

USAID-Rwanda

CONFLICT MANAGEMENT AND MITIGATION: LAND DISPUTE MANAGEMENT PROJECT

Project Work Plan

Duration: 14 months

Cooperative Agreement No. 696-A-00-07-00006-00

Submitted to:

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Submitted by:

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I. INTRODUCTION

This Work Plan details activities programmed under the USAID/Rwanda Conflict Management & Mitigation Project, otherwise known as the "Land Dispute Management Project" (the "Project"). ARD, Inc. is the recipient of a USAID grant for this Project and will conduct these activities in partnership with the Office of the Registrar of Land Titles at the Rwandan Ministry of Lands, Environment, Forestry, Water, and Mines ("MINITERE"). To implement the project, ARD, Inc. has sub-contracted with the following entities: Rwandan Institute for Sustainable Development ("RISD"), Center for Justice and Peace Building ("CJP"), and the Rural Development Institute ("RDI").

The duration of the Project is 14 months.

II. BACKGROUND

Thirteen years after the civil war and genocide, the Government of Rwanda ("GoR") has made significant progress in reconciliation, governance, and land tenure reform. With donor support, the GoR established MINITERE in 1999, drafted a National Land Policy in 2000, passed the Land Policy in 2004, and passed the Organic Land Law in 2005. Throughout this process, the GoR has actively facilitated the reintegration of pre- and post-genocide exiles into Rwandan society, introduced *imidugudu* (grouped settlement) as a means to address land use and human settlement problems, developed the gacaca program to offer the potential of justice and reconciliation after the genocide, and put in place village-level mediators (abunzi) to hear disputes, especially land disputes.¹

The GoR is keenly aware of the danger of devising solutions that could destabilize the country. The government continues to peacefully absorb and reintegrate demobilized soldiers, former prisoners, and returnees (including women and children) into communities, in a situation of increasing land scarcity due to high population growth. In addition, experiences in other countries in the region suggest that effective decentralization and capacity are often the weak links in land policy implementation. Given that 90 percent of the Rwandan population depends on land as their main source of livelihood, peaceful resolution of competing land claims is critical to continued peace.

Current MINITERE land-related initiatives are focused on implementation of the Organic Land Law, including piloting a land rights formalization process, drafting the necessary implementing laws and decrees, and developing land administration capacity. (These are all part of the DFID-funded *National Land Tenure Reform Program* ("LTRP")). In addition, USAID is providing legal and gender-specific implementation assistance to MINITERE under the RAISE IQC Task Order: Lessons Learned: Property Rights and Natural Resources Management, *Rwanda Land-Related Program Activities* (*Phase III*) ("Rwanda Phase III"). This Project will contribute to those efforts. It: (1) supports and strengthens local capacity to resolve land disputes that may arise in the pilot areas where land rights are being formalized; and (2) educates specific pilot communities in two GoR priority areas about the land law and avenues for seeking relief, with the goal of reducing and preventing the recurrence of land-related disputes. The Project will implement activities with particular attention to women and disadvantaged groups to help ensure they have equal access to the land dispute resolution process.

¹ The *abunzi*, or mediation committees, have mandatory jurisdiction over land disputes involving amounts less than three million RwF, which means over most land disputes. The *Abunzi* also have mandatory jurisdiction over succession and boundary disputes involving less than three million RwF.

The establishment of tenure security, through appropriate legislation and socially-inclusive land rights formalization, backed by effective mechanisms for land adjudication and dispute resolution, will provide for reconciliation and further prevention of conflict.

III. OBJECTIVES

The objectives of the Project are twofold:

- 1. Support and strengthen capacity in two GoR priority pilot areas to resolve land disputes in a fair and efficient manner; and
- 2. Increase public awareness about the law governing land rights and avenues for seeking peaceful resolution of land-related disputes and conflicts.

The Project will contribute directly toward the following objectives of **USAID/Rwanda**:

- Strategic objectives (SO) of Improved Governance through Increased Citizen Participation (SO5) contributing to Program Component (PC) 1: mitigate conflict and support peace; and
- Operational Plan relating to "Governing Justly & Democratically" (Program Area 3 "Political Competition and Consensus-Building").

The Project will also contribute indirectly to the Expanded Economic Opportunities SO by facilitating land tenure security, which will lay the foundation for improved agricultural and business practices.

IV. MAJOR ACTIVITIES & OVER-ARCHING TECHNICAL APPROACH

The Project will achieve the objectives above by engaging in the following major activities:

- 1. Assess land disputes and existing resolution processes in the pilot areas;
- 2. Develop/refine land-related dispute resolution processes;
- 3. Build local capacity for land dispute resolution; and
- 4. Conduct a public information and awareness campaign in the pilot areas on land rights and mechanisms that support the peaceful reconciliation of land-related disputes.

These activities will be implemented in the following two pilot areas: (1) Gasabo district, Gatsata sector, Nyamagali cell; and (2) Musanze district, Muko sector, Mburaburturo cell.

These activities will supplement the efforts of the DFID-supported LTRP. In carrying out these activities, the project utilizes the following over-arching technical approach:

- Complement the implementation of land policy and administration efforts conducted by the DFIDsupported LTRP in two priority pilot areas selected by the GoR for implementation of this Project;
- Implement field activities through a Rwandan NGO, the Rwandan Institute for Sustainable Development ("RISD");
- Employ a full-time, Kigali-based Project Coordinator;
- Focus on both formal and informal land dispute resolution systems with a particular emphasis on helping to institutionalize and operationalize the *abunzi*, which has mandatory jurisdiction over the majority of land disputes; and
- Concentrate particularly on helping to ensure that women and disadvantaged groups obtain information and equal access to all land law and land dispute resolution processes.

Outcomes of the Project include: (1) a land dispute resolution process, piloted in two regions, for MINITERE's consideration and adoption/adaptation; (2) institutional capacity-building of local dispute resolution actors in two pilot cells, such as the *abunzi*; and (3) a land-specific training curriculum for MINITERE and MINIJUST's consideration and adoption/adaptation.

Activity 1 Land Disputes and Resolution Assessments

1.1 Assess land disputes and resolution systems within pilot areas

Post-conflict and reconciliation specialists from the Center for Justice and Peace Building at Eastern Mennonite University ("CJP") will assess the nature and severity of land-related disputes in the two pilot areas as well as local capacity to resolve those disputes. In undertaking this Activity, CJP will visit the pilot areas and gather information based on focused interviews with key informants including local representatives from MINITERE, MINALOC, MINIJUST, the National Women's Council, the LTRP's adjudication committee, local NGOs, and community members.

The assessment will characterize the nature and severity of land disputes in the pilot areas (taking special note of the effect of gender and other disadvantaged groups in the process). The assessment will focus on identifying and assessing the capacity of informal and formal institutions (e.g., local authorities, *abunzi*, and courts). In addition, the assessment will seek to identify each community's perceptions of the similarities and differences between custom and pre-Land Law and pre-Inheritance Law land rights systems and the perceived implications of the Organic Land Law and Inheritance Law. Perceptions of the relative fairness or bias of the Land Law and Inheritance Law also will be assessed. Finally, the assessment will diagnose the capacity for reconciliation and the potential constraints to reconciliation. The assessment will provide a series of recommendations and/or options for consideration under Activity 2.3.

RISD will assist and support the CJP specialists during the field assessment, including arranging interviews and meetings, providing transport, and interpretation. Before the specialists begin the assessment, RISD will attempt to identify the institutions and individuals who are responsible for formal and informal dispute resolution in the pilot areas.

Before beginning the assessment, CJP and RISD will review two documents to ensure there is no duplication of prior field research efforts: (1) LTRP, *Results of Preparatory Field Consultations in Four Trial Districts; March-October 2006*; and (2) African Rights draft research findings on implementation of the Inheritance Law in the LTRP pilot cells. The assessment will also be informed by, and coordinated with, representatives of MINITERE, MINIJUST, MINALOC, the LTRP and Rwanda Phase III, as appropriate.

In support of this activity, RDI will undertake a desk study on the current state and configuration of the formal and informal dispute resolution systems in Rwanda, provide input to the assessment, as requested, and review the assessment for purposes of RDI's other activities.

To supplement the CJP assessment, RDI will review CJP's draft assessment and then conduct a brief round of fieldwork on women's and disadvantaged groups' access to dispute resolution processes in the pilot areas. The deliverable and LOE for this supplementary assessment is included under Activity 1.3.

Summary of Activity 1.1 LOE, Deliverables, and Schedule

- **LOE:** CJP(28); RISD(30); RDI(6)
- Deliverables
 - 1. Assessment of land-related disputes and dispute resolution in the pilot cells

RISD 30 days LOE

CJP 28 days LOE = Ayindo (20); Jenner(8)

2. Desk Study on Rwandan dispute resolution systems

RDI 6 days LOE = Scalise (4); Mirembe (1); Espinosa (1)

• **Schedule:** Months 7/8

1.2 Produce and Implement a Pilot Area Participation and Beneficiary Plan

For cultural and/or social reasons, Rwandan women and disadvantaged groups (such as orphans, widows, those infected with HIV/AIDS, etc.) may not fully engage in and therefore not benefit from project activities. This activity will help to correct that inequity.

RDI, which is providing gender-specific implementation assistance to MINITERE under Rwanda Phase III, will design and implement a participation and beneficiary plan, with support from RISD. At a minimum, the plan will include training for RISD and district land officials on the law governing land rights (including inheritance) of women and children and a short round of fieldwork on women's and disadvantaged groups' access to the local dispute resolution processes. The plan will also likely include separate meetings for men and women to further explain project activities and the law governing land rights to address the reluctance of women to speak in public. RDI will monitor and evaluate these activities, make mid-project adjustments, accordingly, and prepare an evaluation of the participation and beneficiary plan.

Summary of Activity 1.2 LOE, Deliverables and Schedule

- **LOE:** RISD(56); RDI(100)
- Deliverables:
 - 1. Delivery of a 2-day Training Module on Land Rights of Women, and Disadvantaged Groups RISD 9 days LOE

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RDI 12 days LOE = Mirembe (6); Scalise (3); Espinosa (3)
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2. Assessment of women's and disadvantaged groups' access to land dispute resolution

RISD 10 days LOE

RDI 24 days LOE = Mirembe (14); Scalise (6); Espinosa (4)

3. Participation and Beneficiary Plan

RISD 10 = staff

RDI 21 days LOE = Mirembe (12); Scalise (6); Espinosa (3)

4. Implementation of Participation and Beneficiary Plan; monitoring

RISD 13 days LOE

RDI 18 days LOE = Mirembe (13), Scalise (2); Espinosa (3)

5. Evaluation of Participation and Beneficiary Plan impacts/results in each pilot area

RISD 14 days LOE

RDI 25 days LOE = Mirembe (11), Scalise (7); Espinosa (7)

• **Schedule:** from Month 7

Activity 2 Dispute Resolution Processes and Procedures

On the basis of the findings and recommendations in the assessment produced under Activity 1.1, the Project will develop a basic procedure for expediting the resolution of land-related disputes and then work with Pilot Area Working Groups to tailor and test that procedure to meet local needs. Participatory development of the procedure will allow landholders and claimants – including the most disadvantaged – to influence the design and allow for transparency in decision making.

2.1 Form Pilot Working Groups

RISD, in consultation with MINITERE and RDI, will identify and invite the participation of representative land stakeholders in the pilot areas to be part of the Pilot Working Groups in each pilot area. This activity involves visiting the pilot areas, meeting local authorities, *abunzi* leaders, judges, NGO representatives, etc.

The role of the Working Groups is to encourage community support for the Project, develop, review and approve processes, monitor results, link with government structures to ensure coordination and compliance with GoR policies, and provide local feedback to the Project on project processes and activities. RISD will convene the meetings of the Working Groups and report to them on project activities, results and lessons and otherwise support its activities. One of the first tasks of each Working Group will be to consider the results of the Assessments under Activity 1.1.

RISD will note the activities, decisions, and opinions of the Working Groups for purposes of communicating those ideas to the MINITERE, which may communicate those ideas to MINALOC, MINIJUST, and the LTRP.

The Working Groups will be comprised of residents and local officials from each pilot area. RISD will determine the specific members in consultation with MINITERE, and will include members from the cell land committee, the LTRP adjudication committee, the relevant umudugudus, the National Women's Council at the cell level, and the abunzi, among other local actors.

Summary of Activity 2.1: LOE, Deliverables, and Schedule

- **LOE:** RISD(10); RDI(1)
- Deliverables:
 - 1. List of participants for two Pilot Working Groups (one in each cell)
 RISD 7 days LOE
 - 2. Invitations drafted and delivered for first scheduled meeting

RISD 3 days LOE

RDI 1 day LOE = Espinosa(1)

• **Schedule:** Month 7

2.2 Draft procedure for resolution of land-related disputes

Given the scarcity of land in Rwanda and a rising population dependent on land for subsistence, landrelated disputes are common. In addition, the formalization of land, such as the process underway in the LTRP pilot areas, necessarily generates competing claims to land. Those competing claims may be between neighbors over the boundary of adjacent parcels, between family members over the inheritance of the land, or between parties involved in prior land transactions, to name a few.

To help ensure that land-related disputes do not escalate if left unresolved, RDI will design a basic procedure for expediting the resolution of those disputes in an efficient, transparent, and fair manner. This activity involves reviewing and summarizing the records of disputes generated in the LTRP pilot areas to the extent that information is available when the basic procedure is drafted. Thereafter, RDI will also review the records of disputes in those pilot areas that were not yet completed, and that information will be shared with the MINITERE and the Working Groups. These reviews will consider, among other things, the nature and severity of land disputes and the social and political status of the individuals that initiated such disputes.

Summary of Activity 2.2: LOE, Deliverables and Schedule

- **LOE:** RISD(7); RDI(27)
- Deliverables:
 - 1. Summary of disputes generated during LTRP formalization process in the LTRP pilot areas RISD 2 days LOE

RDI 18 days LOE = Mirembe (10); Scalise (4); Espinosa (4)

2. Basic procedure for expediting the resolution of land disputes

RISD 5 days LOE = staff

RDI 9 days LOE = Mirembe (6); Scalise (1); Espinosa (1); Bledsoe (1)

• **Schedule:** from Month 7, as information becomes available

2.3 Present, Obtain Input, and Field Test Basic Procedure with Pilot Working Groups

RISD will facilitate meetings of the Working Groups in each pilot cell. At the first meeting, RISD will present and request input on the assessment findings conducted under Activity 1.1 and on the basic procedure drafted under Activity 1.2. Based on this information/discussion, RISD will facilitate the second meeting of the Working Groups toward tailoring the basic procedure to address local needs, as appropriate.

The tailored procedure will maintain the same characteristics of efficiency, transparency, and fairness but will also address the needs of disputants particular to the pilot cell, such as informal settlers, individuals in polygamous relationships, displaced people, demobilized soldiers, and more generally, women and disadvantaged groups.

The procedure may include identification and referral of disputants to local resources that can provide support through the dispute resolution process (e.g., assistance with reading notices from the *abunzi*). The procedure may also include recommendations/options for institutional strengthening, if needed.

Where possible, these meetings will be attended by representatives of the LTRP, Rwanda Phase III, MINITERE, and MINIJUST, who may provide input.

RDI will attend the Pilot Working Group meetings as well as review and comment on the tailored process to ensure that the process remains consistent with applicable law and is efficient, transparent, and fair.

Summary of Activity 2.3: LOE, Deliverables & Schedule

• **LOE:** RISD(34); RDI(14)

• Deliverables:

1. Two Pilot Working Group Meetings on Assessment and Basic Procedure (one in each cell)

RISD 16 days LOE

RDI 2 days LOE = Mirembe (2)

2. Two Pilot Working Group Meetings to Tailor Basic Procedure (one in each cell)

RISD 16 days LOE

RDI 2 days LOE = Mirembe (2)

3. Legal analysis of the tailored process

RISD 2 days LOE

RDI 10 days LOE = Mirembe (6); Scalise (2); Espinosa (2)

• **Schedule:** from month 9

2.4 Mentor and monitor dispute resolution processes (among working groups/actors)

RISD will supplement the training provided in Activity 3.3 with six workshops. They will host a total of three workshops in each cell, one workshop every two months. The purpose of the workshops will be to mentor trainees and monitor their progress. During these field visits, RISD will: (1) seek input from trainee as well as from NGO representatives, pilot communities and GoR (MINITERE and MINIJUST) as to performance and use of the tailored procedure; (2) identify strengths and weaknesses in the processes and actors implementing the process; and (3) observe hearings, and otherwise gather information and provide support and/or schedule targeted training dealing with issues identified.

In addition, in consultation with MINITERE, RISD will facilitate implementation of other aspects of the dispute resolution procedure, to the extent applicable. This sub-activity is necessarily flexible to respond to the specific aspects developed in the tailored dispute resolution procedure.

At the conclusion of the workshops, RISD will summarize its mentoring activities and its findings after monitoring the processes and actors. The report will address the capacity of the local dispute resolution actors before and after the training and mentoring, identify areas of progress made and areas in need of improvement, review implementation of the processes developed under the project, and recommend additional training needs and revisions to the processes.

RDI will attend the six mentoring/monitoring workshops to provide legal support, as needed.

The LOE allocated for this activity is significant so that the entire RISD team can participate in these workshops and otherwise respond to additional training needs identified during this process.

Summary of Activity 2.4: LOE, Deliverables, and Schedule

• **LOE:** RISD(69); RDI(38)

• Deliverables:

1. Six mentoring/monitoring Workshops: three for each pilot cell

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RISD 59 days LOE
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RDI 39 days LOE = Mirembe (23); Espinosa (6); Scalise (5); Bledsoe (4)

2. Facilitation other aspects of the tailored dispute resolution process that do not directly impact the local dispute resolution actors, as necessary

RISD 0 = shift LOE from mentoring/monitoring activity, as necessary

RDI 0 = shift LOE from mentoring/monitoring activity, as necessary

3. Monitoring Report on Capacity and Improvements of Trainees and Processes, with Recommendations

RISD 10 days LOE

• **Schedule:** Month 9, 11, 13

2.5 Revise Land Related Dispute Resolution Procedure/Guidelines

Near the end of the project, RISD will convene two meetings (one in each cell) for the Working Groups to report on the field test of the procedure. RISD will request that the Working Groups identify strengths and weaknesses of the procedure, and make recommendations for improvements. RISD will arrange, convene, facilitate, and draft minutes of the meetings. RDI will attend both meetings to provide legal support.

In consultation with MINITERE, RDI will revise the tailored dispute resolution procedures in light of RISD's findings and the Working Group's recommendations, while also ensuring consistency with applicable law.

Summary of Activity 2.5: LOE, Deliverables & Schedule

• **LOE:** CJP(1): RISD(19); RDI(7)

• Deliverables:

1. Two Pilot Working Group Meetings to report on field test of procedure (one in each cell)

RISD 16 days LOE

RDI 2 days LOE = Mirembe (2)

2. Revised Land-Related Dispute Resolution Processes/Guidelines

RISD 3 days LOE

RDI 5 days LOE = Mirembe (2); Scalise (1); Espinosa (1); Bledsoe (1)

• **Schedule:** Month 12

2.6 Capture Lessons Learned

RISD will convene final Pilot Working Group meetings (one in each pilot area) to identify and discuss project findings and lessons to strengthen local land dispute resolution processes. Each workshop will be one day.

In consultation with MINITERE, RISD will determine appropriate administrative level (i.e., district or sector or cell) for these workshops. Invitees to the workshops may include representatives from the pilot areas' local government (e.g., MINITERE, MINIJUST, MINALOC, the National Women's Council), the community, interested CSOs and NGOs, along with representatives of the LTRP, and Rwanda Phase III.

A few selected members of Working Groups will present findings and lessons from the two pilot area meetings at a final central workshop in Kigali. Invitees to the final workshop will be high-level governmental representatives (e.g., MINITERE, MINIJUST, MINALOC, and National Women's

Council), USAID, interested CSOs and NGOs, along with representatives of LTRP and Rwanda Phase III. The final central workshop will have in attendance no more than approximately 30 persons.

RISD will also make presentations to the workshops concerning lessons learned from project activities. RISD will plan and facilitate the events.

Following these meetings, RISD and RDI will summarize the findings and best practices in the resolution of land disputes, particularly following land formalization processes. The team will identify specific problems, and recommend strategies to resolve those problems. In particular, the team will provide recommendations on dispute resolution processes that can be incorporated into legislation and/or the regulatory framework. The team's efforts will culminate in a summary report for MINITERE, which includes proposed legislative and regulatory changes necessary to make land dispute resolution processes more accessible, just, and effective.

RDI will also develop recommendations to USAID regarding potential scaling up of Project activities.

Summary of Activity 2.6: LOE, Deliverables & Schedule

- **LOE:** RISD(42); RDI(26)
- Deliverables:
 - 1. Two final workshops of the Pilot Working Groups (one in each pilot cell)

RISD 16 days LOE

RDI 6 = Mirembe (2); Scalise (2); Espinosa (2)

2. One final central Stakeholder Working Group workshop (in Kigali)

RISD 12 days LOE

RDI 3 days LOE = Mirembe (1); Scalise(1); Espinosa(1);

3. Report to MINITERE on best practices and proposed legislative and regulatory changes

RISD 7 days LOE aff

RDI 8 days = Mirembe (1); Scalise (3); Espinosa (3); Bledsoe (1)

4. Recommendations to USAID for scaling up the process

RISD 7 days LOE

RDI 9 days LOE = Mirembe (1); Scalise (3); Espinosa (4); Bledsoe (1)

• **Schedule:** Month 13/14

Activity 3 Capacity Building for Local Land Disputes Resolution Processes

3.1 Train the Trainers – RISD Staff and District Land Officials

CJP and RDI will train RISD staff and district land officials in Gasabo and Musanze in conflict/dispute resolution and land law, including the land rights of women and disadvantaged groups (included in Activity 1.2). RDI will also work with the LTRP, as appropriate, to ensure RISD understands the LTRP processes.

CJP's post-conflict reconciliation specialists will prepare and present the conflict/dispute resolution training. The conflicts/dispute resolution portion will consist of five days of training, and will provide substantive knowledge and skills to participants so that they may, in turn, provide support (training and

mentoring) to local actors engaged in land dispute resolution. The training will include classroom work (theories and approaches to conflict analysis and land conflict mediation) and field practice, as appropriate. This effort includes the development of educational materials.

RDI's land law specialists will prepare and present the land law portion of the training, in consultation with MINITERE. The two-day training will provide substantive knowledge to participants so that they may, in turn, provide support (training and mentoring) to local actors engaged in land dispute resolution. This effort includes the development of educational materials.

Summary of Activity 3.1: LOE, Deliverables & Schedule

- **LOE:** CJP(14); RISD(63); RDI(17)
- Deliverables:
 - 1. Delivery of a 5-day Conflict and Dispute Resolution Training Module

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EMU-CJP 18 days LOE = Ayindo (12); Jenner (2)
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RISD 45 days LOE

2. Delivery of a 2-day Land Law Training Module (in addition the 2-day training on land rights of women and disadvantaged groups under Activity 1.2)

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RISD 18 days LOE
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RDI 17 days LOE = Mirembe (8); Scalise (4); Espinosa (4); Bledsoe (1)

• **Schedule:** Months 7/8

3.2 Develop Dispute Resolution/Land Law Curriculum

After RISD and the district land officials in the pilot areas have been trained in conflict/dispute resolution and Rwandan law governing land rights, RISD will develop a curriculum on dispute resolution and land law for presentation to the local dispute resolution actors in the pilot cells. CJP and RDI will support RISD's efforts by reviewing and commenting on the draft materials before RISD finalizes and prints them. MINITERE will review the materials before their use. The preparation of materials includes drafting a survey for participants to share feedback on ways to improve the curriculum.

Summary of Activity 3.2: LOE, Deliverables & Schedule

- **LOE:** CJP(1); RISD(30); RDI(7)
- Deliverables:
 - 1. Dispute Resolution / Land Law Curriculum

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RISD 30 days LOE
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CJP 2 days LOE = Jenner (.5); Ayindo (.5)

RDI 7 days LOE = Mirembe (3); Scalise (2); Espinosa (2)

• **Schedule**: Months 8/9

3.3 Training of Local Dispute Resolution Actors

The assessment in Activity 1.1 will identify in each pilot area local actors that are responsible for formal and informal dispute resolution. Those individuals will be invited to attend a 6-day training session on conflicts/dispute resolution and Rwandan land law, including land rights of women and disadvantaged groups. RISD will conduct the two trainings, one in each pilot area. The district land officials who were

also trained will attend the local trainings and participate, as appropriate. At the end of the training, RISD will solicit written feedback from participants.

RDI will attend the trainings to provide legal support, as needed.

Summary of Activity 3.3: LOE, Deliverables, & Schedule

• **LOE:** RISD(32); RDI(8)

- Deliverables:
 - 1. Delivery of two 6-day trainings (one in each pilot area) to local actors engaged in local dispute resolution

RISD 32 days LOE

2. Legal support at two 6-day trainings

RDI 8 days LOE = Mirembe (8)

• **Schedule:** Month 8/9

3.4 Revise Training Curriculum based on feedback

Under this activity, RISD and RDI will review the trainees' surveys in which they provided feedback on the training, and prepare a report summarizing that feedback. With CJP and RDI support, and in consultation with MINITERE, RISD will revise the dispute resolution/land law curriculum based on that feedback and its own observations.

Summary of Activity 3. 4: LOE, Deliverables & Schedule

- **LOE:** CJP(1); RISD(23); RDI(4)
- Deliverables:
 - 1. Summary report of feedback received from trainees

RISD 8 days LOE

2. Revision of dispute resolution/land law curriculum

RISD 15 days LOE

CJP 1 day LOE = Jenner (.5); Ayindo (.5)

RDI 4 days LOE = Mirembe (1); Scalise (1); Espinosa (1); Bledsoe(1)

• **Schedule:** Months 11/13

Activity 4: Public Information and Awareness

4.1 Develop a Public Information and Awareness action plan for the pilot areas

In consultation with MINITERE, public awareness of the project and the Organic Land Law (and other land-related laws including the Inheritance Law and the Mediation Committee Law) will be promoted through public information and a legal literacy campaign. To ensure that pilot communities have access to accurate information on land policy, land law, and avenues for relief, the project will contract with a public information specialist, who will work with RISD and MINITERE to develop a Public Information and Awareness ("PIA") action plan. That action plan will: (1) inform target groups and key decision

makers in each pilot area about the project's objectives and activities; and (2) inform target groups about Rwandan law governing land rights, and avenues for seeking relief.

The PIA specialist and RISD will work closely with MINITERE on the development and implementation of the action plan, and intend to not duplicate the public information efforts of the LTRP.

RISD will follow MINITERE procedures regarding the dissemination of materials. To the extent that the project develops new materials, RISD will submit those materials for review and approval by MINITERE before dissemination to the public. If the project develops new materials, RDI will review the draft materials for legal accuracy and provide written input/suggestions on the legal content of those materials.

The Project will provide lessons learned from the implementation of the action plan to MINITERE so that future public information strategies can be informed by them.

Summary of Activity 4.1: LOE, Deliverables & Schedule

- **LOE** PIA(25); RISD(30); RDI(7)
- Deliverables:
 - 1. PIA Action Plan

PIA Specialist 20 days LOE (tbd) RISD 10 days LOE

2. New public information materials related to project and land law

PIA Specialist 5 days LOE (tbd) RISD 20 days LOE

3. Legal analysis of the draft public education and workshop materials

RDI 7 = Mirembe (3); Scalise (3); Espinosa (1)

• **Schedule**: from Month 8

4.2 Pre-test campaign themes, content/messages

In consultation with MINITERE, and with guidance from the PIA Specialist, RISD will pre-test campaign themes, and content of messages. Messages will be tested in focus groups in each pilot cell. Following that test, RISD will modify the campaign themes and content with support from the PIA Specialist, and secure final approval of these messages and their delivery from MINITERE. To the extent practical, the conduct of these campaigns will be coordinated with the LTRP efforts in the pilot areas.

Summary of Activity 4.2: LOE, Deliverables & Schedule

- **LOE:** PIA(3); RISD(20); RDI(2)
- Deliverables:
 - 1. Pre-test campaign themes, content messages

PIA Specialist 2 days LOE (tbd) RISD 14 days LOE

2. Revise campaign themes and messages based on pre-test

PIA Specialist 1 day LOE (tbd) RISD 6 days LOE

RDI 2 days LOE = Mirembe (2)

• **Schedule:** from Month 9

4.3 Conduct pilot area public information campaigns

Assuming MINITERE approval of the public information campaign, RISD will conduct that campaign in the pilot areas. The specifics of the campaign will be outlined in the Action Plan and will likely include at least two public workshops, and some or all of the following: articles in newspapers, radio spots, and/or television, and the printing and dissemination of informational pamphlets on local dispute resolution processes/procedures.

RDI will support the campaign by attending and providing legal support at the public workshops, as needed.

Summary of Activity 4.3: LOE, Deliverables & Schedule

- **LOE:** RISD(40); RDI(5)
- Deliverables:
 - 1. Conduct public information campaign consistent with the PIA Action Plan, including at least two public workshops (one in each pilot area)

PIA 2 days LOE = tbd RISD 40 days LOE

RDI 5 days LOE = Mirembe (4); Espinosa (1)

• **Schedule:** from Month 9

Activity 5: Project Coordination & Monitoring

5.1 Land Project Consultation Group

This project is committed to ensuring that its activities complement other technical assistance to MINITERE and other ministries. To that end, MINITERE will convene and facilitate regular coordination/consultation meetings with representatives from interested ministries and other land-specific projects with overlapping program activities. ARD Project Coordinator Christophe Muhigira will assist MINITERE in this effort. The first meeting will be convened in September 2007.

The coordinating mechanism will be called the "Land Project Consultation Group" ("Consultation Group"), the purpose of which is to share information between and coordinate efforts among other land and dispute resolution projects. The frequency of these meetings will be at least monthly, or more frequently, as deemed necessary and useful by participants.

Coordination with LTRP, which is implementing significant land formalization pilots in Musanze and Gasabo, is particularly critical. In addition, the USAID-funded Rwanda Land-Related Program Activities (Phase III), implemented by ARD and RDI, is providing legal and gender-specific technical assistance to MINITERE under the RAISE IQC Task Order: Lessons Learned: Property Rights and Natural Resources Management, Task Order 13.

ARD's Project Coordinator will facilitate the Consultation Group meetings, including preparing meeting agendas. At least one RISD staff member will regularly attend the meetings and prepare meeting minutes. RDI's Mirembe will also attend each meeting, and other RDI representatives will attend the meetings, if possible. After each meeting, Muhigira will review and revise the minutes, Espinosa will review Muhigira's draft, and Muhigira will disseminate minutes to all participates within seven days of

each meeting. At MINITERE's request, Muhigira will submit the minutes to MINITERE before dissemination.

Summary of Activity 5.1: LOE, Deliverables & Schedule

- **LOE:** RISD(25); RDI(14)
- Deliverables:
 - 1. Seven Consultation Meetings convened, with agendas

RISD 11 days LOE

RDI 11 days LOE = Mirembe (3), Scalise (3); Espinosa (4); Bledsoe (1)

2. Seven Steering Committee minutes prepared, revised, and disseminated

RISD 14 days LOE

RDI 3 days LOE = Espinosa (3)

• **Schedule**: from Month 7

5.2 Monitoring Impacts and Results

Throughout the life of the project, RISD, in consultation with RDI, will monitor impacts and results to assess the performance of the pilots. This activity is in addition to the RISD's monitoring of trainees' progress under Activity 2.4. The performance monitoring plan in Annex 2 provides the indicators for monitoring impacts and results.

Summary of Activity 5.2 LOE, Deliverables & Schedule

- **LOE:** RISD(42); RDI(12)
 - 1. Three monitoring and evaluation reports

RISD 42 days LOE

RDI 12 days LOE = Mirembe (3); Scalise (3); Espinosa (5); Bledsoe (1)

• **Schedule**: Months 10, 12, and 14

V. PARTNERS & PERSONNEL

ARD is the prime contractor under this CMM grant and is the overall manager of the Project. ARD will partner with MINITERE, RISD, CJP, and RDI.

The Ministry of Lands, Environment, Forestry, Water, and Mines ("MINITERE") is the main ministry contact, with the Ministry of Justice ("MINIJUST") and the Ministry of Local Government ("MINALOC") also key stakeholders. MINITERE's Minister of State in charge of Lands has appointed Registrar Eugene Rurangwa as the primary contact for the Project.

Rwanda Initiative for Sustainable Development ("RISD"): RISD is a Rwandan non-governmental organization. RISD's work is based on policy research, networking and advocacy. RISD has been involved in Rwanda's land reform process since 1999, working with MINITERE during formulation of both the Land Policy and the Organic Land Law. RISD understands that land issues are not only central to the livelihoods of the great majority of the Rwandans who live off the land, and thus a major factor in poverty eradication, but also a potential source of disputes among Rwandans. As a result, land remains an important component of RISD's development programs, at the national and local levels.

Center for Justice and Peace Building ("CJP"): CJP is a U.S. organization affiliated with Eastern Mennonite University. CJP is committed to supporting conflict transformation and peacebuilding efforts at all levels of society in situations of complex, protracted, violent or potentially-violent, social conflict around the world. It is the premise of CJP that conflict transformation approaches must address root causes of conflict, be developed strategically, and promote healing and restoration of relationships within community. CJP representatives have broad experience as educators and trainers in conflict transformation and as practitioners of justice and peacebuilding.

Rural Development Institute ("RDI"): RDI is a U.S. non-profit organization and leader in the provision of services on legal, regulatory, policy, and institutional issues associated with land access, land tenure security, and land administration and registration systems. RDI's services have included institutional assessments, legislative drafting and policy advice, development of implementing regulations and procedures, land administration, monitoring, training, public education, legal aid, and legal literacy. RDI's on-going assistance to MINITERE, along with its experience (including post-conflict land-related activities) in Angola, Burundi, and Uganda will be particularly helpful for this project. Individual representatives of ARD, RDI, and CJP supporting the Project are:

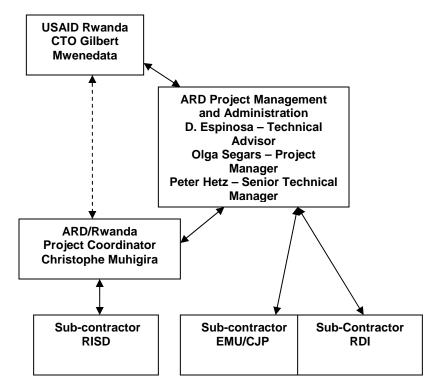
- Deborah Espinosa, Senior Technical Advisor, Land Law & Gender Specialist (RDI)
- Olga Segars, Project Manager (ARD)
- Christophe Muhigira, Project Coordinator (ARD)
- Janice Jenner, Post-Conflict Reconciliation Specialist (EMU/CJP)
- Babu Ayindo, Post-Conflict Reconciliation Specialist (EMU/CJP)
- TBD, Public Information & Awareness Specialist (ARD)
- David Bledsoe, Senior Land Law & Conflicts Specialist (RDI)
- Elisa Scalise, RDI, Land Law & Gender Specialist (RDI)
- Justine Mirembe, RDI, Land Law & Gender Specialist (RDI)

VI. PROJECT MANAGEMENT

1. Management Structure

As the CMM grantee, ARD provides project planning, administration, and oversight. Project management is represented below:

CMM Rwanda Project Management Structure



- ARD's Kigali-Based Coordinator, Christophe Muhigira supervises RISD's implementation of project activities and performs project monitoring and quality control. Muhigira may communicate with USAID/Rwanda, but all management and supervision of the Contract and Agreement rests with ARD.
- On behalf of ARD, Deborah Espinosa (RDI) provides technical guidance and supervision to the Project.
- From ARD's home office, Program Manager Olga Segars manages administrative and budgetary matters, and coordinates all Project communication.
- From ARD's senior management, Peter Hetz provides technical backstopping (without LOE).
- From RDI's senior management, David Bledsoe provides technical backstopping. In addition, Bledsoe also provides select short-term technical assistance, in part to ensure close cooperation and technical synergies with the USAID-funded Rwanda Land Law Project (Rwanda Phase III).

2. Sub-Contracts and Short-term Technical Assistance

ARD will execute sub-contracts with the following three entities: (1) RISD, the local NGO implementing the project; (2) RDI, a U.S.-based non-profit organization that will provide short-term technical assistance on legal issues and, most recently, technical oversight; and (3) CJP at Eastern Mennonite University, a U.S.-based organization that will provide short-term technical assistance on conflict/dispute resolution assessment and training. ARD also plans to contract with an independent consultant for purposes of the public information and awareness activity.

3. Project and Sub-contractor Monitoring

Project Coordinator Christophe Muhigira is responsible for supervising and monitoring RISD's implementation of the project, with 292 days of LOE.² RISD will submit bi-weekly reports to Muhigira regarding: (1) status of project activities; (2) challenges encountered; and (3) activities to undertaken in the next reporting period. Muhigira will submit bi-weekly reports to Espinosa and Segars.

4. Reporting

ARD will report quarterly to USAID, consistent with the Cooperative Agreement.

As mentioned above, RISD will provide bi-weekly, written reports to Project Coordinator Christophe Muhigira, who will in turn provide bi-weekly reports to ARD (Espinosa and Segars). Those reports will detail progress on project activities, measure progress in accordance with project indicators, highlight any project concerns, and identify activities to be undertaken in next reporting period.

ARD will prepare a final report to USAID that details project deliverables, the measure of project indicators against the PMP, and lessons learned from the process, along with recommendations for expanding the process should future funds become available.

² Please note that Muhigira's LOE is not broken out within this work plan because he is responsible for supervising, monitoring, and reporting on all project activities.

Annex 1 -- Timeline of Project Activities

CTIVITY	YEAR 1						YEAR 2										
ACTIVITY	1/F	2/M	3/A	4/M	5/J	6/J	7/A	8/S	9/O	10/N	11/D	12/J	13F	14M			
Activity 1. Land Disputes and Resolution Asse	ssme	nts		,													
1.1 Assess land disputes and resolution																	
1.2 Draft and implement pilot participation and beneficiary plan													_				
Activity 2. Dispute Resolution Processes and	Proc	edure	s														
2.1 Form pilot working groups																	
2.2 Draft basic procedure																	
2.3 Present, tailor, test procedure																	
2.4 Mentor and monitor dispute res processes																	
2.5 Revise dispute resolution processes																	
2.6 Capture lessons learned																	
Activity 3. Capacity Building for Local Land D	isput	Res	oluti	ion													
3.1 Train trainers																	
3.2 Develop dispute resolution curriculum																	
3.3 Train pilot area dispute resolution actors																	
3.4 Revise curriculum																	
Activity 4. Public Information and Awareness																	
4.1 Develop PIA action plan																	
4.2 Pre-test campaign themes, messages																	
4.3 Conduct PIA campaign																	
Activity 5. Project Coordination & Monitoring				,			_										
5.1 Facilitate land project coordination meetings																	
5.2 Monitor impacts and results	1																

STTA in-country
Local in-country activities

Note: STTA LOE will also be expended in Rwanda, the U.S. and Kenya (on, for example, drafting and review of the assessment, legal analyses, development of the participation and beneficiary plan, and development of recommendations, among other tasks).

Annex 2 – Performance Monitoring Plan (PMP)

Monitoring and reporting of project activities are a vital part of this project for two reasons. Our

monitoring plan allows us to track developments within each project activity as well as contribute to the Mission reporting. This PMP will also allow us to develop lessons learned based on focused and regular information collection. Periodic assessment of progress against intended outcomes is expected to help the grantee and sub-contractors stay on track, with regular opportunities to adjust approach and targets in the implementation plan.

RISD will maintain continuous project monitoring through field reports. These will be submitted to ARD on a bi-weekly basis. The format for these reports will be Project activities will most directly influence Strategic Objective (SO) 5 and the "Governing Justly & Democratically" Operational Plan, in particular Program Area 3 relating to Political Competition and Consensus-Building:

SO5: Improved Governance through Increased Citizen Participation

IR 5.3: Enhanced opportunities for reconciliation (contr buting to PC 1: Mitigate conflict and support peace).

Operational Plan: Governing Justly & Democratically

Program Area 3: Political Competition & Consensus-Building

Program Element 3.1: Consensus-Building Processes

Program Sub-element 3.1.1: Consensus Building Dispute Resolution Program Sub-element 3.1.2: Conflict Mediation and Disputes

Resolution

Program Sub-element 3.1.3Instituttional Strengthening

Program Sub-element 3.1.4 Advocacy and Oversight

finalized during the commencement of RISD's sub-contract. The language of submission of these reports will be English, and these reports will be due within 5 days of the end of each month.

ARD will provide USAID with quarterly reports within 15 days of the end of each quarter. These quarterly reports will serve as the project's reporting tool to USAID/Rwanda.

ARD has constructed the following PMP in support of USAID's Program "Governing Justly & Democratically". In particular, this Project draws from Program Area 3 "Political Competition and Consensus-Building" and Program Element 3.1: Consensus-Building Processes, with the following subelements:

Sub-element 3.1.1: Consensus Building Dispute Resolution

Sub-element 3.1.2: Conflict Mediation and Disputes Resolution

Sub-element 3.1.3 Institutional Strengthening

Sub-element 3.1.4 Advocacy and Oversight

The Project activities relate to the Program sub-elements in the following ways.

- Consensus Building Dispute Resolution: through the facilitation of community-based design of dispute resolution procedures
- Conflict Mediation and Disputes Resolution: through support and development of dispute resolution procedures
- Institutional Strengthening: through training of *abunzi* and other local actors responsible for resolving land disputes
- Advocacy and Oversight: through the development of lessons learned and recommendations to the GoR as tools for policy and legislative reform

The specific indicators are set out in the Table below.

Indicator	Definition	Intermediate Result/Program Component	Dis-aggregation	Data Collection	Frequency	Targets	Data Sources
Project Activity Indicators	Danalutian Assassmen	nto 9 Doutioinotion I	Dien				
Activity 1: Land Disputes and F 1. Assessment of nature and severity of disputes in pilot cells and local capacity for resolution	An Assessment Report on the nature of potential conflict in the pilot areas and recommendations for policy changes	NA	NA	CJP/RISD	Project Mo. 7	1	Reports from implementing partners
2. # of land-related disputes logged in project areas	Total # of disputes logged in a given area (as distinct from disputes mediated/resolved)	NA	Gender Disadvantaged Cell	RISD	Bi-monthly	TBD	Project Records and LTRP
Activity 2: Dispute Resolution I	Processes and Proced	dures		1		•	•
# of cells for which participatory conflict procedure prepared	The number of Districts covered by program activities	NA	Gender Cell Disadvantaged	RDI/RISD	Quarterly	2	Reports from implementing partners
4. # of persons mentored by trainers in conflict mitigation/resolution skills	The number of persons in the field (e.g. <i>abunzi</i> , GoR) trained by project trained trainers	SO 5.3 PA 3.1.3	Gender Cell	RISD/ARD	Quarterly	Approx. 50	Reports from implementing partners
5. # of persons mentored by trainers in land law	The number of persons in the field (e.g. abunzi, GoR) trained to project	SO 5.3 PA 3.1.3	Gender Cell	RISD/RDI	Quarterly	Approx. 50	Reports from implementing partners

trained trainers

USAID Rwanda Land Dispute Management Project

Performance Monitoring Plan under Strategic Objective (SO) 5, (Intermediate Result 5.3 "Enhanced Opportunities for Reconciliation") and Operational Plan relating to "Governing Justly and Democratically" (Program Area (PA) 3: Political Competition & Consensus Building)

Indicator	Definition	Intermediate Result/Program Component	Dis-aggregation	Data Collection	Frequency	Targets	Data Sources
6. # of Key Lessons reaching GoR including abunzi	The number of Key lessons developed by the Project and disseminated to GoR	SO 5.3 PA 3.1.4	NA	RISD/RDI	Project end	TBD	Reports from implementing partners
Activity 3: Capacity Building	for Local Dispute Reso	lution	_	l			
7. # of persons undertaking train-the-trainer activities in conflict mitigation/resolution skills	The number of trainers that attend conflict mitigation/resolution training sessions undertaken by the Project for the purposes of training abunzi etc.	SO 5.3 PA 3.1.3	Gender	RISD/ARD	Project Mo. 8	Approx. 10	Reports from implementing partners
8. # of persons undertaking train-the-trainer activities in land law	The number of trainers that attend land law training sessions undertaken by the Project for the purposes of training abunzi, etc.	SO 5.3 PA 3.1.3	Gender	RISD/RDI	Project Mo. 8	Approx. 10	Reports from implementing partners
9. # of persons undertaking train-the-trainer activities in land rights of women and disadvantaged groups	The number of trainers that attend conflict mitigation/resolution training sessions undertaken by the Project for purposes of training abunzi etc in the field	SO 5.3 PA 3.1.3	Cell Gender	RISD/RDI	Quarterly	Approx. 10	Reports from implementing partners

USAID Rwanda Land Dispute Management Project

Performance Monitoring Plan under Strategic Objective (SO) 5, (Intermediate Result 5.3 "Enhanced Opportunities for Reconciliation") and Operational Plan relating to "Governing Justly and Democratically" (Program Area (PA) 3: Political Competition & Consensus Building)

"Improved Governance thro	ugh Increased Citizen Pa	articipation"					
Indicator	Definition	Intermediate Result/Program Component	Dis-aggregation	Data Collection	Frequency	Targets	Data Sources
10. # of persons trained by trainers in conflict mitigation/resolution skills	The number of persons in the field (e.g. <i>abunzi</i> , GoR) trained by project trained trainers	SO 5.3 PA 3.1.3	Gender Cell	RISD/ARD	Quarterly	Approx. 50	Reports from implementing partners
11. # of persons trained by trainers in land law	The number of persons in the field (e.g. abunzi, GoR) trained by project-trained trainers	SO 5.3 PA 3.1.3	Gender Cell	RISD/RDI	Quarterly	Approx. 50	Reports from implementing partners
12. # of persons trained by trainers in land rights of women and disadvantaged groups	The number of persons in the field (e.g. abunzi, GoR) trained by project trained trainers	SO 5.3 PA 3.1.3	Gender Cell	RISD/RDI	Quarterly	Approx. 50	Reports from implementing partners
Activity 4: Public Information	n and Awareness						
13. # of persons reached in Public Information and Awareness Campaign on land rights	This records the number of persons who have participated in the project's public info campaigns	SO 53. PA 3.1.4	Gender Disadvantaged Cell	RISD/ARD/RDI	Quarterly	TBD	Reports from implementing partners
Activity 5: Project Coordinat	ion and Monitoring						
Number of land projects coordination meetings and their outputs	This simply records the frequency, participation, content and actions resolved by the projects implementing land tenure reform efforts in Rwanda	None	None	ARD/RISD/LTRP/ Rwanda Phase III	Monthly	8	Meeting Records taken by ARD/RISD

The phrase "disadvantaged groups" refers to the following persons: children, internally displaced persons (IDPs), returnees (including returnee refugees and returnee IDPs), and those perceived by communities to be sick (e.g. from HIV/AIDS).

Annex 3

Partner Roles and Responsibilities and Level of Effort (LOE in days) CJP RISD ARD RDI **Personnel** Full Time Project Manager (14 months) ARD Senior TA **RDI Senior TA** ARD Project Manager RISD (Administrative Personnel) **ACTIVITY LOE TOTALS Activity 1. Land Disputes and Resolution Assessments** 1.1 Assess land disputes and resolution mechanisms 1.2 Draft and implement pilot participation and beneficiary plan **ACTIVITY LOE TOTALS Activity 2. Dispute Resolution Processes and Procedures** 2.1 Form pilot working groups 2.2 Draft basic procedure 2.3 Present, tailor, test procedure with pilot working groups 2.4 Mentor and monitor dispute resolution processes 2.5 Revise dispute resolution processes 2.6 Capture lessons learned **ACTIVITY LOE TOTALS** 3. Capacity Building for Local Land Dispute Resolution 3.1 Train trainers 3.2 Develop dispute resolution/land law curriculum 3.3 Train pilot area dispute resolution actors 3.4 Revise curriculum **ACTIVITY LOE TOTALS** 4. Public Information and Awareness 4.1 Develop PIA action plan 4.2 Pre-test campaign themes, messages 4.3 Conduct PIA campaign **ACTIVITY LOE TOTALS** 5. Project Coordination & Monitoring 5.1 Facilitate land project coordination meetings 5.2 Monitor impacts and results **ACTIVITY LOE TOTALS TOTAL LOE**

Annex 4

USAID Rwanda – CMM / Land Dispute Management Project STTA International Travel Summary								
STTA	ARD (No. of Trips)	RDI (No. of Trips)	Trips Totals					
Activity 1	3	2	4					
Activity 2	0	2	2					
Activity 3	1	2	3					
Activity 4	1	0	1					
Activity 5	0	1	1					
Totals	5	7	12					