

### 3. ENHANCING QUALITY OF JUDGMENT

Working towards attaining timely case judgment must go hand in hand with enhancing their quality. In this regard, judgments are regularly analyzed to identify areas requiring improvement and strategies are adopted to fix the gaps. Such strategies include:

- Building the capacity of judges and registrars to enhance their competencies focusing on specific areas of weakness;
- Preparing regulations, bench books and other guidelines for reference in deciding on cases;
- Preparation and publication of law reports to enhance judgement predictability and harmonization of jurisprudence;
- Organization of peer review mechanisms that bring judicial staff together in monthly meetings to discuss legal issues in judgments rendered, share knowledge and good practices but also enhance transparency in justice delivery;
- Fighting corruption and upholding ethical behavior of judges and other court personnel.

As indicated in this annual report, these strategies have yielded significant results:

- The level of divergence in court decisions on similar facts and the same legal issues kept on decreasing. Hence, in 2015/2016 cases altered on appeal were 10.77% as compared to 14% in the previous year 2014/2015;
- The confidence and trust people have towards Rwandan courts also increased. This was proven by a study conducted by Rwanda Governance Board, in its report, Citizen Report Card; 2015 which indicated that people have confidence in courts to the level of 88.2%. It was confirmed by International reports such as World Economic Forum, Global competitiveness Index; 2015-

2016. This report indicated that the Rwandan Judiciary is ranked 26th among 140 countries assessed worldwide; the 2nd place in Africa after South Africa and the 1st place in East Africa regarding independence.(Ref: Global competitiveness report 2015-2016,pg 309)<sup>2</sup>

#### Challenges:

The key challenges that still hinder the performance of the Judiciary among others include;

- *Lack of internet connectivity in most of the primary courts; only 27/60 primary courts have full connectivity. This hinders the use of the current rolled out system (IECMs) hence a challenge to improving service delivery;*
- *The existence of old and inefficient court infrastructures are also still a challenge to the performance of the Judiciary.*

However, in collaboration with the concerned institutions, measures to redress these and other needs of the Judiciary for better performance will continue to be sought as we move forward.

Last but not the least, our special thanks go to His Excellency, the President of the Republic of Rwanda, the Government and the Parliament for the support and encouragement on which the Judiciary's achievements greatly depend. The judiciary of Rwanda is also grateful to the judges, registrars and support staff for their contribution to the continuous progress of the Judiciary. It is also thankful to Rwandans in general and partners for their contribution to this year's achievements.

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<sup>2</sup> According to the World Economic Forum 2016-2017 ,Rwandan Judiciary is ranked 25<sup>th</sup> (one place better than last year) among 138 countries assessed worldwide; the 2<sup>nd</sup> place in Africa after South Africa and the 1<sup>st</sup> place in East Africa regarding independence. The same report shows Rwanda at N°. 11 on efficiency of legal framework for resolution of disputes, again one place behind South Africa which leads Africa at N°.9. (Ref: World Economic Forum: Global Competitiveness Report 2016-2017,pg 308, 324)

REPUBLIC OF RWANDA



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## SUMMARY OF THE ANNUAL REPORT OF THE JUDICIARY OF RWANDA 2015-2016<sup>1</sup>

The Judiciary of Rwanda continues to make progress in the delivery of quality and timely justice. The annual report indicates that the implementation of strategies adopted in the last 5 years yielded significant results in terms of enhancement of service delivery to court users, and improving the quality of judgments. This has been proven by figures based on established indicators and on reports expressing views of beneficiaries of court services and observers of the development of the Rwandan Judiciary.

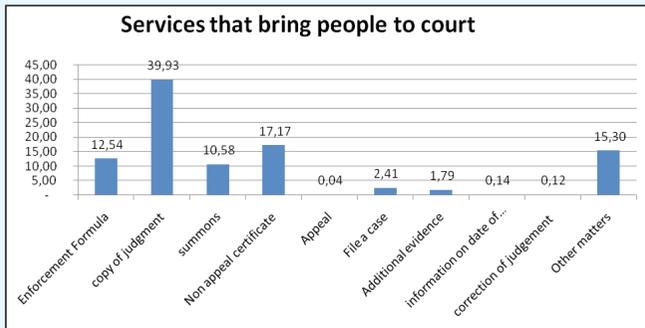
### 1. ENHANCEMENT OF SERVICE DELIVERY

The Judiciary put in place a monitoring mechanism to follow up service delivery in courts with regard to the time spent by beneficiaries waiting for a response or the number of days they come to courts for one request. A report on court activities indicates that in general, people get a response for a service

<sup>1</sup> Find the full report on the website of the Judiciary:  
<http://www.judiciary.gov.rw>

requested in one day, making it unnecessary to return for a follow up of the requested service. This has been realized due largely to the use of technology in delivering many of the services online. This has led to a significant decrease in the number of people who come to courts especially those coming to file cases. Case filing was previously the main reason for which people went to courts; today it only counts for 2.4%.

**Reasons for which people come to courts: 2015/2016**



The number of people who filed cases online in 2015/2016 was 73% as compared to 61.2% in the previous year. From early Jan 2016 to date, the Judiciary is gradually migrating to the new electronic system called IECMS (Integrated electronic case management system) that is expected to further decrease the number of the reasons for which people come to courts. It has been used in the courts within Kigali and in all Commercial Courts since January 2016. From September 19th the system was rolled out in 27 more courts around the country. In addition to case filing, IECMS helps parties to exchange documents between themselves and to communicate with courts' help desk registrars; it eases communication and file transfers between courts, and it allows follow up and monitoring of the whole process of handling cases and to generate real time court reports.

Innovations to enhance service delivery through use of technology has allowed the Rwandan Judiciary

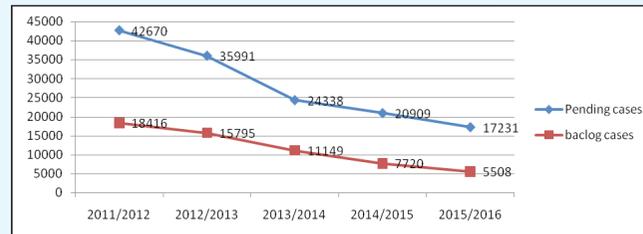
to win a golden award in Africa by AAPAM (African Association for Public Administration and Management) in a competition that took place in Zambia in February 2016 on innovation and enhancement of services to the public (Innovative Management Award).

**2. TIMELY DELIVERY OF JUSTICE**

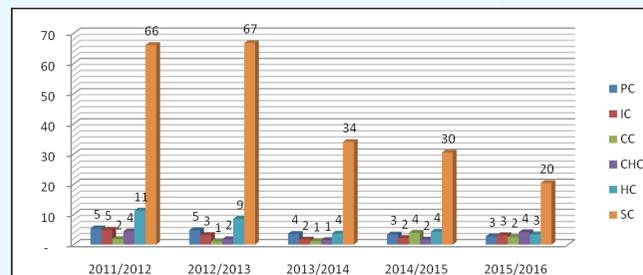
*Justice delayed is Justice denied.* This is the reason why fighting against case backlog has been at the center of its priorities for the Judiciary since the judicial reforms of 2004. Various strategies were adopted, and continuously adjusted through enactment of new laws, Chief Justice's regulations and mechanisms of monitoring their implementation.

In these last five years, the backlog of cases decreased significantly and so did the average time taken for a case awaiting trial as illustrated below.

**The trend of case backlog from 2011/2012 to 2015/2016:**



**Time (in months) it takes for a new case to start being heard at court level**



**NOTE:** In the Supreme Court, the time it takes for a new case to start being heard dropped from 66 months (5.5 years) in 2011/2012 to 20 months (1.5 year) in late 2015/2016 whereas, in primary courts, this time dropped from 5 months in 2011/2012 to three months in 2015/2016.

The table below shows the number of adjudicated cases, filed cases and pending cases in 2016.

No	COURT	FILED	ADJUDICATED	PENDING
1	PC	25,950	35,205	8,495
2	IC	15,294	14,823	4,682
3	HC	5,003	5,880	1,746
4	CC	2,670	3,169	734
5	CHC	776	649	242
6	SC	409	768	1,332
TOTAL		50,102	60,494	17,231

However, as indicated, the Judiciary has not yet attained its target of adjudicating every filed case within six months in all courts. In this regard, the Judiciary in collaboration with other concerned institutions is exploring the strategies that include the following:

- Reforming courts organizational structure to redistribute jurisdiction;
- Establishing laws that establish alternative disputes resolution mechanisms prior to case filing in court;
- Revising procedural laws to accommodate changes in the use of Alternative Dispute Resolution mechanisms;
- Establishing special procedures for small claims to speed up their proceedings.