

INSTRUCTIONS FOR CONTRIBUTORS

1. Instructions for authors

1.1. About the Journal

The *Rwanda Journal* publishes original works on both fundamental and applied research from various academic disciplines. Publications of the *Rwanda Journal* are issued in different volumes and categorized as follows in accordance with different academic subjects: Series A: Arts and humanities; Series B: Social Sciences; Series C: Mathematical Sciences, Engineering and Technology; Series D: Life and Natural Sciences; Series E: Agricultural Sciences; Series F: Medicine and Health Sciences; **Series G: Law**; Series H: Economics and Management.

The Rwanda, Journal -Series G -Law is an academic publication aimed at promoting discursive analysis of a variety of topics in the legal field. The journal publishes articles covering Rwandan law, East African Law, African Law and international law. Article covering disciplines other than law can be published provided they have a strong legal content and relevance. The editorial board determines whether such multidisciplinary articles fall within the scope of the journal.

1.2. Submissions requirements

Submissions to the journal must be exclusive and submitted manuscripts should be original. The Series G – Law does not accept manuscripts previously published or under review for elsewhere. Submitted manuscripts must be specific about the research question to be addressed, the methodological approach in answering the research question and the contribution to existing body of knowledge on the subject-matter (or in the academic field). The Journal welcomes submissions written in good English (UK spelling). The editors may take a decision not to process submissions with very clear linguistic and substantive shortcomings to the peer-review process.

The G-Series welcomes manuscripts of approximately 8,000-10,000 words, including footnotes, tables, figures, appendices (more on footnotes below). Manuscripts should contain an abstract of

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maximum 200 words and three (3) to six (6) key words. A 1.5 spacing and a 11-pt font (preferably *Times New Roman*) should be used.

1.3. Review

Manuscripts submitted to the journal are peer-reviewed. The G-Series uses a double-blind peer review system: reviewers do not know the authors of reviewed manuscripts while the authors do not know the identities of reviewers. Submitted manuscripts should not contain personal information likely to identify the author. When submitting manuscripts the authors must send a separate sheet containing the title of the manuscript, the names, affiliation (s) and complete contact details of the author(s).

Based on the evaluation and comments from reviewers, a manuscript may be: (1) accepted as it is; (2) accepted with recommended but not required revisions; (3) accepted subject to revisions; (4) not accepted but with encouragements to revise and resubmit it; (5) rejected.

1.4. Publication process

The G-Series will be published online once the review and editing process are complete. It is the responsibility of authors to obtain permission to reproduce any copyrights materials for which they do not hold copyright in both print and electronic formats. Authors should also make sure that any relevant acknowledgements are included in the manuscript.

2. Journal Style

2.1. Main Text

Heading: the heading of the manuscript should be aligned to the left, appear in bold letters and use a 14 font. The names of the authors (to be added after the review process) should appear immediately after the title, using a 12 font and aligned to the left as well. The author's name should be followed by an asterisk which, in a footer, should provide information about author's

qualifications and affiliations. Where relevant, the author may also add any needed acknowledgement.¹ For instance:

Peace, Justice and the International Criminal Court: Limitations and Possibilities

Janine Natalya Clark*

Structure: An article should be divided into sections, sub-sections and sub-sub-sections using the following headings format:

1. The Rwandan Constitution (heading level 1) – Bold;

1.1. *The Bill of Rights* (heading level 2) – Bold Italicized;

1.1.1. Equality and non-discrimination (heading level 3) – Italicized

1.1.1.1. Equality (not bold, not italicized)

2. Separation of powers (heading level 1);

2.1. *Philosophical foundations of separation of powers* (heading level 2);

2.1.1. The legislative power (heading 3)

Capitalizations should be avoided as much as possible. They should mainly be used for initial words in sentences, words that are generally capitalized in the English language, e.g. months, proper names, words such as “state Parties” or “Member States”.

Numbers from one to ten should be written out (in words) while those from 11 and above should be written in figures. Dates should be written using the Day-Month (in words)-Year format (e.g. 18 October 2016). Decades should be written as 1970s, 1990s while centuries should be fully spelt out, as in “sixteenth century”, “twenty-first century”. Ranges of numbers should be rendered in the shortest recognizable form.

For instance:

- 2-4, 13-19, 91-97, 120-33, 185-212, 1835-53, 1855-921, 2200-23.

Where range of numbers refer to years, and years span over centuries, the final year should be given in full

¹

*Lecturer in International Politics and Ethnic Conflict, School of Politics, International Studies and Philosophy, Queen’s University, Belfast, United Kingdom. I would like to thank two anonymous reviewers for their extremely useful and constructive comments on a first draft of this article. [j.clark@qub.ac.uk].

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Example:

- 1962-73, 1973-94, but 1894–1962, 1994-2016).

Abbreviations should be fully spelt out on first use followed by the abbreviated form between brackets; as in: the Rwanda Governance Board (RGB)...However, abbreviations that are commonly used should not be given in full on first use (e.g. AU, UN, EU, US, UK...). Full stops should not be used in abbreviated words (AU, not A.U.).

Italics should rarely be used in the main text. They should be used in reference to:

- (1) Cases, as in *Family Business Group Ltd v. Ngoma District*);
- (2) Titles of publications (e.g. *Rwanda Journal*, *The Economist*);
- (3) Words in languages other than English (*inyangamugayo*, *nullum crimen sine lege*, *ius congens*, *ad hoc*, *de lege ferenda*, *habeas corpus*);
- (4) Words than specifically emphasized in the text (for instance: He convicted of war crimes ... for ‘*ordering the murders* at Musha church and aiding and abetting the murders ...’.²

Words from foreign language that have been adopted in the English language should not be italicized (for instance: *raison d’être*, *coup*, *safari*...).

Punctuation: Full stops should be put at the end of sentences or at the end of footnotes. They should not be used in abbreviations except for shortened Latin words such as e.g., i.e. or where an original quotation used full stops (for instance in an abbreviation).

Quotations of not more than three lines in length should be added in the text and incorporated into single quotation marks. Quotations from any sources should remain faithful to the original text, except when it is necessary to change quotation marks from single to double, or vice versa. Alterations to the text of a quotation such as italicizing a word or phrase within a quotation should be acknowledged by adding ‘emphasis added’ in a footnote.

In case a quote is included within a sentence and the first letter of the quote is a capital letter, it should be modified and changed into a small letter inserted between square brackets. For example: the judge asked “[w]here was the victim found?”.

² Reference, then: Emphasis added.

Quotations longer than 3 lines should be presented in a separate paragraph and indented

Example:

In the words of Hart:

Wherever the word 'law' is 'properly' used this combination of primary and secondary rules is to be found; for it is clear that the diverse range of cases of which the word 'law' is used are not linked by any such simple uniformity, but by less direct relations-often of analogy of either form or content-to a central case.

2.2. Footnotes

2.2.1. Rules

Footnotes are used to provide evidence of a claim. Reference to other sources may be made in the form of direct quotations or by paraphrasing ideas in that source. Footnotes may also direct the reader to other sources that are relevant for the claim that was made. They should be inserted after the text to which they apply; immediately after the relevant punctuation mark (such as a full stop, comma, semi-colon...). However, in case the relevant text is followed by an em-dash (-), the footnote should be inserted before the em-dash.

Examples:

1. Drumbl argues that “there has been a proliferation of new legal institutions to adjudicate mass violence”.³
2. In *Prosecutor v. Akayesu*⁴ – the first judgment rendered by the ICTR....

2.2.2. Cross-referencing

First references to a source must be given in full, based on instructions below. References to sources already used should appear in a condensed form, using *supra*, *infra*, then directing to the footnote where the reference appears. If the same source is used but with a reference to a different page, that page should be indicated as: *supra/infra* note x, at y. Where references are made to authors, only the last name (s) is/are mentioned (no initials) and where there are more than two authors, the last name of the first author should be mentioned, followed by “et al.”.

³ M-Drumbl, *Atrocity, Punishment and International Law* (Cambridge University Press, 2007), p. 6.

⁴ The full reference when cited for the first time should be: *The Prosecutor v. Jean-Paul Akayesu* ICTR-96-4-T (Judgement, 2 September 1998).

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Infra should be used when referring to sources that appear subsequently, for instance, in case of a passing reference to a point that is elaborated on in a subsequent section. *Ibid* should be used for a reference to a source that was mentioned above.

Examples:

- Kamatali, *supra* note 20, at 27, Perreau-Saussine and Murphy, *supra* note 16, at 9, Nafziger et al., *supra* note 50, at 30.
- *Prosecutor v. Akayesu*, *supra* note 19, at 17
- *Ibid.*, or *Ibid*, at 18
- See notes 10-11 and accompanying text, *supra*.
- See Section 4, *infra*. See note 60, *infra*.

2.2.3. Legislation

Rwandan legislation should be cited as follow:

1. Type of legislation followed by its legislative numbering
2. Date of promulgation
3. Title of the legislation
4. Shortened Acronym of the Official Gazette of the Republic of Rwanda (*OG*) in *italics*
5. Issue Number and date of publication in the *OG* (close the round bracket).
6. The cited provision may appear at the beginning or at the end of the reference (depending on whether the emphasis is put on a specific provision or on the legislation as a whole).

Examples:

- Art. 206 of the Law n°32/2016 of 28/08/2016 governing persons and family, *OG* (n°37 of 12/09/2016); or
- Law n°32/2016 of 28/08/2016 governing persons and family, *OG* (n°37 of 12/09/2016), Art. 206.
- Law N° 43/2013 of 16/06/2013 governing land in Rwanda, *OG* (n° special of 16/06/2013);
- Organic Law N° 13/2008 of 19/05/2008 Modifying and completing Organic Law N° 16/2004 of 16 June 2004 establishing the Organization, Competence and Functioning of Gacaca Courts Charged with Prosecuting and Trying the Perpetrators of the Crime of

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Genocide and other Crimes against Humanity, Committed between October 1, 1990 and December 31, 1994, *OG* (n° 11 of 1/062008)

Once the legislation has been cited, subsequent references should be condensed as follows:

- Art. 206 of the Law n°32/2016 of 28/08/2016, *supra* note x.

Legislation from other jurisdictions should be cited in accordance with the citation rules in the relevant jurisdiction.

Examples:

- **Belgium:**
 - Loi relative à la responsabilité du fait des produits défectueux [Product Liability Act] of Feb. 25, 1991, *MONITEUR BELGE* [M.B.] [Official Gazette of Belgium], Mar. 22, 1991, 5884.
- **England and Wales:**
 - Human Rights Act 1998, s 15(1)(b)
- **France:**
 - Loi 85-699 du 11juillet 1985 tendant à la constitution d'archives audiovisuelles de la justice, *Journal Officiel de la République Française* [JO] 12 Juillet 1985, at 7885.
- **Germany:**
 - Grundgesetz für die Bundesrepublik Deutschland [Grundgesetz][GG][Basic Law], May 23,1949, *BGBL I*
- **United States:**
 - Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. §§ 9601-9675 (2006).

2.2.4. Case law

References to Rwandan court decisions should be cited as follows:

1. Full names of the parties (starting with last names) separated by v. (with a full stop)
2. Decision number (also indicating the judicial body that rendered the decision)
3. Date of the Decision (Day/month/Year);
4. Paragraph cited.

Examples:

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- *Harerimana Emmanuel v. Sebukayire Tharcisse*, Case No. RCAA 0018/13/CS, 24 December 2014, para. 15.
- *Family Business Group Ltd v. Ngoma District*, Case No. RCom. 490/14/TC/NYGE, 30 June 2014.

Cross-references to Rwandan cases should consist of shortened references to the parties (where applicable) and the cited paragraph or page of the decision (e.g. *Harerimana v. Sebukayire*, para x, but *Family Business Group Ltd v. Ngoma District*, paras. xx). Only parties to a Rwandan case should be mentioned in the text, followed by a footnote for the full reference, or a cross-reference where the case has already be cited (e.g. in *In Harerimana v. Sebukayire*, it was held that...).

In references to decisions by Rwandan courts, the following abbreviations are used:

- (1) HC: High Court
- (2) IC: Intermediate Court
- (3) CC: Commercial Court
- (4) CHC: Commercial High Court
- (5) CA: Court of Appeal
- (6) MT: Military Tribunal
- (7) MHC: Military High Court
- (8) PC: Primary Court
- (9) CS or SC: Supreme Court (CS: *Cour Suprême* – French)

References to other domestic, regional or international case law should conform to the citation rules in the relevant jurisdiction. Authors should ensure that they consult the relevant documentation on how to cite those sources. In case of different guides, the authors should choose guidelines that closely conform to the present guide. Where applicable, the information should contain: the names of the parties, the date of the decision, the jurisdiction rendering the decision, the review or report where the decision is published.

Examples:

- ***Belgium:***

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- Civ. Nivelles, 12 janvier 2007, *R.R.D.*, 2007, p. 165, note L. Donnet ;
- Bruxelles (3^e ch.), 10 octobre 2006, *Div. Act.*, 2007, p. 36, note J. Fierens..
- C.E. (15^e ch.), 23 mars 2009, M'Bala M'Bala, n^o 191.742, *J.T.*, 2009, p. 25.
- Cass. (1^{re} ch.), 10 janvier 2008, *Pas.*, 2008, p. 54 ; *Rev. trim. dr. fam.*, 2009, p. 137; *R.G.D.C.*, 2009, p. 247, note P. Delnoy
- **England and Wales:**
 - *Corr v. IBC Vehicles Ltd* [2008] UKHL 13, [2008] 1 AC 884
 - *Emerald Supplies Ltd v. British Airways plc* [2009] EWHC 741 (Ch), [2010] Ch 48
 - *R (Roberts) v. Parole Board* [2004] EWCA Civ 1031, [2005] QB 410
 - *Masterman-Lister v. Brutton & Co (Nos 1 and 2)* [2002] EWCA Civ 1889, [2003] EWCA Civ 70, [2003] 1 WLR 1511.
 - *For more, see for instance:*
https://www.law.ox.ac.uk/sites/files/oxlaw/oscola_4th_edn_hart_2012.pdf
- **France:**
 - CE, 24 mars 2006, Sté KPMG et a., D. 2006, p. 1190, note P. CASSIA ; Rec. p. 154.
 - CE, 13 décembre 2006, Mme Lacroix, AJDA 2007, p. 358, note F. Lenica et J. Boucher
 - Civ. 2^eème, 4 novembre 2010, Bull. civ., II, n^o 176.
- **Germany:**
 - OLG Köln, Urteil v. 13.12.1996 (6 U 191/96), NJW 1997, 3179

2.2.5. Cases from international and regional judicial and quasi-judicial bodies

Illustrations:

- Permanent Court of International Justice (PCIJ)
 - ✓ **Rule:** *Name of Case (year of decision) PCIJ Ser (series) No (case number), page cited.*
 - *Examples:*
 - *SS Lotus case (France v. Turkey)*, PCIJ Rep Series A n^o 10, at 28.
 - *Certain German Interests in Polish Upper Silesia (Preliminary Objections)* (1925) PCIJ Ser A No 6, 5.
- International Court of Justice (ICJ):

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- ✓ **Rule:** *Name of Case (Claimant v. Respondent)*, Phase of Proceedings, ICJ Reports year of decision, start page, at page cited or paragraph cited.
 - *Examples:*
 - *Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. US)*, Jurisdiction and Admissibility, ICJ Rep 1984, at 400.
 - *Fisheries Jurisdiction (United Kingdom v. Iceland)*, Jurisdiction of the Court, ICJ Rep 1973, at 3.
 - *Arrest Warrant of 11 April 2000 (Democratic Republic of the Congo v. Belgium)*, Judgment, ICJ Rep 2002 (I), at 22.
- International Criminal Court
 - ✓ **Rule:** *Full case name*, type of decision, Case number, chamber, date, paragraph cited.
 - *Examples:*
 - *The Prosecutor v. Thomas Lubanga Dyilo*, Judgment pursuant to Article 74 of the Statute, ICC-01/04-01/06-2842, T.Ch. I, 14 March 2012, para. 14
 - *The Prosecutor v. Katanga and Ngudjolo*, Judgment on the Appeal of Mr. Germain Katanga against the Oral Decision of Trial Chamber II of 12 June 2009 on the Admissibility of the Case, ICC-01/04-01/07-1497, A.Ch., 25 September 2009, paras 85-86.
 - *The Prosecutor v. Thomas Lubanga Dyilo*, Prosecutor's Information on Further Investigations, ICC-01/04-01/06-170, P.-T.Ch. I, 28 June 2006, para. 7
- International Criminal Tribunal for Rwanda
 - ✓ **Rule:** *Names of the parties* (separated by "v.") followed by case number (Decision type, date of decision), paragraph cited.
 - *Examples:*
 - *The Prosecutor v. Jean Paul Akayesu* ICTR 96-4-I (Amended Indictment, 17 June 1997), para. 23.

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- *The Prosecutor v. Alfred Musema* ICTR-96-13-A (Judgement, 27 January 2000), paras. 969–975.
- *Théoneste Bagosora, Anatole Nsengiyumva v. The Prosecutor* ICTR-98-41-A (Judgement, 14 December 2011), paras. 403–409

2.2.6. Books

References to books should follow the following order:

Author's initial(s) [without a full stop] Author's surname, *Title* (publisher, year of publication) at page number

Examples:

- JAR Nafziger, RK Paterson and AD Renteln, *Cultural Law: International, Comparative, and Indigenous* (Cambridge University Press, 2010) at 17.
- G Prunier, *The Rwanda Crisis: History of a Genocide* (Columbia University Press, 1995), at 107–8.
- P Clark, *The Gacaca Courts, Post-Genocide Justice and Reconciliation in Rwanda: Justice without Lawyers*. Cambridge: (Cambridge University Press, 2010).

Where information about the book edition is available, the book should be cited as follows:

Author's initial(s) [without a full stop] Author's surname, *Title* (edn, publisher, year of publication) at page number

Examples:

- HLA Hart, *The Concept of Law* (2nd edn, Clarendon Press, 1994), at 81.
- I McLeod, *Legal Theory* (2nd edn, Palgrave Macmillan, 2003), at 20.
- P Harris, *An Introduction to Law* (7th edn, Cambridge University Press, 2007), at 26.

Where the publication consists of more than one volume, the following citation rule should be followed:

Author's initial(s) [without a full stop] Author's surname, *Title*, Vol (publisher, year of publication) at page number

Examples:

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- G Boas, JL Bischoff and NL Reid, *Elements of Crimes under International Law*, Vol 2 (Cambridge, 2009), at 144.
- MC Bassiouni (ed.), *International Criminal Law*, Vol 3 (3rd edn, Martinus Nijhoff Publishers, 2008)

2.2.7. Edited books

Edited books should be cited as follows:

Author's name, 'Title of chapter', in Editor's name (ed), *Title of book* (edn, publisher, year of publication) start page, at page cited.

Examples:

- R Cryer, 'Doctrinal Foundations of International Criminalization', in MC Bassiouni (ed.), *International Criminal Law*, Vol 3 (3rd edn, Martinus Nijhoff Publishers, 2008) 107, at 109.
- C Boyle & DR Percy (eds.) *Contracts: Cases and Commentaries* (6th edn, Carswell, 1999).
- G J. Chin, 'Race, the War on Drugs and Collateral Consequences of Criminal Conviction', in C Mele & TA Miller (eds.), *Civil Penalties, Social Consequences* (Routledge, 2005).
- J-P Chrétien et al. (eds.), *Rwanda: les médias du génocide* (Éditions Karthala, 1995).

2.2.8. Articles

Author's initial, author's name, 'Article Title' (year of publication) volume: issue number *Journal Title* start page, at page cited.

The title of the journal should be written out. However, the name of the journal may be abbreviated as long as it is possible to clearly identify which journal it is.

Examples:

- WA Schabas, 'Genocide Trials and Gacaca Courts' (2005) 3 *Journal of International Criminal Justice* 879, at 882.

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- D Newbury and Catharine Newbury, 'Bringing the Peasants Back In: Agrarian Themes in the Construction and Corrosion of Statist Historiography in Rwanda' (2000) 105: 3 *American Historical Review* 832, at 844.
- J Maquet, 'La tenure des terres dans l'État Rwanda traditionnel' (1967) 7 :28 *Cahiers d'Études Africaines* 624, at 630.
- E Staub, L Anne Pearlman and V Miller, 'Healing the roots of genocide in Rwanda' (2003) 15:3 *Peace Review* 287, at 291.

2.2.9. Newspaper Articles

Articles published in newspapers should be cited as follows:

Author, 'Title', *Paper*, date, page cited.

Examples:

- P Lewis, 'Security Council Votes to Cut Rwanda Peacekeeping Force', *New York Times*, 22 April 1994, 1.
- N Boustany, 'Official Floats Possibility of Assistance to Hague Court' *Washington Post*, June 12, 2007, 20.
- NYT Editors, 'Cold Choice in Rwanda', *New York Times*, 23 April 1994, 1.
- W Soyinka, 'Hearts of Darkness: Review of Gourevitch', *New York Times Books*, 4 October 1998, 11-15.

2.2.10. Internet sources

The following examples illustrate how internet sources should be cited.

- R Carroll, 'Rwandans Face Village Justice', *Guardian*, 5 July 2004, www.theguardian.com/world/2004/jul/05/rwanda.rorycarroll (accessed 25 October 2016).
- Morgan, T., 'Healing Genocide', *Christianity Today*, 1 APRIL 2004, www.christianitytoday.com/ct/2004/april/4.76.html (accessed 22 October 2016).

2.2.11. Reports

- Victorian Law Reform Commission, *Homicide Report*, Report n° 40 (1991), at 7.

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- International Federation for Human Rights, *Victims in the Balance: Challenges ahead for the International Criminal Tribunal for Rwanda*, Report, n° 329/2 (2002), at x.
- International Criminal Tribunal for the former Yugoslavia, *Final Report to the Prosecutor by the Committee Established to Review the NATO Bombing Campaign against the Federal Republic of Yugoslavia* <www.icty.org/x/file/Press/nato061300.pdf> (accessed 26 October 2016).
- Republic of Rwanda, *The Ninth and Tenth Periodic Report of the Republic of Rwanda under the African Charter on Human and Peoples' Rights*, (2009), <www.iwgia.org/images/stories/int-processes-eng/achpr/docs/sessions/47/rwanda%20report.pdf> (accessed 25 October 2016).

2.2.12. UN Documents

- **Treaties:** *Treaty Title*, Date of Conclusion, Treaty Series, Art (Article Number)
 - *Vienna Convention on the Law of Treaties*, 23 May 1969, 1155 UNTS 331, Art 29.
 - *Charter of the United Nations*, 24 October 1945, 1 UNTS XVI.
- **General Assembly Resolutions:** GA Res session/number, date of resolution, para. x.
 - UNGA Res 51/210, 17 December 1996, para. 2.
 -
- **Security Council Resolutions:** SC Res number, date of resolution, para x.
 - SC Res S/RES/2297 (2016), 7 July 2016, para. 2.
 - SC Res S/RES/955 (1994), 8 November 1994, para. 6.
- **Other UN Documents:** Name of Author (if required), *Title of the Document*, UN Doc Document Number, Date of Document, para.
 -
 - UNSC, *Report from the Officer-in-Charge of the United Nations Operation in the Congo to the Secretary-General on Developments Relating to the Application of the Security Council Resolutions of 21 February and 24 November 1961*, un Doc. S/5C53/Add.12/Add.2, 20 November 1962, para. 2.

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- UNGA, *Report of the Special Committee on Principles of International Law Concerning Friendly Relations and Cooperation Among States*, UN GAOR 25th Session Supp No 18 UN Doc A/8018 (1970), para. 3.

Some common abbreviations:

Annex (es): Ann.

Appendix (-ices) App.; Apps.

Article(s) Art.; Arts.

Paragraph(s) Para. Paras.

Decision(s) Dec.; Decs.

Regulation(s) Regs.

Resolution(s) Res.

For citation rules not covered by the present instruction, you may refer to OSCOLA (Oxford University Standard for the Citation of Legal Authorities):

https://www.law.ox.ac.uk/sites/files/oxlaw/oscola_4th_edn_hart_2012.pdf