



Economic and Social Council

Distr.: General
3 April 2023

Original: English
English, French and Spanish only

Committee on Economic, Social and Cultural Rights

List of issues in relation to the fifth periodic report of Rwanda*

1. The State party is requested to submit in writing the information requested below (preferably not exceeding 10,700 words) by 29 March 2024.

A. General information

2. Following the amendments to the Constitution enacted in 2015, please provide information on steps taken to ensure that rights enshrined in the Covenant are incorporated into the domestic legal order, in particular into the organic laws of the State party. Please provide information on cases in which the provisions of the Covenant have been invoked before and applied by domestic courts in the State party. In view of paragraph 22 of the State party's report,¹ please also provide information on training provided to judges, lawyers and law enforcement officials on the provisions of the Covenant and their justiciability. Please provide information on how the legislature was involved in the implementation of the recommendations contained in the Committee's concluding observations on the second to fourth periodic report of the State party,² and the follow-up thereto, and in the elaboration of the fifth periodic report.

3. Please provide information on the mandate of the National Commission for Human Rights and whether it covers economic, social and cultural rights, as well as on the resources allocated for its functioning. Please also describe the State party's efforts to implement the recommendations made by the Commission to be able to discharge its mandate effectively and independently in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), and to seek advice and support from the Office of the United Nations High Commissioner for Human Rights in the process.

4. Please provide information on the provision of legal aid throughout the State party, especially in rural areas, including:

- (a) The requirement for access to legal aid;
- (b) The qualifications and registration of legal aid providers and lawyers;
- (c) The types and number of cases in which legal aid was provided;
- (d) The policy of the State party on providing legal aid in rural areas and on marginalized groups, especially victims of gender-based violence and persons with disabilities.

* Adopted by the pre-sessional working group at its seventy-second session (6–10 March 2023).

¹ E/C.12/RWA/5, para. 22.

² E/C.12/RWA/CO/2-4.



5. Please provide information on measures taken to protect human rights defenders and persons associated with them, including defenders working in the field of economic, social and cultural rights, journalists and social media activists from all acts of intimidation and reprisals. Please provide information on the number of complaints filed, the number of cases investigated and prosecuted and the number of convictions handed down in such cases.

6. Please provide information on any measures, especially legislative measures, taken or envisaged by the State party to recognize Indigenous Peoples, including the Batwa. Please provide information on statistical data on Indigenous Peoples in the State party, including their numbers and distribution across the territory, and statistical data relating to their enjoyment of economic, social and cultural rights, in particular in the areas of employment, social security, health and education.

7. Please provide information on the introduction, in law or in practice, of human rights due diligence by business entities of the State party, including those operating abroad, and their supply chains to identify their risks to human rights, especially land occupation and use, child labour and forced labour, and occupational health and safety. Please also provide information on the State party's policy and timeline to develop and adopt a national action plan on business and human rights to implement the Guiding Principles on Business and Human Rights.

8. Please provide information on measures taken by the State party with regard to the mitigation of climate change, including specific measures and their impact, to meet the nationally determined contributions for reducing emissions that the State party has set itself under the Paris Agreement. Please also provide information on the progress made in reducing per capita greenhouse gas emissions and on targets that the State party has set for further reductions. With respect to climate change adaptation policies and measures, please provide information on:

(a) How the State party assesses the impacts of climate change on the enjoyment of economic, social and cultural rights, particularly for marginalized and disadvantaged individuals and groups;

(b) Whether the State party has developed or plans to develop a national adaptation plan, with an adequate allocation of all required resources, to address the impacts of climate change on, inter alia, economic, social and cultural rights;

(c) Measures taken to strengthen preparedness for and responses to natural disasters and disaster risk reduction measures and measures taken to adopt a strategy to this end, with an adequate allocation of financial resources;

(d) Which institutions are tasked with the development and implementation of climate change adaptation measures and policies for slow-onset impacts in different areas, such as agriculture, housing and health, and how coordination among the institutions responsible for disaster preparedness and management is ensured;

(e) Efforts made by the State party to seek international assistance and cooperation in order to take climate change mitigation measures, as well as the results of those efforts.

B. Issues relating to the general provisions of the Covenant (arts. 1–5)

Maximum available resources (art. 2 (1))

9. Please provide information on the evolution of the following, covering the past 10 years:

(a) The proportion of the population living below the nationally defined poverty line;

(b) Levels of inequality, before and after taxes and transfers, if possible defined as the ratio between the total income of the richest 10 per cent of the population and the total income of the poorest 40 per cent and as the ratio between the assets owned by the richest 10 per cent of the population and the assets owned by the poorest 50 per cent;

(c) The economy, in particular through the annual variations of gross domestic product (GDP), GDP per capita and the level of public debt in proportion to GDP;

(d) The proportion of public revenue generated through taxes and as a percentage of GDP, the proportion of public revenue obtained through direct and indirect taxes, the corporate tax revenue rate and the percentage of total revenue generated from personal tax collected on the incomes of the richest 10 per cent of the population, as well as provide an evaluation of the amount of tax evasion and tax avoidance and the fiscal cost of the main tax benefits;

(e) Public expenditure as a percentage of GDP and, within total public expenditure, the proportion of the public budget allocated to social spending, including social security, food, water and sanitation, housing, health and education;

(f) Any fiscal policies adopted in response to the coronavirus disease (COVID-19) pandemic;

(g) Loan or financial agreements with international or regional financial institutions that call for economic or financial restructuring or review of the State party and the measures that have been implemented accordingly.

Non-discrimination (art. 2 (2))

10. Please provide information on steps taken to adopt comprehensive anti-discrimination legislation that: (a) clearly defines and prohibits direct and indirect discrimination; (b) gives a comprehensive list of prohibited grounds of discrimination, including sexual orientation and gender identity; and (c) provides effective remedies for victims. Please also provide information on the discrimination cases brought to the courts, in the past five years, including the number of cases and prosecutions, and on the sentences imposed.

11. Please provide information on effective measures taken to combat all forms of discrimination against the Batwa, a historically marginalized group. In view of paragraphs 15 to 18 of the State party's report, please provide further information on the socioeconomic programmes available to this group, as well as any other measures taken to ensure their enjoyment of the Covenant's rights, particularly with regard to access to education, health-care services, food, safe drinking water, adequate sanitation and adequate housing. Please also provide information on concrete measures taken to ensure the participation of historically marginalized groups in public and political life.

12. Please provide information on concrete measures taken to prevent and address discrimination against persons with disabilities, particularly in the areas of employment, education and access to health-care services. Please provide information on the situation of persons with disabilities, disaggregated by sex, age, ethnicity and rural/urban residence, regarding their enjoyment of economic, social and cultural rights, including in the areas of employment, social security, health and education. Please provide information on strategies adopted to raise awareness about the rights of persons with disabilities and dismantle stereotypes and misconceptions about them. In addition, please provide information on measures adopted to provide full information to persons with disabilities and their families about health and support services and social protection schemes available to them.

13. Please provide information on measures taken to prevent discrimination on grounds of sexual orientation or gender identity, including those aimed at raising awareness of the economic, social and cultural rights of lesbian, gay, bisexual, transgender and intersex persons among the general population. Please also provide information on measures taken, and their results, to address discrimination against these persons in courts and by law enforcement agencies so that they can seek redress for violations of their economic, social and cultural rights, particularly their rights to housing, employment, health and education.

14. Given the Committee's previous recommendation,³ please provide information on:

³ Ibid., para. 11.

- (a) Steps taken to review the refugee and asylum legislation to guarantee the principle of non-refoulement and to ensure family reunification of refugees' dependants without age-related restrictions;
- (b) Measures taken to ensure the effective enjoyment of economic, social and cultural rights by refugees and asylum-seekers, in particular concerning their access to the labour market, durable residence status and recognition of their diplomas;
- (c) Measures taken to promote the reintegration of returnees, particularly with regard to free access to education, health care and income-generating activities;
- (d) Steps taken to ensure the registration of all children born in the territory of the State party, particularly refugees, asylum-seekers and stateless children.

15. Please provide information on measures taken to fight discrimination and stigma against disadvantaged persons, including children, such as children in street situations and vendors, sex workers, vagrants, and beggars, and support them through social protection schemes, education and reliable vocational training. Please also provide information on steps taken to permanently close all unofficial places of detention and stop the arbitrary detention of economically vulnerable persons, including children.

Equal rights of men and women (art. 3)

16. Please provide information on measures taken, and their impact, to promote women's participation in stable and formal employment. Please provide information on steps taken to address vertical and horizontal gender segregation and encourage the employment of women and men in the professional fields in which they are underrepresented.

17. Please provide information on parental leave regulations, as well as on measures taken to promote shared responsibility between men and women and society's responsibility for the care of children and other persons.

C. Issues relating to the specific provisions of the Covenant (arts. 6–15)

Right to work (art. 6)

18. Please provide information on the results achieved in relation to the implementation of the First National Strategy for Transformation, referred to in paragraph 77 of the State party's report, and on any other measures taken, to reduce unemployment, particularly among women, young persons and persons with disabilities. In light of the impact of the COVID-19 pandemic, please provide updated statistical data for the past five years showing trends in unemployment and underemployment, disaggregated by sex, age, disability and rural/urban areas.

19. Please provide information on steps taken, and their impact, to address the obstacles in the transition of workers from the informal to the formal economy, particularly women and persons with disabilities, including an update on the statistical data presented in the State party's report. Please provide information on specific programmes and commitments undertaken, such as the creation of cooperatives, to address the problem of informality in the agriculture sector.

20. Please provide information on concrete measures taken to combat systematic barriers and discrimination faced by persons with disabilities in access to employment. In addition, in view of paragraphs 70 to 72 of the State party's report, please provide further information on measures adopted to ensure vocational training opportunities and skills development programmes for persons with disabilities and the impact of these measures.

Right to just and favourable conditions of work (art. 7)

21. Given paragraphs 88 to 90 of the State party's report, please provide information on progress made regarding the adoption of the ministerial order determining the minimum wage and if it covers all branches of economic activities, including workers engaged in the informal economy.

22. With reference to paragraph 91 of the State party's report, please indicate whether the National Policy on Occupational Safety and Health protects all workers in all sectors of the economy, including workers engaged in the informal economy. Please also provide information on labour inspections carried out during the reporting period, in particular on the farm sector, including relevant annual statistical data, information on the main areas of violations of labour legislation identified through inspections and the measures taken to address them. In addition, please describe the mechanisms in place to ensure respect for the rights to social security, including social protection, and to just and favourable work conditions for workers engaged in the informal economy.

23. Please provide information on measures taken to enforce the principle of equal pay for work of equal value guaranteed in the State party's Constitution. Please provide sex-disaggregated data on the complaints related to violations of the principle, including the proportion of cases in which the discriminated employee received compensation.

24. Please provide information on specific measures taken to ensure respect for the right of domestic workers to just and favourable conditions of work. Please also indicate whether the measures taken include systematic labour inspections.

Trade union rights (art. 8)

25. Please provide information on measures taken or envisaged:

- (a) To ensure protection in law and practice against acts of anti-union discrimination and interference;
- (b) To amend sections 3 (5) and 5 of Ministerial Order No. 11 of 7 September 2010 to remove obstacles to the establishment of trade unions;
- (c) To require trade unions to provide accessible information and facilities so that workers with disabilities can exercise their union rights without barriers;
- (d) To ensure that all public servants can join trade unions of their choice, like all other workers, with the only exception of the armed forces and the police;
- (e) To remove any legal barriers to the enjoyment of the right to strike.

Right to social security (art. 9)

26. Please provide up-to-date statistics on the percentage of the population covered by the national social security system. Please also provide detailed information on measures taken to ensure the inclusion of disadvantaged and marginalized individuals and groups, particularly persons with disabilities and historically marginalized groups, in the social protection programmes and to ensure that the cash transfers from these programmes are commensurate with the cost of living.

Protection of the family and children (art. 10)

27. With reference to paragraph 54 of the State party's report, please provide information on the results achieved through the national policy against gender-based violence, its strategic plan, revised in 2017, and the National Action Plan for the Implementation of the Kampala Declaration on Sexual and Gender-based Violence, adopted in 2017. Please provide statistical data on the number of cases of gender-based violence against women, disaggregated by age, education level, employment, rural/urban areas and the relationship between victim and perpetrator. In light of paragraphs 44 to 47 of the State party's report, please provide information on the impact of the efforts and the current measures in place to address gender stereotypes and practices that perpetuate discrimination against women.

28. In view of the reports of sexual violence against women committed by members of the armed forces, as described in the report of the mapping exercise documenting the most serious violations of human rights and international humanitarian law committed within the

territory of the Democratic Republic of the Congo between March 1993 and June 2003,⁴ please provide information on the investigations, prosecutions and penalties imposed on perpetrators of conflict-related sexual violence and indicate if victims have access to adequate and effective reparations. In this regard, the Committee also looks forward to the information that the State party will provide to the Committee on the Elimination of Discrimination against Women in relation to its list of issues.⁵

29. Please provide further information on all measures taken to ensure compliance by employers with the State party's legislation against child labour, particularly in rural areas, describe the social protection measures in place for these children and explain how monitoring is carried out. Please provide statistics on the incidence of child labour in the State party disaggregated by age, sex and rural/urban area, and indicate whether there are any plans to conduct a new national survey of child labour. In addition, please provide information on the progress made towards the eradication of child labour in the sectors of agriculture, construction, mining and domestic work. Please provide up-to-date information on the number of children removed from child labour situations and reintegrated into their families or schools in the years 2019–2022, and employers and individuals sanctioned for engaging in child labour and the worst forms of child labour.

30. Please provide information on the results of the study "Improving knowledge, enforcement and coordination in counter trafficking", launched in 2017, as referred to by the State party in paragraph 135 of its report, and the measures adopted as a consequence thereof. Please provide up-to-date information on cases of trafficking in persons reported and investigated during the period 2018–2022.

31. With reference to paragraph 105 of the State party's report, please provide information on the revision process of Law No. 32/2016 of 28 August 2016 to allow birth registration and certification to take place at health facilities in order to reduce distance and time constraints and make the registration process easier.

Right to an adequate standard of living (art. 11)

32. Please provide data on the prevalence of malnutrition and hunger in the State party, particularly among children and historically marginalized groups, and detail the measures taken to mitigate such problems. Please provide information on the percentage of children under 5 years of age that are stunted and the percentage that suffers from acute malnutrition, in particular among children belonging to historically marginalized groups. Please also provide information on measures taken to ensure that everyone has access to adequate food at affordable prices.

33. Please provide information on the specific measures taken by the State party to alleviate poverty, particularly among persons with disabilities, children, youth, women, historically marginalized groups and persons living in rural areas. In addition, please indicate if and how economic growth has been translated into reducing poverty. With reference to paragraph 149 of the State party's report, please provide detailed information on the design, implementation and results of the social protection programmes designed to eradicate extreme poverty by 2024. Please provide information on the number of persons living in poverty and extreme poverty, disaggregated by sex, age, disability and rural/urban populations, and indicate the criteria for determining whether a person is living in poverty.

34. In light of the Committee's previous recommendation,⁶ please provide comparative data on the implementation of the right to housing and the progress made, disaggregated by sex, age and rural/urban populations, and disaggregated information on homelessness. Please also provide updated information on the legislation adopted on rent control, as well as on the

⁴ Office of the United Nations High Commissioner for Human Rights, *Democratic Republic of the Congo: Report of the Mapping Exercise Documenting the Most Serious Violations of Human Rights and International Humanitarian Law Committed Within the Territory of the Democratic Republic of the Congo Between March 1993 and June 2003* (Geneva, 2010).

⁵ CEDAW/C/RWA/Q/10.

⁶ E/C.12/RWA/CO/2-4, para. 23.

measures taken to improve access to adequate housing for all, in particular for disadvantaged and marginalized individuals and groups.

35. Please provide information on measures taken to conduct full and prior consultation, as well as seek the consent, of those threatened with expropriation or eviction, to provide them with prompt and fair compensation and to ensure relocation in adequate settlements with conditions comparable to those that they previously enjoyed. In particular, please provide information about how consultations have been conducted within the Integrated Development Programme for model villages, referred to by the State party in its report.⁷

36. Please provide information on the following:

(a) Measures taken to increase access to water, sanitation and hygiene services, particularly in rural areas;

(b) Any plans to adopt legislation recognizing the right to sanitation and specific regulations, including the treatment of wastewater and faecal sludge;

(c) Measures taken or envisaged to ensure that no one is deprived of access to a minimum amount of drinking water due to their inability to pay their water bills, in accordance with the Committee's general comment No. 15 (2002).

Right to physical and mental health (art. 12)

37. Please provide information on:

(a) Measures taken to ensure the accessibility and affordability of primary health-care services;

(b) Measures taken to strengthen the health system after the COVID-19 pandemic and statistical data on the population vaccinated against COVID-19, disaggregated by age, disability, sex, gender, national origin and rural/urban areas;

(c) Public policies and regulations in place to guarantee the right to mental health, including the availability of community-based services;

(d) Steps taken to ensure availability and accessibility of public health education and health-care services for persons with disabilities;

(e) Legislative and policy measures taken to implement harm reduction programmes, and on the extent to which persons who use drugs have benefited from those programmes;

(f) The health-care and medical services provided to persons in detention and correctional facilities.

38. Please provide information on:

(a) Steps taken to further reduce the rate of child and maternal mortality;

(b) Steps taken to strengthen reproductive health information and family planning services, including access to contraceptives;

(c) Measures taken to carry out educational programmes, particularly for adolescents, on sexual and reproductive rights;

(d) Measures taken to ensure access to prenatal and postnatal care services for all pregnant women, particularly sex workers;

(e) The progress made in ensuring access to safe and legal abortion and post-abortion care for all women and girls, including the revision of the State party's laws to reduce the scope and the severity of the punishment of abortion.

⁷ E/C.12/RWA/5, para. 153.

Right to education (arts. 13–14)

39. Please provide information on effective measures taken and their impact to increase secondary school enrolment and attendance rates and to prevent primary and secondary schoolchildren from dropping out, particularly among historically marginalized groups. In addition, please provide information, including updated statistical data disaggregated by sex, disability, rural/urban areas and economic status, on school enrolment rates, completion rates and dropout rates at the primary and secondary levels of education, including data on historically marginalized groups. Please also provide information on higher education enrolment and completion, disaggregated by sex, disability, rural/urban areas and economic status.

40. Please provide information on progress towards ensuring access to quality and inclusive education for all children and young persons with disabilities, including accessible infrastructure, training for education professionals, and material aids/assistive devices tailored to different types of disabilities.

Cultural rights (art. 15)

41. In light of the Committee's previous recommendation,⁸ please provide information on efforts made to take into account the diversity of the population to effectively ensure that all persons and peoples living in the State party enjoy full participation in cultural life. Please also provide information on measures taken to promote tolerance and understanding among all persons and peoples in the State party. In addition, please provide information on measures taken to ensure that sports facilities and competitions are accessible to persons with disabilities, especially children and youth.

42. Please provide information on measures taken to address inequalities in the access and use of digital technology. In addition, please provide information on steps taken to increase investment in information and communications technology in education and to provide digital connectivity, particularly for the most marginalized students.

⁸ E/C.12/RWA/CO/2-4, para. 28.