

ORGANIC LAW GOVERNING POLITICAL ORGANIZATIONS AND POLITICIANS IN RWANDA

Law N° 19/2007 of 04/05/2007

Organic Law modifying and complementing Organic Law n° 16/2003 of 27/06/2003 governing Political Organizations and Politicians.....

ORGANIC LAW N° 19/2007 OF 04/05/2007 MODIFYING AND COMPLEMENTING ORGANIC LAW N° 16/2003 OF 27/06/2003 GOVERNING POLITICAL ORGANIZATIONS AND POLITICIANS.

We, KAGAME Paul,

President of the Republic;

THE PARLIAMENT HAS ADOPTED AND WE SANCTION AND PROMULGATE THE FOLLOWING ORGANIC LAW AND ORDER IT BE PUBLISHED IN THE OFFICIAL GAZETTE OF THE REPUBLIC OF RWANDA.

THE PARLIAMENT:

The Chamber of Deputies, in its session of March 26, 2007;
The Senate, in its session of February 20, 2007;

Given the Constitution of the Republic of Rwanda of 4 June 2003 as amended to date, especially in its Articles 52, 53, 54, 55, 57, 62, 66, 67, 93, 94, 95, 108, 118, 195 and 201;

Having reviewed Organic Law n° 16/2003 of 27/06/2003 governing political organizations and politicians, especially in its Articles 3, 5, 9, 10, 17, 27 and 42;

ADOPTS:

Article One:

Head offices of political organizations

Article 3 of the Organic Law n° 16/2003 of 27/06/2003 governing political organizations and politicians is modified and complemented as follows:

“The leadership organs of political organizations shall have a head offices at the national level.

The leadership organs of political organizations may also have offices at the level all the country’s administrative entities in the country.

Each political organization shall inform the Minister in charge of political organizations in writing of the location of its headquarters and offices both at the national and administrative entities (the Province or Kigali City, District, Sector, Cell and Village) together with the names of its representatives and their identities”.

Article 2:

Restrictions and conditions for political organizations with regard to recruiting members, establishing leadership organs, functioning and activities.

Article 5 of the Organic law n° 16/2003 of 27/06/2003 governing political organizations and politicians is modified and complemented as follows:

“Political organizations are prohibited from basing themselves on ethnic group, race, tribe, clan, kinship, region, sex, religion or any other factor which may give rise to discrimination and divisionism.

Each political organization shall constantly reflect the unity of the people of Rwanda and gender whether in recruiting members, setting up administrative organs and in its functioning and activities.

Each political organization shall ensure that at least thirty per cent (30 %) of posts that are subjected to elections are occupied by women”.

Article 3:

Application for registration of a political organization and the number of those signing its statutes

Article 9 of the Organic law n° 16/2003 of 27/06/2003 governing political organizations and politicians is modified and complemented as follows:

“Persons intending to form political organizations shall submit to the Minister in charge of political organizations an application letter requesting for registration of the political organization for which an acknowledgement of receipt shall be issued.

The number of signatories to any political organization’s statute shall be at least two hundred (200) from the whole country including at least five (5) persons from each District.

The provisions of the first two paragraphs of this Article shall not apply to political organizations already registered before the publication of this Organic Law in the Official Gazette of the Republic of Rwanda”.

Article 4:

Documents accompanying a political organization's application for registration

Article 10 of the Organic Law n° 16/2003 of 27/06/2003 governing political organizations and politicians is modified and complemented as follows:

“The application letter requesting for the registration of a political organization shall include the following:

1. three (3) certified true copies of the political organization statutes, three (3) copies of the minutes of the constituent assembly of the political organization and three (3) copies of its internal rules and regulations;
2. a statement describing the head office of the political organization and its basic equipment;
3. for each legal representative of the political organization:
4. a certificate of full identity;

a residence certificate which is issued by the Sector's Executive Secretary of his or her residence; Criminal record”.

Article 5:

Application for organizing of public meetings and demonstrations, their modalities for use as well as security and accountability over people and their property

Article 17 of the Organic Law n° 16/2003 of 27/06/2003 governing political organizations and politicians is modified and complemented as follows:

“Any political organization intending to organize a public rally of its members shall be subject to prior written notification through regular mail to administrative authorities with acknowledgement of receipt.

Where it intends to organize demonstrations, it shall apply for authorization thereof to administrative authorities through regular mail with acknowledgement of receipt

In case of a public meeting, a notification thereof shall be made five working days (5) before public meeting is held, to the Sector's Executive Secretary if public meeting concerns one Sector; to the District Mayor if it concerns at least two (2) Sectors in the same District; to the Provincial Governor or to the Mayor of Kigali City if it concerns at least two Districts in the same Province or Kigali City and to the Minister in charge of local government if it concerns at least two (2) different Districts in the Province and in Kigali City.

In case of demonstrations the authorization thereof shall be applied to authorities and in a manner provided for in paragraph 3 of this Article.

Notification modalities shall conform to regulations thereto related.

Organizers shall help public authorities to maintain law and order.

They shall amicably compensate for any action and behaviour of their political organizations members that threaten the security of the people and their property or otherwise, the courts of law shall intervene”.

Article 6:

*Public
meetings*

Funding of political organizations' or private candidates' programmes by the Government

Article 27 of the Organic Law n° 16/2003 of 27/06/2003 governing political organizations and politicians is modified and complemented as follows:

“No Government assets shall be used in the activities or interest of political organizations unless the Law so provides it.

The Government grant to political organizations shall be channelled through the Consultative Forum for Political Organizations that are registered in Rwanda.

This grant is given to those programmes considered by the Forum as common to political organizations.

However, during legislative elections referred to in point one of article 76 of the Constitution of the Republic of Rwanda of 4 June 2003 as amended to date, the Government shall, in its budget law, provide for grants to political organizations and independent candidates for their campaigns.

Political organizations and independent candidates shall receive an equal amount of money.

That grant is only given to political organizations and independent candidates that have obtained at least five per cent (5%) of the electoral votes”.

Article 7:

Lodge of complaint in the High Court of the Republic by the Senate Article 42 of the Organic Law n° 16/2003 of 27/06/2003 governing political organizations and politicians is modified and complemented as follows:

“The Senate may lodge a complaint in the High Court of the Republic against any political organization that has grossly violated the obligations provided for in Articles 52, 53 and 54 of the Constitution of the Republic of Rwanda of 4 June 2003 as amended to date.

The Senate may also lodge a complaint in the High Court of the Republic against any political organization or politician that has grossly violated the obligations provided for in Articles 35, 36, 37, 38, 39, 40 and 41 of the Organic law n° 16/2003 of 27/06/2003 governing political organizations and politicians.

Depending on the seriousness of the violation proved, the High Court of the Republic may, upon request by the Senate, try the political organization and impose against it any of the following sanctions without prejudice to criminal prosecution:

1. formal warning in writing;
2. suspension of activities for a period not exceeding two (2) years;
3. suspension of activities for the whole Parliamentary term;
4. dissolution.

Any political organization against which a complaint has been lodged shall be given all the guarantees necessary for its defence provided for by the law.

The final verdict shall be published in the Official Gazette of the Republic of Rwanda”.

Article 8:

Repealing of legal provisions that are contrary to this Organic Law All prior legal provisions contrary to this Organic Law are hereby repealed.

Article 9:

Coming into force of this Organic Law This Organic Law shall come into force on the date of its publication in the Official Gazette of the Republic of Rwanda.

Kigali, on 04/05/2007

The President of the Republic

KAGAME Paul

(sé)

The Prime Minister

MAKUZA Bernard

(sé)

The Minister of Local Government, Good Governance, Community Development and Social Affairs

MUSONI Protais

(sé)

Seen and sealed with the Seal of the Republic:

The Minister of Justice

KARUGARAMA Tharcisse

(sé)