Authored by Sheldon Gellar, Sharon Morris, and Anicet Kayigema. ARD, Inc., April 2001.

“End of Year Report (December 2000 – December 2001)” submitted to USAID/Rwanda. ARD/SUNY Rwanda National Assembly Support Project, January 10, 2002.

“Information Technology Re-Assessment” by Kim Glenn. Submitted to USAID/Rwanda. ARD/SUNY Rwanda National Assembly Support Project, May 10, 2002.

Introduction to Rwandan Law by William Schabas and Martin Imbleau, USAID. Editions Yvan Blais Cowansville, Quebec, Canada, 1997.

“Law Number 09/98 of August 3, 1998 Respecting the Internal Rules and Procedures of the Transitional National Assembly” Official Gazette of the Republic of Rwanda, Number 24, December 15, 1998.

“Manuel des Procédures Parlementaires” by Albert Bascomingera and Pothin Muvara. United Nations Development Program (PNUD) Project for Assistance at the Rwanda National Assembly. December 31, 2001.

“Opportunities for Collaboration with USAID Projects and Other Donors” a report to USAID/Rwanda by Douglass Teschner. ARD/SUNY Rwanda National Assembly Support Project, July 15, 2002.

“Project Baselines and Indicators of Success” a report to USAID/Rwanda by Douglass Teschner. ARD/SUNY Rwanda National Assembly Support Project. September 4, 2002 (revised).

“Rapport sur le Séminaire intitulé: « Analyze Avancee du Processus Budgetaire » tenu du 22 au 25 juillet 2002” by Gerard Rutazibwa and Pierre Rwanyindo Ruzirabwobwa. ARD/SUNY Rwanda National Assembly Support Project, July 29, 2002.

“Requete de Financement” letter by Assembly President Dr. Vincent Biruta to the Director of USAID on the subject of the second phase of the ARD/SUNY Rwanda National Assembly Support Project, October 29, 2001.

“Resolutions and Recommendations Resulting from the Training to Enhance the Capacity of the Rwandan National Assembly to Undertake Policy Analysis and Executive Oversight,” Edward McMahon, trainer. Edited by Douglass Teschner. ARD/SUNY Rwanda National Assembly Support Project, July 17, 2002.

“Rwanda National Assembly Needs Assessment Final Report” submitted to USAID/Rwanda. Authored by Dr. Robert Nakamura, Elizabeth Bouri, and Margaret Clement. State University of New York, March 1, 1999.

“Technical Assistance to Rwandan National Assembly Scope of Work” by USAID/Rwanda. 2000.

“Technical Proposal – Outline of Proposed Activities for Project Extension,” submitted to USAID/Rwanda. ARD/SUNY Rwanda National Assembly Support Project, January 10, 2002.

“Towards a Constitution for Rwanda: Action Plan 2002-2003” by Rwanda Legal and Constitutional Commission, April 2002.

“Training to Enhance the Capacity of the Rwanda National Assembly to Undertake Policy Analysis and Executive Oversight, Final Report” by Edward McMahon. Submitted to USAID/Rwanda. ARD/SUNY Rwanda National Assembly Support Project, July 16, 2002.

Web site of the Rwanda Transitional National Assembly:
<http://www.rwandaparliament.gov.rw/> Constructed with support of USAID/Rwanda.

Attachment C

ARD/SUNY PROJET D'APPUI À L'ASSEMBLÉE NATIONALE DU RWANDA (Rwanda National Assembly Support Project)

Technical Proposal

Outline of Proposed Activities for Project Extension January 2002-January 2003

The purpose of this document is to outline proposed activities to be conducted by ARD/SUNY over the period December 2001 through December 2002, in response to a request for continued assistance received from the Rwandan National Assembly on 29 October 2001. The activities outlined below reflect discussions in Kigali between USAID, ARD/SUNY, and the leadership of the National Assembly as well as subsequent discussions among members of the ARD/SUNY project team in Burlington. The proposal also reflects subsequent comments provided by the CTO.

The proposed activities are the logical continuation of those begun during the first phase of the project, and reflect lessons learned during implementation. They are presented here as a basis for agreement both with USAID and the National Assembly, and serve as the point of departure for a detailed second-phase budget proposal submitted to the Regional Contracting Office under separate cover. Also submitted under separate cover is a request for Contracting Officer approval of a new resident Chief of Party, Douglass Teschner. Mr. Teschner, whose vita is attached below, visited Kigali for consultations with Assembly leadership and staff as well as USAID/Rwanda personnel during December 2001, and is available to begin work shortly after the approval of a new contract and project budget.

Context

The Task Order authorizing the existing Rwanda National Assembly Support Project was issued to the Research Foundation of SUNY under the Deliberative Bodies IQC, and covered the 13-month period between November 2000 and December 2001. Responsibility for implementing the project is shared between SUNY/International Development Group (SUNY/IDG) and ARD, Inc. (a sub-contractor on the base IQC contract). The latter has primary responsibility for day-to-day project administration, while the two organizations share in the responsibilities for providing technical support to the Chief of Party, Marcel Pelletier (an ARD employee).

After an initial mobilization period during December 2000, the first phase of project assistance began in January 2001 with the development of a project work plan that defined planned interventions on the basis of the indicative activities outlined in the original project scope of work.³⁸ The participatory process of work plan development simultaneously served to build working relationships with Assembly counterparts.

Since that time, strong working relationships have been established between the project and the leadership of the National Assembly, deputies and Assembly staff, and discrete activities have focused on the assessment of information technology needs, improving legislative

³⁸ Project goals included in the initial Request for Proposals are summarized in Box 1 on the following page.

drafting capacity, budget analysis training, advisory assistance on internal organization systems, material and technical assistance to the Assembly documentation center and archives, as well as the provision of English language instruction for members and staff. In addition, modest levels of material assistance have been provided to support Assembly operations, notably the provision of a medium-capacity photocopy machine at the Assembly's request.

Through the activities noted above, the ARD/SUNY National Assembly Support Project has begun to address critical constraints in key areas. Institutional development is, however, a long-term process and sustained support will be required to ensure that the Assembly's efforts to both refine internal administrative procedures and work methods, and to consolidate substantive skills produce sustainable improvements in organizational performance. During the first year of project operation a considerable investment was made in establishing working relationships with Assembly leadership and staff, and in demonstrating the project's responsiveness to the evolving needs of the Assembly. Although this resulted in perhaps slower than anticipated implementation of certain activities, it provides the basis for an accelerated pace over a second year of project activity.

Once elected, the successor National Assembly once will face numerous and serious challenges in representing Rwandan citizens, promoting development and advancing national reconciliation and the consolidation of democracy. The pressure to perform effectively will be immediate and intense, and Assembly success in responding will depend heavily on the capacity and performance of institutional structures inherited from the transitional period. The eighteen months remaining before planned legislative elections in mid-2003 provide an opportunity to strengthen the institutional foundations for a representative legislative branch.

Box 1: Goals articulated in RFP

The Legislative Strengthening project is designed with the following goals:

- a) To enable the TNA to respond to evolving issues during a critical period of transition from emergency to stabilized development and further democratization.
- b) To encourage the TNA Bureau – President, Vice President and Secretary – to better assess, articulate and administer their technical assistance needs.
- c) To make better use of previous and planned *ad hoc* assistance by incorporating it into a long-term work plan that integrates assistance in a range of complementary topics.
- d) To build on previous interventions, while addressing areas previously neglected altogether such as automation of the documentation center or professionalization of parliamentary procedures.
- e) To commit, at the project's outset, enough funds to prevent further investments of technical assistance from becoming *ad hoc* in the future.
- f) To stabilize the TNA's institutional structure in preparation for a hand-over to an elected membership in the next two to five years.

The approach to supporting the development of the Rwandan National Assembly adopted by USAID/Rwanda and ARD/SUNY has been conditioned by several overarching factors that must be borne in mind.

- Most importantly, the present National Assembly is transitional in nature, flowing from the Arusha peace Accords of 1993. The Assembly was established in 1994, after the civil war and genocide, for an initial transitional period of 22 months. The transitional period was subsequently extended to five years, subject to review in November 1999, at which time the transition was extended to 2003. Under the terms of the Arusha Accords, no further extension of the transitional period is possible, and separate national elections for President and members of the National Assembly are expected to take place starting in July 2003. With the holding of Assembly elections, the partisan composition and leadership of the National Assembly can be expected to change considerably.
- Secondly, the membership of the present TNA is determined by the Arusha Accords, which provides for the assignment of Assembly seats (and leadership positions) to signatory parties according to a negotiated formula. Individual members are appointed by, and subject to the discipline of, the political parties to which they belong. Members thus represent parties (which can replace them at will) rather than electoral constituencies, and are subject to legal restrictions limiting partisan political activity at sub-national levels. Although the members of the TNA consider themselves representative of the populace at large and desire to promote the development of the country as a whole, the nature of their relationship to the electorate can be expected to change in significant respects with the conclusion of the transitional period. Efforts can and should be made to encourage greater contact between the Assembly and the Rwandan citizenry, but only following national elections will the TNA emerge as a representative institution.
- Finally, the overarching constitutional framework for governance in Rwanda is presently under review by a constitutional commission appointed in 2000. The work of the commission is advancing steadily, but it's ultimate disposition regarding the attribution of powers to and distribution of power between, the judicial, legislative and executive branches of government is not yet clear. The adoption of a new Rwandan constitution in 2003 has the potential to affect the role of the National Assembly in governance.

Taken together these three factors suggest that for the duration of the transitional period, the TNA's representative and oversight functions will remain somewhat limited by political circumstance. At the same time, however, much can (and remains to) be done during the interim to strengthen the institutional foundations necessary for the effective operation of the post-transition elected Assembly.

If the Assembly's needs are great, international donor support for the institutional consolidation of the National Assembly remains extremely limited. With the exception of the United Nations Development Program (UNDP) which funded the creation of a local area network, provided transcription equipment, modest levels of training for secretarial staff, and plans limited assistance to facilitate constituent outreach, USAID remains the only donor addressing the Assembly's needs over the remainder of the transition.

Reflecting the scope of work defined by USAID, the initial work plan grouped project activities under three broad conceptual headings – Legislative drafting, informed debate, and executive oversight. These continue to define the scope of the project’s substantive agenda. With the benefit of experience gained during the initial phase of project implementation, and to bring greater clarity to linkages between proposed activities and longer-term project objectives, we have grouped activities within the two broad program categories discussed at greater length below. These are:

- Improvement of the Legislative Process (including informed debate, policy analysis and executive oversight);
- Modernization of Parliamentary Management and Work Methods (administrative and support systems & processes);

A third area of potential activity suggested in the Assembly’s request for assistance (legislative outreach/constituent relations) would be functionally and intellectually consistent with the existing areas of project activity, but would imply a significant increase in the overall level of effort – both financial and human. It is our understanding that overall resource constraints are likely to preclude such an expansion of activities. We have therefore included in the present proposal only those activities that are consistent with and reinforce the core areas of activity defined by the initial task order. The same may be said for a number of requests for material assistance contained in the Assembly's proposal.

As defined in the project RFP, Scope of Work and subsequent Integrated Work Plan, the Rwanda National Assembly Support Project is predominantly a technical assistance project whose mission is to strengthen the capacity of the Assembly to function effectively as an independent legislative body. Consequently, the project has provided only very modest levels of material assistance over the course of its existence. Experience thus far suggests both that modest levels of assistance in key areas can have a significant impact on the functioning of Assembly systems and that, conversely, key systems often function at a very sub-optimal levels due to shortages of critical equipment and resources. We propose to respond to the assembly’s request for assistance in addressing material constraints in several areas where limited interventions will permit significant improvements in organizational performance. The rationale for proposed material assistance is detailed in Section III below.

Drawing on experience gained over the initial period of project activity, and on extensive discussions with Assembly counterparts, we wish to propose as a general principal of project operation that technical assistance be designed with three basic principles in mind: 1) Minimize the impact of assistance activities on the legislative calendar; 2) Favor the utilization and development of local capacity where possible; and 3) Maximize the utility of international technical assistance, where such assistance is deemed necessary. These principles are outlined in the box below.

Where possible, the project will utilize Rwandan experts to provide targeted technical assistance. When it is deemed essential, the use of expatriate technical assistance will be designed to minimize the impact on the parliamentary calendar while maximizing the utility of consultant time.

External consultants will have dual roles: working with (and where necessary, mentoring) local counterpart expert/trainers; and direct provision of intensive training on key analytical or substantive issues.

Typically, training involving external consultants will take the form of an intensive 3-5 day training session conducted by both consultants (external and Rwandan), followed by 6-8 days of work with members/staff on an individual or small group basis, focusing on issues of current and immediate concern. Follow-up consultations involving the Rwandan trainer would be scheduled on an intermittent basis thereafter, within the limits of agreed levels of effort.

In order to ensure these principles are well reflected in assistance provided through the project, we propose (accepting the Assembly's suggestion) that international short-term technical assistance (STTA) be used in tandem with local Rwandan experts, and that discrete technical assistance activities follow where possible the general model described above. Because the precise issue content of technical interventions is intended to respond creatively to the Assembly's agenda, we have budgeted for activities in terms of the anticipated level of effort (number of anticipated activities, and LOE per activity), leaving the profile of local and/or international expertise to be determined. As individual activities are defined in response to Assembly needs and in consultation with Assembly stakeholders, activity-specific scopes of work (SOWs) will be submitted for CTO approval. CO approval will, of course, be requested for CCN/TCN rates and levels of effort.

I. Improvement of the Legislative Process

A. Improve Legislative Drafting Procedures and Skills

As is true of most parliamentary systems, the national Assembly initiates few pieces of legislation. Its role in the amendment and revision of legislative drafts produced by executive agencies is however substantial. Legislative drafting standards vary between executive agencies, with the result that much of the legislation received for consideration requires considerable work to correct internal logical inconsistencies, ensure uniformity of style, and ensure that that French, English and Kinyarwanda versions are in place and consistent. An initial training seminar, conducted in May 2001, provided an overview of basic legislative analysis, interpretation and drafting techniques, and was well attended by Members and staff. The agenda also included a hands-on session on legislative research on the Internet, which was very well received by participants. There are several issues in the area of legislative drafting that remain to be addressed – some relate to internal consistency and quality of drafting, some to the efficiency of the drafting process.

Future programs in this domain will emphasize the consolidation of basic techniques introduced in the first training session, the development of more efficient work methods, and the introduction of new technologies, in particular the use of computers in completing routine

tasks. Appropriate technologies can save time, improve accuracy, and lessen the possibility of errors in the process, and therefore improve the quality of the product (i.e. better draft legislation). Considerable gains can be made if the drafting and amendment/correction of legislation is done directly on computer, and simple systems are developed to facilitate version control. Similarly, a computerized bill tracking system would offer considerable advances on the current manual tracking process, which is difficult to keep current, allowing legislative managers the capacity to access timely, precise information on the status of pending bills as they transit plenary and commission stages. With the development of a computer-based tracking system, information on the status of pending legislation could be made readily available to members, staff, and other interested “consumers” through the parliamentary LAN.

Building on earlier training in the area of legislative drafting, a training program will be organized for Commission Secretaries (and others involved in the legislative drafting exercise) to strengthen basic drafting skills and to familiarize participants with more efficient work methods and new technology. The first goal will be to ensure that bills and amendments are drafted in conformity with recognized legislative drafting standards. The second goal will be to more directly integrate the use of computers in the drafting process. A third, parallel, goal will be to develop a computer-based system for tracking the progress of draft legislation from receipt through passage.

The first phase of training would take the form of an intensive 2-3 day training session conducted by an international consultant with extensive experience in legislative drafting techniques, working in conjunction with a Rwandan trainer, followed by 6-8 days of work with individual members/staff on an individual or small group basis, focusing on drafting projects of current and immediate concern. Follow-up consultations involving the Rwandan trainer would be scheduled on an intermittent basis thereafter.

The second phase would take the form of computer training sessions tailored to the needs of key drafting personnel. It is anticipated that training would take place in several stages, focusing first on the consolidation of basic computer skills, then moving to develop specific skills associated with legislative drafting (e.g. use of specific document templates, version control, etc.). Training would be conducted in conjunction with a local computer training form and supported by the Rwandan drafting trainer (above).

The third phase would take the form of consultations between the Project Director and senior Assembly leadership and IT staff to design system specifications and requirements, followed by programming support from a local database designer. Once a system is developed, training would be conducted for system managers and users.

B. Policy Analysis/Evaluation and Executive Oversight Techniques

The development of an effective Executive oversight function is arguably the area of legislative development that will be most critical to the success of the Rwandan democratic transition over the long term. At the same time, it is the area of programmatic activity for which there is the least precedent in Rwandan political history. As the 1999 legislative assessment suggested, the juridical foundations for oversight and legislative review exist, although they have largely been exercised in the breach due to a combination of legislative inexperience and to an absence of technical, analytic and organizational skills necessary to make effective oversight a reality.

Executive oversight is conducted through review and approval of the executive's budget, approval of the Cabinet, review of executive policies and legislation presented for approval, and through continual monitoring of executive branch performance, which may involve the questioning of key executive staff. The TNA's formal authority over the government budget is substantial, but to date its capacity to exercise this authority has been limited by the inexperience of members and staff, and a variety of procedural and structural constraints.

In order to address these tasks, the National Assembly must increasingly develop independent access to specialized information and the expertise to utilize that information efficiently. The development of Assembly capacity in the areas of information management, research methods, policy analysis, as well as the management of public debate and outreach are thus inextricably linked to the enhancement of the Assembly's oversight capacity. Project activities intended to strengthen Assembly capacity in the areas discussed above will be complemented by a broadened focus on oversight capacity during the next phase of the project.

1) Budget Analysis and Effective Management of the Budget Review Process

During the second phase, the project will continue to place a heavy emphasis on the development of budget/policy analysis skills as a requisite for effective oversight of the executive. Building on general budget analysis training provided during the first phase of the project, advanced budget analysis techniques will be developed during the second phase through training programs focused on key policy issues of current salience. Training will be conducted on a semi-continuous basis using local Rwandan consultants, complemented by the selective use of short-term expatriate consultants on one or more key issues when deemed necessary. Assistance will be closely linked to the budget cycle, with project consultants providing targeted advice to Commission members and staff as they prepare for and consider the annual budget submission. Training will focus on the application of budget analysis techniques and sound budgeting principles to the consideration of the current budget proposal, prior to the passage of the annual budget law. Revenue and expenditure analysis as well as principles of budget composition (capital and recurrent) will be the subject of discussion.

One approach that will be advanced in this context is the establishment of a legislative budget office capable of providing standing experts able to offer expertise to MPs and committees on an as-needed basis in addition to doing some regular tasks (most centrally, examining the draft budget). SUNY has supported the development of similar offices in Uganda and elsewhere with positive results in terms of developing sustained capacity for executive oversight. Such a shift in the organization of staff resources will require

The use of expatriate technical assistance in this area as in others would be designed to minimize the impact on the parliamentary calendar while maximizing the utility of consultant time. External consultants would have dual roles: working with (and where necessary, mentoring) local counterpart expert/trainers; and direct provision of intensive training on key analytical or substantive issues. Typically, training would take the form of an intensive 3-5 day training session conducted by both consultants (external and Rwandan), followed by 6-8 days of work with individual members/staff on an individual or small group basis, focusing on issues of current and immediate concern. Follow up consultations involving the Rwandan

trainer would be scheduled on an intermittent basis thereafter, within the limits of agreed levels of effort.

2) Policy Analysis for Oversight

An initial participatory assessment of current oversight practices and needs conducted by the Project Chief of Party will be followed by training focused on the presentation of comparative approaches to legislative oversight, and on policy and budgetary analysis skills. This effort to build analytic skills will be complemented by efforts to assist Assembly stakeholders in developing strategies for addressing systemic constraints (*inter alia*, recruitment, retention, training and organization of staff, etc.). Training assistance will focus on select committees (defined in consultation with USAID and Assembly leadership, but likely including budget/finance, education, and health).

The primary vehicle for assistance in this domain will be the project Chief of Party, complemented where necessary by both local and international expertise (discussed further below).

Assistance will also target the development of analytical capacity relevant to critical substantive areas of national policy development, including decentralization and tax policy, and potentially both land tenure policy, and demobilization and reintegration (DDRR) policy. Other topics could be added in response to specific needs identified in consultation with Assembly stakeholders. Because the intent of programs in this area is to be responsive to the Assembly's agenda and to combine institutional capacity building objectives with issue-specific technical assistance (particularly in the context of the budget review process), it is difficult to project in advance the specific content of individual project interventions. The precise issue-focus will be defined on the basis of consultation with Assembly counterparts and the project CTO. Policy workshop-training sessions will be conducted along the lines described above, using a combination of targeted external STTA (where necessary) and Rwandan expertise to animate intensive training sessions aimed at transferring skills based on international best-practice, followed by on-site analytic assistance and training geared to specific legislative agendas.

3) Targets of Opportunity: Ad Hoc Policy Oversight Training

To the maximum extent possible, we will seek to develop synergies between the project and other USAID and donor projects dealing with the focus issues identified. On-going collaboration between the ARDSUNY National Assembly project and the newly established ARD fiscal decentralization project provides a model for how such joint policy analytic ventures might be organized. This model will be extended to capture synergies with other on-going USAID assistance programs to the maximum extent possible.

For example, one source of expertise to support select Assembly commissions is the ARD Fiscal Decentralization Project, which is scheduled to provide MINALOC with short-term technical assistance in a variety of areas (*inter alia*, property tax policy, financial management, health and education service delivery, strategic management, etc.). Since these areas are directly relevant to the work of several Assembly commissions, we will seek to make experts available to animate discussions with parliamentarians focusing on policy issues relevant to their expertise. This cross-fertilization would likely take the form of one or

half-day seminar/presentations/discussions with select groups of members or relevant commissions.

Such an approach would work most smoothly if there were prior approval by the legislative support project CO, that with legislative project CTO approval, consultants approved to work on the Fiscal Decentralization project would also be considered approved to provide limited, ad hoc technical support in the context of the legislative project. The LOE would not exceed two (2) days per activity. For example, the legislative project would budget 8-10 days per year STTA, to be expended in two-day increments (one day preparation, one day presentation-consultations). The focus of individual interventions would be detailed in individual scopes of work, subject to approval by the Assembly and by the NASP CTO. Such an approach would have distinct advantages for the NASP, since it would provide flexibility, as well as a greater level of STTA at a vastly reduced cost, since airfare and most ODCs (all except 2 days per diem) would be covered under the FDP.

In order to facilitate synergies between projects in supporting the development of the Assembly's analytic capacity, we propose that a limited level of effort be budgeted (approximately 8-10 days over the length of the project extension) to facilitate the participation of experts engaged in other contexts in the conduct of ad hoc policy workshops or discussions with parliamentarians or relevant Assembly staff on key policy issues.

II. Modernization of Parliamentary Management and Work Methods

The initial assessment of parliamentary development needs commissioned by USAID/Rwanda in 1999³⁹ identified a number of areas in which parliamentary work methods might be modified to increase the efficiency of internal operations. This mapping of needs served as the basis for subsequent discussions between USAID and the Assembly leadership, and guided the design of the first phase of assistance under the ARD/SUNY Rwanda National Assembly Support Project. During the first phase of project activity, the Assembly has begun to address a number of key constraints and to strengthen internal administrative capacity, but assistance must be sustained if there is to be a long-term impact.

A principal conclusion drawn from experience during the first phase is that improvements in legislative drafting, informed debate and executive oversight are inextricably linked to more general improvement in the capacity of the administrative, management and infrastructural systems that support these critical functions. The first phase SOW and work plan placed considerable emphasis on strengthening administrative systems, but grouped activities within the substantive areas of project emphasis (legislative drafting, informed debate & executive oversight). For the purposes of clarity, the present proposal groups activities designed to produce improvements in these systems under a distinct heading (Modernization of Parliamentary Management and Work Methods), although they are consistent with the original scope of work and project work plan.

The areas most critical in the short-term to the improved performance both of management structures and of deliberative processes are addressed below. These include developing the capacity to manage the newly operational local area network (LAN) and Assembly web

³⁹ Robert Nakamura, Elizabeth Bouri & Margaret (Peg) Clement, "Rwanda Transitional National Assembly: Needs Assessment", Final Report, 1 March 1999. Prepared on behalf of USAID by SUNY/IDG.

site⁴⁰, applications development and associated training, strengthening internal reporting processes, and strengthened organizational management and planning. In each of these areas discrete activities are proposed which, with modest investments of technical and material assistance, can be expected to have an immediate and visible impact on the efficiency of Assembly operations. They have been designed with a view to capitalizing on investments made by UNDP and other donors in infrastructure, as well as to maximize the use of Rwandan expertise available in Kigali.

A. LAN Management, Applications Development and Training

1) LAN Implementation/Management Support and Training

Because many of the most critical procedural innovations⁴¹ are linked to, if not fully dependent on, the implementation of a Local Area Network (LAN) connecting the various Departments, Services and Commissions, a continued emphasis on systems design and implementation support for the IT department is included in the present proposal. The IT assessment conducted in February 2001 suggested that since the computerization process never really ends, the National Assembly must either remain dependent on outside assistance, or reach a point where it has the internal capabilities to proceed on its own. The findings and recommendations of this report reflect an agenda to develop the internal capacity of the National Assembly to proceed with computerization using locally available technologies and skills. Consequently, our approach in this domain emphasizes training, and using standard technologies for which support can most likely be found locally.

The implementation of the parliamentary LAN ultimately remains dependent on complementary actions by parliamentary leadership and other donors, notably the United Nations Development Program (UNDP), which has provided the bulk of the required hardware, and some training. We are encouraged with the progress that has been made in recent months in procuring hardware necessary to make the LAN operational, but believe that modest levels of targeted assistance, emphasizing overall systems design, LAN management, and targeted training will be critical over the second phase of the project to ensure the effective utilization of the system. This assistance should take the form of iterative visits by an IT systems advisor skilled in the application of information technologies to institutional development in developing country contexts, in conjunction with the provision of local expert services to support parliamentary IT staff on a more frequent intermittent basis. Training will focus on LAN management, networking concepts, and the identification of applications needs. Training will be designed collaboratively by the IT advisor, the Assembly's LAN managers, and the Kigali-based trainers who will implement the training program.

2) LAN Application/Management System Design

A second area in which LAN-related assistance is contemplated is that of management systems design/reforms associated with automation. Assistance in this area would focus on developing or adapting efficient management systems (e.g., personnel management, procurement, internal communications systems, etc.) to serve as a point of departure for the development of appropriate software and database applications, based primarily in the first

⁴⁰ The development of the Assembly's web site was funded by USAID/Rwanda under the GHAI.

⁴¹ Including, for example, the modernization of procedures for the production of proces-verbaux and comptes-rendus, archiving and information retrieval, etc.

instance on readily available generic software packages (e.g. MS Word, Excel, Access, etc.). Comparative experience drawn from ongoing projects in Uganda, Kenya, Egypt and the West Bank would serve as a point of departure in considering possible approaches to improving parliamentary systems.

The primary provider of assistance in this area would initially be the Chief of Party working with a local management consulting firm whose role would encompass both systems development/design, applications development and ongoing support for the training of trainers. These efforts would be supported by the US-based IT advisor (above). This activity is intimately linked to the organizational development activities outlined in section C below.

3) Management of the Assembly Web Site

The initial design and launching of the National Assembly's Internet site was funded by USAID, separately from the present project, using funds available under the Greater Horn of Africa Initiative (GHAI). The design and construction of the site was contracted to a Kigali-based computer-consulting firm, which was also contracted to provide technical support for the site during an initial six-month period. For the site to be effectively utilized by the Assembly over the longer term, however, Assembly staff must develop the technical capacity to maintain and regularly update the site with current information. At the request of the Secretary General (8/8/2001), it was agreed that resources included in the initial project budget for Internet training would instead be devoted to providing training to key staff charged with web site maintenance. The provision of periodic training on the use/management of the web site would be provided during the second year of project operation.

4) Targeted Computer Training

Additional LAN-related project assistance is proposed in the following areas:

- Computer training for key legislative drafting personnel. This training would cover intermediate word processing skills, emphasize the use of templates, and reinforce basic skills introduced during the legislative drafting training session. See Legislative Drafting section below.
- Development of LAN-based bill tracking system, using generic and locally-supportable software (MS Access). See Legislative Drafting section below.
- Specialized applications training for LAN managers and users. This training would develop the capacity of Assembly staff to use the automated bill-tracking software, and provide additional training on the utilization of specialized software introduced for the production of the *Proces verbaux* and *Compte rendus*.

These programs would be undertaken using Rwandan trainers, either contracted as individuals or through a local firm.

B. Strengthening of internal reporting processes

1) Preparation of daily sitting reports (*Compte rendu*)

Since the Parliament's request for assistance was received, a new system for the transcription of the daily sitting reports (*Compte rendu*) has been implemented, and appears to be resulting

in significant reductions in publication delays. The previous manual system, has been replaced by a LAN-based one, which reduces the potential for reporting errors and greatly facilitates the editing and production process.

What remains to be assured is the accuracy and utility of the *Compte rendus* produced. Since the purpose of the CR is not to record individual interventions, but to document in a timely fashion issues considered and decisions taken by the Assembly, the volume of notes should not be excessive. What is required is that those charged with producing the CR adopt a consistent approach and format, and have a clear understanding of what (and what not) to include.

Assistance in this area will take the form of “on the job” training by the project COP for those tasked with producing the CR, of approximately one week, for the staff involved in the preparation of the reports. Guidelines for CR preparation (and a report template) will be developed in conjunction with departmental leadership. Training will be followed by ongoing supervision/tutorial assistance focusing on improvements in the accuracy of reporting and in their utility to parliamentarians.

2) Production of verbatim report (*Procès verbaux*)

In this area of activity covered by the initial project, there have been developments similar to those outlined above. With the development of the LAN, the Assembly is now able to process tapes at a far greater rate than was previously the case. It has consequently been able to make the case for government budgetary assistance in retiring what presently amounts to a backlog of approximately three years in the production of verbatim reports of legislative sessions.

Substantial improvements have been made in the methods and organizational approach applied to the production of both *Procès verbaux* and *Compte rendu* using new technologies now at the Assembly’s disposal. The LAN is expected to provide substantial economies in the production, distribution and conservation of these documents in real time. However, a LAN-based system must be founded on efficient, robust and sustainable organizational routines.

The development and progressive application of such routines will be a primary focus of activity in the medium term. The COP will work closely with the Secretary General and his staff to improve work methods along the lines suggested early in phase one of the project, and to fine tune the application of the systems now available. A second area of emphasis will be to link report production routines with developing systems for record conservation, retrieval and archive management.

3) Strengthened Research and Information Retrieval/Management Capacity

To support its capacity to effectively define and oversee national policies reflected in legislation, Parliament must have access to an increasingly broad and diverse array of information resources, and the capacity to manage and utilize these resources effectively. Although the project will provide very modest levels of material support to the library, the primary contribution in this domain will be to strengthen the research capacity of parliamentary staff, and to support research by improving information retrieval and management capacities.

Efforts in this domain began with a two-week study and observation tour to the Library of the Canadian Parliament and that of the Legislature of the State of New York organized for the Head Librarian and Director of the Information Technologies of the Rwandan Parliament. The tour was designed to demonstrate different models of library organization and familiarity with the type of services provided by these two institutions to their clients. In addition, the tour was designed to increase familiarity with the use of computers and related information technologies and their almost unlimited applications in the area of legislative information/documentation, retrieval and research.

A successful two-week training session for all Assembly library staff took place in November 2001, and included sessions on the modernization of work methods, improvement to services and research assistance to clients, better access to the collection, using documentary material as well as the Internet.

During the second phase, we propose to provide the library with the capacity to scan documentary materials (including parliamentary proceedings for which no electronic files exist), produce CD-ROMs for archival purposes, and make key document series more readily accessible to parliamentary staff and members. The investment in hardware is modest, but will result in a considerable broadening of the range of services available to members and staff. The provision of these components will be accompanied by training in their use, as well as training in computer based information management and archival systems. In conducting this training, we will seek to use the same trainer employed to conduct the session described above, and will emphasize the development of internal capacity to conduct subsequent training sessions for users.

It should be noted that there are considerable benefits to be gained through an effective use of internet-based resources to supplement the documentary materials available in the Assembly library. However, much depends on improving Internet access for both members and staff. The implementation of the LAN will make possible broadened access (currently constrained by the limited number of phone lines and internet accounts available to the Assembly), but only if a robust, high-capacity connection to an Internet Service Provider (ISP) can be assured. In recent months, the availability of ISDN lines (eventually DSL) in the telecommunications market, and the emergence of alternative commercial providers of internet services. In the first instance, it appears most useful to focus on improving Internet access via the Library/Documentation Service.

C. Organizational Management and Planning

Support for improved organizational management and long-range planning figures prominently among the goals and target of the present project. The primary vehicle for assistance in this area will be the project Chief of Party, who will work with senior Assembly managers and members to analyze existing administrative systems and organizational structures with a view to identifying areas in which incremental organizational changes can result in substantial improvements in performance. Although it would be inappropriate for the project to field a consultant (as was requested) to prepare the Assembly's requests to the donor community, improvements in the Assembly's strategic planning capacity should enable it to increase the effectiveness of appeals for external assistance.

We believe that in this area and in several others, notably information management and improved parliamentary work methods, there are substantial benefits to be derived from international experience, and in particular from cross-fertilization between legislative strengthening projects in Rwanda and others in East Africa, notably Kenya and Uganda. We therefore propose that a regional consultative tour take place during the second phase, to permit the Assembly President, the Secretary General and two key staff or Members to gain first hand experience of systems being implemented in these legislatures, and to develop linkages which could facilitate ongoing exchanges of information and experience.

Because SUNY/IDG is currently implementing USAID-funded legislative assistance projects in both Uganda and Kenya, it will be possible to gain maximum impact from such an exercise. The comparative experience of these projects is highly relevant to the Assembly's needs. The Uganda Parliamentary Technical Assistance Project (UPTAP), for example, has made impressive strides in partnership with USAID and the Parliament towards strengthening and modernizing the institution via a wide ranging set of activities – support to the Parliamentary Commission to establish modernization master plans, strengthening the management systems in Parliament and of its Management Board, diverse skills development training, creation of a Parliamentary Research Service, IT support including establishment of the Parliaments website, enhancement of the Parliament's public relations functions, support for the Parliamentary Library and establishment of an internship program, among others. While more recently established than the Uganda project, SUNY/IDG's Kenya legislative project similarly involves a wide-ranging set of activities. Consequently, the proposed regional tour could be a useful mechanism to connect important means for establishing linkages and sharing information and experience between the three projects.

III. Logistical and Material Support to the National Assembly

It has been understood from the outset that it was USAID's intention that the National Assembly Support Project would primarily serve as a vehicle for technical assistance. At the same time, it is clear that in many areas, institutional development is constrained by the limited availability of basic technologies and materials, in addition to expertise. As a consequence, where feasible, the project will provide limited material assistance in several key areas. At no time, however, will the project cover recurrent costs, including salaries or expendable commodities (e.g., paper, toner, etc.). The goal of the commodity assistance provided will be to improve the operation of key systems on which the overall functioning of the institution depends. Key areas identified during the first year of project operation include: 1) the archiving of Assembly records; 2) research and information retrieval/management capacity; 3) documentary materials; and, 4) the maintenance of photocopying capacity. The nature of proposed assistance in each of these areas is discussed below.

1. Archiving of Assembly Records

For a variety of reasons, Parliamentary documents are poorly archived and preserved. This applies to both the official record, and to materials contained in the documentation center. There has been progress in this area, but the net result is that *Compte Rendus* and *Procès Verbaux*, as well as bills and laws (including the Official Gazette) are difficult to consult because they are neither readily accessible or, in many cases, compiled in a form designed to facilitate use. They are not available to members of the public in electronic form or on

microfiche In addition, the present archival system does not distinguish between documents used for temporary circulation and the permanent collections.

It would be possible, at a modest cost, to reorganize and compile these documents, then reproduce and bind them to facilitate access. The Speaker of the Assembly has asked if the project could fund the binding of the Assembly records, including the *Compte rendu, Proces verbaux, Journal Officiel*. This is a relatively inexpensive activity, since plastic spiral binding only is contemplated. The existing Library staff can prepare the material; copying and binding can be done via a local binding/printing shop.

Since space is at a premium, numerous obsolete documents, reports and books, should be retired or discarded to make room for more recent and more useful documentation.

2. Supply of Documentary Resources

We propose to continue the provision of limited quantities of critical documentary, reference and research material to the Assembly documentation center. We propose to budget for such support at the level agreed during the first phase of project assistance.

3. Maintenance and Repair of Assembly Photocopiers

Legislatures remain highly dependant on the circulation of information in printed form, despite the increasing availability of electronic forms of communication. This is especially true of the Rwandan National Assembly, which is only now making tentative steps in the direction of e-communication with the establishment of a LAN. Professional printing of most parliamentary documents is not a viable option, due to high costs and the delays generally involved. In the medium term, the Assembly will remain highly dependent on photocopy capacity to ensure the circulation of draft legislation, CR and PV reports and other critical legislative documents. This capacity is presently extremely limited for a variety of reasons.

The National Assembly Support Project responded positively to a request from the Assembly that it provide an efficient high-speed photocopier, which continues to be useful in the daily proceedings of the Assembly. The Assembly's other photocopiers, are however often out of order, and need to be repaired on an urgent basis, to respond to the needs of the Commissions and administration. Staff have neither the technical capacity nor the resources to maintain the machines the Assembly presently has its disposal. It is thus necessary for the Assembly to contract the services of a local firm for the maintenance of its photocopiers.

The President of the Assembly has requested that the project assume the costs of maintenance for as long as possible. This request was discussed with the USAID CTO during August 2001, and tentatively accepted. We propose to finance a service contract for the presently existing inventory of photocopy machines, and to provide essential expendable parts for these machines up to a level warranted by normal use. It should be noted that this service agreement will under no circumstances cover recurrent costs, including operating supplies (toner, paper). Consequently, if operating supplies necessary to conduct routine maintenance and service are unavailable to verify the operating condition of the covered machines, service will be suspended until such supplies are made available by the Assembly.