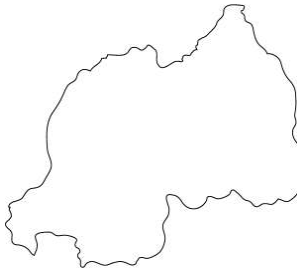


# **REPUBLIC OF RWANDA**

(REPUBULIKA Y'U RWANDA)



## **BACKGROUND AND LEGAL SYSTEM**

LEGAL SYSTEM	Rwanda's legal system is based on German and Belgian civil law systems and customary law.
POLITICAL SYSTEM	Republic with a multi-party system. As a result of the recent genocide, Rwanda's electoral system has safeguards in place that ensure an equitable division of ethnicities in the government. President elected by popular vote for a seven year term.
HEAD OF STATE	President
HEAD OF GOVERNMENT	Prime Minister
SUBNATIONAL ENTITIES	Five provinces: North Province, South Province, East Province, West Province, and Kigali Province.
SUBLOCAL ENTITIES	The provinces are further divided into districts ( <i>akarere</i> ) and municipalities ( <i>umujyi</i> ).
NOTE ON PROVINCES	As a result of the 2001 decentralization policy, the administrative structure of Rwanda has changed from Prefecture to Province and from Commune to District. Rwanda has recently redrawn its administrative units to blur the lines of ethnic distinction, which the borders of the previous provinces represented before the 1994 genocide. Rwanda has transitioned from a government of twelve provinces ( Butare, Byumba, Cyangugu, Gikongoro, Gisenyi, Gitarama, Kibungo, Kibuye, Kigali Rurale, Kigali-ville, Umutara, Ruhengeri) to five (North, South, East, West, and Kigali) as of early 2006. The implementation of the decentralization policy is still underway.
TRANSLITERATION SYSTEM	Latin.
LANGUAGES	Official; Kinyarwanda, French, English, Unofficial; Kiswahili (Swahili).

NOTE ON  
RWANDAN LEGAL  
PUBLICATIONS

From 1919-1923, Rwandan legislation was located in the gazettes for the Congo (*Bulletin Officiel*[du Congo belge]/*Ambtelijk Blad*. This legislation was also located in *Buletin Officiel* [de Ruanda-Urundi] *Ambtelijk Blad*, which were journals published for the Ruanda and Urundi regions. These journals have been succeeded by the *Journal Officiel de la République Rwandaise*/*Gazeti ya leta ya Republika y'u Rwanda*, which was later succeeded by *Igazeti y Leta ya Republika y'u Journal Officiel de la Republique Rwandaise* (cited herein as *Journal Officiel*).

## CONSTITUTION

OFFICIAL NAME

*Itegeko nshinga rya Republika y'u Rwanda.*  
Constitution de la République du Rwanda (French)  
(The Constitution of the Republic of Rwanda)

ENACTMENT

June 4, 2003

CITATION FORMAT

RWANDA CONST. art. [#] (2003).

*Example*

RWANDA CONST. art. 180 (2003).

## STATUTES

GOVERNMENT  
STRUCTURE

The office name of the government of Rwanda is the Government of National Unity of the Republic of Rwanda. The seat of government is located in Kigali.

Presidential elections are determined by popular vote. The president serves for a seven year term and may be elected for up to two terms. The Council of Ministers appointed by the president.

The bicameral legislature consists of the Senate (26 seats) and the Chamber of Deputies (80 seats).

The judiciary is composed of the Supreme Court, High Courts of the Republic, Provincial Courts, District Courts, and mediation committees.

LEGISLATIVE  
PROCESS

The Transnational Assembly is empowered to enact two different types of laws, organic laws and ordinary laws. Organic laws have more force than ordinary laws but less than the constitution, and require a five/fifths majority. Ordinary laws require a regular majority. In addition during emergency or recess of the transnational assembly the congress has the power to enact decree-laws which have the same force as ordinary laws.

## Rwanda, Republic of

REPORTER	<p>Rwanda publishes its laws in a code. There are also laws that are published as Acts that are not incorporated in to the existing codes.</p> <p>Both are published in the <i>Journal Officiel</i> (Official Gazette of the Republic of Rwanda) which began publication in 1996.</p>
CITATION FORMAT	<p>&lt;name of code or Act&gt; § &lt;number&gt; Gazeti ya leta ya Republika Rwandaise, &lt;month&gt; &lt;day&gt;, &lt;year&gt;.</p>
<i>Example</i>	<p>Civil Code Preliminary Title § 23 Gazeti ya leta ya Republika Rwandaise, January 24, 1999.</p>

## ADMINISTRATIVE REGULATIONS

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ADMINISTRATIVE SCHEME	<p>Civil Servants are the main instrument for implementing government policy in Rwanda. Civil Servants work for various Government Departments or Ministries headed by Ministers who have been appointed by the President. These Ministers make up the body of the President's cabinet.</p> <p>The Government Departments and Ministries in Rwanda are: Local Government, Good Governance, Community Development and Social Affairs'; Infrastructure; Commerce, Industry, Investment Promotion, Tourism and Cooperatives; Agriculture and Animal Resources; Finance and Economic Planning; Lands, Environment, Forestry, Water, and Mines; Education, Science, Technology and Research; Health; Defense; Justice; Youth, Sports and Culture; Gender and Family Promotion; Public Service, Skills Development and Labor; Internal Security; Foreign Affairs and Cooperation; Minister in the Office of the President; Minister in the Office of the President in charge of Technology and Research; and Minister in Office of the Prime Minister in charge of Information.</p>
SOURCES OF ADMINISTRATIVE LAW	<p>Organisation Territoriale de la Nation (urban local government code). Law of May 28, 1990 replace Law of Apr. 15, 1963. Located in <i>Journal Officiel</i> Feb. 15, 1997. Amended by law of Sep. 30, 2002. Located in <i>Journal Officiel</i> Dec. 15, 2002.</p> <p>Law of Dec. 29, 2000 (organization and functioning of provinces and provincial government). Located in <i>Journal Officiel</i> Feb. 15, 2001. Amended by Law of Apr. 12, 2002. Located in <i>Journal Officiel</i> Jun. 1, 2002.</p> <p>Law of Jan. 13, 2001 (organization and functioning of the district). Located in <i>Journal Officiel</i> Feb. 15, 2001. Amended by Law of Nov. 14, 2002. Located in <i>Journal Officiel</i> Dec. 15, 2002.</p> <p>Law of Dec. 19, 2000 (organization of the territorial administration of the nation, setting out the provinces, districts, cities, and towns). Located in <i>Journal Officiel</i> Dec. 20, 2000.</p>

CITATION FORMAT      Currently Unavailable.

## CODES

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Code Civil  
(CIVIL CODE)      In force May 1, 1992. Amended and reformed version located in *Journal Officiel* Nov. 1, 1999 (Sections 1-48 address marriage and matrimonial relations; Sections 49-92 address inheritance and succession).

Code de Procedure  
Civile et  
Commerciale  
(CODE OF CIVIL  
PROCEDURE)      Law of Jul. 15, 1964. Located in *Journal Officiel* 1964.

Code de Commerce  
(Belge)  
(COMMERCIAL CODE)      Currently Unavailable.

Code Pénal  
(CRIMINAL CODE)      Law of Aug. 18, 1977. Located in *Journal Officiel* Jul. 1, 1978.

Code de Procedure  
Pénale  
(CODE OF CRIMINAL  
PROCEDURE)      Law of Feb. 23, 1963. Located in *Journal Officiel* 1963. Amended version located in *Journal Officiel* 1985. Meant to be read with Décret loi 2 of Nov. 28, 1994 located in *Journal Officiel* 1994.

CITATION FORMAT      Currently Unavailable.

**CASE LAW**

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**JUDICIAL  
OVERVIEW**

Rwanda's highest court is the Supreme Court, which oversees nation's the lower courts and tribunals. The Supreme Court is divided into five sections: The Department of Courts and Tribunals, the Court of Appeals, the Constitutional Court, the Council of State, and the Revenue Court.

The Supreme Court reviews the constitutionality of laws and statutory orders before enactment. It also decides cases on appeals from the lower courts and administrative authorities. The Supreme court is headed by a president and each of the subsections is headed by a vice-president. There are also four courts of appeals, and twelve courts of first instance for each prefecture. The lowest level courts are canton courts.

Judges are appointed by a council made up of the president and vice-presidents of the supreme court as well as a specified amount of judges from each of the lower ranking courts. These appointments are then confirmed by the minister of justice or the President of Rwanda for the president and vice-presidents from the Supreme Court.

In addition to these courts there are specialized courts such as Military Courts. These new courts can only be created under organic legislation.

**REPORTER**

Code d'Organisation et de Compétence Judiciares

**CITATION FORMAT  
CONSTITUTIONAL COURT**

Currently Unavailable.

**CITATION FORMAT  
HIGH COURT**

Currently Unavailable.

## SOURCES

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<http://www.gov.rw/>

CIA Factbook; Rwanda,  
<https://www.cia.gov/cia/publications/factbook/geos/rw.html>

Ministry of Local Government, Community Development, and Social Affairs  
<http://www.minaloc.gov.rw/decentralization/index.html>

BBC: Rwanda Redrawn to Reflect Compass  
<http://news.bbc.co.uk/2/hi/africa/4577790.stm>

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