

TREATY BODY MONITOR

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Key facts¹

Ratification	Reservations	Party to Optional Protocol?	Other core treaties ratified
1979	None	Yes, 2008	ICCPR, ICESCR, CAT, CRC, CEDAW, CPRD

Opening remarks by the delegation

The delegation of Rwanda was led by Ms Marie Christine Umubyeyi, a representative from the Rwandan National Commission for Human Rights. She was supported by a small delegation consisting of representatives of the Permanent Mission of Rwanda to the United Nations in Geneva. Due to visa difficulties, a number of the delegation, including the Government minister responsible for Gender Rights and the Promotion of the Family, Ms Jeanne D'Arc Mujawamariya, who had meant to lead the delegation, were unable to attend until later in the session. This fact was openly regretted by the delegation and members of the Committee.

The delegation's brief opening remarks to the Committee were accompanied by a powerpoint presentation. It with a brief overview of the State of modern Rwanda before broadly outlining achievements in the areas of education, economic development and health. A seemingly comprehensive State report had been submitted to

¹ The information in this table is available at www.ohchr.org/EN/Countries/Pages/HumanRightsintheWorld.aspx.

the Committee in December 2007.² Specific written replies to questions put forward by the Committee had been submitted by the delegation at an earlier stage, broadly framing the context for dialogue.³ The delegation appeared open to constructive discussion and underscored their genuine commitment to greater implementation of the *Convention on the Elimination of All Forms of Discrimination Against Women* (CEDAW) throughout the introductory address.

Overview of key issues

Education

In its concluding observations,⁴ the Committee advised Rwanda to take the following steps in respect of education:

‘The Committee recommends that the State party take steps to ensure de facto equal access of girls and young women to all levels of education, overcome traditional attitudes hampering women and girls fully enjoying their right to education, retain girls in schools and implement re-entry policies enabling young women to return to school after pregnancy. The Committee further urges the State party to take measures to increase the enrolment of girls at all levels, and recommends the introduction of temporary special measures, in accordance with its general recommendation 25. It also encourages the State party to take measures to increase the number of female teachers, especially at secondary and university levels and in leadership positions.’

In her opening remarks, Ms Umbuyeyi outlined that each Rwandan had the right to education free from discrimination, that primary education is obligatory and provided free by the State in public schools and that school curricula are sensitised to gender equality issues. Committee member Ms Popescu pressed the delegation on the disparity between policy and practice in respect of free and compulsory education for nine years, further querying whether the Government intended to extend State-supported education beyond nine years. In response, Ms Umbuyeyi affirmed that though the Government would like to provide free education, they were not in a position to do so owing to financial constraints.

Ms Popescu drew upon statistics indicating that though free and compulsory education had brought about a 98% enrolment rate in primary education, only 52% of those students completed their primary education. The written replies submitted by the delegation stressed that these rates primarily reflected ill-health and academic failure and did not particularly affect female students. The written replies conceded that some female students dropped out due to factors such as early pregnancy and financial constraints, but it claimed that such occurrences were rare. Ms Popescu did not appear to completely accept this categorization and questioned the delegation on measures taken by the Government to counter early pregnancy, traditional thinking and financial constraints posing obstacles to female students in Rwanda. The delegation did not answer this question directly but presented statistics evidencing greater female participation in private universities than public universities (where female students were substantially outnumbered) owing to the provision of night classes. In respect of the obstacle posed by traditional thinking limiting female access to education, Ms Umbuyeyi urged the Committee to understand that female education in Rwanda commenced forty years after the provision of education to males and, accordingly, it would take time for such traditional views to erode.

Committee members Ms Xiaoqiao and Ms Popescu further raised the fact that there existed a divide in literacy rates between urban and rural women, while also questioning the Government on measures taken to safeguard the right to education for refugee groups in Rwanda. In respect of refugee children, Ms Umbuyeyi

² CEDAW/C/RWA/6 is available at <http://www2.ohchr.org/english/bodies/cedaw/cedaws43.htm>

³ The written responses are available at <http://www2.ohchr.org/english/bodies/cedaw/cedaws43.htm>

⁴ The concluding observations are available at <http://www2.ohchr.org/english/bodies/cedaw/cedaws43.htm> and should be read in conjunction with this report.

explained that basic primary school facilities were provided by the Government with UNHCR attending to higher educational needs. The State written replies mention that the Government has developed programs, called Ubudehe and HIMO, to empower rural women to better provide for the educational needs of their children. However, the specifics of these programs were not addressed in the written replies and no mention was made of these programs during the interactive dialogue.

Employment

The Committee issued the following concluding observation to Rwanda in respect of employment:

'The Committee urges the State party to ensure equal opportunities for women and men in the labour market, including through the use of temporary special measures in accordance with article 4, paragraph 1 of the Convention and the Committee's general recommendation No.25. It recommends that the State party pay particular attention to the conditions of women workers in the informal sector, in particular in agriculture, with a view to ensuring their access to social benefits. The Committee also urges the State party to speedily enact legislation prohibiting sexual harassment in the workplace, including sanctions, civil remedies and compensation for victims. The Committee further urges the State party to establish an effective monitoring and regulatory mechanism on employment issues and practices in the private sector.'

The opening comments of the delegation stressed that gender equality in respect of employment was constitutionally enshrined. Ms Umbuyeyi stated that discrimination in hiring practice, pay and dismissals was prohibited by law. Committee members, in particular Ms Patten, questioned the delegation on measures the Government had undertaken to engage the private sector and address an apparent pay gap between men and women, as well as the relatively low number of women in managerial positions. She reminded the delegation that temporary special measures could be employed to rectify this imbalance and suggested the imposition of management level quotas.

Ms Umbuyeyi flatly rejected the existence of a pay gap between genders in the private sector, reasserting that the legal framework prohibits any discrimination in this regard. She did not address the difference between practice and the law and was not pressed further on this disparity by the Committee. Though she conceded a lack of gender proportionality in private sector employment, she simply assured the Committee of the Government's political will to bring about change without outlining any existing or proposed policy measures. While Ms Umbuyeyi mentioned training programs for women in the public service, it was unclear from her comments whether any program was in place to provide assistance to women in the private sector.

Committee member Mr Bruun drew attention to the large proportion of women involved in the agricultural sector and queried whether they were covered by the Labour Code. He further inquired whether provisions concerning maternity leave and recourse for sexual harassment were contained in the Labour Code. While the Government did not clarify whether the Labour Code applied to agricultural workers, Ms Umbuyeyi did explain that maternity leave and redress for sexual harassment were supported by the Labour and Civil Codes respectively. Ms Umbuyeyi further elucidated that women were made aware of these employment rights through translation of the Labour Code into various local languages and the dissemination of radio broadcasts communicating rights information in a palatable, drama format.

Health

In its concluding observations, the Committee advised Rwanda take the following steps in respect of health:

'The Committee calls on the State party to take concrete measures to enhance women's access to health care, in particular for women living in rural areas and elderly women, in accordance with article 12 of the Convention and the Committee's general recommendation 24 on women and health. The Committee recommends that the obstacles to accessing obstetric services be monitored and steps be taken for their removal and that a strategic plan to reduce maternal mortality be put in place. It further requests the State

party to take measures to prevent unwanted pregnancies, including by making contraceptives and family planning methods more widely available and by increasing awareness about family planning among women and men. The Committee recommends that the State party review its legislation relating to abortion with a view to removing punitive provisions imposed on women who undergo abortion in accordance with the Committee's general recommendation 24 on women and health and the Beijing Platform for Action. The Committee also calls upon the State party to provide adequate information and statistical data about women's mental health in its next periodic report.'

In her opening remarks, Ms Umbuyeyi addressed declining infant mortality rate and a reduction in the incidence of HIV, though both were marginal. She also outlined that a Government family planning strategy had just commenced. However, as it is in its early stages, its implementation is low.

Committee member Ms Rasekh questioned the delegation on statistics indicating a very high number of women dying from childbirth-related problems. She asked whether hospitals had adequate maternity wards and whether there were means to train midwives. Ms Umbuyeyi answered that Rwanda received technical assistance from UNICEF and UNFPI and that there were specific schools in place to train midwives, without going into any further detail. She appeared dismissive of the statistics supporting Ms Rasekh's question, stating that more accurate figures were currently being approved by the Institute of Statistics and that these would be more reflective of the improving situation in Rwanda.

Ms Rasekh and Ms Neubauer pressed the delegation on the issue of contraception as a means to curb HIV/AIDS and other sexually transmitted diseases and asked about the availability of contraceptives in Rwanda. Further, drawing from the State report indicating that religion and other cultural concerns preclude the widespread acceptance of contraception,⁵ Committee member Ms Coker-Appiah questioned the delegation on whether alternative strategies had been implemented. In response, the delegation asserted the accessibility of contraceptives through large hospitals and decentralised health facilities in the villages. Ms Umbuyeyi further added that these measures were being complemented by sexual education in schools including information on the use of contraception. Ms Umbuyeyi then claimed that the low incidence of contraception was not a problem for women (who she argued were well-versed in contraceptive methods) but for men who lacked adequate sexual education.

The Committee was particularly seized by the incidence of abortion in Rwanda, with Ms Rasekh and Ms Neubauer both asking the delegation to clarify the legal framework for abortion, as well as to provide statistics. Ms Rasekh in particular drew upon statistics indicating a high incidence of rape in the country and queried whether the abortion law provided exceptions in cases of rape. Ms Umbuyeyi bluntly dismissed this query by asserting 'Rwanda is not a country of rape' and claimed that the main issue was to educate the community on means to avoid abortion. She further explained that statistics pertaining to illegal abortions were not attainable given the lack of reporting in this regard.

Trafficking and prostitution

The Committee's recommendation on trafficking and prostitution is as follows:

'The Committee urges the speedy enactment of the Bill on the Suppressing, Prosecuting and Punishing in human beings, and the introduction of effective prevention measures, timely prosecution and punishment of traffickers and the provisions of protection and support to victims. It recommends that information and training on the new bill when adopted be provided to the judiciary, lawyers, and the law enforcement officials, including border police as well as public officials, social workers and community development officers. It further recommends that the State party adopt comprehensive measures to address trafficking as well as exploitation of prostitution and ensure the allocation of sufficient human and financial resources for

⁵ CEDAW/C/RWA/6, paras 203-204, available at <http://www2.ohchr.org/english/bodies/cedaw/cedaws43.htm>

their effective implementation, including collection of sex-disaggregated data. It also recommends that the State party to address the root causes of trafficking and exploitation of prostitution of women and girls and take measures for the rehabilitation and social integration of women and girls who have been victims of such activity.'

Though the issue was not raised in the delegation's opening remarks, this attracted significant attention from Committee members. The basis for this was perhaps found in the State report submitted by Rwanda where the lack of a law dealing with trafficking is frankly acknowledged.⁶ Committee member Ms Awori notably drew upon statistics indicating that the majority of Rwanda's 55,000 refugees are women to argue that trafficking presents a substantial problem to the Rwandan Government. Committee member Ms Chutikul drew upon recommendations contained in the NGO report and pressed the delegation to conduct a study on trafficking as there was sparse information on the matter.⁷ Ms Chutikul and Ms Begum both underscored the importance of rehabilitation for victims and questioned the delegation on measures undertaken by the Government to support young victims of trafficking and to punish perpetrators. Ms Umbuyeyi conceded that Rwanda lacked the legal framework to address trafficking but stressed that this was on the Government's agenda. She explained that a steering committee collaborating with the police had been established to formulate a bill but did not express an expected time frame for such a bill to be passed into law.

In respect of prostitution, Committee members acknowledged its comprehensive prohibition in the Rwandan Criminal Code. Ms Awori reminded the delegation that the phenomena occurred in both rural and urban areas and was a result of poverty. She emphasised the importance of rehabilitative facilities for women seeking refuge and queried whether such facilities were available and accessible to vulnerable women. In response, Ms Umbuyeyi appeared to broadly indicate that there were programs in place, including educational campaigns, without elaborating further. She did touch upon economic empowerment schemes whereby vulnerable female groups could develop economic co-operatives at which point they would be eligible for Government loans to start business ventures. It was however unclear whether such measures specifically targeted victims of prostitution and trafficking or had been established to target rural women, as micro-credit schemes were raised in the context of this discussion frequently.

Other issues

During a consultation period prior to the session, NGOs primarily discussed the need to establish clinics and other mechanisms to provide for the victims of gender-based violence and also to ensure that women were represented at decision-making levels. Drawing from this consultation, the State report and the NGO report, the Committee also engaged the delegation on the need to combat entrenched stereotyping of gender roles; the economic empowerment of rural women; the need to develop a comprehensive action plan to fight domestic and sexual violence and the need to reform certain discriminatory provisions of Rwandan law. All these issues are addressed significantly in the Committee's concluding observations.

Conclusions and next steps

The delegation concluded by expressing their thanks to the Committee for their assistance throughout the process. Ms Umbuyeyi appeared genuinely grateful for their support and sought to reaffirm the fact that, though Rwanda is a young, developing country, there was no shortage of political will to bring about positive changes in the immediate future.

The Committee seemed very supportive of the Rwandan delegation for the effort they had put into preparing their State report. They regretted the fact that some members of the Rwandan delegation had visa problems at the airport and hence were unable to contribute to the review. The Committee appeared to show a good

⁶ Ibid. at para. 118.

⁷ AJEPRODHO NGO report, p. 9, available at <http://www2.ohchr.org/english/bodies/cedaw/cedaws43.htm>

understanding of the constraints facing Rwanda as a developing country having emerged from a recent brutal conflict and were grateful for their cooperative spirit.

In its concluding observations, the Committee requested that Rwanda provide, within two years, detailed written information on the implementation of the recommendations relating to the formulation of a national action plan to combat sexual violence and to take concrete measures to enhance women's access to health care, particularly in rural areas. The Committee further encouraged Rwanda to strengthen its cooperation with specialised UN agencies and to consider seeking technical cooperation and assistance for the implementation of their recommendations.

The Committee requested that Rwanda respond to the concerns expressed in the present concluding observations in its next periodic report. In this regard, the Committee invited Rwanda to submit its combined seventh, eighth and ninth periodic report in September 2014.

The full list of concluding observations of the Committee can be accessed at:
<http://www2.ohchr.org/english/bodies/cedaw/cedaws43.htm>

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