



# Convention on the Rights of the Child

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Committee on the Rights of the Child

## Combined fifth and sixth periodic reports submitted by Rwanda under article 44 of the Convention, due in 2018\*

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## Acronyms and abbreviations

CBHI	Community Based Health Insurance
CDC	Center for Disease Control and Prevention
CRO	Child Rights Observatory
CSO	Civil Society Organization
DASSO	District Administrative Security Support Organ
DDP	District Development Plan
DGIE	Directorate General of Immigration and Emigration
ECD	Early Childhood Development
EDPRS II	Economic Development and Poverty Reduction Strategy
ESSP	Education Sector Strategic Plan
FARG	Fund for Assistance to Survivors of Genocide of Tutsi
FRW	Rwandan Francs
GoR	Government of Rwanda
IDRC	International Development Research Center of Canada
ICRP	Integrated Child Rights Policy
ILPD	Institute of Legal Practice and Development
ILO	International Labour Organisation
IOM	International Organization for Migration
LODA	Local Government called Local Administrative Entity Development Agency
MIDIMAR	Ministry of Disaster Management and Refugees Affairs
MIFOTRA	Ministry of Public Service and Labour
MIGEPROF	Ministry of Gender and Family Promotion
MINIJUST	Ministry of Justice
MINADEF	Ministry of Defence
MINALOC	Ministry of Local Government
MINECOFIN	Ministry of Finance and Economic Planning
MINEDUC	Ministry of Education
MINIJUST	Ministry of Justice
MOH	Ministry of Health
MYICT	Ministry of Youth and ICT
NCC	National Commission for Children
NCHR	National Commission for Human Rights
NCPD	National Council for Persons with Disabilities
NECDP	National Early Childhood Development Program
NGO	Non-Governmental Organisation
NISR	National Institute of Statistics of Rwanda
NPPA	National Public Prosecution Authority

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NRS	National Rehabilitation Service
NST	National Strategy for Transformation
NYC	National Youth Council
OAG	Office of Auditor General
RBA	Rwanda Bar Association
REB	Rwanda Education Board
RLRC	Rwanda Law Reform Commission
RCS	Rwanda Correctional Service
RNP	Rwanda National Police
RDF	Rwanda Defence Forces
RDRC	Rwanda Demobilization and Reintegration Commission
SACCO	Savings and Credit Cooperative
SSP	Sector Strategic Plan
ToT	Training of Trainers
TVET	Technical and Vocational Education and Training
UN	United Nations
UNICEF	United Nations Children's Fund
USAID	United States Agency for International Development
USD	US Dollars

## I. Introduction

1. The Government of Rwanda is pleased to present to the Committee on the Rights of the Child, Rwanda's combined fifth and sixth periodic report under the Convention on the Rights of the Child (CRC). As per the request of the Committee, the State Party also submitted an updated core document separately in 2015.
2. When read together, the core document and the treaty-specific report demonstrate the State's commitment to upholding the rights of children.

### Preparation and structure of report

3. Rwanda ratified the Convention on the Rights of the Child on 24 January 1991, the Optional Protocol to the CRC on the involvement of children in armed conflict on 23 April 2002, and the Optional Protocol to the CRC on the sale of children, child prostitution and child pornography on 14 March 2002.
4. It is against this background that the Committee on the Rights of the Child considered the combined third and fourth periodic reports of Rwanda (CRC/C/RWA/3-4) at its 1793rd and 1794th meetings held on 30 and 31 May 2013, and adopted at its 1815th meeting, held on 14 June 2013, the concluding observations to Rwanda.
5. The Committee considered the initial report of Rwanda under the Optional Protocol to the CRC on the involvement of children in armed conflict (CRC/C/OPAC/RWA/1) at its 1794th meeting (CRC/C/SR, 1794) held on 31 May 2013 and adopted at its 1815th meeting held on 14 June 2013 the concluding observations on that Protocol. Furthermore, the Committee considered the initial report of Rwanda on Optional Protocol to the CRC on the sale of children, child prostitution and child pornography at its 1794th meeting held on 31 May 2013 and adopted at its 1815th meeting held on 14 June 2013 the concluding observations on it.
6. This report has been prepared in accordance with the Committee's harmonized treaty-specific reporting guidelines adopted on 3rd March 2015. It includes information on the specific steps taken to address issues raised by the Committee in its concluding observations on Rwanda's combined third and fourth reports, and explains the developments made by the country related to the rights of the child since its last report.
7. The report covers the period from July 2013 to February 2018.

## II. Implementation of CRC recommendations

### General measures of implementation (arts. 4, 42 and 44, para. 6)

#### Committee's previous recommendations

8. The Rwandan Government acknowledges the concern that some of the Committee on the Rights of the Child ('The Committee') concluding observations from 2004 on the State party's second periodic report under the Convention have not been fully addressed. The Committee's recommendations on this regard are addressed fully below.

#### *Data collection*

9. The data collection system was strengthened and is spearheaded by the National Institute of Statistics of Rwanda (NISR). According to Law No. 53 *bis* of 28/06/2013 establishing NISR, the latter is in charge of coordinating and streamlining national statistics. As the primary data producer, NISR produces mandatory statistics such as the Rwanda Population and Housing Census, and other more specific statistics from surveys such as the Demographic and Health Survey (DHS), Household Living Condition Survey and statistical yearbooks among others where data on children in the most vulnerable

situations can be found.<sup>1</sup> The data includes children heading households, children with disabilities, children living in poverty and children affected by HIV/AIDS.<sup>2</sup>

10. Regarding the Committee's concerns of duplication of data, any other data produced by other institutions has to first be approved by NISR to avoid discrepancies and duplication.

11. As most of NISR surveys are conducted on a long term basis, some institutions do collect relevant data on child protection to inform their short term plans, after obtaining the visa from NISR. In this regards, a database on the most vulnerable children was created by NCC in collaboration with UNICEF and Global Fund in 2014, and is updated every six (6) months. This mechanism collects and analyses data and information on most vulnerable children's issues before disseminating them to relevant stakeholders for program and management decisions. It serves as a planning, advocacy and decision-making tool.

12. A Violence Against Children and Youth Survey has also been conducted by the Ministry of Health with support of CDC, UNICEF, and ICDR to generate specific evidence on violence against children and guide strategic planning. The report is expected to be finalized in the 2nd quarter of 2018.

13. To improve the coordination of data collection for vulnerable groups in Rwanda, a national body was created in 2013 for the coordination of social protection within the Ministry of Local Government called Local Administrative Entity Development Agency (LODA). LODA created a national database which contains information on the profiles of every households in order to determine the most vulnerable groups, including children, and develop comprehensive integrated social protection programs. All social protection programs are created based on the information gathered from this database.

#### *Public awareness*

14. Public awareness initiatives on children rights have been widely undertaken through the use of regular media campaigns and programs and different community programs targeting the Rwandans at large such as family campaigns, anti-teenage pregnancy campaigns and "Umugoroba w'ababyeyi".<sup>3</sup>

15. The Justice for Children Policy (2014) was also disseminated to all relevant stakeholders to increase awareness on the rights of children in 2015. Moreover, NCC in partnership with MINIJUST and UNICEF developed Guidelines on Justice for Children Policy and disseminated them in 2016.

16. The National Commission for Human Rights (NCHR) in partnership with UNICEF, undertook a two-year national awareness campaign (2016–2018) on sexual violence against children.

17. UMURAGE Communication Centre (UMC) in partnership with UNICEF, NCC and Rwanda media (Radio Rwanda and 8 other community radios), launched early 2017 a two-year awareness raising and behaviour change campaign on child rights, specifically on child protection, through a radio serial drama called "UMURAGE" (heritage).

18. In 2016, MIGEPROF/NCC in partnership with UNICEF launched the Tubarere mu Muryango (TMM, Let's Raise Children in Families) campaign which highlights the importance of raising children in families. Numerous radio, TV programmes and community mobilisation sessions were organised to reach populations with the message. As a result, 1,102 "Malaika Murinzi" (foster families) were identified and trained to be on standby for children in need of care in homes.

19. Government institutions also carried out trainings for lawyers, local authorities, law enforcers and CSOs on the provisions of the Convention: The Ministry of Justice, in

<sup>1</sup> Visit [www.statistics.gov.rw](http://www.statistics.gov.rw).

<sup>2</sup> See DHS report 2014–2015; See also EICV 4 report 2014/2015.

<sup>3</sup> These are parents' evening gatherings where citizens at village level come together to discuss and solve their problems and challenges as well as devise strategies to effectively take advantage of the potentialities and opportunities available in their community.

collaboration with the Institute of Legal Practice and Development (ILPD) trained 62 Police and Rwanda Correctional Services staff members in two series of trainings on CRC in September 2016. Moreover, in partnership between MINIJUST, Rwanda Bar Association and Legal Aid Forum (LAF), a training on legal representation of children during trial (provided by the CRC) was organized for 30 lawyers in December 2015.

20. NCC also trained 30 Maison d'Accès à la Justice (MAJ) staff (Access to Justice Bureau staff) in 2016 on CRC provisions.

21. The Rwanda Bar Association (RBA) also trained a pool of 30 lawyers attached to the juvenile justice on CRC and its protocols in 2017. MINIJUST further conducted countrywide awareness campaigns on children related laws in 2016 and further sensitizes the public on CRC through its weekly radio talk show "Ubutabera mu Rwanda".

22. The National Council of Persons with Disabilities (NCPD) also conducted trainings to 3500 local authorities on the rights of children with disabilities: 333 RCS staff were trained in 2017; 169 lawyers were trained in 2015/2016 while 312 judicial police investigators were trained in 2016.

23. In partnership between the Supreme Court, USAID/Land Project and HAGURUKA NGO, a training of 22 primary court judges from the Eastern Province was organized in April 2016 to strengthen their capacity in protecting and promoting children's rights in cases related to divorce, inheritance, succession, and land.

24. One UN Rwanda, the Supreme Court, ILPD and NCHR also trained 153 judges and court registrars in October 2015 on the application of International Human Rights Law, including CRC, in domestic courts. The training was the last in a series of trainings for judicial personnel on the subject that started in 2013, and was attended by 400 judges and registrars.

### **Legislation**

25. Since the State's last report, Rwanda has continued implementing child-related laws consistently at national, provincial, district and sector level through effective monitoring mechanisms.

26. NCC continues to coordinate, implement and monitor the child protection system in Rwanda in partnership with NGOs working on child protection on the ground which submit implementation quarterly reports to NCC for monitoring and coordination purposes.

27. Moreover, the NCHR was conferred the special mission to monitor particularly the respect of the rights of the child.<sup>4</sup> These two government institutions effectively monitor the implementation of child laws at the national level and decentralised levels. The Child Rights Observatory, which works under the NCHR, continues to report any child rights violations observed at sector level to the NCHR. NCC organises as well annual children summits at national level which is preceded by pre-summit gatherings of children at all levels that ensure full participation of children in the formulation of laws and policies that affect them.

28. Additionally, there is a person in charge of monitoring children affairs in each district through MAJ (Maison d'Accès à la Justice). Inshuti z'Umuryango or friends of families, one male and one female chosen by their peers in each village, were introduced in 2015 as family and child protection volunteers; they monitor child protection issues and report any encountered problem to the relevant authorities from the village up to the sector levels and ensure that children's rights are respected. A skilled professional cadre of social workers and psychologists has been established to facilitate the implementation of child care reform strategy across the 30 districts since 2013.

29. The GoR established in 2017 the National Early Childhood Development Program (NECDP) which coordinates all interventions that support adequate early childhood development for children, from their conception to six (6) years old, by particularly

<sup>4</sup> See article 6 (4) of Law No. 19/2013 of 25/03/2013 Determining the Mission, Organisation and Functioning of the National Commission for Human Rights.

promoting positive parenting, increasing children's preparedness to primary education and reducing malnutrition and stunting of children among others.

### **Comprehensive policy and strategy**

30. In addition to the monitoring mechanisms mentioned above, ICRP and its Strategic Plan are specifically monitored through an advisory council on children's rights comprising the Ministry of Health, Ministry of Gender and Family Promotion, Ministry of Education, Ministry of Justice, Ministry of Local Government, Ministry of Youth, Ministry of Sports and Culture, Ministry of Public Service and Labour, Rwanda National Police, National Commission for Human Rights, National Unity and Reconciliation Commission, National Commission to Fight Against Genocide, Public Service Commission, National Women's Council, National Youth Council, National Council of Persons with Disabilities, Platform of Civil Society of Rwanda and Private Sector Federation chaired by the Ministry of Gender and Family Promotion who meet once a year during a coordination meeting. The objective of this meeting is to evaluate and monitor the level of implementation of ICRP and discuss the way forward.

31. At the time of reporting, the ICRP and its strategic plan 2011–2016 were undergoing an external evaluation to inform the next strategic plan.

32. The national budget allocated to key sectors of child survival and development, namely health and education and social protection has progressively increased from year to year. For example, the total budget allocated to adolescent sexual reproductive health, community health, family planning and reproductive health & GBV, maternal and neonatal health, nutrition, "Vaccine Preventable Disease" and "Elimination of Mother to Child HIV Transmission" has increased from USD 34,037,999 in the fiscal year 2013/2014 to USD 62,383,384 in fiscal year 2015/2016 (83% increment). Moreover, the ordinary budget (recurrent) allocated to NCC (which monitors ICRP) has increased from 260,069,547 in 2013 to 533,149,718 FRW in 2017 (more than 100% increment).

### **Coordination**

33. The Law No. 22/2011 of 28/06/2011 establishing the National Commission for Children (NCC) and determining its mission, organisation and functioning gives the NCC full administrative and financial autonomy.<sup>5</sup>

34. The Committee also recommended to increase the capacity building of the NCC to monitor and evaluate the implementation of all activities related to the fulfilment of children's rights under the Convention. Accordingly, during the reporting period, 68 professional social workers and psychologists were recruited within the NCC comprising with professional cadres to facilitate the implementation and monitoring of child rights. In 2015, 29,674 community-based child and family protection volunteers (Inshuti z'Umuryango or friends of the family) were recruited under the coordination of the NCC as a body responsible to protect family members and children in particular from violence, exploitation, neglect and prevent the occurrence of family and child protection risks at the community level.

35. NCC is also resourced with technical professionals and/or focal points to coordinate and monitor the implementation of specific rights of the child such as education, protection, health and nutrition, children in emergencies, children with disability and child participation.

36. Lastly, as it has already been mentioned, NCC's budget has significantly increased from the last reporting period.

### **Allocation of resources**

37. NCC has taken advantage of the launch of the UNCRC Committee General Comment No. 19 (2016) on public budgeting for the realisation of children's rights to discuss with planners and other actors on public budgeting for child rights.

<sup>5</sup> See Article 3 of Law No. 22/2011 of 28/06/2011.

38. Budgetary allocations for the implementation of children's rights particularly ICRP include: social protection direct support and public works, social assistance, family reintegration package, school uniforms, vaccines, school fees, educational books and supplies, food supply, medical supplies, vocational training among others. These budget lines are distributed accordingly to specific ministries and institutions whose activities include child protection. For example, MINEDUC is responsible for the education component, MIGEPROF for family affairs and child protection, MIFOTRA for children and employment, MINIJUST for justice for children in conflict with the law, etc.

39. Moreover, the annual budget of the NCC is completely dedicated to child protection activities.

40. In Rwanda, the budgeting process starts with the determination of national priorities as expressed in long term plans such as Vision 2020 and the 7 year National Strategy for Transformation (NST) as well as Sector Strategic Plans (SSPs) and District Development Plans (DDPs), Annual Action Plans and Performance Contracts. Thus, the first step undertaken to ensure that child rights are catered for in the budgeting process, is to mainstream child rights in those plans. In addition, though each Ministry/Government institution coordinates the budgeting process depending on its operational area, gender and family issues including child protection, are considered as cross cutting and have to be reflected in the budget of every institution.

41. In this regard, MIGEPROF and NCC collaborate with the Ministry of Finance and Economic Planning (MINECOFIN) to ensure that child protection matters are adequately mainstreamed in annual action plans, performance contracts and budgets for each Government institution at central and decentralised levels.

42. As it has been explained above, NCC's budget has considerably increased and includes support to the most vulnerable children. Moreover, the social protection programs (VUP, Ubudehe program, Girinka, Community Based Health Insurance etc.) have been designed and are implemented targeting vulnerable families that accommodate those children. Child-sensitive social protection models have been developed, tested and used which resulted in an increasing number of children benefiting from social protection schemes.

43. Moreover, the national budget always provides for specific budget lines for support to children in disadvantaged or vulnerable situations. For instance, in the financial year 2015/2016, a budget line equivalent to FRW 2,544,647,232 was allocated to support nutrition of malnourished children<sup>6</sup> while support for children affected by HIV/AIDS was dedicated another budget line equivalent to FRW 1,803,358,145.<sup>7</sup> Still in the same year, a specific budget line equivalent to FRW 517,775,280 was committed to the Tubarerere Mu Muryango (TMM) Program, which literally means "Let's raise children in families",<sup>8</sup> aimed at helping children without parental care to be raised in families. The same budget has lines for foreign refugee management (FRW 1,564,285,147), disaster risk reduction (FRW 1,295,535,484) and disaster response and recovery (FRW 745,699,406) under the Ministry of Disaster Management and Refugees Affairs (MIDIMAR).<sup>9</sup> Those lines also benefit children in vulnerable situations, namely refugee children and children affected by natural disasters.

44. A number of mechanisms are in place to monitor, assess and evaluate the adequacy, efficacy and equitability of the distribution of resources allocated for the implementation of the Convention. The first one is the Parliament/Chamber of Deputies which is responsible for approving the Finance Law every year and approving external borrowings by the central government as well as setting limits or ceilings on such borrowings. Particularly, concerning the accountability on the use of resources, the Chamber of Deputies receives

<sup>6</sup> Law N° 002/2016 of 18/03/2016 modifying and complementing Law N°33/2015 of 30/06/2015 determining the State Finances for the 2015/2016 Fiscal Year, p. 443.

<sup>7</sup> Law N°33/2015 of 30/06/2015 determining the State Finances for the 2015/2016 Fiscal Year, p. 21.

<sup>8</sup> Idem.

<sup>9</sup> Law N° 002/2016 of 18/03/2016 modifying and complementing Law N°33/2015 of 30/06/2015 determining the State Finances for the 2015/2016 Fiscal Year, p. 361.

directly from the Office of the Auditor-General (OAG) audit reports and audited budget execution reports, financial statements, reviews, debates and provides oversight function on the executive.

45. Children matters are always part of the audit activities carried out by the OAG. For instance, during the fiscal year 2015–2016, the OAG reviewed the implementation of projects of social reintegration of orphans and other vulnerable children (OVCS) and vaccination project in Kayonza District.<sup>10</sup> During the previous fiscal year (2014–2015), the OAG audited the management of contracts for schools construction as well as the “One laptop per child program”.<sup>11</sup> In the audit of the fiscal year that ended on 30th of June 2014, the OAG reviewed school constructions for Workforce Development Agency (WDA) and the Rwanda Education Board (REB) as well as effectiveness of the “One laptop per child program”.<sup>12</sup>

46. Finally, annual thematic budget briefs have been developed for some sectors, such as education, health, etc. in an effort to monitor budget allocation to key sectors of child rights.

### **Independent monitoring**

47. The State takes into account the Committee’s concerns on the adequate human and financial resources of the Child Rights Observatory (CRO). Since it was created under the National Commission for Human Rights, the NCHR is in charge of determining its organisational structure and recruiting its employees in accordance with the structure and job descriptions.<sup>13</sup>

48. As of January 2018, the Child Rights Observatory is composed of 3,122 volunteers countrywide, meaning that there are 210 volunteers at the District level (7 volunteers for each of the 30 districts) and 2912 volunteers at the Sector level (7 volunteers for each of the 416 sectors). These volunteers submit a monthly report to the NCHR and the latter organises periodic meetings at the national level<sup>14</sup> to discuss the issues raised by the volunteers. The CRO helped the NCHR to receive and handle cases of child rights violations: 283 cases child rights violation cases were reported in 2013–2014, 587 cases in 2014–2015, 440 cases in 2015–2016 and 592 cases in 2016–2017. This makes a total of 1902 cases of child rights violations that have been handled between July 2013 and June 2017.

49. The main source of financial resources used by the NCHR comes from the State budget.<sup>15</sup> Pursuant to article 41 of Law No. 19/2013, the NCHR prepares and submits its budget proposal to MINECOFIN for approval. The budget of the NCHR depends on planned activities (including those related to child rights protection and promotion) for the related fiscal year.

50. CRO volunteers visit schools, police stations and villages regularly to meet with children and the community members to raise awareness on the work of the CRO and report back to the NCHR on its effectiveness on the ground.

<sup>10</sup> Report of the Auditor General of State Finances for the Year ended 30 June 2016, p. 26 and 43.

<sup>11</sup> Report of the Auditor General of State Finances for the Year ended 30 June 2015, p. 21.

<sup>12</sup> Report of the Auditor General of State Finances for the Year ended 30 June 2014, p. 9, 53 and 56.

<sup>13</sup> Pursuant to article 38 of Law No 19/2013 of 25/03/2013, the NCHR has autonomy in recruiting its staff.

<sup>14</sup> These meetings are composed of a special committee including NCHR, 5 children representatives, a representative of the Ombudsman, a representative of the Supreme Court, a representative of the National Youth Council, a representative of the National Women Council, a representative of the Higher Media Council, 4 representatives of religious denominations (CPR, Adventist, Catholic and Islam), 3 representatives of the human rights associations (CLADHO, Ibuka and HAGURUKA), 2 representatives of Universities, and a representative of the Rwanda Bar Association. Other participants may be invited according to the theme of the meeting.

<sup>15</sup> Refer to Article 40 of the Law No 19/2013 of 25/03/2013.

### **Cooperation with civil society**

51. Civil society organisations are invited to laws' development processes including those related to children, as they are allowed to participate in parliamentary sessions while draft laws are being discussed. They are also encouraged to send position papers to the parliament regarding draft laws under consideration. Parliament also invites CSOs for consultation before voting the national budgets.

52. A consultative forum for NGOs was initiated by the NCHR, to strengthen capacity for sustained partnerships and collaboration with civil society actors. The forum convenes twice a year and has been able to encourage engagement between the NCHR and civil society actors. Civil society actors may be invited to participate in the advocacy campaigns, public outreach activities and trainings to combat all forms of racial discrimination and other forms of human right violations.

53. There are several other planning and coordination mechanisms designed to ensure coherence and the harmonized implementation of national development strategies. They bring together line ministries, agencies, the private sector, development partners and civil society together to deliberate on progress, methods of implementation and future priorities. The mechanisms include Sector Working Groups (SWGs), Technical Working Groups (TWGs) that focus on sub-sector challenges, Joint Action Development Forums (JADFs) – functioning as district-level consultative forums in all 30 districts – and the high-level Development Partners Coordination Group (DPCG).

54. The DPCG is chaired by the Minister of Finance and Economic Planning, and brings together heads of bilateral and multilateral donor agencies, civil society and the private sector. Systems to support planning and monitoring include the Common Assessment Performance Framework (CAPF), the Development Partners Assessment Framework (DPAF) and, as mentioned above, institutional and individual annual performance contracts (Imihigo).

55. In addition, various human rights organisations participate in workshops, summits and other government meetings where the monitoring and implementation of child-related laws are discussed. For example, MINALOC, MIGEPROF and various CSOs worked alongside in 2015 to develop the policy for children with disabilities.

56. With regards to the reporting process of CRC specifically, various CSOs worked alongside the NCHR to assess the level of implementation of the concluding observations in 2015. They are also part of the Treaty Body Reporting Taskforce which was responsible to collect the information required in drafting this report.

57. The Committee also expressed concerns over allegations and threats of human rights defenders and reports of intimidation. The State takes any allegation seriously and acts on it accordingly. Any reported case of threats and intimidation is thoroughly investigated.

## **General principles (arts. 2, 3, 6 and 12)**

### **Non-discrimination**

58. Aside from the strong framework against discrimination indicated in the common core document in part IV, the GoR has put in place specific legislations and policies, independent institutions and programs to ensure that children with disabilities, children affected by HIV and AIDS, children living in street situations and in poverty, and in child-headed households are provided with justice, health, education, socio-economic opportunities etc without any form of discrimination.

59. 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 citizens.<sup>16</sup>

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<sup>16</sup> See article 16.

60. With regards to education, the laws and policies that allow the inclusion of children with disabilities in education are reflected in the Education Sector Strategic Plan (ESSP) 2013/2014–2017/2018. One of the plan's priorities is increasing equitable access to education for students with special educational needs within schools. The government also revised the Early Childhood Development Policy in 2016 as a measure of prevention against all kinds of discrimination against young children.

61. Additionally, the seven-year government programme 2010–2017 included disability in its plans. For example, it ensured that new buildings were disability friendly, increased the capacity of the NCPD, increased efforts to train teachers of children with disabilities, and promoted the number of schools which can cater for their needs. The College of Education of the University of Rwanda also established a school of inclusive and special needs education for master's programs.

62. All District Hospitals are provided with physiotherapy and mental health services that are oriented to respond adequately to health issues of people with disabilities in general and children in particular. The continuous government financial support to centres for children with disabilities provides them with more opportunities to benefit from the same basic care services as any other child in Rwanda and specific services related to their special needs.

63. The School Health Policy (2014) takes into consideration the inclusion of children affected by HIV/ AIDS. The Ministry of Health has also put in place the Ministerial order n° 20/32 of 05/12/2013 determining programs and strategies to ensure protection and assistance to children infected or affected by HIV/AIDS. The social assistance fund to Genocide survivors (FARG) established in 1998 also continues to solve educational, health and livelihood problems of children survivors of the 1994 Genocide against the Tutsi.

64. The National Rehabilitation Service (NRS) has been put in place to deal with the issue of children living on the streets among other priorities and includes programs of reintegration, family strengthening and prevention. One of the NRS centres, Gitagata Rehabilitation Centre, located in Bugesera District is exclusively dedicated to former street children and provides them with rehabilitation services, including formal education and psychosocial therapy. On 8th December 2017, sixty (60) former street children were reunited with their families after rehabilitation at this centre.

65. Various initiatives and advocacy measures to address the issues related to children with disabilities or other vulnerable children have been undertaken and addressed by the GoR. Awareness campaigns to the population are organised at all levels targeting the community. Social categorisation through Ubudehe was revised in 2014 to allow the targeting of most vulnerable population including children and families. VUP and other social protection schemes including education grants, have also increased significantly. Child sensitive social protection schemes have also contributed to an increased equitable access to services for children.

66. Mobilization campaigns are conducted through TV & Radio programs to raise awareness and contribute to the implementation of relevant policies and strategic plans to combat stigma against children with disabilities and other categories of vulnerable children. Kindly refer to paragraph 98 of the common core document for further information.

### **Respect for the views of the child**

67. Rwanda continues to ensure the implementation of the right of the child to be heard in accordance with article 12 of the Convention and article 7 of Law No 54/2011.<sup>17</sup>

68. The National Children Summit that started in 2004 continues to take place every year and encourages children to interact with government officials and express their views. Every year 488 children representing fellows from across the country participate in the Summit, with 416 representing all the Sectors, 30 representing the Districts, 30 representing children with disability at District level, and 12 representing refugees. The Annual National

<sup>17</sup> Article 7 of Law No 54/2011 relating to the rights and the protection of the child guarantees children with the right to be heard in any judicial or administrative procedure concerning the child.

Children's Summit is a platform that allows children not only to participate in matters that concern their lives but also to take part in the development of their country. The theme of the last summit was "Positive Parenting: Foundation of the Rwanda we want".

69. In the interest of ensuring equal participation of children both from rural and urban areas, children forums have been established in all 14 837 Villages, 2148 Cells, 416 Sectors and 30 Districts across the country. These forums' committees meet regularly in every school holidays. They serve as platforms that enable children to express their views and opinions which are then incorporated into government plans of action and also considered during the development of various policies and programs. All children, including refugee children and children with disabilities are represented and heard equally without discrimination.

70. With regards to how the Government considers and incorporates the views of children in all official-making processes that relate to children; children's resolutions from the various events (Annual National Children's Summit, meetings of the Children's Forum held on quarterly basis, International Day of the Girl Child, Remembrance of Children killed in the Genocide against the Tutsi and International Day of the African Child) are disseminated to all concerned organs for implementation especially for mainstreaming in Government and partners' priorities. An evaluation of the implementation is also regularly conducted and results are shared with children for more recommendations when need be.

71. Views of children have also been of paramount importance during the de-institutionalisation process where 2,559 children from 34 institutions have been placed in family- or community-based care, as of December 2017. This process has been going on since 2013.

72. Meaningful consultation with children during budgeting processes has also started in some districts such as Nyarugenge and Rutsiro and is yet to be scaled up in all 30 districts. Children's participation resulted into an increased budget on key child rights including access to water, electricity and education for the poorest children.

73. Other processes to promote the meaningful and empowered participation of children are actively promoted by the government and development partners. For example, a side event entitled "reading data with children" was organised by the National Institute of Statistics of Rwanda and UNICEF to facilitate dialogue with children during events held for African Statistics Day in November 2015 and 2016 (events aimed at actively promoting the importance of statistics for planning and evaluating economic and social development). Child representatives discussed and presented recommendations in relation to indicators for 16 key themes. During this event, children from all walks of life, emphasised several key issues which relate to children which included more equitable access to primary and secondary school, safe water and sanitation, birth registration and family planning, mother and child health services, and health insurance.

## **Civil rights and freedoms (arts. 7, 8, 13–17, 19 and 37 (a))**

### **Birth registration**

74. The State has taken measures to insure free and immediate birth registration. In this regard, legal reforms, strategies and countrywide campaigns have been taking place to raise awareness of citizens on the importance of birth registration.

75. In August 2016, Rwanda adopted a new Law N° 32/2016 of 28/8/2016 governing persons and family. The law meets the international principles of a comprehensive civil registration system which are: Compulsoriness, Continuity, Universality and Permanence. The law repeals Law No. 42/1988 of 27 October 1988 instituting the Preliminary Title and Book One of the Civil Code and all prior legal provisions contrary to the 2016 law. In addition, the Law No. 14/2008 of 04/06/2008 governing registration of the population and issuance of the national identity card as well as the Organic Law No. 01/2012/OL of 02/05/2012 instituting the penal code are under revision and all provisions on penalties of imprisonment for failure to register children were removed.

76. The 2016 law governing persons and family extended the duration for birth registration from 15 days to 30 days.<sup>18</sup> With this law, registration procedures were simplified to allow the registration of a child by a single parent. Further, in 2014, the Government is in the process to introduce e-registration at birth at health facilities and will be rolled it out in all public health facilities including health centres and hospitals. The system is set to enhance straightforward data collection and production of vital statistics which will be gathered from health facilities, including health centres and hospitals, then transmitted through the system to sectors, district and the national level for statistical and civil registration needs. For the purpose of better coordination, the system is being implemented in collaboration of NISR, NIDA, the Ministry of Health and the Ministry of Local Government.

77. Furthermore, a system to register children born as refugees is in place and implemented across all refugee camps in Rwanda.

78. In line with increasing availability and easy access to registry services, new registers (hard and electronics) have been distributed according to the Ministerial Order No. 001/07.01 of 23/10/2016 determining the number, types, formats and use of civil status registers.

79. Upon adoption of the new law governing persons and family, training of Civil Registrars and officers in charge of civil registration were organized and conducted countrywide. In addition, capacity building was conducted for data managers at health centres and good governance officers at district level in matters related to civil registration specifically on the importance of birth registration. Further, extensive sensitization campaign on child registration was conducted from November 2016 to January 2017 and 621,862 children were registered. Similar campaigns were conducted in refugee camps through which 7,801 and 11, 212 children were registered in 2016 and 2017 respectively.

## **Violence against children (arts 19, 37 (a), 34 and 39)**

### **Corporal punishment**

80. 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.

81. In 2016, Rwanda revised its Early Childhood Development Policy. The Policy emphasizes positive parenting as a key driver for the appropriate education of children. To ensure proper implementation of the Policy, a number of strategies were put in place and implemented thenceforth. These include parents and caregivers training at model ECD Centres and home visits with trained Friends of the Family (Inshuti z'Umuryango)<sup>19</sup> with the view of promoting a gradual move from corporal punishment to positive discipline. Furthermore, parents' evening forums (Umugoroba w'Ababyeyi)<sup>20</sup> promote positive non-violent disciplinary practices, and there are community training sessions on "Noza imibanire mu muryango wawe" (live in harmony with your family members) which further promotes positive parenting.

82. In 2016, NCC in partnership with UNICEF and other partners developed the national capacity building curriculum for community-based child protection volunteers "Inshuti z'Umuryango" (Friends of the Family). The module includes positive parenting and use of non-violent disciplinary methods. The entire system of 29,674 Inshuti

<sup>18</sup> Article 100, Law N°32/2016 of 28/08/2016 governing persons and family.

<sup>19</sup> Inshuti z'Umuryango (Friends of the Family) is an established structure composed of volunteers in all villages who are responsible for preventive interventions of GBV and child Abuse, receiving reports of abuse and identifying children at risks. They sensitize communities on GBV prevention and educate parents on positive parenting and other child-friendly practices at community level.

<sup>20</sup> Umugoroba w'Ababyeyi (Parents evening Forum) is a forum in which men and women from the same village sit together to exchange and share ideas, discuss and solve the problems and challenges of their families including GBV issues.

z'Umuryango have been trained and is now supporting families to practice non-violent discipline methods.

83. Since 2011, Rwanda has in place a National Integrated Child Rights Policy which serves as a guide for legislation. It prohibits any kind of physical abuse, torture, cruelty against children and corporal punishment of children in all settings including homes, communities, schools and any other institution that have children including detention facilities.

84. The 2012 penal code under its article 218 criminalizes and punishes any person who inflicts severe suffering on a child, harasses or imposes severe or degrading punishments on him or her. Rwandan courts have interpreted article 218 to include corporal punishment and a number of persons have been prosecuted and punished for such acts. In addition, the law n0 54/2011 related to child rights protection and promotion is under revision and it explicitly prohibits corporal punishment.

85. The Government of Rwanda acknowledges the linkages between the “right of correction” and corporal punishment. In this regard, the newly adopted law governing Persons and Family repealed the provision on right of correction under the Law N° 42/1988 of 17 October 1988 instituting the Preliminary Title and Book one of the Civil Code.

86. 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.<sup>21</sup>

87. 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, the legal revisions, which are in process at the time of reporting, are expected to provide for an explicit prohibition of corporal punishment.

### **Sexual exploitation, abuse and freedom of child from all forms of violence**

88. The GoR is committed to protect children and youth from sexual violence, exploitation, and all forms of abuse and neglect. Strong legal, policy and institutional frameworks have been put in place.

89. Since 2011, Rwanda has a National Policy Against Gender-Based Violence and its five years’ implementation plan, revised in 2017. 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-year National Action Plan for the Implementation of the Kampala Declaration on Sexual and Gender Based Violence. The implementation will run through 2022.

90. In 2016, Rwanda adopted a new law governing matrimonial regimes, donations and successions. The law guarantees equal treatment of children in succession. The 2016 law governing family and persons makes a clear mention of the concept of the “best interest of the child” to be considered as a guiding principle to be considered to prevent any prejudice to the child’s rights especially with respect to his/her care, education, culture, property and others towards the child’s protection. The same law mentions “abuse” as one of the grounds under which a person can be deprived of parental authority. These two laws add to the 2012 penal code that punishes all kinds of sexual violence and abuse.

91. In line with the 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

<sup>21</sup> 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.

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.

92. In addition, other mechanisms have been put in place to prevent GBV and Child Abuse. These include, Umugoroba w'ababyeyi, anti GBV clubs in schools, Inshuti z'Umuryango, Gender Desks established at Rwanda National Police as well as at the Rwanda Defense Forces in order to ensure synergy efforts of combating GBV and child abuse.

93. For the period under review, tremendous efforts have been made to scale up Isange One Stop Centres. The Centres were increased from 7 in 2013 to 44 in 2017. The Isange One Stop Centers provide victims with shelter, medical treatment, psychosocial counselling, and medical-legal<sup>22</sup> aid under one roof so as to avoid re-victimization.

94. Concerning investigation and prosecution of violence against children, NPPA received 2,086 cases of child defilement in 2016/2017 and transmitted to courts 1,285 cases. During the same period, NPPA won 1,109 out of 1,355 cases of child defilement decided by courts, which means the conviction rate of 81.85%. In 2015/2016, NPPA received 1,917 cases of child defilement, out of which it transmitted 1,207 cases to courts.

95. In achieving the above Rwanda closely cooperates with One UN Rwanda. In addition, the Government of Rwanda has issued an open invitation to all UN human rights bodies and mechanisms since 2010.

### **Harmful practices**

96. The Rwandan Constitution of 2003 revised in 2015 recognizes only a civil monogamous marriage between a man and a woman.<sup>23</sup> To implement this constitutional provision, the law governing Persons and Family sets the minimum age for marriage at 21<sup>24</sup> and only recognizes legal marriage as civil monogamous marriage contracted upon mutual consent before the public administration.<sup>25</sup> Further, the penal code strictly criminalizes an act of living as spouses with a minor as child defilement.<sup>26</sup> The laws apply equally to the refugees on Rwandan soil.

97. Foreigners can celebrate marriage in Rwanda. While celebration of marriage is governed by Rwandan law; substantive requirements are governed by the national law of each of the spouses if it does not contravene public order and good morals of Rwandans.<sup>27</sup>

### **Helpline**

98. Rwanda has put in place child friendly mechanisms for children, to receive, monitor and investigate complaints. These include three digits "166" child helpline which was established at the Rwanda National Police (RNP). In addition, several other toll free lines are in place to enhance reporting cases of GBV and child abuse (3512 in RNP, 3677 in NPPA, 3029 in GMO, 2560 in MIGEPROF, 3545 in MINADEF, 3936 & 3736 in MINIJUST, 199 in Ombudsman and 3430 in NCHR).

99. The above-mentioned mechanisms coupled with other efforts to implement the laws have resulted in increased reporting, investigations and prosecutions of GBV cases and especially SGBV. In 2014/2015 a total of 814 cases were pronounced by courts while 840 and 830 were pronounced in 2015/2016 and 2016/2017 respectively.

<sup>22</sup> Access to Justice Office (AJO) or "Maison d'Acces a la Justice" (MAJ) is attached to the IOSC to provide legal advice and support victims through the legal process.

<sup>23</sup> The Constitution of the Republic of Rwanda of 2003 revised in 2015, Art.17.

<sup>24</sup> Law governing persons and family, Article 168.

<sup>25</sup> Article 166, law governing persons and family.

<sup>26</sup> Penal Code, article 195.

<sup>27</sup> Law governing persons and family, Article 179.

**Freedom of the child from all forms of violence**

100. The Government of Rwanda through the MoH, MIGEPROF, NCC and other different institutions conducted the Violence Against Children and Youth Survey (VACYS) 2015–2016 and thereafter, developed a draft national action plan.

101. Following its recommendation, NCC has established the VAC Network which is a formal forum for the coordination of technical expertise and the implementation of interventions in prevention of, response to and research on Violence Against Children and Youth in Rwanda.

**Family environment and alternative care (arts. 5, 18 (paras. 1–2). 9–11, 19–21, 25, 27 (para. 4) and 39)****Family environment**

102. The law replacing Organic Law No. 01/2012/OL of 02/05/2012 instituting the penal code is in its finalisation stage. Under this new law, a person commits an offence only if he/she does not provide proper care to their children with malice.

103. As a step to fill the gaps regarding comprehensive data on child abuse, Rwanda conducted the Violence Against Children and Youth Survey (VACYS) to provide comparable, national population-based estimates that describe the magnitude and nature of the problem experienced by children in Rwanda. This data is indispensable and provides a strong basis for developing and implementing effective prevention strategies, as well as improving service-provision for all children who experience violence and other types of child abuse.

104. In the same move, a comprehensive assessment of street children phenomenon was commissioned by NCC in 2017 to map out all children living in the streets, identify the root causes of homelessness and devise appropriate reintegration and prevention measures. This assessment was validated in December 2017 and its dissemination is underway for the relevant institutions to implement the proposed measures.

105. With regard to strengthening efforts to address child protection problems, the Government of Rwanda has established the NRS by the law n° 17/2017 of 28/04/2017 with the mandate of eradicating all forms of deviant behaviours by instilling positive behaviours, educating and providing professional skills. This includes establishing appropriate measures for the prevention of acts giving rise to deviant attitudes and behaviours including substance abuse and delinquency as well as developing sustainable measures for rehabilitation and social reintegration of people exhibiting deviant attitudes and behaviours and follow-up implementation.

106. For the last five years (2013–2018), Rwanda has been implementing its second Economic Development and Poverty Reduction Strategy (EDPRS II). Under its second overall objective, Rural Development, EDPRS II stresses enhanced linkages of families in vulnerable situations to social protection programs, with a particular attention to increasing graduation from extreme poverty.

107. To this effect, the National Social Protection Strategy was reviewed in 2014 to align with the EDPRS II. The updated social protection strategy ensures that all poor and vulnerable men, women and children are guaranteed a minimum standard of living and access to core public services. Those who can work are provided with the opportunities for escaping poverty and, as a result, an increasing number of people are able to access risk sharing mechanisms that protect them from crises and shocks. Social protection programs contribute to reduce poverty and vulnerability and promote equitable growth, by establishing a social protection system that tackles poverty, inequality, and improves access to essential services and social insurance. Social protection programs target the poorest categories and most vulnerable groups of the population. They are intended to be:

- Protective: providing essential support to those living in poverty;
- Preventative: providing a safety-net to those in danger of falling into poverty;

- Promotive: supporting people to pull themselves out of poverty graduate; and
- Transformative: aims to improve the social status and rights of the marginalized.

108. The information related to child headed households and specific issues that children of this category face, are regularly recorded with due diligence in the Most Vulnerable Children database.

109. The Government of Rwanda has introduced a range of social protection schemes that target vulnerable households, including those headed by children. These include the flagship Vision 2020 Umurenge Programme (VUP) which comprises Direct Support and Public Works programmes. These two core VUP programmes increasingly benefit households with children: 67% and 89% of the households benefiting from Direct Support and Public Works, respectively, are households that have children. Other social protection measures include Financial Services and Skills Training (under VUP), Community-Based Health Insurance (which covers more than 70% of the population) and the One Cow Per Poor Family Programme (Girinka).<sup>28</sup> Current priorities for the sector include enabling households to graduate more easily from poverty and providing more child- and gender-sensitive social protection services.

110. Alongside the flagship VUP managed under MINALOC by the Local Administrative Entities Development Agency (LODA), the social protection sector has two other core programmes: the Genocide Survivors Assistance programme managed through the Genocide Survivors Assistance Fund (FARG); and the Demobilization, Reintegration and Reinsertion programme, managed by the Rwanda Demobilization and Reintegration Commission (RDRC). These two programmes have very specific mandates, and beneficiaries qualify according to criteria over and above those related to poverty levels.

#### **Children deprived of a family environment**

111. The review of the Strategy for National Child Care Reform was found to be unnecessary as long as the strategy takes a long-term perspective. It recognizes that transformation of orphanages is an entry point to building sustainable child care and protection systems. What was quite important was the review of the timeframe for safely transitioning children from existing orphanages into families through the already existing Tubarerere Mu Muryango (Let's raise children in families) Programme for the sake of fast tracking the implementation of the Strategy for National Child Care Reform.

112. The Government of Rwanda through the National Commission for Children recruited, trained and deployed 68 new professional social workers and psychologists to lead the process of placing children in loving and protective environment (in their biological family, kinship or foster care).

113. For sustainability of the reintegration services for children previously living in orphanages and the prevention of child institutionalization-related services, the Government is in the process of integrating social workers and psychologists in all the Districts.

114. The education, health care, counselling and community based services are given to children through their families with the support of professional and paraprofessional social workers mentioned above. This includes the social protection and the family strengthening programs.

115. The law n° 32/2016 of 28/08/2016 governing Persons and Family comprehensively provides the alternative family arrangements for children with no biological parents in Rwanda i.e. Guardianship, local adoption and international adoption.

<sup>28</sup> Other programmes worth noting are the One cup of milk per child and school feeding programme (designed to address school drop-outs) and the crop Intensification Programme (CIP) which aims to increase agricultural productivity through promotion of land consolidation and the use of improved seeds, fertilizers and irrigation. The Ubudehe programme encourages communities themselves to identify solutions to poverty that can be implemented through community-based interventions.

## Adoption

116. The law governing Persons and Family determines the essential requirements for inter-country adoption and provides for an order of the Minister in charge of children determining other conditions to be considered in inter-country adoption and the procedure thereof.<sup>29</sup>

117. The Ministerial Order n° 001/MIGEPROF/2017 of 16/01/2017 determining conditions to be considered in inter-country adoption and the procedure thereof provides for the annual report from the adoptive parents which is an invincible monitoring tool that captures the information on how the adopted child is cared, the education of the adopted child, medical conditions of the adopted child and whether there are no acts of violence against the adopted child.<sup>30</sup>

118. The law governing Persons and Family mentions the conditions that determine the selection of the future adoptive parents basing on their integrity, stability, income, health status, identity and maturity<sup>31</sup>. Also, the Ministerial order n° 001/MIGEPROF/2017 of 16/01/2017 in its article 8 gives others supplements to the mentioned conditions.

119. The welfare of children under local adoption are regularly monitored by local social welfare officers which will in the long run be supported by Inshuti z'Umuryango.

120. Post adoptive services for children and their families at international level is executed in collaboration with different organs such as the Ministry of Foreign Affairs, Cooperation and East African Community (MINAFFET), the Embassies of Rwanda and the Central Authorities in charge of the implementation of The Hague Convention on protection of children and cooperation in respect of intercountry adoption in receiving states.

121. At local level the post adoptive services for children and their families is under the responsibility of local authorities.

122. International adoptions from Rwanda were suspended in 2010. This suspension was removed in 2017. Since then, no child has been internationally adopted so far. At domestic level, the adoption related data are regularly recorded and kept at sector level.

## Disability, basic health and welfare (arts. 6, 18 (para. 3), 23, 24, 26, 27 (paras. 1–3))

### Children with disabilities

123. The Government of Rwanda protects rights of children with disabilities through a range of laws and policies. On top of previous laws (The Law N° 01/2007 of 20/01/2007 relating to protection of disabled persons in general; the Law n°03/2011 of 10/02/2011 determining responsibilities, organization and functioning of the National Council of Persons with Disabilities (NCPD); the Ministerial Order n° 20/18 of 27/7/2009 determining modalities of classifying persons with disabilities into basic categories based on the degree of disability and the Ministerial order n°20/19 of 27/7/2009 determining the Modalities of facilitating Persons with disabilities access medical care), the Government of Rwanda continued to put in place mechanisms that ensure that children with disabilities have equal access to adequate social and health services, as well as accessibility to buildings and installations.

124. The Constitution of the Republic of Rwanda prohibits discrimination based on disability. In 2014 and 2015, the Government of Rwanda respectively adopted guidelines for disability mainstreaming, and guidelines and building code which require all public buildings to be inclusive and accommodate the special needs of persons with disabilities including children.

<sup>29</sup> See article 318.

<sup>30</sup> See article 15.

<sup>31</sup> See article 300.

125. Additionally, NCPD in collaboration with Rwanda Housing Authority (RHA) has started conducting an accessibility audit countrywide for public and private buildings offering public services (public offices, schools, markets, hospitals ...). From 2013 to 2017, a total of 5 secondary cities and 150 public institutions offices, Districts and Sectors have been audited. Audited institutions were given recommendations on how to cater for services delivery to persons with disabilities.

126. The new Law N° 48/2015 of 23/11/2015 governing the organisation, functioning and management of health insurance schemes in Rwanda pays a special attention to children with disability.<sup>32</sup> Under this new law, contrary to other children, a child with a disability that prevents him/her from earning a living shall continue to be an insured person even though he/she may be aged more than twenty-five (25) years.

127. The Ministry of Health in collaboration with NCPD completed the categorization process of persons with disabilities, and 154,235 persons have been grouped into 5 categories basing on the degree of their disability. There are now about 15 Orthopaedic Workshops to make assistive devices including prosthesis and orthosis which have signed MoUs with the NCPD. To ease access to Orto-prosthetic appliances, the Ministry of Health, after a consultative process including health insurances, association of orthopaedic technicians, rehabilitation workshops, established a revised Tariff for ortho-prosthetic appliances in favour of persons with disabilities.

128. The Ministry of Health has also recently approved Rilima and HVP Gatagara as specialized and referral centres offering healthcare services and assistive devices for children with disabilities. Services in these two centres are covered by the community-based health insurance.

129. In 2016, a national assessment was conducted to review service delivery in centres for children with disabilities in Rwanda. The assessment generated evidence essential for advocacy, policy and programme development both for children in institutional care and children with disabilities living in their communities.

130. There is now a national strategy for inclusive education, and a national committee on inclusive education within the University of Rwanda. Thanks to different efforts to ensure inclusive education, it was possible to enrol and support 83,078 children with disabilities from pre-primary school to secondary education. A Ministerial Order No007/2016 of 01/03/2016 determining modalities for special treatment of Persons with Disabilities in school has been also adopted.

131. Awareness raising campaigns have been organised on radio and TV to educate and inform the public at large on rights of children with disabilities. Community-based sensitization campaigns and trainings of Local Government Leaders were also organized to promote welfare of children with disabilities. In addition, a total of 600 service providers including Community Health Workers were trained on how to offer inclusive services to persons with disabilities within the community, especially children. At the same time, Government initiated the Tubarerere Mu Muryango (TMM) program with the aim to ensure that all children including children with disabilities benefit from family-based care. Since 2014, NCPD in collaboration with Troupe des Personnes Handicapées Twuzuzanye, Urunana Development Communication Center, Media for the Deaf Association, UNICEF and Rwanda Broadcasting Agency through Itetero program, sensitizes and mobilizes the community about the rights of children with disabilities and their abilities through radio and TV shows.

132. In every fiscal year, the education budget for special needs education for children with disabilities is allocated. For the last two fiscal years, the budget allocated to the support of special needs education in the Ministry of Education has almost doubled. It increased from 75 million in 2016–2017 to 140 million Rwandan Francs in the current fiscal year (2017–2018). In addition to this specific budget, the Government contributes to the construction of special schools for CWDs and avails the salaries for teachers and medical staff working in special schools. An inclusive and special needs education

<sup>32</sup> See article 5.

department has been initiated and is now operational in the college of education in the University of Rwanda to educate and train high level professionals that can provide quality education to children and people with disabilities. A ministerial order was adopted in March 2016 to support children with disabilities that are poor and to contribute to the implementation of the special needs education policy.

133. Within the structure of NCPD, there is a staff responsible for the coordination and streamlining education and rehabilitation efforts for children with disabilities. In its efforts to monitor programs promoting the rights of children with disabilities, NCPD conducted an assessment whose objective was to identify obstacles hindering children with disabilities from attending school. The assessment strongly recommended more support needed for a better education of children with disabilities.

134. In collaboration with REB and other stakeholders, a competence-based curriculum for mental disability was developed in 2017. NCPD also advocated for special scholarship for students with disabilities. For the academic years 2015/2016 up to 2017/2018, a total of 84 students with disabilities have been given scholarship.

135. The Law N° 54/2011 relating to the Rights and Protection of the Child is under revision and will ensure that “Article 42” clearly highlights that the placement of children with disabilities in institutions is used only as a measure of last resort, when it is absolutely necessary and in the best interests of the child.

## **Health**

136. In line with different reforms undertaken to improve service delivery across all sectors in Rwanda, the health system has also been strengthened to ensure equitable access to health care services, particularly in rural and remote areas, by improving health infrastructures, trained staff and supplies and ensuring accessibility to the health insurance scheme program for the general population in general, and for children living in rural areas and children in poverty or other vulnerable situations, in particular. In terms of geographic accessibility, the number of National Referral Hospitals increased from 5 in 2013 to 11 in 2018. New layer of Provincial hospitals has been introduced in Rwanda referral system with the aim to improve geographical accessibility to specialized medical services. The increment of these referral hospitals was commensurate with the number of medical specialists deployed equitably countrywide in public hospitals. This was made possible based on a national human resource reform for health program whose objective is to train medical specialists in the country. There are now over 290 medical doctors pursuing medical specialisation in Rwanda, and they are deployed in referral hospitals at the end of their studies.

137. In addition to efforts to improve specialized medical care, Rwanda also continued to improve its primary healthcare services. The number of health centres increased from 465 in 2013 to 500 in 2017 and the number of health posts increased from 252 to 501 in 2017. The objective is to have at least one health facility per each corresponding administrative entity by 2020. Rwanda also maintained and strengthened community health workers system, with 3 Community Health Workers (CHWs) in each village. There are now 45,511 CHWs deployed in the community across the country.

138. Investments made in construction of new health facilities and the decentralization healthcare services improved geographic accessibility to medical care services. The average time to access the closest health facility was reduced from 61.4 minutes in 2011 to 56.5 minutes in 2015. For the next years, the goal is to build more health posts and continue cutting down the average time used to reach a health facility.

139. Special medical outreach campaigns are also regularly organized every year to remote areas. Teams of medical specialists bring medical equipment to the community and treat patients locally. This strategy further decreases the burden for patients to seek care for specialized medical care.

140. To reduce high rates of child malnutrition, the GoR adopted holistic approaches that bring together various ministries, development partners and stakeholders involved in the social protection cluster. This move resulted in the development and implementation of the

Rwanda Joint Action Plan for the Elimination of Malnutrition (JAPEM) with 5 strategic objectives: to reduce all forms of malnutrition, to improve household's food and nutrition security, to ensure social protection for food and nutrition insecure households, to improve nutrition, water, sanitation and hygiene (WASH) in schools and to improve knowledge, attitudes and practices on optimal nutrition across the lifecycle.

141. Throughout an inter-sectoral action stated in the JAPEM, the following institutions participate in all efforts to address child malnutrition, by developing educational programs, including educational campaigns to inform parents and families about basic child health and nutrition, hygiene and environmental sanitation:

- MIGEPROF ensures the coordination of the implementation (including sensitization of the population on nutrition and Hygiene) and Monitoring and Evaluation of the plan at central and district levels;
- NECDP serves as the secretariat for MIGEPROF to follow through implementation of the JAPEM;
- MOH coordinates the implementation of nutrition specific interventions related to prevention and treatment/ rehabilitation as well as technical support to other sectors;
- Decentralized administrative levels ensure the implementation of the plan at household level; focusing on supporting home production of nutritious foods, healthy preparation and monitoring of food intake for under five children and pregnant women. They implement various initiatives, including “Igikoni cy’Umudugudu, (village kitchen) “Akarima k’Igikoni” (kitchen garden) and Hygiene Clubs;
- MINAGRI ensures food security and family production of nutritious foods through the establishment of programmes such as kitchen gardens and small animal rearing in order to ensure sufficient foods at household level and with the help of farmer's promoters;
- MINEDUC ensures sensitization of good nutrition at schools, focusing on school feeding and nutrition education in schools;
- MIDIMAR ensures coordination and sensitization on nutritious food in the refugee camps.

142. In its plans to eliminate stunting programmatically, the Government of Rwanda through MoH has entered into a joint venture with African Improved Foods Ltd (AIFL) to manufacture highly nutritious, fortified blended food (FBF) for both local consumption and exports. As part of the joint venture, the Government of Rwanda buys and distributes to children under 2 and pregnant and lactating women who are classified in the Ubudehe 1 and 2 categories (the most vulnerable population). Around 80,000 children and 20,000 pregnant and lactating women are currently receiving the product.

143. To support the effective implementation of the Rwanda Joint Action Plan for the Elimination of Malnutrition (JAPEM), a multi-sectoral “1,000 days campaign” was launched in 2013 to promote the consumption of a balanced diet among young children, pregnant and lactating women. The campaign calls upon Rwandans to cherish the first 1,000 days period right from pregnancy through to the first two years of a child's life. Thanks to the 1000 days campaign, Rwanda is among countries with high level of exclusive breastfeeding: 87.3 % in 2015.

144. To make Rwanda's Hospitals “Baby Friendly Hospitals”, Health Service Packages for Public Health Facilities have been revised in early 2017. The new package encompasses all items recommended by the Baby-friendly Hospital Initiative.

145. With regard to the adoption of a Code on the Marketing of Breast Milk Substitutes with appropriate controls on the marketing of artificial infant formula, the Rwanda Food and Drugs Authority was created in 2017 to ensure proper regulation of food and drugs in the country.

146. Currently, Maternal Mortality Ratio (MMR) in Rwanda is estimated at 210 per 100,000 Live Births (LB). Infant and child mortality rates have also considerably declined.

From 2010 to date, infant mortality rate dropped from 50/1000 LB to 32/1000 LB and child mortality rate decreased from 76/1000 LB to 50/1000 LB.

147. These enormous achievements are mainly due to the sensitization of pregnant women to attend prenatal consultations and to deliver at health facility, improvements in the referral system, notably the expansion of Basic emergency obstetric and new-born care (BEmONC) and Comprehensive Emergency Obstetric and New-born Care (CEmONC) capacity; the work of ambulances to timely bring women in need of emergency care to the nearby hospitals, and the increase of child immunization coverage. The following data show improvements registered in Maternal and Child health from 2010 to date. The proportion of births attended in Health Facilities increased from 69% in 2010 to 91% in 2015; the percentage of pregnant women receiving 4 Antenatal care standard visits increased from 35 in 2010 to 44 % in 2015. All District Hospitals have a functional CEmONC, and all Health Centres have a functional BEmONC.

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

149. Under the Rwanda Biomedical Centre, a Division has been created with a special mandate to improve Maternal, Community and Child Health. This division is responsible for the planning, budgeting and implementation of all interventions and programs meant to improve children's health and the fight against malnutrition.

### **Standard of living**

150. Adoption of the national social protection policy of 2011 ensuring that all poor and vulnerable people are guaranteed a minimum income and access to core public services, those who can work are provided with the means of escaping poverty, thus increasing numbers of people who are able to access risk sharing mechanisms that protect them from crisis and shocks. The policy also highlights children and vulnerable groups such as older people as part of its key priorities. MINALOC earmarked transfers funds to District cater for vulnerable people needs including children.

151. Social protection programs like VUP-components (Direct Support, public works, finance Services), FARG-components, RDRC-components, Girinka, CBHI, Ubudehe program, etc are all benefited by the vulnerable households.

152. Expanded public works are intended for extremely poor households (i.e. in Ubudehe Category 1) with only one bread earner per household. Vulnerable groups are also mainstreamed in various government programs (CBHI, SACCOs, etc).

153. The assessment of key national programs has been conducted to understand the level of achievements and areas for improvement. This has also informed the national plans of actions and different programs.

154. Displaced families during the Bye-Bye Nyakatsi have been settled in new places of residence. The Housing Programmes provided them with decent houses with irons sheets or tiles roof.

## **Education, leisure and cultural activities (arts. 28, 29 and 31)**

### **Education, including vocational training**

155. Qualified teacher ratio stands at 62:1 in Primary Education as of 2015; but more efforts are still required to meet the 2017/2018 Education Sector Strategic Plan (ESSP)

target of 48:1. Meanwhile, qualified teacher ratio stands at 29:1 in Secondary Education as of 2015, while the 2017/2018 ESSP target is 31:1.

156. For the Secondary education, classroom ratio has improved from 42:1 in 2010 to 39:1 in 2014 while the ESSP target for 2017/2018 is 40:1 which was achieved beforehand.

157. MINEDUC and the REB have invested significantly in the development of a competence-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.<sup>33</sup> Standards have also been established, a teacher assessment guide is being developed, new textbooks have been finalized, and many teachers and head teachers have received training. However, most of the new materials developed to support implementation of the CBC are in English and therefore the success of the rollout and the curriculum's longer-term effectiveness will only be fully realized if teachers and students are better supported to work in English.

158. Some measures to ensure the same education standards both in rural and urban areas were taken to ensure that boys and girls in all corners of the country receive equal educational opportunities.

159. During the fiscal year 2013, the number of TVET trainees has increased from 83,893 to 93,024 countrywide. Seven hundred and twenty-nine (729) teachers around the country were trained during the fiscal year 2013/2014, with much emphasis on the competence based teaching.

160. The Government of Rwanda has prioritized trainings of teachers in English proficiency to improve their level of teaching whereby a total of 19,877 teachers were trained from 2013 to 2015. TVET trainers have been trained on pedagogical and ICT skills. The staff in charge of Education at District level (30) were trained on school management to smoothen the District's school inspection and coordination of school's activities.

161. The Ministry of education annually publishes the disaggregated data on the educational performance of both boys and girls from all locations around the country through the annual Education Statistics Year Book.

### **Early childhood care and education**

162. The Government of Rwanda has invested efforts to ensure that early childhood development (ECD) is prioritized. In this regard, the ECD Policy has been revised in 2016 by GoR and will continue ensure a holistic, successive and uninterrupted interventions to make children healthy, physically developed, socially adapted, emotionally balanced and productive citizens. It will also ensure that stakeholders and different partners are engaged to effectively participate in the successful implementation of the programme. In the Pre-primary Education, 1,983,660 children have been enrolled in 2015 and 2,618 pre-schools have been built.

163. The Government and its partners have Modelled 3 ECD Centres in every District by providing ECD Kits, outdoor ECD equipment and financial support to improve infrastructure; making a total of 90 ECD model centres nationwide. In line with building the capacity of human resources on ECD program, training of caregivers on the use of ECD Kits was conducted. In the same perspective, training of ECD stakeholders (pre-school teacher and head teachers, heads of health centres, Sector Education officers, district Education Officers) on the Early Childhood Development Program was conducted.

164. In October 2017, the Government of Rwanda established the National Early Childhood Development Program (NECDP) to further improve the quality and coverage of its early childhood care and education, and in particular: (a) scale up the investment and implementation of the Early Childhood Development Policy and Strategic Plan, and ensure that ECD is provided in a holistic manner that includes overall child development, nutrition, health care, stimulation and early learning and the strengthening of parental capacity and participation in positive parenting; and (b) strengthen effective coordination among all Ministries to ensure that early childhood development programmes and services are

<sup>33</sup> In 2017 the CBC will also be rolled out for grades P2, P5 and S2 and S5.

integrated and harmonised, and that such services meet quality standards, are affordable and accessible for all children, including children in vulnerable situations and (c) accelerate reduction of stunting for children under 5 years of age through the multi-sectorial approach of ECD interventions (including Nutrition, Hygiene and WASH) at village level.

### **Special protection measures (arts. 22, 30, 38, 39, 40, 37 (b)–(d), and 32–36)**

#### **Children belonging to minority or indigenous groups**

165. As it was already explained in the common core document, the GoR policy changed after the 1994 Genocide against the Tutsi; Rwandans are no longer categorized by ethnicity. In addition to this, Rwanda has no indigenous groups. Kindly refer to paragraph 5 of the common core document for more information.

166. 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.<sup>34</sup>

167. According to the ICRP every child in Rwanda and every Rwandan child is important to the Government and the people of Rwanda. This policy is applicable to all children in Rwanda and of Rwandan nationality without discrimination of any kind.<sup>35</sup> All children in Rwanda enjoy and benefit equally from all programs including the social protection programs equally without any forms of discrimination.

#### *ILO Ratification*

168. Rwanda enjoys the discretion to ratify any international instrument it deems necessary. For the reasons mentioned above regarding the country's policy on indigenous groups, Rwanda does not see any added value of ratifying ILO Convention 169 on Indigenous and Tribal Peoples in Independent Countries.

#### **Asylum-seeking and refugee children**

169. The State understands the Committee's concerns over the narrow interpretation on the right to derivative status of refugees in the previous refugee law. A new law relating to refugees was enacted in 2014<sup>36</sup> and extends the derivative rights to persons under the refugee's dependence.<sup>37</sup>

170. Furthermore, Ministerial Order No. 01/MIDIMAR/13 of 03/12/13 determines appropriate measures of tracing family members of unaccompanied refugee children for their reunification.

#### **Economic exploitation, including child labour**

171. 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.

172. The Law No. 13/2009 is under review and proposes severe penalties for those engaging in the worst forms of child labour. After review, this law will help to investigate

<sup>34</sup> See Constitution of the Republic of Rwanda of 2003 revised in 2015, article 16.

<sup>35</sup> See Integrated Child Rights Policy of 2011, page 8.

<sup>36</sup> see Law No 13/2014 of 21/05/2014 relating to refugees.

<sup>37</sup> Article 12 states that a refugee identity card shall be issued to the person granted refugee status, his/her spouse, children under the age of eighteen (18) and persons under his/her dependence.

and prosecute offenders accused of child labour. However, in the meantime, 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.

173. 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 among prohibited worst forms of child labour.

174. These Ministerial Instructions are very useful to fight child labour mostly in the informal economic sector. It is also worth noting that the human trafficking draft law and the law on the rights of the child are currently under revision and should provide further protection in the informal sector. This is correlated to the amendment of the Ministerial order N° 06/2010 determining the list of Worst forms of child labour and hazardous work prohibited for children with legal working age for employment. The informal sector will be part of the mentioned Amending Ministerial Order.

175. 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.

176. Inspections are conducted by labour inspectors in collaboration with the District steering committee<sup>38</sup> and employers, parents found engaging children in the worst forms of child labour are punished. During the year 2016/2017, 352 employers and individuals were sanctioned for engaging children in the worst forms of child labour and FRW 4,350,000 were fined in total for these reported cases mentioned. Moreover, about 1,117 children were removed from child labour situations and reintegrated in their families or schools between 2016 and 2018.<sup>39</sup>

177. Furthermore, child labour inspectors have been deployed on districts 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 FRW 30,000,000 is allocated to facilitate labour inspections and investigate cases of child labour.

178. With regards to data collection, the Ministry of Public Service and Labour is in the process of establishing an Integrated Labour Administration system to collect data on incidences of hazardous child labour. So far, the mechanism is used to gather information on child labour from labour inspectors at the district level who work in collaboration with local authorities at cell, village and sector levels. The data gathered is disaggregated by geographical location and age.

179. Finally, with regards to strengthening the inter-agency and inter-ministerial collaboration to eliminate child labour, the State has put in place steering committees at both the central and district levels since 2013. These steering committees have also been strengthened through capacity building on matters related to the elimination of child labour.

180. The State also takes into account the Committee's recommendation to ratify ILO Convention No.189 of 2011 on Decent Work for Domestic Workers. Following the same argument regarding the discretion of Rwanda to ratify international instruments, we reiterate that any ratification will be done accordingly.

### **Administration of juvenile justice**

#### *Separate children's courts*

181. The separate children's courts and the extension of specialised juvenile chambers to both lower and high courts were not established due to limited number of cases of minors in courts.

<sup>38</sup> 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 rights.

<sup>39</sup> MIFOTRA, Administrative Data, 2018.

182. An accused minor offender is tried in the first instance by a specialized Juvenile Chamber of Intermediate Court. There are other mechanisms in place to enable a friendly justice system that focuses on reconciliation as provided for by the Justice for Children Policy.

183. Between 2013 and 2017, 9,403 juvenile offenders were represented during investigation and trial levels under collaboration between Rwanda Bar Association (RBA) and MINIJUST.<sup>40</sup> Convicted juvenile offenders continue being rehabilitated in Nyagatare Rehabilitation Centre where they are provided with formal education and vocational training under the same conditions as other children in the community, they even pass the same national exams. Between 2017 and 2018, 34 juveniles who demonstrated high discipline and passed well national exams benefited from Presidential pardon.

#### *Victims*

184. Children in street situations are not treated as offenders as they are always placed in a transit centre where they are held for a short period before longer term remedial or corrective measures are taken. The later consists of rehabilitation and reintegration programs in order to prevent repetition and support them before reuniting them with their families or to a foster family.

#### *Places of detention*

185. There are no unofficial detention places in Rwanda because all detention centres are governed and regulated by a Presidential Order. The centre in Gikondo is not a detention facility but rather a Transit Centre aimed at screening out children from the streets prior to sending them back home or to rehabilitation centres where they are re-educated from deviant behaviours by instilling positive behaviours, and provided with formal education and/or professional skills.

186. These transit centres are governed in accordance with the Law N 17/2017 of 28/04/2017 establishing the National Rehabilitation Service (NRS) and determining its Mission, Organisation and Functioning. This law defines transit centres as “premises used for accommodating on a temporary basis the people whose behaviours may constitute a cause for placement in the rehabilitation centre. The GoR decided to invest resources in trying to rehabilitate individuals who exhibit deviant behaviour and this has shown a 70% success rate in the last 7 years.

#### *Justice for Children Policy & Legal Aid Policy*

187. The Justice for Children Policy as well as the Legal Aid Policy were duly adopted in October 2014 to address the concerns raised in surveys conducted by MINIJUST in 2006 and the Legal Aid Forum in 2007. Both policies are available on MINIJUST’s website.

#### **Child victims and witnesses of crimes**

188. The Government of Rwanda ensures the protection of all child victims and/or witnesses of crimes through adequate legal provisions and regulations that are in accordance with the Convention. Article 128 of the law on evidence states that witnesses of crimes will be provided adequate protection measures. Since children under twelve (12) years are qualified to testify according to article 58 of the criminal procedures, the NPPA, through a special unit protecting victims and witnesses, extends its protection to children.

#### **Ratification of international human rights instruments**

189. Rwanda has a range of mechanisms in place to ensure access to justice for children, their parents and/or caregivers in Rwanda if the rights afforded in the CRC have been violated. Redress is available through the Courts, relevant government ministries and Parliament. These mechanisms provide adequate recourse and are continuously reviewed to

<sup>40</sup> RBA Administrative Data, 2018.

ensure compliance with the CRC. For these reasons, Rwanda is currently not considering ratifying the Optional Protocol on a Communications Procedure.

### **Cooperation with regional and international bodies**

190. There has been continuous positive engagement with different African Union Human Rights mechanisms including the African Committee of Experts on the Rights and Welfare of the Child where State Party reports are regularly submitted.

191. The open invitation extended to all United Nations Special Procedures in June 2011, serves as an additional step towards guaranteeing its adherence to human rights instruments.

## **III. Optional Protocol on the sale of children, child prostitution and child pornography (OPSC)**

### **Introduction**

192. Rwanda is a party to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography since 2002. The State's initial report on OPSC was submitted in 2010 and considered by the Committee on the Rights of the Child in 2013. This report provides detailed information on the implementation of the Committee's recommendations and new developments since the last review.

### **Data**

193. The Committee recommends that a comprehensive and systematic mechanism of data collection, analysis, monitoring, and impact assessment covering all areas of the Optional Protocol is established and that data should also be collected on the number of prosecutions and convictions, disaggregated by the nature of the offence.

194. To begin with, it is worth mentioning that, the collection of reliable and comparable data on OPSC issues is a major challenge not only in Rwanda but globally. Currently, information regarding children trafficking, sale and those related to pornography is collected by Rwanda National Police. A specific Directorate in charge of human trafficking was established under the Department of Criminal Investigation (CID).

195. For the period between 2014 and 2017, only two (2) cases of pornography were reported. During the year 2016/2017 a total of 88 cases of human trafficking were reported and investigated.

196. With regard to impact assessment to cover all areas of the Optional Protocol, a three-year project on "Improving knowledge, enforcement and coordination in counter trafficking" was launched in 2017. The project is being implemented by NPPA, DGIE, NCC, RNP and MIGEPROF under the coordination of MINIJUST with the support from USAID and IOM.

197. The project will support the Government of Rwanda 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.

## **General measures of implementation**

### **Legislation**

198. In relation with the Committee's recommendation to expedite the process of elaboration and adoption of the bills complementing the provisions of the 2012 penal code, it is worth mentioning that currently three draft laws relevant to the domestication of OPSC are in process of adoption. These laws are the draft law determining offences and penalties in general, draft law relating to the prevention, suppression and punishment of trafficking in persons and exploitation of others and draft law relating to the rights and the protection of the child which will cover penalties on offences against children.

### **National Action Plan**

199. The Committee recommends that the State Party reviews the Integrated Child Rights Policy (ICRP) and develops a comprehensive program of action specifically targeting all offences covered under the Optional Protocol.

200. ICRP has been implemented since 2011 based on its five-year action plan. In mid-2017, the Government of Rwanda started the process of evaluating the implementation of the ICRP against its strategic plan (2011–2016). The findings from the assessment will inform the drafting of the new strategic plan.

201. As mentioned in the preceding section on legislation, a number of laws are being revised and proposed amendments cover offences under the OPSC.

### **Coordination and evaluation**

202. The National Commission for Children has authority, capacity and plays overall role to ensure the implementation of the Optional Protocol across all ministries and agencies as well as among provincial, district and sector levels. The detailed information is provided above under the section on coordination, from paragraph 33 to paragraph 36.

### **Dissemination and awareness-raising**

203. The Government of Rwanda has adopted and implemented measures to popularize the provisions of the OPSC and issues covered by the Protocol. In this regard, awareness campaigns and training on the protocol were conducted by MIGEPROF, MINIJUST, NCC, RNP and ILPD. However, it should be mentioned that a particular attention was paid to the issue of child trafficking given its current trends. During the year 2016/2017, 273 awareness campaigns on human trafficking were conducted countrywide.

204. The Parliament organized, in 2014 and 2016 two national high level meetings to assess Government's efforts in fighting against human trafficking, GBV, alcoholism and drug abuse in the country. Since 2013, the NCHR conducted sensitization campaigns on human rights including child rights. By end 2017 the Commission had reached 92,620 direct beneficiaries. The NCHR launched in early 2017, a two-year national campaign on sexual violence against children, which targets special groups such as taxi drivers, motorbike-taxi riders, small business owners around schools and teachers.

205. The NCC runs, since 2017, a drama program on child rights. The program runs twice a week and aired simultaneously on 8 radio channels. Since 2015, MIGEPROF in collaboration with the National Women's Council organized community dialogues with 1,779 women leaders on their role in preventing domestic conflicts and human trafficking. In 2016, MYICT and NYC conducted community dialogues with 4,800 youths on GBV and human trafficking prevention. Similar dialogues took place from November 2017 to January 2018 and 349,823 youths aged between 13 and 20 were reached.

206. Rwanda Law Reform Commission (RLRC) has translated into Kinyarwanda all the 8 core human rights conventions and their optional protocols that Rwanda is a State party to. CRC and its Optional Protocols are among those instruments translated. The draft of the translated versions is in the process of being edited and disseminated.

207. Both the previous State report and Committee's Concluding Observations were made available on the website of the Ministry of Gender and Family Promotion. Concluding observations were also shared with members of Treaty Bodies Reporting Taskforce that is composed of more than 30 Public institutions and Civil Society Organizations.

### **Training**

208. Trainings on the content of the Optional Protocol to the Convention on the sale of children, child prostitution and child pornography were organized for different categories of the population, including civilians, Military and Police Officers.

209. In 2016, ILPD organized training of 62 Police and Rwanda Correctional Services officers on CRC and its two optional protocols. In 2017, MINIJUST trained 56 Police officers, Migration officers and Prosecutors. The Ministry had trained, in 2015, a group of 23 law enforcement officers on investigation and prosecution of human trafficking cases. MINIJUST also developed and disseminated a training manual on human trafficking.

210. Since 2015, MIGEPROF in collaboration with MINALOC, conducted training of trainers for 955 District Administrative Security Support Organ (DASSO) officers from across the country on the fight against domestic violence, Gender Based Violence and human trafficking.

211. Since 2013, the NCHR conducted training of 4,596 persons on human rights including child rights.

### **Allocation of resources**

212. The Government of Rwanda through different concerned Ministries and institutions has and continues to invest in human, technical and financial resources for the development and implementation of the programmes related to the content of the Optional Protocol.

## **Prevention of the sale of children, child prostitution and child pornography (art. 9, paras. 1 and 2)**

### **Measures adopted to prevent offences prohibited under the Protocol**

213. To prevent offenses prohibited under the Protocol, the Government of Rwanda, undertook community awareness to inform the public about the Optional Protocol on the sale of children, child prostitution and child pornography while calling community members to report any related incident. Several hotlines are in place to ease reporting on cases under the protocol. A specific directorate dealing with human trafficking was established and operationalized by the National Police. National Public Prosecution Authority has specialized unit in charge of crimes committed against a child, especially GBV Crimes.

214. Home grown initiatives have been put in place to prevent GBV, Child Abuse and child trafficking. These include, Umugoroba w'ababyeyi, anti GBV clubs in schools, Inshuti z'Umuryango, Gender Desks established at Rwanda National Police as well as at the Rwanda Defence Forces in order to ensure synergy efforts of combating GBV and child abuse.

215. The Committee recommends the State part to undertake all measures for an early identification of children who are especially vulnerable to becoming victims of the sale and other crimes covered by the Optional Protocol, and link such measures to existing child protection programs and poverty reduction strategies, including the Vision 2020 Umurenge Program (VUP) and the 2003 National Strategic Plan of Action for Orphans and Other Vulnerable Children.

216. The Government of Rwanda has mechanisms to identify the most vulnerable among its citizens. Specific social protection programs have been put in place to cater for those identified including different groups of vulnerable children such as orphans, children

heading households, children with disabilities, children infected or affected by HIV/AIDS and children from poor families.

217. Under the social protection scheme, households with children are generally covered within all social protection programs. Of households benefiting from VUP Direct Support and Public Works, 67 % and 89 % of households have children, respectively; 79% of households benefiting from FARG have children; and of those benefiting from the Rwanda Demobilization and Reintegration Commission, 95 % have children.

218. Support covered in VUP is based on a community-based categorization of socio-economic status (Ubudehe) linked to levels of household assets and the capacity to sustain livelihoods. Agricultural social protection measures such as the Girinka (One cow per poor family) initiative are aimed at households in Ubudehe Categories 1 and 2.

219. The Government of Rwanda maintains its commitment to the protection of the rights of asylum seekers and unaccompanied refugee children. Children from these groups benefit from free birth registration system, necessary health care and 12 Year Basic Education. In 2017, a total of 9,735 children were enrolled in ECD, 30,000 children in primary and 11,134 children in secondary schools.

220. Further, the Government of Rwanda through the Ministry in charge of refugees, MIDIMAR works with the UN agencies especially UNHCR and other Non-Governmental Organisations to respond to the needs of refugees in accordance with the provisions of the Optional Protocol.

221. To ensure better management and security of camps, the Ministerial Instructions N° 02/2016 of 13/5/2016 determining the management of refugees and refugee camps was adopted. The instructions regulate entry and exit movements in refugee camps. The Government has as well adopted the Ministerial Order No. 01/MIDIMAR/13 of 03/12/2013 determining appropriate measures of tracing family members of unaccompanied refugee children for their reunification.

### **Child trafficking**

222. The Rwandan Penal code defines human trafficking as acts by which the individual becomes a commodity consisting in recruitment, transfer of a person to another part of the country or to another country by use of deception, threat, force or coercion, position of authority over the person, in most cases for the purpose of harming his/her life or unlawfully exploiting by indecent assault, prostitution, unlawful practices, practices similar to slavery by torturing and subjecting to cruel treatment or domestic servitude because he/she is vulnerable due to troubles with the authorities, being a single pregnant woman, ill, disabled or due to other situation which impairs a normal person to act.

223. Human trafficking also means the exploitation of people by involving them in forced begging, illegal adoption upon payment, taking indecent pictures, harmful sports, armed conflicts and living together with them as husband and wife for the purpose of torturing them and selling their body organs.<sup>41</sup>

224. The ICRP Policy stipulates that trafficking of children (domestic or international), and any kind of sale/trading of children is prohibited by law; and that Government will undertake specific measures for the prevention of trafficking, including community based awareness programmes.

### **Child sex tourism**

225. Since the last report, the Government of Rwanda has put a lot of effort in fighting all forms of abuse against children including child trafficking and all forms of sexual exploitation. As already explained in preceding sections, several awareness campaigns were conducted to inform the public in general and children in particular about the issue.<sup>42</sup> Meetings with owners and managers of hotels and nightclubs to urge them to prohibit

<sup>41</sup> Penal Code, article 250.

<sup>42</sup> Detailed information is provided under the section on dissemination and awareness.

access of minors not accompanied by parents/guardians to prevent inducing minors into prostitution. Robust legal reforms are underway to insure all offenses under the optional protocol are covered in municipal laws.<sup>43</sup> Institutional framework in relation to the protection of children from all forms of sexual exploitation in all sectors including tourism industry was strengthened.<sup>44</sup> GBV and human trafficking related offenses continue to be reported, investigated and prosecuted.<sup>45</sup>

### **Prohibition of the sale of children, child pornography and child prostitution and related matters (arts. 3; 4, paras. 2 and 3; 5; 6 and 7)**

#### **Existing criminal or penal laws and regulations**

226. The Committee recommends that the State party revises its Criminal Code and bring it into full compliance with articles 2 and 3 of the Optional Protocol. In particular, the State party should ensure that all offences under the Optional Protocol are criminalized.

227. As was explained above under the section on legislation, the penal code and the law on protection of child are under revision. In addition, a new draft law relating to the prevention suppression and punishment of trafficking in persons and exploitation of others is in process of being adopted. The draft laws conform to the protocol and cover offenses provided for under the OPSC.

#### **Prosecution**

228. Efforts have been put in the establishment of mechanisms to prevent, report and respond to the sale of children, child prostitution and child pornography since the last report. Investigations are conducted and cases are prosecuted accordingly. As it was stated above, a total of 88 cases were investigated for child trafficking during the year 2016/2017. 9 among those investigated were prosecuted and 4 pronounced by courts. In addition, two (2) child pornography cases were investigated since the last report.

229. The Committee also expressed concerns with regards to the financial, technical and human resources of law enforcement to guarantee adequate investigations and prosecution of individuals involved in the offences under the OPSC. In this regard, the GoR is pleased to report that the number of adequately staffed police stations have increased from 76 in 2013 to 180 to date.

#### **Extraterritorial jurisdiction and extradition**

230. The Committee expressed concern over the State's legislation with regards to extraterritorial jurisdiction over the offences under OPSC. The Committee further recommended the State to rely on the Optional Protocol as a legal basis for extradition.

231. Strong legislation on extraterritorial jurisdiction and extradition are already in place. The penal code punishes international and cross border crimes including the trafficking of human beings.<sup>46</sup> Further, the same law highlights that extradition shall be governed by the Rwandan law or by international conventions ratified by Rwanda.<sup>47</sup> The extradition shall be permitted if there is an extradition treaty signed between Rwanda and the country requesting the extradition. However, Rwanda shall use, where necessary, the Optional Protocol as a legal basis for extradition, in conformity with article 5 of the Optional Protocol.

<sup>43</sup> See the relevant section on legislation.

<sup>44</sup> See the section on Sexual exploitation, abuse and freedom of child from all forms of violence.

<sup>45</sup> See the section on data.

<sup>46</sup> Article 16 of the Penal Code.

<sup>47</sup> Article 18 of the Penal Code.

## **Protection of the rights of child victims (arts. 8 and 9, paras. 3 and 4)**

### **Measures adopted to protect the rights and interests of child victims**

232. The GoR is committed to providing measures to protect the rights and interests of child victims of offences under the OPSC. It is against this background that new laws and orders have been enacted to provide protection measures and access to justice for child victims.

233. The Ministerial Order n°001/08.11 of 11/02/2014 on court fees for criminal matters as well as the ministerial order n°002/08.11 of 11/02/2014 on court fees in civil, commercial, social and administrative matters provide that actions relating to the protection of a child's rights and the fight against sexual violence shall be exempted from paying court fees.<sup>48</sup>

234. The Law n° 30/2013 of 24/5/2013 relating to the code of criminal procedure provides for a person entitled to institute a civil action. The Article provides that legally constituted associations whose mission is to protect victims of violence may act on behalf of the victim to institute a civil action and seek compensation for damages arising from the acts committed if the victim is unable to do so.<sup>49</sup>

235. Additionally, the GoR policies and programs mentioned throughout this report ensure the psychological, medical and social support of victims like the Isange One Stop Centre, the Justice for Children Policy, etc. Also, the newly established Rwanda Investigation Bureau, is tasked to ensure the security of victims and witnesses among others.<sup>50</sup>

236. Notwithstanding what is mentioned above, the Government of Rwanda acknowledges that there are still gaps and challenges in ensuring that remedies are available to children victims in general and not only for those victim of sale, trafficking and pornography. In this regard, the Government commits to step up efforts to ensure concerned children have adequate access to remedies.

### **Recovery and reintegration of victims**

237. As it was previously mentioned, the Rwandan Government has invested efforts in strengthening the capacity and financial resources of Isange One Stop Centres as they are currently operational in 44 hospitals countrywide. Refugees also benefit from IOSC services through medical centres established in refugee camps.

## **International assistance and cooperation**

238. Rwanda has entered into multilateral, regional and bilateral agreements with several countries at sub-regional, regional and international levels relevant to the prevention and pursue cases related to the offenses under OPSC. These complement the already existing domestic mechanisms.

239. The establishment in 2013 of Interpol's I-24/7 communication system at all exit and entry points in 2013 has enhanced the capacity to detect the movement of transnational criminals.

240. Additionally, as a member of the East African Community, Rwanda has been working with EAC member states through the East African Legislative Assembly to fight against issues of sale of children, child prostitution, child pornography and human trafficking within the community.

<sup>48</sup> Ministerial order n°002/08.11 of 11/02/2014 on court fees in civil, commercial, social and administrative matters, Article 2.

<sup>49</sup> Code of criminal procedure, Article 10.

<sup>50</sup> Law No 12/2017 of 07/04/2017 establishing the Rwanda Investigation Bureau and determining its mission, powers, organization and functioning, Article 9.

241. A number of extradition treaties with other countries have also been signed and show the international cooperative nature of our law enforcement system.

## **IV. Optional Protocol on the involvement of children in armed conflict (OPAC)**

### **Introduction**

242. Rwanda ratified the Optional Protocol on the involvement of children in armed conflict on 23rd April 2002 and from that time, a variety of measures to implement its provisions have been established.

### **General measures of implementation**

#### **Dissemination and awareness raising**

243. Training Workshops and lectures are prepared in the framework of public awareness. In this framework, trainings on the content of the Optional Protocol to the Convention on the involvement of children in armed conflict were organized for different categories of the population, including civilians, Military and Police Officers.

244. Children attending the annual National Children's Summit are timely updated on the content of the Optional Protocol on the involvement of children in armed conflict.

#### **Training**

245. Three employees from the Ministry of Gender and Family Promotion and two others from the National Commission for Children have so far participated in a civilian and military/Police training jointly organized by Rwanda Peace Academy and East African Standby Force which happens on annual basis. The trainings of this kind focus on subjects like protection of Civilians in peace Operations, special focus on child Soldiers, protection of Civilians (Child rights included), ToT on child protection in Armed Conflict, Child Protection in Peace Support Operations and Child Protection in Armed Conflict.

246. This content is also part of the Rwanda Military Academy's package (curricula) provided to all troops preparing for peacekeeping operations.

247. The content of these trainings reflects the whole idea of the Kigali Principles adopted by the Government of Rwanda in International Conference on the Protection of Civilians held in Kigali from 28th–29th May 2015 under the theme "Protection of Civilians through Peacekeeping: from Mandates Design to Implementation".

248. The Military prosecution service provides periodic training on international conventions to all military personnel undergoing ordinary military training in all military training institutions and to personnel undergoing UN mission peacekeeping pre-deployment training. Rwanda trains at least 6 Battalions per year and each Battalion is supported by a military lawyer for legal advisory during the course of the mission abroad.

249. Basic military training in Rwanda Defence Forces (RDF) for both the officers and men provides a full package on convention of the involvement of children in armed conflicts. Through the training, the convention on the rights of children is also a key and important document to teach and emphasize as to safeguard the rights of children especially during war times.

250. Every contingent that has to go in peace keeping mission abroad, in the curricula provided to them, it includes the convention of the involvement of children in armed conflicts. The purpose of this, is to remind soldiers on the said curricula and to give chance to civilians in the contingent to be on the same level with soldiers on the matter because mostly some of contingents are civilians that did not receive the basic trainings.

251. In the same move, RLRC organized a training on international humanitarian law in November 2013 for 20 legal officers from various government institutions.

## **Prevention**

252. The newly established Competence-Based Curriculum has taken into consideration human rights, tolerance and peace education. Specifically, peace values, tolerance and unity have been included in Social Studies curriculum from P1 to P6, in Civic Education and in History curricula from S1 to S6.

253. Since 2003, human rights are cross cutting components of education programs and are included in the curricula of schools at all levels.

## **Prohibition and related matters**

### **Criminal legislation and regulations in force**

254. Organic Law n° 01/2012/OL of 02/05/2012 instituting the Penal Code in Article 221 provides penalties for exploiting a child by involving him/her in armed conflicts. In reviewing the Penal Code, it is proposed to increase the highest penalties to discourage the commission of this offence.

### **Recruitment and use of children by non-State armed groups**

255. As stipulated in Law No. 13 ter/2014 of 21/5/2014 relating to refugees, the refugee camps are located remotely from the border and does not facilitate the crossing of refugees.<sup>51</sup>

256. In the same perspective, the ministerial Instructions n° 02/2016 of 01/06/2016 determining the management of refugees and refugee camps in its art. 2 illustrates prohibited acts and behaviours for refugees including participation in military trainings or other military activities which closes the potential gap of exploiting refugee children.

257. Regarding the strengthening of the border to prevent any tendency to recruit Rwandan children in armed groups from neighbouring countries there are strong existing mechanisms including raising awareness of the population about the negative effects of recruiting children in armed groups in neighbouring country, deployment of security agents at non-gazetted borders to record movements of people from Rwanda to neighbouring countries and vice versa, joint operation between RNP and DGIE for the identification and rescue of potential victims of human trafficking, daily control of movements at all borders and individual checking of every passenger to know his/her origin, destination and reason for travelling so as to ensure that there is no unaccompanied child who crosses the border.

258. Rwanda Demobilization and Reintegration Commission (RDRC) closely collaborates with MONUSCO which is in charge of Disarming members of armed groups (adults and children associated with armed groups) in the Democratic Republic of Congo. After the disarmament process, MONUSCO shares information with RDRC for the repatriation process of children withdrawn.

259. With collaboration of MONUSCO, sensitization sessions of the population closer to the border on prevention of recruitment of children in non-state armed groups are undertaken through media, documentary films and testimonies through skype.

260. The Government of Rwanda has never facilitated recruitment activities of fighters for M23 and therefore has observed no case of involvement of children in such activities.

261. There is no specific mechanism for child protection within the Joint Verification Mechanism (JVM) but the whole mechanism protects everyone and works alongside UNICEF as one of its key partners which guarantees the consideration of the child protection dimension in the Joint Verification Mechanism activities.

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<sup>51</sup> See article 23.

### **Extraterritorial jurisdiction and extradition**

262. The Government of Rwanda has no information on the allegations of recruitments of children soldiers by Laurent NKUNDA or any other individual be it on the Rwandan territory or elsewhere.

263. The Government of Rwanda enjoys the discretion to ratify any international treaty and will only do so when it deems it necessary for the benefit of Rwandans. In this regard, Rwanda is not considering ratification of Rome Statute of the International Criminal Court.

### **Protection, recovery and reintegration**

#### **Measures adopted to protect the rights of child victims**

264. Refugee adults and children are protected from involvement in armed conflicts as soon as they cross the border as provided by the Law n° 13ter/2014 of 21/05/2014 relating to refugees especially in article 24 which stresses that location of camps is determined by the Minister in charge of Refugees which is in principle far from the border for protection purposes.

265. The same law also hinders unofficial entrance and exit from the refugee camps by absolutely placing the authority of approving entrance of an asylum seeker or relocation in the hands of the Minister in charge of refugees upon a written request.<sup>52</sup>

#### **Demobilization and reintegration**

266. Rwanda maintains its commitments to repatriate all Rwandan combatants who are abroad and provides special care to children in general and to girls in particular. To meet the needs of rehabilitation of these children, including girls, an assistance and support program was developed and implemented. This includes scholarship for 2 years, financial support to their families for 2 years to enable them to integrate those children by creating micro-projects, rehabilitation Centre of Muhoza, Musanze District to assist and support them in physical and psychological needs before joining their families.

#### *International assistance and cooperation*

267. Some bilateral and multilateral strategies have been adopted to strengthen the cooperation among countries in the region such as the bilateral engagements and advocacy, the on-going harmonization process of laws relating to the Optional Protocol, USHILIKIANO IMALA (Professional Army without children), regional Committee of Police and the EAC Regional Security Committee (Cross border crimes in EAC).

#### *Follow up and dissemination*

268. All recommendations and concluding observations of different treaty bodies on the rights of the child have been widely disseminated and transmitted to relevant authorities.

269. The initial report and written replies submitted by the State party and the related concluding observations adopted by the Committee have been made widely available.

270. The Treaty Body Reporting Task Force normally meets and produces a roadmap of implementation of recommendations received before sharing it with other institutions and civil society organisations.

271. In addition to that, MIGEPROF uploaded the recommendations on their website to ensure the widespread and the timely implementation of the former by relevant stakeholders.

272. The Ministry of Justice continues to organise different workshops for various stakeholders involved in the implementation of the recommendations for advocacy and ownership purposes.

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<sup>52</sup> See article 25.