



**Final End of the Programme Evaluation of the Support to
Access to justice for all, the Foundation for Good
Governance and Poverty Reduction, Rwanda (2008-2013)**

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Acronyms

ACP	Assistant Commissioner of Police
AIP	Assistant Inspector of Police
CERD	Committee on the Elimination of Racial Discrimination
CP	Commissioner of Police
CPC	Community Policing Committee
CSP	Chief Superintendent of Police
DP	Development Partner
EAC	East African Community
EDPRS	Economic Development and Poverty Reduction Strategy
EFS	Electronic Filing System
ERMS	Electronic Recording Management System
FGD	Focus Group Discussion
GBV	Gender Based Violence
GDP	Gross Domestic Product
GII	Gender Inequality Index
GoR	Government of Rwanda
HDR	Human Development Report
ICCPR	International Convention on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICT	Information and Communication Technology
ICTR	International Criminal Tribunal for Rwanda
IEC	Information, education and communication
ILPD	Institute of Legal Practice and Development
IT	Information and Technology
JRLO	Justice, Reconciliation, Law and Order
LAF	Legal Aid Forum

LAN	Local Area Network
LASIS	Legal Advisory Services Information System
MAJ	Maison d'Accès à la Justice ¹
MC	Mediation Committee
M & E	Monitoring and Evaluation
MDG	Millennium Development Goals
MINIJUST	Ministry of Justice
MIS	Management Information System
MPI	Multidimensional Poverty Index
NEX	National Execution
NGO	Non-Governmental Organisation
NPPA	National Public Prosecution Authority
PS	Permanent Secretary
RBM	Results-Based Management
RGB	Rwanda Governance Board
RNP	Rwanda National Police
SG	Secretary General
SNJG	Service National des Juridictions Gacaca ²
SP	Superintendent of Police
SSP	Senior Superintendent of Police
SWAP	Sector Wide Approach
TOT	Training of Trainers
ToR	Terms of reference
TV	Television
UN	United Nations
UNCT	United Nations Country Team

¹ Access to Justice Bureaus

² National Service of Gacaca Courts

UNDAF	United Nations Development Action Framework
UNDAP	United Nations Development Action Plan
UNDP	United Nations Development Programme
UNICEF	United Nations Children Fund
UNWOMEN	United Nations Entity for Gender Equality and the Empowerment of Women
UPR	Universal Periodic Review
USAID	United States Agency for International Development
WAN	Wide Area Network
W&V	Witness and Victim

EXECUTIVE SUMMARY

1.0 Introduction

The 1994 Genocide devastated the Rwandan economy as well as its population. Gross Domestic Product (GDP) was halved in a single year and 80% of the population was plunged into poverty. In response to the challenges the country faced, the Government of Rwanda (GoR) drew up the Vision 2020 which focuses on good governance and a capable state, in recognition of the contribution of good governance to poverty reduction. Emerging from the PRSP in 2008, Rwanda launched the first Economic Development and Poverty Reduction Strategy (EDPRS1) which set out the country's development objectives for 2008–2012. The EDPRS is the medium-term policy framework, which draws from the Vision 2020 and the Millennium Development Goals (MDGs) and is complementary to the Long-term Investment Framework/Plan.

In the area of good governance, the first EDPRS focused on promoting unity, pursuing reforms to the justice system to uphold human rights and improve the rule of law. The EDPRS 1 emphasized on reinforcing capacity in justice administration to ensure universal and timely access to justice and the respect for human rights. Special attention was given to clearing the backlog in judicial cases and strengthening the Abunzi mediation mechanisms. The incidence of crime would be reduced through crime prevention measures and community policing initiatives.

The “Access to Justice for all, the Foundation for Good Governance and Poverty Reduction Programme” tried to address some of the national priorities identified in Vision 2020 and EDPRS, outlined above. The Programme was designed through a consultative process involving key stakeholders with the aim of strengthening key institutions of the Justice sector. The Programme was aligned to 2008-2012 United Nations Development Action Framework (UNDAF) and was in line with the Paris Declaration on national ownership, where development partners are required to align their support to national priorities.

1.1 Rationale and objective

The objective of the evaluation was to assess the extent to which UNDP support to “The Access to justice for all, the Foundation for Good Governance and Poverty Reduction Programme” achieved the expected results over the last five years. The report sets out the findings and recommendations of the evaluation of UNDP support to national institutions.

The overall objective for the Programme was to develop the capacity of relevant GoR institutions to increase access to justice, especially for the most vulnerable, promote crime prevention by encouraging community policing and improve the efficiency of the judicial system both classical and Gacaca courts for improved peace building and reconciliation.

1.2 Approach and methodology

The evaluation utilised various approaches to assess the relevance, effectiveness, efficiency and impact of the UNDP Programme to “Support to Access to justice for all, the Foundation for Good Governance and Poverty Reduction”. They include:

Literature review and analysis; Key Informant Interviews and Observations that were conducted with various key justice stakeholders; and focus group discussions. To ensure accuracy and appropriateness of the information collected, data validation was achieved through triangulation,

which involved comparing what was coming out of the interviews with what was in institutional and project reports.

1.3 Findings

The evaluation assessed the effectiveness of the Programme under the following six outputs:

Output 1: Strengthening the review and drafting of laws

Under this output, UNDP supported the Ministry of Justice (MINIJUST) in drafting the Family and the Inheritance Laws which are critical for gender equality and poverty reduction. Support was also provided to MINIJUST to develop the Trilingual Legal Index and to print and disseminate the Constitution and judicial laws.

Output 2: Increased awareness by the citizens of the main legal provisions crucial in their daily life and improved understanding of their fundamental rights and improved crime prevention through community policing

This outcome area was achieved through support for the sensitization of communities on new laws and the role of Abunzi and the Maison d'Accès à la Justice (MAJ). Various media were used in the sensitization campaign including print and electronic media.

The setting up of the Community Policing Committees (CPCs), was a major step in improving crime prevention as it involved communities taking the initiative for crime reduction in their neighbourhoods. Rwanda National Police (RNP) set up Anti-Crime Clubs in schools to sensitise youths on crime prevention. UNDP provided support to RNP to conduct training of trainers for CPCs from all the districts across the country. By end of the programme, a total of 2,400 CPCs had been trained as trainers of trainees.

Output 3: Reinforcing legal aid and mediation mechanisms for a justice accessible to the people especially the most vulnerable groups

UNDP supported the decentralized justice delivery system going down to community level to provide free legal aid through the MAJ. The provision of legal aid improved access to justice to the poor, including, women. Because MAJ is community-based, this brought justice closer to the people. MAJ also executed judgments and sensitised communities on their rights.

To enhance the capacity of the Abunzi to deliver justice to communities, MAJ lawyers trained them in mediation, Succession Law, Land Law and the Family Law.

Output 4: The efficiency and effectiveness of the judicial system both classical and Gacaca courts for improved peace building and reconciliation improved

UNDP supported the training of the judiciary in various areas, including the Land Law, Family Law, judicial competence, criminal procedures, judicial ethics, courthouse administration and fiscal management.

UNDP provided transport support to the High Court for mobile courts. Mobile courts enabled judges to hear more cases, which reduced the case backlog and contributed to improved access to justice.

To facilitate writing of judgments, UNDP provided 35 computers and three laptops to the Inspectorate General of the Courts.

In ICT, UNDP supported the development and launch of the ICT strategy and Policy for the Judiciary, the establishment of the Electronic Filing System that can be used to file and submit cases online to the Courts; Electronic Recording Management System (ERMS) to ensure efficient record management; the Wide Area Network (WAN) for improved network connectivity and the digitalisation of physical files

UNDP supported the writing of a book on the Gacaca Courts and processes. Support was also provided for the rehabilitation of the documentation centre for the Gacaca Process and the digitalization of files in the Criminal Records Registrar.

Output 5: Justice Administration and law enforcement by building a strong, effective and well coordinated justice sector strengthened

UNDP provided the following support to the Witness and Victims Protection Unit in National Public Prosecution Authority:

- Capacity development and capacity building in terms of training and equipment of the Unit staff and the awareness raising campaign of public institutions and civil society.
- Assisting both genocide and classical witnesses and victims in terms of security, legally, materially and psychologically.
- UNDP provided the support to the Ministry of Justice with Local Area Network (LAN) and Legal Advisory services Information System (LASIS) in order to speed up legal advice between MINIJUST and public institutions.

Output 6: Strengthening the capacity of the Government in developing an International Treaty Body Reporting mechanism in order to comply with its commitments

In Human Rights treaty body reporting, UNDP supported the updating of six Treaty Body reports. Public sensitisation on UPR recommendations was also carried out, to enable people to know their rights. Currently, the translation of various recommendations is being carried out. The Project also trained judges on human rights laws.

UNDP supported the MINIJUST to sensitise the public on the UPR Recommendations. The One UN Rwanda supported GoR to develop a roadmap guiding the implementation of the UPR recommendations, which includes the need to train the judiciary on International Human Rights.

1.4 Lessons learnt

Support to the drafting of new laws such as the Inheritance and Family Laws not only improves access to justice for the poor, particularly women, but is also an important tool for poverty reduction and gender equality.

Access to justice and to legal services can be an effective tool for poverty reduction by enabling the poor to claim their rights to land and other assets necessary for their development. The MAJ and Abunzi, enhanced access to productive assets for the poor, including women, through mediation, legal advice and the execution of judgments.

1.5.1 Recommendations to UNDP

- There was need for UNDP to carry out a mid-term external evaluation of the Programme as well as annual external reviews as recommended in the Programme document. Such reviews would have given better direction to the Programme.
- A substantial number of activities in the Access to Justice Programme document were not carried out. Where major changes in activities occur, there is need for this to be clearly documented.
- There is need to reconsider the establishment of the Programme Steering Committee to enhance Programme coordination, monitoring and evaluation as well as to broaden the scope for synergies among the different partners.
- UNDP should consider supporting the position of a coordinator in the Ministry of Justice to coordinate projects. This would enhance coordination and collaboration among the IPs and development partners.
- UNDP should facilitate joint annual Programme reviews to dialogue with IPs and other DPs on progress in implementing the Programme. The reviews should be used to enhance synergies and complementarities among the partners.

1.5.2 Recommendations for the Government

- MINIJUST should consider appointing a Project coordinator in the Ministry to coordinate projects. This would enhance coordination and collaboration among the different projects.
- The government should come up with a strategy to sustain community structures, including MAJ, Abunzi and the CPPCs. This could be achieved by reducing numbers and through more cost effective Programme implementation.
- There is need for the government to balance between creating demand for justice through sensitisation and meeting the demand through service provision.
- There is need for JRLOS to improve sector coordination by enhancing the capacity of the Coordinating Secretariat. A start can be made by recruiting the full complement of staff needed for the Secretariat.
- Reducing the backlog of cases can only be achieved through closer cooperation and coordination among the various institutions that constitute the chain in the justice delivery. There is therefore a need for an integrated approach to justice delivery involving the key institutions.

2.0 INTRODUCTION

2.1 Background and Context

The 1994 Genocide devastated the Rwandan economy as well as its population. GDP was halved in a single year, 80 percent of the population was plunged into poverty and vast tracts of land and livestock were destroyed. The genocide also exacerbated a number of development constraints, which existed before 1994. The already poorly developed productive infrastructure was completely destroyed and the nation was robbed of a generation of trained teachers, doctors, public servants and private entrepreneurs. Thus, the consequences of genocide devastated Rwanda's social, political and economic fabric. Without successful reconciliation, political stability and security, private investors will not have confidence in the country.³ The government has made great strides in restoring stability and economic growth to the country. Along with rehabilitation and economic development, the GoR has focused much of its effort on addressing the consequences of the genocide and the institutional problems that were deemed responsible for the genocide⁴.

Rwanda enjoyed sustained economic growth, averaging 8% over the decade from 2000 to 2010. GDP per capita grew from \$264 in 2005 to \$360 in 2011. In 2008, Rwanda embarked on the implementation of its second generation poverty reduction strategy, entitled the 'Economic Development and Poverty Reduction Strategy' (EDPRS). The EDPRS set out the country's development objectives for 2008–2012. It was developed through extensive consultations with national stakeholders and enjoys strong support across the country. It was built around three flagship Programmes, which promote sustainable growth for jobs and exports, tackle poverty and vulnerability and promote good governance.⁵

Poverty fell from 58.9 per cent in 2000/1 to 56.7 per cent in 2005/6 to 44.9 per cent in 2010/11. The poverty rate fell by 14 percentage points between 2000/1 and 2010/11⁶. However poverty levels remain relatively high. Rwanda's HDI value for 2012 was 0.434—in the low human development category—positioning the country at 167 out of 187 countries. Between 1980 and 2012, Rwanda's HDI value increased from 0.277 to 0.434, an increase of 57 percent or an average annual increase of about 1.4 percent. Rwanda has a Gender Inequality Index (GII) value of 0.414, ranking it 76 out of 148 countries in the 2012 index. In Rwanda, 56 percent⁷ of parliamentary seats are held by women, and 7.4 percent of adult women have reached secondary or higher level of education compared to 8 percent of their male counterparts. The 2010 HDR introduced the Multidimensional Poverty Index (MPI), which identifies multiple deprivations in the same households in education, health and standard of living.⁸

In 2012 almost all of the governance indicators improved compared to the 2010 scores. The Rule of Law performed the best with a 5.66% increase mostly due to the improvement of Access to Legal Aid, followed by Safety and Security (4.9%) and Quality of Service Delivery (4.23%) indicators (6 out

³ Republic of Rwanda, Ministry of Finance and Economic Planning (2000) Rwanda Vision 2020

⁴ UNDP, Assessment of Development Results, evaluation of UNDP contribution, Evaluation Office, May 2008

⁵ African Development Bank Group (2012) Development Effectiveness Review 2012

⁶ Action Aid (2012) Aid Effectiveness in Rwanda: Who Benefits

⁷ This figure reflects the situation at the end of the programme. With 2013 elections, women representation in parliament rose to 64% (29 men and 51 women).

⁸ UNDP, Human Development Report 2013

of 8) improved compared to the 2010 scores.⁹ Two indicators showed slight improvement: Participation and Inclusiveness (1.03%) and Control of Corruption, Transparency and Accountability (0.88%).¹⁰

The EDPRS 1 set the overarching target of reducing the share of the population living in poverty from 56.9% in 2005–06 to 46% in 2012–13. The target was achieved a full year before the end of the implementation period. A recent review of progress found that, since 2008, more than 85% of the targets had been met, exceeded or are highly on track to be achieved¹¹. Promoting good governance, the third of the EDPRS flagship Programmes, is a priority running across Rwanda's national development agenda. The goals include consolidating peace, security and national unity through continuing national reconciliation, respect for human rights and good relations with neighbouring countries.¹²

Promoting justice and the rule of law is key both to consolidating democracy and promoting efficient markets. The Government is also working hard to strengthen the capacity of the administration through sound public financial management, decentralisation and a strong focus on service delivery. In the area of justice and the rule of law, as a result of UN support to the Rwanda National Police in crime prevention and investigation, crimes reduced in general from 13,463 in 2011 to 11,998 in 2012, a reduction of 11.88%¹³ exceeding the 5% annual reduction targeted in the EDPRS. In the World Bank Governance Indicators on the rule of law, Rwanda went from a ranking of 7.7 out of 100 in 2000 to 46 in 2010¹⁴. Overall, Rwanda has recorded impressive progress in governance.

2.2 Governance and the rule of law

In the aftermath of the 1994 genocide, Rwanda's judiciary was faced with an alarming lack of competent human resources, equipment and infrastructure. From a total of 758 judges and 70 prosecutors before the genocide in 1994, the numbers fell to 244 judges and 17 prosecutors immediately after the genocide¹⁵. The physical infrastructure of the courts was also in a poor state following the civil war. The subsequent rehabilitation of the system and the reform of the judiciary has been guided by the principle that a functional justice sector is essential for the establishment of good governance and democracy, as well as for long-term peace and political stability. A sound judicial system was also seen as a central building block for economic development and poverty reduction. The government's main objective has been to set up a judicial system that supports good governance and development, where laws are properly enacted and applied by an objective and independent judiciary that enforces sanctions to prevent and punish violations and to fight against genocide ideology, while ensuring respect for the law and citizens' rights.¹⁶

⁹ Rwanda Governance Scorecard 2012

¹⁰ Rwanda Governance Scorecard 2012

¹¹ The Republic of Rwanda, Ministry of Finance and Economic Planning, EDPRS: lessons learned, 2008-2011

¹² Development Effectiveness Review 2012

¹³ United Nations Rwanda (2013) Delivering as One Annual Report 2012

¹⁴ Development Effectiveness Review 2012

¹⁵ International Criminal Justice Review (2009) Genocide and the Legal Process in Rwanda: From Genocide Amnesty to the New Rule of Law

¹⁶ UNDP, Assessment of Development Results, evaluation of UNDP contribution, Evaluation Office, May 2008

2.3 Link between access to justice, governance and poverty reduction

Access to justice is essential for poverty eradication and human development for the following reasons:

Groups such as the poor and disadvantaged who suffer from discrimination, also often fall victim to criminal and illegal acts, including human rights violations. Because of their vulnerability, they are more likely to be victims of fraud, theft, sexual or economic exploitation, violence, torture or murder.

Crime and illegality are likely to have a greater impact on the poor and disadvantaged as it is harder for them to obtain redress. As a result, they may fall further into poverty. Justice systems can provide remedies which will minimize or redress the impact of this – e.g., by clarifying agreements and titles, determining financial compensation and enforcing penal measures.

Justice mechanisms can be used as tools to overcome deprivation by ensuring, for instance, access to education by girls and minorities, or by developing jurisprudence on access to food, health or other economic, cultural or social human rights.

Fair and effective justice systems are the best way to reduce the risks associated with violent conflict. The elimination of impunity can deter people from committing further injustices, or from taking justice into their own hands through illegal or violent means¹⁷. Improved access to justice for the poor also reduces the time and resources spent on judicial proceedings.

Poverty is among the gravest human rights challenges in the world. It embodies a range of interrelated and mutually reinforcing deprivations and is associated with stigma, discrimination, insecurity and social exclusion. A characteristic of virtually all communities living in poverty is that they do not have access, on an equal footing, to government institutions and services that protect and promote human rights. Obstacles to obtaining justice undoubtedly reinforce poverty and exclusion. Poverty can thus be seen as both the cause and consequence of exclusion from the rule of law. The legal system can play an important role in supporting poverty eradication by giving poor people access to the appropriate mix of rights and remedies¹⁸.

However, laws that discriminate against, or ignore, the rights and livelihoods of the poor can pose serious obstacles to the eradication of poverty. In such contexts, law and justice sector reforms can provide the foundation for protection and incentives to enable poor people to realize the full value of their human and physical capital.¹⁹

Lack of access to economic and business opportunities and to the rule of law and justice constrain poor and disadvantaged populations from improving their quality of life. Overall, integrated systemic changes that empower vulnerable groups and provide them with equal opportunities to reduce risk and sustain their livelihoods through access to property, labour, and business rights and access to

¹⁷ UNDP, *Programming for Justice: Access for All A Practitioner's Guide to a Human Rights-Based Approach to Access to Justice*, 2005

¹⁸ UNDP, *Programming for Justice: Access for All A Practitioner's Guide to a Human Rights-Based Approach to Access to Justice*, 2005

¹⁹ UN General Assembly, 13 July 2009, *Legal empowerment of the poor and eradication of poverty Report of the Secretary-General*,

justice are vital to achieving the Millennium Development Goals (MDGs) in a timely manner.²⁰ For the legal system to play a role in empowering poor people to escape poverty, laws that confer the appropriate mix of rights, powers, privileges, and immunities are needed.²¹

2.4 Rwanda's strong commitment to good governance and poverty reduction

It is in recognition of the link between good governance and poverty reduction that Pillar One of Rwanda's Vision 2020 focuses on good governance and a capable state. Under this, the State will ensure good governance, which can be understood as accountability, transparency and efficiency in deploying scarce resources. But it also means a State respectful of democratic structures and processes and committed to the rule of law and the protection of human rights in particular. A reconstruction of the nation of Rwanda and its social capital, anchored on good governance and an effective and capable state is considered a minimal condition to stimulate a harmonious development of other pillars.²²

Vision 2020 was conceived to provide a basis for a new start to build peace and prosperity in the 21st Century. It regards national reconciliation, domestic and regional security, good governance and economic transformation as key to achieving its ambitious goals. The first EDPRS was the medium-term overall policy framework for 2008-2012. It drew on Vision 2020 and the MDGs and was complementary to the Long-term Investment Framework/Plan.²³

The EDPRS1 governance Programme sought to improve governance in several areas. These include maintaining peace and security through defence against external threats and participation in peace-keeping missions, preserving and strengthening good relationships with all countries, continuing to promote unity and reconciliation among Rwandans, pursuing reforms to the justice system to uphold human rights and the rule of law and empowering citizens to participate and own their social, political and economic development in respect of rights and civil liberties²⁴.

According to the EDPRS 1, to strengthen the rule of law, emphasis was to be put on reinforcing the capacity in the efficient administration of Justice to ensure universal and timely access to justice and the respect for human rights. Special attention was to be given to clear Gacaca cases, to clear the backlog in regular judicial cases, and strengthening of the Abunzi mediation mechanism. The incidence of crime was to be reduced through crime prevention measures and community policing initiatives²⁵.

Under the EDPRS 1, there were four sets of Justice Sub-sector interventions which would contribute to the stated objective of the sector. The first set aimed to ensure universal access to justice in Rwanda and an efficient and effective justice system accessible to and affordable by all citizens, including vulnerable groups. A sector-wide study was to be conducted to evaluate the available capacities in the sector and set benchmarks for a sector-wide plan to further reinforce the human

²⁰ Integrating Legal Empowerment of the Poor in UNDP's work A Guidance Note , 21 July 2010

²¹ Making the Law Work for Everyone, Volume I, Report of the Commission on Legal Empowerment of the Poor, 2008

²² Republic of Rwanda, Ministry of Finance and Economic Planning (2000) Rwanda Vision 2020

²³ UNDP, Assessment of Development Results, evaluation of UNDP contribution, Evaluation Office, May 2008

²⁴ Government of Rwanda (2007) Economic Development & Poverty Reduction Strategy 2008 – 2012

²⁵ Government of Rwanda (2007) Economic Development & Poverty Reduction Strategy 2008 – 2012

and institutional capacities. The sector would emphasise the development of a legal framework and national policy. The efficiency of the judicial system was to be improved through streamlining court procedures, reducing the average time to prosecute and rule on a case in court and by clearing the backlog of cases. The execution of judgments was also to be improved and the full capacity of the Law Reform Commission promoted.²⁶

To avoid further overburdening, the Justice Sector would develop alternative justice mechanisms, including the community mediators, the ABUNZI. The sector would sensitize all citizens to new laws, institutional roles and where to access justice, rights and responsibilities. To follow up on service delivery and impact, the sector would develop an operational Management Information System (MIS) and a regular survey would be conducted to measure public perception of the quality of justice.²⁷

A fourth set of interventions aimed to ensure that law and order was maintained and enhanced. The sector would continue to ensure the safety of Rwandan people and their property by implementing crime prevention measures and community policing.²⁸

Justice, reconciliation, law and order are critical for Rwanda's national development. Rule of law, peace, stability, reconciliation, safety and security are prerequisites for social and economic development. Law and Order are critical for fulfilling the promises of Vision 2020. Good governance and a capable state are characterized by the rule of law: a legal system that supports and protects all its citizens without discrimination. It is one of the prime duties of the State to provide accessible justice for its citizens. A Constitution guaranteeing rights, and even good laws made under the Constitution are not enough. Citizens must be able to access the laws, and have the ability to enforce them.²⁹

2.5 UNDP's access to justice and democratic governance mandate

Among others, UNDP support to national governments focuses on promoting access to justice and the rule of law. In these areas, Programme priority is given to strengthening the mechanisms of responsiveness and public accountability to the concerns and interests of poor people, women, and other vulnerable or excluded groups.³⁰ Empowering the poor and disadvantaged to seek remedies for injustice, strengthening linkages between formal and informal structures, and countering biases inherent in both systems can provide access to justice for those who would otherwise be excluded.³¹

²⁶ Government of Rwanda (2007) Economic Development & Poverty Reduction Strategy 2008 – 2012

²⁷ Economic Development & Poverty Reduction Strategy 2008 – 2012

²⁸ Economic Development & Poverty Reduction Strategy 2008 – 2012

²⁹ The Republic of Rwanda Justice, Reconciliation, Law & Order Sector Strategy and Budgeting Framework, January 2009 – June 2012

³⁰ UNDP (2008) UNDP Corporate Strategic Plan 2008 -- 2011

³¹ UNDP (2004) Access to Justice Practice Note

2.6 Programme being evaluated

In 2007, at the request of the Government, Rwanda was selected as a pilot country for the Delivering as One reform process. The reform agenda is built on the following four pillars: One Programme, One Budgetary Framework, One Office and One Leader & One Voice³².

The United Nations Development Assistance Framework (UNDAF) 2008-2012 is the main strategic tool and constitutes the overall framework for the One UN support to national priorities. Through its Programmatic instrument, the One Programme, the UNDAF integrates and structures the interventions of all active UN agencies in Rwanda³³.

The One Programme is implemented through a clear governance and coordination structure with the highest body being the One UN Steering Committee, chaired by the Minister of Finance and Economic Planning. The UN Country Team (UNCT), composed of heads/representatives of resident and non-resident UN agencies under the leadership of the Resident Coordinator, is the key decision making body and contributes to the overall results of the One Programme implementation. The UNCT is committed to work with the GoR to improve the UN's strategic positioning, One Programme delivery and to increase the overall efficiency and coherence of the One UN in the country³⁴.

In 2008, the United Nations Development Programme (UNDP), together with five government institutions jointly initiated the Programme for Access to Justice for all, the Foundation for Good Governance and Poverty Reduction. This Programme was built on the foundation laid by the previous "Access to Justice Programme" that ended in 2008. The 5-year Programme was initially supposed to end on 31st December 2012, but was extended, together with the UNDAF (2008-2012), for a further six months to 30th June 2013. This was to align UN and UNDP's follow-on programming with the launch of the GoR's EDPRS II. The Programme was implemented by the Government of Rwanda (GoR), through the Ministry of Justice (MINIJUST), the Supreme Court, the National Prosecution Authority, Rwanda National Police, and the National Gacaca jurisdictions.

The "Support to Access to justice for all, the Foundation for Good Governance and Poverty Reduction" Programme aimed to strengthen the capacity and the efficiency of the key institutions of the Justice sector to sustain a peaceful state where freedoms and human rights are fully protected, respected and promoted to achieve the EDPRS objectives.

The overall objective for the Programme was to develop the capacity of relevant GoR institutions to increase access to justice especially to the most vulnerable groups, promote crime prevention by encouraging community policing; and improve the efficiency and effectiveness of the judicial system both classical and Gacaca courts for improved peace building and reconciliation.

The specific objectives of the Programme were to:

- build the capacity of the MINIJUST to review and draft laws and policies and sensitize the citizens on basic laws and individual rights;

³² United Nations Rwanda, Delivering as One, Annual Report 2011

³³ United Nations Rwanda, Delivering as One, Annual Report 2011

³⁴ United Nations Rwanda, Delivering as One, Annual Report 2011

- build the capacities of the justice institutions in the areas of administration of justice, and law enforcement by building a strong judiciary and an effective and well-coordinated justice sector;
- promote crime prevention by encouraging community policing;
- strengthen peace building and reconciliation through support to Gacaca and increase access to justice to the people, especially the most vulnerable groups, by reinforcing legal aid mechanisms and mediation committees.

The Programme contributed to the achievement of the following UNDAF outputs:

- Strengthening the capacity of the Justice sector in justice administration and law enforcement.
- Strengthening capacities and mechanisms for conflict resolution, peace and reconciliation promotion at district and sector levels.
- Enhancing the capacities of national human rights institutions, government and civil society to promote, monitor and report on Human Rights.
- Increasing access to Justice for all, in particular to the poor and most vulnerable people.
- Strengthening capacity of the Government in developing an International Treaty Body Reporting mechanism in order to comply with its commitments.

3.0 Purpose and scope of work

The purpose of the evaluation was to review and highlight the achievements and impact of the “Programme for Access to justice for all, the foundation for good governance and poverty reduction”, and to capture lessons learnt, challenges faced and best practices and propose actionable recommendations for improvement. The evaluation also assessed the extent to which the Programme achieved its intended results, and those of EDPRS1 and UNDAF; as well as the appropriateness of project design, scope, and implementation strategy/arrangements for achieving project results. The evaluation will be used to inform future programming as well as for learning both for UNDP and the implementing partners (IPs).

The evaluation covers the whole Programme implementation period from January 2008 to June 2013. The evaluation included all Programme components and activities implemented by the five implementation partners, namely: the Ministry of Justice, the Supreme Court, the National Public Prosecution Authority, Rwanda National Police, and the National Gacaca jurisdictions. The evaluation also assessed the effectiveness of UNDP’s Programme implementation support.

In this context, all Programme components and activities implemented were evaluated in a consistent manner to ensure that they met the set objectives. They were also evaluated to determine their specific impact on good governance and poverty reduction. The evaluation focused on performance and the achievement of outputs, outcomes and impacts.

3.1 Methodology

The consultants employed a wide variety of methods to undertake this end of project evaluation. Highlights of the methodological approaches are outlined below:

Content review and analysis of pertinent documents: The consultants reviewed and analyzed pertinent project documents and other relevant literature relating to the project. The exercise provided insights into the project as well as background data that informed the design of the data collection tools. (See Annex 3: TORS for a list of documents reviewed)

In-Depth Key Informant Interviews and Observations: Key informant interviews were conducted with stakeholders from UNDP, the Ministry of Justice, the Supreme Court, the National Prosecution Authority, Rwanda National Police, the former National Gacaca jurisdictions, as well as with community stakeholders and other key justice sector stakeholders. The key informant interviews and focus group discussions were conducted in Kigali and at selected sites across the country.

Data collection, Analysis: The consultants collated data from the content reviews, in-depth interviews conducted and observations. To ensure accuracy and appropriateness of the information collected, data validation was achieved through triangulation, which involved comparing what was coming out of the interviews with what was in institutional and project reports. As much as possible, the consultants ensured that data collected was gender disaggregated to show the impact of the interventions on men and women. Data analysis was guided by the overarching objective and the key outcome areas, which included analysis to inform: relevance, effectiveness, efficiency, impact, cost effectiveness, sustainability, lessons learned and recommendations. Most of the data collected was qualitative, so content analysis was used.

Key Evaluation Questions: The analysis of the evaluation drew on a number evaluation questions. Answers to these questions provided the necessary elements for the conclusions on the evaluation of the Programme. The analysis contributed towards drawing lessons learned from the experiences of the project. Informed by the rigorous analysis, the consultants proffered recommendations for future similar initiatives. The key areas of focus for the evaluation included: Relevance, Effectiveness, Efficiency, Impact, Sustainability, Lessons Learned, Recommendations and Conclusions. The key evaluation questions are listed in Appendix 2.

4.0. FINDINGS

4.1 Relevance

4.1.1 UNDP's access to justice Programme

UNDP support to the Government of Rwanda focused on promoting access to justice and the rule of law. In these areas, priority was given to strengthening the mechanisms of responsiveness and public accountability to the concerns and interests of poor people, women, and other vulnerable or excluded groups.³⁵

Within the broad context of justice reform, UNDP's specific niche lies in supporting justice and related systems so that they work for those who are poor and disadvantaged. Empowering the poor and disadvantaged to seek remedies for injustice, strengthening linkages between formal and informal structures, and countering biases inherent in both systems can provide access to justice for those who would otherwise be excluded.³⁶ The main goal of the UNDP's justice sector Programmes is improved access to justice. Such access is considered a human right and is a practical means to reduce poverty.³⁷

The "Support to Access to justice for all, the Foundation for Good Governance and Poverty Reduction" Programme was aligned to UNDP's Strategic Plan which seeks to promote "access to justice and the rule of law where priority is given to strengthening the mechanisms of responsiveness and public accountability to the concerns and interests of poor people, women, and other vulnerable or excluded groups."³⁸

The United Nations Development Assistance Framework (UNDAF) 2008 – 2012, on which the Access to Justice Programme was based, was developed through a consultative process between UN agencies and government counterparts. It represented the UNCT Programme for Rwanda and was aligned to UNDP's Global strategic focus, of supporting access to justice, particularly for the poor and disadvantaged, including women and children³⁹. It was addressing the priorities identified in Rwanda's EDPRS and Vision 2020, which enhanced national ownership and its relevance. Out of the five key UNDAF outcomes, "Support to Access to justice for all, the Foundation for Good Governance and Poverty Reduction" contributed to the governance outcome.

4.1.2 Coherence of the Access to Justice Programme theory of change

The Access to Justice Programme theory of change is focused on carefully targeted interventions in key strategic institutions. The Programme worked in a coherent manner with judicial institutions and the criminal justice system. The Programme also supported marginalised and vulnerable groups, including women, children and the poor. To achieve greater impact, the Programme partnered with other UN agencies and development partners. Key interventions under the initiative included the following:

³⁵ UNDP (2008) UNDP Corporate Strategic Plan 2008 -- 2011

³⁶ UNDP (2004) Access to Justice Practice Note

³⁷ UNDP, Assessment of Development Results, evaluation of UNDP contribution, Evaluation Office, May 2008

³⁸ UNDP (2008-2011) UNDP Strategic Plan

³⁹ UNDP (2004) Access to Justice Practice Note

- Strengthening the judiciary through capacity development, including training and institution building;
- Sensitization and training law enforcement officials, including on GBV;
- Sensitising communities on laws affecting them;
- Providing legal aid and mediation through community-based dispute resolution mechanisms and Access to Justice Bureaus;
- Strengthening the Ministry of Justice through capacity building, ICT and enhancing coordination through the JRLOS Coordinating Secretariat
- Strengthening legal drafting for better laws
- Human rights treaty body reporting

The table below captures some of the Programme’s thematic areas, the rationale for the interventions and the expected activity results.

Thematic Area	Programming Rationale	Results
Access to Justice	<p>Through this thematic area, UNDP Rwanda’s Access to Justice Programme attempted to address several underlying causes for the lack of access to justice through:</p> <ul style="list-style-type: none"> • A special focus on the poor and vulnerable, including women and children. • Empowering citizens to secure their rights in a way that simultaneously liberated their development potential and in so doing the Programme addressed poverty reduction. • Capacity development component, focusing on institutional development of justice delivery structures including the Supreme Court, the Ministry of Justice as well as the MAJ, Abunzi and the Gacaca jurisdictions. • An education component through awareness raising of citizens on their rights and how they can access justice. • Creating an enabling environment through ICT 	<p><i>Increased capacity of the legal aid scheme through MAJ to address justice needs of the poor and vulnerable</i></p> <p><i>Legal aid policy developed</i></p> <p><i>Enhanced capacity of judges on human rights</i></p> <p><i>Capacity of the Ministry of Justice and of the Supreme court enhanced</i></p> <p><i>Citizens more aware of their rights and how they can access justice</i></p>
Witness protection	<p>Providing protection to witnesses and victims of the genocide and other crimes to enable them to testify</p>	<p><i>Increased willingness of witnesses to testify, thus enhancing access to justice to victims</i></p>
Conflict prevention	<p>Given Rwanda’s history, UNDP recognised the need to facilitate reconciliation through support to conflict mediation mechanisms recognising that violence is both a symptom and a cause of weak socio-political relations. This was achieved through:</p> <ul style="list-style-type: none"> • Strengthening community conflict resolution mechanism through the Abunzi • supporting sensitization of communities to their rights through MAJ 	<p><i>Capacity of Abunzi enhanced</i></p> <p><i>Documentation and closure process of Gacaca courts</i></p> <p><i>Communities sensitized to their rights</i></p>
Crime Prevention	<p>Supporting initiatives that tackle the genocide</p>	<p><i>Anti-crime clubs</i></p>

	ideology through anti-crime clubs in schools Strengthening community policing to reduce levels of crimes, including violent crimes that can precipitate conflict	established and strengthened and awareness about crimes raised Capacity of CPCs enhanced
Human rights	UNDP support in this thematic area went to International Treaty Body Reporting. Specific activities include: <ul style="list-style-type: none"> • Supporting the preparation and submission of various Treaty Body reports • Implementing and follow up on recommendations from Rwanda's UPR • Raising public awareness about international human rights • Training judges on the application of international human rights laws in their courts 	<i>Capacity of Treaty Body Reporting improved</i> <i>UPR recommendations implemented</i> <i>Public awareness on International Human Rights raised</i> <i>Capacity of judiciary on international human rights raised</i>
Mainstreaming gender equality as a cross cutting issue	The focus on gender equality runs through all UNDP Programmes, including initiatives such as: <ul style="list-style-type: none"> • Support to awareness raising on the GBV law as well as support by the One UN to the Isange One Stop Centre. • Sensitising people on the Family Laws and the Inheritance Laws that also address socio-cultural attitudes and practices that lie at the root of gender inequality. 	<i>Awareness about the GBV laws, Inheritance and Family laws raised</i> <i>Community awareness of laws that affect them raised</i> <i>Establishment of the Isange One Stop Centre supported</i> <i>Capacity of police officers on GBV enhanced</i>

4.2 Effectiveness

4.2.0 Introduction

As the following section of the report will illustrate, the Access to Justice Programme was a major success in achieving its primary objective of improving access to justice, particularly for poor and vulnerable groups. While the interventions were implemented by different partners, they all contributed towards achieving the broad Programme Objective of *strengthening the capacity and the efficiency of the key institutions of the Justice sector to sustain a peaceful state where freedoms and human rights are fully protected, respected and promoted in order to achieve the EDPRS objectives*. The Programme also contributed to the UNDAF Outcome of *enhancing the capacity of Government and partners to sustain a peaceful state where freedom and human rights are fully protected and respected*.

4.2.1 Programme Output 1: Strengthening the review and drafting of laws

UNDAF Outcome 1.1: Capacity of Parliament and relevant government ministries to review and draft laws and policies, and oversee their implementation, including their conformity with human rights and international commitments enhanced

4.2.1.1 Programme Thrust

Since 2011, Rwanda's legal system has been undergoing reforms geared towards making the switch from the civil to the common law. Rwanda joined the East African Community in 2007 and the Commonwealth in 2009 and part of the push for the switch to the common law is to align its laws to the Commonwealth and to the EAC. The government also focused on reviewing laws such as the family law and the inheritance laws and putting in place new legislation such as the Gender Based Violence Law. But a major challenge for the government was the shortage of legal drafters, both in the Ministry of Justice and in sector ministries. UNDP support was to strengthen legal drafting and to consolidate and codify key legal texts.

4.2.1.2 Achievements

UNDP supported the Ministry of Justice (MINIJUST) in drafting the Family law and the Inheritance Law. UNDP's support was mainly for the public consultations that were necessary in the drafting of the laws. The Ministry of Justice sub-contracted the National University of Rwanda to carry out the consultations and also to prepare a draft law: "The people were consulted because it is not easy to draft laws on such issues without consulting the people," said the Deputy Attorney General in the Ministry of Justice, Mr Jean Pierre Kayitare.

The revision of the Family and Inheritance laws was particularly critical given the impact of these laws on poor and marginalised groups, particularly women and children. The laws have a special relevance for gender equality. As Mr Kayitare said: "One of the reasons that the Inheritance and Family Laws were amended was to repeal provisions that were discriminatory against women".

UNDP also supported the Ministry of Justice to develop the Trilingual Legal Index in Kinyarwanda, French and English. This enabled all the people of Rwanda to understand the country's laws thus contributing to the rule of law. The legal indexing made it easier for the judiciary to access the laws

in the course of their work and in the process reduced the time for trials, which improved people's access to justice.

UNDP supported the printing of 5 000 copies of the Rwandan Constitution and 3 000 of the judicial laws, including among others the law on Criminal Procedures, on Civil Procedures and law on the Organisation and Competencies of the Courts. These were distributed to the public and to government institutions. The distribution of the constitution and the judicial laws increased the level of awareness and understanding of the constitution and of the country's laws by the public.

4.2.1.3 South-South Cooperation

The Legal Drafting section of the Ministry of Justice benefitted from South-South cooperation. Every year the department sent one or two people to Ghana (Law School of the Commonwealth) to attend drafting courses where they spent up to five months. The training also familiarised the Ministry's drafters with the Commonwealth legal system.

4.2.1.4 Contribution to outcome

The Support to the drafting of new laws such as the Inheritance and Family Laws improved access to justice for the poor, particularly women and also contributed to poverty reduction and gender equality.

4.2.1.5 Challenges

A major challenge for the government was the lack of qualified legal drafters. According to Mr Kayitare: *"Drafting laws is a complex exercise but we don't have trained people. We need good quality drafters. Rwanda is a member of the commonwealth and EAC. The policy now is to harmonise our legislation and so it is complicated for us to draft laws to meet these requirements. We need more people trained in common law drafting,"*. The inability of government ministries to retain qualified drafters because of low salaries is a challenge as the ministries have to constantly hire new people.

4.2.1.6. Lessons learnt

A major lesson for the Ministry of Justice has been the benefit of the trainings that have been provided for drafters in the Ministry, resulting in better quality of draft laws compared to other ministries where the training of drafters has been low and staff retention has been poor because of law salaries.

4.2.1.7 Recommendations

Despite the support provided by UNDP, legal drafting is still a major challenge not only for the Ministry of Justice, but for most other ministries. The Institute of Legal Practice and Development (ILPD) in 2012 introduced a course in legal drafting and has been hiring experts from outside the country to run some of the courses, but this is expensive. UNDP could support hiring of the experts not only to bridge the skills gap but also to train local experts. Training local experts would be more sustainable in the long run.

Output 1: Strengthening the review and drafting of laws				
Output results	Well achieved	Partially achieved	Not achieved	Means of verification/evidence
Laws drafted and revised	X			Family law and the Inheritance Laws
Laws consolidated, codified and disseminated	X			Trilingual Legal Index; Constitution and judicial laws
Average rating	Well achieved			

4.2.2 Programme Output 2: Increased awareness by the citizens of the main legal provisions crucial in their daily life (family, land, inheritance and penal law) and improved understanding of their fundamental rights and improved crime prevention through community policing

UNDAF Output 1.2: Strengthening the capacity of the Justice sector in the field of Justice administration and in the area of law enforcement.

4.2.2.1 Programme Thrust

Between 2004 and 2009 the Rwanda government revised and promulgated a raft of laws that had a significant impact on people’s daily lives. UNDP supported the Government’s efforts to promote equitable access to justice for all, particularly women and children and to enhance the respect for the human rights by facilitating the dissemination of information to citizens on laws that were most relevant to their daily life, in particular the family law, the land law, the inheritance law and the GBV law. The major thrust of activities under this output was to raise awareness on the laws and to improve crime prevention through community policing.

4.2.2.2 Achievements

Sensitising Communities on laws affecting their daily lives

Community sensitisation focused on new laws and on the role of mediation committees. UNDP funded the publication of the “Ubutabera” Quarterly Newsletter which was distributed in communities. The Programme supported weekly radio and TV Programmes sensitising people on the new laws. It also supported two live shows a year that were broadcast on Rwanda Television and Radio Rwanda. Various legal issues were discussed on the talk shows including the Land Law, Succession Laws as well as the functions, competencies of mediation committees and the Maison d’Access a la Justice (MAJ). The awareness Programmes increased people’s knowledge about the laws affecting them and the institutions set up to improve their access to justice. The MAJ played a critical role in sensitising communities through community outreach Programmes targeting vulnerable and marginalised groups, including poor women and men.

The evaluation noted that UNDP supported sensitisation of the public on the mediation services provided by the Abunzi and the MAJ through the “Ubutabera mu Rwanda”, radio Programme. Between 2008 and 2012, 104 of these radio Programmes were broadcast. Sensitisation was also through the “Ubucamanza n’Amategeko”, which was broadcast 57 times during the period.

The media campaign increased public knowledge about laws affecting their lives and the services available for mediation and for legal aid through the Abunzi and the MAJ respectively. The use of

radio and television was effective as they provide wider coverage and reach and are accessible to most people including the illiterate.

Community members interviewed for the evaluation said they had heard about the MAJ through the radio Programme: “We heard about the MAJ through the radio Programme where they also gave a telephone number to call if we needed assistance,” said Pierre Celestin Harelimana, a MAJ client at Gacyrabwenge in Kamonyi District.

Police training in community policing

Since community policing was introduced in 2007, the Rwanda National Police (RNP) has been institutionalising this approach to policing, by setting up Community Policing Committees (CPCs), Anti-Crime Clubs and other community based crime prevention measures across the country. Community policing is a collaborative approach to policing that involves establishing partnerships between the police and local communities. It enables the police to respond to community security concerns.⁴⁰ To facilitate this process, 830 police officers were trained to understand the application of the community policing concept⁴¹. The training helped the police to use the concept in their day to day involvement with the CPCs and the community.

Setting up of Community Policing Committees

The concept of CPCs is unique as it enables members of the community to play a role in policing their communities thereby preventing crime and assisting in the detection of crime. A total of 74 000 CPC members countrywide were elected by their communities⁴². UNDP provided support to RNP to conduct training of trainers Programmes for CPCs from all the districts across the country. Since the Programme started, on average 500 CPC members have been trained every year in two-week residential trainings, bringing the total trained by end of 2012 to 1900⁴³. By the end of June 2013, 2400 CPCs had been trained⁴⁴.

While the TOT is creating a cohort of trained CPCs who could train others, there is no clear strategy on how the training will be cascaded and neither have resources been set aside for this.

Residential training for groups of 500 people are expensive and unwieldy. The government should consider training a few training teams, who would go into the districts and train CPCs in their location. This would be cheaper as it would eliminate the high costs associated with residential training.

Capacity building of the police in GBV prevention

⁴⁰ Republic of Rwanda JRLO (2008) Sector Strategy and Budgeting Framework January 2009 – June 2012

⁴¹ RNP (2012) Narrative Report for the Year 2012

⁴² RNP (2012) Narrative Report for the Year 2012

⁴³ RNP (2012) Narrative Report for the Year 2012

⁴⁴ Interview with RNP

The evaluation noted that capacity building of the police was carried out with 650 police officers being trained in GBV prevention, response and case management. This was a critical intervention in view of the promulgation of the GBV law in 2009 and the need for the police to be trained on its provisions to effectively implement it. As part of this initiative the Programme specifically targeted the RNP's Women Network as a strategy to enhance women's participation in law enforcement and to train members the police in general in the appropriate response and handling of GBV cases⁴⁵.

As a result of the training, the police is now able to sensitise communities on the various forms of GBV. An unexpected but positive outcome of the training was that the Rwandan police is much sought after in peace keeping missions where GBV training is a pre-requisite. Rwanda is now the sixth largest troop and police contributor to UN Peace Operations with over 4,000 troops, 400 Police and 13 Military Observers in seven UN Missions in Africa, including the African Union-United Nations Hybrid Operation in Darfur (UNAMID); the UN Mission in South Sudan (UNMISS); the UN Stabilisation Mission in Haiti (MINUSTAH); the UN Interim Security Force in Abyei (UNISFA); the UN Operation in Cote d'Ivoire (UNOCI) and the UN Integrated Peace Building Office in Guinea Bissau (UNIOGBIS). Rwanda is now the third biggest contributor of female police officers to peace keeping missions.⁴⁶

CPCs Contribution to crime prevention

UNDP support to community policing, has seen an increase in collaboration between the police and communities resulting in many crimes being brought to the attention of the police. Drug abuse and other related crimes have also gone down in schools. **Interview with RNP Member**

UNDP also supported the Annual Women Police Officers' Convention, which is convened to discuss job-related issues as well as gender challenges faced by women police officers. The Annual Conventions have become a key tool for empowering women police officers. At the 2012 Convention, for instance, the Inspector General of the Police, Emmanuel Gasana, said RNP was sending 154 female police officers to various international peace keeping missions and 57 for further studies.

The training of the police on GBV made them more aware that GBV is a criminal offense punishable by law. The police were also made aware of the different forms of violence and how these can be prevented. The training made the police more sensitive in dealing with GBV survivors, which encouraged more women to report. The increase in the number of women reporting (from 2 432 in 2009 to 3 444 in 2012, see table below) is a clear testimony to their improved access to justice and legal redress for a crime that is generally suppressed culturally. The Programme therefore contributed to women's empowerment by increasing their access to justice.

Sensitising communities on crime prevention

⁴⁵One UN Rwanda (2009) Annual Report 2009

⁴⁶ Permanent Mission of Rwanda to the United Nations <http://www.rwandaun.org/pages/rwanda-and-peacekeeping>

The evaluation found that communities were sensitised on their role in crime prevention and reduction through radio and television Programmes. The project produced information, education and communication (IEC) materials, including brochures, pamphlets and stickers to raise community awareness on crime prevention and reduction. There was also a concerted media campaign through live television and radio talk shows to raise public awareness on crime prevention and to sensitise the public on GBV response, prevention and reduction.

Members of the police interviewed said the crime rate in Rwanda has reduced thanks in part to these interventions. They say that although the number of reported cases may have increased, this can be attributed to increased public awareness about what constitutes a crime rather than to an increase in the crime rates: “Normally when you introduce a Programme in a community to deal with a particular problem, the first indicators you get are an increase in the rate of reporting and then after that the number of reported cases decreases.,” said Assistant Commissioner of Police, Damas Gatare.

This was the case with GBV where the police experienced a spike in the number of reported cases as a result of sensitisation of communities on the new GBV law: “When you create wider sensitisation, people become aware of their rights and report more, but in the process, the rate of the crime goes down” ACP Gatare said.

Sensitisation for crime prevention and reduction targeting youths and the general public

UNDP supported RNP in the creation of anti-crime clubs in schools, with the participation and involvement of school heads. Anti-crime clubs were formed in 20 schools (from each of the 5 regions) and 400 heads of anti-crime clubs from the 20 schools were trained on crime prevention where emphasis was on drug abuse, abortion and other related issues.⁴⁷ Through UNDP support, the RNP visits at least 100 schools every year where they make presentations to raise awareness on crime. They encourage schools to set up anti-crime and anti-drug clubs.

Rwanda National Crime trends						
	Genocide ideology in schools	Rape	Defilement	Drug trafficking and abuse	General crime statistics	GBV
2009	328	293	1622	2432	11989	2432
2010	216	260	1195	1809	8822	1809
2011	206	257	1782	2720	13463	3585
2012	169	221	1398	2270	11998	3444
Totals	919	1 031	5 997	9 231	46 272	11 270

Source: RNP Report 2012

⁴⁷ RNP (2012) Narrative Report for the Year 2012

The setting up of the clubs not only resulted in improved partnership between the police and the schools, but in a reduction in drug abuse and related crimes in the schools. UNDP's Governance Programme Manager, Nadine Rugwe, says the CPC Programme was a success: "The rate of crime reporting has increased because people are cooperating more with the police; the sensitisation of communities has made people more aware of what are crimes and has helped the police to fight crime. Information flow between the communities and the police has improved and the anti-crime clubs have made it easier to sensitise the youths on drugs".

According to the CPC Police Coordinator for the Kacyiru Sector in Kigali, Assistant Inspector, Goreth Uwimana, CPCs play an important role in crime prevention and detection: "The CPCs are doing a sterling job in reducing crime in the area by sensitizing the public and preventing crime. Together with the CPCs we are creating a virtuous circle for crime prevention. Without the CPCs, the crime rate would be much higher," she said.

4.2.2.3. South- South Cooperation

Several components of the Programme benefitted from South-South cooperation. These include:

- The establishment of the Isange One Stop Centre, was an idea that Rwanda took from South Africa, where such centres have been successfully set up. One Stop Centres, attached to hospitals, provide medical treatment, psychosocial support, legal support and forensic evidence where necessary to victims of GBV and child abuse. Since its establishment, the Isange One Stop Centre has attracted visitors from many African countries keen to learn about the initiative. These include visitors from Uganda, Kenya, Zimbabwe, Sierra Leone and Ethiopia, to name a few.
- As part of capacity building on community policing, five RNP members went on a study tour of South Africa to learn about that country's Community Policing Forums.

4.2.2.4. Contribution to outcome

The Community Policing Programme contributed to crime prevention and reduction with the crime rate falling below the EDPRS targets of five percent to eight percent (see table previous page).⁴⁸

The sensitisation of communities to the laws affecting them, re-enforced people's awareness of their rights. And as a result of the increased public awareness, there was an increase in reporting of GBV cases.

4.2.2.5. Impact of the initiatives

Rwanda experienced an eight percent reduction of the crime rate both in 2009/10 and 2010/11 exceeding the five percent annual reduction targeted in the EDPRS.⁴⁹ While other factors undoubtedly influenced this result, the increased community sensitisation on crime prevention, the setting up of school anti-crime clubs as well as the training and deploying of the CPCs no doubt contributed to the result.

4.32.2.6. Challenges

⁴⁸ Ministry of Finance and Economic Planning (2012) EDPRS: Lessons Learned 2008 - 2011

⁴⁹ African Development Bank Group (2012) Development Effectiveness Review 2012

While the police has come up with a communication strategy on community policing, many people are still unaware of the role and functions of CPCs. A RNP assessment of the CPC Programme found that a significant number of people were not aware of who their CP representative was. There is therefore need to increase community awareness on the role of CPCs and to enlist their involvement in the Programme to increase its effectiveness.

A major challenge is the lack of a clear strategy for cascading training by those who have gone through the TOT as well as the high cost of the two week residential training for CPCs, which may not be sustainable in the long term.

Monitoring of the 74 000 CPCs by the police is a mammoth task considering that most of them have not received initial training. In interviews with the police, there appeared to be no clear strategy for their monitoring. Unleashing a large number of untrained civilians in the community with inadequate monitoring could have negative consequences as they could easily operate outside their mandate.

4.2.2.7. Sustainability

Two related challenges may affect the effectiveness and sustainability of this output going into the future: shortage of resources and inadequate training of the CPCs. Although 74 000 CPCs have been selected and appointed, by end of 2012 only 1 900 had gone through the TOT Programme at the rate of about 500 a year. The number of trained so far is therefore not likely to make a significant impact on the capacities of the CPCs, this is specially so given that there seems to be no clear strategy for cascading the training. The lack of clear monitoring mechanisms may also negatively affect the sustainability of the CPCs if the public loses confidence in their capacity and effectiveness because of their lack of training.

4.2.2.8 Recommendations

There is need for RNP to come up with a clear monitoring strategy for the CPCs to ensure that they operate within their mandate.

There is need for a national roll out of the training of the CPCs using those already trained. Such training should be closely monitored to ensure that it is conducted properly.

There is need for the government to come up with a cheaper and more effective training strategy for CPCs. A suggestion would be to train a few teams of trainers who would go round in the districts training CPCs in their location, thus eliminating the high cost of residential trainings.

Output 2: Increased awareness by the citizens of the main legal provisions crucial in their daily life (family, land, inheritance and penal law) and improved understanding of their fundamental rights and improved crime prevention through community policing

Output results	Achieved	Partially achieved	Not achieved	Means of verification/evidence
Harmonized messages and tools of communication are available to inform the citizens about the major legal provisions crucial in daily life	X			IEC materials, including brochures, pamphlets and stickers

The citizens, in the pilot districts, have a better knowledge of the major legal provisions crucial in their daily life	X			“Ubutabera” Quarterly Newsletter Weekly radio and TV Programmes
The citizens, at national level, have a better knowledge of the major legal provisions related to their daily life	X			“Ubutabera” Quarterly Newsletter Weekly radio and TV Programmes 830 police officers trained in community policing
The citizens and, in particular the youth, women and vulnerable work with the police and have a better knowledge of the community policing services	X			Anti-crime clubs formed in 20 schools (from each of the 5 regions); 400 heads of anti-crime clubs from the 20 schools were trained on crime prevention; Police visits to at least 100 schools every year; 650 police officers trained in GBV prevention 74000 CPCs elected by communities 500 CPC members trained every year
Average rating	Well achieved			

4. 2.3. Programme Output 3: Reinforcing legal aid and mediation mechanisms for a justice accessible to the people especially the most vulnerable groups

UNDAF Output 1.3: Strengthening capacities and mechanisms for conflict resolution, peace and reconciliation promotion at district and sector levels and

UNDAF Output 1.2: Strengthening the capacity of the Justice sector in the field of Justice administration and in the area of law enforcement.

4. 2.3.1. Programme Thrust

The government’s search for alternative and traditional forms of justice delivery mechanisms resulted in the setting up, initially of the Gacaca Courts, and later of the Abunzi and MAJ. While the Gacaca courts focused on criminal justice delivery for the genocide, Abunzi’s mandate was mediating in community and family disputes as part of a wider strategy to bring about national reconciliation while MAJ focuses on legal aid.

Benefits of Abunzi mediation	
Reduction of time spent to settle cases	86.7%
Mitigation of conflicts between litigants	80.1%
Reduction of economic costs of cases in jurisdictions	84.2%
Citizens’ participation in the mediation process	67.3%
Parties/Litigants’ freedom to choose judge	56.7%
Source: Transparency International Rwanda (2012) Survey of the Performance of Mediation Committees	

4.2.3.2 Achievements

The Government promoted a decentralized justice authority to ensure universal access to legal advice and assistance through the establishment of a “Maison d’Accès à la Justice” (MAJ). UNDP supported the MAJ in Nyanza district in 2007, adding four more districts in 2008. By the end of 2011, 30 MAJ offices were operational countrywide, one in each district.

The establishment of the MAJ enhanced the provision of free legal aid to all, especially to children, GBV survivors and vulnerable women. During the legal aid week, for instance, mobile legal aid clinics were organized in communities to raise awareness on laws related to GBV prevention and reduction. Through the legal aid clinics, 1,407 beneficiaries were reached. In Nyanza, one of the pilot districts, the number of clients assisted in 2008 was 964 and this had shot up to 2439 (1055 men, 701 children and minors and 683 women) in 2012⁵⁰. The rising number of people being reached by legal aid shows the success of the project in increasing access to justice to vulnerable groups.

Since it was set up, the MAJ has played a major role in bringing justice closer to the people. It has also contributed to the education of citizens on their rights and has assisted mediation committees to apply laws properly. This has contributed to the reduction of cases brought before the courts, reduced the backlog of cases and improved access to justice for the poor.

Training of bailiffs

TOT was provided to 60 MAJ staff over three days at ILPD to enable them to train the Abunzi and other district officials.

In the country’s 30 districts, the MAJ trained 484 executive secretaries of cells, notaries and professional bailiffs in 416 sectors on the execution of judgements. More than 30 000 mediation committee members were empowered through training on relevant laws to enhance their capacity for conflict resolution. MAJ trained Abunzi in mediation, execution of judgements, succession laws, land laws and family laws. The training enhanced the capacity of Abunzi to deliver justice to the communities. District, sector and cell executive secretaries were also trained as non-professional bailiffs. Professional bailiffs, district legal advisors, notaries, land officers from the Ministry of Lands and Natural Resources were also trained.

The training of Abunzi enhanced their capacity to mediate in disputes in the communities. From July 2012 – May 2013, data from only 17 districts out of 30 shown that 40 118 cases were received by Abunzi. Among them, 32 474 cases were handled by Abunzi Committees, 6 123 cases from Abunzi were received by Primary Courts and 1 521 cases were pending before Abunzi Committees⁵¹.

4.2.3.3 Contribution to outcome

Since it was set up, the MAJ has played a critical role in bringing justice closer to the people. MAJ has also contributed to the education of citizens on their rights and has assisted the mediation committees to apply laws properly. This has contributed to the reduction of cases brought before the courts, reduced the backlog of cases and improved access to justice for the poor. In fact, the

⁵⁰ Republic of Rwanda (2012) Report of Activities of MAJ Nyanza 2007 – 2012

⁵¹ Interview with Coordinator of Abunzi, Ministry of Justice.

percentage of people satisfied with services of Maison d'Accès à la Justice (MAJ) increased from 68% in 2010 to 81% 2012⁵².

The major contribution of the Abunzi to the outcome was in increasing access to justice for the poor and marginalised. Abunzi also contributed to national reconciliation through mediation. By dealing with disputes that would otherwise end up in courts, the Abunzi contributed to the reduction of the backlog on the courts and in the process improved access to justice.

The *Abunzi* mediation committees are the most appreciated dispute resolution instruments in comparison with other mechanisms. According to Rwanda Governance Advisory Council, in 2010, some 82.40% of respondents were satisfied with the service delivery of the mediation committees in resolving their disputes⁵³. According to a (2012) Survey on the Performance of Mediation Committees, 76.05 percent of the people surveyed were satisfied with the services of *Abunzi*⁵⁴. The same Survey also showed that among a sample of 3549 respondents, 75.4% declared that the services rendered by Mediators Committees are generally effective and that public confidence in mediation committees is high (75.9%)⁵⁵.

According to a survey conducted by *Réseau des Citoyens*, on the impartiality of *Abunzi*, between January 2010 and June 2010 and between July 2010 and March 2011, 98 percent and 97 percent respectively of cases monitored indicated that all parties received equal opportunities to explain their concerns. In the period January 2010 to June 2010, 73 percent of litigants interviewed after the hearings highlighted the impartiality of *Abunzi*⁵⁶. Responding to the question on the importance of mediation, 76 percent stated that mediation was a preferable way to resolve disputes than litigation⁵⁷.

The functioning of mediation committees were also highly appreciated by citizens due to their numerous benefits in comparison with ordinary courts. Benefits include reduction of time spent to settle cases (86.7%), reduction of economic costs of cases in jurisdictions (84.2%) and mitigation of conflicts between litigants (80.1%)⁵⁸.

4.2.3.4 Lessons learnt

Since the formation of the MAJ and as a result of the sensitisation of people on the laws, the demand for their services has increased. The National MAJ coordinator, Ms Martine Urujeni, says: "If the people are made aware of their rights, then they will claim their rights. Through the Ministry of Justice, we have created access to justice bureaus. We have recruited lawyers for all the 30 districts

⁵² Rwanda Governance Board (2012 Governance Scorecard)

⁵³ Rwanda Governance Advisory Council, Rwanda Governance Scorecard 2010, June 2011

⁵⁴ Rwanda Governance Board (2012 Governance Scorecard)

⁵⁵ Transparency International Rwanda (2012) Rwanda Governance Board: Survey on the Performance of Mediation Committees

⁵⁶ Réseau des Citoyens, Justice& Démocratie, Fonctionnement des comites de conciliateurs (Abunzi) au Rwanda : perceptions, observation et analyse (2009-2011), Kigali, septembre 2011.

⁵⁷ Réseau des Citoyens, Justice& Démocratie, Fonctionnement des comites de conciliateurs (Abunzi) au Rwanda : perceptions, observation et analyse (2009-2011), Kigali, septembre 2011.

⁵⁸ Governance Board, Survey on the Performance of Mediation Committees, conducted by Transparency International Rwanda, Final Report, Kigali, Feb. 2012

and they have sensitised people on their rights. As a result of the MAJ activities, the Perception Index on access to justice in Rwanda has improved”.

A lesson from the Abunzi is that community mediation mechanisms if properly organised and implemented can be an effective tool for justice delivery for the poor and can contribute to national reconciliation. To ensure their effectiveness, there is need for regular training of the mediators on new laws and also to strengthen their mediation skills.

4.2.3.5 Challenges

There is no clear strategy for monitoring the activities of Abunzi. Considering their large numbers, monitoring them will be a big challenge as inadequate monitoring could negatively affect the quality of the services they provide and reduce public confidence in the institution.

The Permanent Secretary (PS) in the Ministry of Justice admitted that monitoring of the MAJ and the Abunzi was difficult: “We have problems of how to monitor the Abunzi. The ministry needs to put in place monitoring mechanisms for their work. We have coordination at national level of the Abunzi and we have staff at provincial level, but the work is done at cell and sector level. We now want to have coordination at the district level so that we have someone in charge of Abunzi at district level. The plan is that one of the three MAJ officers in the district office should be in charge of monitoring Abunzi,” he said.

Monitoring the MAJ is also proving difficult. The national coordinating office only has the coordinator who has no transport. As a result, most of the monitoring is long distance by phone and through reports. However, these are not always reliable.

4.2.3.6. Sustainability

A threat to the sustainability of the MAJ and the Abunzi could be the poor monitoring of the initiatives. Currently there are no effective monitoring mechanisms for the two initiatives, creating a danger that the quality of service delivery could deteriorate and the institutions could become less accountable to their constituencies, resulting in loss of public confidence in them. This fear was expressed by the PS in the Ministry of Justice, who suggested that sustainability could be enhanced if UNDP continues to support the projects for some time: “*We need support from UNDP to accompany us for the next three years so that we build the capacity of these institutions (Abunzi and MAJ) for better monitoring and reporting,*” Mr Ruganintwali said.

Another factor that could affect their sustainability is their sheer size and the scope and the resources needed to maintain them. Although the Abunzi are volunteers, they still need resources for regular training, for monitoring and for equipment and IEC materials. Regular training is required for the Abunzi to keep them updated on relevant laws. Because their tenure is for five years, new Abunzi need training when they are elected. Currently the government is paying for the medical insurance of the Abunzi as an incentive, but many of the Abunzi feel that this is not enough, a view also expressed by the PS. While increasing the incentives would be good, it would further stretch government resources and threaten the sustainability of the initiative.

Given these resource constraints, the government may need to think through how these structures can be streamlined. As part of its exit strategy, UNDP could support the government to come up

with a strategy for streamlining the initiatives to make them more sustainable. For both the Abunzi and the CPCs, such a strategy could also include reducing their numbers. As the PS said, “UNDP provided most of the support to the Abunzi, but they have now stopped and we have problems about how to carry on. We are thinking about how we can make them viable and incentivise them, maybe by reducing the numbers”.

4.2.3.7. Recommendations

There is a need for continuous training of the Abunzi on mediation and on relevant laws to enhance their mediation skills

The Ministry of Justice should provide an adequate transport budget for the national MAJ coordinator to enable her to travel to district offices for on-site monitoring and to ensure better coordination.

There is an urgent need for the Ministry of Justice to come up with a clear strategy for reporting, monitoring and evaluation of the activities of the Abunzi and MAJ.

The Ministry of Justice should come up with a strategy to ensure the continued viability and sustainability of the MAJ and Abunzi from own resources. In the case of Abunzi, there may be need to consider reducing their numbers to more sustainable levels. For the MAJ, there may also be need to consider reducing the number of lawyers and complementing them with paralegals who would deal with routine cases and also provide legal education.

Output 3: Reinforcing legal aid and mediation mechanisms for a justice accessible to the people especially the most vulnerable groups				
Output results	Achieved	Partially achieved	Not achieved	Means of verification/evidence
The mediation mechanisms are strengthened and professionalized	X			30 000 Abunzi trained; Appointment of National Coordinator in MINIJUST
The legal and regulatory framework for legal aid is in place to allow better coordination and implementation of legal aid services. This framework defines the nature of the services to be rendered, the legal aid service providers and their roles and the financing mechanism to be put in place		X		Legal aid policy drafted but not yet approved
Legal aid and judicial assistance services are available for the most vulnerable categories of people, especially in rural areas with inadequate services	X			Establishment of MAJ in every District; 484 non-professional bailiffs (executive secretaries of cells and sectors), notaries and professional bailiffs trained on the execution of judgments
The accessibility and the	X			Increased number of vulnerable

quality of legal aid and judicial assistance services for the most vulnerable categories of people are improved				people accessing legal aid through MAJ
Average rating	Achieved			

4.2.4 Programme Output 4: The efficiency and effectiveness of the judicial system both classical and Gacaca courts for improved peace building and reconciliation improved

UNDAF Outcome 1.3: Capacities and mechanisms of conflict prevention and peace promotion and reconciliation at district and sector levels strengthened

4.2.4.1. Programme Thrust

In the aftermath of the 1994 genocide, Rwanda's judiciary was faced with an alarming lack of competent human resources, equipment and infrastructure. From a total of 758 judges and 70 prosecutors before the genocide in 1994, the numbers fell to 244 judges and 17 prosecutors immediately after the genocide⁵⁹. The government's main objective was to build a judicial system that supports good governance and development, where laws are properly enacted and applied.⁶⁰

The setting up of the Gacaca courts was in response to the low capacity of the classical courts to handle the huge number of genocide cases. Without the Gacaca courts, it is estimated that it would have taken 100 years to complete the trials.⁶¹ Apart from trying genocide perpetrators, the Gacaca courts were also seen as alternatives dispute resolution mechanisms, which would contribute to national reconciliation.

UNDP's focus under this outcome was to support the Supreme Court to enhance its institutional and human capacities and in this way contribute to reducing the case backlog. Furthermore, UNDP also supported the documentation and archiving of the Gacaca files at the end of the trials.

4.2.4.2 Supreme Court

4.2.4 .2.1 Achievements

Training of judges

Over the Project period, UNDP invested substantial resources in the training of the judiciary. In 2008, 95 judicial officers were trained on various topics, including the land law, judicial competence, criminal procedures, judicial ethics and Family Law. In 2009, 248 judicial officers were trained on legal drafting. In 2010, 310 judicial officers were trained including new judges who were trained in legal procedures. Internal resource officers, were also trained in proper courthouse administration and in fiscal management. In 2011, 88 registrars were trained in the digitalisation of court records.

⁵⁹International Criminal Justice Review (2009) Genocide and the Legal Process in Rwanda: From Genocide Amnesty to the New Rule of Law

⁶⁰ UNDP, Assessment of Development Results, evaluation of UNDP contribution, Evaluation Office, May 2008

⁶¹ Trying times for Rwanda: re-evaluating gacaca courts in post-genocide reconciliation. <ahref="http://www.thefreelibrary.com/Trying+times+for+Rwanda%3a+reevaluating+gacaca+courts+in+post-genocide...-a0233067719">

In 2012, 130 judges and court registrars were trained on different topics, including case management systems, strategic planning, monitoring and evaluation and on office productivity systems (Word, Excel and Power Point). The trainings in IT enabled judges to optimise operations by using ICT and more efficiently. Judges were also trained in drafting judgments.

To facilitate writing of judgments, UNDP provided 35 desktop computers and three laptops to the Inspectorate General of the Courts. Eight generators were provided to courthouses affected by power cuts or not on the electricity grid. UNDP also supported the courts by providing 360 shelves and 40 000 boxes, for filing. The shelves and the boxes were distributed to 13 courts countrywide, which has improved the filing system and the retrieval of information. During 2008 and 2009, UNDP also supported the provision of 172 gowns to judicial officers in courts across the country.

According to the Secretary General of the Supreme Court, Anne Gahonganyire :“UNDP capacity building and institutional support laid the foundation for us to clear the backlog”.

Mobile courts

UNDP provided support with transport to all the five high courts (headquarters and chambers) and 12 intermediate courts between 2008 and 2010 to enable judges to go out on mobile courts. The provision of transport enabled judges to hear more cases, which in turn reduced the case backlog, contributing to improved access to justice for the people.

According to the Supreme Court SG, the support for transport was a very critical contribution to increased access to justice for vulnerable groups as most of the cases dealt with by the mobile courts involved minors, which is one of the Supreme Court’s strategic areas in their efforts to bring justice to the poor: *“Overall, when we talk of justice and having the cases tried in a timely manner – which is what we are trying to do with these interventions – this is taking the system towards universal access to justice for Rwanda,”* the SG said.

Focusing on high impact interventions

“The Supreme Court project focused on a few interventions with a high impact on service delivery. We were looking at improving the internal efficiency of the courts by providing support in equipment, such as computers, generators, boxes and shelves for filing and the digitalization of files. By providing the support, UNDP built the foundation to help us clear the backlog. We also aligned UNDP support with funds from other donors thereby ensuring greater impact,” **Secretary General of the Supreme Court, Anne Gahonganyire,**

Information Communication Technology

At the heart of an efficient Justice Delivery process, lies the need for proper and timely information. Current developments in ICT constitute formidable tools that could help the sector in that endeavour. The JRLO Sector can be viewed as a complex information processing system. Each member institution requires accurate, relevant and timely information to develop and review policy and to manage its day-to-day operations⁶².

⁶² JRLOS Information strategy 2009, p 1

In 2012 UNDP supported the development and launch of the ICT strategy and Policy for the Judiciary, which will allow the judiciary to streamline ICT to ensure that investments are aligned to the institution's wider objectives. The project funded the hiring of an ICT consultant who worked with the office of the Inspector General of the Courts to draft a model for outsourcing services using ICT. Outsourcing will improve efficiency of internal processes by allowing the courts to focus on their core business as well as to improve services for people coming to the courts. The consultant worked with the Rwanda Development Board to include sector activities in the National ICT strategy.

UNDP supported the establishment of the Electronic Filing System (EFS) that can be used to file and submit cases online to the Courts. Apart from electronic filing of cases and claims, the EFS includes a Case Management Module, Digital Court Recording System, Electronic Filing System which will include other subcomponents such as electronic payment of court fees, toll free lines, Electronic Alert System using SMS and Email, Video Conferencing System and Legal Information Portal, which enables judicial officers to share information. The migration of 17 courthouses to the high speed National Fibre backbone enabled the courts to share information more easily, saving time and cost of operations.

To ensure good record management and quick service delivery in the justice institutions, Electronic Record Management System (ERMS) was installed in the Supreme Court, Ministry of Justice, National Public Prosecution Authority and in all 22 courts.⁶³

UNDP supported the High Council for the Judiciary by providing an IT system to automate some of its functions. Support was also provided for improved network connectivity through the Wide Area Network (WAN). Under this initiative, all intermediate courts, commercial courts and High Court chambers were linked to allow online information sharing. Judges were also trained on how to use the system.

EFS a huge success – Chief Justice

As of December 2012 a total of 23 303 cases had been filed through the EFS. In the 2011/12 judicial year 62 percent of claims were filed through the EFS. This went up to 100 percent in the 2012/13 judicial year: *"We wish all claims would be filed electronically in all courts and we hope that this will be realised"*
Hon Chief Justice of Rwanda.

were

UNDP supported the hiring of an ICT consultant in 2011 to advise the courts on effective use of ICT for case-flow management. Also in 2011, UNDP also supported the hiring of 66 interns (every six months) to carry out the digitalisation of physical files in the 22 higher level courts. The digitalisation of the files had the following advantages:

- It provided the judiciary with instant access to soft copies of case files
- Old cases could be instantly referenced as they were digitalised and archived
- It provided for easier sharing of information among key stakeholders
- It avoided the risk of losing documents
- Delay in accessing physical documents was avoided

A Judicial IT Committee was created to ensure the full integration of ICT initiatives in the Judiciary Strategic Plan. The major task of the Committee was to draw up a holistic approach that integrates

⁶³ Office of the Prime Minister Rwanda (2011) Government Annual Report July 2010 - June 2011

the use of technology in the litigation process. Through better use of ICT, the judiciary intends to make the courts operational all the time, reducing long process delays and long queues when filing documents and the high costs for staff and clients by eliminating the need to travel long distances to file papers.

4.2.4 .2.2 South-South Cooperation

During the period, six administrative staff and a registrar from the Supreme Court were trained in record and archive management in Kenya while the project coordinator was trained in project formulation and feasibility studies in Swaziland.

4.2.4 .2.3 Contribution to results

Taken together, UNDP's support to the Supreme Court contributed significantly to the efficiency of the Supreme Court leading to the reduction in the case backlog. Thus for instance, in 2008 pending cases were 53,282 and by the end of 2012/13 judicial year they had gone down to 36 1656. While this may seem like a low reduction, it should be understood in the context of the sharp increase in the number of new cases being filed, which rose from 40,048 in 2008 to 63 135 in the 2011/12 judicial year and 70, 601 in 2012/13.⁶⁴ The capacity of the courts to handle more cases therefore increased drastically over the project period although a backlog still remains. The reduced backlog can also be attributed to the new law which reduced from three to one the number of judges required to hear a case. The Supreme Court SG said this increased the capacity of the courts threefold.

Overall, UNDP support to the Supreme Court contributed to the efficiency and effectiveness of the judicial system in the following ways:

- Digitalisation of files in all the courts speeded up processing of court records, by enabling judicial officials to easily access files. This contributed to improved case management, quality of justice delivery and the reduction of the case backlog.
- Support with transport for mobile courts increased the number of cases handled, brought justice to the people particularly vulnerable groups including minors who were the key targets of the intervention.
- The introduction of the EFS lowered the cost of filing cases by eliminating the need to travel to the courts; it increased the efficiency of the court system by eliminating paper work and enables cases to be filed 24 hours a day, thus improving access to justice.
- The introduction of the judicial blog enabled judges to share legal ideas and to debate on legal issues, contributing to the quality of justice delivery.
- Equipping the courts with computers, generators and shelves and boxes, improved the efficiency of the courts, contributing to a reduction in the case backlog and to improved access to justice.
- Training of judicial officers contributed to improved skills, resulting in the increased effectiveness and efficiency of the judiciary and to better service delivery.

4.2.4 .2.4 Challenges

⁶⁴ Speech by the Chief Justice of Rwanda at the opening of the 2012/13 Judicial Year

Delays in disbursement of funds by UNDP were a major challenge experienced by the Supreme Court. UNDP however attributed the delays to late submission of reports by partners or the failure of partners to use the advanced funding as planned (80% delivery for further advance to be processed).

The format of the quarterly and annual reports submitted to UNDP was also seen as a challenge by the Supreme Court as there was too much focus on outputs without giving room for partners to explain the contribution of the disparate outputs to the outcomes and results. The consultants for this evaluation also found that partner reports for the period reported almost entirely on activities, making it difficult to assess their contribution to the outcome or their relevance to results. UNDP has since 2012 revised the format of reports from the partners to make them more outcome focused in line with its Results-Based Management (RBM) approach.

4.2.4 .2.5. Lessons learnt

Although in monetary terms, UNDP support to the Supreme Court was relatively low, averaging US\$250 000 a year during the period, it made a huge impact on service delivery in the sector. According to the SG of the Supreme Court, a lesson learnt from the project was that “we can do more with less”. By not “scattering” funds in many activities and concentrating on a few with a high impact, the project achieved more: “The funding was not a lot but it made a major impact as it was used where it was needed most,” the SG said.

The use of ICT can improve access to justice by speeding up court processes and improving access to information for the judiciary.

4.2.4 .2.6 Recommendations

Partners should submit reports on time and in the expected format to minimise disbursement delays, which often result in partners squeezing activities into a short timeframe, leaving little time to implement activities.

4.2.4.3 Gacaca Courts

The genocide trials were a massive undertaking involving 1,958,634⁶⁵ trials, most of these conducted by the community-based Gacaca, which did not have the infrastructure for proper record keeping and archiving. For the sake of posterity and to maintain the records, there was a need to ensure that they were properly transferred to the Criminal records registrar and archived. In 2008 and 2009, UNDP supported the following activities towards this:

4.2.4.3.1. Data collection

A consultant was hired to collect data for the Gacaca closure process. The consultant and a team of staff visited all the provinces to collect data for the final report of the Gacaca process.

Data files were collected from various Gacaca jurisdictions and were transferred to the Criminal Records Registrar. The data was digitalised to create electronic files for criminal records. According

⁶⁵ La Lettre du Conseil , Ordre des Avocats de Genève, N° 57 - septembre 2013

to the Annual Progress Report of the National Gacaca Jurisdiction Service for 2008, 36 329 files were collected and digitalised.

Data gathering tools were developed to get information on the activities of the Gacaca, including the identities of people convicted.

4.2.4.3.2 Documentation centre

For the purpose of keeping the memory of the 1994 genocide and conserving the horrible history of Rwanda, the National Service of Gacaca Courts put in place a Documentation Centre on Gacaca process. A book entitled “Gacaca Courts in Rwanda,” was written and translated in Kinyarwanda and English by the National Service of Gacaca Courts, describing the phases of implementation of the Gacaca Court process from 18th June 2002 to 18th June 2012.

UNDP contributed to the data collection on genocide crimes by preparing forms or guiding tools used by Gacaca judges (Inyangamugayo⁶⁶) in data collection throughout the country. UNDP also helped in computerizing data collected.

The rehabilitation of the documentation centre for the Gacaca Process was carried out at a building identified in Kigali/Muhima.

The project trained five people in electronic file management for the Documentation Centre. The Centre was provided with scanners, servers and software for electronic archiving of files.

There was information exchange among the institutional partners and other interested parties on the lessons from Gacaca experience.

Meetings were also conducted at district level to evaluate the progress on Category One trials.

4.2.4.3.3 Closure process

As part of the closure process, all Gacaca judgments (soft copy) were transferred to the Office of the Prosecutor General for criminal records verifications issues. UNDP also supported the process by paying the temporary staff who were hired to carry out data entry on all judgments passed by Gacaca. UNDP support also went towards the transfer of files from SNJG to the documentation centre kept by CNLG. UNDP also covered a good part of the expenditures for the closing ceremony of Gacaca process.

4.2.4.3.3 Contribution to outcome

UNDP interventions in this area facilitated the smooth closure of the Gacaca process and ensured that records and data were not lost and that they were properly filed and archived, which contributed to the efficiency and effectiveness of the judicial system.

Proper documentation of the genocide will contribute to national reconciliation by enabling a proper analysis and understanding of issues surrounding the genocide and how the justice system, both

⁶⁶ Men of integrity in Kinyarwanda

formal and Gacaca, worked to address impunity and will be useful to Rwandans and the international community.

The exchange of information between the partners helped to improve the Gacaca Process and contributed to the resolution of genocide cases and to the national reconciliation.

By trying 1,958,634 cases in 10 years⁶⁷, Gacaca contributed to access to justice and reconciliation where those who pleaded guilty and told the truth and were genuinely repentant were forgiven.

The reconciliation required the transformation of social relations to allow communities to live together peacefully. According to the Centre for Conflict Management research, 87.30 percent of respondents indicated that the Gacaca courts had contributed to a positive change in relations between genocide survivors and genocide perpetrators and between their respective families⁶⁸.

4.2.4.3.4 Challenges

- Violence against genocide survivors and witnesses made them reluctant to testify
- Conspiracy by perpetrators not to provide information on genocide and refusing to tell the truth or to tell only part of the offences
- The continued persistence of the Genocide ideology

4.2.4.3.5 Lessons Learnt

Choosing the Gacaca process as a mechanism for Genocide litigation was an important decision as the classical courts had failed to cope and were unsuited to the achievement of the long term goal of national reconciliation and healing.

The use of ICT improved documentation and access to information for the public. Proper documentation of the unique Gacaca experience will enable sharing across the world.

Output 4: The efficiency and effectiveness of the judicial system both classical and Gacaca courts for improved peace building and reconciliation improved				
Output results	Achieved	Partially achieved	Not achieved	Means of verification/evidence
The judicial files are dealt with within a reasonable timeframe and the case backlog is cleared	X			In 2008, 95 judicial officers were trained, in 2009, 248 judicial officers were trained, in 2010, 310 judicial officers were trained, in 2011, 88 registrars were trained and in 2012, 130 judges and court registrars were trained Administrative staff and registrar were trained in record and archive management Mobile courts organized Computers and laptops provided ICT strategy and Policy for the

⁶⁷ La Lettre du Conseil, Ordre des Avocats de Genève, N° 57 - septembre 2013

⁶⁸ National University of Rwanda, Centre for Conflict Management, Evaluation of Gacaca Process: achieved results per objective, 2012.

				Judiciary A Judicial IT Committee was created Electronic Filing System Electronic Record Management System Wide Area Network Digitalization of physical files
The number of cases of delayed or of non-executed decisions of justice is reduced			X	
The issue of social applicability of sanctions taken following justice decisions is the subject of a debate within the judiciary			X	No evidence
Transmission of the files of cases judged in Gacaca courts to the Office of the General Prosecutor to register them in criminal record registration accelerated.	X			A consultant was hired 36 329 files were collected and digitalized
Capacity (through material, technical advice and consultancy) of Gacaca courts in establishing a data collection set up for Gacaca for future reference	X			A book entitled "Gacaca Courts in Rwanda" was written and translated The rehabilitation of the documentation centre for the Gacaca Process was carried out Five people trained in electronic file management for the Documentation Centre Scanners, servers and software for electronic archiving of files provided
Exchange among the institutional partners and other interested parties on the lessons resulting from Gacaca experience facilitated	X			Information exchange among the institutional partners and other interested parties Quarterly meetings with various partners and coordinators of Gacaca activities organized
Average rating	Partially achieved			

4.2.5 Programme Outcome 5: Justice Administration and law enforcement strengthened by building a strong, effective and well-coordinated justice sector

UNDAF Outcome 1.2: The capacity of the justice sector in justice administration and law enforcement strengthened

4.2.5.1 Programme Thrust

Strengthening justice administration and law enforcement by building a strong, effective and well-coordinated justice sector meant setting up a justice sector coordination Secretariat and supporting coordination of the different institutions forming the justice sector. This envisaged the creation of a structure specifically dedicated to that effect, it was established in 2005 and became fully operational 2006. This coordination structure is supported by a Sector Coordination Secretariat and is located in the MINIJUST.

In the other hand, the genocide that happened in Rwanda in 1994 left many victims and a back log of cases. For the justice system to deal with these and other cases of other crimes it is important to have witnesses. Most of these witnesses are threatened or are so poor and incapacitated that they are not able to help the system. The Witness and Victims Protection Unit in the National Public Prosecution Authority was created to protect witnesses and victims of the genocide whose lives were threatened by perpetrators because of the evidence they were going to give or had given in the Gacaca courts or in the classical courts. As a result of the threats, witnesses and victims were afraid to testify resulting in some perpetrators getting away without being punished. Between 2006 and 2008, 156 W&Vs were killed, which necessitated the setting up of the Unit.⁶⁹

4.2.5.2 NPPA-Witness and Victim Protection

Thrust

A major characteristic of the Rwanda genocide was its intimate nature as in most cases the perpetrators and victims were neighbours, friends and even family members. In the subsequent genocide trials, the witnesses and victims faced a range of threats as they attempted to testify. These included murder of witnesses, physical and verbal attacks against prosecution and defence witnesses and social ostracism, often deterring individuals from giving evidence. The Witness and Victims Protection Programme was set up to protect the witnesses and victims of the genocide to enable them to give evidence. The programme also provided psychosocial support to victims and witnesses who were re-traumatised when they testified on the genocide.

4.2.5.2.1 Achievements

In 2008, UNDP supported trainings on witness and victims' rights, targeting local authorities and police officers. A total of 1 806 people were trained.

Several short films were shown on Rwanda Television highlighting the rights of witnesses and victims. Radio programmes were used in the awareness raising campaign. Live talk shows were conducted on radio and television on the rights of witnesses and victims and measures to protect them.

UNDP supported a study on the victimisation of witnesses in Rwanda and a workshop to present the results of the study was conducted.

Between 2008 and 2010, the period when UNDP supported the project, the Unit assisted a total of 6 169 witnesses and victims. The number of people seeking assistance rose from 90 in 2006 to 2.077 in

⁶⁹ Working Group in the National Public Prosecution Authority, 'Report on the Killing of Genocide Survivors and Witnesses from January 1995 to August 2008' (September 2008) Report in English on file with REDRESS;

2010. The Coordinator of the W&V Unit, Theoneste Karenzi, said the increase could be attributed to greater awareness on basic rights by W&V, largely as a result of the sensitisation as well as the improved reporting system by W&V Protection Unit.

UNDP support also encouraged more witnesses to testify as money was provided for transport, food and lodging for witnesses testifying far from their homes. Support was also provided to relocate witnesses from the danger areas and renting accommodation for them in safer places. The Unit also set up safe houses where the witnesses could stay for the duration of court proceedings. Psycho-social support was also provided by a team of psychologists and sociologists while legal assistance was provided by the Unit's lawyers.

Capacity building of the service providers

UNDP supported the setting up of the Rwanda Witness and Victim Protection Programme Management Information System Data Base, a sophisticated online system providing up to date information on the Programme including the amount spent at the different centres; the number of victims and witnesses being assisted; the type of assistance being provided; summary of the crime for which they are being witnesses and many other variables. All the W&V Protection offices in the country's provinces are linked to the database enabling the national office to access real time data on the Programme.

4.2.5.2.2 South-south cooperation

In 2010 UNDP supported training of the W&V staff on various topics including on crisis response interventions and on the smooth transition of genocide witnesses and victims from the International Criminal Tribunal for Rwanda, sitting in Arusha Tanzania, into the Rwanda judicial system.

A study tour was conducted to the ICTR in Arusha to learn about ICTR's W&V protection Programme.

4.2.5.2.3 Contribution to outcome

With the introduction of the W&V Programme in 2006, there was a sharp reduction in the number of W&Vs killed from 40 in 2007 to 21 in 2008 to six killed in 2009 -2010. The number of W&V who sought assistance to testify increased from 1 700 in 2008 to 2 077 in 2010, showing the growing confidence in the Programme's capacity to protect W&Vs.

As a result of the protection, witnesses were no longer afraid to come forward to testify. The involvement of all the security agencies resulted in the creation of teams at district levels that assessed the threats faced by the witnesses.

Witness Program still unknown to many

"The Witness Protection Program is still not known by many people. They should use radio and TV to sensitise people about the program. There are still many killers from the genocide who have not yet been caught because witnesses are afraid to testify because they don't know that they can get protection. I only knew about the program when I went to see the Executive Secretary of the Gacaca, but how many people can do that? There is need to sensitise the whole country about the Program"

Ruhinde, beneficiary of the W&V Program

Because of the good results from the Programme, the government turned the W&V Unit into a national Programme catering not only for the genocide victims and witnesses, but also for witnesses in ordinary criminal cases, including rape. The W&V Protection Programme is now allocated a budget by the Ministry of Justice, transforming it from the earlier self-protection and neighbourhood security arrangements in place during much of the Gacaca period.

4.2.5.2.4 Challenges

A challenge faced by the Unit was the slow government tender procedures. Considering UNDP's quarterly reporting period, this sometimes meant that money allocated could not be used because tenders were still being processed.

4.2.5.2.5 Lessons learnt

Effective protection of witnesses and victims encourages them to come forward to give evidence, which increases people's access to justice.

4.2.5.2.6 Recommendations

Under the current UNDP, UNDP is supporting the Genocide Fugitive Tracking Unit, to bring to justice perpetrators who fled the country. Successful prosecution of the fugitives will depend on the willingness of witnesses to testify, which is linked to their perception of their safety. There is need for UNDP to renew support the W&V Programme to enable it to cater for the expected increase in the number of witnesses who may be required to testify.

4.2.5.3 Ministry of Justice

Thrust

The major thrust of UNDP support to the Ministry of Justice was in the area of Information Communication technology (ICT) to streamline the work of the Ministry and to improve communications among the different departments and also with other public institutions.

4.2.5.3.1 Achievements

Information, Communication Technology (ICT)

UNDP supported the installation of the Local Area Network (LAN), which interconnects computers in the Ministry of Justice old building using the network.

UNDP also supported the setting up of the Legal Advisory Services Information System (LASIS) to speed up the provision of legal advice by MINIJUST to public institutions. Legal officers from public institutions were trained in LASIS in early 2013.

4.2.5.3.2 Contribution to outcome

LAN and LASIS contributed to enhancing the capacity of the justice sector in justice administration by speeding up legal advice between MINIJUST and public institutions. According to the Assistant Attorney General in charge of Legal Advisory Services in MINIJUST, Isabelle Kalihangabo, *"Some documents requesting legal advice or contract vetting in public institutions were being delayed.."*

*LASIS will keep us connected automatically to the legal officers in the institutions requiring our assistance. From now on we will be receiving the files online, so there will be no more delays. LASIS will be useful to all public institutions.*⁷⁰

Lessons Learnt

A major lesson from the ICT support to the Ministry of Justice is the contribution that ICT can make to the effectiveness and efficiency of the Justice Sector Institutions by enhancing communications both internally and with other government institutions.

Recommendations

While one of the objectives of the Access to Justice Programme under this output was for “the Justice Sector institutions to have well designed training plans responding to their needs” this seems not to have been achieved. Although USAID supported the production of the Rwanda Justice Sector Capacity and Training Needs Assessment Report, which clearly identified areas where the Justice Sector capacities should be developed, the training was not incorporated into the Justice Sector Strategic Plan 2009 – 2012. In the next phase of the programme, UNDP could take up the issue and support the Justice Sector to implement the capacity development programme as this is crucial for enhancing the operations of the Sector.

Output 5: Justice Administration and law enforcement strengthened by building a strong, effective and well coordinated justice sector

Output results	Achieved	Partially achieved	Not achieved	Means of verification/evidence
The Coordination Secretariat of the Justice sector provides a proactive support to the sector decision-makers		X		Insufficient staff of the Coordination Secretariat
The new established MINIJUST service in charge of services to communities, human rights and legal aid operates efficiently in the decentralization context	X			Establishment of MAJ in every District in the Country
The Justice sector institutions have well designed training plans responding to their needs			X	
The Justice sector institutions, at national and decentralized level, have at their disposal basic information and data necessary for a good administration of Justice, as well as for the coordination and follow-up of their activities		X		Local Area Network (LAN) of MINIJUST Legal Advisory Services Information System (LASIS)
Promotion and protection of witnesses by sensitizing the	X			1806 local authorities and police officers were trained on witness

⁷⁰ <http://www.minijust.gov.rw>, Legal officers trained on LASIS, 29.04.2013.

departments concerned (especially PGR), the general public and setting up legal provisions to protect them is strengthened				and victims' rights Several short films were shown and live talk shows on Rwanda Television awareness raising campaign on Radio study on the victimisation of witnesses in Rwanda
Victims assisted materially and psychologically	X			6169 witnesses and victims assisted
The service in charge of witness protection at national and decentralized level is strengthened	X			Establishment, training of the staff and operationalising of "Victim Protection Programme Management Information System Data Base" Equipments of the Service Trainings of the staff
Average rating	Partially achieved			

4.2.6 Programme Outcome 6: Capacity of the Government in developing an International Treaty Body Reporting mechanism in order to comply with its commitments strengthened

UNDAF/COD Outcome 1.4: Capacity of Human Rights institutions, Government and civil society to promote, monitor and report on Human Rights enhanced

4.2.6.1 Programme Thrust

Rwanda is committed to International Human rights commitments. The Constitution (2003) reaffirms the government's commitment to adhere to the International treaties to which the country is a signatory. To comply with these instruments Rwanda should be up to date with its international treaty reporting obligations. UNDP's support was to strengthen the capacity of national human rights institutions and to promote the application of international laws by implementing human rights treaties and supporting measures to harmonise national policies and laws with international human rights standards.

In 2011, Rwanda was subjected to the UPR. Out of the 73 recommendations, Rwanda accepted 67, amongst which were the key ones related to the independence of the judiciary, the pursuit of the justice system reform and universal access to justice.⁷¹

4.2.6.2 Achievements

Treaty body reporting

The following Treaty Body reports were completed or updated:

- Update of International Covenant on Economic, Social and Cultural Rights (ICESCR). This activity was completed and a workshop was held in December 2012 to update the report, which had been submitted in 2009.

⁷¹ One UN Supports International Human Rights Application in Rwanda <http://www.undp.org/content/rwanda>

- The Periodic report on implementation of the international Convention Against all Forms of Racial Discrimination (CERD), was completed and a final report was prepared but has not yet been submitted.
- The Periodic report on the implementation of the International Convention on Civil and Political Rights (ICCPR) was completed but has not yet been submitted.
- The initial report on the Africa Charter on Democracy, Election and Good Governance. The final report was completed, but has not yet been submitted.
- The MINIJUST also updated the report on the Implementation of the International Convention on the Rights of the Child and its two Protocols: Protocol on CRC relating to the Involvement of Children in Armed Conflict and on the sale of Children, Child Prostitution and Child Pornography.

The MINIJUST sensitised the public on the recommendations of the Universal Periodic Review (UPR). As Eugene Rusanganwa, the Principal Attorney/Human Rights and Legal Aid in MINIJUST said: “Knowing about their human rights will help the people to claim their rights”.

Rwanda has made good progress in implementing the recommendations from the 2011 UPR, with 80 percent of the recommendations having been implemented. This followed the drawing up of a roadmap for their implementation with UNDP support.

Training of judges on international human rights law

In January 2013, 38 judges and registrars of the Intermediate and Primary Courts were trained on the application of the International Human Rights law, international standards for the administration of justice and international guarantees on the independence of the judiciary. The workshop, which was organized by the One UN Rwanda in collaboration with the Supreme Court and the Institute for Legal Practice and Development (ILPD), aimed at increasing the participants’ knowledge on international Human Rights conventions and international guarantees for Human Rights.⁷²

The training was related to the recommendations of the UN Human Rights Council as a result of the Universal Periodic Review (UPR).

The One UN Rwanda supported the Government of Rwanda to develop a roadmap guiding the implementation of the UPR recommendations which includes the training of judges, prosecutors and judicial personnel on International Human Rights law. According to the UN Advisor for Human Rights in Rwanda, Mr Chris Mburu, the initiative has built the capacity of more than 400 judges and registrars on the domestication of International law of Human Rights.

In May 2012, the Project held a workshop on domestication of international treaties, which focused on how to apply the treaties in the domestic legal setting. The workshop was attended by about 40 officials from the public and the private sector, including advisors in various ministries and public institutions, judges, prosecutors and law lecturers and researchers.

However it is still too early to see the results of the training: *“The training only started this year, so we haven’t had cases that have gone through the full cycle. After two years you will begin to see the impact. Trying to look for a success story within six months is stretching it,”* Mr Mburu said.

⁷² One UN Supports International Human Rights Application in Rwanda <http://www.undp.org/content/rwanda>

4.2.6.3 South-South Cooperation

UNDP and other development partners supported visits by MINIJUST staff to other countries to share experiences on the implementation of treaties, particularly the UPR recommendations. The meetings helped to strengthen Rwanda to share relevant experiences with countries in the region. Among some of the South-South exchanges were the following:

In 2012, UNDP supported Rwanda to participate in a meeting in Namibia organised by the Commonwealth Secretariat for African countries to share experiences on the UPR implementation. Rwanda's participation was crucial as it is one of the leading countries in the implementation of the recommendations and therefore its experiences were beneficial to the other countries.

In 2012, UNDP supported a meeting for Central and East African countries to share experiences on the implementation of the UPR recommendations. The meeting presented countries with an opportunity to share best practices based on their experiences. Rwanda emerged as the best in how it works with civil society to disseminate the UPR recommendations.

In November 2009, a regional meeting was held in Arusha, Tanzania, where Rwanda learnt, from the Ethiopian experiences, about the advantages of setting up permanent UPR task forces through an Act of parliament. On their return home, the Rwandan team proposed setting up permanent task forces in Rwanda, but the proposal fell through because of the budgetary constraints faced by the government.

4.2.6.4 Contribution to outcome

UNDP support contributed to the strengthening of the capacity of the Government of Rwanda in developing an International Treaty Body Reporting mechanism to comply with its commitments on monitoring and reporting for international legal instruments and by clearing reporting backlogs. According to the Minister of Justice, with support from the One-UN, Rwanda has prepared and submitted all overdue reports to relevant International treaty bodies and reported on the status of implementation of recommendations issued from the UPR⁷³.

UNDP support also improved the capacity of Government institutions to develop an effective implementation, enforcement and awareness raising campaign on international law and concluding observations from Treaty bodies reporting.

4.2.6.5 Challenges

The failure by judges to apply international human rights law in cases that come before them remains a challenge. Under Rwanda's constitution, where there is a conflict between national and international law, the international law supersedes the national law. But according to Mr. Chris Mburu, this is not always the case as some judges are not aware that they should apply international laws. This has necessitated the training of the Rwandan judiciary on the application of international laws: *"The training has become so popular with the judiciary that they want it done again,"* Mr. Mburu said.

⁷³ <http://www.minijust.gov.rw>, Speech of the Minister of Justice/Attorney General on the occasion of the Launching of the One-UN Flagship Program "Promoting Access to Justice, Human Rights and Peace Consolidation in Rwanda, 20.09.2013

Gathering data on human rights from the different government institutions is also a problem although this is expected to ease with the setting up of the National Institute of Statistics. The Unit has applied to be a member of the Institute to enable them to influence the kind of data that is collected. A related challenge is the lack of gender disaggregated data, which is attributed to lack of knowledge on the need for disaggregated data

4.2.6.6 Lesson learnt

A lesson from the UPR Process is the importance of involving a broad range of stakeholders in designing the roadmap for the implementation of the recommendations and in their implementation. Such an inclusive process ensures greater national ownership and participation.

4.2.6.7 Recommendations

Under Rwanda’s constitution, where there is a conflict between national and international law, the international law supersedes the national law. Currently however, many Rwandan judges are not applying this principle largely out of ignorance of the requirement. UNDP should support the training of judges on the precedence of international human rights law and its application in the courts.

Output 6: Strengthening the capacity of the Government in developing an International Treaty Body Reporting mechanism in order to comply with its commitments				
Output results	Achieved	Partially achieved	Not achieved	Means of verification/evidence
Backlog of treaty body reports cleared	X			Initial report on the Africa Charter on Democracy, Election and Good Governance The Periodic report on implementation of the international Convention Against all Forms of Racial Discrimination; The periodic report on the implementation of the International Convention on Civil and Political Rights; The updated report of International Covenant on Economic, Social and Cultural Rights and on the Implementation of the International Convention on the Rights of the Child and its two Protocols: Protocol on CRC relating to the Involvement of Children in Armed Conflict and on the sale of Children, Child Prostitution and Child Pornography
UPR recommendations		X		Roadmap guiding the

translated and implemented				implementation of the UPR recommendations developed Translation was ongoing
Judges and registrars trained	X			Training of judges and registrars on the application of the international law
Average rating	Partially achieved			

5.0 Efficiency

Efficiency looks at the degree to which project results justify resource injection and whether resources were used as planned. To a large extent the project resources were efficiently utilized and contributed to the overall outcome. Key elements of efficiency include a robust project governance structure; transparent and accountable disbursement processes, a tight project with clear, limited interventions and fiscal control and discipline.

Programme Governance Structures

The Programme was implemented within the framework of the National Execution (NEX) modality. Implementing and executing agencies were the Ministry of Justice, the Supreme Court, the National Service of Gacaca Jurisdictions, the Rwanda National Police, and the National Public Prosecution Authority. These institutions were responsible for: a) planning and management of activities, including reports and accounts, internal monitoring and evaluation; b) financial management and audit on the resources utilization. They reported to the Government and to UNDP for the proper utilization of resources and yielding of expected results.

The Programme was therefore in line with the Paris Declaration which requires partner countries to exercise effective leadership over their development policies and strategies and to co-ordinate development actions and, among other things to commit to “Exercise leadership in developing and implementing their national development strategies through broad consultative processes”⁷⁴ and the Accra Agenda for Action⁷⁵. Both the EPDRS and the UNDAF were developed through broad consultative processes involving national stakeholders with the support of development partners.

According to the Access to Justice Programme Document, UNDP, participating donors and IPs, were supposed to constitute the Steering Committee responsible for strategic direction and implementation of activities. However, the Programme Steering Committee was never established. A Programme office, attached to UNDP’s Governance Unit and working under the supervision of the Head of Unit was responsible for the overall supervision of the Programme and of the observation of the monitoring and evaluation process and procedures.

While the systems described above, were sufficiently robust to provide checks and balances to ensure that resources were utilised properly and efficiently, the failure to establish the Programme Steering Committee weakened the coordination of the Programme.

Resource utilisation

⁷⁴ OECD (2005) Paris Declaration on Aid Effectiveness 2005 Paris Declaration on Aid Effectiveness (2005) Accra Agenda for Action (2008)

⁷⁵ OECD (2008) Accra Agenda for Action

The evaluation team found that resources were largely utilized as planned, although some activities such as most of those for the ILPD, a large number for the Coordinating Secretariat of the JRLOS and a few for the Supreme Court were not carried out and no explanation is provided in any of the available documents as to why they were not carried out. The evaluation noted that in some cases, this could be because the Ministry carried out the activities without UNDP support, such as an Assessment of the capacities of the Ministry of Justice, which was supported by USAID.

In carrying out the financial analysis, the evaluation team noted that there was under-spending in each of the years assessed. For instance, for the Ministry of Justice Programme, the total budgeted for the period 2008 to 2013 was \$2,959,501 against the actual expenditures of \$2,495,130 resulting in under-expenditure of \$464,371 (see table below).

According to UNDP, the difference between the planned budget and actual expenditures may result from different reasons including the delay in the implementation of projects activities. UNDP says that the Programme actually spent more than was planned in the project document - especially with new activities such as the Treaty Body Reporting and technical assistance for MINIJUST although this does not necessarily reflect in the figures shown in the Atlas generated budget. UNDP says when the outstanding activities are transferred to the following year, a budget revision is made to adjust expenditures with budget.

Five-Year Budget and Expenditure of the Access to Justice Programme

	MINIJUST		RNP		Supreme Court		Gacaca Courts		Total		Under/over spending
	Budget	Expenditure	Budget	Expenditure	Budget	Expenditure	Budget	Expenditure	Budget	Expenditure	
2008	550 000	502 939	169 689	169 521	304 845	304 365	311 636	310 654	1 336 170	1 267 479	68 691
2009	255 000	235 850	350 000	335 493	350 000	327 779	305 000	270 976	1 260 000	1 170 098	89 902
2010	263 332	258 148	510 000	508 827	300 000	290 873			1 073 332	1 057 848	15 484
2011	542 283	388 974	327 000	247 793	242 462	212 507			1 111 745	849 274	262 471
2012	854 397	733 686	500 000	507 728	250 000	250 490			1 604 397	1 491 904	112 493
Total	2 465 012	2 119 597	1 856 689	1 769 362	1 447 307	1 386 014	616 636	581 630	6 385 644	5 836 603	549 041

6.0 Programme Management Assessment

6.1 Monitoring and evaluation

Monitoring of the Programme was carried out regularly through the quarterly Steering Committee Meetings and the quarterly and annual project reports. This ensured that UNDP was kept updated on progress in project implementation as well as on the use of resources. Furthermore, a final programme review was conducted where the different implementing partners shared experience, achievements, challenges and lessons learned.

Although the Programme Document envisaged the setting up of a Programme Steering Committee which would be responsible for “strategic orientation and implementation of activities”⁷⁶ this was not done and instead steering committees were set up for individual projects. Effectively therefore, there was no joint monitoring of the Programme, which limited the scope for identifying and take advantage of synergies as well as for joint monitoring and Programming.

While annual reviews were conducted for individual projects, none were carried out for the Programme as a whole although the nature of the initiatives required closer collaboration among the partners to achieve greater synergies. However, individual project field visits were conducted from time to time, including participation of UNDP staff to events organized by implementing partners. This also served to monitor implementation of Programme activities.

Joint annual reviews would have facilitated closer collaboration among the IPs. For instance, there could be a case for joint trainings between community structures such as the Abunzi and the CPCs. In interviews with CPC (see separate success story Appendix 4) they claim to mediate in domestic violence cases, which means they could have benefited from the training of Abunzi which had the mediation and GBV component. Equally, closer cooperation between the Supreme Court, the NPPA and the Correctional Services (UNICEF works with the Correctional Services) could have contributed to a reduction of the backlog. But without joint Programme reviews, it would be difficult to make the linkages.

The evaluation team was of the opinion that a mid-term evaluation of the Programme should have been carried out to inform UNDP and the IPs on challenges the Programme faced that could have been addressed midway through the Programme. There are several reasons why a mid-term evaluation would have been useful:

The Programme was complex, involving 5 projects that were implemented by different partners, among them the Ministry of Justice, Supreme Court, the Gacaca Jurisdictions, the NPPA and the RNP.

The MAJ was a new initiative that was initially implemented as a pilot before being rolled out nationally. While Abunzi was an earlier initiative, it was still going through teething problems. Both projects would therefore have benefited from a mid-term evaluation.

⁷⁶ GOR and UNDP (2007) Justice Sector Support Program 2008- 2012: “Access to Justice for All, the Foundation for Good Governance and Poverty Reduction

A substantial number of activities in the Programme document were not carried out but they remained in the Programme document. A mid-term evaluation would have picked up the anomaly and alerted MINJUST and UNDP.

It would also have assisted in assessing the progress in the achievement of Programme results and suggested remedial measures, where these were necessary.

As mentioned earlier, at partner level, monitoring of initiatives such as the MAJ, Abunzi and CPCs was a challenge.

6.2 Coordination

With a total of 13 institutions in the JRLOS sector, coordination is a big issue and was identified as an area of weakness. While the setting up of a Coordinating Secretariat for JRLOS was a step in the right direction, it has remained under-resourced both financially and in terms of human resources. Currently the Secretariat has only two technical experts – an M&E and an IT advisor. But according to the Prime Minister’s Order, the Secretariat should have the following staff: a Coordinator; an Administrator; a Secretary; an ICT Specialist; a Planning Specialist; a Public Finance Management Specialist; a Monitoring and Evaluation Specialist and a Communication Specialist.

The Secretariat operates at a high level and therefore requires highly qualified and experienced staff, but it has not been able to attract the skills required because of uncompetitive salaries. According to the M&E advisor, Mr Jan Van Droogenbroeck, in the current UNDP, UNDP has budgeted for a coordinator for the Secretariat, which will go some way in alleviating the staff shortage.

The JRLOS is made up of 13 institutions operating under six budget agencies so coordination is difficult: “Having six separate budget agencies makes it complex to work in terms of collaboration. Everybody works for their own agency but we are working on a sector wide approach and this complicates things. We go for budget negotiations as a sector and the budget ceiling is set for the sector and the agencies have to negotiate between themselves on how to share that budget,” an interviewee in the JRLOS said.

The coordination problems in the sector were highlighted by some development partners interviewed for this evaluation: “Coordination is still poor in the Justice Sector. While there is a strong commitment at the top (ministers and permanent secretaries), this seems to be lacking at the lower level,” said one DP.

According to DPs and some JRLOS staff interviewed, poor coordination has resulted in the difficulty to comprehensively address the case backlog as there is need for more coordinated cross-sectoral collaboration. They point out that better collaboration would result in the JRLOS agencies having a vision of working in an integrated manner. As pointed out in the interviews, there is a need for an integrated system because it is not just the judiciary that is responsible for the case backlog, but the whole system. A legal expert interviewed for the evaluation noted: *“There is poor coordination between the police, prosecution and judiciary and the correctional services. This is causing delays and unless this improves the backlog will continue.”* To its credit, the JRLOS is now working to put in place an integrated case management system for the whole sector.

6.3 Programme level coordination

At the Access to Justice Programme level, coordination is also weak due to several factors. According to the Programme Document, a Programme Coordinator was supposed to be appointed who would work with the focal persons in each of the IP institutions.⁷⁷ However, in the absence of the Programme coordinator, UNDP assigned the role to a Programme officer who followed up on the implementation of the Programme, liaising with the various implementing partners.

6.4 Partnership and collaboration

The Access to Justice Programme involved UNDP working with several IPs and with other DPs. This required close collaboration among the partners to achieve results and avoid duplication. Regular consultations were held involving UNDP, the IPs and the DPs.

According to IPs and DPs interviewed, the partnership with UNDP was “good” and mutually beneficial. UNDP participated in regular meetings with IPs to share information and discuss issues affecting Programme implementation. According to the SG of the Supreme Court, *“At project level, communication with UNDP was very good. We received regular feedback and they provided us with all the support we needed”*. The PS in the Ministry of Justice said *“the partnership with UNDP was very effective as it was more aligned to government priorities”*.

Partnership among UN agencies in Rwanda is critical as it is one of the pilot countries for the One UN initiative. UN agencies interviewed for this evaluation said the partnership was a win-win relationship, where both UNDP and other agencies also benefitted. The agencies said they were benefiting from UNDP’s closer ties with the government. Combined they had a bigger voice and they sometimes used UNDP’s closer relationship with the government and their combined influence as the UN to lobby the government on issues that they would otherwise not be able to do on their own.

Programmatically, partnership among UN agencies put more resources at their disposal enabling them to implement flagship Programmes where their combined financial and technical expertise improved their chances of making an impact. For instance, the partnership of UN agencies through the One UN contributed to the success of the Isange One Stop Centre in Kigali, which has resulted in the government deciding to roll out the Programme nationally. This is a big plus for the UN partnership and collaboration in Rwanda. Similar partnerships have been forged between UNDP and other UN agencies including support to the Supreme Court and the MAJ where UNDP partners with UNICEF and in the training of the Judiciary where it partnered with the Office of the High Commission for Human Rights in Rwanda.

7.0 Sustainability

One of the successes of the Access to Justice Programme was the way some of the initiatives, which started as pilots, were scaled up to national level by the government. Among these was the MAJ, which started with five pilots and has now been expanded by the government to all the country’s 30

⁷⁷ GOR and UNDP (2007) Justice Sector Support Program 2008- 2012: “Access to Justice for All, the Foundation for Good Governance and Poverty Reduction

districts; the One Stop Centre, which started with one facility in Kigali but is now being rolled out nationally to all district hospitals. The scaling up of these projects augurs well for their sustainability as they are now part of government structures and are included in the national budget.

However, at another level, the taking over of the initiatives by the government may not guarantee their financial sustainability largely because of resource constraints faced by the government. Given pressing priorities in other sectors, the government may find it difficult to maintain the initiatives after scaling up and donor withdrawal.

Another threat to sustainability could be the poor monitoring of initiatives such as the MAJ, Abunzi and CPCs. Currently there are no effective monitoring mechanisms for the three initiatives, creating a danger that the quality of service delivery could deteriorate and the institutions could become less accountable to their constituencies, resulting in loss of public confidence in them.

A factor that may however contribute to the sustainability of the initiatives is the government's commitment and the political will to improve access to justice for the poor which has been clearly demonstrated by its willingness to upscale the interventions to national level, with the attendant budgetary commitments, to benefit more people.

8.0 Challenges

While the Programme was a major success along the way some challenges were encountered, at both operational and conceptual level. Previous sections of the report have highlighted challenges that affected specific interventions and projects. Below are some of the broad challenges at the Programme level that if addressed would enhance effectiveness, coordination and sustainability

8.1 Monitoring and evaluation

A major challenge noted was the failure to set up a Programme Steering Committee which limited the scope for identifying and take advantage of synergies as well as for joint monitoring. While annual reviews were conducted for individual projects, none were carried out for the Programme as a whole. There were also no joint field visits involving all the projects, although the nature of the initiatives required closer collaboration among the partners to achieve greater synergies. The decision not to carry out a mid-term evaluation of the Programme also denied UNDP and the IPs a chance to learn from what had already been done in the project.

Programme Coordination

Coordination of the Programme was a major challenge. The Programme Document envisaged the appointment of a Programme Coordinator, who would work with the focal persons in each of the IP institutions. However this did not happen and coordinators for some of the projects were instead appointed. There was therefore little coordination of the Programme as the focus was instead on individual projects.

9.0 Lessons Learnt

Major lessons learnt can be gleaned from the literature and interviews, as follows:

Access to justice and good governance

Progress on access to justice requires awareness of rights holders on various laws specifically those which have impact on their daily lives, such as the Inheritance and Family Laws as well as the Land Law. It also demands a focus on the capability of institutions, such as the Judiciary, MAJ and Abunzi, to deliver quality services to the people.

Support to drafting laws as a tool for poverty reduction

Support to the drafting of new laws such as the Inheritance and Family Laws not only improves access to justice for the poor, particularly women, but is also an important tool for poverty reduction and gender equality.

Access to justice and to legal services as an effective tool for poverty reduction

Access to justice and to legal services can be an effective tool for poverty reduction by enabling the poor to claim their rights to land and other assets necessary for their development. This was the case with the MAJ and Abunzi, which enhanced access to productive assets for poor and marginalised groups, including women, through mediation, legal advice and the execution of judgments.

10.0 Conclusion and Recommendations

Previous sections have highlighted the major achievements of the Access to Justice Programme as well as the challenges faced. The interventions contributed to substantial improvements in access to justice for the poor and to improved rule of law, as evidenced by the reduction in the backlog cases and the reduction of the crime rates for two years running. Judging by the number of poor people accessing free legal aid through the MAJ, one can also say that this was a major success in terms of increasing access to justice for the poor. However, given the numbers involved in the Abunzi and the CPC Programme and UNDP's limited resources, there may be need for the Agency to step back and assess how best they can maximise their resources through very targeted interventions in those areas to achieve the greatest impact.

The evaluation also noted that most of the activities for the ILPD were not carried out. However, there is no documentation in the Ministry of Justice or in UNDP, stating the reasons why they were not carried out. Interviews with key stakeholders in both UNDP and Ministry of Justice did not shed any more light on this. Suggestions were that some of the activities had been carried out but without UNDP support. These include, for instance, the Ministry of Justice Strategic Plan, the Monitoring and Evaluation Framework of the Ministry as well as the Needs Assessment of the Justice Sector, which was carried out with USAID support.

Given the crying need for capacity enhancement of the justice delivery institutions, a question might be raised on why both UNDP and the Ministry of Justice did not consider it a priority to invest in enhancing ILPD's capacity. While UNDP provided training to the judiciary, most of the trainings were short term covering only a few days. But the needs of the Rwandan justice system require more than this as highlighted in a USAID capacity assessment of the Justice Sector⁷⁸. Investing in enhancing

⁷⁸ See USAID assessment: USAID (2009) Rwanda Justice Sector Capacity and Training Needs Assessment Report

ILPD's capacity might offer a more long term and more sustainable way of improving justice delivery and access to justice. Over the short term, it might also be an area where UNDP could concentrate more resources and avoid the danger of spreading itself too thin.

10.1 Recommendations

Based on the achievements and challenges of the Access to Justice for all, the Foundation for Good Governance and Poverty Reduction Programme, the following key recommendations for future Programming emerged:

10.1.1 Recommendations to UNDP

The Access to Justice Programme was a complex initiative involving 5 different projects run by different agencies but all contributing to one overall outcome. Ensuring that the activities were on track and that no critical interventions were neglected required a bird's eye view which could only be from an external evaluation. There was need for UNDP to carry out a mid-term external evaluation of the Programme to address any challenges that may have emerged. This recommendation is supported by the Programme document, which recommended an annual external review and a midterm review at the end of the second year of the Programme implementation.⁷⁹

Documenting changes to Programme activities

A substantial number of activities in the Access to Justice Programme document were not carried out. While a conscious decision must have been made to focus on other activities, this should have been reflected in Programme documents with a full justification why the changes were made to make it easier to assess progress against the set objectives and activities. Where changes in focus in UNDP support to partners occur, there is need for this to be clearly documented.

Need for better Programme coordination, monitoring and evaluation

The Programme Document provided for a Programme Steering Committee, which was not established as Project Steering Committees were set up instead. There is need to reconsider the establishment of the Programme Steering Committee to enhance Programme coordination, monitoring and evaluation as well as to broaden the scope for synergies among the different partners and *to improve Programme coherence and joint monitoring. There is also need to carry out annual Programme reviews and joint field visits involving all the projects. This would substantially improve synergies among the various initiatives.*

According to the Programme Document, a Programme Coordinator was supposed to be appointed who would work with the focal persons in each of the IP institutions.⁸⁰ However this did not happen and coordinators for some of the project were instead appointed. As a result there was no overall coordinator of the Programme. UNDP should consider supporting the position of a coordinator in

⁷⁹ GOR & UNDP (2008) Justice Sector Support Program 2008-2012 Access to justice for all, the foundation for good governance and poverty reduction

⁸⁰ GOR and UNDP (2007) Justice Sector Support Program 2008- 2012: "Access to Justice for All, the Foundation for Good Governance and Poverty Reduction

the Ministry of Justice to coordinate projects, as is the case in the Ministry of Finance. This would enhance coordination and collaboration among the IPs and development partners.

Along with this, UNDP should also facilitate joint annual Programme reviews to dialogue with IPs and other development partners on progress in implementing the Programme. Such reviews should be at a sufficiently high level to ensure that decisions emanating from the meetings can be implemented. They should also be used to enhance synergies and complementarities among the partners.

10.1.2. Recommendations for the Government

Sustainability of Community justice structures

Sustainability of the Abunzi, the MAJ and CPCs – hinge on the government’s ability to continue to fund the initiatives after donors pull out. With over 74 000 and 30 000 members respectively, CPCs and Abunzi pose a challenge for financial sustainability. The government should consider how it can continue to sustain these structures with own resources. In the case of the MAJ, this could be by substituting two of the lawyers with paralegals and with Abunzi and the CPCs, by reducing their numbers.

Balancing the supply and the demand side in access to justice

In improving access to justice, the government should balance the supply side with the demand side. Sensitising people on their rights creates demand for services that should be met by the service providers in the justice sector, both formal and informal structures. There is need for the government to pay equal attention to ensure that:

- The judicial files are dealt with within a reasonable timeframe and the number of cases of delayed or of non-executed decisions of justice is reduced
- The mediation mechanisms are strengthened and professionalized
- The legal and regulatory frame work for legal aid is in place to allow better coordination and implementation of legal aid services, legal aid and judicial assistance services are available and accessible for the most vulnerable categories of people and the quality of legal aid and judicial assistance services for the most vulnerable categories of people are improved.

Improving coordination of the JRLOS

There is need for JRLOS to improve sector coordination by enhancing the capacity of the Coordinating Secretariat to ensure that:

- The Coordination Secretariat of the Justice sector provides a proactive support to the sector decision-makers
- The newly established MINIJUST service in charge of services to communities, human rights and legal aid operates efficiently in the decentralization context
- The Justice Sector institutions, at national and decentralized level, have at their disposal basic information and data necessary for a good administration of Justice, as well as for the coordination and follow-up of their activities.

Continue with justice awareness targeting vulnerable groups

Several of the activities, including the MAJ, the CPCs and the Treaty Body Reporting had strong sensitisation components on human rights, rule of law and access to justice. The sensitisation reached many people, but there is need to continue with the awareness raising to ensure that more people are reached, in particular vulnerable groups including women, children and the poor for better knowledge of the major legal provisions related to their daily life and better knowledge of the community policing services.

Need for Integrated approach for addressing backlog

Dealing with the judicial files within a reasonable timeframe and reducing the number of cases of delayed or of non-executed decisions of justice requires an integrated approach. This can only be achieved through closer cooperation and coordination among the various institutions that constitute the chain in the justice delivery. These include the Judiciary, the NPPA, the Judicial Police, the Rwanda Correctional Services and the Kigali Bar Association.

Appendix 1:

List of People Interviewed

No	Name	Title	Organisation
Ministry of Justice			
1	Pascal Ruganintwali	Permanent Secretary	Ministry of Justice
2	Jean Pierre Kayitare	Deputy Attorney General	Ministry of Justice
3	Balinda Anastase	Coordinator of Abunzi	Ministry of Justice
4	Eugene Rusanganwa	Principal Attorney/Human Rights and Legal Aid	Ministry of Justice
5	Jan Jan Van Droogenbroeck	JRLOS Secretariat/M&E Advisor	Ministry of Justice
6	Theophile Rwigema	Project Coordinator	
7	William Gatwaza	Director of ICT	Ministry of Justice
8	Martine Urujeni	Coordinator of MAJ	Ministry of Justice
9	Chantal Umugwaneza	Coordinator of MAJ Nyanza	Ministry of Justice
10	Emile Katisiga	Coordinator of MAJ Ngororero	Ministry of Justice
11	Umwali Pauline	Coordinator of MAJ Kamonyi	Ministry of Justice
Judiciary			
11	Anne Gahongayire	Secretary General	Supreme Court
12	Fred Gashemeza	Director of ICT	Supreme Court
Institute of Legal and Practice Development (ILPD)			
13	Prof Nick Johnson	Rector	ILPD
National Public Prosecution Authority (NPPA)			
14	Theoneste Karenzi	Witness Protection	NPPA
Rwanda National Police (RNP)			
15	ACP Damas Gatare	Police Officer	RNP
16	SSP Willy Marcel Higirow	Police Officer	RNP
17	SSP Rose Muhisoni	Police Officer	RNP
18	SP Pelagie Dusabe	Police Officer	RNP
19	CIP Alex Fata	Police Officer	RNP
20	Macumu M Emmanuel	Finance and administration officer	RNP
21	Mugisha Fred	Police officer	RNP
Isange One Stop Centre/Rwanda National Police (RNP)			
22	Dr Nyamwasa Daniel	Director of Police Hospital	RNP
23	Uwimana Daniel	Isange One Stop Centre staff	RNP
24	Dr Tuganeyezu Oreste	Isange One Stop Centre staff	RNP
Gacaca Courts			
25	Anastase Balinda	Former Gacaca staff	Gacaca Courts
26	Gracien Dusingizimana	Former Gacaca staff	Gacaca Courts
UN Agencies			
27	Auke Lootsma	Country Director	UNDP
28	Chris Mburu	Senior Human Rights Advisor	UN Rwanda
29	Nardine U R Sibomana	Head-Governance Unit and Programme Specialist	UNDP
30	Jean de Dieu Kayiranga	Programme Analyst, Governance Unit	UNDP
31	Alphonsine Munezero	Programme Associate, Governance Unit	UNDP

32	Clara Anyangwe	Deputy Country Representative	UN Women
33	Francois Mugabo	Child protection Specialist	UNICEF
Legal Aid Forum			
34	Kananga Andrew	Executive Secretary	LAF
USAID			
35	Bucyana Guillaume	Governance Specialist	USAID
FGD with Abunzi Committee members Batatsinda, Nyanza District			
36	Rubayiza Antoine	MC member	Cell level Butatsinda
37	MukantagaraZewuriya	MC member	Cell level Butatsinda
38	Semanyenzi Gaspard	MC member	Cell level Butatsinda
39	Kanani Jean Damascene	MC member	Cell level Butatsinda
40	Hakizimana Jerome	MC member	Cell level Butatsinda
41	Nikuze Dativa	MC member	Cell level Butatsinda
42	Munyandinda	MC member	Cell level Butatsinda
FGD with Abunzi Committee members Gacurabwenge			
43	NahimanaJustin	MC President	Sector level Gacurabwenge
44	Mukantagengwa Alphonsine	MC Vive President	Sector level Gacurabwenge
45	Gatabazi Jean de Dieu	MC Secretary	Sector level Gacurabwenge
46	Kayitare Daniel	MC member	Sector level Gacurabwenge
47	Munyaneza Paul	MC member	Sector level Gacurabwenge
48	Rusine Festus	MC member	Sector level Gacurabwenge
49	Gatera Emmanuel	MC member	Sector level Gacurabwenge
50	Ukwigize Marcelline	MC member	Sector level Gacurabwenge
51	Niyomwungeri Jean Bosco	MC member	Sector level Gacurabwenge
52	Murekatete Mediatrice	MC member	Sector level Gacurabwenge
53	Mbonyimbuga Straton	MC member	Sector level Gacurabwenge
54	Bazubagira Therese	MC member	Sector level Gacurabwenge
FGD Abunzi clients Nyanza District			
55	Nsabimana sylvestre	Litigant	MC Butatsinda
56	Musabyimana Theopiste	Litigant	MC Butatsinda
57	Nzeyimana Sylvere	Litigant	MC Butatsinda
58	Niyitegeka Aloys	Litigant	MC Butatsinda
59	Ndabamenye Jean Nepo	Litigant	MC Butatsinda
60	Niyomwungeri Leonard	Litigant	MC Gacurabwenge
61	Nyirabakera Odette	Litigant	MC Gacurabwenge
FGD CPCs			
62	AIP Goreth Uwimana	CPCs Coordinator Sector level	Kacyiru/Kigali
63	Mudenge Jean Prosper	CPC	Kacyiru/Kigali

64	Nkurikiyinka Janvier	CPC	Kacyiru/Kigali
65	Hahirwabemera Leopard	CPC	Kacyiru/Kigali
66	Musabyimana Leodomir	CPC	Kacyiru/Kigali
67	Havugarurema Jean Levis	CPC	Kacyiru/Kigali
68	Nkubayija Edouard	CPC	Kacyiru/Kigali
69	Kabano Francis	CPC	Kacyiru/Kigali
70	Nizigiyimana Hussein	CPC	Kacyiru/Kigali
71	Ndayisabye Martin	CPC	Kacyiru/Kigali
72	Umwari Jeannette	CPC	Kacyiru/Kigali
Interview MAJ Clients Kamonyi			
73	Nyiramabarushimana Elvanie	Client	MAJ Kamonyi
74	Harelimana Pierre Celestin	Client	MAJ Kamonyi
75	Hakizimana Jean Pierre	Client	MAJ Kamonyi
Interview Witeness Protection			
76	John Ruhinde ⁸¹	Witness	Kigali

⁸¹ Not his real name

Appendix 2: Key Evaluation Questions

Relevance

- How appropriate was the project design to address the five Programme outputs: i) Strengthening the review and drafting of laws; ii) Increased awareness by the citizens of the main legal provisions crucial in their daily life (family, land, inheritance and penal law) and improved understanding of their fundamental rights and improved crime prevention through community policing; iii) Reinforcing legal aid and mediation mechanisms for a justice accessible to the people especially the most vulnerable groups; iv) Improving the efficiency and effectiveness of the judicial system both classical and Gacaca courts for improved peace building and reconciliation. v) Strengthening justice administration and law enforcement by building a strong, effective and well coordinated justice sector. vi) strengthening the capacity of the Government in developing an International Treaty Body Reporting Mechanism
- To what extent did the Programme design and scope respond to the development challenges that it was meant to address?
- Was the theory of change clear and logical as articulated in the Programme hierarchy of results?
- Was the partnership strategy appropriate and effective?
- Was the Programme relevant to the GoR governance priorities and the needs of the beneficiary institutions in particular?

Effectiveness

- To what extent were the stated Programme results achieved?
- To what extent did the Programme results contribute to the achievement of UNDAF and EDPRS1 results in governance?
- Was the strategy adopted and inputs identified realistic, appropriate and adequate for achievement of the results?
- To what extent did UNDP support contribute to the achievement of the Programme results?
- What factors contributed to or hindered achievement of the intended Programme results. How effective were the strategies and tools (including M&E systems) used in the implementation of the Programme?

Efficiency

- Was the process of achieving results efficient? Specifically did the actual or expected results (outputs and outcomes) justify the costs incurred? Were the resources effectively utilized?
- What factors contributed to implementation efficiency?
- Did Programme activities overlap and duplicate other similar interventions (funded nationally and /or by other donors? Are there more efficient ways and means of delivering more and better results (outputs and outcomes) with the available inputs?
- Could a different approach have produced better results?
- How efficient were the management and accountability structures of the Programme?

- What key challenges were faced in the delivery of UNDP support to the Programme?

Impact

- What was the impact of the Programme in improving the wellbeing of the beneficiaries in terms of their enjoyment of human rights, rule of law, access to justice and protection of property rights?
- To what extent did the project result in improved personal security for beneficiaries (as a result of community policing e.g.)?
- To what extent did the Programme create a more just society where human rights are respected:?
- What were the unanticipated positive and negative changes produced by the Programme directly or indirectly intended or unintended?
- How many people benefitted from the Programme and in what way and what difference has it made to their lives?

Sustainability

- To what extent are the results likely to be sustained after the completion of this Programme?
- What are the key factors that will require attention in order to improve prospects of sustainability of Programme outcomes and the potential for replication of the approach?
- What are the recommendations for similar support in future?

Lessons Learnt

- What key lessons were learned from the project?
- How could the project been done better? How can the effectiveness of support to similar future projects in similar contexts be enhanced?
- What were the best practices?
- What are the success stories emanating from the Programme?

Recommendations

- How should UNDP have adjusted its Programming, M&E, partnership arrangements, working methods to ensure that the proposed outcomes were fully achieved?
- What corrective actions are recommended for new, ongoing future UNDP work in the similar area and similar context?

Appendix 3: List of Activities not carried out

- Developing within ILDP the capacity of the trainers in the good execution of judgments
- Assessing the quality of the mid-term training plans of the institutions of the justice sector.
- Evaluating the ILPD capacity to support the institutions of the Justice sector in assessing their training needs and in elaborating the corresponding plans
- Reinforcing the ILPD capacity to train the personnel required to carry out such assessments and plans.
- Defining priority cross-institutional training needs at the central and decentralized levels.
- Implement priority cross institutional training actions identified
- Training the human resources/training personnel of the institutions of the justice sector in continuous training management
- Carrying out an evaluation of the impact of the training sessions.
- Integrating training plans in the institutions' strategic plans and in the overall sector strategic plan

For the JRLOS Coordinating Secretariat

Activities not carried out for the JRLOS Secretariat and MINIJUST

- Providing technical support o the Coordination Secretariat of the Justice Sector
- Defining the functions of the new Secretariat
- Drawing up a strategic plan and the SWAP of the justice sector
- Providing training in SWAP and aid-management
- Drawing up M&E tools for the work of the sector
- Carrying out regular internal evaluations of the Secretariat work and of its impact on the functioning of the sector organs
- Carrying out periodic external evaluations of the sector activities and of the coordination secretariat
- Drawing up an inventory, by institution and by service, (local and national level) of the databases and information necessary for the proper administration of the Justice services
- Developing an inventory of the existing tools and supports (up-dating frequency, staff/ service responsible for data collection and consolidation...), carried out including adjustments to the tools
- Developing a mechanism for collection, consolidation and circulation of information
- Providing support to interface with the ICT services to ensure compatibility of the systems developed with the users' needs and capacities
- Carrying out an assessment of the quality of justice delivered and making recommendations
- Carrying out an assessment of the training needs of the MINIJUST staff responsible for providing services to the community especially in the area of human rights and legal aid provision
- Identifying and implementing priorities for cross institutional training
- Carrying out training of trainers Programmes in the institutions of the justice sector in continuous training management

- Carrying out an evaluation of the impact of the training sessions carried out
- Integrating training plans into the institutions' strategic plans and in the overall sector strategic plan.
- Conducting study tours to a neighbouring country, which is advanced in the decentralization of services to the community in the justice sector.
- Facilitating the coordination of justice sector at local levels and support interactions between the justice sector institutions, the MINIJUST service responsible for the services to the community, Human rights and Judicial assistance with the decentralized institutions/ organs and the civil society
- Carrying out joint training sessions for MINIJUST service and the decentralized organs/institutions and the civil society
- Evaluating the training

For Supreme Court

- Carrying out the assessment of the situation concerning the execution of judgments
- Conducting a study on the obstacles to the social applicability of court judgments.
- Organizing a workshop for discussing the results of this study.
- Preparing proposals aiming at improving this applicability and submitting them to the competent institutions.

Appendix 4: Terms of Reference

End-of-the Programme Evaluation

Support to Access to justice for all, the foundation for good governance and poverty reduction

Programme

Introduction

In 2008, the United Nations Development Programme (UNDP), together with five government institutions jointly initiated the **Programme for Access to justice for all, the foundation for good governance and poverty reduction**. This Programme was built on the foundation laid by the previous “Access to Justice Programme” that ended in 2008⁸². This 5-year Programme was initially supposed to end on 31st December 2012, but was extended, together with the UNDAF (2008-2012), for a further six months to 30th June 2013. This was done to align UN and UNDP’s follow-on Programming with the launch of the GoR’s EDPRS II. This Programme was implemented by the Government of Rwanda (GoR), through the Ministry of Justice, the Supreme Court, the National Prosecution Authority, Rwanda National Police, and the National Gacaca jurisdictions.

The overall objective for this Programme was to develop the capacity of the relevant GoR institutions to increase access to justice especially for the most vulnerable, promote crime prevention through encouraging community policing; and improve the efficiency and effectiveness of the judicial system both classical and Gacaca courts for improved peace building and reconciliation.

The specific objectives of the Programme were to:

- build the capacity of the ministry of justice to review and draft laws and policies and sensitize the citizens on basic laws and individual rights;
- build the capacities of the justice institutions in the areas of administration of justice, and law enforcement by building a strong judiciary plus an effective and well-coordinated justice sector;
- promote crime prevention through encouraging community policing;
- strengthen peace building and reconciliation through support to Gacaca and increase access of justice to the people especially the most vulnerable by reinforcing legal aid mechanisms and mediation committees.
- The Programme contributed to the achievement of the following UNDAF outputs:
- Strengthening of the capacity of the Justice sector in the field of Justice Administration as well as in the area of law enforcement.
- Strengthening capacities and mechanisms for conflict resolution, peace and reconciliation promotion at district and sector levels.

⁸² “Can we briefly reference the achievement of the old Access to justice program and indicate if there an evaluation or end of program report that can be reviewed by the consultant as a footnote.”

- Enhancing the capacities of national human rights institutions, government and civil society to promote, monitor and report on Human Rights, of the government, and of the civil society.
- Increasing access of Justice to all in particular to the poor and most vulnerable people.

Purpose of the Evaluation

The purpose of this evaluation is to review and highlight the achievements and impact of the “Programme for Access to justice for all, the foundation for good governance and poverty reduction”, and capture lessons learnt, challenges faced and best practices. The evaluation will also assess the extent to which the Programme was able to achieve its intended objectives, and those of EDPRS1 and UNDAF; as well as the appropriateness of project design, scope, and implementation strategy/arrangements for achieving project results.

Scope and focus of the Evaluation

3.1 Scope

The evaluation will cover the whole Programme implementation period from January 2008 to June 2013, and will include all Programme components and activities implemented by the five implementation partners, namely: the Ministry of Justice, the Supreme Court, the National Prosecution Authority, Rwanda National Police, and the National Gacaca jurisdictions. The evaluation will also assess the effectiveness of UNDP’s Programme implementation support.

3.2 The Evaluation Questions

The following key questions will guide the evaluator in undertaking this assignment:

Relevance

- To what extent did the Programme design and scope respond to the development challenges that it was meant to address?
- Was the theory of change clear and logical as articulated in the Programme hierarchy of results?
- Was the partnership strategy appropriate and effective?
- Was the Programme relevant to the GoR governance priorities and the needs of the beneficiary institutions in particular?

Effectiveness

- To what extent were the stated Programme results⁸³ achieved?
- To what extent did the Programme results contribute to the achievement of UNDAF and EDPRS1 results in governance?

⁸³ UNDP defines results as the outputs, outcomes and impact achieved as a consequence of the program intervention. As such, program results should be assessed at these three levels: outputs, outcomes and impact.

- Was the strategy adopted and inputs identified realistic, appropriate and adequate for achievement of the results?
- To what extent did UNDP support contribute to the achievement of the Programme results?
- What factors contributed to or hindered achievement of the intended Programme results. How effective were the strategies and tools (including M&E systems) used in the implementation of the Programme?

Efficiency

- Was the process of achieving results efficient? Specifically did the actual or expected results (outputs and outcomes) justify the costs incurred? Were the resources effectively utilized?
- What factors contributed to implementation efficiency?
- Did Programme activities overlap and duplicate other similar interventions (funded nationally and /or by other donors? Are there more efficient ways and means of delivering more and better results (outputs and outcomes) with the available inputs?
- Could a different approach have produced better results?
- How efficient were the management and accountability structures of the Programme?

Sustainability

- To what extent are the results likely to be sustained after the completion of this Programme?
- What are the key factors that will require attention in order to improve prospects of sustainability of Programme outcomes and the potential for replication of the approach?
- Describe the main lessons learned
- What are the recommendations for similar support in future?

Expected Deliverables:

The following deliverables are expected.

Inception report: The evaluator will prepare an inception report which details the evaluators understanding of the evaluation and how the evaluation questions will be addressed. This is to ensure that evaluator and the stakeholders (the Ministry of Justice, the Supreme Court, the National Prosecution Authority, Rwanda National Police, and the National Gacaca jurisdictions, as well as UNDP and other partner UN organizations) have a shared understanding of the evaluation. The inception report will include the evaluation matrix summarizing the evaluation design, methodology, evaluation questions, data sources and collection analysis tool for each data source and the measure by which each question will be evaluated. **(See Sample in Annex).** The report will include the scope of work, work plan, time frame, analysis, 3 days after starting the evaluation process.

Draft Access to Justice End of Programme Evaluation report- The evaluation team will prepare a draft Report, in the format provided in annex 2. The checklist used for the assessment of evaluation report is also included in Annex 2. The draft report will be submitted to UNDP for distribution to the members of the Steering Committee and other stakeholders for review and comments. Comments from the Steering Committee and stakeholders will be provided within working 10 days after

submission of the Draft Report. The report will be reviewed to ensure that the evaluation meets the required quality criteria. The report will be produced in English in Kigali, Rwanda.

Final Access to Justice End of Programme Evaluation Report. The final report (30-50 pages) that incorporates comments from the Steering Committee, UNDP, and stakeholders will be submitted 10 working days after receiving all comments. This will be submitted to the Access to Justice Project Steering Committee through the UNDP Country Director for validation. It will include recommendations, policy options and conclusions. **(Recommended structure of the report is included in the Annexes)**

Duty Station

The duty station of the work is Kigali, Rwanda. However, the consultant may be required to travel to project sites outside Kigali.

Price Proposal and Schedule of Payments

The consultancy fee will be paid as a Lump Sum (inclusive of all expenses related to the consultancy), and will be fixed regardless of changes in the cost components of the consultancy. The consultancy fee will be paid upon completion of the following milestones.

30% after presentation and adoption of the inception report

30% after presentation and approval of the draft report

40% after the approval of the final report

Required expertise and qualification

- The successful consultancy team will comprise of both an international consultant and a national consultant. The international consultant should have the following expertise and qualifications:
- At least master's degree in Law, Social Sciences, Public Policy and Management, Development studies, International Development, or any other relevant university degree;
- Extensive expertise, knowledge, and experience in the field of rule of law, justice including transitional justice, human rights, peace and security;
- At least 10 years' experience working with international organizations and donors;
- Extensive experience in Programme formulation, monitoring and evaluation;
- Excellent written and oral communication skills in English. Working knowledge of French is an added advantage.
- The national consultant should have the following expertise and qualifications:
- At least bachelor's degree in Law, Social Sciences, Public Policy and Management, Development studies, International Development, or any other relevant university degree;
- At least 4 years' experience working in the field of rule of law, justice including transitional justice, human rights, peace and security;

- Excellent written and oral communication skills in English, and ability to write and read Kinyarwanda. Working knowledge of French is an added advantage.

In addition, the consultants should possess the following corporate and functional competencies

Corporate Competencies:

- Demonstrates integrity by modelling the UN’s values and ethical standards;
- Promotes the vision, mission, and strategic goals of UNDP;
- Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability;
- Treats all people fairly

Functional Competencies:

Leadership:

Capacity to engage with a wide audience of diverse background.

Technical Skills:

- The suitable candidate for this consultancy shall have extensive experience in research and possess well developed data collection skills;
- Good understanding of knowledge management

Planning and Management:

The consultant needs to demonstrate a proven record in the field of research coordination, with experience in facilitating documentation of lessons learned;

Work experience in post-conflict contexts is necessary.

Communication:

The consultant will have written and oral fluency in English. Knowledge of French and or Kinyarwanda is an added advantage.

Teamwork:

Ability to establish and maintain good working relations with colleagues in multi-cultural environment.

Management Arrangements for the Evaluation

UNDP will contract the evaluation team (An International consultant working together with a national consultant) on behalf of the Government of Rwanda and the UN. UNDP will be the focal point for the evaluation and will facilitate the logistical requirements for the evaluation team including setting up interviews, organizing field visits where required, and making payments for the evaluation teams.

A Technical Committee, led by the UNDP Country Director comprised of both implementing partner representatives, and UNDP will supervise the overall work of the consultancy team and guide the process at technical level and provide regular reports to the heads of the Access to Justice implementing institutions. The Governance and Peace Consolidation Unit Team Leader will be the focal point for the evaluation and will provide technical oversight. The M & E Advisor will provide quality assurance and guidance to the evaluation to ensure that it meets the UNEG evaluation quality criteria. The technical committee will oversee the implementation of the agreed schedule of consultation activities, wide stakeholder consultation and verification of all facts in the report and oversee the production of the final Report and follow-up actions.

Time-Frame for the Evaluation Process

The evaluation will be conducted in September/October 2013 for an estimated 30 working days.

How to apply

The team (international and national) of interested candidates should apply by presenting the following documents:

Letter of Confirmation of Interest and Availability using the template provided by UNDP;

Personal CV or P11, indicating all past experience from similar projects, as well as the contact details (email and telephone number) of the Candidates and at least three (3) professional references for each of the prospective consultants;

Brief description of why the individuals consider themselves as the most suitable for the assignment, and a methodology, if applicable, on how they will approach and complete the assignment.

Financial Proposal that indicates the all-inclusive fixed total contract price, supported by a breakdown of costs, as per template provided.

Selection Criteria

Proposals will be evaluated **using the Best value for money approach** (combined scoring method). Technical proposal scores will be weighted 70% whereas the financial proposals will be weighted 30%. Below is the breakdown of scores for the technical proposal on 100% basis which will be brought to 70%:

Technical Criteria	Weight	Max.Points
Soundness of evaluation design and methodology	40%	40
Expertise and experience in the field of rule of law, justice including transitional justice, human rights, peace and security	20%	20
Master's degree and Bachelor's degree in Law, Social Sciences, Public Policy and Management, Development studies, International Development, or any other relevant university degree for the International and National consultants respectively	10%	10
Experience working with international organizations and donors; and demonstrable experience working for the UN system	5%	5
Fluency in English, Kinyarwanda and a working knowledge of French	5%	5

TOTAL	100%	100
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Annex 1: Recommended List of Documents for review

- Republic of Rwanda, Rwanda Vision 2020
- Republic of Rwanda, Economic Development & Poverty Reduction Strategy (2008 – 2012), September 2007
- Republic of Rwanda, Annual Progress Reports on the implementation of the Economic Development and Poverty Reduction Strategy (EDPRS) – 2008
- EDPRS evaluation
- Republic of Rwanda, Health Sector Strategic Plan (July 2009 – June 2012), July 2009
- Republic of Rwanda, Rwanda Aid Policy, 2006
- United Nations Rwanda, One UN ‘Delivering As One’ in Rwanda Concept Paper, April 2007
- United Nations Rwanda, UNDAF 2008-2012
- United Nations Rwanda, One UN Programme Rwanda, Common Operational Document (2008-2012)
- United Nations Rwanda, Communication Strategy (2007-2008), 2007
- Consolidated Annual Work Plan (CAP) 2008
- United Nations Evaluation Group (UNEG), Evaluability Assessment of Delivering as One Pilots, Assessment Report on Rwanda, March 2008
- United Nations Rwanda, Annual Reports 2008, 2009, 2010
- United Nations Rwanda, Stocktaking report 2008 & 2009 for Delivering as One in Rwanda
- Consolidated Annual Work Plan (CAP) 2008, 2009, 2010, 2011
- JRLOS strategic Plan 2013-2018
- Web links

Studies, Surveys and Evaluations

- Demographic and Health Survey Reports (2000, 2002, 2007/8)
- Integrated Household Living Condition Survey (2000, 2005)
- United Nations & Republic of Rwanda, Country-led evaluation of the Delivering As One, 2010
- Sectoral studies and evaluations
- Rwanda Governance Score Card 2010
- Justice Sector Perception Survey, 2012
- Rwanda National Police Strategic Plan 2009-2014

Annex 2: Standard Format of UNDP Evaluation Reports

Title page

Name of Programme or theme being evaluated

Country of project/Programme or theme

Name of the organization to which the report is submitted

Names and affiliations of the evaluators

Date

List of acronyms

Executive summary

A self-contained paper of 1-3 pages.

Summarize essential information on the subject being evaluated, the purpose and objectives of the **Access to justice for all, the foundation for good governance and poverty reduction Programme** Evaluation methods applied and major limitations, the most important findings, conclusions and recommendations in priority order.(Maximum 5 pages)

(Main Report; Maximum 35 pages)

Introduction

(Context and national priorities, goals, and methodology, brief description of the results)

Describe the project/Programme/theme being evaluated. This includes the problems that the interventions are addressing; the aims, strategies, scope and cost of the intervention; its key stakeholders and their roles in implementing the intervention.

Summarize the Programme **for Access to justice for all, the foundation for good governance and poverty reduction** purpose, objectives, and key questions. Explain the rationale for selection/non selection of evaluation criteria.

Describe the methodology employed to conduct the **Access to justice for all, the foundation for good governance and poverty reduction** End of Programme Evaluation and its limitations if any.

Detail who was involved in conducting the **Access to justice for all, the foundation for good governance and poverty reduction** End of Programme Evaluation and what were their roles.

Describe the structure of the Access to Justice End of Programme Evaluation report.

A Reflection on the main findings which considers: (a) the results of the desk review of existing documentation available, and (b) the interviews conducted with all the stakeholder categories

Results by UNDAF Outcome: national progress, (specific contribution of UN agencies and resources mobilized etc.

Partnership and collaboration strategy among UNDP/ GoR/IPs, Donors; and evaluation of the efficiency and effectiveness of the Access to Justice Programme as a partnership framework

Major Challenges

Access to Justice Financial Management

Assessment of M&E process

Findings and conclusions

State findings based on the evidence derived from the information collected. Assess the degree to which the intervention design is applying results based management principles and human rights

based approach. In providing a critical assessment of performance, analyse the linkages between inputs, activities, outputs, outcomes and if possible impact. To the extent possible measure achievement of results in quantitative and qualitative terms. Analyse factors that affected performance as well as unintended effects, both positive and negative. Discuss the relative contributions of stakeholders to achievement of results. Assess how/if the intervention has contributed to gender equality and fulfilment of human rights.

Conclusions should be substantiated by the findings and be consistent with the data collected. They must relate to the Access to Justice Programme objectives and provide answers to the evaluation questions. They should also include a discussion of the reasons for successes and failures, especially the constraints and enabling factors.

Recommendations and lessons learnt

Based on the findings and drawing from the evaluator(s)' overall experience in other contexts if possible provide lessons learned that may be applicable in other situations as well. Include both positive and negative lessons.

Formulate relevant, specific and realistic recommendations that are based on the evidence gathered, conclusions made and lessons learned. Discuss their anticipated implications. Consult key stakeholders when developing the recommendations.

List proposals for action to be taken (short and long-term) by the person(s), unit or organization responsible for follow-up in priority order.

Annexes may include the following (maximum 10-15 pages)

- Attach ToR (IPG End of Programme Evaluation).
- List persons interviewed, sites visited.
- List documents reviewed (reports, publications).
- Data collection instruments (e.g. copies of questionnaires, Survey, etc.).
- Assessment of the progress by outcomes in relevance to the nationally defined goals.
- Photos
- Stories worth telling (Most Significant changes [MSC])
- List of used documents and persons met.

****The Programme for Access to justice for all, the foundation for good governance and poverty reduction Evaluation Report should be developed in accordance with the UNEG “Standards for Evaluation in the UN system”, “Norms for Evaluation in UN System and “Ethical Guidelines for Evaluation.” Analysis should include an appropriate discussion of the relative contributions of stakeholders to results. It will consider the evaluation objectives as per relevance, effectiveness, efficiency, impact and sustainability of results, as well as the key issues of design, focus and comparative advantage.***

Annex 3: Sample Evaluation Matrix

Relevant evaluation	Key Questions	Specific Sub-	Data Sources	Data collection	Indicators/ Success	Methods for Data Analysis
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criteria		Questions		Methods / Tools	Standard	

Appendix 5: Success stories

1. Creating a virtuous circle of crime Prevention: Rwanda's Community Policing Committees

The Rwandan capital of Kigali is probably one of the safest cities in Africa. Testimony to this is in the number of women you can see confidently walking on their own at night. But with only one police officer for every 1 000 citizens⁸⁴ (against an ideal ratio of one to 500) the Rwandan police would be hard pressed to maintain law and order were it not for the Community Policing Committees, set up to assist in crime prevention and detection.



CPC members at a meeting with the police in Kacyiru in Kigali

Working closely with the public, CPCs identify crime hotspots in their neighbourhoods and alert the police before crimes are committed or help the police by identifying criminals. CPCs are also alerted by the public about domestic disputes and often mediate before they flare into violent confrontation thus reducing GBV cases.

“In domestic violence cases, our role is to identify couples in violent relationships. We visit them and often we are able to mediate before the violence starts, but if this does not work, then we report to the police,” said Jeannette Umwari , a CPC member in Kacyiru, City of Kigali .

The critical role CPCs play in detecting crime can be illustrated by a case involving the rape of a deaf and dumb 14 year-old girl by a 53 year old man in Kigali. According to, Jeannette Umwari, the female CPC member who brought the case to light, the girl fell pregnant and was also infected with HIV as a result of the rape: “Because I am a woman, the girl found it easier to confide in me. The girl has since given birth to a child and DNA tests showed that the man arrested for the offence was the father of the child,” Jeanette said

⁸⁴ Rwanda National Police (2013) Rwanda National Police launches Community Policing Week, <http://www.police.gov.rw/content/rw...>

CPCs are trained on GBV and Family laws. They are also trained in mediation, which helps them in dealing with domestic violence cases. CPCs are “citizens of good standing, with integrity”, who are elected to these positions by their communities. There are 3 CPCs in each village and about 96 CPCs for 32 villages of the Sector of Kacyiru (an administrative unit that is bigger than a village and cell but smaller than a district). On average, about 33 000 people live in a Sector. This gives a ratio of one CPC for every 343 people. Apart from the CPCs, each village has a Neighbourhood Watch Committee, made up of six people, who, like the CPCs, are volunteers involved in crime prevention and detection. Neighbourhood watch committees, report to the CPCs, who in turn report to the police, creating a virtuous circle of crime prevention.

According to the CPC police coordinator for the Kacyiru Sector, CPCs are playing “an important role in crime prevention and detection: “Together with the police, the CPCs and the neighbourhood Watch we are creating a virtuous circle for crime prevention. As a result, the crime rate in Rwanda, including in this district, has declined significantly in recent years,” she said.

With UNDP support, the RNP facilitated the training of 2400 CPCs in residential training courses run over two weeks. These are training of trainers (TOT) courses which enable those trained to pass on the knowledge they have gained to other CPCs. With the target of 74 000 CPCs across the country, it will be some time before they are all trained. But this may yet be achieved as the RNP also trains CPCs in their neighbourhoods. Among the CPCs interviewed for this story, all but one have been trained by the local police.

“Without the CPCs, the crime rate would be much higher. They are doing a sterling job in reducing crime in the area by sensitizing the public and preventing crime, said Ms Goreth Uwimana , who is an Assistant Inspector of Police and the Sector CPC coordinator. (ends)

2. Giving witnesses the courage to testify

When John Ruhinde (not his real name) stood up in front of the Gacaca court to testify against his father and 11 other ringleaders of the genocide in his district, his testimony not only resulted in his father being sentenced to death, which was however commuted to life imprisonment when the death penalty was abolished in 2007, but it condemned him to exile as his family and community has ostracised him and now want him dead.

After Ruhinde testified many more people in the district came forward to testify against his father and the other genocide ringleaders: “When I testified, it opened the door for others to come forward. Before then, survivors were afraid to testify, but when I did they also felt released and came up to speak openly,” Ruhinde said

“But since I testified, I no longer have a family – no brothers, no sisters, no friends. My wife decided to be part of them and they tried to use her to kill me and when I knew about the conspiracy, we separated. She still lives with my family, but we are getting divorced,” Ruhinde said.

The Rwandan genocide, in which an estimated one million Tutsis and Hutu sympathisers were killed, tore communities and families apart as they found themselves caught on opposite sides of the

conflict. Ruhinde says he testified against his father because, he never believed that Tutsis were his enemies: “From childhood I didn’t agree with my father that the Tutsi were our enemies. I had many Tutsi friends and many of them were killed in the genocide. If I had the power to stop it I would have done so. But I kept this in mind waiting for the time when I would be able to speak openly about the case,” Ruhinde said.

“When the genocide begun in 1994, my father was very keen to participate in the killings. He used to go out every night and would come back and tell us what was happening in the ‘killing fields’. The killing fields were churches, district offices and road blocks. As the leaders in the genocide, they knew exactly what they were doing – killing every Tutsi. That was the slogan, that was the motto, that was the target,” Ruhinde said.

“The gacaca trials provided a platform for me to speak because I was keen to talk about how Tutsis had been killed by their own neighbours. But those who took positions against their own Hutus, risked being killed because they took you as a traitor. In the countryside it was not easy for a survivor to testify because they were afraid of being killed. Many witnesses were killed before and sometimes after giving evidence,” Ruhinde said.

Ruhinde approached the Executive Secretary of Gacaca and asked her how he could testify and still remain safe: “I told her that I wanted to speak openly about what I knew as my contribution to the reconciliation and also to make the survivors feel better and not be tortured by seeing the people who killed their families still walking around”.

“I had Tutsi friends many of whom were killed in the genocide. If I had the power to stop it I would have done so. But I kept this in my mind waiting for the time when I would be able to talk about the cases openly,”
Ruhinde, Genocide witness.

The Secretary General referred Ruhinde to the Witness Protection Programme, which was supported by UNDP, who put him in a safe house while investigations on his father and his accomplices were going on. Ruhinde lived in the safe house for two years before the case came up for trial. “If you take a position like mine, you have to take measures to protect yourself. Right now I don’t know how safe I am. I need to be vigilant all the time,” Ruhinde said.

Ruhinde feels that more should be done to publicise the Witness Protection Programme: “They should use radio and TV to sensitise people about the Programme. Up to now, there are still many killers from the genocide who have not been caught because witnesses don’t know that they can get protection and are afraid to testify. I only knew about the Programme when I went to see the Executive Secretary of the Gacaca, but how many people can do that?”

Between 2008 and 2010, the period when UNDP supported the project, the Unit assisted a total of 6 169 witnesses and victims enabling them to testify and bringing genocide perpetrators to justice.
(ends)

3. Mediating land disputes: MAJ reconciles families

Rwanda is affectionately known as the “Land of a thousand hills” because of the rolling mountains that make up most of the country. While the lush green mountainsides make for beautiful scenery, the downside is that there is less arable land. With a population of 12 million people, 80 percent of whom depend on agriculture for a livelihood, the competition for the land is fierce and often results in bitter disputes most of them pitting family members against each other.

For many families, the situation has been complicated by the new Land Law under which women are also entitled to inherit land from their parents. While the law was a big boost to women’s economic empowerment, for the men it meant having to share the land with their sisters.



Harelimana brothers Pierre Celestin and Jean Pierre: now happily reconciled

For the Harelimana brothers, sharing the land left by their parents proved a nightmare. Initially three of the brothers shared the land and left out the youngest brother, who then took up the case with the local chief and was allocated a piece of land from the common family land. But when the new Land Law came into effect, the sisters also came in to get their piece of the cake. Again there was more sub-dividing and sharing of the land. But this time the young brother

did not get any more land as the older brothers argued that he had already been allocated his share.

The land dispute soured relations in the family to the point where the younger brother was no longer on talking terms with the rest of the family. Attempts to resolve the issue through the Abunzi (a traditional mediation mechanism that has been revived to settle community disputes) and the local authorities failed. It was only when they took the issue to the MAJ that it was resolved.

The MAJ was set up initially as a pilot in 2008, with UNDP support, to provide free legal aid and mediate disputes in communities. The MAJ has since been institutionalised within the Ministry of Justice and now has an office all the country’s 30 districts, each of which is manned by three lawyers.

Smiling as they emerged from the MAJ office after signing the mediation agreement, the Harelimana brothers said they were happy that the dispute had at last been resolved. Said the younger brother: “I initiated the mediation because I realised that as brothers and sisters we could not go on fighting over the land”

“Before today we were not on speaking terms because of the dispute, but now we are a family again,” said the elder Harelimana.

Land is a precious but scarce resource in Rwanda, with only 0.1 hectares of arable land per person, so land disputes constitute the bulk of cases mediated by the MAJ. Although MAJ mediates on disputes, their core function is to provide free legal aid to the indigent. According to the MAJ Coordinator for Kamonyi, Pauline Umwali, their office handles up to 80 cases a day, the majority of them land disputes: “Abunzi were set up specifically to mediate disputes in communities, but land issues are complex requiring the interpretation of the Land Law. The Abunzi don’t have the legal skills, so we handle most of the land disputes,” she said. (ends)