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RESPONSES TO INFORMATION REQUESTS (RIRs)

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The Board		30 July 2010
About the Board	RWA103550.FE Rwanda: Whether the gacaca courts are still operational; if not, the reasons that led to the courts being closed, including key dates; whether individuals are still summoned to appear before these courts Research Directorate, Immigration and Refugee Board of Canada, Ottawa Inspired by ancestral village assemblies during which [translation] “elders” settled disagreements (AFP 28 Feb 2010; Agence Hirondelle 12 Apr. 2010), the <i>gacaca</i> courts are traditional community courts that were set up to try the people responsible for the 1994 Rwandan genocide (ibid.; RFI 6 Apr. 2010; AFP 28 Feb. 2010). Two sources consulted by the Research Directorate stated that the gacaca courts have been officially closed since 30 June 2010 (LIPRODHOR 26 July 2010; Rwanda 26 July 2010). The executive secretary of the National Gacaca Court Service (Service national des juridictions gacacas, SNJG) is cited as having announced this fact in a 12 April 2010 article published by Agence Hirondelle, which is based in Arusha, Tanzania, and is a subsidiary of the Hirondelle Foundation, an organization funded by the European Community and Belgium that is made up of journalists who cover conflict zones (Agence Hirondelle n.d.). Two other sources consulted by the Research Directorate state that, according to official sources, the closure of the gacaca courts has been reported on many occasions (Agence Hirondelle 12 Apr. 2010; ibid. 31 Mar. 2010; RFI 6 Apr. 2010). A 6 April 2010 article by Radio France Internationale (RFI) states that the closure of the gacaca courts had been initially planned [translation] “for late 2007, then December 2009, February 2010 and finally for 31 March 2010.” Still according to the RFI article, since August 2009, the gacaca courts have not been receiving any new cases, which are reportedly since being sent to the regular courts (RFI 6 Apr. 2010). The 419 cases not yet settled are reportedly proceedings that are being appealed or reviewed (ibid.). A 14 July 2010 Agence Hirondelle article cites the head of the SNJG legal department, who claimed that [translation] “415 of the 416 sectors of the country have already ended the work of their gacaca courts and filed their reports; the only case outstanding is a case under review.” Additional information about this topic or any specific reasons for the closure of the gacaca courts could not be found among the sources consulted by the Research Directorate. This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any	
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particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

References

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<<http://www.leparisien.fr/flash-actualite-monde/genocide-au-rwanda-l-heure-du-bilan-pour-les-juridictions-populaires-gacaca-28-02-2010-831318.php>> [Accessed 22 July 2010]

Agence Hirondelle. 14 July 2010. "Rwanda/Gacaca - le verdict dans le dernier procès gacaca attendu, d'un moment à l'autre."
<<http://fr.hirondellenews.com/content/view/15399/26/>> [Accessed 22 July 2010]

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_____. N.d. "Présentation de l'Agence Hirondelle."
<<http://fr.hirondellenews.com/content/view/10976/525/>> [Accessed 27 July 2010]

Ligue rwandaise pour la promotion et la défense des droits de l'homme (LIPRODHOR). 26 July 2010. Telephone interview with a representative

Radio France internationale (RFI). 6 April 2010. "Nouveau report de la clôture des tribunaux gacacas au Rwanda." <<http://www.rfi.fr/contenu/20100406-nouveau-report-cloture-tribunaux-gacacas-rwanda>> [Accessed 22 July 2010]

Rwanda. 26 July 2010. Ministère de la Justice. Telephone interview with a representative

Additional Sources Consulted

Oral sources: Attempts to contact the offices of the gacaca courts and of the League for Human Rights in the Great Lakes Region (Ligue des droits de la personne dans la région des Grands Lacs, LDGL) in Rwanda were unsuccessful.

Internet sites, including: Africa Governance Monitoring and Advocacy Project (AfriMAP), Afrik.com, Agence rwandaise d'information (ARI), AllAfrica.com, Amnesty International (AI), Association Ibuka, Education International (EI), Forced Migration Online (FMO), France24, The Heritage Foundation, Human Rights Watch, International Crisis Group, Migration Policy Institute (MPI), Minority Rights Group International (MRG), *The New Times* [Rwanda], Office of the United Nations (UN) High Commissioner for Refugees (UNHCR), Organisation internationale de la francophonie (OIF), PANAPress (PANA), Radio Netherlands Worldwide (RNW), Reporters sans frontières (RSF), Rwanda - Ministry of Local Government, Good Governance, Community Development and Social Affairs (MINALOC), Rwanda - Service national des juridictions gacacas (SNJG), UN Children's Fund (UNICEF), UN Development Programme (UNDP), UN Integrated Regional Information Networks (IRIN), United States (US) Department of State.

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