



Convention on the Elimination
of All Forms of Discrimination
against Women

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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Tenth session

SUMMARY RECORD OF THE 181st MEETING

Held at the Vienna International Centre, Vienna,
on Monday, 28 January 1991, at 10 a.m.

Chairperson: Ms. ALFONSIN DE FASAN

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The meeting was called to order at 10.05 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued) (CEDAW/C/CRP.17)

Second periodic report of Rwanda (CEDAW/C/13/Add.13 and Amend.1)

1. At the invitation of the Chairperson, Mr. Nsabimana (Rwanda) took a place at the Committee table.

2. Mr. NSABIMANA (Rwanda) introduced his country's second periodic report and said that he welcomed the opportunity to reply to the questions submitted by the Committee.

General questions

3. In reply to question 1 under the heading "General questions" in annex VII to document CEDAW/C/CRP.17, he said that the principle of equality was guaranteed by the Rwandese Constitution, the Civil Code and the Labour Code.

4. Replying to question 2, he said that women's development issues were widely publicized, and that his country was a party to the Convention on the Elimination of All Forms of Racial Discrimination and to the Human Rights conventions.

5. It should be stressed that the Government attached great importance to the educational aspect of development, particularly at village level, and that each village had its own education centre. Reports on Rwanda's progress in the campaign against illiteracy had been submitted to UNESCO, WHO and other international organizations.

Article 2

6. Attitudes to illegitimate children were changing, and it was no longer required that fathers should acknowledge their children for the purposes of birth registration.

Article 3

7. URAMA was closely connected with the Revolutionary Movement and it received State subsidies.

8. With regard to question 5 under article 3, he said that violence against women was not common.

Article 5

9. As far as the first question was concerned, the text of the Convention was distributed to girls' schools to make girls aware of its existence and realize its importance. It was proposed that it should be distributed to boys' schools and mixed schools.

10. Regarding question 2, most subjects were now taught to both sexes, with girls receiving training in some manual work and boys learning cookery. The problem of taboos was being overcome, particularly with the growth of co-education. With respect to question 3, the primary school education policies were the most important way of irradicating traditional practices.

(Mr. Nsabimana)

11. In reply to question 4, he said that heavy manual jobs were still given to men while cleaning jobs were still associated more with women. At the domestic level, however, husbands were expected to take over the duties when women were unwell, for example.

12. As far as question 6 was concerned, more co-education was expected to remove the principal obstacles.

Article 7

13. Participation in all organizations depended on skill and was not affected by marital status.

14. Question 3 was really an educational issue: the more women received higher education, the greater the part they would play in development and planning programmes.

Article 8

15. As far as question 1 was concerned, there were no special plans to improve the political participation of women, and again it was a question of increasing awareness. There were a few women in the political hierarchy, and they tried to increase awareness in women's organizations. Some 90 per cent of those women who submitted their candidacies were elected, either to parliamentary bodies or to community councils.

16. The reason for the decrease in the number of female diplomats was that one had retired. The remaining female diplomat was serving in the Embassy in the United States of America. It was to be hoped that more women could be appointed in the near future.

Article 9

17. Regarding nationality, the situation remained unchanged, regrettably, although women did not complain. It was to be hoped that those who were involved in women's issues would use their influence to make others aware of the importance of the right to transmit nationality.

Article 10

18. As far as the first question was concerned, the country was working towards a completely co-educational system, and the syllabus was the same for boys as for girls. However, boys had the advantage of being able to receive higher education in the schools run by priests, which were not open to girls.

19. Regarding question 2, co-educational schools did exist and statistical information would be provided later. As far as question 6 was concerned, in the towns there were more women teachers at the lower levels, whereas in country areas the numbers of male and female teachers were about the same.

20. In reply to questions 7 and 8, he said that the Government encouraged women to enter the respective faculties; however, as most of the courses concerned required mathematics, which girls frequently did not learn, very few women took those courses. However, the situation would change as girls were able to take greater advantage of the co-educational system.

(Mr. Nsabimana)

21. The plans referred to in question 9 were still being implemented, especially with regard to the greater emphasis being placed on co-education, although it should be borne in mind that changes could not take place overnight.

Article 11

22. In reply to question 1, he said that the Government was unable even to accommodate all children at the primary school level, and care for pre-school children was left to parents' associations, which were given whatever assistance and support the Government could provide.

23. As far as question 2 was concerned, maternity benefits were not covered by the social security system.

24. Equal pay, the subject of question 3, had never been a problem in Rwanda: provided women had the same qualifications as men, they received the same pay.

25. The legislation which required a woman to seek her husband's consent in order to undertake employment (see question 4) was outdated. A woman did not now require her husband's consent or his opinion if she were offered employment.

Article 12

26. The first question was a very delicate one. A child was considered to be a family's most precious asset. Family planning had been introduced but had not been taken up on a large scale and sterilization was practically unheard of. If sterilization was required, the operation could undoubtedly be performed in hospitals or clinics. In any event, the question was not discussed openly.

27. Regarding question 2, there were no special programmes to encourage women to take up medicine, but women did attend the Faculty of Medicine, in perhaps greater numbers than men.

28. Figures could not be provided for abortions (see question 3), as abortion had not been legalized. Illegal abortion could result in severe penalties.

29. With regard to question 7, women had six or seven children on average but the number was often higher.

30. Family planning (see question 8) had not really become accepted and it was impossible to provide figures on the success of family planning programmes. People were only just beginning to understand the issues and to appreciate that the scarcity of food was a reason for limiting families.

31. Prostitution did exist, although it was officially prohibited, but the information sought in question 9 was unavailable. Female circumcision, mentioned in question 10, was not practised at all in Rwanda, but the problem of frequent pregnancies mentioned in question 11 was one which caused considerable concern. It was difficult to provide the statistics asked for in question 12 because not all women gave birth in hospital; the traditional midwives who worked in the rural areas did not keep statistics.

(Mr. Nsabimana)

Article 13

32. In reply to question 1, he said that women had no rights of inheritance in Rwanda. The family code, which covered the question of succession, had not been amended. However, it was expected to be reviewed by the legislature in the near future. Regarding loans, referred to in questions 2 and 3, they could be obtained by women and efforts would be made to provide statistics later.

Article 14

33. As far as question 1 was concerned, Rwanda had a national water programme and most communities had their own health centres. The national water plan was a plan covering several years which had started with the most arid regions and, when completed, should provide enough drinking water for the entire country.

34. Regarding the co-operative movement (see question 2), perhaps 90 per cent of women in Rwanda belonged to co-operatives of one kind or another.

35. Turning to question 3, he said that, although agricultural development projects existed throughout the country, fewer women were involved as a general rule in view of their lower level of education, although with the new emphasis on mixed schools a greater number of women would eventually be involved. Regarding question 4, no special emphasis was placed on women, although experiments were taking place in which women were tackling jobs traditionally performed by men. Women were also starting to work as agricultural instructors.

Article 15

36. A woman could apply for a passport and did not have to have her husband's permission to obtain one, provided she was of age. From the administrative and legal points of view, women had the right to travel as they wished.

Article 16

37. As far as question 1 was concerned, the penalties imposed on women for adultery were more severe than those imposed on men because it was considered that as a result a woman might give birth to a child which would not really be a member of the family. It was anticipated, however, that the legislation would be revised to make the penalties the same for both sexes.

38. The only explanation for the difference in the minimum age of marriage for women (see question 2) was that women matured more quickly than men. In reply to question 3, he said that the social security system did not cover either of the cases mentioned.

39. Ms. LAIOU-ANTONIOU congratulated Rwanda on being the first African country to have ratified the Convention, and noted the commendable work being done by the DUTERIMBERE association and women's groups in the préfectures (CEDAW/C/13/Add.13, pp. 16 and 17). It was evident, however, that many inequalities still hampered the advancement of women; in the circumstances the political will of the Government was the most important factor. In view of the discrepancies between the legal situation of women and that of men, it was regrettable that no further legal measures had been adopted since the ratification of the Convention to implement its provisions, according to the second report (CEDAW/C/13/Add.13, p. 2). She

(Ms. Laiou-Antoniou)

suggested that special government machinery should be established without delay, with the main task of advancing the status of women and ensuring their participation in development.

40. Developing countries like Rwanda merited international co-operation and aid, and women must have some say in the planning and use of aid in accordance with their needs. She had been surprised to find that the unfavourable position of women was not mentioned in Rwanda's report to the Human Rights Committee on the implementation on the International Covenant on Civil and Political Rights, for instance, and she hoped that in the future women would be able to contribute to the drafting of reports to such international bodies.

41. Ms. ABAKA, referring to article 12, said that she had noted that abortion was a crime in Rwanda, and wished to know what the position was if a mother's life was in danger or if pregnancy was the result of rape.

42. Ms. CORTI endorsed Ms. Laiou-Antoniou's comments. Drawing attention to the imbalance in the representation of women and men in decision-making bodies, she asked what measures had been or were being taken to increase women's representation in such bodies. She was particularly struck by the fact that there were only six women out of a total of 1,489 persons serving as commune councillors (CEDAW/C/13/Add.13, p. 8), since it was a well-known fact that it was at the grass-roots level that efforts must be initiated if the overall situation was to be improved. Furthermore, she wished to know whether the Government intended to adopt temporary special measures, in accordance with article 4 of the Convention, to promote the equal status of women in public institutions at all levels.

43. Ms. NIKOLAEVA said that a comparison between Rwanda's initial and second reports demonstrated the Government's efforts to emancipate women in the family, promote their personal fulfilment and recognize their potential for economic and social development. Those efforts should be seen in the context of the country's historical development. Rwanda was primarily an agricultural country, and it was virtually impossible to draw on women's labour potential in the principal industrial sector, mining. Against that background, the basic thrust of the Government's efforts should be to improve the literacy rate throughout the country, and it should be given practical international assistance and support to that end. In order to hasten the literacy process, she suggested that the Committee should make an appropriate recommendation to UNESCO, requesting assistance for literacy programmes, especially for rural women.

44. Ms. FORDE said that one of the areas requiring attention was the failure of girls to go on to higher education, and she wondered whether positive action was being taken to reverse that trend, for instance through special counselling programmes to explain to girls the advantages of further education. She also wished to know whether the representative was aware of any court cases in which women had been prosecuted for abortion, and what kinds of penalties were imposed. She would like more information on HIV infection and AIDS, and to know whether AIDS was considered a problem or a potential problem and whether there were any reported cases.

45. Noting that a review of inheritance laws was planned, she asked whether there was any draft legislation on the inheritance rights of women and what was the extent of support for such amendments to the inheritance laws. Finally, there seemed to be some discrepancy between the statement that there was no de jure

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discrimination against women and the statement that adultery was more severely punished in the case of women than in the case of men, and she wished to know whether the provision concerned was still in force.

46. Ms. EVATT said that she was pleased to note the increased awareness of the need to involve women in development and ensure equal access to education at all levels, as well as the adoption of the new Family Code, giving women greater access to loans. It was clear, however, that many obstacles to the advancement of women remained, including illiteracy, the low educational level, the high fertility rate and women's generally low status, particularly as a result of traditional attitudes. Even *de jure* equality had not yet been fully attained, as attested by the laws on adultery, nationality and inheritance. Like Ms. Laiou-Antoniou, she urged the Government to consider the establishment of an appropriate government agency with responsibility for overseeing the implementation of the Convention and planning and implementing programmes for women.

47. Ms. QUINTOS-DELES, referring to the statement that men had to be able to help their wives in the home, said that, from surveys done in her own country, there seemed little hope of the burden of housework being alleviated by men otherwise than on the rare occasions when their wives were ill.

48. Ms. OESER requested a clarification of the status of the Convention within the Rwandese legal order. When the initial report had been considered at the Committee's third session, the representative of Rwanda had indicated that the application of the Convention was not specifically provided for under the Constitution and that it would be necessary for its provisions first to become national laws. On page 5 of document CEDAW/C/13/Add.13, however, it was stated that the provisions of the Convention could be invoked before courts or administrative authorities and could be applied directly by them, since they were already reflected in the law, and particularly in the Constitution. A clarification was important in order to enable the Committee to assess the legal status of women. She also requested details on how the Convention could be invoked before the courts.

49. Ms. BERNARD, referring to the representative's statement, in reply to question 5 under article 3 that violence against women was not common, asked whether it was possible that that conclusion was based on the fact that incidents were not reported to the authorities, possibly because of traditional attitudes of acceptance.

50. Ms. BRAVO NUÑEZ DE RAMSEY said that the determining factor regarding women's unequal status was perhaps their lack of access to decision-making bodies. She asked how the average citizen covered maternity costs, and whether any government subsidies were available. She wished to know whether there was any provision for exceptions to the laws against abortion, how illegal abortions were performed and what was Rwanda's birth rate. On the subject of prostitutes, it was difficult to see how the necessary contraceptives could be provided to them if their numbers were not known. Finally, were there any special government plans to ensure the legal equality of women, for instance in the case of punishment for adultery. What were the penalties for adultery?

51. Ms. AOUIJ said that, as the first African country to have become a party to the Convention, Rwanda might have been expected to have ensured the *de facto* implementation of its provisions. The root of equality lay in equality of educational opportunity, and she wished to know what measures had been taken in

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(Ms. Aouij)

that regard. Specifically, were sanctions applied if parents failed to send their daughters to school, and were primary schools co-educational as well as secondary schools? Were family planning services available to all women and had any measures been taken to encourage family planning? She wished to know whether the minimum age for marriage - 25 for men and 21 for women - was the legal minimum provided for in the new Family Code, and whether marriage was prohibited below that age.

52. Ms. WALLA-TCHANGAI said that Rwanda was one of the African countries with a high incidence of AIDS. She knew from the World Health Organization that measures had been taken to protect the population, especially women and children, and was surprised that they were not mentioned in the report.

53. Major obstacles to the advancement of women were illiteracy and women's lack of access to decision-making bodies. Temporary special measures were needed, such as scholarships or grants for higher education, to enable women to enter professional fields and encourage women to pursue their studies.

54. Ms. UKEJE regretted the lack of statistics in the report to enable the Committee to assess progress made since the Convention had been ratified. A matter requiring attention was the fact that a man had the authority simply to reject, without appeal, the paternity of a child born within wedlock, whereas there should be a presumption of legitimacy unless there was compelling evidence to the contrary. The present rule resulted in a distressing situation in which the mother was prevented from keeping the child. A full review was required of all laws that worked to the detriment of women and she hoped that such a review would include serious consideration of the question of the rejection of paternity. Rwanda did deserve a special tribute, however, for being the first African country to have ratified the Convention and for submitting its reports on time.

55. Mr. NSABIMANA (Rwanda), replying to questions raised by Committee members, referred first to the question about the status of the Convention in Rwandese law. A special procedure applied to the adoption of international conventions, whereby the legislature adopted an enabling Act to which the convention was annexed and of which it was an integral part. That meant that the convention could be invoked before the courts in the event of an alleged violation of its provisions.

56. A question had been asked about mechanisms set up by the Government to help women to participate in economic planning and development. As far as he was aware, there were no bodies set up specifically for women, although there were 12 female deputies in the Rwandese legislature.

57. On the subject of international co-operation, he said that Rwanda had received assistance from UNICEF in its literacy campaign. However, more assistance was always required, since the illiteracy rate was very high among both women and men.

58. It was a criminal offence to procure an abortion in Rwanda, and there was no legislation allowing abortion in cases where the woman's life was in danger or where she had been raped. However, he was sure that, if a woman's doctor decided that her life would be in danger if she did not have an abortion, the operation would be authorized and performed safely in hospital. There was not much debate about the abortion issue in Rwanda because it was a largely Catholic country.

59. The issue of unequal access to employment for men and women in Rwanda had been raised. That issue was closely linked to that of education. In the past, boys had

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enjoyed many more advantages in education than girls; parents had been reluctant to send their daughters to the mission schools, where the teachers were priests and, in any case, girls were not expected to aspire to a life outside their home and family. It was still difficult to persuade women to continue their education and compete for jobs with men. Almost as many girls as boys took advantage of primary education, but after that stage many girls were expected to stay at home to help their mothers with domestic tasks.

60. There had been a question about the implementation of article 4 of the Convention. As he had said, the Convention now had the force of law in Rwanda. All the articles would eventually be implemented, but the process would take some time to complete. He could assure the Committee that the political will to improve the status of women in Rwandese society was present.

61. A further problem in encouraging women to continue their education was the circumstance that, even if a woman had gone on to secondary education, she would be unwilling to go on to university because that would prevent her marrying at the customary age. Unmarried women were despised in Rwandese society. The Government was doing its best to change social attitudes.

62. In the literacy campaign, great emphasis was placed on literacy among women, because the majority of women in Rwanda were illiterate. Informal classes were arranged in community and training centres or even out of doors, where basic literacy was taught along with information about health, family planning and development.

63. There were certain jobs to which women did not have access, but they were mainly trades rather than jobs in industry. For example, digging wells was considered to be hard physical work more suited to men than women, and thus there was no provision for women to do that kind of work.

64. The Committee had asked about access to higher education for women. In the past, most girls who had received secondary education had learned social sciences, nursing, agronomy and other vocational subjects which did not qualify them to go on to university. A number of institutes of higher education, such as the Institute for Agronomy, had now been established to cater for such students. In the past, also, subjects such as mathematics, chemistry and physics had been open only to boys. However, with the establishment of co-educational primary schools, both girls and boys were receiving the basic education which would enable them to go on to study either the sciences or the arts at secondary level.

65. His country had set up a programme to combat the spread of AIDS. There was an information centre which produced radio broadcasts on AIDS prevention, tested potential carriers of the HIV virus and told them how they could avoid infecting others.

66. Members had asked about women's rights of inheritance. The matter was dealt with under the part of the Civil Code dealing with property law, and there was a great deal of debate about it. Some people felt that, since a woman automatically shared her husband's property, she should not also inherit property from her father. The issue was due for discussion by the Rwandese legislature soon.

67. The law against adultery was one area where discrimination between men and women still existed, since adultery by a man was punished less severely than

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adultery by a woman. That discrepancy had been the subject of considerable debate in Rwanda and the relevant article of the Penal Code would be reviewed in due course.

68. It had been asked whether men took any part in domestic tasks. Traditionally, there had been a very strict division of labour between the sexes in Rwanda, and older people, especially, were very reluctant to change. Again, education was the key to any improvement in the situation.

69. As to whether the Convention was consistent with the Constitution of Rwanda, he said that, after the Act incorporating the Convention in Rwandese law had been adopted by the legislature, the text of the Convention had been reviewed by the Constitutional Court and its provisions had been found to be consistent with the Constitution. Regarding the statement in the report that no further legal measures had been adopted to implement the provisions of the Convention, it might be that Rwandese legislators had not yet examined the Convention in sufficient detail to decide whether further measures were needed.

70. The Committee had asked whether violence against women was a serious problem. Violence against women had its roots in traditional patterns of behaviour in Rwandese society. In many cases, a woman who had been raped was unwilling to take the case to court because she would be shamed in the eyes of her community. A prostitute who had suffered violence would be unwilling to go to court for the same reason.

71. It had been asked whether widows had the same access to credit as other women. The problem all women encountered was that of providing sufficient security for their loans and, for that reason, the women's association DUTERIMBERE had been set up to provide women with security for the loans they needed.

72. He was not sure of the exact penalty involved for procuring an abortion. The issue was the subject of considerable debate; some people could understand why a woman should seek an abortion in certain circumstances, while the Catholic Church remained resolutely opposed to it. Under Rwandese law, a child had the same right to life before birth as afterwards. His country would welcome more information and advice on the issue from international bodies such as the Committee.

73. As far as he was aware, the penalty for adultery for men was a fine or approximately six months in prison, and the penalty for women approximately one year in prison. In Rwandese society, adultery by women was viewed more seriously than adultery by men because, if a child was born into a particular family, it was considered to belong to that family even if the mother's husband claimed that he was not the father of the child.

74. He did not know what penalties were imposed on parents who failed to send their children to school but, as far as he was aware, there were no special penalties if the child concerned was a girl.

75. In the field of family planning, the National Population Office (ONAPO) was trying to establish permanent information centres at the préfecture and the commune level, which would give family planning information to both women and men. The population explosion was a very worrying problem for a small country such as Rwanda.

76. Although the legal age for marriage was now 25 for men and 21 for women, couples could marry earlier with their parents' consent.

(Mr. Nsabimana)

77. The Government fully understood the need to encourage more girls to attend school, particularly primary school. It was well aware that to educate girls was to educate the whole nation.

78. The CHAIRPERSON thanked the representative of Rwanda for his presentation and expressed the hope that the concerns raised by members of the Committee would be fully covered in Rwanda's next periodic report.

79. Mr. Nsabimana (Rwanda) withdrew.

SOLEMN DECLARATION BY A NEW MEMBER OF THE COMMITTEE

80. Ms. Bravo Nuñez de Ramsey made a solemn declaration as provided for in rule 10 of the Committee's rules of procedure (A/38/45, annex III).

The meeting rose at 1 p.m.