

Rwanda.

31/12/2002 - PRESIDENTIAL ORDER N° 155/01 OF 31/12/2002 ON STATUTES GOVERNING NATIONAL POLICE

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Title 4. OBLIGATIONS, PROHIBITIONS, INCOMPABILITIES AND RIGHTS

Article: 27

Police officers are governed by statutes. They must not go by the modification of these statutes to pretend that their acquired rights are violated. The acquired rights shall be the right to the rank and remuneration.

Chapter 1. OBLIGATIONS

Article: 28

Any police officer, irrespective of rank and function, shall have the following duties:

- 1) to serve for the Republic of Rwanda, with loyalty, integrity and dignity;
- 2) to ensure, in all circumstances, that the interests of the Republic are safeguarded;
- 3) to personally fulfil the mission which is entrusted to him and with all his conscience, to respect orders which are given to him by his superiors and to collaborate with other police officers in whatever is useful to service;
- 4) to be polite to his superiors, his equals and his inferiors as well as to the whole public;
- 5) to be open to the public and to be a model in the activities of educating the people ;
- 6) to be aware of any behaviour that could undermine the confidence of the population so as to run down his work, to know the law, guidelines and measures regarding the respect of his duties, implementation of those guidelines and make sure they are respected;
- 7) to respect instructions regarding professional secrecy;
- 8) to take care of the installations and materials belonging to the state or placed under his guard and protection;
- 9) to work in cooperation with other police officers every time it is deemed necessary;
- 10) to assist without respite any member of the National Police or any other person every time it- is deemed necessary;
- 11) to assist any state employee so that he may carry out his duties to a successful

- conclusion as far as possible,
- 12) without hindering the work of the police;
 - 13) to aim at anything that may promote/enhance welfare, good yield and discipline at work for any agent under his/her command;
 - 14) to respect the rights of police agents under his/her command and to brief them about the prevailing situation every time this is possible;
 - 15) to always be ready for service, except during hours of rest or in case of illness;
 - 16) to ensure the good maintenance of arms, ammunition and other materials put at his disposal or placed under his guard;
 - 17) to attain job-related in service courses and training and carry out any exercise and other activities as may be decided by the hierarchy.

Article: 29

Any police officer placed at the head of a service shall be answerable to the hierarchical superiors for the smooth functioning of that service. He shall be required, by virtue of that, to punish or make punished the abuses, negligence or breaches' of laws and regulations that may come to his notice during the exercise of his functions.

He shall be required to be strictly impartial, without any individual, social, ethnic, political, religious or interest considerations.

He shall also resolve, in favour of the public interest, any conflict of interest that may rise.

Any police officer in a command position shall assume the full responsibility for all orders which he gives to his subordinates.

Chapter 2. PROHIBITIONS

Article: 30

Any Police Officer shall be prohibited from the following:

- 1) to undertake activities which are contrary to the established laws, institutions or authorities, or jeopardising the security of the Republic of Rwanda or the integrity of its territory;
- 2) to participate in demonstration movements or take part in actions intended to provoke a demonstration.
- 3) to demand or to receive personally or through a third person, even out of his duty hours, bribes, gifts/donations, commissions and other gratuities/tips, of any kind whatsoever, likely to undermine the confidence of the people, honest, good conduct, truth and justice;
- 4) to take advantage of his status of being a Police Officer in order to evade paying his debts or solicit a favoured treatment.
- 5) to reveal information which he may have learnt about because of his functions and which may be secret because of their nature or because of the instructions from the

hierarchical superiors.

6) not to be involved in political parties or any other association of a political nature or express publicly his political preferences.

Chapter 3. INCOMPATIBILITIES

Article: 31

The following shall be incompatible with the status of a Police Officer:

- 1) any political activity likely to hinder the functioning and interests of the service;
- 2) any commercial or industrial profession or activity likely to hinder service;
- 3) any participation in the management or administration of a company or any other commercial or industrial enterprise; provided that his position shall not be applicable to mandates exercised on behalf of the state in private enterprises.
- 4) It is forbidden for any Police Officer in any department under his responsibility or with which he is in relation, whatever its mode of management or its name, to have interests likely to incite him to not carry out his duties well or to deprive him of all room for manoeuvre or to tell the truth, to show justice without taking any side.

Chapter 4. RIGHTS

Article: 32

Irrespective of the rights which are recognised by these statutes, any Police officer shall be entitled to the protection by the state against attacks, threats, abuses and defamations which he is subjected to in the exercise of his functions as well as to compensation for the prejudice suffered because of that. Where a police officer is prosecuted by a third party for service fault, the state shall cover him for the civil damages pronounced against him, in so far that a personal fault is not attributable to him.

Article: 33

Police Officers shall, have the right to consult their personal files,, but without taking any single sheet out of them. They may only copy them. Individual file of any Police Officer must contain all the records regarding his administrative situation. Those records, distributed per subject, shall be filed chronologically and without discontinuity. All the records filed in his file must be communicated to him and shall be the only ones to be invoked against him.

Article: 34

Any police officer who feels wronged can institute an administrative appeal and possibly a contention. The administrative appeal shall be the institute action before the authority

which took the decision "in question or formulated the disputed proposal or which abstained from taking a decision or formulating a proposal or before the possible competent organ set up to that effect. The appeal before the Council of State shall be received in accordance with the internal regulations of that institution