



## **ANNUAL REPORT 2012-2013**

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## SECTION ONE: INTRODUCTION

### 1. Background

The Law Reform Commission was established by Organic Law N° 01/2010/OL of 09/6/2010 as National Law Reform Commission (NLRC). To comply with the provisions of Articles 93 and 202 of Constitution of the Republic of Rwanda<sup>1</sup>, the aforesaid Organic law was converted into an ordinary law.<sup>2</sup> According to the new law, the Commission was re-named Rwanda Law Reform Commission (RLRC).

The Government of Rwanda created the Law Reform Commission as a permanent public institution responsible for law reform. Together with other institutions comprising the Justice, Reconciliation, Law and Order Sector (JRLLOS), the Law Reform Commission aims at strengthening the rule of law, good governance and effective administration of justice through its work.

### 2. Vision

Law Reform for a predictable and dynamic legal landscape.

### 3. Mission

Provide a transparent and collaborative system of reforming and enacting effective laws that respond to the needs and values of a modern society.

### 4. Mandate

According to Article 5 of the Law No. 44/2013 of 16/06/2013, the Rwanda Law Reform Commission is mandated to carry out the following tasks:

1° analyzing Rwandan laws and providing recommendations to relevant authorities for their improvement, modernization and reform with an emphasis on:

- a. the elimination of imperfections in laws, repealing obsolete or unnecessary legal provisions and simplification of the wording and understanding of laws;
- b. the establishment of new methods of practicing law and new concepts in consonance with the values and changing needs of the Rwandan Society;
- c. the support to and improvement of proper administration of justice;

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<sup>1</sup> Article 93 para.7 of the Constitution provides: “Organic laws are only those envisaged as such by the Constitution”. Article 202 of the Constitution provides: “Organic laws not provided for in the Constitution as such shall be converted into ordinary laws within a period not exceeding three (3) years.

<sup>2</sup> Law No. 44/2013 of 16/06/2013 establishing the Rwanda Law Reform Commission (RLRC) and determining its mission, organization and functioning.

2° conducting studies designed to assess laws applicable in the country in order to identify those that are not implemented and the new ones that may be necessary and advise relevant authorities accordingly;

3° ensuring proper codification and revision of Rwandan laws;

4° identifying laws provided under the Constitution that are not yet put in place and preparing related draft proposals;

5° preparing draft proposals for laws that need to be modified;

6° harmonizing national laws in force with principles provided under international instruments ratified by Rwanda;

7° advising the Government and the Parliament on reform of laws in order to make them consistent with the Constitution;

8° providing public institutions with legal advice on law reform-related draft laws or any other law reform-related issue;

9° receiving and considering any proposals for reform of laws that are submitted by an institution or any interested person.

## **5. Work programs**

The implementation of the RLRC responsibilities, as provided for in Article 5 of the law establishing it, necessitated an internal organization of the commission into work programs. As such, the Council of Commissioners agreed on the creation of four work programs, namely: (1) Criminal Law and related laws; (2) Civil Law and Administrative Law; (3) Constitutional Affairs and International Law; and (4) Regional Integration and Business Laws.

## SECTION TWO: ACTIVITIES CARRIED OUT

In order to deliver to the mandate mentioned above, the Commission carried out the following activities related to law reform:

### **1. Inventory of applicable laws in Rwanda**

Having realised that it is quite difficult to access Rwandan laws when needed for whatever purpose including analysing them for reform, RLRC found it relevant to initially create an inventory of the country's laws in force. The purpose of this exercise is not only to have a good basis for appropriate reforms of laws but also to have a reliable database of legislation in Rwanda that, among others, will ease access of Rwandan laws by the public, their dissemination and public awareness.

The exercise of creating an inventory of applicable laws in Rwanda does not however end by Rwandan laws per se but also the international legal instruments the country has ratified. It is in this context that an inventory of the said international instruments is being created.

It is worth noting that the available inventory is not exhaustive; the Commission shall, on regular basis, update the inventory of both Rwandan laws and international legal instruments ratified by Rwanda as need arises.

### **2. Implementing legal instruments not yet in force**

Considering that most of Rwandan laws provide for subsidiary legislation for their effective implementation, RLRC conducted research to identify implementing legal instruments required by existing laws but yet not in force. After their identification, a list of the legal instruments that need to be drafted was submitted to the concerned institutions for information and appropriate action. The Office of the Prime Minister helped in the follow up of this exercise, through letters the Prime Minister sent to concerned institutions for quick action.

As a way of addressing the problem of implementing legal instruments that are not drafted on time, the RLRC proposed and prepared draft Prime Minister's Instructions Governing the Modalities and Period for Publication of Implementing Legal Instruments. These instructions, if they get gazetted, aim at having efficient, effective and smooth implementation of the Rwandan laws, particularly by ensuring that all implementing legal instruments (subsidiary legislation) provided for in laws are expeditiously drafted, processed through the relevant channels and published within a reasonably prompt period of time.

Those instructions were submitted to the Minister of Justice on 27 February 2013 for consideration and submission to Cabinet for approval.

### **3. Research on Organic Laws not envisaged by the Constitution**

In order to conform to the provisions of Article 93 of the Constitution of the Republic of Rwanda, which provides that Organic laws are only those envisaged as such by the Constitution, and also taking into consideration that Article 202 of the Constitution provides for a specific period within which all Organic laws already in force but not catered for in the Constitution should be converted into ordinary laws, the Commission carried out research to establish the status of such laws.

To this effect, a report outlining a number of existing organic laws to be repealed or converted into ordinary laws was prepared and subsequently submitted to the concerned institutions requesting for appropriate action.

The following organic laws were identified for abrogation or conversion into ordinary laws:

- Organic Law determining the use and management of Land in Rwanda;
- Organic Law on the organization of statistical activities in Rwanda;
- Organic Law establishing the Independent National Commission responsible for collection of evidence indicating the role of the French State in the Genocide that was perpetrated in Rwanda in 1994;
- Organic Law concerning transfer of cases to the Republic of Rwanda from the International Criminal Tribunal for Rwanda and from other States, as amended to date;
- Organic Law relating to the abolition of the death penalty, as amended to date;
- Organic Law establishing Rwanda Development Board (RDB) and determining its mission, organization and functioning;
- Organic Law establishing the National Law Reform Commission;
- Organic Law governing non-governmental organizations.

With respect to the abovementioned organic laws, the following were passed and published in the official gazette:

- Organic Law N° **03/2013/OL of 16/06/2013** repealing Organic Law n° 08/2005 of 14/07/2005 determining the use and management of land in Rwanda;
- Law N° **43/2013 of 16/06/2013** governing land in Rwanda;
- Organic Law N° **04/2013/OL of 16/06/2013** repealing Organic Law n° 01/2010/OL of 09/06/2010 establishing the National Law Reform Commission;
- Law N° **44/2013 of 16/06/2013** establishing the Rwanda Law Reform Commission (RLRC) and determining its mission, organization and functioning;
- Organic Law N° **05/2013/OL of 16/06/2013** repealing Organic Law n° 01/2005 of 14/02/2005 on the organization of Statistical Activities in Rwanda;
- Law N° **45/2013 of 16/06/2013** on the Organization of Statistical Activities in Rwanda;
- Organic Law N° **06/2013/OL of 16/06/2013** repealing Organic Law n° 53/2008 of 02/09/2008 establishing Rwanda Development Board (RDB) and determining its responsibilities, organization and functioning as modified and complemented to date;
- Law No **46/2013 of 16/06/2013** establishing Rwanda Development Board (RDB) and determining its mission, organization and functioning;
- Organic Law N° **07/2013/OL of 16/06/2013** repealing Organic Law n° 05/2005 of 14/04/2005 establishing an Independent National Commission responsible for collection

of evidence indicating the role of the French State in the genocide that was perpetrated in Rwanda in 1994;

- Organic Law N° **08/2013/OL of 16/06/2013** modifying and complementing Organic Law n° 31/2007 of 25/07/2007 relating to the abolition of the death penalty as modified and complemented to date;
- Organic law No 09/2013/OL of 16/06/2013 repealing the Organic law No.11/2007 of 16/03/2007 concerning the transfer of cases to the Republic of Rwanda from the International Criminal Tribunal for Rwanda and from other States, as modified and complemented to date;
- Law relating to transfer of cases to the Republic of Rwanda.

#### **4. Research on ordinary laws provided for by the Constitution**

Similar research was done to establish all ordinary laws set out in the Constitution and those not yet in force and hence need to be drafted. As a result, a report was prepared and sent to concerned institutions requesting them to comply with the provisions of the Constitution.

The following laws that need to be drafted were identified:

- Law organizing National Service, whether civil or military; (*Article 47 of the Constitution*)
- Law determining powers, mission, organisation and functioning of the National Intelligence and Security Service; (*Article 172 of the Constitution*)
- Law determining procedures for downsizing the Rwanda Defence Forces where it is deemed necessary, discharge, demobilize or dismiss members of the Rwanda Defense forces. (*Article 175 of the Constitution*)

Among the abovementioned laws, the following have been drafted:

- Law determining powers, mission, organization and functioning of the National Intelligence and Security Service (( Draft law under consideration in Parliament)
- Law determining procedures for downsizing the Rwanda Defense Forces ( **Draft under review in MINADEF**)

#### **5. Laws establishing public institutions**

In order to comply with Organic Law N° 06/2011 of 30/12/2011 establishing general provisions governing public institutions, RLRC identified laws establishing public institutions that are not in conformity with the said organic law. To this effect, consultative meetings with all concerned institutions were held so as to take into consideration the deadline set by the organic law. In rectifying the problem, RLRC assisted in different ways, including giving guidance in drafting some of the legal texts like those establishing the Institute of Legal Practice and Development (ILPD), *Fond d'Assistance aux Réscapés du Génocide* (FARG), *Office National de Transport en Commun* (ONATRACOM) and National Posts Office.

Apart from the law establishing ONATRACOM that has been published in Official Gazette N° 30 bis of 29/07/2013, draft laws establishing the rest of the institutions mentioned above have been approved by Cabinet and submitted to Parliament for adoption.

## **6. Providing legal advice**

As per the provisions of Article 5(8° & 9°) of the law establishing the RLRC, the Commission provided legal advice and held consultative meetings on reform of laws, both on its own initiative or on request by some public institutions. In this regard, RLRC provided comments and/or observations on legal instruments, including the:

- Law N° 13/2009 of 27/05/2009 regulating labour in Rwanda;
- draft Investment Code;
- draft Public Private Partnership Law;
- draft Mining Law;
- draft Law on Securities in Movable Property;
- draft Law relating to Commercial Recovery and Settling Issues Arriving from Insolvency;
- draft law on Wildlife conservation;
- draft land law;
- draft law establishing Rwanda Development Board (RDB) and determining its responsibilities, organization and functioning;
- draft Presidential Order determining the modalities of disciplinary regulations for Public Servant;
- draft Presidential Order establishing salaries and fringe benefits for Commissioners of National Commissions;
- draft Prime Minister's instructions determining modalities to facilitate board members of specialized organs, national councils and public institutions to discharge their duties
- draft Regulations on occupational safety and health in different sectors;
- Memorandum of Understanding (MoU) between the Government of the Republic of Rwanda and the Government of the Republic of Congo on legal and judicial cooperation;

The RLRC also analyzed the World Bank 2011 Insolvency and Creditor Rights Assessment Report on the Observance of Standards and Codes (ICR ROSC) for Rwanda as requested by the National Bank of Rwanda. To this effect, it invited the key institutions concerned with the issues therein i.e. Rwanda Development Board (RDB); Rwanda Natural Resources Authority (RNRA); and the National Bank of Rwanda (BNR) and critically examined the issues and came to a conclusion that some issues raised in the report require law reform whereas others needed to be administratively handled so as to sort out the issues pointed out in the said report.

## **7. Drafting legislation**

At the request of concerned institutions or at its own initiative, RLRC drafted the following laws:

- Organic Law repealing Organic Law n° 01/2005 of 14/02/2005 on the organization of Statistical Activities in Rwanda;
- Organic Law repealing Organic Law n° 01/2010/0L of 09/06/2010 establishing the National Law Reform Commission;
- Law on the Organization of Statistical Activities in Rwanda;
- Law establishing the Rwanda Law Reform Commission (RLRC) and determining its mission, organization and functioning;
- Mining Law;
- Petroleum Exploration and Production Law;
- Prime Minister's instructions on implementing legal instruments and internal rules.

## **8. Harmonisation and approximation of Rwandan laws in EAC context**

Rwanda's vision 2020 lays out a roadmap for the country's future development, founded on six pillars, the last of which is regional and international economic integration. The roadmap considers the sixth pillar a vital element of achieving vision 2020. Perhaps this is one of the prime reasons for including the harmonization and approximation of national laws in force with principles provided under international instruments ratified by Rwanda in the mandate of the Rwanda Law Reform Commission.

In ensuring that Rwanda complies with its legal commitments and/or obligations in the East African Community, RLRC has been engaged in an exercise aimed at the development and implementation of an EAC Legislative Compliance Program for Rwanda. This is to make sure that harmonization, approximation and alignment of Rwandan laws is done on an informed basis, taking into consideration national priorities embedded in frameworks such as EDPRS II and the EAC National Policy among others.

To this effect, funding for this exercise was secured through Trade Mark East Africa; terms of reference for the work required to be done were developed and subsequently the procurement of a consultancy firm to carry out the tasks thereof. The consultancy that shall go on for a period of 400 days is currently at an advanced stage and shall, in a nut shell, involve the following tasks:

### **Phase one**

- i. Carry out an EAC legislative compliance audit through:
  - identifying EAC legal instruments that commit Rwanda;
  - identifying specific national legal instruments relevant to the commitments made under EAC;
  - recommending criteria for identification of priority national legal instruments that require urgent reform with appropriate justifications; and
  - identifying non-regulated areas of commitments of EAC and provide effective recommendations in line with an appropriate legal framework
- ii. carry out a needs assessment of the RLRC in relation to the accomplishment of its mandate in the EAC Legal Reform Programme;

- iii. develop an appropriate and practical framework of working arrangements between the RLRC, MDAs, the private sector and civil society in the reform of the laws;
- iv. develop and recommend an appropriate enforcement mechanism for effective implementation of EAC Legal Reform Programme.

**Phase two**

- v. prepare drafts of relevant legal instruments that require reform to ensure compliance with EAC legal commitments and best practices;
- vi. carry out capacity development of the RLRC to be able to follow up and monitor the implementation of EAC legal commitments;
- vii. develop and undertake sensitisation building activities around the legal reform programme so as to enhance awareness and enable buy in and participation by different stakeholders in the legal reform programme.

In light of the above, it is worth mentioning that two important workshops, one to do with strategic planning and capacity development and another with the prioritization of laws have been held. The workshop on strategic planning and capacity development that was held on 19<sup>th</sup> June 2013, laid a strong basis of developing the Commission’s Five Year Strategic Plan and the corresponding Capacity Building Plan. The workshop on prioritization that was held on the 27<sup>th</sup> June 2013, aimed at engaging key stakeholders across government, private sector and civil society to discuss and together with the RLRC, come up with priority laws for both reform purposes and harmonization, approximation and alignment in the EAC context.

On a regional level, the Commission participates together with other Law Reform Commissions in Partner States in sessions dealing with harmonization and approximation of national laws in the EAC context.

**9. Analysis of prioritized laws**

Given that reform is done on a progressive basis, the Commission has prioritised some laws and as a result analysis of a number of them is underway and findings thereof shall accordingly be shared with the stakeholders so as to do the needful. Prioritization was based on laws that are frequently used and/or have proven to be outdated or a concern in their implementation.

The said analysis of prioritised laws focuses on, among others: checking for conformity with other laws, out-dated or obsolete aspects in thereof; inapplicable provisions or any other aspect that may require reform.

The following laws have been prioritized for analysis:

- Organic law N° 1/2012/OL instituting the Penal Code;
- Law N° 47/2008 of 09/09/2008 on prevention and penalising the crime of money laundering and financing terrorism;
- Law N° 23/2003 of 07/08/2003 related to the punishment of corruption and related offences;
- Law N° 15/2004 of 12/06/2004 relating to evidence and its production;

- Law N°07/2009 of 27/04/2009 Relating to Companies;
- Law N° 26/2005 of 17/12/2005 Relating to Investment and Export Promotion and Facilitation;
- Law N° 01/2002 of 17/01/2002 Modifying the Law-Decree No 20/75 of June 20, 1975 Relating to Insurance in General;
- Law N° 10/2009 of 14/05/2009 on Mortgages;
- Law N°16/2010 of 07/05/2010 Governing Credit Information System in Rwanda;
- Law N° 11/2009 of 14/05/2009 on Security Interests in Movable Property;
- Law N°12/2009 of 26/05/2009 Relating to Commercial Recovery and Settling of Issues Arising from Insolvency;
- Law No 03/2012/ of 30/04/2012 Regulation on Risk Management;
- Law N°01/2011 of 10/02/2011 Regulating Capital Markets in Rwanda;
- Law N°45/2011 of 25/11/2011 Governing Contracts;
- Law N° 25/2005 of 04/12/2005 on Tax Procedures;
- Law N° 06/2001 of 20/01/2001 on the Code of Value Added Tax;
- Law N° 16/2005 of 18/08/2005 2005 on Direct Taxes on Income;
- Law N° 31/2009 of 26/10/2009 on the Protection of Intellectual Property;
- Law N°03/2010 of 26/02/2010 Concerning Payment System;
- Law N° 05/1987 of 18 February 1987 regulating sports and entertainment activities in Rwanda (*Loi N° 05/1987 du 18 Février1987 portant organization des sports et loisirs au Rwanda*) ;
- Law N° 01/98 of 28/10/1998 establishing the practice of the art of healing;
- Law N° 54/2008 of 10/09/2008 determining prevention and fight against contagious diseases for domestic animals in Rwanda;
- Law N° 14/2008 of 04/06/2008, governing registration of the population and issuance of the national identity card;
- Decree-Law N° 53 of 10 November 1924 concerning epidemic infectious diseases (*Ordonnance-loi N° 53 du 10 Novembre 1924 concernant les maladies contagieuses épidémiques*) ; and
- Decree of 19 July 1926 on hygiene and sanitation as amended to date (*Décret du 19 juillet 1926 sur l'Hygiène et salubrité publiques*).

## **10. Working with parliament**

The Commission has good working relationships with the Parliament that is expressed in both providing it with written legal advice and attending Parliamentary Committees' meetings on Draft Laws. The RLRC has also provided to the Parliament legal advice on legislative drafting.

## **11. Public relations and awareness**

The Commission has endeavoured to start public awareness programs. This has included both print media such as interviews with the Chairperson by Independent Magazine, Hope Magazine and East African as well as TV and Radio programs like “kubaza bitera kumenya”.

## SECTION THREE: HUMAN RESOURCES AND OFFICE EQUIPMENT

RLRC is committed to the development and well-being of its employees. It has a goal of having personnel that possess the competencies and skills required for the Commission to fulfill its mandate. In 2012-2013, the Commission proposed changes to its organization to further maximize the efficiency and professional interaction of its staff. The aim of the proposed changes is to create and maintain an attractive and professionally stimulating work environment and to have employees that are characterized by a strong ability to meet high performance standards.

### **1. Staff**

The Rwanda Law Reform Commission is comprised of commissioners, experts in law and other support staff. The total number of all staff, as provided for by the Prime Minister's Order N°43/03 of 20/05/2012, is 34.

As of 30<sup>th</sup> June 2013, 7 commissioners have been appointed, 9 experts in law out of 12 provided by the law have been recruited and 9 support staff members out of 15 have also been recruited. The recruitment of the remaining staff was in process but put on hold by MIFOTRA instructions due to the restructuring process in public institutions.

Commissioners hold office on a permanent basis for a renewable term of five (5) years. The Commission is headed by a Chairperson and it has a Vice Chairperson and a Secretary to the Commission. These three constitute the "Bureau of the Commission" and the seven Commissioners, including those who form the Bureau of the Commission, constitute the "Council of the Commissioners", which is the supreme authority of the Commission.

It is worth mentioning that during this year, through a Prime Minister's Order, RLRC legal experts position was elevated from level 4.III to level 3.III. However, this will also require a new Presidential Order on job classification, which will incorporate the new level of experts in law, in order to be implemented.

### **2. Capacity building**

The Commission has drafted a capacity building plan and some of its staff members participated in some training such as:

- training of HR& Logistics officer on IPPS,
- training of Budget officer and accountant on IFMIS,
- training of Procurement officer on Procurement Publication System;
- training of DAF, Budget officer, procurement officer and HR &Logistics officer on new budget structure, and training of the tender committee on public procurement procedures.

Some staff members participated in the following workshops:

- Policy Analysis for Lawyers;
- Public procurement of goods;
- Impact of pre-trial detention on access to justice in Rwanda;
- MINEAC Workshop of Stakeholders in the Legal & Judicial Sector;
- Parliamentary workshop on legal drafting;
- Modernization of civil registration and introduction of email attribute in the National Population Registry;
- National Land Research Agenda Workshop; and
- Legal Officers training workshop in MINIJUST.

Funds for Capacity Building Plan (CBP) for this financial year were not available due to the fact that the Commission started after consolidation of CBP by the National Capacity Building Secretariat (NCBS).

### **3. Office Equipment**

Basic furniture and ICT equipment have been purchased, using the RLRC budget. However, budget constraints did not allow the Commission to be fully equipped.

### **4. RLRC internal rules and regulations**

As per the provisions of Article 29 of the law establishing the Commission, which sets out that “the Commission shall prepare its Internal Rules and Regulations and submit it to the Council of Commissioners for approval”, RLRC prepared the Internal Rules and Regulations that have been approved by the Council of Commissioners.

### **5. Proposed new structure**

Based on international best practices and in order to deliver to its mandate, the RLRC has proposed to increase its staff members and divide its activities into four Work Programs as follows:

- **Legal research** to focus on establishing an empirical basis for law reform activities by identifying laws with anomalies or determining new areas that require legislation. It also involves analyses of decisions of superior courts to ascertain their effect on legislation in order to make proposals for reform of the affected laws.
- **Law reform** to deal with formulating the actual proposals for changes in the legislative framework by repeal, amendments or enactment of new laws. Where necessary, it also involves the drafting of bills for the relevant legislation.
- **Law revision** to mainly update the law through consolidation to take account of amendments without changing the substance. This is aimed at presenting the law in its most

up-to-date and correct version thus facilitating, among others, the administration of justice, law enforcement and legal education.

- **Legal awareness**, which lies at the base of any effort toward legal empowerment. Critical knowledge of legal provisions and processes, coupled with the skills to use this knowledge to realize rights and entitlements will empower people to demand justice, accountability and effective remedies at all levels. This work program aims at supporting this by producing a wide range of legal literacy materials, conducting legal awareness workshops for the community and training state functionaries on existing laws and international instruments ratified by Rwanda.

The proposed structure is under review in the Ministry of Public Service and Labor. The following is a summary of job positions, taking into consideration the current and proposed structure.

## SUMMARY OF JOB POSITIONS

<b>CURRENT STRUCTURE</b>			
<b>Administrative Unit</b>	<b>Job Title</b>	<b>Title of Job Positions linked to the Job</b>	<b>Number of Jobs</b>
<b>Office of the Chairperson</b>	Chairperson	Chairperson	1
	Internal Auditor	Internal Auditor	1
	Advisor	Advisor	1
	Administrative Assistant	Administrative Assistant	1
	<b>S/Total</b>		<b>4</b>
<b>Office of Vice Chairperson</b>	Vice Chairperson	Vice Chairperson	1
	<b>S/Total</b>		<b>1</b>
<b>Secretariat</b>	Commissioner-Secretary	Secretary of Commission	1
	Public Relations & Communication	Public Relations & Communication Officer	1
	Procurement	Procurement	1
	Administrative Assistant	Administrative Assistant	1
	<b>S/Total</b>		<b>4</b>
<b>Commissioners</b>	Commissioners	Commissioners	<b>4</b>
	Legal Experts	Legal Experts	<b>12</b>
	Administrative Assistant	Administrative Assistant	1
	<b>S/Total</b>		<b>17</b>
<b>Administration and Finance</b>	Director	Director of Administration and Finance	1
	Budget	Budget officer	1
	Accountant	Accountant	1
	Planning, Monitoring and Evaluation	Planning, Monitoring and Evaluation Officer	1
	IT	IT Officer	1
	HR & Logistics	HR & Logistics Officer	1
	Documentation	Librarian	1
	Central Secretariat	Head of Central Secretariat	1
	<b>S/Total</b>	<b>8</b>	
<b>GRAND TOTAL</b>			<b>34</b>

<b>PROPOSED STRUCTURE</b>			
<b>Administrative Unit</b>	<b>Job Title</b>	<b>Title of Job Positions linked to the Job</b>	<b>Proposed Number of Jobs</b>
<b>Office of the Chairperson</b>	Chairperson	Chairperson	1
	Internal Auditor	Internal Auditor	1
	Advisor	Advisor to the Chairperson	1
	Public relations and Communications	Public relations and Communications Officer	1
	Administrative Assistant	Administrative Assistant	1
	<b>S/Total</b>		<b>5</b>
<b>Office of the Vice-Chairperson</b>	Vice Chairperson	Vice Chairperson	1
	Administrative Assistant	Administrative Assistant	1
	<b>S/Total</b>		<b>2</b>
<b>Office of the Commissioner-Secretary</b>	Commissioner-Secretary	Secretary of Commission	1
	Documentation	Documentalists	2
	Procurement	Procurement	1
	Administrative Assistant	Administrative Assistant	1
	<b>S/Total</b>		<b>5</b>
<b>Legal research work program</b>	Commissioner	Commissioner	1
	Senior Legal Researchers	Senior Legal Researchers	6
	Editor	Editor	1
	<b>S/Total</b>		<b>8</b>
<b>Law reform work program</b>	Commissioner	Commissioner	1
	Senior Legal Analysts	Senior Legal Analysts in legislative drafting	6
	Senior Legal Analysts	Senior Legal Analysts in Translation	2
	<b>S/Total</b>		<b>9</b>
<b>Law Revision Work Program</b>	Commissioner	Commissioner	1
	Senior Legal Analysts	Senior Legal Analysts	5
	<b>S/Total</b>		<b>6</b>
	Commissioner	Commissioner	1

<b>Legal Awareness Work Program</b>	Senior Legal Analysts	Senior Legal Analysts	3
	Publications	Publications Manager	1
	Editor	Editor	1
	Administrative Assistant	Administrative Assistant to commissioners	1
	<b>S/Total</b>		<b>7</b>
<b>Administration and Finance</b>	Director	Director of Administration and Finance	1
	Budget	Budget officer	1
	Accountant	Accountant	1
	Human Resources	Human Resources Officer	1
	Logistics	Logistics Officer	1
	Central Secretariat	Head of Central Secretariat	1
	Secretary	Secretary	1
	<b>S/Total</b>		<b>7</b>
<b>ICT</b>	Director	ICT Director	1
	ICT Officer	ICT Officer	1
	Webmaster	Webmaster	1
	Database and Application administrator	Database and Application administrator	1
	<b>S/Total</b>		<b>4</b>
<b>Planning, Monitoring and Evaluation</b>	Director	Director P,M&E	1
	Planning	Planning Officer	1
	M&E	M&E Officer	1
	Statistics	Statistician	1
	<b>S/Total</b>		<b>4</b>
<b>GRAND TOTAL</b>			<b>57</b>

## SECTION FOUR: CONSTRAINTS

While progress has been made so far, the Commission could have achieved even more if it had not been faced with constraints relating to finances, premises and staff.

### **1. Financial constraints**

The Commission was faced with financial constraints this fiscal year, due to the fact that it started its activities after closure of budget consultations. The available budget catered only for matters like staff salaries, office equipment and consumables. No technical aspect requiring funding could be addressed.

### **2. Inadequate premises**

The Commission is also faced with an issue of inadequate premises. It is now operating from MINIJUST premises, which are not sufficient to run its daily activities. The offices are not sufficient for the staff and there is no conference room and no space for a modern library we are envisaging to create.

A request for adequate premises was addressed to the Rwanda Housing Authority on 1<sup>st</sup> July 2012. We are still waiting for a reply.

### **3. Staff constraints**

The mandate of the RLRC requires more staff and this is one of the reasons why the RLRC has proposed a new structure and an increase of staff members. However, there has been delay in approval of a new structure. Moreover, even the recruitment of the remaining staff under the old structure was frozen by MIFOTRA instructions due to the restructuring process in all public institutions.