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Implementation of the Convention on the Rights of the Child

List of issues concerning additional and updated information related to the consideration of the combined third and fourth periodic reports of Rwanda (CRC/C/RWA/3-4)

Addendum

Written replies of Rwanda*

* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not edited.

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Abbreviations and acronyms

12YBE	12 years of basic education
ADPD	African Decade of People with Disabilities
CBNP/PNBC	Community-Based Nutrition Programme
DHS	Demographic and Health Survey
DPEM	District Plan to Eliminate Malnutrition
DPOs	Groups of Persons with Disabilities
ECD	Earlier Childhood Development /Centers
EDPRS	Economic Development and Poverty Reduction Strategy
FAWE	Forum of African Women Educationalists
GoR	Government of Rwanda
ICRP	Integrated Child Rights Policy
IDA	Iron Deficiency Anaemia
IDD	Iodine Deficiency Disorders
IGA	Income Generating Activities
IPRC	Integrated Polytechnic Regional Center
IYCF	Infant and Young Child Feeding Strategic
MAJ	Maisons d'Accès à la Justice / Bureau of Access to Justice
MIGEPROF	Ministry of Gender and Family Promotion
MINALOC	Ministry of Local Government
MINECOFIN	Ministry of Finance and Economic Planning
MINEDUC	Ministry of Education
MINISANTE/MoH	Ministry of Health/ Ministère de la Santé
MVC	Most Vulnerable Children
NAP	National Accelerated Plan
NCC	National Commission for Children
NHRC	National Human Rights Commission
NNSP	National Nutrition Strategic Plan
NPPA	National Public prosecution Authority
OVC	Orphans and Other Vulnerable Children
RNDSC	Rwanda National Decade Steering Committee
SACCOS	Savings and Credit Cooperatives
TTC	Teachers Training Colleges
VAD	Vitamin A Deficiency
VSO	Voluntary Service Overseas
VUP	Vision 2020 Umurenge Programme

Introduction

1. The present report contains written additional and updated information in response to the list of issues related to the consideration of the third and fourth periodic report (CRC/C/RWA/3-4) submitted by Rwanda to the Committee on the Rights of Child due in 2008.

I. Responses to the issues raised by the Committee

Part I

Reply to the issues raised in paragraph 1 of the list of issues (CRC/C/RWA/Q/3-4)

2. The National Commission for Children (NCC) is the specialized state organ in charge of Coordination, monitoring and evaluation process of the Integrated Child Rights Policy (ICRP) and its Strategic Plan according to his mandate (see here under, issue n° 2). An Inter-Ministerial Committee on Children's Rights chaired by the NCC meets once a year and helps to insure progress in the implementation of the ICRP. In 2012, supervision of activities was conducted in 30 Districts and reports shared with concerned Districts Officials for further improvement. The coordination meeting was held with District OVC technical officers from NCC to follow up the progress of activities and appropriate measures were taken (30 participants from all districts attended the meeting).¹

3. The budget of the ICRP is estimated to 100,576,487,050 Rwandan Francs equivalent to 154,733,057 USD.² Financial support from state budget to Districts for child protection was estimated to 822,230,245 Rwandan Francs (±1,264,969 USD) in 2012. From January to December 2012, State expenditure (NCC budget expenditure as regard to ICRP) estimated to 479,607,737 Rwandan Francs (±737,858 USD), support from donors (Global Fund, UNICEF, USAID, Plan International... estimated to Rwf 8,456,144,461 (±13,009,453 USD). Expenditure to child care, social protection, poverty reduction from the Ministry of Local Government (MINALOC) estimated to 1,315,207,623 RWF (±2,023,396 USD).³ Mobilization of fund started since 2012, key partners participated in different meetings and accepted to provide technical and financial support.

4. A comprehensive Monitoring and Evaluation system has been developed to track the progress of all indicators of the national plan of action. Indeed, the reporting system is in place for the local authorities and each institution with appropriate guidelines and formats since the adoption of the ICRP in 2011. Quarterly Supervision visit are held by NCC and MIGEPROF staff in charge of child rights promotion and protection for all institutions (centres) and in the community to follow up the impact of programmes intended to children. National surveys to collect data for monitoring progress on children's rights and regular analysis of the situation of children in Rwanda have been undertaken for every five years. For now assessment on the situation of children in /on street has been conduct in 2012, UNICEF and civil society organisations involved for technical and financial support.

¹ NCC, Quarterly activity report, December 2012.

² The amount in US Dollars is just an estimate bearing in mind that the fluctuation of currencies exchange.

³ Not including Vision 2020 Umurenge Program (VUP), Fond d'Assistance aux Rescapés du Génocide) and MIGEPROF.

5. Since the adoption of the ICRP outcomes have been reached to ensure children's rights to identity, survival and development, education, protection, justice and participation. Key outcomes are as follow:

(i) Strategic objective 1: To ensure recognition of the identity of every child in Rwanda.

6. Through different communication tools, family's sensitization for child registration has already begun. Annual family campaign, decentralization of birth registration with an "Civil Status Officer" at the sector level for the purposes of registering births and other official records, child birth registration books filled at all Sectors, an open day for free birth registration held in all sectors, sensitization across Umuganda community work and during Inteko z'abatwariye (population assembly) at grassroots levels produced useful impact on birth registration. 95 per cent of birth registrations are expected by 2013 while birth registration was 76 per cent in 2007 to 82 per cent in 2010.⁴

(ii) Strategic objectives 2, 3 and 4: To strengthen families and ensure care for children without parental care, coverage for health services for children and increase access to education among poor and vulnerable children.

7. Children in institutions are reintegrated into families (orphanages, children on/in the street, and children with their mothers in detention centres). 247 out of 1827 children on/in street and 1044 out of 2593 orphans reintegrated and placed into families from July 2011 to Dec 2012. They all benefited from mutual health insurance schemes, school materials, school fees and other materials⁵. Radio and TV shows were organized to sensitize community about foster placement, adoption and de-institutionalization programme (Once a week on Radio Rwanda and National TV for the period of three month: July-September 2012). Community Based Campaign around the promotion of children rights conducted, educational support (school fees) to OVC in secondary schools and OVC in Vocational Training, support of income generating activities (IGA) to foster care families/ OVC caregivers achieved. An advocacy was conducted to different partners and 122, 278 OVC were supported in education, 77,111 in health, 15,413 in nutrition, 1,633 in shelter, 6,195 in legal aid and protection, 15,800 in psychosocial and 5,567 in economic development. 33,375 OVC received their school fees in secondary school under the support of Global Fund Project, 2,487 OVC were supported in vocational training school and received their school fees under the support of Global Fund Project in 2012.

8. Professional social workers and community based social workers were all trained to deal with children issues in community level.⁶ In order to improve care for children without parents, social protection measures have been reinforced by the following initiatives: the national programme for economic empowerment of the poor (Ubudehe), the Girinka munyarwanda programme (One cow per family), and the direct support through Vision 2020 Umurenge Programme (VUP) as well as the Universal Health Insurance (Mutuelle de santé). The establishment of 50 Earlier Childhood Centers (ECD) plays a significant role in keeping families together and ensuring that children without families are retained in single parent/extended/ foster or adoptive families. Education for all, compulsory 12 years basic education, community nutrition programmes for the elimination of stunting, wasted and underweight children and all forms of malnutrition, combating childhood diseases in the community, institutionalization of mother and child health week, four (4) Community Health Workers per village dealing with issues including maternal health and childhood illnesses were strengthened.

⁴ Rwanda, Demographic and Health Survey, 2010.

⁵ Situation of street children in Rwanda, National Survey, MIGEPROF 2012.

⁶ Idem.

(iii) Strategic objective 5: To improve prevention and redress of abuse, exploitation and violence against children and to put in place a comprehensive national child protection system.

9. Policies, laws and administrative measures have been reinforced notably: Effective establishment of National Commission for Children as a state organ enjoying autonomy in the administrative, financial and human resource management; A new law n°54/2011 of 14/12/2011 relating to the Rights and Protection of the Child, which is meant to be, in effect, a “Bill of Rights” for Rwandan children (published in June 2012), the strategy for national child care reform (March 2012) to streamline the national child protection system; “Tubarere mu muryango programme” (Let’s raise children in families) have been developed to implement the national strategy on child care reform to insure that Rwandan children have access to, and are supported by a strengthened child protection; Training packages providing training on positive masculinity for adult men in communities, young boys in schools and training of relevant officials, trainers, community based social workers in engaging with men and boys to eliminate GBV have been offered by different stakeholders including civil society organisations since the adoption of the ICRP ⁷. The government adopted a policy and five-year strategic plan for the elimination of child labour in 2012, aimed at engaging all institutions in the fight against the use of underage children in exploitive and hazardous activities.

(iv) Strategic objective 6: To improve access to justice for children and to operationalize a national Juvenile Justice Act.

10. Access to justice for children is ensured by the Ministry of justice. There is a draft comprehensive policy and framework for Juvenile Justice developed by the Ministry of justice waiting for adoption by the cabinet. One focal person on Child Protection and Gender Based Violence has been appointed at each of the 30 Bureau of Access to Justice (MAJ) in each district. The Kigali Bar Association avails pro bono lawyers to assist all children in the conflict with the law, thus, legal assistance become more accessible to children in their own communities. An annual one-week for juvenile justice with free legal aid to deal with outstanding caseload was organised in 2012 with a prior consultative meetings with all stakeholders. At this stage, a Juvenile Justice Act has not been promulgated. The Juvenile Justice Policy shall guide the drafting of the Juvenile Justice Act.

(v) Strategic objective 7: To empower children to participate in the development processes at various levels.

11. The National Children Summit is held every year. So far, eight National Children Summits have been held, and the most recent National Children Summit was held in January 2013. Children are given an opportunity to express their views during the National Children Summit. Recommendations from the National Children Summit will be considered in the second phase of Economic Development and Poverty Reduction Strategy (EDPRS II, 2013-2017). Centres for children were established in almost districts in the country. Radio/TV programmes that specifically address children’s issues have been setting up by NCC and its partners.

Reply to the issues raised in paragraph 2 of the list of issues

12. The National Commission for Children (NCC) was created by the Law n° 22/2011 of 28 June 2011. The NCC enjoys autonomy in the administrative, financial and human

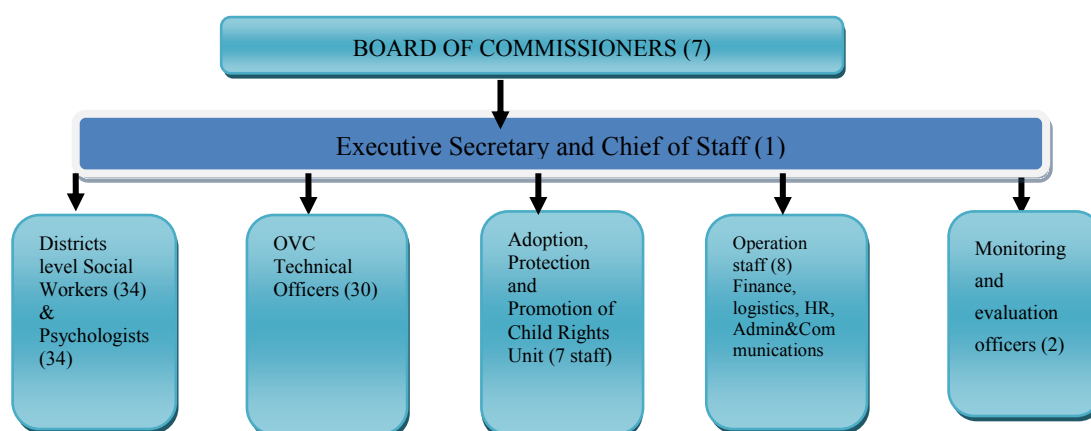
⁷ <http://police.gov.rw/content/50-complete-gbv-training>.

resource management (art. 3 of the Law establishing NCC). It is under supervision of the Ministry of Gender and Family Promotion (MIGEPROF). It comprises three organs notably the Board of Commissioners, the Executive Secretariat and the Advisory Council.

13. The mandate of the NCC is the following : To promote and ensure child education that enables the child to be a worthy and patriotic citizen; To develop a national partnership and coordination framework aimed at promoting a child’s rights; To serve as a Central Authority in charge of implementing the Hague Convention on the protection of Children and cooperation in respect of inter-country adoption; To participate in the development of child protection policy and follow up to ensure “child” dimension is mainstreamed in national policies, planning and budgeting at all levels; To establish a common monitoring and evaluation framework for all interventions in favour of the child especially children with special protection needs, based on a data collection and reporting system by all stakeholders at all levels; To integrate an ill-treated child in a family or any place where he/she can receive good education; To collect, analyze, disseminate information relating to promotion of best practices and research in the field of the child’s rights; To identify gaps in different laws and propose amendments thereto with the view to ensure protection and promotion of the child; To collect and analyze children’s views and suggestions made at all levels and ensure that they are mainstreamed in the development and implementation of policies and programmes in favour of the child; To prepare and provide suggestions to the reports on the implementation of international instruments related to children ratified by Rwanda; To develop any tools that can be used for social mobilization campaign on the welfare and rights of the child; To mobilize resources and monitor their utilization; To collaborate with other regional or international bodies with similar mission; 14° to perform any other necessary activities and any other assignments (Article 7 of the Law establishing NCC).

14. The NCC has 116 permanent staff charged with children rights protection and promotion, administration and planning support activities. These staff works as technical working group to fulfil requirements for child rights protection and promotion. During protection and promotion activities which require special competencies, NCC out-sources professional consultants or experts on a contractual basis. At decentralized levels, Districts have administrative offices in charge of protection and promotion of children rights. The NCC leads a National Steering Committee in charge of child rights protection with main partners including, but not limited to Community Based Social workers, Child Protection Committees at all administrative levels mobilized to play an essential role in follow up and monitoring child rights.

Organizational chart of the NCC



15. For 2012-2013, the budget allocated to the NCC for Child Right Promotion and Protection is 950, 476, 919 RWF (\pm 1,457,787 USD). Additional resources are to be mobilized from partners and donors working in the field of child rights' promotion and protection. It is planned that the government budget supported orphanages will be transformed to fulfil the specific needs of children who are waiting to be moved into families, as family tracing and children assessment take place and children are being reunified with families. Some of these funds will continue to flow through the transformed orphanages that provide community based family support services. Some of the funds will be invested to improved social work capacity too.

16. The overlap of mandates and functions between the MIGEPROF and the Ministry of Local Government (MINALOC) on the implementation of the Convention is clearly provided by their organizational structures. MIGEPROF leads the national machinery to promote children's rights throughout the country and is mandated specifically to coordinate the formulation and implementation of national policies, strategies and programmes regarding the promotion of gender, family and children's rights. Under its policy and strategic plan of action for Orphans and Vulnerable Children, it provides and coordinates all support to orphans and other vulnerable children with emphasis on the most vulnerable through a minimum package of services which comprises health, nutrition, education, shelter, protection and psycho social support. The Ministry is responsible for ensuring that the ICRP is implemented, and that all policies concerning children comply with the UN Convention on the Rights of the Child.

17. The Ministry of Local Government (MINALOC) have a specific mission to build a social protection system in general that tackles poverty and inequality, enables the poor to move out of poverty, helps reduce vulnerability and protect people from shocks and contributes to economic growth and wellbeing of population, children included. MINALOC has the overall policy lead on social protection. It heads a cross-governmental Social Protection Working Group, which includes representatives from Ministries working on social protection, key parastatal, development partners and NGOs. The responsibilities of the Social Protection Working Group are to provide co-ordination on social protection across government, oversee the development and implementation of the Social Protection Strategy, and report to central government on progress. In practice synergy in the framework of ICRP exists through inter-ministerial partnerships approach involving various wings of the Government of Rwanda that need to work together in order to meet its provisions. There is therefore reference point for children in Rwanda that can serve as a basis or give direction for different policies/ programmes to avoid overlap.

Reply to the issues raised in paragraph 3 of the list of issues

18. The National Commission for Human Rights (NCHR) is a constitutional independent institution established in conformity with article 177 of the Constitution of the Republic of Rwanda of 4th June 2003 as amended to date. Likewise, the law N° 30/2007 of 06/07/2007 determining its organisation and functioning stressed this independence and determines the mandate of the NCHR. The NCHR is a member of the International Coordinating Committee of National Institutions for the promotion and protection of human rights (ICC). It has been accredited by the ICC and granted "A" Status from 2001 to date,⁸ meaning that it has been considered as an institution that complies fully with the Paris Principles. Although the NCHR's budget is essentially allocated from the ordinary Government budget, has full administrative and financial autonomy as regards the execution of its budget. Furthermore, the independence of the NCHR vis-à-vis the

⁸ See the Chart of the Status of National Institutions, available at [http://nhri.ohchr.org/EN/Documents/Chart of the Status of NIs \(30 May 2012\).pdf](http://nhri.ohchr.org/EN/Documents/Chart%20of%20the%20Status%20of%20NIs%20(30%20May%202012).pdf).

Executive is emphasized by the fact that it performs its mission of promotion and protection of human rights with no influence, injunction or instructions of the Government. In fact, the NCHR submits its report to the Parliament and not to the Government. On the basis of human rights violation cases pointed out in the NCHR reports, the Parliament conducts an oversight of government actions. Moreover, to fulfil their mission independently, commissioners have immunity: “commissioners shall not be prosecuted before courts due to their views expressed or published on the basis of their responsibilities. Commissioners shall not be provisionally detained [...] according to article 14 of the above mentioned Law”. Furthermore, the independence of the NCHR comes true also by the fact that it has autonomy in recruiting its staff.

19. It is within this framework that the NCHR devised a monitoring structure known as “Observatory of the Child’s Rights” established in December 2006 on decision unanimously taken by the National Commission for Human Rights and its partners activists of children rights promotion and protection on the basis of the Law N0 27/2001 relating to the Right and protection of the child.⁹ The observatory operates in the whole territory of the country at three different administrative levels, namely at sector, district and national levels. At the sector and district levels, the Observatory has a specific composition of members from Civil Society Organisations, representatives of children and parents. As for the National Committee of the Observatory of the Child’s Rights, it mainly comprises of public institutions like the NCHR that ensures coordination, the Office of the Ombudsman, the Supreme Court, the National Youth Council, the National Women Council, the Media High Council, one public university¹⁰. In general, the Observatory’s main function is to monitor the respect of all policies and legal regulations related to children rights and to make sure these rights are protected. In addition, the Observatory is responsible for collecting data on the situation of children’s rights respect, preventing children’s rights violation and making advocacy for the respect of these rights. Especially, members of the Observatory have to perform different duties, depending on the level of local administration.

20. At the Sector level, 2,912 volunteers have the responsibilities to identify violation cases of child rights - to submit the case records to the Observatory of the Child Rights operating at the District level. At the District level, 210 volunteers have responsibilities to analyze and exploit data on cases of child rights violations from sector level; to identify the causes of child rights violations - to transmit the report to the National Committee of the Observatory of the Child’s Rights.

21. The Child’s Rights reporting and monitoring activities are coordinated by the NCHR through the Unit of Legislation and Human Rights which has under its supervision the Child’s Rights Observatory Service. In addition, the establishment of the said Service responds to the previous recommendation issued by the Committee on the Rights of the Child related to the second periodic report of Rwanda (CRC/C/70/Add.22) during its thirty-sixth session in 2004. The so-called Unit (Legislation and Human Rights Unit) has two employees who are responsible for capacity building of the Observatory Committees’ members and analyzing reports submitted to the Observatory by the sector and district levels so as to bring human rights violations and its root causes to the fore.

⁹ This Law has been repealed by the law n°54/2011 of 14/12/2011 relating to the rights and protection of the child.

¹⁰ Other members of the National Committee of the Observatory of the Child’s Rights are: children who represent others, representatives from religious denominations (CPR, Adventist, Catholic and Islam), representatives from the Human Rights Associations (CLADHO, Ibuka and Haguruka), representative from private university and representative from the Bar Association.

22. Investigations, mediations, conciliations and inquiries as well can arise from reports of the Observatory. In general, a monthly written report is submitted to the NCHR without injunction from anybody in accordance with the rules thereon. However, urgent human rights violation cases are immediately reported. Thus, inquiries on the rights of the child and formulated its recommendations towards various public bodies: Inquiry conducted from 2 May - 6 June 2006 on the situation in the country of rights of street children, orphan children, children heading households and children exercising worst forms of child labour; Inquiry conducted in 2010-2011 on cases of survivors of the genocide perpetrated against Tutsi in 1994 whose properties were unlawfully or maliciously taken when they were still children; Inquiry conducted in October 2009 on the right to education for children especially children from poor families; Inquiry conducted from 19 - 24 /03/ 2012 on the situation of the rights for children with disabilities in 11 out of 30 Districts of the country (74 Sectors).

23. In addition, the NCHR provided views on draft laws within the Parliament with regard to the situation of children's rights respect. Thus, the NCHR provided views on the draft organic Law governing the Penal Code respectively in September 2009 and September 2010 in Chamber of Deputies and Chamber of Senate. The views concerned the extreme difference found between the minimum sentence and the maximum prison sentence in the articles of the draft organic Law governing the Penal Code. The NCHR recommended increase of the minimum age of criminal responsibility (MACR) as it has been recommended by the Committee on the Rights of the Child¹¹ through its General Comment N° 10 (2007)¹² which says that "States parties are encouraged to increase their lower MACR to the age of 12 years as the absolute minimum age and to continue increasing it to a higher age level".

24. With regard to the adequate financial and human resources in monitoring child rights in the country, the Observatory utilises the budget allocated to the NCHR from the State Budget as well as the funds provided by donors, namely the United Nations Children's Fund (UNICEF). In fact, funds allocated to the NCHR from the State Budget are spent for trainings, transport and communication fees of the Child's Rights Observatory volunteers whereas activities of monitoring and reporting of child's rights abuse cases as well as advocacy are funded by UNICEF.

Reply to the issues raised in paragraph 4 of the list of issues

Legislative measures

25. The Rwandan Constitution contains provisions against discrimination and Rwanda has enacted laws on the elimination of all forms of discrimination including the law on Prevention, Suppression and Punishment of the Crime of Discrimination and Sectarianism as well as the Law N° 54/2011 relating to the rights and protection of children. Rwanda ratified the key international conventions on human rights, International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women and its optional protocols, and the UNESCO Convention on the Fight against Discrimination in the Education sector among others.

Other measures

26. Rwanda has adopted: Education for All, compulsory 12 years basic education, National Girls' Education Policy adopted in 2008 to help solve the issues that still affect girls from excelling in schools by training teachers and education managers on gender

¹¹ See CRC/C/GC/10 ,25/04/2007, paragraph 32.

¹² General comment N° 10 (2007) on Children's rights in juvenile justice; 15 January -2 February 2007.

issues, building the capacity of female teachers and managers, increasing the share of girls and women in public secondary schools, higher education institutions, science and technology courses, ensuring parity in access to quality education, gender analysis by the MINEDUC and its institutions to determine the actual extent of girls' and boys' participation in education at all levels

27. MINALOC developed National Social Protection Policy and its strategic plan (2011-2016), to support these most vulnerable people including children with related social protection programmes such as: direct support to vulnerable people from VUP Umurenge Program, Ubudehe Program, One cow per family programme, community health insurance. Through MINALOC, 10 income generating projects of child headed households were also supported. The support normally given is education facilitation, medical care, shelter, advocacy, direct financial support and project financing (MIGEPROF Annual Report 2010-2011).

28. In March 2010 the Government of Rwanda, in partnership with USAID and CHF International launched a five-year Higa Ubeho programme (63 million USD). "Higa Ubeho" meaning "Be determined and live". This community-based care and support programme will benefit 72,000 vulnerable Rwandan families in 20 districts to develop sustainable ways of coping with health and economic challenges of living with or caring for someone infected with HIV. "Higa Ubeho" aims at increase families' access to quality health and social services, improve household response to health and financial obstacles through economic, nutritional and education support; and strengthen local government and civil society capacity to provide quality health and social services to those in need.

29. Through the Rwanda Demobilization and Reintegration Commission different programmes were set up and some are ongoing. The Social Economic Reintegration Program for Child ex-Combatant initiative supports children through: formal education reintegration programme for child ex-combatant (primary vocational, and secondary school), development of income generating activities for child ex-combatant, apprenticeships and on-the-job training, Civic Education programme, Psychosocial and mental health care programme and health services programme. From 2008 to December 2012, 197 reunified with families, 36 reintegrated in society outside of families, 265 benefited from at least one follow-up visit after reunification, 139 completed training, 69 are currently in training (formal and skilled education) and 36 child ex-combatants are currently at MUHOZA Centre for reintegration.

30. The Government of Rwanda has embarked on an agenda to include children with disability in all issues that affect their lives. The Law No. 01/2007 of 20 January 2007 relating to Protection of the Rights of people living with disabilities was widely disseminated including to representatives of people with disabilities and local authorities. A series of Ministerial Orders were passed in 2009 to put this law into practice. These are instructions to relevant ministries to make provision for people with disabilities in areas such as communication, transport, health care, identification, sport and culture headed by MINALOC. Rwanda was selected as one of five pilot countries of the African Decade of People with Disabilities (ADPD) which is now active in 25 countries.

31. The Rwanda National Decade Steering Committee (RNDSC) advocates for mainstreaming of disability issues across government and for building the capacity of Disabled People's organisations at the centre of which is a ten-year national programme for mainstreaming disability, development of planning tools and techniques for the inclusion of people with disabilities in the national HIV programmes, delivery of entrepreneurship training and the initiation of income generating activities, development of effective family awareness training for the blind including basic mobility and orientation techniques, publication of the first ever Kinyarwanda sign language dictionary, following research into the various signs used around the country, developing innovative techniques of raising awareness on disability and rights through sports and initiating sports clubs at district level,

models of good practice including in inclusive teaching methodologies, teaching of sign language by deaf teachers, audiology, occupational therapy, deaf awareness amongst parents and the community, and teaching grade 2 Braille. Around forty special schools and centres of various capacity supporting children with a range of disabilities that have traditionally been run by churches, charities and private philanthropists are operational.¹³

32. The Ministry of Education (MINEDUC) has a division for Special Needs Education. Rwanda has adopted the Special Needs Education Policy. MINEDUC has been working with UNICEF and other CSOs to create 'Child Friendly Schools' where children learn in healthy, welcoming, inclusive and empowering environments and to focus on Special Needs and inclusive education, epilepsy, inclusive development, mental health and gender based and sexual violence. The government adopted Child-Friendly Schools as the model for all schools in the county improving the education standards.

33. Progress made on the implementation of the National Policy for Orphans and other Vulnerable Children adopted in 2003, appears in the mid-term review of its Strategic Plan for Orphans and Vulnerable Children (2007-2011) carried out between January and June 2011. Key achievements are highlighted as follows:

(i) Strategic objective 1: To create a supportive environment for OVC through increased awareness on all matters concerning OVC.

34. For this first strategic objective, only one activity has been partially completed: the briefing session for parliamentarians on issues concerning street children. The mapping of OVC stakeholders/service providers is ongoing.

(ii) Strategic objective 2: To ensure a supportive and protective environment for OVC through enhanced policy, legislation, protocols and regulations.

35. Key achievements are as follows: New child related policies, laws and administrative frameworks have already been developed as planned including: prohibition of severe harms to a child (including prohibiting corporal punishment), regulation of formal and spontaneous domestic and inter-country fostering and adoptions. The Minimum package of services for OVCs was developed and disseminated. A training of trainers for 506 districts and sector staff conducted. Gender sensitive protocols and codes of conduct on protection of OVC from abuse, violence and exploitation have been developed for different institutions including the army, police and prisons.

(iii) Strategic Objective 3: To provide protection, care and support to OVC by establishing and strengthening family and community-based support structures.

36. Key achievements were as follows: Legal Aid Week initiative and accorded legal assistance to solve problems for 618 juveniles in prisons throughout the country, specialized police units were established in each District to provide services to victim of sexual abuse, domestic violence and sexual exploitation, Early Childhood Development (ECD) policy has been developed; Even though 50 ECD centres have been supported in 10 districts, activities related to strengthening the capacity of community and families to provide psychosocial care and support to OVC implemented and OVC and families affected by HIV/AIDS have access to community home based-care.

¹³ VSO Rwanda, Disability Programme Overview, June 2012.

(iv) **Strategic objective 4: To ensure access to essential services for OVC including shelter, education, health and nutrition, social protection, water and sanitation and birth registration including development of linkages and referral across services.**

37. Key achievements were as follows: Vulnerability criteria have been developed and disseminated for use by stakeholders. The Social Protection Strategy was approved and includes recommendations on conditional and unconditional cash transfer mechanisms to meet basic needs of Most Vulnerable Children (MVC). Enrolment and retention of OVC has been increased through various policies and initiatives including catch up education, free basic education, school feeding, psychosocial care and support provided by different stakeholders. Communities have also organized sports and recreational camps and training on vocational and livelihood skills for out of school OVC. Nearly 60,000 OVC benefit from basic health services through the *Mutuelle de Santé* and just 18,000 have received nutritional support. However, this is still far from the target set in the National Strategic Plan for OVC to provide *Mutuelle de Santé* and transport costs for 750,000 OVC. Gaps and areas not adequately addressed, and the solutions needed to remedy these gaps will be prioritized in the updated policies and strategies namely: the Integrated Child Rights Policy and its strategic plan.

Reply to the issues raised in paragraph 5 of the list of issues

38. The approach of Rwandan government not to classify people by their ethnic origin but according to their vulnerability (economic, social, etc...) to avoid stigmatization and discrimination. For that reason historically marginalized families and their children are included in the national social protection programmes according to their level of economic and social vulnerability. Rwanda as a nation, believes in finding home-grown solutions to its development challenges by preserving only positive values of the Rwandan culture and identity. Thus, a number of children from marginalized groups and other vulnerable families are currently benefiting from free education for all in primary and secondary schools, with a good number of students from the same background studying in High Learning Institutions with the support of the Ministry of Local Government. According to the previous recommendation (CRC/C/15/Add.234, para. 76), from 7 to 9 June 2006 and on 19 June 2006, the NCHR conducted inquiry on living conditions of historically marginalized communities. The NCHR visited 128 families from 5 Districts (10 Cells, 7 Sectors) and monitored the respect of some rights like: the right to health care, right to adequate food, to adequate housing, clothing, property, right to work, right to elections, right to freedom from non discrimination, right to marriage, right to freedom of religion, child's rights like the right to education submitted the report with recommendations thereon to competent authorities.

Reply to the issues raised in paragraph 6 of the list of issues

39. Low level of birth registration of children was due to different reasons such as: de facto unions, polygamy, ignorance of the merits of birth registration, lack of sensitization campaign.¹⁴ Measures have been taken to facilitate and accelerate birth registration of all children. Birth registration is now decentralized with Civil Status Officers at the sector level for the purposes of registering births and other official records. An Open day for free birth registration held in all sectors, sensitization across Umuganda (community work) held each last Saturday of every month and during Inteko z'abatwariye (population assembly) at grassroots levels produced useful impact on birth registration.

¹⁴ Interviews with MIGEPROF and NCC staff in consultative meeting.

40. In addition, Article 16 of the law N°54/2011 of 14 December 2011 relating to the rights and protection of children against violence will contribute to the enactment of the birth registration. It provides that “Any child born is registered in the civil status registry by his/her parents or his/her guardian in accordance with modalities and time limits specified by the law, and a certificate shall be issued. A child born out of wedlock is registered upon declaration by one of his or her parents. The one who is designated as being the father or the mother of the child is informed by the civil registrar before the registration of the child where he / she was not present at the time of declaration. When there is consent the child is immediately registered”.

Reply to the issues raised in paragraph 7 of the list of issues

41. The Law No 18/2008 relating to genocide ideology and other related offence is currently under review at the Parliament. This draft law provides that: the general principles of the Organic Law instituting the Penal Code shall also apply in any other case relating to the punishment of offences not specified in this Law (art. 10). Articles 9 and 10 of the Law N0 18/2008 relating to the punishment of the crime of genocide Ideology related the age of criminal responsibility under 12 years have been repealed by the Organic Law n° 01/2012/OL of 2 May 2012 instituting the Penal Code in line to bring it with the Convention and international standards.¹⁵ The penal code provides for criminal responsibility for at least 14 years at the time of commission of an offence. When an offender or an accomplice is aged at least 14 but less than 18 years at the time of commission of an offence and if the sentencing appears necessary, mitigating excuses shall apply. If he/she would be subjected to a fixed-term imprisonment or a fine, he/ she shall be liable to penalties not exceeding half of the penalties he/she would receive if he/she was aged 18 years (art. 72 of the Penal code). It provides that any person who commits the crime of genocide ideology and other related offences shall be liable to a term of imprisonment of more than five years to nine years and a fine of one hundred thousand (100,000) to one million (1,000, 000) Rwandan francs (art. 135 of the penal code). With regard to the information on the number of children prosecuted and/or convicted under this law, the National Public Prosecution Authority (NPPA) and the Judiciary report by categories of crime but do not specify the age of convicted persons.

Reply to the issues raised in paragraph 8 of the list of issues

42. This law prevents all forms of violence against children including corporal punishment as a form of violence. In its article 25, it is provided that “Parents, guardians or other persons legally responsible for the child have responsibility to ensure appropriate direction and guidance, education as to respecting others and loving and serving the country for the full development of capacities of the child, according to the national culture. During the education of the child, the reprimand must not consist in traumatizing him/her; it is done with humanity and dignity”. Beside the legislative measure, the ICRP prohibits corporal punishment of children is prohibited everywhere in homes, communities, schools, detention/ remedial centres, police stations and other institutions.

43. MIGEPROF has taken initiatives aiming at putting the end on violence against children including corporal punishment through media, SMS, leaflets. In addition, MIGEPROF in cooperation with UNICEF and other partners organized a national conference on ending Violence against Children on 3-4 October 2011. The conference brought together representatives of national and international civil society organisations,

¹⁵ Explanatory notes of the draft law on the punishment of crime of genocide ideology, senate, 2012.

government ministries and development partners to discuss the nature and scale of violence against children in Rwanda, its roots and impact as well as other issues including: discipline and positive parenting, sexual violence targeting children, abuse through child labour, social norms impacting violence against children. (MIGEPROF annual report, 2011-2012).

44. Article 218 of the Organic Law N° 01/2012/OL of 2 May 2012 instituting the penal code provides the following: “Any person, who inflicts severe suffering on a child, harasses or imposes severe or degrading punishments on him/her shall be liable to a term of imprisonment of six months to two years and a fine of one hundred thousand (100,000) to three hundred thousand (300,000) Rwandan francs. If one of the offences under Paragraph One of this Article results in the child’s disability, the penalty shall be a term of imprisonment of more than five years to seven years and a fine of five hundred thousand.

45. There is a Draft Ministerial Order on general regulation of preschool, primary and secondary education provides that punishment shall not be used in school. The punishments are decided by the Discipline Board of the School. The misconduct of a student shall not be punished by insults, expulsion, beating or other ill-treatment of any kind. In the awareness campaigns on the rights of the child; special emphasis is placed on the prevention of violence against children, including punishment. In schools, corporal punishment has been replaced by other punishments such as asking a child to work in the school garden for a while.

Reply to the issues raised in paragraph 9 of the list of issues

46. In July 2011 the cabinet adopted a policy and strategic plan (2011-2016) against Gender Based Violence. Standard training modules on gender and Gender Based Violence to build the capacity of practitioners in the field of GBV. The cabinet meeting of 18 November 2011 passed a Prime Minister’s Order determining modalities in which government institutions prevent and respond to gender- based violence. The National Gender Policy, the Gender Cluster Strategic Plan, the National Action Plan (2009-2012) for the implementation of the United Nations resolution 1325, the National Gender-based Violence Policy and its 5-year strategic plan, specific laws repressing GBV as well as gender economic empowerment strategies and policies.

47. The National Accelerated Plan (NAP) for Women, Girls, Gender Equality and HIV 2010-2014 sets ambitious targets, including steps to improve Universal Access to HIV prevention, care, treatment and to ensure national laws and policies aimed at protecting and promoting the rights of women and girls in the context of HIV pandemic. This plan which have been developed by the Rwanda Biomedical Center (RBC) which is responsible of the implementation of the NAP in the partnership with government institutions, civil society organizations, the ONE UN Family, bilateral and multilateral agencies, international NGO’s and other partners identifies actions to overcome the unique challenges, gaps, and barriers which increase women and girls’ vulnerability to the risk of HIV in Rwanda.

48. GBV committees were established from the central level down to the Umudugudu level (the lowest administrative entity) with the purpose of ensuring the implementation of laws, policies and strategies for prevention and eradication of GBV. The main mission of these committees is to sensitise the population to carry out advocacy in favour of victims, to denounce offenders of gender related offences, collect data, monitor and evaluate the level of application of policies and strategies, contribute to capacity building of the population, manage and distribute emergency support funds to victims of gender based violence.

49. Other GBV prevention measures were reinforced with the establishment of the “Community Policing programme”, the Gender Desk of the National Police, Gender Desk of Rwanda Defense Forces (RDF). The National Police operates a one-stop centre to deal with cases of gender-based violence. This is one of the most successful activities of the

National Police in the response to GBV and to violence against children. There is a free toll hotline used by victims and the community to report gender-based violence. Various community initiatives on the fight against sexual/domestic violence are now operational, including among others, "Inzego z'impuruza" (whistle blowers) which are composed of all people who monitor issues related to gender, provide information on a daily basis to the concerned authorities. "Akagoroba k'ababyeyi (parents' evening)", a forum in which parents at the Umudugudu level meet to discuss all social and health issues, including possible violence to which their children may be subjected. Other initiatives were taken, especially the creation of "gender clubs" in all schools (primary, secondary, higher learning institutions), public institutions and private sector institutions and the participation of men in the fight against gender based violence, such as Rwanda Men's Resources Centre (RWAMREC). Men are elected in GBV Committees, and involved in carrying out advocacy in the fight against GBV.

50. "ISANGE One Stop Centre" which means 'Feel welcome', set up on July 2009 by the Government of Rwanda. The centre was created to receive, host, care and treat GBV survivors. It is located in Kigali at the National Police Hospital. Other centres were opened few months later in Gihundwe District Hospital and Nyagatare District Hospitals, in Western Province and Eastern Province respectively, following the same model. These Centers offer free-of-charge holistic services to survivors of GBV. From 2009 to March 2011; 2,171 survivors of GBV have so far benefited from these Centres. Of these 1,388 survivors were victims of sexual violence and 453 of the victims were satisfactorily prevented from Sexual Transmission Infections and unwanted pregnancy and 1,177 cases were prosecuted in 2010 only. 65 per cent of all cases of GBV treated at the Police One Stop Centre in Kigali city are children (94.5 per cent are girls). The centre operates a free Hotline for help, protection from further violence, investigation of crimes, medical and psycho-social care as well as support and collection of forensic evidence. This centre is based on an innovative multidisciplinary approach to cases of GBV: in a single place, survivors are given medical and psychosocial care (including prevention of post-trauma disorders, emergency contraceptives, and prevention of sexually transmitted infections and unwanted pregnancies), as well as police and legal assistance.

51. In the framework of social rehabilitation and reintegration, women and children victims of GBV are provided with legal assistance to ensure that they get legal representation in the criminal proceeding when seeking reparations. At least a woman Police officer, in charge of violence against women is posted at the level of the 69 National Police Stations to deal with gender based violence related issues. In addition, each Umudugudu has a GBV Protection Committee which provides first aid to the victims and referral to the police.

52. Article 5 of the Prime Minister's order N°001/03 of 11 January 2012 determining modalities in which government institutions prevent and respond to gender- based violence provides that Investigation on gender based violence cases must be promptly be carried out and the cases are submitted legally to the investigation authority. The NPPA must give priority to gender – based violence related cases, in order to preserve evidence. A special unit for the follow up and the prosecution of GBV related crimes and the unit for the protection of victims and witnesses in general were set up in the NPPA, with a Free toll Hotline.

53. In addition, Courts and Tribunals have received instructions from the Supreme Court to give priority in handling defilement and other gender based related cases. The NPPA, Courts and Tribunals, publish every year tried GBV related cases. A child protection unit at all district police head offices are established country wide. Within the National Police, there is a Gender based violence Monitoring Unit which oversees child protection as well. It has specialized Office (interview room) to receive cases of children witnesses or victims of violence and at each administrative Sector there is a Police who has been trained to deal

with child's rights, to use specialized interview techniques, and to prepare case dossiers. He is in charge of the security in general but specifically to pay attention to the prevention of violence towards women and children and to ensure that the offenders are brought to Justice. Police also set up a helpline and online services to report child abuse and violence.

54. Civil society organisations play an important role in actions related to the prevention and the fight against sexual and domestic violence. Among 32 NGOs and Civil society organizations intervening in GBV, of which (25) 78 per cent intervene in sensitizationre5, 9 (28 per cent in capacity building, 12 (32.5 per cent) in research and advocacy, 5 (15.6 per cent) in girls education and women empowerment, 4 (12.5 per cent) in medical support, 5 (15.6 per cent) in psycho-social support, 9 (28 per cent) in legal aid and 6 (18.7 per cent) in economic support (Gender Monitoring Office, GBV Mapping Report, June 2010).

Reply to the issues raised in paragraph 10 of the list of issues

55. As provided by the laws, policy and programmes related to child right, all judicial and administrative proceedings related to the child, the primary consideration shall be in the best interests of the child. Public or private social welfare institutions schools, legal guardians or anybody or any other individual responsible for the child shall, in the process of taking any decision concerning the latter, always take into consideration the best interest of the child as especially provided by the law N° 54/2011 of 14 December 2011 on protection of the rights of children (article 16).

56. Professional social workers at District level were trained , national guidelines for alternative care (including foster care) were developed ; the reintegration process is regularly monitored through field visits by the NCC and MIGEPROF staff and meetings with different partners involved in the child right promotion and protection; organisation of coordination meetings for the heads of institutions (Orphanages, Street children Centres, detention centres...) to plan for the reintegration of children living in institutions into families, national campaign on the wellbeing of children organized; Ministerial instructions governing the placement of children into foster care is under development process.¹⁶ The plan is to create a network in each District (Community Child Care Volunteers) to help identify children who are likely to be abandoned and to find options for children with no extended family.

57. The following measures are taken prior to the placement: initial assessment for each individual child, family tracing to explore all options, including if necessary foster care, family assessment to assess needs and risks prior to placement, placement decision to determine the right family that matches the best interest of the child, intensive child and family preparation to address needs and risks identified during the assessment phase. Care plan developed where appropriate and in partnership with the caregiver and community partners to ensure that future monitoring and support needs can be measured and adjusted as needed – this includes the older adolescents and adults who will need specialized support such as legal support, psycho-social support, shelter, vocational training and employment. Placements of the child into family alternative starting by birth family, extended family, foster family and/or adoption. Post placement support/follow-up for monitoring and supporting the placement is made to ensure child protection is guaranteed and sustained. Use of innovation and technology including rapid SMS linked with the Umudugudu to support regular monitoring and reporting of children placed in families made regularly. A partnership with orphanage managers, their donors, and community and district representatives is created to plan transformation. Government reallocates its own funds

¹⁶ NCC, Quarterly Activities report, 2012.

gradually from institutions to family based care services, including awareness raising, support to emergency foster care, and support to community-based prevention services.¹⁷

58. “*Tubarere mu muryango Program*” (Let’s raise children in families) have been developed by NCC in partnership with UNICEF and other CSOs to implement the national strategy on child care reform through the creation of a national alternative care system whereby children are returned from residential institutions to family and community care and to insure that Rwandan children have access to, and are supported by, a strengthened child protection.

59. The overall responsibility and accountability for the implementation of the National Strategy for Child Care Reform rests with the NCC. The NCC is currently leading a steering committee in charge of follow-up of placements and strengthening prevention of family separation. This steering committee regroup main partners including, but not limited to Community Based Social workers, psychologists and legal counsellors, Child Protection Committees mobilized to play an essential role in follow up and monitoring of placements. Institution managers, families, children, young people and communities are encouraged and assisted to ‘own’ the strategy. National Police, Rwanda Defense Forces, Rwanda Correctional Service play a key role in this strategy. Development partners and private sector participate in the planning of programmes and activities, in evaluation and contributing both technically and financially. Civil Society including Faith Based Organizations help initiate and promote this strategy, and are involved in monitoring the progress, especially for the identification of gaps and overlaps.

Reply to the issues raised in paragraph 11 of the list of issues

60. Measures taken in the National Care Reform strategy are applying to disabilities and ensure that those children, including children with mental disabilities are raised in family environments. The Ministry of Education (MINEDUC) has developed Special Needs Education Policy which was adopted by the Cabinet. The Ministry of Education has been working with UNICEF to create ‘Child Friendly Schools’ where children learn in healthy, welcoming, inclusive and empowering environments. The six key dimensions which a school must consider are as follows: inclusive of children, secure and protective, healthy and proper hygienic conditions, uphold good teaching and learning processes, gender sensitive, families strengthening and stakeholder’s collaborative relationships.

61. Handicap International has been present in Rwanda since 1994 and currently focuses technically and financially on Special Needs and Inclusive Education, epilepsy, mental health and gender based and sexual violence.¹⁸ Other agencies including the Japanese International Cooperation Agency (JICA), Swedish Association of Disability Organizations (SHIA), and Disabled People’s Organizations of Denmark (DPOD, Plan International and UNICEF are all engaged with child disability issues.

Reply to the issues raised in paragraph 12 of the list of issues

62. In May 2009, the fight against malnutrition has been declared a government priority. Since then, a lot has been done to scale up community-based nutrition programme (CBNP),

¹⁷ National Care Reform Strategic Plan, NCC 2012.

¹⁸ Inclusive development consists of including persons with disabilities within their families, communities, schools and the workplace. Community-based rehabilitation consists of involving or training a disabled person's entourage in performing rehabilitation exercises and care practices to ensure their performance over the long-term. Website: <http://www.handicap-international.org/programmes-in-the/programs/Rwanda>.

such as the emergency plan to eliminate malnutrition consisted of screening all under the age of 5 years. The Government of Rwanda has adopted a National Nutrition Strategic Plan (NNSP) to eliminate malnutrition, including a “District Plan to Eliminate Malnutrition (DPEM)”. The inter-sectoral DPEM package aims at implementing the NNSP at district level and community level and even at reaching the home-based food fortification.

63. A first draft of Infant and Young Child Feeding Strategic Plan (IYCF) is in the pipeline. Furthermore, an integrated counselling course in IYCF was developed with 5 facilitators and 18 trainers trained on infant and young children feeding. The Government has also initiated Akarima k’igikoni programme (loosely translated as Backyard Garden), one cow per family (an initiative to help poor families), cash transfer, Ubudehe programme, Schools accessed to One Cup of milk per child programme, meal at school to address malnutrition are programmes aiming to improve quality of living standards for vulnerable Rwandan people.

64. In November 2009, the Three Year Multisectoral Strategy to Eliminate Malnutrition was adopted. The National Emergency Plan to Eliminate Malnutrition and the Consensus Statement of the 1st Nutrition Summit on the best next steps were adopted to eliminate malnutrition which include, use of National Nutrition Policy and second health sector strategic plan (HSSP II, July 2009 – June 2012) with logical framework to reduce malnutrition in children between 6 - 59 months, to reduce thinness among pregnant and lactating women, reach 80 per cent of the population with community based nutrition (CBN) and district plans to eliminate malnutrition (DPEM) by 2013, reduce micronutrient deficiencies (IDA, VAD, IDD) by 40 per cent among children under the age of 5 years by 2013.

Reply to the issues raised in paragraph 13 of the list of issues

65. MINEDUC has developed a policy for Primary Education for All and a Special Needs Education Policy. , MINALOC has developed policy on Social Protection with global objective to build a social protection system that tackles poverty and inequality, enables the poor to move out of poverty, helps reduce vulnerability, helps improve health and education among all Rwandans, and contributes to economic growth. MINISANTE has developed the Integrated Management of Childhood Illnesses. All these programmes have target to ensure that all poor and vulnerable people are guaranteed a minimum income and access to core public services, those who can work are provided with the means of escaping poverty, and that increasing numbers of people are able to access risk sharing mechanisms that protect them from crisis and shocks.

66. Government of Rwanda makes maximum efforts to ensure, through appropriate prenatal and post natal interventions that every child is born healthy and free of disease. Integrated Management Child Illness is implemented in all districts. Neonatal and child death audit was introduced in all district hospitals, review of all Integrated Management of Neonatal and Child Illnesses (IMNCI) tools was undertaken, while new protocols on Malaria, Malnutrition and HIV were included. An innovative community based health insurance (CBHI) system with nationwide coverage (91 per cent) that provides access to a minimum package of medical services at the health centre and the complementary package at district and referral hospitals.¹⁹

67. Primary education as fundamental right guaranteed by the Constitution is free and compulsory. Government has extended to secondary level to ensure that all children complete the 12 years of basic education. This is serviced through a capitation grant to

¹⁹ MINISANTE, Health indicators, 2011.

public and subsidized schools. The Government usually identifies children from families and households that cannot bear 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). 61,102 OVC are supported by NCC through Global Fund Project.

68. MIGEPROF is mandated to coordinate the formulation and implementation of national policies, strategies and programmes regarding the promotion of gender, family and children's right. Under its policy and strategic plan of action for Orphans and Vulnerable Children, it provides and coordinates all support to orphans and other vulnerable children with emphasis on the Most Vulnerable through a minimum package of services which comprises health, nutrition, education, shelter, protection and psycho social support. The Ministry of Agriculture subsidizes seeds to rural population.

69. The Ministry of Trade and Commerce oversees microfinance institutions which are established in the sectors (Savings and Credit Cooperatives (SACCOS)) in collaboration with the Ministry of Finance and Economic Planning (MINECOFIN) and MINALOC. These help people at the grassroots level learn the culture of saving and also to access loans that will support them to venture into entrepreneurship opportunities. Within Rwanda's decentralized governance structure, District and Sector authorities have key responsibilities for the delivery of social protection programmes. For instance, the Vision 2020 Umurenge Programme is implemented at Sector level with oversight provided by the District authority, to accelerate poverty eradication, rural growth, and social protection. Districts are also responsible for ensuring that budgets are accessed from central government and provide Sectors with the resources they require. Furthermore, a range of development partners and non-governmental actors are active in social protection. Some provide direct assistance and financial support to the core social protection sector, while others work across other sectors. These include: Girinka, the one cow per poor family scheme to poor households with little land, fertilizer subsidies and seeds. Though these initiatives do not primarily target children, children living in those families also are the beneficiaries.

70. There has been an increase in terms of access to safe drinking water and sanitation. Indeed, from 64 per cent of population had access to safe drinking and sanitation in 2006 whereas to 74,2 per cent in 2011 had access to safe drinking and sanitation (Lessons Learned From 4 years of DPRS I, February 2012). Rwanda is well on its way to realise its ambitious target of 100 per cent coverage of water supply and sanitation called for by Vision 2020. 80.5 per cent of children under 18 years of age have access to safe drinking water, 76 per cent of children under 18 years of age have access to adequate sanitation facilities thanks to the Nyabarongo Water Project, a project to increase safe drinking water supply in the City of Kigali (DHS, 2010). Schools are equipped by water tanks to facilitate children access to water and sanitation.

71. There has been an increased budgetary allocation to water and sanitation from billions 19, 465, 684, 800 in 2010/2011 to 27, 139, 012, 649 in 2011/2012 and are estimated to 30,704 194 529 in 2012/2013.²⁰

72. The annual Family Campaign is one of the strategies used to emphasize the importance of family in every sector of the Rwandan community. Started in 2011, the first family campaign held in September –October 2011 focused on the living conditions of families in Rwanda and laid emphasis on improving these in regard to health and wealth. Family heads were encouraged to sign performance contracts at the family level using

²⁰ Rwanda National Budget 2009-2012/2013

“Ikaye y’Umuryango” (family book) as a sign of their commitment to improving their family status.

Reply to the issues raised in paragraph 14 of the list of issues

73. The Girls’ Education Policy has been developed in 2008 with specific strategies which aim to promote retention/completion in schools and institutions of higher education and address factors that may be barriers to full participation. The Girls Education Task Force have been put in place and annually compile the indicators in the policy matrix and develop a Gender Assessment of the Education System, to monitor gender disparities and eradicating them.

74. In 2011, 94.3 per cent of boys and 97.5 per cent of girls were enrolled in primary school. Dropout rates overall decreased from 13,9 per cent in 2006 to 11,4 per cent in 2010, dropout girls decreased from 13,1 per cent in 2007 to 11,3 per cent in 2010.. In secondary school, from 2007 to 2010, dropout overall decreased from 9,6 per cent to 7,4 per cent, dropout rate boys increased from 5,7 per cent to 7,4 per cent and dropout rate girls decreased from 13,3 per cent to 7,5 per cent. The main reason among others of dropout out of school decreased is that basic education is now free.

75. MINEDUC, with the help of Forum of African Women Educationalists (FAWE) and Imbuto Foundation (NGO) have launched the school a five year (2008-2013) campaign “Making a difference for girls” which focus is increasing girls’ retention and performance at primary and secondary level, and to integrate the promotion of girls’ education into school culture. MINEDUC developed an operational guidelines which clarify the important role of District education directors, school directors and teachers to establish and implement the quality criteria needed to create a gender responsive environment and to develop an action plan of implementation of the campaign in their own districts, and each school, throughout the competition, to meet the campaign’s objectives.²¹

76. Measures taken to deal with the difficulties in adapting to English as a language of instruction, and to improve the pedagogic capacity of teachers are as follows: The Ministry of Education recruited teachers of English from Kenya and Uganda to improve the proficiency in the English language of local teachers., The Integrated Polytechnic Regional Center (IPRC/ RWANDA) in collaboration of American experts through the US Embassy, introduce Technology Based Language Teaching, creating an easy and enjoyable teaching and learning environment for both language teachers and learners, matching assessment with objectives in the English language teaching at all levels of education. More than 43,000 teachers have so far been trained in the English language. An increase of hours at Teachers Training Colleges (TTCs) from three to five hours a day where they are trained in grammar and literature skills is one way of ensuring sustainability. The School for Foundation Language Skills at National University of Rwanda, and the Kigali Institute of Education avail teachers to private and public school to help their staff learn or improve their English language skills.²²

Reply to the issues raised in paragraph 15 of the list of issues

77. Gikondo is a transit centre help police to deal with children in/on street waiting for their parents come eventually recover them before directed them to reintegration centres for their education. In other detention centres, 167 children are living with their mothers in 10

²¹ Ministry of Education’s School Campaign: Promoting Girls’ Education, 2008.

²² Rwanda Education Board, Annual Report 2011.

detention centres. The Rwanda Correction Service provided nursery schools, nutrient food and fresh milk for such children. All juveniles were held at Nyagatare Rehabilitation Center, where population is 148 detainees (NCC Report 2012). More than 215 pending cases of children in detention without trial were heard as part of an on-going process to ensure that the backlog of cases particularly involving children was promptly cleared during the Legal Aid Week. The Child Legal Aid Week was first organized in 2009 and then it has been organized every year. Due to the mobilization of prison officers, courts, parquets, the national police, the Kigali Bar Association, the Legal Aid Forum, and UNICEF more than 800 cases of children awaiting trial were cleared from 2009 to 2011.

Reply to the issues raised in paragraph 16 of the list of issues

78. As far as institutional measure related to the separation of children from adults is concerned, juveniles awaiting trials as well as those serving their sentence are held at Nyagatare Rehabilitation Center. All the judges have at least a degree in law and moreover each intermediate court has a library to help judges and clerks improving and updating their knowledge. In June 2012, training on Human Rights and Juvenile Justice was offered to lawyers, prosecutors and judges. In addition judges from juvenile chambers received trainings on child sexual abuse proceedings in 2012.

79. With regard to the capacity of the Juvenile Chambers in handling cases, the number was increased thanks to the instructions of the Chief Justice in giving priorities in cases involving juveniles. Indeed, a total of 766 cases have been sentenced by specialized chambers for juveniles in 2010, while 783 cases sentenced in 2011-2012. All cases entered are accelerated following instructions of the Chief Justice to prioritize juvenile cases (Annual Reports, The Judiciary 2010-2012).

80. Ministry of Justice is currently drafting the Justice for Children Policy and the legal aid policy which aim to address the concerns raised in surveys conducted by the Ministry of Justice (2006) and the Legal Aid Forum (2007) and will also close the gaps with regard to children in conflict with the law and ultimately comply with the CRC. Children in conflict with the law are entitled to a legal representation free of charge.

Part II

Reply to the issues raised in part II of the list of issues

(a) New bills or laws, and their respective regulations

81. The following laws have been promulgated:

(a) Law N°22/2011 of 28 June 2011 establishing the National Commission for Children and determining its mission, organization and functioning. (Its respective regulations are under drafting process;

(b) Law N°54/2011 of 14 December 2011 relating to the rights and protection of child. (Its respective regulations are under drafting process);

(c) N°59/2008 Of 10 September /2008 On The Prevention And Punishment Of Gender Based Violence as amended to date and its subsequent regulations: Prime minister's order n°001/03 of 11 January 2012 determining modalities in which government institutions prevent and respond to gender- based violence;

(d) Law N°13/2009 Regulating Labour In Rwanda (2009) and its subsequent regulations namely : Ministerial Order N°06 of 13 July /2010 determining the list of worst

forms of child labour, the nature, categories of institutions that are not allowed to employ them and their prevention mechanisms were highlighted through this Ministerial Order;

- (e) Organic Law N° 01/2012/OL of 2 May 2012 instituting the Penal Code.

(b) New institutions or institutional reforms

82. The National Commission for Children is the new one institution created for the purpose of promoting child rights in Rwanda.

(c) Recently introduced policies, programmes and action plans and their scope and financing

83. Keys policies, programmes and action plan have been highlighted in Part I.

(d) Recently ratified human rights instruments

84. Recently ratified human rights instruments are the following:

- Convention on the Civil Aspects of International Child Abduction, adopted at the Hague on 25/10/1980 (See the Presidential Order N° 52/01 of 25/08/2011, available in Official Gazette N° Special of 8/09/2011);
- Convention on the protection of children and co-operation in respect of intercountry adoption, adopted on 29/05/1993, in Hague, Netherlands and ratified on 14/06/2010. (See the Presidential Order N° 24/01 of 07/05/2010, available in Official Gazette N° 24 of 14/06/2010, p. 5);
- Employment policy convention (Convention N° 122), adopted on 9/07/1964 and ratified on 14/06/2010 (See the Presidential Order N° 25/01 of 07/05/2010, available in Official Gazette N° 24 of 14/06/2010, p. 9);
- International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, adopted on 18/12/1990 and ratified on 14/06/2010. (See the Presidential Order N° 33/01 of 17/05/2010, available in Official Gazette N° 24 of 14/06/2010, p. 37);
- Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, adopted on 06/10/1999 in New York and accessed on 31/08/2009. (See the Presidential Order N° 34/01 of 14/07/2009, available in Official Gazette N° 35 of 31/08/2009, p. 5);
- Convention against Torture and Other Punishment, Cruel, Inhuman or Degrading Treatment, adopted on 10/12/1984 in New York and accessed on 01/10/2008. (See the Presidential Order N° 51/01 of 05/09/2008, available in Official Gazette N° 19 of 01/10/2008, p. 75);
- Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of death penalty, adopted on 15/12/1989 in New York and ratified on 01/10/2008. (See the Presidential Order N° 52/01 of 05/09/2008, available in Official Gazette N° 19 of 01/10/2008, p. 79);
- International Convention on the Rights and Dignity of Persons with Disabilities, adopted on 13/12/2006 in New York and accessed on 15/12/2008;
- Optional Protocol to the Convention on the Rights of Persons with Disabilities adopted on 13/12/2006 in New York and accessed on 15/12/2008.

85. It is important to recall that Rwanda has withdrawn a number of reservations:

- Withdrawal of reservation made on article 26 of the Convention relating to the Status of Refugees on 14/06/2010 (See the Presidential Order N° 31/01 of

17/05/2010, available in Official Gazette N° 24 of 14/06/2010, p. 29). Rwanda had formulated the following reservation: “For reasons of Public policy, the Republic of Rwanda reserves the right to establish a residence and limit movement of refugees.”;

- Withdrawal of reservation made on article 4 of the Protocol to the Geneva Convention Relating to the Status of Refugees on 14/06/2010 (See the Presidential Order N° 32/01 of 17/05/2010, available in Official Gazette N° 24 of 14/06/2010, p. 33). Rwanda had formulated the following reservation: “For all disputes between the parties, recourse to the International Court of Justice can be introduced only with the prior agreement of the Rwandese Republic.”;
- Withdrawal of reservation made on article 22 of the Convention on the Elimination on the Elimination of All Forms of Racial Discrimination on 01/10/2008 (See the Presidential Order N° 49/01 of 05/09/2008, available in Official Gazette N° 19 of 01/10/2008, p. 64). Rwanda had formulated the following reservation: “The Rwandese Republic does not consider itself as bound by article 22 of the Convention”;
- Withdrawal of reservation made on article 13 of the International Covenant on Economic, Social and Cultural Rights on 01/10/2008 (See the Presidential Order N° 50/01 of 05/09/2008, available in Official Gazette N° 19 of 01/10/2008, p. 68). Rwanda had formulated the following reservation: “The Rwandese Republic [is] bound, however, in respect of education, only by the provisions of its Constitution”;
- Withdrawal of reservation made on article 9 of the Convention on the Prevention and Punishment of the Crime of Genocide on 01/10/2008 (See the Presidential Order N° 48/01 of 05/09/2008, available in Official Gazette N° 19 of 01/10/2008, p. 71). Rwanda had formulated the following reservation: “The Rwandese Republic does not consider itself as bound by article IX of the Convention.”

Part III

Available data, statistics and other information

Reply to the issues raised in part III, paragraph 1, of the list of issues

86. Budget information on resources allocated to children and the social sectors, is set out below:

		2011/2012
Percentage of the national budget allocated to social protection measures for children		
	Percentage	14.98%
Budget for the main government body mandated to provide leadership and coordinate the implementation of children’s rights at national level	Budget in local currency	9,264, 178,672 RWF
	Budget in USD	15,440,297 USD
	Percentage from the total national budget	0.78%

Reply to the issues raised in part III, paragraph 2 (a), of the list of issues

87. During the year 2011, prosecutors received 1,219 cases of child defilement, of which 612 were filed in court, 168 were dropped, 2 were reclassified, and 437 were pending investigation. Child defilement cases reported to the Rwanda National Police and the National Public Prosecution Authority are: 2033 in 2006, 2421 in 2007, 2051 in 2008, and 1570 in 2009 and 714 in 2010.²³

Reply to the issues raised in part III, paragraph 2 (b), of the list of issues

88. From January 2011 through May 2012, the courts adjudicated 1,090 cases of adult rape and child defilement, convicting 750 and acquitting 340. Among those convicted, the courts sentenced 71 to life in prison.

Reply to the issues raised in part III, paragraph 2 (c), of the list of issues

89. Children living with their mothers in prison are 167, Rwanda Correction service provides them with good standard of living, health, education, leisure and nutrition as provided by the law.

Reply to the issues raised in part III, paragraph 2 (d), of the list of issues

90. Twenty-two Rehabilitation Centers for children from streets were assessed and accommodate about 1,827 children (1445 boys and 382 girls).

Reply to the issues raised in part III, paragraph 2 (e), of the list of issues

91. Forty-four per cent of children under five are short for their age; of those children, approximately two in five (17 per cent) are severely stunted. About one of ten children (11 per cent) is underweight, including two per cent who are severely underweight (DHS, 2010). According to the DHS 2010, chronic malnutrition was reduced from 51 per cent to 44 per cent, while acute or severe malnutrition from 5 per cent to 3 per cent, and the underweight, from 18 per cent to 11 per cent from 2006 to 2010 (DHS 2010).

Reply to the issues raised in part III, paragraph 2 (f), of the list of issues

92. Anaemia is common among children in Rwanda; nearly two in five (38 per cent) children are anaemic. Practically all children who suffer from anaemia are mildly anaemic (24 per cent of all children) or moderately anaemic (14 per cent of all children). Less than one per cent of children are severely anaemic.

²³ Rwanda Country report on the implementation of 1325/2000 United Nations resolution on Women, Peace and Security, 2009

Reply to the issues raised in part III, paragraph 2 (g), of the list of issues

93. According to national estimates, 11,410 Children under 18 years of age are HIV positive, 262 children infected by mother-to-child transmission of HIV (TRAC NET, 2010). In 2011/ 2012, percentage of the national budget allocated to health is 15 per cent, 1,4 per cent of national budget allocated to HIV/AIDS Prevention and Control, 10,3 per cent of national budget is allocated to Maternal and Child Health (MCH).

Reply to the issues raised in part III, paragraph 3 (a)-(e), of the list of issues

94. Below is data regarding the number of children:

(a) Separated from their parents: Thirty-nine per cent of children don't live with both parents, nearly 15 per cent of children have lost one or both parents (National Survey on Institutional Care 2011).

(b) Living in child-headed households: 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 live themselves either because their parents were killed in the genocide, died from AIDS or have been imprisoned for genocide-related crimes (ACHPR, 11th report, April 2012)

(c) Placed in institutions: 3,323 children were placed in 30 orphanages institutions in December 2012.

(d) Placed with foster families: 1291 children have been placed in foster families from July 2011 to December 2012.

(e) Adopted domestically or through inter-country adoptions: 337 Children living the country through inter-country adoption procedures. No children entering the country through inter-country adoption procedures.

Reply to the issues raised in part III, paragraph 4 (a) – (e), of the list of issues

95. Data on the number children with disabilities, up to the age of 18, is set out below:

(a) With disabilities by sex is: 35,006 (male) and 26,148 (female) according to the Census of people with disabilities in Rwanda (MINALOC, 2010);

(b) Living with their families: 58,107;

(c) In institutions: 3,047 children placed in 37 institutions;

(d) Attending regular primary schools in 2011(see table below);

<i>Hearing</i>	<i>Visual</i>	<i>Dumb</i>	<i>Physical</i>	<i>Mental</i>	<i>Others</i>	<i>Boys</i>	<i>Girls</i>	<i>Total</i>
2,484	4,594	1,374	11,855	4,964	2,082	14,944	12,409	27, 353

(e) Attending regular secondary school;

<i>Hearing</i>	<i>Visual</i>	<i>Dumb</i>	<i>Physical</i>	<i>Mental</i>	<i>Others</i>	<i>Boys</i>	<i>Girls</i>	<i>Total</i>
597	1,944	206	2,868	439	1,108	3,714	3,448	7,162

(f) Attending special schools: Vocational training

<i>Hearing</i>	<i>Visual</i>	<i>Dumb</i>	<i>Physical</i>	<i>Mental</i>	<i>Others</i>	<i>Boys</i>	<i>Girls</i>	<i>Total</i>
51	69	6	257	54	85	303	219	522

Source: Rwanda Education Statistics 2011, MINEDUC 2012.

Reply to the issues raised in part III, paragraph 5 (a) – (c), of the list of issues

96. Disaggregated data on enrolment rates is set out below:

(a) In pre-primary schools

<i>2008</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>		
Gross Enrolment Rate (GER)	16.1%	15.9%	9.9%	11.6%	
Boys	15.6%	15.4%	9.6%	11.2%	
Girls	16.5%	16.5%	10.3%	11.9%	
Net Enrolment Rate (NER)	8.7%	9.7%	6.1%	10.1%	
Boys	8.5%	9.3%	5.9%	9.7%	
Girls	8.9%	10.0%	6.3%	10.4%	
Pupil Teacher Ratio	N/A	N/A	N/A	38	

(b) In primary schools

	<i>2007</i>	<i>2008</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>
Gross Enrolment Rate (GER)	151.9%	127.9%	128.5%	126.5%	127.3%
GER Boys	151.3%	127.3%	127.4%	125.2%	125.7%
GER Girls	152.5%	128.5%	129.5%	127.6%	128.9%
Net Enrolment Rate (NER)	95.8%	94.2%	92.9%	95.4%	95.9%
NER Boys	94.7%	93.3%	91.6%	94.2%	94.3%
NER Girls	96.8%	95.1%	94.1%	96.5%	97.5%
Completion Rate Overall	52.0%	52.5%	74.5%	75.6%	78.6%
Completion Rate Boys		71.40%		75.1%	
Completion Rate Girls		79.80%		81.8%	
Pupil Teacher Ratio	69	61	64	63	58

(c) In secondary schools

	<i>2007</i>	<i>2008</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>
Gross Enrolment Rate	20.5%	20.7%	25.9%	31.5%	35.5%
GER Boys	21.9%	22.0%	26.8%	31.5%	34.9%
GER Girls	19.1%	23.4%	25.0%	31.5%	36.2%
Net Enrolment Rate	13.1%	13.9%	13.2%	22.6%	25.7%
NER Boys	13.8%	12.8%	21.6%	24.2%	These indicators will be available after 2012 data collection
NER Girls	13.9%	13.7%	23.7%	27.2%	
Transition Rate Overall	86.0%	90.2%	93.8%		
Repetition Rate Overall	8.4%	6.0%	4.4%	3.8%	

	2007	2008	2009	2010	2011
Repetition Rate boys		5.6%	4.0%	4.0%	
Repetition rate girls		6.3%	4.8%	3.8%	
Dropout rate overall		9.6%	1.6%	7.4%	
Dropout rate boys		5.7%	2.5%	7.4%	
Dropout rate girls		13.3%	0.7%	7.5%	
				45	42

Reply to the issues raised in part III, paragraph 6 (a) - (d), of the list of issues

97. Below is disaggregated data on social protection measures regarding the number of:

(a) Children involved in child labour: The Rwanda National Child Labour Survey (RNCLS-2008) estimates that children in child labour aged between 5-17 years are 55,485 in self employment and 8,946 in paid hired employment 11.2 per cent (324,659) of children aged between five and 17 engage in economic activities. The findings of the 2008 RNCLS also revealed that, 6, 6 per cent of Rwandan children aged 5 to 17 years were child labourers in 2008 (190, 395);

(b) Children working as domestic workers: The vast majority of children in employment, 83.6 per cent carry out household chores;

(c) Children involved in hazardous work: Among children in employment, 65,628 carry out hazardous work, representing 20.2 per cent of all children in employment;

(d) Work-related deaths, serious injuries and illnesses of children in employment: According to the 2008-RNCLS, 31,000 child labourers aged 5-17 years (representing 16.3 per cent) became ill or injured as a result of their employment and half of those children were engaged in full time employment while the remaining proportion of such children combined work and school. Boys represent 62.7 per cent of those children who became ill or injured.

Reply to the issues raised in part III, paragraph 7 of the list of issues

98. Data is not available, because, Gikondo transit centre is a transit place through which children are awaiting relatives for family reintegration or to be conducted in rehabilitation centres.

Reply to the issues raised in part III, paragraph 8 (a) - (f), of the list of issues

99. Below is disaggregated data on the number of:

(a) Children who have allegedly committed a crime, reported to the police: 167 children are detained for allegedly committed a crime;

(b) Children who have been sentenced and type of punishment or sanctions related to offences including length of deprivation of liberty: A total of 766 cases have been examined by juvenile chambers in 2010, while 783 cases examined in 2011-2012. All cases entered are accelerated following instructions of the Chief Justice to prioritize GBV and juvenile cases (The Judiciary, Annual Reports, 2010 -2012). Type of punishment or sanctions related to offences including length of deprivation of liberty are not available;

(c) Detention facilities for juvenile delinquents and their capacity: The Children Rehabilitation Centre of Nyagatare (Eastern Province) for only minors has been constructed with participation of UNICEF AND DIDE (Dignity in detention) he meets international standards;

(d) Children detained in these facilities and children detained in adult facilities: The Government established nursery schools for children under three years' old living with their mothers. Each nursery school also has a cow to provide fresh milk to the children;

(e) Children kept in pretrial detention and the average length of their detention: The same improved conditions are provided for suspects under pretrial detention. Children or juveniles both sentenced or under pre-trial detention are put in separate cells with modern facilities. For example, there has been increase of space for sleep (80cm by 2m) as provided under international standards;

(f) Reported cases of abuse and maltreatment of children which occurred during their arrest and detention. Rwanda ratified the Convention against Torture and still committed with all human rights provisions provided by the Constitution, other international instruments and laws in force.

Reply to the issues raised in part III, paragraph 9, of the list of issues

100. Priority will be given to the following areas: Identity and Nationality, Family and Alternative Care; Health, Survival and Standard of Living, Education, Protection; Justice, and Participation according to the Integrated Child Rights Policy and its strategic plan, the first comprehensive document to address all children's issues in Rwanda.

II. Conclusion

101. In order to promote the rights of the child and to reinforce measures taken in the area of child rights protection and promotion, the Government has developed a horizontal partnership between development partners, civil society organisations and other countries. As it was noted in the preceding paragraphs, significant achievements have been made for the last years and the Government of Rwanda is firmly committed to scale up its efforts in the promotion of the rights of the child as a priority and cross-cutting issue.
