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| <p><b>ITEKA RYA PEREZIDA N° 089/01 RYO KU WA 26/12/2024 RISHYIRAHU ABAYOBOZI BAKURU</b></p> <p><b>Twebwe, KAGAME Paul,</b><br/>Perezida wa Repubulika;</p> <p>Dushingiye ku Itegeko Nshinga rya Repubulika y'u Rwanda, cyane cyane mu ngingo yaryo ya 112;</p> <p><b>DUTEGETSE:</b></p> <p><b><u>Ingingo ya mbere: Ishyirwaho</u></b></p> <p>Abantu bakurikira bagizwe abayobozi ku buryo bukurikira:</p> <p>(a) Bwana TWAGIRAYEZU Gaspard, Umuyobozi Mukuru w'Urwego rw'u Rwanda rushinzwe Isanzure;</p> <p>(b) Madamu MUKAZAYIRE Nelly, Umunyamabanga Uhoraho muri Minisiteri ya Siporo;</p> <p>(c) Madamu MUGANZA Juliana Kangeli, Umuyobozi Mukuru Wungirije w'Urwego rushinzwe Iterambere mu Rwanda;</p> | <p><b>PRESIDENTIAL ORDER N° 89/01 OF 26/12/2024 APPOINTING SENIOR OFFICIALS</b></p> <p><b>We, KAGAME Paul,</b><br/>President of the Republic;</p> <p>Pursuant to the Constitution of the Republic of Rwanda, especially in Article 112;</p> <p><b>DO ORDER:</b></p> <p><b><u>Article One: Appointment</u></b></p> <p>The following persons are appointed officials as follows:</p> <p>(a) Mr TWAGIRAYEZU Gaspard, Chief Executive Officer of Rwanda Space Agency;</p> <p>(b) Ms MUKAZAYIRE Nelly, Permanent Secretary in the Ministry of Sports;</p> <p>(c) Ms MUGANZA Juliana Kangeli, Deputy Chief Executive Officer of Rwanda Development Board;</p> | <p><b>ARRÊTÉ PRÉSIDENTIEL N° 89/01 DU 26/12/2024 PORTANT NOMINATION DES HAUTS CADRES</b></p> <p><b>Nous, KAGAME Paul,</b><br/>Président de la République ;</p> <p>Vu la Constitution de la République du Rwanda, spécialement en son article 112;</p> <p><b>ARRÊTONS :</b></p> <p><b><u>Article premier : Nomination</u></b></p> <p>Les personnes suivantes sont nommées cadres comme suit :</p> <p>(a) M. TWAGIRAYEZU Gaspard, Directeur Général de l'Agence Spatiale Rwandaise ;</p> <p>(b) Mme MUKAZAYIRE Nelly, Secrétaire Permanente au sein du Ministère des Sports ;</p> <p>(c) Mme MUGANZA Juliana Kangeli, Directrice Générale Adjointe de l'Office pour la Promotion du Développement au Rwanda ;</p> |
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| <p>(d) Madamu MIREMBE Alphonsine, Umuyobozi Wungirije w'Ibiri bya Perezida wa Repubulika.</p> <p><b><u>Ingingo ya 2: Abayobozi bashinzwe gushyira mu bikorwa iri teka</u></b></p> <p>Minisitiri w'Intebe, Minisitiri w'Abakozi ba Leta n'Umurimo na Minisitiri w'Imari n'Igenamigambi bashinzwe gushyira mu bikorwa iri teka.</p> <p><b><u>Ingingo ya 3: Ingingo y'ururimi</u></b></p> <p>Iri teka ryateguwe mu rurimi rw'Ikinyarwanda.</p> <p><b><u>Ingingo ya 4: Gutangira gukurikizwa</u></b></p> <p>Iri teka ritangira gukurikizwa ku munsu ritangarijweho mu Igazeti ya Leta ya Repubulika y'u Rwanda. Agaciro karyo gahera–</p> <p>(a) ku wa 11/09/2024 kuri Bwana TWAGIRAYEZU Gaspard na Madamu MUKAZAYIRE Nelly,</p> <p>(b) ku wa 12/09/2024 kuri Madamu MUGANZA Juliana Kangeli;</p> <p>(c) no ku wa 13/09/2024 kuri Madamu MIREMBE Alphonsine.</p> | <p>(d) Ms MIREMBE Alphonsine, Deputy Director of Cabinet in the Office of the President.</p> <p><b><u>Article 2: Authorities responsible for the implementation of this Order</u></b></p> <p>The Prime Minister, the Minister of Public Service and Labour and the Minister of Finance and Economic Planning are entrusted with the implementation of this Order.</p> <p><b><u>Article 3: Language provision</u></b></p> <p>This Order was drafted in Ikinyarwanda.</p> <p><b><u>Article 4: Entry into force</u></b></p> <p>This Order comes into force on the date of its publication in the Official Gazette of the Republic of Rwanda. It takes effect as of –</p> <p>(a) 11/09/2024 for Mr TWAGIRAYEZU Gaspard and Ms MUKAZAYIRE Nelly;</p> <p>(b) 12/09/2024 for Ms MUGANZA Juliana Kangeli; and</p> <p>(c) 13/09/2024 for Ms MIREMBE Alphonsine.</p> | <p>(d) Mme MIREMBE Alphonsine, Directrice Adjointe de Cabinet à la Présidence de la République.</p> <p><b><u>Article 2 : Autorités chargées de l'exécution du présent arrêté</u></b></p> <p>Le Premier Ministre, le Ministre de la Fonction Publique et du Travail et le Ministre des Finances et de la Planification Économique sont chargés de l'exécution du présent arrêté.</p> <p><b><u>Article 3 : Disposition linguistique</u></b></p> <p>Le présent arrêté a été rédigé en Ikinyarwanda.</p> <p><b><u>Article 4 : Entrée en vigueur</u></b></p> <p>Le présent arrêté entre en vigueur le jour de sa publication au Journal Officiel de la République du Rwanda. Il sort ses effets à partir –</p> <p>(a) du 11/09/2024 pour M. TWAGIRAYEZU Gaspard et Mme MUKAZAYIRE Nelly;</p> <p>(b) du 12/09/2024 pour Mme MUGANZA Juliana Kangeli; et</p> <p>(c) du 13/09/2024 pour Mme MIREMBE Alphonsine.</p> |
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Kigali, 26/12/2024

(sé)

**KAGAME Paul**  
Perezida wa Repubulika  
President of the Republic  
Président de la République

(sé)

**Dr NGIRENTE Edouard**  
Minisitiri w’Intebe  
Prime Minister  
Premier Ministre

**Bibonywe kandi bishyizweho Ikirango cya Repubulika :  
Seen and sealed with the Seal of the Republic:  
Vu et scellé du Sceau de la République :**

(sé)

**Dr UGIRASHEBUJA Emmanuel**  
Minisitiri w’Ubutabera akaba n’Intumwa Nkuru ya Leta  
Minister of Justice and Attorney General  
Ministre de la Justice et Garde des Sceaux

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| <p><b>ITEKA RYA PEREZIDA N° 090/01 RYO KU WA 26/12/2024 RISHYIRAHU UMUYOBOZI MUKURU</b></p> <p><b><u>ISHAKIRO</u></b></p> <p><b><u>Ingingo ya mbere:</u> Ishyirwaho</b></p> <p><b><u>Ingingo ya 2:</u> Abayobozi bashinzwe gushyira mu bikorwa iri teka</b></p> <p><b><u>Ingingo ya 3:</u> Ingingo y’ururimi</b></p> <p><b><u>Ingingo ya 4:</u> Gutangira gukurikizwa</b></p> | <p><b>PRESIDENTIAL ORDER N° 090/01 OF 26/12/2024 APPOINTING A SENIOR OFFICIAL</b></p> <p><b><u>TABLE OF CONTENTS</u></b></p> <p><b><u>Article One:</u> Appointment</b></p> <p><b><u>Article 2:</u> Authorities responsible for the implementation of this Order</b></p> <p><b><u>Article 3:</u> Language provision</b></p> <p><b><u>Article 4:</u> Entry into force</b></p> | <p><b>ARRÊTÉ PRÉSIDENTIEL N° 090/01 DU 26/12/2024 PORTANT NOMINATION D’UN HAUT CADRE</b></p> <p><b><u>TABLE DES MATIÈRES</u></b></p> <p><b><u>Article premier :</u> Nomination</b></p> <p><b><u>Article 2 :</u> Autorités chargées de l’exécution du présent arrêté</b></p> <p><b><u>Article 3 :</u> Disposition linguistique</b></p> <p><b><u>Article 4 :</u> Entrée en vigueur</b></p> |
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Kigali, 26/12/2024

(sé)

**KAGAME Paul**  
Perezida wa Repubulika  
President of the Republic  
Président de la République

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**Dr NGIRENTE Edouard**  
Minisitiri w’Intebe  
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(sé)

**Dr UGIRASHEBUJA Emmanuel**  
Minisitiri w’Ubutabera akaba n’Intumwa Nkuru ya Leta  
Minister of Justice and Attorney General  
Ministre de la Justice et Garde des Sceaux

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| <p><b>ITEKA RYA PEREZIDA N° 091/01 RYO KU WA 26/12/2024 RYEMEZA BURUNDU AMASEZERANO Y'ICYICARO HAGATI YA GUVERINOMA YA REPUBULIKA Y'U RWANDA NA INTERNATIONAL VACCINE INSTITUTE, YAKOREWE I KIGALI MU RWANDA, KU WA 25 UGUSHYINGO 2024</b></p> <p><b><u>ISHAKIRO</u></b></p> <p><b><u>Ingingo ya mbere:</u> Kwemeza burundu</b></p> <p><b><u>Ingingo ya 2:</u> Abayobozi bashinzwe gushyira mu bikorwa iri teka</b></p> <p><b><u>Ingingo ya 3:</u> Ingingo y'ururimi</b></p> <p><b><u>Ingingo ya 4:</u> Gutangira gukurikizwa</b></p> | <p><b>PRESIDENTIAL ORDER N° 091/01 OF 26/12/2024 RATIFYING THE HOST COUNTRY AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF RWANDA AND THE INTERNATIONAL VACCINE INSTITUTE, DONE IN KIGALI, RWANDA, ON 25 NOVEMBER 2024</b></p> <p><b><u>TABLE OF CONTENTS</u></b></p> <p><b><u>Article One:</u> Ratification</b></p> <p><b><u>Article 2:</u> Authorities responsible for the implementation of this Order</b></p> <p><b><u>Article 3:</u> Language provision</b></p> <p><b><u>Article 4:</u> Entry into force</b></p> | <p><b>ARRÊTÉ PRÉSIDENTIEL N° 091/01 DU 26/12/2024 RATIFIANT L'ACCORD DE SIÈGE ENTRE LE GOUVERNEMENT DE LA RÉPUBLIQUE DU RWANDA ET L'INTERNATIONAL VACCINE INSTITUTE, FAIT À KIGALI AU RWANDA, LE 25 NOVEMBRE 2024</b></p> <p><b><u>TABLE DES MATIÈRES</u></b></p> <p><b><u>Article premier :</u> Ratification</b></p> <p><b><u>Article 2 :</u> Autorités chargées de l'exécution du présent arrêté</b></p> <p><b><u>Article 3 :</u> Disposition linguistique</b></p> <p><b><u>Article 4 :</u> Entrée en vigueur</b></p> |
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| <p><b>ITEKA RYA PEREZIDA N° 091/01 RYO KU WA 26/12/2024 RYEMEZA BURUNDU AMASEZERANO Y'ICYICARO HAGATI YA GUVERINOMA YA REPUBULIKA Y'U RWANDA NA INTERNATIONAL VACCINE INSTITUTE, YAKOREWE I KIGALI MU RWANDA, KU WA 25 UGUSHYINGO 2024</b></p> <p><b>Twebwe, KAGAME Paul,</b><br/>Perezida wa Repubulika;</p> <p>Dushingiye ku Itegeko Nshinga rya Repubulika y'u Rwanda, cyane cyane mu ngingo zaryo, iya 112 n'iya 168;</p> <p>Tumaze kubona Amasezerano y'Icyicaró hagati ya Guverinoma ya Repubulika y'u Rwanda na <i>International Vaccine Institute</i>, yakorewe i Kigali mu Rwanda, ku wa 25 Ugushyiringo 2024;</p> <p>Bisabwe na Minisitiri w'Ububanyi n'Amahanga n'Ubutwererane;</p> <p>Inama y'Abaminisitiri yateranye ku wa 18/10/2024 imaze kubisuzuma no kubyemeza;</p> <p><b>DUTEGETSE:</b></p> | <p><b>PRESIDENTIAL ORDER N° 091/01 OF 26/12/2024 RATIFYING THE HOST COUNTRY AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF RWANDA AND THE INTERNATIONAL VACCINE INSTITUTE, DONE IN KIGALI, RWANDA, ON 25 NOVEMBER 2024</b></p> <p><b>We, KAGAME Paul,</b><br/>President of the Republic;</p> <p>Pursuant to the Constitution of the Republic of Rwanda, especially in Articles 112 and 168;</p> <p>Considering the Host Country Agreement between the Government of the Republic of Rwanda and the International Vaccine Institute, done in Kigali, Rwanda, on 25 November 2024;</p> <p>On proposal by the Minister of Foreign Affairs and International Cooperation;</p> <p>After consideration and approval by the Cabinet, in its meeting of 18/10/2024;</p> <p><b>DO ORDER:</b></p> | <p><b>ARRÊTÉ PRÉSIDENTIEL N° 091/01 DU 26/12/2024 RATIFIANT L'ACCORD DE SIÈGE ENTRE LE GOUVERNEMENT DE LA RÉPUBLIQUE DU RWANDA ET L'INTERNATIONAL VACCINE INSTITUTE, FAIT À KIGALI AU RWANDA, LE 25 NOVEMBRE 2024</b></p> <p><b>Nous, KAGAME Paul,</b><br/>Président de la République ;</p> <p>Vu la Constitution de la République du Rwanda, spécialement en ses articles 112 et 168 ;</p> <p>Considérant l'Accord de siège entre le Gouvernement de la République du Rwanda et l'<i>International Vaccine Institute</i>, fait à Kigali au Rwanda, le 25 novembre 2024 ;</p> <p>Sur proposition du Ministre des Affaires Étrangères et de la Coopération Internationale ;</p> <p>Après examen et adoption par le Conseil des Ministres, en sa séance du 18/10/2024 ;</p> <p><b>ARRÊTONS :</b></p> |
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| <p><b><u>Ingingo ya mbere: Kwemeza burundu</u></b></p> <p>Amasezerano y'Icyicaro hagati ya Guverinoma ya Repubulika y'u Rwanda na <i>International Vaccine Institute</i>, yakorewe i Kigali mu Rwanda, ku wa 25 Ugushyingo 2024, ari ku mugereka w'iri teka, yemejwe burundu kandi atangiye gukurikizwa uko yakabaye.</p> <p><b><u>Ingingo ya 2: Abayobozi bashinzwe gushyira mu bikorwa iri teka</u></b></p> <p>Minisitiri w'Intebe, Minisitiri w'Ububanyi n'Amahanga n'Ubutwererane na Minisitiri w'Ubuzima bashinzwe gushyira mu bikorwa iri teka.</p> <p><b><u>Ingingo ya 3: Ingingo y'ururimi</u></b></p> <p>Iri teka ryateguwe mu rurimi rw'Icyongereza.</p> <p><b><u>Ingingo ya 4: Gutangira gukurikizwa</u></b></p> <p>Iri teka ritangira gukurikizwa ku munsu ritangarijweho mu Igazeti ya Leta ya Repubulika y'u Rwanda.</p> | <p><b><u>Article One: Ratification</u></b></p> <p>The Host Country Agreement between the Government of the Republic of Rwanda and the International Vaccine Institute, done in Kigali, Rwanda, on 25 November 2024, annexed to this Order, is ratified and becomes fully effective.</p> <p><b><u>Article 2: Authorities responsible for the implementation of this Order</u></b></p> <p>The Prime Minister, the Minister of Foreign Affairs and International Cooperation and the Minister of Health are entrusted with the implementation of this Order.</p> <p><b><u>Article 3: Language provision</u></b></p> <p>This Order was drafted in English.</p> <p><b><u>Article 4: Entry into force</u></b></p> <p>This Order comes into force on the date of its publication in the Official Gazette of the Republic of Rwanda.</p> | <p><b><u>Article premier : Ratification</u></b></p> <p>L'Accord de siège entre le Gouvernement de la République du Rwanda et l'<i>International Vaccine Institute</i>, fait à Kigali au Rwanda, le 25 novembre 2024, annexé au présent arrêté, est ratifié et sort son plein et entier effet.</p> <p><b><u>Article 2 : Autorités chargées de l'exécution du présent arrêté</u></b></p> <p>Le Premier Ministre, le Ministre des Affaires Étrangères et de la Coopération Internationale et le Ministre de la Santé sont chargés de l'exécution du présent arrêté.</p> <p><b><u>Article 3 : Disposition linguistique</u></b></p> <p>Le présent arrêté a été rédigé en anglais.</p> <p><b><u>Article 4 : Entrée en vigueur</u></b></p> <p>Le présent arrêté entre en vigueur le jour de sa publication au Journal Officiel de la République du Rwanda.</p> |
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Kigali, 26/12/2024

(sé)

**KAGAME Paul**  
Perezida wa Repubulika  
President of the Republic  
Président de la République

(sé)

**Dr NGIRENTE Edouard**  
Minisitiri w’Intebe  
Prime Minister  
Premier Ministre

**Bibonywe kandi bishyizweho Ikirango cya Repubulika:**  
**Seen and sealed with the Seal of the Republic:**  
**Vu et scellé du Sceau de la République :**

(sé)

**Dr UGIRASHEBUJA Emmanuel**  
Minisitiri w’Ubutabera akaba n’Intumwa Nkuru ya Leta  
Minister of Justice and Attorney General  
Ministre de la Justice et Garde des Sceaux

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| <p>UMUGEREKA W'ITEKA RYA PEREZIDA N° 091/01 RYO KU WA 26/12/2024 RYEMEZA BURUNDU AMASEZERANO Y'ICYICARO HAGATI YA GUVERINOMA YA REPUBULIKA Y'U RWANDA NA <i>INTERNATIONAL VACCINE INSTITUTE</i>, YAKOREWE I KIGALI MU RWANDA, KU WA 25 UGUSHYINGO 2024</p> | <p>ANNEX TO PRESIDENTIAL ORDER N° 091/01 OF 26/12/2024 RATIFYING THE HOST COUNTRY AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF RWANDA AND THE INTERNATIONAL VACCINE INSTITUTE, DONE IN KIGALI, RWANDA, ON 25 NOVEMBER 2024</p> | <p>ANNEXE À L'ARRÊTÉ PRÉSIDENTIEL N° 091/01 DU 26/12/2024 RATIFIANT L'ACCORD DE SIÈGE ENTRE LE GOUVERNEMENT DE LA RÉPUBLIQUE DU RWANDA ET L'<i>INTERNATIONAL VACCINE INSTITUTE</i>, FAIT À KIGALI AU RWANDA, LE 25 NOVEMBRE 2024</p> |
| <p>AMASEZERANO Y'ICYICARO HAGATI YA GUVERINOMA YA REPUBULIKA Y'U RWANDA NA <i>INTERNATIONAL VACCINE INSTITUTE</i>, YAKOREWE I KIGALI MU RWANDA, KU WA 25 UGUSHYINGO 2024</p>                                                                               | <p>HOST COUNTRY AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF RWANDA AND THE INTERNATIONAL VACCINE INSTITUTE, DONE IN KIGALI, RWANDA, ON 25 NOVEMBER 2024</p>                                                                   | <p>ACCORD DE SIÈGE ENTRE LE GOUVERNEMENT DE LA RÉPUBLIQUE DU RWANDA ET L'<i>INTERNATIONAL VACCINE INSTITUTE</i>, FAIT À KIGALI AU RWANDA, LE 25 NOVEMBRE 2024</p>                                                                    |



**HOST COUNTRY AGREEMENT**

**BETWEEN**

**THE GOVERNMENT OF THE REPUBLIC OF RWANDA**

**AND**

**THE INTERNATIONAL VACCINE INSTITUTE**

## **PREAMBLE**

**WHEREAS** the International Vaccine Institute or IVI was established as an international intergovernmental organization through an Agreement on the Establishment of the International Vaccine Institute in 1997 as an initiative of the United Nations Development Programme;

**WHEREAS** The Republic of Rwanda is a party to the Agreement on the Establishment of the International Vaccine Institute;

**NOTING** that the Government of the Republic of Rwanda and the International Vaccine Institute, are desirous of entering into an agreement regarding the establishment of the Headquarters of the IVI Africa Regional Office (IARO) in the Republic of Rwanda;

**CONSIDERING** it is necessary to conclude a formal agreement to determine the status of the International Vaccine Institute, and its staff, as well as the need to regulate by this agreement certain matters regarding the establishment and the functioning of the IVI Africa Regional Office to provide for the effective operation thereof;

**CONSIDERING** the importance of building local pharmaceutical production capacity to protect health security in Africa and well-being of the African people, as well as the need to build technological capabilities;

**AFFIRMING** the work of the International Vaccine Institute can serve as an effective support to the efforts underway in Rwanda and other African Countries, to promote and facilitate technological access, technology transfer and technological learning in the biopharmaceutical sector, and the development of the biopharmaceutical industry, in African Countries;

**DESIRING** the Government of Rwanda and the International Vaccine Institute to be in active cooperation in both works to be executed and services to be rendered to the African Countries and people of Rwanda for many years and wishing to formalize this cooperation;

**NOW THEREFORE, the Government of Rwanda and the International Vaccine Institute agree as follows:**

### **Article 1 Definitions**

For the purpose of this agreement, the following expressions and terms shall have meaning assigned to them as hereunder:

- a) "*Communications and Archives*" means all the correspondence, documents, publications, computer data, manuscripts, still and motion pictures, films and sound recordings, belonging to, held by, directed to or transmitted from the Institute or its staff in furtherance of its mission;
- b) "*Dependent*" means spouse and legitimate children under the age of 21, or under the age of 25 if still enrolled in school;

- c) “*Regional Director*” means the Director of the IVI Africa Regional Office;
- d) “*Government*” means the Government of the Republic of Rwanda;
- e) “*Headquarters of the IVI Africa Regional Office*” or “*Headquarters of the IARO*” means the principal office of the IVI Africa Regional Office situated in Kigali, Republic of Rwanda;
- f) “*Host State*” means the Republic of Rwanda;
- g) “*Institute*” means the International Vaccine Institute or IVI;
- h) “*IVI Africa Regional Office*” means the regional office of the Institute to provide for the effective operation of its program and the achievement of its objectives in Rwanda and other African Countries with its principal office situated in Kigali, Republic of Rwanda;
- i) “*IVI governance organs*” means the Board of Trustees, Global Council, Global Advisory Group of Experts, Scientific Advisory Group, and all other managerial and advisory bodies established by the Institute as part of its governance;
- j) “*Laws of the Host State*” includes the constitution of Rwanda, organic laws, international treaties and agreements ratified by Rwanda, ordinary laws, orders, rules and regulations of any Government authority;
- k) “*Officials*” means person employed on a permanent and fixed-term basis at professional level, including both Internationally recruited staff and Locally recruited staff;
- l) “*Internationally recruited staff*” means IVI Officials recruited from and having a home base outside of the Republic of Rwanda. In all cases, Internationally recruited staff will be employed on a fixed-term contract basis;
- m) “*Locally recruited staff*” means IVI Officials who are nationals of the Republic of Rwanda, or stateless persons and foreigners having permanent residence in the territory of the Republic of Rwanda;
- n) “*Parties*” or “*Party*” means the Government of the Republic of Rwanda and the International Vaccine Institute jointly or individually;
- o) “*Premises*” means the buildings and parts of buildings, and the land ancillary thereto, used for the official purposes of the Institute or owned, leased, loaned or otherwise at the disposal of the Institute in the Republic of Rwanda, including any other construction(s) or support facilities that the Institute may determine necessary or desirable for the efficient conduct of its activities in the Republic of Rwanda; and
- p) “*Properties and Assets*” means all property, including funds, income and other assets, leased, held or administered by the Institute.

**Article 2**  
**Legal Status of the Institute**

1. The Government recognizes that the Institute is an inter-governmental organization with international legal personality and capacity to perform legal acts required for the performance of its functions, in particular, to conclude treaties, to contract, to acquire and dispose of movable and immovable property, and to institute and respond to legal proceedings and to take such other action when the Institute has waived immunity, as may be necessary or useful for its purpose and activities.
2. The Government agrees to apply to the Institute, its Officials, Properties and Assets, the provisions of the Convention on Privileges and Immunities of the Specialized Agencies adopted by the United Nations General Assembly on 21 November 1947, as well as those set forth in this agreement. In the case of inconsistency between the provisions of the Convention and this agreement, the provisions of the Agreement shall prevail.

**Article 3**  
**Immunity from Juridical Proceedings**

1. The Institute, its Properties and Assets, and other facilities, wherever located and by whomsoever held, shall enjoy immunity from every form of legal process, in conformity with key principles of international law, except insofar as in any particular case it has expressly waived its immunity. It is, however, understood that no waiver of immunity shall extend to any measure of execution, for which a separate waiver shall be necessary. In case the Institute initiates a legal process, waiver of immunities in respect not only of that legal process but also of the execution of a judgment thereof is presumed.
2. The Properties and Assets of the Institute and its Communications and Archives in the Republic of Rwanda, wherever located and by whomsoever held, shall be immune from search, requisition, confiscation or any other form of seizure or interference by executive, juridical, or legislative action.

**Article 4**  
**Premises of the Institute**

1. The Institute has the right to buy, rent, or acquire the possession of land, buildings, offices, or any other facilities in the Republic of Rwanda under applicable law, in order to carry out its activities . The Institute has the right to construct, erect, maintain or modify buildings or other facilities as may be required for the purposes of its mission.

2. The Government may make available to the Institute, under terms to be mutually agreed, and for such periods as may be necessary, land, buildings, and other facilities as the Institute may need for its programs. To enable the Institute to carry out its function smoothly, the Government shall take such measures as may be practicable to ensure the provision of necessary public services at the Premises and the security and tranquility of the Premises.
3. The Institute shall be authorized to place its emblem, logo, and flag on its Premises, Properties and Assets, equipment, and vehicles.

## **Article 5**

### **Inviolability of Premises**

1. Any Premises occupied or used by the Institute, wherever located in the Republic of Rwanda, shall be inviolable and shall be under the exclusive control and authority of the Institute. No officer or official or any other representatives of the Republic of Rwanda, be they administrative, judicial, military or police or other person exercising public authority within the Republic of Rwanda shall enter the Premises of the Institute to perform any duties therein except with express authorization from or on express request by the Institute and under conditions agreed to by the Institute. Such authorization may be assumed in the case of fire.
2. The Institute shall have the right to convene meetings in the Premises of the Institute, and at other locations in the territory of the Republic of Rwanda. At such meetings, the Government may be informed in advance and shall guarantee that no impediment is placed in the way of full freedom of discussion and decision and take the appropriate measures to ensure the security of participants in the meetings.
3. The Government shall take all appropriate measures to protect the Premises of the Institute, including the Headquarters and any other office of the Institute within the Republic of Rwanda against any intrusion in or damage to the Premises of the Institute or any other office of the Institute and to prevent any disturbance of law and order in the immediate vicinity of the Institute or any other office of the Institute. The Institute shall be accorded the same protection as that accorded to inter-governmental organizations in the Republic of Rwanda. The Government shall, whenever the need arises, ensure the presence of the necessary police force in sufficient numbers for the protection of the Premises of the Institute or any other office and take appropriate measures to restore order in the vicinity of the Premises of the Institute or to remove offenders with the consent of the Institute.

4. Without prejudice to the terms of this agreement, the Institute shall prevent the Premises of the Institute from becoming a refuge for persons, other than officers and Officials of the Institute, seeking to avoid arrest or service of legal process under the laws of the Republic of Rwanda.

#### **Article 6**

##### **Inviolability of Communications and Archives**

1. The Communications and Archives of the Institute and in general, all documents and data, in whatever means or format, including electronic formats, shall be inviolable, wherever located.
2. All official Communications and Archives addressed to the Institute or to the Institute's staff, and all official Communications and Archives from the Institute, by whatever means or in whatever form, shall be exempt from all censorship and from any other form of interception or violation of confidentiality.
3. The Institute shall be authorized to install or use radio, internet, and telecommunications facilities, with the agreement of the competent authorities of the Republic of Rwanda and under the conditions prescribed by them for other international organizations of similar status.
4. The Institute shall have the right to use codes and encryption, as well as to send and receive its correspondence and other official communications by courier or in sealed pouches, which shall enjoy the same privileges and immunities as diplomatic pouches.
5. The Institute shall be free to publish such documents and reports in the territory of the Republic of Rwanda or outside as it shall find appropriate in the exercise of its official and scientific functions, in compliance with the laws and regulations of Rwanda and international agreements on intellectual property to which Rwanda is a party.

#### **Article 7**

##### **Exemption from Taxation**

The Institute, its Properties and Assets, income, and other property, as well as its operations and transactions within Rwanda, shall be exempt;

1. From all direct or indirect taxes provided that such exemptions shall not extend to levies or charges which are in fact no more than charges for public utility services which constitute part of the costs of good purchases or services rendered;

2. From custom duties and zero rated for Value added Tax (VAT) and any other tax or fiscal charges on all goods and services including but not limited to materials, equipment, services, vehicles, spare parts, machinery, publications, films, still or motion pictures, petrol and other fuels and lubricants, supplies and other items imported, exported, or purchased for official use. In the event of any such exempted items being sold in the Republic of Rwanda to a person or organization without similar privileges, duties and taxes shall be payable;
3. From all taxes and customs duties on funds and property availed or donated to the Institute for its official use;
4. From payment of stamp duty and other documentary taxes on any transaction to which the Institute is a party

### **Article 8**

#### **Financial Facilities**

1. The Institute may purchase, hold, and dispose of convertible currencies, securities, bills of exchange, negotiable instruments, and transfer the same to, from, within, and out of the territory of the Republic of Rwanda as necessary for its operation. The Institute may open, maintain and operate accounts in national or other currencies, and carry out any operations without being restricted by regulations, financial controls, and moratoria of any nature. The Government shall, to the extent possible, assist the Institute in obtaining favorable conditions as regards exchange rates, banking commissions in exchange transactions and other similar transactions.
2. The Institute shall have the right, in exchange for any available convertible currency, to purchase the national currency of the Republic of Rwanda in such amounts as the Institute may require from time to time for meeting its expenditures in the Republic of Rwanda. In the event of shortage of the national currency of the Republic of Rwanda, the National Bank of Rwanda shall sell to the Institute the national currency of the Republic of Rwanda in such amounts as the Institute may require from time to time for meeting its expenditures in the Republic of Rwanda, at the published exchange rate of the National Bank of Rwanda, and on no less favorable terms and conditions than those accorded to other international organizations or diplomatic missions in the Republic of Rwanda.

### **Article 9**

#### **Importation, Exportation, Transportation, and Use of Materials and Equipment**

1. The Institute may, without restriction, import and export all such materials, equipment, articles, vehicles, machinery, including all scientific and biological materials, publications, and supplies required for its operations.
2. Without prejudice to the provisions of paragraph 1 above, the Institute may:
  - a) Carry out experimental work in designated or reserved zones of the territory of the Republic of Rwanda; provided that the Institute is authorized by Rwandan competent authorities and complies with applicable law as well as international norms in performing such activities.
  - b) Import, export, transport, and use biological or biochemical substances that it may need to carry out its activities, whether for its own purposes or in the framework of regional and international programs of cooperation; provided that the Institute is authorized by Rwandan competent authorities and complies with applicable law as well as international norms in performing such activities.
3. In carrying out the activities referred to in paragraph 2(b) above, the Institute shall:
  - a) comply with all laws, regulations, and guidelines of the Republic of Rwanda, notably those governing the protection of human rights, privacy and confidentiality, nature and the environment, and those pertaining to national security;
  - b) comply with all applicable international standards for research involving human subjects, including the ICH-GCP guidelines, the Declaration of Helsinki, and the Nuremburg Code;
  - c) comply with the laws and regulations in force concerning quarantine and inspection with respect to biological and genetic material, in order to prevent the introduction or export of diseases and pests in or out of the country;
  - d) comply with the Nagoya Protocol on access to genetic resources covered by the Convention on Biological Diversity for the fair and equitable sharing of benefits arising out of the utilization of genetic resources; and
  - e) generally take all reasonable precautions, including those set out in International Safety Standards and Specifications, to ensure the safety of substances and materials.

#### **Article 10**

#### **Privileges and Immunities of IVI Officials and Internationally Recruited Staff Members**

1. Members of IVI governance organs participating in the work of the Institute while performing their official functions in the Republic of Rwanda or in any conference which may be convened by the Institute, shall be entitled in the territory of the Republic of Rwanda, while exercising their functions and during their travel to and from the Republic of Rwanda, to the same privileges and immunities as are accorded to diplomatic envoys of comparable rank under international law, particularly among others:
  - a) immunity from legal process with respect to acts performed by them in the exercise of their functions, including words spoken or written, and all acts performed by them in their official capacity;
  - b) immunity from personal arrest or detention;
  - c) immunity from seizure of their official and personal baggage.
2. For IVI Internationally recruited staff who are in Rwanda, solely for the purpose of this agreement, the Government undertakes, in accordance with Rwandan laws, to grant them:
  - a) immunity from legal process with respect to acts performed by them in the exercise of their functions, including words spoken or written, and all acts performed by them in their official capacity;
  - b) immunity from personal arrest or detention;
  - c) immunity from seizure of their official and personal baggage;
  - d) exemption from all direct and indirect taxes including income tax and social security contributions in respect of income, salaries and emoluments paid by the Institute;
  - e) reimbursement of value added tax (VAT) paid on rent and the supply of water, electricity, gas, and communications services to their residence;
  - f) the same privileges in respect of exchange facilities accorded to officials of comparable rank of diplomatic missions or to officials of diplomatic missions or international organisations; the freedom to maintain within the Republic of Rwanda foreign accounts in local currency, and elsewhere foreign currency accounts; the freedom to own in the Republic of Rwanda foreign securities and other movable or immovable property;

- g) right to import and export from, in a single or separate shipments free of customs duty, sales tax, value added tax (VAT), and other levies, prohibitions or restrictions on imports, their personal effects, household equipment, and one personal motor vehicle per family as is granted to officials of diplomatic missions by the customs laws of the Republic of Rwanda and exempt them from custom duties, sales tax, and VAT for the household and personal effects of any kind imported by the officials or their Dependents, including one personal motor vehicle per family and spare parts for motor vehicles, household equipment and furniture imported or purchased by the official prior to clearance through customs, in conformity with pertinent laws of Rwanda, and grant them the right to transfer or replace the vehicle.
  - h) other immunities, privileges, and exemptions, which are or may be accorded by the Government to members of diplomatic missions or to officials of international organisations.
3. If any goods or materials imported are disposed of in Rwanda other than to a person or organization with similar privileges, duties and taxes shall be payable thereon.
  4. The Government shall exempt Officials and internationally recruited staff of the Institute and their Dependents from national service obligations, alien registration, and immigration restrictions, and they shall be provided by the Government with clearance, re-entry permits, identification cards, or documents that may be required for this purpose, at no charge and subsequent renewals thereof.
  5. The Government shall extend to the spouses of Officials and Internationally recruited staff of the Institute the authorization to engage in gainful employment, subject to the following conditions:
    - a) An appropriate work permit will be sought from the Directorate General of Immigration and Emigration, by way of diplomatic note to the Ministry. However, the working spouses will be bound by existing Rwandan labor laws;
    - b) Once a work permit is granted, immunity in accordance with the Vienna Convention on Diplomatic Relations or under any other applicable international instrument will not apply in respect of any act carried out in the course of, and in connection with, the gainful occupation; and if employed, the spouses of Institute Officials will be subject to the fiscal and social security regimes for all matters pertaining to their gainful occupation.
  6. Should Officials of the Institute, who are nationals of the Republic of Rwanda be called up for national service, the Republic of Rwanda shall, at the request of the Institute, grant such temporary deferments in the call-up of such Officials of the Institute as may be necessary to avoid interruption in essential work of the Institute.

7. The Government shall extend to the Officials of the Institute and their Dependents such repatriation facilities in times of crisis and need as are extended by the Government to staff of other international organizations and / or specialized agencies of the United Nations.
8. The Government shall permit Officials of the Institute and their Dependents to maintain within the Republic of Rwanda accounts in local and foreign currency, and external accounts, and to bring to Rwanda reasonable amount of foreign currency for personal use, and to withdraw and repatriate such amount from Rwanda under external account facilities in accordance with the prevailing foreign exchange regulations of Rwanda as applicable to other international organizations.
9. The Government shall permit Officials of the Institute the freedom to travel, movement and communication necessary for the satisfactory performance of their duties under this agreement.
10. The Institute shall communicate to the Government the names of those Officials of the Institute, their Dependents, and members of the household staff to whom the provisions of this Article are applicable.
11. Notwithstanding the foregoing paragraphs 2 through 10, the privileges and immunities set out in paragraphs 2.(b), 2.(c), 2.(d), 2.(e), 2.(f), 2.(g), 2.(h), 3, 4, 5, 7, and 8 of this Article shall not apply to Officials of the Institute or their Dependents who are nationals of the Republic of Rwanda, or stateless persons and foreigners having permanent residence in the territory of the Republic of Rwanda.
12. Experts and consultants of the Institute who are not Officials of the Institute, except nationals and permanent residents of the Republic of Rwanda, shall be accorded such immunities and privileges as are necessary for the proper exercise of their functions during the period of their mission and, in particular, they shall:
  - a) be immune from personal arrest or detention;
  - b) enjoy inviolability for all papers and documents and records in whatever form including computer-generated documents;
  - c) be accorded the same facilities in respect of currency or exchange restrictions as are accorded to representatives of foreign governments on temporary official missions;
  - d) be accorded the same protection and repatriation facilities with respect to themselves, their spouses and Dependent relatives and other members of the family

as are accorded in times of international crises or national emergencies to diplomatic envoys;

- e) be immune from any legal process in respect of words spoken or written and all acts performed by them in their official capacity;
  - f) for the purposes of communicating with the Headquarters of the IARO and the IVI Premises in Rwanda, have the right to receive and send papers and correspondence by courier or in sealed bags;
  - g) enjoy the same immunities and facilities in respect of their personal baggage as are accorded to representative of foreign governments on temporary official missions; and
  - h) exemption from all income tax and social security contributions in respect of income, salaries and emoluments paid by the Institute.
13. In addition to the privileges and immunities indicated in this Article, the Regional Director of the IVI Africa Regional Office, as well as during his or her absence from duty, the Official of the Institute acting on behalf of the Regional Director, shall be accorded the privileges and immunities, exemptions and facilities accorded to the heads of diplomatic missions, provided they are not Rwandan citizens or permanent residents of the Republic of Rwanda.
14. In the case that the Regional Director of the IVI Africa Regional Office or Deputy Regional Director is a Rwandan national, additional privileges and immunities may be granted to him/her, in conformity with pertinent laws and regulations.

## **Article 11**

### **Entry Permits, Travel, Stay, and Residency**

1. The Government shall take all measures required to facilitate the entry into, residence in and departure from Rwanda, and freedom of movement in Rwanda, of the following persons entering the Republic of Rwanda on official business:
- a) Members of IVI governance organs;
  - b) Officials of the Institute and their Dependants;
  - c) Officers, experts, consultants and any other person performing duties on behalf of the Institute;

- d) Researchers, trainers, trainees, scholars, and visitors of the Institute; and
  - e) Other persons officially invited by the Institute in connection with official activities of the Institute in the Republic of Rwanda.
2. The Government undertakes to:
- a) Facilitate issuance and renewal of entry (work) permits and multiple entry visas for the Officials of the Institute and Internationally recruited staff, free of charge;
  - b) Facilitate issuance and renewal of Dependent passes and multiple entry visas to spouses and Dependents of Officials of the Institute and Internationally recruited staff, promptly and free of charge;
  - c) Facilitate issuance and renewal of entry permits and multiple entry visa for the Officials of the Institute who are resident outside Rwanda provided that the proper execution of their duties requires regular visits to the Republic of Rwanda; and
  - d) Expedite the processing of applications of visas for persons referred to in paragraph 1 of this Article.
3. The persons referred to above shall have the same freedom of movement within the territory of the Republic of Rwanda, subject to its laws and regulations concerning access to units and other locations which require a special authorisation, and the same treatment in respect of travelling facilities, as is accorded to officials of comparable rank of diplomatic missions and international institutions.
4. The Government shall exempt from any restrictions on the entry of aliens or the condition of their stay, persons, other than members of the household staff, referred to in paragraph 1 of this Article. These persons shall be exempt from immigration restrictions and alien registration and from registration formalities for the purposes of immigration control. The Institute shall cooperate with the Government to avoid any prejudice to the national security of the Republic of Rwanda.
5. The Institute shall communicate to the Government, through a note verbale, the names and particulars of those persons referred to in paragraph 1 of this Article.

## **Article 12**

### **Undertakings of the Institute with Regard to the Government**

The Institute hereby agrees and undertakes to:

1. Provide information to the Government, on request, regarding the assignment of its professional staff, and to inform the Government of the assignment to the IVI Africa Regional Office of its Officials whose activities are mainly concerned with operations in Rwanda;
2. Take all reasonable steps to ensure that its staff members in Rwanda are not engaged in activities that are incompatible with the goals and objectives of the Institute or in contravention of the customs, laws and regulations of Rwanda;
3. Extend training and duly consider applications from qualified Rwanda citizens to local positions in the IVI Africa Regional Office in Rwanda;
4. Duly consider applications from qualified Rwandans to its managerial positions; and
5. On request, communicate to the Ministry of Foreign Affairs and International Cooperation the names of the Officials of the Institute, and their ranks/positions. The first submission to be done within three months of signing of this agreement.

### **Article 13** **Waiver of Privileges**

1. The privileges, immunities, exemptions and facilities accorded under this agreement are solely granted in the interests of the Institute as well as for the purpose of facilitating the operations of the Institute and not for personal benefit to the persons involved.
2. The Government and the Institute shall consult each other to define the conditions and modalities or to withhold the privileges, immunities, exemptions and facilities of any Official of the Institute in any case where privileges are abused or impair the cause of justice.
3. If the Government considers that there has been an abuse of privileges or immunities conferred by this agreement, the Government and the Institute will consult each other to define the conditions and modalities to withhold the privileges and immunities granted herein and/or take appropriate measures to ensure that no repetition occurs.
4. The Institute shall use its best efforts to ensure that the privileges, immunities, exemptions, and facilities conferred by this agreement are not abused and for this purpose shall establish such rules and regulations as it may deem necessary and expedient. Should the Government consider that an abuse has occurred, consultations shall be held between the Government and the Institute to determine whether any such abuse has occurred and, if so, to ensure that no repetition occurs and to take appropriate action.

#### **Article 14**

##### **Interpretation**

This agreement shall be construed and interpreted in accordance with the laws and regulations of the Republic of Rwanda in light of the primary purpose of this agreement, which is to facilitate operations of the Institute. The Parties shall exercise their rights and obligations under this agreement consistent with the primary objective.

#### **Article 15**

##### **Amendments**

Any amendment to this agreement shall be after consultation between the Parties. Any such amendments shall be by mutual consent and in writing and may be expressed by exchanged of letters or by formal amendment of the Agreement and signed by duly authorized representatives of the Parties. Such amendments shall constitute an integral part of this agreement.

#### **Article 16**

##### **Settlement of Disputes**

1. The Parties shall attempt to settle any dispute between the Parties relating to the interpretation or implementation of this agreement amicably without unreasonable delay, by consultations and negotiations.
2. If the Government and the Institute are unable to resolve a dispute through mutual consultation within ninety (90) days, either Party may request that such dispute shall be settled by arbitration and:
  - a) The number of arbitrators shall be three (3). One of the arbitrators shall be selected by the Government, one shall be selected by the Institute, and the third, who shall act as chair of the arbitration panel, shall be chosen by the first two arbitrators. Should they fail to agree upon the choice of the third arbitrator within three (3) months of the request for arbitration, the appointment of the third arbitrator shall at the request by either Party be chosen by the President of the International Court of Justice;
  - b) In the event of a vacancy in the presidency of the International Court of Justice or of the inability of the President to exercise the functions of the presidency, or in the event that the President should be a national of the Party to the dispute, the appointment herein provided for may be made by the vice-president of the court or, failing him, by the senior judge;

- c) Unless the Parties decide otherwise, the tribunal shall determine its own procedure;
- d) The tribunal shall apply the principles and rules of international law and its award shall be final and binding on both Parties;
- e) The place of arbitration shall be The Hague, the Netherlands;
- f) The language to be used in arbitral proceedings shall be English; and
- g) The Parties hereby waive their right to any form of recourse against an award to any court or other competent authority, insofar as such waiver can validly be made under the applicable law.

#### **Article 17**

##### **Language of the Agreement**

This agreement is drawn up in the English language, which shall govern all documents, notices, communications, and meetings for its performance or in any other way thereto.

#### **Article 18**

##### **Notices**

Any notice, request, or consent required or permitted to be given or made pursuant to this agreement shall be in writing. Any such notice, request, or consent shall be deemed to have been given or made when delivered in person to an authorized representative of the Party to whom the communication is addressed, or when sent by certified or registered first class mail, or by commercial courier service, or may be delivered by facsimile or email to such Party at the specified address.

#### **Article 19**

##### **Change of Address**

Any Party may, by notice to the other Party, change its chosen address to another physical address and such change shall take effect on the eighth day after the date of receipt by the other Party.

#### **Article 20**

##### **Most-Favored Organization**

If and to the extent that the Government shall enter into any agreement with a comparable international organization having its Premises in Rwanda containing terms or conditions more favourable to that organization than similar terms or conditions of this agreement, the

Government shall extend such more favourable terms or conditions to the Institute, by means of a supplemental agreement.

#### **Article 21**

##### **Termination**

1. This Agreement may be terminated by:
  - a) Either Party giving the other six (6) months written notice of the intention to terminate the agreement; or
  - b) Closure, dissolution and/or relocation of the IVI Africa Regional Office from the Republic of Rwanda subject to a written notice from either Party of six (6) months.
2. The termination of this agreement shall not affect the implementation of programs, projects and other activities which have been initiated by the Parties before the termination unless the Parties agree otherwise.
3. In the event that this agreement is terminated or the Institute is dissolved, the disposition of the rights, obligations, and physical assets accrued up to the time shall be determined by the IVI Board of Trustees.

#### **Article 22**

##### **Entry into Force**

This agreement shall be signed by both Parties. It will enter into force upon its ratification by the Host State.

#### **Article 23**

##### **Amendment**

At the request of either the Government or the Institute, consultations shall take place in respect of the implementation or modification of this agreement. The Government and the Institute may enter into such supplementary agreements as may be necessary for the implementation of this agreement. The Government and the Institute may by mutual written agreement amend the present agreement.

**IN WITNESS WHEREOF**, the undersigned duly authorized representatives for this purpose have signed this agreement.

**DONE** in **KIGALI** this \_\_\_\_\_ day of \_\_\_\_\_ 2024 in two original copies, in the English language; both texts being equally authentic.

For The Government of Rwanda

**25 NOV 2024**  
Dr. Sabin Nsanzimana  
Minister of Health



For The International Vaccine Institute

*Jerome H. Kim*  
Dr. Jerome H. Kim  
Director General



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| <p><b>Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Perezida n°091/01 ryo ku wa 26/12/2024 ryemeza burundu Amasezerano y'Icyicaro hagati ya Guverinoma ya Repubulika y'u Rwanda na <i>International Vaccine Institute</i>, yakorewe i Kigali mu Rwanda, ku wa 25 Ugushyingo 2024</b></p> | <p><b>Seen to be annexed to Presidential Order n° 091/01 of 26/12/2024 ratifying the Host Country Agreement between the Government of the Republic of Rwanda and the International Vaccine Institute, done in Kigali, Rwanda, on 25 November 2024</b></p> | <p><b>Vu pour être annexé à l'Arrêté Présidentiel n° 091/01 du 26/12/2024 ratifiant l'Accord de siège entre le Gouvernement de la République du Rwanda et l'<i>International Vaccine Institute</i>, fait à Kigali au Rwanda, le 25 novembre 2024</b></p> |
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Kigali, 26/12/2024

(sé)

**KAGAME Paul**  
Perezida wa Repubulika  
President of the Republic  
Président de la République

(sé)

**Dr NGIRENTE Edouard**  
Minisitiri w'Intebe  
Prime Minister  
Premier Ministre

**Bibonywe kandi bishyizweho Ikirango cya Repubulika:**  
**Seen and sealed with the Seal of the Republic:**  
**Vu et scellé du Sceau de la République :**

(sé)

**Dr UGIRASHEBUJA Emmanuel**  
Minisitiri w'Ubutabera akaba n'Intumwa Nkuru ya Leta  
Minister of Justice and Attorney General  
Ministre de la Justice et Garde des Sceaux

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| <p><b>ITEKA RYA PEREZIDA N° 092/01 RYO KU WA 26/12/2024 RYEMEZA BURUNDU AMASEZERANO YO KOHEREREZANYA ABANTU BAHAMIJWE IBYAHA HAGATI YA GUVERINOMA YA REPUBULIKA YA ZAMBIA NA GUVERINOMA YA REPUBULIKA Y'U RWANDA, YAKOREWE ANASHYIRIRWAHO UMUKONO I KIGALI MU RWANDA, KU WA 31 UKUBOZA 2020</b></p> | <p><b>PRESIDENTIAL ORDER N° 092/01 OF 26/12/2024 RATIFYING THE AGREEMENT ON THE TRANSFER OF CONVICTED PERSONS BETWEEN THE GOVERNMENT OF THE REPUBLIC OF ZAMBIA AND THE GOVERNMENT OF THE REPUBLIC OF RWANDA, DONE AND SIGNED IN KIGALI, RWANDA, ON 31 DECEMBER 2020</b></p> | <p><b>ARRÊTÉ PRÉSIDENTIEL N° 092/01 DU 26/12/2024 RATIFIANT L'ACCORD SUR LE TRANSFERT DES PERSONNES CONDAMNÉES ENTRE LE GOUVERNEMENT DE LA RÉPUBLIQUE DE ZAMBIE ET LE GOUVERNEMENT DE LA RÉPUBLIQUE DU RWANDA, FAIT ET SIGNÉ À KIGALI AU RWANDA, LE 31 DÉCEMBRE 2020</b></p> |
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| <p><b>ITEKA RYA PEREZIDA N° 092/01 RYO KU WA 26/12/2024 RYEMEZA BURUNDU AMASEZERANO YO KOHEREREZANYA ABANTU BAHAMIJWE IBYAHA HAGATI YA GUVERINOMA YA REPUBULIKA YA ZAMBIA NA GUVERINOMA YA REPUBULIKA Y’U RWANDA, YAKOREWE ANASHYIRIRWAHO UMUKONO I KIGALI MU RWANDA, KU WA 31 UKUBOZA 2020</b></p> <p><b>Twebwe, KAGAME Paul,</b><br/>Perezida wa Repubulika;</p> <p>Dushingiye ku Itegeko Nshinga rya Repubulika y’u Rwanda, cyane cyane mu ngingo zaryo, iya 112 n’iya 168;</p> <p>Tumaze gusuzuma Amasezerano yo kohererezanya abantu bahamijwe ibyaha hagati ya Guverinoma ya Repubulika ya Zambia na Guverinoma ya Repubulika y’u Rwanda, yakorewe anashyirirwaho umukono i Kigali mu Rwanda, ku wa 31 Ukuboza 2020;</p> <p>Bisabwe na Minisitiri w’Umutekano mu Gihugu;</p> <p>Inama y’Abaminisitiri yateranye ku wa 18/10/2024 imaze kubisuzuma no kubyemeza;</p> | <p><b>PRESIDENTIAL ORDER N° 092/01 OF 26/12/2024 RATIFYING THE AGREEMENT ON THE TRANSFER OF CONVICTED PERSONS BETWEEN THE GOVERNMENT OF THE REPUBLIC OF ZAMBIA AND THE GOVERNMENT OF THE REPUBLIC OF RWANDA, DONE AND SIGNED IN KIGALI, RWANDA, ON 31 DECEMBER 2020</b></p> <p><b>We, KAGAME Paul,</b><br/>President of the Republic;</p> <p>Pursuant to the Constitution of the Republic of Rwanda, especially in Articles 112 and 168;</p> <p>Considering the Agreement on the transfer of convicted persons between the Government of the Republic of Zambia and the Government of the Republic of Rwanda, done and signed in Kigali, Rwanda, on 31 December 2020;</p> <p>On proposal by the Minister of Interior;</p> <p>After consideration and approval by the Cabinet, in its meeting of 18/10/2024;</p> | <p><b>ARRÊTÉ PRÉSIDENTIEL N° 092/01 DU 26/12/2024 RATIFIANT L’ACCORD SUR LE TRANSFERT DES PERSONNES CONDAMNÉES ENTRE LE GOUVERNEMENT DE LA RÉPUBLIQUE DE ZAMBIE ET LE GOUVERNEMENT DE LA RÉPUBLIQUE DU RWANDA, FAIT ET SIGNÉ À KIGALI AU RWANDA, LE 31 DÉCEMBRE 2020</b></p> <p><b>Nous, KAGAME Paul,</b><br/>Président de la République ;</p> <p>Vu la Constitution de la République du Rwanda, spécialement en ses articles 112 et 168 ;</p> <p>Considérant l’Accord sur le transfert des personnes condamnées entre le Gouvernement de la République de Zambie et le Gouvernement de la République du Rwanda, fait et signé à Kigali au Rwanda, le 31 décembre 2020 ;</p> <p>Sur proposition du Ministre de l’Intérieur ;</p> <p>Après examen et adoption par le Conseil des Ministres, en sa séance du 18/10/2024 ;</p> |
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| <p><b>DUTEGETSE:</b></p> <p><b><u>Ingingo ya mbere: Kwemeza burundu</u></b></p> <p>Amasezerano yo kohererezanya abantu bahamijwe ibyaha hagati ya Guverinoma ya Repubulika ya Zambia na Guverinoma ya Repubulika y'u Rwanda, yakorewe anashyirirwaho umukono i Kigali mu Rwanda, ku wa 31 Ukuboza 2020, ari ku mugereka w'iri teka, yemejwe burundu kandi atangiye gukurikizwa uko yakabaye.</p> <p><b><u>Ingingo ya 2: Abayobozi bashinzwe gushyira mu bikorwa iri teka</u></b></p> <p>Minisitiri w'Intebe, Minisitiri w'Umutekano mu Gihugu, Minisitiri w'Ububanyi n'Amahanga n'Ubutwererane na Minisitiri w'Imari n'Igenamigambi bashinzwe gushyira mu bikorwa iri teka.</p> <p><b><u>Ingingo ya 3: Ingingo y'ururimi</u></b></p> <p>Iri teka ryateguwe mu rurimi rw'Icyongereza.</p> <p><b><u>Ingingo ya 4: Gutangira gukurikizwa</u></b></p> <p>Iri teka ritangira gukurikizwa ku munsu ritangarijweho mu Igazeti ya Leta ya Repubulika y'u Rwanda.</p> | <p><b>DO ORDER:</b></p> <p><b><u>Article One: Ratification</u></b></p> <p>The Agreement on the transfer of convicted persons between the Government of the Republic of Zambia and the Government of the Republic of Rwanda, done and signed in Kigali, Rwanda, on 31 December 2020, in Annex to this Order, is ratified and becomes fully effective.</p> <p><b><u>Article 2: Authorities responsible for the implementation of this Order</u></b></p> <p>The Prime Minister, the Minister of Interior, the Minister of Foreign Affairs and International Cooperation and the Minister of Finance and Economic Planning are entrusted with the implementation of this Order.</p> <p><b><u>Article 3: Language provision</u></b></p> <p>This Order was drafted in English.</p> <p><b><u>Article 4: Entry into force</u></b></p> <p>This Order comes into force on the date of its publication in the Official Gazette of the Republic of Rwanda.</p> | <p><b>ARRÊTONS :</b></p> <p><b><u>Article premier : Ratification</u></b></p> <p>L'Accord sur le transfert des personnes condamnées entre le Gouvernement de la République de Zambie et le Gouvernement de la République du Rwanda, fait et signé à Kigali au Rwanda, le 31 décembre 2020, en annexe du présent arrêté, est ratifié et sort son plein et entier effet.</p> <p><b><u>Article 2 : Autorités chargées de l'exécution du présent arrêté</u></b></p> <p>Le Premier Ministre, le Ministre de l'Intérieur, le Ministre des Affaires Étrangères et de la Coopération Internationale et le Ministre des Finances et de la Plannification Économique sont chargés de l'exécution du présent arrêté.</p> <p><b><u>Article 3 : Disposition linguistique</u></b></p> <p>Le présent arrêté a été rédigé en anglais.</p> <p><b><u>Article 4 : Entrée en vigueur</u></b></p> <p>Le présent arrêté entre en vigueur le jour de sa publication au Journal Officiel de la République du Rwanda.</p> |
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Kigali, 26/12/2024

(sé)

**KAGAME Paul**  
Perezida wa Repubulika  
President of the Republic  
Président de la République

(sé)

**Dr NGIRENTE Edouard**  
Minisitiri w’Intebe  
Prime Minister  
Premier Ministre

**Bibonywe kandi bishyizweho Ikirango cya Repubulika:**  
**Seen and sealed with the Seal of the Republic:**  
**Vu et scellé du Sceau de la République :**

(sé)

**Dr UGIRASHEBUJA Emmanuel**  
Minisitiri w’Ubutabera akaba n’Intumwa Nkuru ya Leta  
Minister of Justice and Attorney General  
Ministre de la Justice et Garde des Sceaux

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| <p><b>UMUGEREKA W'ITEKA RYA PEREZIDA N° 092/01 RYO KU WA 26/12/2024 RYEMEZA BURUNDU AMASEZERANO YO KOHEREREZANYA ABANTU BAHAMIJWE IBYAHA HAGATI YA GUVERINOMA YA REPUBULIKA YA ZAMBIA NA GUVERINOMA YA REPUBULIKA Y'U RWANDA, YAKOREWE ANASHYIRIRWAHO UMUKONO I KIGALI MU RWANDA, KU WA 31 UKUBOZA 2020</b></p> | <p><b>ANNEX TO PRESIDENTIAL ORDER N° 092/01 OF 26/12/2024 RATIFYING THE AGREEMENT ON THE TRANSFER OF CONVICTED PERSONS BETWEEN THE GOVERNMENT OF THE REPUBLIC OF ZAMBIA AND THE GOVERNMENT OF THE REPUBLIC OF RWANDA, DONE AND SIGNED IN KIGALI, RWANDA, ON 31 DECEMBER 2020</b></p> | <p><b>ANNEXE À L'ARRÊTÉ PRÉSIDENTIEL N° N° 092/01 DU 26/12/2024 RATIFIANT L'ACCORD SUR LE TRANSFERT DES PERSONNES CONDAMNÉES ENTRE LE GOUVERNEMENT DE LA RÉPUBLIQUE DE ZAMBIE ET LE GOUVERNEMENT DE LA RÉPUBLIQUE DU RWANDA, FAIT ET SIGNÉ À KIGALI AU RWANDA, LE 31 DÉCEMBRE 2020</b></p> |
| <p><b>AMASEZERANO YO KOHEREREZANYA ABANTU BAHAMIJWE IBYAHA HAGATI YA GUVERINOMA YA REPUBULIKA YA ZAMBIA NA GUVERINOMA YA REPUBULIKA Y'U RWANDA, YAKOREWE ANASHYIRIRWAHO UMUKONO I KIGALI MU RWANDA, KU WA 31 UKUBOZA 2020</b></p>                                                                               | <p><b>AGREEMENT ON THE TRANSFER OF CONVICTED PERSONS BETWEEN THE GOVERNMENT OF THE REPUBLIC OF ZAMBIA AND THE GOVERNMENT OF THE REPUBLIC OF RWANDA, DONE AND SIGNED IN KIGALI, RWANDA, ON 31 DECEMBER 2020</b></p>                                                                   | <p><b>ACCORD SUR LE TRANSFERT DES PERSONNES CONDAMNÉES ENTRE LE GOUVERNEMENT DE LA RÉPUBLIQUE DE ZAMBIE ET LE GOUVERNEMENT DE LA RÉPUBLIQUE DU RWANDA, FAIT ET SIGNÉ À KIGALI AU RWANDA, LE 31 DÉCEMBRE 2020</b></p>                                                                       |



**AGREEMENT ON THE TRANSFER OF CONVICTED PERSONS**

**BETWEEN**

**THE GOVERNMENT OF THE REPUBLIC OF ZAMBIA**

**AND**

**THE GOVERNMENT OF THE REPUBLIC OF RWANDA**

A blue ink signature, likely of a representative of the Government of the Republic of Zambia.

A black ink signature, likely of a representative of the Government of the Republic of Rwanda.

The Government of The Republic of Zambia and The Government of the Republic of Rwanda, hereinafter referred to as the Contracting States;

**GUIDED** by the spirit of friendship and the co-operation relations between the two Countries;

**DESIRING** to further develop bilateral co-operation in the field of criminal Justice by facilitating the social rehabilitation of sentenced persons into their own Countries;

**CONSIDERING** that this objective should be fulfilled by giving foreign nationals, who have been convicted and sentenced as a result of their commission of a criminal offence, the opportunity to serve their sentences in their own Country;

**HAVE AGREED AS FOLLOWS:**

## **ARTICLE 1**

### **DEFINITIONS**

For the purposes of this Agreement:

- a) "Administering State" means the State to which the sentenced person may be, or has been, transferred in order to serve his/her sentence.
- b) "Agreement" means this Agreement.
- c) "Judgment" means the final judgment of a Court of law or tribunal of one of the Contracting Parties imposing a sentence.
- d) "Ministry of Justice" means in The Government of The Republic of Zambia, the Ministry of Justice of Zambia, and in The Government of the Republic of Rwanda; the Ministry of Justice of Rwanda.



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- e) "Receiving State" means a State to which the sentenced person may be, or has been, transferred in order to serve his/her sentence or remainder thereof.
- f) "Sentence" means any punishment or measure involving deprivation of liberty ordered by a Court of Law or Tribunal of one of the Contracting Parties for a determinant period of time or for life imprisonment in the exercise of its criminal jurisdiction.
- g) "Sentenced Person" means a person undergoing a sentence of imprisonment under judgment passed by a criminal Court including the Courts established under the Law for the time being in force in the Contracting states.
- h) "Sentencing State" means the State in which the sentence was imposed on the person who may be, or has been, transferred. As for The Republic of Zambia, "Sentencing State" is taken to mean Zambia; The Republic of Rwanda, "Sentencing State" is taken to mean Rwanda.
- i) "Transferring State" means the state in which the sentence was imposed on the person who may be, or has been transferred.

## ARTICLE 2

### TRANSFER OF CONVICTED PERSONS

1. The Parties undertake to afford each other the widest measure of cooperation in respect of the transfer of sentenced persons in accordance with the provisions of this Agreement.
2. A person sentenced in the territory of a Party may be transferred to the territory of the other Party, in accordance with the provisions of this Agreement in order to serve the sentence imposed on him/her. To that




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end, when he/she expresses his/her interest to the Sentencing State or to the Administering State in being transferred under this Agreement, the consent of the Receiving State will be considered.

3. Transfer may be requested by any sentenced person who is a national of a Contracting state or by any other person who is entitled to act on his/her behalf in accordance with the law of the Contracting states by making an application to the Contracting state.

### **ARTICLE 3**

#### **CONDITIONS FOR TRANSFER**

1. A sentenced person may be transferred under this Agreement on the following conditions:
  - a) if that person is a national, an ordinary or permanent resident of either of the Contracting State;
  - b) if the judgment is enforceable;
  - c) if, at the time of receipt of the request for transfer, the sentenced person still has at least six months of the sentence to serve or is undergoing a sentence of life imprisonment;
  - d) no criminal proceedings are pending against the sentenced person in the transferring state in which his/her presence is required;
  - e) the sentence to be served in the Receiving State does not result from a conviction for an offence under the military law;
  - f) if the acts or omissions on account of which the sentence has been imposed constitute a criminal offence according to the




law of the Administering State or would constitute a criminal offence if committed on its territory;

g) if the transfer is consented to by the convicted person unless in view of his/her age or his/her physical or mental condition one of the two States considers it necessary; and

h) If the Sentencing and Administering State agree to the transfer.

2. In exceptional cases, the Sentencing State and the Administering State may agree to a transfer even if the remaining sentence to be served by the sentenced person is less than that specified in Article 3 (1)(c). This can be due to the urgent need such as severe illness of the convicted person or any other reason prompting an emergency transfer.

3. This Agreement shall be applicable to the enforcement of sentences imposed either before or after the date of its entry into force.

#### **ARTICLE 4**

##### **OBLIGATION TO FURNISH INFORMATION**

1. A sentenced person to whom this Agreement may apply shall be informed by the Sentencing State of the substance of this Agreement.

2. If the sentenced person has expressed an interest to the Sentencing State in being transferred under this Agreement, that State shall so inform the Administering State as soon as practicable after the judgment has become final and enforceable.

3. The notification shall include the following information:

(a) The name, date and place of birth of the sentenced person;



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- (b) The address, if any, of the sentenced person in the Administering State;
  - (c) A statement of facts upon which the sentence was based;
  - (d) A certified copy of the judgment and copy of the relevant provisions of the law under which the sentence has been passed against the sentenced person;
  - (e) The nature, duration and date of commencement of the sentence;
  - (f) A request of the sentenced person to be transferred or of an entitled to act on his/her behalf in accordance with the law of the Transferring State;
  - (g) Any other information which the Receiving State may specify as required, to enable it to consider the possibility of transfer and to enable it to inform the sentenced person of the full consequences of transfer for him/her under its law.
4. If the sentenced person has expressed his/her interest to the Administering State in being transferred under this Agreement, the Sentencing State shall, on request, communicate to the Administering State the information referred to in Article 4 (3).
5. The Administering State shall provide information on the possible legal effect to the sentenced person, arising from the application of any legal provision on the continued enforcement of the sentence in the Administering State after the transfer, in particular the consequences arising from the application of Article 8 (2) of this Agreement.
6. The sentenced person shall be informed in writing of any action taken by the Sentencing State or by the Administering State under the preceding paragraphs, as well as of any decision taken by either State on a request for transfer.



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## **ARTICLE 5**

### **REQUESTS AND REPLIES**

1. Requests for transfer and the replies thereto shall be made in writing, and addressed by the Central Authority (Ministry of Foreign Affairs) of the Transferring State through diplomatic channels to the Central Authority (Ministry of Foreign Affairs) of the Receiving State. Replies shall be communicated through the same channels.
2. Copies of requests, replies and other correspondences shall be sent to the respective Correctional Services.
3. The Receiving State shall promptly inform the Transferring State of its decision whether or not to agree to the requested transfer.

## **ARTICLE 6**

### **SUPPORTING DOCUMENTS**

1. The Administering State, if requested by the Sentencing State, shall furnish it with:
  - a) A document or statement indicating that the sentenced person is a national of that State;
  - b) A copy of the relevant law of the Administering State which provides that the acts or omissions on account of which the sentence has been imposed in the Sentencing State constitutes a criminal offence according to the law of the Administering State, or would constitute a criminal offence if committed on its territory.
2. If a transfer is requested, the Sentencing State shall provide the following documents to the Administering State, unless either State has already indicated that it will not agree to the transfer.



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- a) A certified copy of the judgment and the law on which it is based;
  - b) A statement indicating how much of the sentence has already been served, including information on any pre-trial detention, remission, and any other factor relevant to the enforcement of the sentence;
  - c) A document, of whatever nature, containing the express consent of the sentenced person;
  - d) Where appropriate, any medical or social reports on the sentenced person, information about treatment in the Sentencing State, and any recommendation for further treatment in the Administering State.
3. Either State may ask to be provided with any of the documents referred to in Article 6 (1) or (2) before making a request for transfer or taking a decision on whether or not to agree to the transfer.

## **ARTICLE 7**

### **EFFECTS OF TRANSFER FOR THE SENTENCING AND ADMINISTERING STATES**

1. The actual taking into charge of the sentenced person by the authorities of the Administering State shall have the effect of suspending the enforcement of the sentence in the Sentencing State.
2. The Sentencing State may no longer enforce the sentence if the Administering State considers enforcement of the sentence to have been completed.
3. The enforcement of the sentence shall be governed by the law of the Receiving state (Administering) and the State alone shall be competent to take all appropriate decisions.



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**ARTICLE 8**  
**CONTINUED ENFORCEMENT OF SENTENCE**

1. The Receiving State shall be bound by the legal nature and duration of the sentence as determined by the Sentencing State.
2. If, however, the sentence is by its nature or duration incompatible with the law of the Receiving State, or its law so requires, that State may, by a Court Order, adapt the sanction to the punishment or measure prescribed by its own law for a similar offence. As to its nature the punishment or measure shall, as far as possible, correspond with that imposed by the sentence to be enforced. It shall not aggravate, by its nature or duration, the sanction imposed by the Sentencing State, nor exceeding the maximum prescribed by the law of the Receiving State.

**ARTICLE 9**  
**PARDON, AMNESTY, COMMUTATION AND PAROLE**

Both the Sentencing State and the Receiving State, upon mutual consultation may apply their respective laws on pardon, amnesty, or commutation and Parole.

**ARTICLE 10**  
**REVIEW OR APPEAL**

The Receiving State shall have no right to decide on any application for review or appeal of the judgment; they are in the exclusive jurisdiction of the Courts of the Sentencing State.



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**ARTICLE 11**  
**INFORMATION ON ENFORCEMENT**

The Receiving State shall provide information to the Sentencing State concerning the enforcement of the sentence;

- a) when the enforcement of the sentence has been completed in full;
- b) if the sentenced person has escaped from custody or died before enforcement of the sentence has been completed; or
- c) If the Sentencing State requests a special report on enforcement.

**ARTICLE 12**  
**TERMINATION OF ENFORCEMENT OF SENTENCE**

1. The Transferring State shall promptly notify the Receiving State of any decision taken in its territory which entails terminating the enforcement of the sentence or part thereof.
2. The Receiving State shall terminate enforcement of the sentence as soon as it is informed by the Sentencing State of any decision or measure as a result of which the sentence ceases to be enforceable.

**ARTICLE 13**  
**LANGUAGE AND CERTIFICATION**

All communications and documents sent from one party to another shall be in the English language. All documents transmitted in application of this agreement must be certified.



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#### **ARTICLE 14**

##### **COSTS**

Any costs incurred in the application of this Agreement shall be borne by the Receiving State, except costs incurred exclusively in the territory of the Transferring State.

#### **ARTICLE 15**

##### **ENTRY INTO FORCE OF THE AGREEMENT**

This Agreement shall enter into force on the first day of the last written notification, in writing through the Diplomatic channel by either Party informing the other party of the fulfillment of internal formalities.

#### **ARTICLE 16**

##### **AMENDMENT**

Any amendment to this Agreement shall be mutually agreed between the Parties and shall be effected in writing.

#### **ARTICLE 17**

##### **SETTLEMENT OF DISPUTES**

Any dispute between the Parties arising from the interpretation, application and implementation of this Agreement shall be resolved through mutual consultation between the Parties, failure to which the dispute shall be resolved through diplomatic channels.



**ARTICLE 18**  
**TERMINATION**

1. Either Party may terminate the Agreement at any time by notification to the other party. The termination shall be effective one (1) year after the date of receipt of such notice.
2. Notwithstanding any termination, this agreement shall continue to apply to the enforcement of sentences of inmates who have been transferred under this Agreement before the date on which such termination takes effect.

**ARTICLE 19**  
**HANDING OVER OF SENTENCED PERSONS**

The handing over of the transferred sentenced person by the Transferring State to the Receiving State shall occur at a place to be agreed upon between the Transferring and Receiving State. The Receiving State shall be responsible for the transport of the inmate from the Transferring State and shall also be responsible for the custody of the sentenced person outside the territory of the Transferring State.

**ARTICLE 20**  
**NOTIFICATIONS**

All notifications under this Agreement shall be addressed to the addresses provided below:

For The Government of The Republic of Zambia  
The Permanent Secretary  
Ministry of Home Affairs  
P.O. Box 50997  
Ridgeway, **LUSAKA**  
Tel: +260 211 254336  
Email: pro@zambiacorrections.gov.zm



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**Contact Information:**

For The Government of The Republic of Rwanda  
The Ministry of the Justice  
P.O Box 160  
Kigali, **Rwanda**  
Tel: +250788689374  
Email: [mjust@minijust.gov.rw](mailto:mjust@minijust.gov.rw)

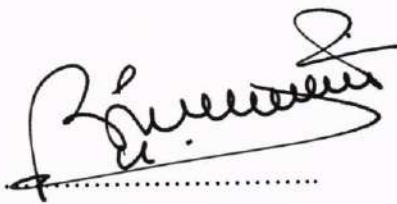
**IN WITNESS WHEREOF** the undersigned, being duly authorized thereto, have signed tphhis Agreement.

**DONE** and **Signed**, in duplicate on this ..... Day of .....  
2020 in the English language and both being authentic.

**FOR AND ON BEHALF OF  
THE GOVERNMENT OF THE  
REPUBLIC OF ZAMBIA.**

  
.....  
  
**Hon. Stephen KAMPYONGO**  
**MP, Minister of Home Affairs**

**FOR AND ON BEHALF OF  
THE GOVERNMENT OF THE  
REPUBLIC OF RWANDA.**

  
.....  
**Hon. Vincent BIRUTA**  
**Minister of Foreign Affairs and  
International Cooperation**

|                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                      |
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| <p><b>Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Perezida n° 092/01 ryo ku wa 26/12/2024 ryemeza burundu Amasezerano yo kohererezanya abantu bahamijwe ibyaha hagati ya Guverinoma ya Repubulika ya Zambia na Guverinoma ya Repubulika y'u Rwanda, yakorewe anashyirirwaho umukono i Kigali mu Rwanda, ku wa 31 Ukuboza 2020</b></p> | <p><b>Seen to be annexed to Presidential Order n° 092/01 of 26/12/2024 ratifying the Agreement on the transfer of convicted persons between the Government of the Republic of Zambia and the Government of the Republic of Rwanda, done and signed in Kigali, Rwanda, on 31 December 2020</b></p> | <p><b>Vu pour être annexé à l'Arrêté Présidentiel n° 092/01 du 26/12/2024 ratifiant l'Accord sur le transfert des personnes condamnées entre le Gouvernement de la République de Zambie et le Gouvernement de la République du Rwanda, fait et signé à Kigali au Rwanda, le 31 décembre 2020</b></p> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Kigali, 26/12/2024

(sé)

**KAGAME Paul**  
Perezida wa Repubulika  
President of the Republic  
Président de la République

(sé)

**Dr NGIRENTE Edouard**  
Minisitiri w’Intebe  
Prime Minister  
Premier Ministre

**Bibonywe kandi bishyizweho Ikirango cya Repubulika:**  
**Seen and sealed with the Seal of the Republic:**  
**Vu et scellé du Sceau de la République :**

(sé)

**Dr UGIRASHEBUJA Emmanuel**  
Minisitiri w’Ubutabera akaba n’Intumwa Nkuru ya Leta  
Minister of Justice and Attorney General  
Ministre de la Justice et Garde des Sceaux

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
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| <p><b>ITEKA RYA PEREZIDA N° 093/01 RYO KU WA 26/12/2024 RYEMEZA BURUNDU AMASEZERANO YO KOHEREREZANYA ABANTU BAHAMIJWE IBYAHA HAGATI YA REPUBULIKA Y’U RWANDA NA REPUBULIKA YA ANGOLA, YAKOREWE I KIGALI MU RWANDA, KU WA 15 MATA 2022</b></p> <p><b><u>ISHAKIRO</u></b></p> <p><b><u>Ingingo ya mbere:</u> Kwemeza burundu</b></p> <p><b><u>Ingingo ya 2:</u> Abayobozi bashinzwe gushyira mu bikorwa iri teka</b></p> <p><b><u>Ingingo ya 3:</u> Ingingo y’ururimi</b></p> <p><b><u>Ingingo ya 4:</u> Gutangira gukurikizwa</b></p> | <p><b>PRESIDENTIAL ORDER N° 093/01 OF 26/12/2024 RATIFYING THE AGREEMENT FOR THE TRANSFER OF CONVICTED PERSONS BETWEEN THE REPUBLIC OF RWANDA AND THE REPUBLIC OF ANGOLA, DONE IN KIGALI, RWANDA, ON 15 APRIL 2022</b></p> <p><b><u>TABLE OF CONTENTS</u></b></p> <p><b><u>Article One:</u> Ratification</b></p> <p><b><u>Article 2:</u> Authorities responsible for the implementation of this Order</b></p> <p><b><u>Article 3:</u> Language provision</b></p> <p><b><u>Article 4:</u> Entry into force</b></p> | <p><b>ARRÊTÉ PRÉSIDENTIEL N° 093/01 DU 26/12/2024 RATIFIANT L’ACCORD DE TRANSFERT DES PERSONNES CONDAMNÉES ENTRE LA RÉPUBLIQUE DU RWANDA ET LA RÉPUBLIQUE D’ANGOLA, FAIT À KIGALI AU RWANDA, LE 15 AVRIL 2022</b></p> <p><b><u>TABLE DES MATIÈRES</u></b></p> <p><b><u>Article premier :</u> Ratification</b></p> <p><b><u>Article 2 :</u> Autorités chargées de l’exécution du présent arrêté</b></p> <p><b><u>Article 3 :</u> Disposition linguistique</b></p> <p><b><u>Article 4 :</u> Entrée en vigueur</b></p> |
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| <p><b>ITEKA RYA PEREZIDA N° 093/01 RYO KU WA 26/12/2024 RYEMEZA BURUNDU AMASEZERANO YO KOHEREREZANYA ABANTU BAHAMIJWE IBYAHA HAGATI YA REPUBULIKA Y’U RWANDA NA REPUBULIKA YA ANGOLA, YAKOREWE I KIGALI MU RWANDA, KU WA 15 MATA 2022</b></p> <p><b>Twebwe, KAGAME Paul,</b><br/>Perezida wa Repubulika;</p> <p>Dushingiye ku Itegeko Nshinga rya Repubulika y’u Rwanda, cyane cyane mu ngingo zaryo, iya 112 n’iya 168;</p> <p>Tumaze gusuzuma Amasezerano yo kohererezanya abantu bahamijwe ibyaha hagati ya Repubulika y’u Rwanda na Repubulika ya Angola, yakorewe i Kigali mu Rwanda, ku wa 15 Mata 2022;</p> <p>Bisabwe na Minisitiri w’Umutekano mu Gihugu;</p> <p>Inama y’Abaminisitiri yateranye ku wa 18/10/2024 imaze kubisuzuma no kubyemeza;</p> <p><b>DUTEGETSE:</b></p> | <p><b>PRESIDENTIAL ORDER N° 093/01 OF 26/12/2024 RATIFYING THE AGREEMENT FOR THE TRANSFER OF CONVICTED PERSONS BETWEEN THE REPUBLIC OF RWANDA AND THE REPUBLIC OF ANGOLA, DONE IN KIGALI, RWANDA, ON 15 APRIL 2022</b></p> <p><b>We, KAGAME Paul,</b><br/>President of the Republic;</p> <p>Pursuant to the Constitution of the Republic of Rwanda, especially in Articles 112 and 168;</p> <p>Considering the Agreement for the transfer of convicted persons between the Republic of Rwanda and the Republic of Angola, done in Kigali, Rwanda, on 15 April 2022;</p> <p>On proposal by the Minister of Interior;</p> <p>After consideration and approval by the Cabinet, in its meeting of 18/10/2024;</p> <p><b>DO ORDER:</b></p> | <p><b>ARRÊTÉ PRÉSIDENTIEL N° 093/01 DU 26/12/2024 RATIFIANT L’ACCORD DE TRANSFERT DES PERSONNES CONDAMNÉES ENTRE LA RÉPUBLIQUE DU RWANDA ET LA RÉPUBLIQUE D’ANGOLA, FAIT À KIGALI AU RWANDA, LE 15 AVRIL 2022</b></p> <p><b>Nous, KAGAME Paul,</b><br/>Président de la République ;</p> <p>Vu la Constitution de la République du Rwanda, spécialement en ses articles 112 et 168 ;</p> <p>Considérant l’Accord de transfert des personnes condamnées entre la République du Rwanda et la République d’Angola, fait à Kigali au Rwanda, le 15 avril 2022 ;</p> <p>Sur proposition du Ministre de l’Intérieur ;</p> <p>Après examen et adoption par le Conseil des Ministres, en sa séance du 18/10/2024 ;</p> <p><b>ARRÊTONS :</b></p> |
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| <p><b><u>Ingingo ya mbere: Kwemeza burundu</u></b></p> <p>Amasezerano yo kohererezanya abantu bahamijwe ibyaha hagati ya Repubulika y'u Rwanda na Repubulika ya Angola, yakorewe i Kigali mu Rwanda, ku wa 15 Mata 2022, ari ku mugereka w'iri teka, yemejwe burundu kandi atangiye gukurikizwa uko yakabaye.</p> <p><b><u>Ingingo ya 2: Abayobozi bashinzwe gushyira mu bikorwa iri teka</u></b></p> <p>Minisitiri w'Intebe, Minisitiri w'Umutekano mu Gihugu, Minisitiri w'Ububanyi n'Amahanga n'Ubutwererane na Minisitiri w'Imari n'Igenamigambi bashinzwe gushyira mu bikorwa iri teka.</p> <p><b><u>Ingingo ya 3: Ingingo y'ururimi</u></b></p> <p>Iri teka ryateguwe mu rurimi rw'Icyongereza.</p> <p><b><u>Ingingo ya 4: Gutangira gukurikizwa</u></b></p> <p>Iri teka ritangira gukurikizwa ku munsu ritangarijweho mu Igazeti ya Leta ya Repubulika y'u Rwanda.</p> | <p><b><u>Article One: Ratification</u></b></p> <p>The Agreement for the transfer of convicted persons between the Republic of Rwanda and the Republic of Angola, done in Kigali, Rwanda, on 15 April 2022, in Annex to this Order, is ratified and becomes fully effective.</p> <p><b><u>Article 2: Authorities responsible for the implementation of this Order</u></b></p> <p>The Prime Minister, the Minister of Interior, the Minister of Foreign Affairs and International Cooperation and the Minister of Finance and Economic Planning are entrusted with the implementation of this Order.</p> <p><b><u>Article 3: Language provision</u></b></p> <p>This Order was drafted in English.</p> <p><b><u>Article 4: Entry into force</u></b></p> <p>This Order comes into force on the date of its publication in the Official Gazette of the Republic of Rwanda.</p> | <p><b><u>Article premier : Ratification</u></b></p> <p>L'Accord de transfert des personnes condamnées entre la République du Rwanda et la République d'Angola, fait à Kigali au Rwanda, le 15 avril 2022, en annexe du présent arrêté, est ratifié et sort son plein et entier effet.</p> <p><b><u>Article 2 : Autorités chargées de l'exécution du présent arrêté</u></b></p> <p>Le Premier Ministre, le Ministre de l'Intérieur, le Ministre des Affaires Étrangères et de la Coopération Internationale et le Ministre des Finances et de la Plannification Économique sont chargés de l'exécution du présent arrêté.</p> <p><b><u>Article 3 : Disposition linguistique</u></b></p> <p>Le présent arrêté a été rédigé en anglais.</p> <p><b><u>Article 4 : Entrée en vigueur</u></b></p> <p>Le présent arrêté entre en vigueur le jour de sa publication au Journal Officiel de la République du Rwanda.</p> |
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Kigali, 26/12/2024

(sé)

**KAGAME Paul**  
Perezida wa Repubulika  
President of the Republic  
Président de la République

(sé)

**Dr NGIRENTE Edouard**  
Minisitiri w'Intebe  
Prime Minister  
Premier Ministre

**Bibonywe kandi bishyizweho Ikirango cya Repubulika:**  
**Seen and sealed with the Seal of the Republic:**  
**Vu et scellé du Sceau de la République :**

(sé)

**Dr UGIRASHEBUJA Emmanuel**  
Minisitiri w'Ubutabera akaba n'Intumwa Nkuru ya Leta  
Minister of Justice and Attorney General  
Ministre de la Justice et Garde des Sceaux

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| <p>UMUGEREKA W'ITEKA RYA PEREZIDA N° 093/01 RYO KU WA 26/12/2024 RYEMEZA BURUNDU AMASEZERANO YO KOHEREREZANYA ABANTU BAHAMIJWE IBYAHA HAGATI YA REPUBULIKA Y'U RWANDA NA REPUBULIKA YA ANGOLA, YAKOREWE I KIGALI MU RWANDA, KU WA 15 MATA 2022</p> | <p>ANNEX TO PRESIDENTIAL ORDER N° 093/01 OF 26/12/2024 RATIFYING THE AGREEMENT FOR THE TRANSFER OF CONVICTED PERSONS BETWEEN THE REPUBLIC OF RWANDA AND THE REPUBLIC OF ANGOLA, DONE IN KIGALI, RWANDA, ON 15 APRIL 2022</p> | <p>ANNEXE À L'ARRÊTÉ PRÉSIDENTIEL N° 093/01 DU 26/12/2024 RATIFIANT L'ACCORD DE TRANSFERT DES PERSONNES CONDAMNÉES ENTRE LA RÉPUBLIQUE DU RWANDA ET LA RÉPUBLIQUE D'ANGOLA, FAIT À KIGALI AU RWANDA, LE 15 AVRIL 2022</p> |
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| <p>AMASEZERANO YO KOHEREREZANYA ABANTU BAHAMIJWE IBYAHA HAGATI YA REPUBULIKA Y'U RWANDA NA REPUBULIKA YA ANGOLA, YAKOREWE I KIGALI MU RWANDA, KU WA 15 MATA 2022</p> | <p>AGREEMENT FOR THE TRANSFER OF CONVICTED PERSONS BETWEEN THE REPUBLIC OF RWANDA AND THE REPUBLIC OF ANGOLA, DONE IN KIGALI, RWANDA, ON 15 APRIL 2022</p> | <p>ACCORD DE TRANSFERT DES PERSONNES CONDAMNÉES ENTRE LA RÉPUBLIQUE DU RWANDA ET LA RÉPUBLIQUE D'ANGOLA, FAIT À KIGALI AU RWANDA, LE 15 AVRIL 2022</p> |
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**AGREEMENT FOR THE TRANSFER OF CONVICTED  
PERSONS**

**BETWEEN**

**THE REPUBLIC OF RWANDA**

**AND**

**THE REPUBLIC OF ANGOLA**

*ff*



## PREAMBLE

The **Republic of Rwanda** and the **Republic of Angola** hereinafter referred to as the Parties;

**Guided** by the spirit of friendship and the cooperation relations between the two Countries;

**Encouraged** by the desire to broaden the legal ties on the basis of respect and observance of universally accepted principles and norms of International Law;

**Seeking** to facilitate the process of social reintegration of condemned persons sentenced to prison terms, by granting authorization for the execution of the imposed sentences in the States of which they are citizens.

**HAVE AGREED** as follows:

## Article 1

### Definitions

For the purposes of this Agreement, the terms hereunder have the following meaning:

**"Competent Authority"** means:

- a) In relation to the Republic of Angola, Attorney General's Office;
- b) In relation to the Republic of Rwanda, Ministry of Interior.

**"Representative"** means the person or entity that, in accordance with the legislation of the State of nationality of the sentenced person or an international Agreement to which the Parties are signatories, is authorized to act on behalf of the sentenced person.

**"State of Conviction"** refers to the Party in whose Court, the person to be transferred or who has been transferred to the other Party, was sentenced;

**"State of Execution of the Sentence"** refers to the Party to which the sentenced person may be surrendered or has been surrendered for the purpose of continuing the execution of a sentence;

**"Sentence"** means an enforceable judicial decision imposing a practical sentence for a criminal offense, including an enforceable judicial decision for which the penalty shall be of a specified duration;

**"Condemned"** refers to the person serving a sentence in the sentencing State or, after the transfer, continuing to serve in the executing State;



**“National”** means:

- i) In relation to the Republic of Angola is the national citizen under the terms of the Constitution and specific legislation of the Republic of Angola;
- ii) In relation to the Republic of Rwanda is the citizen under the terms of the Constitution and specific legislation of the Republic of Rwanda.

## **Article 2** **Objective**

Pursuant to this Agreement, the Parties undertake to transfer from one Party to the other, at the request of one of them, persons condemned to prison sentences by the Courts of one of them, in order to continue serving the sentence in the territory of which they are nationals.

## **Article 3** **Scope of Application**

This Agreement shall apply to requests for transfer received after its entry into force and shall be extensive to persons sentenced to prison term, prior to and after its entry into force.

## **Article 4** **General Principles**

1. The Parties undertake to provide the widest possible cooperation with regard to the transfer of convicts in accordance with the provisions of this Agreement.
2. A person condemned to prison sentence in the territory of one of the Parties may be transferred to the territory of the other Party in order to serve the remainder of the sentence in the territory of that Party.
3. The transfer may be requested by the competent authority of the sentencing State, the executing State, the sentenced person or his representative.

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## Article 5 Competent Authorities

1. The Competent Authorities responsible for carrying out the functions provided for in this Agreement are:
  - a) For the Republic of Angola, the **Office of the Attorney General**;
  - b) For the Republic of Rwanda, the **Ministry of Interior**.
2. In case of replacement of the Competent Authority by one of the Parties, it shall notify the other Party of such, without delay.
3. In the implementation of this Agreement, the Competent Authorities of the Parties shall communicate directly or through Diplomatic channels.

## Article 6 Information to the Condemned

Convicts, to whom the provisions of this Agreement apply, shall be informed by the State of Conviction of the content of the Agreement and of the legal effects of the possible transfer of the condemned.

## Article 7 Request for Transfer

1. The Condemned person or their representative may submit to the State of Conviction or the State of Execution of the Sentence, the request for transfer in accordance with the provisions of this Agreement.
2. If the Request for Transfer is submitted to the State of Conviction, it shall notify the State of Execution of Sentence within the shortest time possible, counting from the date on which the judgment becomes enforceable or from the date of request.
3. The notification shall contain the following information:
  - a) Full name, date and place of birth of the condemned person;
  - b) Address of the Condemned in the State of Execution of the Sentence, if it is known;
  - c) Brief description of the facts that led to the imposition of the sentence;
  - d) The nature, date of commencement, and duration of the sentence;
  - e) Text of the applicable legal provisions.



- f) In case of need, medical and social data of the condemned person, information on the way he has been treated in the convicting State and possible recommendations regarding the treatment to be given to the condemned person in the future, by the executing State.
  - g) Any other information that the executing State may specify as necessary.
4. If the Request for Transfer is submitted to the State of Execution of the Sentence, the State of Conviction, at the latter's request, shall grant it the information set forth in the paragraph 3 of this Article.
  5. The condemned person shall be notified in writing, of any action taken by the sentencing State or the executing State under the terms of this Article, as well as any decision taken on his transfer.
  6. Requests and applications for transfer and their responses shall be in writing.
  7. The Request for Transfer, the corresponding response and any other communication under this Agreement shall be carried out through diplomatic channels and shall be addressed to the competent authorities of the Parties. In an emergency, competent authorities may use direct channels as long as the original documents follow normal diplomatic channels.
  8. The Requested Party shall inform the Requesting Party as soon as possible of its decision to comply with or refuse the transfer request.

### **Article 8** **Terms of Delivery**

1. The transfer of the condemned person may take place:
  - a) If the condemned person is a citizen of the State of Execution of the Sentence;
  - b) If the sentence has become enforceable in the State of Conviction and no other judicial recourse are applicable to the case in question;
  - c) If the sentence to be served by the condemned person, as at the date of receipt of the Request for Transfer, is not less than six (6) months. In exceptional cases, the Competent Authorities of the Parties may agree on the transfer, even if the duration of the sentence to be served is less than the period indicated in this paragraph;
  - d) If there is a written consent of the condemned or of their representative, when one of the Parties considers it indispensable due to the age, physical or mental state of the convicted person. In these instances, the State of Conviction allows a Consular Official or other

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- Official Representative of the State of Execution of the sentence, to certify that the consent or refusal of the condemned has been rendered on a voluntary basis;
- e) If the acts or omissions which led to the imposition of the sentence constitute criminal offenses in accordance with the legislation of the State of Execution of the Sentence, or can be qualified as such when practiced in its territory, regardless of possible differences in terminology;
  - f) If there are no legal obstacles to the continued compliance of the sentence, including the prescription of the sentence;
  - g) If the Parties agree to the transfer.
2. The transfer may be refused:
- a) If the State of Conviction considers that the transfer of the Condemned shall affect its sovereignty, security, public order or other essential interests;
  - b) If the Condemned person has not fulfilled any financial obligations arising from the judicial decision or if, in the opinion of the State of Conviction, not enough guarantees have been received as to the fulfillment of such obligations.
  - c) If the sentencing State considers that it has not received sufficient guarantees of compliance with the obligations referred to in subparagraph b) of this article.

### Article 9 Requests and Responses

1. The Requests for Transfer, and the Responses to such, shall be made in writing and transmitted to the Competent Authority of the other Party, in accordance with the provisions of this Agreement.
2. The Requested Party shall inform the Requesting Party, within the shortest possible time, of its decision to comply with, or reject the Request for Transfer.

### Article 10 Supporting Documents

1. The State of Execution of the Sentence, at the request of the State of Conviction, shall forward to the latter the following:
  - a) Documents or a Statement confirming that the Condemned is a citizen of that State;
  - b) Authenticated copy of the Legal provisions of the State of Execution of the Sentence stating that, according to its Legislation, the acts or omissions which led to the imposition



- of the sentence constitute criminal offenses or can be qualified as such when carried out in its territory;
- c) Information on the possible legal effects to the Condemned person, arising from the application of any legal provision on the continued enforcement of the sentence in the State of Execution of the Sentence after the transfer, in particular the consequences arising from the application of Article 16, Paragraph 3, regarding the execution of the sentence.
2. After being forwarded, the State of Conviction shall submit to the State of Execution of the Sentence the following documents, unless one of the Parties had previously indicated its disagreement as to the transfer:
    - a) Authenticated copies of judgment that became enforceable, other decisions related to the sentencing and the text of the applicable legal provisions;
    - b) Information on the duration of the sentence and data on all forms of incarceration, and other circumstances relating to the execution of the sentence.
    - c) Declaration by the Condemned party or their representative, on their consent to be transferred, pursuant to Article 8 paragraph 1 (d) of this Agreement;
    - d) In case of need, medical and social data of the condemned person, information on how the same would have been decided upon in the State of Conviction, and possible recommendations to be given in the future by the State of Execution of the Sentence.
  3. Both the State of Conviction, and the State of the Execution of the Sentence, may request for the submission of information, data or documents referred to in Paragraphs 1 and 2 of this Article, prior to the Request for Transfer being sent or before the decision is taken on the grant or refusal of the transfer request.
  4. Except as provided for in subparagraph a) of paragraph 2 of this Article, the original documents sent for this purpose and in accordance with this Agreement do not need to be certified.

#### Article 11 (Consent and Verification)

1. The sentencing State must ensure that the person concerned to express his consent to the transfer, in accordance with article 8, paragraph 1, subparagraph d), does so voluntarily and in writing with full knowledge of the legal consequences thereof. The procedure for giving such consent will be governed by the law of the sentencing State.



2. The sentencing State must provide conditions for the executing State to verify, through a consular officer or other official representative of the sentencing State, that consent is given in accordance with the conditions set out in paragraph 1 of this Article.

#### **Article 12** **Expenses**

1. Expenses related to the transfer of the condemned person, including those incurred in transit, are to be borne by the State of Execution of the Sentence.
2. Expenses incurred before the date of handing over of the Condemned individual shall be borne by the Party that would have incurred them.

#### **Article 13** **Handing Over**

The Parties shall agree, through Diplomatic channels, on the location, date, time and procedures for handing over of the condemned person.

#### **Article 14** **Effects of transfer to the sentencing State**

1. The surrender of the sentenced person into the custody of the executing State shall take place in the territory of the sentencing State.
2. The execution of the sentence declared by the executing State must have the effect of suspending the execution of the sentence in the sentencing State.
3. The sentencing State shall no longer enforce the sentence, if the Executing State considers that the enforcement of the sentence has been completed.

#### **Article 15** **Effects of transfer to the Executing State**

1. The executing State shall continue enforcement of the sentence immediately or by means of a court or administrative order under the conditions provided for in Article 16.



2. Enforcement of the sentence is governed by the law of the executing State and only that State will be competent to take all appropriate decisions.
3. When one of the Parties under its legislation is unable to enforce the sentence imposed by the sentencing State pursuant to paragraph 1 of this article on persons who, for reasons of mental illness, are not held criminally responsible, it shall inform the other Party of the procedure that will apply to it.
4. The executing State must not prosecute the transferred convict for the same acts for which he was sentenced in the sentencing State.

#### **Article 16**

##### **Continued Execution of the Sentence**

1. After the Transfer, the Condemned person continues to serve the sentence imposed on them in the State of Conviction, in accordance with the Legal norms of the State of Execution of the Sentence.
2. For the State of Execution of the Sentence, the type and duration of the sentence are mandatory, in the manner in which they had been determined in the judicial decision.
3. If the type or duration of the sentence is incompatible with the Law of the State of Execution of the Sentence, or if the Legislation of that State so requires, it shall, by judicial decision, adapt the sentence in question to one provided for in its Legislation in the commission of similar criminal offense.
4. The sentence so adapted shall correspond, to the extent possible, to the sentence imposed in the time to be served and may not increase in severity when compared to the sentence imposed in the State of Conviction, nor exceed the maximum period provided for by the Legislation of the State of Execution of the Sentence in the commission of similar criminal offense.
5. The time already served by the Condemned in the State of Conviction is to be considered in the continued incarceration or execution of the sentence.
6. The decision on the execution of a supplementary sentence shall be accepted by the State of Execution of the Sentence, only if it is provided for by the Law of that State, for the same criminal offense.



#### **Article 17**

##### **Pardon, Amnesty, Commutation, Appeal and Sentence Review**

1. Each of the Parties may grant pardon, amnesty or commute the sentence, in accordance with their Constitution or other normative acts.
2. The hearings and the deliberation on the appeals and review of the sentence are the exclusive jurisdiction of the Courts of the State of Conviction.

#### **Article 18**

##### ***Non bis in idem* – Double Jeopardy**

After being transferred, the condemned person cannot be judged or convicted by virtue of the same facts for which they were being punished in the State of Conviction.

#### **Article 19**

##### **Cessation of Execution of the Sentence**

The State of Execution of the Sentence shall cease immediate execution upon being notified by the State of Conviction of any decision or act that determines the cessation.

#### **Article 20**

##### **Information regarding the Execution of the Sentence**

1. The State of the Execution of the Sentence shall notify the State of Conviction of:
  - a) The decision taken under Article 16 of this Agreement;
  - b) The completion by the Condemned of the sentence imposed;
  - c) The release of the Condemned due to grant of pardon, amnesty or parole;
  - d) Prison breakout by the condemned.
  - e) Death of the condemned before enforcement of the sentence has been completed.
2. The State of Execution of the Sentence shall, at the request of the State of Conviction, provide information on the conditions under which the imposed sentence is being carried out.



## **Article 21**

### **Transit**

1. If one of the Parties should enter into Agreement with a third State Party on the transfer of condemned persons, the other Party shall cooperate in the transfer of the convicted persons through their territory for the purpose of their handing over in accordance with the above-mentioned Agreement.
2. The Party intending to transport, in transit, shall inform in advance, including all such information necessary for any eventual decision to be taken.
3. The Party through which territory the transit is intended to be carried out may refuse transit authorization if the convicted person is a citizen of that State Party, or if the criminal offense which gave rise to the conviction does not qualify as an offence, in accordance with its Legislation.
4. The Party receiving the transit request may keep the condemned person in custody only for the period necessary for the transportation of the same person in transit through its territory.
5. The Transit Authorization Request may be dispensed when the air travel is used for the transportation of the condemned person, with no stop-over landing forecast.
6. The Party from which territory such transit is expected to be carried out shall be duly notified.

## **Article 22**

### **Languages**

The Transfer Request and any solicited documents which transmitted by one of the Parties under this Agreement shall be drawn up in the Official language of the Requesting Party and is to be accompanied by a translation into the language of the Requested Party.

## **Article 23**

### **Waiver of Legalization**

Documents submitted by the Parties under this Agreement shall be exempted from legalization or confirmation of their authenticity, subject to the relevant provisions of this Agreement. The Cover Letter sent by the Competent Authorities serves as guarantee of the authenticity of the transmitted documents.



**Article 24**  
**Settlement of Disputes**

Disputes arising out of the interpretation and application of this Agreement shall be resolved through consultations and negotiations.

**Article 25**  
**Amendments**

1. This Agreement may be amended, at the initiative of either Party.
2. The adopted amendments shall enter into force in accordance with the procedures laid down in Article 26 paragraph 1 of this Agreement.

**Article 26**  
**Entry into Force, Duration and Termination**

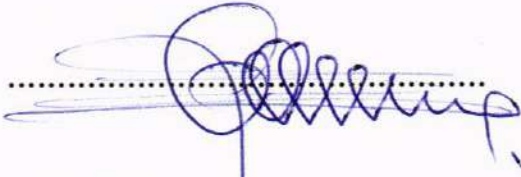
1. This Agreement shall enter into force on the date of receipt of the last written notification, through the Diplomatic channels, reporting on the compliance by the Parties with the legal procedures for this purpose.
2. This Agreement shall remain in force for a period of five (5) years, tacitly renewable for equal and successive periods, unless one of the Parties manifests to the other Party, in writing and through the Diplomatic channels, its intention to terminate with a minimum notice of twelve (12) months.
3. The termination of the validity of this Agreement shall not preclude the analysis and decision-making on Request for Transfer applications received during its validity.

**IN WITNESS WHEREOF**, the representatives duly authorized by their respective Governments, have signed this Agreement.



Done in Kigali, on this **15<sup>th</sup> day of April 2022**, in two (2) originals in the English and the Portuguese Languages, both texts being equally authentic.

**FOR THE REPUBLIC OF  
RWANDA**



.....

**GASANA Alfred**  
**Minister of Interior**

**FOR THE REPUBLIC ANGOLA**



.....

**Francisco Manuel Monteiro de  
Queiroz**  
**Minister of Justice and Human  
Rights**

|                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                               |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Perezida n° 093/01 ryo ku wa 26/12/2024 ryemeza burundu Amasezerano yo kohererezanya abantu bahamijwe ibyaha hagati ya Repubulika y'u Rwanda na Repubulika ya Angola, yakorewe i Kigali mu Rwanda, ku wa 15 Mata 2022</b></p> | <p><b>Seen to be annexed to Presidential Order n° 093/01 of 26/12/2024 ratifying the Agreement for the transfer of convicted persons between the Republic of Rwanda and the Republic of Angola, done in Kigali, Rwanda, on 15 April 2022</b></p> | <p><b>Vu pour être annexé à l'Arrêté Présidentiel n° 093/01 du 26/12/2024 ratifiant l'Accord de transfert des personnes condamnées entre la République du Rwanda et la République d'Angola, fait à Kigali au Rwanda, le 15 avril 2022</b></p> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Kigali, 26/12/2024

(sé)

**KAGAME Paul**  
Perezida wa Repubulika  
President of the Republic  
Président de la République

(sé)

**Dr NGIRENTE Edouard**  
Minisitiri w’Intebe  
Prime Minister  
Premier Ministre

**Bibonywe kandi bishyizweho Ikirango cya Repubulika:**  
**Seen and sealed with the Seal of the Republic:**  
**Vu et scellé du Sceau de la République :**

(sé)

**Dr UGIRASHEBUJA Emmanuel**  
Minisitiri w’Ubutabera akaba n’Intumwa Nkuru ya Leta  
Minister of Justice and Attorney General  
Ministre de la Justice et Garde des Sceaux