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MALI JUSTICE PROJECT (MJP)

QUARTERLY REPORT

(October 1 – December 31, 2017)

January 30, 2018

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DISCLAIMER

The author's views expressed in this publication do not necessarily reflect the views of the United States Agency for International Development or the United States Government.

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LIST OF ACRONYMS

BAO	<i>Bureau d'accueil et d'orientation</i>
BPC	<i>Bureau de plaidoyer citoyen</i> (also: CAO)
CAO	Citizen Advocacy Office
CCP	Code of Criminal Procedure
CILSS	Permanent Interstate Committee for Drought Control in the Sahel
CRA	Corruption Risk Assessment
CRB	Citizen Review Board
CPS	Planning and Statistics Cell
CSO	Civil Society Organization
DFM	Directorate of Finance and Equipment
DNAJ	National Direction for Justice Administration
ECOWAS	Economic Community of West African States
GBV	Gender-Based Violence
GIC	Grand Instance Court
GOM	Government of Mali
INFJ	National Institute for Judiciary Training
ISJ	Inspectorate of Judicial Services
HR	Human Resource
MINUSMA	United Nations Multidimensional Integrated Stabilization Mission in Mali
MJP	Mali Justice Project
MOJ	Ministry of Justice
PRODEJ	<i>Projet d'appui au développement de la justice au Mali</i>
PURJ	Ministry of Justice Emergency Plan
QIP	Quick Impact Projects
UEMOA	West African Economic and Monetary Union
USAID	United States Agency for International Development
USG	United States Government

PROGRAM OVERVIEW

The purpose of the USAID Justice Program in Mali is to support the Government of Mali's goal of more efficient, effective, and competent Malian justice sector institutions that are accountable and responsive to the needs of Malians. The project aims to work with the formal and informal justice sector to 1) improve the institutional capacities of key justice sector institutions, especially the National Direction of Justice Administration (DNAJ) and courts; 2) improve the framework and processes of access to justice by supporting the work of organizations facilitating access to justice through expanding paralegal and legal aid clinics, but also through working to connecting the informal justice to the formal justice sector, and 3) provide targeted legal services, advocacy, and public information campaigns along a key trade route to reduce the level of corruption.

This is a project with a broad mandate that spans justice, security, trade (economic growth) and anti-corruption sectors with the overarching goal to show measurable improvement in the effectiveness, efficiency and operational capacity of GOM institutions to meet the needs of Mali citizens. To effect the change required for institutional reform, the project plans to develop initiatives – in partnership with the GOM and other local counterparts, who will often take a leading role – that are data driven with decisions based on verifiable information. This will be a major change to the way policy and operational decisions are currently made within the Malian judicial sector.

EXECUTIVE SUMMARY

COMPONENT 1

Component 1's objectives proceed from the Security Governance Initiative (SGI). Its activities are also aligned to the Mali Joint Country Action Plan (JCAP) which supports the Ministry of Justice's Urgent Plan (PUR). In doing so, MJP assists the Ministry of Justice through a number of central services to develop and implement a system that allows an accurate management of the human, material and financial resources at the central services and court levels.

This quarter, Component 1 managed progressed in major areas such as criminal procedure, financial management, human resources management or courts offices management. These built off of major achievements in 2017, including having MJP's courts assessment report endorsed at the highest level of the Ministry of Justice; completing an organizational assessment of the Ministry of Justice; launching the design of an integrated information system for the Ministry; initiating a pedagogic partnership with the INFJ; launching the renovation of the DNAJ and several courts; and assisting the DNAJ and other directorates in drafting several legal documents such as laws or decrees.

COMPONENT 2

Component 2 several milestones achievements during the reporting period with (1) a workshop on the results of the mapping of the informal justice sector, (2) the editing, printing and distribution of the report of the mapping, (3) the capacity building training of partner organizations in monitoring and evaluation, and (4) major grant activities implemented by CSO partners. The Component, as part of the project synergy contributed to the efforts of Component 3 particularly three through the facilitation of the national debate on the free movement of people and goods in the West Africa Monetary Union (WAMU) countries. Additionally, the Component worked with Component 1 in organizing a one-month long support program for 102 women candidates to the recruitment of magistrates.

The Component also hired a new Advocacy Officer who will work closely with partners especially the platform Hakew Sabatili for changes in policies and practices, the overall aim being the improvement of access to justice. Partner groups, through the work of their paralegals and legal assistance schemes were able to reach out to 18,660 people in various regions the majority of whom are women and the youth. Various topics are dealt with by Paralegals including the issue of Gender-based violence and the trafficking in persons, two issues that mostly affect women in the Malian society. Component Staff and the Grant Manager regularly conduct field visit to monitor activities but also to provide technical assistance in the overall project governance but also in activity reporting. The component expects to embark on a major communication plan while delivering more capacity building interventions in the next provided that the realigned budget in the pipeline is approved by USAID.

COMPONENT 3

During this period Component 3 realized a long-anticipated synergy of program activities that utilized different organizational and communications approaches to raise the profile of Mali's anti-corruption movement and to develop leverage with decision-makers to enact positive change to reduce the costs of rent-seeking in Malian daily life.

Building upon earlier organizational efforts to develop the Sikasso Platform for the Free Movement of Persons and Goods and the *Conseil National du Patronat des Employeurs*-sponsored “*Cadre national de concertation*,” a holistic campaign of public debate, lobbying and engagement with political decision-makers was the highlight of Component 3 activities this quarter.

This series of events culminated in the launch of the Component 3 communications program with Studio Tamani, which produces and broadcasts a variety of programming on 70 FM radio stations throughout Mali. These include short- (60 second) and long-form programs in as many as four national languages to raise public awareness, to inspire civic action and to engage government officials in the campaign against economic harassment of civilians. Additional communications activities were launched with the collaboration of the United Nations/MINUSMA-sponsored Radio Mikado and with the SKBO network of radio stations serving the border region of Mali, Burkina Faso and Cote d'Ivoire.

Additionally, the results of earlier Component 3 analytical activities were used to inform lobbying efforts to eliminate regulations that give rise to corruption and rent-seeking. The Gap Analysis, completed in 2017, identified international engagements approved by the Government of Mali, yet which remain unimplemented. These give rise to barriers to the free movement of goods and persons and create opportunities for rent-seeking by government officials responsible for ensuring security and legal order on Mali's roadways.

Crucial elements of MJP success during this period were the expanded efforts of Project-assisted citizen advocacy offices (*Bureaux de plaidoyer Citoyen* or BPC) to ensure daily representation at multiple border crossings where BPC services are most in demand. BPC operations also continued in the cities of Sikasso and Koutiala.

Other accomplishments included increased engagement with USAID-funded Feed the Future partners (Cereals Value Chain and Livestock for Growth) and incipient collaborations with youth-oriented NGOs, activists, and “artists” in both Bamako and Sikasso Region.

I.0 COMPONENT I: ENHANCE JUSTICE SERVICE DELIVERY AND EFFICIENCY OF JUSTICE SECTOR INSTITUTIONS

ACTIVITIES AND ACHIEVEMENTS

I.1 SUPPORT TO DNAJ AND OTHER CENTRAL SERVICES

I.1.1. DNAJ Capacity Building

An evaluation report of the DNAJ was developed and will be presented to the Ministry in the same way as the other structures audited, as part of comprehensive consolidated organizational report that provides a detailed and exhaustive analysis of all the MOJ central organs. This report will allow the Ministry to have a full and objective understanding of the way its various structures are functioning, and it will thus contribute to a culture of good governance, in line with the objectives of the MJP and the Malian authorities.

I.1.2. MOJ Directorates Strategic Planning

As mentioned above, several institutional evaluations were completed regarding the MOJ directorates and central services: DNAJ, DNAJS, CPS, DNAPES, DFM and INFJ. Interim reports were distributed to the SEGAL's office and to the concerned Directorates. A synthesis report shall be drawn from all these evaluations which shall be shared with the Minister of Justice and the Heads of Directorates as part of a comprehensive strategic planning for the whole Department of Justice. This report should be a strategic tool for the Ministry in its quest to improve the Justice sector's governance.

I.1.3. MOJ Financial and Budgetary Management

Beginning January 1, 2018, the MOJ's budgetary structure will move to a "budget-programme" approach. Fruitful contacts were made with the Ministry of Finances and an upcoming joint workshop will layout the cooperation between both ministries to improve the MOJ budget and finance management. However, MJP faces some reluctances within the Department of Justice to move to a more efficient and transparent management.

In the meantime, the MJP Public Finance Specialist finalized the following deliverables:

- Creation of a directory of laws and decrees which govern the management of public finances in Mali;

- Review of the regulatory texts ruling the budgetary and legal accounting of jurisdictions to better appreciate the accuracy of the regulations applicable to Courts and Tribunals management;
- Assessment of the management of incomes and resources generated by Courts and Tribunals;
- Finalization of a draft manual of planning and implementation of the Budget-programs of the Ministry of Justice;

1.1.4. Rewriting the code of criminal procedure

The previous Minister of Justice personally tasked MJP to rewrite the code of criminal procedure (CCP). This important initiative, by its volume and its issues, is entirely done with Component I's team skills. The phase of interviews with Malian legal practitioners and International Organizations' specialists (ICRC, EUCAP, and MINUSMA) is near completion and the work of rewriting is underway. The draft new CCP will be presented during a major workshop of validation in the next quarter.

During these interviews, stakeholders in the criminal justice system have had the opportunity to comment on the shortcomings in the implementation of the CCP. For example, they made relevant proposals regarding the elimination of the *Cour d'Assises* in its current organization to reduce the current congestion in prisons due to inmates awaiting trial because of the lack of sessions of the *Cour d'Assises*. As an example, the Bamako Prison was built with a theoretical capacity of 400 convicts, but it is currently keeping in custody more than 1,900 inmates including over 1400 being detained *provisoirement*.

1.2 COURTS EQUIPMENT AND MANAGEMENT

1.2.1. Courts rehabilitation

In its work plan for 2018, MJP proposed the QIP be extended to all 3 Courts of appeal and 12 District Courts of the Country. The authorization to go ahead with two of those 3 QIP (Districts 3 and 4) is still pending. The calls for tenders have been completed, and the environmental impact reviews have been submitted to USAID. As soon as the authorizations are given, and the procurement process is finalized, MJP is committed to keep moving in the right direction with this work. MJP has already successfully completed the renovations at DNAJ and the premises are now highly improved. The work quality has been acknowledged by a technical controller who supervised the renovations throughout the whole process.

1.2.2. Courts computerization

A substantial call for tender was prepared and submitted to Checchi's headquarters in order to computerize all USG supported sites. The implementation will start as soon as the Year 3 workplan and the realigned budget have been approved by the Mission. MJP plans to provide computer and office equipment to 3 Courts of Appeal, 10 District Courts (TGI), and 6 central services as part of the computerization of the Department of Justice. This equipment (computers, servers, photocopiers, printers, etc.) will allow all the Courts and central services of the Department of Justice to use computerized tool for court management and will also

allow the judicial staff to be more efficient in the execution of their work and unload the courts of constraints related to power outages and/or lack of tools.

1.2.3. Courts management

The case load management issue is on hold since the MOJ tasked Algerian experts to adapt their integrated Courts offices management system and criminal record among others. However, MOJ partners – if not the Ministry itself – still have no clear view of what will come out of this expertise. Coordination with the Algerian mission has been quite weak up to now.

Meanwhile, the Clerks Offices management expert hired by MJP released his technical assessment at the end of December 2017. His report provides the MOJ and MJP with very useful assessments and suggestions regarding Courts Offices management. On November 2, 2017, the said expert introduced his major findings and suggested ways forward as part of the modernization of Mali Courts offices, in presence of the then Minister of justice, Mr. Mamadou KONATÉ. MJP has since submitted the report to the Department of Justice and waits for their decision to launch an approval workshop of these recommendations.

1.3 HUMAN RESOURCES MANAGEMENT

1.3.1. Reforming HR management

A high-level HR management expertise has been planned and expertise has been identified to assist the Ministry in conducting a comprehensive review of its Human Resources management. A request for this consultancy will be submitted to the Mission at the beginning of the next quarter. In the meantime, several HR management manuals were prepared in connection with staff representatives and the Permanent Secretary (HR rules and procedures, HR management processes, HR recruitment, HR evaluation). These drafts are currently being shared with the HR Division of the DNAJ.

1.3.2. Drafting a new charter for courts clerks

Thorough consultations were held with various stakeholders to review the Courts Clerks' charter. A strategic note on the evaluation of the charter of registrars and secretaries of Courts and public prosecutor's offices of Mali was submitted to the Permanent Secretary of the MoJ. The decision to move on and amend their current statutory rules will depend on the outcomes of the workshop here above mentioned (cf. 1.2.3).

1.4 INFORMATION SYSTEM

MJP continued its effort to support major MOJ directorates (DFM, CPS, INFJ, ISJ, DNAJS, etc.) in designing an information system that would allow a better flow of information at central and regional levels. A draft RFQ to design and install a robust but attractive Intranet for the Ministry of Justice is almost completed. This interesting possibility will be soon presented to the Ministry and hopefully extended at low costs to the whole MOJ.

To achieve these objectives, the Mali Justice Project intends to interconnect a dozen of Courts and six central services for networking. This will allow Courts to work more efficiently in a

system to centralize management and criminal records. This network will facilitate the acquisition of several court cases including criminal ones. Moreover, the MJP will also provide the Department of Justice with an intranet service that will be the internal showcase of all the technological changes that we will put in place. The intranet will allow the judicial staff to easily reference information and access to the new information system.

I.5 IMPROVING LITIGANTS' EXPERIENCE

I.5.1. Making justice accessible to Malians

Over the last quarters, MJP launched an ambitious initiative named “Explaining Justice to Malians.” Around 100 common dispute case examples were designed by Component 1 staff and are currently under review by our Senior Magistrates. These legal cases analysis address all branches of law: civil law criminal, commercial law, electoral law, banking law, consumers and competition law, public procurement law. They also cover many different institutions and entities which implement justice (common courts and special courts, magistrates, lawyers, notaries, clerks). This reference shall be soon published and made available for Legal Clinics, local mediators and CSOs active in the field of Access to Justice.

The next step of “Justice explained to Malians” will be the dissemination of these practical cases in a way which makes them accessible to the greater public. In connection with Component 2, this will imply cultural, linguistic, and anthropological adjustments and identification of appropriate vectors such as local radio, street theater, billboards, etc. These legal cases will also give rise to topics or chronicles which will be published in newspapers of general circulation and broadcasted daily or weekly, in French or in local languages.

NEXT STEPS AND CHALLENGES

In the coming quarter, Component 1 shall focus on:

- improvements of financial and budgetary procedures at directorate and Courts levels;
- design and implementation of the information decision making system of the Ministry;
- a computerized management of human resources and of central services and jurisdictions, in close cooperation with the EU Justice Project (PAJM);
- rehabilitation of 2 Courts;
- communication actions plan on the Malian perception of formal justice;
- upgrading the administrative and training capacities of the INFJ.

2.0 COMPONENT 2: INCREASE IMMEDIATE ACCESS TO JUSTICE

ACTIVITIES AND ACHIEVEMENTS

2.1 INFORMAL JUSTICE MAPPING

2.1.1 The Completion of the report of the informal justice sector:

The results of the mapping were shared with various stakeholders during a workshop held on October 5, 2017 at Hotel Salam. 75 persons attended the workshop and they included civil society leaders, informal and formal justice sectors actors, members of the reference group that was established early on with the purpose of guiding the exercise, Embassies, USAID, MINUSMA staff, community leaders and media.

Key results were presented, discussed and sometimes challenged by the audience. Some participants, especially traditional communicators argued that the use of the term “informal” to qualify Justice, as it’s been delivered in various Malian Communities for centuries, is in itself diminishing. It also ignores the value communities attach to a system that in a way has defined them over time. Many suggested that MJP uses the concept of traditional justice instead. This argument had nothing to do with the content of the research or its key findings. They found that historically or culturally-linked justice services are not “informal”. They obey specific rules and are embedded in cultural settings that have stood the test of time; therefore, such justice system should be valued.

Another key finding largely discussed was the respondents’ opinions of informal Justice. It is said to be delivered in a rather fast fashion-compared to the State system – it treats parties equally and its outcome always preserves social cohesion since it is reconciliatory and not punitive. Informal justice is less subject to corruption. However, many of its decisions remain unenforced due to the lack of collaboration with formal or State justice system and some of the users can always oppose or contest a decision.

In consideration of citizens’ perception of the two justice sectors and the challenges currently faced by the country, participants recommended the following:

- A series of dialogue among the actors of the two justice sectors as a way to open or reinforce collaboration among them on the basis of mutual respect and recognition;
- Formal State recognition of the informal justice sector through a legislation of other relevant Government acts and the delimitation of its competencies as to the subject matters or monetary value of cases they can address. Such formal recognition will help establish the basis for collaboration between the two sectors of Justice;

- Endorsement of uncontested decisions of the informal justice by the formal justice system: Even though this will be subject to parties' willingness to take that route, such endorsement will prevent the reoccurrence of the same issues already dealt with or any further claim by a malevolent party or heir of any party.
- Capacity building exercises for actors of informal justice sector on the limits of their powers and on the State formal system in general and its importance in a diversity context
- Dissemination of basic legal instruments on human rights in local languages for an increased access to Justice. French is only accessible to a minority of Malians despite the fact that it is the official language of the country.

Participants have also recommended a wide dissemination of the report and emphasized the need for a formal and stronger collaboration between the two sectors of Justice.

2.1.2 Radio programs on the mapping and its results

Following the workshop, MJP conducted two radio programs on informal justice and access to Justice at MIKADO, the MINUSMA radio station which has demonstrated strong interest in the subject matter. The first radio program was aired on October 11, 2017 in French whereas the second one was conducted in Bamanankan. Both programs were pre-recorded and broadcast multiple times. The Component Team Leader and a representative from DEME-SO (a CSO partner) participated in the program.

2.1.3 Printing and Dissemination of Hard Copies of the Report

Following the workshop, MJP Component 2 team edited the report and printed 1,200 copies that were distributed to various stakeholders including: Ministries (Ministry of Justice, Ministry of Women and Family), Embassies (USA, France, Holland), Multilateral donors (EU, UN), Bilateral donors (USAID), Courts and tribunals (Supreme Court, Court of Appeal of Bamako, the six tribunals of Bamako), University faculties (Law and Social Sciences), Civil Society Groups (AMSS, DEME-SO, APDF, PROMODEF, WILDAF, CAFO, AJM, GARDL, CRADE, ODI SAHEL, CAFO/AJSS, RECOTRADE).

2.2 GREATER PUBLIC ACCESS TO PARALEGALS AND LEGAL SERVICES (SUB-GRANT ACTIVITIES)

Sub-grants activities have entered a very active phase as most of the grantee organizations launched their programs around end of the previous quarter. The Grant Manager and the members of the Component 2 Team provided technical assistance to the grantees in multiple forms through regular field visits, coaching, and training. The following are the narrative highlights of the quarter. See Annex B "Grant Award Summaries" for further information on achievements and disbursements.

2.2.1 Grant achievements

Four out of the eight grantees have submitted two reports and attained all their deliverables for the reporting period. Two grantees have achieved 50% of their deliverables and two others have realized between 63% and 85% of their deliverables.

AMSS and PROMODEF submitted requests of reprogramming some of their activities during the reporting period. PROMODEF requested to organize 3 stakeholders' consultation and collaboration meeting also called "synergy meetings" per quarter instead of two covering all the three Cercles: Kita, Diéma and Bafoulabe. Their request was granted. AMSS requested to reprogram two of their deliverables for the next quarter. The request was justified and has been approved. The synergy meetings bring together paralegals, judges and administrative authorities (Prefects and Sub-Prefects) traditional leaders (Actors of Informal Justice). They serve as an opportunity of giving and providing feedback as well as exploring the best ways of collaboration while paralegals are reminded of the limitation of their role and responsibilities.

2.2.3 Sub-Grants in the pipeline:

Five grant files are being revised and, given the fact that the project has already entered its third year, it is proposed that the last batch of grants be programmed in two phases: the first phase will fit within the contract base period (November 2018) and a second phase to be covered if USAID approves and extension of the Mali Justice Project.

2.2.4 Field Monitoring Visits

During the reporting period, field visits were conducted by the Grant Manager, in collaboration with the Institutional Capacity Building Specialist and the Team Leader of Component 2. These visits were aimed at ensuring the efficiency and effectiveness of project management system for MJP-funded projects, in accordance with the contracts signed with CSOs. Specifically, the monitoring visits aimed to:

- Review of activities implementation status with the management team in comparison to the grantee's work plan
- Review of the implementation strategy in accordance with contract documents
- Review the deliverables submission and the disbursement process
- Review of financial management tools aimed at identifying gaps and areas for improvement pursuant to procedural requirements
- Review of the grant documents filing and archiving system
- Provide technical support to the management team, when necessary
- Make recommendations as to how the partner can improve its management.

Most CSOs are up-to-date regarding deliverables, such as AMSS, DEME-SO, PROMODEF, GARDL and AJM. However, there are some difficulties and delays in submitting deliverables related to often short terms in the submitting deliverables (case of ODISAHEL) and the delays for security reasons (case of GREFFA operating in the region of Ménaka).

Regarding compliance with funds management procedures, a few observations were made:

- GREFFA: the lack of systematic internal control represents a risk;
- GARDL: needs some updating in its internal procedures to meet the required standards,
- PROMODEF, DEMESO and AJM, CAFO/AJJSS: a close monitoring is necessary for the current practice to be improved in order to have a management system that meets required standards.

Technical and administrative support as well as complementary management tools were made available to CSOs to enable them to improve the quality of their work.

2.3 CSO'S ILLUSTRATIVE ACHIEVEMENTS

During the reporting period, seven (7) grantees (AJM, AMSS, DEME SO, GARDL, GREFFA, ODI SAHEL and PROMODEF) implemented activities pursuant to their plans and disbursement schedule. These activities focused on:

- Facilitating citizens' understanding of human rights and conditions of access to justice;
- Capacity building for local actors facilitating access to justice;
- Synergy meetings with local authorities and other stakeholders.

2.3.1 Facilitating Citizens' Understanding of Human Rights and Conditions of Access to Justice

With the aim of ensuring a better understanding of human rights and access to justice mechanisms, each of the seven CSOs, pursuant to their planning, conducted activities in this direction within its intervention zone. Highlights include:

- 1191 face-to-face awareness sessions on topics including: women's rights, children's rights, labor law, land rights, inheritance, pastoral charter, peace/reconciliation/conflict prevention. It should be noted that the awareness sessions conducted by the paralegals vary from one organization to the other and depend on the social context. The choice of the topics depends on the target community and the type of legal issues that occur frequently. Through these sessions, Paralegals were able to reach 18,660 people directly (see Table 4 in Annex B).
- 1513 messages on access to justice were broadcast in local languages as a way to further reach the general public.
- 92 people were provided guidance by Paralegals employed by PROMODEF in the region of Kayes, 11 by paralegals of DEME SO in Sikasso, 2 by paralegals employed of GARDL in Kidal. In the case of Kidal, the absence of the State Justice system means that guidance is provided only on the use of the informal justice system.
- 62 mediations on marital disputes were conducted by legal clinics.
- 15 legal consultations were performed by the legal clinics of AJM. These are:
 - 3 cases of sexual harassment in Mopti. The victims benefited from legal assistance.
 - 3 cases in Bamako including: 1 case of repudiation, 1 case of family abandonment, 1 case of divorce. Victims were all informed about their rights and the legal procedures.
 - 3 cases in Gao dealing with inhuman or degrading treatments, psychological and emotional abuses. As a result, the victims were referred to specialized centers for care.
 - 3 cases in Timbuktu, including 1 case of forced marriage, 1 case of pedophilia, 1 case of rape. For the last two cases, lawyers were hired to engage criminal procedure.
 - 2 cases of physical assault and injury in Kayes.

- 8 legal assistances provided including 6 in Bamako and 2 in Kayes by AJM.

In addition to these actions, CSOs have translated extracts of legislation into local languages and disseminated them to improve access to justice and understanding of human rights. The work of GARDL must be highlighted here as the organization produced 1,100 flyers in local languages with 336 distributed to the media for further dissemination in Kidal.

2.3.2 Capacity building for local actors

Two training sessions were conducted during the period for actors facilitating access to justice (judges, religious leaders, community leaders and traditional communicators) on modules such as: Gender Based Violence (GBV), human rights, land rights and non-violent management of conflict. These training sessions involved 100 people in Mopti with ODI SAHEL and 30 people in Timbuktu with AJM.

Some CSOs found it relevant to train local actors facilitating access to justice on their roles and responsibilities, but especially on legal texts. It is in this context that ODI SAHEL trained 100 community and religious leaders in the region of Mopti on the modules of human rights and rights for women and children, marriage law, land rights, and conflict management.

At the end of these sessions, the participants generally expressed their satisfaction about the relevance of the topics addressed, which in their opinion constitute major concerns.

2.3.3 Dialogue sessions

Three organizations (AMSS, GARDL and POMODEF) conducted 13 dialogue sessions during the reporting period with a total of 634 participants. The aim of the dialogue sessions is to help citizens to, collectively, find solutions to issues affecting citizens' access to justice. The sessions also help facilitate collaboration between different actors at local levels. The following sessions were reported on by the partners:

- 6 dialogue sessions organized by AMSS in 6 communes of the districts of Goundam and Timbuktu, in the region of Timbuktu on the topics of: identifying the best local practices in social cohesion and conflict resolution. These sessions brought together 284 people, including 49 women and 48 young people.
- 3 dialogue sessions organized by PROMODEF in Kita, Bafoulabé and Diéma in order to create synergy between the paralegals and the actors of both the formal and informal justice sector. The three sessions recorded the participation of 150 people.
- 4 Dialogue sessions organized by GARDL in Kidal, Tinessako, Abeybara and Tessalit on the topic of Gender-based violence (GBV). A total of 200 women participated in the sessions.

2.4 GENDER MAINSTREAMING IN COMPONENT 2

Specific gender mainstreaming interventions were implemented during the reporting period. They were mainly capacity building interventions in combating gender-based violence (GBV) and preparatory courses for women taking the national judge's recruitment exam.

2.4.1 Training for Actors Involved in the Management of Gender-Based Violence Cases in the Regions of Ségou and Koulikoro

Actors involved in the holistic management of Gender-Based Violence (GBV) cases from the regions of Ségou and Koulikoro were trained.

Capacity building for these actors is helping to increase access to justice for GBV victims, including women, children and other vulnerable groups. The training of 50 additional participants including 18 women and 32 men composed mainly of magistrates, court clerks, health and social development services, civil society organizations, lawyers and other court officers and the press (national TV, written and proximity radio) reinforcing the existing and absent (depending on the region) assistance mechanisms and protocols, in some regions. Regarding the process managing cases and assisting victims, some deficiencies were identified and corrected, such as the roles of different actors, while insisting on the need for collaboration between actors across institutions (for example, doctors and magistrates).

2.4.2 Support to 100 Female Candidates in the National Recruitment of Judges

MJP organized training courses for a select number of female candidates in the competitive judges (*Auditeurs de Justice*) recruitment process. MJP contracted with Law professors for one month during which subjects to be administered during the test were taught and practical discussions organized among the candidates. The objective of this activity was to better prepare women candidates to pass the test and increase the number of women in the judiciary. An evaluation was performed at the end of the course and recorded a 100% satisfaction on the part of the beneficiaries. The expertise of the professors selected by MJP was highly commended by the candidates in the evaluation. MJP plans to conduct more capacity building for those who pass the written test.

2.4.3 Capacity Building Intervention

MJP conducted capacity building training for 14 staff members from partner groups in monitoring and evaluation. The training took place over five days and was delivered by CESDI, a local capacity building firm. The target participants were staff of grantees and future grantees who are or will become M&E Officers. All grantees and future grantee organizations participated.

NEXT STEPS AND CHALLENGES

In the coming quarter, Component 2 will focus on:

- Series of five dialogue sessions between Actors of the informal and the formal Justice sector: Sessions will take place in Gao, Timbuktu, Mopti, Kayes and Sikasso;
- Capacity building training for partner groups in Communication and Reporting, Political Advocacy, Mediation and Conciliation;
- Advocacy and Communication Campaign on Access to Justice in conjunction with the Hakew Sabatili platform;
Monitoring of CSO activities through field visits and training of new grantees in MJP grants management requirements.

3.0 COMPONENT 3: ACCESS TO JUSTICE INCREASED AND CORRUPTION REDUCED ALONG THE SIKASSO-KOURY AND SIKASSO-HEREMAKONO TRADE CORRIDORS

ACTIVITIES AND ACHIEVEMENTS

3.1 REDUCED LEVEL OF CORRUPTION ALONG SIKASSO-KOURY AND SIKASSO-HEREMAKONO TRADE CORRIDORS AND INCREASED TRADE

3.1.1 Establishment of the “Sikasso Regional Anti-Corruption Platform” and establishment of a counterpart “Cadre de Concertation” in Bamako

Because corruption cuts across all institutions and levels of Malian civic life, efforts to combat corruption require similarly transversal participation by governmental and civil society actors. Hence, one of the key initial objectives of MJP’s anti-corruption component has been to develop and support several organizations that serve as catalysts for raising public awareness of corruption, organizing concerted action for reform and negotiating the demands of civil society with policy-makers and those in position of authority.

Two very different organizations have developed active partnerships with the Mali Justice Project’s anti-corruption component. The Sikasso Platform for the Promotion of Free Movement of Persons and Goods was launched with the assistance of MJP in December 2016. Comprised of more than 24 business associations, professional groups and civil society organizations, the Platform is focused on the major trade corridors that link the Sikasso Region to northern Mali and coastal trading partners to the south. The Platform’s principal purpose is to act as an advocate for its association members in all matters pertaining to economic or political harassment of vehicles and passengers. Chief among the Platform’s concerns is the matter of roadside extortion by authorities charged with security and other control-related issues.

During the period covered by this report, the Platform embarked on an ambitious lobbying effort in Mali’s capital, Bamako, and throughout the Sikasso Region. (See below.)

The second organization that has partnered with Component 3 of the Mali Justice Project is the *Conseil National du Patronat des Employeurs*, a lobbying and representative group of private businesses, both large and small. Among the Patronat's strengths is its national reputation as a convening organization that can promote dialogue across segments of society and its acknowledged role as a good faith broker in matters of controversy affecting Mali's business community.

MJP's collaborations with both the Sikasso Platform and the *Conseil du Patronat* are aimed at supporting initiatives (e.g. lobbying, promoting public awareness, high profile debate and negotiation, etc.) that advance processes of behavioral and regulatory reform that support public awareness and the restoration of integrity in the performance of public agents and government officials.

The highlight of this collaboration during the past quarter occurred when MJP and the *Conseil National du Patronat des Employeurs* co-hosted a "national debate" on corruption and the free movement of persons and goods. Overall attendance included approximately 170 persons. Participants represented numerous GOM ministries, agencies, control services, elected members of the National Assembly, donor agencies, professional associations, individual economic operators, representatives of USAID-funded projects and civil-society organizations. Participants also included an eight-person delegation from the Sikasso Platform. The debate, scheduled to take place over a three-hour period, was sufficiently animated that it extended for an additional two hours. This event received extensive media coverage that included the press, radio, bloggers and social media. A Twitter stream of the debate reached 51,270 users, while the live video feed of the event that was posted on the USAID Facebook page reached 2,400 viewers.

Development of Local Advocacy Capacity and Training

A key element of this quarter's activity focused promoting the advocacy capacity of MJP Component 3's partners. During the previous year, the Component 3 technical team invested significantly in training partner organizations on the development of advocacy arguments and the identification of issues having high priority in efforts to combat roadside corruption. In addition to a 2017 training workshop devoted to advocacy, numerous technical meetings were held to assist members of the Advocacy Committee of the Sikasso Platform to articulate arguments with analysis and rhetoric that reflects their own experience of corruption and rent-seeking.

Following collaborative technical assessments, members of the Sikasso Platform and the Component 3 technical team identified four policy issues that the Platform and MJP to focus on during the coming year: a) eliminating all customs inspection points in the Malian interior (conforming to national treaty obligations); b) suppression of the requirement for "Declaration of intent to export" for livestock and cereals; c) Malian government issuance of "macaron" decals for commercial vehicles in conformance with UEMOA rules governing the free movement of goods and persons, and d) overall reduction in the number of control posts in the interior of Mali. Briefing fact sheets were prepared for each of these topics both in one- and three-page versions, allowing individuals to refer to authoritative documentation

when presenting their position to decision-makers in government. These, in turn, were distributed to member of the Platform, their constituent associations and other interested individuals who might play a role in advocacy on these issues.

During the 3rd week of December 2017 a delegation of eight representatives of the Sikasso Platform visited Bamako to launch a vigorous lobbying effort for which they had prepared for many months. (One member of the delegation also represented the *Comité national de facilitation de transport*.) Among the key targets of this lobbying effort were the following:

- *Direction Nationale du Commerce*
 - Issue: Restrictions on exports to conform to OMC (Article 12) which ensure protection of national consumption. Engagements incurred under agreements with CEDEAO and the UEMOA are of a lesser value than national economic priorities. This matter will be further explored in future discussions.
 - Outcome: The Directorate committed itself to increasing support for lobbying efforts by economic actors and the Sikasso Platform.
- *Direction Nationale des Transports*
 - Issue: Reduction in the number of control posts to conform with signed accords with the UEMOA will be continued gradually.
 - Outcome: Efforts are underway to reduce the legally anomalous presence of the *Service des Impôts*, *le Conseil Malien des Transporteurs Routiers* and Mayors' offices at control posts, in recognition that these are a contravention of Mali's engagements with regional organization.
 - Outcome: Dispositions are underway to institute issuance of *macarons* guaranteeing free movement of commercial vehicles to conform with UEMOA regulations for inter-state traffic.
- *Parquet Général Près La Cour d'Appel de Bamako*
 - Issue: Difficulty in obtaining recognition or support from local judicial authorities in cases of alleged economic harassment by control agents.
 - Outcome: A *lettre circulaire* will be issued by the Parquet General to judicial authorities nationwide to ensure adherence to the requirement for monthly reports on the movement of goods and any contraventions of legal controls. The letter will also encourage legal authorities to support the activities of MJP-sponsored *Bureau de Plaidoyer Citoyen* in the Sikasso Region and to be responsive to legal and administrative complaints about corruption.
 - Outcome: The Parquet Général offered to initiate an inspection mission, in collaboration with the Sikasso Platform, to visit control posts to ensure that they conform to laws and regulations currently in effect.

3.1.2 Establish anti-corruption legal support centers or Citizen Advocacy Offices (CAOs) to serve the Sikasso regional trade corridors

Formal Award of a Grant to CAFO and AJJS for the Establishment of Citizen Advocacy Offices in Sikasso Region

Beginning in May 2017 MJP launched a collaboration with two non-governmental organizations in the Sikasso Region: *Coordination des Association Feminines du Mali-Sikasso* (CAFO) and the *Association de Jeunes Jurists et Sympathisants of Sikasso* (AJJS). These CSOs were awarded a grant by MJP that allowed them to establish Citizen Advocacy Offices (locally known as “*bureau de plaidoyer citoyen*” or BPCs) in Sikasso and Koutiala, along with “relay” representation at border crossings in Koury, Heremakono and Zegoua.

During the reporting period the partner organizations underwent a follow-up training and analytical exercise to review progress and outstanding challenges encountered since the establishment of the first BPC in July. Among the greatest ongoing concerns of the BPCs has to do with encouraging reluctant citizens to come forward with their complaints. Interviews with many prospective clients indicate widespread fear that the filing of complaints could lead to retribution or punishment by authorities who are named in any complaint.

While the Sikasso BPC is ideally-situated along a major roadway leading to the Heremakono border crossing, the Koutiala BPC clearly suffers from a poorly-chosen location which is not easily accessible by the public. The Component 3 team has emphasized the need to relocate this office so that it is more visible and more accessible to roadways that are part of the regional transportation corridor.

Both the Sikasso and Koutiala offices began their operations with a three-person salaried staff, however a team of five paralegals and five jurists regularly staffs the offices, although most receive no compensation.

3.1.3 Build and strengthen political will by mobilizing Government of Mali Agencies and citizen stakeholders for policy reform, enforcement of anti-corruption statutes, and regulations and prosecution/sanctioning of illicit practices

Gap Analysis

In 2017 Component 3 of the MJP completed an update of the “Gap Analysis of the ECOWAS Free Trade Area,” originally conducted by The West African Trade Hub Project in 2011. The Gap Analysis allowed MJP to identify the need for policies and procedures needed to implement the ECOWAS Trade Liberalization Scheme (ETLS) protocols; continuing efforts to adopt unified trade documents (export and phytosanitary certificates, bills of sale, etc.), streamlining of administrative strictures governing export trade, removal of export bans and other restrictions, etc.

Based upon the findings of the updated analysis, the Component 3 team identified the need to obtain agency-level information regarding the specific application of and adherence to the ETLS protocols. Toward that end, Component 3 undertook approximately 30 agency specific interviews, utilizing a questionnaire format, in order to target specific administrative mechanisms that require modification or suppression.

During the reporting period the results of the Gap Analysis were widely reported in a number of public fora, including several long-form national radio broadcasts (Studio Tamani and Radio Mikado FM) and as a keynote presentation in the “national debate” on corruption in December 2017.

Promoting Professionalization and Ethics Among Uniformed Control Services through Training and Technical Assistance

The Component 3 scope of work calls for providing a competitive grant to a private sector organization to promote professionalization and ethics of the uniformed control services through training and technical assistance. While this activity was proposed for Year Two implementation, MJP continues to await the issuance of a waiver by USAID that will allow technical assistance to be provided to uniformed services.

3.2. REPORTING SYSTEMS FOR CORRUPTION

Development of SOW for Corruption Reporting Systems

A request for proposals was issued by MJP for the design of both a crowd-sourced, web-based complaint reporting system and a mobile device app and interactive SMS linked to a web platform. While MJP has sought to identify a provider in Mali, the technical challenges of this task may require procurement elsewhere in the region. Many open platform designs (notably *Ushahidi*) are also being evaluated. We expect that this technical design activity will begin in the next quarter.

Development and Scheduling of Investigative Methods Training for Journalists

Per the Component 3 work plan, training in investigative methods for journalists has been planned for some time. The Component 3 team has completed a training program design and reviewed it with prospective journalist participants. Delays in implementing this task have been the exclusive result of three highly-qualified African trainer candidates who have refused to cooperate with USAID-required vetting procedures to substantiate and establish daily consulting rates. In November the Component 3 team expand its efforts to identify a suitable training from outside the West Africa region. We are in the final stages of recruitment and expect this task to be implemented during the month of February 2018.

3.3 EDUCATION AND AWARENESS

3.3.2 Development of a multi-faceted communication strategy

Launch of National Radio Communications Campaign

During the reporting period Component 3 launched ongoing national communications campaigns using radio and social media to a) heighten public awareness and increase public understanding of the phenomenon of corruption, and b) to target regulations and behaviors that contributed to widespread corruption in Mali. These campaigns are being carried out principally in the French and Bambara languages, although many broadcasts have already been produced in other national languages as well.

In October 2017 MJP signed a radio production and broadcasting agreement with Fondation Hirondelle, the parent organization of Studio Tamani. Studio Tamani, a non-governmental organization, manages a network of 70 independent FM radio stations, providing them with daily news and public service programs in French, Bambara, Fulfulde, Tamasheq and Sonray.

MJP's agreement with Studio Tamani provides for the production and broadcasting of a variety of programs, including: a) short informational "spot" announcements, b) 3 to 5-minute radio "magazines," ideal for short news and informational features, c) 8-minute radio theater presentations, and d) long-form (45-minute) radio debates, call-in programs and other in-depth presentations.

During the October-December period, Component 3 radio programming was scheduled to highlight issues and activities related to the United Nations International Anti-Corruption Day on December 12. Coverage included the MJP-sponsored national debate on corruption as well as long-form programs examining the phenomenon of corruption, Mali's own record of anti-corruption activities vis a vis other African nations and outcomes of various MJP research activities that have identified regulatory and policy shortcomings that give rise to corrupt behaviors and strategies to overcome them.

Additional progress was made during this period in establishing an ongoing collaborative relationship with Radio Mikado FM, the United Nations/MINUSMA. An initial long-form broadcast was produced in December with others to follow in the future.

Assistance to the SKBO Radio Network

MJP has inaugurated a program of technical assistance to the SKBO (Sikasso-Korhogo-Bobo Dioulasso) network of 12 radio stations, all of which are in the Mali-Burkina Faso-Cote d'Ivoire trans-border region. This activity will be coordinated through Radio Ciwara, a Kadiolo-based private FM station that has, in the past, played a pivotal role in the creation and evolution of SKBO. The SKBO network shares a collaborative rural development mission and a focus on economic and social life in the trans-border regions. They already share programming production and broadcasting. MJP's collaboration with the SKBO network is a unique effort, given that it will promote improved knowledge of citizen rights and obligations to a population whose economic lives constitute "ground zero" for roadside corruption in the border region. We expect that programming supported by MJP will prove to amplify and complement public information efforts of the MJP-sponsored Citizens' Advocacy Offices and the Sikasso Platform for the Free Movement of Persons and Goods.

Liaison and Collaborative Planning with Sikasso Region Media

In keeping with the Component 3 scope of work, outreach efforts were undertaken during the reporting period to identify additional radio stations and/or networks who might play an effective role in combatting corruption in the Sikasso Region. The Component 3 Communications Advisor has evaluated several of these as candidates for technical assistance which would allow for greater promotion of public participation in the Sikasso Platform for the Free Movement of Persons and Goods and to encourage prospective clients of the MJP-

sponsored BPCs. It is expected that at least one additional grant or service agreement will be forthcoming during the next quarter.

Development and Launch of a Social Media Communications Plan for the “Aucun Paiement Sans Quittance” Campaign

Following approval of the Component 3 social media strategy by USAID during the reporting period, MJP has launched several social media activities under the theme “*Aucun paiement sans quittance.*” Four social media platforms have been prioritized for the campaign: *Facebook, Twitter, YouTube and WhatsApp*, with initial activities focused on Facebook. Since the launch of this campaign, USAID has regularly utilized links from the MJP social media campaign, incorporating them on USAID social media. The video posting of the December “national debate” on corruption alone captured more than 2,400 views.

3.3.3 Improved Capacity of Women to Combat Corruption and Avoid Being Targeted by Corrupt Agents

The Component 3 technical team has been collaborating with the *Cellule Technique des Reformes du Climat des Affaires (CTRCA)* of the *Ministere de la Promotion de l’Investissement et du Secteur Prive* to develop training modules, identify trainers and to develop a calendar for implementation of training for women entrepreneurs in business processes (a Component 3 deliverable). The training program will consist of three one-day sessions to be held in Koutiala, Sikasso and Kadiolo, utilizing trainers and materials developed by CTRCA. Implementation will take place during the period February-March 2018.

NEXT STEPS AND CHALLENGES

Activities during the next quarter will include several new initiatives, although the greater effort will be on consolidating forward movement of activities and organizational infrastructure already in place. These will include:

- Advancement of anti-corruption lobbying efforts through support for specific activities of the Sikasso Platform for the Free Movement of Persons and Goods and the Bamako-based *Cadre de Concertation*. These activities will follow from 2018 lobbying efforts and specific engagements undertaken with GOM agencies and legal institutions.
- Strengthening of the Sikasso Platform for the Free Movement of Persons and Goods through assistance to targeted technical efforts that can produce quantifiable outcomes. This will include greater efforts to integrate the activities of the Platform and BPCs to attract a larger number of citizens filing complaints against rent-seeking officials.
- Continued development of public awareness of corruption and strategies to combat corruption using nationally- and regionally-focused media. In addition to existing collaborations with Studio Tamani, Component 3 will enhance collaboration with the United Nations/MINUSMA-sponsored Radio Mikado FM, the SKBO trans-border network and local radio stations in the Sikasso Region.
- Component 3 will expand the reach of the “*Aucun paiement sans quittance*” campaign via social media, adding several additional platforms.

- Media efforts will take on a broader focus to address the role of a wider range of civil society activists and organizations. Efforts will specifically target youth audiences to encourage their participation in anti-corruption campaigns and programs to promote public integrity. The engagement of cultural “artistes” as spokespersons for public integrity will be enhanced.
- Training of journalists in the legal and technical aspects of investigation, including personal and data security and ethics.
- Implementation of a study tour for Malian anti-corruption leaders in government and civil society. The study tour is proposed to visit Rwanda, focusing on that nation’s accomplishments in combating corruption and providing advocacy services to victims of roadside corruption

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