

ACTION PLAN/ STRATEGIC ISSUES PAPER FOR THE 2012-2013 FINANCIAL YEAR

A INTRODUCTION

This Strategic Issues Paper gives the background and justification to MINIJUST's MTEF 2012-2013 (budget). It provides an overview of the main current policy issues, shows what the priority areas are, and therefore will help MINIJUST to plan and budget more strategically, as well as providing a verbal overview of where money is being spent.

B STATEMENT OF SECTOR POLICY OBJECTIVES

1. High level policy coordination and effective prioritisation so that the Justice Sector reform policy is discussed, agreed and communicated to all stakeholders and that scarce resources are used efficiently by prioritizing them across the sector;
2. The establishment of transparent, clear and accountable mechanisms for oversight, direction and implementation of the Sector Strategy.

C STATEMENT OF THE MISSION OF THE INSTITUTION

The MINIJUST mission is to organize and oversee the promotion of the Rule of Law and Fair Justice for all

D STRATEGIC OBJECTIVES OF THE INSTITUTION

The Prime Minister's Order 18/03 of 10 September 2007 instituted further reforms by combining the office of the Attorney General with the Ministry of Justice. The new mandate of the Ministry comprises the following general objectives:

1. Promoting adherence to the rule of law and natural justice,
2. Advising the government and its allied institutions on all legal matters,
3. Providing legal representation to the Government and its allied institutions,
4. Providing legal advice to all institutions of the State,
5. Representing the Government in disputes to which it's a party at the national and International level,
6. Coordinating of national legislation,
7. Coordinating activities in the Justice Sector

E LINKAGE BETWEEN THE PLAN AND THE BUDGET REQUEST FOR FY 2012/13

Outcome	Programme	Sub-Programme	Outputs	Activities	Required budget	Available budget	Balance budget		
OUTCOME I: RULE OF LAW, ACCOUNTABILITY AND HUMAN RIGHTS PROMOTED (JRLOS Strategy 2.4)									
	Promote the Rule of Law, Human Rights, Legal Aid. Eradicate the genocide ideology								
		2.3: Increased efficiency in the Justice system							
			1. Access to legal advice and representation universally available at sector level						
				1.2 Put in place regulatory framework for National Plan for Universal Access to Legal Advice and Assistance	0	0	0		

			1.3 Implement National Plan for Universal Access to Legal Advice and Assistance	0	0	0
			1.4 Elaborate code of conduct of MAJ staff	0	0	0
			1.5 Train MAJ Personnel and CPHRLAS Staff by December 2012	16,000,000	0	16,000,000
			1.6 Prepare MAJ plan of actions	0	0	0
			1.7 Assist the population especially children and other vulnerable groups in legal matters	124,000,000	123,600,000	400,000
			1.8 Provide legal advice and orientation to the population (Listen, Provide advice, Orient, Write conclusions and Advocate)	621,000,000	279,853,650	341,146,350
			1.9 Reinforce and fully operationalise the Abunzi system	167,000,000	0	167,000,000
			1.10 Review system for enforcement of civil judgements	0	0	0
			1.11 Conduct field visit by MAJ personnel	116,000,000	0	116,000,000
			1.12 Organise meeting with MAJ	1,000,000	0	1,000,000
		2. Notary services improved				0
			1.1 Improving Capacity of Notaries	7,000,000	0	7,000,000
			3.1 Analyze and sign received documents;			
			1.2 Activities of Notaries coordinated and evaluated;	0	0	0

		1.3 Analyze and sign received documents;	0	0	0
	3. Civil status services improved				0
		1.1 Speed up the change of names	0	0	0
		1.2 Exempt statutory age limit (Dispense d'âge)	0	0	0
		1.3 Exempt publication of marriage date limit (Gusezerana hatubahirijwe iminsi y'itangazwa	0	0	0
	4. Average time Minors stay in prison before trial reduced (EDPRS 3.6.3)				0
		1. Collect data from prisons by March 2013	5,500,000	0	5,500,000
		2. Analyze data by April 2013	0	0	0
		3. Produce report by May 2013	0	0	0
		4. Conduct an annual Legal Aid Week by June 2013	3,000,000	0	3,000,000
	5. Citizens sensitized on Access to Justice				0
		1. Carry out a weekly Radio broadcast of UBUTABERA MU RWANDA via Radio Rwanda	13,000,000	0	13,000,000
		2. Organize town meetings	6,000,000	0	6,000,000
					0
	6. Non-Profit Organizations (ASBL) issues resolved				0
		1. Analyze the file of each association requesting for legal personality or approval of legal representative and prepare the response	0	0	0
		2. Analyze and propose solution to legal issues concerning NGO's (be it international or local)	0	0	0
		3. Prepare MoU's for NGO's operating with the Ministry of Justice	0	0	0
	2. 4: Increase the level of				0
		7. National Human			0

		respect of human right	Rights Action Plan elaborated	1. Conduct human rights baseline survey by September 2012	3,000,000	0	3,000,000	
				2. Elaborate NHRAP by December	2,000,000	0	2,000,000	
			8. Human Rights Instruments (with reporting obligation) reported on				0	
				1. Hire consultant	0	0	0	
				2. Prepare reports	0	0	0	
				3. organise workshop for validation of the report	0	0	0	
				4. Follow up the execution of recommendations given	0	0	0	
			9. International conferences on Human Rights organised and participated to				0	
				1. Promote cooperation with regional and international justice institutions on Human Rights related matters	0	0	0	
				2. Conduct study visits	0	0	0	
			10. Population senzitized on laws protecting people living with HIV/AIDS				0	
				1. Conduct trainings to local leaders, Abunzi and MAJ Personnel	0	0	0	
				2. Conduct town meetings	0	0	0	
OUTCOME II: MAINTAINED AND ENHANCED SAFETY, LAW AND ORDER								0
	Improve the quality and harmonize existing and new laws							0
		1.1: Harmonize existing laws with the Constitution, EAC laws and international ratified instruments.						0
			11. Rwanda's and EAC's laws are harmonized and revised (7YGP 16)				0	
				1. Identify laws to be harmonized and revised	0	0	0	
				2. Consultative meetings with stakeholders before drafting or revising laws organized	3,000,000	400,000	2,600,000	
				3. Harmonize and revise identified laws	0	0	0	
				4. Submit harmonized revised laws to competent organs for approval	0	0	0	

			12. International instruments ratified				0				
			1. Make inventory of all international instruments ratified and not ratified	0	0		0				
			2. Propose for signature and ratification	0	0		0				
			3. File/submit and domesticate these instruments.	0	0		0				
OUTCOME III: HARMONIZED , UPDATED AND IMPROVED NATIONAL LEGISLATION (MINIJUST S.P)								0			
	Initiation and drafting of legal texts								0		
		1.2: Improve the quality of national laws								0	
			13. Laws scrutinized, coordinated and codified								0
				1. Identify laws to be scrutinized, coordinated and codified	0	0			0		
		2. Scrutinize, coordinate and codify laws	20,000,000	10,781,140			9,218,860				
		1.3 : Standardise legislative drafting								0	
			14. Legislative drafting guide, the judicial lexicon and the directory of law & decrees available (JRLOS 3.2, 3.2.2)								0
				1. Elaborate, publish and distribute the legislative drafting guide	7,000,000	0			7,000,000		
				2. Elaborate, publish and distribute the judicial lexicon	15,000,000	6 928 800			8,071,200		
				3. Elaborate and publish the directory of laws & decrees	0	0			0		
		1.4: Ensure proper translation of national legislation								0	
		15. Inventory of legal texts that need to be translated and texts which translation needs improvement is made								0	
			1. Make inventory of legal texts that need to be translated and texts which translation needs improvement	0	0			0			
			2. Translate them	0	0			0			
		2.2: Increase the level of								0	
16. Website on laws								0			

		public confidence in the Rule of Law	(www.amategeko.net) updated (Website correspond to public needs)	1. Improve and update www.amategeko.net	0	0	0			
OUTCOME IV: IMPROVED QUALITY OF THE REPRESENTATION OF GoR AND OF THE LEGAL ADVICE TO GoR (MINIJUST S.P)							0			
	Solving the State disputes							0		
		1. Standardise processes in litigations and settlements out of court							0	
			17. Civil litigation Cases involving Government reduced							0
				1. Represent GoR before courts		0	0	0		
				2. Increase settlements out of court		10,000,000	0	10,000,000		
			18. Execution of judgment and implementation of resolutions from settlement out of court followed up							0
				1. Identify and effect all payments due by the Government		200,000,000	200,000,000	0		
				4. Identify and collect all payments owed to the Government		0	0	0		
			19. GoR lawyers/Attorneys assisted							0
				Prepare and avail instructions		2,500,000	0	2,500,000		
				Conduct meetings/trainings		5,000,000	0	5,000,000		
			20. Public / Microfinance institution funds involved in embezzlement cases are restituted							0
				1. Identify all embezzlement cases involving public/Microfinance institution Funds		0	0	0		
2. Devise and implement measures for collecting back those funds				0	0	0				

		21. Membership of the Kigali Bar Association and East African law society	1. Pay contribution		6 540 000	-6,540,000	
		22. Advocacy in favour of government is ensured	1. Pay legal fees 2. Contractual personnel	196,800,000 8,898,000	196,800,000 8,897,800	0 200	
Advising the Government and its allied institutions on all legal matters						0	
	3.2. Standardise processes in legal advice						0
	21. International and national contracts in which GoR has a stake analyzed and legal advice provided						0
		1. Collect, analyse and provide legal opinion on all contracts involving GoR	5,000,000	0	5,000,000		
	22. Negotiation meetings on all international and national contracts in which GoR has a stake participated.						0
		1. Participate in meetings	6,000,000	5,000,000	1,000,000		
		2. Prepare meeting reports	0	0	0		
	23. Increase public awareness on international business agreement ratified by Rwanda						0
		1. Organise town meeting	20 000 000	7 181 605	12,818,395		
		2. Organise TV/Radio Talk shows					

		24. Workshops and meetings to sensitize leaders on how to minimize incidences that result into suits against GoR organized			0
		1. Conduct a workshop on contract management for local Government officials	10,000,000	0	10,000,000
		2. Conduct a workshop on contract management for central Government officials	10,000,000	0	10,000,000
		25. Training on Drafting negotiation, and management contract			
		1. Organise training for procurement officers and internal tender committees	30,000,000	13 453 540	16,546,460
		2. Organise training for Executives secretaries of the District and Legal Officers			
		26. Impact of legal opinions on contracts provided by MINIJUST monitored and evaluated			
		1. Request all receivers of legal opinions to submit to MINIJUST evidences of implementation of provided legal opinions(signed contracts)	0	0	0
		2. Establish and manage a user group for all Government legal officers/attorneys	16,000,000	0	16,000,000
		3. Establish and manage a database where all legal opinions and copies of signed contracts will be kept	0	0	0
		4. conduct survey	40,000,000	0	40,000,000
		26. Identifying relevant international instruments in international business law to be ratified by Rwanda.			0
		1. To carry out Research and recommend the relevant Government Ministries and institutions to initiate & consider ratification process.	6,000,000	0	6,000,000
OUTCOME V: IMPROVED MANAGEMENT OF					0
	Auxilliary				0

ABANDONED PROPERTY	services				0	
					0	
		27. An inventory of the property drawn up and the unmanaged property appropriately managed	1. Help districts establish or put in place commissions charged with the management of abandoned property according to the law governing their management	0	0	0
			2. Carry out a sensitization campaign on the law governing the management of abandoned property	4,000,000	1,500,000	2,500,000
			3. Help these commissions carry out an inventory basing on the law	0	0	0
		28. The productivity from the abandoned property effected				0
			1. Make a selection of productive property.	0	0	0
			2. Sell unutilised abandoned property according to the law governing the management of abandoned property	0	0	0
		29. The renting contracts drawn up and the existing ones renewed				0
			1. Help district commissions determine renting costs	0	0	0
			2. Help district commissions draw up renting contracts	0	0	0
			3. Follow up the whole renting system and all issues related to it	0	0	0
		30. Disputes relating to such property resolved before submitting to relevant authorities				0
			1. Help district commissions set mechanism to settle such disputes	0	0	0
			2. Use 'Inteko y' Abaturage' to settle property related disputes	0	0	0
			3. Follow up on how decisions from these strategies have been put into actions	0	0	0
		31. Database on abandoned property developed				0
			1. Create and open up data base for abandoned property	6,000,000		6,000,000
			2. Update this data base for easy access	0	0	0

OUTCOME VI: IMPROVED PUBLIC FUND RECOVERY							0		
	Auxiliary services							0	
								0	
		32. Public funds from closed cases Recovered							0
			1. Gather all the information on closed cases and establish their data base(for previous years) by use of a task force	10,000,000	7,500,000	2,500,000			
		2. Send these cases to the executing institutions (Districts, RRA, Insurance companies, Banks and other financial institutions) for public fund recovery	0	0	0				
		3. Receive and compile reports of execution from named institutions	0	0	0				
OUTCOME VII: STRENGTHENING MINIJUST INSTITUTIONAL CAPACITY AND COORDINATING THE JRLOS EFFECTIVELY (MINIJUST S.P)							0		
	1. MINIJUST Administration and Institutional Development							0	
								0	
		33. The implementation of the EDPRS & JRLO Sector Strategies coordinated							0
			1. Supervision of the day to day work of the secretariat	120,000,000	216,745,416	-96,745,416			
			2. Day to day coordination of the JRLOS institutions towards the implementation of the sector activities						
			3. Compilation of the Sector Action Plan and Budget for the following financial year	0					
	34. The Result based planning, Monitoring and evaluation activities of the JRLOS institutions promoted and coordinated							0	
		1. Preparation & Facilitation of monthly meetings of the Thematic Working Group on Planning, Resource Allocation, Budgeting and reporting	74,000,000		5,197,904				
		2. Preparation of the sector progress reports regarding the JRLOS Strategy, the EDPRS, and the Results of the Leadership Retreat	0	0	0				

			3. Organisation of the trainings for DAFs, and Planners on planning, costing, and program based budgeting (result based budgeting/policy based budgeting)	0	0	0
		35. Program Based Budgeting promoted and all Public Finance Management activities in the sector coordinated				0
			1. Facilitation of the monthly meetings of the Thematic Working Group on Planning, Resource Allocation, Budgeting and reporting.	0	0	0
			2. Compilation of the Sector Action Plan, the Sector Strategic Issues Plan, the Sector Budget, and the Sector MTEF	0	0	0
			3. Preparation of the Budget Execution Report for the Sector	0	0	0
			4. Assistance to the budget revision in November 2012	0	0	0
			5. Facilitation of the preparation of sector budget for the FY 2013/14 and the JRLOS Strategic Issues Paper	0	0	0
		36. The implementation of the JRLOS ICT strategy coordinated				0
			1. Facilitation of the monthly meetings of the Thematic Working Group on ICT	0	0	0
			2. Coordination of the implementation of the JRLOS ICT Strategy for the JRLOS Institutions	29,000,000	0	29,000,000
			3. Management of the Legal Information Portal (40'800'000 Rwf)	41,000,000	0	41,000,000
			4. Facilitation in the creation, management and upgrade of the JRLOS Websites	0	0	0
					0	0
		37. The implementation of the JRLOS communication & awareness strategy				0
			1. Establish the TWG on JRLOS Communication	45,000,000	0	45,000,000
			2. At least two broadcasted press conferences held on the activities of the JRLO Sector	0	0	0

			3. Use of youth clubs to disseminate JRLOS messages, e.g. fight against corruption, gender based violence, drug abuse.	0	0	0
			5. Production of articles on JRLOS in Rwanda's most known newspapers			
			6. Prepare and conduct at least 2 JRLOS awareness campaigns for the population			
			4. Production of the JRLOS Bilingual Documentary (Kinyarwanda- English)	0	0	0
		38. The commissioning of sector studies and surveys according to the JRLOS strategy coordinated, and supervised				0
			1. Management Information System	250,000,000	60,000,000	190,000,000
			2. End to end detailed process map of criminal Justice system			
			3. Map legislative process and develop clear procedures for efficiency and quality control.			
			4. Develop Alternatives to Prisons including mainstreaming TIG			
			5. Review regulation of legal profession			
		39. Decentralized JRLOS committees established				0
			1. Facilitate the establishment of the decentralized JRLOS committees on district level, including the assurance of sufficient institutional budgets for their proper function.	66,000,000	0	66,000,000
		40. JRLOS specific implementation, Supervision, coordination, and monitoring activities conducted				0
			7.8.1. Preparation & facilitation of the JSR, implementation of the revised JRLOS policy dialogue, prepare and facilitate meetings / workshops for the JRLOS Steering Committee, Joint Sector Working Group and the annual Sector Peer Review, organize joint sector field trips	70,000,000	44,651,178	25,348,822
		41. Information system improved				
			1. Mediators (ABUNZI) Reporting and Information System Developed	84,000,000	0	84,000,000

			2. Disaster Avoidance and Recovery Plan (DARP) developed	36,000,000	20,284,264	15,715,736
			3. Electronic Case Management System Developed (ECMS)	36,000,000	20,284,264	15,715,736
		42. Maintenance of ICT Equipment (Servers, computers, hotocopiers, printers, fax, X/Phones, ACs, & Generators)				
			1. Develop ToR	10,000,000	0	10,000,000
			2. Tender and Sign contract	0	0	0
			3. Monitoring and Evaluation of the contract implementation	0	0	0
		43. IT Equipments procured				
			1. Procure Two ACs for the Server rooms	12,000,000	10,000,000	2,000,000
			2. Refurbish the Data Room/Server Room	10,000,000	9,368,528	631,472
			3. Software & User Licences	8,000,000	3,000,000	5,000,000
		44. Planning tools (elaborated and reported on				
			1. Consult all involved departments/institutions	0	0	0
			2. Prepare all planning tools	5,000,000	2 872 642	2127358
		45. Statistical data produced by MINIJUST&JRLOS availed for the public				0
			1. Collect data by service/institution	0	0	0
			2. Analyze data by service/institution	0	0	0
			3. Produce documents	0	0	0
	4.2: Reinforce MINIJUST human, material and financial capacities					0
		46. Training needs assessment made				0
			Carry out training needs assessment	0	0	0

47. New staff recruited as needed				0
	Recruit new staff	5,000,000	0	5,000,000
47. Professional assistance	Provide professional assistance		63 920 000	-63,920,000
48. Staff trained.				0
	1. Prepare a capacity building plan	4,000,000	0	4,000,000
	2. Submit a capacity building plan to Public Sector Capacity Building Secretariat (PSCBS)	0	0	0
	3. Follow up the implementation	0	0	0
	4. Train lawyers on Common and civil systems	0	0	0
	5. Conduct study tours for LAS staff	0	0	0
	6. Conduct training in legislative drafting	0	0	0
49. Performance evaluation system operational.				0
	1. Establish performance evaluation system.	0	0	0
50. New office furniture or equipments acquired as needed				0
	1. Acquire and codify office furniture and equipment	150,000,000	36 495 622	113,504,378
51. Human resources and property of the Ministry well managed				0
	1. Set up HR management database	10,000,000	0	10,000,000
	2. Paying monthly salaries	961,000,000	989 005 150	-28,005,150
	3. Pay backlog salaries and indemnities for former NPPA and court employees	15,000,000	0	15,000,000
	4. maintenance and security of MINIJUST's assets	120,000,000	55 568 528	64,431,472
	5. International and national transport and travel	651,000,000	426,827,869	224,172,131
	6. Strengthen staff communications	40,000,000	86 284 293	-46,284,293

			7. Provide soft drink to MINIJUST staff	14,000,000	0	0
			8. Provide newspaper and books to MINIJUST	32,000,000	0	32,000,000
			9. Ongoing contracts	32,000,000	30,697,944	1,332,056
			10. Maintain resources of Ministry of Justice	1,500,000	1,500,000	0
			TOTAL	4,490,000,000	2,945,942,633	1,544,057,367

The excess to the ceiling is due to:

1. Increase of salaries according to the new salary structure
2. Legal fees
3. New staff recruited that involves new office furniture and equipment, transport and communication
4. Training of Abunzi
5. JRLOS Studies