

Rwanda

Organic Law relating to the Abolition of the Death Penalty Law

Organic Law 31 of 2007

Legislation as at 25 July 2007

FRBR URI: /akn/rw/act/ol/2007/31/eng@2007-07-25

There may have been updates since this file was created.

PDF created on 21 February 2024 at 13:40.

[Check for updates](#)



About this collection

The legislation in this collection has been reproduced as it was originally printed in the Government Gazette, with improved formatting and with minor typographical errors corrected. All amendments have been applied directly to the text and annotated. A scan of the original gazette of each piece of legislation (including amendments) is available for reference.

This is a free download from the Laws.Africa Legislation Commons, a collection of African legislation that is digitised by Laws.Africa and made available for free.

www.laws.africa
info@laws.africa

There is no copyright on the legislative content of this document.

This PDF copy is licensed under a Creative Commons Attribution 4.0 License (CC BY 4.0). Share widely and freely.

Organic Law relating to the Abolition of the Death Penalty Law
Contents

Article One – Subject matter of the Organic Law	1
Article 2 – Abolition of the death penalty	1
Article 3 – Substitution of death penalty	2
Article 4 – Life imprisonment with special provisions	2
Article 5 – Crimes and corresponding penalties	2
Article 6 – Death penalty on the convicted persons	2
Article 7 – Situations not altered by the abolition of death penalty	2
Article 8 – Extradition requirement	3
Article 9 – Repealing provisions	3
Article 10 – Coming into force	3

Rwanda

Organic Law relating to the Abolition of the Death Penalty Law Organic Law 31 of 2007

Published in Official Gazette special on 25 July 2007

Assented to on 25 July 2007

Commenced on 25 July 2007

[This is the version of this document as it was from 25 July 2007 to 20 December 2009.]

We, KAGAME Paul,

The President of the Republic;

**THE PARLIAMENT HAS ADOPTED AND WE SANCTION, 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 July 18, 2007;

The Senate, in its session of July 10, 2007;

Given the Constitution of the Republic of Rwanda of 4 June 2003, as amended to date, especially in Articles 10, 12, 62, 66, 67, 88, 89, 90, 92, 93, 95, 108, 118 and 201;

Having reviewed Organic Law n° 16/2004 of 19/06/2004 establishing the organization, competence and functioning of Gacaca Courts responsible for prosecuting and trying the perpetrators of the crime of genocide and other crimes against humanity, committed between October 1, 1990 and December 31, 1994 as modified and complemented to date, especially in Article 72;

Having reviewed Law Decree n° 21/77 of 18/06/1977 establishing the Penal Code in Rwanda, as modified and complemented to date, especially in Articles 26, 28 to 33, 68, 118 and 453;

Having reviewed Law n° 27/2001 of 28/04/2001 relating to the rights and protection of the child against violence, especially in Article 35;

Having reviewed Law n° 33 bis/2003 of 06/09/2003 repressing the crime of genocide, crimes against humanity and war crimes, especially in Articles 6, 9 and 11;

Having reviewed Law n° 13/2004 of 17/05/2004 relating to the Code of Criminal Procedure, as modified and complemented to date, especially in Articles 212 to 217;

ADOPTS:

Article One – Subject matter of the Organic Law

The subject matter of this Organic Law is the abolition of the death penalty.

Article 2 – Abolition of the death penalty

The death penalty is hereby abolished.

Article 3 – Substitution of death penalty

In all the legislative texts in force before the commencement of this Organic Law, the death penalty is substituted by life imprisonment or life imprisonment with special provisions as provided for by this Organic Law.

Article 4 – Life imprisonment with special provisions

Life imprisonment with special provisions is imprisonment with the following modalities:

- 1° a convicted person is not entitled to any kind of mercy, conditional release or rehabilitation, unless he/she has served at least twenty (20) years of imprisonment;
- 2° a convicted person is kept in isolation.

The law provides for the specific mode of enforcement and execution of life imprisonment with special provisions.

Article 5 – Crimes and corresponding penalties

Cases of recidivism previously punishable by death or the following atrocious crimes are punishable by life imprisonment with special provisions:

- 1° torture having resulted in death;
- 2° murder or other killing with dehumanizing acts on the dead body;
- 3° crimes of genocide and crimes against humanity;
- 4° acts of terrorism resulting in the death of persons;
- 5° rape of children;
- 6° sexual tortures;
- 7° establishing or running a criminal organization aimed at killing persons.

Other crimes which were previously punishable by death are punishable by life imprisonment.

Article 6 – Death penalty on the convicted persons

Without prejudice to the provisions of Article 7 of this Organic Law, all death sentences pronounced before the commencement of this Organic Law are hereby converted into life imprisonment or into life imprisonment with special provisions in accordance with Article 5 of this Organic Law.

If the sentence has been subject to a request for revision, the provisions of the preceding paragraph are applicable only after the final decision.

Article 7 – Situations not altered by the abolition of death penalty

The abolition of the death penalty does not remove the following:

- (1) incidental punishments to death penalty;
- (2) right to exercise civil proceedings by the victim;
- (3) damages and court fees decided by the court.

Article 8 – Extradition requirement

In case the crime for which extradition is required is punishable by death in the applying State, the Government shall not grant extradition unless the applying State produces formal guarantees that death penalty will not be executed.

Article 9 – Repealing provisions

All legal provisions contrary to this Organic Law are hereby repealed.

Article 10 – Coming into force

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