



**UNION OF RWANDAN DEMOCRATIC FORCES  
(UFDR)**

<http://www.ufdr.org>

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**THE INSTITUTION OF «GACACA » JURISDICTIONS IN RWANDA IS A  
PARODY OF JUSTICE**

The Union of Rwandan Democratic Forces (UFDR) condemns the persistence of the Kigali government in its error of imposing upon the Rwandan people the special jurisdictions "gacaca" which do not respect the commonly accepted standards, rules and procedures for the administration of justice.

Although the jurisdictions "gacaca" offer to the prisoners the chance to be eventually released or to know exactly their sentences, contrary to the current uncertain situation of illegal detention for indefinite time, they are likely to worsen the situations of injustice already prevailing in the country. The problem of prison overpopulation in Rwanda results from massive arbitrary arrests and prolonged illegal detentions mostly made by incompetent agents or racists driven by revenge. The violation of the presumption of innocence has become the general rule. The prisoners are treated like wild animals without any rights at all, like convicted persons before any judgement. Whereas the burden of proof of culpability falls normally on the prosecution, it is rather requested from the prisoners to prove their innocence. The best way of resolving the overcrowding of the Rwandan prisons is to release all persons arbitrarily arrested and illegally detained, the judgement by ordinary courts of those whose files are gradually made and the compensation by the State for the families of those who died in prison without judgement.

After having spent 8 years in endless deadly wars in which many of his supporters lost their children and close relatives and being in urgency of regaining lost support within his political party before the «no-party» elections scheduled next year, General Paul Kagame seeks a way of rallying support for him within the Rwandan Patriotic Front (RPF) through special jurisdictions under the total control of RPF members and supporters. The institution of special jurisdictions «gacaca» obviously violates the principles 2, 5 and 10 of the U.N. Basic Principles on the Independence of the Judiciary. In particular, the principle 5 stipulates that *“Everyone shall have the right to be tried by ordinary courts or tribunals using established legal procedures. Tribunals that do not use the duly established procedures of the legal*

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The Union of Rwandan Democratic Forces (UFDR) is a political coalition formed by the Rally for the Return of Refugees and Democracy in Rwanda (RDR (<http://www.rdrwanda.org>)) and the Resistance Forces for Democracy (FRD) .

*process shall not be created to displace the jurisdiction belonging to the ordinary courts or judicial tribunals.* The popular courts «gacaca» of the Kigali regime also violate the right of the accused to a fair hearing by a competent, independent and impartial tribunal as stipulated by the articles 10 and 11 of the Universal Declaration of Human Rights and by the article 14 of the International Covenant on Civil and Political Rights.

The institution of «gacaca» courts is a parody of justice. We demand all governments, NGOs, international organizations and all justice-loving people to not associate their names with that farce.

Done in Montreal on 17 June 2002

For UFDR

Emmanuel Nyemera, Ph.D.

Spokesman and Commissioner for Information and Communication