

**Responses to Recommendations**

**RWANDA**

Review in the Working Group: 24 January 2011  
 Adoption in the Plenary: 7 June 2011

**Rwanda’s responses to recommendations (as of 22.11.2011):**

<b>In the Report of the Working Group:</b>	<b>In the Addendum:</b>	<b>During the plenary:</b>	<b>Summary:</b>
54 REC accepted (among which 14 are considered as already implemented and 21 as in the process of being implemented); 3 rejected and 16 pending	Out of the 16 pending, 13 were accepted and 3 rejected	No additional information provided	Accepted: 67 Rejected: 6 No clear response: 0 Pending: 0

**List of recommendations contained in Section II of the Report of the Working Group A/HRC/17/4:**

A - 77.1. Continue its commendable efforts in the area of good governance and human rights, in particular through its newly established Governance Advisory Council and the Task Force on Treaty Reporting (Botswana);

A - 77.2. Continue its efforts towards the protection and promotion of human rights (Chad);

A - 77.3. Pursue the efforts undertaken by the Government under the Vision 2020 plan (Algeria);

A - 77.4. Accelerate steps towards adopting the human rights policy and national action plan for the protection and the promotion of human rights, and devise programmes for their implementation (Egypt);

A - 77.5. Continue to implement its social and economic development strategy in order to promote steady progress of its society (China);

A - 77.6. Continue to implement the programmes for development mentioned in paragraph 4 of the national report, and strengthen the systematic integration and promotion of human rights in these

programmes (Morocco); continue to apply the strategies and plans for the socio-economic development of the country (Cuba);

A - 77.7. Continue to apply programmes and measures to improve the enjoyment of the right to education, the right to health, and the rights of women and children (Cuba);

A - 77.8. Consider issuing a standing invitation to all special procedures mandate holders (Brazil); reinforce its collaboration with the treaty bodies (Republic of Korea); extend an open and permanent invitation to special procedures (Spain);

A - 77.9. Respond, as soon as possible, to the outstanding communications from the treaty bodies, including those from the Human Rights Committee (Republic of Korea);

A - 77.10. Invite the Special Rapporteur on the independence of judges and lawyers to visit Rwanda (Canada); favourably consider issuing a standing invitation to the special procedures, which would help to strengthen the relationship between Rwanda and the Council (Republic of Korea); extend a standing invitation to the United Nations human rights special procedures so that they can visit the country and assist the Government with its human rights reforms (Maldives);

A - 77.11. Pursue its efforts to ensure gender equality and the participation of women in public institutions, including at the local level, and promote this in the private sector (Spain); implement further policies to ensure gender equality throughout society, and strengthen the promotion and protection of the rights of women (South Africa);

A - 77.12. Further cooperate with the international community in holding accountable those responsible for violations against human rights and humanitarian law (Brazil);

A - 77.13. Re-strengthen the guarantees of independence of the High Media Council and clarify its mandate so as to distinguish protection of freedom of the press from its functions as media regulator (Canada);

A - 77.14. Ensure all human rights activists operating in the country, including individuals cooperating with United Nations human rights mechanisms, are spared harassment and intimidation (Slovakia); further address the agenda of social economic development, focusing especially on the poverty reduction program with the active support of the international community, in order to contribute further to achievements of human rights (Cambodia);

A - 77.15. Continue to consolidate the progress already achieved in the area of improving living conditions, and strengthen human rights protection (Niger); ensure that the objectives of initiatives such as Vision 2020 and the Economic Development and Poverty Reduction Strategy are attained, and that efforts to build a more stable and prosperous Rwanda continue (Indonesia); identify priority areas and engage in international cooperation programmes to eradicate extreme poverty and ensure food security (Egypt); continue with the implementation of its development and poverty-reduction policy, strengthen international cooperation, and make greater efforts to reduce poverty (China);

A - 77.16. Continue to focus on maternal and child health (Singapore);

A - 77.17. Continue efforts to enlarge access to treatment (of HIV/AIDS and malaria) (Turkey);

A - 77.18. Continue its efforts with regard to universal primary education and abolishing school fees, including the promotion of the Nine-Year Basic Education programme (Singapore); request support from the international community for its education policy, in particular the One Laptop Per Child programme, and for consolidating protection of the most vulnerable social groups, in particular the implementation of the national programme for childhood (Niger);<sup>1</sup>

A - 77.19. Secure greater investment in the education sector, without delay, in order to achieve the Education for All goal by 2015 (Sri Lanka); continue to seek development and technical assistance for capacity-building from development partners, with a view to finding solutions to the identified challenges militating against the fulfilment of its commitments (Nigeria); request technical and financial assistance from partners and specialized United Nations agencies (with regard to demographic growth, poverty reduction, protection of the informal sector and the environment) (Mauritania); avail itself of the technical assistance and capacity-building support provided by OHCHR

(Burkina Faso); consider seeking further targeted technical assistance from United Nations agencies towards achieving its human rights obligations (Botswana);

**78. The following recommendations enjoy the support of Rwanda, which considers that they have already been implemented:**

A - 78.1. Ratify CERD (Maldives);

A - 78.2. Continue and even accelerate its law review process and ensure that all gender and other discriminatory provisions in the legislation are repealed (Slovenia);

A - 78.3. Provide the National Commission for Human Rights with human and material resources (Algeria); provide sufficient human and financial resources to the National Commission for Human Rights, so as to enable the Commission to carry out its mandate more effectively (Malaysia);

A - 78.4. Design plans and strategies to ensure sustainability in protecting the rights of women and children (Egypt);

A - 78.5. Create a comprehensive policy on the rights of the child (Hungary);

A - 78.6. Accelerate the process of legal reform and ensure that all discriminatory provisions in the legislation, especially those regarding women, are abrogated (Morocco); continue its efforts to improve the guarantees on the rights of women through the revision of all discriminatory laws (Burkina Faso);

A - 78.7. Continue to address the issue of gender discrimination (Japan); explicitly prohibit discrimination against women, in line with the provisions of the Convention on the Elimination of All Forms of Discrimination against Women (Hungary);

A - 78.8. Set up prevention, repression and assistance mechanisms to help victims to fight sexual and domestic violence, as well as all types of discrimination against women (France); adopt policies aimed at promoting women's rights and combating domestic and sexual violence (Brazil); adopt a national strategy to fight all forms of violence against women (Moldova);

A - 78.9. Introduce legislation explicitly prohibiting corporal punishment and promote alternative, non-violent forms of discipline (Azerbaijan);

A - 78.10. End solitary confinement sentences and ensure that those sentenced to life imprisonment benefit from the United Nations Standard Minimum Rules for the Treatment of Prisoners, and adopt urgent measures against overcrowding; (United Kingdom); in line with the Human Rights Committee, put an end to sentences of solitary confinement, and ensure that persons sentenced to life imprisonment benefit from the safeguards of the United Nations Standard Minimum Rules for the Treatment of Prisoners (Italy);

A - 78.11. Ensure, with effective measures, the demobilization of all child soldiers and secure their rehabilitation and social integration (Slovenia);

A - 78.12. Open television broadcasting frequencies to private providers (Austria);

A - 78.13. Ensure that the good practice of the "high rate of female parliamentary representation" is materialized through enhanced women's participation in decision-making in the country (Indonesia);

A - 78.14. Further strengthen efforts to increase the participation of women in decision-making posts, in particular at the local level (Azerbaijan);

**79. The following recommendations enjoy the support of Rwanda, which considers that they are in the process of being implemented:**

A - 79.1. Ratify the Optional Protocol to the Convention against Torture (OPCAT) and ICCPR-OP 1 (Hungary); sign and ratify the Optional Protocol to ICESCR, ICCPR-OP 1, OP-CAT and the International Convention for the Protection of All Persons from the Enforced Disappearance (CED) (Spain); consider ratifying outstanding international human rights instruments, and update domestic

legislation to be in line with the provisions of those international treaties (South Africa); consider ratifying OP-CAT (Azerbaijan); ratify OP-CAT and thereby allow country visits (Germany); become party to OP-CAT and establish an official national preventive mechanism (Maldives); ratify and implement in national law the outstanding core international human rights treaties, in particular OP-ICESCR and CED (Netherlands); sign, ratify and incorporate into national legislation key human rights treaties, such as ICCPR-OP 1, OP-CAT and CED (Sweden);

A - 79.2. Respond to all the cases submitted by the Working Group on Enforced or Involuntary Disappearances, sign and ratify CED, and fully recognize the competency of the Committee (France);

A - 79.3. Accelerate the revision of the Genocide Ideology Law by precisely defining the crime in line with international standards, and ensuring that intention, assistance and incitement to genocide are clearly stated in the definition (Switzerland); review the definition of “genocide ideology” in the homonymous 2008 law so that it allows for diversity of opinion (Austria); review the 2008 Genocide Ideology Law and other related laws to bring them in line with international standards through a more precise and restrictive definition of the crime, including a clear statement of intent to commit, assist or incite genocide (Italy); continue the review of genocide ideology and related laws, and rigorously apply the provisions of article 20 of ICCPR by taking strictly necessary and proportionate measures (Belgium);

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

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

A - 79.6. Adopt new measures to find a solution to the problem of overcrowding in prisons (Algeria); strengthen measures taken within the reform policies to make the prison system more humane, in particular through training of personnel and improved prison administration (Morocco); separate convicted offenders from pretrial detainees (Austria);

A - 79.7. Pursue justice-system reforms, in particular with regard to strengthening the independence of the judiciary with focus on eliminating corruption and political interference (Slovakia); adopt measures to strengthen the independence of the judiciary and guard against corruption and political interference (United States); continue reforms of the justice system, in particular measures to strengthen the independence of the judiciary and reinforce witness protection (Austria); continue to reform the justice system to enhance the independence of the judiciary and improve witness protection (Australia); continue the reform of the judiciary in order to give more independence to the justice system, and improve the witness protection system (Switzerland);

A - 79.8. End the *gacaca* court system as soon as possible, noting the stated deadline of February 2010 (United Kingdom); address alleged miscarriages of justice in the *gacaca* trials through the formal court system (Australia); strive to further enhance and share its experiences regarding the role of traditional institutions in dispensing justice and reconciliation (Ethiopia);

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

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

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

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

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

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

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

A - 79.16. Ensure that journalists are not harassed or intimidated (Austria);

A - 79.17. Continue the open and critical dialogue initiated immediately following the presidential election in August 2010, which addresses the opening up of the “political space”, progress in human rights, and freedom of the media and press (Germany);

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

A - 79.19. Further the process of ensuring free secondary education in order to guarantee access to education for all young persons (Burundi);

A - 79.20. Adopt measures aimed at reducing poverty in the Batwa community, and its full integration in society (Chile);

A - 79.21. Respond effectively to the request for information by the Human Rights Committee in 2009 regarding the follow-up given to the recommendations related to forced disappearances, assassinations, summary and extrajudicial executions, and life sentences in isolation cells (Spain);

**80. The following recommendations will be examined by Rwanda, which will respond in due course, but no later than the seventeenth session of the Human Rights Council in June 2011. The responses will be included in the outcome report adopted by Council at its seventeenth session:**

R - 80.1. Make the law on NGOs more flexible, in particular by abolishing the annual registration requirement (Switzerland);

R - 80.2. Urgently reform legislation on the registration of political parties so as to favour the creation of a political sphere that guarantees pluralism for all political parties, further to articles 25 and 26 of ICCPR( Spain);

R - 80.3. Abrogate any provisions of defamation in criminal law, and replace them by appropriate provisions under civil law (Canada);

**R - 80.4. Urgently investigate cases of arbitrary arrest and detention, including those which may constitute enforced disappearances (Sweden);**

R - 80.5. Decriminalize press offenses, and reform or repeal the Media Law, which limits the freedom of press (United States);

R - 80.6. Remove restrictions related to the activities of journalists, in particular the obligation to register and the high level of qualification required to establish a newspaper, and ensure journalists, in particular those known for their critical position vis-à-vis the Government, the liberty to practice their profession, carry out investigations, and publish the results thereof, without reprisals (Switzerland); conduct investigations into the acts of intimidation or aggression towards journalists who criticize the Government, and guarantee that any restriction to the exercise of their profession is compatible with

the provisions of ICCPR (Poland); ensure that allegations of harassment of journalists are investigated, that perpetrators are punished, and the independent media are free from unjustified restrictions (United Kingdom);

R - 80.7. Take immediate action to allow journalists, political activists and human rights defenders, including those critical of the Government, to exercise their right to freedom of expression and opinion without threats and harassment, and urgently investigate all reports of human rights abuses, and ensure that those responsible are held accountable (Sweden);

R - 80.8. Ensure freedom of the press, and reply to the concerns raised by the experts of the Human Rights Committee in their 2009 report (France);

R - 80.9. Lift de jure and de facto restrictions on political parties to allow for genuine political participation and dialogue (Austria); investigate allegations of manipulation and abuse concerning the registration of political parties (Canada); treat all political parties on an equal footing and offer them equal opportunities in line with articles 25 and 26 of ICCPR, including through a transparent and impartial party-registration process (United Kingdom); remove all existing restrictions on political activities and ensure that political parties and political activists can carry out their legitimate activities on an equal footing, without fear of reprisals or prosecution (Slovakia);

R - 80.10. Ensure full respect for freedom of association, by lifting restrictions that limit the free exercise thereof (France);

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

R - 80.12. Ensure that NGOs involved in defending human rights can carry out their activities without hindrance (Spain);

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

R - 80.14. Ease burdensome registration requirements for human rights NGOs (Slovakia); reduce burdensome registration and renewal processes for NGOs in the country (United States);

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

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

#### **81. The following recommendations did not enjoy the support of Rwanda:**

R - 81.1. Ensure that children under the age of 18 are not recruited into any armed group on the national territory (Slovenia); prohibit child recruitment into local defence forces or into any armed group (Hungary);

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

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

*Notes*

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

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