

Mobilizing Volunteer Lawyers to Defend the Indigent Accused

IBJ Now Reaches All Five Rwandan Provinces

“My goal is to use the Defender Resource Center we have established in Kigali as a model and open up similar DRCs in every province in Rwanda. It would then be my wish to expand the concept regionally - to Congo, Kenya, and Uganda.”

*John Bosco Bugingo,
Country Fellow,
Rwanda*

JUSTICE FACTS:

Rwanda

Rule of Law (Percentile Rank):

47

2012 Prison Population:

55,618

492 per 100,000

IBJ's Rwanda program, led by Country Fellow John Bosco Bugingo, a Kigali lawyer, advanced significantly in July 2011, when the Kigali Defender Resource Center relocated to offices only two kilometers from the Rwanda Supreme Court and the Ministry of Justice. The new DRC is twice as large as the old one, enabling IBJ to serve more people. Indeed, the number of visitors has increased considerably since the move, as more Rwandans have become aware of IBJ.

IBJ's presence has also expanded beyond the capital city, reaching into all five

provinces, with lawyers sometimes traveling 300 kilometers to defend clients. The Kigali DRC is the model of local legal aid infrastructure that IBJ hopes to ultimately establish countrywide.

The DRC, which is open daily and staffed by an administrator, is stocked with computers, internet access, legal reference books, and other vital resources that support the Rwandan criminal defense community's continuing development. In addition, Bugingo conducts mentoring sessions with lawyers, individually and in small groups, to discuss the

challenges confronting these defenders and help them better prepare their cases so that they can deliver high-quality legal aid to the accused.

Also in July 2011, as part of its ongoing efforts to improve the trial skills of defense attorneys, IBJ conducted a training attended by 23 Rwandan lawyers. IBJ trainers offered workshops on advancing the theory of the case and lessons on witness preparation.

In 2011 and 2012, IBJ continued to press forward with two important initiatives aimed at inspiring and developing a pro bono cul-



IBJ Training Director Kellie Krake delivering a lecture at a training session in Rwanda



Thirty defense lawyers at the Kigali Defender Resource Center for a skills workshop led by IBJ Training Director Kellie Krake and IBJ Zimbabwe Legal Fellow John Tawanda Burombo

ture within Rwanda’s legal community. The first is a Volunteer Lawyer Program featuring a corps of 35 dedicated lawyers who are committed to providing representation to the accused on a pro bono basis.

Bolstered by the participation of these volunteer lawyers, IBJ took nearly 375 cases in 2011 and 2012, including a significant number on a 100% pro bono basis. Many were what we consider to be the highest priority cases – those in which the defendant has been held in extended pretrial detention.

The second initiative is a Criminal Defense Task Force comprised of 23 devoted criminal defense lawyers who share IBJ’s determination to foster a Rwandan legal community that values legal aid and promotes the rule of law. The task force meets periodically to discuss members’ struggles as practitioners of criminal defense, to share strategies for overcoming common challenges, and

to promote a culture of pro bono representation among Rwandan lawyers.

By applying their knowledge and skills to help the

poorest and most vulnerable Rwandans, the attorneys participating in the Volunteer Lawyer Program and the Criminal Defense Task Force

are planting the seeds of a criminal justice system that will recognize and protect the basic legal rights of those accused of crimes.

A Summer of Freedom

In a country where more than a quarter of the prison population is in pretrial detention – often for long periods before innocence or guilt is established – volunteer lawyers working on behalf of IBJ changed the lives of two Rwandan men during the summer of 2011. Prisoners need legal assistance to navigate the confusing justice system, and regular visits by volunteer lawyers ensure that they get the help they need.

For volunteer lawyer Jacques Karamira, the advocacy skills he gained through IBJ training sessions were put to use after meeting “Alex” during a regular prison visit in April. Alex explained that in early 2010, he was tortured to confess to robbery, a crime he didn’t commit, and was also denied any contact with his family until he confessed. After spending 16 months in pretrial detention, Alex was in court in a matter of weeks with Karamira as his lawyer. Alex renounced his torture-extracted confession, and the court found no other proof of the charges against him. He returned to his family that summer.

In a similar case, the assistance of another IBJ volunteer attorney brought swift justice to “Edward,” waiting in prison for nearly nine months after being charged for a petty offense that ordinarily results in only a month of detention before trial. In the Gikondo suburbs of the capital city of Kigali, Edward was charged in December 2010 with theft of a mobile phone. In prison, he was severely beaten and threatened with continued torture if he did not cooperate. The following August, just twelve days after K. Evariste Gatera heard his story and pledged assistance, Edward was acquitted.

In 2011, volunteer lawyers working on behalf of IBJ Rwanda took more than double the number of cases from the year before. For Alex and Edward in particular – held without a trial date, beaten, ordered to confess, and denied visitation of family – the valuable donation of time and advocacy skills by their lawyers brought them their freedom before summer’s end. With the exercise of their constitutional right to legal counsel, many Rwandans will also enjoy the precious human right of equality before the law.