



MINISTRY OF JUSTICE  
P.O. BOX 160 KIGALI

The Country Director of UNDP  
KIGALI

**Re: Request for Direct Payment**

Dear Sir,

Reference is made to the contract no 020/MINIJUST/2016-2017/S/OB/NCB between the Ministry of Justice and RESTRAD Consultancy Ltd related to the consultancy services to elaborate the Gender Mainstreaming Strategy for JRLOS institutions in Rwanda;

I am pleased to transmit to you the **validated Gender Mainstreaming Strategy for JRLOS institutions in Rwanda** and request you to pay RESTRAD Consultancy Ltd the last installment of **Six Million Eight Hundred Seventy Three Thousands One Hundred and Twenty Rwandan Francs (6 873 120 RWF)** equivalent to (40%) of the total amount of the contract (17 182 800 RWF) as stated in terms of the contract herewith attached.

I thank you for your usual support to the JRLO Sector.

Sincerely,

By Authority Delegation


**TWAHIRWA Gervais**  
**Director General/Corporate Services**



RE/JSCS, 9/11/2017  
Fund

# RESTRAD CONSULTANCY Ltd

RESEARCH, STUDIES AND TRAINING FOR DEVELOPMENT CONSULTANCY Ltd  
B.P. 4350 KIGALI RWANDA TEL:(+250)0788743627/0784738282 Tin Number: 102516922  
Email: restrad2011@gmail.com Centenary House Ground Floor

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To: The Permanent Secretary/Solicitor General  
Ministry of Justice  
P.O. Box 160 KIGALI



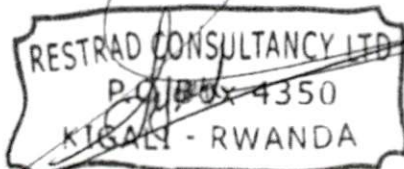
Kigali, November 08, 2017

RE: Submission of the final document of the Gender Mainstreaming  
Strategy (2018-2022) for JRLOS Institutions in Rwanda

Dear Madam,

Please find attached the final document of the Gender Mainstreaming Strategy (2018-2022) for JRLOS Institutions in Rwanda, after integration of inputs from the validation meeting held on the 20<sup>th</sup> October 2017 and other inputs thereafter sent by the Supreme Court, UN Women and UNDP.

Yours sincerely,



AYINKAMIYE Spéciose  
Managing Director

# RESTRAD CONSULTANCY Ltd

RESEARCH, STUDIES AND TRAINING FOR DEVELOPMENT CONSULTANCY Ltd  
B.P. 4350 Kigali, Rwanda Téléphone: 0788743627/0784738282 TIN: 102516922  
KN4 Centenary House Ground Floor Email: restrad2011@gmail.com

=====

To : The Permanent Secretary/Solicitor General  
Ministry of Justice  
P.O. Box 160 KIGALI

Kigali, November 08 , 2017

Ref: Submission of Invoice (Third instalment)

Dear Madam,

Under the Consultancy Contract to elaborate the Gender Mainstreaming Strategy for JRLOS Institutions in Rwanda;

I have great honor to send you herewith the Invoice, requesting the third instalment (40%) equivalent to Six Million Eight Hundred Seventy Three Thousand One Hundred Twenty Rwandan Francs (6,873,120 RWF) after submission of the final document including inputs from the validation meeting held on the 20<sup>th</sup> October 2017 and other inputs thereafter sent by the Supreme Court, UN Women and UNDP.

A copy of the final document the Gender Mainstreaming Strategy for JRLOS Institutions in Rwanda is herewith attached.

We are looking forward to your quick response to our request.

Yours faithfully,

AYINKAMIYE Spéciose  
Managing Director  
RESTRAD CONSULTANCY Ltd

RESTRAD CONSULTANCY LTD  
P.O. Box 4350  
KIGALI - RWANDA

MINIJUST  
Réception du document  
Date  
d'entrée 08 NOV 2017  
N° & date du document: 03/GMS/06/2017



# RESTRAD CONSULTANCY Ltd

RESEARCH, STUDIES AND TRAINING FOR DEVELOPMENT CONSULTANCY Ltd  
B.P. 4350 Kigali, Rwanda Téléphone: 0788743627/0784738282 TIN: 102516922  
KN4 Centenary House Ground Floor Email: restrad2011@gmail.com

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## Invoice n° 03/GMS/06/2017

The Ministry of Justice (MINIJUST) owes to RESTRAD CONSULTANCY Ltd Six Million Eight Hundred Seventy Three Thousand One Hundred Twenty Rwandan Francs (6,873,120 RWF), for the payment of the third instalment equivalent to (40%) for services provision to elaborate the Gender Mainstreaming Strategy for JRLOS Institutions in Rwanda.

The payment shall be done by check or bank transfer to the account n° 040-0381984-31/RWF of RESTRAD CONSULTANCY Ltd open in Bank of Kigali.

Done at Kigali, November 28 , 2017

AYINKAMIYE Spéciose  
Managing Director  
RESTRAD CONSULTANCY Ltd



REPUBLIC OF RWANDA



MINISTRY OF JUSTICE

**Gender Mainstreaming Strategy for JRLOS Institutions in  
Rwanda (2018-2022)**

November, 2017

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## Abbreviations and Acronyms

AFSOCCA	Africa's Security Organs Centre for Coordination of Action to end Violence Against Women and Girls
CEDAW	Convention on Elimination of All Forms of Discrimination against Women
CNLG	National Commission for the Fight against Genocide
EAC	East African Community
ECOSOC	Economic and Social Council
EDPRS	Economic Development and Poverty Reduction Strategy
GBS	Gender Budget Statement
GBV	Gender Based Violence
GMO	Gender Monitoring Office
ILPD	Institute of Legal Practice and Development
IOSC	Isange One Stop Centre
JRLOS	Justice, Reconciliation, Law and Order Sector
JSCS	Justice Sector Coordination Secretariat
KICD	Kigali International Conference Declaration
MAJ	Maison d'Accès à la Justice
MIGEPROF	Ministry of Gender and Family Promotion
NCC	National Child Commission
NCHR	National Commission for Human Rights
NGOs	Non-Government Organizations
NPPA	National Public Prosecution Authority
NST	National Strategy for Transformation
RLRC	Rwanda Law Reform Commission
RNP	Rwanda National Police
RWAMREC	Rwanda Men Resource Center
SDGs	Sustainable Development Goals
SWOT	Strengths, Weaknesses, Opportunities and Threats
VAWG	Violence Against Women and Girls

## Executive summary

The objective of the Gender Mainstreaming Strategy in the Justice, Reconciliation, Law and Order Sector (JRLOS) is to further give effect to Government commitment to gender equality within JRLOS Institutions through practical strategies for ensuring that gender is mainstreamed to address the persisting gender disparities and inequalities revealed by the JRLOS Gender Audit conducted in 2015.

In developing the gender mainstreaming strategy in the JRLOS, a dual approach of literature review and gathering information through interviews and group discussions was utilized.

The Justice Sector has made some progress in gender mainstreaming in the following areas: reforming laws governing JRLOS Institutions in a gender sensitive perspective, respecting gender principles in staff composition, participation of women in decision making organs, building staff capacity and technical expertise in gender mainstreaming, respecting gender principles in budgeting process, implementation of gender sensitive laws and fighting Gender Based Violence.

However, the remaining challenges in mainstreaming gender in the justice Sector in Rwanda are: limited linkage among JRLOS Institutions in the whole chain of gender mainstreaming in justice service delivery; limited mechanisms for sharing best practices and lessons learnt in gender mainstreaming; the concept of gender mainstreaming not fully internalized in laws, regulations and strategic documents of some JRLOS Institutions; total women staff remaining under 30% in some JRLOS Institutions; low representation of women at senior positions in some JRLOS Institutions; poor approach in setting out target and indicators to help in achieving Gender Responsive Budgeting in JRLOS Institutions; lack of gender disaggregated data collection in some JRLOS Institutions that leads to a weak accountability and monitoring system to facilitate gender planning and implementation and lack of facilities for breastfeeding mothers at work place in most JRLOS Institutions.

An adoption of JRLOS Gender Mainstreaming Strategy is a practical journey towards attaining justice service delivery not only to JRLOS as a coordination mechanism, but also to all JRLOS Institutions. An understanding of a gender dimension is preface to gender responsive justice service delivery intervention. Tracking whether gender mainstreaming analytical work has been conducted with a cognizance of key gender issues is important for improving performance of justice service delivery.

In order to achieve gender equality in the Justice Sector, fourteen key strategic priorities were identified and developed: (1) ensure that the vision, mission, values and responsibilities of JRLOS institutions are gender mainstreamed and comply with the constitutional provision to grant women at least 30% of posts in decision making organs; (2) increase access, performance and retention of women in RNP, RCS and ILPD and advocate for affirmative action with regard to staff recruitment process; (3) increase women's representation at all levels and in particular senior positions and participation



of women in all other activities; (4) sensitize staff of JRLOS Institutions in proper sharing of family responsibilities and balancing reproductive and productive works; (5) enhance capacity and skills of leaders and staff of JRLOS Institutions in order to integrate gender sensitive operational procedures and institutional arrangements; (6) build the capacity on Gender Responsive Budgeting for Gender Focal Persons, planners and budget officers of JRLOS Institutions; (7) ensure sustainability to generate, use and disseminate quality sex-disaggregated and gender-responsive statistics ; (8) create gender sensitive facilities at work place; (9) popularize gender sensitive laws especially the law governing persons and family and the law governing matrimonial regimes, donations and successions; (10) intensify awareness-raising efforts with regard to men and women's rights through legal literacy and legal assistance; (11) provide legal aid to victims of GBV; (12) provide shelters for women and men victims of domestic violence; (13) share mechanisms for coordinating, monitoring and assessing the effectiveness of measures taken with regard to end all forms of GBV institutionalized and best practices and lessons learnt in mainstreaming gender in the justice service delivery; (14) establish a network of gender focal points in JRLOS Institutions to foster exchange of experience and lessons learned and (15) strengthen partnerships for the implementation of the Gender Mainstreaming Strategy.

The result chain includes a logical framework of the Gender Mainstreaming Strategy based on the strategic objectives identified and a priority policy action matrix, targets, indicators of performance, institution responsible and an estimated budget.

The Gender Mainstreaming Strategy comprises seven (7) chapters as follows: the first chapter introduces the concept of gender mainstreaming, the context analysis of gender mainstreaming at international, regional, country levels, the rationale for gender mainstreaming strategy in JRLOS Institutions, the purpose for the preparation of the Gender Mainstreaming Strategy for JRLOS Institutions, the methodology used and the constraints and limitations of this study. The second chapter provides the current situation analysis on the status of gender mainstreaming in JRLOS Institutions illustrated by the main achievements and the remaining challenges. The third chapter highlights the strengths, weaknesses, opportunities and threats to mainstream gender equality in JRLOS Institutions. The fourth chapter links challenges and strategic priorities while the fifth defines the logical framework for the Gender Mainstreaming Strategy. The sixth chapter outlines the coordination, monitoring and evaluation mechanisms of the implementation of the Gender Mainstreaming Strategy. The seventh part is the conclusion.

This Strategy is intended to support JRLOS institutions to successfully implement policies and program activities aimed at mainstreaming gender and sustain socio-economic development of the Justice Sector.

The annual total estimated budget for the implementation of the Gender Mainstreaming Strategy plan is Seven hundred ninety million Rwandan Francs (790,000,000 RWF).





Convention on Elimination of All Forms of Discrimination against Women (CEDAW)<sup>3</sup>; the Beijing Declaration and Platform for Action (1995)<sup>4</sup> which recognizes the importance of bringing gender centre stage within the development agenda and the United Nations Security Council Resolution 1325 (2000)<sup>5</sup> which states that gender must be understood from the perspective of social relations based on sex and involves roles, responsibilities, aptitudes, behavior and perceptions that have been shaped by society and specifically assigned to men and women<sup>6</sup>. These commitments have been translated in Global Agenda such as Sustainable Development Goals<sup>7</sup> (Goal 5: Achieve gender equality and empower all women and girls and Goal 16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels)

Other international commitments that Rwanda ratified in line with promotion of gender equality include but not limited to the Charter of the United Nations of 26 June 1945<sup>8</sup>; the Universal Declaration of Human Rights of 10 December 1948<sup>9</sup>; the Convention on the Political Rights of Women concluded in New York on 31 March 1953<sup>10</sup>; the International Covenant on Economic, Social and Cultural Rights of 19 December 1966<sup>11</sup> and the International Covenant on Civil and Political Rights of 16 December 1966<sup>12</sup>. Rwanda has also embraced **HeForShe**, a solidarity campaign for gender equality initiated by UN Women to engage men and boys as agents of change for the achievement of gender equality and women's rights, by encouraging them to take action against inequalities faced by women and girls.

At the continental level, Rwanda was among African Countries that recognized that gender equality is a fundamental right through the ratification of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (known as the Maputo Protocol)<sup>13</sup> which highlights the disparities between men and women in legal rights, power sharing, decision-making, access to and control of productive resources.

At regional level, Rwanda endorsed various EAC policy frameworks operationalizing the Treaty provisions by recognizing the vital role of women in driving EAC's regional integration process. Such documents include the EAC Gender and Community

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<sup>3</sup> United Nations, CEDAW/C/SR.884, Forty-third Session, Geneva, 4 February 2009

<sup>4</sup> United Nations, Beijing Declaration and Platform for Action with the Beijing +5 Political Declaration and Outcome Document, published by the United Nations Department of public Information, DPI/1766/Rev.I-00.7293-August 2001-2004

<sup>5</sup> United Nations Security Council Resolution 1325/2000 on Women, Peace and Security, May 2010

<sup>6</sup> Office of the Special Adviser on Gender Issues and Advancement of Women (OSAGI) Department of Economic and Social Affairs (DESA) Economic Commission for Africa (ECA)

<sup>7</sup> United Nations, Sustainable Development Goals, 17 Goals to transform our world, August 17, 2016

<sup>8</sup> United Nations, Charter of the United Nations, 26 June 1945

<sup>9</sup> United Nations, Universal Declaration of Human Rights of 10 December 1948

<sup>10</sup> United Nations, Convention on the Political Rights of Women concluded in New York on 31 March 1953

<sup>11</sup> United Nations, International Covenant on Economic, Social and Cultural Rights of 19 December 1966

<sup>12</sup> United Nations, International Covenant on Civil and Political Rights of 16 December 1966

<sup>13</sup> African Union, Protocol on Women's Rights: Maputo Protocol, Mozambique, July 11, 2003



Development Strategic Plan and the 4<sup>th</sup> EAC Development Strategy (2011-2016) and provide guidelines for mainstreaming gender in EAC policies and programmes. Article 5 (3e) of the Treaty covers issues of mainstreaming gender into all EAC endeavors and commits the EAC to ensuring “the mainstreaming of gender in all its endeavours and the enhancement of the role of women in cultural, social, political, economic and technological development”, while articles 121 and 122 emphasize the role of women in socio-economic development in Partner States.

To translate these international, continental and EAC commitments for gender equality into actions, the Government of Rwanda has developed national instruments to women’s rights and gender equality and put in place mechanisms for effective implementation of developed instruments. National instruments include among others: The National Constitution of June 2003<sup>14</sup> as revised in 2015, Vision 2020<sup>15</sup>, the National Strategy for Transformation (NST 1) and the National Gender Policy<sup>16</sup>.

The constitutional framework in which the State of Rwanda commits itself to the fundamental principle of building a State governed by the rule of law, equality of all Rwandans and between women and men reflected by ensuring that women are granted at least thirty per cent (30%) of posts in decision making organs which have resulted in an unprecedented number of women being elected or appointed to decision making positions at all levels. The Constitution of Rwanda reinforces the principles of gender equality and elimination of all forms of discrimination against women and provides a very strong platform for gender mainstreaming in all sectors.

As Rwanda move from EDPRS 2 to NST 1 and from Vision 2020 to Vision 2050, security and development are obviously mutual preconditions: national security is a precondition for economic and social development as much as economic and social development is a precondition for national security. According to the Vision 2050, Rwanda will ensure unity and Rwandan identity/culture, integrity, equity (including gender).

The National Gender Policy approved by the Government of Rwanda in 2010 is in line with Vision 2020 in terms of creating an environment conducive to the promotion of social security, democratic principles of governance, and an all-inclusive social and economic system that involves effective participation of all social groups within the population. The National Gender Policy and its Strategic Plan institutionalize the National Gender Cluster as a coordination mechanism that aims at supporting the Government of Rwanda in promoting gender equality and utilizing partner’s synergies to improve gender interventions and avoid duplication. National Gender Policy defines the role of all stakeholders in the elimination of discrimination against women. The National Gender policy also requires each institution/Sector Institutions to develop and implement a gender mainstreaming strategy to guide the integration of gender perspectives into their policies, programmes, plans and budgets.

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<sup>14</sup> Republic of Rwanda, National Constitution of June 2003 as revised in 2015

<sup>15</sup> Republic of Rwanda, Rwanda Vision 2020 Revised 2012

<sup>16</sup> Republic of Rwanda, National Gender Policy, July 2010



To comply with the requirements from the National Gender Policy, the Ministry of Justice, as the JRLOS lead-ministry, conducted from August up to November 2015 a gender Audit in order to assess the status of gender mainstreaming in the sector. The objectives of this audit were to inspect whether the institutions under the JRLOS have policies, practices, systems, culture and resources that promote gender equality.

Moreover, the audit aimed to provide baseline for measuring progress on gender mainstreaming, to design mechanisms for ensuring gender equality, and to suggest feasible recommendations for addressing gaps.

The findings from quantitative and qualitative data were presented into four thematic areas:

- Gender mainstreaming in key documents of JRLOS institutions
- Respect of gender principles in human resource management
- Respect of gender principles in implementation process
- Gender gaps within JRLOS institutions.

Findings illustrate that Rwanda has made noteworthy changes in laws by supporting the promotion of gender mainstreaming in public institutions and by designing gender sensitive policies in order to reduce inequity of gender within the justice sector. Most of the laws governing JRLOS institutions use a gender sensitive language. However, the gender-mainstreaming concept was not fully internalized. Hence, gender is not systematically incorporated in key strategic documents of the sector.

It is important that gender mainstreaming will be successful, since the Ministry of Justice attaches great importance to the promotion of gender equality and equity as a prerequisite for sustainable justice. This ideal is a fundamental principle within the Constitution of the Republic of Rwanda.

### **1.3. Rationale for gender mainstreaming strategy in JRLOS Institutions**

The rationale of the Gender Mainstreaming Strategy for JRLOS Institutions is to comply with requirements from National Gender Policy 2010 which bounds each institution/Sector to develop and implement a gender mainstreaming strategy to guide the integration of gender perspective into JRLOS policies, design and implementation of programmes and activities, monitoring and evaluation of all legislations, plans and budgets. There is also a need for articulating a shared vision in justice delivery within JRLOS institutions and making them into reality through policy and effective participation of both women and men.

The role of mainstreaming gender in any country development initiatives and the need to monitor and evaluate the progress is a basis of the disturbing global gender disparities in social and economic opportunities, property and rights. This will promote gender accountability by the justice sector in service delivery, strengthen the rule of law with a legal system that supports and protects all citizens without any discrimination as



a prerequisite for sustainable justice and overcome the gaps revealed by the JRLOS Gender Audit conducted in 2015 through practical strategies for ensuring that gender is mainstreamed to address the persisting gender disparities and inequalities in the Justice Sector.

#### **1.4. Purpose of the preparation of the Gender Mainstreaming Strategy for JRLOS Institutions**

This Gender Mainstreaming Strategy in JRLOS Institutions has been prepared to be a guiding and planning tool with the aim to further give effect to Government commitments on gender equality within JRLOS institutions through practical strategies for ensuring that gender is mainstreamed to address the persisting gender disparities and inequalities. The Strategy includes the provision of strategic guidance to facilitate the implementation of the National Gender Policy.

The specific objectives of Gender Mainstreaming Strategy are:

- To provide key areas of focus/priorities in gender mainstreaming in the JRLOS Institutions;
- To Strengthen the capacity of Justice Sector Coordination Secretariat to lead and coordinate JRLOS Institutions for mainstreaming gender in the justice service delivery;
- To Strengthen the capacity of JRLOS Institutions' officials to integrate gender initiatives into their activities;
- To increase gender mainstreaming and understanding of relevant laws, policies and programmes at all levels of justice sector;
- To set up appropriate mechanisms and allocate adequate resources to mainstream gender into policy formulation, organisational planning, drafting of new legislation, regulation and capacity development;
- To increase women's representation at all levels and in particular senior positions and participation of women in all other activities.

#### **1.5. Methodology**

In developing the gender mainstreaming strategy in the Justice, Reconciliation, Law and Order Sector (JRLOS), a dual approach of literature review and gathering information through interviews and group discussions was utilized.

##### **(a) Literature gathering and review**

At the Inception stage, the Team of Consultants reviewed background documentation and met with Justice Sector Coordination Secretariat to clarify the objectives of the study and to identify the main concerns for the Justice Sector Coordination Secretariat.

A review of accessible documents and data was undertaken. This involved reviewing national instruments such as the Constitution of the Republic of Rwanda of June 2003, the Vision 2020, the National Gender Policy framework instruments for gender mainstreaming, as well as the Prime Minister's Order N° 123/03 of 13/10/2010 establishing the Justice, Reconciliation, Law and Order Sector JRLOS as a coordination structure and the JRLOS Strategy (2013-2018). Various JRLOS Institutions visited also elicited key documents, including policy papers, strategic plans and reports. The Consultant reviewed primarily gender mainstreaming in key documents governing JRLOS Institutions.

#### **(b) Stakeholders consultations**

The elaboration of the Gender Mainstreaming Strategy for JRLOS Institutions has undertaken a participatory and consultative process, one-on-one in depth qualitative interviews and group discussions were held with key experienced JRLOS representatives (Ministry of Justice, the Judiciary, ILPD, NCHR, RNP, NPPA, NURC, the Office of the Ombudsman, RCS, RLRC and CNLG) to identify gender issues in the justice sector and gender perspectives.

This Gender Mainstreaming Strategy for JRLOS Institutions is the result of consultations of gender specialists from UN WOMEN, UNDP, Ministry of Gender and Family Promotion (MIGEPROF), Gender Monitoring Office (GMO) for further clarifications and guidance on gender mainstreaming practices. The National Women Council (NWC) Rwanda Governance Board (RDB), National Children Council (NCC) and Rwanda Men Resource Center (RWAMREC) were also consulted to identify gender issues in gender mainstreaming in justice service delivery. The list of persons interviewed is on Annex 2.

#### **1.6. Constraints and limitations**

The major limitation was the lack of evaluative reports on gender mainstreaming, even where gender mainstreaming interventions clearly exists, there is a failure to document best practices relating to gender mainstreaming in JRLOS Institutions.



## **2. Current situation analysis on the status of gender mainstreaming in JRLOS Institutions**

The status of gender mainstreaming in JRLOS Institutions was analyzed at two levels: institutional level and justice service delivery.

### **2.1. Gender mainstreaming at institutional level**

At JRLOS institutional level, to assess progress achieved in gender mainstreaming, the following indicators were used: reform of laws and policies in a gender sensitive perspective; respect of gender principles in staff composition; participation of women in decision making organs, staff capacity and technical expertise in gender mainstreaming; respect of gender principles in budgeting process; reporting with sex disaggregated data and gender sensitive facilities at work place.

#### **2.1.1. Mainstreaming gender in the vision, mission, values and responsibilities of JRLOS institutions and compliance with the constitutional provision to ensure that women are granted at least 30% of posts in decision making organs**

All laws governing JRLOS Institutions use gender sensitive language like: “**Chairperson**” instead of “**Chairman**”, “**He/She**”, “**His/Her**”, “**Him/Her**” even though four (4) JRLOS institutions (NPPA, RNP, RCS and the Judiciary) have not yet mainstreamed the constitutional provision of 30% in the laws governing those institutions<sup>17</sup>.

The formulation of visions, missions, values and responsibilities of JRLOS institutions remain mostly gender neutral and therefore does not highlight the commitment to gender equality and women empowerment. Only RCS among 11 JRLOS Institutions, has Values gendered by the recognition of enhancing “capabilities for correctional centers to meet International standards required for prisons and gender”. In addition, in RCS five year strategic plan (2013-2018), there is a component of gender formulated as follows: “low understanding of gender issues and gender imbalance in leadership recognized as the main gaps to be addressed”. The proposed solutions to enhance the current situation are to “address gender-based violence, to provide regular training on gender equality and implement Gender Policy”<sup>18</sup>.

The concept of gender mainstreaming is not fully internalized and as a result, gender is not consistently and systematically incorporated in key strategic documents of the sector. Some gender gaps are manifested by the neutrality in the formulation of Vision, Mission statements and functions of most JRLOS institutions.

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<sup>17</sup> JRLOS Gender Audit, 2015 & JRLOS administrative data, August 2017

<sup>18</sup>Rwanda Correctional Service (2013), Office of the Commissioner General, Strategic Plan 2013-2018,p.10

Including gender concerns in the vision, mission statement and functions of the institution and using a specific language: women and men in designed documents would help implementers to consider it seriously in their respective plans and implementation processes.

**Recommendations:**

- ✓ Comply with the constitutional provision to ensure that women are granted at least 30% of posts in decision making organs where due;
- ✓ Mainstream gender in the vision, mission, values, responsibilities, policies, programmes and strategic plans of JRLOS Institutions.

**2.1.2. Respect of gender principles in staff composition**

**Table 1 : Respect of gender principles in staff composition**

	JRLOS Gender Audit, 2015		JRLOS administrative data, August 2017	
	Women %	Men %	Women %	Men %
Ministry of Justice	50.3%	49.7%	47.4%	52.6%
Judiciary	43.6%	56.4%	49.7%	50.3%
Institute of Legal Practice and Development	22.9%	77.1%	23.1%	76.9%
National Commission for Human Rights	70.4%	29.6%	70.4%	29.6%
Rwanda National Police	20.0%	80.0%	21.0%	79.0%
National Public Prosecution Authority	46.5%	53.5%	46.5%	53.5%
National Unity and Reconciliation Commission	63.0%	37.0%	66.7%	33.3%
Ombudsman	55.2%	44.8%	55.7%	44.3%
Rwanda Correctional Service	20.0%	80.0%	24.0%	76.0%
Rwanda Law Reform Commission	36.6%	63.4%	38.5%	61.8%
National Commission for the Fight against Genocide	47.9%	52.1%	45.1%	54.9%

Source: JRLOS Gender Audit, 2015 & JRLOS administrative data, August 2017

Based on the numerical representation of women and men in staff composition above, the percentage of women in 7 out of 11 JRLOS Institutions is above 30%. However, women are even starting to make inroads into solidly male areas; their percentage in the total staff remains low in RNP (20%), ILPD (23%) and RCS (24%).

The number of men at the National Commission for Human Rights (10 against 17) and at the National Unity and Reconciliation Commission (9 against 18) is very low in comparison to women presence.



The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) insists on women's participation without discrimination and on "equal terms with men"<sup>19</sup>. The gender parity should be the goal of this gender mainstreaming strategy at all levels of JRLOS institutions.

**Recommendation:**

- Increase access, performance and retention of women in RNP, RCS and ILPD and advocate for affirmative action with regard to staff recruitment process.

**2.1.3. Participation of women in decision-making organs**

**Table 2: Women in decision making of JRLOS Institutions**

	JRLOS Gender Audit, 2015		JRLOS administrative data, August 2017	
	Women %	Men %	Women %	Men %
Ministry of Justice	55.0%	45.0%	41.2%	58.8%
Judiciary ( Judges+ Registrars)	43.5%	56.5%	50.3%	49.7%
Institute of Legal Practice and Development	11.1%	88.9%	11.1%	88.9%
National Commission for Human Rights	45.5%	54.5%	62.5%	37.5%
Rwanda National Police	20.0%	80.0%	20.0%	80.0%
National Public Prosecution Authority ( Career prosecutors)	27.5%	72.5%	62.5%	37.5%
National Unity and Reconciliation Commission	47.8%	56.5%	50.0%	50.0%
Ombudsman ( Staff recruitment planning 2015-2016)	50.0%	50.0%	41.7%	58.3%
Rwanda Correctional Service	20.0%	80.0%	24.0%	76.0%
Rwanda Law Reform Commission	50.0%	50.0%	40.0%	60.0%
National Commission for the Fight against Genocide	28.6%	71.4%	22.0%	78.0%

Source: JRLOS Gender Audit, 2015 & JRLOS administrative data, August 2017

The average of women representation underlines a gender imbalance between men and women at the top-management of most JRLOS institutions. Four (4) institutions (36.4%) are under the constitutional provision (ILPD, CNLG, RNP and RCS) of at least thirty percent (30%) at decision-making organs. The target decision-making positions should be of utmost importance to mainstream gender in the justice sector.

<sup>19</sup> United Nations, Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (Articles 4, 7 and 8)

**Table 3: Breakdown figures for decision making positions**

	MINI JUS T		ILP D		NCHR		Ombu dsman		NPPA		RNP		RCS		NURC		RLRC		CNLG		Judi Ciary		Total			
	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	%	M	%
Head of Institutions		2		1	1			1		1		1		1		1		1		1		1	1	8%	12	92%
Deputy lead of Institutions				1			1	1	1			2		1				1				1	4	40%	6	60%
Secretary General	1				1			1		1						1						1	3	50%	3	50%
National Prosecutors									6	18													6	25%	18	75%
Chief Prosecutors									2	10													2	17%	10	83%
Judges																					122	175	122	41%	175	59%
Registrars																					175	119	175	60%	119	40%

Source: JRLOS administrative data, August 2017

Even though seven out of eleven JRLOS Institutions comply with the constitutional requirement of 30% of women at decision-making organs, top management positions are occupied by men except in NHRC. Women occupy second level and below management positions.

Persons interviewed revealed that one of the issues limiting women career development is the dilemma of balancing reproductive and productive works which leads to women not fully engage in daily activities, little time for work and for job training hence low promotion.

Women's career priority is associated with attitudes towards family responsibilities. Women in high-professional careers and women focused on career success place more importance on balancing reproductive and productive works. The respondents acknowledged that there is a need of proper sharing of family responsibilities.

### Recommendations:

- Identify gender issues limiting women participation in arenas of power in the Justice Sector;
- Develop and implement a career development for women in JRLOS Institutions;
- Sensitize staff of JRLOS Institutions in proper sharing of family responsibilities and balancing reproductive and productive works.

#### 2.1.4. Staff capacity and technical expertise in gender mainstreaming

Nine (9) JRLOS Institutions out of eleven (72.7%) have appointed Directors of Planning as Gender Focal Points who are responsible for gender mainstreaming activities. Their



responsibilities<sup>20</sup> are defined in the Prime Minister Directive as follow: Monitor implementation progress of the 2010 National Gender Policy within their respective institutions and sectors; advocate for all data within their respective sectors to be disaggregated by sex; ensure that all their policies, programmes, budgets are gender responsive and oversee the capacity needs in gender mainstreaming within their respective institutions. Two (2) JRLOS Institutions out of eleven (RNP and RCS) have put in place Gender Directorates.

However, people interviewed acknowledged that there is a lack of staff capacity for gender mainstreaming and lack of competent and skilled gender experts to adequately mainstream gender at the operational level. Indepth assessment of capacity gaps need to be conducted.

### **Recommendations:**

- Enhance capacity and skills of JRLOS Secretariat and JRLOS Institutions leadership to integrate gender sensitive operational procedures and institutional arrangements to create positive change;
- Create a network of gender focal points for sharing achievements and best practices;
- The capacity development response should be a combination of trainings, workshops, mentoring, coaching, systematization and experience exchange in gender analysis, gender planning, gender budgeting, gender monitoring and documentation and on how to build gender responsive institutions.

#### **2.1.5. Respect of gender principles in budget process**

A Gender Responsive Budgeting is a planning, programming and budgeting process that contributes to the advancement of gender equality and the fulfillment of women's rights. It entails identifying and reflecting needed interventions to address gender gaps in policies, plans and budgets, and ensuring that adequate resources are allocated to address gender concerns.

A Gender Responsive Budget is an important mechanism for ensuring gender mainstreaming. Gender budget analyses gender specific expenditures that promote gender equity and equality.

Gender Budget Statement (GBS) is being implemented by JRLOS institutions, as provided by Organic Law N° 12/2013/OL of 12/09/2013 on State Finances and Property especially in its article 32 stipulating the preparation and presentation of the budget framework paper, and article 68 which plans the preparation and submission of annual activity reports. The Ministry of Finance and Economic Planning has set out Gender Budgeting Guidelines. The Ministry of Finance has an important role in promoting and coordinating gender budgeting, and associated analytical tools.

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<sup>20</sup> Republic of Rwanda (2010), Ministry of Gender and Family Promotion, National gender policy, final version



However, people interviewed acknowledged that the Gender Budget Statements elaborated by JRLOS Institutions every financial year are not based on a gender situational analysis and does not highlight targets and indicators for achieving gender mainstreaming in the budget process.

**Recommendations:**

- There must be an approach in budgeting setting out target and indicators to help in achieving disaggregated data for any budgeted sector. Technical assistance is needed for capacity building on Gender Responsive Budgeting for Gender Focal Persons, planners and budget officers of JRLOS Institutions.

**2.1.6. Reporting with sex disaggregated data**

Gender disaggregated data are essential to assess the effects of policy measures on women and men. Data are also essential to be able to evaluate and track the pivotal role of women in development and to apprehend the specific contributions of women and men in the society. Data analysis and interpretation and the use of sex-disaggregated data are key steps in understanding and addressing gender related issues in justice service delivery.

Some JRLOS Annual Reports, Strategic Plans, Action Plans reviewed show limited gender-disaggregated data. The same gap was highlighted by the JRLOS Gender Audit 2015.

**Recommendations:**

- JRLOS Secretariat should develop the gender reporting tools and reporting process in JRLOS institutions that must be sex-disaggregated to ensure that each activity has considered equality between men and women;
- Ensuring sustainability to produce and disseminate quality sex-disaggregated and gender-responsive statistics;
- Development Partners are encouraged to support national efforts to improve the production and dissemination of gender-responsive statistics including disaggregation by sex and other characteristics in alignment with national strategies for statistical development.

**2.1.7. Gender sensitive facilities at work place**

The status of gender sensitive facilities at work place in JRLOS Institutions was assessed at three levels: gender sensitive sanitation facilities, breastfeeding facilities and flexy hours for pregnant and breastfeeding mothers.

### 2.1.7.1. Existence of gender sensitive sanitation facilities at work place

**Table 4: Existence of gender sensitive sanitation facilities at work place**

	Institutions	JRLOS Gender Audit, 2015		JRLOS administrative data, August 2017	
		Yes	Non	Yes	Non
1	Ministry of Justice	X		X	
2	Judiciary		X	X	
3	Institute of Legal Practice and Development	X		X	
4	National Commission for Human Rights		X	X	
5	Rwanda National Police	X		X	
6	National Public Prosecution Authority		X	X	
7	National Unity and Reconciliation Commission		X	X	
8	Ombudsman		X	X	
9	Rwanda Correctional Service	X		X	
10	Rwanda Law Reform Commission		X	X	
11	National Commission for the Fight against Genocide		X	X	
	<b>Total</b>	<b>4</b>	<b>7</b>	<b>11</b>	<b>0</b>
	<b>Percentage (%)</b>	<b>36.4%</b>	<b>63.6%</b>	<b>100%</b>	<b>0%</b>

Source: JRLOS Gender Audit, 2015 & JRLOS administrative data, August 2017

Mainstreaming gender at work place must be understood to be primarily concerned with women's and men's responsibilities and needs. Men and women use space facilities differently because they have different needs. Facilities embody cultural values and imply standards of behaviour (Rendell et al. 2000).

Direct observation revealed that sanitation facilities for women and men have been installed in all JRLOS institutions.

### 2.1.7.2. Existence of breastfeeding facilities at work place

**Table 5: Existence of breastfeeding facilities at work place**

	Institutions	JRLOS Gender Audit, 2015		JRLOS administrative data, August 2017	
		Yes	Non	Yes	Non
1	Ministry of Justice		X		X
2	Judiciary		X		X
3	Institute of Legal Practice and Development	X		X	
4	National Commission for Human Rights		X		X
5	Rwanda National Police		X		X
6	National Public Prosecution Authority		X		X
7	National Unity and Reconciliation Commission		X		X
8	Ombudsman		X		X
9	Rwanda Correctional Service	X		X	
10	Rwanda Law Reform Commission		X		X
11	National Commission for the Fight against Genocide		X		X
	<b>Total</b>	<b>2</b>	<b>9</b>	<b>2</b>	<b>9</b>
	<b>Percentage (%)</b>	<b>18.2%</b>	<b>81.8%</b>	<b>18.2%</b>	<b>81.8%</b>

Source: JRLOS Gender Audit, 2015 & JRLOS administrative data, August 2017



ILPD has specific facilities to allow women to bring their breastfeeding babies and baby-keepers at the work place.

There is a need to have facilities for breastfeeding mothers at work place in all JRLOS Institutions.

### **2.1.7.3. Flexy hours for pregnant and breastfeeding mothers**

In recognition of women productive and reproductive roles, women in all JRLOS Institutions are allowed to breastfeeding time.

Women staff in RCS is given priority for houses to live at the work place. This helps in motivating women to join RCS. Another best practice in RCS is the creation of separate prisons for males and females to increase better living conditions of inmates.

In order to facilitate female staff to be able to balance family and work, there is available car and a driver within MINIJUST to help women in case of child illness and pregnant women to reach hospital.

However, people interviewed expressed the need of flexy hours for pregnant or breastfeeding mothers or working remotely to help them to deliver on both household and professional responsibilities.

#### **Recommendations:**

- Create facilities to allow women to bring their breastfeeding babies at the work place.
- Allow the possibility of flexy hours for pregnant or breastfeeding mothers or working remotely.

## **2.2. Gender mainstreaming in justice service delivery**

The objective of mainstreaming gender in the justice sector is to achieve gender equality and equity in the justice service delivery.

To mainstream gender into the Justice Sector, it is necessary to design and apply laws and regulations that take into account needs of women in the administration of justice, whether as victims, offenders, users or administrators or personnel in the justice system.

The status of mainstreaming gender in justice service delivery by JRLOS Institutions was assessed using the following indicators: implementation of gender sensitive laws as well as fighting gender based violence.



### **2.2.1. Implementation of gender sensitive laws**

Equality of men and women before the law is enshrined in the Constitution of the Republic of Rwanda of 2003 as revised in 2015 that prohibits any form of discrimination. Many laws have been initiated and others revised to eliminate discriminatory provisions such as Organic Law n° 30/2008 of 25/07/2008 relating to Rwandan nationality, Law n° 59/2008 of 10/09/2008 on the prevention and punishment of Gender Based Violence and its subsequent regulations: Prime minister's order n°001/03 of 11/01/2012 determining modalities in which government institutions prevent and respond to gender-based violence; Law n°13/2009 of 27/05/2009 regulating labour in Rwanda (2009), Organic Law n° 01/2012/OL of 02/05/2012 instituting the new Penal Code, Law n° 43/2013 of 16/06/2013 governing land in Rwanda, Law n° 32/2016 of 28/08/2016 governing persons and family and Law n° 27/2016 of 08/07/2016 governing matrimonial regimes, donations and successions.

However, most of the people interviewed expressed the concern of inadequate implementation of laws to address gender issues in justice service delivery. One example is article 39 of the law on prevention and punishment of gender-based violence stipulating that people entertaining unlawful marriages shall share equally the commonly owned belongings with the husbands/wives before getting married in accordance with the monogamic principle.

Another challenge is the misunderstanding of the gender concept and capacity constraints on how to integrate gender sensitivity in operational procedures, institutional arrangements and daily work within JRLOS institutions. The most challenge is however the inadequate dissemination and clear understanding of the gender sensitive laws such as law governing persons and family and the law governing matrimonial regimes, donations and successions.

#### **Recommendations:**

- To take necessary steps to popularise gender sensitive laws especially the law governing persons and family and the law governing matrimonial regimes, donations and successions;
- Men and women's awareness of their rights through legal literacy and legal assistance.

### **2.2.2. Fighting Gender Based Violence**

Violence against Women and Girls (VAWG) is a serious infraction against the rights of women and girls.

In 2011, the Government of Rwanda adopted the National Policy against Gender-based Violence. The objectives of the policy cover the following four main areas: foster a prevention-focused environment where gender-based violence is not tolerated and reduce vulnerability of groups most at risk to GBV; provide comprehensive services to

victims of gender-based violence; Improve accountability and eliminate impunity for gender-based violence; and build coordination and monitoring system.

The law on prevention and punishment of gender based violence of 10/09/2008 legislates for zero tolerance of gender-based violence and provides legal sanctions against gender-based violence perpetrators.

The GBV law has made it possible for the population to understand that gender based violence is a crime. The law of 27/05/2009 regulating labour in Rwanda prohibits gender based violence and sexual harassment at the work place. The Law relating to the Code of Criminal Procedure gives a procedure to those who wish to report their cases to the authorities. The law n° 27/2016 of 08/07/2016 matrimonial regimes, donations and successions<sup>21</sup> enables the excellence of women's rights e.g. under the new law the surviving spouse is entitled to take part in succession of the deceased spouse's estate. The land law is on a brighter note because both men and women are on the same level; they have both equal rights to land and the transaction on it (article 4).

The Rwanda National Police has undertaken Anti-SGBV awareness campaigns and advocacy within and outside Rwanda and embraced this commitment and placed it among the country's top security concerns.

A multi-service centre commonly known as Isange One Stop Centre (IOSC) was created in 2009 within the then National Police Hospital to receive and assist GBV survivors with all the relevant services needed including medical, legal, psychological and social assistance. The IOSC services are available 24 hours a day and are free of charge. Anti-GBV desks have been established in the RDF and National Public Prosecution Authority (NPPA) to provide similar services, especially the protection component.

The IOSC are more victim-friendly, provide rapid response, making victims more willing to seek services and to report GBV cases. Every District hospital delivers the IOSC services. Anti GBV/Child Protection Committees and Anti GBV clubs were established at the grassroots level in all Districts and schools respectively. Community policing are operational at every Village (Umudugudu) country wide. The Access to Justice Bureau (MAJ) operating in all Districts since 2006 has specific desks to deal with gender-based violence.

Toll free telephone hotlines have been put in place for emergency reporting of crimes and accessing information through the Ministry of Health, RNP, RDF and Public Prosecution Authority. The later has also a special unit of prosecutors in charge of GBV and a department of protection of victims and witnesses. Sexual violence cases are given special consideration at all levels and in court there are held in isolation to avoid stigmatization of the victim. Service providers in GBV receive training on orientation and care to victims and on collaboration with other key stakeholders such as the Police. Other initiatives include community policing, anti-GBV and child protection committees

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<sup>21</sup> Republic of Rwanda, law n° 27/2016 of 08/07/2016 matrimonial regimes, donations and successions



at village level to provide an opportunity for awareness raising, gathering information and coordination anti-GBV services.

The Anti-GBV Directorate was established in the Rwanda National Police to respond to cases of SGBV and the rights of the victims. The Anti-GBV Directorate has Gender Desks in all police stations in the country who work closely with hospitals and health centers to facilitate access to medical expertise.

The establishment of Africa's Security Organs Centre for Coordination of Action to end Violence Against Women and Girls (AFSOCCA - VAWG) was response to the call by UN Secretary General in the "Africa UNiTE Campaign to end VAWG", which he launched in January 2010.

The Kigali International Conference for Africa's security organs was held in Kigali-Rwanda in October 2010 and concluded with the proclamation of Kigali International Conference Declaration (KICD) signed by Police Chiefs or their representatives. On 23<sup>rd</sup> May 2013, the UN Secretary General Mr. Ban Ki-Moon laid a foundation stone of Africa's Security Organs Centre for Coordination of Action to end Violence Against Women and Girls. *At that occasion UN Secretary General, Ban Ki Moon said "We must UNiTE. Violence against women (and girls) must not be tolerated, in any form, in any context, in any circumstance by a political leader or by any government. There can be NO exception, NO excuse, and NO delay".*

On the 28<sup>th</sup> November 2016, that Regional Centre of Excellence on Gender Based Violence and Child Abuse hosted by Rwanda was officially inaugurated as a coordination facility for responding to Gender Based Violence and Child Abuse. The Centre located in Rwanda National Police Headquarters comes as the accomplishment of one of the resolution of Kigali International Conference Declaration (KICD) member states, who unanimously agreed to establish the coordination Office in Kigali.

The Centre aims to strengthen the capacity of police officers, enhance networking between security institutions within the region and beyond for the establishment of structures and policies for prevention and response to violence against women and girls. The Centre also mobilises leaders of African security organs to leverage resources as a commitment to ending violence against women and girls in the framework of the Africa Unite Campaign.

Despite the fact that the people interviewed appreciated all actions taken to end Gender Based Violence, they expressed the concern of the increase of domestic violence culminating in some cases to murder, attempted murder, suicide and many forms of barbarity and cruelty. The IOSC provides short-term emergency accommodation to victims who fear to return home or who need intensive support and time to come to terms what has happened to them. The majority of people interviewed expressed a need of safe shelters with more space for both male and female victims.



**Table 6: Cases registered on domestic violence 2009-2013**

<b>Crimes</b>	<b>Cases registered</b>
2009	568
2010	718
2012-2013	901

Source: Rwanda National Police Statistics

Addressing GBV requires quick and fair treatment to ensure equitable and accessible justice for GBV victims. Provide legal aid to GBV victims is crucial to ensure that evidence is available for courts proceedings and perpetrators brought to justice.

There is also a need to strengthen the capacity of the KICD Secretariat to build up capacity of JRLOS Institutions staff and to enhance networking between security institutions within the region and beyond for the establishment of structures and policies for prevention and response to violence against women and girls.

**Recommendations:**

- To provide shelters for women and men victims of domestic violence, staffed by expert personnel and provided with adequate financial resources for their effective functioning;
- To ensure that legal aid is provided to gender based violence victims;
- To strengthen the capacity of the KICD Secretariat to build up capacity of JRLOS Institutions staff and to enhance networking between security institutions staff within the region and beyond for the establishment of structures and policies for prevention and response to violence against women and girls;
- Speed up the operationalization of National Forensic Laboratory.

### 3. Strengths, Weaknesses, Opportunities and Threats to mainstream gender in JRLOS Institutions

Table 7: SWOT analysis

Internal Analysis	
Strengths	Weaknesses
<ul style="list-style-type: none"> <li>- Commitment of JRLOS Secretariat and JRLOS Institutions to mainstream gender equality and women empowerment</li> <li>- Existence of gender sensitive laws in most JRLOS institutions</li> <li>- Gender Focal Points are in place in most of JRLOS Institutions</li> <li>- Establishment of National Forensic Laboratory</li> </ul>	<ul style="list-style-type: none"> <li>- Inadequate capacity of JRLOS Institutions to integrate gender initiatives into their activities</li> <li>- Low capacity in Gender Responsive Budgeting</li> <li>- Limited translation of National Gender Policy into actions</li> <li>- Lack of tools, indicators and desegregated data for evidence based planning and monitoring</li> <li>- Weak coordination among JRLOS Institutions in the whole chain of gender mainstreaming in justice service delivery</li> <li>- Limited mechanisms for sharing best practices and lessons learnt in gender mainstreaming</li> <li>- Lack of facilities for breastfeeding mothers at work place</li> <li>- Limited flexy hours for pregnant and breastfeeding mothers</li> <li>- Inadequate dissemination and clear understanding of the gender sensitive laws</li> <li>- Concept of gender mainstreaming is new and not fully internalized</li> <li>- Gender is not being mainstreamed adequately as a crosscutting issue in policies and programmes</li> <li>- Insufficient number of shelters for victims of GBV</li> <li>- Insufficient legal aid for victims of GBV.</li> </ul>
External Analysis	
Opportunities	Threats
<ul style="list-style-type: none"> <li>- Strong political will at high level and commitment to gender equality and women's empowerment</li> <li>- Existence of clear gender policies (Vision 2020, National Gender Policy...)</li> <li>- Legal framework supporting gender equality</li> <li>- Existence of National Gender Machineries (MIGEPROF, GMO, CNF) to spearhead the implementation of gender commitment and provide technical expertise to other sectors to mainstream gender</li> <li>- Promotion of gender equality and women's empowerment as a development goal</li> <li>- Existence of relevant services needed to prevent and punish GBV including medical, legal, psychological and social assistance.</li> </ul>	<ul style="list-style-type: none"> <li>- Harmful cultural and traditional factors discouraging gender mainstreaming</li> <li>- Transborder crimes, drugs trafficking among others which lead to increase and domestic violence</li> </ul>



#### 4. Linking challenges and strategic priorities

**Table 8: Linkage of Challenges and Strategic priorities**

Challenges	Strategic priorities
The concept of gender mainstreaming not fully internalized in laws, vision, mission, values and responsibilities of JRLOS Institutions	Mainstreaming gender in the vision, mission, values and responsibilities of JRLOS institutions and compliance with the constitutional provision to ensure that women are granted at least 30% of posts in decision making organs
Representation of women in the total staff remains low in RNP (20%), ILPD (23%) and RCS (24%)	Increase access, performance and retention of women in RNP, RCS and ILPD and advocate for affirmative action with regard to staff recruitment process
Low representation of women at senior positions in some JRLOS Institutions (ILPD (11%), CNLG (22%), RNP (20%) and RCS (24%))	Identify gender issues limiting women participation in arenas of power in the Justice Sector
	Develop and implement a career development in leadership for women in JRLOS Institutions
	Sensitize staff of JRLOS Institutions in proper sharing of family responsibilities and balancing reproductive and productive works
Lack of staff capacity for gender mainstreaming and lack of competent and skilled gender advisors/experts to adequately mainstream gender at the operational level	Enhance capacity and skills of leaders of JRLOS Institutions to integrate gender sensitive operational procedures and institutional arrangements
	Recruit gender specialists within JRLOS Institutions for training, coaching and advising leaders and staff in Gender mainstreaming in the justice sector
Limited mechanisms for sharing best practices and lessons learnt in gender mainstreaming	Create a network for gender focal points for sharing best practices and lessons learnt in gender mainstreaming
Poor approach in setting out targets and indicators to help in achieving Gender Responsive Budgeting in JRLOS Institutions	Build capacity on Gender Responsive Budgeting for Gender Focal Persons and budget officers of JRLOS Institutions
Limited gender-disaggregated data in JRLOS Institutions	Ensure sustainability to generate, use and disseminate quality sex-disaggregated and gender-responsive statistics
Lack of facilities for breastfeeding mothers at work place	Create facilities to allow women to bring their breastfeeding babies at the work place
Limited flexy hours for pregnant or breastfeeding mothers or working remotely to help them to deliver on both household and professional responsibilities.	Allow the possibility of flexy hours for pregnant or breastfeeding mothers or working remotely.
Inadequate implementation of laws to address gender issues in justice service delivery	Take necessary steps to make gender sensitive laws widely known by administrative authorities, officials and staff
	Intensify awareness-raising efforts with regard to men and women's rights through legal literacy and legal assistance
Insufficient number of shelters for women and men victims of violence	Provide shelters for women and men victims of domestic violence,
Insufficient legal aid for victims of gender based violence	Ensure that legal aid is provided to GBV victims
Ineffective institutional mechanism to coordinate, monitor and assess the effectiveness of measures taken with regard to all forms of GBV	Institutionalize mechanisms for coordination, monitoring and assessing the effectiveness of measures taken with regard to end all forms of GBV and sharing best practices and lessons learnt in mainstreaming gender in the justice service delivery



## **5. Log-frame with objectives, results, Policy actions and JRLOS Institutions Responsible to achieve the proposed strategy**

The experiences gained by JRLOS Institutions in gender mainstreaming and the context analysis as described above led to the choice of objectives compatible with the National Gender Policy vision to achieve a society with a legal system that supports and protects all citizens without discrimination as a prerequisite for sustainable justice.

### **5.1. Overall objective of the Gender Mainstreaming Strategy**

The Overall objective of the Gender Mainstreaming Strategy is to give effect to Government commitments to gender equality within JRLOS institutions through practical strategies for ensuring that gender is mainstreamed across all sector institutions to address the persisting gender disparities and inequalities.

### **5.2. Specific objectives and results**

The specific objectives below are based on the role of Justice Sector Coordination Secretariat as a coordination structure of JRLOS Institutions which carries out its activities through JRLOS institutional networking forums, advocacy and effective communication for organizational and technical capabilities of JRLOS Institutions for mainstreaming gender in the justice service delivery, so that JRLOS Institutions become solid and competent to provide universal access to quality gender sensitive justice.

#### **Objective 1: The vision, mission, values and responsibilities of JRLOS institutions gender mainstreamed and compliance with the constitutional provision to grant women at least 30% of posts in decision making organs ensured**

Justice Sector Coordination Secretariat as a coordination mechanism will be a catalyst to accelerate awareness on egendering the vision, mission, values, responsibilities, programs, plans and activities of JRLOS institutions and to comply with the constitutional provision to ensure that women are granted at least 30% of posts in decision making organs.

#### **Objective 2: Access, performance and retention of women in RNP, RCS and ILPD increased and affirmative action with regard to staff recruitment process advocated for**

Based on the numerical representation of women in staff composition, women account below 30% in RNP (21%), ILPD (23%) and RCS (24%). One of the outcomes of this Gender Mainstreaming Strategy will be to achieve gender equality in staff composition in all JRLOS Institutions. In order to achieve that outcome, there is a need to increase access, performance and retention of women in JRLOS Institutions (RNP, ILPD and RCS) with a low number of women in staff composition.



**Objective 3: Women's representation at all levels and in particular senior positions and participation of women in all other activities increased**

For the efficient mainstream of gender in the justice sector, the target decision-making positions should be of utmost importance. Therefore, JRLOS Sector should identify gender issues limiting women participation in arenas of power in the Justice Sector and develop and implement a career development for women in JRLOS Institutions.

**Objective 4: Staff of JRLOS Institutions sensitized in proper sharing of family responsibilities and balancing reproductive and productive works**

Women's career priority is associated with attitudes towards family planning. Women in high-professional careers and women focused on career success place more importance on pregnancy planning and have greater confidence in delayed childbearing. Reproductive counseling for career focused women should focus on effective contraception when attempting to delay pregnancy and improved knowledge about age related fertility decline.

**Objective 5: Capacity and skills of leaders and staff of JRLOS Institutions enhanced in order to integrate gender sensitive operational procedures and institutional arrangements**

The capacity development response should be a combination of trainings, workshops, mentoring, coaching, systematization and experience exchange in gender analysis, gender planning, gender budgeting, gender monitoring and documentation and on how to build gender responsive institutions. Training modules in gender analysis, gender planning, gender budgeting, gender monitoring and documentation and on how to build gender responsive JRLOS Institutions will be developed. Gender specialists shall be recruited within Justice Sector Coordination Secretariat to train and coach leaders and staff of JRLOS Institutions in matters of gender to ensure that they are able to provide fair hearing and rulings that recognize gender issues and other barriers to gender in the justice service delivery. On the other hand, a network for gender focal points will be created and workshops will be organized to exchange experience and share good practices in gender mainstreaming in justice sector on how to build gender responsive institutions.

**Objective 6: Capacity on Gender Responsive Budgeting for Gender Focal Persons, planners and budget officers of JRLOS Institutions built**

Convinced that Gender Responsive Budgeting is an important tool to achieve gender mainstreaming in the justice service delivery, stakeholders should play a role in gender responsive budgeting by funding gender-responsive budgeting activities and providing technical advice. The main activities will be to provide trainings on Gender Responsive Budgeting to Gender Focal Persons, planners and budget officers of JRLOS Institutions. Advanced trainings in gender responsive budgeting will be organized for

Gender Focal Persons, planners and budget officers of JRLOS Institutions to create positive change.

**Objective 7: Sustainability to generate, use and disseminate quality sex-disaggregated and gender-responsive statistics ensured**

Having data disaggregated by sex is extremely important to being able to assess the impact of a project on women separately from its impact on men, JRLOS Institutions will take appropriate measures for strengthening of systematic gender disaggregated data in all JRLOS documents and reports.

**Objective 8: Gender sensitive facilities at work place created**

JRLOS institutions should create facilities for day care to allow women to bring their breastfeeding babies and baby-keepers at the working place, as it is done in some institutions like ILPD.

There is also a need to allow flexy hours for pregnant or breastfeeding mothers or working remotely to help them to deliver on both household and professional responsibilities.

**Objective 9: Gender sensitive laws especially the law governing persons and family and the law governing matrimonial regimes, donations and successions popularised**

Trainings will be provided to administrative authorities, JRLOS Institutions officials and staff in gender sensitive laws in order to ensure their ownership of the process mainstreaming in the justice service delivery. The objective is to create institutional awareness and commitment to gender equality amongst administrative authorities, officials and staff of the JRLOS Institutions.

Awareness campaigns will be conducted to sensitize the general public on gender sensitive laws especially the law governing persons and family and the law governing matrimonial regimes, donations and successions.

**Objective 10: Awareness-raising efforts with regard to men and women's rights through legal literacy and legal assistance intensified**

The MINIJUST has a weekly radio talk programme to inform public on their rights and obligations provided by laws. Other channels such as Umuganda and other forums where many people meet will be envisaged to raise awareness on gender sensitive laws and regular gender dialogues at grassroots level to gender issues.

**Objective 11: Legal aid to victims of GBV provided provided**

Victims of GBV receive services including psycho-social counseling and medical aid. There is a need to provide comprehensive services to victims of GBV including



representation and advocacy to local authorities and police, as well as assistance in the courts when necessary.

**Objective 12: Shelters for women and men victims of domestic violence provided**

Shelters for women and men escaping domestic violence, oppression and sexual abuse provide protective service with the goal of preventing deaths caused by domestic violence. Women and men victims of domestic violence will receive protection and support services from the shelter.

**Objective 13: Mechanisms for coordinating, monitoring and assessing the effectiveness of measures taken with regard to end all forms of GBV institutionalized and best practices and lessons learnt in mainstreaming gender in the justice service delivery shared**

Justice Sector Coordination Secretariat as a coordination mechanism shall organize semester meetings gathering all JRLOS Institutions to assess the effectiveness of measures taken with regard to end all forms of GBV and to share best practices and lessons learnt in mainstreaming gender in the justice service delivery.

**Objective 14: A network of gender focal points in JRLOS Institutions established to foster exchange of experience and lessons learned**

Gender Focal Points in JRLOS institutions serve as the contact and resource persons within their institution and are tasked to help raise awareness and understanding of gender related issues, and promote the application of the gender mainstreaming strategy. They will collect and reflect views and concerns on various gender streaming initiatives within their institution and share best practices and lessons learnt in mainstreaming gender in the justice service delivery, through a network of gender focal points in different institutions established.

**Objective 15: Partnerships for the implementation of the Gender Mainstreaming Strategy strengthened**

The implementation of the Gender Mainstreaming Strategy will depend on the collaboration, synergy and partnership between a range of stakeholders such as JRLOs institutions, National Gender Machineries (MIGEPROF, GMO, NWC), Private Sector, Policy Makers, NGOs (International and National) working in the area of Justice, and the Media among others.

Collaboration and exchange with regional and international institutions and processes need to be encouraged as they have proven to be effective in strengthening gender mainstreaming mechanisms.

### 5.3. Logical framework for the Gender Mainstreaming Strategy implementation

The table below illustrates the Logical Framework of the Gender Mainstreaming Strategy based on the strategic objectives presented above.

**Table 9: Logical Framework of the Gender Mainstreaming Strategy**

Strategic Objectives	Policy Actions	Indicators of performance	Baseline	Targets	Responsible	Time Frame /Year					Annual Budget (RWF)
						1	2	3	4	5	
<b>Outcome: Government commitments on gender equality within JRLOS Institutions implemented</b>											
<b>Output 1: Gender mainstreaming at JRLOS institutional level ensured</b>											
1. The vision, mission, values and responsibilities of JRLOS institutions gender mainstreamed and compliance with the constitutional provision to grant women at least 30% of posts in decision making organs ensured	Comply with the constitutional provision to ensure that women are granted at least 30% of posts in decision making organs in NPPA, RNP, RCS and the Judiciary	RNP, RCS, CNLG and ILPD women in decision making above 30%	7 out of 11 JRLOS Institutions comply with the constitutional provision of at least 30%	All JRLOS Institutions comply with the constitutional provision of at least 30%	JSCS, RNP, RCS, CNLG and ILPD						-
	Engender the vision, mission, values, responsibilities, policies, programs and strategic plans of JRLOS Institutions	Gender sensitive programs and strategic plans	RCS Values and Strategic Plans are gender sensitive	Vision, mission, values, responsibilities, policies, programs and strategic plans of all JRLOS Institutions are engendered	JRLOS Institutions						-
2. Access, performance and retention of women in RNP, RCS and ILPD increased and affirmative action with regard to staff recruitment process advocated for	Increase access, performance and retention of women in RNP, RCS and ILPD	Proportion of JRLOS Institutions achieving 30% of women by 2022	RNP, RCS and ILPD female staff under 30%	RNP, RCS and ILPD female staff above 30%	RNP, RCS and ILPD						-
3. Women's representation at all levels and in particular senior positions and participation of women in all other activities increased	Identify gender issues limiting women participation in arenas of power in the Justice Sector	Proportion of women and men in managerial positions in ILPD, RNP, RCS and CNLG	Proportion of women in decision-making organs in ILPD, RNP, RCS and CNLG under 30%	Proportion of women in decision-making organs in ILPD, RNP, RCS and CNLG above 30%	ILPD, RNP, RCS and CNLG						-



	Develop and implement a career development in leadership for women in JRLOS Institutions	Proportion of women and men in managerial positions	None	Proportion of women in decision-making organs in all JRLOS institutions above 30%	JRLOS Institutions						30,000,000
4. Staff of JRLOS Institutions sensitized in proper sharing of family responsibilities and balancing reproductive and productive works	Organize seminars in JRLOS Institutions on sharing of family responsibilities and balancing reproductive and productive works	Number of trainings organized in proper sharing of family responsibilities and balancing reproductive and productive works	None	One seminar organized each year	JRLOS Institutions						-
5. Capacity and skills of leaders and staff of JRLOS Institutions enhanced in order to integrate gender sensitive operational procedures and institutional arrangements	Recruit gender specialists within JRLOS Institutions for training, coaching and advising leaders and staff in Gender mainstreaming in the justice sector	Number of Gender specialists recruited	9 JRLOS Institutions out of 11 have already organized basic trainings and debates on gender	One gender specialist recruited in each JRLOS Institution	JRLOS Institutions UNDP UN Women						90,000,000
6. Capacity on Gender Responsive Budgeting for Gender Focal Persons, planners and budget officers of JRLOS Institutions built	Provide trainings on Gender Responsive Budgeting to Gender Focal Persons, planners and budget officers of JRLOS Institutions	Number of Gender Focal Persons and budget officers of JRLOS Institutions trained	GRB Modules at UR-SFB College GEMPI modules managed by MINECOFIN	One training organized each semester	JSCS JRLOS Institutions UNDP UN Women						30,000,000
	Conduct an annual evaluation on GRB execution	Audit report	N/A	One GRB audit per year conducted in each JRLOS Institution	JSCS GMO						-
7. Sustainability to generate, use and disseminate quality sex-disaggregated and gender-responsive statistics ensured	Take appropriate measures for strengthening of systematic gender disaggregated data in all JRLOS documents and reports	Number of JRLOS Institutions producing reports with sex disaggregated data	38% of JRLOS Institutions have no sex disaggregated data reports	All JRLOS Institutions producing reports with sex disaggregated data	JRLOS Institutions						-



8. Gender sensitive facilities at work place created	Create and equip a space to allow breastfeeding mothers to bring their breastfeeding babies at the work place	Number of facilities for breastfeeding mothers available at work place	ILPD has facilities for breastfeeding mothers at work place	All JRLOS Institutions have a breastfeeding space	JRLOS Institutions UNDP UN Women						50,000,000
	Allow the possibility of flexy hours for pregnant or breastfeeding mothers or working remotely.	Feedback survey	One hour for breastfeeding granted to JRLOS Institutions women staff	90% of women staff satisfied with flexy hours	JSCS JRLOS Institutions						-
<b>Output 2: Gender mainstreaming in justice service delivery enhanced</b>											
9. Gender sensitive laws especially the law governing persons and family and the law governing matrimonial regimes, donations and successions popularized	Provide trainings to administrative authorities, JRLOS Institutions officials and staff in gender sensitive laws	Number of administrative authorities, JRLOS Institutions officials and staff trained in gender sensitive laws	None		JSCS JRLOS Institutions						30,000,000
	Conduct awareness campaigns to sensitize the general public on gender sensitive laws	Number of public talks on gender sensitive laws	MINIJUST Radio talk programmes on laws in general	Quarterly talks in Umuganda and other forums at grassroots level on gender sensitive laws	JSCS JRLOS Institutions MIGEPROF NWC MINALOC Districts						
10. Awareness-raising efforts with regard to men and women's rights through legal literacy and legal assistance intensified	Provide public information about gender sensitive laws and hold regular gender dialogues at grassroots level	Number of public talks on men and women's rights	MINIJUST Radio talk programmes on laws in general	Quarterly talks in Umuganda and other forums at grassroots level on men and women's rights	JSCS JRLOS Institutions MIGEPROF NWC MINALOC Districts						30,000,000
11. Legal aid to victims of GBV provided	Provide legal representation to GBV victims	Number of MAJ in charge of GBV recruited at Sector level	1 MAJ staff in charge of GBV cases at District level	1 MAJ in charge of GBV at Sector level	MINIJUST						30,000,000
12. Shelters for women and men victims of domestic violence provided	Build and equip model shelters for women and men victims of domestic violence	Number of shelters build	IOSC at District Hospital	5 Model shelters built, equipped and staffed (One per Province by 2022)	MININFRA UNDP UN Women						500,000,000
13. Mechanisms for coordinating, monitoring and	Organize workshops to assess the effectiveness of measures taken with regard to end all forms of GBV	Number of workshops	None	One workshop organized per	JSCS JRLOS						-



assessing the effectiveness of measures taken with regard to end all forms of GBV institutionalized and best practices and lessons learnt in mainstreaming gender in the justice service delivery shared	and to share best practices and lessons learnt in mainstreaming gender in the justice service delivery	organized		year	Institutions UNDP UN Women						
<b>Output 3: Good practices in Gender Mainstreaming Strategy shared</b>											
14. A network of gender focal points in JRLOS institutions established to foster exchange of experience and lessons learned	Create a network for gender focal points to exchange experience and share good practices in gender mainstreaming in justice sector on how to build gender responsive institutions	Network launched and operational	None	The network of gender focal points established by 2020	JSCS JRLOS Institutions						-
15. Partnerships for the implementation of the Gender Mainstreaming Strategy strengthened	Extend the mission of the JRLOS Steering Committee to include National Gender Machineries, Private Sector, Policy Makers, NGOs (International and National) working in the area of Justice, and the Media to monitor the implementation of the Gender Mainstreaming Strategy	Number of meetings dedicated to the monitoring of the implementation of the Gender Mainstreaming Strategy	JRLOS Steering Committee	The mission of JRLOS Steering Committee extended by the end of 2018	JSCS JRLOS Institutions UNDP UN Women						-
<b>Total</b>						<b>790,000,000</b>					

## **6. Monitoring, evaluation and reporting system of the strategy**

The effectiveness of this Gender Mainstreaming Strategy implementation will be conditioned by the system in place for regular operational planning and the development of progress reports. Success, however, will depend on the supporting mechanisms to be implemented, notably those with regard to the coordination, management, planning, monitoring, evaluation, reporting, the involvement of Ministry of Justice leaders and JRLOS Institutions leaders and the synergy and partnership between the different stakeholders involved in the implementation of the Gender Mainstreaming Strategy.

### **6.1. Gender Mainstreaming Strategy management and coordination system**

The Justice Sector Coordination Secretariat as a coordination mechanism should be responsible of the implementation of the Gender Mainstreaming Strategy with synergy with JRLOS Institutions.

The implementation of this Gender Mainstreaming Strategy will comply with the National Gender Policy.

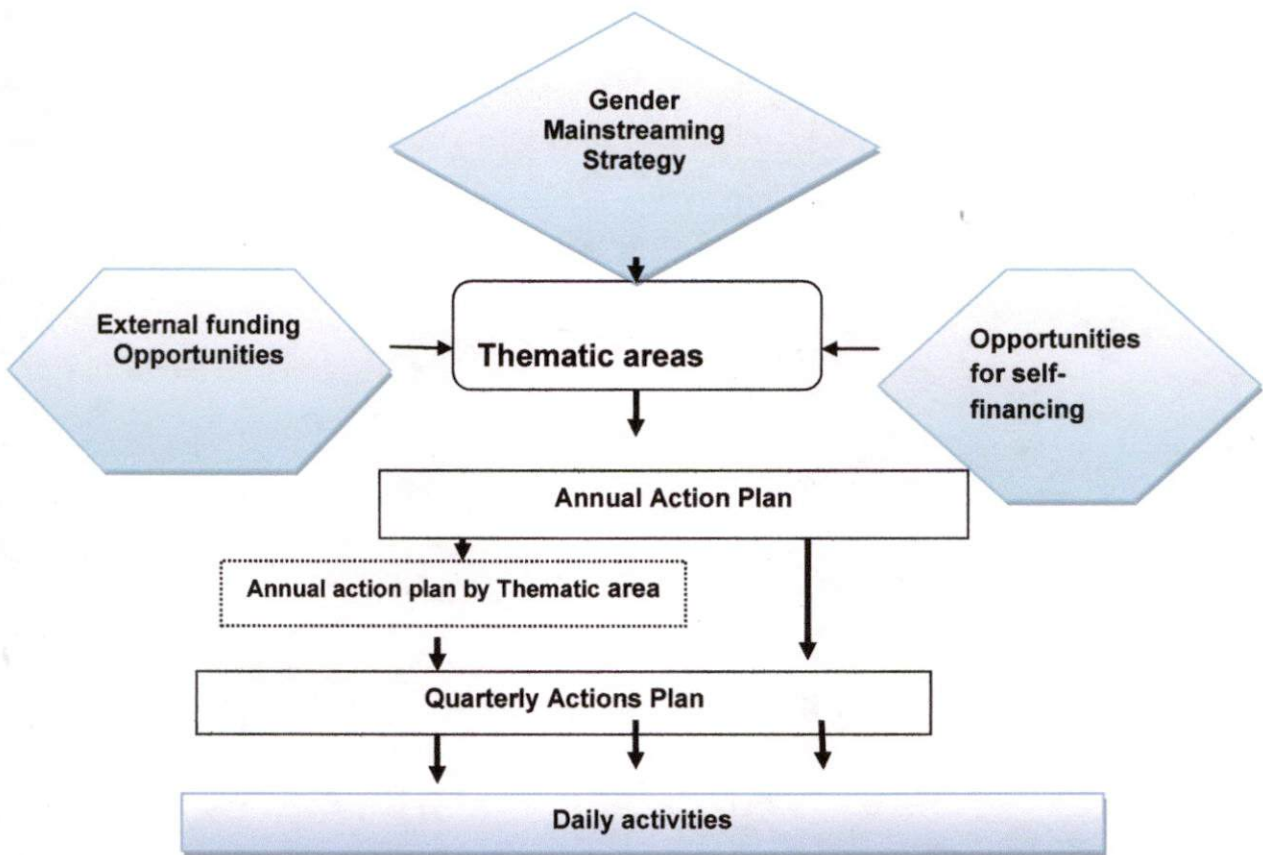
Horizontally, the Justice Sector Coordination Secretariat will be the managing and coordinating framework for the implementation of the Gender Mainstreaming Strategy. The Justice Sector Coordination Secretariat will hold meetings with JRLOS Institutions to define together the roles and responsibilities and opportunities to work together to improve the effectiveness, efficiency and impact of concerted interventions.

At vertical level, coordination and management of the Gender Mainstreaming Strategy will be carried out in parallel to Justice Sector Coordination Secretariat and at JRLOS Institutions level, especially the design and monitoring-support for each JRLOS Institution, while coordination at JRLOS Institution level concerns the implementation of annually prioritized activities.

### **6.2. Development of Operational Plans**

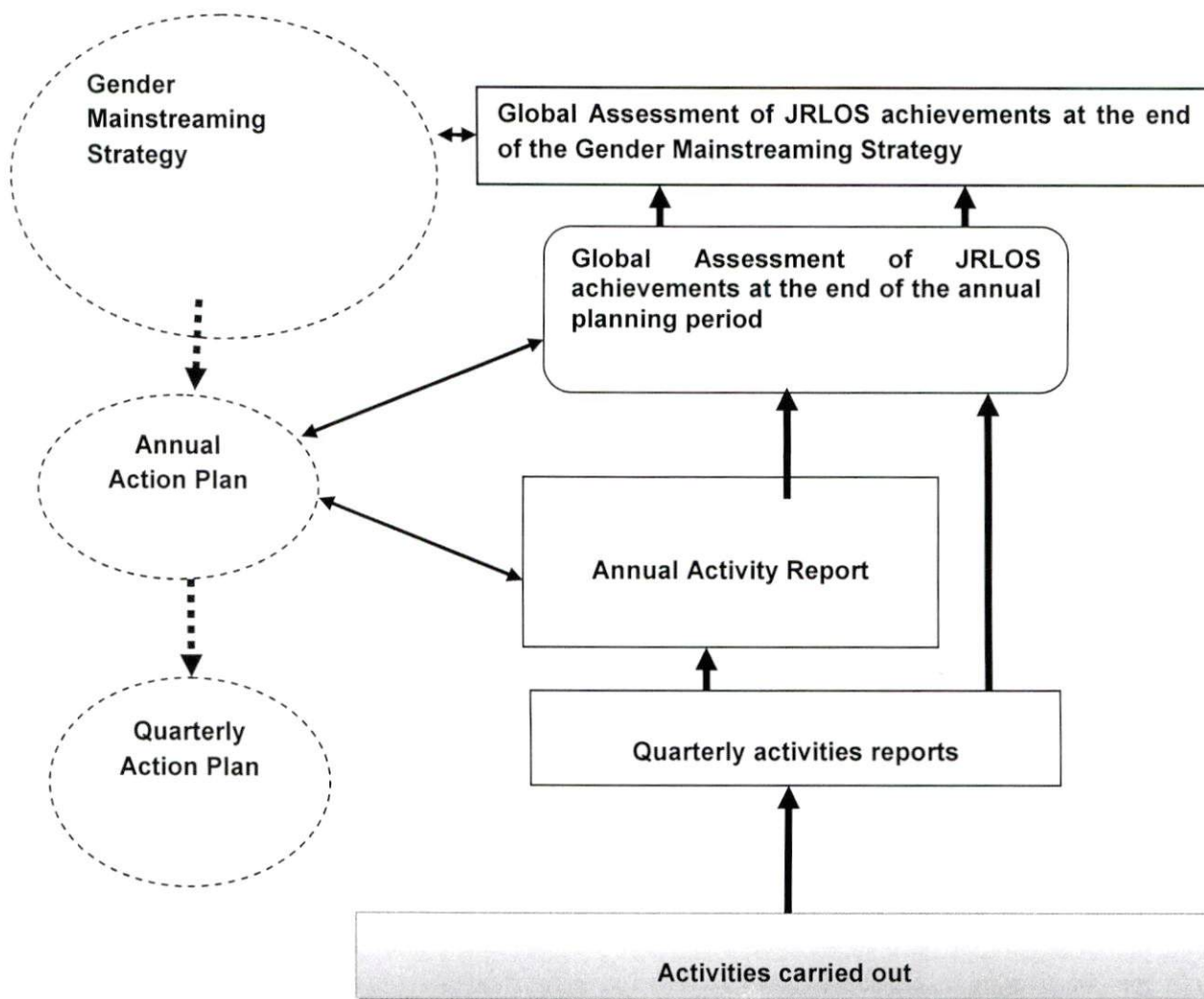
Every year, an annual action plan will be developed for Justice Sector Coordination Secretariat. This plan will be incorporated into those of JRLOS Institutions. If there are thematic areas funded, they will be incorporated into the annual action plan of the program concerned, but each thematic area will have its own action plan. Subsidiary to the annual plan, every JRLOS Institution involved in the implementation will develop a quarterly plan of activities which will be the basis of the daily activities with grassroots beneficiaries. The following diagram illustrates this planning process.





### 6.3 Reporting System

Reporting mechanisms will be focused on a system defining the frequency and the circuit of narrative and financial reports. A good reporting system must be aligned to the annual action plan. For this, the reporting system should reflect the reverse path of the planning system, according to the following scheme.



- ❖ A quarterly progress report is based on activities that each JRLOS Institution has performed in a quarter;
- ❖ The various quarterly reports are the basis for preparing an annual activity report per JRLOS Institution and a consolidated report. The annual report by JRLOS Secretariat must include the achievements of the whole Justice Sector in gender mainstreaming;
- ❖ The different annual reports by JRLOS Institutions will be a comprehensive review of achievements in gender mainstreaming at the end of each year while the annual consolidated report by JRLOS Secretariat will develop a comprehensive assessment of the achievements in gender mainstreaming of JRLOS Sector;

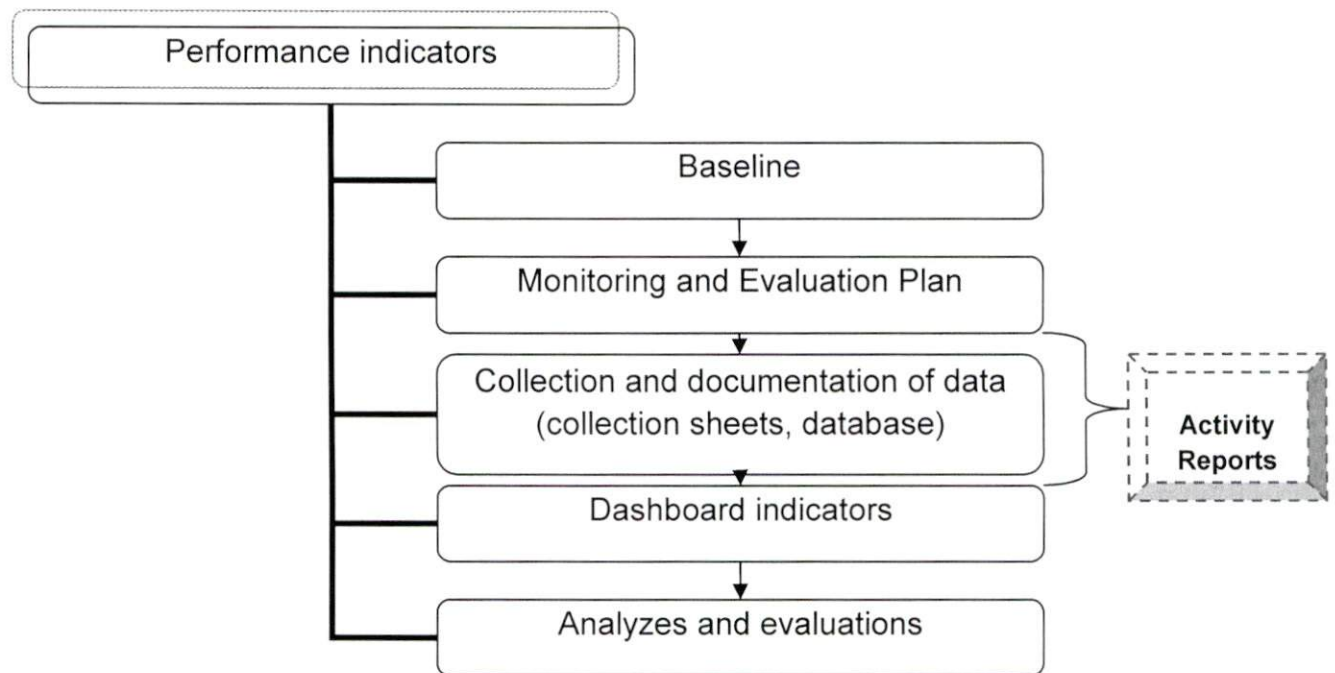


- ❖ A report of the implementation of the Gender Mainstreaming Strategy that emerges progress in gender mainstreaming will also be produced. This report will serve as a reference to improve the operational planning of the following year.

The JRLOS Secretariat which has the responsibility of monitoring and evaluation will facilitate the development of reporting canvas at each JRLOS Institution in order to allow the data reported from JRLOS Institution to be harmonized to make it easy synthesis to Justice Sector Coordination Secretariat.

#### 6.4. Monitoring and evaluation system

JRLOS Secretariat will need to have proper tools allowing it to make adjustments regularly to achieve the desired level of performance and quality. The monitoring and evaluation of the Gender Mainstreaming Strategy will be characterized by the elements shown schematically in the following diagram:



##### 6.4.1. Monitoring and evaluation plan

This Gender Mainstreaming Strategy is a policy framework whose implementation will depend on a proper monitoring and evaluation plan. In the first year of implementation, JRLOS Secretariat will develop a monitoring and evaluation plan by JRLOS Institution, according to the defined performance indicators. This monitoring and evaluation plan will be a baseline for the development of a specific monitoring and evaluation plan.

#### **6.4.2. Data collection tools and documentation**

Data collection sheets will be made up during the first year of the Gender Mainstreaming Strategy and a systematic documentation structure (database). The data will first be collected and centralized within each JRLOS Institution and then at the JRLOS Secretariat in charge of monitoring and evaluation. The database will be the reference for producing quality reports of progress made.

#### **6.4.3. Dashboard of performance indicators**

The logical framework will be updated annually to allow tracking the evolution of the implementation of the Gender Mainstreaming Strategy.

#### **6.4.4. Framework for analysis, monitoring and evaluation**

This is an important step for the proper management of resources and activities. It will ensure that the expected results are achieved and may have an impact on interventions consisting of JRLOS Sector. Monitoring will be carried out on two levels:

- ✓ Mid-term evaluation (after 2,5 years) of the Gender Mainstreaming Strategy;
- ✓ Final evaluation of the Gender Mainstreaming Strategy implementation at the term of 5 years.

#### **6.4.5. Mechanisms for mobilizing funds**

The JRLOS Secretariat will initiate a process of mobilization of funds from internal and external sources. JRLOS Secretariat through the Ministry of Justice as a leading institution of the justice sector will collaborate with stakeholders to mobilize funds according to identified priorities.

The JRLOS Secretariat will seek partnership with all possible stakeholders: Government structures (national and decentralized levels), local communities, civil society, and national and international NGOs as well as bilateral and multilateral international cooperation.

#### **6.5. Communication system**

The JRLOS Secretariat will take necessary steps to ensure the adequate dissemination and clear understanding of the Gender Mainstreaming Strategy, including through awareness-raising campaigns and training for the judiciary, lawyers, the Police and other law enforcement officials. The JRLOS Secretariat will use various media channels such as Radio, sensitization meetings, printed materials, workshops, etc. JRLOS Institutions will enhance women's awareness of their rights through continuous legal literacy programmes and legal assistance.



## 7. Conclusion

The Gender Mainstreaming Strategy is a reflection of JRLOS Secretariat and JRLOS Institutions commitment to mainstream gender equality in the justice sector. It will enable JRLOS Institutions to ensure that the vision, mission, values and responsibilities of JRLOS institutions are gender mainstreamed and comply with the constitutional provision to grant women at least 30% of posts in decision making organs; increase access, performance and retention of women in RNP, RCS and ILPD and advocate for affirmative action with regard to staff recruitment process; increase women's representation at all levels and in particular senior positions and participation of women in all other activities; sensitize staff of JRLOS Institutions in proper sharing of family responsibilities and balancing reproductive and productive works; enhance capacity and skills of leaders and staff of JRLOS Institutions in order to integrate gender sensitive operational procedures and institutional arrangements; build the capacity on Gender Responsive Budgeting for Gender Focal Persons, planners and budget officers of JRLOS Institutions; ensure sustainability to generate, use and disseminate quality sex-disaggregated and gender-responsive statistics ; create gender sensitive facilities at work place; popularize gender sensitive laws especially the law governing persons and family and the law governing matrimonial regimes, donations and successions; intensify awareness-raising efforts with regard to men and women's rights through legal literacy and legal assistance; provide legal aid to victims of GBV; provide shelters for women and men victims of domestic violence; share mechanisms for coordinating, monitoring and assessing the effectiveness of measures taken with regard to end all forms of GBV institutionalized and best practices and lessons learnt in mainstreaming gender in the justice service delivery; establish a network of gender focal points in JRLOS Institutions to foster exchange of experience and lessons learned and strengthen partnerships for the implementation of the Gender Mainstreaming Strategy.

The implementation and achievements of results of this Gender Mainstreaming Strategy will depend on applying and operationalizing the thirteen strategic priorities. JRLOS Secretariat will implement this Gender Mainstreaming Strategy by enhancing the linkage among JRLOS Institutions in the whole chain of gender mainstreaming in justice service delivery; strengthening mechanisms for sharing best practices and lessons learnt in gender mainstreaming among JRLOS Institutions and enhancing partnership with key stakeholders. JRLOS Secretariat and JRLOS Institutions are committed to work with all stakeholders and partners to achieve gender equality in the justice sector and combating discrimination. With the support and collaboration of all key actors, sustainable growth can be achieved for the justice for all in Rwanda.

This Strategy is intended to support JRLOS institutions to successfully implement policies and program activities aimed at mainstreaming gender and sustain socio-economic development of the Justice Sector. The annual total estimated budget for the implementation of the Gender Mainstreaming Strategy plan is Seven hundred ninety million Rwandan Francs (790,000,000 RWF). Each year, a funding plan will be established taking into account the available internal funds and funds mobilized from other partners.



## **Annex 1: Gender terms and concepts**

**Empowerment:** is the process of increased opportunity of women and men to control their life. Empowerment of women or men includes increasing their power to make decisions, to have their voices heard, to put things on the agenda, to negotiate and to challenge past customs.

**Gender:** refers to the socially determined differences between men and women, such as roles, attitudes, analyzing, and values. Gender characteristics are assigned to men and women during their childhood and are expected to be followed. For example, in some societies women are considered dependent on men; in other societies women are decision-makers, or men and women equally make decisions. Gender characteristics vary across cultures and over time; they thus are amenable to change.

**Gender analysis:** is the collection and analysis of sex-disaggregated data which reveals the differential impact of development activities on women and men, and the effect gender roles and responsibilities have on development efforts. Qualitative gender analysis is the tracing of historical, political, economic, social and cultural forces in order to clarify how and why these differential impacts, roles and responsibilities have come about.

**Gender equality:** is a situation where men and women have equal opportunities to access and control socially valued goods and resources and can benefit equally from development interventions.

**Gender equity:** is the process of being fair to both men and women. To ensure fairness, measures must often be available to compensate for historical and social disadvantages that prevent women and men from otherwise operating on a level playing field. Equity can be understood as the means, where equality is the end. Equity leads to equality.

**Gender gap:** is a concrete example of political, economic, social and cultural difference or inequality between men and women or between boy and girl.

**Gender mainstreaming:** refers to the process or a strategy to work toward the goal of gender equality that was developed in 1990s. Unlike WID, gender mainstreaming focuses on changing the "gender norms of the mainstream"-the values, behaviors, practices, ideas and conventions that dictate the way the majority of people, organizations, communities and society functions. Gender mainstreaming involves (i) making men's and women's concerns and experiences an integral part of the design, implementation, monitoring and evaluation of policies and programs in all sectors of society; (ii) changing policies and institutions so that they actively promote gender equality; (iii) rethinking socio-cultural values and development goals in the long-term.



**Gender perspective:** Gender perspective is a way of (a) analyzing and interpreting situations from a viewpoint that takes into consideration the gender constructions in society (for women and men) and (b) searching for solutions to overcome the gaps.

**Gender responsiveness:** entails consistent and systematic attention to the differences between women and men in society with a view to addressing institutional constraints to gender equality.

**Gender sensitivity:** refers to perceptiveness and responsiveness concerning differences in gender roles, responsibilities, challenges and opportunities.

**Gender training:** is a systematic approach to sharing information and experiences on gender issues and gender analysis, aimed at increasing understanding of the structures of inequality and the relative position of men and women in society. It goes beyond awareness-building to actually providing people with the knowledge and skills that they need in order to change personal behavior and societal structures.

**Gender-sensitive indicator:** is a statistical measurement that shows the change in a particular context over a given period of time. A gender-sensitive indicator is therefore a measurement of gender-related change over time. For example, a gender-sensitive indicator could show the change in the number of women studying agriculture, relative to men and over a period of, say, a decade.

**Practical gender needs:** emanate from the actual conditions women and men experience due to the roles ascribed to them by society. Often, women's practical gender needs are related to their roles as mothers, home-makers and providers of basic needs. Meeting the practical gender needs of women and men does not necessarily change their relative position in society.

**Sex:** identifies the biological, genetically determined differences between women and men and is not amenable to change. Only a very small proportion of the differences in roles assigned to men and women can be attributed to biological or physical differences based on sex. For example, insemination is a male sexual role, pregnancy and childbirth are female.

**Sex-disaggregated data:** are data collected-via questionnaires, observation or other techniques-that reveal the different roles and responsibilities of men and women. Having data disaggregated by sex is extremely important to being able to assess the impact of a project on women separately from its impact on men.

## Annex 2: List of contacted persons

N°	Date	Institution	Name	Post	Women	Men	Telephone
1	27/07/2017	UN Women	Fatou Lo	Country Representative ai	x		
2			Janvière MUKAMUTWALI	Programme Coordinator	x		0788410471
3			Carine UWANTEGE	Programme Coordinator	x		
4	10/08/2017	NURC	Justine BABIRYE	Planning & Monitoring Officer	x		0783789944
5			Sylvia MUTONI	Human Resource Management	x		0788529640
6			Johnson MUGAGA	Division Manager UNIPAD	x		0788305079
7	18/09/2017		Sylvie MUTONI	HRS	x		0788529640
8	07/07/2017	Ministry of Justice	Anastase NABAHIRE	JRLOS Coordinator		x	0788355556
9	14/08/2017		Xaverine MUKANEZA	JRLOS Secretariat Officer	x		0738435696
10	18/09/2017		Régine MUTIMUKEYE	CD&PA Specialist	x		0785002853
11			Gervais TWAHIRWA	Director General of Corporate Services		x	0788303383 0738303383
12	14/08/2017	RLRC	Marie Rose ASENDA	Planing, Monitoring & Evaluation Officer	x		0788517048
13	16/08/2017	ILPD	Consolate BIGIRIMANA	ILPD Kigali Office Coordinator	x		0788858004
14			Jean Felix DUSENGE	Planner		x	0788573370
15	04/09/2017		Rosette KANDERA	Acting Finance & Administration Manager	x		0788452731
16	18/09/2017		Ines BONGERA	Librarian	x		0788643237
17	16/08/2017	Ombudsman	Virginie NYIRANZEYIMANA	Director of Courts Jugement and Review Unit	x		0788830241
18			Nelly MUKAKIMENYI	HRMS	x		0788647255



19	16/08/2017	CNLG	Solange URUJENI	Director of Planning	x		0788586463
20	18/09/2017		J.C. GASENGAYIRE	Planner		x	0788746292
21	07/07/2017	NPPA	Lydia UWANZIGA	National Prosecutor	x		0788671804
22	18/08/2017		Dieudonné INGABIRE	Director of Planning		x	0783594905
23	07/07/2017	RCS	IP Zainabo NSHIKANA	GBV Officer			0788774581
24	16/08/2017		SIP Pelly Uwera Gakwaya	Director of Gender Mainstreaming	x		0788513996
25			DCGP Jeanne Chantal UJENEZA	Deputy Commissioner General	x		0788493216
26	07/07/2017	Supreme Court	Christophe MUNYARUGERO	Planner		x	0788763591
27	18/08/2017		Daniel HATEGEKIMANA	Director of Planning		x	0788479886
28		MIGEPROF	Sarah MUKANTAGANDA	Women Access to Finance Officer	x		0788267303
29			Rosette NKUNDIMFURA	Gender Mainstreaming Officer in charge of Governance Cluster	x		0785758549
30			KAYITESI Gorette	Anti GBV Officer	x		0788664313
31	22/08/2017	NCC	Alexia MUKASHEMA	Orphan and Adoption Officer	x		0788687715
32	22/08/2017	CNF	Yvette MUTETELI	Gender Mainstreaming Officer	x		0788467880
33	31/08/2017	RWAMREC	MICO Patrick	Planning and Monitoring & Evaluation Expert		x	0788489312
34	18/09/2017		SHYIKIRO-Gimu	Prevention and Project Coordinator		x	0788482913
35	07/07/2017	GMO	Naome NAYEBARE	Officer	x		0785054118
36	18/09/2017		Modeste MUGIRANEZA	GMA Officer		x	0788476474

37	07/09/2017	NCHR	Claude NIWERUKUNDO	Director of Human Rights Promotion		x	0788315443
38	07/07/2017 18/09/2017		Suzanne MWAMBARANGWE	Protection Officer	x		
39	25/09/2017	RGB	SIFA Séraphine	DDAG Governance Specialist (Deepening Democracy Through Citizen Participation and Accountable Governance)	x		0788506875
40			Joceyline MUKASANO	Monitoring and Evaluation Officer	x		0788839307
41	18/09/2017	UNDP	Eugénie MUSABEYEZU	Programme Associate	x		0788871411
42	26/09/2017		Nadine U.R. SIBOMANA	Head of Governance Unit and Programme Specialist	x		0788122408 0782220024
43	04/10/2017	RNP	CSP Lynda NKURANGA	Deputy Commissioner Public Relations and Media	x		0788311418
44			SP Pélagie DUSABE	Director Gender Promotion Directorate	x		0788311506
45			SP Belline MUKAMANA	Director Anti-GBV/CID	x		0788311778



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**REPUBLIC OF RWANDA**

**CONTRACT RELATED TO THE CONSULTANCY TO ELABORATE THE  
GENDER MAINSTREAMING STRATEGY FOR JRLOS IN RWANDA**

**By and between**

**The Government of Rwanda**

**Name of the procuring entity: MINISTRY OF JUSTICE (MINIJUST)**

**And**

**Name of the contractor: RESTRAD CONSULTANCY LTD**

**Contract number: 020/MINIJUST/2016-2017/S/OB/NCB**

**Contract amount and currency: Seventeen Million One Hundred Eighty Two  
Thousands Eight Hundred Rwandan Francs (17 182 800 RWF)**

**Contract duration: Eighty weeks (60 days) from the effective date of contract**

**Contract Manager: Justice Sector Secretariat Coordinator**

**Effective Date of contract: 15.06.2017**



## CONSULTANCY SERVICES CONTRACT

This Consultancy Services Contract Hereinafter referred to as the “Contract” is entered into by and between **the Government of Rwanda represented by Ms KALIHANGABO Isabelle**, the Permanent Secretary/Solicitor General of the Ministry of Justice / (Hereinafter referred to as “**the Client**” and **RESTRAD CONSULTANCY Ltd**, a company incorporated in Rwanda under Registry number **102516922** issued by Rwanda Development Board (RDB), Represented by **Mrs. Speciose AYINKAMIYE** the Managing Director, Hereinafter referred to as the “**Consultant**”.

### Introduction

#### Whereas:

- 1) the CLIENT has received funds from UNDP, hereinafter called the “Funding Institution” towards the cost of the Services and intends to apply a portion of the proceeds of these funds to payments under this Contract;
- 2) the CLIENT wishes to hire a consultant through the Open Competitive tendering process whose terms of reference are attached as annex 1 of this contract;

Now therefore the parties hereby agree as follows:

#### Article One: Object of this contract

The object of the contract is to carry out a **CONSULTANCY TO ELABORATE THE GENDER MAINSTREAMING STRATEGY FOR JRLOS IN RWANDA** to guide the integration of gender perspectives into JRLOS institutional policies, programs, plans and budgets.

The expectations of the consultancy are detailed in the terms of reference attached to this Contract as Annex I and constituting an integral part of this contract.



**Article 2: Definitions**

- (1) **Contract** means, this agreement entered into between MINIJUST and **Restrad Consultancy Ltd** together with the contract documents referred to in this Contract that may include any amendments thereto.
- (2) **Contract Documents** means the documents listed under Article 4 of this contract including any amendments thereto.
- (3) **Contract Price** means the total price payable to the Consultant as specified in the Contract Agreement, subject to such additions and adjustments thereto or deductions there from, as may be made pursuant to the Contract
- (4) **Completion** means the fulfillment of the related services by the Consultant in accordance with the terms and conditions set forth in the Contract Documents and with the requirements of the profession.
- (5) **Day** means calendar day and includes days not usually designated for work.
- (6) **Force Majeure** shall include, without limitation: Acts of God; acts of war, terrorism or the public enemy, strikes, lockouts or other civil disturbances, riots, hurricanes, floods, fires, explosions or destruction from any involuntary cause of any character either similar or dissimilar to the foregoing reasonably beyond the control of the party failing to perform.
- (7) **In writing** means communicated in written form with proof of receipt
- (8) **Subcontractor** means any natural person, private or government entity, or a combination of the above, to which any part of the assignment to be performed or execution of any part of the related services is transferred by the Consultant
- (9) **Corrupt practice** means the offering, giving, receiving, or soliciting, directly or indirectly, of anything of value to influence a civil servant or Government entity;
- (10) **Fraudulent practice** means any act or omission, including a misrepresentation, that knowingly or recklessly misleads or attempts to mislead a civil servant to obtain a financial or other benefit or to avoid an obligation;





(11) **Collusive practice** means arrangement between two or more parties designed to achieve an improper purpose, including influencing another party or the civil servant;

(12) **Coercive practice** means any act intending to harm or threaten to harm directly or indirectly persons, their works or their property to influence their participation in the procurement process or affect its performance;

(13) **MINIJUST** means Ministry of Justice;

(14) **Obstructive practices** means destroying, falsifying, altering or concealing of evidence material to the investigation or making false statements to investigators deliberately in order to materially impede investigations into allegations of a corrupt, coercive or collusive practice: and/or threatening, harassing or intimidating any party to prevent him/her from disclosing his/her knowledge of matters relevant to the investigation or from pursuing the investigations.

### **Article 3: Management of the contract**

The **Justice Sector Secretariat department** at the Ministry of Justice shall ensure the management of this contract on behalf of the Client.

### **Article 4: Contract Documents**

The services shall be performed in accordance with the Contract Documents listed below in the order of their priority.

1. This Contract
2. Annex I: Terms of reference
3. The Notification
4. The Request for proposal
5. The proposal, both technical and financial
6. Negotiation minutes

Should there be any conflict or ambiguity between any of the above listed documents, priority shall be given in the order as listed above.



#### **Article 5: Consultant's General Responsibilities**

- The Consultant will conduct an assignment that will involve consulting a range of stakeholders such as JRLOS Institutions and Justice Sector Partners, National Gender Machinery, Private Sector, Policy Makers, NGOs (International & National) working in the area of Justice and the Media among others, for developing a Gender mainstream strategy, in English language that provides guidance for mainstreaming gender in the justice service delivery, programming, reporting and budgeting process.

#### **Article 6: Consultant's Specific Responsibilities**

- Based on JRLOS Gender Audit Report, carry out a contextual gender analysis to identify gender gaps in JRLOS institutions;
- Develop a comprehensive JRLOS Institutions gender mainstreaming strategy;
- Develop a monitoring, evaluation and reporting system of the strategy with realistic and achievable indicators.
- Clearly show how coordination mechanisms will be conducted during the implementation of the strategy including follow-up actions based on the strategy to be developed;
- Conduct validation sessions to present findings and chart out the way forward as appropriate

#### **Article 7: Location**

The Services shall be performed at MINIJUST, P.O BOX 160 KIGALI without prejudice to the necessary travel and field research that the project entails.

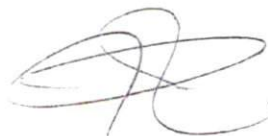
#### **Article 8: Duties and Obligations of the Parties**

##### **8.1. The Consultant shall, among others:**

- a. Perform the duties and obligations under this Contract as specified in the Terms of reference in Annex 1 of this contract;
- b. Submit reports and other required deliverables in time and in accordance with the conditions specified in the terms of reference.

##### **8.2. The Client shall:**

- a. Pay the invoices submitted by the Consultant within forty five (45) days after the reception date of the invoice.





- b. Provide all documentation, materials, or any necessary information in its possession required for the good performance of the service;
- c. Approve all required reports or give relevant recommendations within five (5) days of such a request.

**Article 9: Deliverables and Penalty on Delayed Reports**

The Consultant shall submit to the Client reports or deliverables as specified in the terms of reference on Services rendered during the period reported on. In the event that such report or deliverable is not submitted to the Client by the Consultant within the period specified in the terms of reference, the Consultant shall incur a penalty fee of 1/1000 of the total amount of the contract price for each day of delay until such report has been delivered to the Client. Once 5% of the contract price is reached in fines, the client may terminate the contract.

**Article 10: Contract Price**

- a. The contract price for the consultancy services is **Seventeen Million One Hundred Eighty Two Thousands Eight Hundred Rwandan Francs (17 182 800 RWF) all taxes Inclusive**. The contract price is fixed and cannot be revised during the course of the contract, or during any extension of time thereof.
- b. The contract price includes any fees, expenses or any other cost that the Consultant might incur in relation with this contract and no additional reimbursements shall be claimed by the Consultant.

**Article 11: Billing and Payment modalities**

- a. The Consultant shall be paid upon presentation to and approval by the Client of an invoice according to the payment periodicity specified in this Contract.
- b. Each invoice shall be accompanied with a report approved by the Client. No invoice shall be accepted by the Client nor delays in payment considered if the invoice is not accompanied by such a report.



c. The payments shall be made according to the following order:

- i) **20% of the total amount contract** equivalent to **Three Million Four Hundred Thirty Six Thousands Five Hundred Sixty Rwandan Francs (3 436 560 RWF)** shall be paid to the Consultant on presentation of an approved inception report presented not later than two weeks after signing the contract and invoice related thereto.
- ii) **40% of the total Six Million Eight Hundred Seventy Three Thousands One Hundred Twenty Rwandan Francs (6 873 120 RWF)** shall be paid on presentation of a **first final report which is a compiled JRLOS institutions gender mainstreaming strategy** which must include but not limited to: (a) log-frame with objectives, results, Policy actions, a timeline and designed budget outlining the investments and other costs needed to achieve the proposed strategy; (b) a monitoring, evaluation and reporting system of the strategy with realistic and achievable indicators. This first final report should be provided within **6 weeks** after signing the contract and invoice related thereto.
- **40% of the total amount of the contract equivalent to Six Million Eight Hundred Seventy Three Thousands One Hundred Twenty Rwandan Francs (6 873 120 RWF) Inclusive all taxes** shall be paid up on presentation of Approved Final report and invoice related thereto. **Final report** after including comments from validation meeting should be provided within **8 weeks** after signing the contract.

d. In the event of a disputed invoice, the Client shall notify the Consultant in writing of the disputed amount within three (3) days of the invoice date, specifically identifying the reason for the dispute, and pay all undisputed amounts owed while the dispute is under negotiation. Upon the resolution of a disputed invoice, the Client shall pay the remaining portions, if any, of such invoice.

e. All payments shall be paid to the following account:

**Account Holder: RESTRAD Consultancy Ltd**

**Account number: 040-0381984-31/RWF**

**Bank Name: Bank of Kigali**





- f. Notwithstanding the foregoing or anything to the contrary contained herein, the Consultant may, in its sole discretion and with ten (10) days prior written notice to the Client, change the account to which such payments are to be made, subject to the requirements by relevant authorities.

#### **Article 12: Duration of the Contract**

This contract is concluded for a period of eight weeks (**60 days**) starting from the effective date of this contract, provided that both parties have signed the contract at the said date, unless terminated earlier or extended by agreement of the parties in an executed addendum to this contract.

#### **Article 13: Termination:**

- a. In the event of unsatisfactory performance, remedial measures shall be undertaken failure of which termination of the Contract will be an available option to the aggrieved party in accordance with the termination clauses under this Contract.
- b. Subject to the relevant articles of this Contract, either party may, upon giving ten (10) days written notice identifying specifically the basis for such notice, terminate this Contract for breach of a material term or condition of this Contract unless the party receiving the notice cures such breach within such a ten (10) day period.
- c. The Client may at any time and without assigning cause, terminate this Contract by giving at least ten (10) days prior written notice of termination to the Consultant. During such period, the Contract shall remain in full force and effect and both parties shall continue to perform their duties in accordance with this Contract.
- d. The Client may terminate this contract by serving a seven (7) day written notice if:
- i. in the judgment of the Client, the Consultant has engaged in fraud and corruption, in competing for or in executing this Contract;
  - ii. The Consultant has been declared insolvent or bankrupt by a competent court.
  - iii. The Consultant has subcontracted this contract without informing and agreeing with the Client;
  - iv. The Consultant refuses to use the prescribed materials as expected by the Client;
  - v. The Consultant fails to observe the laws and rules of Rwanda, to comply with any final decision reached as a result of court or arbitration proceedings, or the Client's instructions;
  - vi. The Consultant demonstrates general negligence, alienation or involves himself in some activities that dispose of the Client's rights
  - vii. The Consultant fails to start the work for three (3) consecutive days from the date of signing this contract.

- viii. The contract shall be automatically terminated when the Consultant deserts his/her duties.

Upon termination of this Contract, the Client shall pay to the Consultant remuneration for Services satisfactorily performed prior to the effective date of termination, without prejudice to any remedy available to the client.

**Article 14: Relationship**

Nothing contained in this Contract shall be construed as establishing or creating between the Client and the Consultant the relationship of master and servant, principal and agent or employer and employee; it is being understood that the Consultant is an independent contractor in relation to the Client. No person engaged by the Consultant in connection with the performance of any obligation under this Contract shall be regarded as an agent, servant, employee of the Client, and the Consultant shall be solely responsible for all claims by such persons arising out of or in connection with their engagement by the Consultant. The Consultant shall inform such persons of the foregoing.

**Article 15: Assignment of Personnel**

Other than persons specifically named in the Technical Proposal submitted by the Consultant, no person shall be assigned by the Consultant to work or perform services in connection with this Contract until after the Consultant has notified the Client of the identity of such proposed persons and has provided the Client with their curriculum vitae, and the Client has notified the Consultant that the Client approves of such assignments.

**Article 16: Removal and/or replacement of Personnel**

- a. Except as the Client may otherwise agree, no changes shall be made in the personnel. If for any reason beyond the reasonable control of the Consultant, it becomes necessary to replace any of the personnel, the Consultant shall promptly provide as a replacement a person of equivalent or better qualifications, subject to a written approval of the Client of the proposed personnel.
- b. If the Client (i) finds that any of the personnel has committed a criminal action or, (ii) has reasonable cause to be dissatisfied with the performance of any of the personnel then the Consultant shall, at the Client's written request specifying the grounds thereof, promptly provide as a replacement a person with equivalent or better qualifications.





- c. Such withdrawal or replacement shall not be a cause for suspension of the Contract.
- d. Any costs or expenses resulting from any withdrawal or replacement of persons pursuant to paragraph a. and b. of this Article shall be borne by the Consultant, and the payment to be made by the Client for any of the personnel provided as a replacement shall not exceed the payment which would have been made in respect of the personnel replaced.

**Article 17: Workmen's Compensation and other Insurance**

- a. The Consultant shall take out and maintain:
  - i. All applicable workmen's compensation and liability insurance with respect to its agents, servants and employees performing work or services in connection with this Contract;
  - ii. Liability insurance in an appropriate amount for death, bodily injury or damage to property arising from the operation of any vehicles, boats or airplanes or other equipment owned or leased by the Consultant or its agents, servants, employees, subcontractors and independent contractors performing work or services in connection with this Contract;
  - iii. Comprehensive general liability insurance in an appropriate amount for all claims for death,
  - iv. bodily injury or damage to property, including, but not limited to, products liability, arising from acts performed or omissions committed by the Consultant, its agents, servants, employees, subcontractors and independent contractors in connection with this Contract; and
  - v. Such other insurance as may be agreed upon between the Client and the Consultant.
- b. The Consultant shall ensure that all policies of insurance referred to above, other than for workmen's compensation, shall name the Client and, where appropriate, subcontractors and independent contractors concerned, as additional insured parties.
- c. Upon request by the Client, the Consultant shall provide evidence, to the reasonable satisfaction of the Client, of the insurance referred to above and shall give the Client reasonable advance notice of any proposed changes related to such insurance.
- d. The Client undertakes no responsibility to provide life, health, accident, travel or any other insurance coverage which may be necessary or desirable in respect of any persons performing services in connection with this Contract.



#### **Article 18: Source of Instructions**

The Consultant, its agents, servants, employees, subcontractors and independent contractors, shall neither seek nor accept instructions from any authority external to the Client in connection with the performance of their obligations under this Contract, and shall refrain from any action which may adversely affect the Client. The Consultant shall take all reasonable measures to ensure that its agents, servants, employees, subcontractors and independent contractors comply with the provisions of this Article.

#### **Article 19: Officials not to Benefit**

The Consultant warrants that no Government official or employee has been or will be, directly or indirectly, offered or given any inducement or benefit in connection with this Contract or the award thereof.

#### **Article 20: Subcontracting**

The Consultant shall engage no subcontractor to perform any work or services in connection with this Contract unless the Consultant shall have notified the Client of the identity of the proposed subcontractor and the Client shall have notified the Consultant of its approval of the engagement of the subcontractor. The approval by the Client of the engagement of a subcontractor shall not relieve the Consultant of any of its obligations under this Contract or from its responsibility for the work or services performed by the subcontractor. The terms of any subcontract shall be subject to and in conformity with the provisions of this Contract.

#### **Article 21: Fraud and Corruption**

If the procuring entity determines that the Consultant, his employees, agents, subcontractors, or any other person acting in the name or on the account of the consultant, has engaged in corrupt, fraudulent, collusive, coercive or obstructive practices in competing for or in executing the contract, then the procuring entity may after giving 7 days' notice to the consultant, terminate the contract.

#### **Article 22: Assignment**

The Consultant shall not assign, transfer, pledge or make other disposition of this Contract or any part thereof or of any of the Consultant's rights, claims or obligations under this Contract except after obtaining the prior written approval of the Client.





### **Article 23: Confidential Nature of Documents**

- a. All plans, manuscripts, records, reports, recommendations, documents and all other data (referred to hereinafter in this Article as "documents") compiled by or received by the Consultant or its agents, servants, employees, subcontractors or independent contractors in connection with this Contract shall be the property of the Client, shall be treated as confidential and shall be delivered only to duly authorized Client's officials on completion of work or services under this Contract or termination of the Contract, or as may otherwise be required by the Client.
- b. In no event shall the contents of such documents or any information known or made known to the Consultant by reason of its association with the Client be made known by the Consultant or its agents, servants, employees, subcontractors or independent contractors to any unauthorized person without written approval of the Client.
- c. Subject to the provisions of this Article, the Consultant may retain a copy of documents produced by the Consultant.
- d. The Consultant shall take all reasonable measures to ensure that its agents, servants, employees, subcontractors and independent contractors comply with the provisions of this Article.
- e. The obligations in this Article do not lapse upon termination of this Contract.

### **Article 24: Use of Name, Emblem or Official Seal of the Client**

The Consultant, its agents, servants, employees, subcontractors and independent contractors shall not advertise or otherwise make public the fact that it is performing, or has performed, work or services for the Client or use the name, emblem or official seal of the Client or any abbreviation of the name of the Client in connection with its business for advertising purposes or for any other purposes. The Consultant shall take all reasonable measures to ensure compliance with this provision by its agents, servants, employees, subcontractors, and independent contractors. This obligation does not lapse upon termination of the Contract.

### **Article 25: Copyright, Patents and Other Proprietary Rights**

- a. All intellectual property and other proprietary rights, including but not limited to patents, copyrights and trademarks with regard to, plans, manuscripts, records, reports, recommendations, estimates, documents and other materials, (referred to hereinafter in this Article as "materials") except pre-existing materials, publicly or privately owned, collected or prepared in consequence of or in the course of the performance of this Contract, shall become the sole property of Client, which shall have the sole right to publish the same in whole or in part and to adapt and use them as may seem desirable, and to authorize all translations and extensive



quotations there from. If the Consultant incorporates in its materials any previously published or unpublished materials, it shall obtain permission for the publication, use and adaptation in any language free of cost to the Client from the persons in whom any existing copyrights therein may be vested and produce evidence to the Client of such permission.

- b. The Consultant agrees that it will forthwith disclose and assign to the Client all discoveries, processes, or inventions, made or conceived in whole or in part by it alone or in conjunction with others relating to or arising out of this Contract, and the said discoveries, processes, or inventions, shall become and remain the property of the Client, whether or not patent applications are filed thereon.
- c. Upon request by the Client and at its expense, the Consultant shall take all necessary steps, execute all necessary documents and generally assist the Client in securing such proprietary rights and transferring them to the Client in compliance with the requirements of the applicable law.
- d. The obligations in this Article do not lapse upon termination of the Contract.

#### **Article 26: Equipment and Materials Furnished by the Client**

Equipment and materials made available to the Consultant by the Client, or purchased by the Consultant with funds provided by the Client, shall be the property of the Client and shall be marked accordingly. Upon termination or expiration of this Contract, the Consultant shall make available to the Client an inventory of such equipment and materials and shall dispose of such equipment and materials in accordance with the Client's instructions.

#### **Article 27 : Amendments**

No modification of or change in this Contract, waiver of any of its provisions or additional contractual provisions shall be valid or enforceable unless previously approved in writing by the parties to this Contract or their duly authorized representatives in the form of an amendment to this Contract duly signed by the parties hereto.

#### **Article 28: Liability**

The Consultant shall be liable to fully indemnify, defend and hold harmless the Client for and against all and any losses or damages which the Client may suffer or incur (whether directly or indirectly) as a result of the breach of this Contract by the Consultant or as a result of damages caused by the Consultant's employees.





**Article 29: Limitation of Liability**

Neither the Consultant, nor any of its officer, director, principal, employee, its agents, servants, employees, subcontractors or independent contractors shall be liable to the Client for any loss incurred by the Client in connection with the matter to which this Contract relates, except a loss resulting from the willful misconduct or gross negligence on the part the Consultant. Under no circumstances shall the Consultant be liable to Client for any special, incidental, indirect, punitive or consequential loss or damage of any nature except as provided for under this Contract.

**Article 30: Approval and Consents**

An approval or consent by a party under this Contract shall only be valid if in writing but shall not relieve the other party from responsibility for complying with the requirements of this Contract nor shall it be construed as a waiver of any rights under this Contract except as and to the extent otherwise expressly provided in such approval or consent, or elsewhere in this Contract.

**Article 31: Force Majeure**

- a. If either party is rendered unable, wholly or in part, by Force Majeure (as hereinafter defined) or any other cause of any kind not reasonably within its control, to perform or comply with any obligation or condition of this Contract, upon giving written notice to the other party within five (5) days of the occurrence of the Force Majeure event, such obligation or condition and liability therefore shall be suspended during the continuance of the inability so caused; however, such period shall not exceed twenty (20) days from the giving of written notice. Upon expiration of the twenty (20) days from the giving of written notice, if the event of Force Majeure has not been overcome, this Contract may be terminated at the option of either party. The party claiming Force Majeure shall use its persistent, good faith and commercially reasonable efforts to overcome the event of Force Majeure. Strikes or labor trouble shall be deemed beyond the reasonable control of the party claiming Force Majeure, and such party shall under no circumstances be required to make any concessions or concede any demands to the party or parties causing the strike or labor trouble.
- b. Any period within which a Party shall, pursuant to this Contract, complete any action or task, shall be extended for a period equal to the time during which such Party was unable to perform such action as a result of Force Majeure.



### **Article 32: Entire Agreement and Severability**

- a. This Contract constitutes the entire agreement of the parties regarding the subject matter hereof, and supersedes all prior agreements and understandings, both written and oral, between the parties with respect to the subject matter hereof.
- b. In any case each Article in this contract is independent and severable and any issue leading to an inability to execute any article or section in this contract shall not have any effect on the remaining sections or articles of the contract.

### **Article 33: Good Faith**

The Parties undertake to act in good faith with respect to each other's rights under this Contract and to adopt all reasonable measures to ensure the realization of the objectives of this Contract.

### **Article 34: Governing Law, Dispute resolution and Language**

#### **a. Governing Law**

- i. "This Contract shall be governed by and construed in accordance with the laws of the Republic of Rwanda.
- ii. The Parties have further agreed that if the provisions of this Contract are inconsistent with the effective laws of the Republic of Rwanda, the inconsistent provision shall be amended and brought in conformity with the law.
- iii. Invalidity of one or more provision or articles of this Contract shall not invalidate any other provisions or the Contract as a whole. If a provision is found to be invalid or contravenes national legislation, the parties will agree on amendment of the provision and in the case of disagreement, the matter shall be referred to the Minister of Justice/Attorney General for legal advice. In case the matter is not resolved, it shall be submitted to the competent courts of Rwanda for an equitable solution".

#### **b. Dispute Resolution**

##### **i. Amicable solution:**

Any dispute or differences between the parties arising out of this Contract shall in the first instance be settled amicably by submitting such a dispute to a panel of senior





representatives of the Parties to consider and resolve the Dispute. Each senior representative serving on such panel shall have full authority to settle the Dispute.

**ii. Litigation:**

“If the parties cannot settle the dispute amicably, the matter shall be referred to national courts of competent jurisdiction.”

**c. Language**

All notices, correspondence, documentation or communications of whatsoever nature, reports submitted or prepared under or in connection with this Contract shall be in the English language.

**Article 35: Waiver**

No waiver of any provision or of any breach of this Contract shall constitute a waiver of any other provisions or any other or further breach, and no such waiver shall be effective unless made in writing and signed by an authorized representative of the party to be charged with such a waiver. Nor shall a one-time waiver of a single provision constitute a permanent waiver of that party's rights under said provision.

**Article 36: Notice**

Each party chooses as its address for all purposes under this Contract whether for serving any court process or documents, giving any notice, or making any other communications of whatsoever nature and for any other purpose arising from this Contract as follows:

**The Government of Rwanda:**

**Ministry of Justice**

**P.O.BOX 160**

**KIGALI**



**The Consultant**

**RESTRAD Consultancy Ltd**

**P.O.BOX 4350**

**Tel: 0788301504**

Any notice required or permitted under this Contract shall be valid and effective only if in writing, and shall be deemed to have been received on the date of its reception.

Any party may by notice to the other party, change its chosen address to another physical address and such change shall take effect on the eighth (8) day after the date of receipt by the party who last receives the notice.

**Article 37: Counterparts**

This Contract may be executed in two counterparts, each of which shall be deemed an original, and both of which together shall constitute one and the same instrument.

**Article 38: Entry into Force**

This Contract comes into force on the date of its signature by both parties.

**For and on behalf of the Government of Rwanda**

By: Ministry of Justice  
Name: Mrs. KALIHANGABO Isabelle  
Title: Permanent Secretary/Solicitor General

**For and on behalf of the Consultant**

By: RESTRAD Consultancy LTD  
Name: Mrs. Speciose AYINKAMIYE  
Title: Managing Director



Date: 15/06/2017



## TERMS OF REFERENCE FOR ELABORATION OF GENDER MAINSTREAMING STRATEGY FOR JRLOS INSTITUTIONS IN RWANDA

### 1. BACKGROUND

The Justice, Reconciliation, Law and Order Sector (JRLOS) is a coordination structure officially established by the Prime Minister's Order N° 123/03 of 13/10/2010 which enables institutions in the Sector to work together effectively towards common objectives, without compromising their operational, legal or constitutional independence. The Justice Sector is complex and brings together many actors. They include Government Institutions, Civil Society Organizations, Development Partners and the Private Sector.

JRLOS main objective is firstly to attain a high level policy coordination and effective prioritization 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. Secondly, JRLOS enables the establishment of transparent, clear and accountable mechanisms for oversight, direction and implementation of the Sector Strategy.

The general mission of the Justice Sector is to strengthen the rule of law to promote good governance and a culture of peace. JRLOS specific mission is to ensure: universal access to quality Justice; that the genocide ideology is eradicated and reconciliation mechanisms are reinforced; the rule of law, accountability and human rights are promoted and the law and order are maintained and enhanced.

The five sector wide priorities for the JRLOS II are: to enhance the sector wide capacity and coordination; to strengthen the universal access to quality (consistency) justice; to effectively combat impunity for international crimes and genocide ideology, and to strengthen truth-telling and reconciliation; to enhance rule of law, accountability and competitiveness and to maintain safety, law and order, and enhance adherence to human rights<sup>1</sup>.

The Justice, Reconciliation, Law and Order Strategy is a key component of the Economic Development and Poverty Reduction Strategy (EDPRS) of the Government of Rwanda, being presented as the flagship Governance Program to uphold human rights for all in Rwanda, with a view to promoting equal opportunity for all in economic activities and social services. It is comprised of Ministry of Justice, the Judiciary, the Institute of Legal Practice and Development (ILPD), the National

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<sup>1</sup> Republic of Rwanda, working document of the Justice, Reconciliation, Law and Order Sector, Strategic Plan, July 2013 to June 2018, p. 5

Commission for Human Rights (NCHR), the Rwanda National Police (RNP), the National Public Prosecution Authority (NPPA), National Unity and Reconciliation Commission (NURC), the Office of the Ombudsman, the Rwanda Correctional Service (RCS), the Rwanda Law Reform Commission (RLRC) and the National Commission for the Fight against Genocide (CNLG).

The government of Rwanda has made gender equality and good governance key pillars on the socio-economic development agenda. These commitments have been translated in Global Agenda such as Sustainable Development Goals and National policies and programs like the Vision 2020, EDPRS II, National Gender Policy (2010) and the National Decentralization Policy (2013).

The National Gender policy also requires each institution/ Sector Institutions to develop and implement a gender mainstreaming strategy to guide the integration of gender perspectives into their policies, programs, plans and budgets.

To comply with the requirements from the National Gender policy, the Ministry of Justice, as the JRLOS, lead-Ministry conducted from August up to November 2015 a Gender Audit in order to assess the status of gender mainstreaming in the Sector. The objective of this audit was to inspect whether the institutions under the JRLOS have policies, practices, systems, culture and resources that promote gender equality. Moreover, the audit aimed at provide baseline for measuring progress on gender mainstreaming, to design mechanisms for ensuring gender equality, and to suggest feasible recommendations for addressing gaps.

The findings from quantitative and qualitative data were presented into 4 thematic areas: 1) gender mainstreaming in key documents of JRLOS institutions 2) respect of gender principles in human resource management 3) respect of gender principles in implementation process 4) gender gaps within JRLOS institutions. Findings illustrate that Rwanda has made noteworthy changes in laws by supporting the promotion of gender mainstreaming in public institutions and by designing gender sensitive policies. Most of the laws governing JRLOS institutions use a gender sensitive language. However, the gender-mainstreaming concept is not fully internalized. Hence, gender is not systematically incorporated in key strategic documents of the sector.





## 2. RATIONALE FOR GENDER MAINSTREAMING STRATEGY

According to the gender audit report<sup>2</sup>, 92% of JRLOS institutions have the visions, missions, values, and responsibilities that are gender blind. This is while engendering the vision, mission statement and functions of the institution would help implementers to consider it seriously in their respective plans and implementation processes.

The JRLOS Gender audit<sup>3</sup> revealed the areas in which efforts need to be made to promote the status of gender equality in the Justice Sector Institutions. Findings revealed that about eight (8) out of thirteen (13) JRLOS institutions (62%) produce reports which are sex-disaggregated data whereas 38% of those institutions have no sex disaggregated data reports. On the other hand, it can be concluded that there is a gap in putting in place accountability mechanisms and guidance that may help JRLOS institutions to be gender sensitive. Taking a gender perspective into the development and implementation of public policy requires gender sensitive plan, its implementation as well as its monitoring and evaluation mechanisms.

The JRLOS Gender Audit Report<sup>4</sup> revealed the following gaps among others:

- A big number of JRLOS Institutions which do not have gender strategy as required by the National Gender Policy;
- A big number of JRLOS Institutions do not have a monitoring and reporting disaggregated data mechanisms;
- Some of Institutions do not have gender indicators and tools to systematically analyze/monitor changes for gender equality;
- No specific sanitation arrangements for the women, no room for women basic personal arrangements for some of the Institutions, etc.

## 3. OBJECTIVE OF THE ASSIGNNEMENT

The overall objective of this consultancy is to further give effect to government commitments to gender equality within JRLOS through practical strategies for ensuring that gender is mainstreamed to address the persisting gender disparities and inequalities. The Strategy will include the following:

- Provision of strategic guidance to facilitate the implementation of the National Gender Policy.

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<sup>2</sup> JRLOS GENDER AUDIT REPORT, 2015

<sup>3</sup> JRLOS GENDER AUDIT REPORT, 2015

<sup>4</sup> JRLOS GENDER AUDIT REPORT, 2015



- **EXPECTED RESULTS**

- Gender mainstream strategy, in English language that provides guidance for mainstreaming gender in the justice service delivery, programming, reporting and budgeting process.

#### 4. SCOPE OF THE WORK

The assignment will involve consulting a range of stakeholders such as JRLOS Institutions, and Justice Sector Partners, National Gender Machinery, Private Sector, Policy Makers, NGOs (International & National) working in the area of Justice, the Media among others.

#### 5. SPECIFIC TASKS OF THE CONSULTANCY TEAM

- Based on JRLOS Gender Audit Report, carry out a contextual gender analysis to identify gender gaps in JRLOS institutions;
- Develop a comprehensive JRLOS Institutions gender mainstreaming strategy;
- Develop a monitoring, evaluation and reporting system of the strategy with realistic and achievable indicators.
- Clearly show how coordination mechanisms will be conducted during the implementation of the strategy including follow-up actions based on the strategy to be developed;
- Conduct validation sessions to present findings and chart out the way forward as appropriate

#### 6. DELIVERABLES

- An **inception report** within **(2) two weeks** after signing the contract.
- **Provisional report which is a compiled JRLOS institutions gender mainstreaming strategy** which must include but not limited to: (a) log-frame with objectives, results, Policy actions, a timeline and designed budget outlining the investments and other costs needed to achieve the proposed strategy; (2) a monitoring, evaluation and reporting system of the strategy with realistic and achievable indicators. This Provisional Gender Strategy should be provided within **4 weeks** after signing the contract  
**1<sup>st</sup> Final report** should be provided within **6 weeks** after signing the contract
- **Final report** after including comments from validation meeting should be provided within **8 weeks** after signing the contract.



## 7. RECOMMENDED METHODOLOGY

The consideration of gender parameters in the transformation of service delivery is essential. The consultant/firm shall develop JRLOS Institutions gender mainstreaming strategy (2017-2020) to produce a wide gender mainstreaming strategy that will guide gender mainstreaming in JRLOS Institutions. This strategy will be developed in line with the Rwanda Vision 2020, EDPRS II Priority Sectors, and the National Gender Policy and based on Gender Audit Report produced in 2015 so as to capture emerging realities and new priorities. The consultancy firm may be required to use participatory methods such as:

- Documentary review;
- Field visit for individual interviews and focus group discussion in all JRLOS institutions
- Consultations with various actors involved in the justice and good governance as well as gender equality promotion in Rwanda such as: RGB, MIGEPROF, GMO, among others.
- Organising and leading of validation workshop(s) or other related technical meetings in an effort to share and encourage inputs from various actors.
- Take into account the findings from Gender audit report<sup>5</sup>.

## 8. CONSULTANCY FIRM SKILLS REQUIRED

### 8.1. General requirements

The consultancy Firm submitting for this particular consultancy should possess the following requirements:

- **General Experience of the firm** : at least 3 years
- **Specific experience**: Previous consultancy expertise and skills in Gender Strategy/policy/Audit or reporting. This should be proven by at least two (2) notarized completion certificates.
- **Detailed understanding of JRLOS's institutions**. The consultancy firm should prove to have a particular knowledge of the Justice Sector.
- **Appropriate methodology to conduct this study**

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<sup>5</sup> JRLOS GENDER AUDIT REPORT, 2015.

## 8.2. Education of the Firm's Staff

### a) Qualification of the Team Leader

The assignment of developing the Gender mainstreaming strategy will be done by a consultant / firm with a Team Leader of the following profiles:

- Masters or Bachelor's degree in Public Policy, Gender Studies, Economics, Rural Development, Social Administration or Social Sciences with Gender analytical Skills;
- Extensive experience/expertise in Gender Issues, Programming, Research and Analysis;
- Professional experience in policy/strategy development and analysis;
- Extensive experience working on Gender related matters is an added advantage;
- Ability to work effectively in English and Kinyarwanda is a requirement, but the JRLOS Gender Strategy should be produced in English Language.

### b) Qualification for 2 others experts

- One should hold a Bachelor's degree in Statistics or Management with knowledge in data collection and interpretation and another one a bachelor's in Law.
- They should be fluent in spoken and written English or French,
- They should prove the ethical behaviour and integrity,
- They should understand well the context of JRLOS Institutions
- They should show a strategic thinking.





## 9. TIME FRAME

The consultancy should be completed within 8 weeks. The (JRLOS) Coordinator and Internal Tender Committee of MINIJUST will directly oversee and assure the quality control of the consultancy.

Deliverables	W1	W2	W3	W4	W5	W6	W7	W8
Elaboration of Inception report	■							
approved inception report		■						
Elaboration and submission of Provisional report			■	■	■			
Validation of Provisional report						■		
Submission of Final Report							■	■

## 10. APPLICATION MODE

Interested/qualified consultants should submit separate technical and financial proposals with most current CVs and photocopies of certificates/testimonials to MINIJUST. The title of the consultancy should be indicated on the envelope.

