

REPUBLIC OF RWANDA



MINISTRY OF JUSTICE

**Keynote Address of the Minister of Justice/Attorney General at the
Celebration of the 20th Anniversary of the Rwanda Bar Association**

Kigali Convention Centre, November 27th, 2017.

President of the Rwanda Bar Association;
President of the Commonwealth Lawyers Associations;
President of the African Bar Association ;
President of the East Africa Law Society ;
Presidents of Bar Associations here represented;
Justice Jamila SEDQI from Morocco ;
Members of the Rwanda Bar Association ;
Dear Friends of the Rwanda Bar Association here present ;
Distinguished guests, All protocols observed ;
Ladies and Gentlemen ;

I feel honoured and very pleased this morning to be with members and leaders of the Rwanda Bar Association as well as local and international partners and friends as we celebrate 20 years of the existence of an important organisation in the Rwanda's Justice System.

Before I proceed, let me first bring you greetings, well wishes and assurances of support from the President of the Republic H.E Paul Kagame. You invited him and due pressing schedules he was not able to be here but, luckily for me, he delegated me.

Being a member of the Rwanda Bar Association, in fact registered on the roll of advocates, at the same time privileged to serve as our country's Attorney General, permit me to assure you that the Government of Rwanda particularly associates herself with the celebration of the Bar Association's 20th Anniversary which is a 20 year journey of birth, growth and outstanding contribution to the rule of law, human rights and access to justice in our country.

Mr. President,

Today is a time to look back, remember, reflect and take stock. Most of us here know that before 1994, there was no Bar Association in Rwanda though some legal instruments had been enacted and provided for establishing the Bar Association, which never happened. We all know that even the definition of a lawyer itself depended on who was

defining it and for what purpose. If it was to find suitable judges the definition included a good person, a church goer, a church recommended person, etc..

If it was to find a prosecutor then the State defined who a lawyer was depending on what the State wanted. If it was to identify lawyers who could represent litigants in court, the definition was anyone smart and crafty.

Little wonder therefore that one of the heaviest casualties of State collapse before 1994 was the rule of law and the institutionalisation of impunity. The rule of law was replaced by an environment where the 1994 genocide against the Tutsi very well thrived

Our justice institutions were known for either incompetence or corruption or both. Rwanda was known for the absence of trained and qualified lawyers in all institutions, the deliberate obstruction of the establishment of a Bar Association, archaic and obsolete laws, and the institutional violation of judicial independence by placing the Superior Council of the Judiciary under the control of the Executive.

Mr. President
Colleagues,

The Government of National Unity which was established in July 1994 faced heavy challenges in all sectors of the economy. To restore and put in place necessary instruments and mechanisms not only to rebuild the justice sector and establish the rule of law, but, most significantly, to address the legal challenges presented by the aftermath of the genocide, was probably the most pressing or one of the most pressing.

To deal with the intentional genocidal killing of over 1 million people, a refugee population of over 3 million, an increasingly large number of widows, orphans and other vulnerable people a prison population capable of swelling to millions, Rwanda faced an unprecedented challenge in terms of the pursuit of justice. In a situation of close to zero lawyers, zero judges, zero prosecutors and zero investigators- then we can begin to see the magnitude of the problem.

We had two choices; give up, sit down and wait for God to do a miracle or refuse to give up, stand up to the challenges and face them head on. We chose to face them head on.

Drastic legal and institutional reforms were initiated that would help put some oxygen into the system, make trials possible, facilitate access to justice, strengthen respect for human rights, decentralize the justice system and let the world, much of which had already written Rwanda off as a failed state, know that we would be just fine.

As part of these reforms, the Bar Association was created in 1997. Mr. President, dear colleagues, what we are celebrating today is not just 20 years of the existence of the Bar Association. We are equally celebrating our refusal to remain in oblivion, our rise from oblivion and our resolve not to disappear again.

As the Government of Rwanda, we are grateful for what the Bar Association has achieved in the past 20 years in as far as rule of law, access to justice, human rights promotion and protection and economic transformation are concerned. The Association faced challenges especially in the first years of its life but due to the resolve just mentioned above, failure was not an option. We therefore stand tall today as we celebrate these 20 years because we achieved what achieved against many odds.

Rwanda wouldn't achieve this level of transformation without the role of lawyers whether in the private or the public sector. Permit me to thank each of us individually and all of us collectively.

The theme of the inaugural conference of this 20th Anniversary of the Bar Association is « *The role of an Advocate in rendering quality justice, foundation of social and economic development* », you could not have chosen a better one. Colleagues from the region and beyond, Rwanda is the place to come and study how a bar association can be born and become indispensable in 20 short years.

Mr. President,

No society can achieve development without a strong and able justice system to guarantee a conducive environment. The existence of good laws, an independent and competent judiciary, an independent and competent Bar Association and a progressive social economic environment are pre-requisites. The Bar Association has made its contribution. Thank you.

The Association has increased its membership from 37 in 1997 to 1200 as of today and still counting. The percentage of the population that now accesses a lawyer is 10 times

today what it was in 1997. Members of the Bar Association have benefited from training and exposure in partnership with local and international partners since 1997.

The international community and international courts have accepted to transfer fugitive genocide suspects to Rwanda to be tried by Rwandan Courts. One of the measurements of the competence of the Rwandan Justice System was the independence and competence of the Bar Association in Rwanda. 20 Genocide cases have been transferred to Rwanda since 2010 to date. Mr. President, colleagues this is no mean achievement especially given that those who measure us nearly always start from the false premise that we are not equally intellectually or ethically endowed as they are.

I want to thank the Bar Association for its valuable contribution to access to justice through Legal Aid and the Pro Bono Programme, contribution to legislative reforms and other important justice sector policies and initiatives.

I realize that the organization has benchmarked its practice standards to international standards of legal practice which inspires confidence that Bar members are more competitive.

Mr. President,

The 20 years journey of the Rwanda Bar Association has been marked by a positive trend towards professionalism and support to the administration of Justice. However, there are a few of recommendations that I want to suggest that might be helpful as the Bar Association trains its sights on the next 20 years :

- The Bar Association should invest in ensuring that all members, without exception, comply with laws and regulations as well as the Association's Professional Ethics Standards;
- Please introduce Rwanda's Economic Development Agenda into the Bar Association Capacity development plan;
- Strengthen partnership with local and international partners in the legal and economic arena;
- Get more involved in the regional and global integration agenda;
- Invest in specialization;
- Handle your clients with care
- Constantly seek new and innovative ways of doing business.

Let me conclude by once again thanking the Bar Association for the development and achievements made in the past 20 years and your contribution to Rwanda's transformation. The service you have rendered to distressed clients, indigents and vulnerable people in our community, is of particular importance. It is says who you are more than any publicity can do.

The Government will support the Association as always. In supporting you, we pay tribute to and respect the work that you do. I thank you once again, and I welcome and thank our international guests.

Allow me the honour now to declare this anniversary and conference open.

Happy Anniversary to the Rwanda Bar Association !!

Thank you.