
**TEXTE**


**Article 1:**
(Law n° 37/2002 of 31/12/2002) Hereby established is a Rwanda Commission for Human Rights hereinafter referred to as "Commission".

The Commission has its head office in Kigali, the Capital City of Rwanda. However on agreement by the majority of its members, it may establish its branch offices.

**Article 2:**

**Article 3:**
In general, the Commission has as an objective to investigate and follow-up on human rights violations committed by anyone on the Rwandan territory, especially State organs and individuals under the cover of the State organs as well as any national organisation working in Rwanda.

**Article 4:**
(Law n° 37/2002 of 31/12/2002) The Commission is particularly responsible for:

i. sensitizing and training all categories of Rwandan population as regards Human Rights;

ii. giving upon its own initiative or upon request its advice on bills relating to human rights;

iii. sensitizing the government institutions as regards ratification of International Conventions relating to human rights and making sure they are integrated in internal laws;

iv. receiving and examining claims relating to human rights violation, either on its own initiative or upon request;

v. receiving and analysing testimonies on human rights violations;

vi. getting to any place where human rights violations allegations are reported;

vii. visiting prisons and checking whether the rights for detainees therein are secured;
viii. providing the relevant authorities with suggestions as to actions which may be taken in order to stop and punish human rights violations in accordance with the law;

ix. requesting that any person committing human rights violations be prosecuted;

x. collaborating with other Human Rights Commissions in other countries, Associations operating in the country and International Organizations as regards activities aiming at respecting and promoting Human Rights."

**Article 4:**  
(Law n° 37/2002 of 31/12/2002) To achieve the objectives referred to in article 3 of this law, the Commission has the following powers:

i. to reach, question and request explanations from anybody likely to have evidence, information, some share of responsibility or technical competence likely to enlighten the Commission in the examination and inquiring of human rights violation acts;

ii. to get to any place where human rights violations are reported, detention premises included;

iii. to get documents and check them from where they are kept or get their copies as well as any other evidence likely to help the Commission in the analysis and collection of the elements evidencing human rights violation. Written proofs and documents given to the Commission shall be returned within three (3) months to their owners or other relevant authorities;

iv. to request competent authorities to rehabilitate the victims in their rights unconditionally;

v. to carry out research on issues presenting a particular aspect with a view to promoting human rights and publish the findings.

While performing its duties, the Commission shall make sure that the laws in force and duties of other institutions are observed.

**Article 4:**
(Law n° 37/2002 of 31/12/2002) In their duties, members of the Commission are competent as judicial police officers. They exercise their duties on the whole territory of the Republic of Rwanda. The Commission Chairperson, where need be, may request the competent authority to transfer such competences to any employee of the Commission.

**Article 5:**
(Law n° 37/2002 of 31/12/2002) The Commission submits its annual report to the President of the Republic within a period not exceeding the first three months of the fiscal year following the one for which the report will have been drawn up and gives its copy to the National Assembly, the Cabinet and the Supreme Court.

The Commission also reports to the President of the Republic, the National Assembly, the Cabinet and
the Supreme Court all the cases constituting violations of human rights made known to it.

Reports by the Commission may be available to the general public within three months following their submission to government institutions mentioned in the preceding paragraph. Internal rules and regulations of the Commission determine other types of reports to be drawn up and those which may be subject to publication.

**Article 5: bis**
(Law n° 37/2002 of 31/12/2002) Any person interfering with the Commission missions and competence referred to in articles three and four of this law is punishable with a sentence not exceeding 2 months of imprisonment and a fine not exceeding two hundred thousand Rwandan francs or one of the these sentences.

Where this interference is brought in by an a legal entity, the latter is punished with suspension for a period ranging from six months to one year and a fine ranging from one million to five million Rwandan francs or one of the these sentences.

**Article 6:**
Repealed

**Article 7:**
The investigations of the Commission are unlimited in time in order to shed light on and punish within the limits of the law, past and present cases of Human Rights violations.

**Article 8:**
The Commission consists of 7 members of Rwandese nationality known for their morality, integrity and competence.

The members of the Commission are chosen by the National Assembly out of 10 candidates nominated by the Government. They serve a three (3) year renewable term. Members of the Commission are appointed by a Presidential Decree.

**Article 9:**
Law n° 37/2002 of 31/12/2002) The Commission shall be headed by its Chairperson, assisted by the Vice-Chairperson. They are chosen b3 Cabinet from among Commission members and approved by the National Assembly.

**Article 9: bis**
(Law n° 37/2002 of 31/12/2002) The General Assembly of Commission members is its highest organ. The organisation and functioning of the General Assembly of Commission members are determined by Commission's internal rules and regulations. The ice-Chairperson is the Spokesperson and the Rapporteur to the meeting of Commission members.

**Article 9: ter**
The Chairperson of the Commission performs the following duties:

1° to preside over Commission meetings;

2º to coordinate Commission activities;

3° to represent the Commission inside and outside the country;

4° to forward Commission reports to the relevant authorities;

5° to perform any other duty as may be assigned by the General Assembly of Commission members.

Article 9: quarter

The Vice-Chairperson of the Commission shall perform the following duties:

1° to be the Spokesperson and the Rapporteur to the meeting of Commission members;

2º to assist the Chairperson in his/her functions and replace him/her in case of absence or inability to work;

3° to closely follow up the execution of the activities of the Permanent Secretariat;

4° to perform other task as may be assigned by the General Assembly of Commission members.

When the Vice-Chairperson, deputizes for the Chairperson, his/her duties are taken up by the youngest Commission member as to being the Spokesperson and Rapporteur to the Commission meetings.

Article 9: quinto

In case of absence or inability of both the Chairperson and the Vice-Chairperson, they are replaced by the oldest Commission member.

Article 10:

Benefits to be given to Commission members are determined by a Presidential Order.

Commission members are not allowed to be recruited for a salaried work during their term of office. However, they may devote themselves to scientific, literary and arts activities provided the Commission has deemed such activities to be compatible with their mandate.

Article 11:

The Commission has a Permanent Secretariat headed by a Permanent Secretary. The latter is chosen by Commission members, approved by Cabinet and appointed by a Prime Minister’s decree.
In particular, he/she is entrusted with the Permanent Secretariat general functioning. Moreover, he/she coordinates and follows up administrative and financial activities.

**Article 11: bis**
(Law n° 37/2002 of 31/12/2002) Commission staff members are recruited following Law on general Statutes for Rwanda Public Service."

**Article 12:**
The Commission prepares its own internal regulations, setting out, in particular, its structure and its operations.

**Article 13:**
The budget of the Commission is paid out of the ordinary budget of the State and donations. The Commission prepares its own draft budget. The Auditor General audits the use of the funds of the Commission.

**Article 14:**
The dismissal of one or several members of the Commission occurs at the initiative either of the President of the Republic, the Government or of 1/2 of the members of Parliament at the National Assembly.

It is passed by the National Assembly by the absolute majority of its members in session. They are removed and the President of the Republic signs the dismissal order.

**Article 15:**
(Law n° 37/2002 of 31/12/2002) Resignation of any member of the Commission shall be reputed to have been accepted after a period of thirty days of no reaction as of the day the request for resignation will have been handed over to the President of the Republic in a registered letter or with acknowledgement of receipt.

**Article 16:**
(Law n° 37/2002 of 31/12/2002) In case a member of the Commission is no longer carrying out his/her duties, he/she is replaced within a time period not exceeding thirty days. However where the number, of Commission members is less than four, the Commission shall be reconstituted within a period of sixty days. Within thirty days following notification of the vacancy, Cabinet provides the National Assembly with a list of two candidates for each post to be staffed, fulfilling the requirements referred to in article 8 of Law n° 04/99 of 12/03/1999 establishing the National Commission for Human Rights. The National Assembly elect and approves the candidates to be staffed.

The Chairperson of the Commission keeps the President of the Republic, Cabinet and the National Assembly informed of the vacant post within a period not exceeding eight days. The member of the Commission elected in accordance with paragraph one of this article shall serve his/her predecessor's remaining term of office.
Article 17:
The Prime Minister and the Minister of Justice are responsible for the implementation of this law.

Article 18:
All previous legal provisions contrary to this law are abrogated.

Article 19:
This law comes into force on the date it is published in the Official Gazette of the Republic of Rwanda.

Kigali, 12/03/1999