

# Appraisal Document for financial adjustment of activities

## I REQUESTED DECISION CONCERNS

<b>Fixed Activity Data</b>			
Application number	4000002136		
Short name application	IDLO: Training program for judiciary		
Long name application	Training programme on international criminal law for the Rwandan judiciary- Second phase		
Description application	This project is a sequel to a previous project training lawyers in international criminal law. This phase of the project will train judges and court officials on the same topics, mostly international criminal law, transfer law, and efficient court management. The project aims to improve the objectiveness and efficiency of court rulings.		
Budget holder	KIG		
Funds centre	1704U03040013		
Date of receipt of application	22 March 2019		
Business partner	International Development Law Organization (IDLO)		
Number business partner	30031644		
Implementing organisation(s)	IDLO		
<b>Variable activity data</b>	<b>Original bemo</b>	<b>Adjustment</b>	<b>Adjusted bemo</b>
Activity start date	1 December 2018	No change	1 December 2018
Contract start date	1 December 2018	No change	1 December 2018
Commitment in euro's	200.000 EUR	20.221 EUR	220.221 EUR
Activity end date *	30 April 2020	No change	30 April 2020
Contract end date	31 October 2019	No change	31 October 2019
<b>Responsible policy officer</b>		(10)(2e)	
<b>Correspondence language</b>		English	
<b>Contact business partner</b>		(10)(2e)	
<b>E-mailadres contact business partner</b>			

**II. APPRAISAL OF THE CONTENTS OF THE ACTIVITY ADJUSTMENT**

Explanation:

Why  
 IDLO prepared and submitted a very tight budget for the project. With the implementation of the first session of the program, they realized that some programmatic and financial adjustments were needed.

What

- The participation of an additional lecturer in the training session who will share the experience during the sessions focusing on the role and effective use of legal assistants before the international criminal courts.
- The participation of two judges who have presided or sat on cases before the international criminal courts and tribunals and who can provide practical and concrete advises on the many challenges faces by judges during such trials
- Coverage of the lead consultants medical insurance as per IDLO’s contractual obligation, which was not budgeted for in the initial budget
- The presentation and distribution of additional training material to the participants such as referenced laws, policies etc, which were specifically requested by the participants during the needs assessment in January 2019.

How  
 The overall budget increases by 10%, which is acceptable.

**III. APPRAISAL OF IMPLEMENTING / MANAGING ORGANISATION’S CAPACITY**

a.	Has the Implementing organisation and/or the Managing organisation sufficient capacity to implement the adjusted activity. If NO please indicate in the box below additional actions and/or measures needed.	YES
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**IV. APPRAISAL OF RISKS AND MITIGATING MEASURES**

a.	Have the risks (contextual, program/ activity related and organisation related), as described in the original bemo been mitigated sufficiently during the contract period? Please if NO explain and define additional actions needed.	YES
b.	Have in particular the corruption- and fraud risks as described been mitigated and have corrective actions been successful? Please if NO explain and define additional actions needed.	YES
c.	Are new risks coming up as a result of this adjustment? If YES described them and define actions needed.	NO

## **V. IMPLEMENTATION**

### **5.1 Budget**

State the overall cost of the activity and overheads. Indicate the various cost centres (activities and outputs), general operational costs and overhead costs.

<b>Currency:</b>	<b>Original</b>	<b>Adjusted</b>
Output 1	17.790	17.790
Output 2	41.670	42.620
Output 3	37.705	42.440
Output 4	40.395	49.660
Output 5 (ToT)	10.995	11.095
Output 6	3.685	6.693
Operational costs (M&E)	26.355	26.355
Overhead/AKV	21.401	23.568
<b>Total budget in euro's</b>	<b>199.996</b>	<b>220.221</b>

### **5.2 Payment schedule**

<b>Date and year milestone payment</b>	<b>Original</b>	<b>Adjusted</b>
1-12-2018	190.000	190.000
After approval of final reports, max:	10.000	30.221
<b>Total budget</b>	<b>199.996</b>	<b>220.221</b>

### **5.3 Appraisal of the budget adjustment and revised payment schedule**

*If NO please explain and define corrective actions*

Is the adjusted budget arithmetically correct?	YES
Are overheads reasonable and proportional to the outputs to be delivered?	YES
Are the other amounts/rates in the budget acceptable in relation to the activity?	YES
Is the revised budget suitable as a management tool ? (link outputs to budget)	YES
Is the revised payment schedule realistic?	YES

### **5.4 Monitoring**

#### **5.4.1 Review of reporting obligations**

*A topping up and/or extension of an activity is good moment to review the reporting obligations. If NO please explain and define actions to be taken.*

Based on the experience so far: Are the submission dates still realistic?	YES
Existing audit arrangements adequate to account sufficiently for the funds?	YES
Is there need to reconsider the arrangements for evaluation for this activity?	NO

Is the implementing organization reporting according to IATI standards? <sup>1</sup>	YES
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#### **5.4.2 Revised Monitoring calendar**

Report type	Any specific requirements*	Period	Submission by
Final narrative	-	1 Dec 2018- 31 Oct 2019	31 January 2020
Final financial	-	1 Dec 2018- 31 Oct 2019	31 January 2020

#### **5.5 Contractual matters**

*Describe the changes and additional conditions as a result of this appraisal to be included in the new amendment to the contract*

Contract number:	Original	Adjusted
Contract amount	<b>199.996</b>	<b>220.221</b>
Contract end date	31 October 2019	Unchanged

### **VI. APPROVAL**

#### **6.1 Summary of the Appraisal**

2.0. Is the need and rational of the adjustment appraised positively?	YES
3.0. Has the capacity of the organizations involved been appraised positively? <sup>1</sup>	YES
4.0. Have the risks and mitigating measures been appraised positively?	YES
5.3. Have budget and revised payment schedule been appraised positively?	YES
5.4. Have the reporting obligations been appraised positively?	YES
6.1 Has the proposed adjustment been appraised positively as a whole?	YES

<sup>1</sup> In case the organization wants to change from an ordinary physical narrative report to a IATI-dataset for narrative reporting, the whole activity period should be covered. It's not allowed to change the method of reporting for a part of the activity period because of monitoring purposes.

## 6.2 Approval

The activity appraised above fulfils the relevant criteria with regard to regularity, efficiency and effectiveness. By initialling in the third column the official in question also declares that, at a minimum, he/she has carried out the work specified or takes responsibility for such work performed by others on his/her behalf:

<b>Position</b>	<b>Name</b>	<b>Initials</b>	<b>Date</b>
<u>Policy officer</u> Policy appraisal of the activity <ul style="list-style-type: none"> <li>○ Adjust draft BEMO on basis of recommendation by administrative officer and division head / HOS</li> <li>○ Approve final version of the BEMO</li> </ul>		(10)(2e)	
<u>Administrative officer</u> Give advice on draft BEMO with regard to: <ul style="list-style-type: none"> <li>○ Quality of policy information</li> <li>○ Extent to which the policy markers (including the weighting – important or very important) correspond with the secondary objectives in the BEMO</li> <li>○ Review of budgetary margin</li> <li>○ Funding requirement (need for Dutch contribution having regard to budget)</li> <li>○ Nature and frequency of financing / prepayment</li> <li>○ Arithmetical correctness of the revised budget</li> <li>○ Acceptability of the amounts / rates (including overheads/AKV)</li> <li>○ Correctness and completeness of risks relating to activity / implementation / fraud and corruption</li> <li>○ Management measures to be taken, including, for example, the nature and frequency of reports and any other oversight (including necessity of audit) and evaluation</li> <li>○ Assessment and/or approval of the definitive version of the BEMO.</li> </ul>		(10)(2e)	
<u>Division head / HOS</u> Commentary on draft BEMO as regards: <ul style="list-style-type: none"> <li>○ Correct use of the HBBZ standard BEMO format and/or accuracy/completeness of information in the BEMO</li> <li>○ View on the management recommendation (reasons must be given if the management recommendation is not followed)</li> <li>○ Policy-related appraisal of activity</li> <li>○ Assessment and/or approval of the definitive version of the BEMO, including agreement with the risk analysis (with regard to activity / organisation / fraud and corruption) and the management measures taken.</li> </ul>		(10)(2e)	
<u>Budget holder</u> Approval of the definitive version of the BEMO after it has at least been established that: <ul style="list-style-type: none"> <li>○ A recommendation as to management is included (or set aside with sufficient justification)</li> <li>○ Inputs from division head have been included</li> <li>○ Policy appraisal has been accepted</li> </ul>			

## Activity Appraisal Document ODA below € 250.000

Dutch contribution under € 250.000 / Increase commitment up to 25% of the original amount

### I REQUESTED DECISION CONCERNS

Explanation of the policy data can be found in on [Rijksportaal](#). For a more detailed description you can find additional information in the [OS-Gegevenswoordenboek \(Dutch\)](#).

For the highlighted subjects in table below the [OS-Gegevenswoordenboek \(Dutch\)](#) and [Rijksportaal \(English\)](#) give further explanation.

<b>Application number</b>	4000002136
<b>Short name application</b>	IDLO: Training program for judiciary
<b>Long name application</b>	Training programme on international criminal law for the Rwandan judiciary- Second phase
<b>Description application</b>	This project is a sequel to a previous project training lawyers in international criminal law. This phase of the project will train judges and court officials on the same topics, mostly international criminal law, transfer law, and efficient court management. The project aims to improve the objectiveness and efficiency of court rulings.
<b>Budget holder</b>	KIG
<b>Number business partner</b>	30031644
<b>Implementing organisation(s)</b>	IDLO
<b><u>Legal relationship</u></b>	Arrangement
<b><u>Commitment in foreign currency (if applicable)</u></b>	-
<b><u>Corporate rate</u></b>	-
<b><u>Commitment in euros</u></b>	200.000 EUR
<b>Funds centre</b>	1704U03040013
<b>Activity start date</b>	1 December 2018
<b>Activity end date</b>	30 April 2020
<b>Contract start date</b>	1 December 2018
<b>Contract end date</b>	31 October 2019
<b><u>Aid modality</u></b>	Other aid
<b><u>Donor role</u></b>	Single donor
<b><u>Technical assistance</u></b>	TA>50 50% or more of the activity budget

<b><u>Beneficiary's country/region</u></b>	Rwanda		
<b>Countries within the region (if applicable)</b>	n.a.		
<b>Location within the country (be as specific as possible)</b>	Town	<b>Name of location(s)</b>	Kigali
<b><u>CRS Code</u></b>	15130		
<b><u>Policy marker weight is 'principal' (no minimum or maximum amount)</u></b>	InsOntw		
<b><u>Policy marker weight is 'significant' (no minimum or maximum amount)</u></b>	PubSct		
<b><u>Special pledges made by the Minister or State Secretary / and/ or special marks regarding sensitive information</u></b>	n.a.		

## **II. APPRAISAL OF THE ACTIVITY**

### **2.1 Contribution made by the activity to BZ policy objectives (policy relevance)**

#### **2.1.1 General**

The budget holder has drawn up an annual plan and MASP in the context of the annual planning cycle.

#### **2.1.1 Description policy relevance**

Nowadays, Rwanda is considered to be able to apply fair principles of law regarding extradited genocide suspects. However, there are still gaps remaining, especially with knowledge and capacity where it comes to international criminal law and transfer law. In the previous project, the focus was on training defense lawyers. One of the main findings was that there is still a considerable need for legal training for judges as well.

A considerable portion of Dutch support has gone in the past to building and improving the judiciary, but the focus was primarily on improving operational capacity. Though a new phase of support to the judiciary is being planned, with a stronger focus on quality improvement, that will only be a first step in starting an environment with a stronger focus on quality. To also immediately start improving the actual legal knowledge of judges, external expert help is vital. The importance of

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The training of judges fits in with the strategic goals in the MASP 2019-2022 of improving the quality of judgement in Rwanda. It is also a continuation of the previous project with defense lawyers, as well as a logical continuation of Dutch support to the operational side of the judiciary.

As this is very much a continuation of an earlier project with IDLO (act nr 4000000230), risks are low and should be considered much the same as in the previous Activity Appraisal document. Unfortunately, the previous project was mistakenly put in the funds center for the Great Lakes, instead of the bilateral program. To correct this mistake, this project is in the right funds center, which does however mean a new appraisal document, officially. Nevertheless, this should be primarily read as a continuation project.

#### **2.1.2 Appraisal policy relevance**

<b>Nr.</b>	<b>Criteria policy relevance</b>	<b>YES/NO/N.A.</b>
<b>Applicable to all budget holders</b>		
2.1.1	The activity ties in with the operational objectives in the Explanatory Memorandum and the related policy memorandum (policy theory and <b><u>intervention logic</u></b> ).	YES
2.1.2	The activity ties in with the ODA result areas and spearheads.	YES
2.1.3	The proposed activity/intervention is relevant to the crosscutting themes of women's rights and gender equality / climate / PSD / coherence and strengthening of civil society organisations.  Explanation: Gender equality is integrated in the proposed activity, but it is	NO

	not a prime objective. No other relevant crosscutting themes involved, as it is a small, specialized activity.	
<b>Only if applicable to the budget holder</b>		
2.1.4	The activity / intervention ties in with the annual plan.	YES
2.1.5	The activity/ intervention ties in with the result chain of the MIB/ MASP.	YES
<b>Only for activities to which specific policy criteria are applicable</b>		
2.1.6	The activity/ intervention ties in with the policy objectives of the policy instrument.	N.A.

## **2.2 Objectives (outcomes), results (outputs) and activities according to the SMART principle**

### **Appraisal with regard to gender**

The current gender breakdown of the Rwandan Judiciary is 52% men and 48% women. As such, it is anticipated that the gender balance of participants, who will also include legal staff and registrars, should generally mirror these percentages.

The training programme will be designed in such a way as to ensure that the female members of the Judiciary are able to actively participate. This participation will be ensured by including the members in exercises and other practical sessions during the training. Most importantly, in the substance of the training programme, gender considerations will be taken into account, and the substance of the training programme will be tailored towards the provision of skills enhancement to avoid re-victimisation of witnesses and victims during trials. Gender considerations and victim sensitivity will be key elements of the proposed training programme, which is of vital importance in improving gender equality in the courtroom. This also ties in with similar activities supported by the Netherlands, where sensitivity at the primary stages of the justice chain is improved.

#### Objective

Strengthened capacity of professionals in the Rwandan Judiciary in substantive and procedural International Criminal Law with a focus on Transfer Law. Part of the training will be a training of trainers element, to improve the internal training capacity in the Judiciary.

#### Activities

- Inception mission to gauge the current capacity and identify key needs.
- Separate training sessions on:
  - o Substantive and Procedural International Criminal Law
  - o International Criminal Legal Research and Practice
  - o Best Practices in the Effective Management of Trials and Appeals including Judgment-Drafting
  - o Training of Trainers
- Drafting of a concluding report to evaluate results and identify remaining gaps

#### Outputs

- Members of the Judiciary, primarily judges, will improve their knowledge on the substantive and procedural material provided in the trainings.
- Members of the Judiciary will be enabled to give internal courses to ensure quality improvement after the main activity.
- Inception report, which will ensure the training fits within the Rwandan context and the specific needs of the trainees. The inception report will also benefit the Embassy in analysing current legal capacity at the Judiciary as concerns Transfer Law.
- Final report with recommendations for follow-on activities, mentoring, and monitoring results.

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## **V. IMPLEMENTATION**

### **5.1 Budget**

See budget for details.

The size of the first payment will be EUR 190.000

### **5.3 Monitoring**

#### **5.3.1 Narrative and financial reports**

Organisational capacity is adequate, activity related risks are low, as the amount is < 5 million euro the outcome is outcome 9: financial and narrative report are needed.

#### **5.3.2 Annual plans and other reports**

Only final reports required, as the project runtime is limited.

#### **5.3.3 IATI – International Aid Transparency initiative**

The organisation will report on results in accordance with the IATI standard, as set out in the BZ publication guidelines. The report must comply with IATI principles. In narrative reports, the other party must report on the funded activities in accordance with the BZ/DGIS reporting guidelines (see <https://www.government.nl/documents/publications/2015/12/01/open-data-and-development-cooperation> ).

The other party must publish an update on progress in accordance with these guidelines. In addition, the following must be published annually under 'related documents' (see the guidelines):

\* A short document presenting an analytical overview of the progress made in achieving the intended outcomes in relation to the Theory of Change. The overview should explain any departures from the original intentions, deal with the appended focal points from the activity proposal and be no longer than eight pages.

\* Photos, accounts by beneficiaries or a video demonstrating the progress made with the activity.

### **5.3.4 Monitoring calendar**

Only final reports required, as the project runtime is limited.

<b>Report type</b>	<b>Any specific requirements*</b>	<b>Period</b>	<b>Submission by</b>
<b>Final narrative**</b>	-	<i>1 Dec 2018- 31 Oct 2019</i>	<i>31 January 2020</i>
<b>Final financial</b>	-	<i>1 Dec 2018- 31 Oct 2019</i>	<i>31 January 2020</i>

\* Narrative: reports on the *contributions by third parties (inputs), outputs, outcome, sustainability* and the spending of the Dutch contribution in accordance with the latest approved budget. If a financial report is submitted separately, please insert a line.

\*\* See also the results given in section 5.3.1; if any additional criteria are desirable, insert them here.

# **TRAINING PROGRAMME ON INTERNATIONAL CRIMINAL LAW FOR THE RWANDAN JUDICIARY**

## **FINANCING PROPOSAL TO THE EMBASSY OF THE KINGDOM OF THE NETHERLANDS IN KIGALI, RWANDA**

November 2, 2018

### **1. INTRODUCTION**

This proposal from the International Development Law Organization (IDLO) is submitted to the Embassy of the Kingdom of The Netherlands in Kigali (EKN), Rwanda, to request support for a project to develop and deliver a training programme aimed at strengthening the capacity of Rwandan judges, registrars and legal staff of the High Court Chamber of International Crimes (HCCIC) and Court of Appeals. The training is specific to those members who hear Transfer cases and focuses on the substantive and procedural aspects of International Criminal Law (ICL).

The training programme is envisaged to be a collaborative effort between IDLO and members of the Rwandan Judiciary. For this purpose, the project includes an inception period, during which a full assessment of needs will be conducted and, at the end of which, the detailed training programme and implementation plan will be finalised. With a view to ensuring sustainability, appropriate efforts will be made both to ensure that capacity to administer portions of the training programme can be transferred to new members of the Judiciary in the future.

<b>DASHBOARD</b>		
<b>1.</b>	<b>Title</b>	<b>Training Programme on International Criminal Law for the Rwandan Judiciary</b>
<b>2.</b>	<b>Location</b>	<b>Rwanda</b>
<b>3.</b>	<b>Implementer</b>	<b>International Development Law Organization (IDLO)</b>
<b>4.</b>	<b>Donor</b>	<b>Embassy of the Kingdom of The Netherlands in Kigali, Rwanda</b>
<b>5.</b>	<b>Objective</b>	<b>Strengthened capacities of members of the Rwandan Judiciary in substantive and procedural International Criminal Law</b>
<b>6.</b>	<b>Key Outputs</b>	<ol style="list-style-type: none"> <li><b>1. Inception report (including training needs assessment)</b></li> <li><b>2. Training Component 1: Substantive and Procedural International Criminal Law</b></li> <li><b>3. Training Component 2: International Criminal Legal Research and Practice</b></li> <li><b>4. Training Component 3: Best Practices in the Effective Management of Trials and Appeals including Judgement-Drafting</b></li> <li><b>5. Training Component 4: Training of Trainers</b></li> <li><b>6. Report with recommendations for follow-on activities, mentoring, and monitoring results</b></li> </ol>
<b>7.</b>	<b>Alignment with IDLO's Strategic Plan 2017-2020</b>	<b>Aligns to IDLO's core competency of strengthening capacity and integrity of institutions to deliver justice and protect rights (SP outcome level change S1)</b>
<b>8.</b>	<b>Builds on Existing IDLO efforts</b>	<ul style="list-style-type: none"> <li><b>▪ Training Programme in International Criminal Law for the Rwanda Bar Association</b></li> <li><b>▪ Africa Regional Seminar on International Criminal Law and the ICC for Defense Counsel and Other Legal Professionals held in</b></li> </ul>

	<p><b>Senegal.</b></p> <ul style="list-style-type: none"> <li>▪ <b>Justice Training Transition Programme in Afghanistan</b></li> <li>▪ <b>Judicial Capacity Building in Croatia</b></li> <li>▪ <b>Judicial Strengthening Programme in Kyrgyzstan</b></li> <li>▪ <b>Strengthening Legal Education and the Judiciary of South Sudan</b></li> </ul>
<b>9. Budget</b>	<b>EUR 200,000</b>
<b>10. Duration</b>	<b>December 1, 2018 – October 31, 2019</b>

**CONTACTS**

**IDLO primary contacts for purposes of communication with the Embassy of the Kingdom of Netherlands in Kigali with respect to this project are:**

(10)(2e)

**Tel: +** (10)(2e)      **Tel: +** (10)(2e)  
**Email:** (10)(2e)      **Email:** (10)(2e)

This document is structured as follows. Section 2 outlines the background to the project, demonstrating the need to further strengthen the capacities of Rwandan judges, registrars and legal staff of the HCCIC and Court of Appeals who hear Transfer cases on matters relating to substantive and procedural International Criminal Law (ICL). Section 3 sets out the context of the training, and Section 4 outlines the approach to the develop and delivery of the programme. Section 5 outlines a description of the training programme. Section 6 provides an overview of IDLO’s experience in developing and delivering similar training programmes. Finally, Section 7 sets forth the human and financial resources to be allocated to the Project.

**2. BACKGROUND**

In 2011, the International Criminal Tribunal for Rwanda (ICTR) began transferring cases to Rwanda. Canada, Denmark, Germany, Norway, and The Netherlands have also transferred accused to be tried before Rwanda courts. Rwanda’s Judiciary High Council established a specialised Chamber for International and Trans-border Crimes within the High Court (HCCIC) to hear these cases (called Transfer Cases), governed by a distinct procedure set out in a specialised law, the Transfer Law. This Law, last amended in 2013, creates a set of hybrid rules combining Rwandan procedure with evidential rules imported from the ICTR. As a result, the procedure governing Transfer cases incorporates many common law procedural elements into what is otherwise principally a civil law system. The Transfer Law, therefore, constitutes a significant shift from the standard criminal trial practice in Rwanda.

The cases heard by the HCCIC are closely monitored by the public, media, lawyers, scholars, and policymakers in Rwanda and abroad, as well as by human rights groups. Domestic courts, particularly in Europe and North America, closely scrutinise the records of these proceedings and the resulting rulings. These domestic courts make decisions on extradition requests of more than 500 suspects still pursued by the Government of Rwanda’s Genocide Fugitive Tracking Unit, including approximately 130 suspects who have been indicted or are subject to an arrest warrant.

It is, therefore, in the interest of the accused, victims, as well as the Rwandan population more broadly, that the HCCIC is fully-prepared to handle these cases in accordance with applicable principles of Rwandan and international law, and can apply the latest jurisprudence and best practices in international criminal law. Notably, Transfer cases involve legal questions novel to Rwandan jurisprudence, which the jurisprudence of the ICTR and the International Criminal Tribunal for Yugoslavia (ICTY), in particular, address in considerable detail.

On April 4, 2018, Rwanda created an intermediary Court of Appeals that falls between the HCCIC and the Supreme Court. The Court of Appeals is staffed with 13 appellate judges, 13 registrars and legal staff. This new Court will hear appeals from the HCCIC. Similarly, the assignment of Legal Officers to the HCCIC and

Court of Appeals is a new practice in Rwanda. Both the newly-appointed Court of Appeal judges and registrars, and the HCCIC and Court of Appeals Legal Officers, will need immediate and solid grounding in the Transfer Law and International Criminal Law (ICL) substance, procedure and practice. Significantly, given the dynamic nature of ICL, they will need to be familiar with, and be able to effectively use, the databases and research tools that give access to the latest jurisprudence and applicable principles.

The proposed training programme has not been conceived to address a particular gap in the capacities of the Rwandan Judiciary, but rather responds to the need for continuing legal education in the complex and evolving field of ICL. Since the Transfer Law's promulgation in 2007, the judges and legal staff of the HCCIC and Court of Appeal have benefited from very limited trainings in the field. They, therefore, need comprehensive capacity building in ICL, both substantive and procedural, legal research, and on the Transfer Law itself.

The training of the judges who hear Transfer cases, and the legal staff and registrars who support them, as outlined in the present proposal is, therefore, directed at ensuring that the judges and legal staff of the HCCIC and the Court of Appeals continue to have up-to-date knowledge of relevant aspects of ICL, international Criminal procedure and on the Transfer Law procedure, and on best practices in effective trial management and judgement-drafting in ICL cases.

### **3. CONTEXT OF THE TRAINING**

Strengthening judicial capacity in Rwanda in ICL is both pertinent and timely. Although Transfer cases have been adjudicated since 2012, the volume of cases is increasing. With more countries transferring cases back to Rwanda, this trend can only continue.

Moreover, significant amendments in the Transfer Law and the issuance of the *Practice Direction on Investigations* have changed the legal framework applicable to Transfer Cases. First, the Transfer Law creates a unique hybrid procedure importing many common law procedural rules foreign to Rwanda's standard practice. For example, incriminating witnesses (other than purely corroborative witnesses) must be heard live and there is a right to cross-examination. Further, evidence that was admissible at the ICTR is admissible in Transfer cases before the HCCIC. The Defense can also apply for a supplementary budget to conduct their own investigations. Each of these features is unique to Transfer cases and distinct from the standard penal procedure of other Rwandan criminal trials.

Similarly, in Transfer cases, parties and the bench can all rely on international criminal jurisprudence to guide their legal arguments and decisions. So far, judges have given significant weight to the practice, procedure and substantive precedents set by the ICTR, the ICTY and the International Criminal Court. However, ICL is a complex and evolving field. Knowing how to research and apply the latest judicial precedents correctly and effectively is not something with which Rwandan judges have previously had to engage.

Similar ICL-focused sustained training programmes offered in Rwanda have thus far targeted Prosecution and Defense attorneys. While judges have been invited to relevant conferences (i.e., Colloquium on the Transfer Law Procedure with the National Public Prosecution Authority and Kigali Bar Association (now RBA) (2012); Best Practices in SGBV at the ICTR (2012); Dialogues about sentencing with ICTR and ICTY Judges (2017)), have received technical assistance (Dutch-funded), and have participated in more general trainings (two-day judgement writing workshop given by USAID/ Ohio Northern Pettit College of Law), they have not been the beneficiaries of comprehensive training in substantive and procedural aspects of ICL.

### **4. APPROACH TO THE DEVELOPMENT AND DELIVERY OF THE PROGRAMME**

Given the importance of cases handled by the HCICC and the Court of Appeals, and of ensuring that the decisions and judgements rendered are both consistent and fully in line with current principles of ICL, the training programme will (1) be responsive to the existing needs, that is tailored to both the cases to be handled and the areas which need most focus, (2) apply the latest standards and developments in ICL, and (3) be inspired by tried and tested approaches to adult learning in the field of professional legal education.

### *Inception Phase*

To ensure that the training programme is carefully tailored to existing needs, an Inception Phase is foreseen, during which IDLO will work together closely with members of the Rwandan Judiciary. This Inception Phase, covering the first two months of the project, will involve:

- **Desk study:** The study will include an in-depth review of relevant national case law, and particularly of the HCCIC, an analysis of the likely features of upcoming cases, and a review of a selection of relevant ICTR and International Residual Mechanism for Criminal Tribunals (MICT) case law to draw parallels and lessons learnt.
- **Inception mission:** IDLO will conduct an inception mission, led by the Lead Consultant, to undertake a training needs assessment and to assist with the programme design. This mission will involve in-depth interviews and/or supplementary questionnaires with members of the Judiciary, their legal staff, and registrars as concerns their experience and needs, in order to strengthen the curriculum design, and ensure it is appropriately tailored.
- **Inception report:** Following the inception missions, IDLO will present the final, fully-developed training programme, outlining the detailed implementation plan, to the EKN.

As mentioned, the Inception Phase is meant to further relations and gather information needed to ensure that the training programme is fully-tailored to the needs of the Judiciary. This may mean that, as needed, minor adjustments could be made to the training programme and approach set out in this document. It should be noted, however, that it will not lead to changes to the Budget, as set out in Section 7.

### *Training Methodology*

IDLO has fine-tuned a participatory and problem-solving training methodology suited to the needs of adult learners, particularly those in the legal sector. The underlying assumption is that adult learners are self-directing and come to the training room with specific professional needs that must be addressed during the training event. IDLO's training methodology is, therefore, tailored to the professional requirements of each given group of beneficiaries, who, at the end of the event, must be able to demonstrate enhanced knowledge and skills that will enable them to properly and effectively carry out their work. In order to achieve this ambitious objective, IDLO has developed an approach to training, consisting of a number of steps and actions that are carried out before, during and after the training. Each step is aimed at increasing the level of retention of adult learners and at providing them with the precise expertise they need to perform their daily duties.

The training programme as aforementioned is conceived of as part of continuing legal education of a highly-specialised area of the Law, and not as an attempt to bridge any perceived enormous gap in knowledge. As a result, the training programme will follow IDLO's teaching methodology, focusing on fostering knowledge uptake through argumentative dialogue and questioning between trainer and participants, stimulating critical thinking, and seeking to draw out ideas and underlying assumptions.

The training programme will also be highly practice-oriented. This has significant implications. First, it means that the training will not focus on expounding the general theory of ICL, but will be designed on the basis of an analysis of directly relevant ICL jurisprudence, notably of the ICTR, to ensure that it contributes tangibly to strengthening the participants' capacity to adjudicate cases and draft judgements in compliance with up-to-date principles of ICL.

Second, the orientation towards practice means that significant attention will be devoted in the training programme to simulations and practical exercises, which foster, not only internalisation of knowledge, but - crucially - the ability to apply it.

### *Practical Considerations*

**Beneficiaries:** The training will be tailored to 45 members of the Judiciary: the judges of the HCCIC (6) and the Court of Appeals (13) who are hearing Transfer Case trials and appeals, their legal staff (13), and the

registry staff (13) assigned to these cases. It may also be beneficial to open the training to other High Court and appellate judges and staff who, while currently not assigned to sit on Transfer cases, may be subsequently assigned to the HCCIC or the Appellate Chamber hearing Transfer cases. The training can be offered to a maximum of 45 participants, who will be divided into two sub-groups.

**Timing:** The timing of the training will be coordinated with the Judiciary management. Sessions of the training could be partially conducted during the judicial recess, or periods of reduced activity, in order to facilitate maximum attendance. Alternatively, the court management could suspend court sessions during designated training weeks and hours.

### *Gender Considerations*

The current gender breakdown of the Rwandan Judiciary is 52% men and 48% women. As such, it is anticipated that the gender balance of participants, who will also include legal staff and registrars, should generally mirror these percentages.

The training programme will be designed in such a way as to ensure that the female members of the Judiciary are able to actively participate. This participation will be ensured by including the members in exercises and other practical sessions during the training. Most importantly, in the substance of the training programme, gender considerations will be taken into account, and the substance of the training programme will be tailored towards the provision of skills enhancement to avoid re-victimisation of witnesses and victims during trials. Gender considerations and victim sensitivity will be key elements of the proposed training programme.

## **5. DESCRIPTION OF THE TRAINING**

The programme will cover three key areas: (i) substantive and procedural ICL, including latest jurisprudential developments; (ii) international criminal legal research and practice; and (iii) best practices in the effective management of trials and appeals in an international criminal law case, including judgement-drafting.

Building on these three themes, the training will address the following topics, in three one-week sessions, each presented twice, once to each sub-group:

- (i) **Session 1: Substantive and Procedural International Criminal Law**
  - The substantive crimes: genocide, crimes against humanity, and war crimes, including SGBV crimes, and their constituent elements.
  - Modes of responsibility
  - Circumstances excluding responsibility
  - Review of the Transfer Law procedure and its application
  - An overview of international criminal procedure, and a comparative analysis with Rwandan procedure and application
  
- (ii) **Session 2: International Criminal Legal Research and Practice**
  - The impact of rights of the accused on the substantive and procedural aspects of trials, and on appeal
  - Finding and navigating the major international criminal law databases
  - How to find and search ICTR and MICT decisions, judgements, transcripts, and evidence
  - Implementation of the *Practice Direction on Investigations*
  - Application of the doctrine of *stare decisis* in international criminal trials
  
- (iii) **Session 3: Best Practices in the Effective Management of Trials and Appeals including Judgement-Drafting**
  - Evidence management and evidential matters in complex trials, including adducing ICTR/MICT evidence and judicial notice; cross-examination and objections;
  - Witness protection and vulnerable witnesses
  - Effective courtroom management and access to court records
  - Principles of effective judgement drafting including the role of legal staff

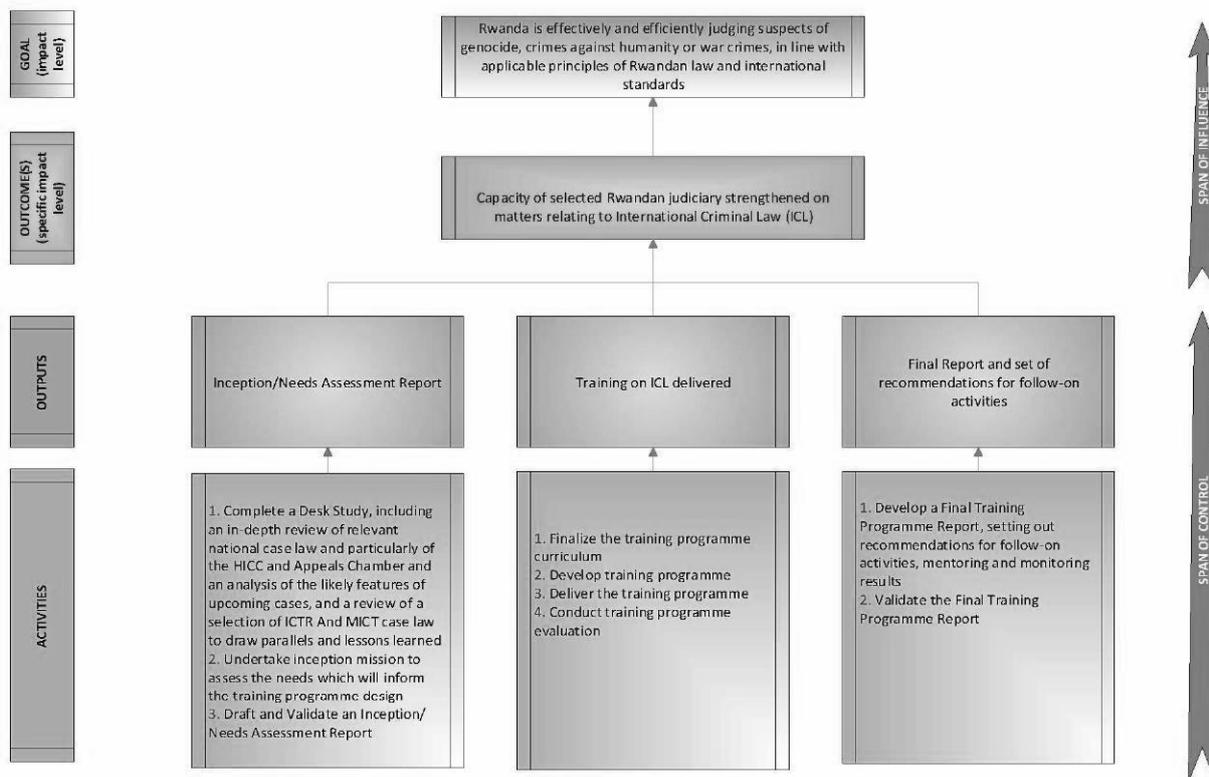
- **Principles of effective management of appeals: standard of review and assessment of evidence including newly available evidence**

*The final topic list is subject to change based on the results of the needs-assessment exercise.*

**The training will be delivered in English. Sessions will be centred on interactive and practical exercises. Review of video footage from other international jurisdictions will be used in the presentation of ICL jurisprudence and practice.**

**The attendees will be provided with copies of sections of the key texts (treaties, statutes and rules) which make up the corpus of ICL, as well as other relevant reference materials.**

## Project Logic Model



## RISK REGISTER - External Risks related to Results Achievements

Risk#	Risk Description	Likelihood	Impact	Score	Mitigation in Place	Mitigation Required	Owner
1	Inconsistent application of substantive and procedural ICL among the Rwandan Judiciary	1	1 Judiciary structures are set and functional	2	Government and international support for Rwandan judiciary and transfer cases	Ongoing dialogue to ensure continued Government and international commitment	IDLO / Ministry of Justice
2	High expectations from judges	5	5 Overwhelming demand of skills training from Rwandan Judiciary	10	Inception workshop to determine needs and properly introduce programme	Ongoing dialogue with judiciary and information-sharing to clarify expectations and Programme objectives	IDLO / Rwandan judiciary
3	Non-participation of judges in training programme negatively impact the number of participants	3	3 Judges have ongoing cases and may not be inclined to participate for entire duration of training.	6	Suggested rescheduling of cases for the duration of the training weeks.	Regular engagement with judiciary to ensure the timing of programme does not conflict with judicial activities	IDLO/ Rwandan judiciary
5	Request for payment/ compensation from	3	3 Judges, legal staff and	6	Agreement that the Ministry of Justice that	Regular engagement to ensure continued support from	IDLO/ Ministry of

Risk#	Risk Description	Likelihood	Impact	Score	Mitigation in Place	Mitigation Required	Owner
	Judges being trained		registrars may be less inclined to be trained without payment		salaries paid during all training sessions	Ministry of Justice in terms of transport costs.	Justice
6	Limited political commitment to conduct training programme.	3	4 Training programme is seriously compromised due to political considerations	7	The importance of an impartial judicial process is recognised by the Government and appropriate support is given	IDLO continues to engage with the Ministry of Justice during the implementation of the training programme	IDLO/ Ministry of Justice
7	Follow through on recommendations from monitoring and reviews is inconsistent, and renders the monitoring and accountability framework irrelevant	3	3 Weak integration of lessons learned and feedback in the planning process reduces the impact of the training programme	6	Review meetings	Strengthen programme planning processes to ensure incorporation of recommendations from the review and follow-up of training sessions	IDLO/ Rwandan Judiciary

#### **RISK REGISTER – Risks related to Management Issues**

Risk#	Risk Description	Likelihood	Impact	Score	Mitigation in Place	Mitigation Required	Owner
1	Corruption and financial mismanagement of funds	1	3 Potential misuse of funds intended for training purposes	4	The Ministry of Justice and IDLO have strong financial management procedures in place.	IDLO has systematic financial controls and will have regular contact with the Ministry of Justice that will lead to an improved financial reporting system	IDLO / Ministry of Justice
3	Partner fall-out and disagreements	2	3 Project needs to be suspended and/or to be interrupted	5	Regular coordination meetings	IDLO will establish clear communication guidelines with the Ministry of Justice	IDLO

#### ***Sustainability***

The knowledge transferred to the judges, registrars and legal staff of the HCCIC and Court of Appeals, and registrars is a durable good; it will not end following completion of the project. It is true that ICL is a dynamic and constantly evolving area of law, and judges may fulfil their term and be replaced by new judges. Similarly, legal staff assigned to judges may leave to pursue new opportunities either within the Judiciary, or elsewhere. IDLO will make efforts to ensure that the capacity of the Judiciary, as a whole, is kept up-to-date. Specifically, IDLO - through the Lead Consultant and its Capacity Development Unit - will work together with the Rwandan Judiciary to ensure that:

- **Local capacity is developed to administer portions of the training programme, as developed by IDLO, to a new group of judges, legal staff, and registrars. In developing and administering the programme, IDLO will apply a participatory approach and include a training of trainers session, the focus of which will be on building capacity to manage the training programme. Technical implementation of the entire programme will most likely still require international ICL expertise. Modules adaptable to revision will be developed for use in future trainings.**

### ***Project Consolidation***

**The training programme will conclude with the production of a Final Report. In addition to reviewing the implementation of the project, on the basis of IDLO's engagement with various stakeholders during the process and, again with a view to sustainability, the Report will issue recommendations concerning issues, such as:**

- **The need for a technical assistance programme in the form of ongoing coaching or mentoring support to the judges and their legal staff (beyond the activities mentioned above);**
- **The need for strengthening the capacities of other stakeholders involved in cases brought before the Special Chamber through both technical assistance projects and continued legal education training programmes.**

### ***Project Monitoring***

**IDLO follows the international good practice for monitoring and evaluation (M&E) in line with its Evaluation Policy and quality standards and methods of the OECD DAC Evaluation Network.**

**IDLO gives priority to 'managing for results', focusing on defining realistic expected results, monitoring progress towards their achievement, integrating lessons learnt into management decisions, and reporting on performance. The cornerstone of this strategy is a systematic and rigorous approach to M&E based on the review of a project's Intervention Logic and an establishment of robust Evaluation Questions and Indicators.**

**IDLO has a strong track record in developing comprehensive M&E frameworks for its projects, in close collaboration with its partners. This approach will be also implemented under this Project, under which IDLO's M&E framework will be modelled to that of similar justice sector reform projects previously implemented.**

**Primarily, the M&E framework for this programme will consist of an evaluation of comparative levels of knowledge and skill prior to and subsequent to the delivery of each of the programme's session. This evaluation will be administered through short evaluative pre and post quizzes, followed by group discussions. The evaluations will enable the trainers to evaluate the effectiveness of each session as well as individual modules within the sessions. The M&E framework for this programme will be very much follow that of the ICL Training Programme for the RBA.**

**The Project's overall performance will be monitored during its duration in order to report on results, provide conclusions and recommendations, draw lessons for organizational learning, and inform the development of future programs. Data collected via Project-level monitoring will be an important source of evidence and further triangulated by data acquired from other sources. The Project monitoring will also be used to recommend any necessary adjustments to the Project/engagement for the next period.**

### ***Evaluating Training***

**As building the capacity of legal professionals, and target beneficiary institutions is central to IDLO's mandate, all IDLO training activities are subject to a standard evaluation approach that is based on the four levels of Kirkpatrick's model (see table below) for evaluating training, as follows:**

- 1. Participant satisfaction with the training;**
- 2. Immediate change in individual knowledge and skills;**
- 3. Change in individual performance back in the workplace; and**

#### 4. Change in the overall performance of the institution.

The actual evaluation approach, requires all IDLO programs to cover the first two levels of the Model, while the third level is expected to be developed by each program/project, depending on their specific objectives and targets.

M&E LEVEL	TRAINING RESULTS CHAIN	INFORMATION SOUGHT	DATA COLLECTION TOOLS	RELATION TO TRAINING PURPOSE	
Level 1 (monitoring)	Activity: training course	Quality of design of training course	Course evaluation (trainee satisfaction) Course evaluation (quality of training)	← Change at individual level	← Change at institutional level
Level 2 (monitoring)	Outputs: learning elements	Immediate individual knowledge and skill gain	Individual self-assessment of improvement Skills assessments embedded in training course ( <i>under study</i> )		
Level 3 (evaluation)	Outcome: performance change	Effects of training on individual performance in workplace	Individual ex-post questionnaires (after 6-12 mths) Ad-hoc tools during project evaluation		
Level 4 (evaluation)	Impact: institutional change	Impact of training on institutional performance	Ad-hoc tools during impact evaluation		

#### 6. IDLO CAPACITY STATEMENT

As the only inter-governmental organization with an exclusive mandate to promote the rule of law, IDLO enables governments and empowers people to reform laws and strengthen institutions to realise justice, peace and sustainable development. IDLO works along the spectrum from peace and institution building to economic recovery in countries emerging from conflict and striving towards democracy. It supports emerging economies and middle-income countries to strengthen their legal capacity and rule of law framework for sustainable development and economic opportunity. IDLO enjoys Observer Status at the United Nations General Assembly. Its headquarters are located in Rome, with a Branch Office in The Hague, liaison offices for the United Nations in New York and Geneva, and Field Offices in 15 countries in Africa, Central Asia and Eastern Europe, Latin America, the Middle East and North Africa, and South East Asia. In recent years, IDLO has rapidly been building up its capacity in the East African region, also, where it has programmes under implementation in Burundi, Kenya, Somalia, Tanzania, and Uganda.

For many years, strengthening judicial capacity in the developing world was IDLO's sole area of intervention. Today, while IDLO's mission and expertise has greatly expanded, it remains faithful to that early purpose. Strengthening capacity of justice officials is still the bulk of what IDLO does, and what IDLO

is most recognised for. IDLO does this in a variety of legal systems and traditions, including common and civil law, and working together with local and international partners. IDLO's most comprehensive training programme to-date is the Justice Training Transition Programme (JTTP) implemented in Afghanistan, from January 2013 to November 2017, with funding from the US Department of State, Bureau of International Narcotics and Law Enforcement Affairs (INL).

Other programmes implemented that are of relevance to the present proposal include the following:

- **Rwanda: Training Programme in International Criminal Law for the Rwanda Bar Association; implementation period: April 2017 – June 2018; donor: Embassy of The Netherlands in Kigali;**
- **Africa Region: Regional Seminar on International Criminal Law and the ICC for Defense Counsel and Other Legal Professionals; implementation period: October– November 2014; donor: Embassy of The Netherlands in Dakar;**
- **Afghanistan: Completing the Transition in Afghanistan: Justice Training Transition Program; implementation period: January 2013 – February 2018; donor: US Department of State, Bureau of International Narcotics and Law Enforcement Affairs (INL);**
- **Croatia: Judicial Capacity Building; implementation Period: September 2017 – September 2018; donor: European Bank for Reconstruction and Development (EBRD);**
- **Kenya: Justice Sector Reforms to Enhance Access To Justice; implementation Period: January 2017 – June 2019; donor: Government of the Netherlands;**
- **Kyrgyzstan: Judicial Capacity Building; implementation Period: January 2005 – January 2017; donor: European Bank for Reconstruction and Development (EBRD);**
- **Mali: Strengthening the Criminal Justice Chain; implementation period: February 2015 – May 2020; donor: Kingdom of The Netherlands;**
- **Philippines: Enhancing the Institutional Capacity of Prosecutors in the Philippines; implementation period: September 2016 – June 2017; donor: United States Department of State, Bureau for International Narcotics and Law Enforcement Affairs (INL);**
- **Somalia: Strengthening the Capacity of the Justice Sector to Prosecute Terrorism Offenses; implementation period: September 2014 – December 2015; donor: United States Department of State, Bureau of Counterterrorism;**
- **Somalia: Enhancing the Capacity of Legal professionals in Somalia, Implementation Period, August 2014- July 2016; donor: United States Department of State, Bureau of International Narcotics and Law Enforcement Affairs (INL);**
- **South Sudan: Strengthening Legal Education and The Judiciary of South Sudan; implementation period: May 2011– January 2018; donor: United States Department of State, Bureau of International Narcotics and Law Enforcement Affairs (INL);**
- **Uganda: Improving the Capacity of National Justice Sector Professionals to Prosecute International Crimes under the Rome Statue (ICC Positive Complementarity); implementation period: July 2015 – October 2016;**
- **Ukraine: Supporting Criminal Justice Reform in Ukraine; implementation period: May 2015 – December 2017; donor: United States Department of State, Bureau of International Narcotics and Law Enforcement Affairs (INL).**

## **7. HUMAN AND FINANCIAL RESOURCES**

### ***Management and Human Resources***

The project, consisting of the development and delivery of the training programme, will be managed by the Regional Program Manager, Africa, who is based in IDLO's Headquarters in Rome. Under the direction of the Programme Manager, the Lead Consultant will lead the development and delivery of the training programme, and will be assisted by a Senior Consultant. Both the Lead and Senior Consultants are expert ICL practitioners, who have appeared before, and worked within, the various hybrid and international criminal courts including the ICTR, the MICT, and Rwanda's International Crimes Chamber and have extensive training, capacity-building and technical assistance expertise.

(10)(2e)

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**The trainers have provided ICL and trial advocacy trainings, including at the ICC and at the MICT. They have also conducted an eight-month training programme on the Transfer Law for the RBA Defense lawyers, various trainings for the prosecutors of the NPPA's International Crimes Unit, and a colloquium on Transfer cases for the judges of Rwanda's High Court and Supreme Court. This team of trainers is uniquely placed to provide a similar training tailored to the needs of the judiciary, informed by their insight of the Transfer Case proceedings. Portions of the training may be provided by expert guest consultants with similar expertise.**

**In accordance with the objective to be a learning organisation reflected in IDLO's Strategic Plan 2017-2020, and to enhance the sustainability of the project on IDLO's side, provision is made for the involvement (during the inception and final reporting phases of the project) of IDLO's Capacity Development Unit.**

***IDLO Capacity Development Unit***

**The role of the IDLO Capacity Development Unit (CDU) during the implementation of the training programme will mainly be:**

- **Ensuring that the design and delivery of the programme is in adherence to IDLO Training quality standards.**
- **Providing guidance with respect to the Training of Trainers approach, consistent with efforts to ensure sustainability of the training program, to a group from within the Rwandan judiciary. (ref. sustainability p.10)**
- **As part of the training programme, the CDU will deliver a TOT on IDLO participatory training methodology.**

**Key persons from the CDU involved in the project include the Manager of the Capacity Development Unit and the Capacity Development Officer.**

***Technical Budget***

**The following Budget provides an overview of the costs of the proposed project. The Budget follows the order of the activities described in Section 3 above. The overall cost of the Project is EUR 200,000. With a total of approximately 45 participants from the Rwandan Judiciary (this totals a per person cost of approximately EUR 4.400. Below the table, some further explanations are provided as to how to read and understand certain individual lines of the budget.**

BL	Description	Unit	N	Total Budget			Total in Euro
				Unit	N	Unit rate	
<b>Objective</b>	<b>Strengthened capacities of members of the Rwandan judiciary in substantive and procedural international criminal law</b>						
<b>Output 1</b>	<b>Inception report (including training needs assessment)</b>						
<b>Activity 1.1</b>	<b>Preparatory desk study</b>						
1.1.1	Lead Consultant	expert	1 day	5	575		2 875
1.1.2	Senior Consultant	expert	1 day	5	575		2 875
<b>Activity 1.2</b>	<b>Inception Mission</b>						
1.2.1	Lead Consultant	expert	1 day	5	575		2 875
1.2.2	Lead Consultant DSA	expert	1 day	5	170		850
1.2.3	Lead Consultant International Travel (flight & visa)	expert	1 travel	1	1 500		1 500
1.2.4	IDLO Security Advisor	expert	1 day	3	950		2 850
1.2.5	IDLO Regional Security Travel	expert	1 travel	1	750		750
1.2.6	IDLO Regional Security DSA	expert	1 day	2	170		340
<b>Activity 1.3</b>	<b>Inception Report</b>						
1.3.1	Lead Consultant	expert	1 day	3	575		1 725
1.3.2	Senior Consultant	expert	1 day	2	575		1 150
	<b>Subtotal Output 1</b>						<b>17 790</b>
<b>Output 2</b>	<b>Training Component 1: Substantive and Procedural International Criminal Law</b>						
<b>Activity 2.1</b>	<b>Substantive and Procedural of ICL - Development- BLOCK 1</b>						
2.1.1	Lead Consultant	expert	1 day	8	575		4 600
2.1.2	Senior Consultant	expert	1 day	11	575		6 325
<b>Activity 2.2</b>	<b>Delivery</b>						
2.2.1	Lead Consultant	expert	1 day	13	575		7 475
2.2.2	Senior Consultant	expert	1 day	11	575		6 325
2.2.3	DSA Lead Consultant	expert	1 day	12	170		2 040
2.2.4	Lead Consultant International Travel (flight & visa)	expert	1 travel	1	1 500		1 500
2.2.5	DSA Senior Consultant	expert	1 day	12	170		2 040
2.2.6	Senior Consultant International Travel (flight & visa)	expert	1 travel	1	1 500		1 500
2.2.7	IDLO Program Manager Travel	expert	1 travel	1	550		550
2.2.8	IDLO Program Manager DSA	expert	1 day	7	170		1 190
2.2.9	Logistics (venue & catering)	pax	45 day	5	25		5 625
2.2.10	Training Material (includes photocopying, handouts, handbooks)	item	1 estimate	1	1 500		1 500
2.2.11	Local Facilitator and translator	expert	1 day	10	100		1 000
	<b>Subtotal Output 2</b>						<b>41 670</b>
<b>Output 3</b>	<b>Training Component 2: International Criminal Legal Research and Practice</b>						
<b>Activity 3.1</b>	<b>International Criminal Legal Research and Practice - Development- BLOCK 2</b>						
3.1.1	Lead Consultant	expert	1 day	8	575		4 600
3.1.2	Senior Consultant	expert	1 day	8	575		4 600
<b>Activity 3.2</b>	<b>Delivery BLOCK 2</b>						
3.2.1	Lead Consultant	expert	1 day	13	575		7 475
3.2.2	Senior Consultant	expert	1 day	11	575		6 325
3.2.3	DSA Lead Consultant	expert	1 day	12	170		2 040
3.2.4	DSA Senior Consultant	expert	1 day	12	170		2 040
3.2.5	International Travel (flight & visa)	expert	1 travel	2	1 500		3 000
3.2.6	Logistics (venue & catering)	pax	45 day	5	25		5 625
3.2.7	Training Material (includes photocopying, handouts, handbooks)	item	1 estimate	1	1 000		1 000
3.2.8	Local Facilitator and translator	expert	1 day	10	100		1 000
	<b>Subtotal Output 3</b>						<b>37 705</b>
<b>Output 4</b>	<b>Best Practices in the Effective Management of Trials and Appeals including Judgement-Drafting</b>						
<b>Activity 4.1</b>	<b>Best Practices in the effective management of trials and appeals including judgement drafting - Development- BLOCK 3</b>						
4.1.1	Lead Consultant	expert	1 day	8	575		4 600
4.1.2	Senior Consultant	expert	1 day	8	575		4 600
<b>Activity 4.2</b>	<b>Delivery BLOCK 3</b>						
4.2.1	Lead Consultant	expert	1 day	13	575		7 475
4.2.2	Senior Consultant	expert	1 day	11	575		6 325
4.2.3	DSA Lead Consultant	expert	1 day	12	170		2 040
4.2.4	DSA Senior Consultant	expert	1 day	12	170		2 040
4.2.5	International Travel (flight & visa)	expert	1 travel	2	1 500		3 000
4.2.6	IDLO Program Coordinator Travel	expert	1 travel	1	1 500		1 500
4.2.7	IDLO Program Coordinator DSA	expert	1 day	7	170		1 190
4.2.8	Logistics (venue & catering)	pax	45 day	5	25		5 625
4.2.9	Training Material (includes photocopying, handouts, handbooks)	item	1 estimate	1	1 000		1 000
4.2.10	Local Facilitator and translator	expert	1 day	10	100		1 000
	<b>Subtotal Output 4</b>						<b>40 395</b>

Output 5	Training of Trainers (TOT)						
<b>5.1</b>	<b>Preparation and Delivery</b>						
5.1.1	Capacity Development Unit DSA	expert	1 day	6	170		1 020
5.1.2	Capacity Development Unit International Travel (flight & visa)	expert	1 travel	1	1 500		1 500
5.1.3	Logistics (venue & catering)	pax	10 day	4	25		1 000
5.1.4	Local Facilitator and translator	expert	1 day	4	100		400
5.1.5	IDLO Capacity Development Manager	expert	1 day	4,5	850		3 825
5.1.6	IDLO Capacity Development Officer	expert	1 day	5	650		3 250
	<b>Subtotal Training of Trainers</b>						<b>10 995</b>
Output 6	Report with recommendations for follow-on activities, mentoring, and monitoring results						
6.1	Closing ceremony logistics (venue & catering)	pax	60 day	1	14		810
6.2	Lead Consultant	expert	1 day	3	575		1 725
6.3	Senior Consultant	expert	1 day	2	575		1 150
	<b>Subtotal Output 6</b>						<b>3 685</b>
<b>7</b>	<b>Program Monitoring and Reporting</b>						
7.1	IDLO Program Regional Manager	expert	1 day	10	950		9 500
7.2	IDLO Program Coordinator	allocation	15% month	10	4 342		6 513
7.3	IDLO Program Accountant	allocation	10% month	10	4 342		4 342
7.4	IDLO Program Intern	expert	1 month	10	600		6 000
	<b>Subtotal Monitoring and Reporting</b>						<b>26 355</b>
	<b>Program Subtotal</b>						<b>178 595</b>
	Overhead (12%)						21 401
	<b>Program Total</b>						<b>199 996</b>

### **Budget Narrative**

IDLO would wish to allow the Lead Consultant and her team a measure of flexibility to determine how they develop and deliver the training programme. As such, room is afforded to the team to tailor the training programme to identify the needs of the participants, and how they can best be met by the expertise of the team members. While guaranteeing that the total amount requested will not change, IDLO will advise the EKN of any significant shift of funds within and between budget chapters during Project implementation.

Below are some further explanations to help read and understand the budget:

- As indicated in Section 4 of this proposal, an inception mission by the Lead Consultant and an IDLO Security Advisor is foreseen. Budget line 1.2.2 and 1.2.3 provides for Travel costs of the Lead Consultant. Budget line 1.2.5 and 1.2.6 provides for the travel costs of the Regional Security Advisor (based in the region).
- During the inception phase, venue for the training will be determined and arrangements will be made for the catering (budget lines 2.2.9, 3.2.6, and 4.2.8). The training will be held at a hotel facility to be agreed between IDLO and the Judiciary.
- For each of the three teaching blocks, the budget has allowed for a combined total of 16 days preparation to be split between the Lead Consultant and the Senior Consultant (Budget Lines 2.2.2, 2.2.2, 3.1.1, 3.1.2, 4.1.1, 4.1.2), which will include all legal research, compilation of materials including video footage, formulation of exercises, and development of the training to ensure the maximum impartation and retention of the most relevant material.
- Rates for IDLO personnel are calculated to include basic salary, benefits, and occupancy cost. IDLO standard daily rates do not include any charges covered by the 12% Overhead. Following Resolution N. 3, of the IDLO Assembly of Parties of November 2008, IDLO is authorized to charge a 12% overhead to cover the cost of enabling services to implement a program. Overhead costs include program development, fundraising, and essential support services, such as administration, procurement, ICT, logistics, Human Resources and Senior Executive oversights.