



National Report Template ILAG Harvard 2023

It would be much appreciated if you could fill in what you can for your jurisdiction. We know it is a lot of information to ask, so do not worry if you can only provide some of the information. Please highlight any recent significant changes in your legal aid programme if time and energy permit.

1. Country details

Name: **Rwanda**, Population: **13,246,394 people**¹. GDP: **13,716 billion RWF**². Poverty line **38.2%**³ of the population deemed to be living in poverty. Number of practicing lawyers in the jurisdiction: **1450 Advocates**⁴

2. Legal Aid Organisation / Authority

Name of LAO: **The Legal Aid Forum.**

Status of LAO: **Independent Civil Society Organization.**

Number of board members is **9** and staff members from 2021 – 2022 were **34** and **35** respectively.

Delivery method: **LAF uses a mixed delivery mode. We have Salaried /in-house Lawyers, Private Contracted Lawyers and paralegals through NGOs.**

Number of lawyers: **In 2021 we had 16 lawyers and in 2022 we had 15 lawyers.**

Number of paralegals participating in the legal aid programme: **3,000 paralegals** came together through the Paralegal network and elect their **30 District representatives.**

Payment methods used to recompense private lawyers or other providers in your system (e.g. contract, fixed fee, hourly rate, part pro bono, etc.): **For Private Lawyers, LAF uses services provision agreements, for in-house lawyers we use employment contracts, and for Paralegals, we use agreements with paralegal organizations.**

3. Budget and Spend:

Our Legal Aid program receives funding from development partners/donors who are actively involved in the justice sector. Each year the legal aid budget is predetermined and set at a specific limit based on available funding for projects. In the past two years (2021 and 2022), the expenditure for Legal Services offered by Legal Aid Forum amounted to 1,475,181,051 Rwf in 2021 and 1,893,441,547 Rwf in 2022. These funds

¹ See National Statistics of Rwanda Website, available at https://www.statistics.gov.rw/publication/Rwanda_population_2022, accessed 03/5/2023

² See National Statistics of Rwanda Website, available at <https://www.statistics.gov.rw/publication/1914>, accessed 03/5/2023

³ Available at <https://www.statistics.gov.rw/publication/statistical-yearbook-2019> accessed 26/4/2021

⁴ See Rwanda Bar Association official website, available at <https://www.rwandabar.org.rw/about-rba>, accessed on 03/5/2023

are dedicated to providing essential legal services, including initial legal advice, orientation, and assistance in various areas such as civil, criminal, administrative, children's rights, and asylum cases. The resources are managed by the LAF Secretariat. Our clients receive all our services free of charge.

4. Scope, Caseload, and Eligibility:

➤ **What restrictions on the scope are there for civil and criminal administration, children, and asylum? Legal aid and for initial advice in your jurisdiction?**

The National Legal Aid Policy of October 2014 regulates the provision of legal aid in Rwanda. The policy stipulates that legal aid, which includes legal advice, assistance, representation, education, and alternative dispute resolution mechanisms, be offered to poor and vulnerable individuals or groups such as indigent persons, women, children, persons with disabilities, and victims of gender-based violence without any limitations for both civil and criminal administrative, children, and asylum cases.

➤ **Total number of applications and grants for the last two years.**

The provision of free legal aid services, such as legal advice, representation, mediation, referrals, orientation, accompaniment, advocacy, and civil documentation, varies from year to year. For instance, in the last two years (2021-2022), LAF was able to serve **24,666** individuals, including 1,058 who received legal representation before the court, National Prosecution Authority, and the Rwanda Investigation Bureau (RIB). Among these cases, 17,019 were civil, 7,647 were criminal, 16,032 are female, and 8,634 are male, including 6,206 children.

➤ **Eligibility limits for criminal legal aid.**

Our approach to community development is rooted in Rwanda's social categorization system, known as 'Ubudehe'. This government-led initiative aims to reduce poverty by providing communities with the skills and resources needed to solve problems and make decisions. Our primary focus is on assisting individuals in Category 1 and Category 2, who are considered the most vulnerable. However, we also make exceptions for cases involving Gender Based Violence and for special projects such as The Legal Aid Forum's criminal legal aid program for journalists, which has been available since January 2020.

➤ **Are means-tested contributions part of your (a) civil (b) criminal (c) initial advice eligibility requirements?**

Rwanda is currently working towards establishing a comprehensive means test to determine eligibility for Legal Aid Services. Presently, our system relies solely on the social categorization method known as the 'Ubudehe' system. However, in accordance with our national Legal Aid Policy, we have proposed the implementation of a means test. To this end, a Legal Aid Law and ministerial order have been drafted, which outline the principles, guidelines, conditions, rights, obligations, and penalties related to legal aid. We are now awaiting the adoption of these legislations by the relevant competent authorities.

In your jurisdiction, are legally aided litigants who lose their case liable to pay the other side's legal expenses/ costs?

Yes. Legal expenses/ costs may be awarded if the lawyer requests it and the judges approve, and if both the lawyer and litigant request costs, the judge has the discretion to order payment. However, litigants who have been granted legal aid certificates of indigence are exempt from paying court fees if they lose their case.

5. Quality Assurance:

The system used – Complaints to LAO, Complaints to the Bar Association/ Law Society, Client Satisfaction questionnaires / interviews, Continuing Legal Education, Mentoring, Peer Review, Supervisor audit, Observation or video/audio tape, etc.

Surveys to get feedback on the legal aid services and the level of beneficiaries' satisfaction. Sometimes the surveys are conducted through ICT and reports are generated through that technology. Complaints from our beneficiaries are directed to the Executive Director. We have a toll-free line 1022 used by legal aid seekers and can be used for lodging complaints. Complaints can also be from forms our LAO Partners and members.

The Rwanda Bar Association also receive complaints and continuous legal education is also mandatory for all Lawyers to renew their licenses to practice

In 2019, LAF developed the Legal Aid Performance Standards to ensure greater consistency in the delivery of legal aid services, it helps legal aid providers to track and monitor services provided to our beneficiaries.

What requirements are there (if any) for lawyers and others who wish to provide legal aid, other than membership of the Bar / professional association e.g. registration, experience, special exams, interviews, upper or lower limits on a number of cases undertaken annually etc.?

To become a lawyer in Rwanda registration with the Rwanda Bar Association is mandatory. In addition, lawyers who seek to provide legal aid services must undergo interviews, internships, and written exams.

6. Public Legal Education:

Initiatives in the last two years to increase public awareness of the availability of Publicly Funded Legal Services/ legal aid in your jurisdiction and how to access it. (Include any particular approach for those in remote areas or those with special legal needs e.g. the elderly or victims of domestic violence). IT packages were introduced to enhance access for the public

LAF employs a range of approaches to provide legal aid, with a particular emphasis on public legal education. These approaches include:

Paralegals: Rwanda has over 3,000 paralegals based in communities, prisons and refugee camps. Paralegals play a vital role in assisting people to engage with the legal environment and empowering them to understand and claim their rights. They provide essential legal services to their communities including legal advice, mediation, legal education, accompaniment, referrals etc

Over the past two years, paralegals reached **111,891** individuals, particularly those in remote areas, through our awareness raising/legal education sessions. We were able to identify 54 critical cases that required legal representation, which were promptly referred to LAF for assistance.

Mobile legal aid clinics (MLAC): this is an approach the Legal Aid Forum uses to bring legal services closer to the community. To promote social cohesion, social justice, and sustainable development, MLAC uses the proximity justice approach to improve the accessibility and quality of legal services to the population. This approach involves legal officers going into the community and meeting beneficiaries in their neighborhoods to discuss and resolve their legal issues. It is an effective approach of providing free legal aid to vulnerable people at the grassroots level. We find the beneficiaries where they live, eliminating expenses that may hinder access to justice for economically disadvantaged individuals.

In the past two years, our legal officers have reached out to 108,162 individuals through legal MLACs.

Legal Aid week: Every year since 2009, LAF collaborates with other justice sector institutions to conduct Legal Aid weeks (LAW) with the objective of offering intensive legal education, especially on laws that are mostly used by citizens, and legal assistance to vulnerable and marginalized individuals

In 2021, LAF conducted Legal Aid Week through live television and radio talk shows as well as social media to curb the spread of Covid-19. Different themes related to access to justice and legal aid were discussed and listeners were given an opportunity to ask questions on their justice-related issues. Electronic banners were posted on Facebook, Twitter and Instagram to raise awareness on Legal Aid Week. The public was encouraged to interact and report any special cases or problems requiring LAF or other institution attention. The following are the themes covered during the talk shows:

- The use of ICT in the provision of legal services during COVID-19
- Ensuring protection of employees rights in light of the COVID-19 pandemic
- Overview of newly adopted Law governing land
- Effects of pre-trial detention on prison overcrowding
- Freedom of Expression (Dos & Don'ts)
- The role of paralegals in the delivery of justice to the Rwandan people
- The role of legal aid clinics in the delivery of justice to the Rwandan people
- The role of forensic evidence in the delivery of justice

Our efforts resulted in reaching out to a approximately 4,914,216 individuals, and we have been able to identify 28 cases that required legal representation.

University legal aid clinics: these are clinics in which law students provide legal assistance to vulnerable beneficiaries under the supervision of a lecturer. LAF has four (4) legal aid clinics in its network, whose primary functions are threefold: a training facility for law students where they are provided with practical legal training and necessary exposure to the realities of legal practice through participation in legal aid clinic, provision of quality legal aid services to the vulnerable people by offering training, advisory, and advocacy on legal related issues and conducting adequate research on key legal issues identified from the cases brought by the people seeking legal aid.

With the acquired skills, the students are able to provide quality legal aid services to vulnerable people in the form of legal advice, drafting court submissions, referrals to other institutions, and mediation

Legal education through Media: LAF's approach to media engagement allows the organization to do advocacy on several legal issues as well as make its pro bono legal services known to the Rwandan population and how to access said services.

Working with the biggest media houses and taking advantage of their wide coverage and popularity among the population, LAF uses TV and Radio stations to educate citizens on their legal rights. As a result of the good rapport LAF has built with the Rwandan media sector, the organization has become the go-to for legal aid information.

Know your rights Posters: Other tools used by LAF to empower the community to know their rights and obligations are know-your-rights posters. Vested with key legal information such as pre-trial rights and procedures, freedom of expression, etc., the posters are a simple and effective way to raise legal consciousness in communities.

LAF disseminates posters across the country in investigation bureaus, police stations, courts, prisons, etc. They are artistically designed to attract readers and have clear and concise legal information.

IT packages introduced to enhance access for the public

Since 2018, LAF has been harnessing simple mobile phone technology to bridge the justice gap for vulnerable communities in Rwanda. It resulted from a study conducted by LAF in 2017, which revealed that the distance Rwandans have to travel to reach legal aid providers represent an access problem.

The study recommended finding a way in which to provide individuals with access to legal information and advice without requiring them to travel long distances or to spend money on costs associated with trip, such as transportation, food, and drinks.

Among other things, this innovation has been successful in addressing the gaps related to a lack of awareness of the rights and laws that affect large portions of the population.

The platform allows citizens to empower themselves through self-education. By following simple step-by-step instructions, citizens can access a range of pre-recorded legal content via interactive voice recording (IVR) and Unstructured Supplementary Service Data (USSD) respectively.

Since its establishment, our platform has provided access to various legal content free of charge, empowering over 5,000,000 individuals to become knowledgeable about their rights. Over the past two years, 3,645,904 people listened the legal content 7,550,230 times. Additionally, 149,216 people read the legal content 194,652 times.

Has there been a country-wide Needs Assessment study in your jurisdiction in recent years, looking at the distribution of justiciable problems and how the public responds to them? Date of last needs assessment? Executed by?

In 2020, the Legal Aid Forum conducted an assessment of the National Legal Aid Policy and its initial implementation plan covering the period from 2014 to 2018. The primary objective of the assessment was to gain insight into the status of the policy's implementation so far, with a particular focus on the four-year initial implementation plan. The assessment document outlines the progress made thus far, identifies gaps that still need to be addressed, and offers recommendations to achieve full implementation of the policy.

In 2021, Legal Aid Forum conducted a Capacity Needs Assessment on access to Justice delivery in Rwanda with the aim to identify knowledge gaps related to the use of Integrated Electronic Case Management System, capacity needs of Abunzi mediation committees, knowledge gaps related to legal aid by justice sector actors and effects of COVID-19 on access to justice in Rwanda. The organization used findings from the assessment to tailor capacity building initiatives to the existing gaps and needs for improved justice delivery.

In 2022, the Ministry of Justice carried out a legal aid provider mapping exercise and assessed their capabilities. The objective of this assessment was to identify the legal aid providers offering services across the country, explore opportunities for the Ministry of Justice to collaborate with them, and create a comprehensive database containing relevant information such as their names, locations, geographic coverage, services offered, target group, contact details, and potential areas of cooperation.

In 2022, the Legal Aid Forum conducted an assessment of the use of technology in access to justice to gauge how digitization of legal services affected access to justice to both service providers and the vulnerable groups in Rwanda, especially post covid-19.

7. Alternative Sources of Legal Aid services:

What are the other principal sources of legal help for disadvantaged citizens in your jurisdiction, and how many clients do they assist annually (e.g. legal expenses insurance, trade unions, consumer organization claims companies, community law clinics, university law clinics, local charities, NGOs, etc.)?

There are currently seven (7) categories of legal aid providers in Rwanda comprising both state and Non –state Actors (NSA) there are a total of 74 identified legal aid providers including 2 by the Ministry of Justice through MAJ and Abunzi committees, 30 NGOS, 4 Universities, and 40 Private practitioners. Legal Aid thus involves different actors with different means of funding and management. For NGOs providing Legal Aid services, the Umbrella Organization/Network for all these actors is the LEGAL AID FORUM.

8. Holistic legal services:

Is your jurisdiction exploring link-ups between legal services providers and non-lawyer professionals e.g. health/justice partnerships, social work/justice collaboration, or other forms of “one-stop shop”?

The Government of Rwanda has made ending Gender-Based Violence a national priority. The Government of Rwanda has initiated different centers where citizens can access different services they need to be offered by diverse partners.

Isange one-stop center (IOSC) indicates the Rwanda Holistic approach to fighting gender-based violence and child abuse. IOSC services of investigation, prosecution, legal aid services, medical, and counselling are offered to those who approach the centers for aid.

There are One Stop Centres (OSC) at the district level where citizens can access land-related services in one place.

In order to provide a more comprehensive and effective approach to combat gender-based violence, LAF and USAID are exploring ways to integrate health and GBV services with legal aid services. One of the proposed strategies is to establish a structure where GBV survivors can receive both health and legal services in one location, such as a one-stop center. This will not only provide survivors with the necessary support but also improve coordination among service providers, resulting in a more seamless and holistic approach to addressing GBV.

LAF works with community-based paralegals on ground who refer various legal aid seekers to the organization for legal assistance and representation. This referral system allows LAF to reach more people that it ordinarily would if it only assisted people who come to our offices.

9. UN SDG Standard 16.3

Please identify any steps being taken to articulate and elaborate Sustainable Development Goal 16.3 in your jurisdiction.

Sustainable Development Goal 16.3 aims to promote the rule of law, ensure equal access to justice for all, and build effective, accountable, and inclusive institutions at all levels. Rwanda has taken significant steps towards articulating and elaborating on this goal within its jurisdiction.

In 2018, Rwanda launched its third National Strategy for Transformation (NST3), which outlines the country's vision for achieving sustainable development and economic growth over the next 10 years. The strategy places a strong emphasis on the rule of law, justice, and governance, recognizing that these are essential components for achieving sustainable development.

Rwanda hosts the SDG Center for Africa, which has a mission of supporting governments, civil society, business, and academic institutions to accelerate progress towards SDGs. The Ministry of Finance and Economic Planning (MINECOFIN) is mandated to facilitate the ownership process of SDGs at all levels of the national structures. Rwanda participates in National Voluntary Reviews (NVR) and submitted a report on the same in 2019.

To further promote access to justice and the rule of law, Rwanda has implemented various reforms in its justice sector, such as introducing legal aid services for vulnerable and marginalized groups through Access to Justice Bureaus (MAJ) and establishing an appeal court. Additionally, Rwanda continued strengthening an e-justice system that enables the electronic filing of cases, making the justice system more accessible and efficient.

LAF contributes to Sustainable Development Goal 16.3 by providing legal services to vulnerable people free of charge. LAF also advocates for legal reforms for legislations that hinder full access to justice as well as participate and contribute in research assessments on cost-effective investments in front line people-centred justice. Additionally, LAF regularly conducts trainings to build capacity of justice actors to provide high-quality legal services.

Overall, Rwanda has made significant progress towards articulating and elaborating on SDG 16.3 within its jurisdiction and continues to implement reforms and initiatives aimed at promoting the rule of law, access to justice, and good governance.

10. Other

- **Most innovative project 2021-2022**

One of the most innovative initiatives implemented by the Legal Aid Forum is the legal aid helpline. This innovation uses simple mobile phone technology to deliver legal services directly to individuals in the convenience of their homes.

During the COVID-19 pandemic, when lockdowns were imposed to mitigate the spread of the virus, the significance of the legal aid helpline skyrocketed. The platform became a lifeline for individuals seeking legal assistance, even when movement restrictions were in place.

The helpline's accessibility and ease of use allowed individuals to connect with legal professionals, receive guidance, and access crucial legal information without the need for physical presence. This played a vital role in ensuring that individuals could exercise their rights and seek legal remedies during challenging circumstances.

The most disappointing trend in 2021-2022

The Covid-19 pandemic was undoubtedly the most disappointing trend, bringing forth numerous negative effects on the legal aid sector and its stakeholders. One of the biggest challenges that the Justice sector in Rwanda may have faced during this period is **the backlog of cases due to the COVID-19 pandemic**. The pandemic disrupted the normal functioning of courts, resulting in delays in the adjudication of cases. Additionally, the pandemic has led to increased demand for legal aid services, particularly among vulnerable and marginalized groups, which may have further exacerbated the backlog of cases.

The biggest challenge for 2023

One potential challenge may be the need to address the backlog of cases that have accumulated as a result of the COVID-19 pandemic. While efforts have been made to mitigate the impact of the pandemic on the justice system, there is still a significant number of cases that need to be adjudicated in 2023. Addressing this backlog will require the allocation of resources, including personnel and technology, to ensure that cases can be processed efficiently.

Another critical challenge within the sector is the limited funding available, which restricts the number of interventions that can be carried out in response to the demand for legal aid services.

Insufficient funding poses a significant obstacle to effectively meeting the needs of individuals seeking legal assistance. The high demand for legal aid often surpasses the available resources, resulting in a shortfall of interventions that can be provided to those in need.

Something about Covid-19 effects?

The COVID-19 pandemic has had significant effects on LAF activities and the overall justice sector. Some of the effects of the pandemic include:

Court closures and backlog of cases: To mitigate the spread of the virus, many courts temporarily closed or operated at reduced capacity during the early months of the pandemic. This disruption resulted in a backlog of cases that will require time and resources to address.

Limited access to justice: COVID-19 restrictions, particularly in rural areas, hindered individuals' access to justice. Travel restrictions and limited transportation options made it challenging for people to attend court hearings or seek legal assistance, especially for those residing in remote areas.

Digital divide: Many court hearings and legal procedures shifted online to reduce the risk of COVID-19 transmission. However, not everyone has equal access to technology, which created a digital divide and impacted the ability of some people to participate in legal proceedings.

Impact on legal professionals: The pandemic may have had a significant impact on legal professionals, including our staff, lawyers, and as well judges. Disruptions to work and personal lives, as well as adapting to new remote work arrangements, posed challenges to effectiveness and well-being.

To address these challenges, LAF and other judicial actors have taken steps to adapt and innovate. For example, courts have introduced new technologies to enable remote hearings, and LAF continued to use its ICT based platform 1022 to ensure that legal aid seekers were served as needed. However, there is still work to be done to address the ongoing impacts of the pandemic on the justice sector.