

ALTERNATIVE REPORT ON THE IMPLEMENTATION OF 2015 UPR RECOMMENDATIONS BY THE REPUBLIC OF RWANDA

**Report prepared and submitted by Rwanda Civil Society Coalition on UPR¹
ahead of Rwanda's 3rd Review**

to

The United Nations Human Rights Council

Geneva, July 2020

¹Rwanda Civil Society Coalition on UPR is a network of CSOs and Media outlets that was established in 2014 to create awareness on UPR and subsequently monitor implementation of recommendations given to Rwanda. Its members are the following: CHRD (Center for Human Rights and Development), CERULAR (Center for Rule of Law Rwanda), FIYO (Fight Illiteracy Youth Organisation), Strive Foundation Rwanda, Rwanda NGO Forum on HIV/AIDS, Never Again Rwanda (NAR), National Union of Disability Organisations of Rwanda (NUDOR), Faith Victory Association (FVA), Hope for Community Development Organisation (HCDO), IMRO (Ihorere Munyarwanda Organisation), LAF (Legal Aid Forum) Secretariat and some members of LAF namely : AJAR (Association des Jeunes Avocats du Rwanda), ADEPE (Action pour le Développement du Peuple), ADL (Association Rwandaise pour la Défense des Droits de la Personne et des Libertés Publiques), AJPRODHO-JJUKIRWA (Association de la Jeunesse pour la Promotion des Droits de l'Homme et du développement), ARDHO (Association Rwandaise pour la Défense des Droits de l'Homme), COPORWA (Communauté des Potiers du Rwanda), HRFRA (Human Rights First Rwanda Association), INALAS (Inara Legal Aid Services), INILAK-LAC (Independent Institute of Lay Adventists of Kigali- Legal Aid Clinic), LIPRODHOR (Ligue Rwandaise pour la Promotion et la Défense des Droits de l'Homme), LOH (The Network of Lawyers of Hope Rwanda), MPEDH (Mouvement des Peuples pour l'Education aux Droits Humains), NCR (Non Crime Rwanda), UMUSANZU, IMPAMO, IMANZI, RUGALI, AMAHORO Newspaper, PAX PRESS and MPH (Media Press House).

1. Introduction

This report is submitted by Rwanda Civil Society Coalition on UPR ahead of Rwanda's 3rd Review under the Universal Periodic Review scheduled to take place in 2021. The report focuses on the progress made in line with the implementation of the 50 recommendations accepted and supported by Rwanda and incorporated into the UPR implementation Roadmap as well as 103 recommendations which enjoyed the support of Rwanda but were considered as already implemented or their implementation was in process.

In terms of Methodology, the report is a product of a rigorous and comprehensive information and data gathered by Coalition members organized under its four thematic areas namely; access to Justice, freedoms, social and economic rights as well as gender and rights of vulnerable persons. Information and data were collected from responsible Government institutions indicated in the roadmap for UPR implementation as well as from a wide array of CSOs working on specific human rights covered under the report.

The Coalition is thankful to all Government institutions for the collaboration in providing the requested information at a tune of 100%. Besides, extensive literature review of different reports/publications from Government institutions, CSOs, development partners and independent experts was conducted. The report was elaborated by a technical committee of the coalition, reviewed by the Coalition's Steering Committee and endorsed by the Coalition's General Assembly.

This report summaries key findings from the main assessment report, which is annexed to this report for further details. The report scans the broad legal, policy and institutional framework underpinning human in general and 18 human rights-based issues namely; Freedom of opinion, expression and access to information, Freedom of association and assembly; Access to justice, fair trial and due process, Humane treatment in detention facilities, prisons and in transit and rehabilitation centres; Prevention and punishment of Torture, Non- Discrimination and gender equality; Women emancipation, empowerment and participation; Prevention and response to SGBV; Human trafficking; Birth registration for all children; Right to education; Right to health, Right to employment and decent working conditions; Right to adequate standard of living and social protection; Right to water and sanitation; Right to food and Rights of asylum seekers, refugees and migrants workers.

2. Assessment of General issues underpinning Human Rights in Rwanda

2.1. Legal Framework

Since the last review in 2015, Rwanda made commendable substantive legal reforms to guarantee the respect and protection of human rights such as;

- The law governing persons and family has been amended twice, in 2016 and 2020 respectively and the law on succession, matrimonial regimes and liberalities was also revised in 2016. In both cases, the aim was to address gender inequality;
- The law determining offences and penalties (Penal code) has been amended twice, in 2016 and 2018 respectively and a number of provisions that undermine freedom of expression were repealed.
- Law regulating political organizations, one major change ushered in by this reform is that it is no longer compulsory for any political organization to be a member of the National

Forum of Political Organizations (NFPO);

- Law determining the mission, organization and functioning of the National Commission for Human Rights incorporating the National Preventive Mechanism (NPM);

However, the coalition notes with concern the following:

- There is lack of a clear roadmap to accede the following international human rights conventions: International Convention for the Protection of All Persons from Enforced Disappearance, International Labour Organization Domestic Workers Convention, 2011 (N°. 189) and Optional Protocol to the Convention on the Rights of the Child on communications procedures;
- There is also concern about Rwanda's withdraw from the voluntary mechanism of submitting individual complaints to the African court on human and peoples' rights.

Recommendations:

- Expedite the process of ratification or accession to the following International Conventions: International Convention for the Protection of All Persons from Enforced Disappearance, the International Labour Organization Domestic Workers Convention, 2011 (N° 189) and the Optional Protocol to the Convention on the Rights of the Child on communications procedures;
- Re-submit to the voluntary mechanism of allowing filing individual complaints mechanisms before the African Court on Human and Peoples' Rights;
- *For more legal reforms, refer to Annex I.*

2.2. Policy Framework

- The Coalition commends GoR's efforts to expedite the development and implementation of well-tailored poverty reduction strategies. Sound and comprehensive policies, strategies and action plans aimed at improving the welfare of Rwandans are in place and have yielded tangible results thus far;
- Increased life expectancy from 64.5 years in 2015 to 67.8 years in 2020; people below poverty line reduced from 44.9% in 2011 to 38.1 % in 2018; maternal mortality rate decreased from 476/100,000 in 2015 to 248 deaths per 100,000 live births in 2017. From 2010 to date, infant mortality rate dropped from 50/1000 LB to 32/1000 LB and child mortality rate decreased from 76/1000 LB to 50/1000 LB.

However, the coalition notes with concern the following:

- The Coalition notes that other challenges associated with the policy framework include; inadequate monitoring and evaluation mechanisms to ensure that policies in place maximize their intended impact, for example, the National Legal Aid Policy (2014);
- Most of the policies are enacted but are always affected by budget constraints to enable their full implementation. One case in a point is the delayed establishment of the legal aid fund explicitly provided for under the legal aid policy.

Recommendations:

- Further intensify efforts to expedite development through the designed poverty reduction strategies;

- Strengthen monitoring systems for different government policies, strategies and action plans for adequate implementation and expected results;
- Allocate a sufficient budget to support financial, human and technical resources to fully implement adopted policies and their implementation plans in order to maximize desired impact;
- *For more policy reforms, refer to Annex I.*

2.3. Institutional Framework

- The coalition notes with satisfaction the existence of a number of institutions bodies in charge of promotion and protection of human rights such as the National Commission for Human Rights, the Office of the Ombudsman, Gender Monitoring Office, and the Rwanda Governance Board among others. It also provides for specialized commissions in charge of promoting special interest groups namely: the National Youth Council, the National Commission for Children, the National Women’s Council and the Council of persons with disabilities;
- The National Preventive Mechanism was included under Article 7 *bis* of the revised Law N° 61/2018 of 24/08/2018 modifying Law N° 19/2013 of 25/3/2013 determining missions, organisation and functioning of the NCHR setting the Commission as a National Preventive Mechanism (NPM) with powers as regards to the prevention and punishment of torture and other cruel, inhumane or degrading treatment or punishment;
- Adoption of Law N°54/2018 of 13/08/2018 on the punishment of corruption (modifying the 2003 law on corruption) introducing a progressive definition of the crime of corruption in line with the United Nations Convention against Corruption. In addition, Law N° 44bis/2017 of 06/09/2017 relating to the protection of whistle blowers was adopted;
- The political will demonstrated by GoR in enacting a legal instrument establishing the National Treaty Body Reporting Mechanism. Under the new MINIJUST Strategic Plan (2019-2024), a commitment has been made that a permanent National Treaty Body Reporting mechanism will be establish through a Ministerial Order.

However, the Coalitions notes with concern the following:

- Since it was designated as the NPM in 2018, the NCHR has never published its annual report(s) on torture as required under NPM guidelines;
- Under its mandate to litigate on behalf of citizens in case of human rights abuses, the NCHR has no clear statistics of cases litigated thus far and such mandate excludes litigation in criminal matters. According to Article 9 of 2013 law regulating the mission, organization and functioning of the NCHR, the Commission only litigates on behalf of citizens in cases involving human rights violations related to civil, commercial, labor and administrative. Moreover, data is not clearly disaggregated in the Commission’s annual reports;
- The Commission is very centralized and has no physical presence at grass roots level and this can impede its ability to be seized by victims of human rights violations.

Recommendations:

- The NCHR should publish annually cases of torture it investigated and those litigated on behalf of citizens as well as the outcome of the Commission's interventions;
- The Government should proportionately increase the budget allocated to capacity building for NCHR's Staff;
- Modify the NCHR law to include criminal cases among cases the Commission can file legal actions on behalf of citizens beyond civil, commercial, labor and administrative matters. In addition, empower NCHR with enforcement powers to ensure that its decisions are binding;
- If possible, the commission have permanent staff at district level who can help increase its outreach especially in hard to reach areas in order to reach out to potential victims of human rights abuses;
- *For more institutional reforms, refer to Annex I.*

2.4. Cooperation with International Mechanisms of Human Rights and Funding Partnerships

- Rwanda complies with treaty body reporting obligations in accordance with respective reporting cycles;
- Rwanda's standing invitation to all special procedure mandate holders is still valid;
- Rwanda received a delegation from the Sub-Committee on Torture (SPT) in October 2017.

However, the Coalition is concerned with the following:

- Insufficient cooperation with the mission of SPT which culminated into an abrupt suspension of their mission before its completion citing "obstruction" reasons;
- There is also a concern about Rwanda's withdrawal from the voluntary mechanism of submitting individual and NGOs' human rights complaints directly to the African Court on Human and People's Rights under article 34(6).

Recommendation:

- Re-commit to the mechanism of the African Court on human and people's rights regarding individual complaints;
- Initiate dialogue between GoR and SPT to renew and complete the mission of the latter in Rwanda;
- *For more on the corporation with international mechanisms of human rights refer to Annex I.*

2.5. Protection of Human Rights Defenders

- Human rights defenders are recognized as government stakeholders in the current National Human Rights Action Plan 2018-2024;
- Other progressive reforms adopted include adoption of the Law N° 44bis/2017 of 06/09/2017 protecting whistle-blowers that has been enacted in 2017, the amendment of the law on jurisdiction of courts in 2018 to allow increased use of public interest litigation and *amicus curiae* by human rights defenders as a tool for judicial advocacy, decriminalization of defamation in the 2018 and 2020 reforms of law determining

offences and penalties.

However, the Coalition is concerned with the following:

- There is no comprehensive policy or a law to protect human rights defenders in their diversity, during their daily work of investigating and denouncing human rights abuses.

Recommendation:

- Consider the protection of human rights defenders by establishing a stand-alone policy and law on the protection of human rights defenders;
- *For more on the protection of human rights defenders refer to Annex 1.*

2.6. Prevention and Punishment of Genocide and Strengthening National Unity and Reconciliation

- Measures to prevent denial and revisionism of Genocide against the Tutsi through trial and punishment of perpetrators have continued. During the year 2018-2019, about 802 cases were lodged and 614 cases were decided;
- Various civic education campaigns were undertaken by both state and non-state actors to prevent genocide ideology. In addition, sensitization campaigns of promotion of national unity and reconciliation specifically targeting youth, teachers, prisoners, parents and the general population at large have been undertaken. For example, the National Commission for the Fight Against Genocide (CNLG) conducted anti-genocide awareness campaign and sessions on genocide prevention through Ndi Umunyarwanda, Itorero Program in different fora.

However, the Coalition is concerned with the following:

- There is still a gap in reaching out to parents who are cited as often propagating divisionism, genocide ideology among children and the youth in home settings;
- There is another challenge of curbing against propagation of genocide ideology through mainstream and social media especially propagated by genocide deniers in foreign countries;
- There is a real need to take important measures of maintaining social cohesion, community reintegration, unity and reconciliation given that there will be release of a big number of former genocide perpetrators who have served their prison sentences, some of them for more than 20 years.

Recommendations:

- Intensify programs on civic education specifically focusing on promoting the common identity of Rwandans (*Ndi Umunyarwanda*), genocide prevention and specifically target different special groups separately including children, youth, teachers, parents, local leaders, opinion leaders, religious and business community etc;
For more on the prevention and punishment of Genocide refer to Annex 1.

3. Assessment of specific human rights

3.1. Freedoms

This section refers to the freedom of opinion, expression, and access to information, as well as freedom of association and assembly.

- Rwanda implemented extensive media reforms in the past years aimed at guaranteeing freedom of opinion, expression and access to information.
- Protection of source of information for journalists has improved. No case of confiscation of equipment of journalists was reported during the fiscal year 2018-2019 compared to 7 cases recorded in 2017-2018;
- A new law regulating Faith-Based Organisations (FBOs) was adopted. Key improvements in the law are: For example, to be elected as a legal representative of a FBO, Article 20 provides for mandatory possession of a bachelor's degree in religious studies or any bachelor's degree with a valid certificate in religious studies related matters issued by a recognised institution.

However, the Coalition is concerned with the following:

- The right to information declined from 85.2% in 2016 to 73.2% in 2018. Specifically, the journalists' ranking of their right to information registered as low as 63.1%. (Rwanda Media Barometer/RMB 2018);
- Outdated and inadequate media policy adopted in 2011, which does not respond to current challenges of the media sector such as funding, regulation of online media etc;
- Unfair legal provisions in the law regulating national non-governmental organisations. For example, article 38 of the Law N°04/2012 of 17/02/2012 which requires NGOs to inform administrative authorities and security organs if debates are anticipated in the general assembly meetings etc.

Recommendation

- Enact an updated media policy after a thorough consultation with all relevant media stakeholders;
- Increase access to information for PWDs through increased use of braille and sign language in dissemination of public information and documents;
- Ratification of the Marrakech Treaty on PWD;
- Expedite the modification of the existing law regulating National NGOs specifically repealing articles 17 and 38 and offer autonomy to national NGOs in governing their internal matters to the extent possible;
- *For more on Freedoms refer to Annex I.*

3.3. Access to Justice, Fair Trial and Due Process

- Existing and new legislations guaranteeing access to justice for vulnerable persons were continued to be implemented. Specifically, mandatory legal aid for minors in conflict with the law continued to be guaranteed by law. In addition legal representation for all persons appearing before the Supreme Court and the newly created Court of Appeal is mandatory by law. Court fees are waived off for poor persons in possession of a

certificate of indigence issued by local authorities in line with article 3 of the Ministerial Order N°133/MOJ/AG/18 of 04/06/2018 on court fees in civil, commercial, social and administrative matters;

- A number of legal reforms were implemented. They include the 2018 law on organisation of Courts which introduced several reforms including the introduction of a new chamber for economic crimes, a new combined chamber for administration and labour disputes, and a new chamber for juveniles and family matters. Another important reform include the establishment of an Appeals Court aimed at lessening the number of case backlog upon the Supreme Court.

However, the coalition is concerned with the following:

- There still exist absence of a legal aid law to regulate the coordination, funding and delivery of legal aid services. Consequently, legal aid services remain inadequately coordinated and funded;
- Despite commendable efforts to provide legal representation to vulnerable persons, there is currently a gap between high demand and low supply of legal representation services for the poor;
- Despite media reports about cases of alleged enforced disappearances, the Department in charge of enforced disappearance at RIB reported that no case of enforced disappearance was ever reported to it and as such there was no data available on the number of cases of enforced disappearance. However, some human right organizations and media report cases of enforced disappearance. The Coalition notes with concern that NHRC had documented over 600 cases as “missing persons” and not referred to as cases of enforced disappearance. In addition, there are insufficient backlogs awareness about what constitutes enforced disappearance and ambiguity between missing persons and enforced disappearance.

Recommendation:

- Expedite the enactment of the legal aid law and its supporting Orders to streamline legal aid funding, coordination and eligibility;
- Strengthen measures to investigate cases of enforced disappearance. Specifically, consider, expediting the ratification of the international convention on enforced disappearance as committed to during the second and first UPR reviews;
- *For more on access to justice, fair trial and due process refer to Annex 1.*

3.4. Humane Treatment in Detention Facilities, Prisons, in Transit and Rehabilitation Centres

- New Law N° 20 of 15 May 2017 regulating RCS was adopted;
- According to civil society and NCHR monitoring reports of the situation of police detention facilities and prisons, there is a significant improvement in conditions of detention.

However, the coalition is concerned with the following;

- In all Prisons, convicts and non-convicts are not detained separately contrary to international standards;
- Minors are not separately detained from adults in police and RIB detention facilities;
- There is limited data on the living conditions in transit and rehabilitation centres due to restrictions of access by human rights NGOs.

Recommendations

- Separate convicts from suspects in all prisons;
- Separate minors from adults at police/RIB detention centres;
- Lessen restrictions on access to human rights NGOs to monitor the living conditions of persons in transit and rehabilitation centres;
- *For more on Humane treatment refer to Annex I.*

3.5. Prevention and Punishment of Torture, Cruel, Inhumane and Degrading Treatment of Person

- The Law N°68/2018 of 30/08/2018 determining offences and penalties in general introduced a number of positive reforms in relation to the prevention and punishment of torture in compliance with CAT and OP-CAT.

However, the Coalition is concerned the following:

- There are no cases documented about torture by NCHR under its new mandate as the designated NPM.

Recommendations

- Investigate all alleged cases of torture and publish the outcome of the investigations including remedies offered by the NCHR under its new mandate as the NPM;
- Government should provide timely information to interested parties on cases of torture under investigation;
- *For more on the prevention and punishment of torture refer to Annex I.*

3.6. Non-Discrimination and Gender Equality

- The 2003 Constitution as amended in 2015 sets a solid legal and institutional framework for the promotion of gender equality and fighting against all forms of discrimination including gender discrimination;
- The GoR has also enacted the Law N° 27/2016 of 08/July/2016 governing matrimonial regimes, donations and succession. Article 75 gives equal right to succession to either of the surviving spouse. Moreover, it is also worth noting that, Rwanda has, since 2013, a Law N° 43/2013 of 16/06/2013 governing land in Rwanda which provides equal rights to land for both spouses.

However, the Coalition is concerned with the following:

- Article 8 of the Labour Code prohibits sexual harassment done by a supervisor to their subordinates but does not take into account sexual harassment done by any other staff not necessarily a supervisor at the workplace;

- There is still a challenge of insufficient resources (both financial and technical) to ensure full gender budget mainstreaming at both district and national levels during planning process.

Recommendations

- Continue the process of reviewing and amending all the laws with gender discriminatory provisions. Specifically amend articles 8 and 56, of the 2018 Labour Code to ensure full gender equality;
- Consider ratification of ILO Conventions relevant to the promotion of gender equality;(refer Annex for the list of ILO Conventions)
- For more of the Gender equality refer to Annex 1.

3.7. Women Emancipation, Empowerment and Participation

- Efforts to increase the participation of women in leadership at the local government level have been undertaken. These include: trainings and mentorship of women in leadership roles;
- Increased women leadership at local level is within the agricultural development programs such as land use consolidation, inputs distribution and soil conservation practices;
- The country has introduced multiple programs meant to bridge the gender digital divide and attain parity in access, usage, and innovation.

However, the coalition is concerned with the following:

- While significant progress has been made with regard to the number of women in the decision making institutions, there still exist a challenge linked to women's representation in leadership at the lowest level of administration, especially at sector and cell levels.
- The number of women accessing agricultural credit is still low compared to men;
- Limited access to sexual and reproductive health information and services, especially controlled access to contraception and cultural beliefs making young people extremely vulnerable to unintended pregnancies and impeding their ability to access education and employment.

Recommendation:

- Intensify capacity building efforts through leadership training and mentorship for women especially young girls;
- Intensify existing programs on accelerating women's access to finance and credit schemes such as mobilization of savings in the community, initiatives designed to make men and women save in order to access different services and opportunities including loans offered by financial institutions;
- *For more on women emancipation refer to Annex I.*

3.8. Prevention and Response to SGBV

- In terms of prevention, much has been done through various campaigns that were conducted at grass-roots level by both state and non-state actors to strengthen community mandatory reporting on all forms of violence. Other initiatives include GBV clinics that are conducted every year country wide to ensure accountability of GBV service providers at the decentralized levels and raise awareness on the available GBV services;
- Interventions in the area of legal aid services have been provided through collaborative efforts between state and non-state actors. For example, between 2014/15 and 2018/19, the number of women who received different legal aid services (legal advice, representation, etc.) increased from 11,533 to 37,146.

However, the Coalition is concerned with the following:

- Interventions aimed at prevention are not holistic enough to cover medical, psycho-social, legal and economic dimensions. The interventions are much more centered on perpetrators than on victims;
- IOSCs are challenged for inadequate resources (financial, technical and human resource) to conduct comprehensive prevention of SGBV initiatives.

Recommendation:

- Intensify coordinated efforts and strategies to prevent SGBV especially among adolescent girls;
- IOSCs need more technical and financial resources to increase their effectiveness especially in terms of their outreach;
- *For more on the prevention of SGBV refer to Annex 1.*

3.9. Human Trafficking

- The Government of Rwanda has made significant achievements in combatting trafficking in the country; including the enactment of a comprehensive Law N° 51/2018 of 13/08/2018 relating to the prevention, suppression and punishment of human trafficking;
- In terms of protection and response to cases of human trafficking, RIB continued to operate a 15-officer anti-trafficking unit in its Criminal Investigations Division. In addition, RNP directorate for anti-gender-based violence had three officers in each of the country's 78 police stations who served as points of contact for trafficking victims.

However, the Coalition is concerned with the following:

- The government has not yet adopted an updated National Anti-Trafficking Action Plan to coordinate national anti-trafficking efforts;
- Limited resources to respond to human trafficking.

Recommendations:

- Increase resources and better coordinate services aimed at rehabilitation (physical, social-psycho support) as well as and legal aid support services to victims of human trafficking;

- Intensify efforts for poverty eradication as the main cause leading to youth vulnerability and falling prey to traffickers.
- *For more on human trafficking refer to Annex 1.*

3.10. Right to Child Registration at Birth for all Children

- The revised family law in its article 100 extended the duration of registering a child from 15 days to 30 days. Registration procedures were simplified to allow the registration of a child by a single parent;
- The New Law N° 001/2020 of 02/02/2020 governing persons and family in Art.1 para. 2 states that an officer of the health facility has the power of civil registrar to record births and deaths that occur in the health facility. With the new law, E-registration at birth at health facilities was introduced and rolled out in all public health facilities with effect from the year 2020.

However, the Coalition is concerned with the following:

- Majority of children registered through mass campaigns did not receive birth certificates;
- Internet connectivity is a challenge at some health centres while it is necessary for use of CRVS.

Recommendation

- To facilitate better use of ICT by ensuring constant internet connectivity in all sectors including in remote areas;
- Support vulnerable people to get birth certificates for their children, free of charge;
- *For more on the right to registration refer to Annex 1.*

3.11. Right to Education

- The Government has adopted several legal and policy reforms aimed at improving the quality and access to education at all levels. They include but not limited to; adoption of school competence based curriculum (2015) replacing the knowledge-based curriculum;
- The Government has implemented a number of program interventions aimed at improving access to and quality of education. These include; Adoption of the National Strategy for Transformation (2017–2024).

However, the Coalition is concerned with the following:

- Quality of education at all levels is qualified as low, estimated at 53.6%.
- The challenge of education for children with disabilities: there is need to increase focus on education for children with disabilities and other special needs.
- Although gender parity between boys and girls has been bridged, girls still face special challenges compared to boys, which need special attention. The number of school dropouts is still high for girls compared to boys.

Recommendations

- Continue with reforms aimed at increasing the quality of education;
- To take all appropriate measures to ensure the right of all children with disabilities to quality and inclusive education; including by removing physical, communication,

information, and other barriers;

- *For more on the right to education refer to Annex 1.*

3.12. Right to Health

- Prime Minister's order N° 078/03 of 25/07/2019 related to community-based health insurance scheme subsidies;
- Prime Minister's Order N° 034/01 of 13/01/2020 related to the community-based health insurance scheme subsidies;
- The law on the Protection of the Rights of Persons with Disabilities in general (Law N°1/2007) recognizes the right of a person with disability to health, especially access to medical care, including access to artificial limbs and hearing aids, in case of need (Article 14);
- Construction of district hospital and health center at sector level.

However, the Coalition is concerned with the following:

- The management of community based health insurance scheme commonly known as *Mutuelle de santé* including frequent lack of some essential medicine in some public health centres and district pharmacies;
- Inability to access public hospitals directly without transfer from a health Centre for people CBHI;
- Limited number of specialized doctors: The target of NST1 is; 1 doctor per 7000 people by 2024 from the baseline of 2018 where 1 doctor is for 10,055 people.

Recommendations

- Increase the budget allocation to the health sector in order cover areas which need urgent attention such as increasing the number of professional doctors, supply of essential drugs in health centres, increased subsidization of *Mutuelle de santé* to provide more services for persons with disabilities, as well as overall modernization of the health sector;
- *For more on the right to health refer to Annex 1.*

3.13. Right to Employment and Decent Working Conditions

- The new Law N° 66/2018 of 30/08/2018 regulating labour in Rwanda that provides basic labour rights, including such as the prohibition of child labour, the prohibition of forced labour, the protection of workers against violence or harassment, the prohibition of discriminatory employment and the freedom of opinion. The law also guarantees the freedom of association of workers, trade unions and the right to strike;
- Establishment of a guarantee Business Development Fund (BDF) to facilitate youth and women's access to financial capital to start their own businesses;
- Existence of Digital Talent Policy and Smart Rwanda Mast Plan where 107,000 new jobs are created.

However, the Coalition is concerned with the following:

- Obsolete and unrealistic Minimum wage. The existing minimum wage was established long time ago in 1975 and a new minimum wage envisaged in Article 68 of the new law of 2018 is yet to be established;
- High unemployment rates especially among youth;
- Poor working conditions especially for persons employed by the informal sector like security guards, cleaning workers, and domestic workers;
- Systematic barriers and discrimination against persons with disabilities in the recruitment process and workplace, including the lack of reasonable accommodation, accessibility of work places, and accessible and affordable public transport.

Recommendations

- Expedite the publication of the ministerial order of the new minimum wage considering the current price market;
- To adopt policies and measures necessary, including specific measures, to significantly increase the employment rate of persons with disabilities, especially women and youth, in both the formal and informal sectors;
- Take effective measures against the systematic barriers and disability-based discrimination faced by persons with disabilities in accessing to employment;
- *For more on the right to employment refer to Annex 1.*

3.14. Right to Adequate Standard of Living and Social Protection

- Continued rollout of socio-protection programs such as Girinka and VUP Umurenge;
- Life expectancy for Rwanda in 2019 was 68.75 years which is a 0.46% increase compared to 68.44 years in 2018;
- VUP continues to deliver social assistance to vulnerable persons through unconditional cash transfers and cash for work.

However, the Coalition is concerned with the following:

- Inclusion of all different categories of vulnerable persons especially PWDs and historically marginalized groups remain inadequate in different Social protection programs especially VUP;
- The amount of 7, 500 FRW (equivalent to 8 USD) per month paid as direct cash transfers for different social protection programs is not commensurate with the cost of living in Rwanda.

Recommendation:

- Put in place measures to ensure that the integration and inclusion and welfare of marginalized people and vulnerable members such as people with disabilities, historically marginalized groups, through education, adult literacy, community health insurance, and provision of decent shelter;
- Continue to take appropriate steps and allocate sufficient resources to social protection programs;

- *For more on the right to adequate standard of living refer to Annex 1.*

3.15. Right to Water and Sanitation

- Government approved a new national water supply and sanitation policy and their related implementation strategies;
- The percentage of households having access to improved sanitation increased from 83% in 2013-14 to 86% in 2016-17 and attained 87.3% in 2018-2019.

However, the coalition is concerned with the following:

- Lack of clean water to some people especially in rural areas. Still 13% of the total population did not have access to clean water at the end of 2018;
- Depleting water resources resulting in high costs of service provision;
- Gaps in human resource capacity in areas of planning, project management and operation and maintenance of water sources.

Recommendation

- Increase the budget allocated to water and sanitation and wastewater treatment;
- Ensure that the cost of clean water is affordable to everyone especially for the most poor and vulnerable persons;
- *For more on the right to water and sanitation refer to Annex 1.*

3.16. Right to Food

- Continued agricultural modernization with focus on land consolidation, irrigation, use of fertilizers and seeds;
- Commitment made by government to Fast-track the implementation of the Early Childhood Development Program with emphasis on fighting stunting and malnutrition;
- Percentage of food secure households increased from 80% to 81.3%, which means an increase of 1.3 % from 2015 to 2018.

However, the Coalition is concerned with the following:

- High malnutrition levels especially among children under-5 years of age where 36.1 % of children under the age of five are reported to be suffering from stunting;
- Inadequate funding for the Agriculture sector.

Recommendation:

- Increase the budget allocated to the Agriculture sector in order to intensify and consolidate programs and initiatives aimed at uprooting hunger and malnutrition;
- At minimum, at least 10% of the national budget should be allocated to the Agriculture sector;
- *For more on the right to food refer to Annex 1.*

3.17. Rights of Asylum Seekers, Refugees and Migrants Workers

- GoR's line Ministry in charge of Refugees (MINEMA) works with different international and local development partners for example ADRA in promoting the welfare of refugees in relation to health, food, education and hygiene as well as the Legal Aid Forum specifically provides legal assistance to refugees;
- The Government of Rwanda has adopted progressive policies to support refugee self-reliance. This enabling environment includes refugees having freedom of movement and the right to work.

The Coalition is concerned with the following challenges:

- There is limited access to universal insurance scheme for migrant workers;
- Insufficient food quantities supplied to refugees. In 2018, there was a fatal strike in Kiziba refugee camp, over inadequate food quantities.

Recommendation:

- Continue the provision of education and health services and other needed social assistance for asylum seekers, refugees and migrant workers;
- Increase budget allocated to refugee feeding program;
- *For more on the right of asylum seekers refer to Annex 1.*

4. Conclusion

Despite impressive progress made by the GoR in improving human rights situation through the implementation of the UPR recommendations, there is still issues which need to be addressed as highlighted by this assessment. The Coalition calls for improved partnerships and coordination of interventions between GoR and other stakeholders including CSOs and the Private sector to accelerate interventions in addressing the identified gaps and challenges. The Coalition further calls for strengthening of the monitoring and evaluation framework to collect timely and disaggregated data on the implementation progress.