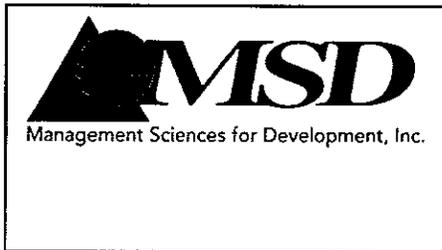


PN-ACT-481



**United States Agency for International Development
Mission to Rwanda**

**Contract #: AEP-I-00-00-00013-00; Task Order 801
Title: Institutional Development to the Rwandan Ministry of Justice
Strategic Objective #01: Increased Rule of Law and Transparency in
Government**

*MINIJUST
SCAJE / DLSC / DAJ*

Prepared by: Denis Roumestan, under contract with MSD, Inc.

April 2003

**Management Sciences for Development, Inc. (MSD)
4455 Connecticut Avenue, N.W., Suite A-100, Washington, D.C. 20008
TEL 202-537-7410 ♦ FAX: 202-537-5099 ♦ www.msddlobal.com**

TABLE OF CONTENTS

	Page
Introduction	4
1. Restatement of the Mission	4
2. Chronology of events, date of seminar and names of participants	5
3. Structure of the report	7
1. Objectives of the Seminar	8
1.1 Needs (Requirements)	8
1.1.1 Resources	8
1.1.2 Methods	9
1.2 Objectives	9
1.2.1 General objective	9
1.2.2 Specific objectives	9
1.3 Activities	10
1.3.1 Objective #1	10
1.3.2 Objective #2	10
1.3.3 Objective #3	11
1.3.4 Objective #4	11
1.3.5 Objective #5	11
2. Detailed Schedule of the Seminar Activities	13
2.1 Wednesday, May 21, 2003	13
2.2 Thursday, May 22, 2003	14
2.3 Friday, May 23, 2003	14
2.4 Saturday, May 24, 2003	14
3. Analysis of Existing Resources and Methods	15
3.1 List and characteristics of resources	15
3.1.1 Human resources	15
3.1.1.1 DLSC	16
3.1.1.2 SCAJE	16
3.1.2 Material resources	16
3.1.3 Financial resources	17
3.1.3.1 DLSC	17
3.1.3.1 SCAJE	17
3.1.4 Informational resources	18
3.1.4.1 DLSC	18
3.1.4.2 SCAJE	18
3.1.5 Temporal resources	19
3.2 List and characteristics of methods	19
3.2.1 Input	19
3.2.1.1 DLSC	19
3.2.1.2 SCAJE	19
3.2.2 Processing	20
3.2.2.1 DLSC	20
3.2.2.2 SCAJE	21
3.2.3 Output	22
3.2.3.1 DLSC	23

3.2.3.2	SCAJE	23
4.	Optimization and New Approaches	24
4.1	Presentation of the optimization tracks	24
4.2	Presentation of the new approach tracks	25
4.3	Statement of priority tracks	26
4.3.1	Priority tracks for resources	26
4.3.1.1	Human resources	26
4.3.1.1.1	Optimization: human resources	26
4.3.1.1.2	New approaches: human resources	27
4.3.1.2	Material resources	28
4.3.1.2.1	Optimization: material resources	28
4.3.1.2.2	Material resources: new approaches	28
4.3.1.3	Financial resources	29
4.3.1.3.1	Financial resources: optimization	29
4.3.1.3.2	Financial resources: new approaches	29
4.3.1.4	Informational resources	30
4.3.1.4.1	Informational resources: optimization	30
4.3.1.4.2	Informational resources: new approaches	30
4.3.1.5	Temporal resources	30
4.3.1.5.1	Temporal resources: optimization	30
4.3.1.5.2	Temporal resources: new approaches	31
4.3.2	Priority tracks for methods	31
4.3.2.1	Methods: optimization	31
4.3.2.2	New methods: approaches	32
4.4	Priorities	34
	Conclusions and Recommendations	38
	Acronym List	43

INTRODUCTION

This report has been prepared for the Minister of Justice of Rwanda, the Attorney-General, the Secretary-General of the Ministry of Justice, the Director of the D.L.S.C, USAID Rwanda and MSD Washington, pursuant to the Terms of Reference embodied in the Contract made between MSD and the International Consultant.¹

1. RESTATEMENT OF THE MISSION ENTRUSTED TO THE INTERNATIONAL CONSULTANT.

This report covers the new Mission No. 3c entrusted to the Consultant, as defined below. In effect, Mission No. 3 entrusted to the International Consultant initially read as follows:

The Contract made between MSD and the International Consultant is dated June 26, 2002, and covers a period of sixty non-consecutive days. The Contract embodied 6 missions in total. The missions, other than those which constitute the subject matter of this report, were the following:

Mission #1: To finalize the MSD study with respect to the logistical, personnel and financing aspects for purposes of translation, standardization and compilation of an official criminal code for Rwanda; to review the *Gacaca* law and all laws falling within the criminal code and the criminal procedure code that have been translated into English, and to assemble them into a complete document. The study will comprise a work plan, the number and types of personnel required, the number of work days, and the approximate budget covering labor and publication costs.

Mission #2: To provide recommendations for conforming all three official versions (English, French, Kinyarwanda) of any law. These recommendations will focus on simplicity of language and application of the law, as well as on accuracy and precision. These recommendations will be part of the report called for in point #1.

Mission #4: To support the Legal Reform Commission within the scope of its mandate.

Mission #5: To identify regional seminars or other instructional sessions that are capable of providing training in comparative law to the staffs of the aforementioned agencies and recommend participants.

Mission #6: Any other tasks connected to the tasks indicated above must be approved by MSD and the International Consultant, following consultation with the Minister.

"To train and assist the staff of the SLSC and the SCAJE so that these agencies can serve as an office of legal counsel to MINIJUST with respect to legal interpretation of decrees and laws, legal review/revision of decrees and their conformance with the Constitution, in accordance with a view or perspective that takes into account domestic and international customs and traditions, and to issue legal opinions on the administration of justice.

- "a. Within a period of ten (10) business days, to formulate and submit to the agencies in question and MSD, a description of the American office of legal counsel, including its historical background, its current function and comments about the influence of its opinions.
- "b. Within the following ten (10) days, the consultant will undertake an examination of Rwandan laws, and most of all basic law. The consultant will compare the two legal systems (American and Rwandan), and will describe both the differences and similarities, particularly as regards the functioning of the office of legal counsel. This will also form the subject matter of a presentation to be made to the subject agencies and MSD.
- "c. Following a discussion on the advantages and disadvantages of implementing an American-type office of legal counsel within the Rwandan context, to train the personnel of the SCAJE and DLSC in tasks that can help them to serve as offices of legal counsel".

In a rider dated May 15, 2003, made by and between MSD and the International Consultant, prepared upon request of representatives from the Ministry of Justice of Rwanda, it was decided to amend paragraph c above, and replace it with the following language:

- "c. *Following a discussion on the advantages and disadvantages of implementing an American-type office of legal counsel within the Rwandan context, to consult with, assist and train the personnel of the SCAJE and DLSC in an effort to determine their needs and to improve their effectiveness".*

2. CHRONOLOGY OF EVENTS, DATE OF SEMINAR AND NAMES OF PARTICIPANTS.

It was within this context that it was decided in accord with the representatives from the Ministry of Justice, following exchanges of correspondence and preparatory meetings, to hold a 4-day seminar at a specific site for addressing the above-mentioned mission.

The seminar was scheduled to be held in Kibuye from May 21 to 24, 2003, and was led by Mr. Yvan Porcheron, Chief of Mission of MSD and Mr. Denis Roumestan, the International Consultant.

The seminar participants numbered 18 persons, eight (8) of whom were from the State Legal Affairs & Litigation Department (SCAJE), eight (8) from the Office of Legislation and Community Affairs (DLSC), and 2 observers from the Justice Administration Bureau (DAJ).²

[Note: Footnote 2 does not appear in the French text]

□ **The following persons attended on behalf of SCAJE:**

1. Augustin Hayifayi, Chief of the State Legal Affairs Section
2. Stanislas Kabalira, Chief of the State Litigation Section
3. Thierry Rwabusaza
4. Beata Mukangabo
5. Emmanuel Rutwaza
6. Augustin Rwabigwi
7. George Karemera
8. Amida Furaha

□ **The following persons attended on behalf of DLSC:**

1. Jean-Marie Vianney Rusaku, Division Chief
2. Emmanuel Sindikubwayo
3. Clement Habiyambere
4. Emime Ndiokubwayo
5. Jotham Gisanabagabo
6. Gisele Rutayisire
7. Etienne Mutabazi
8. Thadeo Senyonga

□ **The following persons attended on behalf of DAJ:**

1. Blaise Ruhima
2. Christine Murerwa

This report follows a series of exchanges of correspondence and holding of meetings between the International Consultant, the MSD Chief of Mission and key persons involved in preparing the seminar, namely the Minister of Justice, the Secretary-General of the Ministry of Justice, the Attorney-General, the Director of the SCAJE, the Director of the DLSC, as well as certain representatives from the two aforementioned agencies.

The seminar was held in Kibuye from the 21st to the 24th of May 2003, in accordance with the prepared program, which program appears below in this report.

3. STRUCTURE OF THIS REPORT.

In the first part, this report restates the objectives of the seminar; then in the second part, it details the program of activities. The third part gives an analysis of resources and methods made at the seminar by representatives of the Ministry of Justice in order to determine the priority tracks; these priority tracks are presented in the fourth part of the report. Finally, the report ends with recommendations.

1 OBJECTIVES OF THE SEMINAR

The general objective of the seminar was: "To improve the quality and quantity of resources and methods within the DLSC and the SCAJE to achieve greater professional effectiveness".

The determination of the seminar's objectives, both general and specific, took into account the needs of the agencies involved, i.e., both SCAJE and DLSC. Once the objectives were established, the contents of the seminar were decided upon by mutual agreement between the representatives of the Ministry of Justice and MSD. The needs, the objectives and the content of the seminar formed the subject of a presentation to the Minister of Justice for approval.

1.1 NEEDS.

The needs or requirements of the Ministry of Justice ("MiniJust") were stated and classified in two headings: requirements in resources and requirements in methods.

1.1.1 RESOURCES.

1.1.1.1 Material (work methods, environment, equipment, etc.).

1.1.1.2 Human resources (insufficiency, number, quality, motivation, attrition, recruitment, training).

1.1.1.3 Tasks (improving the handling of cases).

1.1.2 METHODS.

1.1.2.1 Cases: how to bring them, study them, prepare them, evaluate them.

1.1.2.2 Documentation.

1.1.2.3 Teams and expertise.

1.2 OBJECTIVES.

Taking into consideration the needs or requirements stated and outlined above, the following general and specific objectives were determined:

1.2.1 GENERAL OBJECTIVE.

The general objective was the following: "To improve the quality and quantity of resources and methods within the DLSC and the SCAJE for achieving the greatest professional effectiveness".

1.2.2 SPECIFIC OBJECTIVES.

1.2.2.1 To research the similarities and differences between the resources and work methods of the respective agencies (DLSC and SCAJE).

1.2.2.2 To optimize the use and implementation of the existing resources and methods.

- 1.2.2.3 To develop and implement new approaches for supplementing the existing methods and resources.
- 1.2.2.4 To apply the most optimized processes and new approaches to the [existing] resources and methods.
- 1.2.2.5 To formulate recommendations in a joint report regarding the identified methods and resources.

1.3 ACTIVITIES.

1.3.1 OBJECTIVE #1.

Connected to *"To research the similarities and differences between the resources and work methods of the respective agencies (DLSC and SCAJE)". Diagnostic exercise.*

- 1.3.1.1 Prepare the list and characteristics of the resources (human, material, etc.) for each agency.
- 1.3.1.2 Prepare the list and characteristics of the methods (human, material, etc.) for each agency.
- 1.3.1.3 Identify the similarities and discuss them.
- 1.3.1.4 Identify the differences and discuss them.

1.3.2 OBJECTIVE #2

Connected to *"Optimize the use and implementation of the existing resources and methods"*

- 1.3.2.1 Jointly identify the optimization tracks for the resources (using the lists in #1 as a departure point).

- 1.3.2.2 Jointly identify the optimization tracks for the methods (using the lists in #1 as a departure point).
- 1.3.2.3 Work in sub-groups (sub-group A for resources; sub-group B for methods).
- 1.3.2.4 Exchanges subjects between A and B (sub-group A for methods; sub-group B for resources).
- 1.3.2.5 Presentation of work in plenary session.

1.3.3 OBJECTIVE #3.

Connected to *"Develop and implement new approaches for supplementing the existing methods and resources"*.

- 1.3.3.1 Two (2) workshops on New Approaches to Resources (1 SCAJE, 1 DLSC) - communications, data processing, Internet, data banks, jurisprudence compendia, training, motivation.
- 1.3.3.2 Two (2) workshops on New Approaches to Methods (1 SCAJE, 1 DLSC) - information, standardization.
- 1.3.3.3 Presentation of work in plenary session (record of proceedings to be included in the final report).

1.3.4 OBJECTIVE #4.

Connected to *"Apply the most optimized processes and new approaches to the [existing] resources and methods"*.

- 1.3.4.1 Thoughts on the context of application (within MiniJust and within the Government in general).
- 1.3.4.2 Choice of priorities for resources and for methods.
- 1.3.4.3 Implementation of priorities for resources and for methods.

1.3.5 OBJECTIVE #5

Connected to *"Formulate recommendations in a joint report regarding the identified methods and resources"*.

- 1.3.5.1 Language of recommendations.
- 1.3.5.2 Validation of the recommendations by the group.
- 1.3.5.3 Language and revision of the final report.

2 DETAILED SCHEDULE OF THE SEMINAR ACTIVITIES

The seminar in Kibuye was held beginning on Wednesday, May 21, 2003, and ended on Saturday, May 24, 2003. Below is a day-by-day detail of the schedule:

2.1 WEDNESDAY, MAY 21, 2003.

Time	Activities	Results
7:30 - 10:00 AM	Travel to Kigali-Kibuye	
10:00 - 11:00 AM	1. Establishment of the group and presentation. 2. Opening exercises	
11:00 AM - 1:00 PM (Objectives 1 and 2) 2:00 - 6:00 PM (Objectives 1 and 2 - continued)	<p>1. Plenary session: Discussion and preparation of the list and characteristics of the existing resources (<i>human, financial, material, data, temporal</i>).</p> <p>2. Plenary session: Discussion and preparation of the list and characteristics of the existing methods (<i>Input according to source, processing according to subject, output products and services.</i>) Discussion on similarities and differences.</p> <p>3. Work in sub-groups:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Resources <input type="checkbox"/> Methods 	<ul style="list-style-type: none"> <input type="checkbox"/> List and characteristics of existing resources <input type="checkbox"/> List and characteristics of existing methods.

2.2 THURSDAY, MAY 22, 2003.

Time	Activities	Results
8:00 -10:00 AM	1. Plenary session: Presentation of the work of the sub-groups by their respective presenters; discussion and amendment of reports (preparation of the document offering the optimization tracks)	<input type="checkbox"/> Document embodying the optimization tracks
10:00 - 12 noon (Objective #3)	2. Plenary session: Presentation of new approaches.	<input type="checkbox"/> Document presenting the new approaches.
1:00 - 3:00 PM	3. Work in 2 sub-groups: Resources and methods.	
3:00 - 5:00 PM (Objective #3 - End)	4. Plenary session: Presentation of the work of the sub-groups by their respective presenters; discussion and amendment of reports (preparation of the document offering the new approaches).	

2.3 FRIDAY, MAY 23, 2003.

Time	Activities	Results
8:00 AM- 12 noon	1. Plenary session: Presentation by spokesmen of thoughts on the context of application (agency/client approach and practical application). 2. Individual exercise: Definition of priorities on form 1 (importance and urgency) 3. Plenary session: Choice of priority tracks for resources and for methods.	<input type="checkbox"/> Document embodying the client/agency context.

2.4 SATURDAY, MAY 24, 2003.

Time	Activities	Results
8:30 AM - 12:30 PM	1. Plenary session: Preparation of recommendations using record of proceedings as basis. 2. Validation of the recommendations by the group.	
12:30 - 1:30 PM	Closing luncheon	
1:30 - 4:00	Return from Kibuye-Kigali	

3. ANALYSIS OF EXISTING RESOURCES AND METHODS

The purpose of this work was to inventory the existing resources and methods within the DLSC and the SCAJE. The resources and methods were identified through workshops undertaken by sub-groups, whose leaders made the respective presentations in plenary session.

3.1 LIST AND CHARACTERISTICS OF RESOURCES.

Involved here is the inventorying of the human, material, financial, data-processing and temporal resources both of the DLSC and the SCAJE.

3.1.1 HUMAN RESOURCES.

Human resources comprise the number of staff members, their training and education, their experience, the way in which their knowledge is managed, etc. It was unanimously decided by the participants not to take the "*genre*" factor into account.

3.1.1.1 DLSC Human Resources.

- 1) **Number:** This agency comprises 17 persons: 1 director (lawyer), 4 division chiefs (lawyers), 9 "agents in charge of..." various tasks (lawyers and support personnel such as secretaries and drivers), and 3 consultants.
- 2) **Experience:** Experience is varied and diverse. For the division chiefs and consultants, experience is satisfactory. For the "lawyers in charge of...", it was found that experience is somewhat lacking; they are directly out of law school and they leave the agency very quickly.
- 3) **Level of study or training:** The lawyers hold a basic law degree and have no specialization; some hold advanced law degrees.
- 4) **Turnover:** A great deal of turnover was noted among the agency's lawyers, with the average stay being less than one year (sometimes 3 changes per position per year).

3.1.1.2 SCAJE Human Resources.

- 1) **Number:** This agency comprises 17 persons, headed by the Attorney-General; there are 2 section chiefs who are lawyers (Government Legal Affairs Section and Litigation Section), seven lawyers who are all members of the bar and who hold the rank of division chief, 1 consultant and six persons filling support positions (secretaries and driver).
- 2) **Experience:** Experience is sufficient for the chiefs or consultants. However, for the other lawyers, experience is somewhat lacking. Experience is likewise varied and diverse.
- 3) **Level of study or training:** The lawyers hold a basic law degree but with no particular specialization.
- 4) **Turnover:** There is no particular problem with turnover because there is a certain amount of job stability.

3.1.2 MATERIAL RESOURCES.

The comments made below apply to both the DLSC and the SCAJE. Thus, these observations have been grouped together.

- 1) **Work space and conditions:** There are 3, 4 or 5 employees per office, and files are crammed right into the same office space.
- 2) **Telephone:** There really isn't any telephone service available. There is only a single telephone and even that one functions only from time to time. The Attorney-General is the only person who has a line with an outside extension. The phone functions only with the Public Prosecutor's Office and internally. Everyone has a cell phone, but all of those are personal.
- 3) **Computer:** There is one computer per office for 5 people.
- 4) **Stationery:** It is in short supply and re-supply is very difficult.
- 5) **Coffee break:** There is no space provided for a coffee break, which is problematic, above all taking into account the new schedule (7:00 AM to 3:00 PM) that will be instituted.

3.1.3 FINANCIAL RESOURCES.

3.1.3.1 DLSC Financial Resources.

- 1) **Functioning:** The management and utilization of financial resources works more or less well. The informal rule is to adapt the budget to resources that are either available or promised. There are no allowances made for contingencies or unforeseen events. Many line items are cancelled during the year. The entire budget is integrated with that of the Bureau of Human Resources. There is no budgetary autonomy.
- 2) **Salaries:** The salary levels are the same at the DLSC and the SCAJE, but the way in which they are paid is not the same. The junior lawyers at DLSC are at a lower salary level than their counterparts at SCAJE.

3.1.3.2 SCAJE Financial Resources.

- 1) **Functioning:** The conditions are very close to those at DLSC. There are budget line items that are cancelled during the year and are not restored. The entire budget is integrated with that of the Bureau of Human Resources. There is no budgetary autonomy.
- 2) **Salaries:** The Attorney-General ranks with the Secretary-General; the section chiefs rank with the Director, and the staff lawyers rank with the Division chief.

3.1.4 INFORMATIONAL RESOURCES.

3.1.4.1 DLSC Informational Resources.

- 1) **Internet:** It functions, but there is no time to use it.
- 2) **Library:** Books are not up-to-date, there are no law journals, compilation of laws are not current and there are no jurisprudence reference works. Legal documentation is insufficient, notably in the area of doctrine on new subjects (environment, new technologies, etc.); the documentation is solely in French and remains un-computerized.
- 3) **"Locus in quo" visits:** These are often deferred or cancelled because of a lack of means (notably so far as concerns the Human Rights Division, or even visits to other Ministries, etc.).
- 4) **Training:** The budget is very small. There is often no continuing education; the Nyabisindu programs are not well suited to the needs of the MiniJust staff; there is no education in comparative law, nor are there overseas training courses because of a lack of budgetary funds.
- 5) **Internal information within the agency:** The information that circulates within the agency is often not up-to-date.

3.1.4.2 SCAJE Informational Resources.

1) Same comments as above, PLUS:

2) "*Locus in quo*" visits: Deferred or cancelled because of a lack of means.

3) **Training:** The education courses provided by the bar [association] focus mainly on professional practice and not on legal matters; in addition, the bar trains lawyers who defend all cases, whereas the MiniJust attorneys defend only the Government, and thus they lack specific training.

4) **Internal information within the agency:** No particular comments called for.

5) **Information on the facts of a case (verification of the facts of a case):** Often the information does not arrive on time because of a lack of means, and when the information does arrive on time, it is not necessarily of good quality.

3.1.5 TEMPORAL RESOURCES.

There are no particular remarks to be made regarding these resources.

3.2 LIST AND CHARACTERISTICS OF METHODS.

For both agencies, it was decided to view the methods from the angle of one case to be handled, how it comes in (input), how it is processed, what is the corresponding production (output).

3.2.1 INPUT.

3.2.1.1 DLSC Input Methods.

Without in any way limiting the list, the cases handled are part of the field of this agency's jurisdiction. The methods were analyzed by taking into consideration the types of activities that the agency's lawyers are asked to handle, notably: legislative bills, legal opinions, hearing of petitions from the populace (for example, enforcement of a [court] decision), request for participation in or representation at outside meetings, dissemination and popular awareness of laws, preparation of certain agreements, institutional relations, vital statistics, registrar matters and assignment of nationality to individuals.

3.2.1.2 SCAJE Input Methods.

Following the same observations, cases are assigned by taking into consideration the jurisdiction of the agency and depending on the task entrusted to the agency attorney: agreements, contracts, bi-lateral and multi-lateral international financing, legal opinions, litigation, instruments falling under the Government's private seal, settlements, hearing of petitions, court enforcement matters, participation in technical meetings, legal advice to the Government.

3.2.2 PROCESSING

3.2.2.1 DLSC Processing Methods.

- 1) Each according to its methodology; there is no standardized methodology.
- 2) The choice of assigning a case depends on the attorney's workload and his or her known expertise.
- 3) In principle, cases follow a kind of hierarchy, but exceptions are possible in cases of emergency or because of absence of a particular attorney or attorneys.
- 4) Division chiefs are also involved in the assignment of cases.
- 5) The staff attorneys cooperate among themselves on the cases; in this case, there are really no meetings held among the attorneys, but rather the cases sort of move from one office to another, with a memorandum going from one staff attorney to another. "Cases bounce around, but people remain still".
- 6) One file/one attorney: generally speaking, a case is assigned only to one attorney, depending on its size/importance, its urgency and the attorney's availability.

- 7) Informal consultation with a colleague is possible.
- 8) It is known that one similar case has been handled by "mouth-to-ear". There is a registry in which the case name, the staff attorney's name and the date of transfer are recorded.
- 9) The director himself also handles some cases. The director also critiques the work of others.
- 10) A case is not refused; rather it is somehow settled and the reasons are explained.
- 11) The deadline imposed upon the staff attorney is the deadline given with the case. However, if there is no deadline for the case, the attorney operates with no deadline.
- 12) Follow-up and supervision of the case is done by checking the registry [of pending cases], or else by request of an outside agency or a third-party who has an interest in the matter or who requests information about the case's progress.
- 13) The director checks on the progress of major cases.
- 14) Each stage [of the case] is dated; accordingly, any delays in processing will be seen, but only *a posteriori* of reading the registry.
- 15) Assignments of cases through exchanges made between attorneys are never done; assignments of cases occur rather through the intermediary of the division chiefs.
- 16) A staff attorney handles all types of cases; he or she is multi-disciplinary.
- 17) A staff attorney may handle the work of another division.
- 18) The staff attorney works at his or her own rate, taking deadlines into account or the presence or absence of essential means to handle the case.
- 19) If there is an absence of means, a written or oral report is submitted to the director.
- 20) The staff attorney may classify or categorize the case, but only with respect to minor cases or if involved is a response to a request from a private party; in other instances, the staff attorney must request confirmation from his or her superior.
- 21) The work on a case is composed of several activities: reading, points of law to be focused upon, documentation research (library, colleague, Internet, consultant), writing, photocopying (each attorney makes printed copies or computer diskettes of his or her work), Word/Excel computer activities (the use of secretarial services is a

choice that depends on the availability of secretaries). Each staff attorney has his or her own intellectual methodology.

22) No typology or numbering of cases exists for classification purposes; each case has its own classification.

23) Documents haven't any mandatory form beyond responding to the requested task; there are no special forms, except so far as concerns the forms mandated for the so-called "*Law Office Papers*" documents.

3.2.2.2 SCAJE Processing Methods.

1) When cases are being distributed, something that depends on the number of available staff attorneys and the size/importance of the case, the hearing dates are recorded. Starting at that point, the agency's monthly schedule is made.

2) Interchangeability is possible among staff attorneys; the attorney who receives the case is responsible for it until its conclusion. Another agency staff attorney, who may be a colleague, may represent another staff attorney at a hearing in the event that there is a conflict of hearings on the schedule. However, if at that very stage the case has already been heard at an initial or basic hearing, then the attorney to whom the case has been newly entrusted will handle it.

3) There is both formal and informal cooperation among the staff attorneys in the handling of cases.

4) One case out of ten is handled by group consultation.

5) Frequent meetings are held depending on whether there are problems or difficulties; there are monthly meetings (most of all for scheduling purposes) and weekly meetings.

6) Each attorney has his or her own personal case schedule.

7) A non-lawyer secretary records the incoming cases in the computer.

8) Each staff attorney keeps the files in his or her own office.

9) Cases are classified by month (a minimum of five cases opened per month per attorney).

10) Progress reports on the cases are submitted to the section chiefs.

- 11) Everything is done on the computer, from recording of cases received to the processing of case documents (pleadings, etc.); there is also a printed record of the documents generated.
- 12) Cases are not classified by type or nature (although this is a current project).
- 13) The so-called intellectual processing of a case consists of familiarization with the case, transmission and exchange of documents, investigation (visit to the "*locus in quo*"), writing of pleadings.
- 14) There are no case opening files.
- 15) The secretary records case assignments and certain information on the case folder or jacket.
- 16) There is no numbering of cases.
- 17) There is only one entry register for cases received.
- 18) The so-called intellectual methodology with respect to the basic work on a case consists of facts, legal problems, etc. There is a certain standardization, but it applies more for procedures.
- 19) There is sometimes direct supervision of case work.

3.2.3 OUTPUT

The output analyzed here is according to the products and services delivered by each agency.

3.2.3.1 DLSC Output Methods.

1) PRODUCTS:

- a) Legislative bills and texts
- b) Opinions
- c) Meeting reports
- d) Draft letters
- e) Problems
- f) Official documents

2) SERVICES:

- a) Assistance
- b) Intervention (participation)
- c) Mediation documentation

3.2.3.2 SCAJE Output Methods.

<p>1) PRODUCTS:</p> <ul style="list-style-type: none">a) Government private seal instrumentsb) Legal opinionsc) Drafts (treaties, conventions)d) Legal counsele) Draft lettersf) Reports of settlementsg) Procedural documentsh) Seminar reports	<p>2) SERVICES:</p> <ul style="list-style-type: none">a) Legal representationb) Normally, the agency must retain the originals of all international treaties, but for the time being this is theoretical since these documents are currently in the hands of other departments or else in the possession of the Ministry of Foreign Affairs (MinAffet).
--	---

4. OPTIMIZATION AND NEW APPROACHES

The participants were invited to think about improving their agencies in two ways: first, by taking into account the means currently available ("Optimization Tracks"), and secondly by searching for new means that might be or might become available ("New Approaches Track"), and this, insofar as concerns both resources (human, material, financial, informational and temporal) and methods, all while adapting their thoughts and ideas to the realities of the conditions under which their agencies must operate within and under the Ministry of Justice, as well as within the full range of the country's economic realities.

Prior to breaking down into work groups, the seminar leaders presented the various optimization and new approaches tracks in plenary session, taking into account the elements contained in the discussions on the reports of the sub-groups.

4.1 PRESENTATION OF THE OPTIMIZATION TRACKS.

In plenary session, the seminar leaders presented the group with the concept of the optimization track. Oftentimes, the lack of financial resources blocks sound thinking on the subject of improving an agency and its working conditions. The idea of this presentation was to allow the participants to break down into sub-groups for searching for these optimization tracks. Some of the key concepts in the seminar leaders' presentations are given below:

1. **Communication:** The "emitter" [*sic**] is always responsible for communication; one might think about better horizontal communication between the members of the team and also for the purpose of developing the team's state of mind: regular meetings (intranet) for exchanging legal information, experience; external communication; knowledge and know-how; activities reports, office orderliness, etc.

* (Translator's Note: It cannot be determined here whether the writer used this term to mean an actual transmitting station or some kind of transmission instrument, e.g., a telephone, or whether it was used in the abstract, namely a person issuing a communication.)

2. **Data processing:** Utilization of the following scheme: input, processing, output and feedback.

3. **Internet:** Search engine for increasing knowledge and cultural awareness.

4. **Data banks:** Categorization, case files and multiple entries for statistical purposes; general culture information, dictionaries, encyclopedias, etc.

5. **Jurisprudence compendia:** Categorization, utilization.

6. **Training/Education:** Must it be designed for MiniJust or for its employees? Evaluation of all azimuths, short-term, long-term, how to control education/training minus the hierarchy.

7. **Motivation:** Maslow pyramid (physical, security, social, me, out-of-bounds) in the state of disorder.

8. **Information:** Categorization, classification of cases, activities, monitoring and follow-up of case activities.

9. **Standardization:** Input, processing, output, supervision and mutual adjustment.

The application or implementation context of these thoughts and ideas is that of a new vision of the agency, one that departs from the structure of the hierarchical relationship for developing the idea of the agency-client relationship (see below, new approach tracks).

4.2 PRESENTATION OF THE NEW APPROACH TRACKS.

The ideas and explanations given here as set forth in plenary session by the seminar leaders were articulated around the same headings as given for the optimization tracks (communication, data processing, Internet, data banks, jurisprudence compendia, training/education, motivation, information, standardization), but each time embodying a presentation of what could be called a new approach, new because it would necessitate new concepts (not necessarily nor only new financial resources) having to be applied and implemented, but also and most of all because these new approaches would be based upon the progressive idea of replacing within and outside of the agency the current hierarchical relationship with the agency-client relationship.

In order to illustrate these ideas and concepts, the participants were able to view and comment upon the diagrams that are attached to this report (the presentation was done in "PowerPoint" on a wall-type screen).

4.3 STATEMENT OF PRIORITY TRACKS.

After having discussed the different possible approaches in plenary session (optimization and new approaches), the participants worked in several sub-groups, with the sub-group reporters then summarizing the work in plenary session. These summaries are presented here, showing the distinctions between resources and methods.

4.3.1 PRIORITY TRACKS FOR RESOURCES.

4.3.1.1 Human Resources.

4.3.1.1.1 Optimization of Human Resources.

1. MUTUAL ADJUSTMENT BETWEEN THE MOST EXPERIENCED EMPLOYEES AND THE LEAST EXPERIENCED EMPLOYEES.
2. STRENGTHENING OF CAPABILITIES THROUGH PROGRAMMED TRAINING/EDUCATION, ADAPTED TO THE EXPERTISE OF EACH EMPLOYEE (SEMINARS AND INTERNSHIPS).
3. ONE OF THE FORMALITIES OF INTERNSHIP IN LANGUAGES WOULD BE TO GIVE A CASE TO AN EMPLOYEE IN A LANGUAGE THAT HE OR SHE IS ASSIGNED TO LEARN (A MINOR AND NON-URGENT CASE).
4. SELF-TRAINING: USING THE INTERNET TO TAKE COURSES AND ATTEND LECTURES.
5. REINFORCING STANDARDIZATION.
6. IMPROVING THE PROFESSIONAL ENVIRONMENT: THE PROSPECTS OF THE FUTURE SHOULD BE VIEWED FAVORABLY, FOR EXAMPLE BY MOTIVATING EDUCATION AND TRAINING, WHICH WILL BEAR FRUIT IN THE WORK OF EMPLOYEES, AND ALSO PROVIDING THEM WITH BENEFITS, HOUSING, SECURITY, HEALTHY LIVING AND WORKING CONDITIONS, VARIOUS TYPES OF BONUSES, INCENTIVE BONUS, AWARDS, ETC.

4.3.1.1.2 New approaches - human resources.

1. HUMAN RIGHTS DIVISION: ABSENCE OF CERTAIN POSITIONS: AT LEAST FOUR (4) HEARING OFFICERS (LAWYERS) ARE PROPOSED FOR PETITIONS SUBMITTED BY ORDINARY PEOPLE, AND ONE PERSON ASSIGNED TO LEGISLATIVE AFFAIRS FOR CODIFYING LAWS.
2. TRAINING OF LIBRARY PERSONNEL IN LIBRARY SCIENCE.
3. DATA BANK.
4. ESTABLISHMENT OF A FRENCH-ENGLISH-KINYARWANDA TRANSLATION BUREAU.
5. TURNOVER: PROPOSE STUDIES FOR DETERMINING WHAT THE PROBLEM IS, IDENTIFYING THE CAUSES AND CONSEQUENCES

OF THIS VERY GREAT TURNOVER, AND PROPOSING WAYS TO RESOLVE THIS SITUATION.

6. INFORMATION EXCHANGE: ALLOW THE STAFFS OF THE DLSC AND THE SCAJE TO WRITE BOOKS AND PAPERS; THE MINISTRY OR THE COURTS SHOULD BE ABLE TO COVER THE COSTS OF PUBLISHING SUCH BOOKS AND/OR PAPERS; FOSTERING A CULTURE OF READING AND WRITING; ALSO THE MATTER OF GROUP PUBLICATIONS SHOULD BE CONSIDERED, AND FINALLY FOR TODAY'S OVER-GENERALIZED LAWYERS, THERE SHOULD BE SPECIALIZATION, USING THE MEDIUM OF CONFERENCES GIVEN WITHIN THE AGENCY BY DIRECTORS OR STAFF MEMBERS.
7. AT THE PERSONNEL LEVEL:
 - ASSIGN THREE ATTORNEYS TO HANDLE THE LOAD OF APPEARANCES AT HEARINGS, WHICH TODAY IS HANDLED BY THE ATTORNEY-GENERAL AND THE SECTION CHIEFS, SO THAT THE ATTORNEY-GENERAL AND THE SECTION CHIEFS CAN BE FREE TO COORDINATE MATTERS MORE EFFECTIVELY.
 - ALSO ESSENTIAL IS THE POSITION OF CHIEF CLERK, A PERSON WHO WOULD BE CONCERNED WITH OPENING AND MANAGING CASES, WHICH MANAGEMENT WOULD INCLUDE DATA PROCESSING.

4.3.1.2 Material Resources.

4.3.1.2.1 Material Resources: Optimization.

1. PROPER EQUIPMENT MANAGEMENT: THE EQUIPMENT MUST BE IN GOOD CONDITION, AND MUST BE ASSIGNED TO THE AGENCY EXCLUSIVELY FOR ITS USE AND NOT FOR PERSONAL USE.
2. IN THE PROCEDURES MANUAL, INCLUDE THE POLICIES AND THE DIRECTIVES THAT REPRESENT THE PERCEPTIONS AND VIEWS OF THE MINISTRY REGARDING THE USE OF EQUIPMENT AND MATERIALS.
3. AT CERTAIN OFFICES, FREE UP [WORK] SPACE BY MOVING FILES.

4. A COFFEE BREAK ALLOWS PEOPLE TO RELAX. THIS CAN BE ACHIEVED WITH THE SUPPORT OF THE MINISTRY (PURCHASE OF AN ELECTRIC COFFEE-MAKER).

4.3.1.2.2 Material Resources: New Approaches.

1. CONSTRUCTION OF A NEW BUILDING THAT MEETS ARCHITECTURAL STANDARDS AND EQUIPMENT STANDARDS.
2. INSTITUTE THE VEHICLE LEASE-PURCHASE PROGRAM THAT EXISTS TODAY AT THE OFFICE OF THE PRESIDENT AND AT THE NATIONAL ASSEMBLY.
3. PURCHASE OF DATA PROCESSING EQUIPMENT, SUCH AS FOR EXAMPLE, LAPTOPS FOR DIRECTORS, STAFF ATTORNEYS AND CONSULTANTS; PURCHASE OF SOFTWARE FOR SECRETARIES, AND SPECIALIZED SOFTWARE FOR THE LIBRARY AND FOR ESTABLISHING DATA BANKS HOUSING PLEADINGS, ARGUMENTS, COURT DECISIONS AND JURISPRUDENCE.
4. MANAGING FILES: MANAGE THE INFORMATION CONTAINED IN THESE FILES, AND PLACE SAME IN A SPECIAL ROOM.
5. SEMINARS ABOUT EDUCATING THE PUBLIC ON NEW LAWS AND LEGISLATION, NOTABLY WITHIN THE CONTEXT OF THE NEW CONSTITUTION.
6. STENOGRAPHIC EQUIPMENT: DICTAPHONES.
7. VIDEO EQUIPMENT, CAMERAS, TAPE RECORDERS.

4.3.1.3 Financial Resources.

4.3.1.3.1 Financial Resources: Optimization.

1. THE BUDGET MUST BE CONSONANT WITH WHAT IS PROJECTED.

2. THE DIRECTORS MUST BE INVOLVED IN THE MANAGEMENT AND IMPLEMENTATION OF THE BUDGET.
3. A STUDY SHOULD BE UNDERTAKEN ON ISSUES SUCH AS PAYROLL, WORKLOAD AND JOB DESCRIPTION.

4.3.1.3.2 Financial Resources: New Approaches.

1. FINANCING OF PUBLICATIONS DEALING WITH LAWS.
2. FINANCING OF BOOKS AND PAPERS PUBLISHED BY CONSULTANTS AND ATTORNEYS.
3. INCREASING THE MINISTRY'S BUDGET SO AS TO ALLOW THE AFOREMENTIONED FINANCING PROJECTS.
4. INCREASING THE BUDGET WITH RESPECT TO MATERIAL RESOURCES.

4.3.1.4 Informational Resources.

4.3.1.4.1 Informational Resources: Optimization.

1. THE INFORMATION MUST BE LOCATED AND BE AVAILABLE AT THE OPPORTUNE MOMENT. THIS REFERS FOR EXAMPLE TO DOCUMENTATION, REFERENCES, FILE-BASED INFORMATION, PHOTOCOPIES OF DOCUMENTS, ETC.
2. THE INFORMATION MUST EFFECTIVELY CIRCULATE WITHIN THE AGENCY, FOR EXAMPLE BY BETTER USE OF DATA PROCESSING EQUIPMENT.
3. THERE SHOULD BE REGULAR ORGANIZING OF INTERNAL MEETINGS AS AN INFORMATION-GATHERING TOOL.

4. THE LIBRARY SHOULD BE REORGANIZED IN TERMS OF COMPUTER-AVAILABLE INFORMATION. AN EXAMPLE OF THIS WOULD BE TO SEARCH FOR LITERATURE ON CRIMINAL LAW.

4.3.1.4.2 Informational Resources: New Approaches.

1. LIBRARY: ORDER NEW WORKS AND LITERATURE IN ENGLISH AND FRENCH; COMPUTERIZE THE LIBRARY; INCREASE SUBSCRIPTIONS TO DIFFERENT LAW JOURNALS AND OTHER JOURNALS; ORDER CD-ROM'S ON JURISPRUDENCE AND DOCTRINE.
2. COMPUTERIZE LAWS PUBLISHED IN THE OFFICIAL GAZETTE; OBTAIN CD-ROM'S ON LEGISLATION ENACTED DURING THE YEAR; UNDERTAKE STUDIES ON PROCEDURE, AND DETERMINE FEASIBILITY OF COMPUTERIZING LEGAL TEXTS.

4.3.1.5 Temporal Resources.

4.3.1.5.1 Temporal Resources: Optimization.

1. HAVE AVAILABLE WHAT IS NEEDED AND HAVE IT ON A TIMELY BASIS.

4.3.1.5.2 Temporal Resources: New Approaches.

1. ABIDANCE BY THE DEADLINES IMPOSED BY LAW.
2. IMPOSE AND IMPLEMENT DEADLINES FOR HANDLING OF CASES EVEN IF THE LAW DOES NOT PRESCRIBE ANY DEADLINES.

4.3.2 PRIORITY TRACKS FOR METHODS.

4.3.2.1 Methods: Optimization.

1. ELECTRONIC CASE FILE (ORDER NUMBER, TYPE, DATE OF OPENING, DEADLINE INFORMATION, ETC.).
2. COMPILATION OF JURISPRUDENCE (COMPENDIA) AND ELECTRONIC PROCESSING OF JURISPRUDENCE.
3. WITH RESPECT TO THE ASSIGNMENT OF CASES, ROUTING IS GOOD, BUT THE STAFF ATTORNEY SHOULD ALSO BE ALLOWED TO BE THE INITIATOR OF A CASE.
4. WIDER SPECIALIZATION OF STAFF ATTORNEYS FOR MORE APPROPRIATE ASSIGNMENT AND HANDLING OF CASES.
5. DIRECTOR OVERSIGHT FOR THE HANDLING OF CASES.
6. THE CHOOSING OF THE PERSON TO WHOM A CASE SHOULD BE ASSIGNED SHOULD ALSO INCLUDE THAT PERSON'S KNOWN EXPERTISE, OR THE CHOICE OF THE APPROPRIATE PERSON SHOULD RESULT FROM PRIOR MEETINGS AND/OR INTERVIEWS. MEETINGS ARE CONSIDERED ESSENTIAL FOR DETERMINING THE EXPERTISE AND KNOWLEDGE OF THE PERSON CONSIDERED FOR AN ASSIGNED CASE.
7. FOR CERTAIN CASES, IT IS NECESSARY TO USE THE TEAM APPROACH AND CONSIDER THE POSSIBILITY OF USING SEVERAL ATTORNEYS.
8. COMPUTERIZATION: ONE FILE PER CASE, WHICH WOULD CONTAIN MULTIPLE ENTRIES AND ALLOW THE REGISTRIES TO BE FILLED WITH [ESSENTIAL] DATA (ENTRIES, CASES PENDING, CASES DELAYED, ETC.).
9. MONITORING SYSTEM USING A WEEKLY COMPUTERIZED FILE REPORT THAT WILL CONTAIN A DAILY REPORT OF WHAT WAS DONE.
10. ORAL OR WRITTEN REPORT SUBMITTED TO THE DIRECTOR IN THE EVENT THAT OTHER MEANS OF SUBMISSION ARE UNAVAILABLE (FOR EXAMPLE, IN THE CASE OF "LOCUS IN QUO" VISITS.)
11. WITH RESPECT TO THE STAFF ATTORNEY RETURNING THE FILE AFTER PROCESSING, THE HIERARCHICAL ROUTE OR METHOD WILL BE FOLLOWED IN ALL CASES, EVEN IF THE FILE WAS ASSIGNED TO THE ATTORNEY DIRECTLY BY SOMEONE IN AUTHORITY OUTSIDE THE CHAIN-

OF-COMMAND, AND THIS, WITHOUT ANY EXCEPTION (FOR EXAMPLE, CASES OF HUMAN RIGHTS OR EMERGENCY CASES).

12. IN EMERGENCY CASES, OR IN THE EVENT THAT THE DIRECTOR IS ABSENT (OR IN CASES WHERE THE DIRECTOR IS TEMPORARILY ABSENT AND NO INTERIM OR ACTING DIRECTOR HAS BEEN OFFICIALLY APPOINTED), THE ATTORNEY'S CASE WILL HAVE TO BE VALIDATED BY ANYONE ACTING AS INTERIM DIRECTOR (DIVISION CHIEF, OR IF THE DIVISION CHIEF IS ABSENT, THEN A CONSULTANT OR OTHER ATTORNEY).
13. THE STANDARDIZATION OF WORK FORMS CALL FOR A STUDY.
14. PRE-PRINTED FILE WHEN OPENING A CASE (SCAJE); CHECK LIST OF POINTS THAT MUST NOT BE OVERLOOKED IN THE HANDLING OF THE CASE.
15. ACQUISITION AND MAINTAINING OF A PERSONAL LOG BOOK FOR EACH STAFF ATTORNEY.
16. STANDARDIZATION IN THE PRESENTATION OF A CASE.
17. ALL PLEADINGS AND COURT DECISIONS RECORDED IN A DATA BANK, OR AT THE VERY LEAST IN THE CASE FILE FOLDERS, SO THAT THE SCAJE STAFF ATTORNEYS WILL HAVE ACCESS TO ALL OF THE LEGAL BACKGROUND DATA FOR THOSE CASES IN WHICH SCAJE IS INVOLVED.
18. ABIDANCE BY THE HIERARCHY (OR CHAIN-OF-COMMAND) CRITERIA FOR VERIFYING THE CONTENT OF THE PLEADINGS.

4.3.2.2 New Methods: Approaches.

1. UPDATING OF CODES AND LAWS.
2. LEGISLATION FILE.
3. EXPANSION OF THE LIBRARY.
4. TRAVEL FOR STUDY OF COMPARATIVE LAW AND TO SEE WHAT IS BEING DONE ELSEWHERE.

5. MAKE THE LEGISLATIVE DEPARTMENT A MORE VALUABLE TOOL BY CREATING A VERY SPECIALIZED UNIT FOR HANDLING LEGISLATIVE MATTERS.
6. MONITOR THE APPLICATION OF LAWS AND LEGAL TEXTS.
7. COOPERATE WITH OTHER HUMAN RIGHTS AGENCIES AND ORGANIZATIONS.
8. WITH RESPECT TO PARTICIPATION IN OR REPRESENTATION AT OUTSIDE MEETINGS, ESTABLISH DATA BANKS FOR DISCUSSIONS, NAMES OF PARTICIPANTS, REPORTS, ETC.
9. AWARENESS OF AND ABIDANCE BY LAW: PUBLICATION OF BOOKLETS ON SPECIFIC LEGAL MATTERS, DISSEMINATION OF CURRENT LEGISLATIVE AFFAIRS ON MINIJUST'S WEBSITE, TRAINING OF KEY GROUPS ON NEW LAWS AFFECTING THEM, USE OF MODERN MEDIA FOR ACHIEVING LEGAL AWARENESS AND COMPLIANCE, SUCH AS VIDEOS, LEGAL JOURNALS, ETC.
10. PREPARATION OF A FILE OF HUMAN RIGHTS TREATIES AND CONVENTIONS.
11. DATA BANKS.
12. INSTITUTIONAL RELATIONS: THIS SHOULD BE DEFINED IN ORDER TO ESTABLISH THE LEVEL OF EXECUTION.
13. REGISTRY OF VITAL STATISTICS: DECENTRALIZATION OF CERTAIN TASKS, SUCH AS FOR EXAMPLE, THE LEGAL STATUS OF THE ASBL, AGE EXEMPTIONS, ETC.
14. NOTARIAL OFFICES: DECENTRALIZATION OF THE NOTARIAL OFFICE SYSTEM AS A FIRST PHASE, AND PRIVATIZATION THEREOF AS A SECOND STAGE.
15. SCAJE LEGAL OPINIONS:
 - SAME COMMENTS AS THOSE MADE FOR DLSC, AND
 - CENTRALIZATION OF LEGAL OPINIONS ON SCAJE'S JURISDICTION.

16. LITIGATION: EFFECTIVE CENTRALIZATION OF LITIGATION INVOLVING THE GOVERNMENT, AND ESTABLISHMENT OF THE ATTORNEY-GENERAL'S OFFICE (A GOVERNMENT AGENCY).
17. SETTLEMENTS AND AGREEMENTS (TRANSPORTATION ACCIDENTS IN THE EVENT THAT THE GOVERNMENT'S LIABILITY IS BROUGHT INTO QUESTION); BUDGETING THE EXPENSES FOR THIS NEW AUTHORITY GRANTED SCAJE, VESTED IN A COMMISSION COMPOSED OF DIFFERENT MINISTRIES.
18. GENERALIZATION OF SETTLEMENTS AND AGREEMENTS IN ALL AREAS OF LITIGATION, TO THE EXTENT THAT SETTLEMENTS ARE LEGALLY POSSIBLE.
19. MONITORING OF THE ENFORCEMENT OF COURT DECISIONS:
 - DATA BANK CONTAINING COURT DECISIONS, EXECUTED DECISIONS, NON-EXECUTED DECISIONS, ETC.
 - ESTABLISHMENT OF A CLERK'S OFFICE FOR THE ATTORNEY-GENERAL'S OFFICE FOR PURPOSES OF ACHIEVING BETTER EFFICIENCY.

4.4 PRIORITIES.

So far as concerns the matter of priorities, the group of seminar participants and seminar leaders agreed in plenary session that this report would contain a proposal regarding the order of priorities, using the above-mentioned tracks (Optimization and New Approaches) as points of departure. This decision was motivated most of all by the fact that - bearing in mind the enormous amount and density of work - the participants did not have the time to give thought to this matter during the course of the seminar.

Moreover, it was found that the group's general opinion to give more in-depth thought to this matter with respect to SCAJE and DLSC (staff attorneys and directors) was most judicious.

In the opinion of the Consultant, it is obvious that it should be the Ministry of Justice and the agencies falling under it which decide on these priorities. In effect, the conclusions and recommendations of this seminar and the present report should significantly contribute to the making of a decision in this respect, a decision that should also consider any other elements pertinent to the Ministry of Justice, the Government and the Presidency in general.

It is for that reason that in the Consultant's opinion, a list of priorities established here would not serve the readers of this report too well. Thus, the preferred route was not to indicate any priorities, but rather set forth HOW a priority could be determined.

In such regard, the objectives of the practical exercises that were conducted during the seminar were to make the participants aware of the notion of priorities, taking solely the elements of urgency and importance into due consideration, as opposed to the notion of feasibility, for the absence of means does not render an urgent and important matter non-priority. The handling of a priority matter must begin as an inherently priority matter, even in the absence of means, for the mere fact that something is classified priority means that one must search for the means to handle and resolve the attendant problem(s).

In the questionnaire appearing on the following page, one will see an individual exercise that was given during the seminar so that the participants could identify the underlying reasoning behind and the elements constituting the priority: URGENCY and IMPORTANCE (not feasibility).

QUESTIONNAIRE ON THE ISSUE OF PRIORITIES

PARTICIPANT:

Please classify the questions by order of priority, with 10 being the highest priority and 1 the lowest).

You arrive at the office on Monday morning and ...

QUESTION	ORDER OF PRIORITY
1. You read an invitation that you have been invited to participate next week in a seminar on child rights.	
2. Your colleague at SCAJE (at DLSC for those working for SCAJE) calls you to talk about a case.	
3. Your spouse calls you on your cell phone to tell you not to forget to bring bread and bananas.	
4. You report that you forgot to note on your calendar the memo you had received to participate in a meeting this morning at 10 o'clock with the Director of Administration of Justice.	
5. There is a water leak from the ceiling above your desk.	
6. You read the birth announcement of your superior's child that has been placed on your desk.	
7. You realize that you are late in preparing for your exams this evening at the university.	
8. Your superior leaves a note to remind you that he is waiting for your opinion this afternoon about some complaints regarding your work.	
9. You have decided to put your desk in order.	
10. You remind yourself that the case you should have been handling is 6 weeks old.	

In addition, participants were shown how to use the following questionnaire to classify the priorities by order of importance and urgency.

FOUR CASE QUESTIONNAIRE

(CHOICE OF PRIORITIES)

	OPTIMIZATION TRACKS	NEW APPROACHES
<u>RESOURCES</u>	1.	1.
	2.	2.
	3.	3.
	4.	4.
	5.	5.
	6.	6.
	7.	7.
	8.	8.
	9.	9.
	10.	10.
<u>METHODS</u>	1.	1.
	2.	2.
	3.	3.
	4.	4.
	5.	5.
	6.	6.
	7.	7.
	8.	8.
	9.	9.
	10.	10.

Accordingly, the above elements should allow both the representatives of MiniJust attending the seminar and high officials within MiniJust to classify the priorities (within the optimization and new approach tracks), and this, both in terms of resources and methods, utilizing the criteria of IMPORTANCE and URGENCY.

The only thing that remains after determining priorities is to provide the schedule for implementation.

CONCLUSIONS AND RECOMMENDATIONS

This report has been prepared in accordance with the International Consultant's Terms of Reference so far as concerns the new Mission 3c that has been entrusted to him.

It summarizes the steps and studies taken, pursued and monitored at the seminar held in Kibuye from May 21 to 24, 2003, with representatives from SCAJE, DLSC and DAJ.

Following a concentrated and extensive program of activities, this seminar allows the participants:

- 1. To evaluate the needs and requirements (in terms of resources and methods) of the DLSC and the SCAJE;**
- 2. To analyzes the existing resources and methods within these agencies;**
- 3. To determine the optimization tracks for these resources and methods;**
- 4. To determine new approaches both with respect to resources and methods;**
- 5. To allow a choice of priorities for purposes of implementation.**

Taking the outstanding work by the seminar participants,

The Consultant recommends:

1. That this seminar be followed-up by implementing the proposals set forth by the representatives of the DLSC and the SCAJE;
2. That for such purpose, the DLSC and SCAJE representatives meet with their respective directors and the Minister of Justice to brief them on the work accomplished during the seminar;
3. That using the optimization tracks and the new approach tracks as points of departure, the DLSC and the SCAJE should establish priorities for purposes of implementing the proposals made during the seminar;
4. That the procedures be implemented and the necessary resources allocated so as to allow the changes inspired by the work done during this seminar to be made.

ACRONYM LIST

ACRONYM	DEFINITION
DAJ	Justice Administration Bureau <i>Department de l'Administration Juridique</i>
DLSC	Office of Legislation and Community Affairs <i>Direction de la Législation et des Services à la Communauté</i>
MinAffet	Ministry of Foreign Affairs
MINIJUST	Ministry of Justice
SCAJE	State Legal Affairs and Litigation Department <i>Service du Contentieux et des Affaires Juridiques de l'État</i>
SLSC	Section for Languages and Conference Services <i>Section des Langues et des Services de Conférence</i>

Dr. Denis Roumestan
MSD Consultant