



---

**Common core document forming part of the  
reports of States parties**

**Rwanda\***

[Date received: 13 July 2015]

---

\* The present document is being issued without formal editing.



## Contents

	<i>Page</i>
Abbreviations and Acronyms .....	3
I. Introduction .....	5
II. General information about Rwanda .....	5
A. Geographic, demographic, cultural, economic and social characteristics .....	5
B. Constitutional, political and legal structure .....	13
III. General framework for the protection and promotion of human rights.....	20
A. Acceptance of international human rights norms.....	20
B. Legal framework for the protection of human rights at the national level.....	23
C. Framework within which human rights are promoted at the national level ....	26
D. Role of non-government organizations.....	31
E. Reporting process at the national level .....	31
IV. Information on non-discrimination, equality and effective remedies.....	32
A. Non-discrimination and equality.....	33
B. Measures taken to eliminate discrimination in the enjoyment of civil, political, economic, social and cultural rights.....	35

## Abbreviations and Acronyms

AJPRODHO	Youth Association for human Rights Promotion and Development
ANC	Antenatal Care
ARV	Antiretroviral therapy
CBHI	Community Based Health Insurance
CHWs	Community Health Workers
CLADHO	Collectif des Ligues et Associations de Défense des Droits de l'Homme
DHS	Demographic and Health Survey
EAC	East African Community
EAPCO	East African Police Cooperation Organization
EDPRS	Economic Development and Poverty Reduction Strategy
EICV	Integrated Household Living Conditions Survey
EMONC	Emergency Obstetrical and Neonatal Care
EWASA	Electricity, Water and Sanitation Agency
GBV	Gender Based Violence
GER	Gross Enrolment Rate
GIRINKA	One Cow per Poor Family Scheme
GMO	Gender Monitoring Office
HAGURUKA	Association for the Defence of Women and Children's Rights
HMIS	Health Management Information System
IRDP	Institute of Research and Dialogue for Peace
ITNs	Insecticide Treated Nets
LMIS	Labor Market Information System
LIPRODHOR	Ligue pour la Promotion des Droits de l'Homme au Rwanda
MDGs	Millennium Development Goals
MINALOC	Ministry of Local Government and Social Affairs
MMI	Military Medical Insurance scheme
MIGEPROF	Ministry of Gender and Family Promotion
MINECOFIN	Ministry of Finance and Planning
MINEDUC	Ministry of Education
NCC	National Children's Commission
NCPD	National Commission for People with Disabilities
NEC	National Electoral Commission
NIRS	National Institute of Statistics of Rwanda

NWC	National Women's Council
SACCO	Saving and Credit Cooperative
TVET	Technical and vocational education and Training
UBUDEHE	Collective Action and Mutual Support for the under privileged
VUP	Vision 2020 Umurenge program
WATSAN	Water and Sanitation
WDA	Workforce Development Agency

## I. Introduction

1. The Government of Rwanda is pleased to present the common core document on the implementation of the core treaties ratified by Rwanda. The document mainly provides information on the legal frameworks aimed at the protection and promotion of human rights at the national level as well as measures taken to eliminate discrimination in the enjoyment of civil, political, economic, social and cultural rights. This document was prepared in accordance with the Harmonized guidelines on reporting in relation to international human rights treaties, including guidelines on a common core document and treaty-specific documents, issued by the Office of the United Nations High Commissioner for Human Rights in May 2006 (see HRI/MC/2006/3). In accordance with the guidelines, the common core document is presented in three parts: general information about Rwanda; the general framework for the protection and promotion of human rights; and the implementation of substantive human rights provisions common to all treaties. The preparation of this common core document was done in a participatory and inclusive process, involving Government, civil society and development partners.

## II. General information about Rwanda

### A. Geographic, demographic, cultural, economic and social characteristics

#### 1. Geographical characteristics

2. Rwanda is situated in East-Central Africa, immediately south of the equator between latitude 1°4' and 2°51' S and longitude 28°63' and 30°54' E. It has a surface area of 26,338 square kilometres and is bordered by Uganda to the north, Tanzania to the east, the Democratic Republic of Congo to the west, and Burundi to the south. Landlocked, Rwanda lies 1,200 kilometres from the Indian Ocean and 2,000 kilometres from the Atlantic Ocean. Rwanda forms part of the highlands of eastern and central Africa, with mountainous relief and an average elevation of 1,700 metres.<sup>1</sup> Because of its elevation, Rwanda enjoys a temperate, sub-equatorial climate with average yearly temperatures around 18.5°C. The average annual rainfall is 1,250 millimetres, which occurs over two rainy seasons of differing lengths that alternate with one long and one short dry season. The climate varies somewhat from region to region, depending on the altitude.<sup>2</sup> Rwanda has a dense network of rivers and streams. Water resources also include several lakes surrounded by wetlands. Deforestation caused mainly by land clearing for agricultural expansion has resulted in mostly a tropical vegetation with only a few small areas of natural forestland (representing 7 % of the country) remaining on the Congo-Nile Divide and the slopes of the volcanic range.<sup>3</sup>

3. Rwanda is divided into 4 geographically based provinces: North, South, East, and West, and the City of Kigali, with the provinces being further subdivided into 30 districts, 416 sectors, 2,148 cells, and 14,837 villages (*Imidugudu*).<sup>4</sup> The administrative division of

---

<sup>1</sup> Rwanda Demographic and Health Survey 2010, National Institute of Statistics of Rwanda, February 2012.

<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

<sup>4</sup> Ibid.

the country is part of the decentralization process started in 2000. The process of decentralization is intended to ensure that political, economic, social, managerial or administrative and technical powers are possessed by the local population. Rwanda first adopted the Decentralization Policy in May 2000.<sup>5</sup> The policy was formulated after a series of Presidential consultations held at Urugwiro Village from May 1998 to March 1999; dialogue sessions with citizens and consultations with experts. Decentralization has, since 2000, been a key policy of the Government of Rwanda for promoting good governance, service delivery, and national development. The legal framework for decentralization in Rwanda has evolved progressively to empower local governments. The constitution provides clear principles for decentralization; specific governance and sectoral laws define the parameters of the institutional details including key structures, procedures, accountabilities, and remedies, as well as a series of regulations, guidelines and other operational tools to guide and support decentralization implementation at all levels. The table below gives the main legal framework:

#### **The legal framework for decentralization in Rwanda<sup>6</sup>**

Constitution of the Republic of Rwanda	Stipulates in its article 167 that public administration shall be decentralized to transfer powers, authority, functions, responsibilities and resources from the central government to local governments.
Law establishing the administrative entities of the Republic of Rwanda	Determines the administrative entities (Provinces and the City of Kigali, Districts, Sectors, Cells, Villages) and establishes the number, boundaries and their structure.
Law determining the organization and functioning of the decentralized administrative entities	Determines the City of Kigali and District as legal personalities with administrative and financial autonomy; how the Government transfers powers and resources to decentralized entities which are regarded as a basic foundation of community development to accelerate the delivery of services.
Law regulating sources of revenue and property for decentralised entities and governing their management	Describes and establishes the sources of revenue and property of decentralised entities such as: taxes, fees, fines, profits from investments, loans, donations and Government subsidies.
Ministerial order establishing laws governing the functioning of District and City of Kigali Council	Determines laws governing the functioning of the District and City of Kigali Councils, including: Organization and functioning of the District and City of Kigali Councils, Council Commissions, the functioning of the Recruitment and Tender Committees, Council meetings;  Discipline of Councillors, Council's immunity and Procedures used to take decisions on various issues.

<sup>5</sup> Ministry of Local Government and Social Affairs, National Decentralization Policy, May 2001.

<sup>6</sup> Organic Law No. 29/2005 of 31/12/2005 establishing the administrative entities of the Republic of Rwanda; Law No. 87/2013 of 11/11/2013 determining the organisation and functioning of decentralized administrative entities; Law No. 59/2011 of 31/12/2011 regulating sources of revenue and property for decentralised entities and governing their management; Ministerial Order No. 004/07.01 of 18/09/2006 establishing Laws governing the functioning of the District and City of Kigali Council.

## 2. Demographic and cultural characteristics

4. The fourth Population and Housing Census<sup>7</sup> conducted in August 2012 revealed that the total population of Rwanda was at the time 10,515,973. Females were 5,451,105 or 51.8% and males were 5,064,868 or 48.2% of the total population. At the same time, the census counted 511,738 elderly persons (60 years and above) corresponding to 4.9% of the total population with 207,239 men and 304,499 women, while the youth, i.e. persons whose age is between 14 years and 35 years, were 4,166,777; corresponding to 40% of the total population. Among them, females were 2,033,130 and males were 2,133,647. Overall, the 2012 Census counted 446,453 persons aged 5 years and above, with disabilities in Rwanda. Among them, females were 225,303 and males totalized the number of 221,150. The population density expressed has increased from 321 in 2002 to 416 people per km<sup>2</sup> in 2012 while the physiological density is 556 inhabitants per km<sup>2</sup> at national level, placing Rwanda among the most densely populated countries in the world. The majority of the population are young people; with 42.3% of all Rwandans under the age of 15. The annual population growth is 2.8%.

5. Traditionally organized in small groups, based on lineage or on loyalty to a cultural leader, Rwandans worked together to build the strong state of Rwanda. They developed a single language, Kinyarwanda, crafted a common set of religious and philosophical beliefs, and created a culture which valued song, dance and poetry. They celebrated the same heroes. The ethnic classifications within Rwandan before 1994 were Hutu, Tutsi, and Twa. They were based on perceptions of historical group origins rather than on cultural differences. All three groups speak the same language, practice the same religions, live interspersed throughout the same territory and share a common culture. Those classifications were later exploited to create division. The resulting tensions led to the 1994 genocide against the Tutsi. Since 1994, government policy has changed to recognize one main ethnicity, “Rwandan”, and Rwanda has no indigenous groups. All Rwandans speak the same language, Kinyarwanda, which is the country’s official first language, followed by English and French.

6. The resident population enumerated in Rwanda in 2012 was classified into three broad categories of nationalities:<sup>8</sup> Rwandans, Rwandans with dual nationality, and foreign nationals. Persons of Rwandan nationality are by far the most numerous in the country, since they make up 98.9% of the resident population. Foreign nationals constitute only 0.8% and Rwandans with dual nationality make up barely 0.2%. The Rwandan culture promotes traditional values of solidarity shared at the levels of family, neighbourhood and even national. For instance, the way elderly people are cared for within the family, the most needy, the widows, the orphans and all vulnerable people (people with visual, hearing, physical disabilities) are taken care of by their relatives, or by their neighbours as best as they could.

7. Article 33 of Rwanda’s Constitution adopted in 2003 provides that: “Freedom of thought, opinion, conscience, religion, worship, and the public manifestation thereof is guaranteed by the State in accordance with conditions determined by law”. The majority of Rwandans belong to various religious groups and associations. Approximately 489 Religious Based Organizations were registered by 2014. Although numerous religions are practiced in Rwanda, the dominant religious group in Rwanda is the Catholics, who represent 44% of the resident population of the country. The second most prevalent religious group are the Protestants (38%), while other religion groups are made up of

<sup>7</sup> National Institute of Statistics of Rwanda, fourth population and housing census, thematic report: Population Size, Structure and Distribution, 2012.

<sup>8</sup> Ibid.

Adventists (12%), Muslims (2%) and Jehovah's Witnesses (1%). While those with no religious affiliation represent 2.5%, adherents of the traditionalist/animists and of other religions each represent less than 1% of the population. Thus, Christian religious groups represent 95% of the population of Rwanda.<sup>9</sup> Every citizen has the discretion to practice his/her faith, without any distinction or discrimination. Freedom of religion and worship is exercised without hindrance as long as it does not interfere with public order. Faith-based organizations actively participate in the areas of population development, including human rights, education, health, women's empowerment, adolescents and youth.

### 3. Socioeconomic characteristics

8. The Rwandan labour market is dominated by agriculture (73%) with a higher percentage of females (82%) than males (63%) employed in the sector. Similarly, a higher percentage of people in rural areas (83%) practice agriculture. In urban areas, people are mainly employed in the informal sector or own small businesses. The economic activity rate is higher in rural areas (75%) compared to urban areas (68%) and it is higher among males (76%) compared to females (72%).<sup>10</sup> The population with access to safe drinking water and sanitation (WATSAN) improved from 64% in 2006 to 74.2% in 2010-2011, while general sanitation also improved from 58.5% in 2006 to 74.5% in 2010-2011 (DHS, EICV3).<sup>11</sup> Rwanda is well on its way to realizing its ambitious target of 100 % coverage of water supply and sanitation called for in Vision 2020.<sup>12</sup> State budget resources allocated to Water and Sanitation increased from RF 19,465,684,800 in 2010/2011 to RF 27,139,012,649 in 2011/2012, RF 29,600,000 in 2012/2013 and RF 38,400,000,000 in 2013/2014.<sup>13</sup>

9. Rwanda is experiencing one of the fastest periods of growth and socioeconomic progress in its history. Remarkable socioeconomic progress was made during the first Economic Development and Poverty Reduction Strategy 2008-2012 (EDPRS 1).<sup>14</sup> The economy grew strongly, and significant poverty reduction was achieved. At the same time (2008-2012) more than a million people have been lifted out of poverty. The 2010/2011 Integrated Household Living Conditions Survey or EICV3 (Enquête Intégrale sur les Conditions de Vie des Ménages) reported that in the last five years, there has been a leap in the standard of living of the Rwandese people. The results of the survey show a reduction in poverty at the national level by 12 percentage points between 2005/2006 and 2010/11. Poverty is estimated to be 44.9% nationally, with 22.1% poor in urban areas and 48.7% poor in rural areas. Extreme poverty fell from 40% in 2000/01; to 36% in 2005/06; and to 24% in 2010/11.<sup>15</sup> Economic activity was driven by a large increase in agricultural output, robust exports, and a strong domestic demand. The inflation rate has been maintained at low levels: annual average underlying inflation rate was 3.2% during the month of April 2014.

---

<sup>9</sup> NISR, RPHC4, thematic report: socio-cultural characteristics of the population, 2012.

<sup>10</sup> National Institute of Statistics of Rwanda, Fourth *Population and Housing Census*, Thematic report: Labor force participation, 2012.

<sup>11</sup> Republic of Rwanda, MINECOFIN, Lessons Learned From 4 years of EDPRS I, February 2012.

<sup>12</sup> Rwanda Vision 2020 is a Government development program launched in 2000 by Rwandan President Paul Kagame. Its main objective is transforming the country into a knowledge-based middle-income country by 2020, thereby reducing poverty, health problems and making the nation united and democratic.

<sup>13</sup> MINECOFIN, Rwanda National Budget, 2013/14.

<sup>14</sup> Republic of Rwanda, MINECOFIN, Economic Development and Poverty Reduction Strategy 2013-2018.

<sup>15</sup> The third integrated household living conditions (EICV3), Main indicators report, NISR, 2010.

10. On 8th May 2013 the Rwandan cabinet approved the Second Economic Development and Poverty Reduction Strategy 2013-2017 (EDPRS 2) which is a launch into the home stretch of the Vision 2020. Its main objective is to devise Rwanda's medium-term strategy in order to put Rwanda on a higher growth trajectory to ensure that the country achieves middle-income status by 2020. In line with this objective, the Cabinet approved revised Vision 2020 targets, and EDPRS 2 targets are aligned to these. Rwanda needs to achieve at least 11.5% average GDP growth per annum, and also aims to reduce poverty to below 30%. The EDPRS 2 period (2013-2017) is the time the private sector is expected to take the driving seat in economic growth and poverty reduction.<sup>16</sup>

11. In ensuring an efficient stable and accessible financial market development, access to finance remains the country's key priority. The findings from the FinScope Rwanda 2012<sup>17</sup> survey revealed that 7 % of Rwandan adults can access financial services, 42% were formally served (23% served by commercial banks and 33% served by non-bank formal institutions) and 58% used informal financial mechanisms. More than 90% of adult Rwandans live within a 5 km radius of a banking institution. The establishment in 2008 of 416 Umurenge SACCOs<sup>18</sup> has significantly changed the landscape of access to formal financial institutions in Rwanda. This intervention has been successful in providing formal financial services to Rwandans who would otherwise not have used formal financial services. In 2013, the number of client accounts in commercial banks increased by 6.1% from 2,548,287 end December 2012 to 2,701,493 end December 2013. In micro-finance institutions, the number of accounts opened increased by 18.7% between December 2012 and December 2013; with 38.9% of accounts belong to women. In the same period the number of loans increased by 7.5% of which 29.7% of loans was granted to women. Similarly, the access to financial services has been facilitated by the use of new technologies, like mobile money, internet banking and ATMs.<sup>19</sup>

#### 4. The health situation

12. In the health sector, results of the Rwanda Demographic and Health Survey (DHS 2010) indicate that much progress has made. The survey shows a decrease in maternal and infant mortality rates compared with the surveys of 2005 and 2007-08, an increase in prenatal care visits and utilization of delivery services, an increase in utilization of modern contraceptives, and higher immunization coverage for children age 12-23 months. Maternal mortality rate reduced from 750/100,000 births in 2005, to 476/100,000 live births in 2010 against the MDG5 target of 286/100,000 and against the Vision 2020 target of 200/100,000 in 2020.<sup>20</sup> Maternal death audit is a recent strategy introduced to reduce maternal mortality. For every maternal death occurring in a health facility or at home, an investigation is made to know the cause of death. Then a report is made, and submitted to the higher authorities of the country. Thereafter, measures are taken to prevent them. When it happens that the responsibility for the death lies with the health service provider (bad quality of service), sanctions are taken. At present, post-partum haemorrhage is the leading cause of maternal mortality.

<sup>16</sup> Republic of Rwanda, MINECOFIN, Economic Development and Poverty Reduction Strategy 2013-2018.

<sup>17</sup> FINSCOPE RWANDA 2012, Technical report, Access to finance, January 2013.

<sup>18</sup> Savings and Credit Cooperatives Program established in 2008 at Sectors (Umurenge) level with the aim to boost up rural savings and provide Rwandans with loans to improve their earnings and enhance their livelihoods.

<sup>19</sup> National Bank of Rwanda, Monetary policy and financial stability statement, February 2014.

<sup>20</sup> Rwanda Demographic and Health Survey 2010 (DHS 2010), Final Report, National Institute of Statistics of Rwanda, Ministry of Finance and Economic Planning, Ministry of Health, Kigali, Rwanda, 2010.

13. Various strategies have been employed to positively impact on the reduction of child mortality. Infant mortality rate is 50 per 1,000 live births, while mortality rate is 27 per 1,000 live births. Neonatal mortality rate is 27 per 1,000 live births; while post-neonatal mortality rate is 23 per 1,000 live births.<sup>21</sup> By 2012, according to UNICEF and other international organizations, the under-five child mortality had reduced from 76/1,000 live births to 54/1,000 live births (MDG4 target: 51/1000 live births). This performance ranks Rwanda among a very few developing countries that have reached the MDG 4 related to reduction of child mortality. The promotion of assisted deliveries attended by skilled staff like Nurses and Midwives in Health Facilities resulted in a very quick increase of child births assisted in health facilities from 27% in 2005, to 69% in 2010 (see DHS 2010). Hence, through Community Health, traditional attendants have been prohibited and replaced by Community Health Workers that are trained and tasked to follow up the pregnant at village level and to accompany her to a health facility for delivery.

14. Antenatal consultations are well organized in Rwanda, and at least 98% of pregnant women undergo at least 1 antenatal visit, while 35% receive the recommended 4 Antenatal care visits before childbirth. The mobilization is carried out by at least 3 community health workers who are present at each village and elected by the population. The Ministry of Health has been distributing mobile telephone sets to community health workers, to enable them to provide health reports using Rapid SMS on a daily basis and to quickly communicate with the Health Centre in case of emergency. In this way, all stakeholders involved in the health sector have updated data and information on the status of the health of the population, especially in relation with maternal and child health.

15. A new family planning policy was adopted in 2012.<sup>22</sup> Apart from free distribution of family planning products in all public health services, health posts are now constructed in the proximity of health facilities that are managed by religious communities that do not recognize family planning, to ensure easy access to family planning products and assistance by efficiently trained personnel. In addition, a comprehensive sensitization program is in place to sensitize and educate the population on the use of family planning methods. A marketing program for the promotion of condom use is operational, with a double purpose to prevent Sexually Transmitted Infections (STI) and unwanted pregnancies. During the sensitization sessions, men are encouraged to accompany their wives while some voluntary sterilization services are made available to those who want them.

16. The fight against infectious diseases resulted in impressive results. Malaria cases and deaths declined by 85% from 2003 to 2012. The transmission of HIV from mother to child declined from 10.8% in 2004 to 1.9% in 2012, while new HIV infections reduced by 50% among born children. The coverage of HIV care and treatment was 91.6% in 2012, up from 24.5% in 2004.<sup>23</sup> The problem of geographical accessibility is being resolved by the construction of an increased number of health centres and hospitals. In the meantime, the number of hospitals which was only 34 in 2000, increased to 46 in 2013, including 4 referral hospitals, while the number of health centres that was only 291 in 2000, increased up to 469 as of June 2013.<sup>24</sup> In order to ensure that all patients access health services, a health insurance scheme has been put in place to address financial barriers. At community level, the community-based health insurance (CBHI) was created in 2003. The adherence rate to CBHI was 7% in 2003 and increased to 91% by 2010, but slightly lowered to 86% in 2012.<sup>25</sup> Apart from the support of the Government, other health insurance schemes

---

<sup>21</sup> DHS, 2010.

<sup>22</sup> Republic of Rwanda, Ministry of Health, Family Planning Policy, December 2012.

<sup>23</sup> Republic of Rwanda, Ministry of Health, Rwanda annual health statistics booklet, 2012.

<sup>24</sup> Republic of Rwanda, Ministry of Health, Rwanda annual health statistics, 2013.

<sup>25</sup> Ibid.

(RAMA, MMI and Private) are obligated to contribute 1% of their annual revenues to support CBHI.

17. In terms of emergency transport, at least 150 new ambulances have been acquired since 2008 and every district has at least 5 ambulances to ensure the link between health centres and hospitals for the transfer of patients, but also, to transfer patients in referral hospitals, especially emergency of certain cases. In 2012-2013, a water boat ambulance was acquired and is deployed in Kivu Lake for the quick transportation of patients bordering the lake. Rwanda has a National Blood Transfusion Centre that is optimally operational, in case of excess bleeding at the time of delivery. It should be noted that majority of health infrastructure are located in rural areas and at least 75% of qualified health personnel are currently deployed in these rural health facilities.<sup>26</sup> Finally, the doctor/population ratio that was 1/50,000 in 2005, reduced to 1/16,000 by end of 2012 (target: 1/10,000). The nurse/population ratio that was 1/3,700 in 2005 is currently 1/1,294 (target: 1/1,000). At present the ratio is 1/16,001 for doctors and 1/1,291 for nurses, according to HMIS 2012.<sup>27</sup>

## 5. Education

18. The right to education is guaranteed and as such various policies, legislative, institutional and administrative measures have been put in place to facilitate development of education. Laws and regulations governing education in Rwanda comply with the country context and take account of international programs including “Education for All” and “Millennium Development Goals”. The Government of Rwanda would like not only to build a knowledge-based and technology-driven economy, but also to strengthen the educational system providing girls and boys with skills and values needed for them to be good citizens. Rwanda adopted respectively the Education Sector Policy in 2003,<sup>28</sup> the Special Needs Education Policy in 2007<sup>29</sup> and the Technical and Vocational Education and Training (TVET) Policy in 2008<sup>30</sup> for achieving education for all citizens. An Education Sector Strategic Plan (2008-2012) was adopted with following main objectives: access to education for all, education quality, equity at all levels, education system effectiveness and efficiency, strengthening science, technology and ICT teaching, without forgetting culture, peace, unity and reconciliation, increasing access to secondary education by sensitizing local communities to build District non-boarding schools; reinforcing girls’ retention in school system and their performance.<sup>31</sup> The reviewed Education Sector Strategic Plan for 2010-2015<sup>32</sup> lists among its priorities reducing drop-out and repetition in basic education. As a result of universal free education, more children who have greater learning difficulties and subsequently a greater risk of dropping out have entered the school. This challenge has been addressed at all levels of the education system by involving teacher training colleges (TTCs) and the wider families and community by increasing access to quality and inclusive education. Therefore, the dropout rate overall decreased from 15.2% in 2008 to 10.9% in 2012, dropout girls decreased from 14% in 2008 to 10.7% in 2012 and dropout boys decreased from 15.6% in 2008 to 11.2% in 2012.<sup>33</sup>

<sup>26</sup> Ibid.

<sup>27</sup> Rwanda’s Health Management Information System, 2012.

<sup>28</sup> Republic of Rwanda, Ministry of Education, Technology and Scientific Research, Education Policy, July 2003.

<sup>29</sup> Republic of Rwanda, Ministry of Education, Special Needs Education Policy, July 2007.

<sup>30</sup> Republic of Rwanda, Ministry of Education, Technical and Vocational Education and Training (TVET) Policy in Rwanda, April 2008.

<sup>31</sup> Republic of Rwanda, MINEDUC, Education Sector Strategic Plan (2008-2012), 2008.

<sup>32</sup> Republic of Rwanda, MINEDUC, Education Sector Strategic Plan (2010-2015), 2010.

<sup>33</sup> Republic of Rwanda, MINEDUC, Education statistics Year Book 2012.

19. Education slightly increased in net enrollment from 93.5% in 2005 to 96.5% in 2012 in primary school and 9% to 28.0% in secondary school in the same period. Rwanda has one of the highest primary school net enrolment rates in Africa. 95% of boys and 98% of girls were respectively enrolled in primary school; 26% of boys and 30% enrolled in secondary school in 2012.<sup>34</sup> Secondary education in Rwanda last six years: three years of ordinary level or lower secondary; and three years of advanced level or upper secondary. The advanced level comprises five fields of education that students choose to specialize in: Sciences, Humanities, Languages, Teacher Training (at Teacher Training Colleges: TTCs), and technical and vocational education and training (TVET). In addition to imparting knowledge secondary education helps develop skills and competencies to prepare students for the labor market. In addition, general academic secondary schools prepare students for tertiary education. The school age of secondary education is 13 to 18. In 2012, 25% of boys and 30% of girls were enrolled in secondary school.<sup>35</sup> Rwanda received the first prize of the 2012 Commonwealth Education Good Practice Award for fast-tracking access to 9 years basic education (Mauritius, on 29 August 2012).

20. Technical and vocational education (TVE) was put in place to meet the country's needs of qualified professional and technical staff through the transformation of some vocational training centres (short cycle) into technical vocational schools (long cycle).<sup>36</sup> ICT and science development is implemented through incremental furnishing of all the country primary and secondary schools with computer equipment and training a big number of ICT teachers, as well as through providing lab equipment to science sections in secondary schools according to available resources.<sup>37</sup> In this regard a "one laptop per child policy" has been launched to provide all learners with laptops while school servers as well as wireless Local Area Network (LAN) are being connected to schools. Distance learning program was established to enhance the qualification level of teachers in secondary schools,<sup>38</sup> teachers from 150 selected schools were trained on the use of XO laptops. The program of provision of electricity was reinforced to half of schools to ease the use of ICT by the end of 2012.<sup>39</sup> Literacy program is implemented by the Government in collaboration with its key partners, i.e. NGOs, religious denominations, associations and clubs and it is mainly aimed at reducing illiteracy, considered as an obstacle to the population sustainable development, especially in the category of the population aged between 10 and 40 years.<sup>40</sup>

21. Rwanda made significant progress in the promotion of girls' education. The Girls' Education Policy was developed in 2008 with specific strategies 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 was put in place and annually compiles the indicators in the policy matrix and develops a Gender Assessment of the Education System, to monitor gender disparities and suggest measures to eradicate them. Regarding the traditional division of roles and preference given to boys; government, parents and the general public are aware of the fact that all children have equal rights irrespective of sex. At present, gender parity in basic education is almost 50.8/49.2 for girls and boys respectively.<sup>41</sup>

---

<sup>34</sup> Ibid.

<sup>35</sup> Ibid.

<sup>36</sup> Ibid.

<sup>37</sup> MINEDUC (2003), *La politique sectorielle de l'éducation*, Kigali (Rwanda), p. 21.

<sup>38</sup> MINEDUC (2002), *op.cit* p. 7.

<sup>39</sup> EWASA, *Rwanda National Energy Policy and National Energy Strategy 2008-2012*.

<sup>40</sup> Republic of Rwanda, MINEDUC, *Education Statistics Year Book*, 2012.

<sup>41</sup> Ibid.

22. In higher education learning, the number of students has increased from 62,734 in 2010 to 76,629 in 2012.<sup>42</sup> Tertiary education has also improved in the last 10 years. Since 2007, the number of students in tertiary institutions has significantly increased from 41,013 in 2007 to 76,629 in 2012. In public institutions the number has doubled from 18,972 in 2007 to 37,632 in 2012 and in private institution increased from 22,041 in 2007 to 38,997 in 2012. The EICV3 survey also shows that the percentage of individuals aged between 19 and 25 years attending institutions of higher learning doubled from 1.3% in the EICV2 survey to 2.6% in the EICV3 survey. In 2012, there were 31 tertiary institutions of which 17 are public and 14 are private. Among the 17 public institutions in tertiary education: 8 are Higher learning institutions and 9 are post-secondary institutions which include five schools of Nursing and Midwifery, two colleges of Education and two colleges of Technology.<sup>43</sup>

## **B. Constitutional, political and legal structure**

### **1. Historical context**

23. Before the colonial era, Rwandan government institutions were organized on the base clan leadership which was hereditary. The colonial era therefore introduced broad changes. A new institutional structure based on loyalty to the colonial authority was introduced. The Belgians, who replaced the Germans after the First World War, implemented the colonialist “divide and rule” strategy over a period of several years, where all Rwandans would be registered as Tutsi, Hutu, or Twa at the time of their birth. The new republican government established in 1962 continued to implement this discrimination policy against a certain part of the population and the height of this discrimination was reached with the 1994 Genocide that plunged the country into total chaos and claimed more than one million lives.

24. Following the fall of the regime which had masterminded the 1994 Genocide, the country had to cope with huge challenges: outbreak of diseases, the situation of internally displaced people, all forms of trauma, and many vulnerable groups including widows, orphans, repatriated refugees and genocide survivors with no means to survive. With a view to establishing a rule of law, putting in place efficient mechanisms against all forms of discrimination and exclusion, political reconstruction and reconciliation, the repatriation of refugees and finding solutions to all the problems resulting from the genocide, the first post-genocide government was formed. In November 1994, a Transitional National Assembly was established to carry out the legislative function and create a structure for punishment of the crimes committed during the 1994 Genocide against the Tutsi. After the transitional period, the people of Rwanda approved a new Constitution through a referendum on 26 May 2003. The first multiparty direct universal suffrage presidential elections were conducted on 25 August 2003, and legislative elections took place from 29 September to 3 October in the same year.

### **2. Political organization**

25. The 2003 Constitution laid the foundation for the political organization of Rwanda. It defines the nature of the political system and indicates the relationships between the various institutional powers by describing their respective organizational structures and operations. It stipulates the fundamental principle that the executive and legislative bodies are formed through multiparty elections. The Rwandan State is an independent, sovereign,

<sup>42</sup> Republic of Rwanda, MINEDUC, Education Statistics Year Book, 2012.

<sup>43</sup> Ibid.

democratic, social and secular Republic. The principle governing the Republic is “government of the people, by the people and for the people.”<sup>44</sup> All the power derives from the people. No group of people or individual can vest in themselves the exercise of power. National sovereignty belongs to the people who exercise it directly by way of referendum or through their representatives.<sup>45</sup>

26. A multiparty system of government is recognized. Political organizations fulfilling the conditions required by law are permitted to be formed and to operate freely; they must abide by the Constitution and other laws as well as democratic principles and they should not destabilise national unity, territorial integrity and security of the nation. Political organizations participate in the education of citizens on politics based on democracy and elections and operate in such a manner as to ensure that women and men shall have equal access to elective offices.<sup>46</sup> Rwandans are free to join political organizations of their choice. No Rwandan may be subjected to discrimination by reason of membership of a given political organization or on account of not belonging to any political organization.<sup>47</sup> Political organizations are prohibited from basing themselves on race, ethnic group, tribe, lineage, region, sex, religion or any other division which may lead to discrimination. Political organizations must constantly reflect the unity of the people of Rwanda, gender equality and complementarity, whether in the recruitment of members, putting in place organs of leadership and in their operations and activities.<sup>48</sup>

27. Article 60 of the Constitution stipulates that the three branches of government are the following: the Legislature; the Executive and the Judiciary. The three branches are separate and independent from one another but are all complementary. Their responsibilities, organization and functioning are defined by the Constitution. The State ensures that the exercise of Legislative, Executive and Judicial power is vested in people who possess the competence and integrity required to fulfill the respective responsibilities accorded to the three branches.<sup>49</sup>

#### *The Executive Branch*

28. Rwanda has a Unitary Presidential and Parliamentary political system. The President is directly elected by the people for a seven-year term. Exercising executive power and with broad powers as Head of State and Head of Government, the President shapes and leads public policy, has the power to make regulations, promulgates the laws adopted by the Parliament, and appoints the members of the Government, lays down their responsibilities and terminates their terms of office. The Cabinet comprises of the Prime Minister, Ministers, Ministers of State and other members who may be determined, if necessary, by the President of the Republic. The Prime Minister is nominated, appointed and removed from office by the President of the Republic. Other members of Cabinet are appointed and removed from office by the President of the Republic upon proposal by the Prime Minister. Members of Cabinet are selected from political organizations on the basis of the seats those organizations have in the Chamber of Deputies without excluding the possibility of appointing to Cabinet other competent people who do not belong to political organizations. However, a political organization holding the majority of seats in the Chamber of Deputies shall not exceed fifty per cent (50%) of all the members of the Cabinet.

---

<sup>44</sup> The Constitution of the Republic of Rwanda, 2003, article 1.

<sup>45</sup> *Ibid.*, article 2.

<sup>46</sup> *Ibid.*, article 52.

<sup>47</sup> *Ibid.*, article 53.

<sup>48</sup> *Ibid.*, article 54.

<sup>49</sup> *Ibid.*, article 60 (amendment No. 4 of 17/06/2010).

29. The Cabinet shall implement national policy agreed upon by the President of the Republic and the Cabinet. The Cabinet shall be answerable to the President of the Republic and Parliament.<sup>50</sup> The Cabinet shall function on the basis of collective responsibility.<sup>51</sup> The meetings of the Cabinet (Council of Ministers) consider all the general political decisions made by the State, bills and draft decree-laws; drafts of Presidential Orders, Prime Minister's Orders, Ministerial Orders, and Orders of Ministers of State and other members of Cabinet; and any other matters in respect of which the Constitution and other laws vest responsibility in the Cabinet.<sup>52</sup>

#### *The Legislative Branch*

30. Legislative power is vested in a Parliament consisting of two chambers: the Chamber of Deputies, whose members have the title of "Deputies" and the Senate, whose members have the title of "Senators". The Parliament deliberates and passes laws and oversees action of the Executive in accordance with the procedure determined by the Constitution.<sup>53</sup> The Chamber of Deputies is composed of 80 Deputies elected for a five year term who include 53 Deputies elected in accordance with the provisions of Article 77 of the Constitution;<sup>54</sup> 24 women elected by specific councils in accordance with the State administrative entities; 2 Deputies elected by the National Youth Council and 1 Deputy elected by the National Council of Persons with Disabilities.<sup>55</sup> The upper house is the Senate composed of 26 members elected or appointed for an eight-year term: 12 elected by provincial and sectoral councils, 8 appointed by the President of the Republic to ensure the representation of historically marginalized communities, 4 appointed by the Forum of political formations and 2 elected by the staff of the universities.<sup>56</sup> In addition, former Heads of State become members of the Senate upon their request to the Supreme Court, but they must have honorably completed their terms of office or voluntarily resigned from office. There are Seven Political Parties represented in the Chamber of Deputies of the Parliament. They are: Rwandan Patriotic Front (RPF), Social Democratic Party (PSD), Liberal Party (PL), Centrist Democratic Party (PDC), Ideal Democratic Party (PDI), Rwandan Socialist Party (PSR) and Party for Progress and Concord (PPC).

31. Every Member of Parliament represents the whole nation and not just those who elected or nominated him or her or the political organization on whose ticket he/she stood for election. Any imperative mandate is null and void. The right of vote of a Member of Parliament is *ad personam*.<sup>57</sup> No person can at the same time be a member of the Chamber of Deputies and the Senate and the office of a Deputy or a Senator is incompatible with the office of a member of the Cabinet.<sup>58</sup> In Rwanda, only the Parliament has the power to pass laws. In the exercise of its mandate, the Parliament examines and amends bills relating to the operation of the State and the enjoyment of human rights and fundamental freedoms, with a view to their adoption. In its legislative work, the Parliament is committed to passing laws that guarantee the socioeconomic, cultural, civil and political rights recognized by the

<sup>50</sup> Ibid., article 116 (amendment No. 04 of 17/06/2010).

<sup>51</sup> Ibid., article 120.

<sup>52</sup> Ibid., article 121.

<sup>53</sup> Ibid., article 62.

<sup>54</sup> The 53 elected Members of the Chamber of Deputies are elected by direct universal suffrage through a secret ballot from a final list of names using the system of proportional representation. The seats which remain after allocation of seats by dividing votes received by the electoral quotient shall be distributed to political organizations according to the system of the highest surplus.

<sup>55</sup> The Constitution of the Republic of Rwanda, 2003, article 76 (amendment No. 4 of 17/06/2010).

<sup>56</sup> Ibid., article 82 (amendment No. 4 of 17/06/2010).

<sup>57</sup> Ibid., article 64.

<sup>58</sup> Ibid., article 68.

Constitution, and to incorporating the provisions of international human rights instruments into domestic legislation. The Parliament is also involved in drafting laws and procedures relating to governmental structure, the distribution of powers between State and local authorities, the establishment of public institutions or national companies, and restrictions on the exercise of civil liberties for reasons of national defense. The Parliament ratifies international human rights instruments, thereby incorporating them into national legislation. The Parliament has the right to be informed and to monitor Government action and administration. Every financial year, the Chamber of Deputies adopts the State budget (finance laws), monitors its implementation (regulatory laws), and approves the goals set for State economic and social action (planning laws), which has a crucial impact on the implementation of essential human rights. Lastly, the Parliament takes a position on the general direction of the country's fiscal, monetary and banking policy through the legal means provided for in the Constitution (oral or written questions, hearings before Committees, parliamentary commissions of inquiry or interpellation).

32. According to article 88 of the constitution, the Senate votes on all laws, with the exception of the financial laws and the budget which are in the power of the Chamber of Deputies. In addition, the Senate has the authority to approve the appointment of the President, the vice President and the Judges of the Supreme Court, the President and Vice President of the High Court and of the Commercial High Court, the Prosecutor General and the Deputy Prosecutor General. The Senate has the authority to approve the appointment of the Chairperson and members of National Commissions, Ombudsman and his/her Deputies, the Auditor General of the State Finances and his/her Deputy, Ambassadors and permanent Representatives to International Organizations, Provincial Governors and Heads of Public Institutions and parastatal organizations which have legal personality and other public officials as determined by an Organic Law where necessary. In order to improve the efficiency of the preparatory work, permanent parliamentary committees conduct all appropriate research into particular matters and use the services of experts and stakeholders involved in human rights protection.

33. The Parliament also has the power to accept or reject any declaration of war submitted by the executive branch. While a state of siege or state of emergency is declared by the President of the Republic and the Cabinet, these can be extended beyond 15 days only with the prior consent of the Parliament. In addition to the financial autonomy it grants to the Parliament, the Constitution also ensures the independence of the legislative branch and guarantees immunity (art. 69) for members of Parliament, who cannot be arrested or brought to trial for their votes or opinions expressed in the exercise of their functions. For the purpose of power sharing, the President of the Republic and the Speaker of the Chamber of Deputies shall not belong to the same political organization.<sup>59</sup> According to article 96 of the Constitution, the Parliament has the power to provide an authentic interpretation of Laws, both Chambers of Parliament acting jointly after the Supreme Court has given an opinion on the matter; each Chamber shall decide on the basis of the majority referred to in article 93 of the Constitution. The authentic interpretation of Laws may be requested by the Government, a member of one of the Chambers of Parliament or by the Bar Association. Any interested person may request the authentic interpretation of laws through the members of Parliament or the Bar Association.

#### *The Judicial Branch*

34. The Judiciary is independent and separate from the legislative and executive branches of government. The judiciary enjoys financial and administrative autonomy.

---

<sup>59</sup> Ibid., article 58.

Justice is rendered in the name of the people and nobody may be a judge in his or her own cause.<sup>60</sup> The Rwandan Judiciary is responsible for ensuring respect for the rights and freedoms laid out in the Constitution. Judicial power is exercised by the Supreme Court; the High Court with four chambers seating in Musanze, Nyanza, Rwamagana and Rusizi; one Commercial High Court; three Commercial Courts; 12 Intermediate Courts comprised of 3 specialized chambers: the Juvenile Chamber, the Administrative Chamber and the labor Chamber; 60 Primary courts; a Military Court and a Military Tribunal. The legal provisions of the Organic Law No. 51/2008 of 09/09/2008 set the organization, functioning and jurisdiction of courts on the basis of a single legal order and follow the principle of the right of appeal to a higher court.

35. The Primary Court which adjudicates cases is constituted by a single judge assisted by its registrar (art. 7 of the Organic Law No. 51/2008 of 09/09/2008).<sup>61</sup> Primary Courts shall try all offences except those which are sentenced to a term of imprisonment exceeding five (5) years as well as those relating to traffic rules (art. 66). However, offences provided for by the Organic Law relating to the organisation, jurisdiction and the functioning of mediation committee<sup>62</sup> shall first be settled by the committee before they are transmitted to the prosecution or Courts as provided for by the Constitution of 4 June 2003 of the Republic of Rwanda as amended to date in Article 159. Primary Courts try on the first instance cases related to: disputes between physical and legal persons with monetary value which does not exceed RF 3 million (3,000,000), except civil actions related to insurance as well as those seeking damages for the loss occasioned by an offence triable by another Court; disputes related to land and livestock and their succession; disputes related to movable property which does not exceed RF 3 million (3,000,000) of monetary value and its succession; disputes related to other immovable property other than land, which does not exceed RF 3 million (3,000,000) of monetary value and its succession; and disputes related to civil status and family (art. 67). Primary Courts hear without right of appeal civil and commercial all cases whose monetary value does not exceed RF 50,000 (art. 68).

36. Each Intermediate Court hears both civil and criminal cases in the first instance and appeal level, while composed of one judge assisted by a Court Registrar. However, the President of the Court may at his/her absolute discretion designate a quorum of three (3) or more judges assisted by a Court Registrar depending on his/her assessment of the complexity and importance of the case (art. 14). Intermediate Courts have jurisdiction to try offences whose sentence is a term of imprisonment exceeding five years (5) years, except the offences that the Organic Law reserves to other Courts. They also have jurisdiction over road traffic offences. Intermediate Courts also have jurisdiction over persons accused of crimes of genocide against the Tutsi and other crimes against humanity committed in Rwanda between the 1st October 1990 and 31st December 1994 placed in the first category paragraph 1 and 2 of article 51 of Organic Law No. 16/2004 of 19/06/2004 establishing the organization, competence and functioning of Gacaca Courts charged with prosecuting and trying perpetrators of the crime of genocide and other crimes against humanity, committed

---

<sup>60</sup> Ibid., articles 58 and 140.

<sup>61</sup> Official Gazette of the Republic of Rwanda, Special issue of 10 September 2008, Organic Law No. 51/2008 of 09/09/2008 determining the organization, functioning and jurisdiction of Courts.

<sup>62</sup> Official Gazette of the Republic of Rwanda, No. 24 Bis of 14 June 2010, Organic Law No. 02/2010/OL of 09/06/2010 on organization, jurisdiction, competence and functioning of the mediation committee.

between October 1, 1990 and December 31, 1994.<sup>63</sup> Intermediate Courts have appellate jurisdiction to hear cases from Primary Courts from their respective jurisdictions.<sup>64</sup>

37. In civil cases, Intermediate Courts have jurisdiction to hear cases on the first instance that are not triable by other Courts. They also hear on first instance all cases related to insurance, regardless of the value of the claim (art. 78). They have jurisdiction to hear appeals against judgments rendered on first instance by Primary Courts within their jurisdiction. They shall also hear appeals, orders taken on urgent applications by the Presidents of Primary Courts or authorized judges (art. 79). Minors accused of any offence are tried on the first instance only by a specialized Juvenile Chamber of Intermediate Court. In addition to sentencing juvenile offenders, the juvenile chamber ensures appropriate measures for their safety, support supervision and education of such children (art. 75).

38. The High Court tries cases in the first instance and appeal level, while composed of one judge assisted by a Court Registrar. However, the President of the Court may at his/her absolute discretion designate a quorum of three (3) or more judges assisted by a Court Registrar depending on his/her assessment of the complexity and importance of the case (art. 23). All Courts, with the exception of the Supreme Court, may sit and hear cases from anywhere within their jurisdiction, if their Presidents find it imperative for better rendering of Justice (art. 62). The Supreme Court is the highest court in the country. It is headed by a President, assisted by a Vice-President and twelve (12) other judges. The decision of the Supreme Court shall not be subject to appeal save in terms of petitions for the exercise of the prerogative of mercy or revision of a judicial decision. Its decisions shall be binding on all parties concerned whether organs of the State, public officials, civilians, military, judicial officers or private individuals.<sup>65</sup>

### **3. System for the recognition of non-governmental organizations**

39. The registration and supervision of non-governmental organizations (NGOs) is governed by: the Organic Law No. 10/2013/OL of 11/07/2013 governing political organizations and politicians; the Law No. 06/2012 of 17/02/2012 determining the organization and functioning of religious-based organizations; the Law No. 04/2012 of 17/02/2012 governing the organization and functioning of national non-governmental organizations; and Ministerial Order No. 001/07.01 of 14/01/2013 determining additional requirements for the registration of religious-based organizations. The division in charge of the registration of non-government organizations, religious-based organizations and political organizations is located in Rwanda Governance Board<sup>66</sup> and offers the following services: registration of religious-based organizations; registration of local non-governmental organizations; registration of political organizations; monitoring the functioning of religious-based organizations and NGOs. The process starts at district level with a collaboration letter obtained from the Mayor of the District. At national level, the Rwanda Governance Board delivers a temporary registration certificate at first application, a compliance certificate conferring legal personality and facilitation in publishing legal personality in Official Gazette. The constitutional and legislative provisions on freedom of association have thus made it possible to create a more favourable framework for the diversification of their activities, including in the field of human rights, and their expansion throughout the whole country. Their initiatives encourage activities to raise awareness and disseminate information among the general public or among target

---

<sup>63</sup> Organic Law No. 51/2008 of 09/09/2008 determining the organization, functioning and jurisdiction of Courts, article. 73.

<sup>64</sup> Ibid., article 74.

<sup>65</sup> The Constitution of the Republic of Rwanda, 2003, article 144.

<sup>66</sup> www.rgb.rw.

groups, participation in the decision-making process, and the drafting of recommendations to draw the Government's attention to specific aspects of rights and freedoms.

#### 4. The Electoral system

40. Elections in Rwanda are administered by the National Electoral Commission (NEC), an independent and autonomous body with the mandate to conduct free, fair and transparent elections. The major recurring elections in Rwanda on a national level are the election of the President of the Republic, deputies and senators. Three parliamentary elections (2003-2008-2013) and two presidential elections (2003-2010) were held since the adoption of the new constitution in 2003. Local leaders' elections from the village, cell, sector, district to Kigali city level and two senatorial elections (2003-2011) were also held.

41. The President is elected directly through a simple majority for a 7-year term. The President appoints the Prime Minister. The Chamber of deputies has 80 members, however only 53 of those (2/3) are elected directly through a closed list proportional representation system. In addition to the registered parties, individual candidates can run for elections. Each list or each candidate has to have at least 5% of the votes. 24 seats are reserved for women as follows: Northern Province: four (4) seats; Southern Province: six (6) seats; Eastern Province: six (6) seats; Western Province: six (6) seats; City of Kigali: two (2) seats through indirect elections. 2 members of the Chamber of deputies are elected by the National Youth Council and 1 is elected by the executive committee of National Council for People with disability.

42. There is no direct election for any of the 26 Senate seats. 12 Senate members are elected by an electoral college consisting of members of the Districts Councils and the bureau of Sectors Councils. Elections are held in one round. Eight (8) members of the Senate are appointed by the President of the Republic. Four (4) members of the Senate are appointed by the National Consultative Forum of Political Organizations. One (1) senator is elected among lecturers or researchers from public Universities and Institutions of higher learning with at least the rank of Associate Professor. Lastly another senator is elected among lecturers or researchers from private Universities and Institutions of higher learning with at least the rank of Associate Professor.

43. Elections of leaders at local administrative level are held at the level of Village, Cell, Sector District and the City of Kigali. The term of office for elected local administrative authorities is five (5) years. The elections of local administrative leaders at District and Kigali City levels are conducted through direct or indirect suffrage and by secret ballot. In administrative local elections at Village, Cell and Sector levels, the candidate who obtains the majority of votes through direct suffrage is declared the winner of the post. In case of one candidate, he/she is the winner if he / she obtains the absolute majority of votes. Where he / she does not obtain the absolute majority of votes, election is repeated until it is obtained.

44. There are no factors which impede citizens from exercising their right to vote, such as illiteracy, language, poverty or impediment of free movement because polling is organized in three official languages (Kinyarwanda, English and French). Polling stations are very close to the population and use of fingerprints applied. The National Electoral Commission (NEC) has accredited 1,236 observers to monitor the parliamentary elections in 2013, including 176 from outside Rwanda. International observers accredited to observe Rwandan elections include the European Union, African Union, Economic Community of the Great Lakes Countries (CEPGL) and the East African Community (EAC). The positive aspect of the conduct of elections in Rwanda is better presented by international elections observer teams. The EU and Commonwealth observer mission and the Rwanda Civil Society Platform noted a positive conduct of elections in Rwanda. Voters turned out in large numbers (97.5%) and conducted themselves in calm and orderly manner.

45. Any petition relating to presidential and legislative election may be filed with the Supreme Court in forty eight (48) working hours following the announcement of provisional results by the National Electoral Commission Chairperson. The Supreme Court shall take a decision within five (5) days starting from the day on which the petition was lodged. The decision indicates the grounds on which it is based and is communicated to the parties or their representatives. The Supreme Court shall nullify elections and declare fresh elections in a period of ninety (90) days after the first election if the petitioned flaws have altered in a determining way the result of the election. Where the Supreme Court notices that such flaws are not likely to lead to the cancellation thereof, it shall proceed with the rectification in a period not exceeding five (5) days following the decision. The rejection of claims is tantamount to the confirmation of provisional results proclaimed by the National Electoral Commission.<sup>67</sup> Electoral complaints at the local administrative levels are hindered by the higher instances according to their hierarchy. When the petitioner is not satisfied with the decision taken by the organ to which he or she filed the petition, he or she appeals to the next higher level of the National Electoral Commission, of the Province or City of Kigali and to the national level if necessary. The final decision taken at national level shall be appealed against in the competent court. The competent court that received the petition related to organization of the elections is obliged to have instituted the proceedings in all its legal arguments and to have pronounced the final verdict before the day of elections. In case of contesting against the electoral results, the court is obliged to hear and determine the case before the day of announcement of the final electoral results.<sup>68</sup>

### **III. General framework for the protection and promotion of human rights**

#### **A. Acceptance of international human rights norms**

46. Rwanda is a State Party to eight of the core international human rights instruments. In accordance with its Constitution, Rwanda recognizes the precedence of universally recognized principles of international law and ensures that its legislation is consistent with them and thus has made binding international commitments to adhere to the standards laid down in these universal human rights documents. Article 190 of the Constitution of the Republic of Rwanda stipulates that upon their publication in the official gazette, international treaties and agreements which have been conclusively adopted in accordance with the provisions of law shall be more binding than organic laws and ordinary laws except in the case of non-compliance by one of the parties. National legislation that is in the process of being adopted is subject to a compulsory legal review by the Ministry of Justice of its compliance with the Constitution and with the international agreements to which Rwanda is a State Party. Rwanda has withdrawn all its reservations on International human rights treaties.

47. The following tables show the status of implementation of the main international human rights instruments.

---

<sup>67</sup> Official Gazette Special issue of 19/06/2010, Law No. 27/2010 of 19/06/2010 on Elections in Rwanda.

<sup>68</sup> Details are highlighted in the Law mentioned above.

**Main international human rights treaties**

<i>United Nations human rights treaties</i>	<i>Date of Rwanda's signature</i>	<i>Date of ratification /Accession</i>	<i>Declaration, Reservation</i>
International Covenant on Economic, Social and Cultural Rights (ICESCR)		16 Apr 1975	No
International Covenant on Civil and Political Rights (ICCPR)		16 Apr 1975	No
International Convention on the Elimination of All Forms of Racial Discrimination (CERD)		16 Apr 1975	No
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	1 May 1980	2 Mar 1981	No
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	10 Dec 1984	01 Oct 2008	No
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	18 Dec 1990	14 June 2010	No
Convention on the Rights of the Child (CRC)	26 Jan 1991	24 Jan 1991	No
Convention on the Rights of Persons with Disabilities (CRPD)	13 Dec 2006	15 Dec 2008	No

**Other international human rights treaties**

<i>United Nations human rights treaties</i>	<i>Date of Rwanda's signature</i>	<i>Date of ratification /Accession</i>	<i>Declaration, Reservation</i>
Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty		15 Dec 2008	No
Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women		15 Dec 2008	No
Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime	14 Dec 2000	26 Sept 2003	No
Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography		23 Apr 2002	No
Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict		23 Apr 2002	No
ILO Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour		23 May 2000	No
Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational	14 Dec 2000		No

<i>United Nations human rights treaties</i>	<i>Date of Rwanda's signature</i>	<i>Date of ratification /Accession</i>	<i>Declaration, Reservation</i>
<b>Organized Crime</b>			
Convention for the Suppression of the Traffic in Persons and of the Exploitation and the Prostitution of Others		26 Sept 2003	No
Convention on the Prevention and Punishment of the Crime of Genocide		16 Apr 1975	No
UNESCO Convention against Discrimination in Education		16 Apr 1975	No
Convention relating to the Status of Refugees		3 Jan 1980	No
Protocol relating to the Status of Refugees		3 Jan 1980	No
Optional Protocol to the Convention against Torture		Feb 2014	No
Optional Protocol to the Convention on Economic Social and Cultural Rights		Feb 2014	No
<b>International Labour Organization conventions</b>			
<i>ILO Convention</i>	<i>Date of Rwanda's signature</i>	<i>Date of ratification /Accession</i>	<i>Declaration, Reservation</i>
Freedom of Association and Protection of the Right to Organize Convention		8 Nov 1988	No
Right to Organize and Collective Bargaining Convention		8 Nov 1988	No
Convention concerning Forced or Compulsory labour		23 May 2001	No
Equal Remuneration Convention		2 Dec 1980	No
<b>Ratification of African regional human rights conventions</b>			
<i>African regional human rights conventions</i>	<i>Date of Rwanda's signature</i>	<i>Date of ratification /Accession</i>	<i>Declaration, Reservation</i>
African Charter on Human and Peoples' Rights	9 June 1998	5 May 2003	No
Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa	19 Dec 2003		No
Convention Governing the Specific Aspects of Refugee Problems in Africa	10 Sep 1969	19 Nov 1979	No
Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights	11 Nov 1981	15 Jul 1983	No
African Charter on the Rights and Welfare of the Child	2 Oct 1991	11 May 2001	No
African Charter on Democracy, Elections and Governance	29/06/2007	09 Jul 2010	No

## **B. Legal framework for the protection of human rights at the national level**

48. Through the various constitutional provisions and clauses in its ordinary laws, Rwanda's domestic legislation guarantees the protection of human rights and fundamental freedoms.

### **1. Constitutional provisions relating to human rights**

49. The Constitution recognizes human rights as a basic principle. Its preamble reaffirms its adherence to the principles of human rights enshrined in the United Nations Charter of 26 June 1945, the Convention on the Prevention and Punishment of the Crime of Genocide of 9 December 1948, the Universal Declaration of Human Rights of 10 December 1948, the International Convention on the Elimination of All Forms of Racial Discrimination of 21 December 1965, the International Covenant on Economic, Social and Cultural Rights of 19 December 1966, the International Covenant on Civil and Political Rights of 19 December 1966, the Convention on the Elimination of all Forms of Discrimination against Women of 1 May 1980, the African Charter of Human and Peoples' Rights of 27 June 1981 and the Convention on the Rights of the Child of 20 November 1989.<sup>69</sup>

50. Title II of the Constitution of the Republic of Rwanda ("Fundamental human rights, the rights and duties of the citizen", from article 10 to 44), guarantees a broad range of rights and lays down the fundamental principles essential for the realization in domestic legislation of other rights set out in the core international human rights instruments. The rights guaranteed by the Constitution of the Republic of Rwanda include:

- Inviolability of the human person (art. 10)
- Equality before the law (art. 16) and enjoyment, without discrimination, of recognized rights and freedoms (art. 11)
- Right to life (art. 12)
- Right to be protected for vulnerable survivors of genocide (art. 14) and imprescriptibility of the crime of genocide and war crimes (art. 13)
- Right to physical and mental integrity (art. 15)
- Lawfulness of penalties and right to be tried by a judge assigned by law (arts. 17, 18, 19, 20, 21)
- Inviolability of the home (art. 22)
- Right to move, circulate and settle anywhere in Rwanda and to leave and return to the country (arts. 23, 24)
- Respect for the best interests of the child (arts. 27, 28)
- Respect for property rights (arts. 29, 30, 31, 32)
- Freedom of thought, conscience and religion (art. 33)
- Right to a life consistent with human dignity, which covers the right to work and social security (arts. 37, 38)
- Freedom of the press and expression (art. 34)

<sup>69</sup> The Constitution of the Republic of Rwanda, preamble, para. 9.

- Freedom of association (art. 35)
- Right to assemble “peacefully and without arms” (art. 36)
- Freedom of education (art. 40)
- Right to a healthy environment and cultural and social fulfilment (art. 43)
- Equal protection for nationals and foreigners (art. 42)
- Equality between men and women, including in access to elected and public office (art. 9)

## 2. Incorporation of human rights treaties into the national legal system

51. The legal effect of the provisions of an international treaty depends on its recognized place in the hierarchy of domestic law in the event of conflict with national provisions. Whilst the Constitution lays down the essential principles and necessary guarantees for incorporating human rights into Rwanda’s legal framework in general, other specific laws and regulations issued by the executive branch or by Parliament set them out in more detail and facilitate their enforcement.

52. Article 189 of the Constitution determines the procedures, practical arrangements and competent institutions for incorporating into domestic law the treaties binding the country at the international level. The President of the Republic is responsible for negotiating international treaties and agreements and ratifying them. The Parliament shall be notified of such treaties and agreements following their conclusion. However, peace treaties and treaties or agreements relating to commerce and international organizations and those which commit state finances, modify provisions of laws already adopted by Parliament or relate to the status of persons, can only be ratified after authorization by Parliament.

53. The government of Rwanda has adopted the monist approach in its legal system. Therefore, when a convention or treaty is ratified, it is applied directly without any integration process in domestic legislation. Once ratified, all treaties and conventions are automatically domesticated according to the Constitution of the Republic of Rwanda in its Article 190 which stipulates that: “Upon their publication in the official gazette, international treaties and agreements which have been conclusively adopted in accordance with the provisions of law shall be more binding than organic laws and ordinary laws except in the case of non compliance by one of parties”.

54. Rwanda has adopted legislations prohibiting discrimination on, inter alia, the following grounds: ethnic, origin, tribe, clan, colour, sex, region, social origin, religion, or faith, opinion, economic status, culture, language, social status, physical or mental handicap or disability, family or marital status and providing protection against discrimination by individuals, as well as by government entities. Domestic laws have been developed to protect certain categories of people from acts of discrimination. The basic text is naturally article 16 of the Constitution which establishes that all human beings are equal before the law. They shall enjoy, without any discrimination, equal protection of the law. This is reinforced by the Code of ethics for Judiciary which binds the judge to serve the cause of justice with fidelity, integrity, objectivity and impartiality without any discrimination whatsoever, particularly with regard to race, colour, origin, ethnic group, clan, sex, opinion, religion, or social status.<sup>70</sup>

---

<sup>70</sup> Article 12 of the Law No. 09/2004 of 27/04/2004 establishing the code of ethics for judiciary, *O.G* No. 11 of 1 June 2004.

55. The following main laws have been promulgated:
- Organic Law No. 29/2004 of 03/12/2004 on Rwandan nationality reviewed by the Organic Law No. 30/2008 of 25/07/2008 relating to Rwandan nationality<sup>71</sup>
  - Law No. 51/2007 of 20/09/2007 determining the responsibilities, organization and functioning of the Gender Monitoring Office in Rwanda
  - Organic Law No.12/2008 of 09/05/2008 relating to election procedures of Rwandan representatives to the East African Legislative Assembly
  - Organic Law No.30/2008 of 25/07/2008 relating to Rwandan nationality<sup>72</sup>
  - Law No. 59/2008 Of 10/09/2008 on the prevention and punishment of gender-based violence and its subsequent regulations: Prime minister's order No. 001/03 of 11/01/2012 determining modalities in which government institutions prevent and respond to gender- based violence
  - Law No. 13/2009 of 27/05/2009 regulating labour in Rwanda (2009)<sup>73</sup>
  - Law No. 27/2010 of 19/06/2010 relating to elections
  - Law No. 02/2011 of 10/02/2011 determining the responsibilities, organization and functioning of the NWC
  - Law No. 54/2011 of 14/12/2011 relating to the rights and protection of child
  - Organic Law No. 02/2011/OL of 27/07/2011 governing organization of Education<sup>74</sup>
  - Law No. 54/2011 of 14/12/2011 relating to the rights and protection of the child
  - Law No. 04/2012 of 17/02/2012 governing the organization and the functioning of national non-governmental organizations<sup>75</sup>
  - Organic Law No. 01/2012/OL of 02/05/2012 instituting the new Penal Code<sup>76</sup>
  - Law No. 43/2013 of 16/06/2013 governing land in Rwanda<sup>77</sup>
  - Organic Law No. 10/2013/01 of 11/07/2013 governing political organizations and politicians<sup>78</sup>
  - Law No. 02/2013 of 08/02/2013 regulating media
  - Law No. 03/2013 of 08/02/2013 determining the responsibilities, organisation, and functioning of the Media High Council (MHC)

<sup>71</sup> Official Gazette Special issue of 05/09/2008, Organic Law No. 30/2008 of 25/07/2008 relating to Rwandan nationality.

<sup>72</sup> Official Gazette Special issue of 05/09/2008, Organic Law No. 30/2008 of 25/07/2008 relating to Rwandan nationality.

<sup>73</sup> Official Gazette Special issue of 27/05/2009, Law No. 13/2009 of 27/05/2009 regulating labour in Rwanda.

<sup>74</sup> Official Gazette No. 34 of 22/08/2011, Law No. 02/2011/OL of 27/07/2011 governing organization of Education.

<sup>75</sup> Official Gazette No. 15 of 09/04/2012, Law No. 04/2012 of 17/02/2012 governing the organization and the functioning of national non-governmental organizations.

<sup>76</sup> Official Gazette Special issue of 14 June 2012, Organic Law No. 01/2012/OL of 02/05/2012 instituting the Penal Code.

<sup>77</sup> Official Gazette Special issue of 16/06/2013, Law No. 43/2013 of 16/06/2013 governing land in Rwanda.

<sup>78</sup> Official Gazette Special issue of 12/07/2013, Organic Law No. 10/2013/01 of 11/07/2013 governing political organizations and politicians.

56. As it will be detailed in the paragraphs below, the three branches of Government namely the Executive, the Legislature and the Judiciary have joint oversight over human rights matters. The President of the Republic negotiates international treaties and agreements and ratifies them. The Parliament is notified of such treaties and agreements following their conclusion and ratifies peace treaties and treaties or agreements relating to commerce and international organizations and those which commit state finance, modify provisions of laws already adopted by Parliament or relate to the status of persons. The judiciary is responsible for ensuring respect for the rights and freedoms laid out in the Constitution. Judicial power is exercised by the Supreme Court, the High Court, Intermediate Courts and Primary Courts and Military Courts. Rwanda's Judiciary has established a special chamber of the High Court to address crimes against humanity and ensure that victims of human rights violation are compensated. Rwanda encourages the dissemination of the Universal Declaration of Human rights to ensure that all Rwandan understand these rights and demand that they be protected and promoted. The National Commission for Human rights and the Office of Ombudsman deal with human rights issues in their day to day duties, especially in regards with reparation, compensation and rehabilitation of victims.

57. International human rights instruments may be invoked before national judicial and administrative authorities in accordance with the Constitution. Article 190 thereof states that upon their publication in the official gazette, international treaties and agreements which have been conclusively adopted in accordance with the law shall be more binding than organic laws and ordinary laws except in the case of non-compliance by one of the parties. This constitutional requirement is taken into account in all legislation governing the organization and functioning of judicial authorities; judges are therefore required to make maximum use of these international instruments in resolving disputes. As a member of the East African Community, Rwanda has representatives in the East African Legislative assembly and accepts the jurisdiction of East African Court of Justice which is the judicial arm of the Community. As member of the African Union and of the African Commission on Human and Peoples' Rights, Rwanda accepts the jurisdiction of the African Court on Human and Peoples' Rights which is a continental court established by African Countries to ensure protection of human and peoples' rights in Africa. Rwanda has also accepted the individual claims mechanism of the African Commission.

### **C. Framework within which human rights are promoted at the national level**

58. All the three branches of Government play a key role in the promotion and the protection of human rights. A network of specialized public institutions, through which a constructive partnership between the State and civil society operates in Rwanda, protects and promotes various categories of human rights.

#### **1. Two Chambers of Parliament**

59. The Parliament has human rights committees (both the Chamber of Deputies and the Senate) which conduct investigations and research in relation to the respect of human rights. The Rwandan Parliament established mechanisms to further encourage the promotion of human rights at all levels of Government. Various options, which serve different purposes, are available to them for this purpose:

60. **Adopting legislative measures within their power:** The aim of Legislating to protect human rights is to offer Rwandans the best possible protection of their rights by amending or adopting new legislation. A large number of laws are adopted by parliament, for example in the area of the rights of women, children, and people living with disabilities

or in many other areas where the principles of the Convention on the Human Rights are applicable.

61. **Exercising oversight of Government activities:** Parliamentarians raise many oral or written questions, as well as hearings before Committees, and keep a close watch on the Government's action in the field of human rights. Ministers are regularly questioned in Parliament on, for example, action plans for vulnerable people's rights and other cross-cutting issues, the country's periodic reports to treaty-monitoring bodies, and reports on the activities of the Ombudsman, the National Commission for Human Rights, the Public Servant Commission, the Unity and Reconciliation Commission and the Nation Commission to fight against Genocide.

62. **Monitoring the use of resources:** Through their respective forums (Rwanda Women Parliamentarian Forum, AMANI Forum, Parliamentarian Network for Population and Development and the African Parliamentarian Network to fight against Corruption), Parliamentarians are encouraged to ask questions about the allocation of resources to policies that affect the exercise of human rights. There is undoubtedly a need to improve this aspect of parliament's work, although the budget for promotion of human rights activities is already clearly indicated.

63. **Raising public awareness:** the aim is to organize events and public debates. In the area of human rights, this is done at some levels of Government by, among other things, organizing "open days" and "Fields Visits" where Parliamentarians meet general people in order to take account of their recommendations in parliamentary work. Each Chamber of the Parliament has its own projects for raising awareness among the public. Parliamentarians also set up ad hoc working groups on specific categories of people's rights, and there are occasional inter-parliamentary meetings with civil society.

## 2. National human rights institutions

### a) National Commission for Human Rights

64. Rwanda adheres to well-established principles of international law that national human rights institutions are pivotal in the promotion and protection of human rights at the national level. In translating this principle into practice the Rwanda set up the National Commission for Human Rights that is an independent national Commission especially in charge of the promotion of human rights.

65. The special mission of the National Commission for Human Rights regarding human rights promotion are the following: to educate and sensitize the population on matters relating to human rights and participate in the development of human rights educational programs; to collaborate with other organs in designing strategies to prevent violations of Human Rights; to prepare and disseminate reports on the situation of Human Rights in Rwanda, annually and whenever necessary to provide views, upon request or at its own initiative on laws, regulations of public organs in force in the country and bills so as to ensure their conformity to fundamental principles of Human Rights; to urge relevant government institutions to ratify international treaties related to Human Rights and incorporate them in the existing domestic laws; to urge relevant government institutions to submit on time the reports related to international treaties on Human Rights ratified by Rwanda; and to propose to relevant government authorities measures to be taken to address and punish in accordance with law any violation of Human Rights. The National Commission for Human Rights submits each year its program and activity reports to both Chambers of Parliament in joint session and provide copies thereof to other State Organs as

determined by the law establishing the organization and functioning of the Commission.<sup>79</sup> The National Commission for Human Rights is in conformity with Paris Principles and has “A” status.

**b) Office of the Ombudsman**

66. The Office of the Ombudsman, which is an independent public institution responsible for acting as a link between the citizen, the public and private institutions, preventing and fighting against injustice, corruption and other related crimes, was established in 2003. The responsibilities of the Office of the Ombudsman include the following: to act as a link between the citizen and public and private institutions; to prevent and fight against injustice, corruption and other related offences in public and private administration; to receive and examine, in the context mentioned above, complaints from individuals and independent associations relating to acts of civil servants, state organs, and private institutions and to mobilize such civil servants and institutions in order to find solutions to such complaints if it finds they are well founded; to sensitize the population on working together with public and private institutions to build the country and not fearing to denounce bad practices based on injustice, corruption and related offences; and to contribute to strengthening of good governance in all institutions by drawing the attention of such institutions where their functioning and inter relations are weak due to their contradiction with the law, with their respective attributions, with the State general policy or because they have negative impact to the population.<sup>80</sup> The Ombudsman Office has to prosecute for all offences relating to the mission of the Office. They also have powers to request the Supreme Court to reconsider and review judgments rendered at the last instance by ordinary courts, commercial and military courts, if there is any persistence of injustice.<sup>81</sup>

**c) National Public Prosecution Authority**

67. The National Public Prosecution Authority also plays a key role in the protection and promotion of human rights, especially through its programs on tracking the fugitives, on the protection of witnesses and victims, on the fight against Gender Based Violence and on the fight against corruption and drugs.

**d) Other important institutions in safeguarding human rights**

*i. Rwandan National Police*

68. The Rwanda National Police exercises its authority over the entire national territory and is dedicated to deliver high quality service, accountability and transparency, safeguard the rule of law and strive to provide safe and secure environment for all. It serves the people particularly on the basis of the following principles: safeguarding the fundamental rights guaranteed by the Constitution and other laws; protection of the security of people and property; harmonious collaboration with the community; informing the population on how it fulfills its mission and accountability of the Rwanda National Police to the community.<sup>82</sup> The Rwanda National Police regularly undertakes investigations to ascertain the actual status of GBV cases. Recent police statistics indicate that some 12,992 cases of

---

<sup>79</sup> Law No. 19/2013 of 25/03/2013 determining missions, organization and functioning of the National Commission for Human Rights.

<sup>80</sup> Official Gazette Special issue of 18/10/2013, Law No. 76/2013 of 11/9/2013 determining the mission, powers, organization and functioning of the Ombudsman.

<sup>81</sup> Ibid.

<sup>82</sup> Law No. 46/2010 of 14/12/2010 determining powers, responsibilities, organization and functioning of Rwanda National Police.

GBV have been investigated between 2006 and 2011. All of these cases have been handled and addressed by different organs. Anti-GBV Directorate was established in the National Police to respond to cases of GBV and the rights of the victims. The directorate has focal points in all police stations in the country who work closely with hospitals and health centres to facilitate access to medical expertise.

*ii. National Electoral Commission*

69. The National Electoral Commission is an independent commission responsible for local, legislative, presidential elections, referendum and other elections determined by the law.<sup>83</sup>

*iii. Rwanda Governance Board*

70. The mission of Rwanda Governance Board is to promote the principles of good governance and decentralization; monitor the practices of good governance in political, public and private institutions; coordinate and support media sector development; register, empower and monitor civil society organizations; enhance civic participation; conduct research and studies related to governance and disseminate findings; document home grown solutions and provide policy advocacy to Government for achieving good service delivery, sustainable development and prosperity.<sup>84</sup>

*iv. National Commission for the Fight against Genocide*

71. The National Commission to Fight against Genocide is an independent national commission especially in charge of matters related to commemoration and prevention of genocide and advocacy for the cause of survivors of the genocide against the Tutsi both within and outside the country.<sup>85</sup>

*v. National Commission for Unity and Reconciliation*

72. The National Unity and Reconciliation Commission established in 1999, is an independent national Commission responsible in particular for the promotion of unity and reconciliation of Rwandans using all available means to mobilize Rwandans to reconcile and unite such as civic education and assistance to community based associations.

*vi. Public Service Commission*

73. The Public Service Commission is an independent commission responsible for ensuring that policies, principles and laws governing Public Service recruitments and administration are adhered to and put into effect by all Government institutions.<sup>86</sup>

*vii. Gender Monitoring Office*

74. The Gender Monitoring Office has the specific responsibilities of monitoring on how the fundamental principles of gender are respected in all organs at governmental,

<sup>83</sup> Law No. 31/2005 of 24/12/2005 relating to the organization and functioning of the National Electoral Commission.

<sup>84</sup> Law No. 41/2011 of 30/09/2011 determining the mission, organization and functioning of Rwanda Governance Board.

<sup>85</sup> Law No. 09/2007 of 16/02/2007 on the attributions, organization and functioning of the National Commission for the fight against Genocide.

<sup>86</sup> The Public Service Commission (PSC) was established by article 181 of the Constitution of the Republic of Rwanda.

private, non-governmental and religious levels; examining and monitoring the national policy and programs intended to ensure the promotion of gender equality; monitoring the existence of the policy, programs as well as different projects aimed at promoting gender equality, their implementation and the system of their budget allocation; ensuring the implementation of the international agreements and programs relating to the respect of the principles of gender; fighting against gender based injustice and violence; and advocating for the respect of gender equality at all levels.<sup>87</sup>

*viii. National Women's Council*

75. The National Women Council has the following responsibilities: to put together views of all Rwandan girls and women without discrimination; to train women to analyze and solve their own problems together; and to encourage them to participate in and have a say in the development of the country.<sup>88</sup>

*ix. National Children Commission and the Observatory of Child Rights*

76. National Commission for Children is an independent organ under MIGEPROF. Recently established, its responsibility is to promote and protect the rights of children in Rwanda. The Child Rights Observatory, based within the National Commission for Human Rights, is responsible for monitoring and protecting the rights of children in Rwanda.<sup>89</sup> It also ensures the participation of children at every level in the formulation of laws and policies that affect them.

*x. Office of the Auditor General of State Finances*

77. The Office of the Auditor General is an independent public institution responsible for the auditing of state finances and property.<sup>90</sup>

*xi. National Youth Council*

78. The National Youth Council is a forum where the youth hold discussions with the aim of promoting their own development and that of the country. The objectives of the national Youth Council include the following: to bring together the Youth and provide them with civic education and train them in Rwandan culture, sports and leisure; to invigorate the youth toward involvement in production activities aimed at developing the youth themselves and the Country; to support and seek assistance for youth associations; and to advocate for the youth in decision making organs in relation with the youth and allow them to participate in decision making process so that the problems they face are taken into account.<sup>91</sup>

*xii. Rwanda Correctional Service*

79. Among other responsibilities, the Rwanda Correctional Service has the mission to respect the rights of detainees and prisoners in accordance with the law; to respect the life,

---

<sup>87</sup> Law No. 51/2007 of 20/09/2007 determining the responsibilities, organization and functioning of Gender Monitoring Office.

<sup>88</sup> Official Gazette, Special issue of 11/02/2011, Law No. 02/2011 of 10/02/2011 determining the responsibilities, organization and functioning of the National Women's Council.

<sup>89</sup> Institute of Policy Analysis and Research — Rwanda, Legal and Policy framework for Children's Rights in Rwanda, 2012.

<sup>90</sup> Law No. 05/98 of 04/6/1998 establishing the Office of the Auditor General of State Finances.

<sup>91</sup> Law No. 24/2003 of 14/08/2003 establishing the functioning and organization of the National Youth Council.

physical and moral integrity and well-being of detainees and prisoners; and to develop the skills of detainees and prisoners, and plan sports and leisure activities for them.<sup>92</sup>

*xiii. National Council for Persons with Disabilities*

80. The National Council of Persons with Disabilities (NCPD) was established in 2011 with a purpose of promoting, protecting and ensuring the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities and to promote respect for their inherent dignity with a purpose of promoting, protecting and ensuring the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities and to promote respect for their inherent dignity.<sup>93</sup>

#### **D. Role of non-governmental organizations**

81. An important educative function is also played by civil society organizations, including religious-based organizations. Rwanda has a strong and active NGO community which plays a double role in human rights education. They provide vital information to Government about human rights issues which affect people at the grassroots level, through specific Government forums with NGOs and on a more general level. At the same time, they serve to educate the public about the human rights programs and protections which are available to them. Such sensitizations target mainly local communities, students, teachers, civil servants, local leaders, demobilized soldiers but especially refugees and former rebels who escape from the *Forces Démocratiques de Liberation du Rwanda* (FDLR) and are repatriated in Rwanda. Private research institutions also play a key role in the fight against discrimination in the Rwandan society; especially the *Institut Rwandais pour le Dialogue, la Paix et la Démocratie* (IRDP) and the Centre for Conflict Management (CMC) of the National University of Rwanda.

82. A consultative forum for NGOs was initiated by the National Human Rights Commission (NHRC), to strengthen capacity for sustained partnerships and collaboration with civil society actors. The Forum convenes twice a year and has been able to encourage engagement between the NHRC and civil society actors. Civil society actors may be invited to participate in the advocacy campaigns, public outreach activities and trainings to combat all form of racial discrimination and other form of human right violations. The Rwandan Civil Society has established a coalition against gender-based violence, which is coordinated by the umbrella organization, “Pro-Femmes Twese Hamwe”, including a men’s center to fight gender-based violence, Rwanda’s Men Resource Centre (RWAMREC), which strives to sensitize the community by the participation of men in the fight against gender-based violence, specifically violence against women. Many other NGOs play key role in Human Right education, including LIPRODHOR, CLADHO (which is the main umbrella group for five human rights member organizations), HAGURUKA, AJEPRODHO, RCN Justice et Démocratie, International Justice Mission (IJM), ADRA/Rwanda.

<sup>92</sup> Law No. 34/2010 of 12/01/2010 on the establishment, functioning and organization of Rwanda Correctional Service.

Law No. 03/2011 of 10/02/2011 establishing the National Council of Persons with Disabilities and determining its responsibilities, organization and functioning.

## **E. Reporting process at the national level**

83. Rwanda strives to fulfill its obligations to the international treaty bodies in full, including by submitting periodic reports on the implementation of the core international human rights instruments. In Rwanda, the focal point for the preparation and transmission of reports to the United Nations is the Ministry of Justice. The Ministry of Justice is responsible for coordinating the implementation of Rwanda's obligations to the international treaty bodies and makes the practical arrangements for drafting these reports.

84. The first stage in drafting the reports is to list the issues to be dealt with in the report and to determine which level of Government, Ministry or Agency is responsible for each of them. The Steering Agencies then prepare their first draft. At this stage, they collect any information they consider relevant. The other levels of Government, Bodies or Agencies are free to send them any further information they think would be useful. The draft contributions are then compiled and discussed at meetings of a coordinating body called "Task Force on Treaty Reporting", which is based in the Ministry of Justice. At this stage, the relevant levels of Government, Agencies or authorities may send further comments or suggestions to the steering agency in charge of the draft.

85. If necessary, the contributions are revised and the final draft then passes through a further coordination process for final approval. Civil Society is consulted as a matter of course in the preparation of reports on human rights. Umbrella organizations are the civil society organizations of choice, but are not the only ones consulted. When commitments are being undertaken, the final report may be subject to the approval of the Cabinet. The coordination process involves the relevant Ministries and other Government Institutions, which ensures that the report concerned has political backing. The principles and procedures listed above were applied in the drafting of this core document.

86. In 2007, Rwanda submitted to the relevant international treaty bodies periodic report on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women. In 2011, Rwanda underwent a universal periodic review before the United Nations Human Rights Council. In 2012, Rwanda submitted a combined second to fourth periodic report on the implementation of the International Covenant on Economic, Social and Cultural Rights (E/C.12/RWA/2-4) for the consideration of the Committee on Economic, Social and Cultural Rights. In May 2014, Rwanda submitted the combined eighteenth to twentieth periodic report of Rwanda on the current implementation status of the International Convention on the Elimination of All Forms of Racial Discrimination (CERD) as well as its fourth periodic report on the implementation of the International Covenant on Civil and Political Rights (ICCPR) and the second and third report on the African Charter on the Rights and Welfare of the Child.

## **IV. Information on non-discrimination, equality and effective remedies**

87. It is important to note that the genocide against Tutsi that took place in Rwanda in 1994 negatively impacted the social fabric and infrastructure of the society. It is with this backdrop that the Government of Rwanda embarked on a program of rebuilding itself: enhancing principles of rule of Law, respect of human rights and bringing about national unity and reconciliation. Rwandans believe reconciliation has been embraced as a national value and practice by citizens. The Country has also formulated several policies and programs geared towards the promotion and protection of human rights enshrined in various sector policy papers. Apart from the general policy of human rights; which remains one of the key priorities, almost all other key policies in different sectors related to human

rights (education, health, social protection, rights of women, rights of children, rights of persons with disabilities...) were adopted.

## A. Non-discrimination and equality

88. The rule of law proclaimed in the Constitution allows all individuals to enjoy the individual and collective rights and freedoms essential to their physical and intellectual development, without discrimination on the grounds of age, sex, ethnic or geographic origin or income. The Constitution thus guarantees essential democratic rights that ensure respect for and protection of life, privacy, and the freedoms of expression and opinion, of religion and belief, and of movement. The Constitution places careful restrictions on deprivation of liberty and on judicial procedures through provisions aimed at upholding the fundamental rights inherent to human beings: the presumption of innocence, legal assistance during an investigation, and a medical examination in the case of detention. The Constitution provides for the separation of powers and grants each institution specific powers and prerogatives that enable it to fully implement its mandate.

89. In order to guarantee equality and combat discrimination in all its forms, Rwanda has introduced a series of legislative, administrative and legal measures and implemented numerous initiatives which have contributed to the major progress made over the last decade. Because of its fundamental character, the principle of equality is enshrined in the Constitution and further elaborated in several domestic laws. The application of international human rights treaties ratified by Rwanda through the incorporation of relevant provisions into national legislation and the prominence given to them in the Constitution strengthens the national legal framework guaranteeing non-discrimination and equality.

90. In the legal system, equality is enshrined in the 2003 Constitution, which states in the preamble that Rwanda shall ensure the equality of all before the law without distinction as to language, origin, race, sex or religion. The Constitution also upholds this principle in article 16 (Title II, Fundamental human rights and rights and duties of the citizens), which provides that all human beings are equal before the law. The Constitution thus enshrines equality as a fundamental human right and therefore all individuals are entitled to the same rights and treatment without distinction. Consequently, it prohibits all discrimination based on an individual's civil status, wealth or social and cultural status.

91. The institutional, legislative, executive and judicial authorities are responsible for implementing the principles of equality guaranteed under the Constitution and its preamble. In addition, the machinery responsible for ensuring respect for the right to equality and non-discrimination has been strengthened by the establishment of the National Human Rights Commission and the Office of the Ombudsman, which intervene in the event of rights violations.

92. The Penal Code details the various situations covered by the principle of equality. It specifies that discrimination shall be taken to mean any distinction between natural persons by reason of their origin, sex, and family situation, state of health, disability, customs, political views, trade union activities, or affiliation to a specific ethnic group or religion. Such discriminatory acts are punished by terms of imprisonment.<sup>94</sup>

93. In order to give effect to the right to equality, several measures taken following the Judiciary designed to reform the judiciary, adapting it to changes in society. Measures include an increase in judges' numbers and knowledge, the consolidation of their status,

<sup>94</sup> Organic Law No. 01/2012/OL of 02/05/2012 instituting the Penal Code, Official Gazette Special issue of 14 June 2012.

improved budgetary allocations for the functioning of the justice system, better working conditions for staff and an effort to codify legislation. The Ministry of Justice has opened Access to Justice Bureaus (*Maisons d'Access à la Justice*) in all districts. Specific desks have been established in the Access to Justice Bureaus to deal with gender-based violence and children rights. Mediation Committees (*Abunzi*), put in place in every village, have effectively improved expeditious administration of justice by practical involvement of members of the communities in resolving minor disputes.

94. In order to ensure that disputes are resolved amicably without going to courts using arbitration or other alternative dispute resolution mechanisms like mediation or adjudication and to provide the speed of dispute resolution that international and local investors need in order to flourish, the Private Sector Federation (PSF) has established the Kigali International Arbitration Centre (KIAC) since May 2012. Spearheaded by the Private Sector Federation (PSF), the KIAC was supported by the Investment Climate Facility for Africa (ICF), a partnership between Governments, private companies and development partners working to improve doing business on the African continent. The centre provides an alternative to the business community, which has so far had to resolve all contractual disputes through the commercial courts, which can be costly and take a long time. With the centre now active, Rwandans can choose to resolve their disputes with business partners in a more amicable and diplomatic process which arbitration provides. KIAC operates and is guided by international standards used by renowned arbitration centers.<sup>95</sup>

95. As indicated above, the Rwandan authorities are particularly aware of the need to promote the right to equality of vulnerable groups (children, individuals with special needs, older persons and vulnerable genocide survivors) and seek to provide adequate protection of their human rights through numerous legal, economic and social initiatives. The lawyers coordinating Access to Justice Bureaus assist, counsel, represent and plead, before all courts, for indigents. They provide free legal representation to juveniles (underage boys and girls) involved in criminal cases. In similar vein, the new programme adopted by the Ministry of Justice, which is aimed at promoting “access to justice for all”, provide legal and judicial aid to indigents and needy people (poor, juveniles, and victims of gender based violence) who cannot afford to pay advocates’ services. In addition to advocates from Access to Justice Bureaus who provide legal and judicial aid to indigents, other advocates who are members of the Bar Association provide legal aid under modalities determined by the Council of the Bar Association.<sup>96</sup>

96. The situation of women was for a long time marked by several disabling factors (illiteracy, poverty) which excluded them from the national development process. In order to address this situation and meet international commitments, the general legal framework promoting women’s basic rights has been strengthened by further laws and regulations contributing to their development specifically in the areas of education, health, justice, employment and the economy.

97. In order to ensure that women’s de jure equality is fully reflected in reality, efforts have been made to speed up the advancement of women’s rights. In this context, the Ministry of Gender and Family Promotion, established in 1994, is implementing the national gender policy for the integration of women in development. The establishment of the Ministry marked the beginning of women’s participation in the executive branch, while the acts on quotas for elected office and in public administration seek to facilitate women’s

---

<sup>95</sup> See [www.kiac.org.rw](http://www.kiac.org.rw).

<sup>96</sup> Official Gazette No. 44 of 04/11/2013, Law No. 83/2013 of 11/09/2013 establishing the Bar Association in Rwanda and determining its organization and functioning.

involvement in decision-making. These measures have improved the representation of women in the Chamber of Deputies and the Senate. Gender parity in leadership is also believed to be a key indicator of inclusiveness especially when governance is concerned. To this end, several institutions led by the Ministry of Gender and Family Promotion have made new efforts to improve confidence in women and young girls and encourage them to take part in leadership in general and local governance in particular.

98. The Country has also formulated several policies and programs geared towards the promotion and protection of human rights enshrined in various sector policy papers. Apart from the general policy of human rights, which remains one of the key priorities, almost all other key policies in different sectors related to human rights (education, health, social protection, rights of women, rights of children, rights of people with disabilities...) were adopted. Other measures are designed to address socioeconomic disparities to guide the work of all stakeholders in the fight against poverty and social exclusion, such as the EDPRS, GIRINKA, UBUDEHE,<sup>97</sup> etc.

99. The National Human Rights Commission has launched various educational campaigns to educate the population on human rights issues. For example, the National Human Rights Commission and many CSOs participate each in the celebration of International Human Rights Day, which consists of activities ranging from public debates, drama performances, and town hall meetings related to human rights issues. Events take place not only in Kigali, but also in many remote parts of the country, enabling broad dissemination of human rights issues and encouraging widespread public participation. Additionally, the Ombudsman and the Rwanda National Police implement various celebrations and public information campaigns at various locations in Rwanda to celebrate “World Anti-Corruption Day.” This includes sessions on human rights training in the investigation of anti-corruption cases. The NHRC has also implemented several ‘Training of Trainers’ workshops for local governments leaders concerning human rights-based approaches at the local level. Topics have included the Rwanda human rights architecture, the role and mandate of the NHRC, and women’s and children’s rights.

## **B. Measures taken to eliminate discrimination in the enjoyment of civil, political, economic, social and cultural rights**

### **1. Equal rights to life**

100. In 2007, the death penalty was abolished.<sup>98</sup> Furthermore, Rwanda has recently removed from its legislation the sentence/penalty of solitary confinement and replaced it by life imprisonment with special provisions. The Penal Code punishes crimes that violate the right to life and to physical and mental integrity of persons: murder, extermination, forced disappearance of persons, torture, poisoning, assault and beating and other inhumane acts of a similar character. Death threats against persons are also punishable. Apart from the Penal Code, laws have been adopted to prevent and fight against terrorism, money laundering and the trafficking of human beings, especially women and children.<sup>99</sup>

<sup>97</sup> See below paragraph 114.

<sup>98</sup> Organic Law No. 31/2007 of 25/07/2007 relating to the abolition of the death penalty.

<sup>99</sup> Law No. 47/2008 of 09/09/2008 on prevention and penalizing the crime of money laundering and financing terrorism.

## 2. Equal rights to health care<sup>100</sup>

101. Rwanda has developed various sector policies that enable all citizens to access health facilities, especially the policy on Community-based Health Insurance (2004), which has contributed to improve the financial accessibility to health services. Several programs and initiatives targeting different groups of people (pregnant mothers, newborn and unborn children, couples intending to get married and many more) were initiated. These programs include family planning, antenatal care, community health care, delivering health facilities, Emergency Obstetric and Neonatal Care (EMONC), the construction and equipment of maternity wards, capacity building of the midwives and the increase in the number and quality of health professional. The National program to Fight against Malaria has several strategies ranging from distribution of Insecticide Treated Nets (ITNs) to population with particular attention for children under five years and all pregnant women, as well as the indoor residual spraying carried out in households. These actions have contributed to significant reduction of the prevalence of malaria to 60%.

## 3. Freedom of expression

102. The Law No. 04/2013 of 08/02/2013 relating to access to information, published in March 2013, after consultations within Parliament and media fraternity is already in application and has been published in the Official Gazette.<sup>101</sup> The Law guarantees citizens to access data held by the state and some private organs; previously it was a challenge for journalists to get the information they want due to unnecessary protocol in the public bodies. Notable among its objectives is the promotion of open government through disclosure of information and facilitate the right of all persons to have access to information held by public authorities and some private organs. The core principle of access to information law is stipulated in article 3, where every person has the right to access information in possession of a public organ and some private bodies.

103. The Law No. 03/2013 of 08/02/2013 determining the responsibilities, organization, and functioning of the Media High Council (MHC) was established as an independent institution responsible for media capacity building. Former role of MHC as regulatory organ has been transferred to Media Self-Regulatory Body known as Rwanda Media Commission (RMC) established in 2013 with the mandate to promote media self-regulation, freedom, responsibility and professionalism of media. At present there are more than 100 online media operating in Rwanda and more than more than 30 print media along with at least 5 privately owned TV stations and numerous radio stations.

104. The President of the Republic holds regular press conferences in which local and international journalists have the opportunity to ask questions on public matters. This conference is held live on radios and television. A Public open day is organized quarterly by the Ministry of Local Government, provinces, districts and sectors to provide information on service delivery to the public. Similarly, public accountability days, organized in the Parliament on quarterly basis to review the progress of districts in the implementation of the performance contracts (*Imihigo*), offers a good opportunity of access to information. The electronic and online media are increasing and accessible. The general public is encouraged to use ICT as a modern technique to exercise their right of access to information. Cyber cafés and Tele-centres are also available in different districts of the country. Most of rural areas are connected to internet, to allow them to have access to modern tools of information and communication. Private TV Companies operate in Rwanda (Star Africa Media, DSTV, and Tel 10) to provide a variety of choices on access to

---

<sup>100</sup> Constitution of the Republic of Rwanda, articles 9 and 41.

<sup>101</sup> See Official Gazette No. 10 of 11 March 2013.

information. These information channels facilitate human rights education and sensitization among all brackets of population.

#### **4. Equal rights to education**

105. Achievements registered in the area of the promotion and protection of the right to education includes the introduction of universal primary education. Rwanda is gradually breaking barriers that usually prevent children from attending primary education by exemption of school fees and by constructing more classrooms at the Administrative Sector level where children can easily walk home. This program has been adopted to enable the country to achieve the goal of Education for All (Universal Primary Education and Universal Secondary Education) by 2015. The education system increased the number of child enrolment in schools and the rate of pupils joining the secondary schools.

106. The Government has embarked on the promotion of nine years Basic Education for children. Key national policies guiding education include the girl's education policy to ensure that the girl child has equal access to universal education as the boy child, the Special Needs Education Policy for certain categories of Rwandans requiring special attention, as well as the Policy on Science, Technology and Innovation. The One Laptop per child program was put in place with the mission to distribute laptops to primary schools all over the country. The education for children with physical or mental disabilities was introduced and 386 teachers were trained in the methodology for such classes. As a result, 3,333 children with disabilities were integrated in disabled friendly schools. The One Laptop per child program was put in place with the mission to distribute laptops to primary schools all over the country.

107. Early childhood education, which was almost inexistent in Rwanda 15 years ago, is more and more promoted. As of today, 2,330 pre-schools have been constructed, in which more than 150,000 children were enrolled. As for the university education, from one university that existed in 1994, the National University of Rwanda, Rwanda has now 27 High Learning Institutions in different provinces of the country. The number of University students rose from 5751 (4,258 boys and 1,493 female) in 1997 to 63,562 in 2010. Majority of these Universities introduced evening programs, which help different workers to pursue their studies.

#### **5. Equal rights to work**

108. The Law No. /13/2009 of 27/05/2009 instituting the Labor code provides for basic labor rights, including the prohibition of discriminatory employment and the freedom of opinion. The law also guarantees the freedom of association of workers, trade unions and the right to strike. The Public Service Commission oversees the recruitment and placement of staff in all public institutions. It also arbitrates employment related complaints from individual workers.

109. The Workforce Development Agency (WDA) was established to build technical skills of employees. One of its pillars is the implementation of the Labor Market Information System (LMIS) in order to connect employers and job seekers. In 2009, a careers advisory department was created within Rwanda Development Board to build the capacity of young graduates in search for jobs. Rwanda has removed work permits fees for all workers from the East African Community to attract skilled labor and conditions to obtain work permits were eased for other foreigners, while the Rwandan youth is encouraged to undertake technical trainings. The Iwawa Rehabilitation and Vocational Training Centre was set up in early 2010 to offer vocational and technical training for the young people who were living miserably on the streets. Integrated Polytechnic Regional Centres have been opened throughout the country.

## 6. Equal rights to social protection

110. The Rwanda Social Security Board is responsible for pensions, occupational hazards and health insurance of public servants. There is also a Military Medical Insurance scheme (MMI) as well as the community-based health insurance (*Mutuelles de Santé*) for the general population. Other private insurance is offered by financial companies like the National Insurance Company (SONARWA), Societe Rwandaise d'Assurance (SORAS); Compagnie Rwandaise d'Assurance et de Reassurance (CORAR), Radiant Insurance Company and international insurance companies like UAP and Phoenix Inc.

## 7. Women's rights

111. Rwanda has ratified the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol as well as the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa. The Constitution establishes various institutions to cater for the promotion and empowerment of women ranging from the Gender Monitoring Observatory (GMO) to the National Council of Women, which is represented in decentralized administration structures. Laws on the protection of women rights or containing provisions protecting women's rights include the law on the prevention of gender-based violence (GBV); the law on matrimonial regime, succession and liberalities, which allows both male and female children to inherit their parents' properties; the Land Law, which requires that new land titles have to include the names of both husband and wife; etc. Women are represented in all decision making organs and different other institutions, at least 30%, as prescribed by the Rwandan Constitution. The representation of women is 38% in Government; 50% among Supreme Court judges, while Rwanda has the world record of women representation in Parliament: 64%.

## 8. Rights of the Child

112. Concerning the child rights, Rwanda ratified almost all international conventions relating to the promotion and protection of child rights including the Convention on the Rights of the Child (CRC) and its Optional Protocols, the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption, as well as the African Charter of the Rights and Welfare of the Child. Rwanda submitted to the Committee on the Rights of Children overdue reports on the implementation of the Optional Protocols to the Convention, the report on the implementation of the African Charter was submitted to the concerned Committee of Experts, while the reports on the implementation of the Convention on the Rights of the Child, as well as the reports under A World Fit For Children and Africa Fit For Children will be submitted to the concerned institutions in the near future. Enshrinement of the right to life for children is specifically recalled under article 8 of the Law No. 54/2011 of 14/12/2012 relating to the rights and protection of the child "the child has right to life and he/she shall not be deprived".

113. Among other measures for the promotion of children rights is the establishment, in the National Commission of Human Rights, of the Observatory for the Rights of the Child and the establishment of the National Commission for Children to ensure the respect of children rights all over the country. The Observatory of the child rights has Committees, in which children are represented, at the national level, at district level and at the sector level. There is also the Forum of children which has children representations up to the village level. Annual Summits for children are organized where representatives of peers sit to discuss and provide advice and recommendations to the Government on how to exercise their rights. It is also worth pointing out the role played by *Imbuto Foundation* (chaired by the Rwandan First Lady) in the promotion of the young girl education and the child protection. Appropriate facilities are provided to children with disabilities, as well as the

basic education for refugee children. Legal assistance is offered to minor children appearing before courts and special rehabilitation centres were created for minors convicted of crimes.

## 9. Right to a decent standard of living

114. Rwanda adopted the Vision 2020 Umurenge program (VUP) whose objective is to reduce the number of Rwandans living in extreme poverty without any form of discrimination, through its branches known as local economic development and social protection programs. The *Ubudehe* is one of home grown initiatives which consists of building problem-solving capacity at the local level by citizens and government at the grass root level. It emphasizes on assessing local problems/needs, participatory planning and solving problems of local people, by local people, for local people with support from local government, NGO's, local resource people and donors.<sup>102</sup> The One Cow Per Poor Family Scheme (GIRINKA), in which poor families with more than 0.7 hectares are provided with a cow; a program providing small animals (goats and rabbits) to poor households with little land; and fertilizer subsidies and seeds. Rwanda is committed to fighting diseases caused by malnutrition by strengthening programs like *inkongoro y'umwana* (one cup of milk per child) and school feeding programs<sup>103</sup>; the installation of kitchen gardens in households to produce vegetables.

115. As for the right to adequate housing several guarantees are still into force in Rwanda. In 2010, Rwanda has established the Rwanda Housing Authority (RHA),<sup>104</sup> determining its responsibilities, organization and its functioning. This law is believed to be playing a very critical role in both setting standards as well as guaranteeing the right to housing. It is important to note that in order to provide decent housing to the people in extreme poverty, funds amounting to 3.732 Billion Rwandese Francs (5,741,538 USD) were transferred to Districts for eradication of grass-thatched houses (*Nyakatsi*). All families living in grass thatched houses were given decent housing.<sup>105</sup> The Government of Rwanda is committed to supporting the controlled development and the sustainability of human settlements both in urban and rural areas, which is economically accessible and socially integrated, where the rights of all people are recognized, particularly the rights women, children, handicapped people, and people living in poverty, the vulnerable groups. Government programs, including the villagization policy, *Bye Bye Nyakatsi* program provided to the vulnerable groups modern houses in 2011. *Nyakatsi* eradication exercise was successfully implemented through a joint venture (MINALOC, RDF, RNP and Local Governments with the population) where a number of 124,671 families living in grass thatched houses (*Nyakatsi*) shifted to decent houses among them 77,009 were vulnerable families. Also the Government resettled families from high risk zones (1,300 families from Gishwati, 1,200 from Mt Rubavu, 180 families from Bweyeye).<sup>106</sup>

<sup>102</sup> Republic of Rwanda, Ministry of Local Government report, 2012.

<sup>103</sup> <http://focus.rw/wp/2011/education-health-labor>: going to greater heights in next 7 years, 2011.

<sup>104</sup> Law No. 40/2010 of 25/11/2010, establishing the Rwanda housing authority (RHA) and determining its responsibilities, organization and functioning.

<sup>105</sup> MINALOC Annual report, 2010/11.

<sup>106</sup> MINALOC Report , 2013, Progress made and main achievements registered from 2009 to 2013.