



**USAID**  
FROM THE AMERICAN PEOPLE

OHIO  
**NORTHERN**  
PETTIT COLLEGE OF LAW

# **RWANDA LEGAL CAPACITY BUILDING ACTIVITY**

**Fixed Amount Award No.: AID-696-F-17-00002**

**April 2017-March 2020**

## **Final Report**

**Submitted by Ohio Northern University  
Center for Democratic Governance and Rule of Law**

**Contact Person: Jean-Marie Kamatali  
Center Director**

**Contact Email: [ruleoflaw@onu.edu](mailto:ruleoflaw@onu.edu)**

This document was produced for review by the United States Agency for International Development. It was prepared by the Ohio Northern University Center for Democratic Governance and Rule of Law.

March 2020



## Table of Contents

<b>Acronyms</b> .....	<b>i</b>
<b>Executive Summary</b> .....	<b>ii</b>
<b>Overview of the rule of law challenges in Rwanda</b> .....	<b>ii</b>
<b>Accomplishments in achieving the activities under the project priorities</b> .....	<b>iii</b>
<b>Conclusions and areas that need future support</b> .....	<b>iv</b>
<b>Structure of the report</b> .....	<b>v</b>
<b>Overview of Activities and Results</b> .....	<b>1</b>
<b>Objective 1</b> .....	<b>1</b>
Assessment of progress made toward accomplishing the activities .....	1
Judgment writing manual for judges in English.....	1
Training of trainers for judges.....	2
Translation and updating Judgment Writing Manual for Judges Kinyarwanda.....	2
Training of judges .....	3
Organizing a conference on <i>Stare Decisis</i> and judgment writing .....	5
Practical skills manual for prosecutors .....	6
Training of trainers for prosecutors.....	7
Practical skills manual for lawyers .....	7
Training of trainers for lawyers .....	7
Training of lawyers .....	8
Significance of these activities .....	9
<b>Objective 2</b> .....	<b>10</b>
Assessment of Progress made toward accomplishing the activities .....	10
Writing and publishing the Introduction to Rwandan Law Coursebook .....	10
Writing and publishing the Rwandan Family Law Coursebook .....	11
Creating and publishing the Rwanda Law Journal .....	12
Holding stakeholders meeting on the future of the Rwanda Law Journal .....	13
Significance of these activities .....	13
<b>Achievements of results, sub-results, targets for all indicators</b> .....	<b>15</b>
<b>Comments and recommendations</b> .....	<b>17</b>
Difficulties or challenges during the implementation .....	17
Lessons Learned or best practices .....	18
Recommendations and plan for sustainability .....	19
<b>Annexes</b> .....	<b>21</b>
<b>Annex A: Milestone schedule</b> .....	<b>21</b>
<b>Annex B: Performance monitoring plan report</b> .....	<b>27</b>
<b>Annex C: Infographics</b> .....	<b>29</b>



## **Abbreviations and Acronyms**

CA	Court of Appeals
CLE	Continuing Legal Education
CREAC	Conclusion, Rule, Explanation of Rule, Analysis, Conclusion
GOR	Government of Rwanda
ILPD	Institute for Legal Practice and Development
IRAC	Issue, Rule, Analysis and Conclusion
NPPA	National Public Prosecution Authority
NGO	Non-Governmental Organization
ONU	Ohio Northern University
RIB	Rwanda Investigation Bureau
RBA	Rwanda Bar Association
RLJ	Rwanda Law Journal
SPA	Strengthening Participation and Accountability
TGI	Tribunal de Grande Instance
TOT	Training of Trainers

# EXECUTIVE SUMMARY

## OVERVIEW OF THE RULE OF LAW CHALLENGES IN RWANDA

Since the end of the 1994 Genocide against the Tutsi, Rwanda has recorded significant political, economic and social progress. Since early 2010, the annual economic growth rate has averaged beyond six percent. Also, social indicators such life expectancy, child and infant mortality rates, household income, and primary-school enrollment levels have shown extraordinary improvement.

The sustainability of these developments need, however, to be cemented by the rule of law; meaning laws that are knowable and understandable by all, applied to all, and applied to all equally. This was well-articulated in the country’s national strategic plan for the Justice, Reconciliation, Law and Order Sector, acknowledging that, “strengthening the rule of law through the public justice system’s reliable delivery of accessible, consistent, timely and predictable law enforcement is the bedrock of a healthy, inclusive and developed society.”<sup>1</sup>

The ambitious, yet promising approach the GoR has taken in building the rule of law, combines good elements of the old civil law legal system, inherited from the Belgian Colonialism, with new and innovative elements of the Common Law System, as well as homegrown solutions. This approach requires, however, a robust investment in capacity building for judges, lawyers, prosecutors, lawmakers, and law enforcement personnel. Its development also needs the reform and strengthening of the institutional capacity of the entire justice system. Furthermore, laws need to be adapted and others created.

Although Rwanda has so far made significant progress toward meeting the above-mentioned objectives, more is still needed in order to achieve the rule of law that meets all the elements articulated in the Rwandan national strategic plan for the Justice, Reconciliation, Law and Order Sector. This requires a strong investment by the GoR, as the primary actor, but also requires the support of foreign governments and international organizations.

To support the GoR to achieve the above objectives, USAID developed the Strengthening Participation and Accountability (SPA) activity in September 2015. One of the key goals of this activity was to strengthen systems and processes that ensure rule of law in Rwanda. Under its rule of law component, SPA defined the following key objectives:

- 1) Strengthen the capacity of justice sector actors to consistently enforce the written law; and

---

<sup>1</sup> The Republic of Rwanda Working Document of the Justice, Reconciliation, Law & Order Sector Strategy Strategic Plan July 2013 – June 2018 (“JRLOS 2”), at 48.

2) Empower and assist local actors and civil society organizations to strengthen rule of law through targeted research.

To achieve the two key SPA objectives, mentioned above, USAID issued a call for applications, and several grants were awarded to multiple nongovernmental organizations. On March 27<sup>th</sup>, 2017, USAID awarded Ohio Northern University the Fixed Amount Award No.: AID-696-F-17-00002, Legal Capacity Building Activity. The Legal Capacity Building Activity was set to achieve the following key priorities:

(1) Strengthen the capacity of judges, prosecutors and lawyers to consistently and effectively enforce the law, particularly written law; and

(2) Empower and assist law professors and researchers to conduct targeted legal research not only on what the law is but also what it should be.

## **ACCOMPLISHMENTS IN ACHIEVING THE ACTIVITIES UNDER THE PROJECT PRIORITIES**

Initially, the *Legal Capacity Building Activity* was awarded a 2-year grant of \$347,353 to be executed based on the agreed milestone schedule. To meet the GoR needs and adapt to challenges identified during the project implementation, a number of project modifications were agreed upon between USAID and the implementer. Some of the most important modifications are the 26 October 2018 modification that increased the total obligated amount from \$347,353 to \$ 597,353; and that of 26 September 2019 extending the project until 26 March 2020.

In support of the two overarching objectives, the project accomplished the following through its key activities:

- A judgment-writing manual for judges was written in English. After its publication, more than 100 copies were distributed and a pdf copy was sent to the Inspector General of Courts for electronic distribution to all judges.
- A Kinyarwanda updated judgment-writing manual was written. After its publication, more than 640 copies were distributed and a pdf copy was sent to the Inspector General of Court for electronic distribution to all judges.
- 12 judges from different levels received training of trainers on adult training, curriculum development and on the judgment-writing manual, to allow them to train other judges in the future.
- Training on judgment-writing and *stare decisis* was given to all judges, registrars, advisors and researchers of the Supreme Court, Court of Appeals and High Court. The same training was also given to presidents and registrars of Intermediate Courts.

- A Conference on *stare decisis* and judgment-writing was organized, bringing together judges, prosecutors, lawyers, and law professors to create a forum of collaboration between these actors.
- A practical skills manual for prosecutors was drafted and left with the NPPA to be updated as soon as the Criminal Procedure Code is adopted.
- Three prosecutors received a TOT training on curriculum development, adult training methodology and on the developed draft manual for prosecutors.
- A practical skills manual for lawyers was written. After its publication, more than 100 copies were distributed to the RBA and its pdf copy was sent to the RBA for electronic distribution to lawyers.
- 6 lawyers received a TOT training on curriculum development, adult training methodology and on the developed practical skills manual for lawyers.
- Around 70 lawyers received training on the practical skills manual for lawyers.
- *Introduction to Rwandan Law* coursebook was written and published with Routledge Publisher (a member of Taylor & Francis Group) and around 115 copies were distributed to government institutions, law schools and NGOs in Rwanda.
- *Rwandan Family Law* coursebook was written and published and around 400 copies were distributed to government institutions, law schools and NGOs in Rwanda.
- The first post-genocide *Rwanda Law Journal* was created, its board created and trained, and its first issue published. 700 copies were printed and distributed to government institutions, law schools and NGOs in Rwanda
- *Rwanda Law Journal* (RLJ) stakeholders meeting on the future of the Journal was organized and a framework for the sustainability of the RLJ put into place.

## CONCLUSIONS AND AREAS THAT NEED FUTURE SUPPORT

The GoR is conscientious that strengthening the rule of law through a public justice system, as well as laws that are reliable, accessible, consistent, timely, and predictable, is the bedrock of a healthy, inclusive and developed society.<sup>2</sup> The GoR is also aware that this is not an overnight program, but rather a continuous effort that requires multiple partners.

The support and collaboration of the GoR in the implementation of this project not only contributed to its success, but is also strong evidence that the government is interested and committed to continuing building the rule of law. The GoR program of building a legal system that preserves the positive elements of the civil system, but also incorporates the innovative approaches of common law system, while developing homegrown legal solutions, is far from over. Future efforts need to support the National Public Prosecution Authority (NPPA) and the

---

<sup>2</sup> The Republic of Rwanda Working Document of the Justice, Reconciliation, Law & Order Sector Strategy Strategic Plan July 2013 – June 2018 (“JRLOS 2”), at 48.



Rwandan Bar Association, particularly in incorporating elements of common law in their practices and policies. Furthermore, a significant investment in reforming the Rwandan legal education to make it more skills oriented, incorporate elements of critical thinking, and make it the key laboratory of the Rwandan rule of law reforms, especially those related to common law system, should be a priority. Without the reform of legal education and research in Rwanda, the investment in training judges, lawyers, prosecutors and legislative drafters is unlikely to be sustainable.

## **STRUCTURE OF THE REPORT**

Section 1 assesses the progress made toward accomplishing activities under each objective and the significance of those activities. Section 2 describes the project's attainment of results in line with its Monitoring and Evaluation (M&E) Plan, and Section 3 summarizes the project's challenges and makes recommendations for future programming.

Annex A presents the milestone index showing the description of each milestone, required deliverable and method of validation, as well as the date of its completion; Annex B contains the indicator tracking table, and Annex C includes screenshots of the journal, manuals and coursebooks developed.



# 1. OVERVIEW OF ACTIVITIES AND RESULTS

This section presents the Legal Capacity Building Activity achievements and results of its activities. The project had considerable success in achieving its targets and taking advantage of unexpected opportunities to further realize its two pillar objectives:

1. Strengthening the capacity of judges, prosecutors and lawyers to consistently and effectively enforce the written law
2. Empowering and assisting local actors and civil society organizations to strengthen rule of law through targeted research

## **OBJECTIVE 1**

Strengthening the capacity of judges, prosecutors and lawyers to consistently and effectively enforce the written law.

## **ASSESSMENT OF PROGRESS MADE TOWARD ACCOMPLISHING THE ACTIVITIES**

### **Judgment Writing Manual for Judges**

This activity aimed at assisting the judiciary's need to ensure consistency and improve the quality of court decisions by making them more logically structured, well reasoned and motivated in both law and facts and, importantly, easily understood. Beginning with year 1, the project worked with the Supreme Court to identify judges to be part of the drafting of this manual. The Supreme Court made available experienced and motivated judges at all levels of the judiciary to work with the project on the development of this manual. Several meetings were held to discuss the contents and the structure of this manual as well as the responsibilities of each member of the team.

In January 2018, Gloria Jean Garland, Director of the Office of Democracy and Governance USAID/Kigali, officially delivered 100 copies of the Judgment Writing Manual to Chief Justice Sam Rugege. A soft copy of the manual was also sent to the Inspector General of Courts to be distributed to all judges who could not receive a printed copy. The first part of the manual detailed the key requirements of a well-written judgment and the reasoning and steps involved in judgment writing; the second part helped judges how to write step by step the statement of facts,

the identification and crafting of issues in the case, the analysis of issues in the case, and drafting the disposition of the judgment. The last part of the manual dealt with particularities related to writing opinions in criminal cases; opinions at the appellate level; concurrent opinions and dissenting opinions. Chief Justice Sam Rugege wrote a foreword of the manual and recommended this manual to be widely used and followed by all judges.

### **Training of Trainers for Judges**

In addition to developing training materials for continuing learning education for judges, another key objective of the project was to conduct TOTs to prepare a small number of judges to serve as instructors for CLEs.

#### *TOT Training on English Judgment Writing Manual*

In January 2018 the project held a TOT for judges at the ILPD in Nyanza. This training was divided into two parts. The first part brought together judges, prosecutors and lawyers. This part covered topics related to adult training techniques, curriculum development, and delivery of the training. During the second part, each group worked on its specific materials (judges worked on judgment writing; prosecutors worked on prosecutors' skills; and lawyers worked on lawyers' skills) and applied techniques and skills learned in curriculum development and adult training techniques. The project team continued working with the TOT trainees giving them feedback as they developed the syllabi, slides, and programs for their trainings.

#### *TOT Training on Kinyarwanda Judgment Writing Manual*

After the development of the Kinyarwanda manual on judgment writing, the project organized in June and July 2019 a three-day TOT training in Musanze and Kigali for judges selected by the Supreme Court on how to use the manual in their trainings. The trainees went through the whole manual with Professor Kamatali explaining the manual in detail. Working in groups, judges developed illustrative judgments that followed the steps and techniques described in the manual. A team was also created to develop slides to be used during the training by TOT trainees. Each team continued to work with Professor Kamatali; the latter giving them feedback on their drafted illustrative judgments and power point slides containing materials to be used during the trainings.

### **Translation and Updating the Judgment Writing in Kinyarwanda**

Court hearings and judgment writing in Rwanda are still almost completely in Kinyarwanda. Also, the great majority of judges in Rwanda have limited English language abilities. To have a broader and sustainable impact, the judgment manual needed therefore to be translated into Kinyarwanda.

As the project was working on the translation of the English version of the judgment- writing manual, however, a need for updating it became obvious. During the training Professor Kamatali gave to judges of the Supreme Court and Court of Appeals in July 2018 on “Opinion writing and *stare decisis*”, the judiciary expressed a strong interest in incorporating more elements of *stare decisis* in judgments of Rwandan courts. Special focus needed to be put on how courts, especially higher courts, can contribute in correcting errors from lower courts and developing rules to guide them; developing the Rwandan law; and rendering better and equal justice to all.

The judiciary wanted this Kinyarwanda manual to be transformative and impactful on Rwandan judges. It therefore requested the project to make sure it can place a copy of this manual in the hands of every judge in Rwanda. As result 650 copies of Kinyarwanda judgment writing manual was officially delivered by his Excellency Ambassador Peter Vrooman to the new Chief Justice of the Supreme Court, Dr. Nteziryayo, in January 2020.

## **Training of Judges**

### *Training of Supreme Court and Court of Appeals Judges*

In July 2018 the project held training for 35 Supreme Court, Court of Appeals and High Court Judges at Golden Tulips Hotel in Nyamata. This training was specifically requested by the Supreme Court to respond to the needs of the Court of Appeals, newly created by the Organic Law N°002/2018.OL of 04/04/2018. Chief Justice Sam Rugege and USAID Mission Director Leslie Marbury opened the training. The theme of the training was: “Stare Decisis and Judgment Writing”. The training was one of the biggest achievements of our project. The media, including the national TV and radio covered the training. This training focused on the role of judges of the Supreme Court and Court of Appeals, their role in developing *Stare decisis* and how the practice of precedents could be useful in the Rwanda’s judicial system. This training followed a comparative analysis between Rwanda and U.S. with some other examples from Canada and Australia. Judges also practiced how to write judgments that meet the above-mentioned requirements.

Judges’ evaluations of the training were very positive. Chief Justice Sam Rugege and the President of the Court of Appeals, Aime Kalimunda, requested repeatedly that the project extend this training to all judges in the country. They also requested that such trainings be held far away from Kigali to avoid judges being distracted by their work or family responsibilities. The conversation that followed this successful training led to our request for extension of the project. The extension was granted in November 2018.

### *Training of 40 Court of Appeals Judges, Registrars, Researchers and Advisors*

In January 2019, the project held training for 40 Court of Appeals judges, registrars, researchers and advisors at Epic Hotel in Nyagatare; almost 3 hours outside Kigali. Dr. Aime Kalimunda,

President of the Court of Appeals, opened it on behalf of the Chief Justice. The training had three key objectives, namely (1) understand why the role of the CA judges is more than deciding who wins and who loses in a particular case; (2) understand the logic behind judgment writing that contains facts, issues, analysis, and conclusion; (3) develop skills in writing judgments focusing on facts, issues, analysis, and conclusion.

In their post-training evaluation, participants expressed how their knowledge, abilities and skills increased following this training.

#### *Training of 20 Supreme Court Judges, Registrars, Researchers and Advisors*

In January 2019, the project organized at Epic Hotel Nyagatare the training for 20 Supreme Court Judges, registrars, researchers and advisors. This training helped trainees to (1) understand why the role of the Supreme Court judges is not just about deciding who wins and who loses in particular case; (2) understand the logic behind judgment writing that contains facts, issues, analysis, and conclusion; and (3) develop skills in writing judgments focusing on facts, issues, analysis, and conclusion.

The opening received good media coverage. The National TV covered the opening in its evening news and again at noon the following day. The national paper “imvaho” and the private media “Kigali Today” wrote about this training. Trainees acknowledged that this training significantly increased their knowledge, abilities and skills in *stare decisis* and judgment writing.

#### *Training all Judges and Registrars of the High Court Kigali and the Commercial High Court*

In June 2019 at Epic Hotel Nyagatare, the project organized training for all judges and registrars of the High Court Kigali and the Commercial High Court. 35 participants attended the training: 15 judges and 20 registrars. 16 participants were female and 19 were male. Trainees received training on *Stare Decisis* and how it fits within the role of the High Court as a court of appeals, the connection between the role of the High Court, *Stare Decisis* and judgment writing, the role of the High Court in error correction, law development and doing justice, the role of *Stare Decisis* in reducing backlog cases and fighting corruption. Trainees also practiced drafting court opinions: they practiced how to draft the introduction, case history, statement of facts, identification of issues, analysis of issues following techniques such as deductive reasoning, inductive reasoning, syllogism, fallacies, IRAC and CREAC reasoning and applying key rules of statute interpretation from both civil and common law system. Trainees also learned how to draft court disposition and minority court opinions. Selected cases came directly from those decided by the High Court. Trainees redrafted them following the new approach they were trained on.

The training evaluations showed a significant increase in both knowledge and skills in judgment writing. Most trainees expressed high satisfaction with the training and requested more training on this topic.

### *Training of Judges and Registrars - High Court Chambers*

In June 2019 the project organized at Epic Hotel Nyagatare, training for 36 participants (23 males and 13 females) judges and registrars - High Court Chambers. Judges and registrars who attended came from the High Court Chambers of Rwamagana, Nyanza, Musanze, Rusizi and International High Court Chamber. Ms. Tugireyezu Venatie, a newly appointed judge at the Court of Appeals attended this training session.

These judges received the same training as the one given to other judges and registrars from the High Court and the training followed the same objectives and methodology. The training evaluations showed a significant increase in both knowledge and skills in judgment writing. Most trainees expressed high satisfaction with the training and requested more training on this topic.

### *Training Presidents, Vice Presidents and Chief Registrars TGI*

During the same month of June 2019, the project held training at Epic Hotel Nyagatare, for 41 participants (13 females and 28 males) made of presidents, vice-presidents, and registrars of all TGI in the country.

Because the TGI is both a trial court and a court of appeals for cases from Primary, the training covered both the elements of the training given to High Court judges but also put more emphasis on statement of facts with regard to cases it received at the first degree.

The training evaluations showed a significant increase in both knowledge and skills in judgment writing. Most trainees expressed high satisfaction with the training and requested for more trainings on this topic.

### **Conference on *Stare Decisis* and Judgment Writing**

On June 21, 2019, at Lemigo Hotel in Kigali, the project held a conference on *Stare Decisis* and Judgment Writing. 75 participants (16 females and 59 males) attended this conference. The main objectives of this conference were: (1) share with legal practitioners in Rwanda, particularly members of the RBA, NPPA, law schools about the rationale behind the ongoing reforms; (2) discuss with legal practitioners in Rwanda, particularly members of the RBA, NPPA, and law schools, how these reforms are going to affect the way they have been interacting/working with courts; and (3) help legal practitioners in Rwanda, particularly members of the RBA, NPPA, and law schools, develop reforms they need to undertake on their own side in order to support and benefit from the reforms undertaken by the judiciary.

The Conference was opened by Peter H. Vrooman, the United States Ambassador to the Republic of Rwanda and Prof. Sam Rugege, Chief Justice, Supreme Court of the Republic of Rwanda. Ambassador Peter H. Vrooman attended and actively contributed in this conference that lasted for almost the whole day. Four key presentations were made during this conference: Angeline Rutazana, Vice-President Commercial High Court, discussed the rationale, progress and impact of the reform in judgment and judgment writing in Rwanda; Alphonse Hitiyaremye, justice at the Supreme Court, presented on the role of the prosecutor in the newly reformed judgment and judgment writing in Rwanda; JM Kamatali, Professor of Law at ONU, presented on the role of the law professors and law schools in the newly reformed judgment and judgment writing in Rwanda; and Dr. Aime Kalimunda, President Court of Appeals, presented on the role of the lawyer in the newly reformed judgment and judgment writing in Rwanda. After these presentations, participants met in working groups that developed the following recommendations:

- Judges, lawyers, prosecutors, law professors and researchers should hold regular meetings to discuss issues of justice;
- Lawyers need to receive more training on writing briefs that focus on *Stare Decisis* and strong legal analysis of issues;
- Lawyers need more training on oral argument skills;
- Prosecutors need to work on developing new indictment drafting guidelines and structure focusing more on the needed analyses that help judges to better render justice, develop the Rwanda Law and correct errors from lower courts;
- Law professors and researchers need to start using cases in their legal education as tools that allow law development and promotion of justice;
- Law professors need training on how to use Socratic Methods in their legal training;
- Law professors need more support in legal research and publication on Rwandan law.

### **Practical Skills for Prosecutor Manual**

Beginning Year 1, the project held several meetings with the General Prosecutor, Mr. Mutangana, and the Inspector of Courts, Mr. Ntete. These meetings allowed the identification of prosecutors who would work with the project on the development of the manual on practical skills for prosecutors. During the whole first year of the project, experts of the project worked with the identified prosecutors to develop the contents, and structure of the manual as well as the responsibilities of each participant. After several meetings, a draft was developed and submitted to the General Prosecutor for comments.

In drafting the prosecutor manual, the team operated on the assumption that the bill on criminal procedure that was tabled before the parliament was to be adopted in 2018. The delay in the adoption of this bill which, until today at the closing of this project has not yet been adopted,



made it impossible for the team to develop the final version of the manual. That's why, in 2019 the project submitted a milestone modification request to remove and replace this milestone.

### **Training of Trainers for Prosecutors**

Although the manual for prosecutors was still in its draft form, it was hoped that it was going to be soon finalized and made available to be used in trainings. It is with this hope in mind that in January 2018 the project held a TOT for prosecutors at the ILPD in Nyanza. This training was divided into two parts. The first part brought together prosecutors, judges and lawyers, and covered topics related to adult training techniques, curriculum development and delivery of the training. During the second part, prosecutors worked on developing power point slides, curriculum and program design, as well as teaching techniques specific to training of prosecutors.

The project team continued working with the TOT trainees giving them feedback as they develop the syllabi, slides, and programs for their training. Because, however, the draft of the prosecutor manual failed to be finalized due to the government failure to adopt the Criminal Procedure Code, the project discontinued the work with TOT for prosecutors when this milestone was removed from the project.

### **Practical Skills Manual for Lawyers**

From the very first months of the project, our experts worked with the President of Rwanda Bar Association (RBA), Maitre Kavaruganda, and the Executive director of the Bar, Mr. Mugabe, to identify lawyers to work on this manual. The project team and members of the RBA developed the structure and contents of the manual.

The manual contains the qualities of a great lawyer, factors likely to influence the outcome of a case, interviewing and advising skills, best approach for Rwandan lawyers to write a brief, oral argument techniques, legal negotiation techniques and strategies for lawyers, and finally professional ethics for lawyers. The President of the Bar, Maitre Kavaruganda, wrote a foreword for the manual.

In January 2018, Gloria Jean Garland, Director of the Office of Democracy and Governance USAID/Kigali, officially delivered 100 copies of the Practical Skills Manual for Lawyers in Rwanda to the Kigali Bar Association.

### **Training of Trainers for Lawyers**

In January 2018 the project held a TOT training for 6 lawyers at the ILPD in Nyanza. This training was divided into two parts. The first part brought together prosecutors, judges and

lawyers, and covered topics related to adult training techniques, curriculum development and delivery of the training. During the second part, lawyers worked on developing power point slides, curriculum and program design, as well as teaching techniques specific to training of lawyers.

The project team continued working with the TOT trainees giving them feedback as they developed the syllabi, slides, and programs for their trainings. Lawyers who distinguished themselves in these preparations were selected to train others in sessions organized by the project.

### **Training of Lawyers**

TOT trainees who distinguished themselves during TOT training and preparations of their training materials were invited to conduct the two trainings sponsored by the project.

#### *Training of Lawyers by TOT, Kigali Session*

A significant number of lawyers had expressed interest in attending this training. The project and the RBA association limited this number to fit within the means of the project.

The Kigali training session was held on July 20<sup>th</sup>, 2018 in Kigali and was attended by 30 lawyers (12 women and 18 men). Maitre Julien Kavaruganda (President of RBA) and Rick Burns (USAID Regional Legal Officer) opened the training. Maitre Pie Habimana, our TOT trainee, conducted the training in collaboration with Brian Anderson and Jean-Marie Kamatali. The training focused on techniques of briefs writing, oral arguments and legal negotiation as developed in the manual. We added some practical exercises to illustrate the techniques developed in the manual.

The evaluation of the training was very positive. Participants felt, however, that the training was too short. For most, one-day training was not sufficient to cover all the skills covered in the manual. Most echoed the request of the President of RBA who, during his opening remarks, requested that such training takes more than one day and be extended to more lawyers.

#### *Training of Lawyers by TOT, Musanze Session*

The Musanze training was held at Hotel Virunga on July 26<sup>th</sup>, 2018, and was attended by 40 lawyers. The training conducted by one of our TOT trainees followed the same structure, contents and methodology as the one in Kigali. Trainees evaluated this training very positively and found that it “largely increased their knowledge and skills”. Trainees requested to have copies of the manual and for more training on briefs writing, oral arguments and negotiation skills.

## SIGNIFICANCE OF THESE ACTIVITIES

Activities under Objective 1 resulted in numerous outcomes. Most significantly:

- The development of the judgment writing manual and the *Practical Skills Manual for Lawyers in Rwanda* contributed in making available two key tools judges and lawyers can use in their work. The availability of these tools helped not only the judges who use them now, but will also help those who will practice later. The fact that these tools were both in hard copies and in electronic forms allowed for their widespread distribution and their sustainability. The contribution of judges and lawyers in the development of these materials helped them also develop skills on how to develop such materials in the future, if needed.

With regard to prosecutors, although no final product was created, the involvement of prosecutors in creating the draft increased their capacity in research, drafting and development of training tools. Once a new criminal procedure code is adopted, the team of prosecutors who worked with our project will have no difficulties converting the draft left behind by the project into a final manual for prosecutors.

- The Training of Trainers helped judges, prosecutors and lawyers to develop the knowledge, abilities and skills in curriculum development, training delivery for adult education and training evaluation. The judiciary and the RBA now have a group of trained persons who can use the manuals developed by the project and train others.
- The training of judges was the most impactful activity of the project. It built the capacity of judges not only on how to write good judgments but also transformed the way judges thought of their roles as members of the judiciary. This training helped Rwandan judges, most of whom, mainly due to their civil law system education, think of their roles as just solving the issue between the involved parties, to see their roles as also involving rendering justice and developing the rule of law. Another significant impact has been a complete transformation in how judges conduct their hearings and write their opinions. Judges understand better how to identify and draft facts and issues in a case. They have also been improving in their analyses of issues and more particularly in seeking rule of law from higher courts. The latter are working hard to develop such rules to guide lower courts.
- Thanks in part to the transformation created by trainings conducted by our project, showing the role of the judge in law development, the government took the courage to repeal more than 1,000 colonial-era laws. It is in response to this repeal that the project was also invited to train all members of the Rwanda Law Reform Commission and its partners on the impact of this repeal and how Rwandan Courts should fill the gap left by

this repeal. This training was conducted on January 7<sup>th</sup>, 2020, at the headquarters of the Rwanda Law Reform Commission.

- Thanks to the training of lawyers and the push by judges who have had their mindsets transformed, lawyers in Rwanda are realizing that they have to change the way they have been preparing their briefs; presenting their oral pleadings; and approaching their legal negotiations, pleas of their clients or conducting their mediations. Today their focus is more on finding or applying the rule of law from precedent rulings.
- Thanks to the conference on Stare Decisis and judgment writing, law professors and trainers have realized the value of teaching law using Rwandan case law, rather than limiting themselves to notes and writings developed by foreign authors with no knowledge about facts, issues, and rulings directly coming from Rwandan realities and problems.

Overall, activities conducted by the project under objective 1 reached their expected results, in the sense that they:

1. Improved understanding and abilities among judges, prosecutors, and lawyers on judgment-writing and practical legal skills; and
2. Improved the ability of judges, prosecutors and lawyers to train their peers and the next generation on judgment-writing and practical legal skills.

The significance of the activities under objective 1 was also illustrated by the support of the US Ambassador to Rwanda, Mr. Vrooman, and the USAID Mission Director in Rwanda, Ms. Leslie Marbury, in both delivering keynotes on some training sessions and handing training materials developed by the project to its stakeholders.

## **OBJECTIVE 2**

Empowering and assisting local actors and civil society organizations to strengthen rule of law through targeted research

## **ASSESSMENT OF PROGRESS MADE TOWARD ACCOMPLISHING THE ACTIVITIES**

### **Writing and Publishing the Introduction to Rwandan Law Coursebook**

In the first months of Year 1, experts from our project met with law school deans to identify law professors to work on the coursebook on introduction to Rwandan law. One person from the University of Rwanda was identified, one person from the Lay Adventist University was identified, one person from ILPD was identified, and one person from the Rwandan Law Reform Commission was identified. The four local professors met several times and worked with Professor Kamatali to develop the structure of the coursebook, its contents, and the role of each

contributor. A timeframe and deadline on each task were also developed and agreed upon. To formalize this agreement, contracts between the project and each contributor were signed and each received an advanced payment to allow them to start their research and writing. At the end of the first year, however, no contributor had accomplished their tasks. The justification of this delay was that each contributor got involved in the administration of their respective schools in addition to their teaching, leaving them no time to write. After the first year, the project tried to recruit new contributors but most required high pay although their research and writing skills were not better.

In order to meet key milestones of this activity within the deadlines set by the project, it was decided that Professor Kamatali would take over the full responsibility of writing the entire coursebook on the introduction to Rwandan law. Through his several trips to Rwanda, Professor Kamatali conducted research, consulted some researchers and started writing the coursebook. The coursebook followed the same structure agreed by the initial contributors during the first year of the project. It is made of 7 chapters. (1) History of Rwandan Law; (2) Homegrown Solutions: Gacaca, Abunzi and Imihigo; (3) Constitutional Law; (4) International Law; (5) Organization, Jurisdiction, and Functioning of Rwanda's Judiciary; (6) Criminal Law; (7) Family law.

The book, *Introduction to Rwandan Law*, was submitted and accepted for publication by Routledge Publishers, a member of Taylor & Francis Group. It was published in February 2020.

115 copies of the coursebook, *Introduction to Rwandan Law*, were distributed to relevant stakeholders during the week of March 9-13, 2020.

### **Rwandan Family Law Coursebook**

In the early months of Year 1 of the project, experts of the project invited one professor from Independent University of Kigali (ULK), who was also a professor at the University of Kigali, and one law professor from the University of Rwanda to contribute to the development of the coursebook on family law. The two professors held several meetings and exchanges with Professor Kamatali to develop the structure and the contents of this coursebook. They agreed that this book was to focus on matrimonial regimes, family donations and succession. One local professor agreed to work on matrimonial regimes and the other agreed to work on successions. Professor Kamatali agreed to work on family donations and to help each local professor in their research and writing. After the adoption of the contents of each chapter, each local professor signed a contract with the project and each was paid advanced research funds to allow them to start their writing.

Although the work progressed very slowly during the first year, during the second year both local professors sent their first drafts for review. Thanks to several reviews and editing from professor Kamatali, chapters of both local professors slowly improved. The delay, however, in research, editing and corrections of these chapters made it impossible to find time to submit to an external publisher. The coursebook on Rwandan Family Law was therefore published in Rwanda. The coursebook on family law examines the current applicable law on matrimonial regimes, family donations and successions. It also examines its evolution from customary law and the early Rwandan legislative efforts to regulate these three key fields of Rwandan Family law.

400 copies of the coursebook, *Rwandan Family Law: Matrimonial Regimes, Family Donations and Successions*, was distributed to relevant stakeholders during the week of March 9-13, 2020.

## **Rwandan Law Journal**

Before 1994, Rwanda had a law review known as “Revue Juridique du Rwanda.” This review, which was managed by the Ministry of Justice, ceased its publication after the 1994 Genocide against the Tutsi. Since then, some law schools in Rwanda took the initiative to publish their own journals. The publication of law journals owned by specific law schools remained, however, sporadic and today, some seem even to have ceased their publications. A need to create a new Rwanda Law Journal was therefore imperative because Rwanda was the only country in East Africa with no law journal.

The launching of the Rwanda Law Journal was one of the key results expected from this project. In Year 1 of the project, we held several meetings with stakeholders (universities, research institutions and government institutions) to discuss which institution should serve as the home of the Journal and who should be on its board. The Institute for Legal Practice and Development (ILPD) was identified as the best institution to host the journal. It was also decided to endow this journal with two Boards: the Advisory Board and Editorial Board. During Year two of the project board members were selected and trained. In the Year 1 the Journal had issued a call for papers. However, very few articles were submitted to the Journal. This led to extending the deadline for articles submission until the end of Year 2. Early in year 3, the project worked with the Editor in Chief of the Journal and some members of the board to select and start editing the articles to be published in the Journal. The editorial process was long and demanding because some articles were not to the standard. We basically worked with some authors to rewrite and edit their articles. Finally, five articles were accepted: one on medical law, one on tax law, one on judgment writing, one on arbitration, and one on East African Law. In addition to these six articles, the leading article prepared by Prof. Sam Rugege, former Chief Justice of Rwanda, was

added. The Minister of Justice and Attorney General Johnston Busingye wrote the preface for the Journal.

### **Rwanda Law Journal (RLJ) Stakeholders Meeting on the Future of the Journal**

The project delivered 700 copies of the RLJ to the ILPD for distribution. The launching and the distribution of the RLJ was held on March 10, 2020 at Lemigo Hotel. The event was attended by 75 participants representing several stakeholders in the Rwandan justice sector and was highly covered by the media. The ceremony was chaired by the Minister of Justice, Johnston Busingye. USAID was represented by Dennis Wesner, Director of the Office of Democracy and Governance. In addition to launching and distributing the RLJ, participants discussed the sustainability of this journal. Participants discussed how to attract good articles and reviewers, how to financially sustain its publication, and how to encourage the Rwandan and international legal community to access and read this journal. The rector of ILPD and the Chief editor of the RLJ were encouraged to approach USAID, the Dutch Embassy, (the two key countries funding rule of law in Rwanda) and the Government of Rwanda to solicit that in their funding to the Rwandan Justice sector, they allocate a small amount to the ILPD to allow the journal to continue its publication. Ohio Northern University law school, especially through Professor Kamatali and his law students, promised to continue working with the journal, assisting in editing its future issues.

### **SIGNIFICANCE OF THESE ACTIVITIES**

The project contributed in building the capacity of law professors and other legal researchers in conducting research, writing and editing their writings with the goal of publishing them. The publication of the RLJ and the two coursebooks helped not only those who contributed in their writing, but also the Rwandan legal community as a whole.

When the project started, professors identified to contribute to the publication of coursebooks had a very low self-confidence. At the end of the project, professors' self-confidence had increased to the point that, those who contributed to family law coursebook have now undertaken to start working on the family law part dealing with "persons." Their capacity has also increased. With many exchanges of drafts between Rwandan professors and experts of the project, it was observed that in each response to comments from the experts, local law professors improved their research and writing skills. This was also observed in the editing of the RLJ. Authors of articles who received our comments took them seriously, followed them and came up with better written final articles.

The deliverables of this project are not only improved human capacity in conducting and publishing law articles and coursebooks. The law journal and coursebooks produced by those professors and researchers whose capacity was built by the project constituted separate deliverables to serve the entire legal community in Rwanda. This combination of both deliverables (human capacity increased as deliverable and coursebooks and law journal produced as deliverables) is very important, especially in the case of Rwanda where the mobility of qualified and trained personnel is very common. As the Minister of Justice said: “the RLJ is the piece of the puzzle that has been missing in order to make the Rwandan legal landscape complete.” What was hard was the birth of this journal. Now that this only law journal in the country is out and alive, there is no other option but to keep it alive and help it grow. Also, with regard to the coursebooks on “introduction to Rwandan Law” and “family law” their authors, being Rwandan lawyers (unlike other publications on Rwandan law that have been dominated by foreigners who often did not update their publications as Rwandan law developed) they will be motivated to continue improving these publications through subsequent new updated editions. As such, Rwandan law will continue to progress even after the end of this project, contributing to helping the Rwandan judiciary and executive branches to consistently enforce the written law and to increase targeted research by local actors and civil society organizations.



## 2. ACHIEVEMENTS OF RESULTS, SUB-RESULTS, TARGETS FOR ALL INDICATORS

In the first month following its launching, the project developed a robust and comprehensive Monitoring, Evaluation and Learning (MEL) plan to serve as a roadmap for ONU to track progress towards the achievement of project outputs, outcomes and impact. It was utilized by ONU as a program tool to systematically track implementation and measure the effectiveness of the Legal Capacity Building Project.

This MEL was geared toward achieving the following results: at the summit was the high level objective of strengthening the rule of law in Rwanda with the specific objective to support members of the justice sector to improve professional capacity for judgment writing and practical legal skills, and provide greater capacity and opportunity for targeted research on Rwandan law. Two intermediate results served as pillars of the above-mentioned objectives: (1) capacity of justice sector actors to consistently enforce the written law strengthened, and (2) local actors and civil society organizations empowered to strengthen rule of law through targeted research. The key deliverables under these two intermediate results have been achieved.

Under intermediate result 1, the project finalized and adopted, first, (a) a practical skills manual for lawyers in Rwanda was published and 100 copies distributed; (b) a judgment writing and reasoning manual in Rwanda which was published and 100 copies were distributed; and (c) *Igitabo cy'Imyandikire y'Imanza mu Rwanda* was published and 650 copies were distributed; second, the project conducted several sessions of training of trainers for lawyers to train their peers using the *Practical Skills Manual for Lawyers* in Rwanda, and training of trainers for judges to train their peers using both the judgment writing and reasoning manual in Rwanda and *Igitabo cy'Imyandikire y'Imanza mu Rwanda;*” finally, the project trained, often using the TOT trained around 70 lawyers. It also trained all judges, registrars, researchers and advisors of the Supreme Court; all judges, registrars, researchers and advisors of the Court of Appeals; all judges, registrars, and researchers of the High Court; all judges, registrars, and researchers of the Commercial High Court and those of the Commercial Court; and all presidents and chief registrars of Intermediate Courts. Overall the project exceeded its expectations with regard to the number of judicial personnel trained with USG assistance: the 2018 target was 138 individuals, and the project trained 115. This reduction is due to the fact that the target number included prosecutors who were not able to get the training because the government has failed to adopt a

new criminal procedure code that was to serve as the base for this training. In 2019, although the target was 196 individuals, the project trained 244 persons. Overall, the project target was to train 334 individuals, and it trained 359. It should be highlighted that this number does not include the training provided to editors of the law review, the professors who regularly received feedback and assistance in their research and writing of the coursebooks; authors whose articles were reviewed several times and guided on how to finalize them; the members and partners of the Rwanda Law Reform Commission, and several participants in the workshop on Stare Decisis and Judgment Writing and in the workshop on the sustainability of the Rwanda Law Journal.

Under the intermediate result 2, first the project developed and delivered two coursebooks: *Introduction to Rwandan Law* was published by Routledge Publisher in February 2020 and 100 copies of this book was distributed to the project stakeholders; and *Family Law, Matrimonial Regimes, Donations and Successions* was published in Rwanda in March 2020 and 400 copies were distributed to the project's stakeholders instead of the only 100 that was the target of the project. Second, Rwanda Law Journal was created, the editorial board established and trained, the first issue of the journal published and distributed to stakeholders. To insure the sustainability of this journal, the project (1) deposited in the accounts of ILPD 3,888,000 RWF (a little over \$ 4,000) to fund the printing of the issue two of the Law Journal; (2) promised that after the end of the project, its expert, Professor Kamatali, who is also member of the board of the journal, will support, pro bono, the editing of the second issue of the journal.

# 3. COMMENTS AND RECOMMENDATIONS

As demonstrated by the activities and results described throughout this report, Rwanda Legal Capacity Building Activities Project accomplished numerous successes going beyond its expected results and this with a moderate budget. Working across the two objectives of strengthening the capacity of justice sector actors to consistently enforce the written law, and empowering local actors and civil society organizations to strengthen rule of law through targeted research, the project took an integrated approach to addressing capacity shortfalls and creating manuals and coursebooks that will last long after the end of the project.

The following section details the difficulties and challenges encountered during the implementation of this project and concludes with key recommendations.

## **DIFFICULTIES OR CHALLENGES DURING THE IMPLEMENTATION**

Rwanda Legal Capacity Building Activities faced a number of implementation challenges. The key ones are related to (1) the failure of the government to adopt the criminal procedure code, a key tool the project needed in order to develop the manual for prosecutors; (2) the unexpected lower capacity of Rwandan law researchers and professors with regard to their legal research and writing; and (3) the difficulties for the project to recuperate VAT taxes paid.

When the project started, the parliament had already adopted the bill on Rwandan Criminal Procedure Code. It was therefore expected that this bill was to become a law very soon. Prosecutors who worked with the project therefore developed the manual of prosecutors based on this bill. In the middle of year 1, however, the government decided to pull out this bill for further review. This review is still yet to be completed. Because of this government failure, the component of the project to strengthen the capacity of prosecutors could not be completed and the milestones related to prosecutors were modified. This could have a significant effect on the long term impact of rule of law in Rwanda: judges' and lawyers' capacities and tools were increased but those related to prosecutors remained low. Strengthening the capacity of justice sector actors to consistently enforce the written law requires that prosecutors be also trained and supported in order to bring them up to speed at the same level as judges and lawyers.

With regard to lower capacity of Rwandan law researchers and professors, this affected the speed and depth the project expected in building the capacity of these researchers and professors. Although the number of Rwandans with PhDs in law has increased, most are still inexperienced in conducting legal research and writing. We had to drop a number of professors who had signed

contracts to write chapters in the *Introduction to Rwandan Law* because the quality of their writing was hard to remedy in the short period of the project. We still do not know whether this poor quality was due to the lack of time, because some of them held other government, teaching or law practice responsibilities that required most of their time, or if it was a weakness in research and writing. In some cases, some did not even submit any materials for us to consider. With regard to the law review, the challenge remains at the level of editing. Although the Editor in Chief was involved in selecting articles for review, the review was almost entirely reviewed and edited by Professor Kamatali and his law students at Ohio Northern University.

The last challenge was related to the difficulty of the implementer to recuperate taxes paid through activities conducted in Rwanda. Although in the first and second year we filed for these taxes to be reimbursed, the fact that the project did not have legal personality in Rwanda with its own TIN number made it difficult to follow up on this reimbursement. The implementer has therefore to abandon the pursuit of this reimbursement.

## **LESSONS LEARNED OR BEST PRACTICES**

Throughout the implementation of this project, we have learned a number of lessons and best practices that we hope can help future similar projects:

*Acquire a local presence and TIN.* The project managed to spend more on activities mainly because it did not have to rent a local office or to hire local fulltime staff. This, however, made it difficult for the implementer to establish a presence in Rwanda and therefore benefit from tax reimbursements. The dilemma in the future is therefore how to balance the need to accomplish more activities on a moderate budget with the need to take advantage of tax reimbursement. One option could be to use a P.O.Box, or work with a local subcontractor.

*Keeping up channels of communication, flexibility and adaptability.* The delay of the government in adopting the criminal procedure code and the fact that some researchers failed to deliver their work, although they had been paid their research fees, justified the need for the project to keep up the channels of communication with its stakeholders, remain flexible in accepting that changes are possible and have a built-in capacity to allow the project to adapt to unpredictable changes. The fact that the experts of the project had the capacity to mentor and hold the hands of locals toward achieving the objectives of the project was helpful. This is, however, not enough. The fact that the project had on board the staff capable of carrying out the deliverables of the project whenever partners were not able or capable to complete them allowed the project to be flexible and adaptable without compromising the expected results.

*Insider-outsider knowledge.* Sometimes projects are implemented by an outside contractor with the needed expertise but little knowledge about the culture, values and inside access to the beneficiary or stakeholder's world. The alternative to an outsider contractor is often an insider

with strong connection with the beneficiary and who understand the local culture and values, but lacks the outsider independence, judgment and understanding of the donor's culture and priorities. The strength of this project was based on the capacity to combine both the insider-outsider knowledge of Rwanda, its legal environment, actors and institutions on the one hand as well as the American legal and managerial expertise.

*Combining human capacity building and material delivery.* Most projects focus on building the human or institutional capacity by offering trainings supporting the creation or strengthening existing institutions. This is an excellent approach but sometimes it may not be sustainable especially in countries where there is a strong mobility of personnel from different governmental departments to others. On the other hand, material delivery may be useless if developed by outside experts with no roots in local capacity. The success of this project was rooted in its capacity to build the needed human capacity, involve it in creating materials to be used by the entire legal sector, and achieve both the delivery of these materials and capacity to produce them as the essential deliverables of the project. With this approach, the project achieved its capacity building deliverable on the one hand but still delivered also products that required inputs from both the project's experts and those who benefited from the project's capacity building trainings. The manuals and coursebooks produced with help of locally trained members of the judiciary will help those in the system now but also create a link between those in the system now and those who will join the system in the future.

## **RECOMMENDATIONS AND PLAN FOR SUSTAINABILITY**

Recommendations for future programming are based on planned activities that the project was not able to realize due to funding constraints or incapacity of stakeholders to act effectively and timely.

*Support the National Public Prosecutor Authority.* The project supported judges and lawyers. To ensure the sustainability in capacity building of judges and lawyers, TOT trained judges and lawyers will continue to train their peers using manuals developed by the project. The sustainability of the judiciary requires, however, that prosecutors be lifted to the same level of knowledge and skills as judges and lawyers. Prosecutors play a significant role in supervising investigations (RIB), preparing indictments and pleading before courts. It is therefore impossible to achieve a sustainable rule of law in Rwanda if prosecutors as key actors in building and protecting law enforcement are not trained and given tools for them to do their jobs. Prosecutors will need to be trained in general principles of criminal procedure, criminal law, investigation techniques and drafting indictments and conclusion. Tools such as manuals for prosecutors should also be developed.

*More support to lawyers on stare decisis.* The Rwandan judiciary is moving quickly toward incorporating *stare decisis* in its procedures. The judiciary has now taken the lead in transforming the way cases are heard, how briefs are written and how oral arguments are presented. Judges have already started incorporating these changes, especially the Supreme Court, and lower courts are following the examples of higher courts. As such, the seed of sustainability has been planted. Our project seems, however, to have done more for judges than lawyers and prosecutors. A future project should work with young lawyers (older lawyers seem to have shown little interest in changing) to help them prepare briefs and present their oral pleadings with the goal of promoting the development of *stare decisis*.

*Support legal education and research.* The sustainability of changes initiated by our project requires future projects to support legal education and research in Rwandan law schools. This is a very important and one of the top priorities in building the rule of law in Rwanda. It is hard to change judges', prosecutors', and lawyers' poor critical thinking skills, writing skills, oral skills, and their failure to understand the role of precedents in law development and stability, if law schools are kept out of this wave of change. Today, law schools in Rwanda still use the Belgian teaching approach that focuses more on memorization of the statute rather than critical thinking and interpretation; more knowledge of the law and less on the abilities and skills to apply it; and more code-focused than combining both statutes and case law. Therefore, there is a need to help law schools to focus their legal education on critical thinking, legal research and writing and developing better oral pleading. Helping law professors to use court cases in their syllabi will allow them to create lawyers who can read and analyze cases in their early education and therefore capable to write better if they become judges. If they don't become judges, at least they will know how to help courts come up with better rulings. Professors who focus on case law are more likely to contribute to the development of Rwandan law because this law will be based on facts, issues and better analyses of statutes and Rwandan realities. This will reduce professors' use of outside publications to explain Rwandan law. This approach will help professors to better develop their coursebooks and publications on Rwandan law. A future project is therefore needed to help law schools and ILPD with curriculum development, teaching skills that stimulate critical thinking, support professors' and students' research and writing skills; and facilitate legal publications by professors either in law journals or in writing their coursebooks on Rwandan law.

## **ANNEX A: Milestone Schedule**

Project Outputs	Milestone #	Description of Milestone	Required Deliverable	Method of Validation of Completion	Completion Date
Work Plan and MEL Plan	1	Work Plan and MEL Plan Approval	USAID approves Work Plan and MEL plan to launch project activities	Final Work Plan and MEL Plan	April 2017
Judgment writing manual on practical skills for prosecutors, and manual on practical skills for lawyers developed and 25	2	Project launch with meetings with the Supreme Court, NPPA and KBA	Agreement on the number and identification of judges, prosecutors and lawyers to be part of the drafting team and TOT	Meeting report containing the number and identification of judges, prosecutors and lawyers to be involved in the drafting of manuals	May 2017
		Meeting with law school deans to identify law professors to work on the course books and identify 2 other courses to be subject of the additional course books besides the Introduction to Rwandan Law	Agreement on the names of professors to be involved and subjects to be covered in the course books	Meeting report containing names of professors to be involved and subjects to be covered in the course books	May 2017
		Meeting with identified judges, prosecutors and lawyers to divide review tasks	Agreement on the extent of the review and on the responsibilities of participating judges, prosecutors and lawyers	Meeting report detailing the sections to be reviewed and the responsibilities of participating judges, prosecutors	May 2017
	3	Meeting with the stakeholders to identify ownership (i.e., university, institutes, etc.) of the review and its board members	Agreement on the home of the Law Review and its board members	Meeting report containing the name of the home of the Law Review and its board members	July 2017
	4	Quarterly Report FY 2017 Q3 Aid Tracker Plus and DEC	Quarterly Report approved posted on Aidtracker Plus	Approval email from USAID verifies its posting on Aidtracker Plus and DEC	July 2017



Project Outputs	Milestone #	Description of Milestone	Required Deliverable	Method of Validation of Completion	Completion Date
Judgment writing manual on practical skills for prosecutors, and manual on practical skills for lawyers developed and 25 copies of each manual	5	Issue a call for papers that is published in the Law Review	The call for papers drafted and made public	Online availability of the call for papers on different Rwandan law school websites, email mass distribution by the Editor-in-Chief of the Law Review	August 2017
		Hold a 1 day workshop for the review of each manual and adoption of the new version of each	Draft documents of the 3 manuals available	Email containing an attachment of each draft received by the project coordinator	August 2017
		Meeting with the law school professors involved in the drafting of the 3 course books	Agreement on chapters and outlines of each course book, distribution of tasks, and set up of deadlines and	Meeting report containing the agreed chapters and outlines of each course book, tasks assignments, deadlines and milestones	August 2017
		Annual Report (which includes FY 2017 Q4 findings) finalized and posted to Aid Tracker Plus and DEC	Annual Report approved by USAID and posted on Aidtracker Plus	Approval email from USAID received and USAID verifies its posting on Aidtracker Plus and DEC	August 2017
TOT for 6 judges, 6 prosecutors and 6 lawyers organized (output 1.4)*	6	Distribution of 25 copies of the manual on judgment writing, 25 copies of and 25 manuals on	25 copies of the manual on judgment writing, and 25 copies of the manuals on practical skills for lawyers	Receipts signed by partners (Supreme Court,, KBA, etc.) for the reception of copies of the manual	January 2018
		Hold a 2-day training of trainers (TOT) for judges, and lawyers on curriculum development, adult training methodology and the content of the manuals for each group	Increased abilities and skills for judges, and lawyers in curriculum development, adult training methodology on the content of the manual of each group	Pre-training and post training evaluations	January 2018

Project Outputs	Milestone #	Description of Milestone	Required Deliverable	Method of Validation of Completion	Completion Date
TOT for 6 judges, 6 prosecutors and 6 lawyers organized (output 1.4)*	7	Annual Report FY 2018 finalized and posted to Aid Tracker Plus	Annual Report approved by USAID and posted on Aidtracker Plus	Approval email from USAID received and USAID verifies its posting on Aidtracker Plus and DEC	February 2018
	8	Quarterly Report FY 2018 Q2 Finalized and posted to Aidtracker Plus and DEC	Quarterly Report approved by USAID and posted on Aidtracker Plus	Approval email from USAID received and USAID verifies its posting on Aidtracker Plus and DEC	April 2018
60 judges trained on judgment writing, 60 prosecutors trained on practical skills for prosecutors, and 60 lawyers trained on lawyering skills (outputs 1.5)*	9	Meeting with the Supreme Court, NPPA and KBA to identify judges, prosecutors and lawyers	Agreement on the number and identification of judges, prosecutors and lawyers to receive the training	Meeting report containing the number and identification of judges, prosecutors and lawyers to receive the training	July 2018
		Hold training for judges, and lawyers on the manuals	Increased skills and abilities for the trained judges, and lawyers	Pre-training and post training evaluations	July 2018

Project Outputs	Milestone #	Description of Milestone	Required Deliverable	Method of Validation of Completion	Completion Date
Training of 20 SC judges, registrars, legal researchers and legal advisors; 34 Court of Appeals judges, registrars, legal researchers and advisors; 65 High Court judges, registrars and inspectors; 37 Commercial High Court judges, registrars, inspectors as well as Commercial Court judges and registrars.		Quarterly Report FY 2018 Q 3 finalized and posted to DIS (Development Information Solution) and DEC	Quarterly Report approved by USAID and posted on DIS	Approval email from USAID received and USAID verifies its posting on DIS and DEC	October 2018
	10	Training of 20 SC judges, registrars, legal researchers and legal advisors;	Increased skills and abilities for the trained judges, legal researchers and legal advisors	Pre-training and post training evaluations	December 2018
		Training of 34 Court of Appeals judges, registrars, legal researchers and advisors;	Increased skills and abilities for the trained judges, legal researchers and legal advisors	Pre-training and post training evaluations	January 2019
	11	Annual Report FY 2018 finalized and posted to Aidtracker Plus and DEC	Annual Report approved by USAID and posted on Aidtracker Plus	Approval email from USAID received and USAID verifies its posting on Aidtracker Plus and DEC	February 2019
	12	Organizing a workshop on <i>stare decisis</i> for judges, heads of courts, leadership of RBA, NPPA, RBI, ILPD and Deans of law	Awareness and commitment on <i>stare decisis</i> in the Rwandan judiciary increased	Report of the workshop showing this awareness and commitment	June 2019
		Meeting of the board to select the articles to be published	Meeting of the board to select articles to be published	Report of the board meeting containing the agreed draft articles	June 2019

Project Outputs	Milestone	Description of Milestone	Required Deliverable	Method of Validation of Completion	Completion Date
		Training 65 High Court judges, registrars and inspectors	Increased skills and abilities for the trained judges, registrars and inspectors	Pre-training and post training evaluations	June 2019
		Training 37 Commercial High Court judges, registrars, inspectors as well as Commercial Court judges and registrars	Increased skills and abilities for the trained judges, registrars and inspectors	Pre-training and post training evaluations	June 2019
	13	TOT training and workshop on writing model judgments for 10 judges	- TOT trainers skills and abilities increased -8 illustrative judgments drafted	Pre training and post training evaluations	September 2019
		Submission of drafts of the 2 course books	Draft documents of the 2 course books	Approval email from USAID proving receipt of the attachments containing the course book draft	September 2019
		Distribution of 100 copies of each of the 2 course books to stakeholders	100 copies of each of the 2 course books distributed	Receipt signed by stakeholders (Law School Deans) for the receipt of course books	February 2020
	14	Distribution of 650 copies judgment writing manual Kinyarwanda version	650 Kinyarwanda copies of judgment writing manual	Supreme Court note acknowledging receipt of the 650 copies	February 2010
		Distribute the published Law Review to stakeholders and hold a meeting with the key stakeholders on the future of the Law Review	Printed copies of the Law Review and online version of the Law Review	Stakeholders acknowledge receipt of the course books and report of stakeholders meeting containing the agreed plan moving forward	February 2020
		Final Report Submitted and posted on DEC and in DIS	Final report submitted and posted on DEC and DIS	USAID email approving final report and verifies that it is posted on DEC and in DIS	March 2020

## **ANNEX B: Performance Monitoring Plan Report**

INDICATOR				FY 18	FY 19	FY 20	Comments
Output Indicators							
IR1. Capacity of justice sector actors consistently enforce the written law strengthened	GNDR-8	Number of persons trained with USG assistance to advance outcomes consistent with gender equality or female empowerment through their roles in public or private sector institutions or organizations	Target	50	196	N/A	Final version Prosecutor Manual not delivered - Delay in the criminal procedure code. Judgment Writing Manual - when translated into Kinyarwanda, we updated the manual and distributed to all 650 judges in Rwanda. In addition to physical copies, electronic copies of manuals given for broader distribution
			Actual	50	244	N/A	
	Results/Target			100.00%	124.49%		
	Custom	Number of Judgment Writing Manuals distributed to stakeholders	Target	100	0	650	
			Actual	100	0	650	
	Results/Target			100.00%	N/A	100.00%	
	Custom	Number of Prosecutor Skills Manuals distributed to stakeholders	Target	100	0	0	
			Actual	0	0	0	
	Results/Target			0.00%	NA	NA	
	Custom	Number of Lawyering Skills Manuals distributed to stakeholders	Target	100	N/A	N/A	
			Actual	100	N/A	N/A	
	Results/Target			100.00%	N/A	N/A	
IR2. Law professors and researchers empowered to strengthen rule of law through targeted research	Custom	Number of local justice sector actors involved in conducting and producing legal research	Target	9	9	9	Initial target included law professors involved in writing coursebooks only. Although this number reduced in 2019, the project trained and mentored RLJ board of editors and in 2020 mentored authors of articles published in the RLJ.
			Actual	9	11	17	
	Results/Target			100.00%	122.22%	188.89%	
	Custom	Number of coursebooks printed and distributed to justice sector stakeholders	Target	N/A	N/A	200	
			Actual	N/A	N/A	515	
	Results/Target					257.50%	
	Custom	Number of copies of <i>Rwanda Law Journal</i> printed and distributed.	Target	N/A	N/A	700	
Actual			N/A	N/A	700		
Results/Target					100.00%		

## **ANNEX C: Infographics**







