RESPONSE OF THE NATIONAL COMMISSION FOR HUMAN RIGHTS OF RWANDA TO THE IMPLEMENTATION OF THE UPR CONCLUSION AND/OR RECOMMENDATIONS

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);

NCHR: Implemented through the Law N° 41/2011of 30/09/2011 establishing the Rwanda Governance Board and determining its mission, organization and functioning.

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

NCHR: Implemented

3. Pursue the efforts taken by the Government under the program Vision 2020 (Algeria);

NCHR: Implemented

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

NCHR: Implementation on –going:

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

NCHR: Implemented

6. Continue implementation of programmes for development mentioned in paragraph 4 of the national report and strengthen the systematic integration and promotion of human rights in these programmes (Morocco); Continue applying the strategies and plans for the socio-economic development of the country (Cuba);

NCHR: Implemented

7. Continue applying programs and measures to improve the enjoyment of the right to education, the right to health, and the rights of women and children (Cuba);

NCHR: Implemented through the Constitution, legislation, policies and programms
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);

**NCHR: Implemented: SR on Minorities, on adequate housing invited and SR on Peaceful Assembly in process of invitation**

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

**NCHR: Implemented**

10. Invite the Special Rapporteur on the Independence of Judges and Lawyers to carry out a visit to Rwanda (Canada); Favorably consider issuing a standing invitation to the Special procedures, which will help strengthen the relationship between Rwanda and the Council (Republic of Korea); Extend a standing invitation to the UN human rights special procedures so that they can visit the country and assist the government with its human rights reforms (Maldives);

**NCHR: Implemented: The Government of Rwanda called upon all special Rapporteurs to visit Rwanda. It was in May 2012, while the Government presented the report on CAT in GENEVA. NCHR was represented at that session.**

11. Pursue its efforts to ensure gender equality and participation of women in public institutions including local ones and promote this in the private sector (Spain); Implement further policies to ensure gender equality throughout society and strengthen the promotion and protection of the rights of women (South Africa);

**NCHR: Implemented through the Constitution, legislation, policies and programms**

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

**NCHR: Implemented**

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

**NCHR: Implemented through the New law N° 03/2013 of 08/02/2013 determining the responsibilities, organization and functioning of the Media High Council that provides Media High Council is responsible for media capacity building.**

14. Ensure all human rights activists operating in the country, including individuals cooperating with UN HR mechanisms, are spared from harassment or intimidation
(Slovakia); Further address the agenda of social economic development focusing especially on poverty reduction program with active support of the international community in order to contribute further to achievements of human rights (Cambodia);

NCHR: Implemented

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

NCHR: Implemented through various programs put in place including one cow per poor family, vision 2020 Umurenge, Work Development Authority.

16. Continue focusing on maternal and child health (Singapore);

NCHR: Implemented

17. Continue the efforts taken to enlarge the access to treatment [of HIV/AIDS and malaria] (Turkey);

NCHR: Implemented

18. Continue its efforts in introducing universal primary education and abolishing school fees, including the promotion of the Nine Years Basic Education for Children (Singapore); Request support from the International Community for its education policy, in particular the Program called ‘One computer per child’ and provide support in consolidating the protection of the most vulnerable social groups, in particular the implementation of the national program for childhood (Niger);

NCHR: Implemented through the new Program of 12 years established and one Lap Top per Child in continuation

19. Secure greater investment in the education sector in order to achieve the objective Education for All by the Year 2015, without delay (Sri Lanka); Continue to seek development and technical assistance for capacity building from development partners, with a view to finding solutions to the identified challenges militating against the fulfilment of its commitments (Nigeria); Request technical and financial assistance from partners and specialized UN agencies [regarding demographic growth, the reduction of poverty, the protection of the informal sector and the environment] (Mauritania); Avail
itself for the technical assistance and the capacity building provided by the OHCHR (Burkina Faso); Consider seeking further targeted technical assistance from United Nations agencies towards achieving its human rights obligations (Botswana);

**NCHR: Implemented**

20. Ratify the Convention on the Elimination of All Forms of Racial Discrimination (Maldives);

**NCHR: Implemented; CERD had been ratified in 1975**

21. Continue and even accelerate its law review process and to ensure that all gender and other discriminatory provisions in legislation were repealed (Slovenia);

**NCHR: Implemented through the Constitution, legislation such as Organic Law N°01/2012/OL of 02/05/2012 instituting the Penal Code, Civil Code which is in the examination in the Parliament.**

22. Provide the National Human Rights Commission with human and material resources (Algeria); Provide sufficient human and financial resources to the National Commission for Human Rights in Rwanda so as to allow the Commission to carry out its mandate more effectively (Malaysia);

**NCHR: Implemented: National Commission for Human Rights of Rwanda has its own financial resources from the National Budget and recuites its own staff. The budget permits to accomplish its planned activities, in addition of paying services, salaries, furniture.**

23. Design plans and strategies to ensure sustainability in the protection of the rights of women and children (Egypt);

**NCHR: Implemented**

24. Create a comprehensive policy on the rights of the child (Hungary);

**NCHR: Implemented, see 21 above**

25. Accelerate the process of legal reform and ensure that all discriminatory provisions of the legislation especially with regard to women are abrogated (Morocco); Continue its efforts to improve the guarantees the rights of women through the revision of all discriminatory laws (Burkina Faso);

**NCHR: Implemented, see 21 above**
26. Continue to address the issue of gender discrimination (Japan); Explicitly prohibit discrimination against women in line with the provisions of the CEDAW (Hungary);

NCHR: Implemented

27. Set up mechanism of prevention, repression and assistance to victims to fight sexual and domestic violence as well as all types of discrimination against women (France); Adopt policies aimed at promoting women’s rights and combating domestic and sexual violence (Brazil); Adopt a national strategy to fight all forms of violence against women (Moldova);

NCHR: Implemented through Organic Law N°01/2012/OL of 02/05/2012 instituting the Penal Code; Prime Minister’s Order N° 001/03 of 11/01/2013 determining modalities in which Government Institutions prevent and respond to Gender-Based violence; One Stop Centers established for prevention, repression and assistance all types of violence against women, now 4 are established; Sensitization by all Stakeholders.

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

NCHR: Implemented through Organic Law N°01/2012/OL of 02/05/2012 instituting the Penal Code which provides punishment to any person inflicting severe suffering on a child, harassing or imposing severe punishments on him/HER.

29. End solitary confinement sentences and ensure that those on life imprisonment benefit from UN standard minimum rules for the treatment of prisoners, and adopt urgent measures against overcrowding; (United Kingdom of the Great Britain and Northern Ireland); In line with the Human Rights Committee, put and end to the sentence of solitary confinement and ensure that persons sentenced to life imprisonment benefit from the safeguards of the UN Standard Minimum Rules for the Treatment of Prisoners (Italy);

NCHR: Implemented through Law N° 32/2010 of 22/09/2010 which provides specific modalities of enforcement and serving the sentence of life imprisonment with special provisions.

30. Open television broadcasting frequencies to private providers (Austria);

NCHR: Implementation on going through Law N° 09/2013 of 01/03/2013 establishing Rwanda Utilities Regulatory Authority (RURA) and determining its mission, powers, organization and functioning.

31. Ensure that the good practice of “high rate of female parliamentary representation” is materialized through an enhanced women participation in decision making process in the country (Indonesia);

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

Implemented

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

NCHR: Implementation on going through the law N° 17/2013 of 25/03/2013 authorizing the ratification of the OP-CAT;

The ICCPR-OP had been ratified in 2008;

The Optional Protocol of ICESCR is ratified by Law N° 18/2013 of 25/03/2013 authorizing the ratification.

The International Convention from the Enforced Disappearances: not yet implemented.

Official National Preventive Mechanism not yet established.

34. Respond to all the cases submitted by the Working Group on Enforced Disappearances and sign and ratify the International Convention on the protection of all people against disappearances and to fully recognize the competency of its Committee (France);

Not implemented

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

NCHR: Implementation on going: the draft law reviewing the genocide ideology law is under examination in the Parliament.

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

NCHR: Implementation on going: see 35 above

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

NCHR: Implemented: see 25 above

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

NCHR: Implemented: rehabilitation of prisons on going and building new prisons

39. Pursue justice system reforms, particular towards strengthening the judiciary’s independence with focus on elimination phenomena of corruption and political interference (Slovakia); Adopt measures to strengthen the independence of the judiciary, and guard against corruption and political interference (USA); Continue reforms of Rwanda’s justice system, in particular measures to strengthen the independence of the judiciary and reinforce witness protection (Austria); Continue to reform the justice system to enhance the independence of the judiciary and improve witness protection (Australia); Continue the reform of the judiciary in order to give more independence to the justice system, and to improve the witness protection system (Switzerland);

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

**NCHR: Implemented through the Organic Law N° 04/2012 /OL of 15/06/2012 terminating Gacaca Courts and determining mechanisms for solving issues which were under their jurisdiction.**

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

**NCHR: Implemented: Bar Association Law under examination in the Parliament, Draft of legal aid police available now**

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

**NCHR: Implemented through the new law N° 02/2013 of 08/02/2013 regulating Media and Law N° 03/2013 of 08/02/2013 determining the responsibilities, organization and functioning of the Media High Council**

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

**NCHR: Implemented: see 42 above**

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

**NCHR: Implemented: see 42 above**

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

NCHR: Implemented: see 42 above

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

NCHR: Implemented: see 42 above

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

NCHR: Implemented: see 42 above

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

NCHR: Implemented: see 42 above

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

NCHR: Implemented: see 42 above

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

NCHR: Implemented through the Constitution

51. Further the process of ensuring free of charge secondary education in order to guarantee access of all young persons to education (Burundi);

NCHR: Implemented through the 12 Years Basic

52. Adopt measures which allow for the reduction of poverty of the batwa community and its full integration in society (Chile);

NCHR: Implemented see 15 above

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

NCHR: Partially Implemented (life sentence in isolation cells: withdrawal in law in 2010: see 29 above)

54. Make the law on NGOs more flexible in particular, by abolishing the annual registration (Switzerland);

NCHR: Implemented through the Law N° 05/2012 of 17/02/2012 governing the organization and functioning of international non governmental organizations which provides a period not exceeding five (5) for the validity of the certificate of registration of an international non-governmental organization.

55. Urgently reform the legislation on the registration of political parties to favour the creation of a political sphere that guarantees pluralism for all political parties under articles 25 and 26 of ICCPR (Spain);

NCHR: Implementation on going: Law reviewing the law on political organizations under examination in the Parliament

56. Abrogate any provisions of criminal law on defamation and replace them by appropriate provisions under civil law (Canada);

NCHR: Not Implemented

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

58. Decriminalise press offenses and reform or repeal the Law on Media, which limits the freedom of press (USA);

NCHR: Implemented: see 42 above

59. Remove restrictions related to the activities of journalists, in particular the obligation of inscription and the high qualification level to establish a newspaper, and ensure journalists, in particular those journalists known for their critical position to the Government, their liberty to practice their profession, to carry out investigations, and publish the results of their investigations without reprisals (Switzerland); Conduct investigations into the acts of intimidation or aggression towards the journalists who criticize the government and guarantee that any restriction on the exercise of journalists activities is compatible with the provisions of the ICCPR (Poland); Ensure that allegations of journalist harassment are investigated and perpetrators punished, and that independent media is free from unjustified restrictions (United Kingdom of the Great Britain and Northern Ireland);
NCHR: Implemented: see 42 above

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

NCHR: Implemented: see 42 above

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

NCHR: Implemented: see 42 above

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

NCHR: Implementation on going: see 55 above

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

NCHR: Implemented: see 42 above

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

NCHR: Implemented: see 42 above

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

NCHR: Implemented: see 54 above

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

NCHR: Implemented: see 54 and 55 above
67. Ease burdensome registration requirements towards human rights NGOs (Slovakia); Reduce burdensome registration and renewal processes for NGOs in the country (USA);

NCHR: Implemented: see 54 above

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

NCHR: Implemented