



**REPUBLIC OF RWANDA**  
**MINISTRY OF FOREIGN AFFAIRS AND COOPERATION**

**WITHDRAWAL FOR REVIEW BY THE REPUBLIC OF RWANDA FROM  
THE DECLARATION MADE UNDER ARTICLE 34 (6) OF THE PROTOCOL  
TO THE AFRICAN CHARTER ON HUMAN AND PEOPLES' RIGHTS ON  
THE ESTABLISHMENT OF AN AFRICAN COURT ON HUMAN AND  
PEOPLES' RIGHTS**

**WHEREAS** on 5<sup>th</sup> day of May, 2003 Rwanda, in exercise of its sovereign prerogative; ratified the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights ( hereinafter referred to as "the Protocol");

**WHEREAS** Article 5 (3) of the Protocol stipulates that the Court may entitle relevant Non-Governmental Organizations (NGOs) with observer status before the Commission and individuals to institute cases directly before it, in accordance with article 34 (6) of this Protocol;

**WHEREAS** Article 34 (6) of the above mentioned Protocol stipulates that at the time of the ratification of the Protocol or any time thereafter, the State shall make a declaration accepting the competence of the Court to receive cases under article 5 (3) of the Protocol, and that the Court shall not receive any petition under article 5 (3) involving a State Party which has not made such a Declaration;

**WHEREAS** on 22<sup>nd</sup> day of January, 2013 the Republic of Rwanda unilaterally made the above mentioned Declaration;

**CONSIDERING** the 1994 genocide against the Tutsi was the most heinous crime since the Holocaust and Rwanda, Africa and the world lost a million people in a hundred days;

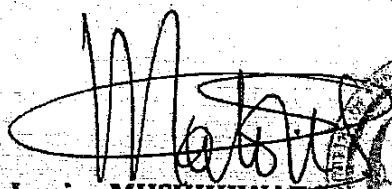
**CONSIDERING** that a Genocide convict who is a fugitive from justice has, pursuant to the above-mentioned Declaration, secured a right to be heard by the Honourable Court, ultimately gaining a platform for re-invention and sanitization, in the guise of defending the human rights of the Rwandan citizens;

**CONSIDERING** that the Republic of Rwanda, in making the 22<sup>nd</sup> January 2013 Declaration never envisaged that the kind of person described above would ever seek and be granted a platform on the basis of the said Declaration;

**CONSIDERING** that Rwanda has set up strong legal and judicial institutions entrusted with and capable of resolving any injustice and human rights issues;

**NOW THEREFORE**, the Republic of Rwanda, in exercise of its sovereign prerogative, withdraws the Declaration it made on the 22<sup>nd</sup> day of January 2013 accepting the jurisdiction of the African Court on Human and Peoples' Rights to receive cases under article 5 (3) of the Protocol and shall make it afresh after a comprehensive review.

Done at Kigali this 24<sup>th</sup> Day of February 2016

  
**Louise MUSHIKIWABO**  
Minister

