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Committee on Economic, Social and Cultural Rights

Fifth periodic report submitted by Rwanda under articles 16 and 17 of the Covenant, due in 2018*

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* The present document is being issued without formal editing.



Introduction

1. The Government of Rwanda is pleased to present Rwanda's fifth report under articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights (ICESCR).
2. Rwanda's fifth periodic report covers the period from 17 May 2013 to 31 December 2018. This report should be read in conjunction with Rwanda's Common Core Document of 2015.
3. This fifth report was prepared in accordance with the Committee's 2008 revised reporting guidelines on treaty-specific documents to be submitted by states parties under articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights (E/C.12/2008/2).
4. Rwanda last appeared before the Committee in May 2013. The Committee issued its concluding observations on Rwanda's combined second to fourth reports on 10 June 2013 (E/C.12/RWA/CO/2-4). This report directly responds to the issues identified in the Committee's 2013 concluding observations as per paragraph six of the Committee's guidelines. It also responds to those areas where there have been significant new developments and where information has not already been provided within reports under this Covenant or other treaties to which Rwanda is a party.
5. The report does not duplicate information on those issues addressed in Rwanda's combined second to fourth report under the ICESCR of January 2010 (E/C.12/RWA/2-4), or Rwanda's reply to the Committee's list of issues of April 2013 (E/C.12/RWA/Q/2-4/Add.1).
6. The Committee is also referred to Rwanda's 2015 Universal Periodic Review report which contains information relevant to Rwanda's implementation of the Covenant.

Preparation and structure of report

7. The preparation of this report was coordinated by the cross-institutional national Treaty Body Reporting Task Force responsible for the preparation of reports on the implementation of human rights Conventions including the Covenant on Economic, Social and Cultural Rights. The taskforce is headed by the Ministry of Justice and is composed of representatives from all organs of the government as well as civil society.
8. In particular, during the preparation of this report, meetings and other interactions of the Task Force were attended by representatives from the Ministry of Justice, Ministry of Foreign Affairs and International Cooperation, Ministry of Education, Ministry in Charge of Emergency Management, Ministry of Public Service and Labour, Ministry of Health, Ministry of Trade and Industry, Ministry of Gender and Family Promotion, Rwanda National Police (RNP), Rwanda Correctional Services (RCS), National Public Prosecution Authority, National Commission for Human Rights, Rwanda Law Reform Commission, Rwanda Investigation Bureau (RIB), National Electoral Commission (NEC), National Identification Agency (NIDA), National Institute of Statistics of Rwanda (NISR), Gender Monitoring Office (GMO), Rwanda Demobilization and Reintegration Commission.
9. Non state actors also play an active role in the report drafting process. The institutions involved include Bar Association, *Collectif des Ligues et Association de Defense des Droit de l'Homme* (CLADHO) and *HAGURUKA*, Great Lakes Initiative for Human Rights and Development (GLIHD), Rwandese Community of Potters (COPORWA), *Conseil de Concertation des Organisations d'Appui aux Initiatives de Base* (CCOAIB), Rwanda Network of People Living with HIV/AIDS, *Coalition Umwana Kw'Isonga* and Legal Aid Forum (LAF).
10. The preparation of the report thus followed a participatory approach through wide stakeholder's consultation.
11. Regarding the structure, in addition to this introduction, the following part provides information directly responding to the concluding observations and recommendations received by the Government of Rwanda (GoR) on 10th of June 2013. This is done by following the order of articles as they appear within the Covenant.

Responses to the concluding observations and recommendations of the Committee on ICESCR

Article 1 Self-determination

Reply to paragraph 8 of the Concluding Observations (E/C.12/RWA/CO/4)

12. The Constitution of the Republic of Rwanda of 2003 revised in 2015 prohibits any form of discrimination and emphasises the principle of equality and non-discrimination to all its citizens. All Rwandans are born and remain free and equal in rights and duties. Discrimination of whatever kind based on, inter alia, ethnic origin, tribe, clan, colour, sex, region, social origin, religion or faith, opinion, economic status, culture, language, social status, physical or mental disability or any other form of discrimination is prohibited and punishable by law.¹

13. As it was explained in the common core document, since the 1994 genocide against the *Tutsi*, Rwanda undertook the position to consolidate national unity. The Government adopted a policy according to which there is only one Rwandan community composed of all Rwandans (Banyarwanda). The former distinction of groups into Bahutu, Batutsi and Batwa was largely seen to be divisive and unproductive to Rwandans. As a result of that policy, the Government of Rwanda does not consider any group of Rwandans as a distinct of others (Refer to Paragraph 5 of the common core document).

14. Aside from the strong framework against discrimination indicated in the common core document in part IV, the GoR has put in place specific legislations, policies, independent institutions and programs to combat stereotypes, stigma, and all forms of discrimination.

15. The Historically Marginalized People (HMP) are integrated in Social-Economic programs like other vulnerable groups. Their rights are extended to every sector (political parties, freedom to choose religion, etc).

16. HMP Students have access to education from basic to higher learning institutions. The students who fail to get the required marks, are facilitated to attend Technical Vocational Education and Training (TVET) and the Government provides toolkits once they graduate.

17. HMP that are in Ubudehe category one have access to social protection programs like VUP/Public work (eligible households for labor intensive work remunerated on bi-monthly basis), VUP/Financial Service (it is a livelihood programme to contribute to households graduation from poverty and payed back at minimal interest-2%) and VUP/Direct Support (it is a grant amount provided as safely net in the form of direct income support which is provided on a monthly basis according to family size). The main objective of these social programmes is to guarantee minimum income and access to core public services by means of protecting them from poverty. They also have access to community health insurance (“mutuelle de santé”).

18. In line with asset transfer program, one cow per poor family (GIRINKA program), is reaching also eligible HMP. Small livestock are also provided to eligible members of the HMP. From 2013 to 2017 a total of 94, 833 cows were distributed to poor families including members of the HMP.² Since its inception in 2006 up to June 2018, Girinka programme has provided 331,295 cows to a cumulative number of 331,295 Rwandan poor families.

19. The Government of Rwanda does not and is not considering any specific ethnic group as distinct from other Rwandans and therefore there will be no specific interventions to be implemented based on that categorization.

¹ See article 16 of the Constitution of the Republic of Rwanda of 2003 revised in 2015.

² Assessing the implementation of Girinka Program: The citizens' perspective (2006–2016).

Article 2

Obligations of state parties

Reply to paragraph 6 of the Concluding Observations

20. The Government of Rwanda has adopted the monist approach in its legal system. When a convention or treaty is ratified, it is applied directly without any integration process in domestic legislation. Once ratified, all treaties and conventions are automatically domesticated according to the Constitution of the Republic of Rwanda.³ This constitutional dispensation gives litigants the right to directly apply at national level, the international instruments duly ratified and applied by the other party.

21. With regards to the awareness of the Covenant, the Government of Rwanda is pleased to report that efforts have been made to ensure that the public in general and law practitioners in particular are aware of the content of the Covenant. In this regard, it is worth mentioning that all the core international human rights instruments, including the Covenant on Economic, Social and Cultural Rights were translated into the local language in 2015 and distributed to all tribunals and courts, prosecutors' offices and lawyers. In addition, the Ministry of Justice has published on its website, the concluding observations as they were issued by the Committee on Economic, Social and Cultural Rights. Furthermore, the concluding observations and the copy of the Convention were disseminated to at least 30 government institutions relevant in the implementation of the provisions of the Convention. Copies were also distributed to national non-governmental organizations working in the field of socio-economic rights.

22. The Government of Rwanda is aware of the existing gap in cases of direct invocation of the provisions of the Convention by law practitioners particularly advocates and judges. To close this gap the GoR commits to increase efforts in sensitizing key actors in the justice sector to ensure that the Convention is directly invoked in courts. The primary focus will be on advocates, Judges and human rights defenders.

Reply to paragraph 7 of the Concluding Observations

23. The Constitution of the Republic of Rwanda of 2003 revised in 2015 in its article 42, guarantees the independence of the National Commission for Human Rights (NCHR).

24. Regarding the composition of the NCHR it is worth mentioning that the Commission has seven Commissioners including the Chairperson and the Vice Chairperson working full time.

25. According to article 18 of the Law N°19/2013 of 25/03/2013 governing the National Commission for Human Rights (NCHR), Commissioners come from non-governmental organizations for the promotion and protection of human rights; public and private universities and institutions of higher learning; civil society; public institutions; and private sector.

26. Serving Commissioners were selected from public institutions, civil society and the private sector. Four out of seven Commissioners are female.

27. Further, the above mentioned law in its article 20 empowers a Presidential order to determine the establishment, responsibilities, organizations and functioning of the Committee in charge of selecting Candidate Commissioners (the Committee). The Committee was established by the Presidential order N°72/01 OF 12/03/2014 (the Presidential order). The Committee is independent and in discharging its duties, the Committee is required to comply with the principles of transparency and objectivity.

28. According to article 4 of the Presidential order, the Selection Committee comprises of five members, nominated after broad consultations with their respective institutions including non-governmental organizations for the promotion and protection of human rights; Public Service Commission; Civil Society; and other relevant experts with expertise and

³ Article 168 of the Constitution of the Republic of Rwanda of 2003 revised in 2015.

skills in human rights issues. Members of the Selection Committee are appointed for a 5 years term renewable once.

29. With regard to selection and appointment of Commissioners, the procedure is set out in article 6 and 7 of the law n° 61/2018 of 24/08/2018 modifying law n° 19/2013 of 25/03/2013 determining missions, organization and functioning of the National Commission for Human Rights. In selecting candidates, the Committee is required to comply with the principles of transparency and independence; and widely announce vacancies for Commissioners. The law further provides that after selecting the candidates, the Committee submits to the Government a list of selected candidates, and the President of the Republic appoints the Chairperson and the Vice Chairperson if those posts are vacant. Commissioners are approved by the Senate.

30. The appointment complies with the provisions of article 86 and 112 of the Constitution of the Republic of Rwanda of 2003 revised in 2015 (the Constitution). Article 86 of the Constitution gives power to the Senate, to approve the appointment of the Chairpersons, Vice Chairpersons and other Commissioners of National Commissions including the NCHR. Further, article 112 provides that the President of the Republic enacts Presidential Orders by virtue of the powers vested in him or her by this Constitution and other laws regarding the appointment of the Chairpersons, Vice Chairpersons and other Commissioners of National Commissions.

31. Article 3 of the Law N° 19/2013 of 25/3/2013 determining missions, organisation and functioning of the National Commission for Human Rights also designates the NCHR as “independent and permanent” and stresses that in fulfilling its mission, the Commission shall not be subject to any instructions from any other organ. In this regard, Commissioners are selected and appointed on an individual basis and they do not represent their institutions of origin.

32. The law also gives the NCHR legal personality, administrative and financial autonomy. The provisions of the law are reflected in practice as nothing hinders or interferes with either its financial or administrative autonomy. In terms of financial autonomy, the Commission manages its budget whatever its sources.⁴ Further, the Commission has the autonomy in recruiting its staff and recruitment is made on a competitive basis.

33. Further, pursuant to the Ministerial Order of the Ministry of Justice adopted in 2016 the NCHR has power of attorney and therefore can institute case in courts.

34. Furthermore, the 2018 amendment of the law on the NCHR mentioned above, expended the mandate of the NCHR and it is currently doubles as the National Preventive Mechanism provided under the Optional Protocol to the Convention Against Torture (OPCAT).

Article 3

Equal rights for men and women

Reply to paragraph 9 of the Concluding Observations

35. Rwanda considers women and men as equal right holders. Legal, policy and institutional frameworks have continuously been improved to ensure equality between women and men both in law and in fact.

36. The Constitution of the Republic of Rwanda of 2013 revised in 2015 reaffirmed Rwanda’s commitment to building a State governed by the rule of law, based on the respect for human rights, freedom and on the principle of equality of all Rwandans before the law as well as equality between men and women.⁵ Further, the Constitution provides that in matters related to the right to marry and found family, spouses are entitled to equal rights and obligations at the time of marriage, during the marriage and at the time of divorce.⁶

⁴ Internal regulations of the commission, article 5(2).

⁵ Preamble of the Constitution.

⁶ Article 17 of the Constitution.

37. In 2016, two important laws were enacted to further implement the above stated constitutional provisions.

38. The law n° 32/2016 of 28/08/2016 governing persons and family, removed all previous provisions that treated men and women unequally. For instance, the law gives equal powers and responsibilities between both spouses to jointly provide management of the household including moral and material support to the household as well as its maintenance.⁷ This reverses the situation in the previous law which recognized only the husband as the leader of the family. The law provides further that one of the spouses performs those duties alone if the other is unable to do so and that in case of disagreement, competent authorities take the decision.

39. Further, the above mentioned law requires both spouses to contribute to the household expenses in accordance with their capacity and means. Women are not considered inferior and therefore incapable of contributing to the wellbeing of the household.⁸ In addition, the law recognizes that spouses have the same rights and obligations and must owe each other mutual fidelity, help and assistance.⁹

40. In 2016 the GoR adopted a new law n° 27/2016 of 08/07/2016 governing matrimonial regimes, donations and successions. This law repealed the law no 22/99 of 12/11/1999 supplementing Book One of the Civil Code and instituting Part Five regarding Matrimonial Regimes, Liberalities and Successions.

41. The same law confirmed the already demonstrated Rwanda's efforts to eliminate all forms of inequalities between male and female children in matters relating to succession. In terms of this law, legitimate children of the *de cuius* succeed in equal portions without any discrimination between male and female children.¹⁰ The equality between female and male children is required when parents make donations to their children. Thus where parents donate to their child, they do it without any discrimination between girls and boys.¹¹

42. Further, the law also introduced new provisions on the equal right of men and women to the enjoyment of all economic, social and cultural rights in terms of the rights to property and to succession where "any property registered in one spouse's name is part of the property belonging to spouses under the community of property regime (article 6)" and where "the surviving spouse is entitled to take part in succession of the deceased spouse's estate."¹²

43. Besides the adoption of laws, during the period under review, Rwanda intensified the efforts to ensure the effective application of its legislation on gender equality and implementation of policy measures taken to achieve equality between men and women. This includes organizing awareness-raising sessions on the elimination of negative cultural attitudes against women and girls.

44. A training of 50 Chief Editors from media houses in Rwanda was organised with the view of enabling them to contribute towards awareness raising of communities that do not know about gender equality or tolerate GBV as well as overcoming the culture of impunity that goes with GBV perpetrators.

45. In January 2018, a Gender responsive Dialogue was organized and brought together 130 people composed of chief editors, media house owners, government officials, UN agencies and members of the Civil Society Organizations.

46. Further, ICT awareness campaign targeting schools has been conducted in collaboration with Ministry of Information and Technology under the framework of

⁷ Article 30 of the law N° 32/2016 of 28/08/2016 governing persons and family.

⁸ Article 210 of the law N° 32/2016 of 28/08/2016 governing persons and family.

⁹ Article 206 of the law N° 32/2016 of 28/08/2016 governing persons and family.

¹⁰ Article 54 of the Law n° 27/2016 of 08/07/2016 governing matrimonial regimes, donations and successions.

¹¹ Article 28 Article 54 of the Law n° 27/2016 of 08/07/2016 governing matrimonial regimes, donations and successions.

¹² *Idem*, article 75.

HeforShe campaign. In this regard, approximately 2000 female secondary schools students were reached in 4 districts.

47. In addition to the above, traditional patriarchal stereotypes and gender inequality continue being addressed through public education, regular Radio and TV talk shows on different subjects including but not limited to financing for gender equality and the role of Gender Responsive Budgeting program, human trafficking, teenage pregnancy and other Gender Based Violence issues in general.

48. For the period under review poverty levels continue to fall among Rwandans in general and women in particular. With regard to the change since EICV4 (2013/2014), despite a slight general decrease in poverty levels (from 39.1% in 2014 to 38.2% in 2017), EICV 5 (2016/2017) shows that the poverty level of female headed households has declined by 4.4 percent since 2013/14 from 43.9% to 39.5% in 2016/17.¹³

49. Regarding women representation, following the September 2018 Parliamentary elections, the statistics show that women in Rwanda occupy 61% in the Parliament. Women are significantly represented in other public organs such as the Cabinet (52.3% of female Ministers), State Ministers (27.7%), Permanent Secretaries in Ministries (30.0%), Heads of Public Institutions (20%), Director Generals in Ministries (34.4%), Judiciary (49.7%), female in Chamber of Senate (38%).

50. At decentralized level women are fairly well represented: 45.2% in the Sector Councils and 34.5% women members of Cells Councils, female Governors and Mayor of City of Kigali (40%), Female District Mayors (33%), Vice Mayors Social Affairs (66.7%), Vice Mayors/Economic Affairs (16.7%).¹⁴ Within the district executive committees (Mayors and vice mayors) 42% are women. District councillors are 865 and 44.9% are women.

51. By December 2018 female representation in the Private Sector stood as follows: within the Executive Committees of Private Sector Federation (PSF) Chambers at National Level, women occupied 30% of Presidency positions, 10% of the 1st Vice-Presidency positions and 70% of the 2nd Vice-Presidency positions. At Provincial level, women were not represented at Presidency positions, while they occupied 20% and 80% at the positions of 1st and 2nd Vice-President positions respectively. At the District level, women occupy 6.7% of the Presidency positions while they occupy 13.3% and 80% of the 1st and 2nd Vice-President positions.¹⁵

52. In the media sector, women representation stood at 21.5% in 2018. 24.5% women are Accredited Journalists, 12.4% are Chief Editors, 14.1. % are Owners or Managers of media houses.¹⁶

Reply to paragraph 10 of the Concluding Observations

53. The Government of Rwanda has been and remains determined to fight gender based violence in all its forms. Strong legislation was adopted and institutions have been put in place and adequately staffed to eradicate the problem. The efforts to fight GBV have been intensified and coordinated among all stakeholders with the view of bringing durable solutions to GBV related issues.

54. The GoR notes the Committee's concern and recommendation thereof concerning the need for the GoR to reinforce its policy and strategy plan adopted in July 2011 on gender-based violence. In this regard, the Government is pleased to report that the mentioned strategic plan has its five year implementation plan and was revised in 2017. It is worth to mention as well that Rwanda is also a State party to the Kampala Declaration on sexual and gender based violence since 2011. In 2017, the Government of Rwanda developed a five-

¹³ The Fifth Household Living Conditions Survey (EICV5:2017).

¹⁴ The State of Gender Equality in Rwanda, From Transition to Transformation, by Gender Monitoring Office, September 2018.

¹⁵ The State of Gender Equality in Rwanda, From Transition to Transformation, by Gender Monitoring Office, September 2018.

¹⁶ The State of Gender Equality in Rwanda, From Transition to Transformation, by Gender Monitoring Office, September 2018.

year National Action Plan for the Implementation of the Kampala Declaration on Sexual and Gender Based Violence. The implementation runs through 2022.

55. To ensure proper implementation of policy and legal frameworks, a national coordination framework operates at the national and decentralized levels and takes into account political leadership, technical expertise and operationalization down to the local communities. The National Steering Committee is the highest coordination body which provides overall strategic direction and meets on a biannual basis to monitor implementation of the GBV policy objectives, share information and coordinate activities and responses.

56. For the period under review, the Isange One Stop Center (IOSC) continued to be an outstanding model which seeks to create synergies in the efforts to provide support to victims of gender-based violence (GBV) in a holistic manner. Currently, there are 44 IOSCs from only 7 in 2013, established in all district hospitals which provide holistic free of charge 24-hour response to victims and survivors of GBV including safe shelter, medical, psychosocial counselling and legal aid to the victims under one roof, so as to avoid re-victimization and the risk of spoiled evidence.

57. In addition, other mechanisms have been put in place to prevent GBV. These include Umugoroba w'ababyeyi (Parents' Evening Forum), anti GBV clubs in schools, Inshuti z'Umuryango, Gender Desks established at Rwanda Investigation Bureau as well as at the Rwanda Defense Forces in order to ensure synergy efforts of combating GBV.

58. In 2016, the GoR, inaugurated an Anti-GBV and Child Abuse Regional Center of Excellence (CoE) and its purpose is to provide high quality research and statistics related to SGBV, child abuse and other forms of violence to the public, policy makers, law enforcement personnel and other SGBV practitioners in the region.

59. Further, the GoR in partnership with Civil Society Organizations continues to deliver community-level GBV prevention and response interventions through *Indashyikirwa* (Agents of change) model. These interventions of the model include among others; using GBV peer educators to conduct community dialogues and GBV awareness raising meetings and 'community activists', and providing anti-GBV training programs to couples as an effective preventive measure.

60. The National Forensic Laboratory capacity was strengthened in 2017 to enable immediate and effective collection of evidence needed in courts, including provision of DNA testing services.

61. The Government of Rwanda has secured 14.95 Million USD from the World Bank through the Great Lakes Emergency Sexual and Gender Based Violence and Women Health Project, to establish a robust GBV Management Information System. The system is hosted by the Regional Center of Excellence of GBV and child abuse under the coordination of the Ministry of Gender and Family Promotion (MIGEPROF). It is meant to enhance data management especially those collected one stop centres. This will address the challenge of lack of harmonized reporting mechanisms in all IOSCs where for example GBV officers report to the Ministry of Health (MINISANTE) and former Judicial Police Officers reported to Rwanda National Police, the situation which affected quick information sharing and timely interventions.¹⁷

62. The Government through relevant institutions, has organized clinics and outreach programs with special groups of teen mothers in 10 districts countrywide (Bugesera, Burera, Gicumbi, Huye, Musanze, Muhanga, Ngoma, Gasabo, Ngororero and Nyamasheke). The program's overall objective is to provide an in depth assessment of causes of teenage pregnancy and identify services/support given to them by service providers. This helped in recording the new born babies in civil registers and voluntary HIV testing. As a result of this program, one hundred and forty (140) children of teen mothers were registered and two hundred and fifty-four (254) teen mothers voluntarily tested for HIV in 2016-2017.¹⁸

¹⁷ Gender Monitoring Office, Annual Report 2016-2017, p 32.

¹⁸ Gender Monitoring Office, Annual Report 2016-2017, pp 33-34.

63. With regards to the investigation and prosecution of GBV cases, National Public Prosecution Authority (NPPA) prosecuted and the courts decided 1480 cases of child defilement in 2017/2018. In 2016/2017 NPPA prosecuted 830 cases of child defilement. In 2015/2016, NPPA prosecuted 840 cases. In 2014/2015 a total of 814 cases were prosecuted while 1,118 cases were prosecuted in 2013/2014. The conviction rate for child defilement related cases stood at 78.9% in 2017/2018. Penalties range from one year to life imprisonment.¹⁹

64. With regards to cases of rape, a total of 202, 129, 93, 88 and 173 cases were decided by courts in 2013/2014, 2014/2015, 2015/2016, 2016/2017 and 2017/2018 respectively. During the year 2017/2018 average conviction rate was at 67.1% and like in case of child defilement penalties range from one year of imprisonment to life imprisonment.

65. With the adoption of the new law N°68/2018 of 30/08/2018 determining offences and penalties in general, the penalties have been tightened and the law leaves no room for mitigations in case defilement is committed on a child below 14 years of age.

Article 6

Right to work

Reply to paragraph 12 of the Concluding Observations

66. In 2014, Rwanda adopted a 5 year National Employment Program (NEP). This program builds upon Rwanda's Second Economic Development and Poverty Reduction Strategy (EDPRS 2) which run from 2013 through 2018.

67. The program is designed to serve three main objectives:

1. Creating sufficient jobs that are adequately remunerative and sustainable across the economy;
2. Equipping the workforce with vital skills and attitude for increased productivity that are needed for the private sector growth;
3. Provide a national framework for coordinating all employment and related initiatives and activities in the public, private sector and civil society.

68. Further, the National Employment Program puts women, youth and other vulnerable groups at the centre.

69. From 2010/11 (EICV 3) unemployment decreased for males from 2.2% to 1.6% in 2013/14 (EICV 4) however, increased from 2.2 to 2.4% for females. Regarding persons with disabilities, from 2013-2018, National Council of Persons with Disabilities (NCPD) provided 60 million Rwandan Francs to support cooperatives initiated by Persons with Disabilities under the National Employment Program.

70. Between 2015 and 2017, NCPD trained 1,381 Persons with Disabilities and acquired from NEP a sum equivalent to 350 million Rwandese Francs to facilitate all graduates to access toolkits and loans to start their own businesses.

71. In addition, NCPD in collaboration with Umbrella of Organizations of Persons with Disabilities (UPHLS) trained 523 PwDs in different trades.

72. Further, in order to increase self-employment for the trained PwDs, in the year 2018-2019, a budget of 75 million and 42.5 million was allocated to PwDs for start-up tool kits and loan facility from NCPD and UPHLS respectively.

73. With regard to the Committee's recommendation on the need of statistical data on the concrete impact of all measures taken to improve the unemployment rate and evaluate programmes to ensure that they respond to the labour market needs, the GoR is pleased to

¹⁹ www.nppa.gov.rw.

report that in August 2016, the Government of Rwanda introduced the Labour Force Survey (LFS).²⁰

74. The LFS is conducted by the National Institute of Statistics of Rwanda every six months. The main objective of the survey is to provide data on the structure and trends of labour force, employment and unemployment as well as other needed labour market statistics for the implementation and evaluation of economic and social policies related to employment creation, income generation, skills development, and related decent work policies.

75. The December 2018 Labour Force Survey showed that unemployment rates continues to decrease in all groups of the population. The table below shows rates of unemployment making comparison between 2017 and 2018.

<i>Indicators</i>	<i>2017</i>	<i>2018</i>
Unemployment rate	17.3%	15.1%
Unemployment rate among university graduates	16.8%	15.7%
Unemployment rate among secondary school graduates	26.5%	26.5%
Unemployment rate among females	19.2%	17.1%
Unemployment rate among males	15.6%	13.5%
Unemployment rate among TVET graduates	18.7%	17.4%
Unemployment rate among general education graduates	18.8%	17.2%
Unemployment rate among persons with disability	17.4%	14.1%
Youth unemployment rate	21.3%	18.7%

76. Unemployment rate was also higher in the urban areas (16.5 percent) than in the rural areas (14.7 percent).

77. Since July 2018, Rwanda is implementing the First National Strategy for Transformation (NST1). The strategy sets as its priority to create 1.500.000 new decent and productive jobs by 2024 (214,000 annually). This target is also expected to further reduce levels of unemployment among Rwandans (source NST1).

78. Programs of internship and apprenticeship are also used as strategies to reduce unemployment and provide temporary employment to graduates. Lastly, a National Labour Mobility Policy was approved by Cabinet in June 2019 and will provide labour opportunities in the country and abroad to reduce unemployment.

79. The GoR notes that the survey was introduced in the middle of the implementation period, making it challenging to provide comprehensive statistical information for the period prior to its introduction (2013-2015). However, the GoR wishes to assure the Committee on the availability of more comprehensive data in future reports.

Reply to paragraph 13 of the Concluding Observations

80. Informal sector workers constitute a significant portion of labour force in Rwanda. The Rwanda Employment Program (NEP 2013-2018) indicates that the vast majority (around 77 %) of the working-age population (16 years and over) estimated at about 5 million people are farm workers and informal sector workers, many of whom are engaged in activities of extremely low productivity and earnings and precarious conditions which can be considered as underemployment.

81. Labor Force Survey defines employment in the informal sector as all persons 16 years of age and over who were engaged in unregistered private business enterprises that did not keep written records of accounts. Unregistration meant not registered with the Rwanda Revenue Authority or not paying pay as you earn (PAYE).

82. By December 2017, the data from Labor Force Survey indicated that there were about 2,490,025 employed persons in the informal sector, corresponding to about 77.6% of total

²⁰ <http://www.statistics.gov.rw>.

employment in Rwanda.²¹ There were in total 2,881,280 persons with informal employment at main job, constituting almost 89.8% of total employment.²² Comparing with the situation in 2017, statistics show that rate slightly dropped from 90.8% to 89.8% in 2017 and 2018 respectively. Informal employment jobs were held mostly by male workers (55.3 percent), however, the informal employment rate was higher among females (92 percent) as compared to males (88 percent).²³

83. The comparison between the data from NEP (2013-2018) and LFS (August 2017) shows that there has been significant decrease in numbers of people in informal sector. While in 2013 the number was estimated at 5 million, by December 2018 the number had decreased to 2,881,280 persons.²⁴

84. The decrease can be mainly attributed to the GoR's program which targeted the creation of at least 200,000 off-farm jobs annually.

Article 7

The right to just and favourable conditions of work

Reply to paragraph 14 of the Concluding Observations

85. Domestic workers enjoy general protection of the law. The Rwandan Constitution of 2003 revised in 2015 recognizes that everyone has the right to free choice of employment and that all individuals, without any form of discrimination, have the right to equal pay for equal work.

86. The new law N°66/2018 of 30/08/2018 regulating labour in Rwanda which is in force since August 2018 recognizes the protection of informal sector workers including domestic workers in the issues relating to social security, the trade union organizations and those relating to health and safety at workplace.

87. Concerning the ratification of the ILO Convention No. 189 (2011), Rwanda is currently implementing Labour rights among all categories of workers including Domestic workers. It is also in the process of revising orders implementing the labour law mentioned above and upon the completion of this exercise Rwanda will consider assessing the need to ratify the relevant Convention, should there be any identified gaps that can only be filled by the Convention.

Reply to paragraph 15 of the Concluding Observations

88. The law N° 66/2018 of 30/08/2018 regulating labour in Rwanda in its article 68 states that "The minimum wage in categories of occupations will be determined by an Order of the Minister in charge of labour." It defines the Minimum wage as "the minimum wage recognized by law based on each category of occupation."

89. Currently, Rwanda is at the final stage of introducing the minimum wage per occupational categories. The process of developing the Minimum Wage is led by the Ministry of Public Service and Labour which has conducted wide discussions to inform the fixing of the Minimum Wage. The discussions deeply considered the needs of workers and their families, economic factors including levels of productivity (employers' capacity to pay), the need to maintain a high level of employment and as well as the prerequisite for the elimination of poverty as the basics of fixing the minimum wage.

90. The Ministry in charge of Labour consulted various Ministries and Government agencies, Private Sector federation, Insurance Companies, Civil society with the view of adopting a Ministerial Order determining minimum wage and the drafting process is underway.

²¹ Labour Force Survey Annual Report, December 2018.

²² *Idem*.

²³ *Idem*.

²⁴ *Idem*.

Reply to paragraph 16 of the Concluding Observations

91. The Government of Rwanda adopted the National policy on Occupational Safety and Health and its implementation strategies since 2014.

92. The District labour inspectors reinforce inspections on occupational safety and health in different establishments with high risk of occupational hazards specifically in private sector. This is in line with implementing provisions related to occupational Safety and Health. Labour Inspectors conduct regular investigations where violations of labour standards occur.

93. The new labour law N° 66/2018 regulating labour in Rwanda in its article 119 provides for offences and penalties relating to occupational health and safety.

Article 9**The right to social security and social insurance****Reply to paragraph 17 of the Concluding Observations**

94. With the view to achieving universal social security coverage, a ‘Long Term Saving Scheme (EJOHEZA)’ was established by the Government of Rwanda under the law No 29/2017 of 29th June 2017. The scheme was officially launched on 14th December 2018. It is a defined contribution scheme, established on a voluntary basis by opening a savings account with a scheme administrator, the Rwanda Social Security Board (RSSB), and covers both salaried and non-salaried people.

95. Article 4 of the mentioned law provides for membership right to the long-term savings scheme. It stipulates that ‘any Rwandan and any other foreigners residing in Rwanda has the right to subscribe as member to the long-term savings scheme.

96. Article 6 of the same law lists beneficiaries of the scheme. They include:

- Self-employed individuals working in the informal sector who wish to save for the long-term;
- A worker operating in the informal sector wishing to make long-term savings;
- A salaried person wishing to make long-term savings regardless of his/her status as a member of any other social security scheme;
- A person whose active membership has ceased in a social security scheme but still receiving an amount of money under the laws regulating that scheme, and transfers such money to a long-term savings account;
- A child below the age of sixteen (16) years who is a beneficiary of a long-term savings scheme account opened by his/her parent or guardian; and
- Any other person not falling into the categories referred to in the preceding items of article 6.

97. With regard to the amount of the member’s contribution, the law states that the member of the long term savings scheme pays a contribution depending on his/her capacity (article 7). The law further provides under article 26 that the Government may contribute to the promotion of the long-term savings scheme with a view to encourage the community to join the scheme.

98. EJOHEZA scheme comes to complement existing government initiatives namely Community Based Health Insurance (“Mutuelle de Santé”) which currently covers up to 80% of Rwandans and Pension scheme which covers 8% of the working population. The GoR through the Ministry of Local Governments also provides a monthly direct support to the old people (aged above 65). The scheme started in 2008 and for the fiscal year 2018/2019 it covered 85,542 families.

Article 10

Protection and assistance for the family

Reply to paragraph 11 of the Concluding Observations

99. The Government of Rwanda enacted Law n^o 13 ter/2014 Of 21/05/2014 relating to refugees. The principle of non-refoulement is covered under article 21 of the law which stipulates that under no circumstances may a refugee be sent back or deported to a country where his/her life or liberty may be compromised. Furthermore, the Government of Rwanda enacted the Ministerial Order n^o 01/MIDIMAR/13 of 03/12/2013 determining appropriate measures of tracing family members of unaccompanied refugee children for reunification.

100. The Government of Rwanda ensures the effective enjoyment of rights of refugees through the Law n^o 13 ter/2014 Of 21/05/2014 relating to refugees, especially its article 18 stipulating that any person having obtained refugee status in Rwanda shall enjoy the rights and liberties provided for by international conventions on refugees ratified by Rwanda.

101. The Government of Rwanda adopted the repatriation and reintegration program through which:

- Returnees are given national identity cards;
- Returnees are enrolled in formal education and in various vocational skills;
- Returnees who completed vocational skills trainings are assisted to set up income-generating activities;
- Returnees benefit the National health care scheme known as “mutuelle de santé”;
- Returnees have access to their land.

102. The Government of Rwanda enacted the Law n^o 32/2016 of 28/08/2016 governing persons and family and its article 100 highlights that every child must be declared within thirty (30) days after birth. The law extended the duration for registration from 15 days to 30 days. The law stipulates that all persons born in Rwandan territory have the right to be registered in birth records.

103. In addition, article 5 of the Ministerial instructions n^o 02/2016 Of 01/06/2016 determining the management of refugees and refugee camps underlines that every newly born refugee child in refugee camp or outside the camp must be registered in civil status office within thirty (30) days.

104. Law no 14/2008 of June 2008 governing registration of the population and issuance of national ID was revised by the law No 44/2018 of 13/08/2018 amending law N^o 14/2008 of 04/6/2008 governing registration of population and issuance of the national identity card. The deadline for registration was extended as already mentioned.

105. To make the registration process even easier, the law n^o 32/2016 of 28/08/2016 governing persons and family is being revised to allow birth registration and certification to take place at health facilities in order to reduce distance and time constraints.

Reply to paragraph 18 of the Concluding Observations

106. The Committee expressed concerns with regards to the old provisions of the Labour Code which provided that women who had used six weeks of maternity leave with full salary and opted for an additional six weeks were only entitled to receive 20 percent of the salary. The GoR is pleased to report that the new maternity leave benefits insurance scheme introduced 12 weeks fully paid leave during which a monthly compensation equivalent to the mother’s last salary is given.

107. Further, the Rwanda labour code was revised in 2018 (law N^o 66/2018 of 30/08/2018 regulating labour in Rwanda) and its article 56 stipulates that a female employee who has given birth is entitled to a maternity leave of at least twelve (12) consecutive weeks.

108. A new law was enacted in 2016 establishing and governing maternity leave benefit scheme (Law No. 003/2016). According to the provisions of this law “the employer declares

and remits collected contribution to the Social Security Administration not later than the fifteenth (15) day of every month following the month of contribution.

109. Every month any employer from either private or public institution contributes 0.3% of every employee's net salary. Every employee also gives 0.3% from his/her net salary. The total sum (0.6%) is remitted by the employer to the Social Security Administration, which is a department of Rwanda Social Security Board (RSSB), within the prescribed period (currently not later than 15th of every month). The money in this scheme is destined to cover the second half of maternity leave of every working mother.

110. With the new maternity leave benefits regime, mothers will no longer face the hard choice of either completing two weeks of leave and lose 80% of their family's income or return to work after 6 weeks to keep their income, as was the case before.

111. This is a new social security scheme, whose establishment is part of the government of Rwanda's commitment towards empowering women to physically recover, care for their new-born and ensure that women are not losing jobs due to maternity leave.

Reply to paragraph 19 of the Concluding Observations

112. Child labour is a denial of children's rights and a barrier to holistic child development. Rwanda as a signatory to the International Labour Convention No. 138 of June 26, 1973 concerning the Minimum Age for Admission to Employment; and the International Labour Convention No. 182 of June 17, 1999 concerning Worst Forms of Child Labour, is committed to the elimination of child labour, particularly in its worst forms. The Government of Rwanda is committed to eradicate all forms of child labour by investigating and prosecuting such cases.

113. The GoR adopted the new law N° 66/2018 of 30/08/2018 regulating labour in Rwanda. The law has improved on the standards of protection of children from the worst forms of child labor.

114. First, the law gives clear definition of what constitutes prohibited work for children. This is regarded as any work which has a detrimental effect on the child's rights, health or on other aspects of the child's life.

115. Second, although the new law maintains the minimum age for admission to employment at sixteen (16) years as it was in the repealed law; it provides for an exception where a child aged between thirteen (13) and fifteen (15) years is allowed to perform only light works in the context of apprenticeship.

116. Third, as mentioned in the above paragraph, the 2018 law regulating labor in Rwanda defines light work as a work which cannot have a detrimental effect on a child's health, child development and child's education or other aspects of child's life interest.

117. In addition, there are administrative sanctions in place in the new Ministerial Instructions No 01/2017 of 17/11/17 on the prevention and fight against child labour which is being implemented to fight against the worst forms of child labour and hazardous work. Between November 2015 and November 2016; 7,169 children were withdrawn from child labour while 116 persons were punished for engagement of children in worst form of child labour. In November and December 2017, children withdrawn from child labour were 249 while 143 persons were punished for engagement of children in worst form of child labour, paying the total amount of Rwf 4,350,000 in fines.²⁵

118. The amended Ministerial Instructions n° 01/2017 of 17 November 2017 on the Prevention and Fight against worst forms of child labour takes into consideration domestic child labour for children under 18 years as worst forms of child labour prohibited for children.

119. These Ministerial Guidelines are useful to fight child labour mostly in the informal economic sector. It is also worth noting that the GoR has also adopted the law n° 51/2018 of 13/08/2018 relating to the prevention, suppression and punishment of trafficking in persons

²⁵ MIFOTRA, Administrative Data, 2018.

and exploitation of others and the law N°71/2018 of 31/08/2018 relating to the protection of the child that further protection in the informal sector.

120. The existing legal framework also covers hazardous works and domestic child labour under the Ministerial order n° 06/2010 determining the list of worst forms of child labour. Domestic child labour as well as agricultural hazardous work are already on the list of hazardous work prohibited for children under 18 years old.

121. Inspections are conducted by labour inspectors in collaboration with the District steering committee²⁶ and employers, parents found engaging children in the worst forms of child labour are punished.

122. During the year 2016/2017, about 352 employers and individuals were sanctioned for engaging children in the worst forms of child labour. As mentioned above in para 116, Frw 4,350,000 was fined in total for these reported cases. Moreover, about 1,117 children were removed from child labour situations and reintegrated in their families or schools between 2016 and 2018.

123. Furthermore, child labour inspectors have been deployed at district level to work hand in hand with different concerned institutions such as police in making sure that child labour cases are investigated and punished. Every year about Rwf 30,000,000 is allocated to facilitate labour inspections and investigate cases of child labour.

124. The Committee also recommended that the State Party conduct awareness-raising campaigns about its legislation against child labour, in particular in rural areas. In this regard, annual awareness campaign known as Family Campaign is organized countrywide to help strengthen family ties, and ensure that children's rights are enforced. During this campaign, messages on prohibition of child labour are disseminated in all parts of the country.

125. During the celebration of the Day of African Child (DAC) conducted every year, sensitization on the rights of the child and prohibition of child labour are made.

126. The National Children Summit which is organized annually and brings together children representatives and senior officials from Government and Civil society discuss matters that concern children's lives including child labour and make recommendations that are based in policy making, enactment of laws and decision making.

Reply to paragraph 20 of the Concluding Observations

127. The GoR is committed to combating trafficking in persons and related crimes. For the period under review, the GoR has revised its laws on prevention of trafficking in person with the view to bringing it into conformity with international principles and standards in matters related to human trafficking.

128. In 2018, the GoR adopted a specific law n° 51/2018 of 13/08/2018 relating to the prevention, suppression and punishment of trafficking in persons and exploitation of others (hereafter referred to as the 2018 law on prevention of trafficking in person). The law defines trafficking in persons in the same terms as the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (hereafter referred to as the UN Protocol on prevention of trafficking in person).

129. Article 3(6°)(a) of the 2018 law on prevention of trafficking in person defines trafficking in persons as any act committed by a person who, for the purpose of exploitation, hires or recruits, transports, transfers, harbours, or receives another person; by means of threat or use of force, or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability, or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

²⁶ This steering committee is composed of the Vice Mayor in charge of social affairs, a representative in charge of education, a representative in charge of GBV, all executive secretaries of cells, and NGOs operating in the field of children's rights.

130. Article 3(6°) (b) adds to the definition, any act of a person who recruits, transports, transfers, harbours or receives a child for the purpose of exploitation, even if this does not involve any of the means set out in item (a) of the same paragraph. Like the UN Protocol on prevention of trafficking in person, the Rwandan law pays particular attention to a child.

131. The purpose of the 2018 law on prevention of trafficking in person is clearly spelt out under article one (1) stating that the purpose of the law is to prevent, suppress and punish the offence of trafficking in persons and exploitation of others. As it was recommended by the Committee on Economic, Social and Cultural Rights, the same provision also provides that the law provides for the protection of, and assistance to, the victims of trafficking in persons.

132. With regard to the protection and assistance of victims of human trafficking, the 2018 law on prevention of trafficking in person provides that protection and assistance should be provided without any discrimination. Further, the law caters for other important aspects such as the protection of the victim and the victim's accompanying dependants; protection of the identity of the victim during court proceedings; basic assistance services to the victim; special treatment granted to the victim; special assistance to the child victim; permission for a non-Rwandan victim to remain in Rwanda; repatriation of a foreign victim to his/her country; and return of the victim to Rwanda (articles 7, 8, 9, 10, 11, 12, 13, 14 and 15).

133. Remaining on protection and assistance, it is important to mention that the law delegates the power to the relevant Ministry to provide for other particular means for support to the victims and services made available to them.

134. In addition to a strong legal framework, a specific Directorate in charge of human trafficking was established within the Rwanda Investigation Bureau (RIB). During the year 2016/2017 a total of 88 cases of human trafficking were reported and investigated.

135. Further, in 2017 the GoR launched a study on 'Improving knowledge, enforcement and coordination in counter trafficking'. The project is being implemented by National Public Prosecution Authority (NPPA), Directorate General of Immigration and Emigration (DGIE), National Children's Council (NCC), Rwanda National Police (RNP) and the Ministry of Gender and Family Promotion (MIGEPROF) under the coordination of MINIJUST with support from USAID and IOM.

136. The project supports the GoR and civil society organizations to strengthen their capacities to respond to all forms of internal and cross-border human trafficking; including trafficking of children and to identify and protect victims. Specifically, the project will enhance the capability of government agencies and social and child protection actors to make informed decisions on trafficking in persons programming on the basis of accurate data on trafficking in persons in Rwanda. Research is among key components of the project and seeks to describe trafficking trends in, from, to, and through Rwanda.

137. Furthermore, 23 law enforcement officials were trained on investigation and prosecution of human trafficking cases between 2015 and 2016. 273 campaigns were also conducted during the same period. Moreover, the U.S. Department of State through IOM, supports the GoR to organize trainings of partners in human trafficking.

Reply to paragraph 21 of the Concluding Observations

138. The Government of Rwanda does not endorse corporal punishment as an approach to developing values and respect in students. Instead, positive discipline is promoted, and the use of corporal punishment is unlawful not only in schools but also in families and other community settings.

139. The newly adopted law governing persons and family repealed the provision on the right of correction under the Law n° 42/1988 of 17 October 198 instituting the Preliminary Title and Book One of the Civil Code.

140. Article 28 of the new law n° 71/2018 of 31/08/2018 relating to the protection of the child clearly stipulates that a person who harasses a child or imposes severe or degrading punishments including corporal sanctions on him/her, commits an offence. Upon conviction, he/she is liable to imprisonment for a term of not less than 2 years and not more than 3 years, and a fine of not less than RWF 200,000 and not more than RWF 300,000.

141. Besides policy and legal frameworks, public education, awareness and community mobilisation initiatives have been widely undertaken around the issue of physical and psychological effect of corporal punishment by the Government and different stakeholders including NGOs. Campaigns and mobilisation efforts are planned to continue creating awareness and tackling social norms and practices that support corporal punishment in all settings.

142. Trainings on positive parenting skills were conducted by the National Commission for Children to 14,837 local leaders and 29,674 *Inshuti Z' Umuryango* (friends of Families) countrywide in March 2018.

143. Trainings have also been conducted to 2,528 caregivers of children aged 0 to 6 years in November to December 2018 on Integrated Early Childhood Development services, including positive parenting.

144. Across the country, there are 120 certified Trainers of Trainers (ToT) who have been trained on Integrated Early Childhood Development services including positive discipline.

145. In 2017, the Ministry of Education, passed a Ministerial Instructions establishing guidelines for setting up general or TVET, Nursery, Primary or Secondary School's internal rules and regulations, which strictly prohibits corporal punishment, any kind of inhumane and degrading treatment, ill treatment, abuse and humiliation.²⁷

Article 11 The right to an adequate standard of living

Reply to paragraph 22 of the Concluding Observations

146. As alluded to in the preceding sections of the report, poverty levels continue to fall among Rwandans. According to EICV 5 there has been a slight decrease in poverty levels for the period under review. The table below shows the changes between 2014 and 2017.²⁸

Percentages	Total Poverty			Extreme Poverty		
	2013/14 (EICV4)	2016/17 (EICV5)	Change % points	2013/14 (EICV4)	2016/17(EICV5)	Change % points
Nationally						
Rwanda	39.1	38.2	-0.9	16.3	16.0	-0.4
<i>Standard error</i>	0.62	0.61	0.87	0.47	0.45	0.64
Area of residence						
Urban	15.9	15.8	-0.0	5.4	5.9	0.4
Rural	43.8	43.1	-0.7	18.5	18.1	-0.4
Province						
Kigali City	20.9	13.9	16.9	9.4	4.2	-5.2
Southern	38.4	41.4	3.1	12.9	16.9	4
Western	45.2	47.1	1.9	21.5	21.6	0.1
Northern	45.9	42.3	-3.6	20.1	17.4	-2.8
Eastern	38.0	37.4	-0.6	15.5	15.3	-0.2

147. The statistics show that adult women are more likely to be living in poverty (34.8%) than adult males (31.6%). While both rates are lower than those seen in 2014, the reduction in poverty was slightly more rapid for adult males than for adult women. The table below explains the situation.

²⁷ Ministerial Instructions No 001 of 10 May 2017 establishing guidelines for setting up general or TVET, Nursery, Primary or Secondary School's internal rules and regulations, article 26.

²⁸ EICV 5, Rwanda Poverty Profile Report, 2016/2017.

	<i>EICV 4</i>	<i>EICV 5</i>
<i>Percentage of individuals</i>		
All individuals	39.1	38.2
Adult males	33.2	31.6
Adult females	35.9	34.8
Boys (age < 16))	44.7	44.2
Girls (age < 16))	44.6	44.8

148. Regarding inequalities, the statistics show slight decreases over the past four years (2014/2017). Inequality fell from 0.442 to 0.374 in 2014 and 2017 respectively for general population. In urban areas, inequality fell from 0.533 to 0.417 in 2014 and 2017 respectively. While in rural areas it fell from 0.225 to 0.198 for the same period.²⁹

149. The GoR regularly revises its plans and poverty reduction strategies to ensure they respond to the needs of the country. Since 2017, Rwanda phased out the EDPRS II and embarked on NST1 which runs through 2024. The ongoing strategy for new approach of Ubudehe categorization is set to fast track the implementation of social protection programs projected to eradicate extreme poverty by 2024.

Reply to paragraph 23 of the Concluding Observations

150. Basing on the existing National Housing Policy and regulations, the GoR is charged with the provision of housing for all. High end housing for those with an income that afford mortgage loans; Affordable housing for low and middle income earners; Rental housing for those who can afford to rent and rent to own; and Social housing for the vulnerable and disadvantaged people who really need special support, care and protection.

151. A lot is being done in order to implement the above Policy such as affordable housing scheme, Integrated Development Program (IDP) Model village scheme and Grouped and planned rural settlements serviced with necessary socio-economic infrastructure.

152. An example can be derived from vulnerable people who live in isolation and in high risk zones who experience inadequate and unreliable infrastructure. Households living in these areas have little or no access to safe drinking water, electricity, reliable transportation, communication services, roads, access to health facilities, schools, and markets among other amenities. This affects economic development in these areas.

153. The Government of Rwanda supports those groups to be relocated and resettled in grouped and planned Villages. Different Integrated Development Programs (IDP), as a solution, were proposed and introduced in these village models-IDP Model villages, and the vulnerable families get support under “Human Security programs”.

154. In Villages, the relocated disadvantaged and marginalized people are supported in different ways:

- Good Houses with adequate housing materials in case of IDP model villages;
- Cows under “Girinka program” and other domestic animals;
- Some land for Livestock and agriculture (Cowsheds, Kitchen garden, fruits and vegetables).

155. The relocated households get basic infrastructure and services in the villages such as water electricity, roads, internet, schools, health facilities, etc. In addition, relocated households are supported to get off-farm job.

156. Villages developed some years ago that hosted marginalized groups, during “Bye bye Nyakatsi” and other initiatives are also being upgraded by renovating the houses, adding missing infrastructure and services in those village settlement sites.

²⁹ EICV 5, Rwanda Poverty Profile Report, 2016/2017.

157. For the period under review, provision of adequate housing remained among the top priorities of the GoR. Efforts were made to ensure that Rwandans live in good housing conditions with no risk to their lives. In implementing different initiatives, priority was given to the most vulnerable.

158. Through the IDP modal village programme, a considerable number of households were relocated from high risk zones. For the period between 2015 and June 2019, about 66,798 households were relocated from risk zones and provided with adequate housing. In addition, in October 2017 the GoR established a task force to deal with human security related issues including shelter. Since its inception, 4,312 new houses were constructed for vulnerable persons and 14711 houses rehabilitated.

159. The Government of Rwanda, through the Genocide Survivors Assistance Fund (FARG) continued to rehabilitate and build new houses for the Survivors of the 1994 genocide against the Tutsi. For the period between 2013 and 2019 3,144 houses were rehabilitated and 1,796 new houses built. The GoR spent Frw 41,352,605,227 in total for rehabilitation and construction of houses.

Reply to paragraph 24 of the Concluding Observations

160. The Government of Rwanda has revised the regulations and set up clear and efficient policy guidelines in matters dealing with expropriation towards people's satisfaction. Forced eviction is never used in relocation projects.

161. There are also Real Property Valuers responsible for setting the prices of land to be used during the expropriation process. Land Values and prices for property are in line with market rates.

162. The Institute of Real Property Valuers in Rwanda, every year publishes the prices of land at cell and Villages levels which are administrative entities closest to the citizens at the community level. This helps to close any gaps in the flow of information.

Article 12

The right to the highest attainable standard of physical and mental health

Reply to paragraph 25 of the Concluding Observations

163. The Government of Rwanda has been striving to ensure Universal Health Coverage. In terms of geographic accessibility, the Rwanda health system is decentralized up to the community level, where community health workers (CHWs) provide healthcare services to the community. There are around 45,000 CHWs countrywide. Three CHWs are allocated to each village (150 to 200 houses), including a pair of a man and woman dealing with general diseases and one woman who follows up pregnant women for antenatal care and delivery at the health facility, as well as the follow-up of children.

164. In the same move to decentralize healthcare services closer to the community, the Government of Rwanda has started the construction of a health post per each Villages, 97% of Rwanda's Administrative Sectors have at least one Health Centre, which provides primary healthcare services and supervises Health Posts and CHWs. All administrative districts have at least one District Hospital which provides Secondary healthcare services and supervises health centres within the District. There are also 4 provincial hospitals and 8 Referral Hospitals which provide tertiary healthcare services.

165. In terms of financial accessibility, the Law N°48/2015 of 23/11/2015 Governing the Organisation, Functioning and Management of Health Insurance Schemes in Rwanda states that any person who is on the Rwandan territory, whether a Rwandan or a foreign national is required to have health insurance; and any person entering the Rwandan territory without having any other form of insurance must subscribe to an available health insurance regime of his/her choice within a period not exceeding thirty (30) days.

166. Therefore, refugees and asylum seekers have to be enrolled in one of the existing Health Insurance Schemes available in Rwanda, or by any other person or entity taking care

of them. By 31/12/2018, over 8,849,572 people had registered to community based health insurance.

167. With regard to disadvantaged and marginalized individuals, the Government supports them through different pro-poor and social protection programs if they are in the first category of Ubudehe (the Rwanda social-economic classifications of households). Disadvantaged people from the Historically Marginalized People are also supported if they meet criteria set to benefit from Government pro-poor and social protection programs. For all people considered as disadvantaged and classified in Ubudehe one, the Government pays the community-based health insurance for them and they access healthcare services free of charge.

Reply to paragraph 26 of the Concluding Observations

168. Rwanda has made considerable advancements in the promotion of maternal and child health. The reduction of maternal and child mortality is one of the top priorities of the Rwanda 2020 Vision, the Rwanda Economic Development and Poverty Reduction Strategy (EDPRS 2), the National Strategy for Transformation (NST1) as well as the health sector strategic plans.

169. Data from the Rwanda Demographic and Health Survey (RDHS) in 2015 shows that infant mortality reduced from 50 deaths to 32 deaths per 1,000 live births between 2010 and 2015, while under-5 mortality has declined from 76 deaths in 2010 to 50 deaths per 1,000 live births for the same period.

170. For maternal health, the maternal mortality ratio reduced from 476 maternal deaths per 100,000 live Births in 2010 to 210 maternal deaths per 100,000 live births in 2015.

171. The reduction of child and maternal mortality is associated with the improved coverage of effective interventions like full child immunization which increased from 69.8 % in 2005 to 93% in 2015 (DHS 2015), exclusive breastfeeding up to six months for all newborn babies (breastfeeding rate has increased to 87 % in 2015), antenatal care services and delivery in health facilities (99% of pregnant women receive at least one antenatal care from a skilled health provider, and 91% of live births are delivered in a health facility, with the assistance by a skilled health provider).

172. More than half of currently married women are using a contraceptive method (53 %), with most women using a modern method (48 %). The public health sector remains the major provider of contraceptive methods, with 91 % of modern contraceptive users who obtain their contraception from a government source (RDHS-2014-2015). Moreover, community health workers provide family planning methods at the community level across the entire country.

173. There is also a service within Isange One Stop Centres which intervenes to help victims of SGBV to obtain urgent contraceptives to prevent unwanted pregnancies. Currently, there are 44 operational Isange One Stop Centres across the country.

174. Since 2011, the Ministry of Health has put in place a national policy which guides reproductive interventions for adolescents and young adults aged 10-24, whether in or out of schools. For adolescents and young adults in schools, the Ministry of Education, in collaboration with the Rwanda Education Board, have recently integrated the content on reproductive health into the new competency-based curricula taught in primary and secondary schools.

175. With regards to adolescents and youth out of schools, they benefit from a number of interventions meant for the promotion of healthy reproductive health, using behaviour change communication approaches. These interventions are implemented in collaboration with the Ministry of Gender and Family Promotion, the Ministry of Youth and ICT, as well as other non-governmental stakeholders.

176. The 2012 penal code was repealed. A new law N°68/2018 of 30/08/2018 determining offences and penalties in general adopted. The 2018 law removed all provisions that previously hindered women and girls from accessing safe legal abortion. For instance, a court order requirement was removed from the law and child defilement was added on the list of

exemptions under which one can access legal abortion. According to this law a person requesting for abortion is not required to produce evidence of the grounds she invokes.

177. In addition, the Ministry of Health adopted in April 2019, a comprehensive Ministerial order n°002/MoH/2019 of 08/04/2019 determining conditions to be satisfied for a medical doctor to perform an abortion. Further, it is worth noting that in December 2016, 67 women and girls convicted of abortion got Presidential pardon. In April 2019, 367 more women and girls who were in prison for abortion and infanticide were pardoned. With the second Presidential pardon all women and girls convicted of abortion were released from prisons.

Articles 13 and 14

The right to education

Reply to paragraph 27 of the Concluding Observations

178. The GoR has annual publication, ‘Rwanda Statistical Year Book’ where information and data on education in general and dropout in particular is made available. According to the Rwanda Statistical Year Book 2018 the dropout rates lower secondary school have been reducing. The dropout reduced from 14.70% in 2013 to 14.40% in 2014 to 6.6% in 2015 and 6.3% in 2016. For the same period the dropout rates fell from 6.2% in 2013 to 2.5% in 2016.³⁰

179. The GoR wants to make it clear that there are no statistical information on specific group which the Committee referred to as Batwa.

180. Regarding the measures taken to reduce dropout rates it is important to mention the following:³¹

- Communication campaign to raise awareness on the importance of school attendance in order to weaken the dropout;
- Ensure consistent monitoring and reporting procedures for school attendance are in place in all schools and that attendance data is reported to and aggregated at national level: data feed a national database that allows for real-time tracking of attendance and for analysis and reporting of trends in attendance;
- Improvement of systems for identifying and monitoring children at risk of dropout by implementing the School Data Management System (SDMS) and provide each school and each child with a unique identification number;
- Increase of access to education for improved school readiness for all children in Rwanda to mitigate dropout;
- Set internally-consistent national and school level targets for dropout: targets on dropout should be set within a comprehensive policy framework;
- Create inter-ministerial coordination mechanisms: there are important determinants of dropout that do not necessarily fall within the authority of the Ministry of Education (MINEDUC) or of any single ministry or government agency;
- Consider revising school financing to provide additional support where there are high underlying risks of dropout due to external factors;
- Re-evaluate the current school feeding program in secondary education;
- Create a measure of “at risk of dropout” using attendance data. This measure would take into account not only whether a child is enrolled or not, but also, how consistently this child attends school throughout the year.

181. With regard to the increase of salary of teachers, (to include the provisions of article 33 of the Presidential Order). According to the Presidential Order N° 24/01 of 24/11/2016 Establishing Special Statutes Governing teachers in Nursery, Primary and Secondary

³⁰ Rwanda Statistical YearBook 2018.

³¹ Assessment of Repetition and Dropout in Basic Education in Rwanda, December 2018 MINEDUC RWANDA and UNICEF.

Education, in its article 34, every teacher currently in service and who was not sanctioned by a second category disciplinary sanction in 2013, 2014 and 2015 must be granted, for each year, a fixed performance score of seventy percent (70%).

182. For a teacher to be horizontally promoted, he/she must have finished at least three (3) years in a teaching job in Rwanda public service. These three years are counted basing on a calendar year starting from 1 January to 31 December. All teachers who meet the criteria referred to in article 36 of this Order must be promoted in terms of their first horizontal step. This first horizontal move implies their entitlement to the salary of the immediately higher horizontal grade with effect from 01/01/2016. The following horizontal step promotions and the step promotion for teachers who have not yet finished three (3) years in service are determined in accordance with article 33 of the Order.

183. In its article 37, all teachers who were in the teaching service in the public service for the year 2015 or who joined the teaching service in public service in the course of 2015 shall be granted a fixed performance score of 70% on the basis of which they get a performance bonus of 3% of the basic salary they were entitled to at that time. It is worth noting that the salaries of primary and secondary teachers was increased by 10%.

184. Regarding human rights education, the GoR is pleased to report that new curriculum has included Human Rights Education specifically in History and Citizenship subject for lower secondary whereby Human Rights, Citizen Duties and responsibilities, cases of Human Rights and ways of preventing human rights violations have to be taken into consideration and General Studies and Communication Skills subject for upper secondary levels, students have to learn Global Media Rights and Responsibilities, fight against cultural discrimination and Gender-Based violence and child abuse.

185. Further, MINEDUC and Rwanda Education Board (REB) have invested significantly in the development of a competency-based curriculum (CBC) that was rolled out in 2016 for pre-primary, primary school grades P1 and P4 and for secondary school grades S1 and S4. By the end of 2018, CBC had been rolled to all levels of primary and secondary education.

186. The Government of Rwanda maintains its commitment towards achieving free, universal and quality education. More than 60 per cent of the education budget is allocated to pre-primary, primary and secondary education combined. The objectives under nine year basic education policy includes: Each child must start and complete primary education within the specified period; starting school at age 7 and completing within 6 years. Rapid increase in the number of children enrolling in ordinary level to ensure that each child has the opportunity of nine year basic education that can enable him/her to cope with life. Currently Nine Year Basic Education (9YBE) was extended to Twelve Year Basic Education (12YBE). The Basic Education from primary one up to senior six is fully free in public schools providing 12YBE.³²

Article 15

The right to culture and to benefit from scientific progress

Reply to paragraph 28 of the Concluding Observations

187. The Constitution recognizes Rwanda as a country with a common culture, common language and a long shared history while upholding the principle of diversity.

188. The GoR reiterates that it does not entertain any differences based on ethical groupings and therefore in the Rwandan context the concept of diversity is not construed to include the division of Rwandans in former groupings of *Hutu, Tutsi and Twa*.

³² Nine Year Basic Education Policy.

Further recommendations

Reply to paragraph 29 of the Concluding Observations

189. The Optional Protocol to the ICESCR establishing complaints and inquiry mechanisms, has not been ratified by Rwanda yet. The GoR prioritizes domestic courts and other conflict resolution mechanisms. Many efforts are being invested to further strengthen the existing domestic mechanisms. The GoR is still considering the possibility for ratification.

Reply to paragraph 30 of the Concluding Observations

190. Concerning the issue of enforced disappearance, a desk to investigate and respond to cases of enforced disappearances was created at Rwanda Investigation Bureau. This desk helps persons whose persons are missing to report the incidences for prompt investigations.

191. Regarding the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance, the GoR is still considering the possibility for ratification.

Reply to paragraph 31 of the Concluding Observations

192. Upon reception of the concluding observations, the Ministry of Justice organized a stakeholders' to discuss the recommendations. This is mainly attended by members of the Treaty Body Reporting Task Force (TBRT). The TBRT is an ad hoc structure composed by focal persons from different institutions relevant in the implementation of concluding observations from different treaty bodies. These include both representatives from government institutions and civil society organizations. Through the TBRT, a roadmap of implementation was developed and the Ministry of Justice monitored the implementation process.

193. Prior to the reporting period, the concluding observations were once again shared to all relevant institutions as a way of reminder. In addition, the concluding observations were made available on the website of the Ministry of Justice.
