



COALITION UMWANA KU ISONGA

Tel. +250 0788319614

Po. Box 6549 Kigali-Rwanda

Email: cuirwanda@gmail.com

www.cuirwanda.com

**ALTERNATIVE REPORT TO THE 3rd UNIVERSAL PERIODIC REVIEW OF
THE REPUBLIC OF RWANDA ON THE IMPLEMENTATION OF
RECOMMENDATIONS FROM THE SECOND STATE UNIVERSAL PERIODIC
REVIEW (UPR).**

**PREPARED AND SUBMITTED
BY
COALITION UMWANA KU ISONGA
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Members of the Coalition Umwana ku Isonga: AGR, AJPRODHO JIJUKIRWA, ARCT RUHUKA, Association BAMPOREZE, AVP, BLAO, CLADHO, CVT, CHRD, COPORWA, HAGURUKA, Association KANYARWANDA, VCO, UMUSEKE Association. Collectif TUBAKUNDE, WATOTO VISION FOR AFRICA, SAFI Life Organization, Lawyers of Hope, UMUHUZA Organization

1. EXECUTIVE SUMMARY

1.1. The main objective of this report is to provide key findings on the status of the implementation of the Universal Periodic Review Recommendations related to children accepted by the Government of Rwanda. The report provides potential grounds for legal reforms, policy changes and other measures aimed at improving the situation of children's rights in Rwanda.

1.2. The drafting of this report was based on analysis of data collected from studies, national reports, national documents including; laws, policies and strategic plans. The report benefited from the participation of 22 children (6 boys and 16 girls). They provided their inputs in consultative meeting held on 22 February 2020 in Kigali/Rwanda. These children were organized by the Coalition member organizations and represent different categories of children namely children living in rural and urban areas, children with disabilities. The Report also benefited the inputs from the members of the Coalition *Umwana ku Isonga* in a consultative meeting conducted at "Five to Five Hotel" in Kigali on 18th February 2020. This report was validated by 19 member organizations of the Coalition *Umwana Ku Isonga* after fruitful deliberations and final inputs from members on June 23rd, 2020 in Kigali.

1.3. With regard to the implementation of recommendations contained in the Concluding Observations issued in 2015, the report acknowledges positive steps taken by the Government of Rwanda in terms of the policy and legal framework reforms relating to children, including the adoption of Laws (such as Law No 32 /2016 governing persons and family; Law No 71/2018 of 31/08/2018 relating to the protection of the child; Law No 17/2017 establishing the National Rehabilitation Service; Law N°68/2018 of 30/08/2018, determining offences and penalties in general stipulated in Article 133: Child defilement; Law N° 51/2018 of 13/08/2018, relating to the prevention, suppression and punishment of trafficking in persons and exploitation of others), the adoption of Ministerial decrees (such as the Ministerial Order No 001/2016, which imposes sanctions on parents who fail to send their children to school; the Ministerial instructions no 001/MINEDUC/2020 of 21/02/2020 regulating the promotion, repetition, dismissal and transfer; and the Ministerial Order determining mission, organization and functioning of transit centers, among others); the adoption of policies (such as the *Early Childhood Development (ECD) Policy (2016)*; the *Anti delinquency policy*; and the *Child Online Policy (2019)*); as well as the adoption of guidelines and strategies such as the *Minimum standards and norms for early childhood development services in Rwanda (adopted in 2016)*; the *Education Sector Strategic Plan (ESSP) 2013/14 -2017/18*; the *National Food and Nutrition Strategic Plan (2013-2018)*; the *National Strategy for Transformation (NST1)*; the *revision of vision 2020/50 targets*; the *Sustainable Development Goals (SDGs)* and the *Revision of the Strategic Plan of the implementation of the Integrated Child Rights Policy (ICRP) in 2019*; the *Child Online Policy of June 2019*.

1.4. This report is divided into five major parts in respect of the five thematic clusters of child rights namely: Civil rights and freedoms; Health and welfare; Family and alternative care; Education, leisure and cultural rights and special protection measures. ***Besides the five thematic clusters of child rights, the report highlights other new developments, not related to the concluding observations, which could have an impact on the implementation of the Second Universal Periodic Review children's rights related Recommendations accepted by the Government of Rwanda.*** Under each of the above five components of this document, the report takes note of progress made by the Government of Rwanda in the implementation of the Recommendations, raises concerns and lastly where applicable proposes recommendations to the Office of High Commission of Human Rights on the next steps to take when engaging with the Government of Rwanda.

THE IMPLEMENTATION STATUS OF THE 2015 UPR RECOMMENDATIONS ENJOYING THE SUPPORT OF THE GOVERNMENT OF RWANDA

2. CIVIL RIGHTS & FREEDOM

2.1. Implement urgent measures to guarantee the birth registration for all children born on Rwanda territory (Recs 133.15 and 133.16)

The coalition welcomes the:

- Establishment of the registration system (NIDA, MINALOC, NISR & MINISANTE)¹ ;
- The existence of forensic laboratory to test the DNA;
- Organization and conduct mass campaigns on birth registration at Countrywide level;
- Extension of the time due for child registration (from 15 to 30 days from the birth);
- Ease the access of birth certificates online with “Irembo” online services. This e-Service allows Rwandans to *register* their newborn babies after *birth*, not *register* within the 30 days, so that the *child* is registered in the *birth registry*.²
- The review of the family law that provides power to an officer of health facility of recording birth as civil registrar.³

However, the coalition notes that:

- The lack of Information System harmonization of the National Population Registry, the Civil Registration Vital Statistics and Health Management⁴.
- Some parents do not understand the reason for registering children.
- That the use of the DNA test isn't yet accessible for all due to its high cost, yet, as of the Rwandan constitution, every citizen has right to know his/her parental origin⁵;

Therefore, the coalition recommends the government:

- To assure that the institutions that are in charge of the system of birth registration are well equipped with required facilities: Internet accessibility, computers and electricity;
- To build the capacity of birth registration system users and make the system operating online countrywide;
- To continue and increase the national awareness campaign on birth registration in the community.
- DNA tests to be free of charge, especially for children searching their paternity;

2.2. Continue to pay close attention to the full realization of the rights of the child, including the right to education (Rec 134.33)

The coalition welcomes:

- The suspension of the automatic promotion in schools⁶;

¹ <https://data.unicef.org/crvs/rwanda/>: Vital events are registered at the sector level through a CRVS web-based application, and the National Institute of Statistics is immediately served with data from all local registration offices in the country. However, not all sectors complete the CRVS submissions regularly

² <https://irembo.gov.rw/roportal/en/web/nida/idreg>: This eService allows Rwandans to register their newborn babies after birth. Upon successful registration through Irembo, the information of the newborn baby is registered with National Identification Agency (NIDA) and the child will be issued with an Application number.

³ Law No 0001/2020 of 02/02/2020 Amending Law No 32/2016 of 20/08/2016 Governing Persons and Family

⁴ <https://www.newtimes.co.rw/news/local-government-civil-registration>

⁵ <https://www.newtimes.co.rw/news/price-dna-test-reduce-half-new-lab-opens>: The Rwanda National Forensic Laboratory proceeds DNA tests to establish parentage for children or get proof for rape and other gender-based crimes among other forms of evidence at the cost of Rwf270,000 which is still high, according to local people's financial means.

⁶ Ministerial instructions no 001/Mineduc/2020 of 21/02/2020 regulating the promotion, repetition, dismissal and transfer

- The increase of the school’s curriculum from primary to high schools⁷;
- The promotion of Kinyarwanda language in schools;
- The increase of the institutions and mechanisms of supporting children.

However, the coalition notes

- A high number of pupils in classrooms in different schools;
- The lack of enough facilities like school laboratories;
- Inconsistencies/instabilities in the training system (for instance, rushed shift to the Computer Based Curriculum.
- That some parents and children don’t have knowledge on children’s rights.

Therefore, the Coalition recommends the:

- Number of classrooms and teachers in different schools to be increased;
- Reduce the number of students per teacher and per class;
- Awareness campaign on the rights of children to be conducted.
- Ensure a stable and consistent education system that is time-bound and outcome oriented.

2.3. Strengthen efforts to guarantee the rights of children, and particularly those of children with disabilities (Rec 133.45)

The coalition welcomes the efforts of the government on:

- The Increase of the facilities that help children with disabilities⁸;
- Promotion of the inclusive education.
- Adoption of the draft law approving the ratification of the Protocol to the African Charter on Human and People’s Rights on the Rights of Persons with Disabilities in Africa.
- Prioritization of the most vulnerable groups including children with disabilities in COVID-19 response by the Government (distribution of Food and NFIs)
- Well-coordinated efforts in responding to COVID-19, prioritizing the most vulnerable groups including children from the poorest families;

However, the coalition notes the:

- Lack of enough infrastructure facilities for children with disabilities to study in good conditions;
- Insufficient number of qualified teachers for the education of children with disabilities;
- Insufficient caregivers who can help those children with disabilities at school;
- Prosthesis are still expensive for children with disabilities;
- Lack of enough accessibility to information & services to children with disabilities;
- Poor mindset of some parents and some community members on children with disabilities leading them to underestimation of children with disabilities. So, some children with

⁷ https://www.researchgate.net/publication/306392577_Rwanda's_New_Competence-Based_School_Curriculum: Rwanda has embarked on curriculum reform to improve the quality of education. This is a crucial step in the direction of Rwanda’s ambition to “develop a knowledge-based society and the growth of regional and global competition in the jobs market” (REB, 2015). An important shift has been to move away from a “knowledge-based curriculum” to a competence-based curriculum, and from knowledge and skills acquisition to knowledge creation and application. The aim is to develop students’ independent, lifelong learning habits; appropriate skills and knowledge; and applications to real-life situations

⁸ JICA-NECDP; Report of a study on Education a challenge among children with disabilities, Kigali 2017: In this study, Most schools that were visited during the survey were found with toilets hard to access by disabled children due to narrow entrance, with no space for a wheel chair. Because of these conditions, the children prefer to quit school. <https://www.newtimes.co.rw/section/read/207867>.

- disabilities are still facing stigma in their community;
- Some schools are not disabilities friendly.
- Children with disabilities do not access to information and services of COVID-19 like other people.

However, the coalition recommends the government to:

- Avail well trained teachers and caregivers in all schools to the best interest of children with disabilities;
- Facilitate the education, access to information and services to children with disabilities by granting the necessary materials according to everyone's disability;
- Give prosthesis to children with disabilities, free of charge;
- Increase the awareness raising campaign on the rights of the children with disabilities;
- Increase funds allocated to programs that support children with disabilities especially for children with mental disabilities and those with impairments, in general.
- Ensure access to COVID-19 information and services to children with disabilities by identifying needs (through disability surveys/ baseline surveys) and implementing specific actions and services to address identified gaps using customized tools and materials;

3. HEALTH AND WELFARE OF THE CHILDREN

3.1. Develop a lasting protection mechanism for small children against food insecurity, through strategies aimed at facilitating access to food through fair agricultural policies (Rec 133.39)

The coalition commends that the government of Rwanda has:

- Implemented the Early Childhood Development through the National Early Childhood Program (NECDP)⁹ by spreading the ECD centers¹⁰;
- Introduced the School feeding programs to promote child nutrition, commonly called "Inkongoro y'umwana¹¹", "Shisha Kibondo¹²", "Gikuriro¹³", ... at school, ECD centers and Health Centers;
- Initiated different programs with aim of helping citizen to have balanced diet like kitchen garden, shisha kibondo, etc.

However,

- this program hasn't reached some areas of the country due to budget matter; but children still suffer from malnutrition and stunting¹⁴;
- Due to poor mindset some parents are not giving balanced diet to their children.
- Projected concern that COVID-19 will exacerbate the levels of malnutrition among the existing poor families;

The Coalition recommends that the government makes efforts to:

⁹ NECDP was created to coordinate all interventions that support adequate early childhood development for children from their conception to six (6) years of age as outlined in the Early Childhood Development Policy.

¹⁰ According to the implementation of the National Early Development Policy Strategic Plan 2016-2021, Migeprof, Kigali 2016

¹¹ Inkongoro y'Umwana; a national nutritional initiative under which children from impoverished households receive free milk at school.

¹² <https://africaimprovedfoods.com/products/institutional-products/>: Shisha Kibondo Mother and Shisha Kibondo Infant: two types of flours to make a highly nutritious porridge for respectively pregnant or breastfeeding mothers and infants and young children older than 6 months as a complementary food that contributes to a child's good health and development while they continue to breastfeed to at least two years of age

¹³ Gikuriro is a five-year program (2015-2020) funded by USAID Program aimed at fighting and eliminating malnutrition cases in children under 5 years-old and improving nutrition status of women of reproductive age that is lactating and pregnant mothers. It has four main components namely ; Nutrition, WASH, which is Water Sanitation and Hygiene, Agriculture, and Economic Strengthening

¹⁴ <https://www.unicef.org/rwanda/reports/capacity-gap-analysis-developing-human-capital-rwanda-programme>

- Increase child budget mainstreaming to alleviate the current state of malnutrition and stunting, increase decentralized staff understanding of the integrated approach to ECD, Enhance the technical understanding at decentralized government and service delivery level on all elements of the integrated ECD approach, Enhance the technical understanding at district and sector decentralized government on social protection and child protection as part of the integrated ECD approach, Strengthen the existing technical knowledge of nutrition and ECD at service delivery level, Train relevant district and sector staff on monitoring and evaluation and budgeting and subsequent evidence-based planning, Clarify roles and responsibilities for the functional areas at district and sector levels, Improve universal mechanism for cell-staff and parents and caregivers to obtain information, which can be used for evidence-based planning and decision making at sector and district level and, Support improvement of communication flows to enhance the different functional areas¹⁵.
- Set up the coordination for reaching out children in food insecurity by involving all relevant local authorities.
- Increase the awareness raising campaign on the importance and ways of preparing balanced diet towards child development.

3.2. Take measures to ensure the protection of the right to an adequate standard of living for children in vulnerable situations, in particular the rights of children affected by HIV/AIDS of boys and girls with disabilities (Rec 133.37)

The coalition commends:

- Different initiatives adopted by the Government of Rwanda in line of addressing issues faced by children in vulnerable situation.
- The fact that children infected with HIV/AIDS have access to anti-retroviral (ARV) drugs.
- Parents infected with HIV/AIDS have access to Anti-Retroviral (ARV) drugs which is an advantage to children.

However, the Coalition is concerned that there are still challenges faced, where:

- The social norms hide children with disabilities;
- Children infected and affected with HIV/AIDS and those with disabilities are still neglected and facing the stigma both in the community and their respective families;

The Coalition recommends the government to:

- Increase efforts to curb the practice of hiding children with disabilities;
- Update the list of children in vulnerable situation;
- Mainstream Children with severe disabilities in social protection strategy as they don't fully benefit from the social protection, so, they only rely on their families.
- Increase the awareness campaign to stop the stigma to children infected/affected with HIV/AIDS and those with disabilities.

4. EDUCATION, LEISURE AND RECREATION

4.1. Continue efforts to ensure access to education for all Rwandan children and reducing the disparity between urban and rural areas, with special attention to children with

¹⁵ UNICEF-Rwanda, Capacity gap analysis report of the developing human capital in Rwanda programme, Kigali, Feb. 2019. (<https://www.unicef.org/rwanda/media/2011/file/EKN-capacity-gap-analysis-summary-report.pdf>)

disabilities (Recs 133.88, 92-94 and 134.81)

The Coalition commends the government for:

- Increasing the education infrastructures in urban and rural areas, as well as necessary materials. (“...one of the biggest achievements has been increasing access to education to all children of school-going age. In the last ten years alone 19,462 classrooms have been built (including 34,575 toilets). This translates into space for nearly one million pupils or 1,081 three-stream schools. In the next two years, another 11,004 schools will be built with support from the World Bank. That too means an additional 600,000 places or the equivalent of 611 three-stream schools”)¹⁶;
- The coalition commends the Government’s efforts to increase the teachers’ salaries by 10%¹⁷.

However, the coalition notes that there is still:

- Long distance to walk to school by pupils in some rural areas (The lengthy footing of kids to school disorganizes their concentration in class. Some of them arrive at school sweaty, stressed and exhausted both physically and psychologically, which compromises their performance)¹⁸;
- Low level of parents’ understanding/mindset, in rural areas which doesn’t encourage children to value education, such as: thinking that it’s not necessary for a pupil to do homework, thinking that it’s not necessary for a child with disability to study, the landscape of the rural area which doesn’t facilitate a child with disability to get easily to school, the problem of children with mental disability who do not have chance to study, etc.¹⁹;
- Lack of recreational/leisure infrastructure for all children, especially children with disabilities.
- Not all children have access to the digital (e-learning) platforms, particularly children in the rural areas, children from the poorest households and children from illiterate parents who cannot afford needed equipment for the e-learning.

Therefore, the coalition recommends the government:

- To strengthen the grouping inhabitant settlement (imidugudu) for its benefits for community development through the easy access to social and economic infrastructures (schools, health centers, electricity, marketplaces, roads, and recreational facilities.);
- To continue the parents/community sensitization to support the education of children with disability;
- To avail specific education materials for children with disabilities (especially the visual impairment) and train teachers on signs language;

¹⁶ <https://www.newtimes.co.rw/news/featured-better-teachers-more-schools-new-curriculum-rwandas-education-looks-bright>

¹⁷ The Teachers’ salaries were increased by 10% from 30th March 2019 following the cabinet resolution of 28th January 2019.

¹⁸ <https://www.newtimes.co.rw/section/read/201440>. or <https://www.ktpress.rw/2019/12/access-to-education-is-good-but-quality-is-important-%E2%94%80kagame/>

¹⁹ JICA-NECDP; Report of a study on Education a challenge among children with disabilities, Kigali 2017: It shows that there are fewer girls with disability, at 253 compared to boys of 369. A big number of girls who happened to enroll in school were found to have been bullied while at school which is also one of the reasons most disabled children chose to leave school. Other reasons why such children were not in school include poverty, parents’ misconception about their children with any form of disability. Parents often believe disabled children lack capacity to succeed in school like able-bodied children. <https://www.newtimes.co.rw/section/read/207867>.

- To provide required/needed equipment to all children, especially children with mental disabilities, to access the education both in rural and urban areas;

4.2. Follow up on the recommendation of the committee on rights of the child to devote greater resources to the improvement of the quality of the education system

The coalition welcomes the government efforts for:

- Constructing schools;
- Training teachers and got their salaries increased;
- Having distributed education support materials according to the government means.

However, notes that:

- The budget allocation to the education support materials is still low particularly in rural areas where there is no electricity;

Therefore, the coalition recommends the government to:

- Continuously building teachers' capacity; and increasing budget allocation support materials.

4.3. Increase funding in order to create an education system that upholds the right to free, universal and quality education for all children without discrimination (Rec 133.43)

The coalition welcomes the efforts of the government for:

- The construction of schools in the program of Education for all, considering children with disability as well.
- The efforts to increase the budget allocation on the program of education quality and standards from 19 billion of Rwandan Francs in 2019/2020 budget to 156 billion of Rwandan Francs in 2020/2021. The program covers more than half of the entire ministry programs budget (51%).

However, the coalition notes:

- The education in public schools is free but schools still charge costs (even small but which some families cannot afford to pay) leading to some drops out²⁰;

Therefore, the coalition recommends the government to:

- Standardize the cost to be paid in all public schools when they are due;
- Remove inconsistencies in allocation of budget among the education programs;
- Refocus investments in TVET in order to stimulate job creation and achieve student enrolment of 60% by 2024;
- Reinforce mechanisms to continuously sensitizing on family unity, working with various partners like churches.
- Encourage existing and creating the special programs that lead to the reduction of the family conflicts and its consequences to children.

²⁰ For example: The challenge of feeding children at school. The Government implements a school feeding programme that is partially subsidised but involves a compulsory cost-share with parents. However, this involves a de facto school fee as poor, highly price-sensitive parents are not allowed to opt out; nonpayment and administration also pose challenges. To reduce cost and increase reach to more children, the Government could have increased the subsidy to cover the whole cost, but at the cost of other priorities; the meals could have been centrally organized and standardized in a bid to reduce cost; and/or or measures could be taken to improve administration. Although the Government chose the latter, the challenges of reaching the poorest children remain. <https://www.theigc.org/blog/challenges-and-choices-in-the-rwandan-education-system-r3-roundtable-discussion/>

4.4. Raise public awareness and include human rights in school curricula (Rec 134.89)

The coalition welcomes the government efforts for setting up commissions and programs such as:

- The “Urugerero²¹”; the programme conducted under the auspices of the National Itorero Commission, which has for years played a major part in imparting good values among different segments of the Rwandan population;
- “Intore mu biruhuko” program which gathers children and raise their awareness on their rights and responsibilities; the National Commission for Children organizes and participates in public awareness on child rights and responsibilities;
- The Radio and television programs on human and child rights in particular by Government Institutions and Government partners.
- Grooming and coaching children in their community groups at village levels, including their rights and responsibilities
- Inclusion of human rights and children rights in education materials such as teaching materials for primary schools, and establishment of “Abatoza b’Intore” in schools;

However, the coalition notes that

- there is still need for continuous human rights education and training at all levels to end human rights violations, including children rights;
- Little attention is paid to the human rights education and training in programming;
- Ignorance of human and child rights among community members;

Therefore, the coalition recommends the government to:

- Give due attention to the human and child rights education in programming (design, implementation, monitoring, evaluation, etc.);
- Strengthening efforts for human rights education and training at all levels;
- Set up mechanisms that permit different categories of people to participate in Itorero and Urugerero Program and ensure that “children’s rights are among the key topics discussed.
- Sensitize people on Human and child rights by designing the media programs through drama and sketches which can attract and educate followers;
- Put the human and child rights lessons in the education curriculum at all levels (primary, secondary and university).

5. SPECIAL PROTECTION²²

²¹ <https://www.newtimes.co.rw/opinions/editorial-streamline-role-urugerero-youth-greater-impact>: Urugerero, a concept borrowed from an ancient Rwandan tradition, has seen tens of thousands of youths not only take crucial civic education lessons, but also physically help in the construction of basic infrastructure and provision of socioeconomic services. Specifically, these energetic men and women have built housing units for the vulnerable, set up ‘kitchen garden’ for disadvantaged households to help meet the beneficiaries’ nutritious needs, fix roads and bridges especially in neighborhoods in the countryside, and played a part in mobilization for vital socioeconomic causes.

²² Under Law N°53/2018 of 13/8/2018 regulating Therapeutic, Education and Scientific Utilisation of Organs and Products of the Human Body in its Article 42 on creation or publication of a site for the purpose of trafficking in persons; any person who establishes or publishes a site on an information network, computer hardware or computer system for the purposes of trafficking in human beings or facilitating such a transaction, commits an offence.

5.1. Adopt a comprehensive policy to address the root causes of child trafficking (Rec 133.20)²³

The coalition welcomes the government efforts for the:

- Recognition of and steps in addressing the issue of human/child trafficking;
- Amendment of labor law with provisions of articles against child labor and exploitation;
- Amendment of criminal laws with provision of articles against child trafficking;
- Awareness raising campaigns by Rwanda National Police in fighting against child trafficking.
- Law against human trafficking which includes provisions on child trafficking;
- Government efforts to manage cases of human/child trafficking;

However, the coalition's observation is that there is:

- There is no comprehensive policy specifically addressing child trafficking;
- Lack of scientific data on magnitude of child trafficking in Rwanda;
- Lack of knowledge on human trafficking practices by the children and community in general;
- Lack of capacity building in child trafficking;

Therefore, the Coalition recommends the government:

- To adopt a comprehensive policy to address the root causes of child trafficking;
- To allocate sufficient budget to deal with child trafficking issues;
- To put in place mechanisms at different levels of National Leadership aiming at fighting child trafficking;
- To conduct researches on in magnitude of child trafficking in Rwanda;
- To organize capacity building on child trafficking to children and the community in general;
- Put in place a program on awareness raising campaign on child and human trafficking.

5.2. Comply with existing laws on detention and implement further legislation to regulate 'transit' and 'rehabilitation' centers (Rec 133.27)

The coalition welcomes the government's efforts on the establishment of the National Rehabilitation Service (NRS). However, the coalition notes that the National Rehabilitation Service have insufficient workers particularly psychologists who can support children.

Therefore, the coalition recommends the government to increase the budget allocated to the NRS in order to recruit more workers in particular psychologists.

6. GENERAL RECOMMENDATIONS

²³ <https://www.iom.int/news/rwanda-research-understanding-human-trafficking-validated>: The International Organization for Migration (IOM), in collaboration with the Government of Rwanda, organized a national meeting (19/7) to validate research findings on "Understanding Human Trafficking in Rwanda: Causes, Effects, and Impact." The key findings show that Rwanda is a transit country, and to a lesser extent a country of origin. The majority of intercepted victims were female (77.67%) and the most common forms of human trafficking in Rwanda were identified to be labour and sex trafficking. The research further revealed that Saudi Arabia is the most frequent destination (38.55%), followed closely by Uganda (37.35%) and Kenya (7.23%).

1. The Coalition *Umwana ku Isonga* recommends the Office of the High Commission of Human rights to call upon the Government to:

- ☞ Implement the Concluding Observations of the UN Committee on the Convention on the Rights of the Child. (Concluding Observations made in 2020)
- ☞ Implement the recommendations made by children during the 2019 National Child Summit.