

***Kigali, the 12<sup>th</sup> of February 2021***, the Supreme Court in the matter of;

Decided that the claim filed by KABASINGA Florida has merit on some issues;

Decided that the claim filed by NIYOMUGABO NTAKIRUTIMANA has merit;

Decided that paragraph 4 of the article 84 of the Law n° 68/2018 of 30/08/2018 determining offences and penalties in general is contrary to article 29, paragraph 4 of the Constitution, therefore that paragraph is invalid on basis of the provision of the article 3 of the Constitution.

Decided that paragraph 92 of the Law n° 68/2018 of 30/08/2018 determining offences and penalties in general which provides that “cannot be mitigated by any circumstances” is contrary to the articles 29 and 151 of the Constitution, therefore that paragraph is invalid.

Decided that the paragraph 3 of the article 133 the Law n° 68/2018 of 30/08/2018 determining offences and penalties in general, the paragraph which provides that “*if child defilement is committed on a child of fourteen (14) years of age, the penalty is life imprisonment which cannot be mitigated by any circumstances*” is contrary to the articles 29 and 151 of the Constitution, therefore that paragraph is invalid.

Decided that the article 271 of the Law n° 68/2018 of 30/08/2018 determining offences and penalties in general is not contrary to the Constitution.

Decides that the article 256 of the Law n° 68/2018 of 30/08/2018 determining offences and penalties in general is not contrary to the Constitution.