



The Legal Aid Forum
Working Together For Equitable Access to Justice

Legal Aid Forum Achievements

Summary Report (2011 – 2017)



Kingdom of the Netherlands



THE BELGIAN
DEVELOPMENT COOPERATION **.be**



OXFAM



Strategic Objective – 1

The Legal Aid Forum is an effective and sustainable membership-based network of legal aid providers committed to advancing access to justice

Output 1: The Legal Aid Forum has enhanced organizational and financial sustainability

Five (5) trainings involving members of the Administrative Council and Secretariat staff were organized. Training topics included Leadership and change management; Public policy, lobby and advocacy: Concepts, theories and practices; NGO effectiveness and management.

Capacity building for LAF Secretariat staff organized for several occasions within the country and abroad.

LAF Secretariat staff were facilitated to benefit from several other trainings organized by other organizations within the country and abroad.

LAF has been very active in the justice sector

LAF has been participating in different national, regional and international events and this has strongly raised the visibility and reputation of LAF;

LAF has secured partnerships with a good number of organizations regionally and internationally (re: TNLAP, TWLA, EACSO, CCPR-Centre, APT, etc);

LAF has been able to increase its funding base: RNE; The EU; USAID, through LAND Project and SRAJ Project; Oxfam; DFID, through Oxfam; UNDP; UN Women; UNHCR; The Kingdom of Belgium, through its Embassy in Kigali.

Output 2: Member organizations actively participate in advancing the vision, mission, strategic objectives and activities of the Forum

- Member organizations have been involved in activities of the forum through different capacities and initiatives such as **awareness-raising and legal education**: Legal Aid Week, radio programs, etc; **research activities**: identification & validation of issues, data collection; **advocacy activities**: joint position papers with members like RBA).
- Some members have been provided with technical assistance in their internal activities including trainings, planning, conflict resolution.
- Some members have been supported in their fundraising efforts through recommendation letters, referring donors to them, informal advocacy for them to be funded, etc).
- Advocacy has been done on other general matters on behalf of members with regard to: registration, being invited to some important events/fora both nationally and internationally, etc).

Output 3: An independent structure for the management of the “Legal Aid Civil

Society Fund (LACSF)” is established:

- A panel of independent, external people (with experience in proposals analysis and project implementation) was established and mandated to review project proposals;
- An external auditing firm was hired to carry out financial and management audit of the LACS applicants;
- These assessments may also be considered an exercise in capacity building (re: applicants received constructive input into the areas that they should make more effort and are guided in how best to implement the provided recommendations).
- The best projects were awarded the grant:
 - Between 2011 and 2013, LAF funded 27-member organizations to implement 25 projects.
 - Overall, **42,254 people** benefited from LACSF projects (re: legal education and information, legal advice, mediation, legal advocacy, legal representation, drafting of documents, coaching for self-representation);
 - The external evaluation commissioned by the donor (2014) commended the way funds were managed/used and the outcome and impact the projects created on the beneficiaries.

Strategic Objective - 2: Legal aid providers have strengthened professional Capacity to effectively provide quality and accessible legal aid services

Output 1: Legal aid providers have comprehensive learning and training schemes, legal aid practical skills and access to technical advice in the development of legal aid programs

Several skills and legal trainings were organized for LAF member staff and paralegals:

- In total 20 trainings were organized and benefited **460 staff/practitioners** from LAF organizations as well as **594 paralegals**.
- An exposure or “look and learn” visit was organized for members to sister organizations in Kenya. Twelve (12) people from LAF member organizations and LAF Secretariat visited 11 institutions in Kenya that work on access to justice and legal aid. The results from this exposure visit, including the lessons learnt were shared with all LAF members.
- Tools, manuals and modules were developed:
 - LAF, in collaboration with ICRC, developed 12 modules (Seven Training of Trainers (ToT) modules and five enforcement modules) would be used in capacity building and awareness-raising. These modules focused on eight themes namely 1) Mediation techniques and Ethics; 2) Land law; 3) Matrimonial regimes, Liberalities and Succession; 4) Child rights; 5) Civil procedure; 6) Criminal procedure; 7) Gender-Based Violence; 8) Enforcement of Court Judgments. Six of these modules were later adopted by MINIJUST are used countrywide.
 - Manual on Alternatives to imprisonment;
 - Handbooks, posters and leaflets on: 1) enforcement of court decisions; 2) pre, trial and post-trial rights; 3) SGBV; etc were developed and distributed.
- The comprehensive M&E system was developed by LAF to guide its

- monitoring, evaluation, learning and documentation activities.
- LAF Made a draft of guidelines for a simple “means test” for legal aid service provision, and shared it with MINIJUST for approval and integration in the national regulatory framework for legal aid. This is still pending before MINIJUST.
- **Capacity building sessions were organized for other justice sector actors.**

1,016 practitioners, officials and staff from justice sector institutions were trained:

- 559 judicial police officers and police station commanders;
- 83 RCS staff (re: legal officers, social affairs, registration officers);
- 58 Prosecutors;
- 58 MAJ legal officers;
- 40 Bailiffs;
- 15 Judges;
- 86 local leaders;
- 117 Members of the media & other CSOs (re: UPR, media engagement with the police & reporting on legal and justice matters).

Output 2: Through the “Legal Aid Civil Society Fund (LACSF)”, the Legal Aid Forum provides direct grant support for the provision of quality and accessible legal aid services

- Under LACSF, grants were made to the best projects selected through an open competitive process and by external independent experts:
 - Between 2011 and 2013, LAF funded 27-member organizations to implement 25 projects.
 - Overall, 42,254 people benefited from LACSF projects (re: legal education and information, legal advice, mediation, legal advocacy, legal representation, drafting of documents, coaching for self-representation);
 - Communities were empowered, and individual rights and reparation upheld;
 - Apart from being facilitated to fulfill their mission of providing legal support and assistance, member organizations also benefited immensely both on the side of proposal writing and fundraising skills as well as the overall organizational management (both financial and institutional) from the recommendations of the different assessment, audits and monitoring activities during the application review process, and after the award of the grant (for those who see applicants went through);
 - Organized stakeholders and practitioners mainly to mobilize them towards the use public interest litigation as one of the effective strategies to secure and promote the rights of the poor and vulnerable members of the community as well as those of the society in general.
 - The external evaluation commissioned by the donor (2014) commended the way funds were managed/used and the outcome and impact the projects created on the beneficiaries.

Legal assistance was provided through various projects in partnership with EU, RNE

and UNHCR (2015-2017)

87,427 people benefited from different services:

- 69,206 benefited from legal education and awareness
- 1,592 provided with legal representation;
- 1,339 benefited from other legal services, other than representation;
- 15,290 children were facilitated for birth registration.

Strategic Objective -3: A legal aid policy and implementation framework that are conducive for enhanced legal aid provision are established and operational

Output 1: The Legal Aid Forum becomes a knowledge Centre of reference information on access to justice and legal aid

- Based on the experiences and/or observations from the field as well as on the government commitments, specifically within the justice sector, research initiatives were undertaken.
- In total, 7 studies were carried out during this reporting period:
 - “Broadening Access to Justice in Rwanda: Analyzing the opportunity for Public Interest Litigation (2011)”;
 - “Monitoring of EDPRS (2008-2012) Indicators in the Justice Sector: Enforcement of Court Judgments and its Impact on Access to Justice in Rwanda (2012)”;
 - “Improving the Performance of the Criminal Justice System through Improved Pre-trial Justice: The Impact of Pre-trial Detention on Access to Justice in Rwanda (2013)”;
 - “Improving the Performance of the Criminal Justice System in Rwanda in Managing Gender Based Violence Cases: Report on the Assessment of Challenges and Capacity needs of the Criminal Justice Agencies in Managing Gender Based Violence Cases in Rwanda (2013)”;
 - “Perceptions of end – users of Abunzi and Primary courts on the Quality of Procedure, Quality of Outcome and the Costs of Procedure in Rwanda (2013)”
 - “The Implementation of Rwanda’s Expropriation Law and Outcomes on the Population (2015)”;
 - “Citizens Monitoring of the Justice Sector in Rwanda: Making the Justice Institutions More Responsive to the Concerns of Citizens (2015-2016)”.

<http://legalaidrwanda.org/spip.php?article51>

<http://legalaidrwanda.org/spip.php?article52>

<http://legalaidrwanda.org/spip.php?article53>

<http://legalaidrwanda.org/spip.php?article54>

- LAF member organizations were always involved in these activities at different levels and with different roles (re: identification of issues, validation of tools, data collection, etc).
- The documentation center of LAF was also enriched with new resource materials useful to our general work of promoting access to justice and legal aid, and the

- center was/is regularly visited.
- LAF website has been operational and always visited by viewers. **711** people are visiting LAF website, and our social media platforms i.e. twitter and facebook are followed by 195 and 491 respectively.
- Radio programs (talk shows) have always been organized on different access to justice and legal aid topics (some jointly with members). Looking at the reach of the radio stations we been using, millions of Rwandans have been able to follow us and lot's of them have come to seek assistance based on the information received through these talk shows.
- LAF has received many delegations, from different countries and UN bodies, to come and learn on the status and prospects of access to justice and legal aid in Rwanda:
- In total **88 officials**, practitioners and members of the academia from abroad have visited LAF (re: American, British, Australian and Tanzanian lawyers, officials from CAR, DRC, Madagascar and The Netherlands, Police officers from Ivory Coast, Students from UK, etc).

Output 2: The Legal Aid Forum and its member organizations engage in structured advocacy and lobbying for a conducive legal aid policy and implementation framework

- Following the completion each study, conferences, workshops, colloquiums and roundtables for stakeholders at different tiers were organized (re: dissemination of research findings and advocacy);
- Based on the research evidence findings, policy papers/briefs were produced and shared with relevant stakeholders (including Parliament, MINIJUST and RLRC). As an example, LAF submitted paper(s) on the:
 - Draft bill governing the bailiffs function (execution of court decisions);
 - Draft bill establishing Rwanda Bar Association (in relation to the current article 38; salaried in-house lawyers);
 - Draft bill amending the penal code (ongoing);
 - Draft bill amending the criminal procedure code (ongoing);
 - Draft bill amending the civil procedure code (ongoing);
 - Paper on Public Interest Litigation and Class Action (to the Supreme Court);
 - Paper on the use electronic bracelets (to MINIJUST).
- LAF also led a coalition which produced a shadow report on UPR (2015);
- LAF has also participated in the evaluation of and drafting of shadow reports for other treaty bodies;
- LAF actively participated in legal and policy reforms both at the MINIJUST/JRLOS level and at the Parliament (new laws and/or amendments).
- Members capacities on advocacy were built (3 trainings were specifically organized in this regard)

LAF members actively participated in the organization and implementation of the Legal Aid Week (LAW) sessions every year:

- 229,898 people benefited from LAW (including detainees):

- 1,081 minors provided with legal representation;
 - 178,090 benefited from legal education & awareness;
 - 28,065 benefited from legal services, other than representation (including 12,853 detainees/prisoners);
 - 204 detainees (including pregnant & nursing women) were provided with legal representation.
 - 24,458 Gacaca decisions were facilitated to be executed/resolved (either through payment or forgiveness).
- The LAW also raised very much LAF’s visibility and enabled/facilitated its advocacy efforts, both at the local and central levels as this is a jointly implemented initiative.

IMPACT OUR WORK

- Improved legal and policy framework for legal aid in Rwanda:
 - The National Legal Aid Policy was adopted (and is being implemented, though at a slow pace);
 - There is a draft law on legal aid in Rwanda (and is pending adoption).
 - Improvements in the RBA law: Allowing NGOs providing legal aid to have in-house salaried lawyers (practicing lawyers as internal staff of the organization) to deal with cases of vulnerable people received by that organization.
- Improved recognition about the need of and tangible actions towards legal aid for indigents and vulnerable people:
 - Integration of the “Legal Aid Week” activity into the MINIJUST/JRLOS annual plans and budget;
 - Provision of legal assistance and representation to minors and indigents at the Supreme Court, through the agreement b/n MINIJUST & RBA.
- Improved legal and regulatory framework on access to justice in general, through advocacy done based on different studies conducted:
 - Improvements in the law governing bailiffs in Rwanda (re: giving MAJ jurisdiction to enforce, relieving personal responsibility from non-prof. bailiffs in case of unintended professional error, etc). Improvements in the law relating to expropriation(re: compensation for disturbance, compensation for retraction of the project, establishment of supervisory committees, clarifying timelines, etc);
 - Improvements on the law governing Abunzi (2016);
 - Improvements on the governing matrimonial regimes, donations and successions (2016);
 - LAF contributed to the National Human Rights Action Plan and the UPR recommendations given to and accepted by the GoR.
- Being requested to be a member on different committees/task forces, as a recognition of its contribution:
 - LAF is a member of the Governing Council of Bailiffs due to its contribution in this regard;
 - LAF is a member of the Treaty Body Reporting Taskforce, chaired by MINIJUST;

- LAF was a member of the drafting committee of the new JRLOS Strategic Plan;
 - LAF is a member of the JRLOS monitoring committee on legal aid;
 - LAF is a member of a number of other Thematic Working Groups in JRLOS (re: on policy, etc);
 - LAF is always being invited to high level fora at the JRLOS level (re: Leadership retreat, Steering committee, etc).
- Strengthened partnerships and improved respect of human rights:
 - LAF is being invited to deliver presentations at the RNP academy, RCS academy;
 - There is always an immediate (and professional) response from the police and prisons whenever we raise an issue with them;
 - LAF's visibility has extremely increased both at the local and national levels;
 - LAF is considered as a credible partner, both by stakeholders, partners and donors.
 - Empowered communities, through legal education and awareness;
 - Facilitated in upholding and asserting individual rights and freedoms (re: a big number of people were facilitated to get released from detention, getting compensation, reclaiming their properties, etc);
 - Upholding societal interests, particularly with regard to access to justice, through legal and human rights advocacy (re: improved laws, improved national policies and programs ie. Access to justice and human rights-based, etc).

The work of the Legal Aid Forum was made possible by the support from RNE, The EU, USAID through LAND Project and SRAJ Project, Oxfam, DFID through Oxfam, UNDP, UN Women, UNHCR, The Kingdom of Belgium through its Embassy in Rwanda.