

NATIONAL COMMISSION FOR HUMAN RIGHTS



Assessment report on the implementation of the concluding observations on Rwanda's second and third combined periodic reports on the African Charter on the Rights and Welfare of the Child (ACRWC)

With the collaboration of the following civil society organizations:



Children's Voice Today

Haguruka

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1. Introduction

On May 11, 2001, Rwanda ratified the African Charter on the Rights and Welfare of the Child (ACRWC) which came into effect on July 17 of the same year. The establishment of the ACRWC followed the Declaration on the Rights and Welfare of the African Child (AHG/ST.4 Rev.1) adopted by the Assembly of Heads of State and Government of the Organization of African Unity, at its Sixteenth Ordinary Session in Monrovia, Liberia, from 17 to 20 July 1979, which recognized the need to take appropriate measures to promote and protect the rights and welfare of the African Child.

This followed the precarious situation in which most African children find themselves while they are supposed to occupy a unique and privileged position in African society. Rwanda, like all other States Parties that have ratified the Charter, is very much bound by its obligations.

The ratification of the ACRWC is an explicit guarantee of the acceptance of all obligations under the Charter, including respect, promotion and protection of the rights and welfare of the child. It goes without saying that the implementation of the appropriate policies, laws and programs has enabled children to enjoy the rights that are recognized not only by the said Charter but also by other international instruments dedicated to them.

Thus, Rwanda has undertaken to submit periodic national reports on the measures taken and the progress made in the realization of the rights recognized by the Charter and to be evaluated during the presentation of these reports. This is done in accordance with Article 43 of the Charter which states that every State Party to the Charter shall undertake to submit to the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) through the Secretary-General of the Organization of African Unity, reports on the measures they have adopted which give effect to the provisions of this Charter and on the progress made in the enjoyment of these rights within two (2) years of the entry into force of the Charter for the State Party concerned; and thereafter, every three (3) years.

It is in this spirit that, at its 25th session held at the headquarters of the African Union Commission in Addis Ababa, Ethiopia, from 20 to 24 April, 2015, the ACERWC considered the second and third combined Rwanda reports. After a careful consideration of the reports, the ACERWC sent to the Government the recommendations that are subject to our assessment.

This report contains the findings of the assessment on the implementation of the recommendations carried out in October and November 2017 by the National Commission for Human Rights in collaboration with civil society organizations responsible for promotion and protection of human rights.

2. Legal framework

The assessment of the implementation of these recommendations was made in a legal framework because the Constitution of the Republic of Rwanda of 2003 revised in 2015 stipulates in its article 42 that the promotion of human rights is a responsibility of the State and that this responsibility is particularly exercised by the National Commission for Human Rights. Moreover, according to the article 7 [8] of the Law n° 19/2013 of 25/03/2013 determining its missions, organization and functioning, the National Commission for Human Rights has the responsibility to carry out research on thematic issues and publish findings with purpose of promoting human rights.

This law also clearly defines the framework of collaboration that the Commission has with civil society in this assessment because it emphasizes, in its article 5 [5], the need to collaborate with other foreign national human rights institutions, local associations in human rights promotion and protection activities.

3. Objective of the Assessment

States Parties to the Charter are required to implement not only its content but also the recommendations resulting from a triennial periodic evaluation. In the interval between two reports, the State is bound to fulfil the obligations to which it has voluntarily subscribed. It is a way of committing State to subscribe to the commitments it has made with regard to this instrument of human rights. This periodic evaluation system indirectly promotes the rights and welfare of the child through concrete actions in several areas.

In this perspective, the assessment that the National Commission for Human Rights has conducted in collaboration with civil society organizations is essentially aimed at ascertaining the level of progress in the implementation of these recommendations. It also gives the opportunity to public institutions to share the achievements and speed up the implementation of the remaining recommendations.

4. Methodology

4.1. Data Collection

The initial phase of the evaluation was to develop tools and guidelines for data collection. Thus, appropriate questions for each recommendation were developed. In addition, each question was addressed explicitly to a public institution in charge of implementing a specific recommendation.

It should also be noted that the institutions that had to provide information on the implementation of the recommendations had been informed beforehand by mail before fieldwork.

Research teams consisting of staff from the Save the Children, CLADHO, Haguruka, Children's Voice Today and the National Commission for Human Rights were assigned to specific government institutions based on the related recommendations. The teams used tools developed to facilitate their interviews and discussions for collection of data. Information was also collected through the use of direct communication, media, including websites browsing. Other information has been sent to the National Commission for Human Rights by mail and email.

4.2. Report writing and editing

After consolidating all the data, a team of five (5) people, two (2) from the National Commission for Human Rights and three (3) from the mentioned civil society organizations, assessed and determined the level of implementation of each recommendation, which are combined into the final report.

4.3. Validation of the report

Different ministries and government institutions involved in the implementation of the recommendations, civil society organizations and other stakeholders were invited to a

validation workshop on 27 March 2018 and provided inputs and contributions, which were incorporated in the final report.

4.4. Dissemination of the report

This report is shared with all the institutions that are responsible for the implementation of the concluding observations and with the civil society organizations that participated in the assessment process. The report was also made available to the public, through the Commission's website and library, in order to facilitate access by other stakeholders, rights holders as well as duty bearers.

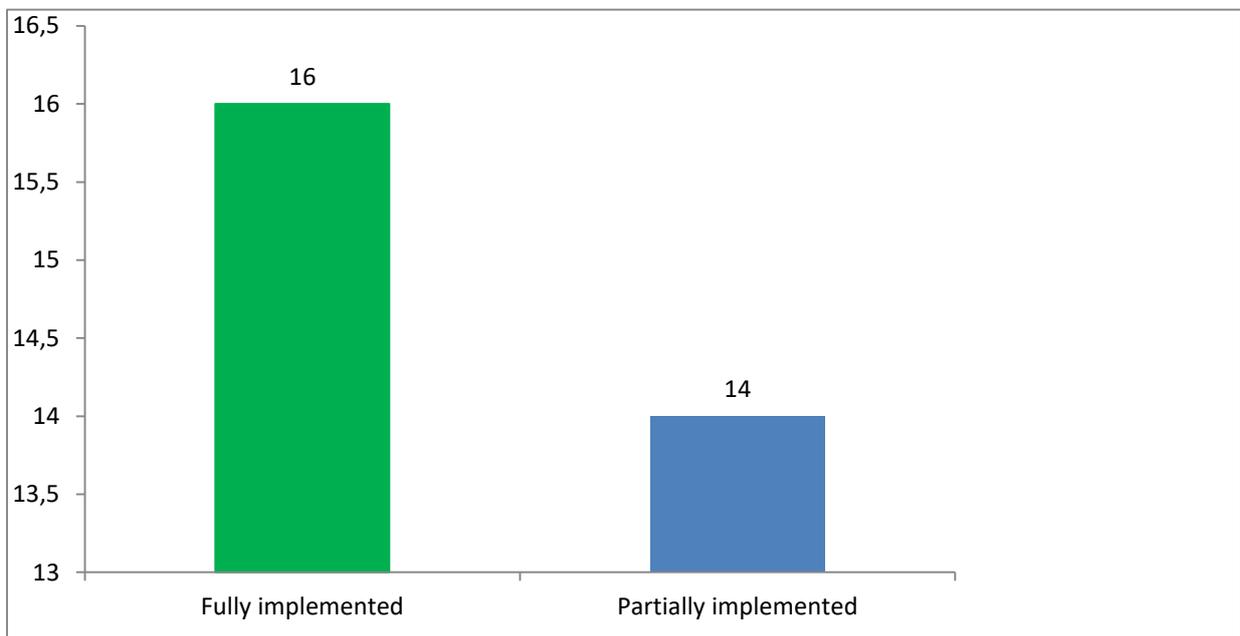
5. Findings of the assessment

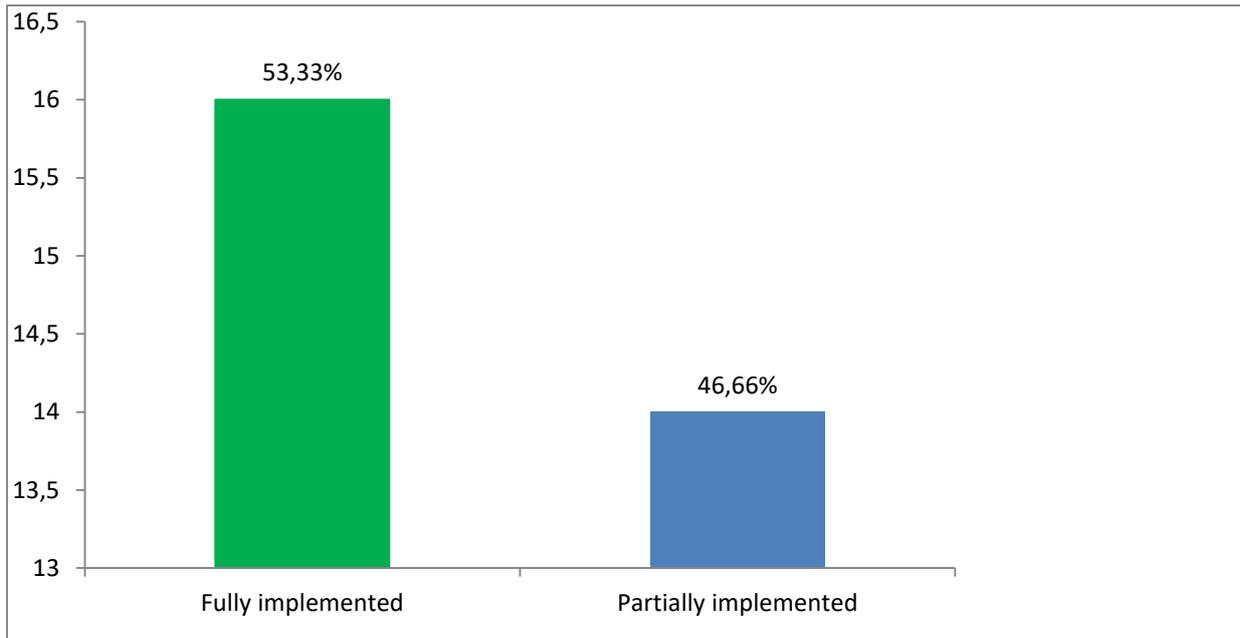
The assessment proved that more than a half of the recommendations issued by the ACERWC have been implemented. The following summarized table indicated the level of implementation. For easy reference recommendations are divided into two (2) categories: fully implemented and partially implemented.

Table illustrating the level of implementation

African Instrument	Number of recommendations	Fully implemented	Partially implemented
ACRWC	30	16	14

Level of implementation of ACRWC Concluding observations





Recommendations that are fully implemented are mainly those related to the implementation of policies, laws and programs that enhance the rights and well-being of the child. These are also the ones that require statistics that support progress in this area.

A lot has been done to improve birth registration but because some hospitals are yet to get the required infrastructure to fully operationalize the service, the recommendation is marked as partially implemented. Recommendations on urban-rural disparity, access to clean water, lack of law eliminating explicitly corporal punishment in all settings and the criminalization of all worst forms of child labour necessitated the Commission to conclude that such recommendations are not yet implemented. Details on the implementation of all the recommendations and recommendations made by National Commission for Human Rights to the different implementing institutions are detailed the table below.

6. Conclusion

This assessment ascertaining the level of progress in the implementation of these recommendations. It also gives the opportunity to public institutions to share the achievements and speed up the implementation of the remaining recommendations.

As stated above, results from the assessment indicate that more than a half of the recommendations issued by ACERWC have been implemented. Relevant recommendations to the institutions concerned in order to accelerate the implementation of outstanding recommendations were also formulated.

The National Commission for Human Rights and its partners express their sincere gratitude public institutions who contributed to this assessment and looks forward to the full implementation of all recommendations directed to them.

The following is the summary of the results:

Among 30 recommendations of the ACERWC, 16 were fully implemented (representing 53.33 %) and 14 partially implemented (46.66 %).

Considering the number of all the recommendations from the ACERWC, it should be concluded that more efforts are needed for a fully implementation of the 14 partially implemented recommendations before submission of the next periodic report.

Although most of the recommendations have been fully implemented, it is necessary and urgent for the public institutions concerned to revisit and improve details and to make progress in the implementation of these partially implemented recommendations.

The Office of the Prime Minister, which is responsible for overseeing the Cabinet's activities, should make a follow up and provide some support to concerned Ministries so that all concluding observations issued to Rwanda by the ACERWC are implemented.

7. Way forward

As part of the follow-up, the National Commission for Human Rights and its partners will continue to monitor the implementation of each recommendation to ensure the full realization of the rights and welfare of the child.

An assessment report will be shared by all concerned institutions for further action and follow up and in the lead up to the preparation of the next periodic report to be submitted to the ACERWC.

Annex: RECOMMENDATIONS TO ORGANS OF IMPLEMENTATION

The following table summarizes all recommendations and indicates the level of implementation of each recommendation. The recommendations in this table were made by the National Commission for Human Rights and the civil society organizations that partnered with the Commission in this assessment.

N°	Concluding Observation	Findings	Comments of the NCHR & CSOs	Level of implementation	Recommendation to organs of implementation
1.	<p>The Committee encourages the State Party to speed-up the law reform process and to put a collective effort to implement the laws.</p> <p>[Para 5 of Concluding Observations]</p>	<p>Since the establishment of the Rwanda Law Reform Commission, efforts have been made in the area of reforming existing laws that required amendment. Since the establishment of the Commission, the following laws have been amended and established:</p> <ul style="list-style-type: none"> - The Law n° 32/2016 of 28/08/2016 governing persons and family (Official Gazette n° 37 of 12/09/2016). - The Law n° 27/2016 of 08/07/2016 governing matrimonial regimes, donations and successions. <p>There are also laws in the process of being revised or draft laws being finalized such as the following:</p>	<p><i>The Rwandan Law Reform Commission does its work according to priorities. But the process from drafting to enacting the law is quite long.</i></p>	<p>Partially implemented</p>	<p>The institutions in charge of drafting, adoption and enactment process (<i>Rwanda Law Reform Commission, Parliament</i>) should speed up the process of drafting and revising laws to ensure that all provisions responded to what is needed.</p>

		<ul style="list-style-type: none"> - The Law on Penal Code is in process of promulgation. - The Law n° 54/2011 of 14/12/2011 relating to the rights and the protection of the child is in process of promulgation. - The law on human trafficking is under process. 			
2.	<p>The Committee encourages the State Party to provide technical and adequate budgetary support for operation of the National Commission for Human Rights, particularly the Observatory of Children's Rights.</p> <p>[Para 6 of Concluding Observations]</p>	<p>The Constitution of the Republic of Rwanda of 2003 revised in 2015 (Official Gazette n° Special of 24/12/2015) through Art. 42, guarantees the independence of the National Commission Human Rights (NCHR).</p> <p>Art. 3 of the Law n° 19/2013 of 25/3/2013 determining missions, organisation and functioning of the National Commission for Human Rights (NCHR) also designates the NCHR as "independent and permanent" and underlines that, in fulfilling its mission, the Commission shall not be subject to any instruction from any other organ.</p> <p>Considering the independence of the NCHR as provided for in above Article, Commissioners</p>	<p>The government provides a sufficient budget for the operation of the National Commission for Human Rights. It also receives funding from its partners for some of its projects.</p>	Fully implemented	

		<p>shall be elected on individual basis and they do not represent their institutions of origin.</p> <p>This Article also states that the NCHR shall have legal personality and autonomy in administrative and financial matters.</p> <p>The NCHR has the autonomy in the management of its budget and the financial support from donors (Internal Regulation, Art.5-2). The quarterly allocations are directly deposited on the NCHR's accounts.</p> <p>Moreover, it should be noted that according to Article 2 of the Presidential Order n° 72/01 of 12/03/2014 establishing the Candidate Selection Committee to the post of commissioner of the NCHR and determining its mission, organisation and functioning, the aforementioned Committee is independent and comply with the principles of transparency and objectivity.</p> <p>The NCHR has the autonomy in recruiting its staff. This autonomy</p>			
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		<p>is mentioned in Art 38 of the Law n° 19/2013 of 25/3/2013 which also points out that the recruitment shall be made on a competitive basis.</p> <p>With regard to adequate budgetary support for its operation, the budget allocated to the NCHR depends on the needs expressed in its planning. Thus, the budget allocated was Rwf 1,155,439,445 for the 2014-2015 fiscal year, Rwf 915,217,983 for the 2015-2016 fiscal year and Rwf 1,039,056,170 for the 2016-2017 fiscal year.</p>			
3.	<p>The Committee urges the State Party to collect data and provide disaggregated statistics on the rights of children in all sectors which will then direct the objectives of the policies and strategies that will be adopted.</p> <p>[Para 7 of Concluding Observations]</p>	<p>According to the statistics provided by Rwanda Demographic and Health Survey 2014-15, children represent 48% of the population with a total of 5,015,128 out of a total of 11,553,188 inhabitants of Rwanda.</p> <p>The boys are 2,486,716 (49.1%) and the girls are 2,528,412 (50.9%),² while the disabled represent 2.1% of all children (Boys: 55.3%; girls: 44.7%).¹</p>	All disaggregated statistics are provided.	Fully implemented	

¹ National Institute of Statistics in Rwanda, "Rwanda Demographic and Health Survey 2014-15", Rwanda, 2015, available on <https://dhsprogram.com/pubs/pdf/FR316/FR316>

		<p>Identity & Nationality: 56% of all children are registered in civil registration.</p> <p>Family and Alternative care: 2691 Children reintegrated into families from orphanage centres among 1352 (706 boys and 646 girls).²</p> <p>Health & standard of living: Infant mortality rate: (32/1000), Under 5 Mortality rate: (50/1000), Maternal mortality rates: (290/100,000), Assisted deliveries: (92%), Children under 5 years old sleeping under long lasting insecticidal net: (70%); Malaria prevalence in children under 5 years: (2%); Children on Anti-Retroviral Treatment for HIV: (8,883 countrywide); Access to Mutuelle de Santé paid by the GoR (73 %);</p> <p>Education: Enrolled children in pre-primary: 183,658 to 185,666 Increased of 4.3% from 2015 to 2016.³</p>			
4.	Therefore, the Committee recommends that the State Party aligns its budget increment with the high	Over the years, child protection health programs have been allocated a constantly increasing budget. Thus, the budget which	The budget allocation increases depending on priorities and the inflation is taken into	Fully implemented	

² *Ibidem*

³ *Ibidem*

	<p>rate of inflation, the growing needs of children and the population growth.</p> <p>[Para 8 of Concluding Observations]</p>	<p>was 34,037,999 in 2013/2014 rose to USD 62,383,384 in 2015/2016. This budget was essentially allocated to maternal and neonatal health, nutrition, vaccine preventable disease, elimination of mother to child HIV transmission, family planning and reproductive health & GBV, adolescent sexual reproductive health and community health programmes.</p>	<p>consideration.</p>		
5.	<p>The Committee encourages the State Party to fast-track the adoption process of the Family and Persons Law and to vividly incorporate the definition of the child as it applies for all boys and girls who are under the age of 18 years without any exception.</p> <p>[Para 9 of Concluding Observations]</p>	<p>In accordance with the International Convention on the Rights of the Child and other treaties and laws, article 3, para 10 of the law n° 54/2011 of 14/12/2011 relating to the rights and the protection of the child and article 113 of the Law n° 32/2016 of 28/08/2016 governing persons and the family define a child as “any person under the age of eighteen (18) years”.</p>	<p>The Law n° 32/2016 of 28/08/2016 governing persons and the family was adopted.</p>	Fully implemented	
6.	<p>The Committee recommends for the State Party to forbid child marriage with no exceptions in accordance with Article 21 of African Children’s Charter.</p>	<p>The minimum age of marriage is strictly set to 21 years in the national legislation and this is well stipulated specifically in the Law n° 32/2016 of 28/08/2016 governing persons and the family. In any case, no exception can justify early marriage of</p>	<p>Rwandan legislation prohibits early marriage and severely punishes those who violate these provisions.</p>	Fully implemented	

	<p>[Para 10 of Concluding Observations]</p>	<p>children.</p> <p>The Penal Code prosecutes anyone who plays a role in early or forced marriage of a minor. The Article 195 clearly stipulates that “any person who plays a role in early or forced marriage of a minor shall be liable to a term of imprisonment of six (6) months to two (2) years and a fine of one hundred thousand (100,000) to three hundred thousand (300,000) Rwandan francs.</p>			
<p>7.</p>	<p>The Committee would also like to call upon the State Party to take practical and tangible measures to ensure that children from minority groups, children with disabilities, children in rural areas, children in vulnerable situation, and those children who are historically marginalized are not discriminated by all sectors and organs including the private sector.</p> <p>[Para 11 of Concluding Observations]</p>	<p>The eradication of discrimination and divisionism based on ethnicity, region or any other ground as well as promotion of national unity is one of the fundamental principles of the Constitution of the Republic of Rwanda of 2003 revised in 2015.</p> <p>The Organic Law n° 01/2012/OL of 02/05/2012 instituting the Penal Code punishes the crime of discrimination and sectarian practices.</p> <p>In its Article 136, it is stipulated that “any person who commits the crime of discrimination and sectarian practices shall be liable</p>	<p>National legislation severely punishes all forms of discrimination. In addition, inclusive programs for vulnerable children have been put in place to ensure equal opportunities for all.</p>	<p>Fully implemented</p>	

		<p>to a term of imprisonment of more than five (5) years to seven (7) years and a fine of one hundred thousand (100,000) to one.”</p> <p>There is also a 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.</p> <p>In addition to these legal provisions, all the programs that have been developed and are being implemented as part of the integral development of children consider their personal situations and the social environments from which they come.</p> <p>It is in this spirit that, for example, the Education Sector Strategic Plan 2013-2018 aimed at giving equal education opportunity to all children including those with special educational needs within schools was elaborated.</p>			
8.	The Committee encourages the State Party to establish a systematic	The National Children’s summit has been an annual national event to put together children	Many programs have been established in the interest of the children	Fully implemented	

	<p>mechanism whereby the best interest of the child is being given priority in all matters concerning children. Such measures may include giving training for the executive and judiciary to sensitize them about children's rights.</p> <p>[Para 12 of Concluding Observations]</p>	<p>ideas discussed among the children forums meetings to be communicated to higher Government officials. The views of children are incorporated in the plans of relevant Government bodies and partners. Government officials and judiciary participate in the summit.</p> <p>The social cluster which brings together Ministers working in the domain of social protection is a good forum that regularly convenes to discuss social protection issues including children's rights and the consideration of the latter in their ministries' programs.</p> <p>The "Maison d'Accès à la Justice" (MAJ) consisting of 3 legal aid staff is available at each of the 30 administrative Districts with one staff in charge of children matters; and is mandated to represent the child in court where necessary. The focal persons of MAJ in charge of Child Protection and Gender based violence from each administrative District of the country are regularly trained e.g.:</p>	<p>including training of those who play a leading role in child protection like authorities, judges, teachers and ordinary citizens.</p>		
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		<p>This year (8th and 9th February 2017) a refresher training on child rights and on consideration of the best interest of the child in all matters involving children especially those in conflict with the law and the victims of abuse</p> <p>The existence of the Rehabilitation centre is an opportunity for children in conflict with the law to be corrected not punished prior to his/her reintegration into the community.</p> <p>The choice of a family to receive a child from the child care institutions gives great value to the psychosocial need and to the preferences of the child.</p> <p>The National Commission for Children was specifically established in 2011 to oversee all child rights and child protection matters, to coordinate all child protection interventions in the country and to ensure that child protection is mainstreamed in the programming in all sectors.</p> <p>Rwanda National Police and Rwanda Defense Force organize regular trainings to their staff on</p>			
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		<p>child protection.</p> <p>The National Commission for Human Rights has put in place a Child Rights Observatory (<i>Observatoire des Droits de l'Enfant [ODE]</i>) from sector level.</p>			
9.	<p>The Committee further encourages the State Party to extensively promote, mainly through campaigns and medias, exclusive breast feeding at least for the first six month after birth to reduce child mortality.</p> <p>[Para 13 of Concluding Observations]</p>	<p>Each year, the Ministry of Health organize an integrated MCH week whereby key messages including on breastfeeding, nutrition, Family Planning among others are provided to the general public. Parents are taught, sensitized on the importance of exclusive breastfeeding at least for the first six month after birth.</p> <p>Key measures to reduce child mortality includes the routine vaccination which is intended to reach all infants under two years olds age with available vaccines to protect them from the vaccine preventable diseases.</p> <p>The expansion of immunization outreach sites at community level and also in reducing dropout rate through different social mobilization channels including high involvement of community</p>	<p>Awareness campaigns were conducted through several channels to promote the benefits of exclusive breastfeeding at least for the first six month after birth to reduce child mortality.</p>	Fully implemented	

		<p>health workers (CHWs).</p> <p>Regular on job trainings for healthcare providers to improve on the management of new-born complications in hospital and reduce neonatal case fatality rate in health facilities.</p> <p>Intensify health promotion efforts to increase community knowledge and skills on neonatal and child health interventions and promote health-seeking behaviour.</p>			
10.	<p>The Committee observed some indications that access to clean water in rural areas is limited and that the water systems in rural areas are not functioning properly.</p> <p>The Committee recommends that the State Party intensifies its efforts in rural areas to reduce the urban-rural disparity on access to clean water.</p> <p>[Para 14 of Concluding Observations]</p>	<p>There is a National Water Supply Policy; and every District has WASAC partners that help to supply clean water to rural areas.</p> <p>With the Settlement program, WASAC provides clean water to rural areas.</p> <p>With regards to access to clean drinking water, EICV4 (2014/2015) indicates that there has been a tangible leap in terms of access to clean drinking water in households from 87.1% in EICV 3 (2010/2011) to 90% in EICV4 in urban areas and from 71.9% in EICV 3 to 83.7% in</p>	<p><i>Clean water supply has not yet reached all rural areas, e.g. Nyabirasi in Rutsiro.</i></p>	<p>Partially implemented</p>	<p>The Ministry of Infrastructures should mobilize more resources to provide drinking water to all country's regions.</p>

		<p>EICV4 in rural areas. Efforts target is to ensure access to clean drinking water for all Rwandans are on-going.</p> <p>Rwanda has further achieved and even exceeded the 2015 target on access to safe drinking water and sanitation facilities. For instance, proportion of population using improved drinking water source increased from 64.1% in 2000 to 84.8% in 2014.</p>			
11.	<p>The Committee encourages the State Party to facilitate the participation of all children including children living in rural and remote areas; children with disability and marginalized children.</p> <p>Moreover, the Committee recommends for the State Party to give due consideration for the views of children in decision making processes.</p> <p>[Para 15 of Concluding Observations]</p>	<p>According to Law n° 54/2011 on the Rights and Protection of the Child, the child has the right to freedom of expression, thought, conscience and religion upon advice and guidance by his / her parents or guardian without any duress depending on his/her age and level of understanding. Also, a child has the right to access suitable information, to rest and undertake leisure activities.</p> <p>In the interest of ensuring equal participation of children both from rural and urban areas, children forum committees have been established as described above.</p> <p>Meaningful consultation with</p>		Partially implemented	<p>The Ministry of Local Government should encourage local authorities to involve children in budgeting consultative meeting.</p>

		<p>children during budgeting processes has also started in some districts such as Nyarugenge and Rutsiro and is being scaled up in all 30 districts.</p> <p>The Government of Rwanda has promoted equal participation of children both from rural and urban areas, girls, boys and children with disabilities and in refugee camps are elected by children themselves to be their representatives in all 14 837 Villages, 2148 Cells, 416 Sectors and 30 Districts across the country. During the annual National Children's Summit, Children are invited per District to represent their fellow children in this national event. The annual children's Summit is the best opportunity for children to express their views in decision making. (See status of the resolution 3).</p>			
12.	<p>The Committee recommends for the State Party to:</p> <p>a. expedite the adoption of the new birth registration law and in effect remove</p>	<p>The registration period has been fixed to 30 days in the new law n° 32/2016 governing persons and family (Article 100).</p> <p>The online birth registration system has been launched in</p>	<p><i>The e-registration of new-borns is operational but not yet effective in all hospitals and health centres.</i></p>	<p>Partially implemented</p>	<p>The <i>Ministry of Local Government</i>, in collaboration with the <i>Ministry of Health</i> and <i>NIDA</i>, should work towards the full operationalization of e-</p>

	<p>the penalty imposed on late registration;</p> <p>b. fast-track the establishment of digital birth registration systems in health care centres;</p> <p>c. immediately issue birth certificates after registration;</p> <p>d. remove any kind of restriction and barrier on the registration of children born out of wedlock including the requirement of consent of the other parent where registration is sought by only one of the parents; and</p> <p>- e. take measures to increase birth registration especially in rural and remote areas.</p> <p>[Para 16 of Concluding Observations]</p>	<p>July 2014 and it started operating in collaboration between the National Institute of Statistics of Rwanda (NISR), the National Identity Agency (NIDA), the Ministry of Health and the Ministry of Local Government (MINALOC). The Civil Registration and Vital Statistics (CRVS) is running countrywide and in all Health facilities and it is used to register all birth at facility, the same system is used at Sector to validate the births. Data shows that the system has covered over 70% of birth at Health facilities.</p> <p>All health centres and hospitals provide birth notifications that help civil registers to provide birth certificates. There is no penalties imposed on late birth registration as of now but the law says that the registration is done in 30 days. Administrative fines are only imposed to any person who wishes to receive a birth record but not having declared the child's birth within the period provided for by this Law (administrative fine determined by a Presidential Order - which is</p>			<p>registration in all hospitals and health centres.</p>
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		<p>yet to be promulgated).</p> <p>Much emphasis is put on population awareness, working with village forums e.g. CHW, local Leaders, publicity spot on radio and TVs and gatherings like community work(<i>Umuganda</i>), the parents' evening forum (<i>Umugoroba w'Ababyeyi</i>) to ensure the citizens understands the importance of registration. In November-December 2016 and January 2017, the Government of Rwanda has also organized a special birth and death registration month at cell levels to facilitate and increase the number of birth registration.</p> <p>There are other mechanisms that are in place that require a person to have birth certificate e.g. insurance, education also contribute to the registration.</p> <p>The software 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</p>			
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		<p>sectors, district and the national level.</p> <p>The issuance of the birth certificate after registration of birth is mandatory and it is monitored in collaboration with the Ministry of Local Government.</p> <p>Currently the existing CRVS digital system does not issue the certificate but all validations of birth registered cases are done by Sector where the certificate is offered to the registered person. The certificate part is done manually but Ministry of Health is working with all stakeholders to automate this process.</p> <p>Children of single mothers are registered following the same proceedings as other children. This is guaranteed by the Law n° 54/2011 of 14/12/2011 relating to the rights and the protection of the child in its article 16.</p> <p>The law n° 32/2016 of 28/08/2016 especially in its article 130 defines how declaration of birth of a child born out of wedlock is declared but</p>			
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		<p>acknowledgement of the father or mother remains mandatory as stipulated by the same article.</p> <p>Sensitization programs involving the Government and child protection partners on birth registration are undertaken through mass media which reach both rural and urban populations (Radio, TV) and meetings at decentralized levels and community-based encounters. It is in this context that from November 2016 to January 2017, a large birth registration campaign was organized to allow parents to register their children who were not.</p> <p>The birth certificate is issued by a Civil registrar at Sector level or in the Rwandan Embassy where the birth registration took place.</p> <p>Intensive training of Civil Registrars and officers in charge of civil registration on the new web-based e-registration system was organized and conducted in all 416 Sectors countrywide. In addition, capacity building has been conducted for data</p>			
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		managers of health centres and good governance officers at district level on civil registration and specifically on the importance of birth registration. Further, extensive sensitization on child registration has been conducted from November 2016 to January 2017 allowing 621,862 children to be registered. Similar campaigns were conducted in refugee camps through which 7,801 and 11,212 children were registered in 2016 and 2017 respectively.			
13.	The Committee also encourages the State Party to refer to and implement its General Comment No. 2 on Article 6 of the African Children's Charter in this regard. [Para 17 of Concluding Observations]	The General Comment No. 2 on <i>Article 6 of the African Children's Charter stipulates that "Every child shall be registered immediately after birth"</i> The online birth registration system is allowing children to be registered at Health Centres and at Hospitals as soon as they are born and they are automatically recorded in the National Institute of Statistics of Rwanda, the National Identity Agency (NIDA) and in the Districts' registry. The community health workers directly register births that occur out of the Hospital and present	The online birth registration system is not effectively operational in some hospitals.	Partially implemented	Same recommendation as para 16 (above)

		reports of the same to the nearest health centre.			
14.	<p>The Committee encourages the State Party to sensitize the society about the positive values of child participation; and to empower children to exercise their rights by providing them with trainings and technical supports. Furthermore, the Committee encourages the State Party to ensure the protection of the right to privacy of child victims and child witnesses.</p> <p>[Para 18 of Concluding Observations]</p>	<p>There are many things that are done to encourage the participation of children in the exercise of their rights. Some of these actions are as follows:</p> <ul style="list-style-type: none"> - Through the Children Forum Committees and the community at least twice a year the National Commission for Children and Ministry of Gender and Family Promotion in collaboration with child rights stakeholders organize trainings and pre-summit consultations to educate children about their rights include participation and right to privacy. - The Annual National Children's Summit, International Day of the Girl Child, Remembrance of Children killed in the Genocide against the Tutsi, International Day of the African Child are also 	Various initiatives have been undertaken to increase children's participation in decision-making.	Fully implemented	

		<p>platforms that enable the Government to sensitize the society about the positive values of child participation (all organize and conduct every year).</p> <ul style="list-style-type: none"> - Every year awareness campaigns in primary and secondary schools on GBV (gender-based violence), human trafficking are conducted and they are taught how to report cases for being investigated. NPPA have Safe House, if it is necessary to protect victims and witnesses in the safe area. The privacy of the child is respected if it is asking during investigation process and during Trial phase. - For GBV cases involving children, the real names of children are not used and these cases are treated in privacy (GBV law). 			
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15.	<p>The Committee urges the State Party to fortify its efforts in sensitizing the society in eliminating corporal punishment as well as take measures to repeal all laws and practices that are in contradiction with the Integrated Child Rights Policy.</p> <p>[Para 19 of Concluding Observations]</p>	<p>The Government of Rwanda through the Ministry of Education has abolished caning and any corporal punishment in schools. Schools received related instructions and there is a code of conduct for teachers under preparation.</p> <p>There is also a Ministerial Order specifying the necessary educational measures and other forms of nonviolent disciplinary punishments, care and treatments for the child which is underway.</p> <p>The new Early Childhood Development Policy (2016) includes Positive parenting as a key driver for the appropriate education of the children. Parents who will regularly benefit from training sessions at model ECD Centres and regular home visits with trained Inshuti z'Umuryango will gradually move from corporal punishment to positive discipline.</p> <p>The Ministry of Education has put in place the Ministerial Instructions n° 001 of 10/05/2017 establishing guidelines for setting</p>	<p><i>Given the content of the Ministerial Order n° 001 of 10/05/2017 establishing guidelines for setting up general or TVET nursery, primary or secondary school's internal rules and regulations, corporal punishment is prohibited at school. Unfortunately, this is not yet the case in family setting (at home).</i></p>	<p>Partially implemented</p>	<p>The Ministry of Gender and Family Promotion should speed up the adoption of Ministerial Order specifying nonviolent disciplinary punishment, care and treatment of a child.</p>
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		<p>up general or TVET nursery, primary or secondary school's internal rules and regulations.</p> <p>The Article 26 of these instructions stipulates that corporal punishment, any kind of inhumane and degrading treatment, ill treatment, abuse and humiliation are strictly prohibited.</p> <p>In case the punishment to be imposed to the student including sending student out of the school, it must be first approved by the Executive Secretary of the Sector where the school is located and the Mayor of the District shall be informed.</p> <p>The amendment to the Law No. 54/2011 on the Rights and Protection of the Child and the Law on human trafficking has some provisions on the kinds of punishments.</p>			
16.	The Committee calls upon the State Party to expedite the process and introduce alternative positive discipline mechanisms in schools and at home.	With regard to the establishment of alternative positive discipline mechanisms in schools, there is the Ministerial Order n° 004/2016 of 08/01/2016 determining rules governing code of conduct of	<i>As mentioned in the previous recommendation (No. 14), there is no legal provision prohibiting corporal punishment in</i>	Partially implemented	The <i>Ministry of Gender and Family Promotion</i> should speed up the adoption of Ministerial Order specifying nonviolent disciplinary

	[Para 20 of Concluding Observations]	<p>headmasters, teachers and students. This Ministerial Order determines the role and behaviour of each party concerned in relation to others.</p> <p>Another important step towards promotion of positive parenting is the parents' evening forum (Umugoroba w'Ababyeyi) where parents meet and discuss issues affecting their lives and those of their children and share tips for positive parenting. In addition to that, there are trainings provided to the community on "Noza imibanire mu muryango wawe" (live in harmony with your family members) whereby parents are also educated on raising their children in a friendly way.</p> <p>The above-mentioned Ministerial instructions are already being implemented in schools.</p>	<i>the family setting (at home).</i>		punishment, care and treatment of a child (Note: same recommendation as No. 14).
17.	<p>The Committee encourages the State Party to expedite the process and adopt the new family law.</p> <p>[Para 21 of Concluding Observations]</p>	The law n° 32/2016 of 28/08/2016 governing persons and family was enacted in 2016.		Fully implemented	

18.	<p>The Committee wishes to further encourage the State Party to provide assistance and support to the family unit in accordance with Article 18(1) and Article 20(2) of the African Children's Charter in order to ensure that parents are capable of protecting their child. In this regard, the Committee recommends for the State Party to fully implement the National Policy for Family Promotion and the Early Childhood Development (ECD) Policy.</p> <p>[Para 22 of Concluding Observations]</p>	<p>In efforts to ensuring full ownership of the principle of child and family protection at grassroots levels, the Government of Rwanda in collaboration with UNICEF has initiated a system of volunteers known as "Inshuti z'Umuryango" (Friends of the Family) who are responsible for protecting children from violence, exploitation, neglect and prevent the occurrence of child protection risks notably through the sensitization of households on positive parenting and other child-friendly and child protection practices at community level. Other home-grown initiatives such as parents' evenings (Umugoroba w'ababyeyi) and Umuganda (Community works) also provide forums to mobilize and engage community members in family protection and child protection and promotion.</p> <p>The implementation of the revised ECD policy (2016) takes into consideration the 5 thematic areas namely Education, Health, Hygiene and Sanitation, Nutrition</p>		Fully implemented	
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		<p>and Child protection that ultimately enhance physical, psycho-social, emotional and cognitive development needs of our children. The ECD program offers services in a holistic manner focusing on children from conception to 6 years of age. ECD services are provided through model ECD centres, community based centres, and through home based ECDs and home visitation to parents with children below 6 years. ECD program focuses on equipping parents with the capacity to perform their parental obligations by providing them with training to help their children on speech stimulation, learning through play, fundamental math and literacy skills, mental and sensory development and other cognitive skills. Rwanda has achieved tremendous improvements in the field of child care, reducing maternal and infant mortality, sanitation and nutrition as well as opportunities for early learning.</p> <p>90 ECD centres have been modelled in all districts: 30 in 2011, 30 in 2012 and 30 in 2013.</p>			
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		<p>These will be used in future as reference to rollout and upgrading of existing centres. In addition to this, 208 ECD centre initiatives have been supported by the National Commission for Children with its partners. 1260 ECD kits were provided to ECD Centres in collaboration with UNICEF. Since 2014, 1 classroom has been constructed at each administrative sector to accommodate the school readiness programme. This effort continues to improve access to integrated Early Childhood Development to the cell level.</p> <p>Regarding the access to health and services, the implementation of different community health interventions such as the introduction of community-based health insurance, and the Community Health Workers, has significantly contributed to the improved access to health services.</p> <p>In increasing access to pre-primary education, a community-based strategy has been established with community contributions complementing</p>			
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		<p>Government financing and inputs.</p> <p>The number of children accessing the pre-primary education increased from 142,471 in 2013 to 185,666 in 2016; an increment of 43,195 children or 30.3% in three years;</p> <p>The Ministry of Education elaborated the standards and quality of pre-primary programmes through the development of national ECD standards and ECD packages for caregivers and pre-school teacher training.</p> <p>The number of teachers teaching in pre-primary schools increased from 3, 808 in 2013 to 5,859 in 2016; an increment of 2,051 teachers or 53.9% in three years only.</p> <p>School-based physical infrastructure for pre-primary learning spaces were expanded through the unconventional construction approach and by extending primary schools to accommodate pre-primary</p>			
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		<p>sections where the number of classrooms increased from 3,064 in 2013 to 4,427 in 2016; thus, reducing the Pupil classroom ratio from 46 to 42.</p> <p>The pre-primary curriculum was revised as part of the planned revision of the school Competence Based curriculum.</p> <p>The Ministry of Education also plays a coordinating role across Government for the implementation of the integrated Early Childhood Development Strategic Plan, which is concerned with the holistic development of children between the ages of 0-6.</p>			
19.	<p>The Committee encourages the State Party to intensify its efforts to concentrate on and promote domestic adoptions as a priority, the Committee also calls upon the State Party to expedite the process of the development of appropriate implementation tools and mechanisms for inter-country adoptions. In</p>	<p>The main legislative measure pertaining to family reunification is stipulated by the Constitution of the Republic of Rwanda of 4th June 2003 reviewed in 2015 in its article 18 and Law n° 54/2011 n° 54/2011 of 14/12/2011 relating to the rights and the protection of the child in article 24.</p> <p>On administrative aspect, the Strategy for National Child Care Reform was adopted by Cabinet</p>		Fully implemented	

	<p>addition, the Committee encourages the State Party to formulate mechanism in which it monitors and evaluates adoption procedures and post-adoption situations for both international and domestic adoptions.</p> <p>[Para 24 of Concluding Observations]</p>	<p>in March 2012 and the resulting “Tubarerere Mu Muryango Program” (TMM) as well as Inshuti z’Umuryango. There are also Malayika Murinzi (Angel of protection) consisting of people who receive children in their families without any relationship and take care of them.</p> <p>The reunification of children deprived of their families starts with awareness-raising at local level to ensure that the communities are fully aware of the process and are engaged and provided opportunities to assist these children.</p> <p>Using refined assessment instruments, and in partnership with the managers of the care centres, local authorities and additional social workers and psychologists support carry out comprehensive assessments of every child. They use 8 steps that include:</p> <ul style="list-style-type: none"> - Initial assessment for each individual child. - Family tracing to explore all options, including if 			
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		<p>necessary foster care.</p> <ul style="list-style-type: none"> - Family assessment to assess needs and risks prior to placement. - Placement decision to determine the right family that matches the best interest of the child. - Intensive child and family preparation to address needs and risks identified during the assessment phase. - Care plan developed where appropriate and in partnership with the caregiver and community partners to ensure that future monitoring and support needs can be measured and adjusted as needed (this includes the older adolescents and adults who will need specialized support such as legal support, psycho-social support, shelter, vocational training and employment). - Placements of the child into family alternative starting by birth family, extended family, foster family and/or adoption. - Post placement support/follow-up for 			
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		<p>monitoring and supporting the placement to ensure child protection is guaranteed and sustained.</p> <ul style="list-style-type: none"> - Regular monitoring and reporting of children placed in families is nowadays carried out through physical home visits by social workers and psychologists followed by paper-based reporting but the ultimate vision is to use innovation and technology including rapid SMS linked with the Umudugudu (Village) to support children reintegrated in their biological families or alternative care including adoptive children. <p>A Ministerial Order n° 001/MIGEPROF/2017 of 16/01/2017 determining conditions to be considered in inter-country adoption and the procedure thereof was adopted by the Cabinet and published in the Official Gazette n° 3 of 16/01/2017.</p>			
20.	The Committee remains concerned about the high rate of chronic malnutrition of children which is 44% as	Key measures have been taken in the context of reducing maternal and infant mortality. These measures include, among	<i>A lot been done to facilitate access to food for young children, but in the 9-12 years basic</i>	Partially implemented	The <i>Ministry of Education</i> should ensure that all children are school feeded without

	<p>provided in the State Party Report. Even though child mortality rate has declined in the past years, the rate is still high especially with regard to neonatal mortality.</p> <p>The Committee also learned that more than 25% of the population does not have access to improved drinking water. In addition, there are indications that primary health care services are generally poor, which can be inferred from the fact that primary health care centers are not physically accessible; the number of physicians and midwives is not proportional to the population's need; and the quality of health care service provided is low.</p> <p>[Para 25 of Concluding Observations]</p>	<p>others, the following:</p> <ul style="list-style-type: none"> - Expanding capacity for early detection of pregnancy in the community. - Improving capacities for Neonatal service delivery in health facilities. - Intensifying health promotion efforts to increase community knowledge and skills on neonatal, child and maternal health interventions and promote health-seeking behaviour. - Improving and sustain quality of Maternal and Child Health (MCH) services/Focus on decreasing maternal and neonatal mortality. - Increasing Antenatal and Postnatal care uptake. - Improving community mobilization to increase facility delivery. <p>Some of the key measures to improve feeding programs include the Community education and awareness on dietary and complementary feeding practices.</p> <p>Thus, in order to protect young</p>	<p>education, children whose parents cannot afford the financial contribution are not school feeded like their classmates.</p> <p>Some remote areas lack safe drinking water and there is still a problem of corporal hygiene for some individuals, as well as lack of latrines.</p>		<p>discrimination because of the financial precariousness of their parents.</p> <p>The Ministry of Infrastructure should identify remote areas which have no drinking water and ensure that water supply services are enhanced to address the issue.</p>
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		<p>children against food insecurity and malnutrition, a holistic approach have been adopted by Government. This approach includes the following programs:</p> <ul style="list-style-type: none"> - <i>Girinka</i> program (one cow per family). - One cup per child. - Kitchen garden. <p>The Government of Rwanda has also launched a program of distributing Fortified Blended Food to pregnant and lactating women and children aged 6 months to 2 years old from vulnerable families. Around 80.000 children and 20.000 pregnant and lactating women from poor households are currently receiving the product free of charge.</p> <p>Moreover, the Ministry of Education ensures sensitization of good nutrition at schools, focusing on school feeding and nutrition education in schools.</p> <p>The projection from the 2012 fourth Population and Housing Census indicates that Rwandans will be 12.7 million in 2020.</p>			
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		Considering the 1,671 doctors that Rwanda had in 2016, it is obvious that it had on average one doctor per 12,000 people. This means that the country needs to avail an average of 80 doctors per year to meet the one physician per 10,000 population ratio by 2020. ⁴			
21.	Therefore, the Committee urges the State Party to put collective efforts to fight malnutrition through promotion of improved feeding practice in the community; integrating nutrition objectives into agricultural programmes; providing school feeding programs for the most vulnerable children; promoting exclusive breastfeeding for the first six month after birth; and improving the nutrient content of foods through regulatory frameworks. The State Party is also encouraged to train more physicians and midwives as well as ensure that health care centres are	See response of para 25 of the Concluding Observations (above).		Partially implemented	

⁴ The East African, Rwanda in need of more doctors at www.theeastafrican.co.ke/rwanda/News/Rwanda-in-need-of-more-doctors/1433218-3367630-iwvlr7z/index.html

	<p>well equipped. Furthermore, the Committee recommends that the State Party continues its efforts to construct water reservoirs to increase the coverage of improved drinking water in rural areas of the country.</p> <p>[Para 26 of Concluding Observations]</p>				
22.	<p>The Committee recommends for the State Party to:</p> <ol style="list-style-type: none"> a. identify and address causes of dropouts and the low level of enrolment to secondary education; b. take measures to support vulnerable students by providing sanitary materials in schools, by setting in place school feeding programs; and providing teaching materials with a view of 	<p>A specific budget line for the provision of special needs education equipment to secondary schools has also been established, providing specific learning materials and teaching aids.</p> <p>Provision of scholastic materials for children from low income families; books, pens and school uniforms</p> <p>School feeding programs has been initiated with the intention of reducing drop out more especially for children from vulnerable families.</p> <p>Training of teachers on Special Needs Education with the intention of increasing the</p>	<p>The problem of school drop-out persists despite the efforts made by the Government.</p> <p>In the 9-12 years basic education, children whose parents can not afford the financial contribution are not school fed.</p> <p>While progress has been made in protecting children with disabilities, some of these children are not enrolled in school.</p>	<p>Partially implemented</p>	<p>The Ministry of Gender and Family Promotion, in collaboration with the Ministry of Education, should continue to develop an enabling environment for education policy that addresses the issues of school drop-out.</p> <p>The Ministry of Gender and Family Promotion in collaboration with the Ministry of Education and the Ministry of Local Government should ensure that all children with disabilities are enrolled in school.</p>

	<p>increasing school completion rate;</p> <p>c. train teachers, both at the primary and secondary schools, with a view of enhancing their capacity which in effect escalates the quality of education;</p> <p>d. fully implement the ECD policy and take measure to increase availability and accessibility of pre-primary education;</p> <p>e. ensure equity in education through enhancing accessibility of education for all with no distinction among children, this includes children with disabilities, children living in rural areas, and others who are especially</p>	<p>number of teachers who are skilled to provide specific support to learners with special needs.</p> <p>The Ministry of Education has put in place strategies to ensure that all schools in Rwanda are Child-Friendly and Disabled-friendly and accessible.</p> <p>The government of Rwanda has introduced non-monetary incentives to motivate teachers. These includes the one cow initiative, housing, land allocations and the formation of Umwalimu SACCO (a teachers' savings and credit cooperative organisation) to facilitate access to credit.</p> <p>There is horizontal promotion after every three years for in service teachers.</p> <p>Provision of bonus for every month which is being done through capitation grant by the Ministry of Education. The capitation grant is used, among others, to equip girls' rooms with appropriate sanitary material and to build new toilets.</p>			<p>The Ministry of Education should ensure that all children are school feeded without being penalized because of the financial precariousness of their parents.</p>
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	<p>vulnerable; and integrate an inclusive education system in the National Policy on Education.</p> <p>[Para 27 of Concluding Observations]</p>	<p>The establishment of innovative school-based mentoring programmes throughout the country, placing an experienced and skilled mentor at the school level, to improve the skills of teachers, both for English language proficiency and teaching methodology. The provision and improved use of information technology in the teaching and learning process at all levels.</p>		
23.	<p>The Committee calls upon the State Party to take concrete steps to enrol refugee children in the local health care services. The State Party is encouraged to combat sexual exploitation and early pregnancies in refugee camps by prosecuting perpetrators of sexual abuse. The Committee also recommends that the State Party fortifies its efforts to register and issue birth certificate for refugee children. In addition, the State Party is encouraged</p>	<p>The Government of Rwanda in partnership with UNHCR constructed health centres in refugee camps where children get health services. There are also Hospitals for transferred patients.</p> <p>Every refugee camp uses the services of the nearest Isange One Stop Centre that handles problems of early pregnancies and child defilement. Cases on child defilement, sexual exploitation and early pregnancies are reported to the nearest Police Station and perpetrators are questioned and prosecuted.</p>		<p>Fully implemented</p>

	<p>to evaluate the conditions put for the reunification of children with their parents and to ensure that these conditions do not result in multiple violations of the rights of children.</p> <p>The Committee urges the State Party to take vigorous steps to prevent soil erosion and landslides in all refugee camps; to provide sufficient water in the camps; to provide sanitation and hygiene facilities; and to build latrines in refugee camps. To this end, the Committee urges the State Party to collaborate with UN agencies and other international as well as national organizations.</p> <p>[Para 29 & 30 of Concluding Observations]</p>	<p>Regarding prosecution of Perpetrators of sexual violence in the refugee camp, the procedure of investigation and prosecution is the same as it is outside the Refugee camp.</p> <p>Concerning Prevention of early pregnancies, awareness campaign on GBV are regularly conducted by different local and international NGOs and government institutions in the refugee camps</p> <p>The Legal Aid Forum (Rwanda) helps refugees to register their births in accordance with the Rwandan Law.</p> <p>The Rwanda Red Cross in partnership with the International Committee of the Red Cross (ICRC) help in the reunification processes in national and international emergency settings.</p> <p>Refugees organize community works (planting trees, cleaning activities in the camp, fighting landslides) to manage the environment and hygiene (WASH and World Vision provide water</p>			
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		tanks and construct taps for refugees).			
24.	<p>The Committee recommends that the State Party enters into bilateral or multilateral agreements to prevent recruitment of children by armed groups in other countries and facilitate the return of children who are already recruited.</p> <p>The Committee also encourages the State Party to strengthen its border security and its immigration policy on travel with children. Finally, the Committee calls upon the State Party to introduce a proportional sanction against those who recruit children in armed conflicts.</p> <p>[Para 31 of Concluding Observations]</p>	<p>In May 2016, the Romeo Dallaire Child Soldiers Initiative signed a framework agreement with Rwanda Ministry of Defence to forge partnership on combatting the recruitment and use of child soldiers not only in Rwanda but in the whole region. The beginning of the operationalization of the joint framework of cooperation between the Ministry of Defence and Romeo Dallaire Child Soldiers Initiative started with training regional militaries, police, policy makers, academics and humanitarians to make a long-term impact in the use of child soldiers through a security sector approach, combining world-level advocacy, and prevention-focused training.</p> <p>A child under sixteen (16) years of age intending to enter in or exit from Rwanda shall be required to fulfil the following:</p> <ul style="list-style-type: none"> - to be accompanied by one of the parents or another person authorized by the 		Fully implemented	

		<p>child's parent or guardian.</p> <ul style="list-style-type: none"> - a proof of consent from one of the parents or guardian authorizing him/her to travel in case the child is not accompanied (the authorization should be approved by official authority). - In case a child is under responsibility of Transport Company, the later shall assume the responsibility for the child's travel. <p>Rwanda does not recruit child soldiers because the law is clear in this regard and it has never signed any memorandum of understanding with neighbouring countries on the protection of children against recruitment by armed groups. It should also be noted that the Law No. 04/2011 of 21 March 2011 on immigration to and emigration from Rwanda does not allow children under the age of 18 to cross the border without being accompanied by at least one of his/her parent and with authorization of the other parent; which makes impossible to recruit from Rwanda.</p>			
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25.	<p>The Committee recommends that the State Party allocates sufficient budget to establish specialized juvenile chambers in all intermediate courts pursuant to Article 9 Law N° 51/2008. The Committee further recommends that the State Party trains more judges on juvenile justice and assign them in each specialized juvenile chamber.</p> <p>[Para 33 of Concluding Observations]</p>	<p>According to the new Law n° 30/2018 of 02/06/2018 determining the jurisdiction of courts, the specialised chamber for minors and family tries at the first instance (Article 33) and has appellate jurisdiction over all cases relating to the minor child's interests (Article 34).</p> <p>Furthermore, Judges are regularly trained on the rights of the child.</p>	<p><i>The judges of specialized chamber for minors and family need specific training sessions, especially since the law establishing these chambers is of the very recent.</i></p>	<p>Partially implemented</p>	<p>The Supreme Court, in partnership with the Ministry of Justice, should organize more training sessions for judges of specialized chambers for minors and family on subjects relating to the rights and protection of minors.</p>
26.	<p>The Committee is of the view that rehabilitation centres should be established in all regions to ensure that children are not detained with adults.</p> <p>The Committee urges the State Party to comply with the U.N. Rules for the Protection of Juveniles Deprived of their Liberty, and the U.N. Standard</p>	<p>Only Nyagatare Rehabilitation Centre for Minors handles cases of children in conflict with the law.</p> <p>Detained children are treated in accordance with U.N. Rules for the Protection of Juveniles Deprived of their Liberty, and the U.N. Standard Minimum Rules for the Treatment of Prisoners: They have access to education and vocational trainings, they sit for national examinations;</p>	<p>Minors are still detained with adults in the same Police Station cells.</p>	<p>Partially implemented</p>	<p>The Rwanda National Police should provide for a separate detention room for minors at police stations.</p>

	<p>Minimum Rules for the Treatment of Prisoners with regard to the standards of detention of children and to take into account the Guidelines on Children in the Justice System in Africa.</p> <p>[Para 34 of Concluding Observations]</p>	<p>They have access to entertainment (they have playgrounds, watch TV, ...); They are visited by their parents and relatives.</p> <p>According to the Law n° 54/2011 of 14/12/2011 relating to the rights and the protection of the child, the Government provides legal assistance to children in conflict with the law. Rwanda Correctional Service (RCS) follows up and monitors that legal representation.</p> <p>Three Presidential Orders establishing the Rehabilitation Centres have been gazetted:</p> <ul style="list-style-type: none"> - Presidential Order n° 99/01 of 02/06/2018 establishing Iwawa Rehabilitation Centre. - Presidential Order n° 100/01 of 02/06/2018 establishing Gitagata Rehabilitation Centre. - Presidential Order n° 101/01 of 02/06/2018 establishing Nyamagabe Rehabilitation Centre. 			
27.	The Committee urges the State Party to extend the protection accorded to children under the age of	Children under the age of 3 years have special care as they stay with their mothers, and have their own kindergartens. They are fed		Fully implemented	

	<p>three to young children as enshrined in the Charter and also to children whose primary care givers are found criminally liable.</p> <p>The Committee highly encourages the State Party to make reference to its General Comment No. 1 on Article 30 of the African Children's Charter for detailed implementation strategies of the provision.</p> <p>[Para 35 of Concluding Observations]</p>	<p>with balanced meal and milk.</p> <p>Children beyond the age of 3 years are returned to their families.</p>			
28.	<p>The Committee recommends for accelerated complementary measures to be taken towards the implementation of the laws and policies in this regard. To this end, the Committee encourages the State Party to investigate and prosecute those who employ children below the age of 16.</p>	<p>In March 2013, a 5-year National Plan of Action (NPA) for the Elimination of the Worst Forms of Child Labour has been developed by the Ministry of Public Service and Labour and its stakeholders and approved by Cabinet. The NPA is now the national framework that provides the necessary focus and impetus for eliminating all forms of child labour and its worst forms in a timely, efficient, effective and sustainable manner.</p>	<p>The worst forms of child labour are not yet criminalized, while some are only punished with a fine. However, it is quite obvious that a simple fine cannot effectively contribute in eradicating worst forms of child labour.</p>	<p>Partially implemented</p>	<p>The <i>Ministry of Public Service and Labour</i> should initiate the process of enacting law criminalizing worst forms of child labour.</p>

	<p>The Committee also recommends that the State Party sensitizes the society about the negative consequences of worst forms of domestic labour and intensifies its support to financially disadvantaged families through “one cow to one family program”, program to provide small animals to poor families and fertilizer subsidies.</p> <p>Moreover, the Committee encourages the State Party to give vocational training to poor parents and assist them to generate income to avert the use of their children as domestic workers to earn income.</p> <p>[Para 36 of Concluding Observations]</p>	<p>The overall goal of this NPA is “to eliminate the incidence of the child labour and its worst forms to the barest minimum by 2018, while laying strong social, policy and institutional foundations for the elimination and prevention of all other forms of child labour in the longer term.”</p> <p>Among the key activities figuring in the NPA, the community awareness raising and behaviour change communication vis-à-vis child labour and its worst forms remains the foundation of prevention of incidences of child labour.</p> <p>Most of the measures taken to eradicate child labour is to conduct awareness campaign on the prevention and eradication of child labour at least each Quarter. This has been done in line of implementing the National Policy on the Elimination of Child labour.</p> <p>The Ministry of Public Service and Labour through Labour Inspectors and the District</p>			
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		<p>Steering Committee on the prevention and fight against child labour focusing on worst forms of child labour conduct periodic inspections and fine any person found guilty of engaging children in child labour.</p> <p>For example, in 2015-2016 more than 116 persons were fined while about 93 persons were fined from June 2017.</p> <p>The Ministry of Public service and Labour in collaboration with the Ministry of Local Government is about to establish Local Steering Committee on fighting child labour which will be based at sector level in order to tackles issues of domestic child labour at village level. This will help identifying closed door domestic workers and thereafter fining those persons engaging them</p> <p>The Ministry of Public Service and Labour has requested the Ministry of Justice and National Public Prosecution Authorities to take into consideration during the review of the Penal Code to cover penalties found in Labour</p>			
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		<p>Law, so that the worst forms of child labour and hazardous work are put into Penal Code. This will help to prosecute child labour issues.</p> <p>REF: See art .167, 168 and 169 in the Law n° 13/2009 Regulating labour in Rwanda.</p> <p>In general, there is a new Ministerial Guidelines n° 02/2016 of 10/05/2016 on the prevention and fighting against child labour the worst forms of domestic child labour is mentioned in this Ministerial guidelines on child labour, therefore, those engaging children in worst forms domestic child labour are fined basing on the mentioned Ministerial Guidelines like all other forms of Child labour.</p> <p>On the employment of children below the age of 16, some acts are not criminalized in the Penal Code.</p> <p>Are only provided in the Ministerial Order n° 06 of 13/07/2010 determining the list of worst forms of child labour, however some of them are not considered as crimes by the Penal Code.</p>			
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29.	<p>The Committee recommends for the State Party to take concrete steps to prosecute perpetrators; and to provide rehabilitation and reintegration services for victims (Children who are trafficked to neighbouring countries like Tanzania, Uganda and Democratic Republic of Congo for the purpose of commercial sexual exploitation).</p> <p>The Committee recommends that the State Party collaborates with neighbouring countries to prevent trafficking of children; prosecute perpetrators and facilitate the return of the trafficked children.</p> <p>The Committee also encourages the Government to formulate a multi-sectorial prevention and redress mechanism for this menace.</p> <p>[Para 37 of Concluding</p>	<p>The Rwandan National Police (RNP) fight against human trafficking through Interpol. The Law on human trafficking is in process of promulgation. In the meantime, the Penal Code punishes this crime and a public awareness campaign against this crime is conducted in different districts.</p> <p>The rehabilitation of the victims of human trafficking is done through counselling programs and jurisdictions that condemn the perpetrators of this crime.</p> <p>Rwanda has also signed a memorandum of understanding with Uganda, Tanzania, Kenya and Burundi that allows the repatriation of victims and the extradition of perpetrators of the crime of human trafficking.</p> <p>Regarding measures to deal with child sexual abused and trafficking; investigators, prosecutors, lawyers and judges were trained on how to deal with child, in ILPD (See module related to interviewing), other different trainings have been</p>	<p><i>The Law on human trafficking is in process of promulgation.</i></p>	<p>Partially implemented</p>	<p>The <i>Office of Prime Minister</i> should speed up the process of promulgation of Law on the Human Trafficking.</p>
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	Observations]	done for investigators and prosecutors on how to deal with child victim of SGBV. Example: training on child friendly justice and legal aid provision, at ILPD Nyanza.			
30.	<p>The Committee would also like to encourage the State Party to sensitize the society as well as government organs that the responsibilities of the child in no way lead to violations of their rights.</p> <p>The Committee calls upon the State Party to adopt a right based implementation approach in this regard.</p> <p>[Para 38 of Concluding Observations]</p>	<p>The Article 6 of law n° 54/2011 of 14/12/2011 relating to the rights and the protection of the child stipulates that in all judicial and administrative proceedings related to the child, the primary consideration shall be in the best interests of the child. It also states that public or private social welfare institutions, schools, legal guardians or anybody or any other individual responsible for the child shall, in the process of taking any decision concerning the latter; always take into consideration the best interest of the child.</p>		Fully implemented	