NATIONAL COMMISSION FOR HUMAN RIGHTS

Submission of the National Commission for Human Rights of Rwanda to the 4th Universal Periodic Review (UPR) of the Republic of Rwanda

July 2025

A. Introduction

1. The National Commission for Human Rights of Rwanda (NCHR) is a Constitutional, independent, and permanent institution with 'A' status accreditation. It was initially established by Law n° 04/99 of 12 March 1999, and later modified and completed by Law n° 37/2002 of 3st December 2002. The Commission's existence and independence were further reinforced in the Constitution of the Republic of Rwanda. Notably, Article 42 of the Constitution emphasizes that the promotion of human rights is a responsibility of the State, a mandate particularly exercised by the Commission.

2. The legal basis of the Commission was aligned with the Constitution through Law n° 30/2007 of 6 June 2007. This law was subsequently amended by Law n° 19/2013 of 25/03/2013 determining its missions, organization and functioning to ensure consistency with its human rights promotion and protection mandate, and to bring it into conformity with the Constitution, other relevant laws, and the Paris Principles relating to the status of National Human Rights Institutions. In 2018, Law n° 19/2013 of 25/03/2013 was further amended by Law n° 61/2018 of 24/08/2018 to mainly entrust the NCHR with the mandate of National Preventive Mechanism against torture.

3. As part of its mandate to urge relevant government institutions to submit timely reports on international conventions ratified by Rwanda, the NCHR conducts assessments of the implementation of the recommendations and concluding observations issued to the country, in order to give a boost to the implementing institutions.

4. Since Rwanda's first UPR cycle in 2011, the National Commission for Human Rights (NCHR) has actively participated in the process. Its engagement has included contributing to the development of implementation roadmaps for the recommendations from each review cycle, as well as disseminating these recommendations and monitoring their progress.

B. UPR Implementation Assessments and Key Findings

5. In line with its constitutional mandate and commitment to monitoring the implementation of international human rights obligations, the National Commission for Human Rights (NCHR) of Rwanda conducted a mid-term assessment of the 160 recommendations accepted by the Government of Rwanda during the third cycle of the Universal Periodic Review (UPR) in 2021. This assessment was carried out through direct engagement with relevant ministries, public institutions, and civil society organizations, as well as through on-site monitoring, desk reviews, and follow-up communications. The objective was to measure the level of implementation, identify persistent gaps, and encourage timely action ahead of the next UPR review.

6. The Commission's assessment revealed that significant progress has been made in several areas. These include legal and institutional reforms to improve access to justice, efforts to reduce overcrowding in detention facilities, the operationalization of youth-friendly reproductive health services, and the continued protection of vulnerable groups such as persons with disabilities and children in vulnerable situations. The Government also made important steps toward aligning national legislation with international standards, including amendments to the land law and improvements to expropriation procedures, the development of alternatives to imprisonment, and enhanced public participation in governance processes.

7. The NCHR shared the findings of its assessment with the relevant government institutions and encouraged them to prioritize the full implementation of the outstanding UPR recommendations. The Commission remains committed to conducting regular follow-ups, offering technical guidance, and collaborating with stakeholders to ensure that Rwanda maintains the positive momentum achieved so far. Continued political will, resource allocation, and stakeholder engagement will be critical in addressing the remaining challenges and ensuring that all UPR commitments are translated into meaningful human rights improvements for the people of Rwanda.

8. Despite commendable progress, the assessment also highlighted key areas requiring further attention. These include delays in the adoption of the second National Human Rights Action Plan, the need to revise outdated legal frameworks such as laws protecting persons with disabilities, continuous more efforts in addressing the issue of overcrowding in detention facilities even if there has been considerable decrease, etc.

C. Key commendable progress with regard to the NHRI

- **The National Commission for Human Rights**

9. Since the third cycle of the UPR in January 2021, the NCHR recognizes the efforts of the Government of Rwanda to further strengthen the institution. The annual budget of the NCHR of Rwanda has seen a steady increase as it rose from Rwf 1,034,197,150 in the 2020–2021 fiscal year[1] to Rwf 1,085,438,800 in 2021–2022[2]. It further increased from Rwf 1,407,015,331 in 2022–2023[3] to Rwf 1,422,614,320 in the 2023–2024 fiscal year[4], 1 762 029 859 in the 2024-2025 fiscal year.

10. To enhance the NCHR's capacity to monitor the effective implementation of international standards at the national level, Commissioners and staff have participated in training sessions covering a wide range of human rights topics. These include business and human rights, international and regional human rights protection mechanisms, human rights monitoring, investigations, and reporting, understanding how to report to UN treaty bodies, as well as how to fulfill the Commission's mandate to prevent torture and other cruel, inhuman or degrading treatment or punishment.

11. However, there still need of more funding for operations to enable the Commission to carry out its mandate, in particular, to scale up its representations in regions, as the

NCHR received the recommendation from the Sub Committee on Accreditation to be more accessible by opening up offices in provinces. The Government accepted to support the Commission to establish 4 offices in 4 provinces.

D. Human rights concerns and recommendations

1. Torture prevention

12. As Rwanda ratified the Optional Protocol to the Convention against Torture (OPCAT) in 2015 and deposited its instrument of ratification with the UN Secretariat on June 30, 2015, the country became a State party to the OPCAT. This commitment required Rwanda to establish a National Preventive Mechanism (NPM)[1]. In 2018, the National Commission for Human Rights (NCHR) was designated as the NPM[2]. This role grants the NCHR the authority to conduct announced and unannounced visits to various detention facilities, such as prisons, police stations (RIB[3] custodies), and psychiatric hospitals, within the framework of preventing torture or ill treatment in detention facilities.

13. Regarding the visits to detention facilities, it should be noted that from the fiscal year 2020-2021 to the fiscal year 2023-2024, the NCHR conducted 2 visits per year to correctional facilities and 2 visits per year to RIB cells. During the 2024-2025 fiscal year, the NCHR conducted 2 visits to correctional facilities and 4 visits to RIB cells.

14. The NCHR advocated for legal reforms aiming to improve detention conditions and align national standards with international human rights norms, including the Mandela Rules (UN Standard Minimum Rules for the Treatment of Prisoners)[4]. It also promoted the use of alternatives to imprisonment for minor offenses such as provisional release, alternative dispute resolution[5] and plea bargaining to help reduce overcrowding and ease the burden on correctional facilities.

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[1] Republic of Rwanda, Ministry of Justice & National Commission for Human Rights, Implementing the Optional Protocol to the UN Convention against Torture
(OPCAT) in Rwanda, *10 Frequently Asked Question*, Kigali, November 2017, p. 4, at https://www.cndp.org.rw/index.php?eID=dumpFile&t=f&f=52782&token=613a999e48f8dc3f927b3d77e9d331cc570f6739#:~:text=By%20depositing%20a%20ratification%20instrument%20with%20the,to%20establish%20a%20National%20Preventive%20Mechanism%20(NPM).&text=Establish%20dialogue%20and%20cooperation%20with%20authorities%20including%20on%20the%20implementation%20of%20the%20NPMs%20recommendations.

[2] Law n° 19/2013 of 25/03/2013 modified by law n° 61/2018 of 24/08/2018 determining missions, organisation and functioning of the National Commission for Human Rights, article 6 bis.

[3] Rwanda Investigation Bureau.

[4] Standard Minimum Rules for the Treatment of Prisoners, at https://www.unodc.org/pdf/criminal_justice/UN_Standard_Minimum_Rules_for_the_Treatment_of_Prisoners.pdf.

[5] National Commission for Human Rights, Annual Report 2022/2023, September 2023, at https://www.cndp.org.rw/index.php?eID=dumpFile&t=f&f=100445&token=55f4bc9def1edd35cc94bbdd231ef53747fb20f0, p. 34.

15. While the Commission commends to the Government efforts to reduce the overcrowding in detention facilities and improve life conditions as it has decreased from140% in 2022-2023 to 134.1% in 2023-2024 fiscal year, and to 106% in 2024-2025 fiscal year, the Commission notes that the rate of overcrowding is still high as it still above 100.

16. **Therefore, the NCHR recommends that the Government of Rwanda to speed up the implementation of the Alternative Dispute Resolution (ADR) policy and the alternative measures to imprisonment.**

17. **The NCHR also still need the increase of its budget for operations so it can conduct many regular visits to detention facilities within its role as NPM.**

2. National Human Rights Action Plan

18. Regarding the National Human Rights Action Plan (NHRAP) 2017-2020[6], the NCHR conducted an evaluation in 2021[7] and submitted its report to the relevant institutions. The Ministry of Justice (MINIJUST) has begun developing the second phase of the NHRAP, and the NCHR has supported in drafting the part on Business and Human Rights.

19. However, the process of completing the whole document on NHRAP has delayed as the first one was completed in 2020.

20. **Therefore, to address this delay, the NCHR recommends to expedite the development and adoption of the National Human Rights Action Plan, ensuring that it comprehensively covers all aspects of human rights, including Business and Human Rights.**

3. Expropriation in the public interest

21. Legal provisions regarding expropriation for public utility are in place; however, following additional measures still need to be implemented:

22. **"To establish a clear and fair provision that ensures affected individuals are paid compensation within the legally prescribed period of 120 days after expropriation.**

[6] Republic of Rwanda, Ministry of Justice, The National Human Rights Action Plan of Rwanda: 2017-2020, at https://www.humanrights.dk/files/media/document/Rwanda%20NHRAP%202017-2020.pdf.

[7] National Commission for Human Rights, Final assessment report on the implementation of the national human rights action plan (NHRAP) 2017-2020, November 2021, at https://mail.cndp.org.rw:8443/service/home/~/?auth=co&loc=en_US&id=8502&part=2.

In practice, however, this deadline is often missed, and people wait long without being paid any additional amount for the delay. Therefore, it is recommended to introduce a mechanism whereby, if the 120-day period expires without payment, a compound interest or penalty rate is applied to the compensation amount for each additional month of delay."

23. To accelerate the payment of compensation arrears relating to expropriation in the public interest.
    - **To enact the Prime Minister's Order provided for in Article 8 of the law n° 32/2015 of 11/06/2015 relating to expropriation in the public interest[8].**
    - **To ensure that the annual property reference prices, as required by the expropriation law, are established and published based on an acceptable and recognized scientific method that accurately reflects market value.**

4. Rights of Persons with Disabilities

24. The NCHR acknowledges the positive step of the state providing full mutual health insurance scheme coverage for persons with disabilities with a disability rate between 50% and 100%, as well as partial (50%) coverage for those with a disability rate between 30% and 49%. However, it notes that the current Ministerial Order does not consider the economic situation of the beneficiaries[9].

25. **To address this gap, the NCHR recommends revising the Ministerial Order n° 20/19 of 27/7/2009 determining the modalities of facilitating persons with disabilities access medical care to incorporate as a criterion.** *"persons identified as vulnerable or unable to afford medical care based on the social registry program managed by the Ministry of Local Government, and persons with severe disabilities."*

26. Rwanda took a major step in 2007 by enacting legislation to protect the rights of persons with disabilities, a year ahead of the Convention on the Rights of Persons with Disabilities coming into force. However, since the law was adopted before the Convention, some of its terminology remains inconsistent with the Convention's specialized nomenclature.

27. **To remedy this discrepancy, the NCHR recommends fast-tracking the adoption of the revised law amending the Law n° 01/2007 of 20/01/2007 relating to protection of disabled persons in general and related Ministerial Orders in order to align them with the Convention on the Rights of Persons with Disabilities.**

5. Detention conditions and alternatives to detention

[8] The Prime Minister's Order shall determine the organization, functioning, responsibilities and composition of the committees in charge of supervision of projects of expropriation in the public interest.

[9] Ministerial Order n° 20/19 of 27/7/2009 determining the modalities of facilitating persons with disabilities access medical care, article 2.

28. **To further enhance detainees' living conditions, the NCHR recommends expediting the revision of the Ministerial Order n° 01/MININTER/14 of 28/05/2014 determining judicial police custody facilities and ensuring that RIB stations near the courts are adequately stocked with food supplies, given the high number of detainees held there during trial proceedings.**
29. **It also recommends continuing the renovation of all old detention premises to align them with international standards.**

6. Sexual and Reproductive Health (SRH)

30. The NCHR commends the Rwandan government for setting up youth spaces in all 499 health centers nationwide, as well as in 33 youth centers distributed across the districts—except for Rubavu and Nyarugenge, each of which hosts two youth centers. These facilities offer health services specifically designed to address the sexual and reproductive health needs of adolescents. The NCHR also acknowledges ongoing efforts to educate children and young people on sexual and reproductive health and the prevention of sexually transmitted diseases.

31. **Nonetheless, the NCHR advises to review the Law n° 21/05/2016 of 20/05/2016 relating to human reproductive health** to **include penalties for any doctor or health professional who acts against the provisions of Articles 10 and 12 of this law.**

7. Freedom of peaceful assembly and association

32. As part of the Commission ‘s mandate to provide views on existing or draft laws and regulations to ensure their compliance with international human rights standards, the Commission engaged with the Parliament during the review of the Law No. 04/2012 of 17/02/2012 governing the organization and functioning of national non-governmental organizations (NGOs). This law was revised in 2024 (Law No. 058/2024), and during the revision process, the Commission submitted its views to ensure that the rights to freedom of peaceful assembly and association are guaranteed.
33. Though many inputs of the commission were considered by the Parliament, the Commission still has concerns on some provisions of the new law that may hinder the freedom of association and recommends their amendments.(Article 5 and 13). The Commission emphasizes the importance of allowing NGOs to manage their own assets and to exercise autonomy in appointing or removing members of their leadership. Preserving such independence is key to ensuring that NGOs can effectively contribute to national development and the promotion of human rights, in line with Rwanda’s international commitments, including those under the ICCPR.

8. International cooperation

34. **Within the framework of international cooperation with Treaty Bodies, the NCHR recommends expediting the submission of periodic reports under the Convention against torture and other cruel, inhuman or degrading treatment or punishment (CAT), Convention on the Rights of Persons with Disabilities (CRPD) and the Rights of the child (CRC) that are delayed to be submitted.**

35. **Conclusion**

36. The NCHR commends the efforts of various institutions and organizations in carrying out most of the 160 recommendations accepted by Rwanda over the past four and a half years. It remains dedicated to advocating for the full implementation of the remaining recommendations and the upcoming recommendations after the 4th review.