

THE REPUBLIC OF RWANDA

MINISTRY OF JUSTICE



MINISTRY OF JUSTICE ANNUAL REPORT 2013-2014

August, 2014

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List of abbreviation

Abbreviation/Acronyms	Description
1. BNR	National Bank of Rwanda
2. DTMS	Document Tracking and Management System
3. EAC	East African Community
4. EDPRS	Economic Development and Poverty Reduction Strategy
5. EWSA	Electricity Water and Sanitation Authority
6. FY	Financial Year
7. GoR	Government of Rwanda
8. ICT	Information Communication and Technology
9. IECMS	Integrated Electronic Case Management
10. ILPD	Institute of Legal Practice and Development
11. IPS	Intrusion Prevention System
12. IRST	Institute of Scientific Research and Technology
13. ISAE	Institute of Agricultural Science and Animal Husbandry
14. JRLOS	Justice Reconciliation Law and Orders Sector
15. KIST	Kigali Institute of Science and Technology
16. LAS	Legal Advisory Services
17. LASIS	Legal Advisory Services Information System
18. LDS	Legislative and Drafting Services
19. M&E	Monitoring and Evaluation
20. MAJ	Access to Justice Bureaus
21. MDAs	Ministries and Development Agencies
22. MIDIMAR	Ministry of Disaster Management and Refugees
23. MINAGRI	Ministry of Agriculture and Animal Husbandry
24. MINALOC	Ministry of Local Government
25. MINECOFIN	Ministry of Finance and Economic Planning
26. MINEDUC	Ministry of Education
27. MINIJUST	Ministry of Justice
28. MININFRA	Ministry of Infrastructure
29. MININTER	Ministry of Internal Security
30. MINISANTE	Ministry of Health
31. MINISPOC	Ministry of Sport and Culture
32. MINICYOUTH	Ministry of Youth
33. MoU	Memorandum of Understanding
34. MVK	Kigali City
35. MYICT	Ministry of Youth and ICT
36. NAEB	National Agriculture Export Board
37. NISR	National Institute of Statistics of Rwanda
38. NPPA	National Public Prosecution Authority

39. NURC	National Unity and Reconciliation Commission
40. OAG	Office of Auditor General
41. ONATRACOM	Office National de Transport en Commun
42. PMO	Prime Minister's Office
43. RBA	Rwanda Broadcasting Agency
44. RBC	Rwanda Biomedical Center
45. RDB	Rwanda Development Board
46. REB	Rwanda Education Board
47. RLRC	Rwanda Law Reform commission
48. RNP	Rwanda National Police
49. RPPA	Rwanda Public Procurement Authority
50. RRA	Rwanda Revenue Authority
51. RSSB	Rwanda Social Security Board
52. RTDA	Rwanda Transport Development Agency
53. SAP	Single Action Plan
54. SGF	Special Grant Fund
55. WAF	Web Application Firewall
56. TWG	Thematic Working Group

Executive summary

July 2013 - June 2014, a year is over the Ministry of Justice/Attorney General's office given a new Minister/Attorney General and also realized other important reforms that tackled Ministry mandate and institutional structure. 12months period is important landmark to be based on for making backward reviews, in order to take a big step forward. This snapshot summarizes some of the key achievements of the Ministry in reference to administration of Justice, Rule of law and Human Rights in Rwanda from July 2013-June 2014.

- **The Ministry of Justice/Attorney General's office as Government Legal Advisor**

Comparing the 2012/13 and 2013-2014, the number of legal advices provided by the Ministry of Justice/ Attorney General's increased by 17.7%. By End of June 2014 the legal advices provided were 219 against 186 which were provided in the previous financial year. The Ministry of Justice, organized and chaired different high level meetings with all public legal advisors, in order to identify key challenges prevailing in the fulfillment of their mandate and also, issued Ministerial Instructions setting up modalities for drafting, negotiating, requesting for opinions, signing and managing contracts and they have been published in official gazette Official Gazette n° 18 of 05/05/2014. In addition to that, 138 Legal officers/advisors were trained in different domains aiming at strengthening their capacity and improve the quality of legal advice they provide to public institutions.

Through various forums, the Ministry of Justice/Attorney General's office counseled high level authorities from public institutions to consider advices of legal officers positioned in their institutions before taking any legal decisions. This was aiming at alleviating any disputes that lead Government into unnecessary court cases. In that regards the Ministry of Justice developed the standards and guiding principles for Government legal officers. The latter is in Cabinet for approval.

Moreover, Ministry of Justice strengthened the use of Legal Advisory Service Information System (LASIS), whereby, all Public institutions are using the online system in order to request legal advices to the Minister of Justice/Attorney General, and this approach reduced inefficiency in resources used while printing big contract, MoUs or other legal instruments.

- **The Ministry of Justice as Government Attorney**

The Government of Rwanda was represented in 667 Civil Litigations among of them; Government won 275 (77.6%) cases. In reference to the current figures, there is a significant reduction in number of court cases that Government loses as they were 104 (27.1%) in 2012-2013, and reduced to 79 (21.4.0%) in 2013-14 FY. The improvement in Government representation and Civil Litigation is attributed to important reforms undertaken by the Ministry which include among others; publishing the Ministerial instructions on the process of Government representation in courts, and clearly explaining the role of institutions in that process. In that regards, all public institutions were requested to respect the timeline, while submitting the files to Attorney Generals' office for representation in courts. This was aiming at ensuring proper and effective representation of Government in courts. Also in order to avoid inefficiencies observed in the institutions which had private lawyers, the Ministry of Justice/Attorney General's office issued instruction barring public institutions to hire private lawyers. This was done in order to streamline the Government representation in courts as well as quality control. And currently, Attorney General's office is

identifying a pool of private lawyers with caliber who will represent Government in courts under vibrant supervisions.

Furthermore, the Ministry had organized and chaired two high level meetings with different public entities in order to promote efficiency in management of Government contracts and reduce the risks which cause Government to be sued in courts: A meeting with all Chief Budget Managers from Public Institutions (Permanent Secretaries and Secretary Generals) and a meeting with All Director Generals, Executive Secretaries and Chief executive officers of Public Institutions as well as decentralized entities namely districts and provinces.

Also, the Ministry organized a meeting with Government attorneys based in Rwanda Public Procurement Authority (RPPA), Rwanda Development Board (RDB), Rwanda Revenue Authority (RRA), Rwanda Social Security Board (RSSB) and National Bank of Rwanda (BNR). The objective of that gathering was to promote appropriate Government representation in courts when matters rise in Government contracts and other issues that concern the government.

- **The Ministry of Justice as coordinator of National Legislation, Access to Justice and Human Rights:**

Streamlined the functioning of Rwanda Law Reform Commission (RLRC) and transferred the Legislative and Drafting Services (LDS) of MINIJUST to Rwanda Law Reform Commission (RLRC) in order to reinforce its capacity as well as circumvent the duplication of effort and resources.

Revised the required court fees in criminal, civil, commercial, social and administrative matters, these reforms were undertaken in order to align the cost it take to process a court cases with current times and also, to help courts meet the daily operational costs. The updated court fees were published in Official Gazette no Special of 12.02.2014,

Revised and updated the scale of fees for the professional Court bailiffs, the fees required by court bailiffs were updated in order to streamline their functioning and speed up the process of judgments executions, the fees required by professional court bailiffs were published in Official Gazette no Special of 12.02.2014,

Established the Ministerial Order N°004/08.11 Of 11/02/2014 Determining The Modalities for Administration of Confiscated Property in order to streamline the management of confiscated property in Rwanda and also actively participated in drafting the law related to the Management of Abandoned property in Rwanda, the draft law is in parliament,

Initiated draft law on functioning of notary profession, the law is expected to decentralize the notary services and involve the private people undertaking notary services,

Actively participated in the promulgation and publication of the Law n°83/2013 of 11/09/2013 establishing the Bar Association in Rwanda and Determining Its Organization and Functioning, it was published in Official Gazette n°44 of 04/11/2013,

Initiated a draft law regarding matrimonial regimes, liberalities and successions, which in parliament chamber of deputies for reviews,

Started the process of drafting a National Human Rights Action Plan and Streamlined the organization and function of MAJ and Abunzi Activities, whereby MAJ were included in the organization structure of MINIJUST Employees and significantly participated in the development of Legal Aid Policy and Justice for Children policy. The policies were approved by the sector steering

committee and sent to cabinet for approval. These provide the strategic and robust orientation of the Justice sector in access to Justice at local levels and for vulnerable/indigent people in Rwanda. Developed and issued Ministerial Instructions related to the functioning of decentralized Justice Sector committees' and Justice Sector committees were established in all districts.

In addition to the above mentioned achievement, the ministry of Justice/Attorney General's office is striving to provide quality and timely legal opinion/advice to the public institutions through the improvement of LASIS, and continued training of legal officers.

The Ministry of Justice is continuing its effort in setting up an integrated electronic case management that will be used by all institutions involved in handling criminal and civil cases in Rwanda.

In order to promote access to Justice Abunzi system will be strengthened through continued training and provision of basic materials needed in the mediation process.

1. INTRODUCTION

For several years back till now, the Government of Rwanda (GoR) made a deliberate and strategic decision to adopt results based management in public institutions. This annual report is in line with reporting approach in the management of state affairs and in the implementation of government policies and strategies regarding the administration of Justice as well as ensuring accountability. Reporting the achieved results is an important management tool that facilitates the government to know progress so far made, against the long term target, in key areas and for participants to get a feel of how they performed and what they need to improve or change in the future. The annual report of the Ministry of Justice (MINJUST) of the Republic of Rwanda reflects activities performed for the Fiscal Year (FY) 2013-2014 which normally started 1st July 2013 and closed on 30th June 2014.

The following report summarizes the achievement of the Ministry of Justice taking a reference to the outlined activities in the 2013-2014 plans of action and also aligned to the mandate of the Ministry of Justice.

1.1. The mandate of the Ministry of Justice

The Rwanda Ministry of Justice (MINIJUST) is one of the key and lead Ministry of Justice Sector Institutions that play a major role in ensuring that the rule of law, human rights and justice for all prevails in the country. The Ministry's mandate is summarized as follow *"The general mission of the Ministry of Justice /Office of the Attorney General is to organize and to oversee the promotion of the rule of law and Justice for all¹."* Specifically MINIJUST is responsible for:

1. Developing, disseminating and coordinating the implementation of policies, strategies and programmes through,
 - a. Conception, elaboration and dissemination of national policies, strategies and programmes to promote the rule of law and justice for all;
 - b. Promotion of support mechanisms to the community programmes to enhance education of the population about laws and human rights, and to promote access to justice;
 - c. Promotion of cooperation between regional and international judicial institutions to improve the functioning of national judicial services.
2. Organizing and coordinating national legislation through:
 - a. Elaboration of measures governing the administration of justice and the compliance with the Constitution;
 - b. Putting in place measures aimed at guaranteeing the quality of the national judicial system regarding national reconciliation, fight against Genocide ideology, access to justice for all, fight against corruption and promotion of human rights;
 - c. Putting in place measures aimed at improving legal drafting and harmonization of national laws and regulations with the international laws, acceded to and/or ratified by Rwanda.
3. Providing legal advice and representation of the Government and its institutions through:

¹ PRIME MINISTER'S ORDER No40/03 OF 25/04/2014 DETERMINING THE MISSION, FUNCTIONS, ORGANISATIONAL STRUCTURE AND SUMMARY OF JOB POSITIONS OF THE MINISTRY OF JUSTICE / OFFICE OF THE ATTORNEY GENERAL, PUBLISHED IN Official Gazette no 17 of 28/04/2014

- a. Acting as chief Government technical adviser by providing requisite advice to Government and its institutions on legal matters; representing the Government in disputes of any kind to which it is party at the national and international levels.
4. Ensuring the institutional capacity development of the Justice Sector to improve their organization and functioning,
 5. Monitoring and evaluating the implementation of policies, strategies and programmes of Justice Sector and allied entities through:
 - a. Establishment and implementation of indicators to monitor and evaluate the impact of the Justice Sector policies, strategies and programmes on development and access to justice;
 - b. Consolidation of the data provided by the Justice Sector and decentralized institutions on justice matters;
 - c. Periodical and annual reports to the Government on the impact of the policies, strategies, programs and projects on the rule of law in Rwanda;
 - d. Mobilization of resources for the development of the Justice Sector and related programmes.

1.2. Objectives of the annual report

Given the above fundamental roles of MINIJUST, this annual report was prepared to achieve the following objectives:

- Provide a systematic report on essential performance information at the end of the year;
- Provide the management with indications of progress, or shortfalls in the achievement of results and targets;
- Ensure and facilitate informed decision-making and proper planning in future;
- Support substantive accountability of senior and lower level staff; and
- Facilitate improved performance by highlighting implementation challenges and gaps, and by offering recommendations for action.

1.3. Scope of the report and methodology

This report covers 12 months period of the year, that is, July/2013 to June/2014.

It assesses the status of progress towards the achievements of outputs and targets, reviews the related organizational issues, identifies challenges and gaps, and provides some recommendations for performance improvement. Institutionally the report covers activities carried out by MINIJUST services and departments. The report also captures the annual achievements of the affiliated institutions, namely Rwanda Law reform commission (RLRC) and Institute of Legal Practice and Development (ILPD).

Several instruments and methods were used during the preparation of this report and these include monthly departmental progress reports, the 2012-2013 action plans, the Minister's performance Contract/SAP, Annual report of the institutions.

2. Annual achievements

This section presents department by department analysis of the performance by highlighting key achievements as well as results. Besides the instruments mentioned in section 1.3 above, assessment was also based on tasks outlined in the mandate of MINIJUST and the Attorney General's office as stated in the applicable Prime Minister's orders.

2.1. Legal Services department

2.1.1. Civil Litigation Service Division

The Civil Litigation Service (CLS) is responsible for representing the Government and all public institutions in Courts of Law and in other litigation matters. It has the tasks to follow up and ensure the execution of courts decisions in cases involving government; resolve legal issues amicably in collaboration with other concerned Government organs on their own initiative or upon the concerned party's request; and to sue government employees who, through negligence or mistakes, cause loss which leads to payment of damages by the government.

2.1.2. Achievements of the CLSD

The Government of Rwanda was represented in 667 Civil Litigations among of them; Government won 275 (77.6%) cases, lost 79 cases representing 22.3%, 16 cases were initiated to be solved through out of court settlement representing 2.4%, in total 297 cases are pending in courts.

Table 1: Government representation in courts

Status of Litigations	2012-2013		2013-2014	
	Number	Percentage	Number	Percentage
Won Cases	280	72.9	275	77.7
Lost Cases	104	27.1	79	22.3
Pending	151	27.4	297	44.5
Out of Court Settlement	17	3.1	16	2.40
Total	552	-	667	

In comparison with the performance of Civil Litigation Services of the previous period 2012-2014, and the performance for 2013-2014, there is a significant reduction in number of court cases that Government loses as they were 104 (27.1%) in 2012-2013, and reduced to 79 (21.4.0%). The improvement in Government representation and Civil Litigation is attributed to important reforms undertaken along the year, which include among others; publishing the Ministerial instructions on the process of Government representation in courts, and clearly explaining the role of institutions in that process. In that regards, all public institutions were requested to respect the timeline while submitting the files to Attorney Generals' office for representation in courts. Also in order to avoid inefficiencies observed in the institutions which had private lawyers, the Ministry of Justice/Attorney General's office issued instruction barring public institutions to hire private lawyers. This was done in order to streamline the Government representation in courts as well as quality control. And currently, Attorney General's office is

identifying a pool of private lawyers with strong caliber who will represent Government in courts under supervisions of the Ministry of Justice/Attorney General's office.

Furthermore, the Ministry had organized and chaired two high level meetings with different public entities in order to promote efficiency in management of Government contracts and reduce the risks which cause Government to be sued in courts: A meeting with all Chief Budget Managers from Public Institutions (Permanent Secretaries and Secretary Generals) and a meeting with All Director Generals, Executive Secretaries and Chief executive officers of Public Institutions as well as decentralized entities (Districts and Provinces).

Also, the Ministry organized a meeting with Government Attorneys based in Rwanda Public Procurement Authority (RPPA), Rwanda Development Board (RDB), Rwanda Revenue Authority (RRA), Rwanda Social Security Board (RSSB) and National Bank of Rwanda (BNR). The objective of that gathering was to promote appropriate Government representation in courts when matters rise in Government contracts and other issues that concern the Government.

2.1.3. The institution represented in courts

2.1.3.1. Local administrative entities

The local administrative entities mentioned in this report include all Districts and Kigali city. Civil litigations under this category represent the majority of all litigation that government of Rwanda was involved during 2013-2014. They are in total 231 cases of which government won 177 (76.6%) and lost 54 (23.3). Rusizi district is at the top in having a big number of cases (25), it is followed Gasabo district with 22 cases. Among other districts with a big number of cases, we can name Nyamasheke, Rubavu, Bugesera, and Musanze. The following tables depict the distribution of the cases per district including Kigali City.

Table 2: Local administrative entities

No	Local Administrative entities	WON CASES	LOST CASES	TOTAL CASES
1	RUSIZI DISTRICT	16	9	25
2	GASABO DISTRICT	20	2	22
3	NYAMASHEKE DISTRICT	15	6	21
4	RUBAVU DISTRICT	16	4	20
5	BUGESERA DISTRICT	16	2	18
6	MUSANZE DISTRICT	14	4	18
7	BURERA DISTRICT	11	2	13
8	GAKENKE DISTRICT	11	2	13
9	MVK	7	6	13
10	KARONGI DISTRICT	6	3	9
11	KICUKIRO DISTRICT	6	1	7
12	NYARUGENGE DISTRICT	5	2	7
13	RUTSIRO DISTRICT	4	2	6
14	NYABIHU DISTRICT	5	1	6
15	NYAMAGABE DISTRICT	4	1	5

No	Local Administrative entities	WON CASES	LOST CASES	TOTAL CASES
16	RWAMAGANA DISTRICT	3	2	5
17	GICUMBI DISTRICT	4	-	4
18	NYAGATERE DISTRICT	4	-	4
19	GISAGARA DISTRICT	3	-	3
20	HUYE DISTRICT	2	1	3
21	KAYOZA DISTRICT	2	1	3
22	NYANZA DISTRICT	3	-	3
23	NGOMA DISTRICT	2	-	2
24	NYARUGURU DISTRICT	2	-	2
25	GASTIBO DISTRICT	1	-	1
26	KAMONYI DISTRICT	-	1	1
27	KIREHE DISTRICT	-	1	1
28	MUHANGA DISTRICT	-	1	1
29	NGORORERO DISTRICT	-	1	1
Total		177	54	231**

The number of cases of which courts made a decision

2.1.3.2. Other Public institutions including the Ministries

Other than the Local Government institutions, the Ministries and their affiliated agencies were represented in courts. In total there are 122 courts cases observed at Ministries and their affiliated agencies among the cases from Ministries and Development Agencies (MDAs), GoR Won 97 (79.5%) and lost 25 (20.4%). The Rwanda Natural Resource Authority (RNRA) is at the top in having a big number of civil litigation. Among other Public institutions in having a big number of cases we can name: MINADEF, RCAA and The University of Rwanda.

Table 3: Other institutions represented

No	Other Public institutions including the Ministries	WON CASES	LOST CASES	TOTAL CASES
1	GOR*	15	5	20
2	RNRA	12	-	12
3	MINADEF	7	1	8
4	RCAA	5	1	6
5	UNIVERSITY OF RWANDA	3	2	5
6	SGF	3	1	4
7	MIDIMAR INCR	4	-	4
8	MINEDUC	3	1	4
9	MINIJUST	4	-	4
10	MININTER	2	2	4
11	KIST	3	-	3
12	MININFRA	2	1	3
13	NAEB	2	1	3
14	ISAE BUSOGA	1	1	2
15	MINAGRI	1	1	2

No	Other Public institutions including the Ministries	WON CASES	LOST CASES	TOTAL CASES
16	MINALOC	2	-	2
17	MINISANTE	2	-	2
18	MINIYOUTH	1	1	2
19	NPPA	1	1	2
20	ORINFOR	1	1	2
21	PARLIAMENT	1	1	2
22	RBC	2	-	2
23	RTDA	2	-	2
24	COMMISSION FOR DEMOBILIZATIO	1	-	1
25	EWSA	1	-	1
26	IRST	-	1	1
27	MINECOFIN	1	-	1
28	MINISPOC	1	-	1
29	NISR	-	1	1
30	NURC	1	-	1
31	OMBUDSMAN	1	-	1
32	OAG	-	1	1
33	ONATRACOM	1	-	1
34	PMO	1	-	1
35	RBA	1	-	1
36	REB	1	-	1
37	RNP	1	-	1
38	RRA	1	-	1
40	RWANDATEL	1	-	1
	Total	97	25	122

*Unspecified Public institution represented in court

2.1.4. Roots of civil litigations in Government/Rwanda Public Institutions

The analysis of the causes leading to the government being sued in courts, indicates that, among the cases, of which judges made a decision, problems related to land keep the high score with 26.3%, issues in contract management occupy the second rank with 15.6%, followed by appeal on the cases with 14.7%. Unfair dismissal of employees in public institution is still one of the major causes of the litigations leading Government to be sued in courts. The following table presents the detailed causes of litigations in Public Institutions.

Table 4: Roots of Civil Litigations

Reasons of the Litigations	Won cases	Lost Cases	Total	Percentage
1 Land title issues	81	12	93	26.3
2 Issues in contract	38	17	55	15.6
3 Appeal / not contented with court decisions	39	13	52	14.7
4 Unfair dismissal of employees	23	15	38	10.8

Reasons of the Litigations		Won cases	Lost Cases	Total	Percentage
5	Execution of Judgments	22	4	26	7.4
6	Compensation	12	10	22	6.2
7	Claim of different types of Rights (Health, property, Asylum)	17	0	17	4.8
8	Confiscation of Assets	9	5	14	4.0
9	Recover embezzled funds	13	0	13	3.7
10	Administrative decisions: (Mayors)	5	2	7	2.0
11	Accidents made by unidentified Auto-mobile/Vehicles	6	1	7	2.0
12	Behavior of police officers	3	0	3	0.8
13	Removal of public resolutions	2	0	2	0.6
14	Correction of orders	1	0	1	0.3
15	Damages on property/Assets	1	0	1	0.3
16	Expropriation Issues	1	0	1	0.3
17	Personal security violated	1	0	1	0.3

2.2. Legal Advisory Service

The mandate of the Legal Advisory Services (LAS) is to assist the GoR in any negotiations and vetting of contracts at national and international levels; ensure compliance with national legislation of agreements entered between the government and private individuals, the private companies, countries and international organizations in the interest of the state, and advise the GoR and affiliated institutions on legal matters, preferably before binding decisions are made, coordinate and capacitate legal officers in all public institutions by ensuring the high level professionalism.

2.2.1. Achievements of LAS

Legal advisory service provided 219 legal opinions, on national and international contracts, MoUs, and agreements, Attended 35 meetings on contract negotiations, and other legal matters.

With regard to streamlining the functioning of legal officers/advisors from public institutions

1. The Ministry of Justice, organized and chaired different high level meetings with all public legal advisors, in order to identify the challenges prevailing in the fulfillment of their mandate,
2. Issued Ministerial Instructions setting up modalities for drafting, negotiating, requesting for opinions, signing and managing contracts and they have been published in official gazette Official Gazette n° 18 of 05/05/2014. In addition to that 138 Legal officers/advisors were trained in different domains,
3. Through various forums, the Ministry of Justice/Attorney General's office counseled high level authorities from public institutions to consider advices of legal officers

positioned in their institutions before taking any legal decisions. This was aiming at alleviating any disputes that lead Government into unnecessary court cases.

4. Ministry of Justice developed the standards and guiding principles for Government legal officers. They were approved by the Cabinet.
5. Moreover, Ministry of Justice strengthened the use of Legal Advisory Service Information System (LASIS), whereby, all Public institutions are using the online system in order to request legal advices/opinions to the Ministry of Justice/Attorney General's office, thus, LASIS system reduced inefficiency in resources used while printing big contract document, MoUs or other legal instruments.

2.3. Legislative and Drafting Services

The legislative drafting service (LDS) is responsible for drafting bills and orders for cabinet approval, and for screening laws before promulgation. It is also responsible for harmonization of legal translation in three official languages of Rwanda that is, Kinyarwanda, English and French. The specific responsibilities of the Legislative Drafting Service include drafting bills, providing legal opinion on draft laws and orders, assisting government institutions in the drafting of legislation, coordinating the drafting of national legislation, harmonizing translations in the three official languages, and participating in deliberations in the preparation of bills.

2.3.1. Achievement of Legislative and Drafting services

From July 2013 to May 2014 the LDS initiated and drafted 12 orders, screened and harmonized 118 laws, and 147 orders and instructions, sealed 57 laws and 114 orders. The Table 5 depicts the distribution of the activities performed by LDS

Table 5: Legislative and drafting achievement 2013-2014

Item	2012/13	2013/14
1. N° of orders initiated and drafted	22	12
2. N° of laws screened and harmonized	115	118
3. N° of orders and instructions screened and harmonized	183	147
4. N° of laws sealed with the Seal of the Republic	43	57
5. N° of orders sealed with the Seal of the Republic	94	114
6. N° of parliament sessions attended	13	81
7. N° of other legal consultative meetings attended	34	22
8. N° of legal opinion provided on laws, orders and instructions	-	10

Note: With the objective of streamlining and strengthening the legislation process in Rwanda, the department of legislation and drafting was transferred to the Rwanda Law Reform Commission.

2.4. Access to Justice Department

The department of Access to Justice is mainly responsible for providing efficient legal aid services to the general public in matters related to notary services, Injustice matters, changing of

the names. It is also responsible in coordination of decentralized services of the Ministry of Justice, such as MAJ and ABUNZI. The Access to Justice Department plays important role in coordinating and monitoring the legal assistance provided to vulnerable people including minors, and execution of Judgments.

2.4.1. Achievements Access to Justice Department

Table 6: Achievement Access to Justice

Indicator	2012/13	2013/14
N° of written legal aid services provided	681	604
N° of people who received and given legal advice verbally	2167	1,181
N° of official responses provided to applications for changing names	181	263
N° of responses provided to applications for official marriage age exemption	68	17
N° of responses to applications for exemption of publication period	15	3
N° of notarized documents from the general public	24,142	12,227
N° of responses provided to applications for appointment as Court Bailiff	67	224
N° of people who requested for assistance in courts of law	7	31
N° of court judgments executed	16,626	2,545
N° of Gacaca Judgments executed	193,337	130,620
	1257	1,194

2.4.2. Achievement of MAJ 2013-2014

MAJ services, received 22,168 cases of which 20,013 representing (90%), and 2,155 cases were penal 10%. 10,561 (47.6%) cases were presented by female, and 9,820 (44.3%) were presented by male. There were 1787 cases concerning minors, which were addressed and handled by MAJ. The table n° 6 represents the distribution of the cases received and handled by MAJ from July 2013 to June 2014.

Table 7: MAJ Data 2013-2014.

N°	District	Civil cases			Penal cases			Total			Grand Total
		M	F	E	M	F	E	M	F	E	
1	Bugesera	275	344	5	23	27	15	298	371	20	689
2	Burera	422	390	76	47	57	5	469	447	81	997
3	Gakenke	382	462	9	27	32	5	409	494	14	917
4	Gasabo	227	223	55	129	5	5	356	228	60	644
5	Gatsibo	288	285	77	33	31	24	321	316	101	738
6	Gicumbi	309	386	8	30	61	0	339	447	8	794
7	Gisagara	256	321	62	12	19	0	268	340	62	670
8	Huye	591	697	24	77	92	90	668	789	114	1571
9	Kamonyi	367	487	8	37	59	0	404	546	8	958
10	Karongi	240	298	55	22	19	2	262	317	57	636

N°	District	Civil cases			Penal cases			Total			Grand Total
		M	F	E	M	F	E	M	F	E	
11	Kayonza	166	190	25	14	20	0	180	210	25	415
12	Kicukiro	291	322	104	17	17	0	308	339	104	751
13	Kirehe	403	386	105	32	33	3	435	419	108	962
14	Muhanga	175	201	21	7	10	1	182	211	22	415
15	Musanze	157	215	64	18	24	7	175	239	71	485
16	Ngoma	230	246	16	55	28	6	285	274	22	581
17	Ngororero	217	214	52	45	37	25	262	251	77	590
18	Nyabihu	173	205	17	40	28	6	213	233	23	469
19	Nyagatare	150	201	37	34	41	4	184	242	41	467
20	Nyamagabe	385	375	35	55	53	42	440	428	77	945
21	Nyamasheke	353	372	11	33	6	5	386	378	16	780
22	Nyanza	387	441	107	27	15	9	414	456	116	986
23	Nyarugenge	330	367	277	9	3	1	339	370	278	987
24	Nyaruguru	840	536	126	5	34	0	845	570	126	1541
25	Rubavu	338	478	3	12	20	0	350	498	3	851
26	Ruhango	242	270	62	30	40	18	272	310	80	662
27	Rulindo	138	131	28	43	25	0	181	156	28	365
28	Rusizi	229	260	4	7	4	0	236	264	4	504
29	Rutsiro	155	179	3	32	50	13	187	229	16	432
30	Rwamagana	144	174	21	8	15	4	152	189	25	366
Total		8860	9656	1497	960	905	290	9820	10561	1787	22168

2.4.3. Achievement of Mediation committees “Abunzi”

In 2013-2014, 45,285 cases were received by Mediation committees country wide, among of them 36,940 were civil cases, and 8,345 were penal cases. 36,441 cases were mediated and closed by Abunzi. That number represents 80.5% of the total cases received. It is important to note that, Abunzi played a role in reducing the backlogs in the formal courts as such number of the cases mediated should have been added to the cases handled by the formal courts. The table 8 displays the distribution of the Abunzi Achievement as per 2013-2014.

Table 8: Abunzi 2013-2014

Summary of the cases received and handled by Abunzi	Number	Percentage
Total Civil cases received	36,940	81.6
Total Criminal cases received	8,345	18.4
Total Cases received by Abunzi	45,285	100.0
Total Cases handled and mediated (Civil):	30,161	82.8
Total Cases handled and mediated (Penal):	6,280	17.2
Total Cases handled	36,441	100.0
% of Cases mediated in comparison to the received cases	80.5%	
Total Cases continued to courts (Civil)	3559	7.9
Total Cases continued to courts (Civil)	1035	2.3

Total Cases continued to courts	4,594	10.1
% of cases continued in courts in comparison to the received cases	11.7%	

2.4. 4. Abandoned property management

The role of taking proper custody of the abandoned property in Rwanda is vested in the Abandoned Property Management Unit in MINIJUST. The main attributions of the Unit is to manage all abandoned property in Rwanda by carrying out its inventory, ensuring its productivity on behalf of the owners, drafting rent contracts and determining its prices, and dealing with any ownership related issues including conflict resolution and recuperations of the property by the owners.

2.4.4.1. The current status of the Abandoned Property in Rwanda

During 2013-2014, The Ministry of Justice identified 175 new abandoned properties. 91 properties are financially productive and the productivity from the abandoned property is kept on behalf of the owners. In total Abandoned property generated 352,577,764 RWF. 15 properties were repossessed by the owners. In total there are 684 abandoned property managed by the Ministry of Justice. Among of them 283 are houses, 348 are lands, and 53 are forests. The following table the displays the distribution of the abandoned property as per June 2014.

Table 9: Facts on Abandoned Property by June 2014

District of Location	Type of Property			Total
	House	Land	Forest	
1. NYARUGENGE	53	0	0	53
2. KICUKIRO	53	8	1	62
3. GASABO	27	3	0	30
4. RUBAVU	20	18	0	38
5. NYABIHU	54	141	27	222
6. GICUMBI	6	4	3	13
7. GAKENKE	28	122	12	162
8. HUYE	0	5	1	6
9. NGOMA	17	11	1	29
10. RUSIZI	10	14	2	26
11. NYAMAGABE	1	1	0	2
12. NYARUGURU	2	1	0	3
13. KIREHE	12	20	6	38
TOTAL	283(41.37%)	348(50.9%)	53(7.7%)	684

Other activities performed by the department of Access to Justice

- Organized Legal aid week in which 160 cases of minors in conflict with laws were tried, 91 cases involving 139 minors have already been pronounced, 51 minors were released, 63 minors their sentences were reduced and 25 minors, their sentences were upheld. 5,979

detainees were educated on their rights and on the criminal procedure, 1,849 detainees/prisoners were provided with a range of legal aid services including legal advice, drafting court submissions and coaching for self-representation; 7,479 indigents and vulnerable people were provided with different types of legal aid.

- Revised the required court fees in criminal, civil, commercial, social and administrative matters. This was done son in order to align the required cost with current times as the former court fees were established in 2001, and also, to help courts meet the daily operational costs. The court fees were published in Official Gazette no Special of 12.02.2014,
- Revised and updated the scale of fees for the professional bailiffs, the fees required by court bailiffs were updated in order to streamline their functioning and speed up the process of judgments executions, it was also published in Official Gazette no Special of 12.02.2014,
- Established the Ministerial Order N°004/08.11 Of 11/02/2014 Determining The Modalities for Administration of Confiscated Property in order to streamline the management of confiscated property in Rwanda and also actively participated in drafting the law related to the Management of Abandoned property in Rwanda, this draft is in parliament,
- Initiated draft law on functioning of notary profession, the law is expected to decentralize the notary services and involve the private people undertaking notary services,
- Actively participated in the promulgation and publication of the Law n°83/2013 of 11/09/2013 Establishing the Bar Association In Rwanda and Determining Its Organization and Functioning, it was published in Official Gazette n°44 of 04/11/2013,
- Initiated a draft law regarding matrimonial regimes, liberalities and successions, which in parliament chamber of deputies for their reviews,
- Started the process of drafting a National Human Rights Action Plan,
- Streamlined the organization and function of MAJ and Abunzi Activities, whereby MAJ staff were included in the organization structure of MINIJUST.

2.5. Justice Sector Coordination Secretariat

This organ is responsible for high level policy coordination, effective prioritization, and for the monitoring and evaluation of the Justice Sector policies, strategies and programs. Its legal framework establishes regular channels for communication among all stakeholders to ensure transparent, clear and accountable mechanisms for oversight, direction and implementation of the sector strategy.

2.5.1. Achievements of the JRLOS secretariat

The secretariat scored the following achievements during this financial year under review:

1. The secretariat coordinated the implementation of the EDPRS & JRLO Sector Strategies through supervision of the day to day work of the secretariat, and during 2013-2014, plans were undertaken at sector level.
2. Prepared all relevant documents for the Justice Sector Peer Review Retreat which did not take place as had been planned for unforeseen circumstances and facilitated the implementation of the revised JRLOS policy dialogue;

3. Decentralized Justice sector committees were established in all districts
4. Prepared and facilitated meetings/workshops for the JRLOS Steering Committee, Joint Sector Working Group and the annual Sector Peer Review as well as joint sector field trips;
5. The secretariat coordinated the alignment of the JRLOS II strategy to EDPRS2 guidelines and one week workshop was organized for that purpose. It is at this juncture that the Final revised document of JRLOS II and Monitoring and Evaluation Frameworks were approved by the steering Committee is aligned with EDPRS II;
6. Organized meetings for TWG I, II & IV, and facilitated the monthly meetings of the Thematic Working Group on ICT, Planning and M&E; and facilitated monthly meetings of the Thematic Working Group on Planning, Resource Allocation, Budgeting and reporting;
7. Conducted JRLOS specific implementation, Supervision, coordination, and monitoring activities related with monthly TWGs, quarterly Steering Committee meeting, JSR two and the quarterly JSWG. In addition, the secretariat coordinated the implementation of the JRLOS ICT Strategy for the JRLOS Institutions and the Legal Information Portal was managed;
8. JRLOS twitter and Facebook accounts were regularly updated and are operational;
9. Justice for children policy are Legal Aid Policy were finalized and submitted to the cabinet for Approval.
10. IECMS Project Architecture developed solutions architecture developed

2.6. Planning, Research and M & E

The planning unit is mainly responsible for coordinating the formulation of policies, strategies and programmes of the Ministry and ensure their alignment with national strategies and priorities, and for coordinating and supervising the production of accurate, reliable and periodical institutional statistics and make them available for relevant reference. It is also charged with leading and coordinating strategic and operational planning and with assisting in budget preparation. The unit is also responsible for conducting periodic monitoring and evaluation of activities and for the preparation of relevant activity reports.

2.6.1. Achievement of the Planning Unit

The main achievements of the unit for the 12 months of the financial year 2013/2014 are the following:

1. The Unit prepared and reviewed the Single Action Plan/minister's performance contract for 2013/2014 and submitted it the office of the Prime Minister;
2. monitored the implementation of and prepared quarter progress reports on the Minister's performance contract/Single Action Plan (SAP) and submitted them to the Prime Minister's Office;

3. Held planning and budgeting meetings with all departments separately, drafted and prepared the 2013-2014 MINIJUST Programme structure, activities and costing that was submitted to MINECOFIN timely;
4. Developed and customized monthly reporting template for different departments;
5. Collected data and consolidated the monthly progress reports from all units and departments;
6. Performed Bi-annual Monitoring and Evaluation activities and produced reports;
7. Performed joint sector reviews and produced a report for submission to MINECOFIN;
8. Developed Action plans and Minister's Performance contracts for 2014-2015 and facilitated different consultations in MINECOFIN, Parliament and Prime Minister's office;
9. Monitored and Evaluated MAJ Activities in all districts;
10. Drafted the Ministry Strategic Plan 2013/14 to 2017/19;
11. Collected data for and prepared the 2012-2013 MINIJUST annual report which was published early September 2014;
12. Monitored and reported on the implementation of the different resolutions: 10th NLR and 10th NDC, Senates and Parliament resolutions and Prepared the implementation report of 11th NLR and 11th NDC;
13. Conducted assessment of the service delivery at Ministry of Justice Head Quarters;
14. Represented the Ministry of Justice in different forum (Planning, Monitoring & Evaluation, research & Statistics and other relevant consultations).

2.7. Information, Communication and Technology

The principal function of the ICT unit is to coordinate and supervise the implementation of ICT-related policies and programs in the Ministry and to ensure optimum functioning of equipment and computer network, as well as use of IT by staff in the Ministry.

2.7.1. Achievements of the ICT unit

- In partnership with RDB-IT, the Video conferencing equipment facility was requested, received, installed and Configured in MINIJUST.
- Followed up the Document Tracking and Workflow Management System
- (DTWFMS) and the system is currently in use and can be accessed with permission via the following address <http://41.74.172.93:8080/webdesktop/> or via www.minijust.gov.rw/DTMS and developed required terms of reference for the codification of MINIJUST assets and equipment, and facilitated codification of MINIJUST assets and Equipment,
- Maintained the LAN within the new building and old building of the Ministry of Justice,
- MINIJUST LAN was rehabilitated and Data Center is operational,
- Performed other daily computer maintenance for smooth operation of the ministry

activities,

- Maintained Legal Advisory Services Information System and it is operational, and also organized refresher trainings to the LASIS users across participating government institutions,
- Implemented Cyber Security project. Under this project, cyber equipment installed and configured. The department Configured the Intrusion Prevention System (IPS) and Web Application Firewall (WAF) in monitoring mode was completed successfully,
- Wireless access points in the old building installed configured/ & secured
- Held meetings with IBM team, MYICT and MINIJUST teams in the process of the development of Integrated Electronic Case Management System
- Organized and participated in different trainings of IECMS' Team management,

2.8. Finance, Administration and Logistics

The prime responsibility of Finance and Administration department is the coordination and supervision of all finance related activities within the ministry and to ensure that all personnel of the Ministry are paid their salaries regularly and timely. The unit is also responsible for Human resource and logistics management.

2.8.1. Achievements of the unit

During the last 12 months under review the Administration and Finance unit accomplished the following activities:

1. Coordination of activities related to finance such as payment for goods and services in the Ministry'
2. Paying monthly staff salaries and that of the political appointee, as well as other allowances and benefits;
3. Ensuring the supply of goods and materials, managing and distributing office furniture and other consumables;
4. Handling mission and transport facilities to the employees, attending different meeting in relation to administration and Finance, participating in the drafting of the budget structure of the institution and oversee the employee performance and satisfaction.
5. Preparation of monthly financial statements,
6. Rehabilitation of the old building.

2.9. Institute of Legal Practice and Development

The Institute of Legal Practice and Development is one of the Institution members of the Justice Sector. It is mainly responsible for building the capacity in Justice Sector institutions through the delivery of professional legal courses and conducting legal research.

2.9.1. Post Graduate courses

The ILPD trained 115 students in Diploma in Legal Practice in two intakes under the full time Mode based in Nyanza. The second intake has completed course work and the students are conducting their final research. 27 students were trained in Diploma of Legal Drafting.

They are 47 students completed the course on Diploma in Legal Practice under Fast Track Mode, despite the fact that they started the courses in 2012-2013 academic year.

ILPD also introduced Part Time teaching and executive Mode modes. Via these modes 40 students are undertaking DLP under Part Time Mode and 27 students are undertaking DLP under Executive Mode. The course had started in February and March 2014 respectively.

2.9.2. Short courses

The ILPD trained 666 trainees in eighteen short trainings during the Financial Year 2013/2014:

- ✍ **Ethics for Lawyers:** Two days training attended by 40 lawyers,
- ✍ **Contract law:** 3 days training offered to 50 Public Administrative lawyers,
- ✍ **Legal English training:** 3 months period course offered to 100 lawyers
- ✍ **Judgment drafting:** attended by 21 Commercial Courts Judges & Registrars
- ✍ **Human trafficking:** attended by 53 Prosecutors & Judicial Police officers
- ✍ Company and Competition law: attended by 47 Legal Officers from Different Public Institutions,
- ✍ Basic Knowledge of accounting, financial crimes, fraudulent financial reporting and cybercrime for 21 Prosecutors & Judicial Police officers.
- ✍ Contract negotiation, drafting, management and arbitration for 45 Legal Officers from Different Public Institutions
- ✍ Bailiffs training for 30 MAJ staff
- ✍ Modern techniques of conducting investigations for 18 Prosecutors & Judicial Police officers,
- ✍ International Labor standards for 13 Judges, 3 Lectures, delegates, delegates from ILPD (2), COTRAF (1) and CESTRAR (1).
- ✍ Training on Assessment for 10 ILPD Trainers (4 external and 6 internal)
- ✍ Information technology and law and its impact on administration of Justice for 37 delegates from the EAC Judiciary,
- ✍ Case management and emerging issues for 35 Prosecutors, Judges, Registrars
- ✍ Prosecution of International crimes : crimes against humanity, genocide and war crimes for 26 Prosecutors, Judicial police officers
- ✍ International standards on judging, sentencing and evidence submission and assessment for 55 prosecutors, judges, registrars.
- ✍ Terrorism, International and Transnational crimes for 35 Judges Registrars, prosecutors and legal researchers
- ✍ Mediation for 23 Advocates, Legal Aid Clinic, Judges, Registrars.

2.9.3. Research

- As part of the research, the Institute completed two research projects; legislative mapping process and legal aid policy which had started previous financial year.
- The institute also conducted a research on need assessment for the integration of Rwanda Bar Association in the region. The assessment report was approved by the stakeholders.

2.9.4. Administration matters

- On administrative matters the Institute developed its strategic plan for the period of 2013-2017. A related business plan showing the implementation of the Strategic plan was also developed. The two documents were developed alongside the sector strategic plan and were approved by the Board of Directors of the Institute,
- The institute also recruited personnel for the vacant positions. These include; The Vice Rector in Charge of Academic Affairs, accountant officer, procurement officer, Human resource officer, System administrator, research coordinator, records and examination officer, public relations officer and a lecturer.
- For the starting of part time course and Executive mode in Kigali, agreement has been reached to use the premises of Supreme Court and NPPA.

2.10. Rwanda Law Reform Commission

The Rwanda Law Reform Commission is mandated to carry out the following tasks:

1. Analyzing the laws and providing recommendations to relevant authorities for their improvement, modernization and reform with an emphasis on:
 - a. Elimination of anomalies in laws, repealing obsolete or unnecessary provisions of the law and simplification of laws;
 - b. Establishing new methods of applying laws and concepts of laws that suit with the values and changing needs of the Rwandan society;
 - c. Supporting and improving the effective administration of justice;
2. Conducting studies aimed at evaluating existing laws in order to determine those that are not implemented and new ones that may be necessary and advise relevant authorities accordingly;
3. Ensuring proper consolidation and revision of laws of Rwanda;
4. Identifying laws provided for by the Constitution, not yet in existence and drafting them;
5. Preparing draft laws relating to legislation that requires reform;
6. Harmonizing applicable national laws with those of the state members of international organizations to which Rwanda is a member and international instruments which Rwanda has ratified;
7. Advising the Government and the Parliament on reform of laws in order to make them consistent with the Constitution;

8. Providing to public institutions legal advice on draft laws or any other law reform related issue; and receiving and considering any proposals for reform of laws that are submitted by an institution or any interested person.

Achievement made by the Rwanda Law reform commission are highlighted in the Performance contract section of this report, particularly on the “**output six**”

2.11. ANNUAL IMIHIGO IMPLEMENTATION REPORT: 2013-2014

Output	Indicator & Baseline	Planned activities	Achievements 2013-2014
OUTCOME 1: Improved access to quality justice (EDPRS 3.6)			
Output 1: Justice delivery at local level reinforced through strengthened and improved functioning of Mediation Committees-Abunzi (7YGP 63 SSP, e.2.4)	Indicator: Number of cases handled by Abunzi % change in cases entering courts N° of Abunzi trained Baseline: 15,573 cases, July 2012-April 2013 (only Courts data) Training in 11 districts (36.6%)	1. Provide materials and training in 22 Districts. 2. Follow up on the enactment of the amended law on Abunzi 3. Prepare a report of Abunzi activities not captured in Judiciary (Courts) reports.	1. Mediation committees in 23 Districts were trained in using reporting forms, and the mostly used laws. And they were given the basic materials (Scarves, forms, registers and metallic Boxes). 2. The Draft Organic Law modifying and complementing Organic Law N° 02/2010/OL of 09/06/2010 relating on organization, jurisdiction, and competence and functioning of the mediation committee was passed by the Parliament chamber of deputies and the consultations are underway in chamber of Senate: 3. 45,285 cases were received and handled by Abunzi. Among of them 36,940 (81.6%) were civil cases; 8,345(18.4%) were penal cases. Mediation committees, 36,441cases were mediated and closed at Abunzi Level, and 4594 cases were mediated but continued into the formal courts.
Output 2: Legal Aid to the Community especially through Access to Justice Bureaus (MAJ) strengthened and	Indicator: Legal aid policy approved N° of MAJ staff trained N° of legal aid cases handled by MAJ	1. Review MAJ structure and staffing, 2. Develop a collaboration framework with	1. The Organisation Structure of Ministry of Justice (MINIJUST) was reviewed and important reforms were performed. Among other reforms, MAJ staffs are governed by general statute of public servants instead of being considered as contractual staffs, 2. A collaboration framework with MINALOC/Districts with regards to the management of MAJ staff was drafted by MINIJUST and it is under review with all concerned party before its official

Output	Indicator & Baseline	Planned activities	Achievements 2013-2014
improved	<p>N° of judgments for needy people executed</p> <p>N° of needy people represented in Court</p> <p>Baseline: N/A</p> <p>32,822 – 2012-2013</p> <p>N/A</p> <p>Draft available</p>	<p>MINALOC/Districts on the management of MAJ staff,</p> <p>3. Legal Aid Policy finalized, validated by JRLOS and approved by Cabinet,</p> <p>4. Organize training for MAJ staff,</p> <p>5. Provide legal aid to received requests,</p> <p>6. Execute judgments for identified needy people as per the new Bailiffs Law,</p> <p>7. Represent identified needy people in Court once the Bar Association law is published,</p> <p>8. Prepare report on MAJ</p>	<p>signature,</p> <p>3. Legal Aid Policy was finalized and validated by JRLOS' steering committee. The Ministry of Justice (MINIJUST) prepared and submitted the cabinet paper on Legal Aid Policy to the PMO,</p> <p>4. 30 MAJ Staff with the responsibility of execution of Judgement were trained in order to strengthen their capacity on 17th to 28th June 2014 at Kigali, La Palisse Hotel,</p> <p>5. 22,393 people received legal aid, of whom, MAJ staff provided legal aid to 20,748 (92.6%) and 1,105 (7.4%) people received legal aid at MINIJUST headquarters. Through Rwanda Bar Association, 660 indigent people excluding minors were represented in courts,</p> <p>6. Out of 3,363 ordinary courts Judgement needing execution, 2,545(75.6%) were executed and also 130,620 GACACA Judgements were executed by both professional and nonprofessional court bailiffs,</p> <p>7. The law related to the functioning of Rwanda Bar Association designates one of the MAJ staff as Lawyer representing the needy people and minors in courts was promulgated. The Ministry of Justice (MINIJUST) in collaboration with Rwanda Bar Association undertook the recruitment process of MAJ staff that will be in charge of representing the needy/indigent people in courts,</p> <p>8. Monthly report on MAJ Activities was prepared. And indicates</p>

Output	Indicator & Baseline	Planned activities	Achievements 2013-2014
		activities	that 22,168 people were given legal aid by MAJ, the cases disaggregation indicate 20,013 (90%) were civil cases, and 2155 (10%) were penal cases. It was indeed revealed that, 10,561(47.6%) cases were presented by female and 9,820(44.3%) cases were presented by male. Also, 1,787(8.1%) were related to minors.
<p>Output 3: Legal assistance to Minors in conflict with the law and needy genocide suspects provided (7YGP 66, EDPRS 6.24, SSP e.2.3)</p>	<p>Indicator: N° of minors and needy genocide suspects represented in court</p> <p>Justice for Children policy approved</p> <p>Baseline: N/A Daft available</p>	<ol style="list-style-type: none"> 1. Review collaboration framework with the Bar Association, 2. Review contract with lawyers providing legal assistance to Minors. 3. Carry out quarterly monitoring of the provision of legal assistance as per the contract with the Bar Association. 4. Follow up on the approval of the Justice for Children policy by Cabinet. 	<ol style="list-style-type: none"> 1. The collaboration framework with Bar Association and NGOs was reviewed and assistance to Minors in conflict with the law was streamlined. 2. The Ministry of Justice carried out the benefit cost analysis of the contracts with the BAR Association on assistance of minors, in order to review the contract. And the findings revealed that, the existing contract with the BAR association should be maintained but the monitoring of minors representation should be reinforced/intensified. The existing contract with the Bar Association was maintained and the Monitoring activities were intensified by including positions of inspectors on the organization structure of the Ministry. 3. The provision of legal assistance to minors is regularly monitored by MINIJUST with reference to terms of contract signed with Rwanda Bar Association. From July to date, 1,194 Minors in conflict with the laws were assisted in courts. 4. The Justice for Children Policy was approved by JRLOS steering committee and sector working group. The cabinet paper was prepared and submitted to the PMO.

Output	Indicator & Baseline	Planned activities	Achievements 2013-2014
<p>Output 4:</p> <p>The functioning of Court Bailiffs strengthened and improved (7YGP 64, SSP-e.2.6.)</p>	<p>Association exists; to be reformed under new law</p> <p>Executed: 209,494 May 2013; (67%)</p>	<ol style="list-style-type: none"> 1. Organize the first general assembly meeting of the Association, 2. Oversee the election of the Bureau, 3. Monitor the execution of judgments and the functioning of the Bailiffs Association. 4. Oorganize training of Bailiffs 	<ol style="list-style-type: none"> 1. The Ministry of Justice organised Bailiffs Association general assembly on 26th July 2013 at MINIJUST conference Hall, 2. Also, on the day of General assembly, the Ministry of Justice supervised the election for establishment of the Bureau of bailiffs association, and 26 Non-professional court bailiffs were sworn in, 3. The Reports on execution of Judgement from Both Professional and non-professional court bailiffs were consolidated on quarterly basis: Out of 4,168 ordinary courts Judgement needing execution, 2,545 (75.6%) were executed and also 130,620, Gacaca Judgements were executed from July 2013 to June 2014. 4. 52 Professional court bailiffs' training was organised and training were held in Gashora on 22th - 24th December 2013. The Ministry organised and provided a training on execution of Judgement to all executive secretaries of cells country wide "non-professional court bailiffs on 10th -12 June 2014 and 30 MAJ Staff responsible for execution of judgements.
<p>OUTCOME 2: ENHANCED RULE OF LAW, ACCOUNTABILITY & COMPETITIVENESS (SSP e.4)</p>			
<p>Output 5:</p> <p>Framework for contract negotiation and management in public institutions established</p>	<p>Indicator: Ministerial instructions and standards issued.</p> <p>Types of model contracts</p>	<ol style="list-style-type: none"> 1. Preparation and approval of Ministerial instructions on contract negotiation and management 2. Drafting, approve and 	<ol style="list-style-type: none"> 1. Ministerial instructions setting up modalities for drafting, negotiating, requesting for opinions signing and managing contracts were prepared and published in the official gazette. 2. In collaboration with RPPA, Five (5) model contracts were

Output	Indicator & Baseline	Planned activities	Achievements 2013-2014
(NLR 2013)	<p>prepared and distributed</p> <p>N° of trainings delivered</p> <p>N° of contract negotiation meetings attended</p>	<p>distribute model contracts</p> <p>3. Organize validation meetings with stakeholders</p> <p>4. Organize training of legal officers on contract negotiation and management.</p> <p>5. Participate in contract negotiation meetings and provide legal advice.</p>	<p>developed:</p> <ol style="list-style-type: none"> a. Standard contract for complex consultancy assignments, b. Standard contract for supply of goods, c. Standard contract for consultancy services for small assignments, d. Standard contract for large works, e. Standard contract for small works. <p>The approved model contracts were published in the official gazette, and, are available to the website of RPPA and MINIJUST Website</p> <ol style="list-style-type: none"> 3. Organised validation meeting of Ministerial instructions setting up modalities for drafting, negotiating, requesting for opinions signing and managing contracts was organized in November 2013 on, and the validation meeting on draft of the standards for the functioning of Legal Advisor across government was organised in December, 2013, whereby, legal officers/advisors from the Central Government and decentralised Institutions actively participated. 4. Organised Two (2) Training Sessions on Drafting, Negotiation, and Management of contract and all government legal officers/Legal Advisors were invited to participate. In total 138 legal officers were trained, 5. Provided 219 legal opinions on national and international contracts, MoUs, and agreements. Also attended 35 meetings on contract negotiations, and other legal matters.

Output	Indicator & Baseline	Planned activities	Achievements 2013-2014
<p>Output 6: Existing laws Harmonized, modernized, updated indexed, codified and Revised (7YGP 14, 9th NLR 7, SSP e.4.2, e.4.5, e.4.6)</p>	<p>Indicator: N° of legal instrument drafted N° of laws drafted for harmonization purposes N° of laws revised and indexed Reports of Law revision and Harmonization projects' feasibility studies available</p> <p>Baseline: Existing inventory of Rwanda laws and list of prioritized legal instruments that need reform and/or drafting Stakeholder consultations and analysis of some laws and implementing instruments requiring reform and drafting already done.</p>	<ol style="list-style-type: none"> 1. Update inventory of national laws that need to be reformed. 2. Create an inventory of international and regional legal instruments applicable in Rwanda 3. Update list of implementing legal instruments not in force and ensure their drafting 4. Prepare TORs for the feasibility study for law revision and Harmonization projects and Carry out the feasibility studies for law revision and Harmonization 5. Draft prioritized laws and implementing instruments, 6. Compile laws for indexing and codification, 7. Follow up/seek feedback on RLRC recommendations 	<ol style="list-style-type: none"> 1. Inventory has been established consisting of 30 laws to be reformed and 6 laws to be initiated. 2. Inventory was conducted and revealed that 965 international legal instruments are applicable to Rwanda. 3. Out of 194 implementing legal instruments being followed up for drafting, 111 have been drafted, representing (57.2%),,. Four out of Six laws to be initiated have been drafted, indicating 66.6% of the laws to be drafted. 4. Final reports for the Harmonization and the Law Revision project feasibility studies are available and have been approved by the council of commissioners. 5. 16 laws needing reform out of 27 prioritized have been drafted indicating (59.2%) and 9 laws are being analyzed for drafting, 6. Indexing and codifying of existing laws will be done during implementation of the Law revision project of which the feasibility study has been completed.

Output	Indicator & Baseline	Planned activities	Achievements 2013-2014
		regarding putting in place implementing instruments of laws.	7. Follow up activities were conducted as indicated.
<p>Output 7: To continue disseminating laws and coordinating sensitization programmes on Rwandans' rights. The Official Gazette will reach the Cell level and available on the Internet while most often used laws will be explained to people in simple language (7YGP 15)</p>	<p>Indicator: Number of radio and TV talk shows and official gazette Distributed N° of MoUs signed Official gazette regularly distributed to MAJ staff Amategeko.net website functioning and updated Baseline: N/A</p>	<ol style="list-style-type: none"> 1. Use radio and TV talk shows to disseminate the most used and new legal instruments. 2. Encourage all Districts to host a link on their websites to amatageko.net web portal and Update Amategeko.net website 3. Distribute Official Gazette to MAJ 4. Identify NGOs and negotiate the signing MoUs with them to sensitize citizens on these laws and rights. 	<ol style="list-style-type: none"> 1. 46 programs have been aired on radio Rwanda every Monday of the week, and 41 programs were aired on Amazing Grace radio on every Sunday of the week. 20 press conferences have been organized, and 14 press releases have been dispatched in media outlets 2. In collaboration with Africa Olleh Services (Former BSC), the Ministry of Justice started renaming www.amategeko.net to www.amategeko.net.rw. Renaming will allow the website domain to be hosted locally. The process of updating the website and linking it to the district will be done during the quarter one, and quarter two of 2014-2015 FY, 3. The official gazettes are regularly distributed to MAJ staff upon their publication, 4. All NGOs working in Justice related matters were identified and are being monitored. The Ministry of Justice signed MoUs with Human Right Watch (HRW) for supporting to JRLO Sector in Rwanda by promoting and protecting fundamental rights, freedoms and democratic principles, and International Justice Mission.
<p>Output 8: Prosecution of embezzlement cases, cases that cause financial loss to the State, and cases</p>	<p>Indicator: N° of prosecuted cases Amount of money recovered</p>	<ol style="list-style-type: none"> 1. Review inventory and prepare report 2. Review legal framework for prosecuting those who cause loss to government and 	<ol style="list-style-type: none"> 1. The inventory of embezzlement cases, cases that cause financial loss to the State, and cases that lead the state into unnecessary court cases was conducted. It indicated that for 2012-2013 there were 27 Pending cases in prosecution. Also the Assessment of the Auditor General's report 2011-2012, revealed

Output	Indicator & Baseline	Planned activities	Achievements 2013-2014
that lead the state into unnecessary court cases, as well as recovery of embezzled/misused public funds reinforced (7YGP 65)	Baseline: N/A	<p>streamline the collaboration mechanism between stakeholders</p> <p>3. Prosecute embezzlement cases</p> <p>4. Recover funds and prepare periodic report on state funds recovery</p>	<p>that 229 people were prosecuted: 158 people were sued in courts of law, 34 people paid embezzled taxes, 37 people were requested to pay and paid fines without suing them into courts.</p> <p>2. The legal framework for prosecuting those who cause loss to government has been reviewed, and the draft is available. It will be commented and discussed between stakeholders before its publication and enforcements. With regards to strengthening the collaboration between the institutions. Organised on 27th August 2013 at La Palisse hotel a high level meeting with all Director Generals of all Government institutions, Chief Budget Managers, Mayors of the districts, in order to remind them their role in proper management of public funds and avoiding government being sued in unnecessary courts cases.</p> <p>3. 267 new cases files have been received; among them 207 have been processed (77.5 %.): 168 transmitted to the courts, 38 Classified and 1 case file transferred. And 100% (27) of 2012-2013 pending cases have been processed.</p> <p>4. In the process for recovery of embezzled government funds, the Ministry of Justice instructed officially all government institutions and districts whose cases were tried at final level to execute the Judgements.</p>
Output 9: Embezzled microfinance institution's funds recovered	Indicator: Updated list of defaulters:	<p>1. Update list of defaulters</p> <p>2. Establish status of recoverable funds</p>	<p>1. From 2009 to 2014: 82 case files (including 128 Defaulters and 1,569,321,976 Rwf Embezzled) were received by the prosecution from the Police: Among them 78 (95.1%) case files</p>

Output	Indicator & Baseline	Planned activities	Achievements 2013-2014
(9th NLR, 17)	<p>Collaboration mechanism</p> <p>Amount of funds recovered</p> <p>Baseline: Draft list of defaulters available</p> <p>Steering committee in place 302,500,000Frw recovered</p>	<p>3. Streamline collaboration with MINALOC, BNR and other stakeholders.</p>	<p>including 123 Defaulters and 1,553,994,711 Rwf have been processed and; Four Case files 5 defaulters and 15,327,265 Rwf are pending. From July 2013 to date: 17 cases files involving 30 defaulters and 1,034,263,383 Rwf among them 13 cases have been transmitted to Courts, 2 Classified and 2 cases are still pending.</p> <p>2. The Ministry of Justice organised a meeting of task force on 5th December 2013 and 10th June 2014, which strengthened the existing collaboration framework and evaluated the progress status of the recovery of microfinance funds embezzled. After identifying the persisting challenges in the recovery process, the task force members concluded that MINALOC will gather by end of June 2014 the updated addresses of all defaulters and the Ministry of Justice agreed to work with the NIDA and Land Center in order to track the current addresses of the defaulters. 2012 to 2014, 50.3 million were recovered. It is important to note that the task force involve, MINALOC, BNR, AMIR, and NPPA.</p>

Output	Indicator & Baseline	Planned activities	Achievements 2013-2014
<p>Output 10: Management and productivity of identified abandoned property improved (MINIJUST mandate)</p>	<p>Indicator: Amount of funds generated N° of new identified abandoned property Types of model renting contract distributed Baseline: Rwfr 381,041,747 (in 3 Kigali City Districts) Total asset identified 305 (2012-2013)</p>	<ol style="list-style-type: none"> 1. Follow up the enactment of amended Law on abandoned property. 2. Prepare and distribute model of renting contracts 3. Update the database of identified abandoned property 4. Identify and renovate damaged property 5. Set up a legal framework for managing the productivity of identified abandoned property 	<ol style="list-style-type: none"> 1. The draft Law related to the management of abandoned property is in Parliament. And the follow up activities were conducted, 2. The renting model contract was prepared and distributed among the districts' commission of abandoned property for use, 3. The database of abandoned property was updated and by June 2014, there are 733 Abandoned property , 4. 19 Abandoned properties that need to be renovated were identified. The renovation activities will be undertaken in 2014-2015 FY, 5. Developed a draft of Prime Minister's order determining the structure, functioning, and responsibility of the unit in charge of abandoned property. The current figures indicate that the productivity of Abandoned property is 738,252,328
OUTCOME 3: MAINTAINED SAFETY, LAW AND ORDER AND, ENHANCED ADHERENCE TO HUMAN RIGHTS (SSP E.5)			
<p>Output 11: All periodic reports on human Rights Instruments (with reporting obligation) reported on before the deadline (7YGP 82)</p>	<p>Indicator: N° of human Rights Instruments reported on Baseline: 6 periodic reports on human Rights Instruments due, 2013-2014</p>	<ol style="list-style-type: none"> 1. Prepare TOR for 2 reports 2. Hire Consultants 3. Organize validation meetings and workshops 4. Organize validation meetings and workshops. 5. Train Abunzi on GBV and on the Rights of the Child. 	<ol style="list-style-type: none"> 1. The implementation reports of International Convention on Civil and Political Rights (ICCPR), Convention on Elimination of all forms of Racial Discrimination (CERD), African Charter on Rights and welfare of child were finalized. 2. Hired consultants, to draft: <ol style="list-style-type: none"> a. Convention on the Elimination of all Forms of Discrimination Against Women(CEDAW) b. Protocol to the African Charter on Human and Peoples

Output	Indicator & Baseline	Planned activities	Achievements 2013-2014
			<p>rights on the rights of women in Africa (Maputo Protocol)</p> <p>c. Universal Periodic Review(UPR)</p> <p>d. Common Core document</p> <p>3. Organized a workshop of Treaty Body Reporting task force, and reviewed the institutional responsibility in preparation of Universal Periodic Report.</p> <p>4. Trained Mediation committees (Abunzi) in Gicumbi district on GVB and the Rights of the Child.</p>
OUTCOME4: EFFECTIVELY COMBATED IMPUNITY FOR INTERNATIONAL CRIMES, AND GENOCIDE IDEOLOGY, STRENGTHENED TRUTH TELLING AND RECONCILIATION (E.3)			
Output 12: Fight against genocide revisionism and trivialization, and research on genocide strengthened (NDC, 2012)	N° of researches conducted N/A	<ol style="list-style-type: none"> 1. Conduct data collection exercise 2. Data analysis of the findings 3. Finalize the research “The Politics behind propaganda of international denial 4. Organize 2 meetings on Genocide denial 	<p>Three Researches on Justice and Genocide were conducted across the country.</p> <ol style="list-style-type: none"> 1. <i>How did the Absence of Rule of Law and the Culture of Impunity culminate in the 1994 Genocide Perpetrated against Tutsi?</i> 2. <i>Planning and Execution of the Genocide Perpetrated against Tutsi in former Gisenyi prefecture</i> 3. <i>The state of Genocide Ideology in Rwanda and its Impact on Rwandan Society between 1994 and 2012</i> <p>Data collection and data transcription activities of the above mentioned research were completed. The data analysis and report writing will be conducted in the 2014-2015.</p>
Output 13: Government position paper on compensation regarding the crime of	Indicator: Position paper prepared and approved. N° of property identified and recovered	<ol style="list-style-type: none"> 1. Prepare position paper 2. Organize a consultation meeting on the position paper, 	<ol style="list-style-type: none"> 1. Government position paper on compensation regarding the crime of genocide against Tutsi was drafted, 2. The Ministry of Justice signed MoU with the International Organization for Migration (IOM) in order to conduct a study

Output	Indicator & Baseline	Planned activities	Achievements 2013-2014
genocide against Tutsi Developed (NDC,2012)	Baseline: N/A	<ol style="list-style-type: none"> 3. Organise a validation meeting, 4. Follow up on the validation of the paper by Cabinet, 5. Execute genocide survivors' property recovery plan. 	which aims at identifying the feasibility of reparations for the victims and survivors of the 1994 genocide. The study will highlight the key policy actions on how Genocide survivors should be compensated. The report will be available in quarter one of 2014-2015.
<p>Output 14: Tracking genocide perpetrators to ensure their prosecution continued; and the process of signing extradition protocols with countries hosting genocide suspects speeded up (7YGP 67)</p>	<p>Indicator: Number: Prosecuted in other countries at home Year on year % change in number of indictments of the genocide crimes Baseline: 50 Indictments sent</p>	<ol style="list-style-type: none"> 1. Strengthen the genocide fugitives tracking unit (Number of its Staff and Transport Facilitations) 2. Track Genocide Fugitives Suspects 3. Strengthen the International Crimes Unit (Professional Trainings) 4. Facilitate international Crimes Unit in the NPPA to Prosecute transferred and extradited cases from ICTR and other Countries without due delay. 	<ol style="list-style-type: none"> 1. In collaboration with Dutch Embassy and NPPA, the GFTU unit was strengthened, by recruiting 3 additional staff (Data entry clerks) and providing other facilitation in order to carry out their duties. Also a number of permanent staff was increased from 2 National Prosecutors, to 3 National level Prosecutors and 3 Prosecutors at intermediate level. 2. From July to June 2014, 167 Genocide fugitives' case files have been investigated, and, 37 indictments were drawn and sent 3. In order to strengthen the International Crimes Unit, the unit was provided with the Prosecutor who possesses the International Standards, and the Legal advisor. These are currently working with ICU. 4. The process of recruiting the International investigator is still in the process. Due to the complication in the case files prosecuted by the ICU particularly those extradited from ICTR; NPPA provides other necessary support and facilities in order to carry out their duties effectively.

3. Concluding final remarks.

The Ministry of Justice/Attorney General's office is proud of the work done in the financial year 2013-2014 by its staff both at headquarters and Decentralized services and the allied agencies namely ILPD and RLRC. The rule Law and access to Justice is continuously prevailing in Rwanda. There is a high level of commitment from top leadership of the Ministry to the law level personnel of ensuring that Rwandans and friends Rwanda get access to real Justice, quality legislation and professionally trained legal practitioners.

Policies and strategies in pipeline intend to enhance better service delivery in Justice Sector and the important reforms that were recently undertaken will sharpen the quality service provided to the public in general.

We believe that, much effort will be made in 2014-2015 the financial year in order to offer high quality serve the public because, the Public is our employer and must be honored.