

I. INTRODUCTION

Data collection in pilot Sectors and Cells started in two different phases. The first phase kicked off on 19 June 2002 in 12 Sectors identified in all Provinces and the City of Kigali. The second phase started on 25 November 2002 in 106 Sectors, that is, in each Sector of each District and Municipality as it was the case before the reshuffle of sectors boundaries.

Trial started on 10 March in all pilot Sectors. This report shows the achievements made by Gacaca Courts of Sectors, by Gacaca Courts of Appeal and by Gacaca Courts of Cells in pilot phase data relating to trials conducted during the pilot phase are those collected until 14 July 2006.

II. NAMES OF GACACA COURTS OPERATIONAL DURING PILOT PHASE

PROVINCE	DISTRICT	SECTOR	NUMBER OF GACACA COURTS OF CELL		
CITY OF KIGALI	KICUKIRO	BUSANZA	4		
		NYARUGUNGA	5		
		KIGARAMA	7		
		GATENGA	1		
		KAGARAMA	4		
		GASABO	RUSORORO	7	
		KACYIRU	7		
		KINYINYA	5		
		GICACA II	11		
		NYARUGENGE	BUTAMWA	10	
		RUGENGE	7		
		RUGARAMA	2		
		SOUTHERN PROVINCE	KAMONYI	NYAMIREMBE	5
				KIGESE	10
NYAMAGABE	MBATI		6		
	NKUMBURE		9		
	BUHORO		7		
	KIZI		6		
	KIBUMBWE		6		
	MBAZI		6		
MUHANGA	GITOVU		12		
	RWAMARABA		7		
	NYABITARE		7		
	RUHANGO		KINAZI	9	
NYAGASOZI			6		

		MUNANIRA	7
		GITISI	4
	HUYE	RUKIRA	2
		GISHAMVU	3
		TARE	3
		BUSHESHI	4
	NYARUGURU	RUHERU	6
		NYAGISOZI	3
		NYARUSOVU	4
	NYANZA	NTYAZO	3
		NKOMERO	10
		MUSHIRARUNGU	3
	GISAGARA	MUKINDO	3
		CYAYI	4
		ZIVU	3
NORTHERN PROVINCE	GAKENKE	RUSORO	6
		MATABA	5
		KIRIBA	7
		MURAMBA	6
		JOMA	7
	MUSANZE	BISATE	8
		MUHOZA	3
		BUSOGO	6
	BURERA	RUGENGABARI	5
		NYANGA	4
		KAYANGE	7
		BUNGWE	7
	GICUMBI	MUHONDO	5
		MUTETE	5
		ZOKO	7
		MUKO	7
		MUGINA	8
	RULINDO	BURAMIRA	6
		RUTONDE	12
		RUSAGARA	8
		KIRWA	12
		MUVUMO	3
EASTERN PROVINCE	GATSIBO	BUGARURA	8
		KIGASHA	4
		KIBURARA	3
		GAKENKE	5
	KAYONZA	BISENGA	5
		GAHINI	7

		RUKARA	7
		NYAMIRAMA	5
	NYAGATARE	BUSHARA	5
		GATSIRIMA	5
		KABARE	6
		BARIJA	3
		RWEMPASHA	5
		GAKIRAGE	10
		KAGITUMBA	10
	BUGESERA	KINDAMA	10
		MAREBA	11
		MAYANGE	12
		MBYO	6
	KIREHE	GATORE	13
		NYARUBUYE	8
	RWAMAGANA	RUHUNDA	5
		GAHENGARI	9
		RWINKUBO	6
	NGOMA	RUBAGO	7
		RUBONA	6
		GITWE	7
		BIRENGA	5
		BARE	5
WESTERN PROVINCE	RUTSIRO	BUSANZA	6
		BUDAHA	5
		MUSHUBATI	6
		GIHANGO	6
		MURAMA	6
	NYABIHU	MUKAMIRA	5
		GASASA	5
	NGORORERO	RWIRI	7
		MBUYE	6
		NYANGE	8
		NTAGANZWA	8
	RUBAVU	NYUNDO	11
		MUDENDE	6
		MUHIRA	5
		GISENYI	14
	NYAMASHEKE	GASHIRABWOBA	5
		RUHARAMBUGA	7
		NYAMASHEKE	5
		GIHOMBO	6
		RUGANO	8
	RUSIZI	NYAKANYINYA	6

		MUHARI	8
		NZAHABA	6
		BUGARAMA	7
	KARONGI	SANZA	8
		KIGOMA	6
		RUBENGERA	6
5	30	118	752

III. ACHIEVEMENTS MADE BY GACACA COURTS DURING PILOT PHASE

III.1. ACHIEVEMENTS MADE BY GACACA OF SECTOR

The figures of achievements made by Gacaca Courts of Sector during the pilot phase. At national level, those figures are as follows:

- Number of judicial files forwarded to Gacaca Courts of Sector: 35387;
- Number of accused persons who confessed their crimes and pleaded guilty before trial: 6145;
- Number of persons who confessed their crimes for the first time during trial: 1921;
- Number of persons who confessed their crimes and whose confession has been accepted: 3759;
- Number of persons who confessed their crimes and whose confession has been rejected: 1015;
- Number of accused persons who were tried: 7721;
- Number of accused persons whose category changed and moved to the first category: 455;
- Number of accused persons found guilty of only third category crimes: 626;
- Number of accused persons found not guilty and who were in prison: 540;
- Number of accused persons found not guilty and who were not in prison: 845;
- Number of persons who appealed against the sentence imposed on them: 1354;
- Number of persons who did not appeal against the sentence imposed on them: 5362;
- Number of victims who launched appeals: 323;
- Total number of accused persons whose judgment has been pronounced: 7412;
- Number of accused persons waiting for the pronouncement of their judgment: 309;
- Number of accused persons sentenced in accordance with Articles 32 and 37 of the former Organic Law on Gacaca Courts or pursuant to Articles 29 and 30 of the new Organic Law: 478;
- Number of accused put I pretrial detention for first time by Gacaca: 153;
- Number of persons condemned to a prison sentence equal to time spent in prison: 201 ;
- Number of persons condemned to a prison sentence less than time spent in prison: 570 ;
- Number of persons condemned to a prison sentence longer than time spent in prison: 2579 ;

- Number of persons condemned to a prison sentence of between 25 and 30 years: 1404 ;
- Number of persons who reconsidered their confession and guilt plea at the time of trial: 556;
- Number of persons who escaped fearing to be tried and punished: 374 ;
- Number of accused persons sentenced to carry out community Service (CS/TIG): 2776.
- Number survivors who showed trauma symptoms during trials: 273.

These figures show the level of achievements reached by Gacaca Courts of Sector at national levels during the pilot phase.

III.2. ACHIEVEMENTS MADE BY GACACA OF APPEAL

Attached tables show the figures of achievements by Gacaca Courts of Appeal during the pilot phase. At National level, those figures are as follows:

- Number of judicial files forwarded to Gacaca Courts of Appeal: 1661;
- Number of judicial files of which trials are completed: 1115;
- Number of persons found not guilty and who were in prison: 166;
- Number of persons found not guilty while not in prison: 320;
- Number of convicted persons whose sentence pronounced by Gacaca Courts of Appeal was confirmed: 430;
- Number of convicted persons whose sentence has been lengthened: 245;
- Number of survivors who showed trauma symptoms during trials: 43;
- Number of judgments of which decisions have been modified and which survivors had appealed against:
 - Judgments of which penalties have been lengthened: 158;
 - Judgments of which penalties have been alleviated: 93;
- Number of accused persons sentenced in accordance with Articles 32 and 37 of the former Organic Law on Gacaca Courts or pursuant to Articles 29 and 30 of the new Organic Law : 95;
- Number of accused persons condemned to carry out CS/TIG: 258.

These figures show the achievements reached by Gacaca Courts of Appeal at national levels as well as areas where more efforts need to be made.

III.3. ACHIEVEMENTS MADE BY GACACA OF CELL

The figures of achievements by Gacaca Courts of Cell during the pilot phase. At National level, those figures are as follows:

- Number of judicial files by Gacaca Courts of Cell during pilot phase: 56789;
- Number of judicial files forwarded to Prosecution Office: 5752;
- Number of judicial files forwarded to Gacaca Courts of Cell: 33727;
- Number of judicial files that remained within the jurisdiction of Gacaca Courts of Cell: 17220;
- Number of accused persons classified in the first category who confessed their crimes and pleaded guilty: 332;
- Accused persons in the 2nd category: 5333;
- Accused persons in the 3rd category: 3612;
- Number of new files introduced in Gacaca Courts of Cell since data collection resumed, and classified in the 1st category: 700;
- Judicial files classified in the 2nd category: 5863;
- Judicial files classified in the 3rd category: 6274;
- Number of Gacaca Courts of Cell which have started resolving 3rd category-related problems relative to repayment of goods, notably:
 - Number of persons who gave back the goods damaged or looted: 1680;
 - Number of persons who gave cash worth the value of the goods damaged or looted: 2396;
 - Number of persons who will carry out community service worth the value of goods damaged or looted: 50;
- Number of persons who opted for an alternative solution:
 - Number of persons who paid compensation: 30;
 - Number of persons exempted from paying compensation by the person whose goods were damaged: 262;
- Number of accused persons sentenced in accordance with Articles 32 and 37 of the former Organic Law on Gacaca Courts or pursuant to Articles 29 and 30 of the new Organic Law: 596;
- Number of accused persons in pretrial detention: 583;
- Number of accused persons released by Gacaca Courts of Cell: 888;
- Number of survivors who showed trauma symptoms during data collection phase: 637;
- Number of persons who escaped fearing to be tried and sentenced: 797.

These figures show the progress made by Gacaca Courts of Cell at national levels during pilot phase. They also show areas where more efforts need to be made in accordance with the level which pilot phase trials should have reached since the launching of the pilot phase, which is March 10, 2005.

IV. CONCLUSION

Since the beginning of trials in pilot Gacaca Courts, figures show that 35387 judicial files have so far been forwarded to Gacaca Courts of Sector, 7721 trials have been completed, that is 21.81%. The Province coming first as regards speeding up trials in Gacaca Courts of Sector is the Northern Province with 37.59%: indeed, out of 3032 cases forwarded to Gacaca Courts of Sector, 1140 have been judged. As regards Districts, Burera comes first with an average of 80.55% with 29 cases completed out of 36 files sent to Gacaca Courts of Sector. The Province binging up the rear is the City of Kigali which has achieved only 16.92% on average, since, out of the 4113 files forwarded to Gacaca Courts of Sector, only 696 cases have been completed. The District lagging behind is that Kirehe with an average of 7.86%. This is evidenced by the fact that, out of 1297 files sent to Gacaca Courts of Sector, Only 102 cases have been judged.

As regards speeding up judgments in Gacaca Courts of Appeal, available figures show that out of 1661 cases forwarded to Gacaca Courts of Appeal, 1115 have been heard, that is 67.12%. The Province coming first as regards speeding up trials is the Eastern Province with 71.86%: indeed, out of 327 cases forwarded to Gacaca Courts of Appeal, 235 have been judged. As regards Districts, Burera comes first with 100% with 7 cases completed out of 7 files sent to Gacaca Courts of Appeal. The City of Kigali is binging up with an average of 57.14%, since, out of the 210 files forwarded to Gacaca Courts of Appeal, 120 cases have been judged. The District lagging behind is that Kirehe where only 4 cases out of 22 forwarded to Gacaca Courts of Appeal have been heard, which represents 18.18%.

From the date trials started (10 March 2005), these figures show that considerable efforts need to be put in speeding up trials at the level of Gacaca Courts of Sector so that Gacaca-related trials be completed according to schedule, that is, in December 2007.