

Electronic Case Management System (IECMS) SPIU	regularly maintained		
	Skilled ICT staff may move to other attractive institutions	Lack of ownership of management of IECMS that may lead to ineffectiveness of the system	Retention measures are applied

5.3 Organizational risk assessment

MINIJUST and other government institutions have defined policies /laws /rules adopted to minimise risks as way of reaching to its long-term goals and these tools include among others:

- **The Procurement law:** This is a national procurement law that is exercised by both private and public institutions where by in its article 14 emphasises **e-procurement** which is the use of electronic system, especially the internet, by procuring entities in conducting their procurement relationships with bidders for the procurement of works, goods or supplies, and consultancy and non-consultancy services required by these entities and open tender process should be made open to all qualified bidders through an announcement and this leads to low malpractices which are found in procurement processes
- **The Presidential order determining modalities of imposing disciplinary sanctions to public servants:** The Presidential order NO 65/01 of 04/03/2014 determining modalities of imposing disciplinary sanctions to public servants. It provides for specific sanctions for specific misconduct behavior¹.
- **The Anti-Corruption policy:** All government institutions including MINIJUST implement National policy for fighting against corruption backed by the amended law N° 54/2018 of 13/08/2018. **Article 10** on Embezzlement states that any person, whether public servant or any other agent in charge of public service or working within public organs, an officer or an employee of a commercial institution, accompany or a cooperative, an agent of an individual, a religious-based organization or any other organization who embezzles funds for personal or someone else's interests property, funds or securities entrusted to him or her by virtue of his or her office, or any person who uses for personal gains, the staff under his or her authority commits an offence. Upon conviction, he/she is liable to imprisonment for a term of not less than seven (7) years but not more than ten (10) years and a fine of three (3) to five (5) times the value equivalent to the value of the embezzled property.

6. Budget

See annex 2

REPUBLIC OF RWANDA



THE JUDICIARY OF RWANDA

P.O BOX 2197 KIGALI

CAPACITY BUILDING OF JUDICIARY AND PROSECUTION FOR EXTRADITED SUSPECTS OF THE GENOCIDE PROJECT

Program 4000002774

July 2019- June 2020



REPORT

September, 2020

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1. PROJECT OVERVIEW

Name of Project	Capacity Building of Judiciary and Prosecution for Extradited Suspects of the Genocide
Beneficiary Agencies	The Judiciary of Rwanda The National Public Prosecutions Authority
Contract Number	Phase II
Program ID	4000002774
Date of Commencement	1 st July 2019
Expected Date of Closure	1 st October 2022
Project Amount (Initial)	EUR 5,429,857
1 st Disbursement	EUR 2,270,000
Total Amount Exchanged	EUR 1,000,000
Balance at 30/06/2020	EUR 1,251,706

Name of Project	Capacity Building of Judiciary and Prosecution for Extradited Suspects of the Genocide
Beneficiary Agencies	The Judiciary of Rwanda The National Public Prosecutions Authority
Contract Number	Phase II
Program ID	4000002774
Date of Commencement	1 st July 2019
Expected Date of Closure	1 st October 2022
Total budget exchanged in RWF	EUR 1,000,000
Exchange Rate of 29/10/2019	RWF 1,023.566624
Total Amount received	RWF 1,023,566,624
Total Expenditure	RWF 121,755,021
Balance	RWF 901,811,603

2. LIST OF ACRONYMS

Acronym	Full Meaning
ASI-D	Africa Smart Investments Distribution
CJ	Chief Justice
CMS	Case Management System
CHC	Commercial High Court
CC	Commercial Court
EAC	East African Community
GBR	Rwanda Governance Board
GFTU	Genocide Fugitive Tracking Unit
HCCIC	High Court Chamber for International Crimes
HC	High Court
ICT	Information Communication and Technology
ICTR	International Criminal Tribunal for Rwanda
IECMS	Integrated Electronic Case Management System
ILPD	Institute of Legal Practice and Development

Acronym	Full Meaning
IT	Information Technology
JRLOS	Justice, Reconciliation , Law and Order Sector
MICT	Mechanisms for International Criminal Tribunals
MoU	Memorandum of Understanding
NUFFIC	Netherlands Organization for International Cooperation in Higher Education
NPPA	National Public Prosecution Authority
RISA	Rwanda Information Society Authority
RLRC	Rwanda Law Reform Commission
RPPA	Rwanda Public Procurement Authority
SPIU	Single Project Implementation Unit
SC	Supreme Court
TB	Primary Court or Tribunal de Base
TGI	Intermediate Court
ToT	Training of Trainers

3. INTRODUCTION

Through the “**Capacity Building of Judiciary and Prosecution Project for extradited suspects of Genocide**” **Phase II, Programme 4000002774**, the Supreme Court received assistance from the Kingdom of the Netherlands by the Arrangement signed on 18/06/2019 between the Minister of Foreign Trade and Development Cooperation of the Netherlands and the Ministry of Finance and Economic Planning of the Republic of Rwanda.

These three years Programme is expected to be implemented as from July 1st 2019 and completed by June 30th 2022 and closed by 1st October 2022.

The expected impact of this project is the improved quality of judgments expressed in terms of its predictability and consistency. The quality of judgment is measured by the rate of cases overturned at appeal level and the confidence of citizens in decisions of courts timely judgment, and transparency of court proceedings as well as fairness of court decisions.

3.0. OBJECTIVES

The overall objective of the project is to improve quality of judgments in the Judiciary and quality investigations in Genocide Fugitive Tracking Unit of the National Public Prosecution Authority (NPPA)

3.1. OUTCOMES AND ACTIVITIES OF THE PROJECT

This report summarizes the activities carried out during the period from 1st July 2019 up to 30th June 2020 through the outcomes and major activities of the project as follows:

3.1.1 IMPROVED LEGAL KNOWLEDGE AND SKILLS FOR JUDGES

The purpose of the Project is to support in improving the quality of judgments. The Judiciary will capitalize on upgrading the skills of the judicial staff by offering specialized training at a level of master's and diploma, exposure of judges to common law Judiciaries through exchange programs and continuing legal education. Thus, the following activities lead to the achievement of this outcome

3.1.1.1: Specialized legal professional training at diploma level provided

This training aims at improving the knowhow skills of judges in art of judging. It will consist of developing and providing specialized and professional training programme at diploma level targeting judges of High Court (HC), Commercial High Court (CHC), Commercial Court (CC) and Intermediate Court who have not benefited from Master's programme.

In total 120 judges will be trained in 8 specialized diplomas namely:

- Develop Criminal process and sentencing diploma program and training to 40 Judges ;
- Develop civil case management and judging diploma programs and training to 40 Judges;
- Upgrade the existing short courses programme of specialized courses and transform them into diploma programme for the six existing courses and training to 40 Judges in:
 - *Practical aspects of contract and tort,*
 - *International crimes and Genocide ideology,*
 - *Persons and family,*
 - *Banking legal practice,*
 - *Practical aspects of economic and Financial crimes,*
 - *Corporate law and insolvency*

3.1.1.2. Continuing Legal Education for Judges is provided.

The purpose of continuing legal education is mainly to equip judges with skills to deal with:

- Challenges encountered or identified while processing cases: new aspects of newly enacted laws, aspects of criminal law;
- Emerging issues: human trafficking, money laundering, children rights, sexual violence.
- Training on Law No 68/2018 of 30/08/2018 determining offences and penalties in general (new penal code) ;
- Training on law No 30/2018 of 2/6/2018 determining the Jurisdiction of courts
- Training on law No 22/2018 of 29/4/2018 relating to the civil, commercial, labor and administrative procedure
- Training on law No 32/2016 of 28/08/2016 as amended to date governing persons and family
- Training on Upcoming criminal procedure law
- Training on emerging issues namely human trafficking, gender based and sexual violence, money laundering, and children rights.

3.1.1.3. Enhanced experience of judges and improved court management through exchange programs with other Judiciaries

This output intends to help Judges and court officials from Rwanda to share information with other Judiciaries about their court systems, legal issues, and the judicial role in rule of law and other practices applied to enhance the quality of judgment. It will provide an exposure of Judges to more experienced judges and more developed judicial systems.

The exchange programme will also help to learn more about principles and practices of the common law system related to:

- *the practices of common law judicial system/ practice of use of precedence*
- *Art of judging in areas of genocide, GBV, Children, contract law, banking*

The activities to deliver this output will include:

- Organization of study tour for judges and registrars in Kenya, Kingdom of the Netherlands and Canada.

3.1.2. CASE BACKLOG REDUCED

In order to support judges to prepare their cases, the Project will provide legal researchers and legal advisors to conduct legal research in various areas of law. Specifically, they will intervene in the following areas:

3.1.2.1: Technical assistance in legal research provided.

The contribution of legal research will be to spare the time of judges during the search of legal documentation that will aid in finding a solution to a legal problem during case processing.

Activities to deliver the output:

- 15 local legal researchers hired
- 2 experienced international legal researchers hired
- 6 Legal translators from Kinyarwanda to English and French hired

3.1.2.2: Improved transparency during court proceedings through the use of court technologies

Transparency in court proceedings increases the quality of judgments and the confidence of citizens in court decisions and enhances the access to justice, as well as supports the knowledge development.

The activities to deliver consist of as:

- Upgrade SOBANUZINKIKO System to allow litigants and citizen to file their complaints in Inspection of courts, denounce suspects of corruption practices;
- Organization of training end users (Court staff and citizens) on the use of SOBANUZINKIKO system: 3 days training for public users (cyber cafes, facilitators and any other interested citizens);
- Payment of hosting fees of SOBANUZINKIKO System;
- Acquisition of 2 Digital courts recording for Court of Appeal;
- Acquisition of 5 smart screens;

- Acquisition of 290 laptops for Judges and Registrars of Primary Courts;
- Acquisition of 38 projectors and 38 projection screens.

3.1.3. ADEQUATE AND EASILY ACCESSIBLE LEGAL INFORMATION PRODUCED AND PUBLISHED.

The Judiciary will improve the accessibility to legal information, mainly law libraries both electronic and physical and electronic, production and publication of law reports.

Specifically the law reports will improve the accessibility and adequacy of legal information by:

1. Harmonization of similar cases rendered by different courts of Rwanda
2. Reduction of cases in courts based on the facts that citizens will have access on rendered cases which can results in providing solution on their issues without attending the courts.
3. Advocates will improve them pleadings through the accessibility to precedent and help to speed up cases proceedings.
4. Law reports translated in English facilitates foreigners to easily access Rwandan Case laws to facilitate the knowledge sharing with other EAC judiciaries and other foreigners interested in Rwanda Judiciary performance such as investors.

1.1.3.1. Technical Assistance in law reporting and small claim procedure provided

Law reports will equip judges, prosecutors and other legal practitioners with information on leading cases decided by higher courts.

The law reporting unit was established in 2015 under the Capacity Building project. At the end of this project, Judiciary recruited 3 permanent Law reporters. The new project will support and consolidate the small permanent team.

The Key activities to avail legal information will be:

- ☐ 4 Law Reporters hired;
- ☐ Produce, print and publish law reports;
- ☐ Publish law reports electronically for easy sharing among judges and other legal practitioners ;
- ☐ Produce, print and publish bench book on Small Claims Procedure;

3.1.3.2. The latest law books acquired and accessibility to online law libraries provided.

In order to help judges to access to useful legal information, Judiciary will acquire latest law books to equip its central library and court libraries and provide access to online law libraries to judges.

The activities to deliver are as :

- ☐ Acquisition of 750 latest law books
- ☐ Subscriptions to two online law libraries (e-libraries)

3.1.4. IMPROVED QUALITY INVESTIGATION IN GENOCIDE FUGITIVE TRACKING UNIT/ PROSECUTION

- ☐ Training of new technicians of Investigators ;
- ☐ 14 Prosecutors the applications for a NUFFIC scholarship to pursue Master's Degree;
- ☐ Training of Prosecutors on International criminal law ;
- ☐ Follow up visits in countries, namely Kenya, Zambia, Uganda, Malawi, Belgium or France and USA;
- ☐ Study tour in Netherlands for 7 National Prosecutors ;
- ☐ Support to GFTU field Investigations activities

4. SCHEDULE OF PROJECT ACTIVITIES

4.1. Action Plan for Judiciary

Below are the project activities plan for the period from 1st July 2019 – 30th June 2020

No	ACTIVITIES	2019		2020	
Nº		Q3	Q4	Q1	Q2
I.	IMPROVED LEGAL KNOWLEDGE AND SKILLS FOR JUDGES				
1.1.	Specialization of legal professional training at diploma level				
	Develop Criminal process and sentencing diploma program				
	1. To hire consultants to develop program on criminal process and sentencing				
	2. Provide training to 40 Judges on Criminal process and sentencing diploma program				
	Develop civil case management and judging diploma programs				
	3. To hire consultants to develop program on civil case management and judging				
	4. Provide training to 40 judges on civil case management and judging diploma programs				
	Upgrade the existing short courses programme of specialized courses and transform them into diploma programme for the six existing courses:				
	5. To hire consultants to develop programs on upgrade the existing short courses				

No	ACTIVITIES	2019		2020	
N°		Q3	Q4	Q1	Q2
	6. Provide training to 40 Judges in six branches of law (Practical aspects of contract and tort, International crimes and genocide ideology, Persons and family, Banking legal practice, Practical aspects of economic and financial crimes, Corporate law and insolvency)				
1.2.	Continuing Legal Education for judges				
	Organize training on aspects of new laws to cover following laws				
	7. 3 days training on Law No 68/2018 of 30/08/2018 determining offences and penalties in general (new penal code) : Participants 294 Judges and 294 Registrars from all Courts except Commercial Courts.				
	8. 2 days training on law No 30/2018 of 2/6/2018 determining the Jurisdiction of courts (participants 295 Judges and 295 Registrars of High Court, Intermediate Courts and Primary Courts, Commercial Court and Commercial High Court)				
	12. Organize a 3 days training on emerging issues namely human trafficking, gender based and sexual violence, money laundering, children rights. The training will target: <ul style="list-style-type: none"> • 6 Judges of Court of Appeal • 12 Judges of High Court • 36 Judges of Intermediate Courts 				

No	ACTIVITIES	2019		2020	
N°		Q3	Q4	Q1	Q2
1.3.	Enhanced experience of judges and improved court management practices through exchange programs with other Judiciaries				
	13. Organize a study tours in the Kingdom of Netherlands : 3 Judges and 1 Registrar from High Court Chamber for International Crimes, 3 Judges and 1 Registrar from Court of Appeal, 1 Inspector from Supreme Court				
	14. Organize a study tours in Kenya : 6Judges, 6 Registrars from Intermediate Courts (1 from each court) and 1 Inspector				
II	REDUCTION OF CASE BACKLOGS				
2.1.	Technical assistance provided				
	16. Hire local legal researchers <ul style="list-style-type: none"> ➤ Supreme Court : 2 ➤ Court Appeal: 10 ➤ High Court :3 				
	17. Hire 2 experienced international legal researchers <ul style="list-style-type: none"> ➤ Court of Appeal :1 ➤ High court chamber for international crimes :1 				

No	ACTIVITIES	2019		2020	
N°		Q3	Q4	Q1	Q2
	18. Hire legal translators from Kinyarwanda to English and French				
	➤ Supreme Court: 2				
	➤ Court Appeal: 2				
	➤ High Chamber for ICC: 2				
2.2.	Improved transparency during court proceedings through the use of court technologies				
	Acquire court technologies such as:				
	19. Upgrade SOBANUZINKINO System to allow litigants and citizen to file their complaints in Inspection of courts, denounce suspects of corruption practices.				
	20. Acquire 2 Digital courts recording for Court of Appeal				
	21. Organize training end users (Court staff and citizens) on the use of SOBANUZINKIKO System: 3 days training for public users (cyber cafes, facilitators and any other interested citizens)				
	22. Pay hosting fees of SOBANUZINKIKO System				
	23. Acquire 5 smart screens: 3 in Supreme Court, 2 for Court of Appeal				
	24. Acquire 290 laptops for 145 Judges and 145 Registrars of Primary Courts				
	25. Acquire 38 projectors and 38 projection screens for Intermediate courts, High Court and its 5 chambers and Court of Appeal				

No	ACTIVITIES	2019		2020	
Nº		Q3	Q4	Q1	Q2
III.	ADEQUATE AND EASILY ACCESSIBLE LEGAL INFORMATION PRODUCED AND PUBLISHED				
3.1	Technical Assistance in law reporting and small claim procedure provided				
	26. Hire 4 Law Reporters				
	27. Produce, print and publish law reports (4 volumes per year)				
	28. Publish law reports electronically for easy sharing among Judges and other legal practitioners locally and worldwide as well as archive them electronically				
	29. Hire a consultant to develop small Claim Procedure bench book				
	30. Produce, print and publish 123 bench book on Small Claims Procedure				
3.2.	The latest law books acquired and accessibility to online law libraries provided.				
	31: Acquire 750 latest law books in the following branches of law				
	32. Subscribe to two online law libraries for three years at West law and LexisNexis				

4.2. Action Plan for National Public Prosecution Authority (NPPA /GFTU)

N°	ACTIVITIES	2019		2020	
		Q3	Q4	Q1	Q2
1	Investigators receive training on 3 topics in year 1				
2	Follow up visits per year to in total 2 countries, namely Kenya, Zambia,				
3	Prosecutors receive one training on International criminal law in year 1				
4	All 14 Prosecutors complete the application for a NUFFIC scholarship to pursue a 12 month Master's Degree				
5	Provide support to GFTU field Investigations activities				

4.3. Administration, monitoring and evaluation and Project Audit

N°	ACTIVITIES	2019		2020	
		Q3	Q4	Q1	Q2
1	Management of the Project				
2	Monitoring and evaluation of the project activities				
3.	Audit of the project				

5. PROJECT ACHIEVEMENT

This report summarizes the activities carried out during the period from 1st July 2019 to 30th June 2020 through the major themes of the project as follows:

- *Improve the legal knowledge and skills for Judges*
- *Reduce the case backlog*
- *Produce and publish the adequate and easily accessible legal information*
- *Support to the Genocide Fugitive Tracking Unit (GFTU);*
- *Administration, monitoring and evaluation,*

5.1. SUPPORT TO THE JUDICIARY

5.1.1. IMPROVED LEGAL KNOWLEDGE AND SKILLS FOR JUDGES

5.1.1.1. Specialization of legal professional training at diploma level

a) Develop Criminal process and sentencing diploma program

The Judiciary used the Memorandum of Understanding (MoU) signed on 18th /06/2015 with the Institute of Legal Practice and Development (ILPD) to develop the program of this topic. A request has been submitted to ILPD on 29th January 2020 and the draft was expected to be submitted in May 2020 but, due to Covid19, it has been delayed and a new deadline has been fixed in October 2020.

b) Develop civil case management and judging diploma program

The Judiciary used the MOU mentioned above in order to develop the program of this topic. The draft was expected to be submitted in May 2020 but due to Covid19, it has been delayed and postponed to October 2020.

Upgrade the existing short courses programme of specialized courses and transform them into diploma programme for the six existing courses such as:

- Modes of responsibility, pleading techniques a Prosecution Perspective, Circumstances excluding Responsibility;
- International criminal procedure with a comparative analysis with Rwandan Criminal Procedure;

- Review of the Transfer and its application, Fundamental Procedural Rights in International Criminal law, Rights of the accused, Examination In-Chief and Cross-Examination;
- Witness' protection and vulnerable witnesses,
- legal research;
- Written and oral advocacy

The Judiciary has used also the MOU signed with the ILPD to develop the program of this topic. All six drafts were expected to be submitted in August 2020 but due to Covid19, it has been delayed and a new deadline has been fixed in November 2020.

5.1.2. CONTINUING LEGAL EDUCATION FOR JUDGES

The judiciary of Rwanda planed an annual calendar for Judges and courts Registrars and a meeting with all stakeholders was held at Supreme Court 5th September 2019. Representative of ILPD, Supreme Court and Prosecution were convened to this meeting. This was done in order to ensure that their capacity and knowledge on various laws used while executing daily duties is enhanced. Appendix report of this meeting is attached.

5.1.2.1. Organize training on aspects of new laws to cover following laws

- a) *Five days training on Law No 68/2018 of 30/08/2018 determining offences and penalties in general (new penal code) : Participants 294 Judges and 294 Registrars from all Courts except Commercial Courts:*

The Judiciary of Rwanda in collaboration with the Institute of Legal Practice and Development (ILPD) organized a training of trainers (TOT) on this new law determining offenses and penalties in general. Tot was done from 13th to 17th January 2020 for 28 Judiciary staff from different courts who will train other stakeholders in their jurisdictions. An attendance list is attached to this report.

Photo of Participants in training of 13th -17th January 2020.

(10)(2e)

Group photo after official opening of the training

Different sessions planned in March-April for all courts have been postponed to October 2020 due to covid19

- b) *Four days training on law N° 30/2018 of 2/6/2018 determining the Jurisdiction of courts (participants 295 Judges and 295 Registrars of High Court, Intermediate Courts and Primary Courts, Commercial Court and Commercial High Court) :*

A training of trainers (Tot) has been organized by the Judiciary and ILPD from 21st to 24th January 2020 for 24 Judiciary staff including Inspector and Judges from different courts who will train other stakeholders in their jurisdictions. This training focused on the new law determining jurisdiction of courts as well as the law relating to the civil, commercial, labor and administrative procedure.

Photo of Participants in training of 21st -24th January 2020

(10)(2e)

Group photo after official opening of the training

Different sessions planned in April-May 2020 for all courts have been postponed to October-November 2020 due to covid19.

- c) *Four days training on law N° 22/2018 of 29/4/2018 relating to the civil, commercial, labor and administrative procedure (participants 295 Judges and 295 Registrars of High Court, Intermediate Courts and Primary Courts, Commercial Courts and Commercial High Court) :*

A combined Training of trainers has been organized by the Judiciary and ILPD from 21st to 24th January 2020 for 24 Judiciary staff including Inspectors General and Judges from courts. Laws N° 22/2018 of 29/4/2018 relating to the civil, commercial, labor and administrative procedure and N° 30/2018 of 2/6/2018 determining jurisdiction of courts have been combined in a same trainings of 4 days and trainers will be the same.

Different sessions for all courts have been postponed to October-November 2020 due to covid19.

- d) *Organize a 3 days training on emerging issues namely human trafficking, gender based and sexual violence, money laundering, children rights. The training will target:*
- *6 Judges of Court of Appeal*
 - *12 Judges of High Court*
 - *36 Judges of Intermediate Courts*

A Training of Trainers was planned to start in April 2020 but did not happen due to the Covid19.

5.1.2.2. Enhanced experience of judges and improved court management practices through exchange programs with other Judiciaries

Organize a study tours in the Kingdom of Netherlands for 6 Judges and 2 Registrars from High Court Chamber for International Crimes (HCCIC), Court of Appeal, Inspection of Courts and Supreme Court.

This activity planned for May-June 2020 has been postponed because of Covid19.

5.1.2.3. Organize a study tours in Kenya: 6 Judges, 6 Registrars from Intermediate Courts and 1 Inspector:

This activity expected to be done in April-May 2020 did not take place because of Covid19.

5.1.3. REDUCTION OF CASE BACKLOGS

5.1.3.1. Technical assistance provided

a) Hiring 15 local legal researchers

A recruitment process has started by preparing the job descriptions published online through e-recruitment system available on Website www.mifotra.gov.rw on 27th December 2019.

Among two hundred sixty six (266) candidates who applied, only 140 were qualified and passed the written test on 20th /2/2020. The suitable list of 32 candidates eligible for the next step of oral interview was available but this exercise planned for March 2020 have been postponed to September 2020.

b) Hiring 2 experienced international legal researchers

The process of recruitment has taken place by preparation of Terms of Reference published by e-recruitment system on 27th December 2019. Fifty eight (58) candidates applied but only 2 selected passed the written exam on 20/2/2020 and 1 candidate was eligible for the next step of oral. The Interview took place on 29th .July 2020 but the candidate didn't success. This position has been re-advertised on 28th July 2020.

c) ***Hiring 6 legal translators from Kinyarwanda to English and French***

The process of recruitment has taken place by preparation of Terms of Reference published by e-recruitment system on 27th December 2019. The Ninety five (95) Candidate applied, 12 only were qualified and passed the written test on 20th /2/2020. Only 2 candidates were eligible for the next step of the oral exam. The Interviews have been conducted on 29th/06/2020 but no candidate was successful. This position has been re-advertised on 28th July 2020.

5.1.3.2. Improved transparency during court proceedings through the use of court technologies

Acquire court technologies such as

a) ***Upgrade SOBANUZINKINO System to allow litigants and citizen to file their complaints in Inspection of courts, denounce suspects of corruption practices.***

The Terms of reference to recruit a consultant are available and will be published through the e-procurement once approved.

The project has paid five million five hundred twenty two thousand four hundred (5,522,400 RWF) for subscription of hosting Sobanuzinkiko system for the month from July to December 2019 and from January up to April 2020.

Explanation of Sobanuzinkiko Report July 2019 – June 2020:

Sobanuzinkiko.gov.rw system was developed through Transparency Rwanda to help Judiciary track complaints related to corruption. It was later expanded to help litigants request the following services from court;

1. Request for special review of cases vitiated by injustice
2. Dissatisfaction with case processing
3. Information related to corruption in the case
4. Request for review of documents by the Ombudsman
5. Suggestion box.
6. Advocate Portal

The attached report shows the number of claims that have been filed through the Sobanuzinkiko system between 1st July 2019 and 30th June 2020.

In total, 1570 claims were filed in the above mentioned domains. The requests for special review of cases vitiated by injustice are the highest numbers with 1,396 request alone.

Other domains share the remaining 174 claims as shown in the report.

Focusing on the requests for special review of cases vitiated by injustice which comprises of 89% of all the requests filed in Sobanuzinkiko at the time.

These types of requests are processed as determined by the law N°30/2018 of 02/06/2018 determining the jurisdiction of courts especially in its articles 53 to 64.

In the attached report, it is evident the number of claims at each status during the defined period with most cases (430) having been rejected by the president of the higher court and others accepted by court president, filed to ombudsman, accepted by ombudsman or pending analysis at the higher court.

b) 290 laptops for Judges and Registrars of Primary Courts

According to the National Policy, all institutions must use a contract signed by RISA (Rwanda Information Society Authority) which is a Government Institution responsible for Information Technology. The process of contract signature took long and a contract for supplying these laptops is available since June 2020 but the budget approved by the Donor is too low compared to the unit price contracted.

By the letter Ref. 027/SG/CS/2020 of 17/07/2020, the Judiciary requested for non-objection to use contingency funds in order to purchase the laptops with good quality, durability and appropriateness to manage a huge software utilized by the Justice Sector especially in Court Management Systems. The request was not approved and the Judiciary took an option of decreasing the number to purchase only 158 Laptops.

5.1.4. ADEQUATE AND EASILY ACCESSIBLE LEGAL INFORMATION PRODUCED AND PUBLISHED

5.1.4.1. Technical Assistance in law reporting and small claim procedure provided

a) Hiring 4 Law Reporters

A recruitment process has been concluded by preparation of Terms of Reference published by e-recruitment system on 27th December 2019. One hundred seventy five (175) Candidates applied, ninety nine (99) were selected for written examination done on 20th /2/2020.

Ninety nine (19) candidates were eligible for the next step of the oral interview which conducted on 29th June 2020. The four (4) best of successful candidates signed their contracts on 20th July 2020 and are on board.

These Reporters joined the existing team in Supreme Court hired by the Government of Rwanda on the basis that the Rwandan legal system has given importance the use of precedents in court proceedings and were given the cases rendered by the Supreme Court that were selected for enhancement with head notes including catchwords, summary of facts, holdings, statutes and statutory instruments considered and cases considered.

Reporters prepare the cases based on the following responsibilities:

- ✓ Analyse closed cases and identify reportable cases against set criteria;
- ✓ Prepare law reports
- ✓ Publish law reports in hard copies
- ✓ Publish law reports on Decisia software

The activities carried out in law reporting are:

b) *Produce, print and publish law reports (4 volume per year)*

During this period, four volumes of Law Reports were published, namely:

- Law Report, V.3-2019 published in July 2019;
- Law Report, V.4-2019 published in October 2019;
- Law Report, V.1-2020 published in January 2020 and
- Law Report, V2-2020 published in April 2020.

Overall cases published in fiscal year 2019/2020 equal to 27. The Cases were published as follows:

N°	Ref. Volumes	Cases	Number of cases
I	Vol. [2019] 3 RLR	Commercial cases	2
		Criminal cases	2
		Civil case	1
		Petition seeking to declare a law unconstitutional	1
		Procedural case	1
		Total	7
II	Vol. [2020] 4 RLR	Civil cases	2
		Commercial cases	2
		Penal case	1
		Administrative case	1
		Total	6

N°	Ref. Volumes	Cases	Number of cases
III	Vol. [2020] 1RLR	Civil case	1
		Commercial cases	3
		Penal case	1
		Administrative case	1
		Petition seeking to declare a law unconstitutional	1
		Total	7
IV	Vol. [2020] 2 RLR	Civil cases	2
		Commercial cases	2
		Penal case	1
		Administrative case	1
		Petition seeking to declare a law unconstitutional	1
		Total	7
		Grand Total	27

It is very important to mention that all these cases are uploaded on the Decisisa: <http://decisia.lexum.com/rlr/kn/nav.do>

The list of Cases were published as follows:

I. CIVIL CASES

N°	Volumes	Ref. Cases	Concerned
1	Vol [2019] 4 Rlr	Rcaa0039/15/Cs,	Succession Of Mukagahima V. Ngarambe,
2	Vol [2019] 4 Rlr	Rcaa 0014/15/Cs	Mutoni V Niwenshuti N'undi
3	Vol. [2020] 1 Rlr	Rs/Injust/Rc00008/2018/Sc	Tuyisenge V. Mukaroni
4	Vol. [2020] 2 Rlr	Rcaa0024/14/Cs	Candari V. Mukamana N'abandi
5	Vol. [2020] 2 Rlr	Rs/Injust/Rc 00010/2017/Sc	Niyigena V. Nyirishema
6	Vol. [2019] 3 Rlr	Rcaa00031/2016/Sc	Nishimwe V. Mugenga Et.al
7	Vol. [2019] 3 Rlr	Rs/Rev/Injust/Civ0009/14/Cs	Mukarwego Et.al V. Ngiriyabandi

II. COMMERCIAL CASES

No	Volumes	Ref. Cases	Concerned
1	Vol [2019] 4 Rlr	Rcoma 00007/2017/Sc	Experts Consultants United Inc, Uganda Ltd (Ecu) V. Royal Haskoning Dhv(Pty) Ltd
2	Vol [2019] Vol [2019]	Rcoma00402/2017/Chc/Hcc	Minintco Ltd V. Dobusjes Ltd
3	Vol [2020] 1 Rlr	Rcomaa 00058/2018/Ca,	Development Bank Of Rwanda Ltd (Brd Ltd) V. Splendid Kalisimbi Ltd
4	Vol [2020] 1 Rlr	Rcomaa 0014/15/Cs	Mporanyi V. Usengimana,
5	Vol [2020] 1 Rlr	Rcomaa 00050/2018/Ca	Passag Company Ltd V. Gt-bank Ltd N'undi
6	Vol. [2020] 2 Rlr	Rcoma 00003/2018/Ca	Entreprise Twahirwa Faustin (Etf) Ltd V. Bralirwa Ltd
7	Vol. [2020] 2 RLR	RCOMAA00023/2017/SC	BRALIRWA v. GISA
8	Vol. [2019] 3 RLR	RCOMAA0019/15/CS	NYIRANJANGWE v. BPR Ltd ET.AL
9	Vol. [2019] 3 RLR	RCOMAA0020/15/CS	ARLCOM Ltd v. ECOBANK RWANDA Ltd

III. PENAL CASES

No	Volumes	Ref. Cases	Concerned
1	Vol [2019] 4 RLR	RPA00001/2019/CA	PROSECUTION v. Col. BYABAGAMBA N'ABANDI
2	Vol [2020] 1 RLR	RPA 00074/2018/CA	PROSECUTION v. NSENGIYUMVA N'ABANDI
3	Vol [2020] 2 RLR	RPAA 00475/2018/CA	PROSECUTION v. NIYOMURAGIJE
4	Vol. [2020] 2 RLR	RPAA 00500/2018/CA	PROSECUTION v. NZITAKUZE
5	Vol [2019] 3 RLR	RPAA00327/2018/CA	PROSECUTION v. SIBOMANA
6	Vol [2019] 3 RLR	RPAA0066/15/CS	PROSECUTION v. DUSABIMANA

IV. ADMINISTRATIVE CASES

No	Volumes	Ref. Cases	Concerned
1	Vol, [2019] 4 RLR	RS/REV/INJUST/ RAD00005/2018/SC	KIGALI CITY v NDAKENGURWA GASANA
2	Vol, [2020] 1 RLR	RS/INJUST/RAD 00004/2018/SC	IKIGO SOCIAL SECURITY BOARD (RSSB) v. TWAGIRAMUNGU

PETITIONS SEEKING TO DECLARE A LAW UNCONSTITUTIONAL

No	Volumes	Ref. Cases	Concerned
1	Vol, [2020] 1 RLR	RS/INCONST/SPEC 00001/ 2019/ SC	Re. MURANGWA
2	Vol, [2020] 2 RLR	RS/INCONST/SPEC 00003/2019/ SC	Re. KABASINGA
3	Vol, [2019] 3 RLR	RS/INCONST/SPEC 00002/ 2018/ SC	Re MUGISHA

c) Importance of Rwanda law reports

Article 9 of the Law N° 22/2018 of 29/04/2018 relating to the civil, commercial, labor and administrative procedure, provides that a judge adjudicates a case on the basis of relevant rules of law. In the absence of such rules, the judge adjudicates according to the rules that he/she would establish if he/she had to act as legislator, **relying on precedents**, [emphasis added] customs, general principles of law and doctrine. A judge cannot refuse to decide a case on any pretext of silence, obscurity or insufficiency of the law.

Therefore, it is certain that the judiciary will increasingly draw upon its own burgeoning case law in order to craft legal principles suitable to the Rwandan society. In this regard, Rwanda Law Reports is of a signal importance.

In jurisdictions where judicial decisions form an important part of the law, it goes without saying that all persons should have access to such judicial decisions.

It also follows that law reports, as repositories of such law, must be available and timeous.

Law Reporting also greatly help in the administration of justice in the way that, it offers opportunities for the development of the law and the evolution of jurisprudence, whereby courts can more quickly lay down new principles, or extend old principles, to meet novel circumstances.

Secondly, it ensures certainty in the way that people are able to order their affairs and come to settlements with a certain amount of confidence when the outcome of litigation can be predicted by referring to previous decisions of the courts (predictable justice).

And finally, it is a tool of impartiality and transparency for judicial officers. Generally, a judge is bound to follow the law enunciated in a previous case unless he or she can overrule or distinguish and moreover, the decision is published and disclosed to the society as a public record.

d) *Publish law reports electronically for easy sharing among Judges and other legal practitioners locally and worldwide as well as archive them electronically*

The project paid about 6,654,238 RWF to LEXUM Canada Ltd for Subscription of Software for Case Law Report Software System. The law Reports are regular published from 1st July 2019 via Lexum /Decisia software.

Online publication (Decisia)

The judicial decisions published on this platform include the full text of judgments, catchwords, as well as a summary of facts and holdings, which makes it possible to conduct exhaustive and advanced searches of the Judiciary's most significant judicial rulings. Decisia automatically converts, indexes and publishes the judgments as well as any other related material.

From July 2019 to June 2020 there were seven thousand three hundred and three (7303) visits and among those six thousand seven hundred and ninety one (6791) were done from Rwanda. This represents ninety-three percent (93%) of all the visits on this online platform. This illustrates that it is more used by the Rwandans professional especially the justice sector personnel, who could easily access the courts case law on line and for free, especially during these period whereby the whole world is hit by the COVID -19, it was very significant in the continuation of administering justice as these personnel used to access these precedents even during the period of lock down and even now were people are advised to work from home.

Courts did not close their doors during the period of lock down, judges continued to render justice and most of them used this platform (Decisia) from home to access case laws to guide them in their deliberations, not only judges as stated above but even others legal professionals use it. Had it not been this this online platform (Decisia), the services given by the Rwanda Law Reports would have come to a standstill during this pandemic.

Below is a list of visits on the Rwanda Law Report online platform from various countries:

N°	COUNTRY	VISITS
1	Rwanda	6791
2	United States	91
3	Kenya	53
4	France	49
5	U K	41
6	Canada	32
7	South Africa	30
8	Mauritius	23
9	Ghana	21
10	Uganda	18
11	Unknown	18
12	Italy	14
13	Netherlands	10
14	Germany	7
15	Indian	7
16	Australia	6
17	Belgium	6
18	China	5
19	Tanzania	5
20	Cameroon	4
21	Sweden	4
22	Australia	3
23	Hungry	3
24	Japan	3
25	Nigeria	3
26	Northern Mariana Islands	3

N°	COUNTRY	VISITS
27	Russia	3
28	Switzerland	3
29	Turkey	3
30	Argentina	2
31	Hong Kong	2
32	Kyrgyzstan	2
33	Mali	2
34	Serbia	2
35	Singapore	2
36	South Sudan	2
37	Spain	2
38	Sudan	2
39	Ukraine	2
40	Zambia	2
41	Zimbabwe	2
42	Armenia	1
43	Brazil	1
44	Bulgaria	1
45	Burundi	1
46	Cambodia	1
47	Cote d'Ivoire	1
48	Georgia	1
49	Israel	1
50	Jersey	1
51	Kazakhstan	1
52	Latvia	1
53	Lithuania	1
54	Namibia	1
55	New Zealand	1
56	Poland	1
57	Romania	1
58	Saudi Arabia	1
59	Seychelles	1
60	Somalia	1
	Total	7.302

5.2. SUPPORT TO NPPA/GFTU

Founded on 14 November 2007, the GFTU has been at the forefront of Rwanda's efforts to investigate cases and draft indictments of genocide suspects who have settled abroad, in terms of cooperating with national prosecution services and international justice bodies to bring those genocide fugitives to justice in their host countries' jurisdictions, or alternatively facilitate their extradition to Rwanda for their trial.