

REMARKS IN THE MOU ON PLEABARGAINING SIGNING CEREMONY

1.Introduction

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Representatives from Institutions in the Justice Sector(chain)

Dear Colleagues from the Judiciary

Ladies and Gentlemen

Good afternoon, Good morning (USA)

It is my delight and honor to have taken part in the just concluded signing ceremony of the MoU on Plea-Bargaining pilot project between the Judiciary of Rwanda and Pepperdine University.

2. Brief Background of Plea-Bargaining in Rwanda

Faced with the rapid increase of criminal cases, institutions of the criminal justice chain have been holding discussions and consultations so as to exchange views on measures to be taken in order to deal with this situation. In this regard, a study has been carried out that led to a draft criminal justice policy that has yet to be adopted by the competent authority. Some recommendations made invite us to rethink the way we used to consider some aspects of the criminal justice system and accept to change our mindset and embrace deep structural reforms that will increase fairness and ensure proportionate punishment without sacrificing public safety.

It is in this context I think that the implementation of this project can be considered.

The concept of Plea-Bargaining in the Rwanda legal spheres is not new as it was first introduced by the organic law on the organization of prosecution for offences constituting the crime of Genocide and crimes against Humanity committed since October 1,1990. However, it has come into profound limelight with the re-introduction of the same in the 2019 Criminal Procedure code. The procedure of Plea-Bargaining has been sanctioned in the criminal procedural law to add weight to other methods in bid to enhance the quality and timeliness of Justice dispensed.

In general, there are several benefits that come with Plea-Bargaining in dispensing world class Criminal Justice and this may include the following:

1. Time saving to all the parties involved in a criminal case namely prosecution, the defendant and the Court.
2. It may help unclog the dockets of the prosecution and Courts thus acting as a solution to backlogs in the said institutions.
3. It can also be a solution to decongest prisons.
4. It reduces the time spent on remand in distinct cases.
5. It may also be an aid in the investigation process.

3. Benefits of the MoU on Plea-Bargaining Pilot Project

- The MoU on the Plea-Bargaining Pilot Phase will act as a curtain riser to the future of Plea-Bargaining in the Rwandan Justice system.
- We anticipate that this Pilot phase will also be a solution to the growing backlogs in Criminal cases since it will tackle assault and theft cases that make the majority of Criminal Case inflows in the Prosecution and Courts.
- The Plea-Bargaining pilot phase will be handy in equipping skills to local staffs involved by tapping this from the expertise provided by Pepperdine University.

4. The anticipated role from stake holders

Bearing in mind that this project is not only for the Judiciary, it is pertinent to indicate the role of all the stake holders involved as follows;

- The Prosecution is required to have total involvement in the entire process since they are the core actors in the initial stages of plea-bargaining.
- The Rwanda Bar Association in providing defense lawyers who are very key in the process of informing the defendant about the entire process.
- The Rwanda Correction Service to facilitate defendants who are opting for the plea-bargaining process.
- The Courts in verifying and homologating the plea-bargaining agreements.
- Our Key partners to avail necessary support in the implementation process.

5. Conclusion

In conclusion, I would once again like to thank the Pepperdine University for accepting to partner with us in bringing to fruition the process of plea-bargaining, I also would like to thank all members in the Justice Chain for your undivided cooperation, your turning up today is a sign of commitment to the cause. As I end my remarks, let me reiterate that now work has begun for all of us and let us make this project move faster for better yields in a reasonable time frame. There is no doubt that its successful implementation will contribute to our efforts to uphold the rule of law and fundamental human rights for a peaceful, secure and prosperous country.

I wish those of us in Kigali a good evening and a good morning for those in the USA.

Thank You for your kind attention