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**LAW N° 69/2019 OF 08/11/2019  
AMENDING LAW N° 68/2018 OF  
30/08/2018 DETERMINING OFFENCES  
AND PENALTIES IN GENERAL**

**TABLE OF CONTENTS**

**Article one: Reduction of penalties in case of  
mitigating circumstances approved by a  
judge**

**Article 2: Definition of amnesty**

**Article 3: Punishment of the crime of  
genocide**

**Article 4: Child defilement**

**Article 5: Adultery, its prosecution and  
punishment**

**Article 6: Prosecution of the offence of  
concubinage and desertion of the marital  
home**

**Article 7: Public defamation of religious  
rituals**

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**Article 8:** Abuse, injure or kill domestic animals

**Article 9:** Humiliation of national authorities and persons in charge of public service

**Article 10:** Insults or defamation against the President of the Republic

**Article 11:** Carrying out acts related to the use of narcotic drugs or psychotropic substances

**Article 12:** Drafting, consideration and adoption of this Law

**Article 13:** Repealing provision

**Article 14:** Commencement

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**LAW N° 69/2019 OF 08/11/2019  
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30/08/2018 DETERMINING OFFENCES  
AND PENALTIES IN GENERAL**

**We, KAGAME Paul,  
President of the Republic;**

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

**THE PARLIAMENT:**

The Chamber of Deputies, in its session of 1  
September 2019;

Pursuant to the Constitution of the Republic of  
Rwanda of 2003 revised in 2015, especially in  
Articles 29, 64, 69, 70, 88, 90, 91, 106, 120 and  
176;

Having reviewed Law n° 68/2018 of  
30/08/2018 determining offences and penalties  
in general;

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**ADOPTS:**

**Article one: Reduction of penalties in case of mitigating circumstances approved by judge**

Article 60 of Law n° 68/2018 of 30/08/2018 determining offences and penalties in general is amended as follows:

**Article 60: Reduction of penalties in case of mitigating circumstances approved by judge**

If there are mitigating circumstances, penalties may be reduced as follows:

- 1 ° subject to the provisions of Articles 9 and 133 of this Law, life imprisonment may be reduced but it cannot be less than twenty-five (25) years;
- 2 ° a fixed-term imprisonment or a fine may be reduced but it cannot be less than the minimum sentence provided for the offence committed.”

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**Article 2: Definition of amnesty**

Article 68 of Law n° 68/2018 of 30/08/2018 determining offences and penalties in general is amended as follows:

“Amnesty is a pardon granted in the general interest and for offences that were committed in a given time.”

**Article 3: Punishment of the crime of genocide**

Article 92 of Law n° 68/2018 of 30/08/2018 determining offences and penalties in general is amended as follows:

“Any person who commits any of the acts referred to under Article 91 of this Law commits an offence. Upon conviction, he or she is liable to the penalty of life imprisonment that cannot be mitigated by any circumstances.

However, if the convict was a child at the time of commission of the offence, he or she is punished in accordance with the provisions of Article 54 of this Law.”

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## **Article 4: Child defilement**

Article 133 of Law n° 68/2018 of 30/08/2018 determining offences and penalties in general is amended as follows:

“Any person who commits any of the sex-related acts listed below on a child, commits an offence:

- 1 ° insertion of a sexual organ into the sexual organ, anus or mouth of the child;
- 2 ° insertion of any organ of the human body into a sexual organ or anus of child;
- 3 ° performing any other act on the body of a child for the purpose of bodily pleasure.

Upon conviction, he or she is liable to imprisonment for a term of not less than twenty (20) years and not more than twenty-five (25) years.

If an adult person commits child defilement on a child under fourteen (14) years, the penalty is life imprisonment that cannot be mitigated by any circumstances.

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If an adult person commits child defilement on a child of fourteen (14) years of age or older has resulted into an incurable illness or disability, the penalty is life imprisonment.

If an adult person commits child defilement which is followed by cohabitation as husband and wife, the penalty is life imprisonment that cannot be mitigated by any circumstances.

If a child aged fourteen (14) years but who is not yet eighteen (18) years commits child defilement on a child under fourteen (14) years, he/she is punished in accordance with the provisions of Article 54 of this Law.

If a child aged at least fourteen (14) years commits child defilement on a child aged at least fourteen (14) years by use of force, threats, trickery or who does so on grounds of vulnerability of the victim, he/she is punished in accordance with the provisions of Article 54 of this Law.”

## **Article 5: Adultery, its prosecution and punishment**

Article 136 of the Law n° 68/2018 c

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30/08/2018 determining offences and penalties in general is amended as follows:

“Any spouse who has sexual intercourse with a person other than his or her spouse, commits an offence. Upon conviction, he or she is liable to imprisonment for a term of not less than six (6) months and not more than one (1) year.

Prosecution of adultery can only be initiated upon complaint of the offended spouse. In that case, prosecution is initiated against the accused spouse and the co-offender.

The offended spouse may, at any stage of the procedure, request for termination of the proceedings when he or she changes his or her mind and drops the complaint. The dropping of the proceedings or the execution of the judgment has effects on the co-offender.”

**Article 6: Prosecution of the offence of concubinage and desertion of the marital home**

Article 140 of the Law n° 68/2018 of 30/08/2018 determining offences and penalties in general is amended as follows:

“Prosecution of the offence of concubinage and



desertion of the marital home can only be initiated upon complaint of the offended spouse.

The offended spouse may, at any stage of the procedure, request for termination of the proceedings when he or she changes his or her mind and drops the complaint. The dropping of the proceedings or the execution of the judgment has effects on the co-offender.”

#### **Article 7: Public defamation of religious rituals**

Article 154 of the Law n° 68/2018 of 30/08/2018 determining offences and penalties in general is repealed.

#### **Article 8: Abuse, injure or kill domestic animals**

Article 190 of the Law n° 68/2018 of 30/08/2018 determining offences and penalties in general is amended as follows:

“Any person who, maliciously, abuses or transports livestock or domestic animals in a way that compromises their health, commits an offence. Upon conviction, he or she is liable to imprisonment for a term of not less than eight (8) days and not more than two (2) months,

fine of not less than fifty thousand Rwandan francs (FRW 50,000) and not more than one hundred thousand Rwandan francs (FRW 100,000) and a community service in a period not exceeding fifteen (15) days or only one of these penalties.

If the malicious abuse or transportation of livestock or domestic animals causes serious injury or death to the livestock or domestic animals, the penalty is an imprisonment for a term of not less than two (2) months and not more than (6) months.

Any person who, maliciously kills or seriously hurts livestock or domestic animals belonging to him/her or to another person, commits an offence. Upon conviction, he/she is liable to imprisonment for a term of not less than five (5) years and not more than seven (7) years with a fine of not less than five hundred thousand Rwandan francs (FRW 500,000) and not more than one million Rwandan francs (FRW 1,000,000) “

## **Article 9: Humiliation of national authorities and persons in charge of public service**

Article 233 of the Law n° 68/2018 of 30/08/2018 determining offences and penalties

in general is repealed.

**Article 10: Insults or defamation against the President of the Republic**

Article 236 of the Law n° 68/2018 of 30/08/2018 determining offences and penalties in general is repealed.

**Article 11: Carrying out acts related to the use of narcotic drugs or psychotropic substances**

Article 263 of the Law n° 68/2018 of 30/08/2018 determining offences and penalties is amended as follows:

‘Any person who, in any way, is caught with  
eats, drinks, injects himself/herself, inhales or  
one who anoints oneself with narcotic drugs or  
psychotropic substances, commits an offence.

Any person convicted of any of the acts  
mentioned in Paragraph One of this Article is  
liable to imprisonment for a term of not less  
than one (1) year and not more than two (2)  
years or subject to a penalty of community  
service.

Any person who, unlawfully produces  
transforms, transports, stores, gives to another

or who sells in the country narcotic drugs or psychotropic substances commits an offence. Upon conviction, he/she is liable to:

- 1 ° life imprisonment and a fine of more than twenty million Rwandan francs (20,000,000 FRW) and not more than thirty million Rwandan francs (FRW 30,000,000) in regard to severe narcotic drugs;
- 2 ° imprisonment for a term of not less than twenty (20) years and not more than twenty five (25) years and a fine of not less than fifteen million Rwandan francs (FRW 15,000,000) and not more than twenty million Rwandan francs (FRW 20,000,000) in regard to severe narcotic drugs;
- 3 ° imprisonment for a term of not less than seven (7) years and not more than ten (10) years and a fine of not less than five million Rwandan francs (FRW 5,000,000) and less than ten million Rwandan francs (FRW 10,000,000) in regard to simple narcotics.

If acts mentioned in Paragraph 3 of this Article are committed against a child or if they are

committed at the international level, the penalty is a life imprisonment and a fine of more than thirty million Rwandan francs (FRW 30,000,000) and not more than fifty million Rwandan francs (FRW 50,000,000).

An Order of the Minister in charge of health establishes a list of narcotic drugs that constitute each category.”

#### **Article 12: Drafting, consideration and adoption of this Law**

This Law was drafted, considered and adopted in Ikinyarwanda.

#### **Article 13: Repealing provision**

All prior legal provisions contrary to this Law are repealed.

#### **Article 14: Commencement**

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

Kigali, on 08/11/2019

(Sé)

**KAGAME Paul**  
President of the Republic

(Sé)

**Dr NGIRENTE Edouard**  
Prime Minister

**Seen and sealed with the Seal of the  
Republic:**

(Sé)

**BUSINGYE Johnston**  
Minister of Justice/Attorney General