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ANNEX 3

to the Commission Implementing Decision on the financing of the annual action plan in favour of the Republic of Rwanda for 2022

Action Document for Justice and Accountability Programme

ANNUAL PLAN

This document constitutes the annual work programme within the meaning of Article 110(2) of the Financial Regulation, and action plan within the meaning of Article 23(2) of the NDICI-Global Europe Regulation.

1. SYNOPSIS

1.1 Action Summary Table

1. Title CRIS/OPSYS business reference Basic Act	Justice and Accountability Programme (JAP) OPSYS number: ACT-61188 Financed under the Neighbourhood, Development and International Cooperation Instrument (<u>NDICI-Global Europe</u>)
2. Team Europe Initiative	No
3. Zone benefiting from the action	The action shall be carried out in Rwanda
4. Programming document	Rwanda Multiannual Indicative Programme 2021-2027
5. Link with relevant MIP(s) objectives / expected results	Rule of law and Justice Access to Justice for the most vulnerable people Reconciliation, Rehabilitation and Unity Enhanced Voice and Accountability of civil society Measures in Favour of Human Rights including most vulnerable groups, the rural poor, victims of Sexual and Gender Based Violence (SGBV) people with disabilities and prisoners and detainees
PRIORITY AREAS AND SECTOR INFORMATION	
6. Priority Area(s), sectors	Priority 1: Rule of law and Justice 1.1 Justice capacity, service delivery and accountability for the public along the Justice chain 1.2 Access to justice for most vulnerable persons 1.3. Implementation of international human rights obligations in line with the recommendations of the UN Universal Periodic Review (UPR).

	<p>Priority 2: Reconciliation, Rehabilitation and Unity</p> <p>2.1 Peace building consolidation and sustainable reconciliation process in Rwanda</p> <p>2.2 Enhanced linkages between psychosocial support, reconciliation and reintegration processes in prisons to consolidate unity</p> <p>2.3 Strengthen the capacity of actors and services in prisons in accordance with international standards</p> <p>Priority 3: Enhanced Voice and Accountability of civil society</p> <p>3.1 Capacity of CSOs to conduct research to gather evidence for advocacy is developed</p> <p>3.2 Citizen ability to demand accountability and monitor (public oversight) performance of local institutions</p>			
7. Sustainable Development Goals (SDGs)	<p>Main SDG: SDG 16 (Peace Justice and Strong Institutions).</p> <p>Other significant SDGs: SDG 5 (Gender Equality), SDG 10 (Reduced inequalities)</p>			
8 a) DAC code(s)	<p>DAC code 1 – 15131 – 40%</p> <p>DAC code 2 – 15132 – 10%</p> <p>DAC code 3 – 15134 – 20%</p> <p>DAC code 4 – 15137 – 10%</p> <p>DAC code 5 – 15150 – 19%</p> <p>DAC code 6 – 15160 – 1%</p>			
8 b) Main Delivery Channel	10000; 20000; 30000			
9. Targets	<p><input type="checkbox"/> Migration</p> <p><input type="checkbox"/> Climate</p> <p><input checked="" type="checkbox"/> Social inclusion and Human Development</p> <p><input checked="" type="checkbox"/> Gender</p> <p><input type="checkbox"/> Biodiversity</p> <p><input type="checkbox"/> Education</p> <p><input checked="" type="checkbox"/> Human Rights, Democracy and Governance</p>			
10. Markers (from DAC form)	General policy objective @	Not targeted	Significant objective	Principal objective
	Participation development/good governance	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Aid to environment @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Gender equality and women's and girl's empowerment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Trade development	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Reproductive, maternal, new-born and child health	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Disaster Risk Reduction @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Inclusion of persons with Disabilities @	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Nutrition @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	RIO Convention markers	Not targeted	Significant objective	Principal objective
	Biological diversity @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Combat desertification @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change mitigation @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change adaptation @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Internal markers and Tags:	Policy objectives	Not targeted	Significant objective	Principal objective
	Digitalisation @	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	digital connectivity digital governance digital entrepreneurship digital skills/literacy digital services	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	/
	Connectivity @	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	digital connectivity energy transport health education and research	<input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	/
	Migration @ (methodology for tagging under development)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	Reduction of Inequalities @ (methodology for marker and tagging under development)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Covid-19	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	BUDGET INFORMATION			
12. Amounts concerned	Budget line(s) (article, item): BGUE-B2022-14.020121-C1-INTPA Total estimated cost: EUR 19 500 000 Total amount of EU budget contribution: EUR 19 500 000			
MANAGEMENT AND IMPLEMENTATION				
13. Type of financing	Direct management through:			

	<ul style="list-style-type: none"> - Grants - Twinning Grant <p>Indirect management with the entity(ies) to be selected in accordance with the criteria set out in section 4.4.2</p>
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1.2. Summary of the Action

The action will be in line with Sustainable Development Goal 16. It is also aligned with Rwanda’s Vision 2050. The action will contribute to Rwanda’s priorities under the National Strategy for Transformation (NST1), Pillar 3- Transformational Governance, through the implementation of the Justice, Reconciliation, Law and Order Sector (JRLOS) Strategic Plan 2018-2024. In particular the focus will be on (i) Strengthening Justice, Law and Order; (ii) Supporting peaceful reconciliation by the reintegration of prisoners and ex-perpetrators of genocide into society and (iii) Raising the voice of civil society and strengthening accountability of public service delivery towards citizens. The action will contribute to implementing the EU Human Rights Country Strategy for Rwanda, notably its objective regarding strengthening the respect of Human Rights, and in strengthening civil society. It will, in particular, respond to the Government’s priorities accepted under the 2021 Universal Periodic Review at the Human Rights Council.

The first component of the action will improve the professionalism and skills of the Justice sector main actors, namely the Ministry of Justice, the Judiciary, the National Prosecution Authority, the Rwanda Investigation Bureau (RIB), the Rwanda National Police (RNP) and the National Commission for Human Rights (NCHR). Under this component the action will improve the delivery of timely justice aiming at the reduction of the backlog of cases, modernizing the justice system, and improving access to quality justice. The action will place a strong emphasis on inclusion of the most vulnerable persons, victims of Gender-based violence (GBV) and minors, particularly in rural areas. The performance of the criminal justice system will be further addressed with a Twinning component between the Police and Rwanda Investigation Bureau (RIB) on the one hand, and EU Member States counterpart bodies on the other, with the goal of reinforcing human-rights based approaches and improving their prevention, detection and investigation capacity. The action will also support digitalization solutions as a means for accessibility and efficiency of the justice system. Complementary interventions will include the streamline of legal aid support to ensure universal and affordable justice for all and awareness campaigns. Support will also be dedicated to the National Commission for Human Rights (NCHR) for the promotion and protection of human rights, and in particular, to the National Preventive Mechanism to investigate human rights violations, in order to assist Rwandan authorities in implementing their international obligations and to raise awareness.

The second component will focus on Reconciliation, Rehabilitation and Unity through support to Rwanda Correctional Service (RCS) and civil society. This component of the action will strengthen the provision of technical, vocational, education and training (TVET) in prisons. Such capacity building will provide a great number of prisoners and former genocide perpetrators with hands-on skills to reduce recidivism once reintegrated into their communities. The action will also tackle an important aspect of sustainable reconciliation and peace building through socio psychological healing, reconciliation and rehabilitation processes at community level, implemented through civil society organisations. The action will aim at building stronger linkages between RCS and civil society organisations.

The third component of the action will focus on voice and accountability of civil society. The approach will involve working both on the demand and supply side of accountability. Support will be directed to civil society organisations (CSOs) for strengthening their capacity to work with citizens. It will also focus on developing CSOs’ capacity to increase justice delivery and foster accountability to citizens. The action will promote spaces for citizens, empowering them with knowledge and capacity on issues of accountability.

The action will leverage both on the EU previous programmes (11th EDF Accountable Democratic Governance Programme) and Dutch cooperation in the justice sector over the past twenty years. It will contribute to progress on Sustainable Development Goal 16 (SDG) and fulfilment of political, economic and social rights, gender equality, in line with Rwanda’s international human rights commitments. The programme will follow a comprehensive approach of the whole justice sector including reconciliation and rehabilitation of prisoners. These

interventions will tackle the multifaceted issues in which both civil society organisations and public institutions have a complementary role to play.

2. RATIONALE

2.1 Context

Rwanda has made good progress in developing its governance structures, maintaining security, promoting reconciliation, and strengthening the justice system. Since 2004 the Government undertook a series of reforms aiming at providing quality, accessible and affordable justice to all, including laws, new structures, personnel, modernisation and digitalisation of justice delivery, control of corruption, eradication of illegal detention, torture and improvement of living conditions in prison and detention cells.

The Justice Sector Wide Approach¹ has made significant steps forward, in terms of improving professionalism and access to justice. Justice institutions officers have benefitted from professional skills capacity building leading to greater trust in the system both by the Rwandan public and the international community. In 2012 the average percentage of judgments overturned on appeal was 20% while from 2017 to 2019 it dropped and stabilized at 8%². As a model of decentralized justice system, the establishment of Abunzi committees inspired by traditional dispute resolution mechanisms, the establishment of MAJ offices (*Maisons d'accès à la justice*) in all districts, and legal aid have demonstrated to be a means of reducing the backlog of court cases, making justice more affordable and accessible for all litigants. This home-grown solution has reinforced a sense of community through dialogue and an increased emphasis on restoration. The progress in citizen awareness to access legal aid services is also due to the government's efforts deployed in collaboration with civil society organizations. The EU has shown strong commitment to support access to justice by enhancing the skills of MAJ and Abunzi committees on alternative dispute resolutions techniques, legal knowledge and reporting on legal and justice matters.

Under the JRLOS Strategic Plan, Priority area 3 refers to Safety and Security of citizens and property. The Key strategic interventions set relates to crime prevention through community policing, strengthening amongst other the capacity of Rwanda National Police (RNP) and Rwanda Investigation Bureau (RIB), for effectively discharging their functions but also to 'play a constructive role in development programmes and projects where required'.

In line with the JRLOS Strategic keys priorities areas 2018/24 aiming at modernising criminal, civil and administrative justice, there is a consensus among the JRLOS actors to set up inter-institutional coordination mechanisms to upgrade capacities and skills. The low conviction rate of emerging criminality is considered to be partly caused by the lack of joint common practices and the lack of means to prevent, track, investigate and prosecute those crimes. In order to strengthen the core justice system, there is a need for improved institution-to-institution collaboration to create coordinated legal practices along the system. There is also a necessity to increase officers' awareness of international standards practices, upgrade skills and professionalism in emerging crimes, address the issues of GBV and cases of minors. In addition, it is key to speed up the process and encourage reporting and the harmonization of the sentences/penalties pronounced by judges. The Digitalization of the Justice system has improved the responsiveness and functioning of the overall system, notably through the far reaching Integrated Electronic Case Management System (IECMS). There is also high potential to leverage justice performance through the support to e-justice services by upgrading e-court facilities, eventually accessing to a Digital Legal Library, etc. As far as Access to Justice is concerned, it is important to continue working with the Ministry of Justice to facilitate access to justice for grassroots communities, further support the work of the Abunzis (enactment of the Alternative Dispute Resolution Policy), MAJ and create synergies with other Legal

¹ Justice, Reconciliation, Law and Order Sector (JRLOS) Strategic Plan (2018/19 – 2023/24) is the key sector policy document framing the priority areas, strategic interventions, with identified institutions. The key institutions that will be involved in this programme, the Ministry of Justice (MINIJUST), the Judiciary, the National Public Prosecution Authority (NPPA), the Rwanda Investigation Bureau (RIB), the Rwanda National Police (RNP), the Rwanda Correctional Services (RCS) on one hand and CSOs on the other, are foreseen to collectively work towards common objectives, without compromising their operational or constitutional independence.

² Supreme Court, Annual Report of the Judiciary, 2018/2019 (October 2019) p.31 Available in Kinyarwanda from the Supreme Court.

Aid providers who are active at local levels (e.g. pro bono Legal Aid practitioners). The National Commission for Human Rights (NCHR) plays an important role in compiling and reporting on Rwandan international commitments³. The NCHR investigates complaints relating to Human Rights violations in accordance with the Universal Periodic Review (UPR) recommendations.

Another important theme is sustainable reconciliation and unity in Rwanda. The social and economic rehabilitation of former genocide convicts after completion of their sentence is key for sustainable peace. Actions conducted by civil society throughout the country are contributing towards peaceful reconciliation between former genocidaires and communities. These actions need continued support, as well as improved coordination between CSOs and Rwanda Correctional Services (RCS). The establishment of TVET centres in 5 out of 13 prisons in 2019 through the support of the Dutch cooperation, contributed to peace consolidation and social and economic reintegration of prisoners. TVET centres in prisons should be further supported to reach out a bigger number of inmates and equip prisoners with hands-on market-oriented skills, thus reducing recidivism. It is also necessary to capacitate RCS' staff on the treatment of prisoners in accordance with international human rights standards. An important aspect of sustainable reconciliation and peace building is the interconnection between trauma healing, reconciliation process and rehabilitation processes. In this regard, cooperation between RCS and civil society organisations (CSOs) should be further reinforced.

Regarding voice and accountability, Rwanda has an institutional framework that, prima facie, could provide for a vibrant state–citizen engagement. However, several factors, such as provisions relating to the preservation of public order, lack of confidence, self-censorship, and low capacity, limit CSOs ability to deliver on many areas of relevance.

2.2. Problem Analysis

Performance of the justice system to deliver timely judgement and access to quality of justice for the most vulnerable people

The Justice system is still facing an important backlog of cases. The Judiciary stated in June 2021 that the average time for a case to be heard was 10 months and case backlogs rose to 54% over the last year. This situation is the result of many reasons including budget limitations, limited number of judges, limited capacity, perfectible collaboration among JRLS actors, lack of ICT equipment and skills, but also to a higher number of cases that citizens genuinely take to court as people's trust in the justice system has improved.⁴

The number of crime cases submitted to National Public Prosecution Authority (NPPA) has been increasing over the years, including on emerging sophisticated crimes (Economic and Financial crimes, Cybercrime, Human Trafficking). This situation requires to reinforce the professionalism and specialization of the prosecution capacity. There is also a lack of criminal policy, joint curricula as well as uncoordinated practices that have an impact on the overall judicial process. A number of challenges appear also from the Police and Investigators' capacity (RNP and RIB): the collection and conservation of evidence, incomplete files from investigators and police, violations of suspect's rights. The situation is critical with regard to the evidence collection, especially on Sexual Gender Based Violence (SGBV) and emerging crimes. Thus, specialized courses for investigators are needed, mainstreaming human-rights-based approaches, and there is a need to train criminal justice actors to enhance coordination and harmonized interpretation of crimes and law for effective delivery of justice. Also the criminal justice actors recognise there is a need to invest in crime prevention and detection through community policing. Lastly, there is a high level of backlog of pending cases (both criminal and civil) waiting for hearing. All those issues concur to a delay in justice delivery and impact the overall quality of justice.

In the Universal Periodic Review, some Human Rights violations are reported⁵. In 2018, Rwanda conferred the role of National Preventive Mechanism (under the Optional Protocol to the Convention Against Torture) to the NCHR. This body is thus mandated to monitor, investigate and report on the situation of Human Rights. The institution still needs to strengthen its capacity in order to promote and protect Human Rights effectively.

³ Rwanda has ratified eight out of nine core human rights treaties.

⁴ Under the 8th edition of Rwanda Governance Scorecard (2021), the Trust in the Judiciary stands at 88.30%.

⁵ Refer UPR review, 2021, in particular under 2. Administration of justice, including impunity, and the rule of law; see also Rwanda National report.

Access to formal justice structures is still impeded by a number of barriers, particularly for poor people, often living in rural areas and vulnerable women. The National Legal Aid Policy (NLAP) adopted by the government in 2014 represents a significant step forward, but is not sufficient. A standardized way to mediate conflicts still lacks and should come through the enactment of the Alternative Dispute Resolution (ADR) Policy, a core component for Access to Justice. Abunzi Committees and MAJ have registered impressive results in handling cases, reducing excessive costs and time required for litigation, arbitration and adjudication processes. But without binding standards on resolution/mediation practices and without proper monitoring of the Abunzi⁶, there is unfortunately room for uneven mediation/reconciliation practices, thus unresolved grievances, and the risk of injustices among potential justice seekers. In parallel, the coordination and referral mechanisms among Abunzi, MAJ, and other legal aid providers within civil society organizations and the Rwanda Bar Association are not yet established. Pro bono schemes for the vulnerable granted by the Rwandan Bar Association are currently developing. However, the imbalanced geographical and gender distribution of lawyers in the urban territories at the expense of rural zones is also critical. The lack of standardized legal aid practices should be addressed. Legal aid providers are unanimous about limited awareness/ignorance of citizens about their legal rights.

Reconciliation, Rehabilitation and Unity

Regarding the detention conditions, overcrowded prisons, limitations in detainees' rights, and lack of implementation of alternative sentences, such as community service penalty for minor offences remain a concern. In addition, the number of former genocidaires exiting prison and returning to communities without adequate structures for rehabilitation and reconciliation pose a challenge for the communities, and society as a whole. As far as social and economic rehabilitation of prisoners is concerned, the establishment of a TVET programme since July 2019 in 5 out of 13 prisons revealed to be a success. RCS confirms that 32%⁷ of ex-inmate prisoners have successfully reintegrated society, due to the technical and vocational skills gained from the programme. While it is now widely accepted that reconciliation can only be achieved through social and economic reintegration, a small proportion of prisoners (1236 inmates⁸ from which 211 women) out of the 80,937 prisoners including former Genocidaires have participated to the TVET programme in the last 3 years. Another limitation is the insufficient collaboration between RCS and CSOs on a coherent process involving trauma healing/reconciliation initiatives, and social and economic rehabilitation. The implementation of some initiatives undertaken by churches and CSOs are often the result of goodwill from prison authorities but would benefit from occurring in an established framework. The results of a recent mapping on social cohesion, trauma healing, and reintegration donors' programmes in Rwanda demonstrate that CSOs interventions are concentrated in the Southern and Western Provinces of the country with an emphasis on dialogue rather than justice, social and economic rehabilitation. Many of these programmes have been successful, albeit not at sufficient scale.

Voice and Accountability

While there are apparent spaces for engagement between civil society and local authorities, very little demand for accountability takes place. Only a few CSOs are effectively involved in advocacy. In few occasions, especially in service delivery, CSOs are invited to decision-making platforms, such as the National *Umushyikirano* Council, and may use them to speak on behalf of the voiceless or attempt to shape policies.

CSOs have not reached their full potential to question public policies and programmes. The citizenry itself is often disengaged, especially women and youth. CSO work is mainly concentrated in Kigali, while their presence in rural areas is sparse. This makes it difficult for CSOs to represent issues from a wider cross section. Consequently, CSOs work in isolation and do not benefit from synergies by networking and coalition building.

Identification of main stakeholders to be covered by the action:

Ministry of Justice

⁶ The total number of Abunzi is 17,941 (55.67% of them are men while 44.33% are women). The total Mediation Committees is 2,563, with 416 at Sector level and 2,147 at Cell level. Law N° 020/2020 of 19/11/2020 amending Law No 37/2016 of 08/09/2016 determining Organization, Jurisdiction, Competence and Functioning of an Abunzi committee.

⁷ RCS information concept note, March 2022.

⁸ RCS information, March 2022.

The Ministry of Justice (MINIJUST) is mandated to organize, oversee and promote activities related to the rule of law, law enforcement and justice for all. Three main departments focus on (i) access to justice (ii) international justice and judicial cooperation and (iii) legal services. In line with the provision of public Legal Aid and coordination of Access to Justice, the department on access to justice ensures proper coordination and provision of Legal aid services at central and local levels, functioning of Abunzi Committees, *Maison d'Accès à la Justice* (MAJ), coordinates access to justice services and the execution of enforcement orders and notary services.

Judiciary (Supreme Court)

The judiciary of Rwanda is composed of Ordinary and Specialized Courts and is entrusted with the mission of protecting rights and freedom. Governed by the High Council of the Judiciary, based in Kigali, Rwanda's judiciary is independent and exercises financial and administrative autonomy. The judiciary is in charge to organize, supervise and coordinate the ordinary Courts and specialized Court rules. The performance of the judiciary (judiciary strategic plan 2018-2024) is key to attain the transformational governance pillar of National Strategy for Transformation (NST 1).

The Rwanda Investigation Bureau (RIB)

The RIB has the mandate to prevent, detect and investigate crimes and is operational since April 2018. RIB acts under the supervision and instruction of the National Public Prosecution Authority (NPPA) for criminal acts under investigation and is administratively supervised by the Ministry of Justice. RIB took over the criminal investigation function from Rwanda National Police; expected to improve professionalism, effectiveness and efficiency in countering emerging crimes such as, cyber-crimes, terrorism, drug and human trafficking, economic and cross-border crimes among others that need high-tech skilled personnel and sophisticated investigations. RIB Strategic Plan (2018-2024) priorities are focused on prevention/detection based on information networks and quality of criminal investigations on emerging crimes.

The National Public Prosecution Authority (NPPA)

The NPPA's mission is to participate to the Security of People and their property by pursuing criminals and bring them to justice with equity of treatment according to the ambition of the Constitution and international treaties ratified by Rwanda. To execute its work, NPPA works in collaboration with other actors especially in the justice sector. The NPPA's key priority is to harmonize and promote an effective coordination of the institution's activities for tracking, investigating and prosecuting ordinary crimes (gender-based violence, drug and human trafficking, economic and cross-border crimes etc.) and international crimes perpetrated in Rwanda; crime of genocide and to provide protection and assistance for victims and witnesses.

The Rwandan National Police (RNP)

The RNP has the overall responsibility to deliver high quality service on prevention and detection of crimes in compliance with the law and maintenance of public order and safety. RNP is expected to enhance capacity and capabilities in order to effectively deliver on its mandate of ensuring safety and security of people and their property.

The Rwanda Correctional Service (RCS)

The RCS's mission is to manage carceral systems and to implement effective strategies to enable detainees and inmate prisoners to repent and undergo successful social rehabilitation, reintegration and minimize recidivism. RCS has transformed into an institution that rehabilitates inmates into more responsible citizens into society.

The Institute of Legal Practice and Development (ILPD)

ILPD contributes to the development of legal professionals and paralegals capacities by providing (i) academic education and professional training to judges, prosecutors, lawyers, bailiffs, notaries, etc, to bring their quality to international standards (ii) legal education for other personnel in the justice sector, (clerks, criminal investigating officers, mediators and all other personnel dealing with legal matters in different ministries and institutions, public as well as private) and (iii) conduct legal research.

The National Commission for Human Rights (NCHR)

The NCHR is a public institution that has the primary responsibility of promoting and protecting Human Rights in Rwanda. In fulfilling this mandate, the NCHR ensures adherence to human rights for effective delivery of justice, reconciliation and Law and Order. The Commission further endeavours to oversee the domestication of

international instruments on human rights. The NCHR also serves as the National Prevention Mechanism for the prevention of torture and other cruel, inhuman or degrading treatment or punishment. The NCHR is responsible to ensure that Rwanda's obligations regarding the UPR roadmap recommendations are satisfied. NCHR is fully compliant with the Paris Principles (A Status).

Civil Society Organizations

Government grants formal registration to most national and international NGOs. However, there may be at times some resistance to consider civil society organizations (CSOs) as policy oriented actors, tending to see them as mere service providers. This limits at times the space for CSOs to question and challenge public policies and programmes. Most local NGOs see themselves as partners of the Government rather than counterweight or watchdogs.

3. DESCRIPTION OF THE ACTION

3.1. Objectives and Expected Outputs

The Overall Objective (Impact) of this action is to consolidate reconciliation, and a just and equitable society as foundation to economic development for all in Rwanda.

The Specific Objectives (Outcomes) of this action are the following:

1. Improved delivery of timely, quality justice, and access to justice for the most vulnerable persons
2. Improved use of social and economic reintegration measures for persons deprived of their liberty, by institutional and civic stakeholders
3. Enhanced citizen's voice and effective participation in accountability mechanisms

The Expected Outputs to be delivered by this action contributing to the corresponding Specific Objectives (Outcomes) are:

Outputs contributing to Outcome 1

- 1.1 Strengthened capacity of the Justice actors to deliver timely and quality justice, including the performance of the criminal justice
- 1.2 Strengthened access to justice for most vulnerable persons including migrants and displaced populations
- 1.3 Strengthened capacity of the National Commission for Human Rights (NCHR) in particular the NPM unit, to ensure promotion and protection of human rights, and to follow up on UPR recommendations

Outputs contributing to Outcome 2:

- 2.1 Increased TVET services in prisons, gender sensitive also adapted to the persons with disabilities
- 2.2 Increased coordinated referral mechanisms and services for psychosocial therapy inside and outside prisons

Outputs contributing to Outcome 3:

- 3.1. Increased capacity of CSOs to conduct research and advocacy initiatives towards public authorities
- 3.2. Improved citizens' ability, especially for women, to demand accountability and monitor (public oversight) the performance of local institutions
- 3.3. Increased opportunities for the accountability of local duty bearers in the fulfilment of their mandates

3.2. Indicative Activities

Activities related to Output 1.1:

1. Institutional strengthening of the core justice actors for timely, and quality justice

2. Upgrading capacities, skills and coordination of legal practices on various legal areas including emerging criminality, in accordance with international standards
3. Peer to peer cooperation between the Police/RIB and EU Member States counterpart bodies, focused on strengthening prevention, detection and investigation capacity, along international standards.
4. Digitalization of some key Justice services (potentially including e-library, e-courts equipment, and IT systems) available for Judges, lawyers, prosecutors and Correctional Services, based on a needs assessment analysis with the JRLOS actors

Activities related to Output 1.2:

1. Support the implementation of the Alternative Dispute resolution (ADR) Policy including ADR case filing, processing and reporting, enhanced used of standard mediation practices
2. Improving the digitalized monitoring system and referral mechanism among Abunzi, MAJ (Management Information Systems/MIS) and other legal aid providers
3. Implementation of standardized legal aid practices by both governmental institutions, civil society organizations, and the Rwandan Bar

Activities related to Output 1.3:

Capacity building for the National Commission for Human Rights, in particular the NPM unit, to promote and protect human rights and follow up on the implementation of UPR recommendations

Activities related to Output 2.1:

Gender sensitive, coordinated socio economic rehabilitation measures including extension of psychosocial services and TVET activities in prisons

Activities related to Output 2.2:

Support to CSOs working towards continuous and coherent processes of psychosocial therapy, reconciliation and rehabilitation, in collaboration with RCS

Activities related to Output 3.1

1. Support the advocacy capacity of CSOs to conduct research across all sectors of NST1
2. Support to CSOs to develop capacity in lobbying and advocacy towards authorities

Activities related to Output 3.2

1. Support to CSOs for organizing community interface meetings and working to enhance citizen voice, especially that of women, in existing fora, such as umuganda, imihigo processes, etc.
2. Support to CSOs for collecting citizen feedback, carrying out effective monitoring and public oversight activities

Activities related to Output 3.3

Support to CSOs working with local authorities to conduct campaigns on rights of citizens and accountability, in coordination with Member States actions in the area of citizen participation, decentralisation, local governance.

The EU's contribution under this annual action plan should further identify mechanisms to link civil society interventions on legal aid, interventions in prisons and human rights with relevant actors in State institutions and other accountability structures. Empowering civil society organisations should enable them to influence policy decisions on governance, rule of law and human rights.

3.3. Mainstreaming

Environmental Protection & Climate Change

Whenever relevant, activities will have a positive impact on the environment. For instance livelihood activities for prisoners in the agriculture sector will promote climate-smart agricultural practices.

Gender equality and empowerment of women and girls

As per OECD Gender DAC codes identified in section 1.1, this action is labelled as G1. Gender equality will be a significant objective of the action. The action will promote the performance of criminal services as gender issues through the issue of collection and storage of evidence on Sexual and Gender Based Violence, as well as access to justice for women based in rural areas, rehabilitation of prisoners with its gender impact at community level. The sensitization and capacity building of beneficiary institutions on human-rights based approaches (HRBA), including the rights of women Prisoners will further foster compliance of Rwanda with international HR instruments. Gender equality is also a constitutive dimension of Voice and Accountability interventions. Gender equality will have to go beyond the numbers of women taking part in the action. It will endeavour to deepen the understanding of support to women groups and networks of influence and their capacity to empower themselves. The guidelines of the strategical plan (2018-2022) of the National Gender Policy will be mainstreamed in the action.

Human Rights

Strengthening human rights respect in particular for the most vulnerable persons is a constant question for the whole justice sector notably; government justice sector institutions, civil society organisations and development partners. The action will build HR capacity of duty bearers to implement commitments for improving the right to equality before the law, especially for the most vulnerable persons. (Output 1). The action will also enhance the right to be treated with dignity in detention in accordance with international standards. (Output 2). Ensuring the citizens' rights to participate in public affairs by strengthening civil society organisations' capacities will increase the protection of rights. The National Commission for Human Rights will contribute also to enhance the protection and promotion of human rights. Together with CSOs they will ensure UPR implementation.

Disability

As per OECD Disability DAC codes identified in section 1.1, this action is labelled as D1. Inclusion of persons with disabilities (PwD) is a significant objective of the action. The action will put mechanisms to ensure PwD inclusion with an emphasis on access to justice (component 1), PwD access to social and health services facilities in prisons (component 2). Voice and accountability activities will mainstream the inclusion of persons living with disabilities (PwD) into all NST1 sector strategic plans, to set up PwD public policy reforms.

Democracy

The action objective is to enhance the democratic agenda pertaining to related issues on the rule of law principles within the justice system, strengthen peace and respect of human rights, through reconciliation and rehabilitation of detainees, and enable political and societal pluralism within civil society voice to hold institutions more accountable towards citizens.

Conflict sensitivity, peace and resilience

The action has a strong focus on supporting peace and reconciliation, in particular through activities under Outcome 2 in support of the peaceful rehabilitation and reintegration of prisoners, in particular those convicted for crimes related to the genocide against the tutsi. Furthermore, it is now widely accepted that reconciliation and reintegration can only be achieved through social and economic development. Social and economic reintegration of detainees will reduce the risks of recidivism and conflicts between communities. A less visible but a key aspect of peace-building and reconciliation in this period is also the synergies sought between healing efforts, reconciliation processes and reintegration through social and economic development. In this regard, those processes are viewed as interrelated, which highlights the relevance of taking them into account concurrently in prisons with a coordinated approach between governmental institutions and non-governmental actors. Furthermore, the concept of quality of justice and equal and affordable access to justice for all plays a critical role in preventing conflicts, reducing grievances and enhancing social cohesion.

Disaster Risk Reduction

N/A

Other considerations if relevant

Digitalisation will be mainstreamed throughout the interventions. ICT, digital technologies and equipment have high potential to increase efficiency in the justice processes, reducing case backlogs, upgrading court technologies to make justice available in reasonable time, thus sustaining public confidence.

3.4. Risks and Lessons Learnt

Category	Risks	Likelihood (High/ Medium/ Low)	Impact (High/ Medium/ Low)	Mitigating measures
People and the organisation	Delivery of outputs can be demand-driven (based on each stakeholder's needs), to the relative detriment of the reinforcement of coordination and synergies across JRLOs institutions	M	H	<ul style="list-style-type: none"> • Clarify and detail the Justice, Reconciliation, Law and Order Sector (JRLOS) priorities regarding intersectorial coordination • Develop joint work plans designed on the basis of specific needs of Justice and police institutions.
Human resources capacity and external environment	Distortion of expressed needs and real needs due to limited human resources capacities	H	H	Take into consideration the current Human Resources capacities for elaborating a concrete risk assessment
People and the organisation	No systematic application of upgraded skills in the justice system due to staff turnover, limited resources and resistance to change	M	M	<ul style="list-style-type: none"> • Provide common and agreed guidelines based on JRLOs priorities • Use the Rwandan institutional framework through the Institute of Legal Practice and Development (ILPD) to train Justice stakeholders.
Accountability and Results	Institutions are increasingly involved in quantitative data collection (Imhigo process,) and less in learning and result based management (RBM)	H	M	Introduce a shared monitoring framework as learning tool among all JRLOS actors for sharing experiences, adjusting activities against expected results capitalising best practices.
External environment	Limited synergies and linkages between CSO implementers and government institutions	H	H	<ul style="list-style-type: none"> • Develop practical guidance on how CSOs may interact better with institutions at different levels (national, district, sectors, and cells level) • Combining CSO capacity development and dialogues on sectoral issues with targeted institutions and policy makers and other duty bearers
Regulatory aspects	Competition for community support	M	L	<ul style="list-style-type: none"> • Consider distinct approaches at national and district/local level for engaging civil society actors in accordance with their skills, locations
External environment	Self-censorship	H	M	<ul style="list-style-type: none"> • Ensure that CSO capacity development will address necessary

				<p>skills to conduct advocacy based on evidence</p> <ul style="list-style-type: none"> • Sensitize government authorities on advocacy role of CSOs.
<p>Lessons Learnt: This action integrates mainly lessons learnt from the implementation of the ongoing Accountable Democratic Governance Programme (11th EDF ADGP). Main lessons learnt from the programme include:</p> <ul style="list-style-type: none"> • Desired EU outcomes and outputs are often ambitious, given human resources’ capacities and institutional constraints. Previous programmes demonstrated gaps between the formulation and implementation phases in addressing the evolving needs of the sector. • The intervention logic on voice and accountability through civil society organisations should be linked with the expected performance of those organisations. Previous experiences demonstrate that many opportunities were missed to build on joint approaches between public institutions and civil society organisations, to promote local dynamics. • Ensuring the Programme’s overall flexibility in management modalities and closed relationships between EU support and Rwandan institutions is critical to allow bespoke responses to changing contexts and institutions, and to capitalise on emerging opportunities. • The use of high skilled local expertise may support more efficiently the programme. Continue involving senior public officials in Steering Committees to generate a strong ownership at policy level, and at operational level for solving efficiently structural issues. • Establish a monitoring tool as learning mechanism to document, monitor, integrate the programme’s benchmarks is critical to improve institutional performance. Previous experiences demonstrate limited technical capacity among implementing staff to carry out monitoring and evaluation functions as learning tools thereby losing focus on results. 				

3.5. The Intervention Logic

The Action intends to improve the overall justice system, consolidate reconciliation, with a support to civil society voices for accountability. Addressing gaps in these areas could accelerate poverty reduction and socio economic development. Three specific objectives will be pursued in an integrated manner: a) improving the justice service delivery; b) consolidation of peace and unity through reconciliation and rehabilitation; and c) creation of an environment for enhancing citizens' voice, by strengthening advisory capacity of CSOs. These interventions will be fully aligned with the Government's priorities and will complement each other to tackle the multifaceted issues of governance and rule of law.

The key lesson which may be applied from previous governance and rule of law programmes is the need for a comprehensive approach and Rwandan ownership. While Judicial policies initially focused on building the capacity of Justice actors, providing a favourable environment to access to justice and basic service delivery –both on criminal and civil cases–, there is currently a need to further strengthen capacities in the Justice system, also by alleviating cooperation gaps between the main actors, as described above. Digitalisation of the Justice system will be further supported as a means to accessibility and service delivery. A roadmap to that effect should be drafted at the inception of the project in consultation with JRLS actors, taking into consideration a cost-benefit analysis as well as issues of data protection. In order to ensure capacity building sustainability, the action will work through the Institute of Legal Practice and Development (ILPD). ILPD provides the academic education for judges, investigators, prosecutors, lawyers, bailiffs to enhance and update legal professionals knowledge and practices. As far as criminal justice is concerned, there is a need to reinforce the professionalism and specialization of the prosecution capacity. A number of challenges appear also at the Rwanda National Police (RNP) and Rwanda Investigation Bureau (RIB), thus through a Twinning component involving EU Member States counterpart bodies, the action aims at boosting the capacity of these two key agencies in their mandate of prevention, detection and investigation.

As far as Access to Justice is concerned, the intervention seeks to continue working with the Government and MAJ that have spearheaded legal aid to indigents, mediation to parties, and assisted litigants to access the judicial system where needed. As a model of traditional dispute resolution mechanism, the Abunzi committees should be further supported as they have demonstrated a certain capacity to reduce the backlog of cases in the judicial system, contributing also to conflict prevention at community level. The intervention will also seek to support the work of legal aid providers (CSOs and Rwanda Bar Association) where better coordination with government is required. The Ministry of Justice will be supported in improving legal aid policy. The intervention will support implementation of the Alternative Dispute Resolution Policy as a concrete means to avoid the judicialization of grievances, and overwhelming of the Judicial system.

Regarding reconciliation and rehabilitation support, the focus relates to consolidation of peace through social and economic reintegration. A less visible but key aspect of peace-building and reconciliation is the interconnection made in prisons, between healing efforts, reconciliation processes (psychosocial support) and reintegration. In this regard, those processes are interrelated and highlight the relevance of taking them into account concurrently through coordinated approaches between government institutions and civil society organisations.

The Theory of Change underpinning the action under the Voice and Accountability component ensures that mobilization of citizens furthers State accountability. The action will focus on enhancing civil society's role strengthening their ability to empower citizens' ability to request better service delivery. Acting alone, citizens often do not exert enough pressure to achieve and sustain the desired changes by local authorities. CSOs will therefore work as interlocutors, together with citizens, engaging with State actors. The action will capacitate CSOs to generate the necessary information to empower citizens to express their views effectively and hold their authorities accountable.

3.6. Logical framework matrix

Results	Results chain (@): Main expected results (maximum 10)	Indicators (@): (at least one indicator per expected result)	Baselines (values and years)	Targets (values and years)	Sources of data	Assumptions
Impact	1. To consolidate reconciliation, and a just and equitable society as foundation to economic development for all in Rwanda	1. Public confidence and satisfaction on justice system services delivery 2. GERF 1.19 Global Peace Index 3. GERF 1.21 Voice and Accountability Score	1. 80.07% (2020-Citizen Report Card) 2. To be determined (2022) 3. To be determined (2022)	1. More than 80% of the population will be satisfied with justice service delivery over the next 5 years (2027) 2. More than 50% increase in the number of Reconciliation initiatives achieved over the next 5 years (2027) 3. Level of participation of civil society on governance and rule of law policies (2027)	1. World Bank Worldwide Governance Indicators 2. Institute for Economics and Peace (IEP) Global Peace Index 3. World Justice Project's Rule of Law Index 4. Ibrahim Index of African Governance 5. Ministry of National Unity & Civic Engagement MINUBUMWE Reports	<i>Not applicable</i>
Outcome 1	1. Improved delivery of timely, quality justice, and access to justice for the most vulnerable persons	1.1 % of backlog cases in the Judiciary 1.2 Number of Access to Justice cases reported for vulnerable people 1.3 Status of the standards on mediation/resolution Abunzi practices and monitoring of Abunzi reporting work	1.1 % of backlog cases out of total cases filed (year 2022) 1.2. To be determined (2022) 1.3. No uniformed approach on resolution of citizens' disputes, and limited monitoring and reporting system of Abunzi services	1.1 % of backlog cases out of the total cases filed over the next 5 years (year 2027) 1.2. Number of Access to Justice cases addressed by MAJ, the Abunzi systems, and Legal Aid 1.3. Enactment of ADR policy, Abunzi uniform approaches on resolution of conflicts. Coordination among MAJ, Rwandan Bar and practitioners for providing legal aid in rural areas, in particular on SGBV cases. Monitoring of Abunzi reporting through the full operationalization	1.1 Judiciary reports 1.2. JRLOS sector reports 1.3. MINIJUST reports	

		<p>1.4 National Commission for Human Rights (NCHR) is proactive to address HR violations</p> <p>1.5 Number of crimes including emerging crimes, and gender-based violence crime cases reported</p>	<p>1.4 No public information on how NCHR address UPR review recommendations</p> <p>1.5 To be determined (2022)</p>	<p>of the Management Information System (MIS).</p> <p>1.4. Number of UPR recommendations implemented</p> <p>1.5 Number of crimes including emerging crimes, and gender-based violence crime cases effectively investigated, prosecuted and trialed, over the next 5 years (2027)</p>	<p>1.4. Annual reports of the National Commission for Human Rights (NCHR) addressing UPR recommendations</p> <p>1.5. Annual RIB, Prosecution and Judiciary reports</p>	
Outcome 2	2. Improved use of social and economic reintegration measures for persons deprived of their liberty, by institutional and civic stakeholders	<p>2.1. Number of people who have benefited from TVET skills supported by the Action (by sex, by age, by disability status, by prison). (GERF 2.14)</p> <p>2.2. Number of persons deprived of their liberty and the involved communities, benefiting from psychosocial support (by sex, by age, by disability status, by prison/outside prison).</p>	<p>2.1 Number of people who have benefited from TVET skills in the TVET Centers in prisons (2022)</p> <p>2.2 To be determined (2022)</p>	<p>2.1. Number of people who have benefited from TVET skills in the TVET Centers in prisons over the next 5 years (2027)</p> <p>2.2. Number of persons deprived of their liberty and the involved communities, benefiting from psychosocial support (by sex, by age, by disability status, by prison/outside prison) over the next 5 years (2027)</p>	<p>2.1 Annual reports from Rwanda Correctional Services</p> <p>2.2 Annual reports from CSOs working on psychosocial support, reconciliation, follow-up on rehabilitation of released former detainees and the involved communities</p>	
Outcome 3	3. Enhanced citizen's voice, and effective participation in accountability mechanisms	3.1 Voice and accountability score, CSOs participation score	3.1 To be determined (2022)	3.1. CSOs Participation score over the next 5 years (2027)	<p>3.1 Ibrahim Index of African Governance</p> <p>3.2 Annual JRLOS sector reports</p> <p>3.3 CSOs reports</p>	
Output 1 relating to Outcome 1	1.1 Strengthened capacity of the Justice actors to deliver timely and quality justice including the	1.1.1 Number of JRLOS actors and lawyers trained on legal practices with the support of the Action along the justice system, who show	1.1.1 120 judges in 4 branches of law (civil procedure practice, contract and tort law practice, corporate and insolvency law	1.1.1 200 Judges and 300 registrars, 50 prosecutors and assistants, trained in legal and coordinated practices (2027)	1.1.1 Annual reports from the Institute of Legal Practice and Development (ILPD)	

	performance of criminal justice	<p>increased capacities (by sex, age and disability status)</p> <p>1.1.2 Number of police officers and investigators involved in the Twinning cooperation with increased skills, in line with international practices (by sex, age and disability status)</p> <p>1.1.3 Number of JRLOS officers and lawyers trained in new domains (Cyber-crimes, Human trafficking, Drug trafficking, Money laundering, GBV Crimes and criminology) formed with the support of the Action, for the purpose of coaching, mentoring and training others JRLOS staff in different domains (by sex, age and disability status)</p> <p>1.1.4. Status of ICT technology in the judicial system (Minijust, Judiciary, NPPA, RIB, RNP, RCS)</p>	<p>practice, criminal process and sentencing) trained in line with international practices (source Judiciary, 2022)</p> <p>1.1.2 To be determined (2022)</p> <p>1.1.3. To be determined (2022)</p> <p>1.1.4. IECMS system established and fully operational in 5 Justice Sector Institutions (RIB, NPPA, Judiciary, MINIJUST & RCS, 2022)</p>	<p>1.1.2. 100 Police officers and 100 RIB investigators trained on judicial criminal practices (2027)</p> <p>1.1.3. 100 prosecutors and 50 assistants to prosecutors, 200 judges, 100 registrars, 20 legal researchers are trained on emerging crimes (2027)</p> <p>1.1.4 The IECMS manage Cases from entry to the closure (ICT experts are trained on maintenances in all involved institutions, e-courts are operational) for using IECMS (2027)</p>	<p>1.1.2 Twinning Reports</p> <p>1.1.3 Member State/UN Agency/ government Ministry Reports</p> <p>1.1.4 JRLOS reports</p>	
Output 2 relating to Outcome 1	1.2. Strengthened access to justice for most vulnerable persons including	1.2.1 Number of district JRLOS members, Abunzi committees and MAJ trained on standardized practices on mediation and reconciliation in accordance with ADR	1.2.1 0 Baseline (2022)	1.2.1 Number of district JRLOS members, Abunzi committees and MAJ trained on standardized practices on mediation and reconciliation in accordance with ADR policy, who have acquired	1.2.1 MINIJUST Annual Reports	

	migrants and displaced populations	<p>policy, who have acquired new capacities (by sex, age and disability status)</p> <p>1.2.2 Effective Management Information System (MIS) for reporting on cases handled by Abunzi in rural areas and for facilitating the Access to justice for the most vulnerable peoples</p> <p>1.2.3. Number of requests for legal aid from vulnerable people (by sex, age and disability status)</p>	<p>1.2.2. Lack of information from JRLOS district measures towards the vulnerable people. Management Information System (MIS) not yet fully operational, to efficiently monitor the number of cases handled by Abunzi committees</p> <p>1.2.3 To be determined (2022)</p>	<p>new capacities (by sex, age and disability status, 2027)</p> <p>1.2.2 50 MAJ out of 90 MAJ in 10 districts use MIS system for Abunzi monitoring and reporting on victims' cases. Management Information System fully operational</p> <p>1.2.3 Number of vulnerable people who receive coordinated legal aid among legal aid practitioners (by sex, age and disability status)</p>	<p>1.2.2 JRLOS district reports</p> <p>1.2.3 JRLOS annual reports</p>	
Output 3 relating to Outcome 1	1.3. Strengthened capacity of the National Commission for Human Rights (NCHR) in particular the NPM unit, to ensure promotion and protection of human rights, and to follow up on UPR recommendations	<p>1.3.1. Number of visits, inspections, sensitization, training organized by NCHR to the benefit of JRLOS actors</p> <p>1.3.2 Number of Human Rights violations reported and addressed by NCHR, including cases referred to Courts in accordance with the law</p>	<p>1.3.1 0 baseline (2022)</p> <p>1.3.2. 0 baseline (2022)</p>	<p>1.3.1. Number of visits, inspections, sensitization, training organized by NCHR to JRLOS actors (2027)</p> <p>1.3.2. Number of Human Rights violations reported and addressed by NCHR, including cases referred to Courts in accordance with the law (2027)</p>	<p>1.3.1 Annual reports of NCHR</p> <p>1.3.2 Annual reports of NCHR, Compilation of data made by NCHR in collaboration with other State agencies and CSOs on HR violations (2027)</p>	
Output 1 relating to Outcome 2	2.1.1 Increased TVET services in prisons, gender sensitive also adapted to the persons with disabilities	2.1.1 Number of prisoners benefiting from TVET centers with the support of the Action	2.1.1 1,5% of prisoners have access to TVET (RCS information, 2022)	2.1.1. 3% of prisoners have access to TVET programmes (2027)	<p>2.1.1 Annual RCS reports</p> <p>2.1.2 Annual CSOs reports working on social and economic prisoners' rehabilitation</p>	

Output 2 relating to Outcome 2	2.2 Increased coordinated referral mechanisms and services for psychosocial therapy inside and outside prisons	2.2.1 Status of a referral system for psychosocial therapy inside and outside prisons	2.2.1 0 baseline (2022)	2.2.1. Effective referral system for psychosocial therapy, inside and outside prisons	2.2.1 Annual RCS reports 2.2.2 Annual CSOs report working with prisons	
Output 1 relating to Outcome 3	3.1 Increased capacity of CSOs to conduct research and advocacy initiatives towards public authorities	3.1.1. Number of research products with the support of the Action 3.1.2 Number of yearly advocacy engagements towards public authorities (2027) supported by the Action	3.1.1 0 Baseline (2022) 3.1.2 0 Baseline (2022)	3.1.1 Number of research products conducted (2027) 3.1.2 Number of yearly advocacy engagements towards public authorities (2027)	3.1.1 CSOs Research reports on public policy and its effective implementation on the field 3.1.2 CSOs Annual reports on advocacy and research	
Output 2 relating to Outcome 3	3.2. Improved citizens' ability, especially for women, to demand accountability and monitor (public oversight) the performance of local institutions	3.2.1. Number of CSOs advocacy proposals raised during interface meetings at local and national levels 3.2.2. Number of yearly engagement meetings with communities and authorities supported by the Action 3.2.3 Number of CSO policy proposals initiated on access to justice, accountability and human rights	3.2.1. 0 Baseline (2022) 3.2.2. 0 Baseline (2022) 3.2.3 0 Baseline (2022)	3.2.1. Regular advocacy proposals from CSOs (2027) 3.2.2. Number of yearly engagement meetings with communities and authorities (2027) 3.2.3 Number of CSOs policy proposals on access to justice, accountability and human rights (2027)	3.2.1 CSOs advocacy papers 3.2.2 CSOs Reports on engagement initiatives 3.2.3 CSOs policy proposals on access to justice, accountability and human rights	
Output 3 relating to Outcome 3	3.3 Increased opportunities for the accountability of local duty bearers in the fulfilment of their mandates	3.3 Number of dialogues and joint activities initiated between CSOs and local authorities with the support of the Action (by location)	3.3 0 Baseline (2022)	3.3 Number of dialogues and joint activities initiated between CSOs and authorities with the support of the Action (by location) (2027)	3.3 Annual CSOs reports.	

4. IMPLEMENTATION ARRANGEMENTS

4.1. Financing Agreement

In order to implement this action, it is envisaged to conclude a financing agreement with the partner country.

4.2. Indicative Implementation Period

The indicative operational implementation period of this action, during which the activities described in section 3 will be carried out and the corresponding contracts and agreements implemented is 60 months from the date of entry into force of the financing agreement.

Extensions of the implementation period may be agreed by the Commission's responsible officer by amending this Financing Decision and the relevant contracts and agreements.

4.3. Implementation of the Budget Support Component

N/A

4.4. Implementation Modalities

The Commission will ensure that appropriate EU rules and procedures for providing financing to third parties are respected, including review procedures, where necessary, and compliance of the action with EU restrictive measures⁹.

4.4.1. Direct Management (Grants)

4.4.1.1 Grant #1 (direct award)

(a) Purpose of the grant(s)

Increased TVET services in prisons, gender sensitive also adapted to the persons with disabilities– Output 1 related to Specific Objective 2) Improved use of social and economic reintegration measures for persons deprived of their liberty, by institutional and civic stakeholders.

(b) Type of applicants targeted

Public body with legal personality.

(c) Justification of a direct award

Under the responsibility of the Commission's responsible officer, a grant may be awarded without a call for proposals to Rwanda Correctional Services. The recourse to an award of a grant without a call for proposals is justified because Rwanda Correctional Services is in the position of legal monopoly for the administration of prisons in the country. This direct grant award is in line with Article 195(c) of the Financial Regulation .

4.4.1.2 Grant #2 (call for proposals)

(a) Purpose of the grant(s)

⁹ www.sanctionsmap.eu. Please note that the sanctions map is an IT tool for identifying the sanctions regimes. The source of the sanctions stems from legal acts published in the Official Journal (OJ). In case of discrepancy between the published legal acts and the updates on the website it is the OJ version that prevails.

Increased coordinated referral mechanisms and services for psychosocial therapy inside and outside prisons – Output 2 related to Specific Objective 2) Improved use of social and economic reintegration measures for persons deprived of their liberty, by institutional and civic stakeholders

(b) Type of applicants targeted

Public body with legal personality and Civil Society Organisations.

4.4.1.3 Grant #3 (call for proposals)

(a) Purpose of the grant(s)

To enhance capacity of civil society organisations - outputs 1, 2 and 3 related to Specific Objective 3) Enhanced citizen's voice and effective participation in accountability mechanisms

b) Type of applicants targeted

Public body with legal personality and Civil Society Organisations.

4.4.1.4 Grant #4 (call for proposals, twinning)

(a) Purpose of the twinning: To support skills and professionalism of the Police and the Rwanda Investigation Bureau, under Specific Objective 1) – Output 1.

(b) Type of applicants targeted: EU Member State administrations or their mandated bodies

4.4.2 Indirect Management with a pillar assessed entity

A part of the action may be implemented in indirect management. This implementation entails activities under the Specific Objective 1) Improved delivery of timely, substantial justice, and access to justice for the most vulnerable persons. The envisaged entity has been selected using the following criteria: (i) previous substantial experience in the justice sector, including peer to peer exchanges; (ii) demonstrated capacity of working with multiple government beneficiaries and CSOs; (iii) strong procurement capacity (iv) experience with EU regulations.

In case the envisaged entity would need to be replaced, the Commission's services may select a replacement entity using the same criteria. If the entity is replaced, the decision to replace it needs to be justified.

4.4.3 Changes from indirect to direct management mode (and vice versa) due to exceptional circumstances (one alternative second option)

If circumstances outside the Commission's control were to occur, the implementation modality under indirect management (section 4.4.2 Indirect Management with a pillar assessed entity) can be replaced by direct management. In such case the component under section 4.4.2 would be implemented through (a) grant(s) using the following selection criteria: (i) previous substantial experience in the justice sector, including peer to peer exchanges; (ii) demonstrated capacity of working with multiple government beneficiaries and CSOs; (iii) strong procurement capacity (iv) experience with EU regulations. Applicants would be mainly Rwandan government agencies and entities, and possibly CSOs.

4.5. Scope of geographical eligibility for procurement and grants

The geographical eligibility to participate in procurement and grant award procedures and eligibility of supplies purchased, as established in the basic act and set out in the relevant contractual documents, shall apply, subject to the following provisions.

The Commission's responsible officer may extend the geographical eligibility on the basis of urgency or of unavailability of services in the markets of the countries or territories concerned, or in other duly substantiated cases where application of the eligibility rules would make the realization of this action impossible or exceedingly difficult (Article 28(10) NDICI-Global Europe Regulation).

4.6. Indicative Budget

Indicative Budget components	EU contribution (amount in EUR)
Implementation modalities – cf. section 4.4	
Outcome 1 – Improved delivery of timely, quality justice, and access to justice for the most vulnerable persons	12 200 000
Indirect management with a pillar assessed entity- cf. section 4.4.2	10 200 000
Twinning Grant (direct management) – cf. section 4.4.1 Grant #4	2 000 000
Outcome 2 – Improved use of social and economic reintegration measures for persons deprived of their liberty, by institutional and civic stakeholders	4 900 000
Grants (direct management, direct award) – cf. section 4.4.1, Grant #1	2 400 000
Grants (direct management, call for proposals) –cf. section 4.4.1, Grant #2	2 500 000
Outcome 3 - Enhanced citizen's voice, and effective participation in accountability mechanisms	2 000 000
Grants (direct management, call for proposals) – cf. section 4.4.1, Grant #3	2 000 000
Evaluation – cf. section 5.3 Audit – cf. section 5.3	400 000
Total <i>(Total envelope for grants under sections 4.4.1: EUR 8 900 000)</i>	19 500 000

4.7. Organisational Set-up and Responsibilities

A Steering Committee will provide the strategic steering for the Programme and coordinate its overall implementation. The Steering Committee will be indicatively composed of the direct beneficiaries of the programme, Ministry of Justice (MINIJUST), Judiciary (Supreme Court), the Rwanda Investigation Bureau, the National Public Prosecution Authority, the Rwandan Correctional Service, Rwanda National Police, and representatives of the implementing partners and beneficiary CSOs. The Steering Committee will be chaired by the Ministry of Justice and co-chaired by the European Union. A secretariat to the Steering Committee will be appointed. The membership, operating rules and responsibilities of the Committee (frequency of meetings, reporting, action plans and annual budget approval, etc.) will be established at the beginning of the project.

In addition to the Steering Committee that will oversee the overall implementation of the programme, there will be separate governance structures responding to the needs and diverse nature of stakeholders of the various components.

As part of its prerogative of budget implementation and to safeguard the financial interests of the Union, the Commission will actively participate in the above governance structures set up for governing the implementation of the action.

5. PERFORMANCE MEASUREMENT

5.1. Monitoring and Reporting

The day-to-day technical and financial monitoring of this action will be a continuous process, and part of the implementing partner's responsibilities. To this aim, the implementing partners shall establish a permanent internal, technical and financial monitoring system for the whole action, elaborate regular progress reports (not less than annual) and final reports. Every report shall provide an accurate account of implementation of the action, difficulties encountered, changes introduced, as well as the degree of achievement of its results (Outputs and direct Outcomes) as measured by corresponding indicators, using as reference the logframe matrix.

The Commission will undertake additional project monitoring visits both through its own staff and through independent consultants recruited directly by the Commission for independent monitoring reviews (or recruited by the responsible agent contracted by the Commission for implementing such reviews).

Roles and responsibilities for data collection, analysis and monitoring will fall under the responsibility of the implementing partners.

Monitoring and evaluation will assess gender equality results, an impact on rights of groups living in the most vulnerable situations and the implementation of the rights based approach working principles. Monitoring and evaluation will be based on indicators that are disaggregated by sex, age, disability when applicable.

Human rights and gender equality competence will be ensured in the monitoring and evaluation teams.

5.2. Evaluation

Having regard to the importance of the action, mid-term and final evaluations will be carried out for this action or its components via independent consultants contracted by the Commission.

The mid-term evaluation will be carried out for problem solving and learning purposes, in particular with respect to possible reorientations of the project for the latter years of implementation.

The final evaluation will be carried out for accountability and learning purposes at various levels (including for policy revision), taking into account in particular the fact that access to justice is supported by EU for a long time and both the justice sector as well as the prisons are new areas of intervention for the EU building on Netherlands' experience.

Evaluations can be done jointly with other Member States and European Development Finance Institutions engaged in the action.

The Commission shall inform the implementing partners at least 3 months in advance of the dates envisaged for the evaluation missions. The implementing partners shall collaborate efficiently and effectively with the evaluation experts, and inter alia provide them with all necessary information and documentation, as well as access to the project premises and activities.

The evaluation reports will be shared with the partner country and other key stakeholders following the best practice of evaluation dissemination. The implementing partners and the Commission shall analyze the conclusions and recommendations of the evaluations and, where appropriate, in agreement with the partner country, jointly decide on the follow-up actions to be taken and any adjustments necessary, including, if indicated, the reorientation of the project.

Evaluation services may be contracted under a framework contract.

5.3. Audit and Verifications

Without prejudice to the obligations applicable to contracts concluded for the implementation of this action, the Commission may, on the basis of a risk assessment, contract independent audit or verification assignments for one or several contracts or agreements.

6. STRATEGIC COMMUNICATION AND PUBLIC DIPLOMACY

The 2021-2027 programming cycle will adopt a new approach to pooling, programming and deploying strategic communication and public diplomacy resources.

It will remain a contractual obligation for all entities implementing EU-funded external actions to inform the relevant audiences of the Union's support for their work by displaying the EU emblem and a short funding statement as appropriate on all communication materials related to the actions concerned. This obligation will continue to apply equally, regardless of whether the actions concerned are implemented by the Commission, partner countries, service providers, grant beneficiaries or entrusted and delegated entities such as UN agencies, international financial institutions and agencies of EU member states.

However, action documents for specific sector programmes are no longer required to include a provision for communication and visibility actions promoting the concerned programmes. These resources will instead be consolidated in Cooperation Facilities established by support measure action documents, allowing Delegations to plan and execute multiannual strategic communication and public diplomacy actions with sufficient critical mass to be effective on a national scale.

Appendix 1 – REPORTING IN OPSYS

An Intervention (also generally called project/programme) is the operational entity associated to a coherent set of activities and results structured in a logical framework aiming at delivering development change or progress. Interventions are the most effective (hence optimal) entities for the operational follow-up by the Commission of its external development operations. As such, Interventions constitute the base unit for managing operational implementations, assessing performance, monitoring, evaluation, internal and external communication, reporting and aggregation.

Primary Interventions are those contracts or groups of contracts bearing reportable results and respecting the following business rule: ‘a given contract can only contribute to one primary intervention and not more than one’. An individual contract that does not produce direct reportable results and cannot be logically grouped with other result reportable contracts is considered a ‘support entities’. The addition of all primary interventions and support entities is equivalent to the full development portfolio of the Institution.

The present Action identifies as:

Contract 1 Indirect Management EUR 10 200 000	A part of the action may be implemented in indirect management. This implementation entails activities under the Specific Objective 1) Improved delivery of timely, quality justice, and access to justice for the most vulnerable persons
Contract 2 Twinning Grant EUR 2 000 000	A twinning grant to be awarded to a mandated Member State administration to support the Police and Rwanda Investigation Bureau skills and professionalism strengthening
Contract 3 RCS EUR 2 400 00	A grant may be awarded to Rwanda Correctional Services (Article 195 of the Financial Regulations, sub-article c, de jure monopoly). The Grant will support: i) Increased TVET services in prisons, gender sensitive also adapted to the persons with disabilities– Output 1 related to Specific Objective 2) ii) Increased coordinated referral mechanisms and services for psychosocial therapy inside and outside prisons – Output 2 related to Specific Objective 2)
Contract 4 Several grants to CSOs EUR 4 500 000	To enhance capacity of civil society organisations - Outputs 1, 2 and 3 related to Specific Objective 3) Enhanced citizen’s voice and effective participation in accountability mechanisms