

**REPUBLIC OF RWANDA**



**MINISTRY OF JUSTICE  
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**THE NATIONAL HUMAN RIGHTS ACTION PLAN OF RWANDA : 2017-2020**

## **EXECUTIVE SUMMARY**

Rwanda believes that the protection and promotion of human rights is every nation's responsibility and that the function of government is to safeguard the dignity and rights of individuals, whose lives should be free of violence, discrimination, vilification, and hatred. The Government reaffirms Rwanda's commitment to the protection and promotion of human rights, through the development of this National Action Plan for Human Rights (NHRAP). This Action Plan is the first of its kind in Rwanda and builds on extensive work by Rwandan government to create an inclusive society where all are valued and have equal opportunity. Strengthening human rights protections and turning aspirations into reality requires continuing commitment and hard work across many areas of the Rwandan Government. This Action Plan demonstrates Rwanda's ongoing commitment to its international human rights obligations, and the Government's desire to improve both the promotion and protection of human rights. A Baseline Study on the key human rights issues in Rwanda was used to develop this Action Plan. The Rwandan Government acknowledges that while not all issues identified in the Baseline Study could be addressed at this time, the Baseline Study will inform policy development into the future. The Baseline Study summarizes key priority areas to focus on over the next four years. Rwanda already has in place a range of programs and laws to strengthen human rights protections and improve opportunities for all Rwandans. This Action Plan sets out these major, ongoing strategies. It is designed to mirror specific group of rights such as Civil and Political Rights, Economic, Social and Cultural Rights, Protection of Specific Groups and cross-cutting issues.

The NHRAP was formulated through a participatory process that involved various stakeholders. Consultations and discussions were held at national levels, whereby representatives of government institutions, civil society organisations and professionals were consulted. The National Treaty Body Taskforce, which carried out the process, was formulated in such a way to include various segments of society. The Ministry of Justice would like to thank all of those who participated in the process of formulating this National Human Rights Action Plan.

## LIST OF ABBREVIATIONS AND ACRONYMS

<b>ART:</b>	Anti-Retroviral Treatment
<b>BDF:</b>	Business Development Fund
<b>CBHI:</b>	Community Based Health Insurance
<b>CESTRAR :</b>	Centrale des Syndicats des Travailleurs au Rwanda
<b>CHW:</b>	Community Health Workers
<b>CNLG :</b>	Commission Nationale de Lutte contre le Génocide
<b>CoK:</b>	City of Kigali
<b>COSYLI:</b>	Confederation of Free Trade Unions of Rwanda
<b>COTRAF:</b>	Congress of Labour and Fraternity in Rwanda
<b>CRC:</b>	Convention on the Rights of the Child
<b>CSO:</b>	Civil Society Organization
<b>DGIE:</b>	Directorate General of Immigration and Emigration
<b>DHU:</b>	District Health Unit
<b>DIDE:</b>	Dignity in Detention
<b>DRC:</b>	Democratic Republic of Congo
<b>EDPRS:</b>	Economic Development Poverty Reduction Strategy
<b>EICV:</b>	Integrated Household Living Conditions Survey
<b>ECD:</b>	Early Childhood Development
<b>FARG :</b>	Fond pour l'Assistance des rescapés du Génocide
<b>GBV:</b>	Gender Based Violence
<b>GMLC:</b>	Great Lakes Media Centre
<b>GMO:</b>	Gender Monitoring Office
<b>HIV:</b>	Human Immunodeficiency Virus
<b>HRBA:</b>	Human Rights Based Approach
<b>HSSP:</b>	Health Sector Strategic Plan
<b>ICCPR:</b>	International Covenant on Civil Political Rights
<b>ICESR:</b>	International Covenant on Economic Social and Cultural Rights

<b>ID:</b>	Identification
<b>IJM:</b>	International Justice Mission
<b>ILO:</b>	International Labour Organization
<b>IOSC:</b>	Isange One Stop Centers
<b>JDAF:</b>	Joint Development Action Forums
<b>LODA:</b>	Local Administrative Development Agency
<b>MAJ :</b>	Maison d'Access à la Justice
<b>MCH:</b>	Maternal and Child Health
<b>MDG:</b>	Millennium Development Goals
<b>MHC:</b>	Media High Council
<b>MIDIMAR:</b>	Ministry of Disaster Management and Refugee Affairs
<b>MIFOTRA:</b>	Ministry of Public Service and Labour
<b>MIGEPROF:</b>	Ministry of Gender and family promotion
<b>MINAGRI:</b>	Ministry of Agriculture
<b>MINALOC:</b>	Ministry of Local Governance
<b>MINECOFIN:</b>	Ministry of Finance and Economic Planning
<b>MINICOM:</b>	Ministry of Industry and Trade
<b>MINIJUST:</b>	Ministry of Justice
<b>MININFRA:</b>	Ministry of Infrastructure
<b>MMI:</b>	Military Medical Insurance
<b>MoD:</b>	Ministry of Defense
<b>MYICT:</b>	Ministry of Youth and ICT
<b>NAP:</b>	National Action Plan
<b>NCBS:</b>	National Capacity Building Secretariat
<b>NCC:</b>	National Commission for Children
<b>NCD:</b>	Non Communicable Disease
<b>NCHR:</b>	National Commission for Human Rights
<b>NCPD:</b>	National Council of Persons with Disabilities
<b>NDIS:</b>	National Decentralization Implementation Secretariat

<b>NEP:</b>	National Employment Program
<b>NGO:</b>	Non-Governmental Organization
<b>NHRAP</b>	National Human Rights Action Plan
<b>NIDA:</b>	National Identification Agency
<b>NISR:</b>	National Institute of Statistics Rwanda
<b>NPPA:</b>	National Public Prosecution Authority
<b>NYC:</b>	National Youth Council
<b>OPCAT:</b>	Optional Protocol to the Convention against Torture
<b>ORINFOR:</b>	Rwanda Bureau of Information and Broadcasting
<b>OVC:</b>	Orphans and Vulnerable Children
<b>PSC:</b>	Public Service Commission
<b>PSF:</b>	Private Sector Federation
<b>PTA:</b>	Parents Teachers Association
<b>PWD:</b>	People With Disabilities
<b>RAB:</b>	Rwanda Agricultural Board
<b>RBA:</b>	Rwanda Broadcasting Agency
<b>RCA:</b>	Rwanda Cooperative Agency
<b>RCS:</b>	Rwanda Correctional Services
<b>RDB:</b>	Rwanda Development Board
<b>RDF:</b>	Rwanda Defense Force
<b>REB:</b>	Rwanda Education Board
<b>RGAC:</b>	Rwanda Governance Advisory Council
<b>RGB:</b>	Rwanda Governance Board
<b>RGS:</b>	Rwanda Governance Scorecard
<b>RHA:</b>	Rwanda Housing Authority
<b>RLRC:</b>	Rwanda Law Reform Commission
<b>RMC:</b>	Rwanda Media Commission
<b>RNP:</b>	Rwanda National Police
<b>RSSB:</b>	Rwanda Social Security Board

<b>RURA:</b>	Rwanda Utility and Regulatory Agency
<b>SACCO:</b>	Savings and Credit Co-operative
<b>SME:</b>	Short and Medium Enterprises
<b>SMS:</b>	Short Message Services
<b>STRIGECOMI:</b>	Union of Workers in Industry, Garages, Construction Firms, Mines and Printers
<b>TBR:</b>	Treaty Body Reporting
<b>TMM:</b>	Tubarerere Mu Muryango Program
<b>TVET:</b>	Technical Vocational Education and Training
<b>UDHR:</b>	Universal Declaration of Human Rights
<b>UN:</b>	United Nations
<b>UNCAT:</b>	United Nations Convention against Torture
<b>UNESCO:</b>	United Nations Educational, Scientific and Cultural Organization
<b>UNHCR:</b>	United Nation High Commissioner for Refugees
<b>UNICEF:</b>	United Nations Children's Emergency Fund
<b>UPR:</b>	Universal Periodic Review
<b>UR-CASS:</b>	University of Rwanda, College of Arts and Social Sciences
<b>VUP:</b>	Vision 2020 Umurenge Program
<b>WDA:</b>	Workforce Development Authority
<b>YBE:</b>	Years Basic Education

## **PART A:**

### **NATIONAL HUMAN RIGHTS POLICY**

#### **A. The Need for the Policy**

Human Rights are commonly understood as fundamental attributes to which a person is inherently entitled simply because that person is a human being. These rights are understood to be universal (applicable everywhere) and egalitarian (the same for everyone). These rights may exist as natural rights or as legal rights, in domestic and international law. The existence of these rights creates an obligation for the Government to ensure the effective enjoyment of both the natural and legal rights.

In order for this to be achieved, there must be a common understanding among the stakeholder institutions concerned. The National Human Rights Action Plan and Policy facilitate the attainment of that common understanding.

- **The Human Rights Principles:**

The nature of human rights is further expounded upon by these core principles:

- ✚ Universal and inalienable: This means that all persons are entitled to enjoy their human rights without any possibility of such rights being denounced or taken away. ‘All Human Beings are born free and equal in dignity and rights.’ UDHR Article 1
- ✚ Indivisible: Whether of a civil, cultural, economic, political or social nature, human rights are all inherent to the dignity of every human person. Consequently, they have equal status as rights and cannot be ranked in a hierarchical order.
- ✚ Inter-dependent and Inter-related: The realization of one right often depends, wholly or in part upon the realization of others. For instance, realization of the right to health may depend, in certain circumstances, on realization of the right to education or of the right to information.
- ✚ Equality and Non-discrimination: All Rwandans are equal as human beings and by virtue of the inherent dignity of each human person. All Rwandans are entitled to their human rights without discrimination of any kind.

- ✚ Participation and Inclusion: All Rwandans are entitled to active, free and meaningful participation in, contribution to and enjoyment of civil, economic, social, cultural and political development of the Country in which human rights and fundamental freedoms can be realized.
- ✚ Accountability and Rule of Law: The Government of Rwanda and other duty bearers are answerable for the observance of human rights. In this regard, they have to comply with legal norms and standards enshrined in human rights instruments.

A national human rights action plan is therefore necessary at this stage to consolidate all of the excellent work that has been done in the promotion and protection of human rights for all Rwandans. The development of a policy does not imply that it is the beginning of the prioritization of human rights issues. Indeed all Government policies up to date contain key elements for the advancement of human rights including; Vision 20/20, EDPRS 2, the national gender policy, the National Policy against Gender Based Violence, the Legal aid policy and justice for children policy among others. This national human rights action plan only seeks to consolidate and harmonize all other Government policies and programs impacting on human rights in order to create better cohesion in the implementation of those policies and programs.

## **B. Vision and Objectives**

### **Vision**

To provide a framework for the consolidation and mainstreaming of existing Government Policies and programs and address identified gaps for the Promotion and Protection of Human Rights in Rwanda.

### **Objectives:**

- I. Consolidation ;to consolidate the existing Government programs and Policies relating to the Promotion and Protection of Human Rights
- II. Coordination; to coordinate and create synergies in the implementation of the various government policies related to the promotion and protection of human rights.



- III. Dissemination; Increase the knowledge and application of a human rights based approach in all areas of the Government's development agenda.
- IV. Create and maintain a framework for monitoring and evaluation the realization of fundamental human rights for all Rwandans.
- V. Identify priority actions to fill existing gaps in government programs and policies for the promotion and protection of human rights.

### **C. Human Rights Models/preferred**

According to the human rights based approach to development; all programs of development should further the realization of human rights as laid down in the Universal Declaration of Human Rights and other international human rights instruments. Considering this principle in relation to the Rwandan context would mean that all Government Policies and Programs should promote the realization of guaranteed fundamental human rights for all Rwandans. A human rights based approach serves to analyze the underlying causes of existing challenges and gaps from a human rights perspective. In that regard, established domestic and international human rights standards define the existing gaps in delivering government services and the resultant needs among affected Rwandans. It is a people centered approach to development, complementing the existing Government policies by strengthening support for the principles of non-discrimination, indivisibility of rights and the rule of law.

Government institutions should share a common understanding of the HRBA and apply it in the development and implementation of policies and programs. Thus the aim of all activities is to contribute directly to the realization of one or several human rights. This is not a novel idea as indeed each issue does have a human rights dimension. This policy only proposes the measurement of progress in the implementation of the various policies and programs through the lens of increased access to fundamental human rights.

In order for this to be achieved, all programs and policies should further the realization of human rights as laid down in the UDHR, the International Conventions and the National Legislation of Rwanda starting with the Constitution. The human rights standards contained in the above named laws should guide all future programs and policies in all sectors and in all phases of the programming process including monitoring and evaluation.

#### **D. Process of Developing the National Human Rights Action Plan**

The decision to begin the process of developing a national human rights action plan was made during the first Universal Periodic Review of Rwanda in 2011. At that time, the Government of Rwanda made a commitment to draft a national human rights action plan. However this process, is not just about fulfilling a recommendation, but it is about taking the necessary steps to ensure that all Rwandans have access to their fundamental human rights across the board.

On the 7<sup>th</sup> of February 2014, the National Human Rights Action Plan development process was launched by the Minister of Justice and Attorney General. There after a broad stakeholders' consultation on the process of the development of the Action Plan was held at the Ministry of Justice on the 26<sup>th</sup> of March 2014. That meeting brought together over 30 representatives from varied Government and Civil Society Institutions.

This project was then endorsed by the Cabinet on the 28<sup>th</sup> of March 2014 when the road map for the development of the action plan was approved. The first meeting of the National Human Rights Action Plan Coordinating Committee was held on the 09<sup>th</sup> of April 2014 and this was followed by a meeting of the drafting committee on the 26<sup>th</sup> of May 2014. On the 12<sup>th</sup> of August 2014 an orientation seminar for the National Human Rights Action Plan drafting Committee was held in partnership with the Office of the High Commissioner for Human Rights in Rwanda.

Thereafter the process of conducting a comprehensive baseline study on the human rights situation in Rwanda began. This process culminated in a baseline study that was validated in a meeting bringing together about 40 members of the National Treaty Body Reporting Task force as well as representatives from stakeholder institutions both in Government and Civil Society on the 30<sup>th</sup> of March 2015. Before validation, the National Human Rights Action Plan was drafted under the leadership of the Ministry of Justice through the framework of the above mentioned National Treaty Body Reporting Task Force. The Task Force brings together representatives from various Government Institutions that play a key role in the implementation of human rights standards. The Task Force also has representatives from nongovernmental institutions including civil society and human rights defenders who are important partners for Government in the promotion and protection of human rights.

## E. Legal and Policy Framework

The Constitution of the Republic of Rwanda of 2003 revised in 2015 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>1</sup>. Title II of the same “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:

- Access to Justice and Rule of Law [Art 29]
- Freedom from Torture and other forms of cruel, inhuman and degrading treatment [Art 14]
- Freedom from Discrimination and Equality (Persons with Disabilities) [Art 15, 16,51]
- Elimination of Discrimination Against Women ( Art 16)
- The Rights of Needy Genocide Survivors and other vulnerable groups (Art 50,51)
- The right to marry and found Family [Art 17, 18]
- The Right to Nationality and Participation in Public Affairs [Art 25, 27]
- Freedom of press, of expression and of access to information[38,]
- Freedom of Assembly and Association [Art 39,40]
- The right to own property [Art 34,35]
- The right to Work and Equality in work [Art.30]
- The Right to Health [Art 21]
- The right to Education [Art 20]

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<sup>1</sup> The Constitution of the Republic of Rwanda, preamble, 9<sup>0</sup>

- The right to participate in Culture [Art 36]
- The Rights of Children and Youth [Art 18,19,38]
- The Rights of Persons with Disability [Art 51]
- The rights of Asylum seekers and Refugees [Art 28].

Rwanda has ratified most of the key human rights instruments. Once ratified, all the treaties and conventions are integrated into the domestic legal system. As per Article 168 of the Constitution, ratified treaties have the force of law as national legislation in accordance with the hierarchy of laws provided for under the first paragraph of Article 95 of this Constitution. Rwanda has also withdrawn all its reservations on International human rights treaties. There is therefore a rich body of law to inform and shape the National Human Rights Action Plan and Policy.

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

Rwanda is party to various international human rights instruments, among others:

- ❖ International Covenant on Civil and Political Rights (ICCPR); ratified on 12/02/1975 by the Decree Law n° 8/75 of 12/02/1975; 4 periodic reports were submitted;
- ❖ Second Optional Protocol to the ICCPR, aiming at the abolition of the death penalty ratified on 01/10/2008 by the Presidential Order n° 52/01 of 14/01/2008
- ❖ International Covenant on Economic ,Social and Cultural Rights ( ICESCR) ratified on 12/02/1975, four periodic reports submitted;
- ❖ Convention on the Elimination of All forms of Discrimination Against Women, ratified on 10/11/1980 by the Presidential Order n° 431/16 of 10/11/1980, nine periodic reports submitted;
- ❖ Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment ratified on 15/12/2008
- ❖ Protocol on the Convention Against Torture, ratified on 30/06/2015 by Presidential Order n° 60/01 of 12/02/2014

- ❖ International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
- ❖ International Convention on the Elimination of All Forms of Racial Discrimination, ratified on 16/04/1975
- ❖ Convention on the Rights of the Child, ratified on 24/01/1991
- ❖ Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict ratified 23/04/2002
- ❖ Optional Protocol to the Convention on the Rights of the Child on the sale of children child prostitution and child pornography ratified 14/03/2002
- ❖ Convention on the Rights of Persons with Disabilities ratified on 15/12/2008 by the Presidential Order n° 131/01 of 27/12/2012, the initial report submitted in 2015;
- ❖ Convention on the Prevention and Punishment of the Crime of Genocide; ratified on 10/05/1975 by the Decree Law n° 8/75 of 12/02/1975
- ❖ Convention on the non-applicability of statutory limitations to war crimes and crimes against human, ratified on 16/04/1975 by Decree Law n° 8/75 of 12/02/1975
- ❖ African Charter on Human and Peoples' Rights, ratified on 17/05/1983 by Law n° 10/1983 of 17/5/1983; ten periodic report submitted;
- ❖ African Charter on Democracy, Elections and Good Governance, ratified on 09/07/2010 by Presidential Order n° 27/01 of July 2012, and its draft report was prepared;

Within the policy framework Rwanda has formulated several policies and programmes 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. The commitment to realize fundamental rights is stated in the Country's Vision 2020 and Economic Development Poverty Reduction Strategy 2 (EDPRS II) which form the baseline for Rwanda's policy and program. Much transformation has happened in the policy framework for the promotion and protection of human rights. To name but a few, improvement on policies relating to access to justice, freedom of expression and association; promoting gender equality; progress in the implementation of Vision 2020, EDPRS 2 and the Millennium Development Goals, among others, led to significant transformation of the human rights situation in Rwanda.

## **F. Institutional framework**

In order to achieve the National Human Rights Objectives, some key institutions have been established.

### **I. National Commission for Human Rights (NCHR)**

The National Commission for Human Rights was created in 1999. It is a constitutional body provided for by Article 139 of the Rwandan Constitution. The NCHR is an independent institution responsible for the promotion and protection of human rights in Rwanda.

A new Law N° 19/2013 of 25/03/2013 determines the mission, organisation and functioning of the NCHR<sup>i</sup> which re-affirms the independence and autonomy of the NCHR in performing its functions. That law requires the NCHR to present reports of its activities only to the Parliament for consideration.

In implementing its mandate of the promotion, the National Commission for Human Rights organizes training sessions and sensitization for different people including local authorities, security agents likely Heads of the police stations and higher authorities of the police, Heads of army, Judges, Prosecutors, religious leaders, teachers and students, National Women Council, National Youth Council, members of different associations and others.

During the last three years, the Commission trained 1.975 in 2012-2013, 2.520 in 2013-2014 and 1.726 in 2014-2015. The Commission sensitized 9.279 in 2012-2013, 36.087 in 2013-2014 and 8.403 in 2014-2015.

In the framework of protecting human rights, the Commission, receives complaints, examines and investigates them.

The following table shows the complaints received and examined, resolved and not resolved in the last three years

<b>Complaints</b>	<b>Year 2012-2013</b>	<b>Year 2013-2014</b>	<b>Year 2014-2015</b>
Complaints investigated	1.172	1116	1705
Complaints investigated and submitted to relevant organs	835	654	1056
Complaints resolved	626	401	806
Complaints not resolved	209	253	250

Funding for the NCHR has grown annually.

The allocated budgetary amount has been over 5.2 Billion Rwandan Francs or 7.5 million US dollars over the last 4 and half

## **II. The Office of the Ombudsman**

The Office of the Ombudsman is established by the Constitution of 2003. In 2013, additional powers were granted to the Office which included expanded authority to investigate human reported rights violations. The Office of the Ombudsman has the mandate to act as a link between the citizen, public, and private institutions and to investigate complaints of injustice, corruption and related offences in public and private entities. The Office of the Ombudsman also receives complaints from individuals and associations regarding the behaviour of civil servants. It is empowered to report on unlawful acts, investigate and initiate prosecutions against corrupt actors.

The most recent records from the Office of the Ombudsman indicate that in 2015, the Office of the Ombudsman received a total of 7.404 claimants either bringing new cases or following up on the previous cases. The Office received also 808 written cases among which 439 were resolved, 169 were sent to concerned institutions and 200 are still being processed. Annually, the Office of the Ombudsman organizes a national campaign commonly known as “Anti-corruption week” and a second week focusing on

fighting against injustice. During those campaign weeks, the Office increases awareness of its mandate and existing reporting structures in communities across the country. Individual and collective complaints related to corruption and unfair practices by civil servants are also received during those weeks.

### **III. National Commission for Children (NCC)**

Within the framework of respecting and giving a voice to Children's rights, the Government of Rwanda adopted Law N<sup>o</sup>. 22/2011 of 28/6/2011 establishing the National Commission for Children (NCC). The NCC is an independent organ under the Ministry of Gender and Family Promotion (MIGEPROF) and its responsibility is to monitor, promote and protect the rights of children in Rwanda.

The NCC has a special mandate to ensure the realization of the rights and freedoms of Rwanda's children, particularly those that are vulnerable in society. The NCC currently supports 23,604 (11,001 Females and 12,603 males) Orphans and Vulnerable Children (OVC) in secondary school, 3,009 (1,133 Females and 1,876 males) in Technical and Vocational Education Training (TVET) through the provision of school fees and health insurance. Through this program, 19,779 students had graduated by December 2013. By the end of April 2014, an additional 10,112 OVC had completed both secondary school and TVET.

NCC organizes an Annual Children's Summit that serves as a national consultative forum that brings together child delegates from all the administrative sectors across the country. The Children's Summit provides children a special opportunity to express their views and wishes about building the nation. Thus children are given an opportunity to have their perspective included in what is planned for them with regard to the country's policies and programs for children, child rights, the country's economic and social development, as well as the challenges they face. In 2014, the Annual National Children's Summit coincided with the 25th anniversary of the UN Convention on the Rights of the Child. In that summit, 507 children from across Rwanda and 17 other children from other East Africa nations convened to discuss on child rights and protection.



#### **IV. The Gender Monitoring Office(GMO)**

The Government of Rwanda established a Gender Monitoring Office, whose mandate is to monitor gender mainstreaming in all public, private, civil society and faith-based institutions and organizations, as determined by the law N° 51/2007 of 20/09/2007. The positive rate of gender mainstreaming across the Country can be directly related to the work of this institution that is dedicated to ensuring that the laws and policies are effectively implemented. In addition, the GMO also has the responsibility to participate in the development of policies and response to cases of gender based violence. In 2015, the Gender monitoring office provided legal and psychosocial counseling services to victims of Gender Based Violence. Various GBV cases were submitted either in person or through the newly established helpline at GMO. The cases submitted in person and those received through the helpline were 24 and 43 respectively of which 6 males and 61 females. Most of cases received were for women and the trends also shows economic violence to be high with 38 cases and, sexual violence with 15 cases and 14 case for physical and psychological violence. With the support of this helpline, victims of violence and other forms of injustices easily have access to the required services depending on the nature of individual cases. This mechanism of using helpline to receive and orient GBV cases is more efficient and effective as it is cost free and time effective.

#### **V. The National Council for Persons with Disabilities (NCPD)**

Article 51 of the Rwandan Constitution sets out the responsibility of the government to ensure the inclusion of persons with disabilities in all national development programs. In particular, persons with disabilities have the right to have one representative in the Parliament's Chamber of Deputies (Art.76.4) from the National Council for Persons with Disabilities. The NCPD was established by law N°. 03/2011 of 10/02/2011<sup>ii</sup> with the purpose to coordinate activities aimed at the advancement of persons with disabilities, to gather and examine views of all persons with disabilities, to advocate on the issues affecting them, to increase their capacity to be independent and collaborate with nongovernmental organizations working in the sector of persons with disabilities.

#### **VI. Rwanda Governance Board (RGB)**

The Rwanda Governance Board (RGB) is a public institution established by law N° 41/2011 of 30/09/2011.<sup>iii</sup> It was formed from the merging of Rwanda Governance Advisory Council (RGAC) and the National Decentralization Implementation Secretariat (NDIS). RGB's core mission is to promote the principles of good governance and decentralization, conduct research and policy analysis related

to governance, monitor the practices of good governance, coordinate and support media sector development and enhance citizen participation among others.

In the fulfilment of its mandate, RGB conducts regular research on the impact and perception of Government services among the public. One of their most successful innovations is the Rwanda Governance Scorecard, a comprehensive governance assessment tool. In addition, RGB conducts other surveys such as the Citizen Report Card (an annual perception survey that scores Government performance from the perspective of beneficiaries), according to the citizen report card of 2015, the government performance moved to 71.1% barometer from 59.8% in 2014.

Rwanda Media Barometer, Rwanda Civil Society Development Barometer and Rwanda Governance Review. In order to increase citizens' participation, RGB introduced home-grown initiatives such as the Governance month which mainly aims at solving citizens' complaints, fostering accountable governance and transparency.

## **VII. The National Commission for the Fight against Genocide (CNLG)**

The National Commission for the Fight against Genocide was created by law N° 09/2007 of 16/02/2007, on the attributions, organization and functioning of the national commission for the fight against genocide. The law stipulates that the Commission is a national, independent and permanent institution. The commission started operating in April 2008 and it has a legal status, administrative and financial autonomy. CNLG's core mission is to prevent, fight against genocide and genocide ideology; and address genocide consequences both within and outside Rwanda. The commission has helped to elaborate and put in place strategies meant to solve genocide consequences such as trauma and other diseases which resulted from genocide. CNLG also seek for assistance for Genocide survivors and pursue advocacy as to the issue of compensation.

## **VIII. The National Unity and Reconciliation Commission (NURC)**

The National Unity and Reconciliation Commission was created in March 1999 by a parliamentary law to promote Unity and Reconciliation among Rwandans in the aftermath of the devastating 1994 genocide against Tutsis to mark a major milestone in changing, fundamentally, effects of bad governance based on discrimination and exclusion. NURC has been a pivotal institution in the process of unity and reconciliation policy implementation, social trust and social cohesion towards the main goal achievement of building a united country. During the 2015 Evaluation and Impact Assessment of the National Unity and Reconciliation Commission,

93 percent of the respondents had an average to excellent understanding of the concept of reconciliation. For most, reconciliation simply meant living together and forgiving. As with the previous sample, those between the ages of 15 – 25 had a better understanding of reconciliation than those respondents from the age group 26 – 35. Respondents from age groups above 35 had an even lower understanding. The figures suggest that younger people were more confident in their knowledge about reconciliation, and they were generally more forthcoming in the interviews than older people. Although a larger sample needs to be done in the future, one may argue that the NURC is appreciated more among younger people. This might be explained by the nature of NURC activities.

### **IX. Parliamentary Committees on Human Rights**

The parliament of Rwanda also has two specific committees in charge of human rights. The Committee on Unity, Human Rights and Fight against Genocide which is in the Chamber of Deputies, and the Committee on Social Affairs and Human Rights and Petitions which is in the Senate.

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

### **G. BASELINE; SITUATION OF HUMAN RIGHTS IN RWANDA**

In order to create a holistic picture of the human rights situation of the Country, a baseline study was conducted in 2015. This study focuses on some key human rights issues in order to provide a broad overview of the extent to which fundamental human rights are enjoyed in Rwanda. The study focused on Civil and Political Rights including; access to justice and the rule of law, freedom of association and expression as well as freedom from torture. In the area of economic, social and cultural rights the study provides an overview of the right to work and equality in work, right to health and the right to education among others. The protection of Specific groups such as women, children and persons with disabilities is also considered.

## **KEY FINDINGS**

### **1. CIVIL AND POLITICAL RIGHTS**

This section discusses the situation of civil and political rights in Rwanda. Particularly it focuses on access to justice and rule of law; freedom from torture and other forms of cruel, inhuman and degrading treatment; freedom from discrimination and equality; the right to a home and family; the right to nationality and participation in public affairs; freedom of the press and expression; freedom of assembly and association; and the right to own property.

In consideration of these rights, information on the background; legal framework, the current situation in Rwanda, the recommendations and the Priorities areas to focus on is provided.

#### **a) Access to justice and rule of law**

This fundamental human right is recognized in international human rights instruments as well as in Rwanda's legal framework, inter alia;

- The Constitution of the Republic of Rwanda of 2003 revised in 2015,
- The Organic Law n°02/2015/OL of 16/07/2015 modifying and complementing Organic Law n° 02/2010/OL. of 09/06/2010 on the organization, jurisdiction, competence and functioning of the Mediation Committee,
- Organic Law N° 002 /2016/OL of 08/09/2016 repealing Organic Law n° 02/2010/OL of 09/06/2010 on organization, jurisdiction, competence and functioning of the mediation committee as modified and complemented to date
- The Organic Law n° 03/2012/OL of 13/06/2012 determining the organization, functioning and jurisdiction of the Supreme Court makes it mandatory for an appellant and other parties before the Supreme Court to be represented by counsel (art.42),
- Organic Law N° 04/2011/OL of 03/10/2011 determining the organisation, functioning and competence of the National Public Prosecution Authority and the Military Prosecution Department;
- Law relating N° 21/2012 of 14/06/2012 to the civil, commercial, labour and administrative procedure.
- The Law n° 10/2013 of 8/03/2013 governing the statutes of judges and the judicial personnel,

- The Law n° 30/2013 of 24/05/2013 relating to the Code of Criminal Procedure,
- The Law n° 02/2013/OL of 16/06/2013 modifying and complementing Organic Law no 51/2008 of 9/09/2008 determining the organization, functioning and jurisdiction of courts as modified and complemented to date,
- The Law n° 12/2013 of 22/03/2013 governing the Bailiff Function,
- The law n° 83/2013 of 11/09/2013 establishing the Bar Association in Rwanda, determining its organization and functioning also expresses the government's intention to provide free legal services to indigents and needy people (art.58),
- The Law n° 47/2013OF 16/06/2013 relating to the transfer of Cases to the Republic of Rwanda,
- The Law n°59/2008 of 10/09/2008 on prevention and punishment of gender based violence, and the Law n° 01/2007 of 20/01/2007 relating to protection of disabled persons in general.

There are also different National policies in connection with human right issues which have been established such as the legal aid policy and justice for children policy, National Policy against Gender-Based Violence, among others. This extensive legal and policy regime has led to significant improvement in the framework for ensuring access to justice for all Rwandans. In 2014, the Ministry of Justice placed Access to Justice Officers (MAJ) as permanent staff in all 30 Districts. Three staff members are appointed in each Access to Justice Bureau to respond to the needs of vulnerable people and bring the formal justice system closer to the people. One Access to justice officer in each District responds specifically to cases of gender-based violence against women and children. Another officer assists in the execution of court judgments with the support of the local government administration. The third officer represents indigent people in courts of law. One of them is the coordinator of all MAJ activities on district level. In 2015, MAJ services, received 22,916 cases requesting for legal aid of which 20,875 represented were civil related problem (91%), and 2,041 (9%) cases were considered as penal. According to gender of people who requested for legal advices in MAJ services, 11,533 (50.3%) cases were presented by female, while 9,835 (42.9%) were presented by male.

The Rwanda Bar Association coordinates the Government legal aid service provision through a framework agreement with the Ministry of Justice. In addition, Articles 58 and 68 of the law regulating the Bar Association provide for mandatory provision of legal aid to the poor by members of the Bar Association.

The increase of lawyer's membership in Rwanda Bar Association from 37 members in 1997 to 1,200 in January 2015 has increased access to the formal justice system for Rwandan citizens. This has fostered greater due process through the provision of legal assistance to vulnerable persons including women, children and indigent persons. However some challenges prevail, including:

- Allocation of advocates in towns with over 85% of advocates located in Kigali, whereas most potential legal aid recipients are located in rural areas.
- In addition, the newly established Access to Justice Coordination Office at the District level has to coordinate legal aid provided by Abunzi in the absence of logistical support in the form of specialized offices and research facilities to improve their work.

#### **Key recommendations**

- Properly defining the MAJ coordination roles at the District level;
- Development and implementation of a comprehensive training and capacity building program for Strengthening and improving the current training model for Abunzi by MAJ;
- Provision of each MAJ district office with a hotline (SMS and telephone) for clients to have access to MAJ personnel and ensuring that each office is always accessible during office hours;
- Development of effective operational and administrative management of MAJ staff including a coordination framework with the Ministry of Local Government to enable Districts to cooperate with MINIJUST in their administrative management;
- Expanding legal aid provision in areas of weak coverage;
- Setting up and provision for referrals/appeals system for Alternative Dispute Resolution;
- Provide transport facilitation to MAJ and Abunzi coordination and provide support for the mobilization of resources to support legal aid.

## **Priorities areas**

Priority areas to focus on are: access to justice and rule of law; provision of transport facilitation to MAJ and Abunzi coordination and to Support the mobilization of resources to support pro bono work done by the RBA.

### **b) Freedom from Torture and other forms of cruel, inhuman and degrading treatment**

The above right is protected by article 14 paragraph 2 of the Constitution of the Republic of Rwanda of 2003 revised in 2015 and by international human rights instruments to which Rwanda is a signatory as well as domestic legislation such as the Organic Law n° 01/2012/OL of 02/05/2012 instituting the penal code from article 176, 177, 270, 272 as well as the code of criminal proceedings, which prohibits the use of torture to obtain evidence or confessions of the alleged perpetrators of a crime. In addition article 6 of the law on evidence and its production states that it is forbidden to tie, beat torture, brainwash or resort to any cruel or degrading methods to extort a confession from a party or testimony from witnesses. Furthermore, Law n° 54/2011 of 14/12/2011 relating to the rights and protection of the child provides for care and welfare of a child.

New prisons such as Nyanza, Nyagatare and Rubavu were constructed as well as Mageragere which is still under construction with a special attention to women prisoners because they have their own special prisons. The latter will accommodate inmates from Kigali prison after its relocation. Some old ones have also been rehabilitated including Huye and Rwamagana. This further improves living conditions in prisons. In particular, with the support of UNICEF and DIDE (Dignity in Detention), Nyagatare rehabilitation center for minors between 14 and 18 years was built and officially inaugurated in February 2013. Two additional women's prisons were opened in Ngoma and Nyamagabe Districts in 2014. In future, Rwanda Correctional Service plans to have one female prison per Province.

Several alternatives to imprisonment are also in use to reduce the number of people serving custodial sentences. The use of community service as an alternative to imprisonment was usually used in genocide cases but has now been expanded to other offences by the 2012 penal code. In addition, release on parole and conditional release of prisoners are other methods often used to offer noncustodial sentences. Rwanda enjoys a remarkably low rate of only 7 percent of those awaiting trial, held in pre-trial detention, compared to 35 percent elsewhere in Africa.

When individuals are in custody, all possible efforts are made to ensure that they receive the best care possible. For example, law N°34/2010 of 12/11/2010 on the establishment, functioning and organization of the Rwanda Correctional Service (RCS) in its Art 29 stipulates that "prisoner shall be imprisoned near his/her family's residence. A child who is still breast feeding shall be entitled to

adequate and nutritional food as required for infant and shall be removed from the prison and given to his family at 3 years of age”. In Nyagatare rehabilitation center, children attend formal and informal education programs. In other prisons special programs such as nursery and special diet for children and were established to make the environment more conducive.

In addition, the Rwanda Correctional Services has a school for training its personnel where Correctional Services staff receives continuous training to improve efficiency and focus on human rights in prison management. The National Commission for Human Rights also has a special mandate to conduct regular visits to prisons and submit its findings in an independent report to the President of the Republic, the Chief Justice and the Parliament. This provides secure and independent mechanisms for the reporting and investigation of any allegations relating to the treatment of prisoners.

### **Key recommendations**

The legal framework to protect people from torture and other ill-treatment needs to be brought fully in line with the obligations set out under the UNCAT, ICCPR and other international human rights instruments; Put in place a national preventive mechanism that is compliant with the provisions of the OPCAT; continue to tackle overcrowding in prisons.; reduce the size of the pre-trial detention population, and the length of pre-trial detention. In particular, the use of bail provisions should be encouraged; Access to legal advice including legal aid services needs to be strengthened; Expanding the use of alternatives to custodial sentences in order to reduce the prison population and take some pressure off the prison system.

### **Priority areas**

Efforts should be strengthened to tackle overcrowding and expanding the use of alternatives to custodial sentences in order to reduce the prison population and take some pressure off the prison system

#### **c) Equality and Non Discrimination**

Non-discrimination and gender equality are not done to improve women’s welfare, they are done to improve national welfare and accelerate development. To this effect, the Government of Rwanda has taken measures to create an enabling environment for the development of gender equality and non-discrimination.

These rights are protected in the Constitution of the Republic of Rwanda of 2003 revised in 2015, especially in Article 10, 15 and 16. Rwanda has enacted laws on the elimination of all forms of discrimination, including the law on Prevention, Suppression and



Punishment of the Crime of Discrimination and Sectarianism and the Law Punishing the Crime of Genocide, Crimes against Humanity and War Crimes, Law on the prevention and punishment of GBV, the Organic Law N° 01/2012/OL of 02/05/2012 instituting the Penal Code. Rwanda ratified the International Convention on the Elimination of All Forms of Racial Discrimination, the ILO Convention on discrimination in the employment profession and the UNESCO Convention on the Fight against Discrimination in the Education sector.

The new law governing land in Rwanda prohibits all forms of discrimination with regard to access to land, land management and modalities of land rights transfer, Law n° 13/2009 of 27/05/2009 regulating labor in Rwanda which prohibits discrimination on the grounds of gender, marital status or family responsibilities and the Organic Law N° 10/2013/OL of 11/07/2013 governing political organizations and politicians which prohibits Political organizations from basing themselves on race, ethnic group, tribe, lineage, region, sex, religion or any other division which may lead to discrimination.

The National Commission for Human Rights and the Office of Ombudsman have been established to strengthen the respect for the right to equality and non-discrimination. Different institutions, either public or non-governmental, also work for the eradication of discrimination.

#### **d) The Right to Nationality and Participation in Public Affairs**

In Rwanda dual Nationality is permitted according to Article 25(2) of the Constitution. The nationality and participation in public affairs in Rwanda is regulated by, Law N° 04/2011 of 21/03/ on immigration and emigration in Rwanda; Organic Law N° 30/2008 of 25/07/2008 relating to Rwandan nationality. In its articles 1 and from 8 to 12, the law grants Rwandan women equal rights with men with respect to the nationality of their children, Law N° 31/2005 of 24/12/2005 relating to the organization and functioning of the National Electoral Commission, Presidential Order N° 21/01 of 27/05/2009 establishing the regulations for the application and acquisition of Rwandan nationality; Ministerial order N° 02/01 of 31/05/2011 establishing regulations and procedures implementing immigration and emigration law; Ministerial order N° 03/01 of 31/05/2011 determining the fees charged on travel documents, residence permits, visas and other services delivered by the Directorate General of Immigration and Emigration;

In practice however, some challenges exist in the realization of this right especially in relation to the process of attaining a national ID and or a passport. Some recommendations for improved access to this right include; reducing the average length for replacement of a lost or damaged ID which in practice exceeds the 60 days. Improved coordination between the National ID office and the Immigration

Service in order improve the efficiency of service delivery by both institutions; detailed and clear guidelines on documentation needed for the ID or Passport to be processed in order to avoid delays resulting from the need to provide additional support documents.

#### **e) Freedom of the Press and Expression**

The rights to freedom of expression and access to information are recognized under the Constitution and other legislative instruments including Law N° 02/2013 of 08/02/2013 regulating media and Law N° 04/2013 of 08/02/2013 relating to access to information which provides for the right to freedom of opinion and expression. However, given the Rwandan context, where freedom of expression was previously abused through media outlets culminating into the Genocide, Rwanda guarantees the freedom of expression while safe guarding against its abuse. There is a new media policy (2014-2020) under way to be adopted by the cabinet which provides guidance on media professionalism and development in the country.

The centrality and importance of an independent and professional media which is necessary to foster access to information which is an essential component of good governance is acknowledged in law and practice. A list of 540 information officers to respond to information requests has been published by the office of the Ombudsman which is responsible for the monitoring and implementation of the Access to Information law. Additionally, almost all public institutions and private organs concerned with the law have created websites that provide useful information on the work in the spirit of promoting access to information.

To date there are 52 newspapers operating in Rwanda. All new additions are privately owned. The number of radios stations has also increased to 33. In facilitating the local media to publish their newspapers at a low cost, the Government acquired a web machine with high capacity to print newspapers and other media products, thus reducing travel costs and associated expenses since most newspapers were printed in Kenya and Uganda. Electronic and on-line media outlets are also increasing in number and accessibility with over 70 local news websites. Also 7 TV stations are now operating, 1 is public other 6 are private

The Media High Council's mandate was changed through its establishing Law N° 03/2013 of 08/02/2013 which transformed it into a purely capacity building institution for the media sector. Since 2011, the Government through the Media High Council has organized training programs for journalists both abroad and inside Rwanda. The School of Journalism was transferred from the University of Rwanda in Butare to Kigali to accommodate capacity building for working journalists, while others have been trained at Journalism Faculties in private Universities including the Catholic University of Kabgayi, and the Great Lakes Media Centre (GMLC).

The Law N°02/2013 of 08/02/2013 regulating media established a Media Self-Regulatory Body (Rwanda Media Commission) which is an organ set up by journalists themselves whose responsibility is to ensure compliance with principles governing media.

A radical reform was initiated in the public information sector in 2011, highlighted by the Government's decision to move from State ownership of the Rwanda Bureau of Information and Broadcasting (ORINFOR) and turn it into Rwanda Broadcasting Agency (RBA), an independent public broadcaster with legal personality. A National Dialogue on Media is organized by the Media High Council and the Rwanda Governance Board in partnership with journalists' associations and development partners each year with the general objective of collaboration between various stakeholders to promote media freedom and responsible journalism.

#### **f) Freedom of Assembly and Association**

The right to peaceful assembly is enshrined in the Constitution. Everyone has the right to assemble and to demonstrate together with others peaceably and unarmed, and to petition. Article 35 of the Constitution stipulates that, "freedom of association is guaranteed and shall not require prior authorization." To promote and protect the freedom of association of all individuals and groups such as civil society, human rights defenders (journalists, faith based organizations, CSOs) and political parties various laws have been adopted. These include the Organic Law n° 10/2013/OL of 11/07/2013 governing political organizations and politicians. Article 3 of that law restates the multi-party system, provides for freedom to operate freely across the Country and the principle of equality of political organizations before government institutions. Currently there are 11 political parties recognized by law in Rwanda in accordance with Articles 11 & 12 of the 2013 law. In addition, political parties have the right to hold public meetings (Art.19), demonstrations (Art.20), to create their own media (Art.22) and are free to choose to subscribe to the national consultative forum for political organizations (Art.49 & 50). This new legal regime has led to a proactive engagement of political organizations in Rwanda. According to the Rwanda Governance Scorecard (RGS), publication of the Rwanda Governance Board suggests that democratic rights and freedoms were rated at 83.03% (RGS 2014). These numbers represented an increase from 81.03% in 2012.

From 1962 to 2011 only 350 Civil Society and faith based organizations were registered in Rwanda. After the promulgation of Law no.04, Law no.05 and Law no.6 of 17/02/2012 governing the organization and functioning of International non-governmental organizations; registration was increased and in a period of only 2 years, 1509 local NGOs and faith based organizations were registered by RGB. In Article 18 & 22 of the law governing NGOs, the process of equal treatment in the registration for all NGOs was established. All National NGOs enjoy the same rights and obligations as stipulated in Art. 28 (rights) and 29 (Responsibilities) of that law. The number of associations and cooperatives continues to grow. Currently, there are 4,893 primary cooperatives, 100 unions,

13 federations and 475 Savings and Credits Cooperatives (SACCOs). Law no. 50/2007 of 18/09/2007 provides for the establishment, organization and functions of cooperative organizations.

In order to fully support freedom of association as well as fulfill its obligations under the millennium development goals and the post 2015 sustainable development goals, the Government of Rwanda has embarked on a program to strengthen civil society institutionally, technically and financially to enable them contribute actively in ensuring responsive and accountable governance in Rwanda. The program was launched in April 2014.

### **Key recommendation**

Recommendations for improvement include; continued partnership with civil society in Rwanda

## **2. ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

This section discusses the situation of economic, social and cultural rights in Rwanda. Particularly it focuses on the right to work, the right to health and the right to education. With regards to these rights, this section focuses on; the background; legal framework, the current situation in Rwanda, the recommendations and the Priorities areas to focus on are:

### **a) Right to work**

This contains the right to choose employment, right to the adequate compensation for work done, right to promotion based on your experience and capacity at work, right to leave and leisure as stipulated in the international convention on economic, social and cultural right in Article 6 to 9.

The National Capacity Building Secretariat (NCBS) is designated to build skills of employees and it connects employers and job seekers. A particular department in NCBS is tasked with building capacity of young graduates in search for jobs.

In line with East African integration, there is no need for a work permit for anyone from East African Community member country in order to encourage the free movement of labour in the region. The National employment policy further prohibits discrimination of any nature in the competition for employment. The proportion of men and women who are unemployed is roughly similar. Unemployment

is high in different age groups. Rwanda targets to create 200,000 off-firms jobs annually. In 2014/2015, 146,000 jobs were created in order to decrease the rate of unemployment.

There exist federations of trade unions in Rwanda such as: *Centrale des Syndicats des Travailleurs au Rwanda (CESTRAR)*, the Congress of Labour and Fraternity in Rwanda (COTRAF), Confederation of Free Trade Unions of Rwanda (COSYLI). CESTRAR and COTRAF are affiliated with the International Trade Union Confederation. Other trade bodies include: the Union of Workers in Industry, Garages, Construction Firms, Mines and Printers (STRIGECOMI); Associations of Health Personnel and the Union of Primary and Secondary School Teachers. However these trade unions are not adequately empowered to advocate for the rights of workers.

### **Key Recommendation**

A key recommendation is therefore increased capacity building for trade unions and continued strengthening of their membership in various institutions.

#### **b) Right to Health**

The Government has made maternal and child health a priority in all development programs in line with the Millennium Development Goals (MDG). As a result, Rwanda has made considerable advancement in the guarantee of maternal and child health. For example, Rwanda's MDG goal for reduction of child mortality which was 52 deaths per 1000 live births has been achieved at a rate of 34 deaths per 1000 live births to date. This reduction of child mortality is a direct result of Government programs such as increasing coverage of child. During the last 10 years the child immunization rate increased from 69.8 % to 93 %. Promotion of exclusive breast feeding for the first six months of a child's life has also reduced malnutrition among children. The breast feeding rate stands at 87% to date which has led to the reduction of chronic malnutrition from 44% in 2010 to 38% in 2015.

In addition, 99% of Rwandan women receive antenatal care from a skilled provider and over 91 % of children are born in health facilities. This along with the increased use of mobile technologies and rapid SMS for emergency labour and other medical complications have resulted in considerable decrease of maternal and infant mortality rates. The maternal mortality rate has decreased from 750/100,000 live births in 2005/6 to 476/100,000 in 2010/11 and 210/100,000 today. An updated status report will be released in the forthcoming demographic health survey at the end of 2015.

Aside from specific interventions relating to maternal and child health, the provision of general health services has also improved across the board. There are now 6 referral hospitals in different regions of Rwanda, one provincial hospital in each Province, one or more district hospitals in each District, and 96% of the 416 administrative sectors have at least one health centre. This resulted in the reduction of the mean time needed to reach a health centre from about 95 minutes in 2005 (EICV2) to 60 minutes in 2011 (EICV3).

The Government also continues to invest in community and primary care services by creating health posts at the Cell level. Currently, there are 368 Health Posts countrywide, and a plan exists to increase the number every year. Additionally, each village has elected three community health workers (CHWs). They are an important component of Rwanda's health system as they allow the community to participate in the management of their own health. One female CHW is responsible for maternal and child health, and another woman and a man for other care. They are all trained by the Ministry of Health. In total, 45000 CHWs deliver quality services countrywide, monitor health at the village level and refer sick patients to the nearest health facility. By sensitizing the local village and making themselves available, Community Health Workers improve access to care by strengthening the health system and ensuring that people don't have to take long walks for seeking care.

Additionally, a remarkable system for universal health insurance coverage exists. According to the law governing health insurance, every person living in Rwanda including; nationals, immigrants, expatriates, refugees and asylum seekers must hold some form of health insurance. This system has improved dramatically with the emergence and extension of the Community Based Health Insurance (CBHI) system. Under the Community Based Health Insurance system, the Government assists vulnerable people who are not able to pay for themselves by paying their premiums and co-payment for them at points of care. Civil servants as well, particularly have a dedicated health insurance scheme through Rwanda Social Security Board (RSSB). The Government has also launched deliberate efforts to reduce malaria morbidity in the Country through increased access to health centers and distribution of free mosquito nets. As a result, high coverage of mosquito net use has been reached to 74% of children and women sleeping under mosquito nets. In 2014, 96% of children under five with malaria received appropriate treatment within 24 hours at community level compared to 89% in 2010. By 2014 96% of children under five with malaria received appropriate treatment within 24 hours at community level compared to 89% in 2010. From 2010 to 2014 there has been a marked decrease in malaria mortality rates, from 12.9 % to 4.7%.

HIV preventive programs focusing on key drivers of the HIV epidemic are also underway including increased access to counseling and testing services. In that regard, the Ministry of Health through Ministerial Order N<sup>o</sup>. 20/32 of 05/12/2013, determined programs and strategies to ensure protection and assistance to children infected or affected by HIV/AIDS among others. As a result pregnant women are encouraged to go attend at least 4 prenatal visits and receive free services at the time of delivery at health Centre level.

Aside from this, from June 2013 to date there are 510 health facilities are now offering HIV counseling and testing services. Over 3 million tests were performed with only 0.8% testing positive.

Currently, 83% of health facilities in Rwanda offer anti-retroviral treatment at no cost to the beneficiary. By 2014, the total number of adults and adolescents receiving anti-retroviral treatment (ART) was 133,574. In addition, from July 2013 to June 2014, a total number of 2,212 children were enrolled in the pre anti-retroviral program bringing the total number of children receiving ART to 7,853.

In addition, 2012 National Family Planning Policy addresses the accessibility of family planning services and encourages its integration with services for HIV/AIDS, maternal health, child health, and other development initiatives. This policy further develops adolescent sexual and reproductive health programs to attract and retain the next generation of family planning users. All family planning services are free of charge and all non-surgical family planning commodities are available in each village through CHWs.

All of these holistic efforts to increase the enjoyment of the right to health among people living in Rwanda are further demonstrated by the increase in life expectancy from 49 years in 1994 to 64 years today.

### **Key recommendation**

Some recommendations for the improvement of the right to health for all Rwandans include; to strengthen universal healthcare coverage, provide insurance for medical personnel and entities, and continue mobilization of the population to subscribe to community based health insurance schemes.

#### **c) Right to Education**

The right to education is enshrined in article 20 of the Constitution. Achievements registered in the area of access to education for all include the continued guarantee of universal primary education for the first 12 years of education and the up-scaling of the one laptop per child project. The objective of the One Laptop per Child Project is to distribute half a million lap tops to primary school pupils by 2017. Laptops have been distributed to school going children across the country. This has led to increased access to information and research, promotion of ICT skills from an early age and creativity among the students.

Rwanda has gradually overcome barriers that usually prevent children from attending primary education including the complete removal of any fees to attend school. In that regard, the Government identifies families and households that cannot afford the other

costs of education, such as uniforms and learning materials, and provides for them. Various options for social protection, such as school stipends, school feeding in partnership with parents and cash transfer schemes are provided for those children who, for economic, social or cultural reasons, tend to stay out of school (including but not limited to girl children, children affected by HIV and AIDS and other vulnerable children). Construction of more classrooms at the Administrative Sector level has also been done so that children can easily walk to school and transport costs which can be a deterrent are eliminated. This programme has been adopted to enable the country to achieve the goal of Education for All.

Other achievements registered to foster a healthy learning environment include; the abolition of corporal punishment in schools where by internal regulations now exist regulating the mode of correction to be used in schools to exclude corporal punishment. Another significant development is the new curriculum approved in 2016. In the new curriculum, there more hours reserved to the learning of languages for the development of multilingualism in Rwanda. Particular emphasis is also placed on education for children with disabilities to ensure that they are fully included in the Government Education policies and programs. Teachers are periodically trained in teaching methodologies for children with disabilities.

### **Key recommendation**

Recommendations for the improved enjoyment of this right include; increasing the incentives provided for teachers, improved monitoring of the efficiency of the 12YBE program, to ensure the realization of the one laptop per child goal of distribution of 500.000 laptops by 2017.

## **3. PROTECTION OF SPECIFIC GROUPS**

This section discusses the situation of special interest groups in Rwanda including women, children and youth, persons with disabilities, refugees and asylum seekers and historically marginalized persons. In consideration of these rights, information on background, legal framework, the current situation in Rwanda, recommendations and priorities areas to focus on is provided.

### **j) Rights of women**

Women make up 52% of Rwanda's population. This statistic alone shows that it is imperative to include women in the development process of the Country. To this effect, the Government of Rwanda has taken measures to create an enabling environment for the



development of gender equality and women empowerment. Rwanda ratified the Convention on the Elimination of All Forms of Discrimination against Women and its optional protocol. The Organic Law N° 01/2012/OL of 02/05/2012 instituting the Penal Code has removed provisions that were discriminatory against women. For example, article 245 relating to penalty for adultery provides equal penalties to both sexes, unlike the old Penal Code of 1977 which provided severe penalties to females compared to males. The Commercial Code of 1988 was reviewed by the Law N°07/2009 of 27/04/2009 and by Law of 07/05/2010 to eliminate all forms of discrimination against women. With the new laws, there is no need for a woman to have the authorization of her husband to start a business as was the case in the past.

The Law N°32/2016 of 28/08/2016 governing persons and family also removes provisions that are discriminatory against women. For example, Article 51 states that “Every person, in accordance with law, enjoys the freedom to choose their domicile, which may coincide with his/her residence” as opposed to article 83 of the old law which provided that the residence of a woman is where her husband resides, Article 194 provides that spouses jointly ensure the moral and material management of the household, unlike article 206 of the old law which provided that the husband is the head of the family composed by his wife and their children, Article 320 provides that the father and mother, during the wedlock, have the capacity to administer the property of their minor child and represent him/her in civil actions while the old law in article 352 stipulated that the authorized representative of a child and the manager of his/her property is his father.

Rwanda continues to foster gender equality by implementing initiatives aimed at increasing the representation of women at various levels in government. As a result, women represent 64% of the seats in the lower Chamber of Deputies, 38% in the Senate, 40% of the cabinet, 46 % of the Judiciary, and 40 % of the provincial governor seats. Representation at district, sector and Kigali City consultative councils stands at 43.6%, 45.1% of women and 56.54% men respectively<sup>2</sup>. This trend is also reflected in other decision-making positions in the Private sector, Central and Local Government.

#### **k) Rights of Children**

Concerning the right of children, Rwanda has ratified a number of international instruments, including:

- Convention on the Rights of the Child

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<sup>2</sup> National Electoral Commission Report 2015/2016

- UN Convention concerning the prohibition and immediate Action for the elimination of the worst Forms of Child Labour;
- UN Convention on the Rights of the Child;
- Optional Protocol to the UN Convention on the Rights of the Child on the Involvement of Children in armed conflict;
- Optional Protocol to the UN Convention on the Rights of the Child on the sale of children, child prostitution and child pornography;
- Convention on the Protection of Children and Cooperation in respect of Inter-country Adoption;
- Convention on the Civil Aspects of International Child Abduction;
- International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families;
- African Charter on the Rights and Welfare of the Child

Measures such as Children Forums and Children Protection Committees have been put in place to ensure the participation of children in the making of decisions that affect them. Equally notable is the excellent progress made by the country in ensuring children’s rights with numerous laws and policies – including the establishment of a National Commission for Children, and in June 2012 publishing a new law relating to the Rights and Protection of the Child, which is meant to be, in effect, a “Bill of Rights” for Rwandan children. The NCC has a special mandate to ensure the realization of the rights and freedoms of Rwanda’s children, particularly those that are vulnerable in society. The NCC currently supports 23,604 (11,001 Females and 12,603 males)<sup>3</sup> Orphans and Vulnerable Children (OVC) in secondary school, 3,009 (1,133 Females and 1,876 males) in Technical and Vocational Education Training (TVET) through the provision of school fees and health insurance. Through this program, 19,779 students had graduated by December 2013. By the end of April 2014, an additional 10,112 OVC had completed both secondary school and TVET.

In addition, the Rwandan Government has put in place a national strategy for Child Care Reform with Tubarerere Mu Muryango Program (TMM). The Policy explains why the care of children underpins the achievement of several fundamental rights as well as broader physical and mental development. It describes how Rwanda is committed to give every child a family. It explains approaches that will be taken to reintegrate all children in institutions into families as well as mechanisms to prevent child abandonment and neglect. It examines why children are constantly taken into institutions, and it highlights what action is needed – and by whom – to ensure that children are better cared for. In this perspective, 1,482 children have been reintegrated in families, 838 are within rehabilitation centres and 1,840 are within orphanages.

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<sup>3</sup>[www.ncc.gov.rw/](http://www.ncc.gov.rw/)

Worth noting also is the annual children's summit that serves as a national level consultative forum that brings together children's delegates from all administrative Sectors across the country. The Children's Summit provides children with a special opportunity to express their views and wishes about building the nation. Children are also thus given a voice about what is done or planned for them, about the country's policies and programs, about their rights, the country's economic and social development, the challenges and the responses as well as about children's own role in all that concerns them. During this Summit, children's representatives get the opportunity to engage in discussions with Government Officials, Parliamentarians, Civil Society delegates, Development partners and members of UN Agencies. In 2014, the annual national children's summit coincided with the 25 anniversary of the UN Convention on the Rights of the Child (CRC) was themed: "20 years and beyond: Advancing Children Rights in Rwanda". In this summit, 507 children from across Rwanda and 17 children from East Africa convened to discuss on child rights and their protection.

There are a number of other institutions whose mandate impacts on Child Rights, but who do not have a specific responsibility for children. These include the National Aids Commission, the Rwanda Demobilisation and Reintegration Commission, the National Youth Council, the National Women's Council, Gender Monitoring Office and the National Gender Observatory.

The 2012 Penal Code under article 218 provides punishment to any person inflicting severe suffering on a child, harassing or imposing severe punishments on him/her. Article 25 of the Law N° 54/2011 of 14/12/2011 relating to the rights and protection of the child also prohibits the reprimand resulting in traumatizing the child and upholds reprimand with humanity and dignity. Such legislative provisions have enhanced best interests of children. Rwanda adopted in 2008 a national labor policy to ensure effective abolition of child labour, and to raise progressively the minimum age for admission to employment or a work to a level consistent with the fullest physical and mental development of young persons. Rwanda also developed many other plans to provide an enabling environment for the prevention, protection, and progressive elimination of child labour. Joint Development Action Forums (JDFAF) in each district coordinates all the activities of District partners working in the domain of children's rights protection and promotion, among others.

### **1) Rights of Persons with Disabilities.**

Equality Before the law is also provided under Article 15 of the Rwandan Constitution. Where all persons are entitled to protection of the law (Though not specific) PWD's are included. Article 16 Non Discrimination of any kind which includes Persons with Physical and Mental Disability Law.

The Convention on the Rights of Persons with Disability as well as the additional protocol was ratified by Presidential Order No. 131/01 of 27th December 2012. The convention sets out the specific rights of PWD's at global level. Domestication of this Convention is seen in various national legislations which include. Article 14 of the Rwandan Constitution sets out Physical and Mental Integrity of all Rwandans responsibility of the Government to ensure the inclusion of persons with disabilities in all national development programs. There is a Law N° 01/2007 of 20<sup>th</sup> January 2007 relating to the Protection of Persons with Disability in General. Article 9 of the same law provides for the Specific assistance and rescue of Persons with Disabilities in times of conflict, accidents and other disasters under Ministerial Order ( N° 04/09 of 30th March , 2009) which determines its application of the said article. Article 8 also provides for Access to Justice as a fundamental right for Persons with Disabilities which is in line with Article 13 of the Convention of the Rights of Persons with Disability.

The Rwanda Bar Association Law provides for its members to also offer Pro Bono legal services (Advise and representation) to these Persons with Disabilities implementing the aforementioned article. The same law also provides for Access to Justice Bureaus (MAJ) to also provide legal assistance before courts of law to the Persons with Disability in the enforcement of this right of Access to Justice. Ministerial Order No 01/09 MININFOR of the 10th of August 2009 determining modalities and facilities offered to Persons with Disabilities in the area of communication.

Overall, 446,453 Persons with Disabilities aged five and above are living in Rwanda according to the 2012 Population and Housing Census, out of which 221,150 are male and 225,303 are female. Rwanda is committed to ensuring the rights of persons with disabilities in accordance with established international standards. Various measures have been taken to improve the social integration of Persons with Disabilities (PWD), through the Constitutional establishment of the National Council of Persons with Disabilities (2010), regulated by Law N°03/2011 of 10/02/2011; the representation of PWDs in the national Parliament (1 seat) and in the East African Community Parliament as well as the improvement in physical access of PWDs to public and private infrastructure by ministerial instructions providing for the modification of buildings to cater for physically disabled people.

Article 14 of the Rwandan Constitution sets out the responsibility of the Government to ensure the inclusion of persons with disabilities in all national development programs. In particular, persons with disabilities have the right to have one representative in the Parliament's Chamber of Deputies (Art.75.4) from the National Council for Persons with Disabilities. The NCPD was established by law N° 03/2011 of 10/02/2011 with the purpose to coordinate activities aimed at the advancement of persons with disabilities, to

gather and examine views of all persons with disabilities, to advocate on the issues affecting them, to increase their capacity to be independent and collaborate with nongovernmental organizations working in the sector of persons with disabilities. As a form of affirmative action, the employment law (Public Service Law) encourages the employment of at least 5% of persons with disabilities in any institution. Giving priority to Persons with Disability in employment policies. Backed by Presidential Order N° 46/1 of 29 /7/2011 governing modalities of the recruitment appointment and Nomination of Public Servants.

The Organic Law instituting the Penal Code N°. 01/2012 of 02/05/2012 also punishes the crime of discrimination and sectarian practices under Article 136; laying down particular sanctions against discrimination of whatever kind including on Persons with Disability. Rwanda has taken many initiatives to improve the access to health care of persons with disabilities, including establishing of eye clinics in several hospitals and provision of mental health services in 44 major hospitals. However prevailing challenges include; access to the necessary mobility aids for many persons with disabilities which are not provided for in the health insurance schemes. Inclusivity in the Public spheres like schools and Hospitals.

Article 18 which states that in the Passing of recruitment tests 'if two candidates obtain equal marks on one given post and incase one of the candidates is a person with disability the latter is to be given priority.' Article 97 and 98 Of the Labour Law Official Gazette Special of 27/5/2009. Article 97 provides for Non- discrimination at workplace where it is stated that any discrimination at workplace with regard to the disabled people is forbidden. Article 98: Disabled people working conditions where necessary and due to the work to be performed, the disabled worker shall be granted such working conditions as suitable to his/her disability.

#### **n) Rights of asylum seekers and refugees**

The right to seek asylum is enshrined in the Rwandan Constitution in Article 28. In June 2014 a new Law N°. 13 /2014 of 21/05/2014 relating to Refugees was published and superseded earlier Refugee Laws of 2001 and 2006. The new Refugee Law brought positive institutional changes and improved adherence to international legal principles. Critical provisions of international refugee law that were previously absent have now been included, namely: non-refoulement, cessation, exclusion, revocation, naturalization, family unity, and reference to socio-economic rights as in line with the 1951 Convention. The Convention relating to the Status of Refugees Adopted on the July 28<sup>th</sup> 1951 and ratified by Decree Law N°. 29/79 of 22<sup>nd</sup> October 1979.

The Organic Law n° 01/2012/OL of 02/05/2012 instituting the Penal Code provides for the non refoulement of asylum seekers. Extradition shall not be granted for political offences or if it is requested on political grounds. The Convention against Torture and Other Cruel or Inhuman or Degrading Treatment or Punishment as well as the Optional Protocol against torture and other cruel Inhuman or degrading treatment or Punishment Adopted on the 18th December 2002 Ratified by the Presidential Order No. 60/1/of 12th February 2014, also have provisions prohibiting refoulement especially when it may cause any form of torture or harm to the Asylum seeker under article 3.

The Organization of African Union Convention Governing the Specific Aspects of Refugee Problems in Africa Ratified by Decree Law N°. 29/79 of 22nd October 1979 are all International Legislations governing the Rights of Asylum seekers and Refugees. In addition, Rwanda is party to the following international human rights instruments, among others: UN Convention Relating to the Status of Refugees, Protocol Relating to the Status of Refugees, UN International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, African Union Convention Governing the Specific Aspects of Refugee Problems in Africa, African Union Convention on the protection and assistance of internally displaced persons in Africa.

Despite its small geographical size and land scarcity, Rwanda has traditionally received refugees from neighboring countries such as the Democratic Republic of Congo and Burundi. They have been systematically recognized on a prima facie basis. In partnership with UNHCR which has the mandate to provide refugee services, Rwanda also hosts refugees and asylum seekers from Uganda, Central African Republic, Kenya, Chad, Somalia, Sudan, South Sudan, Ethiopia and Eritrea. There are currently 175,000 refugees living in Refugee Camps in Rwanda grouped in 16,234 households with Congolese (DRC) representing about 99, 23 % (73,915) most of whom are women and children. In addition there 80,044 Burundian refugees living in Rwanda as of December 2016 bringing the total number of refugees to 175,000. The majority of refugees live in six camps: Gihembe, Kiziba, Nyabiheke, Kigeme and Mugombwa and Mahama with a small number residing in the capital, Kigali. The Nkamira camp in Musanze district and the Nyagatare centre in Rusizi serve as transit centers for returning refugees.

All camp-based refugees enjoy the assistance related to shelter, food, firewood, water, healthcare, vaccination of children, and refugees living with HIV/AIDS continue to receive anti-retroviral drugs under the coordination of UNHCR. Each refugee camp has a dispensary. Refugees also benefit from preventive disease measures like mosquito net distribution, which has resulted in a drop of over 70% in the incidence of malaria among the refugee population. Malaria caused deaths have also dropped by 80% and additionally up to 93% of children under five receive free vaccination. In order to respond to the influx of refugees from Burundi, the Government

has taken special measures to protect the new arrivals as well as the Rwandan Community from disease. All refugees receive screening for communicable diseases on arrival. Anti-Retroviral treatment is provided for all those that need it among the refugees. Refugee children have all received immunization and clean water, education, health, leisure and recreational facilities have been provided in all refugee camps.

Additional measures have been taken to prevent and treat incidences of malaria among the refugee population. In order to protect and assist Internally Displaced Persons, Rwanda signed and ratified the 2009 Kampala Convention on Internally Displaced Persons in Africa on the 27/12/2012. Adopted on the 23rd Of October 2009 effected on The 6th of December 2012 and Ratified under Presidential Order No. 121/01 of 15th December 2011. And Official Gazette of 13th February 2012. And also The Convention on the Protection of the Rights of All Migrant Workers and members of their Families Adopted on the 18th of December 1990 and took effect on the 1st of July 2003. Ratification evident from Presidential Order No. 33/01 of 17th May 2010 and Official Gazette No.24 of 14th June 2010.

Law N° 04/2011 of 21/03/2011 on Immigration and Emigration in Rwanda. Article 15 provides for a ministerial Order which shall determine the Procedure of Deportation of a Foreigner. Article 16 further on goes on to give the Foreigner the right against the Appeal against the Deportation Order. The Ministerial Order No. 02/01 of 31 / 5 / 2011 establishing regulations and procedures of implementing immigration and emigration law contains the procedure for deporting a foreigner.

**PART B:**

**NATIONAL HUMAN RIGHTS ACTION PLAN**

**I. CIVIL & POLITICAL RIGHTS**

N°	Output	Indicator	Activities	Responsible institutions	Related Existing Policy	Timeline
<b>Outcome 1: Enhanced Access to Justice and Rule of Law</b>						
<b>1</b>	<b>MAJ strengthened</b>	Number of trainings organized and MAJ Staff trained  Mobile phone and communications fees to each staff of MAJ	Capacity building for MAJ  Provide communication to MAJ	MINIJUST (Lead institution) MINALOC	Legal Aid Policy	2016-2019
		Appropriate office to all 30 Districts provided  One Toll Free call for each district to rise the emergency cases in rural areas provided	Continue advocacy for MAJ staff to get appropriate offices  MAJ outreach to sectors for easy access	MINIJUST (Lead institution) MINALOC	Legal Aid Policy	2017



<b>2</b>	<b>Abunzi strengthened</b>	CUG (Caller User Group) and a handset to each Umwunzi provided (17941)	Provide mobile telephones to Abunzi committees;	MINIJUST (Lead institution)	Legal Aid Policy	Ongoing action 2017
		Medical insurance for Abunzi and some dependants provided	Provide medical insurance to all Abunzi members	MINIJUST (Lead institution)	Legal Aid Policy	Ongoing action
		Number of Abunzi trained	To increase capacity building for Abunzi	MINIJUST (Lead institution)	Legal Aid Policy	Ongoing action
		Infrastructure, offices and its equipment and furniture, scholastic materials.	Advocacy to improve working conditions to abunzi (basic Materials)	MINIJUST (Lead institution) MINALOC	Legal aid Policy	Ongoing action 2017
<b>3.</b>	<b>Legal Aid Policy implemented</b>	Regular quarterly monitoring reports of policy implementation  Continuous awareness campaign with regard to access to justice.	Develop implementation plan and framework for monitoring and evaluation  Draft and adopt Law on legal aid approved	MINIJUST (Lead institution)  MIGEPROF Developments partners	Legal Aid Policy	2017
<b>4.</b>	<b>Capacity building for staff of detention facilities increased</b>	Number of trainings conducted and staff trained per year	Regular Capacity building of staff of Rwanda National Police (RNP), Rwanda Correctional Services (RCS) and Rwanda Defense Force	MINIJUST MINADEF NCHR RNP RCS		Ongoing activity

			(RDF)  Law on legal aid approved			
		Human rights courses included trainings curriculum	Inclusion of human rights courses in the trainings curriculum for new staff	MINADEF RNP RCS		2017
<b>5.</b>	<b>Detention and correctional conditions improved</b>	Number of new detention facilities constructed	Renovation/rehabilitation correctional and detention facilities Reducing overcrowding in prison	RCS MINADEF MININFRA		2017
<b>6.</b>	<b>Use of non-custodial sentences promoted</b>	Number of non-custodial sentences issued annually	Training of Judges and law enforcement officials on the benefits of non-custodial sentences  Trainings for staff working in rehabilitation centers	MINIJUST (Lead institution) JUDICIARY RNP RCS		2017-2018
<b>7.</b>	<b>Life imprisonment with special provisions abolished</b>	Life imprisonment with special provisions removed	Life imprisonment with special provisions removed from Rwandan laws	MINIJUST (Lead institution) RLRC		2017
<b>8.</b>	<b>Citizen participation in district development plans increased</b>	Number of meetings conducted on this activity Number of activities planned with involvement of local	Sensitize citizens to participate on national and local levels development plans	MINALOC (Lead institution)	EDPRS II	Ongoing activity 2018

		community annually.				
<b>9</b>	<b>Efficiency in issuing of national IDs and Passports enhanced</b>	Records harmonized	Harmonize records of NIDA, Civil Status Office and Immigration to avoid duplication of work	MINALOC (Lead institution) DGI&E NIDA NISR	EDPRS II	2017
<b>10</b>	<b>Efforts to improve freedom of assembly and association continued</b>	Trainings, seminars conducted	Capacity building of Civil Society Organizations and political Parties in relation to national development.	MINALOC (Lead institution) RGB CSOs Forum of political parties	EDPRS II	2017
		Trainings, seminars conducted	Capacity building of the national trade unions to increase their effectiveness	MIFOTRA (Lead institution) RDB RCA PSF	EDPRS II	2017
<b>11</b>	<b>National and International NGOs registered</b>	Local and International NGOs registered,  Recommendations	Continue dialogue on the legal framework for the registration and operation of NGOs and Political Parties	MINALOC (Lead institution) RGB DGI&E	EDPRS II	2018

		implemented				
12	Freedom of media practice in Rwanda strengthened	Responsibilities specified	Specify responsibilities of the Self-regulatory body and Rwanda Utility and Regulatory Agency (RURA) with regard to media regulation  Put in place legal instrument establishing RMC	MINALOC (Lead institution) RGB OMBUDSMAN MINALOC RURA MHC RMC	Media Policy (2014-2020)	2018
		Recommendations made and implemented	Continued dialogue on decriminalizing defamation	MINIJUST (Lead institution) RGB RLRC	Media Policy (2014-2020)	2019

## II. ECONOMIC, SOCIAL AND CULTURAL RIGHTS

N <sup>o</sup>	output	indicator	activities	Responsible institutions	Related Existing Policy	Timeline
<b>Outcome: improved life conditions for citizens</b>						
13	<b>Self-employment promoted</b>	Number of sustainable jobs created Number of companies registered	Mobilize and facilitate the population to create sustainable jobs	MINICOM RDB PSF CSO	-SDGs -2020 Vision -EDPRS II -Investment policy -NEP	2017
14	<b>Income generating activities promoted</b>	Number of companies created and registered Rate of taxes (VAT) increased	Improve the Rwandan Citizens' income generating activities through socio-economic and cultural cooperation and integration (Regional and International)	MINICOM MINAFFET PSF MINECOFIN MINISPOC BNR		2017-2020
15	<b>Investment procedures enhanced</b>	New legislation, policies and procedures complying with international standards and human rights principles	Improve the internal legislation, policies and procedures related to the investment towards the respect of human rights in Rwanda	NCHR MINIJUST RLRC CSO RDB PSF RURA		2018-2020

<b>16</b>	<b>Job creation programs strengthened</b>	The existing policy and programs well implemented	Increase private sector's participation in the creation of more off- farm jobs	MINICOM MIFOTRA (Lead institution) MINALOC MYICT WDA PSF MIGEPROF BDF RCA	EDPRS II  NEP	2018
		200, 000 off farm jobs created	Facilitate SMEs to access financial support			
		Number of SMEs which accessed finance	Facilitate women and youth to access startup capital			
		Number of women and youth projects which got financial support	Increase productive capacity in local made products (made in Rwanda)			
		Local made products increased				
		Increased Citizens' satisfaction rate with regards to recruitment	Assessment of implementation of laws and regulations regarding recruitment processes	MIFOTRA (Lead institution) PSC PSF	EDPRS II  NEP	Ongoing activity  2018
<b>17</b>	<b>Living conditions for all Rwandans improved</b>	Number of beneficiaries of VUP, GIRINKA, etc with improved living standards	Strengthening the implementation of VUP, Ubudehe, Girinka programs and other social protection programs;	MINECOFIN MININFRA MINALOC (Lead institution) MINAGRI LODA	EDPRS II  2020 VISION	Ongoing activities  2018
		Number of citizens accessing clean water	Avail clean water to 100% of			

			Rwandans			
<b>18</b>	<b>Right to adequate housing improved</b>	Number of low cost housing constructed  Number of houses constructed for poor families	Expedite the construction of low cost housing  Sheltering for poor families	MINALOC MININFRA (Lead institution) PSF RHA	EDPRS II  2020 VISION	Ongoing activity  2019
<b>19</b>	<b>Food security and sustainable agriculture enhanced</b>	Raw material available  Export rate increased for agricultural products  Ha of agricultural land consolidated with use of improved agricultural input	Increase raw materials for agro-processing industries.  Engage the private sector to invest in agricultural production  Strengthen crop intensification program through Land Use consolidation  Increase agricultural productivity for export	PSF MINICOM MINAGRI (Lead institution) RAB NAEB	EDPRS 2	2017
<b>20</b>	<b>Social Security coverage for all citizens ensured</b>	The maternity fund in place  Number of vulnerable persons assisted	Operationalize the Maternity leave Fund  Provide necessary social assistance to other vulnerable	RSSB MMI MIFOTRA MINISANTE MINALOC	EDPRS II  2020 VISION	Ongoing activity 2017

			persons unable to access social insurance  Mobilizing the population to subscribe to community health insurance	MINECOFIN (lead institution) PSF		
21	Universal health Coverage to the Rwandan population ensured	Average time to reach a health facility.	accessibility to health Services improved (geographic, financial and community health) for all Rwandans	MINISANTE (Lead) MINALOC MINECOFIN RSSB	EDPRS II	2018
		Percentage of the population covered by health insurance.	Empowerment of community health workers  Engaging private operators in provision of health services			
		Number of medical doctors and health professionals trained	Increased efforts to train more medical doctors and health professionals with a view to increase patient – doctor ratio			
		Reduction of NCDs	Strengthening Maternal and Child Health (MCH) and fight against infectious diseases, prevention and		HSSP III	2018



			control of NCDs Sustain MDGs achievements			
		Quality equipment provided	Provision of improved medical equipment, quality assurance and supervision of medical service providers	MINISANTE	EDPRS II	2020
22	<b>access to quality education ensured</b>	Number of classrooms available  Number of teachers facilitated through Umwalimu SACCO.	Increase number of classrooms in primary schools.  Put in place a monitoring and evaluation system for tracking the quality of education in 12YBE.  Improve working conditions for teachers through Umwalimu SACCO  Continue education programs	MINEDUC REB  High Education Council	EDUCATION SECTOR STRATEGIC PLAN	2018

		Number of graduants from rehabilitation centres	in rehabilitation centres			
		Number of schools supported in such programs	Continue children feeding programs in schools such as inkongoro y'umwana			
		Number of Laptop distributed to students	Ensure that One laptop per child program reaches the set goals (500000 computers distributed up the year 2017).  Monitoring to Ensure the use of distributed computers	MINEDUC REB MYICT	EDUCATION SECTOR STRATEGIC PLAN	2018
		Teacher-student ratio increased	Training more teachers to increase their number			
<b>23</b>	<b>Education for adults enhanced</b>	Number of educated adult persons	Strengthening adults education programs	MINEDUC MINALOC CSOs		Ongoing activity

<b>24</b>	<b>Land use in rural areas strengthened</b>	Number of new or existing master plans developed or updated	develop or update master plans and special plans for land use in urban areas	MINIRENA MINALOC	Environment policy	2019
<b>25</b>	<b>Grouped settlements continued</b>	Number of new population settled into grouped settlements	continue with the reorganization process of the scattered human settlements into grouped settlements	MINALOC	Environment policy	Ongoing
<b>26</b>	<b>Natural resources management enhanced</b>	Number of awareness campaigns organized	create awareness of the public in population, management of VC V Natural resources, environment and family planning	MINIRENA MINALOC		2018
<b>27</b>	<b>Land policy implemented</b>	Number of campaigns organized	Sensitize the population in land policy and regulations.	MINIRENA		2018

### III. PROTECTION OF SPECIFIC GROUPS

N°	Output	Indicator	Activities	Responsible institutions	Related Existing Laws/Policies	Timeline
<b>Outcome: improved conditions for specific groups</b>						
28	<b>Efforts to increase participation of women in decision-making positions in particular at the local level, and in senior managerial position in the private sector increased</b>	At least 30% of decision-making positions at local level and senior managerial positions in private sector will be occupied by women.	Sensitization of local communities and private sector with particular emphasis on men engagement Conduct mentorship programs for women;	MIGEPROF (Lead Agency) MINALOC GMO NEC CNF CSOs PSF	National Gender Policy of 2010	2020
29	<b>Efforts to empower women economically further strengthened</b>	Number of women supported  Number of workshops or trainings on	Increase women's access to market information and skills by linking them to relevant PSF identified chambers;  Enhance women capacities in Entrepreneurship;  Promoting programs	MIGEPROF (Lead Agency) MYICT NYC MINICOM MINECOFIN CNF BDF RCA	National Gender Policy of 2010.  Women and Youth Access to Finance Strategy	2018

		Entrepreneurship  Number of women accessing financial services.	enabling women to access finance	CSOs Development Partners		
30	<b>Gender in budget process by all public institutions mainstreamed</b>	Number of persons trained	Enhanced technical skills for public planners and budget officers in gender mainstreaming tools (GBS, Action Plans & IMIHIGO).	MIGEPROF (Lead Agency) MINECOFIN UR-CASS-Centre for Gender Studies GMO CSOs	National Gender Policy of 2010	2020
		All GBSs monitored, assessed and evaluated	Monitoring, assess and evaluate the preparation and implementation of GBS	GMO (Lead Agency) MINECOFIN MIGEPROF PARLIAMENT MINALOC	Organic Law on Budget 2013.  Ministerial Instructions on GBS.	2020
31	<b>Efforts to fight human trafficking continued</b>	Study conducted and recommendations implemented	Conducting a study to know the root causes of human trafficking and address them	RNP MINIJUST MIGEPROF RLRC	National Policy against Gender-Based Violence	2020
		No. of IOSC and safe houses scaled up	Continue scale up of safe houses for human trafficking victims country wide			

		Law adopted	Put in place a specific law on human trafficking			2016
		No. of human trafficking cases investigated, prosecuted	Continue efforts to and apprehend and prosecute human traffickers			
<b>32</b>	<b>Efforts to fight against GBV continued</b>	Number of IOSC and safe houses scaled up  Monitoring reports available	Continue the scale-up of Isange One stop centers and safe houses for GBV Victims  -continue monitoring of IOSC to improve service delivery	MIGEPROF MINISANTE(Lead Agency) RNP NPPA GMO Office of Ombudsman Development partners	National Policy against Gender-Based Violence of 2011	2020
<b>33</b>	<b>Eradication of delinquency</b>	Number of Delinquents rehabilitated and reintegrated  Regulation on transit centres established	Continue rehabilitation and reintegration of people affected by delinquency  Expedite the process of regulating the transit and rehabilitation centers.	MIGEPROF (Lead Agency) MYICT MINALOC RNP MINIJUST NPPA NYC	National Policy against Gender-Based Violence of 2011	2020

				NCC Development partners		
34	<b>Efforts to eradicate drug abuse, sexual abuse and teenage pregnancy,, sexual exploitation, sale, trafficking and abduction of children continued</b>	One (1) national campaign conducted annually  Penal code reviewed;  Regular dialogues held through Media, Umuganda and Umugoroba w'Ababyeyi  Number of cases investigated, prosecuted and tried;  Number of Inshuti z'Umuryango" trained	Conducting awareness campaigns in collaboration with CSOs  Review the Penal code and the law on the protection of the child to provide severe penalties for perpetrators;  Continue efforts to investigate and prosecute perpetrators  Strengthen the capacity of "Inshuti z'Umuryango" to enable them report cases of violation of child right	MIGEPROF (Lead Agency) MINIJUST RLRC NCC MINEDUC MYICT RNP NPPA NYC	Penal Code of 2012  Integrated Child Rights Policy  Inshuti z'umuryango trained and supported with handsets	2020
35	<b>Efforts to prevent and respond against beggary and vagrancy</b>	Number of social protection programs	Continue measures to improve standard of living at households level	MIGEPROF (Lead institution) NCC MINALOC	Integrated Child Rights Policy	2020

	<b>(street children) continued</b>			RNP Kigali City		
<b>36</b>	<b>Fight against child labour continued</b>	Number of campaigns conducted  Number of dialogues held.  Labour Inspections conducted annually.	Conducting awareness campaigns to fight child labour through Media, Umuganda and Umugoroba w'Ababyeyi  Increasing labour inspections focusing on child labour	MIFOTRA (Lead Agency) MIGEPROF NCC MINIJUST Judiciary NPPA NCHR Development partners CSOs	Child Labour Policy  National Employment Program	2020
<b>37</b>	<b>Efforts to reintegrate children in child care institutions into their families or into foster families continued</b>	Number of children integrated	Continue integration and reintegration of children into families and follow-up on their livelihood	MIGEPROF (Lead Agencies) NCC MINALOC MINIJUST	Integrated Child Rights Policy	2020
<b>38</b>	<b>Implementation of ECD program continued</b>	ECD policy reviewed Guidelines on ECD Centers developed	Expedite the revision of ECD Policy and elaboration of guidelines on ECD centres;  Continue the establishment of ECD centres countrywide	MIGEPROF (Lead Agencies) NCC MINEDUC MINALOC Development partners	ECD Policy Integrated Child Rights Policy	2020



		Number of ECD centers established Number of development partners involved	Strengthen collaboration with development partners to establish and support ECD centres at community level			
<b>39</b>	<b>Child registration process improved</b>	Children in Rwanda registered at birth  Number of health facilities with functional e-registration of births  Number of campaigns	Continue efforts to streamline the registration of children at birth.  Expedite e-registration of children at birth  Continue raising awareness in the community on child registration at birth through Governance month, Legal Aid week.	MIGEPROF MINALOC (Lead institution) MINIJUST MINISANTE NIDA NISR	Integrated Child Rights Policy	2018
<b>40</b>	<b>Rights of persons with disability promoted and protected</b>	Number of campaigns conducted  Number of special needs catered for	Awareness creation on the Rights provided by law to Persons with Disability.  Progressively facilitate children with special needs in schools with appropriate school materials, equipment, instructors and infrastructure	MINEDUC (Lead Agency) MINALOC NCPD/ NCHR NCC NYC CNLG FARG Ministry Of	Integrated Child Rights Policy  Integrated Special Needs in Education Policy  Integrated Child Rights Policy  Integrated	2018

		Number of new Recreational Facilities available	Continue increasing the number of Recreational Facilities for PWD's	Sports and Culture. Development partners MINIJUST. NCPD	Special Needs in Education Policy	
		Access to buildings provided	Inspecting that all all new buildings are structured in a manner that facilitates people with disability to access and use them.	MINALOC NCPD PSF MININFRA (Lead institution) RHA		2019
		No. of teachers trained	Training teachers working in schools that accommodate children with disability	MINEDUC (Lead institution) MINALOC MIFOTRA NCPD CSOs		2017

41	<b>Persons with Disability have access to the necessary mobility aids</b>	Insurance coverage extended to all medical materials needed	Ensure that prosthesis, orthopedic materials and other materials needed by persons with Disabilities are covered by health insurance;  Provide necessary materials to poor people with disability	MINISANTE NCPD MINALOC (Lead Agency) RSSB CSOs		2018
42	<b>Efforts to provide assistance to needy genocide survivors continued</b>	No. of needy genocide survivors provided with shelter	Provide with houses the remaining number of 3971 needy genocide survivors without shelter	CNLG MINALOC (lead institution) FARG	EDPRS II  2020 VISION	2020
		No. of needy genocide survivors with incurable diseases benefiting from medical treatment.  Number of Genocide survivor students supported	Continue efforts to provide medical treatment for needy genocide survivors suffering from incurable diseases  Continue supporting education for needy genocide survivors	CNLG MINALOC (lead institution) FARG Ministry of Health MINEDUC	EDPRS II  2020 VISION	2018

43	Efforts to support asylum seekers and Refugees continued	Advocacy for Asylum seekers and Refugees provided	Collaborate with other organizations having partnership with the Ministry of Disaster Management and Refugee Affairs to advocate to find a solution for refugees and asylum seekers needed	MIDIMAR (lead) MINEDUC MINISANTE MINALOC NCHR	Integrated Disaster Management Policy.	2020
		Improved living conditions of Asylum seekers and refugees.	Continue effort to provide support to Asylum seekers and refugees.			
		Number of refugees and asylum seekers accessing basic needs	Advocate for provision of basic needs	MIDIMAR (lead) MINEDUC MINISANTE MINALOC NCHR NIDA CSOs	Integrated Disaster Management Policy.	2020
		Number of refugees and asylum seekers registered increased	Continue collaboration with stakeholders for refugees and asylum seekers registration			
44	Support for internally displaced persons provided	Mechanism for supporting Internally displaced persons available	Continue efforts to support Internally Displaced Persons in the eventuality of their existence.	MIDIMAR MINEDUC MINISANTE MINALOC	Integrated Disaster Management Policy	2020

#### IV. CROSS-CUTTING ISSUES

N°	Output	Indicator	Activities	Responsible Institution	Related Existing Laws /Policies	Timeline
45	<b>Human Rights Education enhanced</b>	2 awareness campaigns conducted annually  Compendium of international human rights treaties or conventions ratified by Rwanda available	Creating Awareness on International and National Laws relating to human rights	MINIJUST (lead) MINEDUC NCHR RLRC CSOs		Ongoing
		3 Trainings Organized Annually	Conducting Trainings on Specific Human Rights for concerned Government Institutions	MINIJUST NCHR RNP MINADEF RCS		Ongoing
46	<b>Effective Implementation of International and Regional Human Rights Treaties enhanced</b>	Legal instrument in place	Draft Legal Instrument establishing the Treaty Body Reporting Task force	MINIJUST RLRC		Ongoing
			Preparation and submission of all treaty reports on time	MINIJUST TBR Task force		Ongoing

		Recommendations effectively implemented	Follow up on implementation of recommendations issued on all reports	MINIJUST TBR Task force		
		Reports translated	Translation of all outcomes of reviews into Kinyarwanda  Dissemination by way of user-friendly booklets	MINIJUST		Ongoing
<b>47</b>	<b>International Human Rights ratified and domesticated</b>	Treaties domesticated	Ensure domestication of all ratified international and regional human rights Treaties	MINIJUST RLRC		
<b>48</b>	<b>Capacity of Judges and Lawyers strengthened in Human Rights</b>	Numbers of judges and lawyers trained	Conduct trainings to ensure application of international human rights instruments in domestic courts	MINIJUST NCHR JUDICIARY RBA		
<b>49</b>	<b>Monitoring Implementation of the National Human Rights action plan</b>	4 reports on implementation produced	Follow up and Compilation of Annual reports on implementation	MINIJUST NCHR		2016-2020

<b>50</b>	<b>Evaluation of Implementation of the National Human Rights action plan</b>	4 evaluation Reports produced	Status Update on the implementation contained in NCHR annual report	NCHR MINIJUST		2016-2020
		Report produced	Conduct midterm evaluation of implementation	NCHR		2017
		Report produced	Conduct Final Evaluation	NCHR		2020
<b>51</b>	<b>Communication and Dissemination of the National Human Rights Action Plan</b>	NAP Published	Publication of the NAP	MINIJUST RBA Other Media		2017
		NAP translated into Kinyarwanda	Translation of the Action Plan into Kinyarwanda	MINIJUST		2017
<b>52</b>	<b>Action plan published and disseminated</b>	Number of booklets produced	Simplified Booklet on Action Plan			2017