

Republic of Rwanda



Supreme Court
P.O BOX:2197 Kigali

SUMMARY OF THE PERFORMANCE OF THE JUDICIARY DURING THE YEAR 2020-2021

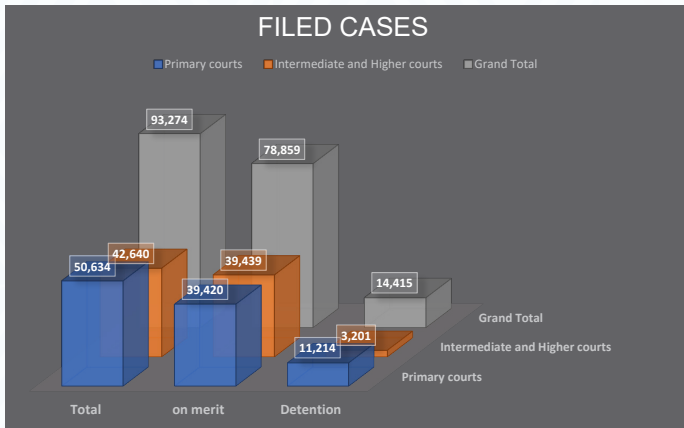
SUMMARY OF THE PERFORMANCE OF THE JUDICIARY DURING THE YEAR 2020-2021

This document gives a summary of key results of the Judiciary activities during the Judicial year 2020-2021 with regard to its vision and mandate of delivering Timely and Quality Justice.

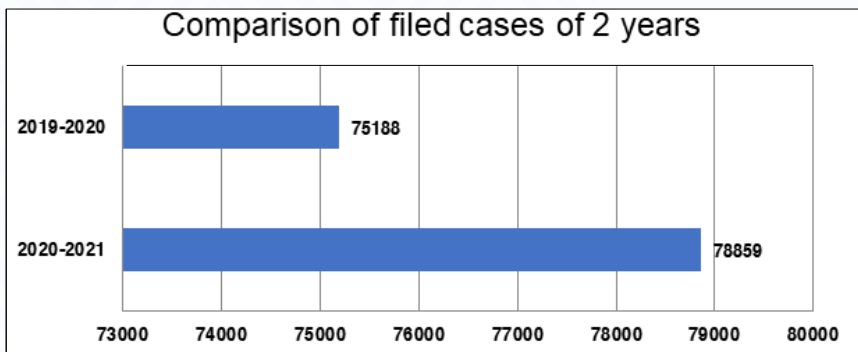
I. I. Performance in terms of Timely Justice

I.1 Number of cases filed in courts

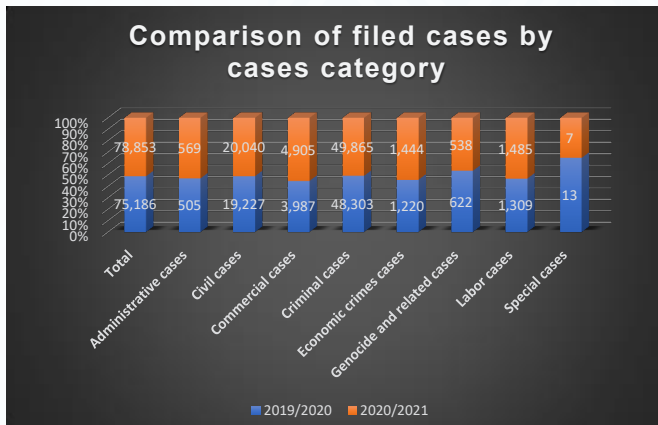
The number of cases filed into all courts over the year 2020-2021 is depicted in the following chart



Number of cases on merit filed to courts increased by 5% compared to the previous year as shown below:



Comparison of filed cases according to their category over the two years.



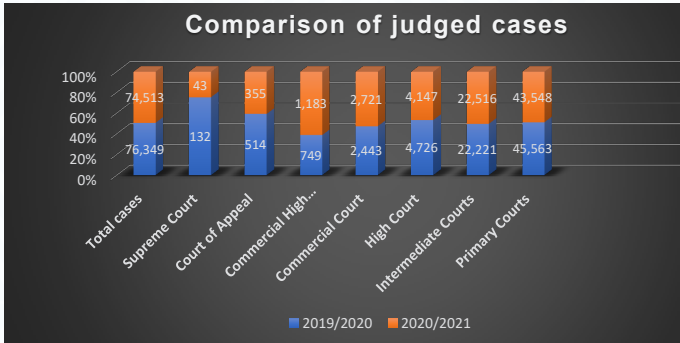
I.2 Number of cases settled through court mediation

Courts have two mechanisms of mediation to help litigants settle their cases amicably;

- *Cases settled during pretrial conference: This year 861 cases were settled during pretrial conference. They increased by 1% compared to the previous year where 854 cases were settled.*
- *Judges facilitated mediation. This year the number of cases in which judges helped litigants to settle their cases amicably increased by 42% making it 61 cases from 43 cases. Among the mediated cases, there was one commercial case that involved 112 defendants vs. a bank with the value of RWF 900 million. The case was mediated by the Commercial High Court and closed within six months.*

I.3 Number of cases judged

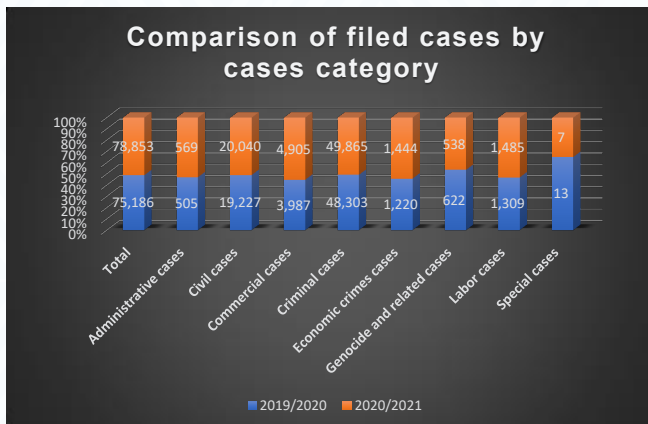
The number of judged cases this year compared to the previous year is shown in the figure below:



The number of judged cases decreased by 2% this year (2020-2021) compared to last year (2019-2020). This decrease is attributed to the disruption of court activities caused by the measures continuously put in place to curb the spread of the COVID-19 Pandemic

I.4 Average Time a case waits before trial on merits

The overall average time a case waits before trial on merit has increased by 25%. A change in average time for each court is shown here bellow.



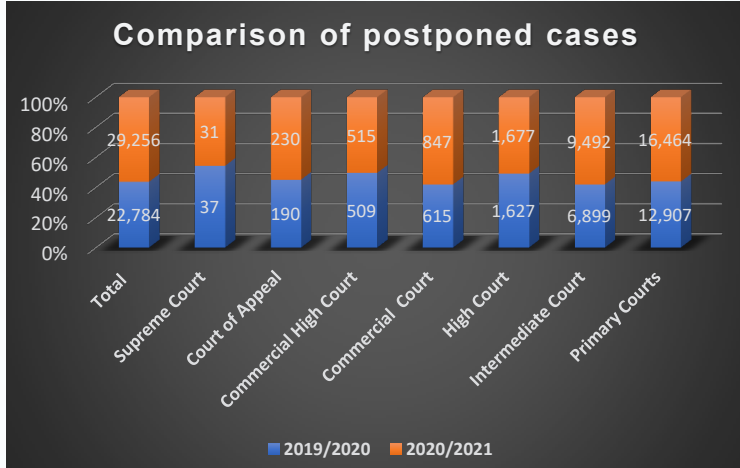
The general increase in the average time a case waits before trial on merits is due to the increase of pending cases at the end of the year occasioned by the increase in new filed cases, reduction in the number of judged cases and the number of adjourned cases due to COVID-19



pandemic.

1.5 Percentage of postponed cases

This year the adjourned cases represent 34% of the total scheduled cases and have increased by 28% compared to the previous year as



1.6 Number of pending cases at the end of the year

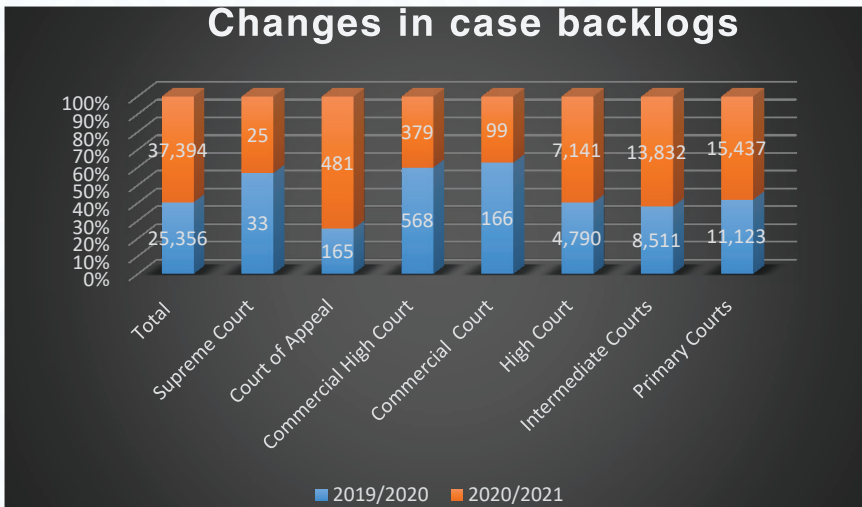
The number of pending cases increased by 32% as compared to previous year as shown in the table below:



Court	2019/2020	2020/2021	Change
Total	52,952	69,813	32%
Supreme Court	51	35	-31%
Court of Appeal	302	1,144	279%
Commercial High Court	951	882	-7%
Commercial Court	828	738	-11%
High Court	7,993	11,379	42%
Intermediate Courts	19,478	25,834	33%
Primary Courts	23,349	29,801	28%

I.7 Number of case backlog

The number of case backlog has increased by 47% from past year. The following chart shows changes in case backlogs in courts within the 2 years.



Generally, the number of case backlog has increased by 47% from the past year. This increase is mainly attributed to the continuous increase of new entering cases while the number of judges is constant, the increase in postponed cases as well as the reduction in number of judged cases due to measures put in place to curtail the spread of COVID-19 pandemic.

I.8 The percentage of case backlog

The following table shows the percentage of case backlog of the total pending cases in courts.

Court	Case backlog as of end June 2021	Pending cases as of end June 2021	%
Total	37,394	69,813	54%
Supreme Court	25	35	71%
Court of Appeal	481	1,144	42%
Commercial High Court	379	882	43%
Commercial Courts	99	738	13%
High Court	7,141	11,379	63%
Intermediate Courts	13,832	25,834	54%
Primary Courts	15,437	29,801	52%

II. Performance in terms of Quality Justice

II.1 Percentage of cases overturned at appeal level

The following table shows the percentage of cases overturned at appeal level:



Court	Judged at appeal	Overtured cases	Percentage
Total	12,866	889	7%
Supreme Court	1		
Court of Appeal	294	49	17%
Commercial High Court	1,081	44	4%
High Court	3,781	584	15%
Intermediate Courts	7,709	212	3%

With comparison over the two years, the number of cases overtured increased by 9% as it appears in the table below:

Court	2019/2020	2020/2021	Change
Total	817	889	9%
Supreme Court	7	0	-100%
Court of Appeal	75	49	-35%
Commercial High Court	24	44	83%
High Court	501	584	17%
Intermediate Courts	209	212	1%

II.2 Injustice cases processed

This year around 1005 cases submitted to courts by litigants on grounds of injustice were reviewed. Among them, 33 were reversed by courts implying that they were not fairly adjudicated by the trial courts. This signifies that the overall rate of cases in which injustice manifested stands at 3%.

II.3 Upholding consistency and predictability in court decisions

In this regard, the Judiciary has endeavored to publish law reports to help judges and litigants have vast reference of decided cases during case preparation and submission.

This year 4 volumes containing 25 cases each were published

III. COURT ADMINISTRATION

III.1 Fight against corruption and uphold professional ethics among Judicial officers

During this year one judge and one registrar were dismissed while two registrars received other disciplinary sanctions due to failure to comply with ethical requirements that govern the Judicial personnel.

III.2 Capacity building of Judicial personnel and other activities

Short courses were organized and 2,256 Judicial officers were trained in different fields of law; namely:

1. Law no 68/2018 of 30/08/2018 determining offences and penalties in general
2. Law no 22/2018 of 29/04/2018 relating to the civil, commercial, labor and administrative procedure
3. Law no 30/2018 of 02/06/2018 determining the jurisdiction of courts.
4. Law no 027/2019 of 10/09/2019 relating to the criminal procedure

5. Training of trainers of SOBANUZINKIKO system users
6. Mediation practices

The Judiciary in collaboration with National Public Prosecution Authority organized the 3rd Judicial week where different stakeholders convened and discussed matters pertaining delivery of timely and quality justice. Relevant resolutions were taken aimed at enhancing the attainment of the Rwandan Judiciary goals in particular and of the Justice Sector in general.

IV. Judiciary performance indicators in 2020/2021

The following table portrays how the Judiciary performed in different indicators:

Indicator	Target	Actual	Performance %
Rate of Overturned cases at appeal level (%)	7.25	7	103
Rate of backlogs cases (%)	17.3	54	32
Rate of processed cases compared to all cases in courts (disposal rate %)	75	57	76
Rate of adjourned cases (%)	25	34	73.5
Time (month) a case takes from filing to court decision	4	10	40
% of construction works completed (%)	100	0	0
Number of judges trained	88	0	0
Number of training organized and number of participants	630	612	97
Number of study tours done	2	0	0
Number of legal researchers	17	17	100
Number of Translators	6	6	100
Number of copies of small claim procedure produced	123	0	0
Number of law reports copies produced	600	600	100

V. Judicial performance indicators as assessed by Rwanda Governance Board evaluation

According to the 7th Edition of RGS, the performance of Rwanda Judiciary is at 81.89%. The sub indicators on which this assessment was carried out are shown in the table below:

Indicator	Score
1. Performance of the Judiciary	81.89%
1.1 Trust in the Judiciary	88.69%
1.2 % of Cases processed by the courts against all cases in courts	83.00%
1.3 % of backlog cases in judiciary	62.65%
1.4 Independence of courts	79.11%
1.5 Clearance rate	96.00%

The least performing sub indicator being the % of case backlog which stands at 62.65% and the highest performing indicator is the clearance rate with 96%.

VI. Conclusion, challenges and way forward

Though this year was marked by adverse changes in working conditions due to the COVID-19 pandemic, the Judiciary managed to deliver Justice hinged on its existing IT infrastructure built over the past years. Efforts will continue to be consigned in leveraging ICT to deliver quick Justice and improve service delivery.

Efforts were sustained to adjudicated cases where 74 513 cases were judged, 861 cases settled during pretrial meetings and 61 cases facilitated by judges were settled amicably. A case in point is; one commercial case with the value of RWF 900 million where 112 defendants were against a bank, this case was mediated by the Commercial High court and closed in six months.

This year was characterized by an increase in case backlog by 47% compared to the previous 2019-2020.

The challenges faced by the Judiciary during the year 2020-2021 are mainly attributed to the increase in new entering cases above the

number of judged cases thus resulting in a negative change in case backlog and the time a case waits for adjudication.

In addition, the lack of sufficient budget to implement the recent Judicial reform where merged courts have no sufficient offices and courtrooms also poses a serious challenge to the effectiveness and efficiency of court operations.

Lack of adequate ICT equipment like computers has been a serious detriment to the proper performance of the Judiciary hence hindering proper service delivery. This problem strongly heightened when the majority of employees were required to work out of the office due to COVID-2019 pandemic and heavily slowed down expected output.

In the bid to have these issues addressed, the Judiciary will continue to streamline hearing schedules to avoid unnecessary adjournment of cases, emphasis and continued enlightenment of litigants in collaboration with other stakeholders to instill the use of alternative dispute resolution mechanisms will be streamlined, there will be continued discussions and advocacy to increase the number of judges and registrars as well as continued mobilization of resources for the construction of court buildings for merged courts and the purchase of ICT equipment.





