



# General Assembly

Distr.: General  
27 January 2010

Original: English

## ADVANCED UNEDITED VERSION

---

**Human Rights Council**  
Working group on the universal periodic review  
Tenth session  
Geneva, 24 January – 4 February 2011

### Draft report of the Working Group on the Universal Periodic Review

**Rwanda\***

---

\* The final document will be issued under the symbol A/HRC/17/4. The annex to the present report is circulated as received.

## Contents

	<i>Paragraphs</i>	<i>Page</i>
Introduction .....	1–4	3
I. Summary of the proceedings of the review process.....	5–76	3–12
A. Presentation by the State under review .....	5–22	3–6
B. Interactive dialogue and responses by the State under review .....	23–76	6–12
II. Conclusions and/or recommendations .....	77–83	12–19
III. Voluntary pledges and commitments .....	84	19
Annex		
Composition of the delegation .....	20	

## **Introduction**

1. The Working Group on the Universal Periodic Review (UPR), established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its tenth session from 24 January to 4 February 2011. The review of Rwanda was held at the 2<sup>nd</sup> meeting on 24 January 2011. The delegation of Rwanda was headed by the Minister of Justice, His Excellency, Tharcisse Karugarama. At its 6th meeting held on 26 January 2011, the Working Group adopted the report on Rwanda.

2. On 21 June 2010, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Rwanda: Guatemala, Japan and Senegal.

3. In accordance with paragraph 15 of the annex to resolution 5/1, the following documents were issued for the review of Rwanda:

(a) A national report submitted and a written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/10/RWA/1 and A/HRC/WG.6/10/RWA/1/Corr.1);

(b) A compilation prepared by the Office of the High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/10/RWA/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/10/RWA/3 and A/HRC/WG.6/10/rwa/3/Corr.1).

4. A list of questions prepared in advance by Belgium, Germany, Norway, Slovenia, Canada, Czech Republic, Ireland, Latvia, The Netherlands, Sweden, Switzerland, and United Kingdom of Great Britain and Northern Ireland was transmitted to Rwanda through the troika. These questions are available on the extranet of the UPR.

## **I. Summary of the proceedings of the review process**

### **A. Presentation by the State under review**

5. The Delegation stated that it was a great sense of humility, pleasure and honor to represent Rwanda for its Universal Periodic Review (UPR). The national report, that was submitted in October 2010, was a product of massive consultations in the country involving Government Ministries, Institutions, Civil Society and all Stakeholders in the Human Rights portfolio. Rwanda is a country that listens to concerns and issues raised by its friends and partners. The delegation thanked all states that have raised concerns and issues.

6. The delegation stated that Rwanda has ratified most of the Human Rights Instruments under regional and international portfolios. It has also submitted different human rights reports to relevant committees on the regional and international levels and it has lifted most of the reservations that were placed on some of those instruments.

7. The delegation stated that in March 2011, Rwanda will present its report on The Convention Against All Forms of Racial Discrimination, followed by a presentation in June of the reports on the additional Protocols to the Convention on the Rights of the Child and to present, as and when Concerned committees fix the dates for the presentation of the report on the International Covenant on Economic, Social and Cultural Rights as well as the 3<sup>rd</sup> and 4<sup>th</sup> report on the Convention for the Rights of the Child (CRC). Furthermore, other reports such as the initial report on the implementation of the Convention Against Torture, the initial report on the implementation of the Convention on the Rights of Migrant Workers and the initial report on the implementation of the Convention on the Rights of

People with Disabilities have been submitted to Rwandan Cabinet for approval and all will be submitted to the relevant Committees before the end of June this year.

8. The delegation stated that Rwanda has made constitutional guarantees to the promotion and protection of human rights, the rule of law, good governance, zero tolerance of all forms of corruption, social and political cohesion and national reconciliation as pillars of its development goals. It has made steady progress since the 1994 genocide and hoped with the support and encouragement from the international community to even do better in the years to come. The delegation stated that in 1994, Rwanda had no cash economy as all national coffers had been looted, human and physical infrastructure had been destroyed, insecurity was rampant and there was just death and destruction everywhere. Since then, Rwanda has reconstructed its social, political and economic portfolios and was now a country of hope for a bright future of its citizens. The delegation thanked all partner States and friends for having been part of this recovery success.

9. The delegation pointed out some of the achievements made by Rwanda, which included the setting up of the National Commission of Human Rights which fulfills the Paris Principles and has acquired the A status class. It also stated that the Child Rights Observatory and the Commission for Children's Rights will also shortly be operational as soon as it has been approved by Cabinet; and that the empowerment of women which has made Rwanda women parliamentary presentation to be the first in the World; Setting up the Gender Observatory and Gender Monitoring Office; The National Women Commission; The National Commission for People with Disabilities; The Sustenance of economic growth of 5 to 8.5 per cent over the past 10 years; Setting up and maintaining the health insurance programs (mutuelle de sante) which enabled every citizen to have health insurance; and the free and compulsory Universal 9 Year Basic Education (9 YBE). The delegation stated that plans were under way to raise the free Universal Education from 9 to 12 years.

10. The delegation stated that, under the justice portfolio, Rwanda has put in place the Maisons d'Acces a la Justice (MAJ) or Access to Justice Bureaus in each of the 30 Districts of the country with the aim of providing free legal aid services to vulnerable people. The Government now contributes in its national budget funds for provision of legal aid, a service that was previously only funded by NGOs in the justice sector.

11. The delegation stated that reforms have been made in the penal code to ensure that alternative sentencing such as community work (Travaux d'Interet General or TIG) and fines to replace long prison sentences and where financial crimes are involved, financial restitutions to replace long prisons terms.

12. The reforms have been made, prison numbers have been reduced drastically with the result that 4 prison facilities have been closed. Instead, a children rehabilitation center has been set up, a modern prison facility with international standards has been set up and plans are under way to close more prison facilities and instead build a few regional modern prison facilities that meet international standards. With these policies in place, we believe that by 2015, Rwanda will be having the smallest number of prisoners in the region if not in the entire African Continent. This is because most of the genocide prisoners sentenced under the Gacaca jurisdictions will have been reintegrated in their communities after serving their sentences.

13. The delegation stated that Gacaca jurisdictions have come under criticisms under certain quarters but they have served Rwanda very well: About 1,5 million dossiers have been judged but today only about 38 000 genocide convicts are in prison across the country. The rest of them have been reintegrated in their communities happily living with their neighbors in the communities around the country. There was also no revenge killings in the communities and ex convicts are living side by side with their neighbors. The fact

that the perpetrators are living side by side with the victims is testimony that unity and reconciliation is possible and that Gacaca courts have played a major role in this context.

14. The delegation stated that recent presidential elections, coupled with steady economic growth, with effective social policy interventions was testimony that Rwanda is coming to grips with its past, that reconciliation and social cohesion was possible.

15. The delegation referred to the advanced questions and stated, with regard to the genocide ideology law, that Rwandans knew genocide better than anyone else and have legitimate responsibility to prevent its reoccurrence, using all means possible. Genocide happened on the basis of the ideology on which it was founded. For Rwanda, it was a big problem and it has to be addressed using all means possible including appropriate legal regime. Genocide ideology was a real threat, it is potentially a threat that could undo the achievements that Rwanda has made in last 16 years. The delegation stated that Rwanda agreed to review the genocide ideology law because of issues raised with it. A national group was commissioned, together with foreign experts. Comments and inputs were sought from human rights groups and other interested parties.

16. The delegation stated, in relation to the issue of political space, that Rwandans can enjoy democracy nurtured and developed in Rwanda by Rwandans (a homemade democracy) and not one that is made or imported from North America, Europe or Asia. It stated that there were 10 registered political parties and that every party to be registered must meet the criteria set up by law.

17. The delegation stated that successful presidential, parliamentary and local elections have been held. National, regional and international observers were called in to observe those elections and their reports were that by and large the elections reflected the will of the people of Rwanda. Those elections were surely not perfect and improvements can and will definitely be made in the future.

18. The delegation stated with regard to media freedom that the media in Rwanda has not been credited with good conduct. On the contrary it has been associated with inciting violence, hate campaigns and calling Rwandan people to committing genocide. The delegation stated that the idea was to create a media that was responsible, and that Rwanda was committed to media freedom. In 1997 there was only one radio station, today there is 19. In 2003 Rwanda had 15 newspapers, today there was 57. The country has also the Great Lakes Media Center and the School of Journalism and Communication to help improve the quality of the role of the media in the country's governance. The delegation stated that the media law was under review to address some of the concerns that have been raised.

19. The delegation stated that some of the questions that have been raised have been overtaken by events and if no response is provided it is because they are no longer an issue and those that posed the questions have been informally advised on the status of things on the ground.

20. The delegation stated that there was legislation in place outlawing discrimination of any kind and that was a serious offence under national law. The question of Batwa has been aggressively addressed and we believe that by 2020 they will probably be at parity with all other Rwandans. The question of solitary confinement that was misunderstood was addressed by legislative reform and amendments. With regard to the disappearances between 1990 and 2003, investigation shall continue until all investigative avenues have been exhausted.

21. The delegation stated that Rwanda did not recruit child soldiers. There were no armed groups in Rwanda and so the issue of armed groups recruiting child soldiers in Rwanda does not arise.

22. In conclusion, the delegation pledged Rwanda's determination to continue building a democratic culture and to play its role in all international engagements in which it will be called upon to serve.

## B. Interactive dialogue and responses by the State under review

23. During the interactive dialogue, 48 delegations made statements. Additional statements which could not be delivered during the interactive dialogue owing to time constraints are posted on the Extranet of the universal periodic review when available.<sup>1</sup> Many delegations commended Rwanda for its level of participation in the process and for its consultative approach in the preparation of its national report. Recommendations made during the dialogue are to be found in section II of the present report.

24. Algeria praised Rwanda's efforts of reconciliation launched since 2002 and of the promotion of economic, social and cultural rights. It noted the program of Vision 2020 and the Poverty Reduction Strategy. Algeria applauded Rwanda's efforts to get closer to the objectives of the MDG. It made recommendations.

25. Egypt noted Rwanda's recovery since the 1994 genocide. It took also note of Rwanda's efforts in a number of areas, including addressing socio-economic challenges. Egypt also noted that Rwanda was close to achieve the MDGs. Egypt commended Rwanda for its commitment to protect the rights of women as well as for making the protection of children's rights as a priority. It called upon the international community to extend the necessary assistance to Rwanda. Egypt made recommendations.

26. China noted with appreciation the adoption of Vision 2020 plan as well as Rwanda's Poverty Reduction Strategy. It commended Rwanda for the progress made in poverty reduction, medical and health services, and education. China acknowledged the challenges and difficulties faced by Rwanda and expressed its confidence on Rwanda's progress. China made recommendations.

27. Japan noted with appreciation Rwanda's achievements in post-conflict recovery, economic development and good governance. It noted with concern the traditional discriminatory practices against women in the family and society, and restrictions on freedom of expression, participation in political processes and the media. Japan made recommendations.

28. Morocco welcomed the achievements of the National Unity and Reconciliation Commission that put Rwanda on the path of peace. It praised the central role granted to the promotion and protection of human rights after the impact of the tragic events of 1994. Morocco noted with appreciation Rwanda's progress in attaining the objectives of the MDG by 2015 and in the field of health, education and protection of vulnerable groups especially women. Morocco informed that Rwanda has the world record for representation of women in the Parliament. It made recommendations.

29. Brazil stated that, despite the atrocious violations, Rwanda managed to rebuild its society and to move towards reconciliation. Brazil acknowledged the progress made in advancement of rule of law, the abolition of the death penalty, the achievement of the most of MDGs, the increase in per capita GDP, the decrease in maternal mortality and the participation of women in Parliament. Brazil mentioned the challenges faced by Rwanda,

---

<sup>1</sup> The countries which could not take the floor were Norway, Argentina, Angola, Latvia, Mali, Senegal, Uruguay, Ireland, Costa Rica, Mauritius, Israel, Saudi Arabia, Uganda, Kenya, Mexico and Congo.

such as violence against women and children, and intimidations against human rights defenders. Brazil made recommendations.

30. Slovenia commended Rwanda for its active engagement in the human rights field at the regional and international level. It recognized Rwanda's leading role in the region and positive developments as regards participation of women in politics. It further commended the abolition of the death penalty in 2007. Slovenia encouraged Rwanda to maintain the constructive self -critical attitude and joined CRC's concern about reports of recruitment of children below the age of 15. Slovenia made recommendations.

31. Singapore recognized the challenges faced by Rwanda, particularly in rebuilding the fabric of its society after the 1994 Genocide. It noted that Rwanda guaranteed freedom of expression while safeguarding against its abuse and established the Media Council to promote media freedom and responsibility. Singapore commended Rwanda for the programs aimed at maternal and child health and ensuring universal primary education. It made recommendations.

32. Hungary commended Rwanda's achievements, including the abolition of the death penalty, the adoption of programs targeting socio-economic transformation, and acquiring status "A" of the National Commission for Human Rights. Hungary was concerned about violence against children, including domestic violence and child recruitment in armed forces. It recognized achievements in the field of gender equality, but raised concerns regarding the persistence of patriarchal stereotypes resulting in violations against women's rights, and the absence of legislation on sexual harassment. Hungary made recommendations.

33. Nepal noted with appreciation Rwanda's initiatives in the human rights protection, including through the strengthening of the National Commission for Human Rights and the establishment of the Ombudsman office, and the implementation of the Vision 2020 plan and the Economic Development and Poverty Reduction Strategy. It also praised Rwanda's progress in the health sector and women representation in decision making. Nepal urged international community to support Rwanda in its initiatives through technical assistance and capacity building. It encouraged Rwanda to take further initiatives towards the protection of rights of marginalized and vulnerable groups and ending gender based violence.

34. Switzerland welcomed the abolition of the death penalty and the ratification of second Optional Protocol of the ICCPR. It noted with appreciation the high representation of women in the parliament. Switzerland referred to Rwanda's progress made in the field of economical, social and cultural rights. Switzerland made recommendations

35. Turkey acknowledged Rwanda's efforts in advancing human rights. Turkey commended Rwanda's policy on compulsory education, in particular with regard to girls, and the high level of representation of women in the parliament. Turkey referred to Rwanda's priority in getting more investments in rural areas so as to reduce the extreme poverty, and called the international community to assist Rwanda. Turkey requested information on the administration of justice at the communal level. Turkey made a recommendation.

36. Spain welcomed the abolition of the death penalty in 2007. Spain attached a great importance to the protection of civil and political rights as a pre-requisite for pursuing social and sustainable development. Spain made recommendations.

37. Nigeria welcomed Rwanda's efforts in consolidating peace and stability through the enactment of various laws and the establishment of the National Commission for the fight against Genocide. It noted with appreciation the progress made in access to education and health, and respect of rights of women, children and persons with disabilities. Nigeria

recognized various challenges and constraints hindering Rwanda's efforts in the protection of human rights and attainment of the MDGs. It made a recommendation.

38. Austria commended Rwanda for the developments in the protection of social and economic rights and the progress made in fighting corruption as well as for the abolishment of the death penalty and the reform of the justice sector. It was concerned, however, about prison overcrowding and lack of separation of pre-trial detainees and convicted offenders. It was concerned about the length of pre-trial detention, and limited possibilities for rehabilitation in the area of juvenile justice. Austria requested information on measures taken to address these concerns. Austria was also concerned about restrictions imposed by the 2009 media law to the press and journalists and requested information on measures envisaged to tackle these problems. Austria made recommendations.

39. India commended Rwanda for its efforts to reshape a new society that is inclusive. India referred to Rwanda's A-status national human rights commission and its cooperation with the African Peer Review Mechanism and the International Criminal Tribunal for Rwanda. It requested Rwanda to provide more information on food insecurity, internal displacement, deforestation and declining agricultural productivity.

40. Cambodia noted with appreciation the efforts and progress made by Rwanda to develop programs aimed at social and economic transformation, including Vision 2020 and the Economic Development and Poverty Reduction Strategy. It recognized the challenges that Rwanda faced and efforts that Rwanda needed to ensure long lasting peace, stability and to advance democracy. Cambodia made recommendations.

41. Mauritania noted with appreciation Rwanda's commitment in the protection of human rights as well as measures taken, such as the creation of an advisory council for governance and a task force for the preparation of reports to the treaty bodies. Mauritania commended Rwanda for the adoption of Vision 2020 plan and the Poverty Reduction Strategy and for its commitment towards the achievement of most MDGs before 2015. Mauritania highlighted Rwanda's achievements in promoting gender equality, including the high representation of women in Parliament. It also referred to Rwanda's main challenges such as demographic growth. Mauritania made a recommendation.

42. Republic of Moldova noted that despite measures taken to combat violence against women, various forms of violence against women still existed. It referred to the observations of the HR Committee with regard to discrimination against women especially in the Civil Code and the Family Code. Republic of Moldova made recommendations.

43. Niger welcomed participatory process of the preparation of the national report. It noted with appreciation Rwanda's efforts to shape new society which was inclusive for all and free from discrimination. Niger also appreciated the adoption of policies in the area of health, education and agriculture and the introduction of the new law on the equal representation of the women in decision making. Niger made recommendations.

44. Canada underlined Rwanda's achievements in the post-conflict reconstruction, the promotion of women's rights and the improvement in the access to education and health. Canada expressed concerns about: the restrictions imposed by Media law on freedom of expression; the scope of the law on ideology of genocide and its possible misinterpretation and abuse; the allegations of manipulations in the registration of political parties; and alleged political interferences in the administration of justice. Canada welcomed the efforts made to review the law governing NGOs. It made recommendations.

45. South Africa welcomed Rwanda's initiatives to enhance the protection of women's rights and encouraged Rwanda to continue these efforts to ensure that women enjoy equality and are not subject to any forms of discrimination. It also welcomed the progress

in achievement of the MDGs, which would assist in the human rights protection. South Africa made recommendations.

46. Belgium noted with satisfaction the ratification of the Optional protocol of the ICCPR. It noted the positive steps undertaken, including the National Dialogue on Media. Belgium inquired about the measures undertaken to guarantee the independence of the "Media High Council". Belgium made recommendations.

47. Republic of Korea acknowledged the progress made by Rwanda in the promotion of human rights. It welcomed the fact that Rwanda withdrew its reservation to international human rights treaties, and that the latter had precedence over domestic laws. Republic of Korea commended Rwanda for introducing free and compulsory education and taking steps towards achieving gender equality. It noted the education gap between boys and girls and requested information about measures taken to address this issue. Republic of Korea made recommendations.

48. Indonesia commended Rwanda for its efforts to ensure that the human rights protection remained a priority. It noted the establishment of an independent National Commission for Human Rights with A status as an important step and called for Rwanda to ensure that the Commission is provided with necessary financial resources to fulfil its mandate. Indonesia made recommendations.

49. Mozambique took note of the economic and social developments achieved by Rwanda and the eradication of extreme poverty and hunger, guarantees for universal primary education and environmental sustainability, and the promotion of gender equality and empowerment of women. It noted that Rwanda introduced the universal primary education and has been implementing a Program called "One Laptop per child" with a view to disseminate the use and mastering of software in primary school. Mozambique encouraged Rwanda to continue with the ongoing programs related to reconciliation and economic development.

50. Azerbaijan commended Rwanda's commitment to the human rights protection and the positive changes in society. It noted with interest the measures taken to fight discrimination and to improve the enjoyment of human rights, such as the right to health, education, and social protection. Azerbaijan further commended the establishment of a status "A" Human Rights Commission, the Gender Monitoring Office, and the National Unity and Reconciliation Commission. It welcomed Rwanda on achieving the MDGs ahead of time. Azerbaijan requested information on measures adopted on an explicit prohibition of discrimination against women. Azerbaijan made recommendations.

51. France expressed concerns about the following four topics: the situation of forced disappearances, freedom of association, the pressure and threats against journalists and requested further information on the murder occurred on 10 July 2011. France made recommendations.

52. Malaysia noted with appreciation the progress achieved in social and economic development as well as Rwanda's endeavor to shape a new society that is inclusive and rejects historical bias and discrimination. It also appreciated Rwanda's engagement with the UN human rights mechanisms and OHCHR in its efforts to improve human rights situation. Malaysia made recommendations.

53. The United Kingdom of Great Britain and Northern Ireland commended Rwanda for the progress made since the 1994 genocide. While welcoming the abolition of the death penalty, it expressed concerned over the replacement of the death penalty by life imprisonment in solitary confinement. The United Kingdom noted achievements towards reconciliation, but was concerned about the lack of qualified practitioners, the impartiality of judges and the rights of the accused. While welcoming the 2010 presidential elections,

the United Kingdom was concerned that opposition parties were unable to register, and about reports of intimidation of the opposition. It requested information about measures taken to guarantee democratic elections in 2011. It was also concerned about restrictions on freedom of expression. The United Kingdom made recommendations.

54. Germany referred to the freedom of association for political parties and their mandatory registration with the police and inquired further information on this topic. It also referred to the threats against journalists who criticized the Government. Germany made recommendations.

55. Burkina Faso appreciated Rwanda's efforts in the area of development, human rights, democracy and culture of peace as well as progress in the formation of legal and institutional framework regarding human rights. It praised Rwanda for cooperation with the international community, including Rwanda's withdrawal of all reservations to international human rights treaties and the submission of due reports to the treaty bodies. Burkina Faso made recommendations.

56. Slovakia underlined the challenges faced by Rwanda due to the heritage of genocide. It commended Rwanda for having ratified most human rights treaties, abolished the death penalty, and accredited with status A its National Commission for Human Rights. Slovakia made recommendations.

57. Ghana commended Rwanda for its initiatives to address issues relating to the promotion of peace, justice and reconciliation and for the high female representation in the Government, the Supreme Court and Parliament. Ghana noted Rwanda's development in maternal and child health care. It inquired about the impact of the 'One Laptop per child' policy. It urged Rwanda to implement the CRC recommendations to investigate child abuse.

58. The United States of America expressed concern with the lack of progress in allowing media to speak freely without fear of punishment and that the 2009 media law impeded the development of a free media. It welcomed the adoption of a human rights policy and a national action plan for the human rights protection. However, it noted that the government had engaged in harassment of human rights defenders and journalists and imposed burdensome NGO registration requirements. The United States noted that Rwanda rebuilt the judicial system, but it remained concerned over reports of political interference with the judiciary. It also expressed concern about unfair trials and lack of judicial independence. The United States made recommendations.

59. Chad commended Rwanda's engagement with human rights demonstrated by the ratification of human rights instruments, and the incorporation of these treaties in domestic law, and the submission of reports to treaty bodies. Chad noted with satisfaction the government's engagement in the reconstruction of the country, the emphasis put on the rule of law, the respect of human rights and the national reconciliation and national unity, as well as the objective of making Rwanda a middle income country by 2020. Chad made a recommendation.

60. Poland commended Rwanda for the recent developments in the field of human rights, including the establishment of the Gender Monitoring Office. It noted with appreciation the achievements made in the post-conflict resolution. Poland then referred to the findings of the CRC, CERD and the Human Rights Committee. Poland made recommendations.

61. Maldives noted with appreciation the participatory process in the national report preparation and asked Rwanda to elaborate on the participation of the civil society in the preparation of the report. Maldives commended Rwanda for the progress achieved in gender equality in decision making. However, it noted that prevalence of poverty and

unemployment were higher among women and asked about steps that have been undertaken to reduce poverty and unemployment among women. Maldives made recommendations.

62. Italy commended Rwanda for the abolition of the death penalty and the ratification of the Second Protocol to the ICCPR. However, it was concerned about the replacement of the death penalty by life imprisonment with solitary confinement. It was also concerned by restrictions to freedom of expression by article 34 of the Constitution and the 2008 law on Genocide ideology, as well as by the situation of journalists and the media. Italy made recommendations.

63. Sri Lanka appreciated Rwanda's efforts to engage in the UPR process. Sri Lanka commended the rebuilding process in Rwanda despite the unfortunate events of 1994. It also referred to the increase of GDP in 2008 as a way to strengthen the democratic process. Sri Lanka welcomed the measures taken to initiate sector policies and further encouraged development in the health sector and full access to healthcare. Sri Lanka made a recommendation.

64. Burundi commended Rwanda's efforts in social and economic area, including the introduction of the universal primary education. It noted with satisfaction the progress in implementation of MDGs, including in the area of health and the adoption of the Vision 2020 and policies on good governance and combating corruption. Burundi noted that Rwanda achieved progress in the protection of rights of women, including the high level of representation of women in parliament and judiciary. It called upon the international community to provide Rwanda with further support to programs aimed at social and economic development and the protection of human rights. Burundi made a recommendation.

65. Chile acknowledged Rwanda's efforts to prevent the impunity of acts of genocide and other human rights violations. It noted the efforts made in reconstruction and the adoption of a long term development strategy, known as Vision 2020, for the advancement of all Rwandans. The measures taken to improve access to social services and the health sector were a tangible example of this strategy. Chile also acknowledged the challenges faced by Rwanda. Chile made recommendations.

66. The Netherlands noted with appreciation the positive steps taken by Rwanda against a complex historical background to promote and protect human rights, such as the establishment of the National Commission for Human Rights with A status. It expressed concern about the possible negative effect the Genocide Ideology Law could have on the freedom of expression, association and peaceful assembly. It also noted with concern the issues with the registration for political parties. Finally it commended the ratification of the Second Optional Protocol of ICCPR and encouraged the ratification of the Rome Statute. The Netherlands made recommendations.

67. Botswana welcomed the measures taken by Rwanda in human rights, including the adoption of the Vision 2020 development program, the National Program for economic empowerment of the poor and the establishment of the Access to Justice Bureaus and the National Dialogue Council. It made recommendations.

68. Ethiopia commended the progress made by Rwanda since 1994, and praised it for being one of Africa's most dynamic and the fastest growing economy. It highlighted the achievements in addressing impunity, women empowerment, the improvements in education, health and social services, and the promotion of information technology. It also praised Vision 2020 plan. Ethiopia made a recommendation.

69. Australia commended Rwanda for its progress in literacy, reducing gender gaps in enrolments and reducing maternal and child mortality. It commended Rwanda for its efforts in increasing the participation of women in Parliament and for preventing the spread of

HIV/AIDS. Australia praised the abolition of death penalty. It raised concern with the Genocide Ideology Law and the role of *Gacaca* in the judicial system. Australia made recommendations.

70. Cuba highlighted Rwanda's progress in the human rights promotion. It referred to the measures taken to counteract international exploitation, which was the main cause of underdevelopment of Rwandans. It referred to Rwanda's main challenges such as the high demographic growth and the lack of resources to tackle extreme poverty. Cuba congratulated Rwanda for moving towards the achievement of most of MDGs before 2015. Cuba highlighted the Vision 2020 plan as well as several sectorial policies. Cuba made recommendations.

71. Sweden welcomed the efforts and developments made in a number of areas, including in the social and economic field. It referred to information that human rights work remained controlled and that journalists were closely monitored by authorities. It asked Rwanda to elaborate actions that were taken to promote and protect the right to freedom of expression, press and association. Sweden noted that although the legislation safeguarded against arbitrary arrest and detention, security forces reportedly arrested and detained persons arbitrarily and without due process. It made recommendations.

72. The delegation stated that Rwanda would examine in detail the recommendations and issues that were raised by Member States, some of which had already been addressed. It expressed regret that some of the issues that had been raised were based on inaccurate information, which was unfortunate. Rwanda did not have human trafficking; nor did it have recruitment of children in armed groups or the imprisonment of solitary confinement. Regarding the latter, the delegation explained that the confusion arose because Rwanda put in place special prisons for the transferring of detainees from the International Criminal Tribunal for Rwanda. In 2008 a revision was made and the term in use is "a room of sufficient size and facilities".

73. With regard to the gacaca courts, the delegation explained that this mechanism was able to deal with millions of files in a short period of time, and they were able to reconcile people and bring them into the community. Regarding women's rights, Rwanda emphasised that one of its priorities have been the promotion of gender equality. Laws have been amended to provide equal opportunities for men and women. Children's rights have also been promoted.

74. The delegation explained that Rwanda's National Human Rights Commission was based on Paris Principles; that it was independent, and that its members represented the different sectors of society. Regarding the budget of the Commission, Rwanda indicated that the State provided each year 1.6 million dollars and that the Commission also received funds from different donors.

75. The delegation also explained the process of Joint Governance Assessment, by which the government along with development partners regularly identified the progress made, as well as the challenges and obstacles ahead, and formulated recommendations. The mechanism had clear principles and indicators; it concentrated on evidence-based assessment and had a clear framework. Civil society organizations and private sector had also participated. Rwanda put emphasis on a consensual model of participatory democracy. The participation in public policy making has been institutionalized through the Rwanda Governance Advisory Council. Rwanda had already begun the process of implementation of various recommendations, i.e. there had been a public policy dialogue on the media law. The access to information bill is another example of this inclusive dialogue.

76. Rwanda expressed its openness to receive the visit of Special Rapporteurs. Rwanda indicated that it will continue to strive for a democratic society built on the basis of consensus.

## **II. Conclusions and/or recommendations**

77. The recommendations formulated during the interactive dialogue/listed below have been examined by Rwanda and enjoy the support of Rwanda:

- 77.1. Continue its commendable efforts in the area of good governance and human rights, in particular through its newly established Governance Advisory Council and the Task Force on Treaty Reporting (Botswana);
- 77.2. Continue its efforts towards the protection and promotion of human rights (Chad);
- 77.3. Pursue the efforts taken by the Government under the program Vision 2020 (Algeria);
- 77.4. Accelerate steps towards the adoption of the human rights policy and the national action plan for the protection and the promotion of human rights, and devise programmes for their implementation (Egypt);
- 77.5. Continue to implement its social and economic development strategy in order to promote steady progress of its society (China);
- 77.6. Continue implementation of programmes for development mentioned in paragraph 4 of the national report and strengthen the systematic integration and promotion of human rights in these programmes (Morocco); Continue applying the strategies and plans for the socio-economic development of the country (Cuba);
- 77.7. Continue applying programs and measures to improve the enjoyment of the right to education, the right to health, and the rights of women and children (Cuba);
- 77.8. Consider issuing a standing invitation to all special procedures mandate holders (Brazil); Reinforce its collaboration with the treaty bodies (Republic of Korea); Extend an open and permanent invitation to Special Procedures (Spain);
- 77.9. Respond, as soon as possible, to the outstanding communications from the treaty bodies, including those from the Human Rights Committee (Republic of Korea);
- 77.10. Invite the Special Rapporteur on the Independence of Judges and Lawyers to carry out a visit to Rwanda (Canada); Favorably consider issuing a standing invitation to the Special procedures, which will help strengthen the relationship between Rwanda and the Council (Republic of Korea); Extend a standing invitation to the UN human rights special procedures so that they can visit the country and assist the government with its human rights reforms (Maldives);
- 77.11. Pursue its efforts to ensure gender equality and participation of women in public institutions including local ones and promote this in the private sector (Spain); Implement further policies to ensure gender equality throughout society and strengthen the promotion and protection of the rights of women (South Africa);
- 77.12. Further cooperate with the international community in holding accountable those responsible for violations against human rights and humanitarian law (Brazil);

- 77.13. Re-strengthen the guarantees of independence of the High Media Council and clarify its mandate so as to distinguish the protection of freedom of press from its functions as media regulator (Canada);
- 77.14. Ensure all human rights activists operating in the country, including individuals cooperating with UN HR mechanisms, are spared from harassment or intimidation (Slovakia); Further address the agenda of social economic development focusing especially on poverty reduction program with active support of the international community in order to contribute further to achievements of human rights (Cambodia);
- 77.15. Continue to consolidate the progress already achieved in the area of improving the living conditions and strengthen human rights protection (Niger); Ensure that the objectives of initiatives such as Vision 2020 and the Economic Development and Poverty Reduction Strategy are realized and ensure that efforts to build a more stable, a more prosperous Rwanda continue (Indonesia); Identify its priority areas and engage in international cooperation programmes to eradicate extreme poverty and ensure food security (Egypt); Continue with the implementation of its development and poverty reduction policy, strengthen international cooperation and make greater efforts in poverty reduction (China);
- 77.16. Continue focusing on maternal and child health (Singapore);
- 77.17. Continue the efforts taken to enlarge the access to treatment [of HIV/AIDS and malaria] (Turkey);
- 77.18. Continue its efforts in introducing universal primary education and abolishing school fees, including the promotion of the Nine Years Basic Education for Children (Singapore); Request support from the International Community for its education policy, in particular the Program called ‘One computer per child’ and provide support in consolidating the protection of the most vulnerable social groups, in particular the implementation of the national program for childhood (Niger);<sup>2</sup>
- 77.19. Secure greater investment in the education sector in order to achieve the objective Education for All by the Year 2015, without delay (Sri Lanka); Continue to seek development and technical assistance for capacity building from development partners, with a view to finding solutions to the identified challenges militating against the fulfilment of its commitments (Nigeria); Request technical and financial assistance from partners and specialized UN agencies [regarding demographic growth, the reduction of poverty, the protection of the informal sector and the environment] (Mauritania); Avail itself for the technical assistance and the capacity building provided by the OHCHR (Burkina Faso); Consider seeking further targeted technical assistance from United Nations agencies towards achieving its human rights obligations (Botswana);
78. The following recommendations enjoy the support of Rwanda which it considers to be already implemented:

---

<sup>2</sup> The recommendation has made during the interactive dialogue read “That the international community support Rwanda’s education policy, in particular the Program called ‘One computer per child’ and provide support in consolidating the protection of the most vulnerable social groups, in particular the implementation of the national program for childhood (Niger)”.

- 78.1. Ratify the Convention on the Elimination of All Forms of Racial Discrimination (Maldives);
- 78.2. Continue and even accelerate its law review process and ensure that all gender and other discriminatory provisions in legislation are repealed (Slovenia);
- 78.3. Provide the National Human Rights Commission with human and material resources (Algeria); Provide sufficient human and financial resources to the National Commission for Human Rights in Rwanda so as to allow the Commission to carry out its mandate more effectively (Malaysia);
- 78.4. Design plans and strategies to ensure sustainability in the protection of the rights of women and children (Egypt);
- 78.5. Create a comprehensive policy on the rights of the child (Hungary);
- 78.6. Accelerate the process of legal reform and ensure that all discriminatory provisions of the legislation especially with regard to women are abrogated (Morocco); Continue its efforts to improve the guarantees the rights of women through the revision of all discriminatory laws (Burkina Faso);
- 78.7. Continue to address the issue of gender discrimination (Japan); Explicitly prohibit discrimination against women in line with the provisions of the CEDAW (Hungary);
- 78.8. Set up mechanism of prevention, repression and assistance to victims to fight sexual and domestic violence as well as all types of discrimination against women (France); Adopt policies aimed at promoting women's rights and combating domestic and sexual violence (Brazil); Adopt a national strategy to fight all forms of violence against women (Moldova);
- 78.9. Introduce legislation explicitly prohibiting corporal punishment and promote alternative, non-violent forms of discipline (Azerbaijan);
- 78.10. End solitary confinement sentences and ensure that those on life imprisonment benefit from UN standard minimum rules for the treatment of prisoners, and adopt urgent measures against overcrowding; (United Kingdom of the Great Britain and Northern Ireland); In line with the Human Rights Committee, put an end to the sentence of solitary confinement and ensure that persons sentenced to life imprisonment benefit from the safeguards of the UN Standard Minimum Rules for the Treatment of Prisoners (Italy);
- 78.11. Ensure with effective measures, the demobilization of all child soldiers and to secure their rehabilitation and social integration(Slovenia);
- 78.12. Open television broadcasting frequencies to private providers (Austria);
- 78.13. Ensure that the good practice of “high rate of female parliamentary representation” is materialized through an enhanced women participation in decision making process in the country (Indonesia);
- 78.14. Further strengthen its efforts to increase participation of women in decision-making posts, in particular at the local level (Azerbaijan);
79. The following recommendations enjoy the support of Rwanda and which it considers to be in the process of being implemented:
- 79.1. Ratify the OP-CAT and ICCPR-OP (Hungary); Sign and ratify the Optional Protocols of ICESCR and the first of ICCPR, the CAT and the

International Convention from the Enforced Disappearances ( Spain); Consider ratifying further outstanding international human rights instruments and update domestic legislation to be in line with the provisions of these international treaties (South Africa); Consider the ratification of the OPCAT (Azerbaijan); Ratify the OP-CAT and thereby allow country visits (Germany); Become party to the Optional Protocol to the Convention against Torture and designate an official national preventive mechanism (Maldives); Ratify and implement in national law the outstanding core international human treaties, in particular the First Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and the International Convention on the Protection of all Persons from Enforced Disappearances ( Netherlands); Sign, ratify and implement into its national legislation key human rights treaties, such as the First Optional Protocol to the ICCPR, the Optional Protocol to the CAT and the International Convention for the Protection of All Persons from Enforced Disappearance (Sweden);

79.2. Respond to all the cases submitted by the Working Group on Enforced Disappearances and sign and ratify the International Convention for the protection of all persons from enforced disappearance and to fully recognize the competency of its Committee (France);

79.3. Accelerate the revision of the “genocide ideology law ” by defining with precision the crime in line with international standards and by ensuring that the intention , the assistance and the incitement to genocide are clearly demonstrated ( Switzerland); Review the definition of “genocide ideology” in the homonymous 2008 law so that it allows for diversity of opinion (Austria); Review the 2008 Law on Genocide Ideology and other related laws, for bringing them in line with international standards through a more precise and narrow definition of the crime and the requirement for a clearly demonstrated intent to commit, assist or incite genocide (Italy); Continue its process of review on laws of “genocide ideology ” and ban what is solely and expressly mentioned under article 20 of the ICCPR by taking measures that are strictly necessary and proportionate (Belgium);

79.4. Ensure the law relating the punishment of the crime of “genocide ideology” is not manipulated or interpreted in a manner that restricts the responsible exercise of the freedom of opinion, expression or association (Australia); Specify the definition and legal scope of the term “divisionism” and revise law 18/2008 punishing the crime of ideology of genocide in order to prevent its abuse for political or partisan purposes (Canada);

79.5. Accelerate the process of the legal reform in order to ensure that all the discriminatory provisions of the legislation are abolished (Moldova);

79.6. Adopt new measures to find solution to the problem of overcrowding in prisons (Algeria); Strengthen measures taken within the reform policies at making the prison system more humane, mostly through the training of the personnel and the administration of the penitentiary (Morocco); Separate convicted offenders from pre-trial detainees (Austria);

79.7. Pursue justice system reforms, particular towards strengthening the judiciary’s independence with focus on elimination phenomena of corruption and political interference (Slovakia); Adopt measures to strengthen the independence of the judiciary, and guard against corruption and political interference (USA); Continue reforms of Rwanda’s justice system, in particular measures to strengthen the independence of the judiciary and reinforce witness

protection (Austria); Continue to reform the justice system to enhance the independence of the judiciary and improve witness protection (Australia); Continue the reform of the judiciary in order to give more independence to the justice system, and to improve the witness protection system (Switzerland);

79.8. End the *Gacaca* court system as soon as possible, noting the stated timeframe of February 2010 (United Kingdom of the Great Britain and Northern Ireland); Address alleged miscarriages of justice *Gacaca* trials, through the formal court system (Australia); Strive to further enhance and share its experiences regarding the role of its traditional institutions in dispensing justice and reconciliation (Ethiopia);

79.9. Continue its legal reform process including the incorporation of a plan of action to ensure access to justice by poor people and vulnerable groups, in particular women and children (Cambodia); Ensure free legal assistance for its underprivileged citizens (Slovakia);

79.10. Continue its efforts to guarantee freedom of expression while safeguarding against its abuse (Singapore); Review existing restrictions on the freedom of expression, participation in the political process and the media, and amend or abolish any undue or excessive restrictions which may exist (Japan); Examine the system of regulation of media and eliminate all provisions that may hinder freedom of expression (Chile);

79.11. Ensure freedom of expression, including by protecting journalists and human rights defenders from intimidation and aggression (Brazil);

79.12. Review the 2009 Media Law in conformity with international standards, to reform the High Media Council in order to strengthen its credibility and independence and to conduct impartial investigations on the cases of harassment and intimidation of journalists (Italy); Continue amending the 2009 Media Law and to undertake independent and credible investigation and prosecutions in cases of clear harassment (Netherlands);

79.13. Take effective steps to review and improve the laws unduly restricting the freedom of expression, press and association, and to prevent authorities from violating these rights (Sweden); Take all necessary measures to ensure freedom of expression and the right to participate in political and public affairs by journalists under provisions of the ICCPR (Belgium);

79.14. Review and possibly amend media regulations, in particular the 2009 Media Law, in order to lift undue restrictions on journalists (Austria);

79.15. Amend its 2009 Media Law to comply with its international obligations with particular focus on removing unjustified interference with the right to freedom of expression (Slovakia);

79.16. Ensure that journalists are not harassed or intimidated by anyone (Austria);

79.17. Continue the open and critical dialogue that started immediately after the presidential election in August 2010 and that targets the opening of the “political space”, progress in Human Rights and freedom of media and press (Germany);

79.18. Promote multilingualism, in particular in the educational system, in line with the Constitution of the country (Chile);

- 79.19. Further the process of ensuring free of charge secondary education in order to guarantee access of all young persons to education (Burundi);
- 79.20. Adopt measures which allow for the reduction of poverty of the batwa community and its full integration in society (Chile);
- 79.21. Respond effectively to the request of the information of the Human Rights Committee 2009 to the follow up given to the recommendations related to the forced disappearances , assassinations, summary and extrajudicial executions and life sentences in isolation cells (Spain);
80. The following recommendations will be examined by Rwanda which will provide its responses in due time, but no later than the 17<sup>th</sup> session of the Human Rights Council in June 2011.These responses will be included in the outcome report adopted by the Human Rights Council at its 17<sup>th</sup> session in June 2011:
- 80.1. Make the law on NGOs more flexible in particular, by abolishing the annual registration (Switzerland);
  - 80.2. Urgently reform the legislation on the registration of political parties to favour the creation of a political sphere that guarantees pluralism for all political parties under articles 25 and 26 of ICCPR( Spain);
  - 80.3. Abrogate any provisions of criminal law on defamation and replace them by appropriate provisions under civil law (Canada);
  - 80.4. Urgently investigate cases of arbitrary arrest and detention, including those which may constitute enforced disappearances (Sweden);
  - 80.5. Decriminalise press offenses and reform or repeal the Law on Media, which limits the freedom of press (USA);
  - 80.6. Remove restrictions related to the activities of journalists, in particular the obligation of inscription and the high qualification level to establish a news paper, and ensure journalists, in particular those journalists known for their critical position to the Government, their liberty to practice their profession, to carry out investigations, and publish the results of their investigations without reprisals ( Switzerland); Conduct investigations into the acts of intimidation or aggression towards the journalists who criticize the government and guarantee that any restriction on the exercise of journalists activities is compatible with the provisions of the ICCPR (Poland); Ensure that allegations of journalist harassment are investigated and perpetrators punished, and that independent media is free from unjustified restrictions (United Kingdom of the Great Britain and Northern Ireland);
  - 80.7. Take immediate action to allow journalists, political activists and human rights defenders, including those critical to the Government, to exercise their right to freedom of expression and opinion without threats and harassment, and urgently investigate all reports of human rights abuses and ensure that those responsible will be held accountable (Sweden);
  - 80.8. Ensure freedom of press and reply to the concerns raised by the experts of the Human Rights Committee in their 2009 report ( France);
  - 80.9. Lift de-jure and de-facto restrictions on political parties to allow for genuine political participation and dialogue (Austria); Investigate allegations of manipulation and abuse concerning the registration of political parties (Canada); Treat all political parties on an equal footing and offer them equal opportunities in line with articles 25 and 26 of ICCPR, including through a

transparent and impartial party registration process (United Kingdom of the Great Britain and Northern Ireland); Remove all existing restrictions on political activities and ensure that political parties and political activists can carry out their legitimate activities on an equal footing without fears of reprisals or prosecution (Slovakia);

80.10. Ensure full respect for freedom of association by lifting restrictions that limit their free exercise (France);

80.11. Give more freedom to the Rwandan media and human rights activists to operate and to engage constructively with decision makers (Indonesia);

80.12. Ensure that NGOs of human rights defenders carry out their activities without hindrance (Spain);

80.13. Remove all the obstacles to the registration and freedom of operation for all political parties and NGOs (Poland);

80.14. Ease burdensome registration requirements towards human rights NGOs (Slovakia); Reduce burdensome registration and renewal processes for NGOs in the country (USA);

80.15. Adopt concrete measures to avoid discrimination and protect the rights of the peoples of the Batwa community and other minorities as well as request technical assistance from the United Nations to identify their basic social needs (Spain);

80.16. Further ensure that the country's religious minorities are able to freely practice their respective beliefs (USA);

81. The recommendations below did not enjoy the support of Rwanda:

81.1. Ensure that children under the age of 18 were not recruited into any armed group on the national territory (Slovenia); Prohibit child recruitment into Local Defense Forces or into any armed group (Hungary);

81.2. Take concrete measures in addressing the problem of human trafficking including by tackling the root causes, introducing effective prevention measures, timely prosecution and punishment of traffickers and providing protection and support to victims (Malaysia);

81.3. Intensify measures to improve access of minority groups and indigenous people to basic social services such as health, education, employment and occupation (Malaysia);

82. Rwanda considers these recommendations to be either not applicable or irrelevant.

83. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

### **III. Voluntary pledges and commitments**

84. Rwanda pledges to provide one cow to every poor family in order to improve conditions of living; construct decent houses for all vulnerable and marginalized people; commits itself to universal health insurance for all; and provide legal aid to all vulnerable and poor people.

## Annex

### Composition of the delegation

The delegation of Rwanda was headed by Hon. Tharcisse KARUGARAMA, Minister of Justice / Attorney General of the Republic of Rwanda, Head of delegation, and composed of the following members:

Mr. KAYUMBA Déogratias, Vice-President of Rwanda National Commission of Human Rights,

Prof. Anastase SHYAKA, Executive Secretary of Rwanda Governance Advisory Council,

H.E. Venetia SEBUDANDI, Ambassador, Permanent Representative of Rwanda in Geneva,

Mr. Eugene RUSANGANWA, Principal State Attorney in charge of Human Rights, Ministry of Justice,

Mr. Etienne NKERABIGWI, Coordinator of the Treaty Reporting Project, Ministry of Foreign Affairs and Cooperation.