

REPUBLIC OF RWANDA



MINISTRY OF JUSTICE

THE 11th, 12th and 13th PERIODIC REPORTS OF THE REPUBLIC OF RWANDA ON THE IMPLEMENTATION STATUS OF THE AFRICAN CHARTER ON HUMAN AND PEOPLES' RIGHTS & THE INITIAL REPORT ON THE IMPLEMENTATION STATUS OF THE PROTOCOL TO THE AFRICAN CHARTER ON HUMAN AND PEOPLE'S RIGHTS AND THE RIGHTS OF WOMEN IN AFRICA (MAPUTO PROTOCOL)

PERIOD COVERED BY THE REPORT: 2009 - 2016

ACRONYMS AND ABBREVIATIONS

ACRWC:	African Charter of the Rights and Welfare of the Child
ADPA:	Action pour le Développement et la Paix en Afrique
AFER:	Association des Femmes Entrepreneures au Rwanda
Art:	Article
ARV:	Antiretroviral drugs
BDC:	Office of Consultation and Defence
BTC:	Belgian Technical Cooperation
CBHI:	Community-Based Health Insurance
CDM	Clean Development Mechanism
CDS:	Chief of Defence Staff
CEPGL:	Communauté Economique des Pays des Grands Lacs/ Economic Region of the Great Lakes
CERN:	European Organization for Nuclear Research
CHH:	Child Headed Households
CIP:	Crop Intensification Program
COMESA:	Common Market for East and Southern Africa
CORAR:	Compagnie Rwandaise d'Assurances et de Réassurance
CSO:	Civil Society Organization
DHS:	Demographic and Health Survey
DRC:	Democratic Republic of Congo
EAGA:	East Africa Growers Group
EDPRS:	Economic Development on Poverty Reduction Strategy
EPI:	Expanded Program for Immunization
FARG:	Fonds d'Assistance aux Rescapés du Génocide
FAWE:	Forum for African Women Educationalists
GMO:	Gender Monitoring Office
GoR:	Government of Rwanda
HIDA:	Human Resources and Institutional Capacity Development Agency
HSSP:	Health Sector Strategic Plan
ICESCR:	International Covenant on Economic, Social and Cultural Rights
ICT:	Information Communication and Technology
ICTR:	International Criminal Tribunal for Rwanda
IDHS:	Intermediate Demographic and Health Survey

ISAR:	Institut des Sciences Agronomiques du Rwanda
KHI:	Kigali Health Institute
KIE:	Kigali Institute of Education
KIST:	Kigali Institute of Science and Technology
LAN:	Local Area Network
LMIS:	Labour Market Information System
MAJ:	Maison d'Accès à la Justice" or "Access to Justice House"
MINAGRI:	Ministry of Agriculture and Animal Resources
MINALOC:	Ministry of Local Administration
MINECOFIN:	Ministry of Finance and Economic Planning
MINISPOC:	Ministry of Sports and Culture
MMI:	Military Medical Insurance Scheme
MOH:	Ministry of Health
MTR:	Mid-Term Review
NCHR:	National Commission of for Human Rights
NGO:	Non-Government Organization
NICI:	National Information and Communication Infrastructure Policy
NISR:	National Institute of Scientific Research
NUR:	National University of Rwanda
NURC:	National Unity and Reconciliation Commission
O.G:	Official Gazette
OSS:	Organic Secondary Solution
OVC:	Orphans and Vulnerable Children
P.O:	Presidential Order
PDL-HIMO:	Programme de Développement Local à Haute Intensité de Main d'Œuvre
PNILP:	Programme National Intégré de Lutte contre le Paludisme/ National Malaria Control Program
PNILT:	National Tuberculosis Control Program
PREPAF:	Program Aiming at Reducing Women's Poverty
PSF:	Private Sector Federation
RAB:	Rwanda Agriculture Board
RAMA:	Rwandaise d'Assurance Maladies (Rwandan Medical Insurance)
REMA:	Rwanda Environment Management Authority

RIAM:	Rwanda Institute Administration and Management
RITA:	Rwanda Information & Technology Agency
RNP:	Rwanda National Police
RNRA:	Rwanda Natural Resources Authority
RSSP:	Rural Sector Support Project
RYIP:	Rwanda Youth Internship Programme
SCSL:	Special Court for Sierra Leone
SFAR:	Student Financing Agency of Rwanda
SONARWA:	Société Nationale d'Assurance du Rwanda
SORAS:	Société Rwandaise d'Assurance
SSFR:	Social Security Fund of Rwanda
TOKTEN:	Transfer of Knowledge through Expatriate Nationals
TVET:	Technical and Vocational Education Training
UNSCR:	United Nation's Security Council Resolution
VAT:	Vaccin Anti Tetanos/ Anti-Tetanus Vaccine
VCT:	Voluntary Counselling Test
WDA:	Workforce Development Authority

EXECUTIVE SUMMARY

1. The Government of Rwanda continues to ensure that all Rwandans enjoy the fundamental human rights secured by the Constitution and other national and applicable international human rights laws. The commitment to realize those fundamental rights is stated in the Country's Vision 2020 and Economic Development Poverty Reduction Strategy 2 (EDPRS II) which form the baseline for every government policy and program. As Rwanda moves into the home stretch of realizing the objectives of the goals set out therein, the Government welcomes the opportunity provided by the African Charter on Human and People's Rights to report on the progress made.
2. The African Charter on Human and People's Rights (ACHPR) was adopted on June 27, 1981 and entered into force on 21 October 1986. Rwanda ratified the ACHPR on 15 July 1983 through the Presidential Order n°431/16 of 10 November 1980. Pursuant to Article 62 of the ACHPR each State Party has the obligation to submit a report every two years, on the legislative or other measures taken with a view to giving effect to the rights and freedoms recognized and guaranteed by the Charter. The present report is the combined 11th, 12th, 13th and 14th periodic report of Rwanda on the African Charter on Human and Peoples Rights.
3. The report consists of Part A relating to the Charter itself, covering the period from 2009 to June 2016 and Part B which relates to the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa (Maputo protocol) pursuant to its Article 26¹ and covering the period from June 2006 to June 2016. In this report, developments that have taken place in the application of the ACHPR in Rwanda since the previous report submission in 2009 are highlighted. As requested by the Commission on ACHPR, the report specifically under part II addresses the issues raised in the concluding observations adopted by the Commission after considering the 9th and 10th periodic

¹ Article 26 of the Protocol states that: "States Parties shall ensure the implementation of this Protocol at national level, and in their periodic reports submitted in accordance with Article 62 of the African Charter, indicate the legislative and other measures undertaken for the full realization of the rights herein recognized"

report of Rwanda during its 47th Ordinary Session held from 12th to 26th May 2010, in Banjul, the Gambia.

INTRODUCTION

4. The Republic of Rwanda reaffirms the adherence to the Principles of Human Rights enshrined in the Universal Declaration of Human Rights of 1948 and other international and regional conventions to which Rwanda is a Party. Among other international and regional human rights instruments, Rwanda is party to the International Convention on Civil and Political Rights (ICCPR), the International Convention on Economic, Social and Culture Rights (ICESCR), the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment (CAT), Convention on the Right of the Child (CRC), International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (ICMW), Convention on the Rights of Persons with Disabilities (CRPD), African Charter on Democracy, Election and Governance (ACDEG), the African Charter on the Right and Welfare of the Child (ACRWC) as well as several key Protocols related to those treaties.
5. Much reform and transformation has happened in the last six years in the legal and policy framework for the promotion and protection of human rights in general. While pleased to report on that progressive, the Government continues to recognize that there is always more to be done. Improvements in the law and practice relating to access to justice; freedom of expression and association; promoting gender equality; progress in the implementation of Vision 2020, EDPRS 2 and the Millennium Development Goals, among others, led to significant transformation of the human rights situation in Rwanda over the last 6 years.
6. The present report shows developments on recent legislation, policies, strategies and measures adopted in order to protect and promote

human rights in general and implement the African Charter on Human and Peoples Rights in particular. This report was prepared by the Ministry of Justice through the National Task Force in charge of drafting international human rights reports. The taskforce is comprised by representatives of government and civil society institutions responsible for implementing international human rights obligations.

PART I: COUNTRY BACKGROUND, LEGISLATIVE AND INSTITUTIONAL FRAMEWORK

Country Background

- Demographic information remains relatively the same from the previous reports apart from the latest statistical information as detailed in the table below.

Table 1: Key socio-economic indicators for Rwanda

Key socio-Economic Indicator	Value rating
Surface area (*1000 square Km, 2016)	26.34
Population (in Million, 2016)	11.91
Population growth (Annual, in %)	2.81
Population density(people per sq km of land area 2016)	446.1
Life expectancy at birth (in years)	66.7
GDP (Current US Dollars, in billions)	5.7
GDP Growth (Annual, in %)	5.75
Inflation (GDP deflator, annual, in %)	6.30
Exports	50.7
Imports (% of GDP)	192.6

Source: <http://countrymeters.info/en/Rwanda>

Current exchange rates as of 02/11/2016 (source: www.bnr.com)

1 EUR = 908 FRW; 1 US\$ = 821 FRW

8. The macroeconomic stability reflected by the statistics in Table 1 confirms effectiveness of the policies that have been put in place and being implemented. Rwanda is now widely considered peaceful, safe and secure with stable and optimally functioning institutions. Rwanda is particularly proud of her record with regard to the accomplishment of the millennium development goals and looks forward to applying the same effort to the realisation of the sustainable development goals (SDGs).
9. Rwanda has developed programmes that target socio-economic transformation. These programmes include Vision 2020 and the Economic Development and Poverty Reduction Strategy (EDPRS). The Vision 2020 policy was developed to propel the kind of society that the country aspires to become by 2020 while the Economic Development for Poverty Reduction Strategy provides a framework for the country's long-term development aspirations as embodied in Rwanda's Vision 2020 and the accomplished Millennium Development Goals. The Country has also adopted policies and programmes to ensure the promotion and protection of human rights enshrined in various sector policy papers. Some of these policies include: National Employment Policy, National Agricultural Policy, the National Gender Policy, Investment Policy, Cooperatives Policy s to mention but a few.

Legislative Measures

10. Rwanda has committed to various international human rights agreements as highlighted in the preceding paragraphs of this report. This paragraph will only show the treaties that were ratified after the 2009 Rwanda's ACHPR report. These include the following:
 - The Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (ratified by a Presidential Order n°. 34/01 of 14/07/2009);

- The Agreement establishing the African Rehabilitation Institute (ratified by a Presidential Order n°. 37/01 of 14/07/2009);
- The Convention on the Protection of Children and Cooperation in Respect of Inter-Country (ratified by a Presidential Order n° 24/01 of 07/05/2010);
- The African Union Non-Aggression and Common Defence Pact (ratified by a Presidential Order n° 35/01 of 14/07/2009);
- The Agreement between the Republic of Rwanda and the International Atomic Energy for The Application of Safeguards in Connection with the Treaty on the Non Proliferation Of Nuclear Weapons and Related Protocols (ratified by a Presidential Order n° 27/01 of 07/05/2010);
- The International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (ratified by a Presidential Order n°33/01 of 17/05/2010);
- The International Convention against Doping in Sports Adopted (ratified by a Presidential Order n° 07/01 of 31/03/2009);
- The Convention relating to International Exhibitions (ratified by a Presidential Order n° 30/01 of 17/05/2010);
- The Additional Protocol to the Convention Relating to International Exhibitions (ratified by a Presidential Order P.O. n° 36/01 of 17/05/2010).
- The African Charter on Democracy, Election and Governance, adopted by the Eight Ordinary Session of the Assembly of the African Union, held in Addis Ababa, Ethiopia, on 30 January2007 (ratified by a Presidential Order No 27/01 of 09/07/2012;
- The ratification of the Optional Protocol to the Convention Against Torture and other cruel, Inhumane and Degrading Treatment or Punishment adopted by the United Nations General Assembly, in New York on 18/December,2002 and ratified by a presidential Order No 60/01 of 12/02/2014

11. Upon publication in the official gazette, ratified treaties and conventions are integrated into domestic legal system. This is in accordance with Article 95 of the Constitution of the Republic of Rwanda of 2003 as revised in 2015 which provides that ratified treaties come after the Constitution and Organic laws. In addition to the Constitution and other international conventions, the Government of

Rwanda has enacted new and/or amended existing laws that emphasize the protection and respect of Human Rights. Some of the national laws include:

- Law N°03/2011 Of 10/02/2011 Determining The Responsibilities, Organization And Functioning Of The National Council Of Persons With Disabilities
- The Law N° 04/2013 of 08/02/2013 relating to Access to Information.
- Organic Law N° 01/2012/OL of 02/05/2012 instituting the penal code
- Organic Law repealing Organic Law n° 08/2005 of 14/07/2005 determining the use and management of land in Rwanda,
- Law No02/2013 of 08/02/2013 regulating
- law No 04/2012 of 17/02/2012 governing the Organization and the functioning of National Non-Governmental Organizations,
- Law N0 10/2013/OL of 11/07/2013 governing *Political Organisations and politicians,*
- Law N° 54/2011 of 14/12/2011 relating to the Rights and the Protection of the Child.

Development in institutional framework

i) National Commission for Human Rights (NCHR)

12. The National Commission for Human Rights was created by the Law n° 04/99 of 12th March 1999 modified and complemented by the Law n° 35/2002 of 31st December 2002 amended up to date in compliance with the Paris Principles. The Law n° 30/2007 of 6th July 2007 has been replaced by the Law n° 19/2013 of 25/03/2013 determining mission, organization and functioning of the National Commission for Human Rights. The 2013 law governing the NCHR re-affirms its independence and autonomy in performing its functions. This law requires the NCHR to present reports of its activities annually to the Parliament for consideration. The key mandate of the NCHR is education and sensitization of the population on their human rights and monitoring of human rights in the country. The Commission specific mandate is to:

- Educate and sensitize the population on matters relating to human rights and participate in the development of human rights education

programmes; collaborate with other organs in designing strategies to prevent violations of human rights; prepare and disseminate reports on the situation of human rights in Rwanda, annually and whenever necessary;

- Provide views, upon request or at its own initiative on laws, regulations of public organs in force in the country and bills so as to ensure their conformity to fundamental principles of human rights;
- Urge relevant government institutions to ratify international treaties related to human rights and incorporate them in the existing domestic laws;
- Urge relevant government institutions to submit on time the reports related to international treaties on human rights ratified by Rwanda; propose to relevant government authorities measures to be taken to address and punish in accordance with law any violation of human rights; and collaborate with other foreign national human rights institutions, local associations and international organizations in human rights promotion and protection activities.

ii) The Office of the Ombudsman

13. The Office of the Ombudsman is a Constitutional institution whose authority was enhanced in 2013 with a new governing law. Additional powers were granted to the Office which include expanded authority to investigate and report on human rights violations. The most recent records from the Office of the Ombudsman indicate that the Office received 4,492 cases up to date. The Office resolved over 80% of those cases directly and the remaining 20% were referred to other relevant institutions for further action.

14. Annually, the Office of the Ombudsman organizes a national campaign commonly known as “Anti-corruption week” and another week focusing on fighting against injustice. During those campaign weeks, the Office increases awareness of its mandate and existing reporting structures in communities across the country. Individual and collective complaints related to corruption and unfair practices by civil servants are also received during those weeks.

iii) National Commission for Children (NCC)

15. Within the framework of respecting and giving a voice to Children, the Government of Rwanda adopted the Law No. 22/2011 of 28/6/2011 establishing the National Commission for Children (NCC). The NCC is an independent organ under the Ministry of Gender and Family Promotion (MIGEPROF) and its responsibility is to monitor, promote and protect the rights of children in Rwanda. The NCC has a special mandate to ensure the realization of the rights and freedoms of Rwanda's children, particularly those that are vulnerable in society.

iv) The Gender Monitoring Office (GMO)

16. The Government of Rwanda established a Gender Monitoring Office, whose mandate is to monitor gender mainstreaming in all public, private, civil society and faith-based institutions and organizations, as determined by the law N°51/2007 of 20/09/2007. The positive rate of gender mainstreaming across the Country can be directly related to the work of this institution that is dedicated to ensuring that the laws and policies are effectively implemented. In addition, the GMO also has the responsibility to participate in the development of policies and response to cases of gender based violence.

v) The National Council for Persons with Disabilities (NCPD)

17. Article 51 of the Constitution of the Republic of Rwanda of 2003 as revised in 2015 sets out the responsibility of the Government to ensure the inclusion of persons with disabilities in all national development programs. In particular, persons with disabilities have the right to have one representative in the Parliament's Chamber of Deputies, while Art.75 (4) of the Constitution provides for the establishment of the National Council for Persons with Disabilities.

18. The NCPD was established by law No. 03/2011 of 10/02/2011 with the purpose to coordinate activities aimed at the advancement of persons with disabilities, to gather and examine views of all persons with disabilities, to advocate on the issues affecting them, to increase

their capacity to be independent and collaborate with Non-Governmental Organizations working in the sector of persons with disabilities.

vi) Rwanda Governance Board (RGB)

19. The Rwanda Governance Board (RGB) is a public institution established by law No 41/2011 of 30/09/2011. It was formed from the merging of Rwanda Governance Advisory Council (RGAC) and the National Decentralization Implementation Secretariat (NDIS). RGB's core mission is to promote the principles of good governance and decentralization, conduct research and policy analysis related to governance, monitor the practices of good governance, coordinate and support media sector development and enhance citizen participation among others.

20. In the fulfilment of its mandate, RGB conducts regular research on the impact and perception of Government services by the public. One of the most successful innovations in Rwanda is the Rwanda Governance Scorecard, a comprehensive governance assessment tool. Rwanda Governance Score Card of 2014, on access to justice was one of the highest performing Government services at 80.2 percent.

21. In addition, RGB conducts other surveys such as the Citizen Report Card (an annual perception survey that scores Government performance from the perspective of beneficiaries), Rwanda Media Barometer, Rwanda Civil Society Development Barometer and Rwanda Governance Review. In order to increase citizens' participation, RGB introduced home-grown initiatives such as the Governance month which mainly aims at solving citizens' complaints, fostering accountable governance and transparency.

vii) The National Commission for the fight against Genocide (CNLG)

22. The National Commission for the fight against Genocide was created by law No 09/2007 of 16/02/2007 determining the attributions, organization and functioning of the national commission for the fight

against genocide. The commission started operating in April 2008 and has a core mission to prevent, fight against genocide and genocide ideology; and address genocide consequences both within and outside Rwanda.

23. The commission has helped to elaborate and put in place strategies meant to address the consequences of the Genocide such as trauma and other related physical and mental illnesses. CNLG also conducts advocacy for Genocide survivors on various issues concerning them. CNL also coordinates all commemoration activities as well as genocide memorial sites across the Country. It also conducts various research projects on genocide.

viii) Parliamentary Committees on Human Rights

24. The Parliament of Rwanda has two specific committees in charge of human rights. The Committee on Unity, Human Rights and the Fight against Genocide which is in the Chamber of Deputies (the lower chamber), and the Committee on Social Affairs and Human Rights and Petitions which is in the Senate.

25. Apart from receiving individual complaints on human rights, both committees are responsible for all issues relating to the harmonization of Rwandan laws with international conventions on human rights ratified by Rwanda. The Committees also examine the functioning of the structures of administration that have a relationship with respect of human rights; unity and reconciliation of Rwandans.

26. In that regard, both Committees conduct field visits where necessary to ascertain the situation on the ground. In particular, the Chamber of Deputies Committee receives and considers the annual report submitted by the National Commission for Human Rights and has the authority to summon any Government institution to answer to allegations when necessary. The Senate Committee on the other hand has the authority to make reports on the human rights for the consideration of the Head of State and the Senate can even recommend the removal of a public official where necessary.

PART II: STATUS OF IMPLEMENTATION OF THE CONCLUDING OBSERVATIONS OF THE PREVIOUS REPORT

27. Following the submission and presentation of the Rwanda's 9th and 10th periodic report, a number of general comments were made on various issues. Rwanda has endeavoured a detailed response on each observation and recommendation as given by the Commission during the previous review.

(a) The indigenous peoples in Rwanda

28. After the 1994 genocide, Rwanda undertook an initiative to consolidate its national unity and prevent ethnic conflicts as had happened in the past. The post-conflict government adopted a new policy according to which there is only one united Rwandan community composed of all Rwandans (Banyarwanda). The former distinction of groups into Bahutu, Batutsi and Batwa was largely seen to be divisive and unproductive to Rwandans.

29. Furthermore, the Government of Rwanda does not consider any group of Rwandans as a distinct indigenous people. However, the Government recognises the particular situation of some vulnerable populations under the category of "historically marginalised populations" and, to that end; it has adopted a series of measures to improve their living conditions, as well as integrating them into mainstream Rwandan society.²

(b) Divisionism and genocide ideology

30. Rwanda has embarked on a massive fight against the ideology of genocide and divisionism. It is our understanding that Rwandans know genocide better than anyone else and therefore have every legitimate responsibility to prevent its reoccurrence by all means. Rwanda recognises such need to part from anything that would draw the country into such nightmare and as a result, legislative, institutional, policy and administrative measures have been taken. An organic law instituting the penal code has been passed which criminalises genocide ideology in its articles 135 and 136.

31. The definition of genocide ideology is provided for by the Law No 84/2013 of 11/09/2013 on crime of genocide ideology and related offences with their respective sanctions ranging from prison sentences to fine. Statistics from the

² See the 9th & 10th periodic report of the republic of Rwanda, (n 3 above). See also ACHPR and IWGIA, *Report of the African commission's working group on indigenous populations/communities: mission to the Republic of Rwanda*, 1-5 December 2008.

Supreme Court show that there is a steady decline in genocide ideology related cases. As of 2015, 40 cases were reported compared to 168 in 2014. For further details on prevention, suppression and punishment of the crime of discrimination and sectarianism, see 9th and 10th country report.³

(c) Inadequate training of judges, lawyers and prosecutors on the use of human rights in the administration of justice

32. Rwanda has strongly embarked on improvement of skills of lawyers, judges and prosecutors. The Institute of Legal Practice and Development (ILPD) was established in early 2008 as part of the country's push for law reform following the adoption of the 2003 Constitution revised in 2015. ILPD was created as a national institute to provide a "post-graduate curriculum" for practical legal training and education in the development of the law (and to do so in three languages -French, English and Kinyarwanda - and across three legal traditions - civil law, common law and African law). The Institute has developed a training program for judges, prosecutors and lawyers, awarding a Diploma in Legal Practice.
33. The Institute (ILPD) during the financial year 2012 / 2013, trained 28 judges from primary and intermediate Courts on International Law and Rwandan Penal Code; trained all Supreme Courts judges, High Court Judges, Commercial High Court Judges, bailiffs of the Supreme Court and Inspectors on arbitration .⁴
34. Recently during the financial year 2014/2015, 35 staffs from the judiciary, prosecution and police were trained on how to respond to Terrorism and Cross Boarder Crimes; 45 staff composed of judges, registrars; Researchers and Prosecutors were trained on International Standards regarding criminal proceedings in view of Transfer law and criminal procedures. Also a training on Rules of Procedure in Civil Matters was offered to 198 Judges and Registrars from the High Court everywhere in the country; and during this financial year a training for 15 participants composed of judges, inspectors, and prosecutors on Developing Sentencing Guidelines was done.

³ See further details in the 9th & 10th periodic report, (n 3 above), p 21-23.

⁴ Report on the achievements of judiciary of Rwanda for the past ten years (July 2004- June 2014)

35. In addition, human rights instruments have been translated in the three official languages and the process of distribution is underway to all legal practitioners in Rwanda. Also various sensitisation campaign programs have been run – particularly to all practitioners in the country. Besides, a dedicated program has been developed to fully sensitise and inspire all practitioners to use international human rights instruments particularly in courts of laws.

(d) Detention Conditions

36. The newly established Rwanda Correctional Services (RCS) is responsible for the promotion and protection of the rights of incarcerated people in accordance with the Rwandan and international laws. It is also responsible for ensuring the respect of life, physical and moral integrity and wellbeing of detainees. The Presidential Order governing the construction and the organization of prisons in Rwanda provides that each prison facility must have dormitories, suitable toilettes, sports courts, a health centre, guest's halls, a kitchen, water and electricity, as well as appropriate air conditioning system for the welfare of detainees and the preservation of safe environment.

37. Each prison in Rwanda has a health facility with medical personnel and in case of serious illness, prisoners/inmates are transferred to the Rwandan District hospitals, and if the illnesses require specialized care and treatment, they are referred to the provincial/Referral Hospitals. In an effort to find a solution to the problem of congestion in prisons, new prisons have been constructed: Mpanga prison (in Southern Province), in which convicted criminals from the Special Court for Sierra Leone are imprisoned; children's rehabilitation centre of Nyagatare (Eastern Province) for only minors; the Rubavu prison (Western Province) as well as the prison of Mageragere (Kigali City). Rehabilitation of old prisons such as Huye and Rwamagana has been done. Ngoma, and Nyamagabe prisons are used by women only and RCS is planning to establish one female prison per province.

38. Rwanda has also adopted alternative measures to imprisonment including community works (TIG). Some prisoners are released conditionally before the end of their prison sentences under certain conditions and more than 11,000 people who were under TIG programme had been reintegrated. The Special Court for Sierra Leone and the International Criminal Tribunal for

Rwanda (ICTR) commended the quality of the detention Centre-Mpanga prison as meeting international standards.

39. In all 14 prisons in Rwanda, the government has provided treatment for tuberculosis (TB) and in 8 prisons the government has provided full TB diagnostic and treatment services. In all prisons, HIV positive inmates/prisoners, receive ARV's and go through the clinical follow up recommended for HIV positive people. The government also due to failing health of some inmates/prisoners, releases those who are unable to complete community work.
40. The government established nursery schools for children under three years' old living with their mothers in prisons. Each nursery school also has a cow to provide fresh milk to the children. The same improved conditions are provided for suspects under pre-trial detention. Children or juveniles both sentenced or under pre-trial detention are put in separate cells with modern facilities. Due to all these measures put in place, there has been an increase of space for sleeping (80cm by 2m) in prisons complying with the international standards for prisons. The office of the Ombudsman is responsible for examining and monitoring the treatment of people detained in prisons and court cells, immigration detention facilities, health and disability places of detention (e.g. hospitals and secure care facilities), child care and protection and youth justice residences.
41. The National Human Rights Commission and inspectors have unrestricted access to the relevant places of detention. They also have unrestricted access to information about the number of detainees, the treatment of detainees, and the conditions of detention. And they are entitled to interview any person in a place of detention, or who can provide relevant information

(e) Enactment of the Access to Information Law

42. Rwanda adopted law No. 04/2013 of 08/04/2013 relating to Access to Information to boost the country's good governance indicators by forcing accountability. The objective is to compliment the country's good governance policy through the aforementioned law. By implementing this law, it is hoped that it will increase citizen awareness of policies and programmes

being implemented on their behalf, and accelerate social economic development.

43. Journalists and the public under article 3 of the aforementioned law have the ground to demand access to information possessed by public organs and some private bodies hence promoting publication and dissemination of information. Article 16 of this law, sets out to protect any person who in the interest of the public discloses information he/she is normally not supposed to disclose if people who were supposed to disclose such information fail to do so within the time.
44. It is an offence for any person who has the obligation to provide information but delays to give it without legal justification, or who knowingly gives incorrect, incomplete or misleading information.⁵ If convicted of any of the acts mentioned, a person shall be liable to a term of imprisonment of one (1) month but less than six (6) months and a fine of two hundred thousand (200,000) to one million (1,000,000) Rwandan Francs or one of these penalties.⁶ Access to information is further supported by Law n°02/2013 of 08/02/2013 regulating media which determines rights, obligations, organization and functioning of media in Rwanda. This law establishes Media Self Regulatory Body which is an organ set up by journalists themselves and responsibility of ensuring compliance with the principles governing media and to defend general interest.
45. Thus, freedom of the media and freedom to receive information are recognized and provided law. Every journalist has the right to freedom of opinion and expression; this right includes the right to seek, receive, give and broadcast information and ideas through any media.⁷ In Rwanda, there is an active interaction between journalists and government leaders; regular collaboration between journalists and security forces such as policemen is maintained in regular meetings. Such collaborative mechanisms have facilitated access to information for journalists and citizens in general. Access to information law is seen as an entry point to improve journalists' participation into political affairs.

⁵ Article 590 of Organic Law No 01/2012/OL of 02/05/2012 instituting the penal code

⁶ Op.Cit, art. 591

⁷ Article 8 of the law n°02/2013 of 08/02/2013 regulating media in Rwanda.

46. In addition, there is a government Spokesperson with a fully fledged office which oversees and coordinates with government institutions in effective communication of GoR's story to audiences within and outside Rwanda. Such information enables the public to keep informed and feel part of the country's governance.

f. Lack of legal protection of the Rwandan population working in the informal sector

47. The Constitution of the Republic of Rwanda of 2003 as revised in 2015 provides that "Every person has the right to free choice of employment" under its Art.31. Persons with the same competence and ability have a right to equal pay for equal work without discrimination. Equally, protection against unemployment is one of the development pillars reflected in the National Emblem. The Government of Rwanda has in various forums reiterated its commitment to Universal Declaration of Human Rights and strict compliance with the declaration of the twenty seventh ordinary sessions of the Conference of Heads of State and Government of the Organization of African Unity on employment crisis in Africa.

48. It is in line with the above fundamental principles and guidelines established by the Constitution of Rwanda that national policies and programs such as Vision 2020 and the Poverty Reduction Strategy Document as well as other comprehensive sectoral approaches such as the National Employment Policy, National Agricultural Policy, the National Gender Policy, Investment Policy, Cooperatives policy; sectoral strategies for Youth, Public Service, Education, Infrastructure, and Energy that seek to create a clear and defined framework in which employment both from the formal and informal sector in Rwanda operates.

49. Varied sectors of employment are regulated by the law No 13/2009 of 27/05/2009 Regulating Labour in Rwanda. It provides in its Article 13 for legal protection of workers working in informal sector on following issues: social security, trade union organizations and those relating to health and safety at workplace. The Rwanda National Employment Policy of December 2007 acknowledges the rapid development of the informal sector partially reducing on unemployment dominated by small retail trade and crafts activities. The Policy recognizes a need for development of policies and

strategies of the Private sector to include activities of the informal sector to strengthen social security. The Ministry of Trade and Industry established a special annual program called Handicraft Excellence Award Program (HEAP) to facilitate in the identification of talented artisans with high quality products and link the winners to local, regional and international buyers.

g. Lack of support scheme to child headed households

50. The Government of Rwanda adopted the Law No. 22/2011 of 28/6/2011 establishing the National Commission for Children (NCC) which is an independent organ under the Ministry of Gender and Family Promotion (MIGEPROF) and is responsible for monitoring, promoting and protecting the rights of children in Rwanda. The NCC currently supports 1, 362 (577 Females and 577 males) Orphans and Vulnerable Children (OVC) in secondary school, 5, 156 (2, 056 Females and 3, 100 males) in Technical and Vocational Education Training (TVET) through the provision of school fees and health insurance. Through this program, since 2011 (year of establishment of the NCC), 124, 611 students had completed both secondary school (105, 361) and TVET (19, 250).
51. NCC organizes Annual Children's Summit that serves as a national consultative forum that brings together child delegates from all the administrative sectors across the country. The Children's Summit provides children with a special opportunity to express their views and wishes about building the nation. Thus children are given an opportunity to have their views included in what is planned for them with regard to the country's policies and programs for children. In 2014, the Annual National Children's Summit coincided with the 25th anniversary of the UN Convention on the Rights of the Child. In that summit, 507 children from across Rwanda and 17 other children from other East Africa nations convened to discuss on child rights and protection.
52. The ravages of genocide and AIDS have claimed the lives of at least one parent of almost a third of Rwanda's children. Thousands of boys and girls throughout the country have been forced to take on adult responsibilities. Vulnerable, poor and often marginalized children forego school while struggling to take care of their younger siblings. As such, Rwanda is home to one of the world's largest proportions of child-headed households, with an

estimated 101,000 children living in some 42,000 households. These children are on their own, either because their parents were killed in the genocide, died of AIDS or have been imprisoned for genocide-related crimes.⁸

53. Consequently, health services, education, economic and financial development, and welfare of child headed households were adversely affected. However, over the last years, the Government of Rwanda has made remarkable progress in rebuilding the country and this struggle continues until today. In this area, the most important focus of the government is to restore the economic and financial situation, wealth, health and education of the child headed households. To improve on child health, Rwanda designed a community based health program meant to contribute to the improvement of people at the community level, especially mothers and children. The community health worker in general and the community health worker in charge of maternal and child health care as well as other home-based care providers ensure crucial maternal and child care services starting the time of pregnancy until childbirth in every sector.
54. Primary education is compulsory and free in primary school which is in line with article 20 of the Constitution of the Republic of Rwanda of 2003 as revised in 2015. It states that “Every person has right to education. Freedom of learning and teaching shall be guaranteed in accordance with conditions determined by law”. Primary education is compulsory and is free in public schools. The Government usually identifies families and households that cannot afford the other costs of education, such as uniforms and learning materials, and provides for them. Various options for social protection, such as school stipends or other cash transfer schemes are provided for those children who for economic, social or cultural reasons, tend to stay out of school (including but not limited to girl children, children affected by HIV and AIDS, other vulnerable children).
55. Rwanda demonstrated a strong commitment to children’s rights, having ratified the UN Convention on the Rights of the Child (CRC) in 1990 and provides periodic report on the implementation of this convention. In addition, there is an excellent progress in ensuring children’s rights with a number of law and policies, the establishment of a National Commission for

⁸ ICTR newsletter (November 2006).

the Child, and adoption a new law relating to the Rights and Protection of the Child in June 2012, which is meant to be, in effect, a “Bill of Rights” for Rwandan children. The Ministry of Gender and Family Promotion is responsible for ensuring that the Integrated Child Rights Policy (2011) is implemented, and that all policies concerning children follow the UN Convention on the Rights of the Child.

h. Lack of a specific legislation to regulate legal aid in Rwanda

56. A functioning, fair and accessible justice system is vital for promoting good governance, the rule of law and eradication of poverty. The Government of Rwanda, in collaboration with development partners and civil society organizations have been working towards improving access to justice for all Rwandans by implementing measures that enhance access to justice for all Rwandans but more so for the indigent. Legal aid provision has basis in the Constitution of Rwanda. For instance Article 15 states that all human beings are equal before the law. They are entitled to equal protection of the law.
57. A Legal Aid Policy was adopted by the Government of Rwanda on 15 October 2014 to provide legal aid to juvenile offenders. This has evolved to providing legal aid to all indigents; elderly; the sick; prisoners; women in prisons to mention but a few. To achieve this, one lawyer has been added to MAJ to specifically deal with GBV issues; adopting legal aid delivery methods, legal information and education, establishment of legal aid steering committee, a legal aid fund and criteria for determining eligibility for legal aid among others. Legal Aid was also integrated in the Justice Sector Strategic Plan of the Ministry of Justice. The Ministry of Justice coordinates all legal aid providers-State or non-State actors. There are 74 legal aid providers countrywide including NGOs, Universities, Government Institutions and Private Practitioners.
58. It should be noted however that there is no specific law regulating legal aid in Rwanda though it is guaranteed in practice by different domestic laws. Law N° 02/2010/OL of 09/06/2010 in Article 42 makes it mandatory for a party in a case to be represented and if one cannot afford the services, free legal assistance is to be given with the direction of the President of the Supreme Court. Other provisions include article 150(3) and Article 203 of the law N° 30/2013 of 24/05/2013 relating to the code of criminal procedure, and Article 64 of the law N° 54/2011 of 14/12/2011 relating to the rights and the

protection of the child, and Articles 58, 59, 60 of the Law No 83/2015 establishing the Bar Association in Rwanda and determining its organization and functioning. The new developments however are that the draft law on legal aid; legal aid fund and policy are key projects in the pipeline.

59. During the 11th National Leadership Retreat in 2014, it was resolved that the “Abunzi” need to be better empowered to reduce on the backlog in ordinary courts. This has benefited most people to access justice who would otherwise be unable to afford legal services in ordinary courts. Since the year 2009 the Ministry of Justice organizes and coordinates activities of providing legal aid for a week long in all districts of the country annually. The purpose is to raise awareness and provide direct legal aid.
60. Achievements of the legal aid weeks from 2009-2015 include: 73,488 indigent and vulnerable people were given legal information, advice and mediation; 1,036 minors in conflict with the law were assisted; 9, 367 detainees and prisoners were provided with different legal services on their individuals cases; 16,639 Gacaca judgements were enforced; 22 pregnant and nursing women in prison were assisted; Assistance was provided in all 14 prisons of the country; legal advice was given in all 30 Districts and 416 sectors; As a result of legal aid week collaboration between legal aid providers and local authorities; local authorities now work with both State and non-State legal aid providers to find solutions to (legal) problems of the population has been strengthened.
61. The Government of Rwanda initiated Access to Justice Bureaus (AJB) – popularly known as Maisons d’accès à la Justice (MAJ) in French in 2007. These bureaus serve as a first point of orientation for the general public; sensitize population on their human rights; provide general legal aid services; assist prisoners and provide legal training to Abunzi among others. Currently, every district has three MAJ personnel that particularly give legal aid to the population. As a result, this has relatively increased efficiency, performance, transparency of the judicial system, and improvement of public access to justice. Furthermore, among the staff in the Access to Justice Office (MAJ), one is a GBV and Child focal person to facilitate access to justice to women victims of gender based violence.

i. Non declaration under Article 34(6) of the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights

62. As of March 2013, Rwanda deposited the declaration under article 34(6) of the Protocol Establishing the African Court on Human and Peoples Rights allowing direct access of NGOs with observer status before the African Commission and individuals to the court. Rwanda became the 6th out of 26 countries that have ratified the Protocol to deposit the declaration which was signed on 22/01/2013.

j. The Non ratification of the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment

The Optional Protocol to the Convention against Torture was ratified by the Presidential Order n° 17/2013 of 25/03/2013 authorising the ratification of the optional Protocol to the convention against torture and other cruel, inhuman or degrading treatment or punishment. Prohibition of torture was domesticated through the penal code under its articles 176 and 187 which criminalize torture in general and sexual torture in particular. The objective of OPCAT is to establish a system of regular visits by independent international and national bodies to places of detention, in order to prevent torture and other cruel, inhuman or degrading treatment or punishment.

63. The Act provides for the designation of "National Preventive Mechanisms" (NPMs), whose role is to examine, at regular intervals, the conditions of detention and treatment of detainees, and make recommendations for improvement. Since then, It has reinforced its commitment to the effective prevention of torture and other forms of ill-treatment. This ratification constitute an important step by the Government of Rwanda in promoting and protecting human rights in the country.

64. Several trainings and workshops on the convention and OPCAT have been organised. For instance a training was organized from 31/08 to 03/09 2015 the Ministry of Justice in collaboration with ILPD for the Treaty Body Reporting Task Force. In March 2016 the National Commission for Human Rights in collaboration with the Human Rights Implementation Center

(HRIC) of the University of Bristol-UK and the Association on Prevention of Torture (APT) organized a two days expert working group to discuss the designation of a National Preventive Mechanism. Other consultations took place at national level organized by the Ministry of Justice and currently a draft law establishing the NPM is available in the National Commission for Human Rights.

PART III: INFORMATION CONCERNING EACH OF THE RIGHTS, DUTIES AND FREEDOMS IN RELATION TO APPROPRIATE INDIVIDUAL ARTICLES OF THE CHARTER

Article 2: Prohibition of Discrimination & Article 3: Right to equality before the law

65. The Constitution of the Republic of Rwanda in its Article 15 provides for the equality and protection from discrimination. It states that “ discrimination of any kind or its propaganda based on, inter alia, ethnic origin, family or ancestry, clan, skin colour or race, sex, region, economic categories, religion or faith are prohibited and punishable by law.
66. It is important to recognize that Rwanda legal system explicitly guarantees equality before the law and equal protection of the law. The Rwandan Constitution states that all citizens are born and remain free and equal in rights and duties. The Rwandan Constitution further stipulates that discrimination of whatever kind based on, inter alia, ethnic origin, tribe, clan, colour, sex, region, social origin, religion or faith, opinion, economic status, culture, language, social status, physical or mental disability or any other form of discrimination is prohibited and punishable by law.⁹
67. This is reinforced by the Code of ethics for Judiciary which binds the judge to serve the cause of justice with fidelity, integrity, objectivity and impartiality without any discrimination whatsoever, particularly with regard to race, colour, origin, ethnic group, clan, sex, opinion, religion, or social status.¹⁰ The Code of Criminal Procedure provides for the right to legal representation and

⁹ Article 16 of the Constitution of the Republic of Rwanda of 2003 revised in 2015

¹⁰ Article 12 of the Law N° 09/2004 of 27/04/2004 establishing the code of ethics for judiciary, O.G N° 11 of 1st June 2004.

stipulates that those who cannot afford to pay for legal services have the right to seek legal counsel from the Rwandan Bar Association.

68. A number of penal provisions give effect to the undertaking of eliminating discrimination in all its forms. In 2012 an organic law instituting penal code was enacted in addition to other laws¹¹ and sanctions acts of discrimination ultimately guarantee equality. The legal framework for the protection of women's rights is enshrined in the National Constitution (2003) as revised in 2015 that guarantees equality between men and women in all spheres and provides for remedial affirmative action like at least 30% women representation in decision making organs. Based on this constitutional provision, a number of progressive laws have been enacted to reverse previously discriminatory laws, norms and practices.
69. Since 2009, the following laws were passed: the Organic Law n° 12/2013/OL of 12/09/2013 on State finances and property institutionalizing Gender Responsible Budgeting; law n° 13/2009 of 27/05/2009 regulating labour in Rwanda. Article 9 of this law prohibits gender based violence at work; article 12 provides for non-discrimination; articles 64-69 provides for right to maternity leave & articles 74 provides for works prohibited for a pregnant women & breast feeding.
70. The law n° 59/2008 on the Prevention and Punishment of Gender-Based Violence (GBV), law n° 43/2013 of 16/06/2013 Governing Land in Rwanda providing equal rights between women and men on access, ownership and utilization of land, law No 03/2013 of 16/06/2013 repealing Organic law n° 08/2005 of 14/07/2005 determining the use and management of land in Rwanda, Law n° 54/2011 of 14/12/2011 relating to the rights and the protection of the child, law n° 34/2010 on the establishment & organisation of Rwanda correctional Service which in its article 30(2) prohibits discrimination; article 31 provides for categorization based on gender and age for better protection; article 32 calls for respect of gender in prisons and detention facilities.

¹¹ Organic Law n° 01/2012/OL/ of 02/05/2012 instituting the Penal Code, articles 135-136, 176, and 716, Law n° 47/2001 of 18/12/2001 instituting punishment for offences of discrimination and sectarianism, O.G. of 2001., Law n° 33 bis/2003 repressing the crime of genocide, crimes against humanity and war crimes, O.G. of 1 November 2003, Law n° 47/2001 on prevention, suppression and punishment of the crime of discrimination and sectarianism, Article 12 of the Law n° 13/2009 of 27/05/2009, Regulating Labour in the Republic of Rwanda, O.G, Special n° of 27/05/2009.

71. The government has also established a women council by Law n°.02/2011 of 10/02/2011 determining responsibilities, organization and Functioning of national women council. All this aimed at ensuring equality and non discrimination of women. After 1994 genocide against Tutsi, Rwanda has undertaken a number of measures to eliminate the culture of divisionism that characterized the past regimes. One of the major actions taken was to put in place a broad based Government (Government of National Unity) within which all categories of Rwanda are represented.
72. The Government of Rwanda has responded swiftly to discrimination in defence staff that characterised the former government by not only integrating members of the former army in the new formed army but also by removing any exclusion in recruitment in the security organs. The present organisation of Rwanda Defence Forces is composed of all groups of the people of Rwanda. In order to ensure availability of resources for effective mainstreaming of gender perspective in Government programmes, Gender Responsive Budgeting has been institutionalized through the Organic Budget Law of 2013. Under this law, all Government budget agencies are required to submit Gender Budget statements with their budget estimates to the Ministry of Finance and Economic Planning, so as to mainstream gender perspective into the analysis of public expenditure and revenue policies.
73. The Ministry of Finance and Economic Planning is also responsible for overseeing the mainstreaming of gender into the planning, policy formulation as well as the co-ordination of the GRB process to ensure that development resources are allocated in a gender responsive manner. It works closely with MIGEPROF, GMO and other partners to provide gender budgeting guidelines and indicators to ministries and districts.
74. On the gender aspect, the Government of Rwanda has put in place a strong institutional framework to ensure effective implementation and coordination of the gender equality commitments. These include: The Ministry of Gender and Family Promotion (MIGEPROF) which is the central Government organ mandated to ensure strategic coordination of policy implementation in the area of gender, family and children's issues; the Gender Monitoring Office (GMO), a Constitutional regulatory body with the mandate to spearhead the

monitoring and evaluation of the implementation of gender principles and the fight against GBV in all sectors at all levels; the National Women's Council (NWC), also a Constitutional body, that provides a forum for empowering women and coordinating their effective participation in political, social and economic development, from the grassroots level.

75. NWC's strategic positioning at all levels of decentralized governance is an opportunity to mobilize women to participate fully and provides them with a space to make their voices heard and entrench gender equality principles in planning processes at local level. The women's councils play an important role in policy development and implementation by enabling women to put forward their views and solve their problems. The Rwandan Forum for Women Parliamentarians (FFRP) is a mechanism for women in parliament to use their strategic position as lawmakers to continuously lobby, advocate for and initiate gender-responsive laws and enhance gender equality principles within the institution of parliament, as well as improving gender-based Governmental oversight.

76. The National Commission for Children (NCC) was established in 2011 to promote children's rights, ensure coordination, implementation, oversight and monitoring of the children protection system, as well as to provide Rwanda's children the opportunity to develop into productive and responsible citizens. The Office of the Ombudsman and the National Human Rights Commission are other monitoring and accountability mechanisms that follow up the respect, promotion and protection of human rights, including women's rights.

77. More to that, the other mechanism that Rwanda has adopted is the National Gender Cluster that brings together Government and all stakeholders including official development partners, the private sector representatives of women's councils and CSOs so as to discuss the further implementation of the National Gender policy.

Article 4: The Right to Life, Physical and Moral Integrity

78. The Rwandan Constitution guarantees to every person the inviolable and inalienable right to life.¹² Accordingly, no person may be deprived of his life

¹² Article 13 of the Constitution of the Republic of Rwanda of 2003 revised in 2015

arbitrarily. In 2007, death penalty was abolished and replaced with life imprisonment.¹³ Apart from the formal abolition of death penalty in the penal code, Rwanda recently ratified the Optional Protocol to the Convention against Torture which demonstrates the commitment to protect and promote human dignity and moral integrity. Furthermore, Rwanda has currently removed its reservation on the Maputo Protocol related to abortion and this aims at protecting the lives of unborn child and their mothers.

79. The right to life goes with the right to health and that is one of the reasons the Government has made maternal and child health a priority in all development programs. Considerable advancement have been made to ensure maternal and child health. The country has now 6 referral hospitals in different regions of Rwanda, one provincial hospital in each Province, one or more district hospitals in each District, and 96% of the 416 administrative sectors have at least one health centre. This resulted in the reduction of the time needed to reach a health centre from about 95 minutes in 2005 to 60 minutes in 2015.

80. These efforts have directly led to reduction of mortality rates and has increased life expectancy from 49 years in 1994 to 64 years today. The government also continues to provide health insurance which is mandatory for all citizens. The recent report on *Mituelle de sante* shows that the coverage for the fiscal year 2015 – 2016 is measured at 81,68%. Health policies have been adopted to foster the above-mentioned programs. Some of these policies on health include: Health Sector Policy 2015; Rwanda Pharmacy Policy 2016, Health Sector ICT Security Policy January 2016, National Community Health Policy; Health Financing Sustainability Policy March 2015 ;National Food and Nutrition Policy; NCDs Policy 2015 and the Community-Based Health Insurance Policy Of 2010.

Article 5: Right to dignity, prohibition of torture and slavery

81. The Rwandan Constitution prohibits physical abuse or cruel, inhuman or degrading treatment as provided in its article 14. In addition, the Constitution also provides that crimes against humanity, genocide, and war crimes are punishable by the law. Inspections are conducted regularly by the

¹³ See Organic law n° 31/2007 of 25/07/2007 relating to Abolition of the Death Penalty.

National Police and the National Prosecution Authority for observance of the minimum standard of respect for human rights in detention facilities. Article 139 of the Rwandan Constitution provides for the National Human Rights Commission whose mandate is to educate, mobilize the people on matters relating to human rights, examine violations and carry out investigations on violations of human rights carried out in Rwanda by state organs, public officials, organizations and individuals. Particularly, Rwanda has of recent removed from its legislation the sentence/penalty of solitary confinement. This is a great step in the improvement of the dignity of prisoners and their freedom from torture.

82. The Rwandan Penal Code includes the punishment of torture in its Articles 176 and 177 and defines torture as any act by which severe pain or suffering, whether physical or mental, inhuman, cruel or degrading, are intentionally inflicted on a person for such purposes as obtaining from him/her or a third person, especially information or a confession, punishing him/her of an act he/she or a third person committed or is suspected of having committed, or intimidating him/her or coercing him/her or a third person or for any other reason based on discrimination of any kind.
83. Any person, who inflicts torture on another person, shall be liable to a term of imprisonment of six (6) months to two (2) years. If torture results in either incurable illness, permanent incapacity to work, full loss of function of an organ or serious mutilation, the penalty shall be a term of imprisonment of more than five (5) years to seven (7) years. If such torture results in the death of the victim, the punishment shall be life imprisonment with special provisions. If the offences under Paragraphs one and 2 of this Article are committed by a Judicial Police Officer or a Prosecutor or any other security service officer or civil servant, the offender shall be liable to the provided maximum penalty.
84. Additionally, Article 6 of the law on evidence provides that it is “forbidden to tie, beat torture, brainwash or resort to any cruel or degrading methods to extort a confession from a party or testimony from witnesses.” These forms of evidence are prohibited under the law and have no legal effect before a judge. The Constitution of the Republic of Rwanda in its Article 24 provides that every person has a right to inviolable and inalienable right to liberty. It provides that the person's liberty is guaranteed by the State. No one shall be subjected to prosecution, arrest, detention or punishment on account of any

act or omission which did not constitute a crime under the law in force at the time it was committed.¹⁴

85. The right to be released on bail is also a right guaranteed under the law.¹⁵ Many guarantees on the right to liberty and security in Rwanda as detailed in the 2009 report are still into force in Rwanda. Community policing at local levels is taking root and the assessment of the program reveals improved security and shared responsibility in peace sustenance and maintenance. The Government of Rwanda has invested a lot of effort in the promotion and safeguarding of women's rights, as enshrined in the Constitution's fundamental principles, in promoting and protecting human rights for women.

86. Rwanda embarks on the rule of law, ensuring social justice, guaranteeing equality between women and men, and affirmative action to redress past discrimination. It also provides for equality between men and women and their rights to life, citizenship, freedom of movement, marriage, free choice of employment, equal employment and pay for equal competence and ability, and prohibits any form of discrimination.

Article 7: The Right to Fair Trial

87. The right to be informed of the nature and cause of charges and the right to defence are absolute at all levels and degrees of proceedings before administrative, judicial and all other decision making organs.¹⁶ Every person accused of a crime is presumed innocent until his or her guilt has been conclusively proved in accordance with the law in a public and fair hearing in which all the necessary guarantees for defence have been made available.¹⁷

88. Accused persons also have the right to be represented by legal counsel of their choice; and if they do not have sufficient means to pay for the service which would result in loss of justice, the accused will be offered legal representation at state expense by implementing measures that enhance

¹⁴ Article 24 of the Constitution of the Republic of Rwanda of 2003 revised in 2015

¹⁵ Article 105 & 106 of the Law n° 30/2013 of 24/05/2013 Relating to the code of Criminal Procedure, O.G Special N° 27 of 08/07/2013

¹⁶ Article 29 of the 2003 Constitution of the Republic of Rwanda revised in 2015

¹⁷ Article 29 of the Constitution of the Republic of Rwanda as revised in 2015

access to justice for all Rwandans but more so for the indigent¹⁸. The Government has also continuously provided free legal representation to vulnerable such as children and other peoples who cannot afford legal counsel of their choice¹⁹.

89. The International Criminal Tribunal for Rwanda (ICTR) and other foreign courts attested to Rwanda's track record of respecting the right to fair trial before transferring the accused to Rwandan courts for trial of genocide cases. Transfer of cases at the ICTR, were governed by Rule 11 *bis* of ICTR Rules of Procedure and Evidence²⁰ which lays down a number of requirements that a country requesting a transfer has to fulfil.
90. When determining whether to refer the case in accordance with paragraph (A) of Rule 11 bis of the ICTR, the Trial Chamber had to satisfy itself that the accused will receive a fair trial in the courts of the State concerned and that the death penalty will not be imposed or carried out and this includes the guarantee of accused right to a fair trial. Rwanda has so far received three (3) cases from the ICTR, namely UWINKINDI Jean, MUNYAGISHARI Bernard and NTAGANZWA Ladislas. Three cases from other countries namely Dr MUGESERA Leon from Canada, BANDORA Charles from Norway and MBARUSHIMANA Emmanuel from Denmark.
91. The government of Rwanda has afforded all the transferred persons from the foreign jurisdiction with legal assistance, a demonstration of the Country's commitment to ensure the right to fair trial. In the *The Prosecution v. Uwinkindi Jean*, both the defense and prosecution invoked the right to fair trial. The accused submitted that he had a right to choose counsel in his exercise of the right to legal counsel referring to article 14 of the ICCPR. The Prosecution responded to the accused's revocation request dated 04/09/2015 by making reference to Article 14(3) (d) of the ICCPR to explain the extent of an accused person's right to choose Counsel when the accused is relying on legal aid. The subsequent decision of the International Crimes Chamber of the High Court which adjudicated this issue also made reference to the said Article 14 of the ICCPR.

¹⁸ Article 39 n° 30/2013 of 24/5/2013 Law relating to the code of criminal procedure

¹⁹ Justice for children policy of 2014; Intergated Child Policy 2011

²⁰ ICTR Rules of Procedure and Evidence as amended on 14 March 2008 (hereinafter ICTR Rules of Procedure).

92. As earlier mentioned, the Access to Justice Bureaus established by the ministry of Justice are meant to provide legal aid, legal assistance and all matters related to justice among citizens. There is an inspection department that has been established under the Supreme Court entrusted with the task of reviewing and advising on various issues pertaining to dispensation of justice. Accordingly, cases related to malpractice, unfair treatment, corruption and other issues suggesting suspicion of partiality are attended to by the department. Also, case application or filing to court has been oriented through the use of internet which has facilitated both in terms of expedition and administration of justice.

Article 8 and 10: Freedom of Opinion, Religion and Conscience and Freedom of Association

93. Freedom of association is a right endowed to every Rwandan. This is in fulfillment of the obligations contained in the Rwandan Constitution as revised in 2015. The right to free association is enshrined in the constitution in its Article 39. It states that the right to freedom of association is guaranteed and does not require prior authorization. It is exercised under conditions determined by law. Rwanda is a party to the International Covenant on Civil and Political Rights. With due respect to the law and other administrative requirements, Rwandans have the right to freely form political parties and various other types of associations.

94. Currently there are eleven Political Organizations officially recognized in Rwanda in accordance with the law of 2013 on political parties. According to this law, political organizations officially recognized are permitted to organize themselves in a consultative forum. To promote and protect the right to associate, legislative measures were adopted. These include among others the Organic Law N° 10/2012/OL of 15/01/2013 repealing the Organic Law n° 55/2008 of 10/09/2008 governing Non-governmental organizations, Organic Law N°10/2013/OL of 11/07/2013 governing Political Organizations and Politicians, the Law N0 06/2012 of 17/02/2012 determining the organization and functioning of religious based organizations, law N° 50/2007 OF 18/09/2007 determining the establishment, organization and functioning of cooperative organizations in Rwanda and others.

95. The Rwanda Governance Board has put in place some programs that help to implement governance policy such as Governance month held twice annually whereby the overall objective of this nationwide activity is to listen and solve citizens' problems through innovative governance tools such as Governance Clinics and raise public awareness in a month long period.

Article 9: The Right to Information and Freedom of Expression

96. The Government of Rwanda acknowledges the centrality of an independent, professional media and ease of access to information as essential components of good governance and a sustainable social, economic and political development. Freedom of the press and freedom of information are provided for by Article 38 of the Constitution. It is also recognized by other legislative instruments such as the law N° 02/2013 of 08/02/2013 regulating media in Rwanda and law N° 04/2013 of 08/02/2013 relating to access to information which provides for the right to freedom of opinion and expression. Freedom of expression is reflected in the increase of media outlets in the country. The number of newspapers rose to 51 in 2015, currently 34 radio stations are operating in the country. The national radio has established branches in all provinces to enable mass participation, and there are increasing numbers of electronic and on-line media outlets with over 80 local news websites.

97. Citizens are free to debate on radio and television live expressing their thoughts and opinions and criticize Government policies in as much as these views do not propagate discrimination of any form. Social media networks such as Facebook and Twitter have attained such prominent levels in Rwanda and their use is growing from day to day. There is a law N° 09/2013 of 01/03/2013 establishing Rwanda Utilities Regulatory Authority (RURA) and determining its mission, powers, organization and functioning which regulates the licensing of media houses operating in Rwanda.

98. A media Self-Regulatory Body which is an organ set up by journalists themselves whose responsibility is to ensure compliance with principles governing media have been established through the law No 02/2013 of 08/02/2013. Since promulgation of the new media law in February 2013, much improvements have been registered. Capacity building and technical

support have been guaranteed to ensure effective implementation of the new law.

99. The centrality and importance of an independent and professional media which is necessary to foster access to information is acknowledged in law and in practice. A list of 540 information officers to respond to information requests was published by the office of the Ombudsman which is responsible for the monitoring and implementation of the Access to Information law. Additionally, almost all public institutions and private organs concerned with the law have created websites that provide useful information on the work in the spirit of promoting access to information.
100. As per the new Rwanda media law, the daily functioning of media and the conduct of journalists is regulated by the Media Self-Regulatory Body. Therefore media practitioners have put in place the Rwanda Media Commission (RMC) pending legal instrument which is under consultation but, the National Utilities Statutory Regulator Agency (RURA) regulates audio, audio-visual media and internet.
101. The right to assemble freely with others is enshrined in the Constitution Article 40 which states that freedom of peaceful assembly without arms is guaranteed as long as it is not inconsistent with the law. Rwanda is a state party to the ICCPR and so adheres to the convention so as to protect the right to freedom of assembly.
102. In early 2014, Rwanda became the first African country to extend an invitation to the UN Special Rapporteur on the Rights of Freedom of Peaceful Assembly and Association. He had two days visit and met with various Rwandan dignitaries including cabinet ministers, Members of Parliament, the Police Chief and Judges. In his report he made note of the various achievements Rwanda has made in ensuring promotion of rights and freedoms that fell under his docket.
103. Everyone has the right to assemble and to demonstrate together with others peaceably and unarmed, and to petition in case this right is violated. The Constitution, however, allows the imposition of restrictions on the manner of exercise of this right. Appropriate regulations may be made in the

interest of public in relation to the location of open-air meetings and the route of movement of demonstrators or, for the protection of democratic rights, public morality and peace during such a meeting or demonstration. This right does not give exemption from liability under laws enacted to protect the well-being of the youth or the honour and reputation of individuals, and laws prohibiting any propaganda for war and any public expression of opinions intended to injure human dignity.

Article 12: Freedom of Movement, exit, re-entry and asylum

104. Article 26 of the Constitution stipulates that any citizen or foreign national lawfully in Rwanda has, within the national territory, the right to liberty of movement and freedom to choose his residence as well as the freedom to leave the country at any time he wishes to. Any Rwandan national has the right to return to his/her country. A person may only be prohibited from departing by an order of a court given in accordance with the law.

105. In April 2010, the Government established a new Ministry of Disaster Management and Refugee Affairs (MIDIMAR), which is expected to provide more attention to issues related to refugees and disasters. The Ministry has been vital in steering the campaign that encourages voluntary repatriation and reintegration of refugees and asylum seekers. The Government of Rwanda has enacted Law No 41/2015 of 29/08/2015 relating to Disaster Management and the law n° 13/2014 of 21/05/ 2014 relating to refugees. Rwanda remains committed to a number of international instruments related to refugees and internally displaced persons:

- Convention relating to the status of Refugees adopted on 28 July 1951 by the United Nations Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons
- The Protocol relating to the Convention Status of Refugees of 31st January 1967, ratified by the Republic of Rwanda by the Decree Law No 29/79 of 22 October 1979,
- The OAU Convention of 10/09/1969 Governing specific problems of refugees in Africa, ratified by the Republic of Rwanda by the Decree-Law No30/79 of 22 October 1979

- The Convention on the protection and assistance of internally displaced persons in Africa, adopted in Kampala, Uganda on October 2009.²¹

106. There have been several meetings on the Northern Corridor partnership for some EAC member countries. Recent being that which was held in Kampala in April 2016 and before it was one in March 2015 Rwanda hosted the 9th Northern Corridor Integration Summit. During such meetings; Kenya, Uganda and Rwanda agree to have one standard gauge railway, single customs territory, oil refinery development, waiver of work permit fees for citizens of the three nations to totally liberalise labour and services. These are positive moves towards promotion of free movement of goods and services within the East African region.

Article 13: The Right to Participate in Public Affairs and Access to Public Property and Services

107. The right to vote, to be elected and to participate in elections on the basis of universal suffrage and to take part in the conduct of public affairs is a right for every Rwandan national²² to be exercised without discrimination on the ground of colour, race, nation, nationality, sex, language, religion, political or other opinion or other status. The National Electoral Commission²³ provided guidelines that ensured more equal participation of women and men. The Commission organized and carried out civic and voter education with specific sessions targeting women and youth.

108. As a result, Rwanda leads the world in terms of women's representation in parliament, with 64% in 2014. Women also account for 50% of the judiciary, 40% of Cabinet members, 40%²⁴ of Provincial Governors, 43.2% of district council members and 83.3% of Vice Mayors in charge of social affairs.²⁵ This increased presence of women in leadership and decision-making forums. It has had a double effect of entrenching gender equality in development processes and changing the mind set and patriarchal attitudes towards

²¹ The Presidential order N° 121/01 of 15/12/2011. Ratifying the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention)

²² Article 2 of the Constitution of the Republic of Rwanda of 2003 revised in 2015

²³

²⁴ The proportion has increased from 25% to 40% due to the recent nomination of a female Governor in the Western Province

²⁵ NISR and GMO, National Gender Statistics Report 2013

women. In order to create and maintain a culture of peace and democracy many enabling laws have been enacted and others amended, these laws include the law N° 03/2010/OL of 18/06/2010 Organic Law Repealing the Organic Law n°17/2003 of 07/7/2003 governing presidential and legislative elections as amended and complemented to date, law N°20/2010 of 09/06/2010 law modifying and complementing law n°31/2005 of 24/12/2005 relating to the organisation and functioning of the National Electoral Commission.

109. In exercising the right to vote, in December 2015 there was a referendum to amend the Rwandan Constitution on some provisions. The referendum registered 6,392,862 voters. The votes in favour of the referendum were 6,157,922 (98.3%) and the votes against were 105,260 (1.7%). Local Government elections also took place on 22/2/2016 and 90 legal counsel leaders were elected among them, 31 were women while 59 were men. The Rwandan Forum for Women Parliamentarians (FFRP) is a mechanism for women in parliament to use their strategic position as lawmakers to continuously lobby, advocate for and initiate gender-responsive laws and enhance gender equality principles within the institution of parliament, as well as improving gender-based Governmental oversight.

110. Every citizen has a right to equal access to public services based on the present Constitution. Rwandan citizens have a right to equal access to publicly funded social services. The principle of equality in the exercise of human rights is enshrined in the Constitution as earlier pointed out. Establishment of Rwanda Governance Board (RGB) was a means to promote and entrench relevant and good governance values in Rwanda as earlier mentioned. As a way of implementing strategy, the board has taken successive approaches that seek to entrench the envisaged values. They include the initiative to establish governance clinics which serve as community forums through which citizens participate and are engaged in community related matters with a view to finding appropriate solutions to problems faced by the community.

111. The National Dialogue Council “umushyikirano” also provides a forum for which Rwandans from all walks of life exchange ideas and come up with

solutions to their problems together. The event is attended by high ranking officials from the Local and Central Government, Rwandans from the Diaspora, Diplomats, and representatives of the civil society, among others. The Council meets once a year to debate on the state of the nation and national unity. Resolutions made are submitted to the relevant institutions to enable them improve service delivery to the population. The President of the Republic also tours different parts of the country annually to interact with the citizens in a bid to discuss issues and come up with practical and beneficial solutions.

Article 14: The Right to Property

112. Many provisions of Rwandan laws including the Constitution guarantee the right to property as mentioned in the 2009 previous report, and are still into force in Rwanda.²⁶ Under the new land law reform of 2013, Rwanda Natural Resources Authority (formerly called National Land Centre) was established to champion land registration all over the country. The registration was done in all districts and land titles have been given in order to facilitate the land owners in securing and accessing financial credits by mortgaging their land.

113. Women's access to economic and assets including land, has improved in the last 15 years thanks to the progressive laws and policies which include the new law N°27/2016 of 08/07/2016 governing matrimonial regimes, donations and successions which provides for equal inheritance and property ownership rights between men and women and the land law No 43/2013 of 16/06/2013. Under these laws, women and girls are now able to inherit land and property from their parents. Women are now able to use the land as collateral for securing loans from banks.

PART IV: INFORMATION ON ECONOMIC AND SOCIAL RIGHTS

Article 15(a): The right to work

114. The right to employment is provided under articles 30 to 33 of the Constitution of 2003 revised in 2015. The National employment policy of 2007 further prohibits discrimination of whatever nature. The policy on

²⁶ See the 2009 periodic report p.63-64.

employment aims at ensuring that there is equal opportunity for all Rwandans in training and apprenticeship and allows them to make their personal choice of employment they wish to engage in. Apart from laws detailed in the previous report that are still into force in Rwanda, new national legislations related to work have been enacted to facilitate realisation of the right to employment/work which include the following:

- Law N° 86/2013 of 11/09/2013 establishing the General Statute for Public Service
- The law N° 13/2009 of 27 May 2009 regulating Labour in Rwanda (Labour code) which provides for basic labour rights, including the prohibition of discriminatory employment and the freedom of opinion. The law also guarantees the freedom of association of workers, trade unions and the right to strike. The Public Service Commission oversees the recruitment and placement of staff in all public institutions. It also arbitrates employment related complaints from individual workers.
- A new Presidential Order n°46/01 of 29/07/2011 governing modalities for the recruitment, appointment and nomination of public servants was enacted to facilitate the process of recruitment in public service and removed some barriers to application for Jobs in public Service;
- Prime Minister's Order n°121/03 of 08/09/2010 establishing the procedure of performance appraisal and promotion of public servants was enacted; it gives rights to bonus and promotion to public servant who performs well;
- Ministerial order N°07 of 13/07/2010 determining the modalities of functioning of the labour inspector;
- Ministerial order N°05 of 13/07/2010 determining the major contents and modalities for a written contract.
- Ministerial Order n°04 of 13/07/2010 determining essential services that should not stop and the terms and conditions of exercising the right to strike in these services
- Ministerial Order N°01 du 02/07/2010 fixing the period and modalities for payment and amount to be paid for funeral indemnities.
- Ministerial Order N°03 of 13/07/2010 determining circumstantial leaves.
- Ministerial Order N° 10 of 28/07/2010 determining the modalities of declaration of the enterprise, workers and nature of employer register

- Ministerial Order determining the timeframe provided for granting of unilateral licence, a compulsory licence and opposition to registration of intellectual property
- Ministerial Order N° 11 of 07/09/2010 determining the modalities and requirements for the registration of trade unions or employers’ professional organization.
- Ministerial Order N° 02/mifotra/11 of 07/03/2011 appointing members of the national labour council.
- Ministerial Order No 03/mifotra/11 of 07/03/2011 determining the nature and the form of the apprenticeship and internship contract.
- Ministerial Order No 02/ of 17/05/2012 determining the conditions for occupational health and safety.
- Law N°003/2016 of 30/03/2016 establishing and governing maternity leave benefits scheme
- Ministerial Order N 02/mifotra/15 of 09/06/2015 determining weekly working hours in public service and modalities of their respect
- Law No 01/ mifotra/15 of 15/01/2015 Ministerial Order determining modalities of establishing and functioning of occupational health and safety committees;
- Presidential Order No 45/01 of 30/06/2015 establishing the code of professional ethics for public servants;
- Presidential Order No 65/01 of 04/03/2014 determining modalities of imposing disciplinary sanctions to public servants;
- Presidential Order N°42/03 Of 30/06/2015 determining official holidays
- Ministerial Order N° 03/mifotra/15 of 09 /06/2015 determining modalities for recruiting contractual staff in public service;
- Ministerial Order No 01/ of 11/11/2014 determining the modalities of electing workers “representative and fulfilment of their duties”
- Ministerial instructions No 01/19.23 of 01/08/2014 on placement of public servants after 2014 restructuring of public institutions;
- Ministerial instructions No 01/19.23 of 03/03/2016 determining mission fees of public servant on official mission inside the country;

115. In the framework of promoting the right to employment, the National Policy for Elimination of the Worst Forms of Child Labour was adopted on 1 March 2013. This policy provides for the mechanisms for the prevention and

elimination of worst forms of child labour. There was established a Workforce Development Agency (WDA) to build technical skills of employees. Among its pillars there is an implementation of the Labour Market Information System (LMIS) which connects employers and job seekers.

116. In 2009, a careers advisory department was created within Rwanda Development Board to build the capacity of young graduates in search for jobs. The advisory department was replaced by the National Capacity Building Secretariat (NCBS) which recognizes the need to ensure quality of capacity building interventions across sectors. In view of this, NCBS conducts training for job seekers towards enhancing their skills in systems and processes for selecting, monitoring, evaluating and reporting on capacity building interventions.

117. Rwanda has removed work permit fees for all workers from the East African Community to attract skilled labour and conditions to obtain work permits were eased for other foreigners, while the Rwandan youths are encouraged to undertake technical trainings to enable them fit in the labour market.

Article 15 (b) - The right to just and favorable conditions of work

118. As shown in the 2009 periodic report, the labour law guarantees a number of rights such as remuneration, safe and healthy working conditions, equal opportunity for promotion, rest, leisure, limitation of working hours and holiday with pay, trade union rights and right to social security among others. Law N° 13/2009 of 27/05/2009 Regulating Labour provides safeguards for workers. It prohibits work for children, forced labour, discrimination, unlawful dismissal, protection of workers against harassment of any kind, leaves, protection of pregnant and breastfeeding women, promotion of freedom of opinion in the work place among others. The Labour law is very exhaustive in ensuring that the rights of workers are protected.

119. The following Ministerial Orders have been gazetted:

- Ministerial Order N°01 of 17/05/2012 determining modalities of establishing and functioning of occupational health and safety committees
- Ministerial Order N°02 of 17/05/2012 determining conditions for occupational health and safety;
- Ministerial Order n°02 of 17/05/2012 determining Conditions for Occupational Health and safety

New adopted laws include:

- In 2010, The Convention on the protection of the rights of all migrant workers and members of their families of 1962 was ratified.²⁷
- Presidential Order n° 46/2011 of 29/07/2011 governing modalities for the recruitment, appointment and nomination of public servants was enacted in 2011. It provides some articles reinforcing transparency during oral tests.²⁸
- Prime minister's order n°121/03 of 08/09/2010 establishing the procedure of performance appraisal and promotion of public servants was established in 2010. It provides for gratifications to public servants who perform well.
- In 2010, Rwanda ratified Additional protocol to the Convention relating to international exhibitions.
- The Ministerial Order N°03 of 13/07/2010 determining circumstantial leaves in private sector was enacted in 2010 determines circumstantial leaves²⁹.
- In 2010, The Ministerial order n° 11 of 07/09/2010 determining the modalities and requirements for the registration of trade unions or employers' professional organizations³⁰ was enacted. It highlights modalities for registration, requirements for registrations and Time frame for the registration for a trade union.

²⁷ Presidential Order n°33/01 of 17/05/2010 authorizing ratification of the Convention on the protection of the rights of all Migrant Workers and Members of their Families

²⁸Article 14 of the Presidential Order N°46/01 of 29/07/2011 governing modalities for the recruitment, appointment and nomination of public servants on recruitment

²⁹ Article 2 of Ministerial Order n°03 of 13/07/2010 Determining Circumstantial Leaves.

³⁰ Ministerial Order n° 11 of 07/09/2010 determining the modalities and requirements for the registration of trade unions or employers' professional organizations

- The Ministerial order n°09 of 13/07/2010 determining the modalities of electing workers representatives and fulfilment of their duties was established.

120. Employees are by law required to subscribe to a health insurance scheme and the total insurance coverage stood at 95%, with 89% subscribing to community-based health insurance -RAMA and about 6% to MMI and private insurance offered by financial companies. The Law N°45/2010 of 14/12/2010 establishing Rwanda Social Security Board (RSSB) and determining its mission, organisation and functioning has been enacted to cater for social security for all working force. This has proved to be a one stop centre which has drastically reduced the bureaucracy that was formerly associated with administration.

121. Social Security and healthy insurance are under the state guarantee and the tutelage is ensured by the Ministry of Finance and Economic Planning. The purpose of the Board is to provide social protection to people from effects based on lack or reduction of input due to the following reasons: old age, death, disability, occupational hazards, sick leave, maternity leave and medical insurance. RSSB is financed by employers and employees contributions. The law establishing Community Based Health Insurance Scheme provides for compulsory health insurance for all Rwandans. This has not only enhanced the guarantee of social security of all peoples under the Rwandan territory but has also been easy in terms of social contributions because premiums are set on a rather lower end.

Article 16: The right to an adequate standard of living

The right to adequate food

122. New legislative measures have been adopted since the submission of the 2009 periodic report Particularly, under the law No. 38/2010 of 25th November 2010, the Government of Rwanda established Rwanda Agriculture Board (RAB) with a general mission of developing agriculture and animal husbandry through their reform and using modern methods in crop and animal production, research, agricultural extension, education and training of farmers on new technologies. Also, environmental and land issues have been among priority concerns of the GoR. It is in this regard that International

Conventions, new legislations and an environmental institution have been adopted for a greater protection of the environment and land.³¹

123. The government has initiated a land policy where masses join their small plots of land to have an extensive land to enable use of tractors and other mechanization for greater harvests. Land consolidation is a policy aimed at solving the problem of hunger among the masses as they will have enough to eat and sell to the market.

124. Co-operatives have been identified to be the key to increasing food security in Rwanda, helping small-farmers to cope with challenges and enabling them to gain access to markets. The government has invested in a number of programmes to reclaim marshlands, terracing and hillside irrigation so as to increase area of production. These reclaimed lands are usually given to smallholder farmers through co-operatives for crop cultivation. Through the Crop Intensification Programme (CIP), the Ministry of Agriculture and its partners use co-operatives as a vehicle for the distribution of improved seeds and fertilisers to farmers.

125. Co-operatives also facilitate the government and NGOs to extend training and other capacity building initiatives. Rwanda is committed to fighting diseases caused by mal-nutrition by strengthening programs like the one-cow-per-family, *inkongoro y'umwana* (one cup of milk per child) and school feeding programs³²." The National Multi-sectoral Strategy to Eliminate Malnutrition in Rwanda (2010-2013) was replaced by the National Food and Nutrition Strategic Plan (NFNSP) 2013-2018. This was anchored from experiences and lessons learnt from the emergency plan to eliminate malnutrition that started in 2009.

³¹ The laws include: The 12th Bamako Convention on the ban to import hazardous wastes into Africa, the control of their cross-border movement and the management of those produced within Africa, ratified 21/10/2005. Organic law on management and use of land in Rwanda, supra; Organic law determining the modalities of protection, conservation and promotion of environment in Rwanda, O.G. 2005; The law related to expropriation in the public interest n°18/2007 of 19/04/2007. And the creation of the environmental institution - REMA, by Law n°16/2006, determining the organization, functioning and responsibilities of Rwanda Environment Management Authority (O.G. 01/06/2006).

³²<http://focus.rw/wp/2011/01/education-health-labor-going-to-greater-heights-in-next-7-years>, Education, health, labor: going to greater heights in next 7 years, 2011

126. The Girinka programme (one cow per family) was put in place to reduce malnutrition through consumption of milk and has increased agriculture production through production of organic manure and boosted family incomes through the sale of milk.

Article 16 (2) d: The right to adequate housing

127. Several guarantees mentioned in the 2009 periodic report are still into force in Rwanda.³³ Various policies and strategies to promote access to clean water, sanitation and hygiene have been developed. Housing conditions are also improving. Households with grass roofing (nyakatsi) dropped to 0.4% in 2014 from 2.2% in 2011 while roofing with metal sheet increased from 54.4% to 61.1%. Today, grass thatched shelters have effectively been phased out of Rwanda. Electricity access in Rwanda is growing rapidly, grid connections through the government's Electricity Access Roll-out Programme (EARP) and related initiatives have increased from about 160,000 households in 2012 to 570,000 households (24% of the total) by February 2016. Water and sanitation improved as well with households using improved sanitation (toilets) increasing to 83.4% in 2014; while during the same period households with access to improved sources of drinking water increased to 84.8%.

128. The government has extended assistance to those living in rural areas to acquire low cost housing by distributing so far 416 block making machines, 100 tile making machines, constructed kilns for low cost burning of tiles and bricks in Gasabo, Nyaruguru, Nyanza, Bugesera, Rusizi and Gatsibo. 570 young people have been trained 19 from each district in the use of the machines and a budget of 7,571,750 RWF given to each district; a training construction of one model house was done and roofing of 10 houses and so far 130 houses have been constructed in different districts around the country.³⁴

16 (1): The right to physical and mental health

129. Since the last report, a number of laws have been put in place to realise the right to health:

³³ See the 2009 periodic report pages 49-51.

³⁴ www.rha.gov.rw / consulted in June 2015

- Law n° 74/2013 of 11/09/2013 establishing Rwanda Food and Medicines Authority (RFMA) and determining its mission, organisation and functioning.
- Law n° 08/2013 of 01/03/2013 relating to the Control of Tobacco.
- Law n°03/2012 of 15/02/2012 governing Narcotic Drugs, Psychotropic Substances and Precursors in Rwanda.
- Law n° 44/2012 of 14/01/2013 on the organization, functioning and competence of Medical and Dental Council
- Law n° 46/2012 of 14/01/2013 establishing the Rwanda Allied Health Professions Council and determining its organization, functioning and competence.
- Law n° 47/2012 of 14/01/2013 relating to regulation and inspection of food and pharmaceutical products.
- Law N° 48/2015 of 23/11/2015 governing the Organisation, Functioning and Management of Health Insurance Schemes in Rwanda;

Several policies have been adopted:

- The National Health Sector Policy of 2015
- Non Communicable Diseases Policy of 2015
- Rwanda Family Planning Policy of 2012
- Health Sector Research Policy of 2012
- Health Sector Strategic Plan 2012-2018 (HSSP_III)
- M&E Plan For Health Sector Strategic Plan III 2014-2018
- National Health Research Agenda 2014-2018
- Human Resource for Health Strategic Plan 2011 - 2016
- 2013-2018 National Community Health Strategic Plan
- Rwanda Family Planning Strategic 2012-2016 .

130. Rwanda boasts of having realized most of the MDGs. There has been reduction of child mortality rate which forms MDG4. Rwanda increased immunization against measles at 100% by 2015. Rwanda has considerably fought and reduced malaria in the country. In 2010, 89% of children under five years received appropriate treatment against malaria and the Government increased efforts and achieved 96% in 2014. Therefore, the period of 2010 to 2015 there has been a marked decrease in malaria mortality rates, from 12.9 % to 4.7 %. Furthermore Rwandan women up to 98% receive antenatal care from a skilled provider and over 91 % of children are born in

health facilities and the maternal mortality rate has decreased from 750/100,000 live births in 2005/6 to 476/100,000 in 2010/11 and 210/100,000 in 2015.

131. Rwanda's health and medical sector has quite a number of health centres, clinics and dispensaries, as well as government-owned and private hospitals. The primary hospitals include the University Central Hospital of Kigali (CHUK) and King Faisal Hospital, located in Kigali, and the University Central Hospital of Butare (CHUB), in Rwanda's second city. The Ministry of Health maintains a registry of all Rwandan health facilities. Mental health care services are run by the Mental Health Coordination Office under the Ministry of Health. The National Health Policy of 2015 considers mental health as a priority and insists that mental healthcare services be included in all health structures of the national health system and that mental health problems be taken into account at the community level.

132. The mental health services are effectively decentralized and all of the country's District Hospitals (43) deliver mental healthcare services. This effort is further pursued by targeted training for nurses of the healthcare centres and for community health workers. To remedy the shortage of staff with a psychiatry education background in cooperation with the University of Rwanda, a third specialization cycle in psychiatry was launched at the start of the academic year 2013. Therefore, acting as an intervention designed to suit the emerging needs and training of specialists to ensure quality of mental health care.

133. Since 2013, the number of medical staff have been increasing to about 171 Medical Specialists, 520 General Practitioners, and 22 Master's holders in Nursing, 147 A0 Nurses, a total of 2536 registered Nurses including, 492 Midwives and 6163 A2 Nurses. Rwanda healthy sector aims at having 1,170 specialized doctors, 7,000 Registered Nurses and Midwives and 2,200 General practitioners by 2019.

134. Rwanda has 213 ambulances distributed in all 30 districts meaning about 7 ambulances per district. The government has also invested in improving access and proximity to health services. The government launched an intensive construction of health centres in 2014 with a target for every

citizen to have access to health facilities within one-hour walking distance and at least one health centre at every administrative Sector by 2015.

Article 17(1): The Right to Education and to the Freedom of Cultural Life

A. Right to education

135. Legislative measures, policies, institutional and administrative measures have been put in place to facilitate development of education. The Government has invested in providing facilities that enable equal access to education for all with the aim of turning Rwanda into a knowledge based economy. This is done through the continued guarantee of universal primary education for the first 12 years of education and the up-scaling of the one laptop per child project which started in 2007 and is ongoing to date. Rwanda is gradually breaking barriers that usually prevent children from attending primary education by the abolition of school fees and by constructing more classrooms at the Administrative Sector level where children can easily walk home. This programme has been adopted to enable the country to achieve the goal of Education for All (Universal Primary Education and Universal Secondary Education).

136. 'One Laptop per child program' was put in place with the mission to distribute laptops to primary schools all over the country. Education for children with physical or mental disabilities was introduced and 386 teachers were trained on the methodology for such classes. The enrolment rate of student from in 2015 is as follow: Pre-primary education all students were 183,658, among other boys were 49, 08% and girls 50, 92%. Primary education, all students were 2,450,705, among them boys were 49.5% and girls 50.5% in secondary education³⁵.

137. The government of Rwanda is focused on equipping people with skills who may create jobs rather than seek jobs. To achieve the government has increased the number of teachers in primary and secondary schools. The second step was training both those already in service and the newly recruited teachers. About 47 080 primary and secondary teachers in service were trained, 5 798 new primary and secondary teachers were recruited and

³⁵ Mineduc report of June 2016

60 new International volunteers from Peace Corps recruited and placed in 60 secondary schools.

138. Vocational trainings have been adopted to bridge technical skills gap. Model Standard Training Equipment Lists (STELs) and Training Workshop Specifications (TWS) were concluded for 4 TQF level 1 occupations in the Construction & Building Servicing Sector, another 4 TQF level 1 in the Hospitality & Tourism sector and a final 5 in TQF level 2 for Construction, Industrial installation, ICT and Automobile were also concluded. In addition, 7 curricula (Leather, Electronics, Tailoring, Woodwork, Handcrafts, Metal works, and Repair Services) were developed and validated, and about 2,174 vulnerable youth were supported to attend vocational training in the above mentioned and other related fields. In the vocational Training Centres (VTC), in 2011 males were 61,2% and females 38,8%; in 2012 males were 69,7% and females 39,3% and in 2013 males were 64,5% and females 35,5%. For TVET disabled students 3,589 have been trained by 2015

139. Students have been reinforced to acquire more ICT skills. over 140,000 laptops have been distributed to school going children countrywide by 2015 as well as wireless local area network (LAN) are being connected. The Government pledged to prioritize the education of children with disabilities including blindness and hearing impairments. Teachers are periodically trained in teaching methodologies for children with disabilities. Statistics for enrollment of persons with disabilities at different education levels as follows; up to 2015, the total number of students with disabilities was 1505, among them boys were 57.6% and girls 42.4%.

140. The GoR in collaboration with UNICEF and other development partners have trained teachers to be sensitive and cater for special needs children. In December 2015, University of Rwanda's College of Education launched a school for special needs as part of their efforts to address the need for such schools in Rwanda where its first intake 2014/2015 had 47 teachers enrolled to acquire the skills. Child Friendly School model has also been adopted in selected schools in the country where there is a special needs education coordinator, waiver of lunch and supply expenses for children with disabilities, inclusive sports and recreational activities, clean water and separate toilet and bathroom facilities for boys and girls.

Article 17(2) - Right to take part in cultural life

141. The government of Rwanda has ratified the Convention relating to international exhibitions (ratified by a Presidential Order n° 30/01 of 17/05/2010) and the Additional protocol to the Convention relating to international exhibitions (ratified by the Presidential Order n° 36/01 of 17/05/2010). One of the new commitments of the government of Rwanda is to promote culture. This involves; values, institutions, expressions of Rwandan culture, National heritage and arts. Culture promotes a sense of togetherness, imagination, inspiration, inventiveness which undoubtedly contributes to economic development and thus reduces poverty from its mission to maintain fairness and harmony among Rwandans, resulting in the creation of an enabling environment for sustainable development.
142. The Ministry of Culture and Sports is tasked to build and strengthen institutions that promote Rwandan culture. These include: Institute of National Museums of Rwanda (IMNR), Rwandan Office of Archives and Libraries (ORAB), National Commission of Fight against Genocide (CNLG), Rwandan Academy of Language and Culture (RALC), Chancellery of Heroes, National Orders and Decorations of Honor (CHENO). The commission aimed at entrenching and teaching Rwandan cultural values and nationalism (Itorero ry'igihugu), as well as an academy of languages and culture to promote culture and ensure transmission of positive cultural values from generation to generation have also been established. Itorero ry'igihugu has conducted a study on the values of Rwandan culture in development and this helps Rwandans preserve these values in the course to development. Beyond state obligations, the Constitution grants citizens the right to promote the Rwandan culture.
143. This is shown by the existence of several associations including among others the association of old wise men (Inteko izirikana), association of writers, photographers, musicians, craftsmen, editors, association of dancing groups, the Rwanda Cinema Centre, the play production groups, etc. The national cultural troop (Urukerereza) and different private cultural troops like "Inganzo Ngali" participate in different international cultural festivals where they have won various medals and prizes. Due to its renowned rich culture of traditional songs and dance, Rwanda was allocated by the African

Union the organization of the Pan African Dance Festival (FESPAD) every two years.

144. The State promotes museums countrywide ranging from the national museum in Butare with its specialized branches spread across the country, such as the Natural History Museum at Nyarugenge/Kigali (2006), the Arts Museum at Rwesero (2006), the Museum of Ancient History at Rukali/Nyanza (2008) as well as another branch at the Ex-State House in Kanombe.

Article 18: Protection of the Family, Elimination of Discrimination against Women and Protection of the Rights of the Child.

(a) Protection of the family and elimination of discrimination against women

145. The Constitution of the Republic of Rwanda of 2003 as revised in 2015 provides for protection of the family as the natural foundation of the Rwandan society. The Rwandan Constitution as well as other family law legislation provides that marriage has to occur by free consent and spouses have the same rights and duties during marriage and divorce. Rwanda ratified the Convention on the Consent to Marriage, Minimum Age of Marriage and Registration of Marriages and the Convention on the Nationality of Married Women in December 2002. The institution of marriage in Rwanda is governed by the new law N°27/2016 of 08/07/2016 governing matrimonial regimes, donations and successions.

146. The Ministry of Gender and Family Promotion and the Gender Monitoring Office are key institutions which follow monitor all matters pertaining to family and ensure that gender is respected in sectors of government. Couples in common marriages are sensitised and encouraged to enter into a civil marriage, and this plays an important role in protecting the right to succession mainly for women and children. Rwanda has ratified the Convention on the Elimination of All Forms of Discrimination against Women and its optional protocol as well as the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa. As mentioned in previous report, the Government of Rwanda has put in place

various programs, policies and strategies to reduce poverty with particular emphasis on vulnerable groups.

147. The construction of shelters for vulnerable people is a government program aiming supporting needy families. Needy families have been granted shelters. In all districts, houses are constructed according to the programme of settlement in villages, and with dimensions of 8 per 6 meters. Many of the houses are constructed with support of the citizens, in community works (umuganda), Travaux d'Intérêt General (TIG) which is the community service by prisoners, and during the army week where Rwanda Defence Force conduct social help activities to the community.

148. Considerable achievement has been registered in Elimination of Discrimination against Women. Rwanda continues to foster gender equality by implementing initiatives aimed at increasing the representation of women at various levels in government. As a result, women represent 64% of the seats in the lower chamber of Parliament, 38% in the Senate, 40% of the cabinet, 46% of the Judiciary, and 40% of the provincial governor seats. Representation at district, sector and Kigali City consultative councils stands at 43.2%, 45.1% and 51.5% respectively. This trend is also reflected in other decision-making positions in the Private sector, Central and Local Government.

149. The Forum of Women Parliamentarians work hand in hand with the National Women Council and GMO and with various other women associations to advocate for women's rights and sensitize women to take up leadership roles in all organs.

(b) Protection of Child rights

150. Article 19 of the Constitution of 2003 revised in 2015 provides that every child has the right to specific mechanism of protection by his or her family. Rwanda ratified almost all international conventions relating to the promotion and protection of child rights including the UN Convention on the Rights of the Child (CRC) and its additional protocols, as well as the African Charter on the Rights and Welfare of the Child (ACRWC).

151. National laws for the protection of children were adopted, including the law of 2001 on the protection of children rights. In 2010, The Government ratified the Convention on the protection of children and cooperation in respect of inter-country adoption and International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families. A Ministerial Order N°06 of 13/07/2010 determining the list of worst forms of child labour states the nature of such forms and categories of institutions that are not allowed to employ children and prevention mechanisms. Those prohibited works are worst forms of child labour; works that may affect the health, security or morality of the child and works that may be dangerous to the health of the child.

152. The major protections of the rights of children are contained in the National Integrated Child Rights Policy of 2011 and the National Policy for the Elimination of Child Labour. Among other measures for the promotion of children rights is the establishment of the Observatory for the Rights of the Child in the National Commission for Human Rights. In August 2011, the Ministry of Gender and Family Promotion published a National Integrated Child Rights Policy. The Integrated Child Rights Policy is being implemented progressively. The Ministerial Instruction by the Ministry in charge of Gender and Family promotion adopted a method of placing children without families into foster families.

Article 20- Right to self determination

153. The Government of Rwanda treasures the engagement of its citizens in deciding their own path in decision-making and finding appropriate solutions to the existing development challenges. The Government engages annually all stakeholders in the process of budget cycle. In order to promote participatory planning, the Joint Action Development Forum (JADF) Secretariat was established and a permanent staff recruited at each District.

154. Numerous best practices have been put in place in order to raise the value of every Rwandan people. These include among others Mediation Committees (Abunzi) Performance Contracts (Imihigo), the National Dialogue Council (Inama y'Igihugu y'Umushyikirano), Umuganda (Community Works) , Itorero ry'Igihugu (National Civic Education), the National Programme for economic empowerment of the poor (Ubudehe), the

Universal Basic Education and the Girinka programme (One cow per family) as well as the Community Based Health Insurance (Mutuelle de santé), which is a medical care programme instituted to enable the citizens acquire and access medical assistance to overcome the rampant health challenges.

Article 21-All peoples shall freely dispose of their wealth or national resources

155. The Rwanda Natural Resources Authority (RNRA) was created under the Law n°53/2010 of 25/01/2011. RNRA is under the Ministry of Natural Resources that heads the management of promotion of natural resources which regulates use of land, water, forests, mines and geology. It is entrusted with supervision, monitoring and to ensure the implementation of all issues relating to promotion and protection of natural resources.³⁶

156. According to the current regulations in urban areas and all other places where there are commercial activities, formal individual land titles are registered following demarcated boundaries. The cadastral project now operational in Kigali City Council is a model of a demand-driven self-financing land register that utilises automated methods to capture and output land information. In 2010, a mining policy was adopted and aims at establishing a fair management of mining resources, the integrative area of the national patrimony so as to contribute sustainable and equitably to the poverty eradication as well as improvement of the population well being.

Article 22-Right to development

157. The Constitution of Rwanda clearly defines the role of the citizens and that of the State in socio-economic and cultural development of the community. Citizens have not only the right to development but also the duty to participate in their socio-economic and cultural progress. The Constitution enshrines the State's obligation to allow the environment for citizens to freely participate in their development and to take the appropriate policies for the peoples' development (see Article 48 of the Constitution). Such initiatives are vast and compelling on the part of the state. They range from establishing a

³⁶ Law n°53/2010 of 25/01/2011 establishing Rwanda natural resources authority (RNRA) and determining its mission, organisation and functioning

conducive atmosphere, peace and security, infrastructure to favourable legal framework that responds to the needs of the masses.

158. A community development strategy has been developed. Whereas much is done in terms of infrastructure (construction of classrooms, roads, water and electricity connections, agriculture and livestock development, the most remarkable achievement today is eradication of grass-thatched houses. This is in line with Government's goal of moving people to planned settlements (Imidugudu) so that basic infrastructure is easily extended to those settlements and planned land use is facilitated.

159. The Government has established a Business Development Fund (BDF) in order to increase the numbers of Small and Medium Enterprises (SMEs). BDF's core focus is to assist the potentially viable SMEs with access to finance and to empower and make their businesses succeed. BDF's five year transformation Plan (2015-2019) will result in a re-invigorated organization that is more responsive to SME needs and better positioned to address their challenges. To-date, BDF has invested and taken an equity stake in 21 SMEs worth Rwf 1.4 Billion. Over 800 SMEs have been supported with advisory services on finance and business development.

160. In private Sector and cooperatives development, the Government of Rwanda has encouraged people carrying similar businesses or activities to form cooperatives so as to double their efforts for increased production. Working in cooperatives makes it easier for Government to provide them with both technical and financial support as well as market for their production. From July 2010 to March 2016, 4,600 cooperatives were registered in the Country by Rwanda Cooperative Agency-RCA. There are so far a total of 479 registered Savings and Credit Cooperative (SACCOS) in Rwanda. Sacco's managers have been trained in Business Plan formulation and other 2,597 SACCOS' leaders and employees from 23 Districts trained in SACCO Governance, Administration and Management. In February 2015 approximately 100 SACCO accountants were trained in reporting skills.

161. In ensuring an efficient stable and accessible financial market development, Access to finance remained the country's key priority. Overall, banks' network operated 136 branches and 254 sub-branches or counters.

Furthermore, 355 UMURENGE SACCOs were given license to grant loans. The Fine Scope Survey of 2016 results show that 89% of the population has access to finance services surpassing the Government target that was set for 2017. Currently Rwanda ranks 2nd after Mauritius in sub-Saharan Africa in terms of financial inclusion. The banked population increased from 23% in 2012 to 26% in 2016 and informal inclusion moved from 57% in 2012 to 72% in 2016.

162. Concerning the retail payment systems, SIMTEL (a company that makes ATM cards) and Banks signed new agreements. This enabled the banks to issue more ATM cards and saw the number of Automated teller Machines (ATM) increasing from 73 in December 2010 to 126 in June 2011. Today more than 37 ATM machines accept international cards. Credit Reference Bureau (CRB) is operational and the usage of credit report by mandatory participants improved significantly for banks and microfinance institutions.

Article 23-Peoples' right to national and international peace and security

163. According to domestic and international legal instruments, the responsibility for ensuring peace and security implicitly lies in the first place within the mandate of the State.³⁷ However, individual citizens have the right and duty to safeguard peace, democracy, social justice and equality.³⁸ For Rwanda, this responsibility has practically been shared by both the State and the citizens in the quest for maintenance of peace and security in the country, in the region and in the world.

164. Internationally, the Government of Rwanda has always shown its commitment to pursue peaceful solutions to regional and international conflicts. This is reflected by different negotiations to which Rwanda has played a significant role. The examples include: Arusha for Burundi conflict; Lusaka, Nairobi and Pretoria for DRC conflict; regional initiatives for Kenya post-elections conflict and interventions in peacekeeping missions in Darfur and Central Africa Republic (CAR), or through training of defence and security forces.

³⁷ See for example the UN Charter or the African Charter (art. 23)

³⁸ Article 48 of the Constitution of the Republic of Rwanda of 2003 as revised in 2015.

165. For the purpose of strengthening peace, solidarity and friendly relations with neighbouring states, Rwanda ensures that individuals accorded asylum from neighbouring countries (Uganda, Burundi, RDC) do not engage in subversive activities against their home countries or use Rwandan territory for such activities. This was reiterated in different regional negotiations and initiatives by the above mentioned countries. The government of Rwanda along with its neighbouring counterparts in the Great Lakes region declared their determination to transform their region into a place of sustainable peace and security for all states and people.

(a) National Security

166. Security across all Rwandan borders is well maintained, all people enjoy maximum security and safety that enables them to conduct their day and night activities. Cooperation between leadership of all security agencies and the entire country is enhanced with maximum security and safety. Rwanda introduced community Policing involving citizen in maintaining national security. Community Policing has played a great role towards national security and this was achieved after intensive sensitization campaigns of the public on national security, 14,953 community Policing Committees (CPCs) operating at village levels have been formed countrywide to facilitate all activities of crime prevention at the grassroots.

(b) International and regional security

167. Under the United Nation Peace keeping mission, Rwanda has deployed several high ranking military officers including the UNAMID Force Commanders, military Observers and Staff Officers. 3,515 Rwandan Defence Forces, Military Observers and Staff Officers participated in Peacekeeping operations. They are equipped and sustained to UN standard and their services appreciated by UN and entire world. Rwanda National Police has contributed with a significant number (423) of police officers in peacekeeping mission in Darfur, Southern Sudan, Haiti, Liberia and Chad. According to the recent UN report on UNPOL, Rwanda has been ranked the first contributing country with many women peacekeepers.

168. In terms of promoting regional and international security and cooperation, Rwanda has five Defence Attachments across the globe. Two,

Memorandum of Understandings on defence cooperation were signed with the Republic of Jordan and China while other two with Kenya and Ethiopia were reviewed and signed.

169. A joint military cooperation between Rwanda and Belgium was also signed. Several meetings and conferences were held between Rwanda Defence Forces and Defence Forces of regional States and of other countries. The Minister of Defence attended several regional bilateral and multilateral meetings aimed at boosting ties in Defence Cooperation, including a meeting on East African Community council of ministers of defence held in Tanzania, two meetings on East Africa Standby Brigade Coordination Mechanism held in Addis Ababa, Ethiopia and another one held in Kenya. The Minister also went to China and to the Democratic Republic of Congo.

170. The Minister of Defence hosted various dignitaries from different countries on defence and Security. They included the Minister of Defence of the Federal Republic of Ethiopia, Siraj Fejesa; Commander of US-Africa command general, Carter F. Ham; former US Africom Commander, General William E. Ward; UN special envoy in Sudan and South Sudan, Hon Haile Menkerios; the High Commissioner of Pakistan to Rwanda, Masroor A. Junejo, High Commissioner of Serbia, Zdravko Bisic to mention but a few.

171. On January 19, 2011 the Chief of the Defence Staff of Rwanda hosted security experts from the Economic Region of the Great Lakes (CEPGL) and held a meeting on strengthening ties in security affairs. This meeting was followed by that of the Ministers of Defence of CEPGL. They tackled the matters of security across borders and concluded the meeting by signing a Joint Military Cooperation.

Article 24-Peoples' right to satisfactory environment

172. Environment protection is one of the country's vision 2020 pillars. Efforts spent in this sector nationwide have led the President of the Republic being awarded the 2010 Global Environment Protection Award. Rwanda has a legal framework that protects environment. It includes various laws and ministerial Orders fully implemented to protect environment. They include the Law N° 43/2013 of 16/06/2013 Law governing land in Rwanda O.G no Special of 16/06/2013, Law N°53/2010 of 25/01/2011 establishing Rwanda

Natural Resources Authority (RNRA) and determining its mission, organization and functioning, Ministerial Order relating to the requirements and procedure for Environmental Impact Assessment, Ministerial Order establishing modalities of inspecting companies or activities that pollute the environment, Ministerial Order determining the length of land on shores of lakes and rivers transferred to public property, Ministerial Order regulating the importation and exportation of ozone layer depleting substances products and equipment containing such substances, Ministerial Order establishing the list of protected animal and plant species, Ministerial Order preventing activities that pollute the atmosphere, Ministerial Order determining the list of chemicals and other prohibited pollutant and Ministerial Order on the establishment of the National Man and Biosphere Committee.

173. While interventions in protecting environment in 2010/11 were commendable, it is important to note that only major ones are found hereafter. They range from forestry resource management, pollution control management, reducing exposure to climate change effects, ecosystem rehabilitation, and ownership environment and mainstreaming, to water resource management.

PART V. INFORMATION CONCERNING SPECIFIC DUTIES UNDER THE CHARTER

Article 25-Duty to promote awareness of the Charter

174. The Ministry of Justice through its access to justice bureau operating within all districts plays a crucial role in raising awareness on general laws and International treaties ratified by Rwanda - in particular - the African Charter because of its specificity to various African values which Rwanda attaches great importance. The Supreme Court and other courts have been encouraged through workshops and trainings to make extensive use of the African Charter on Human and Peoples' Rights especially that the Rwandan constitution of 2003 revised in 2015 ranks international human rights instruments in the third position of hierarchy of laws. The charter thus is part of the domestic law.

175. The National Unity and Reconciliation Commission (NURC), National Human Rights Commission, National Prosecution Service, Rwanda National Police, the Ombudsman Office, Civil Society including NGOs for Human Rights regularly organise various training and sensitisation programs designed for public and administrative leaders related to awareness raising of the ACHPR.

176. Equally, Faculties of Law in different Rwanda Universities have made human rights as one of their compulsory and important courses. This has allowed students to enhance their knowledge in human rights and understand the African human rights system. The Institute of Legal Practice and Development and the National Commission for Human Rights facilitated in different trainings to different stakeholders in relation to international treaties relating to human rights. The Institute for legal Practice and Development periodically conducts capacity building for judges and other judicial officers. In 2013 Judges were trained on the application of international human rights law in national courts. In the same year, the National Commission for Human Rights also trained 40 judges of primary and intermediate courts.

177. The Institute of Legal Practice and Development also enhances the capacities of all public judicial officers (judges, prosecutors and all other officials in the areas of justice administration) without exemption of private practitioners (lawyers and advocates. One of the main objectives of the institute is to strengthen the justice sector by not only enhancing the capacity of judicial personnel but also increasing and inspiring legal practitioners to use international law - ACHPR included. The ILPD contributes to this objective through practical legal training offered to practitioners from different stakeholders of the entire justice sector.

Article 26: Independence of the courts

178. The Constitution of Rwanda of 2003 revised in 2015, guarantees the independence of the judiciary. Article 150 enshrines institutional independence as follows: The Judiciary is independent and exercises financial and administrative autonomy. Article 151(5), on the other hand, guarantees personal independence. It requires impartiality on the part of judges and deals with their security of tenure and their terms and conditions

of service. It states: “in the exercise of their functions, judges at all times do it in accordance with the law and are independent from any power or authority. The code of conduct integrity of Judges is determined by specific laws. The judiciary has its financial and administrative autonomy. The constitution further guarantees personal independence of the judicial personnel as one of the cardinal principles

Challenges to the implementation of the Charter

179. Rwanda continues to face the problem of population pressures due to population density that is so high despite constant efforts on reducing such pressures on land.
180. Despite guaranteed 12 year free education, school drop-out rates have remained a challenge due to Social, economic and cultural pressures that frustrate the program.
181. The informal sector remains underdeveloped and as a result this has led to unemployment. Due to the scattered nature and literacy levels of the citizens, dissemination of the human rights instruments the ACHPR both within the justice sector and the entire population remains a challenge.
182. Furthermore, budget constraints to main line ministries and agencies responsible for the promotion of security, socio-economic welfare and poverty eradication programs and projects presents another important challenge in the effective implementation of most of the provisions of the economic, social, cultural, environmental and developmental rights guaranteed under the Charter.

Conclusion

183. This report presents progress made in terms of implementing the ACHPR since 2009 when Rwanda submitted its periodic report on the Charter. Rwanda fully understands and owns its national obligation to report and highlight implementation status of the charter not only as an opportunity for self evaluation but also for purposes of sharing both its success and weaknesses with the rest of Member States.

184. Rwanda also conceives the African Charter to be a unique human rights document that provides unique opportunity to its Member States to consolidate their traditional values for better protection and promotion of human rights. Rwanda's home-grown initiatives such as *Inama y'umushyikirano* (national dialogue), *abunzi* (mediators), *gacaca courts*, *itorero* (national civic leadership), *umuganda* (community work) among other local initiatives have provided a framework to further the spirit of the African charter. Besides, the progress made in the three generation rights i.e. civil and political rights; socio-economic rights and solidarity rights remain exceptional. Twenty two years after the worst human tragedy of the 20th century have witnessed a huge and unprecedented progress in the field of human rights than ever expected. It is however noted that challenges still remain - a reason that calls for renewed efforts to consolidate the culture of human rights respect in Rwanda. Such challenges range from ideological, structural, financial to capacity challenges.

**PART B: INITIAL REPORT ON THE IMPLEMENTATION STATUS BY
RWANDA ON THE PROTOCOL TO THE AFRICAN CHARTER ON
HUMAN AND PEOPLES' RIGHTS ON THE RIGHTS OF WOMEN IN
AFRICA (MAPUTO PROTOCOL)**



2016

List of Abbreviations and Acronyms

12 YBE	Twelve Years Basic Education
AFSOCCA	African Security Organs' Center for Coordination of Action to end Violence against Women and Girls
AIDS	Acquired Immune Deficiency Syndrome
AJO	Access to Justice
BDC	Business Development Centre
BDF	Business Development Fund
BIC	Business Incubation Centre
BPfA	Beijing Platform for Action
CEDAW	Convention on the Elimination of all forms of Discrimination against Women
COOPEDU	Cooperative d'Epargne DUTERIMBERE
CEPGL	Communauté des Pays des Grands Lacs
CRC	Convention on the Rights of the Child
CSO's	Civil Society Organizations
EDPRS	Economic Development and Poverty Reduction Strategy
EICV	Integrated Household Survey
GBV	Gender Based Violence
GE	Gender Equality
GEEW	Gender Equality and Empowerment of Women
GMO	Gender Monitoring Office
GRB	Gender Responsive Budgeting
HIV	Human Immunodeficiency Virus
ICGLR	International Conference on the Great Lakes Region
KICD	Kigali International Conference
LITF	Long-term Investment Framework
MAJ	Maison d'Accès à la Justice
MDGs	Millennium Development Goals
MIGEPROF	Ministry of Gender and Family Promotion
MINECOFIN	Ministry of Finance and Economic Planning
MINEDUC	Ministry of Education
NELSAP	Nile Equatorial Lakes Subsidiary Action Programme
NER	Net Enrolment Rate
NGOs	Non Governmental Organizations
NISR	National Institute of Statistics of Rwanda

NPPA	National Public Prosecutor's Authority
NWC	National Women's Council
OECD	Organization for Economic Co-operation and Development
OSC	One Stop Centers
PRSP	Poverty Reduction Strategy Paper
PSCBS	Public Sector Capacity Building Secretariat
RDF	Rwanda Defense Forces
RECs	Regional Economic Communities
RNP	Rwanda National Police
RWAMREC	Rwanda's Men Resource Center
SACCO	Saving and Credit Cooperative
SGBV	Sexual Gender Based Violence
SME	Small and Medium Enterprise
SOPs	Standard Operating Procedures
STDs	Sexually Transmitted Diseases
TVET	Technical and Vocational Education Training
UNSCR	United Nations Security Council Resolution
VAWG	Violence Against Women and Girls

EXECUTIVE SUMMARY

1. The Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa (Maputo Protocol) was adopted by the AU on 11 July 2003, in Maputo, Mozambique, and was ratified by Rwanda on 25 June 2004 by Presidential Order No. 11/01 of 24 June 2004. Article 26 of the Protocol reads that "States Parties shall ensure the implementation of this Protocol at national level, and in their periodic reports submitted in accordance with Article 62 of the African Charter, indicate the legislative and other measures undertaken for the full realisation of the rights herein recognised". Therefore this is Part B of the periodic report on ACHPR and is Rwanda's initial report prepared on the Protocol. It covers a period since ratification by Rwanda up to June 2016.
2. This Part highlights achievements in respect of women's rights in different aspects such as governance, economic, social, civil and political policy standards. For purposes of avoiding repetition, reference is made to Part A, especially in "I", on information related to country background and some legislative measures. However, for purposes of clarity, information is repeated on institutional and legislative measures. This Part also discusses Rwanda's compliance with each right provided under the protocol such as right to Elimination of Discrimination against Women, Right to Dignity, The Rights to Life, Integrity and Security of the Person, Elimination of Harmful Practices, Marriage, Separation, Divorce and Annulment of Marriage, Access to Justice and Equal Protection before the Law, Right to Participation in the Political and Decision-Making Process, Right to Peace, Protection of Women in Armed Conflicts, Right to Education and Training, and Reproductive Rights to mention but a few.
3. The preparation of this report was done under the supervision of the Ministry of Justice (MINIJUST) with the help of various stakeholders. The collected information has been discussed in different meetings with government institutions, the Judiciary, the Civil Society Organisations and even the general public through the national radio and national television. Consultative meetings and validation workshops bringing

together the aforementioned stakeholders involved in protecting human rights have also been conducted, and have contributed greatly to the adoption of this report.

INTRODUCTION

4. Rwanda ratified the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol) on 25th June 2004. Rwanda is therefore under obligation to submit a report on the implementation status in every two years as provided in Article 26 of the Maputo Protocol, read together with Article 62 of the African Charter. In addition, the report includes progress in the implementation of the Protocol since its ratification, the development in the review and enactment of legislation and measures adopted in order to protect and promote rights enclosed in the aforementioned protocol.

PART I: COUNTRY BACKGROUND, LEGISLATIVE AND INSTITUTIONAL FRAMEWORK

a) Country Background and Legislative Measures

5. For purposes of avoiding repetition, part one (1) of this Part B makes reference to Part I of Part A on information related to country background and some legislative measures.³⁹ However, on institutional and legislative measures for purposes of emphasis some will be repeated for better elucidation.
6. Rwandan Constitution guarantees equality of men and women. However, in the past women had been subjected to a wide array of limitations and restrictions which discriminated against them in profound and systemic ways. However, today, Rwanda boasts of the highest number of women representation in parliament in the world. Besides that various affirmative action intended to empower women to reverse past discrimination are in place for all to see.

³⁹ Particularly, for information related to country background, legislative and institutional measures please refer to part A of the African Charter Report from paragraph 5 – 9.

7. To begin with, the Rwanda Constitution as earlier mentioned requires 30% of women in all decision making institutions of the Republic of Rwanda. Such has been reflected in the term (2008-2013) elections where above 54% of parliamentary seats are for women while today 64% of the Rwandan Parliamentary seats are occupied by women-current term (-2013-2018). Without an appropriate implementation structure and human resources to translate the above commitments into action, they would remain on paper and have no real impact on the lives of women and the Rwandan nation as a whole. Therefore, the Government of Rwanda as earlier mentioned has put gender machinery in place to ensure effective implementation and coordination of the gender equality commitments.
8. The Ministry of Gender and Family Promotion (MIGEPROF) is the central Government organ mandated to ensure strategic coordination of policy implementation in the area of gender equality, family promotion and children's protection. The establishment of the National Women Council which is a permanent forum where by women discuss about their problems and looking how to influence their resolution is another milestone in the protection and promotion of women's rights.
9. The Rwandan Forum for Women Parliamentarians (FFRP) is a mechanism for women in parliament to use their strategic position as lawmakers to continuously lobby, advocate for and initiate gender-responsive laws and enhance gender equality principles within the institution of parliament, as well as improving gender-based Governmental oversight. National Commission for Children (NCC) was established in 2011 to promote children's rights, ensure coordination, implementation, oversight and monitoring of the children protection system, as well as to provide Rwanda's children the opportunity to develop into productive and responsible citizens.
10. The Office of the Ombudsman and the National Human Rights Commission are other monitoring and accountability mechanisms that follow up the respect, promotion and protection of human rights, including women's rights.

11. Establishment of the Gender Monitoring Office which is an independent public institution with responsibilities which include among others: to monitor and supervise on a permanent basis compliance with gender indicators of the programme for ensuring gender equality in the context of EDPRS II. The GMO also serves as a reference point on matters relating to gender equality and non discrimination for equal opportunity and fairness.
12. Some of the mile stones achieved by the GMO include: In the 2014 -2015 fiscal year GMO received a total of 67 GBV cases among them 38 were related to economical violence, and 15 cases related to sexual violence and 14 cases concerned, physical and psychological violence. 15 of those cases were resolved while 52 were oriented to concerned institutions. In the fiscal year 2015 - 2016, GMO received a total of 73 GBV cases. Among them, 41 were resolved while 32 were oriented to concerned institutions. Programs with special mission to empower the women have been initiated through the creation of special funds for women, the orientation and organisation of women in different associations and cooperatives with a view to giving them (women) strong bargaining power.
13. The Government and other partner organisations, have established specialised desks (GBV desks in the National Police and the Military) with an assignment to protect women against any forms of violence. The Ministry of Gender and Family Promotion (MIGEPROFE) has also other initiatives such as: inshuti z'umuryango (friends of the family), umugoroba w'ababyeyi (Parents' evening forum), community policing in the support and control of households with conflicts.
14. The Isange One Stop Centre provide for free medical legal services. There is also a toll-free telephone line to facilitate quick emergency reporting, information access and rapid response GBV cases support the established centres. Isange One stop centre for GBV victims has been established in many districts where GBV victims receive all services needed at the same point. This guarantees the security of these victims as they receive all necessary attention within one place. The Gender Monitoring Office have developed GBV indicators which will help different stakeholders track the progress made in GBV responses and

prevention and also in inform new strategies needed in protecting the rights of GBV victims and eliminating GBV in the Rwandan Community.

PART II: INFORMATION CONCERNING EACH OF THE RIGHTS, DUTIES AND FREEDOMS IN RELATION TO APPROPRIATE INDIVIDUAL ARTICLES OF THE PROTOCOL

Article 2: Elimination of Discrimination against Women

15. The legal framework on protection of women's rights is enshrined in Article 10(4) of the National Constitution (2003) revised in 2015 that guarantees equality between men and women in all spheres and provides for remedial affirmative action like at least 30% women representation in decision making organs.
16. Based on this constitutional provision, a number of progressive laws have been enacted to reverse previously discriminatory laws, norms and practices. Since 2009, the following laws have been passed: the Organic Budget Law (2013) institutionalizing Gender-Responsive Budgeting (GRB), the Labour Law (2009) that prohibits gender-based discrimination and violence in the work place, Law no.59/2008 on the Prevention and Punishment of Gender-Based Violence (GBV), Law n° 43/2013 of 16/06/2013 Governing Land in Rwanda, Law Law n°54/2011 of 14/12/2011 relating to the rights and the protection of the child. The Government of Rwanda adopted a gender based violence policy of 2011 which aims at reducing the number of GBV cases and ensuring safeguards for liberty and security. There was enacted a Prime Minister's Order n° 001/03 of 11/01/2012 determining modalities in which institutions prevent and respond to GBV and it provides that GBV cases must be expedited and given priority.
17. The adoption of the new law n°27/2016 of 08/07/2016 governing matrimonial regimes, donations and successions was a major reversal of the patriarchal marriage system where a woman traditionally entered into a marriage with practically no guarantees to succession or ownership of any property acquired in the marriage. This law also provides for equal inheritance rights between women and men, girls

and boys. This law was crucial for the protection of the rights of the large number of orphans, widows and child-heads of households, in the aftermath of genocide. According to the study conducted on the impact assessment of the law on matrimonial regimes⁴⁰, it was noted that ownership of property by women increased from 2.1% to 60.9%. Also, the same study revealed that 82.5% of the judges consulted from both the primary and intermediary courts noted the increase in number of cases related to the law on Matrimonial Regimes, Liberalities and Successions.⁴¹

18. Gender equality and the empowerment of women has been a central pillar in Rwanda's development vision and a central cross-cutting issue in strategic development instruments, including Vision 2020, the first PRSP, the government 7-year programmes (2003-2010 and 2010-2017) and EDPRS I and II (2008-2013 and 2013-2018). The Long-term Investment Framework recognizes gender equality as a critical dimension to be mainstreamed into all investment programmes. Key sectors, including gender, security, education, health and agriculture have developed gender policies and strategies are implementing them.
19. In order to ensure availability of resources for effective mainstreaming of gender perspective in Government programmes, Gender Responsive Budgeting has been institutionalized since the Organic Budget Law of 2013. Under this Law, all Government budget agencies are required to submit Gender Budget statements with their budgets to the Ministry of Finance and Economic Planning, so as to mainstream gender perspective into the analysis of public expenditure and revenue policies.
20. The Ministry of Finance and Economic Planning is also responsible for overseeing the mainstreaming of gender into the planning, policy formulation as well as the co-ordination of the GRB process to ensure that development resources are allocated in a gender responsive manner. It works closely with MIGEPROF, GMO and other partners to

⁴⁰ Gender Impact Assessment of Law n° 22/99 of 12/11/1999 August 2011

⁴¹ Gender impact assessment of the law n° 22/99 of 12/11/1999 to supplement Book One of the civil code and to institute part five regarding Matrimonial Regimes, Liberalities and Successions, page 75.

provide gender budgeting guidelines and indicators to ministries and districts.

Article 3: Right to Dignity

21. The Government of Rwanda has invested a lot of effort in the promotion and safeguarding of women's rights, as enshrined in the Constitution's fundamental principles, in promoting and protecting human rights for women as well as rights enshrined in this protocol. Rwanda embarks on the rule of law, ensuring social justice, guaranteeing equality between women and men, and affirmative action to redress past discrimination as indicated in the preceding paragraphs.
22. The Constitution also provides for equality between men and women and their rights to life, citizenship, freedom of movement, marriage, free choice of employment, equal employment and pay for equal competence and ability, and prohibits any form of discrimination.
23. In addition to the constitutional provisions, the legal, policy and strategic frameworks put in place are anchored on the principles of gender equality and the empowerment of women. All laws passed in recent years prohibit any form of discrimination and GBV. Following the passing of the GBV Law in 2008, the national GBV policy and related strategic plan were developed in 2011 to provide orientation in GBV prevention and response as well as to ensure effective coordination and monitoring of GBV interventions. This has greatly led to decrease in the number of domestic violence, raised awareness, shared decision making and property ownership and improved the right to dignity of women.

Article 4: The Rights to Life, Integrity and Security of the Person

24. The Constitution of the Republic of Rwanda in its Article 13 states that " a human being is sacred and inviolable and the Universal Declaration of Human Rights gave primary emphasis to the protection of human life and made direct reference to everyone's right to life. Moreover, in June 2015 Rwanda deposited an instrument for the ratification of the Optional Protocol to the Convention Against Torture which

demonstrates Rwanda's commitment to protect and promote human dignity and moral integrity. The protection is cross cutting and does not foster any discrimination including that based on gender.

25. The Government of Rwanda has made ending Violence Against Women (VAW) and gender based violence (GBV) a national security priority. As earlier submitted, strategies for addressing this problem include a policy of "zero tolerance" to GBV across all sectors, supported by laws such as the anti- GBV Law and the criminal code, which provides severe punishment for all GBV and VAW offenses. An outstanding model of response to VAW/GBV is the *Isange* One Stop Centers (IOSC) which is a Multi-sectoral and interdisciplinary Program being implemented by the Ministry of Gender and Family Promotion, Ministry of Health, Rwanda National Police, the Ministry of Justice, under the coordination of the Ministry of Gender and Family Promotion.
26. The program is aimed at providing psychosocial, medical, police and legal services to adult and child survivors of gender based violence and child abuse occurring in the family or in the community at large which provide holistic response to GBV under one roof, in order to minimize the risk of re-victimization, spoiled evidence and delayed justice, there is a target to reach 44 centres by the end of 2016.
27. The centers provide free, 24-hour medical, psychosocial counseling and medical-legal and safe house services to the victims. By cutting down on procedures and providing services under one roof, these OSC are more victim-friendly, provide rapid response, making victims more willing to seek services and to report GBV cases. Currently, we have such centers in 23 District Hospitals.
28. Rwandan security organs have demonstrated unprecedented commitment to ending VAW. Both RNP and Rwanda Defense Forces (RDF) have established anti-GBV Directorates that ensure an environment free of GBV at institutional level and develop strategies for response to VAW as a security priority. Monthly GBV reports submitted as part of the regular security reports at district and sector levels. Rwanda's security organs have extended this commitment to a

continental initiative through the Kigali International Conference Declaration (KICD) on the Role of Security Organs in ending VAW in Africa. A foundation stone for an African Security Organs Centre for Coordination of Action to End Violence against Women and Girls (AFSSOCA) was laid in Kigali by the UN Secretary General, Ban Ki Moon and the President of the World Bank, Jim Yong Kim, in May 2013. The National Public Prosecution Authority has established a GBV Unit with a special department in charge of protection of victims and witnesses of GBV.

29. As point of emphasis, again the GBV desks established in the RNP, RDF and National Public Prosecution Authority (NPPA) have elevated many victims of GBV to a better life they had been denied by violence directed to them. Toll free telephone hotlines have been put in place for emergency reporting of crimes and accessing information through the Ministry of Health, RNP, RDF and Public Prosecution Authority. The later has also a special unit of prosecutors in charge of GBV and a department of protection of victims and witnesses. "Access to Justice Offices" have been established in each district and have GBV focal person. Sexual violence cases are given special consideration at all levels and in courts there are held in privacy to avoid stigmatization of the victim.
30. Other mechanisms established by the Government include community policing, anti-GBV and child protection committees at village level to provide an opportunity for awareness raising, gathering information and coordination anti-GBV services, Umugoroba w'ababyeyi, anti-GBV Clubs in schools composed of both girls and boys, Standard Operating Procedures (SOPs) on GBV were developed in 2012 to guide stakeholders' interventions in humanitarian assistance situations and refugee camps.
31. Although there are persisting patriarchal cultural beliefs that entrench discrimination and VAWG, national laws and policy frameworks outlined above provide a basis for protection and response against GBV and VAW. The IOSC and the toll free hotlines provide a channel for discreet reporting and avoiding repercussions. Government and civil

society carry out various anti-GBV education and awareness raising programmes.

32. In order to address the poverty and economic dependence that predispose women and girls to exploitation, violence and abuse, economic empowerment for women and girls have been put in place at all levels from the grassroots. The promotion of women's economic rights has enhanced women's access and control over economic resources, which were among key contributors to ending violence against women. Research in the country has shown that when women depend economically on their partners, they are more vulnerable to abuse and violence. Poverty also forces some women and girls into subsistence sex work with limited negotiating power to use condoms, thereby exposing them to a high risk of HIV/AIDS infection.
33. Ignorance and insufficient knowledge and understanding of rights and laws put women and girls at risk of VAW. They are, for example unable to take advantage of the protection provided for in the GBV and similar laws. The existence of Access to Justice Office (AJO) at district level and the legal support and sensitization carried out countrywide by the Government and NGOs have greatly enhanced women and girls' awareness of their rights and protection under the law and given them courage to seek protection.
34. Based on the available information, cases related to women trafficking in Rwanda are not common. However, the Government has put in place preventive mechanisms for any case that may arise. For example, the Organic Law n° 01/2012/OL instituting the Penal Code, in its art. 252, stipulates punishment, of between seven years to ten years, for offences of abduction, arrest, detention or transporting any person in order to make them slaves, sell them as slaves force them into begging, illegally adopt them on payment of a consideration, take them indecent pictures, in dangerous sports, in armed conflicts, live together as husband and wife for the purpose of torturing them or selling their organs. Though, the Ministry of Justice initiated the draft of a human trafficking training manual which will help in the prevention of such immoral behaviour.

35. For many years Rwanda has hosted many refugee communities from neighboring countries, especially Burundi and DRC. Rwanda accords the refugees all the necessary protection in accordance with international law and regulations. The Government works closely with national and international agencies and NGOs to provide services to refugee women and girls.
36. Women in refugee camps have been trained on various issues including GBV and have been trained in skills to enable them to make some income to improve their livelihoods. Rwanda has also received a number of Rwandans returning from neighboring countries, either as voluntarily repatriated refugees or those expelled from neighbouring countries, such as recent waves from Tanzania in 2013. Special consideration is given to women and girls as most at risk of vulnerability. One stop centres have also been established in refugee camps and gender based violence focal points put in refugee camps as a strategy to liaise with stakeholders providing GBV service providers.

Article 5: Elimination of Harmful Practices

37. The elimination of discrimination against the girl-child is enshrined in the Rwanda National Constitution (2003) revised in 2015, which reaffirms in its Article 10(4) equality before the law between men and women, boys and girls, and the fundamental rights of all citizens of Rwanda, as enshrined in the Universal Declaration of Human Rights and other international human rights instruments.
38. On this basis, progressive laws that support the elimination of discrimination against girls have been passed, including: The new law N°27/2016 of 08/07/2016 governing matrimonial regimes, donations and successions. This law is of particular relevance to eliminating discrimination against girls, because it reverses patriarchal inheritance, marriage and other negative practices; Organic law No.08/2005, determining the use and Management of Land in Rwanda abrogated and replaced by the Law No 43/2013 of 16/06/2013. This is equally important for the same reasons cited above.

39. Rwanda has also ratified international and regional instruments on the protection of children's rights without discrimination based on gender or other considerations including CEDAW and the African Charter on the Rights and Welfare of the Child (1990) and the CRC. This legal framework is supported by a number of policy and strategic instruments such as the Integrated Child Rights Policy (2011) whose main objective is to "ensure that every child in Rwanda and every Rwandan child has his/her rights ensured and provided for", the National Girls' Education Policy (see section 12.4), the National policy against GBV and the National Labour Policy, among others.
40. The umbrella Rwanda Men's Resource Centre (RWAMREC) was set up in 2006 to coordinate the growing engagement of men and boys in promoting gender equality and ending VAWG. It is a key driver in fighting GBV by changing the patriarchal mind set in the community.

Article 6: Marriage

41. The Rwandan constitution of 4th June 2003 as revised in 2015 in its Article 17 recognizes only civil monogamous marriage between a man and a woman. No person may be married without his or her free consent. Partners in a marriage have equal rights and duties upon and during the subsistence of a marriage and at the time of divorce. The married couple is recorded in accordance with the law in the civil status register book.
42. The Law now prohibits early/child marriage, which has been one of the most prevalent negative cultural practices, as the age of consent for marriage is 21. Other negative attitudes like keeping girls out of school, denial of inheritance and property, GBV are addressed through the laws and policies mentioned above. Rwanda has also ratified the African Union Solemn Declaration on the Rights of Women, which lay particular emphasis on "protection against violence, including that caused by harmful traditional practices". The "Men Engage" initiative has particularly played a big role in promoting positive masculinity through sensitization and positive male role models. This programme has influenced a positive change among communities on the elimination of negative cultural practices.

43. The new Rwandan law N°27/2016 of 08/07/2016 governing matrimonial regimes, donations and successions recognizes three matrimonial regimes: community of property; limited community of acquests and separation of property. Before the civil status officer registers the couples, they are requested to choose the matrimonial regime that will guide the couple's lifetime in marriage. Particularly, under community regime couples are guaranteed equal ownership of property and in circumstances of death of one partner, the surviving one takes over total administration of the property. This is practice demonstrates a shift from the old practice where women were not allowed to inherit.

44. Article 21 of the new law N°27/2016 of 08/07/2016 governing matrimonial regimes, donations and successions, provides that whatever be the matrimonial regime chosen and the management modalities of the patrimony of the spouses, the agreement of both spouses shall be required for the donation of an immovable property and of any other property in the community, as well as for the acknowledgement of any right attached to these properties.

Article 7: Separation, Divorce and Annulment of Marriage

45. Under the Rwandan law and practice, there is no discrimination based on sex in as far as Separation, divorce and annulment of marriage is concerned. Both male and female are treated equally. Article 17 of the 2003 Constitution of Rwanda revised in 2015 provides that "Spouses are entitled to equal rights and obligations at the time of marriage, during the marriage and at the time of divorce."

The law N°59/2008 OF 10/09/2008 on the prevention and punishment of Gender Based Violence is still in force and protects women that were under illegal marriage through government increased awareness and campaigns to legalize marriages under civil officers. This has allowed people entertaining unlawful marriages to be married in accordance with the monogamous principle. In case, a man was living with many wives and wants to celebrate monogamous marriage, he shall first of all share the commonly owned belongings with those wives equally.

Article 8: Access to Justice and Equal Protection before the Law

46. As per Article 15 of the Rwanda Constitution of 4th June 2003 revised in 2015, all human beings are equal before the law. They are entitled to equal protection of the law. The Government of Rwanda initiated Access to Justice Bureaus (AJB) – popularly known as Maisons d'accès à la Justice (MAJ) in French. These centres serve as a first point of orientation for the general public; sensitize population on their human rights; provide general legal aid services; assist prisoners and provide legal training to Abunzi among others.
47. Currently, each district has three MAJ personnel that particularly give legal aid to the population. As a result, this has relatively increased efficiency, performance, transparency of the judicial system, and improvement of public access to justice. Furthermore, among the staff in the Access to Justice Office (MAJ), one is a GBV and Child focal person which facilitate easy access to justice to women victims of gender based violence.
48. For the effectiveness and timely delivery of services to GBV victims, the Government of Rwanda as earlier mentioned introduced a Multi-sectoral and interdisciplinary Programme aimed at providing, comprehensive, timely and effective psycho-social, medical, police and legal services to adult and child victims of gender based violence and child abuse occurring in the family or in the community at large.
49. The country is now embarking on a full-fledged national scale up of the above programme in all district hospitals across the country. It strives to ensure effective prevention and response of victims of gender based violence. In addition, it is widely recognized that quality services, conviction of perpetrators and sustained community awareness-raising will help build the resilience of victims and their families including prevention of future violence and abuse.
50. Rwanda's gender machinery has also made effort to increase women's legal literacy, although the low levels remain a challenge. A manual for Citizens of Rwanda on land registration, transfer of land, and the Protection of rights to land was produced and disseminated to provide

legal information about land rights and how to protect them. This manual, which is particularly helpful to women with limited legal literacy, provides information about the land registration process and ways of safeguarding individual rights, those of children and spouses. In addition, UNSCR 1325 was translated into Kinyarwanda and disseminated at all levels.

51. During the month dedicated to women and girls starting with International women's day, gender machinery organizes awareness raising meetings countrywide on different themes around gender equality and women's rights. During these meetings, women are educated about different laws and initiatives in place to promote their rights.

Article 9: Right to Participation in the Political and Decision-Making Process

52. Rwandan Laws guarantee women's equal participation in decision making organs has been passed and policies adopted in Rwanda since 1995 and all these resulted in resulted in an unprecedented increase in women's rights to participate in decision-making positions in all spheres of development. The Constitution reserves for at-least 30% quota for women in decision making resulted in an unprecedented number of women being appointed or elected into decision-making positions at all levels.

53. This quota is also applied to political parties. The Organic law governing political parties and politicians was also revised in July 2013 (Organic Law N° 10/20/2013/OL of 11/07/2013) to eliminate any form of discrimination in political parties. Article 7 of the law prohibits political organizations from basing themselves on race, ethnic group, tribe, lineage, region, sex, religion or any other division which may lead to discrimination.

54. During the September 2013 parliamentary election, the National Electoral Commission provided improved guidelines and physical environment to ensure equal participation of women and men and civic and voter education were organized with specific sessions targeting

women and youth. As a result, women represent 64% of the seats in the lower chamber of Parliament, 38% in the Senate, 40% of the cabinet, 46% of the Judiciary, and 40% of the provincial governor seats. Representation at district, sector and Kigali City consultative councils stands at 43.2%, 45.1% and 51.5% respectively. This trend is also reflected in other decision-making positions in the Private sector, Central and Local Government, 40% of Provincial Governors, 43.2% of district council members and 83.3% of Vice Mayors in charge of social affairs.⁴².

55. This increased presence in leadership and decision-making has had the double effect of entrenching gender equality in development processes and changing the mind set and patriarchal attitudes towards women. It has also significantly increased women's confidence and self-esteem and provided the youth with positive role models, contributing to the eradication of gender-based discrimination. It is an invaluable opportunity for promoting specific gender equality reforms and a channel for influencing gender sensitive laws and policies and their effective implementation.
56. The MIGEPROF, the NWC, FFRP, CSOs, and development partners provide support to enhance capacity for women in different fields including economic empowerment, advocacy skills, and legislative and communication skills. Women Leaders Network was also established to provide political, leadership and communication training in leadership for young women and girls.
57. The network also supports mentorship of young women and girls in institutions of higher learning in different aspects of leadership, career guidance and communication. Programmes like Imbuto Foundation's Toast Master clubs, under the leadership of H.E. the First Lady Jeannette Kagame, play a key role building leadership qualities among young women and girls. These clubs have helped young girls realize their potential in different fields including leadership and participation and public speaking. The training is carried out through organized debates on national and global issues.

⁴² NISR and GMO, National Gender Statistics Report 2013.

Article 10: Right to Peace

58. Throughout the reconstruction process, in the aftermath of the 1994 Genocide against the Tutsi, women have played a key role in promoting peace, unity and reconciliation. They have headed key institutions intended to handle post-genocide justice and reconciliation processes, acted as judges and witnesses in the Gacaca transitional jurisdictions and spearheaded the reconciliation process from the grassroots for instance the first two Executive Secretaries of the National Unity and Reconciliation Commission were women and the Executive Secretary of the Gacaca jurisdictions throughout their existence was also a woman, at the time when the Chief Justice was also a woman.
59. Women continue to play an important role in the community mediation and conflict resolution structures, *Abunzi*, based on Rwandan traditional conflict resolution practices. This system of participatory community level conflict resolution has considerably contributed to cohesion in the communities and significantly reduced the number of cases reaching magistrates' courts. By law, at least 30% of the 12 elected mediators must be women⁴³. Women's participation in this system has greatly enhanced their outstanding standing in society and broken the traditional perception that justice can only be carried out by men.
60. At international level, Rwandan women have actively participated in peace building initiatives in the region, such as the Pact on Security, Stability and Development in the Great Lakes Region. The Rwanda Defence Forces (RDF) considers the prevention and mitigation of sexual violence against women and girls a key imperative across all its deployments. The RDF Gender Desk devises training programs to raise awareness of sexual and gender based violence, and these have been fully incorporated into the core curriculum of Rwanda's military academies and training institutions. This is considered integral to the preparation of all RDF battalions bound for peacekeeping missions abroad. Moreover, Rwanda is among the leading contributors of female police and army officers that have equally played a significant role in UN peacekeeping missions, as peacekeepers and as police and military

⁴³ Adapted from *Abunzi Capacity Assessment Report*. USAID.2012. Kigali, Rwanda

observers, in Sudan, South Sudan, Haiti, Ivory Cost, Liberia, Mali and Central African Republic. Up to May 2014, 446 women police officers have served in UN and AU peacekeeping missions and currently 200 female army officers are serving in UN peacekeeping missions. Rwanda also adheres to international instruments promoting women's engagement in peace and security.

61. The National Action Plan for the Implementation of UNSCR 1325 (2009-2012) has greatly contributed to women's role in peace building and conflict prevention. It seeks to reinforce the capacity of women in peace and security matters, not only at national level, but at regional and international levels, and to internalize the relation between gender, peace and security. In September 2014, UN Department of Peacekeeping Operations organized a twelve days training for 166 female police officers to assess officers to serve in UN peacekeeping missions around the world. Rwanda boasts of being the third highest contributor of female police officers worldwide and second highest in Africa to UN peacekeeping missions. 30% of formed police unit contingents in Haiti, Central African Republic and South Sudan are female.

62. Apart from Government initiatives, an umbrella organization of national women's NGOs, Pro-Femme Twese Hamwe, under its collaborative programme "Action Campaign for Peace" requires all member NGOs to have a peace platform and undertake activities and programmes designed to promote peace and reconciliation. Pro-Femme has won a number of regional and international awards for its role in promoting peace and reconciliation in the country and also in the region, based on the principles of gender equality and enhancing the role of women as peace builders. These organizations worked closely with Government law enforcement bodies like the Office of the Ombudsman, the Judiciary, RNP and the National Human Rights Commission (NHRC) to investigate or possible prosecution. Members of the National Women's Council also play an important role in ensuring the involvement of women in national peace building and conflict prevention programmes at grass-roots level.

Article 11: Protection of Women in Armed Conflicts

63. Despite the post-genocide challenges of reconstruction and rehabilitation, the Government of Rwanda has progressively reduced military spending to increase other budget areas like agriculture, health and education. It has also rather invested a lot of effort in eliminating the possession of small arms and light weapons in the population.
64. The Rwanda National Police has a dedicated unit for the control of small arms and their destruction. Rwanda is a member of the Regional Center on small Arms in the Great Lakes Region, the Horn of Africa and Bordering States (RECSEA), under which member states fight against the proliferation and trafficking of illicit small arms and light weapons in the Great Lakes Region and the Horn of Africa.
65. Rwanda currently chairs the Regional Centre on Small Arms (RECSEA) and has signed the Arms Trade Treaty which “obligates member states to monitor arms exports and ensure that weapons do not cross existing arms embargoes or end up being used for human rights abuses, including terrorism”⁴⁴. The National Disarmament, Demobilization and Reintegration Commission continues to receive, train and reintegrate ex-combatants, armed groups and their families, returning especially from Eastern Democratic Republic of Congo (DRC).
66. Rwandan women in civil society have been active in promoting peaceful resolution of conflict in the Great lakes Region, including chairing the Regional Women’s Forum, an important organization for the implementation of the ICGLR pact on peace, stability and development and to follow up the implementation of the gender dimension of the pact.
67. Women were also among the most active in sensitizing remaining Rwandan refugees to repatriate voluntarily. They are also very actively engaged in other institutions and mechanisms which have been established to promote non-violent conflict resolution including: the Office of the Ombudsman, the National Commission on the Fight

⁴⁴ ATT Wikipedia.

against Genocide, and community conciliators, (*Abunzi*), in which over 30% of the members are women. Women have also played a pivotal role in home-grown peace building initiatives such as solidarity camps (*Ingando*) and "*Itorero*" that expose women to civic education and peace building from grassroots to national level and allows women to have a say in the sustainable peace and a culture of cohesion in the country.

Article 12: Right to Education and Training

68. Equal right to education is guaranteed by the Constitution (2003) revised in 2015 whose Article 20 stipulates that "Every Rwandan has the right to education. Freedom of learning and teaching shall be guaranteed in accordance with conditions determined by law. Primary education is compulsory. It is free in public schools. This constitutional requirement has broken the traditional barrier of viewing girls' education as not important as that of boys. It has also served as a foundation for the Government to invest a lot in improving access to education for all, but with particular attention to reducing the gap in access between girls and boys, women and men and ensuring high education quality.

Article 12: Right to Education and Training

69. There is a Ministerial Order No 001/2016 of 08/01/2016 providing sanctions against parents who do not send their children to school and against other persons who employ children in work preventing them from going to or encouraging them to drop out of school. Article 2 of the law provides that: A parent or guardian who does not send his/her child to school while the child has reached the required age to start primary school, shall be sanctioned by a reprimand in a meeting of the Village in which he/she resides and be ordered to send the child to school. There are also Sanctions against employers of children and other various people. Among the policies, there is an integrated early childhood development strategic plan 2011/12 – 2015/16.

70. The Girls 'education policy was developed in 2008 to guide Government efforts in reducing gender disparities in education. The implementation of this policy combined with other Government

programmes such as the school-feeding programme and improved school environment for girls (provision of sanitary towels, separate toilets for boys and girls) have resulted in the achievement of gender parity in primary school enrolment and retention.

71. In order to reduce gender imbalance in access and enrolment in secondary education, in 2009, the Government adopted the universal Nine-years Basic Education (9YBE) programme and in 2012 extended it to twelve years basic education (12YBE), either as a mainstream secondary school education, in a teacher training college or a Technical and Vocational Education and Training (TVET).
72. The establishment of these programmes at local level has improved school proximity and access, especially for girls, increasing girls' access to both lower and upper secondary education. The number of girls in all levels of secondary school increased significantly compared to boys. This access to education and learning has improved women's capacity to engage fully and contribute effectively to all aspects of national development. By 2014, the number of women in public tertiary institutions was 32.8%, compared to 54.3% in private schools and universities.
73. The growing number of public and private education institutions, including branches of international institutions and those from neighboring countries, has provided women and girls with increased chances of up-grading their skills and employment opportunities. Similar initiatives are found at institutions of higher learning where women in academia are accorded sandwich programmes to pursue Masters or PhD programmes. The Public Sector Capacity Building Secretariat (NCBS) organizes lifelong education and training for public servants, including women, in a well-coordinated and harmonized.
74. Under the leadership of the First Lady, some strategies to stimulate women and girls to attend and perform in science and technology have been initiated. They include awarding best performers in end of primary school examinations and providing scholarships to girls with excellent performance from poor families to improve access, retention and performance especially in science and technology. Mentorship

programmes are also provided to stimulate girls/women to break the “gender stereotypes” and adventure in traditionally male-dominated fields including ICT sector. Campaigns are ongoing to encourage girls to be ICT entrepreneurs. Curriculum and training material are scrutinized to eliminate discriminative tendencies and special effort is made to cater for the disadvantaged and marginalized groups.

75. The Rwanda Workforce Development Authority (WDA) established in 2008 has placed emphasis on the TVET sector as a strategy to create a critical mass of skills to meet Rwanda’s vision of being a knowledge-based economy. Special efforts are deployed to sensitize girls and women to extend their careers in technical fields such as ICT so as to improve their employment opportunities.

76. The Government of Rwanda continues to strive to make all Rwandans literate, in order to be competitive in local and international markets and to achieve Rwanda’s aspiration of becoming a knowledge-based economy and a middle-income country by 2020. According to the 2012 Census about 65 % of the female population aged 15 and above are able to read and write in at least one language compared to 72 % of males.

77. Some 5181 literacy centers have been set up across the country, with the target of having at least four centers in each administrative Cell, by 2017⁴⁵. Bringing these centers closer to the community enables women to factor the unpaid care work time within the literacy programme.

Article 13: Economic and Social Welfare Rights

78. Women represent 50.9% of the Rwandan population. The Government of Rwanda realizes that no sustainable development can be achieved without the participation of a large portion of its population and has put in place legal and policy reforms geared at reducing discrimination against women and improving their economic rights and independence at all levels. Rwanda has also ratified the International Covenant on Economic, Social and Cultural Rights and CEDAW and other regional

⁴⁵ A cell is the lowest administrative entity comprised of between 8 to 10 villages

instruments geared towards the promotion of gender equality and women's empowerment.

79. Women's access to economic and productive assets, including land, thanks to progressive laws and policies. They include the new law N°27/2016 of 08/07/2016 governing matrimonial regimes, donations and successions which provides for equal inheritance and property ownership rights between men and women and the Land Law of 2013. Under these laws, women and girls are now able to inherit land and property from their parents. Women are now able to use the land as collateral for securing loans from banks. This has greatly transformed women's social economic well-being through wealth creation and enhanced their contribution to Rwanda's economy, which has grown at an average real GDP rate of 8.2% annually from 2008 to 2012⁴⁶ as compared to -4.0%⁴⁷ in 1999-2000.
80. A number of programs aimed at reducing poverty and economic inequalities between men and women have been initiated. They include a Women and Youth Access to Finance guarantee fund, currently operated by the Business Development Fund (BDF). This fund is aimed to facilitate women's access to credit and other financial services, as well as training to improve their financial literacy. 25% is what is required of women as security while 75% is covered by the guarantee fund. Moreover, a grant equivalent to 15% of the total loan amount to start the investment activity is also accorded to women borrowers who develop start-up projects. This means that once the amount of the loan paid back by the borrower reaches 85%, the lender offsets the outstanding 15% loan amount with the 15% grant facility.
81. The use of the guarantee fund has enabled many women to gradually shift from economic dependence to self-reliance, although their number is still low compared to men. This guarantee fund is complemented by the creation of women-focused financial institutions such as the Women's Branch of Rwanda Community Bank savings and micro-

⁴⁶ MINECOFIN, *Economic Development and Poverty Reduction Strategy* (EDPRS 2), 2013

⁴⁷ The UN Inter-Agency working Group, Common Country Assessment Paper 1999-2000-Rwanda, Poverty reduction and management,

credit cooperative such COOPEDU run by a women's association "Duterimbere".

82. Women are increasingly moving to the formal business sector as in the Fiscal Year 2014-2015, 4,225 women with bankable and feasible projects accessed loans amounting to a total of Rwf 1,383,361,996 Billion and grants worth of Rwf 208,098,898 Million through Business Development Fund (BDF). The number of new accounts opened in Micro-financing Institutions by women increased by 5.9% from 987,421 to 1,045,993 (58,572 new female Accounts were opened). The number of Women who acquired loans increased from 48,618 to 49,256 (638 new women accessed loans equivalent to 1.3 percent increase), while the number of men who opened new accounts also increased from 1,370,037 to 1,440,791 (70754 new men opened accounts equivalent to 5.4 percentage increase).
83. The Government has also prioritized the financial inclusion of women and youth through the village Credit and Saving Scheme (Umurenge SACCO), which has greatly improved women's livelihood and their economic independence. It is envisaged that by 2017, at least 50% of borrowers in SACCO and Micro-finance Institutions will be women. An additional role of this Umurenge SACCO is to build the savings and credit habit at the grassroots level and improve proximity of financial services for women and elderly people.
84. All these achievements are supported by Government policies that promote gender equality and the empowerment of women including: the National Gender Policy (2010), the Long-term investment framework (LTIF) which recognizes gender equality as an essential cross-cutting dimension to be mainstreamed into all investment programmes. The Private Sector Federation has also established a specific chamber for the promotion of women in business and trade.
85. Business services and training of women in business skills and business management are provided by different institutions such as the BDF and the Business Incubation Centers (BIC), which have been established countrywide. They provide business services and capacity building in business management for women and youth.

86. The Ministry of Trade and Industry through its entrepreneurship development initiative has also established three programmes to enhance capacity of women and youth in entrepreneurship and facilitate them acquire financial services especially loans. These are *Hanga Umurimo*⁴⁸ (*Create a job*), Proximity Business Advisory Scheme (PROBAS) and *Kuremera*⁴⁹ programmes. In total 23,998 business promoters were trained, among them 46% were women. In addition, 46.1% of projects, which benefited from funding from banks, are by women but only 19.5% of women benefited from start up tool kits. In 2013, under *Kuremera* Programme, 920 women in Kigali City were facilitated to start small businesses in decent work premises. Although these programmes have played a key role in boosting women's economic empowerment, it was noticed that men are still predominant beneficiaries of their services.
87. Regarding formal employment, Rwanda has ratified international and regional instruments on eliminating child labour, including the International Labour Convention, the Convention on the Elimination of the Worst Forms of Child Labour. At national level, the Labour Law prohibits employment of children under the age of 16 and is supported by the law determining missions, organizations and power of Rwanda Defense Forces and the police, which prohibit recruitment of children into the armed forces.
88. The National Policy on the Elimination of Child Labour adopted in 2013 aims at "providing an enabling environment for the prevention, protection, and progressive elimination of child labor and ultimately total elimination of child labor." The policy recognizes that "boys and girls are affected by child labor differently", and thereby the need for gender concerns to be mainstreamed into policy and programme implementation with special emphasis on the needs of the girl child".

⁴⁸ Hanga Umurimo started in 2011 with a purpose of nurturing an entrepreneurial culture among Rwandans and encouraging off farm job creation and advancement of entrepreneurship mindset and business innovations countrywide

⁴⁹ Kuremera programme started in 2012 and is built on Rwanda's traditional practice of providing a startup capital to somebody without any return. This programme does the same for unskilled and semi skilled poor women and youth countrywide but with a return in order to promote continuity

89. As already stated above, the Government of Rwanda has promoted equal rights for men and women, girls and boys in employment. As a result women are increasingly embracing traditionally male dominated employment such as fishing, beekeeping, carpentry, mining and solar energy production. This not only addresses the issue of poverty by increasing women's income but also breaks gender stereotypes and shows that women are as capable as men in the economic arena. This improved economic situation of women and their households also enhances their social status in the community and increases their opportunities in decision-making at local and central level.

Article 14: Health and Reproductive Rights

90. A number of strategies adopted have had notable impact. They include the Universal Community Health Insurance scheme (*Mutuelle de santé*) that renders quality health care affordable for the poor, especially women, for a minimal annual contribution of less than US\$ 5. The Government has also invested in improving access and proximity to health services. The Government has launched an intensive construction of health centres with a target for every citizen to have access to health facilities within one-hour walking distance and at least one health centre at every administrative Sector (*Umurenge*) which succeeded in 2015. This improved proximity has increased utilization of modern health services, especially for pregnant women, supported by other initiatives such as improving ambulance services at district level and mobile and outreach clinic services.

91. About 98% of Rwandan women now receive antenatal care from a skilled provider and over 69 % of Rwandan births occur in health facilities, assisted by a skilled provider. In addition, the increase use of mobile technologies and rapid SMS for emergency labour and other medical complications have resulted in considerable decrease of maternal and infant mortality rates. Mass education and information dissemination are carried out through different media, including radio and television programmes and theatre. Popular long-running radio plays such as *Urunana* and *Musekeweya* pass on critical information and behavior change messages, including adolescent sexual and

reproductive health, antenatal health, nutrition and HIV prevention and management of HIV and other public health concerns. Volunteer Community Health workers play a key role in passing on health information and providing advice to the communities.

92. Improving women's nutritional status: the Health Sector Strategic Plan III (2012-2018) envisages a number of interventions to improve the health status of Rwandans, with special attention to pregnant and lactating women and children. Strategic interventions with direct impact on women and children include strengthening and scaling up Community-Based Nutrition Programmes (CBNPs) to prevent and manage malnutrition in children under five years and pregnant and lactating mothers; eliminating micronutrient deficiencies; promoting food security at the household, community, and national level, and promoting behavior change communications for nutrition. These strategies are supported by other community-based initiatives such as "kitchen garden" (*Akarima k'igikoni*) campaign, which encourages every household to grow vegetables in their backyards and to eat a balance diet.
93. Rwanda adopted a gender and HIV Strategy in 2010. Gender equality and greater involvement and engagement of People Living with HIV and AIDS were key priorities of this national strategy. Another key initiative was the US\$5.7 million national Accelerated Plan for Women, Girls, Gender Equality and HIV (2010-2014), which focused on addressing inequality and underlying factors that contribute to women and girls' higher risk and vulnerability to HIV and AIDS. The plan lays emphasis on women and girls' active participation and leadership, but highlights the importance of actively engaging men and boys to promote gender equality and protect the rights of women and girls.
94. Prevention of Mother to Child Transmission Therapy (PMTCT): Pregnant women in Rwanda have the right to four antenatal care visits during pregnancy. They are encouraged to take advantage of these visits to be tested for HIV, together with their spouses, so that they can be put on Preventive Mother to Child Control Therapy (PMTCT), if necessary. Currently, 82% of all health centers countrywide offer

PMTCT services where targeted pregnant women can be counseled and tested voluntary for HIV.

95. Thanks to sustained Prevention Mother to Child Transmission Control Therapy (PMTCT) campaigns and HIV testing during antenatal care visits, considerable reduction has been recorded in HIV mother-to-child transmission and was kept at 1.8% by 18 months since 2013. Among the 3,565,538 people voluntary tested from January to December 2015, 61.3% were women. Rwanda is currently on track to provide universal access to lifesaving antiretroviral treatment for those in need by 2015. In 2015, 74.5% of adults and children eligible for ARVs received them⁵⁰.
96. Every 5 years, the Government through the NISR, conducts the Demographic and Health Survey (DHS). Three editions have been published and the fourth is due in 2014. The Rwanda Biomedical Center, in collaboration with key Government departments, development partners, the UN and civil society, regularly carry out research and disseminate information on various health issues, including women's health. In 2013, the center, in collaboration with UNAIDS, published the "Gender Assessment of Rwanda's national HIV Response". The Ministry of Health and partners also carry out and publish research results on different aspects of women's health, such as the "Comprehensive food security and vulnerability analysis and nutrition survey" (2012).⁵¹

Article 15: Right to Food Security

97. Recognized achievements have been recorded due to Government initiatives including cow distribution to poor households (one cow per family- *Girinka programme*), crop intensification and land consolidation and post-harvest and granaries installation (*ubuhunikiro*). This is also a major public health boost in reducing malnutrition and stunting. In addition, the Government has put in place concrete programmes to improve private sector development including incubation centres for small and medium enterprises (SMEs) in both rural and urban areas, with a focus on women and youth and has also

⁵⁰ Rwanda Biomedical Centre, Rwanda Global Aids Response Progress Report (GARPR), March 2014

⁵¹ NISR et al. 2012. *Comprehensive Food Security and Vulnerability Analysis and Nutrition Survey*. Rwanda.

prioritized financial inclusion through the village Credit and Saving Scheme (*Umurenge SACCO*) as a strategic initial step of increasing economic inclusion for women and youth.

Article 16: Right to Adequate Housing

98. Every Rwandan has a right to adequate and affordable housing facilities. The Government of Rwanda recognizes the need of adequate housing especially among widows and female heading households. The Government recently abolished grass thatched houses under “*Bye Bye Nyakatsi*” programme as a strategy of ensuring that Rwandans live in modern houses.

Article 17: Right to Positive Cultural Context

99. Negative cultural and patriarchal attitudes: Increased investment by the Government and Civil Society Organizations in raising awareness on gender equality and the elimination of gender-based discrimination has resulted in significant improvement of people’s attitudes on the role of women and girls in society. Nevertheless patriarchal attitudes and gender stereotypes continue to keep girls and women away from some professions, especially the technical fields. A gender impact assessment of the Law on Matrimonial Regimes, Liberalities and Successions, conducted in 2011, revealed that culture and traditional beliefs are still major obstacles to the implementation of the law. The patriarchal power relations between men and women, girls and boys, continue to undermine women and girls’ ability to contribute and benefit from development initiatives.

100. Legal reforms carried out in recent years have provided a foundation for ending these harmful and discriminatory practices, but more needs to be done to implement and enforce the laws, leverage public awareness-raising efforts, foster open debate in the media and other fora, and training women and men to respect and protect women’s legal rights. Intensive campaigns and advocacy by Rwandan civil society are making progress in changing the patriarchal mindset. Reaching out to men as partners in promoting gender equality has been

one of the most efficient strategies for ensuring sustainability of gender equality gains in Rwanda. Men are now among leading advocates for gender equality and ending VAWG.

101. Programs were established to improve the efforts for women empowerment and on their role in the society. Those are women access to finances with average of 63% according to the Finesco 2016 report, National Gender Policy of 2010, GBV policy of 2011 and the HeforShe campaign launched in 2016.

Article 18: Right to a Healthy and Sustainable Environment

102. Rwanda is signatory to major environment protection treaties and protocols and adheres to their requirements, including relevant gender equality principles. Women's involvement in environmental management like the Environment Committees at village level has had a critical impact on the protection of the environment. Women in Rwanda are actively involved in the development of green energy initiatives such as biogas and energy efficient stoves (*rondereza*).
103. This has resulted in the reduction of women's unpaid domestic burden and reduced the incidence of GBV for women and girls searching for fuel wood. However, the participation of women in the manufacture or sale of these stoves is still low. As women are the majority among the population that is directly dependent on the environment for agriculture, water and energy, they are, therefore, invariably concerned by the decisions that are made in these matters.
104. Rwanda is a member of a number of regional economic communities (RECs) and other organizations and adheres to the gender and women empowerment promotion provisions within the protocols of these organizations. The East African Community (EAC) Protocol, for example, in its Article 23, provides that partner states should promote community involvement and mainstreaming of gender concerns at all levels of socio-economic development, especially in decision making, policy formulation and implementation of projects and programmes.

105. The Nile Basin Initiative (NBI) has developed an institutional gender policy and strategy that affirms commitment to gender equality in the organization's structures, strategies and projects. It has also developed national policy directives, manuals and guidelines for 'gender mainstreaming in integrated water resource development and management', which have been issued by ministries responsible for water affairs in virtually all member countries.
106. NBI's Nile Equatorial Lakes Subsidiary Action Programme (NELSAP) has adopted a gender strategy and developed gender mainstreaming guidelines and supports capacity building for gender mainstreaming among partner institutions. Rwanda also adheres to gender equality requirements in development and environmental policies stipulated by other regional organizations to which the country belongs including the African Union (AU), COMESA, ICGLR and CEPGL. This provides space for synergies and more resources for environment protection and management at country level.
107. Rwanda has put in place specific institutions for environment promotion such as the Ministry of Environment and Natural Resources (MINERENA) which have put in place strong institutional mechanisms from the grassroots level including the national committee on environment and environmental committees in which National Women Council (NWC) members are part of. Strong decisions have been made such as the prohibition of cutting forests and the abolition of plastic bags, which have prevented women with health hazard.
108. The National Environment Policy provides for "mainstreaming gender in the protection of environment", with specific strategic actions to ensure the involvement of men and women in the protection of environment, alleviate the tasks of housewives, improve the economic and social conditions of poor households, especially those headed by women and children, and to facilitate access of women to natural resources and empower them to control their management.
109. The National Water and Sanitation Sector Policy acknowledges "the crucial roles and particular interests of women and children and that all sector activities shall be designed and implemented in a way to

ensure equal participation and representation of men and women, and to pay due attention to their viewpoints, needs and priorities of women". The Agricultural Gender Strategy (2010) is intended to "institutionalize gender-responsive programming, implementation, monitoring and reporting systems and to improve gender equality throughout the agriculture sector".

110. Other initiatives have been undertaken both to increase women's involvement in reducing environment degradation at the same time reducing their burden of unpaid domestic chores. These include the training of a few Rwandan women on solar energy equipment production, installation and maintenance at the Barefoot College (India). This training has facilitated access to electricity for over 110 households and enabled school children to use solar energy to do school assignments in the evenings.

111. Women also form the majority of cooperatives responsible for collecting household refuse in all major towns in Rwanda. This work has greatly improved the cleanliness of the City of Kigali and other towns in the country, while providing the women with a regular income and training in business management. The global vision of the government of Rwanda as set out in Vision 2020 is to guarantee the well-being of its population by increasing productivity and reducing poverty within an environment of good governance. Rwanda is focused on the improvement of the environmental health and sanitation, land and urban planning and all strategies to improve settlements and human welfare.

Article 19: Right to Sustainable Development

112. The National Constitution (2003) revised in 2015 enshrines the principles of gender equality and women's rights. Article 10(4) provides for "equal rights between Rwandans and between women and men without prejudice to the principles of gender equality and complementarily in national development".

113. In dealing with the issues faced by women and girls as well as rebuilding Rwanda, the Government of Rwanda continues to address

gender inequalities at various levels and gender equality is a cornerstone to national development. This high level commitment is reflected in His Excellence the President of the Republic of Rwanda - Paul Kagame's message to the global platform on MDGs in which he observed that:

"In Rwanda today, the debate is not about women's role or whether they should be empowered or not. That is a given. For us, ensuring gender equality is not just a moral issue, it is a rights issue and it is a shared responsibility that concerns every member of our society. We have always regarded the equal participation of women in all aspects of national life, including the liberation struggle, as an indispensable contribution to the socio-economic transformation of our country".

114. Rwanda as a state is committed to ensuring access to finance for women as part of realizing the right to sustainable development. In this regard there are various projects that are in place to aid in achieving this right. Some of these include; The Building Inclusive Financial Sector in Rwanda (BIFSIR) a UNDP program alongside other partners aiming at contributing to capacity building of various stakeholders at macro, and client levels. Hanga Umurimo initiative (Create your own job) was started in 2013 and to date 1,500 apprentices have obtained vocational training 585 of who are women.

115. Urwego Opportunity Bank implemented the mobile banking and it has since reached 36,000 subscribers 67% women. MIGEPROF statistics of July 2014 indicate that there are 836,887 women registered in Umurenge SACCOs. BPR has got a Women Guarantee Fund to boost women's access to finance for income generating activities aiding women with no collateral and credit record to access finance. The rights over property owned by widows are protected by the Rwandan law. The Article 34 of the constitution states, every person has a right to private property, whether personal or owned in association with others. Private property, whether individually or collectively owned is inviolable.

116. The law on matrimonial regimes, succession and liberalities specifically protects the property rights of a widow. It provides that, in

the event that the widower/widow did not have a child with the de cujus, the former takes one half of the patrimony, and the heirs of the de cujus share the other half. Overall, a study on the impact of the law on matrimonial regimes, liberalities and succession indicated that 15.34% of the cases related to matrimonial regimes are registered in primary courts and 3.14% in intermediary courts related to the law are registered as an appeal.⁵²

117. Due to the unique status genocide survivors who are widows, the Rwanda National Association of Genocide Widows-AVEGA AGAHAZO was formed and 22 years later it supports the widows together with their dependants to deal with the consequences of the abuse they were subjected to during the 1994 Genocide against the Tutsi. There is also an AVEGA Guarantee fund managed by Bank Populaire du Rwanda (BPR) where women present income generating projects which are analyzed by BPR and sent to National Bank of Rwanda to ascertain eligibility and the selected projects are funded at a special rate of 12% per annum. This has financially empowered the widows to enable them sustain their lives and dependant.

Article 22: Special Protection of Elderly Women

118. The Rwanda Constitution reinforces the principles of gender equality and elimination of all forms of discrimination against women and provides a very strong platform for gender mainstreaming in all sectors.⁵³ The Government has ensured that the elder population gets adequate care and support. This is for example reflected in the housing facilities provided to the most aging population without any discrimination and considering the gender specific needs.

119. The Constitution of the Republic of Rwanda of 04 June 2003, as revised in 2015, in its article 16 forbids in general all forms of discrimination, as a core principle applicable even in some other laws. The Organic Law No 01/2012/OL of 02/05/2012 instituting the penal

⁵² The study on the impact of the Law on Matrimonial Regimes, Liberalities and Successions, Note 2 above.

⁵³ Paragraph 10 under the Preamble

code specifically punishes the crime of rape committed on an elderly person⁵⁴, the harassment of an elderly person⁵⁵.

120. Food and housing of older persons are also provided for by the general programmes, such as “*Girinka Munyarwanda*” and “*Bye Bye Nyakatsi*” which relate respectively to granting cows and building modern houses for poor families, including those of the older. The VUP Program also provides direct support (cash transfers) to extremely poor households without labour capacity, including elderly women. It is worth mentioning that the law N° 27/2016 of 08/07/2016 governing matrimonial regimes, donations and successions allows under its Article 73, grandparents to inherit the property of their grandsons. This will also help persons in old age, including elderly women.
121. With regard to legal capacity and access to justice, the Ministry of Justice has established an appropriated staff operating in *Access to justice house*. This staff has the mission to provide legal aid services to persons unable to afford services of professional lawyers, including most of older persons.
122. It is important to highlight that elder people, women inclusive are among the categories that are assisted to acquire community-based health insurance (*Mutuelles de Santé*)” funded by the State particularly for indigent persons unable to pay their contribution/subscription and this facilitates women’s access to quality health services.

Article 23: Special Protection of Women with Disabilities

123. As per article 16 of the Constitution of the Republic of Rwanda of 2003 as revised in 2015, all Rwandans are born and remain free and equal in rights and duties. Discrimination of whatever kind based on, inter alia, ethnic origin, tribe, clan, colour, sex, region, social origin, religion or faith, opinion, economic status, culture, language, social

⁵⁴ Article 197 of the Organic Law n° 01/2012/OL of 02/05/2012 instituting the penal code, O G n° Special of 14 June 2012.

⁵⁵ Article 236 of the same organic law punishes harassment of an elderly person as a misdemeanor and with a term of imprisonment of six (6) months to two (2) years and a fine of two hundred thousand (200,000) to three million (3,000,000) Rwandan francs or one of these penalties.

status, physical or mental disability or any other form of discrimination is prohibited and punishable by law.

124. Rwanda has made significant progress in supporting the rights of persons with disabilities and in ensuring people with disabilities benefit from and can contribute to national development. Policies, laws and regulations necessary to establish a strong foundation of disability mainstreaming are in place. Rwanda has committed itself through its Constitution, through the adoption of the Law to Protect the Rights of Persons with Disabilities (2007), through the passing of eight Ministerial Orders affecting six Ministries to intended to implement this law (August 2009), and through the ratification of the UN Convention on the Rights of Persons with Disabilities (December 2008) to the promotion of the interests of persons with disabilities. A number of programs have been put in place in schools to facilitate people and especially women and girls living with disabilities in the education sector.

125. According to the 2014 Education Yearbook, the statistics of girls with disabilities vis a vis the males at different levels of education are as follows; Pre-Primary 42.8%, Primary 45.3%, Secondary 48.4%, VTCs 35.3% and at Tertiary level 42.7% a significant increase from the previous year's reaffirming the GoR's commitment to promote education for girls with disabilities. The MOH has developed strategies and guidelines for mainstreaming disability into the health system at the community level.

126. Presidential Order N°46/2011 of 29/07/2011 governing modalities for the recruitment, appointment and nomination of public servants has been enacted in 2011. It provides some articles reinforcing transparency during oral tests.⁵⁶ Through this Presidential Order, Gender promotion and promotion for people with disabilities has been highlighted. A candidate shall be assumed to have passed if he/she obtains at least 70% of marks in all tests. If no candidate obtains such a

⁵⁶Article 14 of the Presidential Order N°46/01 of 29/07/2011 governing modalities for the recruitment, appointment and nomination of public servants on recruitment. The oral test shall be conducted in three (3) working days after the publication of written test results. If any candidate appeals against the written results, the oral test shall be conducted after the termination of the appeal. Audio- video recordings shall be made while the interview is being conducted".

mark, the post shall be re-announced and other tests shall be organized. If two candidates obtain equal marks on one given post and in case one of the candidates is a person with disabilities, the latter shall be given the priority. If two candidates with disabilities obtain equal marks on the same vacant post, the experience shall be taken into consideration. If they have the same experience, the principle of gender equality shall be considered.⁵⁷

Article 24: Special Protection of Women in Distress

127. Special care is given to Women in distress. For example, women victims of violence of any kind are given special protection including psycho-social, legal and medical assistance from gender desks as well as at Isange One Stop Centres.

Conclusion

128. The report on MAPUTO Protocol scores the achievements and bold initiatives undertaken by Rwanda to provide a framework to further the spirit of the African charter and other related conventions that uphold women rights. Such initiatives have been at the helm of curbing down all the inhuman acts that women were experiencing in the past. The government of Rwanda set out an ambitious agenda to implement Maputo Protocol with a range of strategies commencing from an enabled legal framework for the protection of women's rights as enshrined in the National Constitution (2003) that guarantees equality between men and women in all spheres and provides for remedial affirmative action of at least 30% women representation in decision making organs.

129. In addition, various legislations such as the law on matrimonial regimes, liberalities and succession - allowing equal ownership of property and inheritance rights to women, labour law that prohibits gender-based discrimination and violence in the work place, the law that prevents and punishes Gender-Based Violence (GBV), to mention but a few have been among others a great breakthrough in upholding women rights and in particular, and Maputo Protocol furthers that pass.

⁵⁷ Article 18 of the Presidential Order N°46/01 of 29/07/2011 governing modalities for the recruitment, appointment and nomination of public servants on recruitment.

130. Besides, the government has introduced various institutional programs and policies such as introduction of specialized organs, radio programs, *akarima kigikoni* (Kitchen garden), *umugoroba w'ababyeyi* (parents evening forum), *bye-bye Nyakatsi* among others have positively impacted on the rights of women. Despite such unprecedented resolve, challenges related to ideological, structural, financial and capacity issues remain and thus the reason why the government has endured relentless efforts to ensure not only sustainability of achievements but also to improve on what has been achieved.