



RESPONSES TO INFORMATION REQUESTS (RIRs)

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The Board		26 September 2007
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Biographies		
Organization Chart	Rwanda: Whether the procedural rules of the gacaca system are the same across the country or whether each sector or cell follows its own rules and issues its own notices to appear (2005 - August 2007)	
Employment		
Legal and Policy	Research Directorate, Immigration and Refugee Board of Canada, Ottawa	
References		
Publications	In a 20 August 2007 telephone interview, a coordinator at the round table on the Great Lakes region (Table de concertation sur la région des Grands Lacs) explained that the procedure for the <i>gacaca</i> courts should be the same across the country. The coordinator also said that the procedure for the notices to appear should be the same in each sector, but that, in practice, it should be verified on the ground whether the same procedural rules are indeed followed across the country (20 Aug. 2007).	
Tribunal		
Refugee Protection Division		
Immigration Division		
Immigration Appeal Division		
Decisions	In correspondence sent to the Research Directorate on 24 August 2007, a legal and political affairs advisor for a Great Lakes region human rights organization also indicated that all <i>gacaca</i> jurisdictions in the country follow the same procedures, except [translation] "in matters involving their respective territorial and material jurisdictions." In further correspondence dated 28 August 2007, the legal and political affairs advisor stated that the <i>gacaca</i> jurisdictions are supposed to follow the same procedure across the country, but that this may not be true in practice. The legal and political affairs advisor added that these discrepancies may be because the judges, who are hired based on subjective criteria, lack training (28 Aug. 2007). The advisor stated that that is his personal point of view (24 Aug. 2007).	
Forms		
Statistics		
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Issue Papers and Country Fact Sheets	In addition, in correspondence sent to the Research Directorate on 30 August 2007, a lawyer from the National Service of Gacaca Jurisdictions stated that the procedural rules are the same across the country, because each jurisdiction is subject to the federal <i>Organic Law No 16/2004 du 19/6/2004 establishing the organisation, competence and functioning of Gacaca Courts charged with prosecuting and trying the perpetrators of the crime of genocide and other crimes against humanity, committed between October 1st, 1990 and December 31, 1994</i> [MC1].	
Responses to Information Requests		
Recent Research		
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Media Relations	As for notices to appear, the above law stipulates that the <i>gacaca</i> jurisdictions can [Rwanda official English version] "summon any person to appear in a trial" (Rwanda 19 June 2004, Art. 39).	
Proactive Disclosure		

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This

Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

References

Legal and political affairs advisor. 28 August 2007. Correspondence.

_____. 24 August 2007. Correspondence.

Rwanda. 19 June 2004. *Loi organique No 16/2004 du 19/6/2004 portant organisation, compétence et fonctionnement des juridictions gacaca chargées des poursuites et du jugement des infractions constitutives du crime de génocide et d'autres crimes contre l'humanité commis entre le 1er octobre 1990 et le 31 décembre 1994*. <<http://www.inkiko-gacaca.gov.rw/pdf/loinouvelle1.pdf>> [Accessed 16 Aug. 2007]

Rwanda. 30 August 2007. National Service of Gacaca Jurisdictions (SNJG). Correspondence from a lawyer.

Table de concertation sur la région des Grands Lacs. 20 August 2007. Telephone interview with a coordinator.

Additional Sources Consulted

Oral sources: Representatives of Avocats sans frontières (ASF), [MC2]IBUKA mémoire et justice, Amitiés Canada-Rwanda, AJPRODHO-JIJUKIRWA, the former president of the National Human Rights Commission (CNDH) of Rwanda, another representative of the National Service of Gacaca Jurisdictions (SNJG), and two representatives of the Ligue des droits de la personne dans la région des Grands Lacs (LDGL) did not provide information within the time constraints of this Response.

Inter Pares did not have information on this topic.

Internet sites, including: AJPRODHO-JIJUKIRWA, Amitiés Canada-Rwanda, Amnesty International, Factiva, Fédération internationale des ligues des droits de l'homme (FIDH), Freedom House, Hironnelle News Agency[MC3], Human Rights Watch (HRW), IBUKA mémoire et justice, Ligue des droits de la personne dans la région des Grands Lacs (LDGL), Ligue rwandaise pour la promotion et la défense des droits de l'homme (LIPRODHOR), Never Again Rwanda, *The New Times* [Kigali], National Service of Gacaca Jurisdictions (SNJG), United States Department of State.

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