

NATIONAL COMMISSION FOR HUMAN RIGHTS



The assessment report on the implementation of the Concluding observations on Rwanda's third and fourth periodic reports on the CRC and on initial reports of its two optional protocols (CRC-OP-AC and CRC-OPSC)

With the collaboration of the following civil society organizations:



1. Background

The United Nations Convention on the Rights of the Child (CRC) is a human rights treaty which sets out the civil, political, economic, social, health and cultural rights of children. The convention defines a child as any human being under the age of eighteen, unless the age of majority is attained earlier under a state's own domestic legislation. The convention and its optional protocols represent an enormous advancement towards protecting the rights of the children. This convention is the only text to address all aspects of children's rights even though there are other international instruments that guarantee children's rights.

The Convention on the Rights of the Child was adopted and opened for signature, ratification and accession by the UN General Assembly resolution 44/25 of 20 November 1989 while two of its Optional Protocols (Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (*OPAC*) and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (*OPSC*) were adopted and opened for signature, ratification and accession by General Assembly resolution A/RES/54/263 of 25 May 2000.

Rwanda ratified the Convention on the Rights of Child on 24/01/1991, the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict on 23/4/2002 and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography on 14/3/2002.

2. Introduction

In ratifying the Convention or an Optional Protocol, States accept an obligation to respect, protect, promote and fulfill the rights as outlined - including adopting or changing laws and policies that are needed to implement the provisions of the agreement.

They are also committed to submit national periodic reports, on measures they have taken to comply with the treaty obligations.

Considering article 44 of CRC, States Parties undertake to submit to the CRC Committee, through the Secretary-General of the United Nations, reports on the measures they have adopted which give effect to the rights recognized herein and on the progress made on the enjoyment of those rights (a) within two years of the entry into force of the Convention for the State Party concerned; (b) thereafter every five years;

Pursuant to both article 12 of OPSC and article 8 of OPAC stating that States Parties to the Protocol shall submit (1) a report within two years following the entry into force of the Protocol to the Committee on the Rights of the Child providing comprehensive information on the measures it has taken to implement the provisions of the Protocol ; (2) Following the submission of the comprehensive report, each State Party shall include in the reports it submits to the Committee on the Rights of the Child, in accordance with article 44 of the Convention, any further information with respect to the implementation of the Protocol. It is in the same background that the Committee on the Rights of the Child considered the combined third and fourth periodic reports of Rwanda (CRC/C/RWA/3-4) at its 1793rd and 1794th meetings held on 30 and 31 May 2013, and adopted at its 1815th meeting, held on 14 June 2013, the concluding observations to Rwanda.

On 31 May 2013, the Committee considered the initial report under the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict of

Rwanda (CRC/C/OPAC/RWA/1) at its 1794th meeting (see CRC/C/SR.1794), held on 31 May 2013, and adopted at its 1815th meeting, held on 14 June 2013, the concluding observations on that Protocol.

Further, on 14 June 2013, the Committee considered the initial report of Rwanda on Optional Protocol to the convention on the rights of the child on the sale of children, child prostitution and child pornography at its 1794th meeting and adopted at its 1815th meeting, held on 14 June 2013, the concluding observations on it.

The present report narrates on the assessment of the implementation of the above concluding observations led by the National Commission for Human Rights in close collaboration with Civil Society Organizations with a mandate to promote and protect the human rights in general and child rights in particular.

It is important to note that the Constitution of the Republic of Rwanda of 2003 revised in 2015 provides in its article 42 that the promotion of human rights is a responsibility of the State and where this responsibility is particularly exercised by the National Commission for Human Rights.

It is on this background that the Law n° 19/2013 of 25/03/2013 determining missions, organization and functioning of the National Commission for Human Rights in its article 4 provides that the Commission has the responsibility of monitoring the implementation of the international conventions relating to human rights as well as the recommendations issued by the United Nations treaty bodies on different reports submitted by Rwanda.

The Commission shares these missions with Local Civil Society Organizations for the promotion and protection of human rights.

In this context, from 9/05/2016 to 13/05/2016, with financial support of UNDP through the project “Access to justice, Human Rights and Peace Consolidation”, the National Commission for Human Rights in collaboration with the Civil Society Organizations for the promotion and protection of human rights, carried out an assessment on the implementation of the concluding observations issued to Rwanda by the Committee on the Convention on the rights of child (CRC) and the two Optional Protocols. In total, the concluding observations included 35 related to the CRC, 12 for CRC-OP-AC and 19 for CRC-OP-SC.

3. Objective of the Assessment

While the ratification of the international human rights instruments including the United Nation’s Convention on the Rights of the Child places an obligation to the State Parties to report periodically on their implementation within set timeframe, the State reporting does reaffirm the notion of State accountability for the realization of human and children’s rights and the values of transparency and public scrutiny that are associated with it. It also promotes an international system of solidarity designed to achieve the realization of children's rights.

The reporting system enables the States to constantly check the whole government machinery as it forces the relevant government institutions from all the departments and ministries to evaluate legal regulations, procedures and practices vis-à-vis the provisions guaranteed in the treaties.

Therefore, this assessment serves as a tool to indicate the level of implementation of the concluding observations to the CRC and its Optional Protocol on the sale of children, child

prostitution and child pornography as well as the Optional Protocol on the involvement of children in armed conflict while creating awareness and calling the Government concerned institutions to accelerate efforts in implementing those concluding observations that are not yet implemented before Rwanda presents its next periodic report scheduled on 22 February 2018.

4. Methodology

Preparation of data collection tools

The initial step of the assessment began with the preparation of tools, to note: “«guidelines on the collection of information on the implementation of concluding observations” which facilitated the collection of information from different institutions on how each concluding observation has been addressed.

Setting up data collection teams

In collaboration with CSOs mainly Save the Children, Kanyarwanda, Haguruka and CLADHO, the National Commission for Human Rights created four different teams grouping representatives of the said organisations and the Commission personnel to facilitate the data collection work. Each team was assigned specific Government institutions to visit.

Collection of information

From the date of 9 May 2016 to 13 May 2016, the above mentioned created teams met different ministries and government institutions to interact and gather information around the implementation of different concluding observations that concern them. The teams used the developed tools to guide their interviews and discussions. Information was also gathered through the use of communication means including consultation of websites.

Report writing and editing

A small team made of the Commission’s personnel and a CSOs representative was established to work together on the final report of this assessment. The process consisted of consolidating information given from different teams, evaluating and indicating the level of implementation to each concluding observation based on the given information, preparing and editing the main report.

Validation of the report

Different Government Ministries/Institutions concerned by the implementation of the concluding observations, CSOs involved in the assessment, UN agencies and other stakeholders were invited in a validation workshop held on 30 June 2016 to present the findings, collect views and inputs in order to adjust and get the final report publically available.

Dissemination of the report

The final report is shared with all concerned Government Ministries and Institutions for their action in implementing the concluding observations. The report is also publically available especially through the website and the library of the Commission to facilitate access and awareness of other stakeholders for their use.

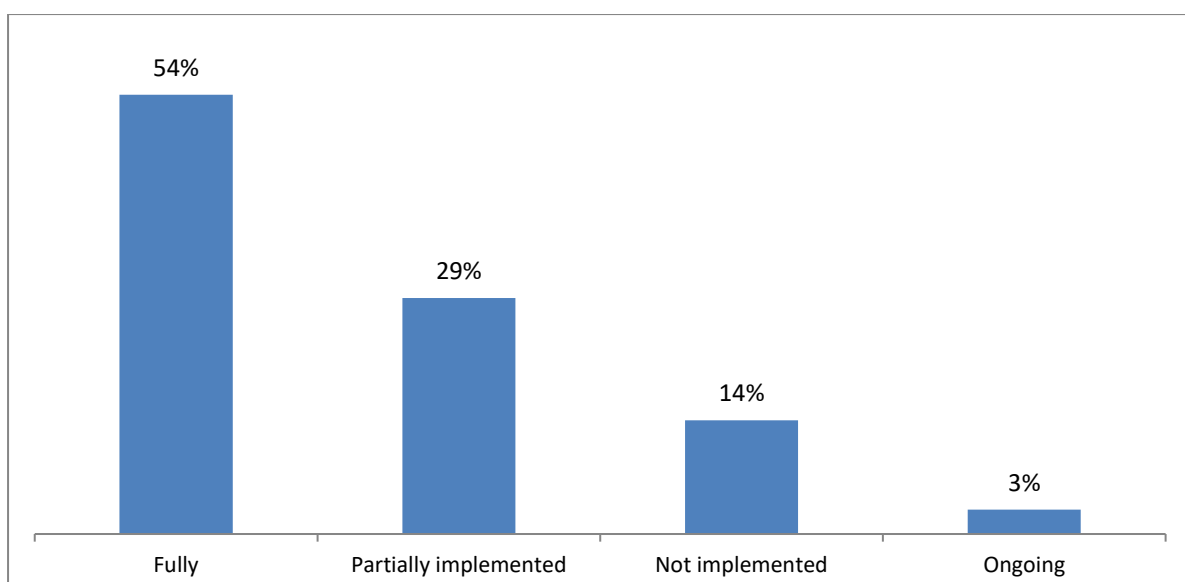
5. Findings of the assessment

The implementation status of the concluding observations is presented in three (3) levels of implementation as follows: fully implemented concluding observations, partially implemented concluding observations, not yet implemented concluding observations.

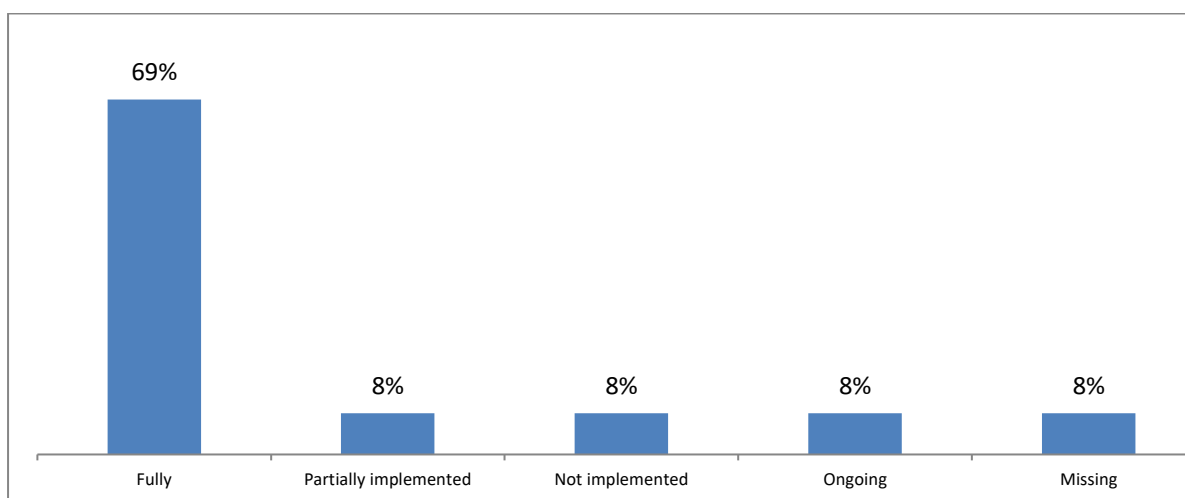
Table illustrating the level of implementation

International Instrument	Number of concluding observations	Fully implemented	Partially implemented	Not yet implemented	Ongoing	Missing
CRC	35	19	10	5	1	
OPAC	12	9	1	1	1	1
OPSC	19	10	1	4	1	

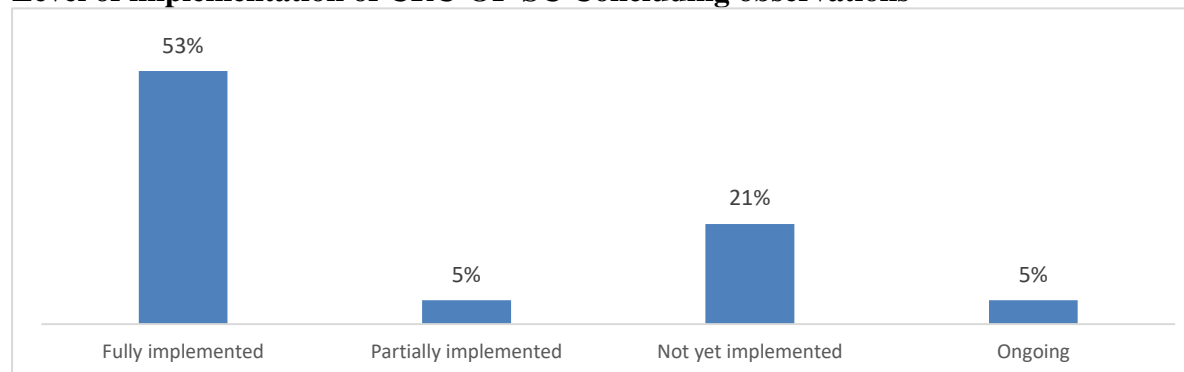
Level of implementation of CRC Concluding observations



Level of implementation of CRC-OP-AC Concluding observations



Level of implementation of CRC-OP-SC Concluding observations



In general, fully implemented concluding observations are related to enacting laws, undertaking measures, establishing effective monitoring mechanisms, development of strategies, adopting policies for the effective and efficient protection of children.

Partially implemented concluding observations are related to the lack of their wide dissemination, implementation and revision of legislation protecting the rights of children, recommended institutions and organs to be established that have not been done yet.

The concluding observations that were not implemented are simply related to their translation in national language and wide dissemination and the ratification of the third Optional Protocol of CRC, while ongoing concluding observations concern those still on an implementation process including the availability of some required disaggregated data at the time of the next periodic report.

6. Conclusion

The National Commission for Human Rights and the Civil Society Organizations working in the field of the promotion and the protection of child rights that conducted the assessment of the implementation of concluding observations issued to Rwanda by the Committee on the Convention on the Rights of the Child and the two Optional Protocols (CRC-OP-AC and CRC-OP-SC) welcome collected information that are sufficient to enable them to submit relevant recommendations to the concerned institutions.

The Commission and the partners who collaborated in this work gratefully acknowledge the various state institutions who were willing to answer questions that were submitted to them and to meet teams that approached them for interviews and discussions.

The Commission and its partners also expressed their deep appreciation for the UNDP invaluable contribution to the realization of this work.

Considering the results of the assessment, it is to note that there has been progress in implementing the concluding observations around the CRC and the two optional protocols (CRC-OP-AC and CRC-OP-SC) as summarized below:

- **Among 35 total concluding observations of the CRC**, 19 have been fully implemented (representing 54%), 10 partially implemented (29%), and 5 not yet implemented (14%) and 1 on-going 3%;

- **Among 12 total concluding observations of the CRC-OP-AC**, 9 have been fully implemented (representing 69%), 1 partially implemented (8%), 1 not yet implemented (8%) and 1 on-going (8%) and 1 with missing information (8%)
- **Among 19 total concluding observations of the CRC-OP-SC**, 10 have been fully implemented (representing 53%), 1 partially implemented (5%), 4 not yet implemented (21%) and 1 on-going (5%)

Based on the number of all the concluding observations from the CRC and the two CRC Optional Protocols, it is clear that among 66 of their total number, 38 have been implemented and there is a need to invest in the implementation of the 26 remaining concluding observations which have to be fully implemented before the next periodic report of 22 February 2018.

While commending the fact that a number of concluding observations were evaluated '**Fully Implemented**', it is important to also highlight that there is a need for the concerned Government Ministries/Institutions to keep revisiting them and to keep the momentum.

The Office of the Prime Minister, which is responsible for overseeing the Cabinet's functioning, should follow up and support concerned Ministries to implement the concluding observations issued to Rwanda by the Committee on the Convention on the Rights of the Child and the two Optional Protocols (CRC-OP-AC and CRC-OP-SC).

7. Way forward

The National Commission for Human Rights and the institutions that worked together in the assessment of the implementation of the concluding observations will continue to follow up on the implementation of each concluding observation to ensure that children's rights are realized.

All concerned institutions will be given a copy of the assessment document that will be used in the preparation of the report to be submitted to the Committee on the Rights of the Child.

RECOMMENDATIONS TO ORGANS OF IMPLEMENTATION

The table below presents the summary of concluding observations from both the CRC and the Optional Protocol that have not been implemented or fully implemented. You will also find the column ‘Recommendation’ which highlights what needs to be done by the institution (s) primarily indicated. We encourage the institutions and readers of this report to also consult the full tables annexed to this report to have a better understanding of all the concluding observations and the level of implementation.

N°	Concluding Observation	Findings	Recommendation	Organ of implementation
A. Convention on the Rights of the Child				
1.	<p>Para 8 (b) Intensify the public education and training on the provisions of the Convention for all professionals working for and with children, in particular parliamentarians, judges, lawyers and law enforcement officials at the provincial, district and sector levels.</p>	<p>b) Public awareness initiatives on child rights have been widely undertaken through the use of media, regular media campaigns and programs, different community programs targeting the Rwandans at large such as family campaigns, anti-teenage pregnancy campaigns and “Umugoroba w’ababyeyi”.</p> <p>Government institutions carried out trainings for lawyers, local authorities, law enforcers and CSOs on a number of human rights instruments such as the Convention Against Torture, African Charter on Human and People’s Rights including the UPR and the component of child rights has been on the agenda of the same. Case of MINIJUST.</p> <p>The National Action Plan for human</p>	<p>More emphasis should be put on training law makers and enforcers (parliamentarians, lawyers, judges, police etc.) on the CRC and its optional protocols.</p>	<p>MIGEPROF MINIJUST</p>

		rights is under the approval process and covers the rights of the child where public education and trainings on the convention of the child and its optional protocols are also planned to take place.		
2.	Para 12 : The Committee recommends that the State party strengthen the implementation, monitoring and evaluation of the Integrated Child Rights Policy and its Strategic Plan and increase its budgetary allocations.	NCC conduct an assessment of the 7 ICRP pillars and how they should be implemented. The guidelines defined by the assessment determine the role of each institution. The budget also results from the activities planned by all those institutions.	Evaluate and publish the implementation level of the ICRP	MIGEPROF NCC
3.	Para 16 (d) Establish mechanisms to monitor assess and evaluate the adequacy, efficacy and equitability of the distribution of resources allocated for the implementation of the Convention and disseminate information in this regard.	Mechanisms to monitor, assess and evaluate the adequacy, efficacy and equitability of the distribution of resources allocated for the implementation of the Convention were not established.	There is a need to clearly describe the budget allocation mechanism applied in budgeting for child focused sectors and ensure that allocated budget can be tracked as the budget is implemented.	MINECOFIN MIGEPROF
4.	Para 28 (a) Develop the National Plan of Action to fight violence against children, based on the recommendations from the national conference held in 2011; (c) Immediately adopt and	a) and c) The Ministerial Order on prohibition on corporal punishment in schools is not yet in place. d) Under-progress e) The Civil code is under review and in the draft the "right of correction" in	There is need to accelerate the adoption of the Ministerial Order on prohibition of corporal punishment in schools] and To speed up the process to adopt the ministerial order related to alternative non-violent measures to	MINEDUC MINIJUST RLRC MIGEPROF NCC

	<p>implement the ministerial order on prohibition of corporal punishment in schools and widely publicize the order in all educational institutions;</p> <p>(d) Explicitly prohibit corporal punishment of children in alternative care settings;</p> <p>(e) Immediately repeal all provisions that authorize corporal punishment, including the “right of correction” in the Civil Code</p>	<p>article 347 has been removed.</p>	<p>corporal punishment in all settings as suggested by the law No 54/2011 in its article 25.</p> <p>Leading institutions need to ensure that the legal and policy review processes that take place address the issue of full prohibition of corporal punishment in all settings</p>	
5.	<p>Para 67: The Committee recommends that the State party take all appropriate measures to ensure that the present recommendations are fully implemented by, inter alia, transmitting them to the Head of State, Parliament, relevant ministries, the High Court, and to heads of provincial and district authorities for appropriate consideration and further action.</p>	<p>Upload the concluding observations to the website but no other type of dissemination was done.</p>	<p>The concluding observations have not been widely disseminated and need actions by relevant Government institutions.</p>	<p>MINIJUST</p>
6.	<p>Para 68: The Committee further recommends that the third and fourth periodic report</p>	<p>Institutions visited did not indicate how the third and fourth periodic report, written replies and</p>	<p>Periodic report, written replies and recommendations (concluding observations) should translated and</p>	<p>MINIJUST, MIGEPROF, NCC</p>

	and written replies by the State party and the related recommendations (concluding observations) be made widely available in the languages of the country, including (but not exclusively) through the internet, to the public at large, civil society organizations, media, youth groups, professional groups and children, in order to generate debate and awareness of the Convention and its Optional Protocols and of their implementation and monitoring.	recommendations (concluding observations) were widely made available to generate debate and awareness of the Convention and its Optional Protocols and of their implementation and monitoring. There has not been any translation of the same into national language to facilitate their wider dissemination.	disseminated countrywide	
7.	Para 63: (a) Take all measures to establish separate children's courts at the High Court and the lower courts, and in the meantime extend specialized Juvenile Chambers at both the lower courts and the High Court levels;	a) An alleged minor offender is tried in the first instance by a specialized Juvenile Chamber of Intermediate Court. For the aspect of separate children's courts, It was pointed out that limited numbers of cases of minors in courts do not justify the establishment of separate courts.	Separate children's courts have not been established, and specialized Juvenile Chambers have not been extended to both lower and high courts.	SUPREME COURT MINIJUST
8.	Para 65: The Committee encourages the State party, in order to further strengthen the fulfillment of children's rights, to ratify the Optional Protocol to the Convention on the Rights	The Optional Protocol to the Convention on the Rights of the Child on a communications procedure has not yet been ratified yet by Rwanda. The Optional Protocol being new is	The Government of Rwanda should ratify the 3 rd Optional Protocol to the Convention on the Rights of the Child on a communications procedure.	MINIJUST MIGEPROF MINAFFET

	of the Child on a communications procedure.	also not widely known.		
9.	<p>Para 44: (e) Ensure that the NCPD includes a dedicated section on children, and strengthen its capacity to introduce and monitor programmes promoting the rights of children with disabilities, deinstitutionalization and community education about the rights of children with disabilities, and provisions to support such children and their families; and</p> <p>(f) Repeal Article 42 of the Law N° 54/2011 and ensure that the placement of children with disabilities in institutions is used only as a measure of last resort, when it is absolutely necessary and in the best interests of the child.</p>	<p>e) NCPD doesn't have a specific section for children but the social economic empowerment department accommodates the social rehabilitation officer that is responsible for different issues including children (education, health...).</p> <p>f) The Law N° 54/2011 is under revision and will ensure that 'Article 42' clearly highlights that the placement of children with disabilities in institutions is used only as a measure of last resort, when it is absolutely necessary and in the best interests of the child.</p>	<p>The separate section dedicated on children hasn't been established.</p> <p>To follow up and ensure that the revision of the law No. 54/2011 takes into consideration its article 42.</p>	<p>MIGEPROF NCC NCPD RLRC</p>
10.	<p>Para 47: (c) Promote exclusive breastfeeding and establishment of Baby Friendly Hospitals and adopt a Code on the Marketing of Breast Milk Substitutes with appropriate controls on the marketing of artificial infant formula;</p>	<p>c) Awareness campaigns have been organized and carried out countrywide to promote exclusive breastfeeding. Hospitals and health centres constitute pediatric sections that cater for children.</p>	<p>There has been no information on the establishment of Baby Friendly Hospitals and adoption of a Code on the Marketing of Breast Milk Substitutes with appropriate controls on the marketing of artificial infant formula</p>	<p>MINISANTE MIGEPROF</p>

11.	Para 53: (e) Undertake studies to identify the root causes and extent of dropouts from school, especially of boys and implement effective measures to address the issues identified	e) There has been no survey conducted to find out the root causes and extent of dropouts especially for boys.	The Government of Rwanda should conduct a survey to find out the root causes and extent of dropouts especially for boys.	MINEDUC
12.	Para 61: (g) Ratify ILO Convention No. 189 (2011) concerning Decent Work for Domestic Workers.	(g) ILO Convention No.189 of 2011 on Decent Work for Domestic Workers is not yet ratified.	The Government of Rwanda should consider ratifying the ILO Convention No.189 of 2011 on Decent Work for Domestic Workers	MIFOTRA MINIJUST MINAFFET
13.	Para 40: (c) Expedite the adoption of Ministerial instructions governing the placement of children into foster care.	The placement of children in foster care is suspended until the publication of the Civil Code and the preparation of the regulations concerning foster care. The adoption of the Ministerial instructions will be done after the Civil Code is published in the Official Gazette.	The Government of Rwanda should consider the adoption of the Ministerial instructions governing the placement of children into foster care and to continue efforts in supporting all children deprived from parental care.	MIGEPROF
14.	Para 42: (a) Intensify its efforts to adopt a comprehensive legislation and effective mechanisms to ensure compliance with the Convention and the Hague Convention on Protection of Children and Cooperation in Respect of Inter-Country Adoption; (b) Set up an appropriate system for the selection and preparation of future adoptive parents as well as post adoptive services	The compliance with the Convention and the Hague Convention on Protection of Children and Cooperation in Respect of Inter-Country Adoption will be in accordance with the Civil Code that will be published. International adoptions were suspended while the new Civil Code is waiting for publication.	The Civil Code should consider taking into account the Hague convention on Protection of Children and Cooperation in Respect of Inter-Country Adoption. The Government of Rwanda should consider providing detailed information and disaggregated data on domestic and international adoptions in its next periodic report.	MIGEPROF MINIJUST RLRC

	<p>for children and their families in need; (c) Ensure strict transparency and follow-up controls mechanism with regard to international adoption and ensure a regular follow-up of the conditions of adopted children; and</p> <p>(d) Provide detailed information and disaggregated data on domestic and international adoptions in its next periodic report.</p>			
15.	<p>Para 59: The Committee notes that amendment of the law is still underway and therefore, urges the State party to adopt a flexible and expansive approach to ensure implementation of the right to family reunification for all children and family members without distinctions based on their legal status.</p>	<p>The law No. 13/2014 of 21/05/2014 relating to refugees has been published in the official gazette and its article 12 states that the identity card is issued to the person granted refugee status, his/her spouse, children under the age of 18 and persons under his/her dependence.</p>	<p>The law does not consider including other family members besides spouses and children under the age of 18</p>	<p>MIDMAR RLRC</p>
B. Optional Protocol to the Convention the Rights of the Child on the involvement of children in armed conflict				
1.	<p>Para 20 :The Committee recommends that the State party:</p> <p>(a) Establish a comprehensive mechanism to identify at the earliest stage refugee and asylum-seeking children and children in migrant situations</p>	<p>There is no comprehensive mechanism to identify at the earliest stage refugee and asylum-seeking children and children in migrant situations who may have been or who are at risk of being recruited; and no specific measures were taken to assist and support them.</p>	<p>MIDIMAR, in collaboration with its partners, should put in place a mechanism to identify refugee and asylum-seeking children and children in migrant situations who are at risk of being recruited by the armed groups abroad.</p>	<p>MIDIMAR MIGEPROF</p>

	<p>who may have been or who are at risk of being recruited and/or used in hostilities by the armed groups abroad;</p> <p>(b) Take all necessary measures to address the physical and psychological recovery needs of those children, including girls, and develop and implement a programme of assistance and support for them. The State party is encouraged to seek technical assistance from relevant UN agencies and programmes, including UNHCR and UNICEF; and</p> <p>(c) Ensure that all personnel dealing with children, in particular authorities working for and with asylum seeking and refugee children, such as border and immigration personnel, and police lawyers, judges, medical professionals, social workers receive adequate training on such mechanism and services and on the Optional Protocol.</p>		<p>All personnel dealing with those children should be trained in order to aware of the functioning of such a mechanism and the services they should deliver.</p>	
C. Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography				
1.	<p>Para 15: (b) Translate the Optional Protocol into the local languages of the country and widely disseminate it among the</p>	<p>(b)The translation of the optional protocol in national language and dissemination of the Optional Protocol have not yet been made</p>	<p>There is a need to consider translating the optional protocol and to get it widely disseminated from national to local levels.</p>	<p>MINIJUST</p>

	government agencies, the general population, children and their family members, especially children in vulnerable situations.			
2.	Para 38: The Committee recommends that the State party take all appropriate measures to ensure that the present recommendations are fully implemented by, inter alia, transmitting them to the Head of the State, the Parliament, relevant ministries, the High Court, and to heads of provincial and districts authorities for appropriate consideration and further action.	MINIJUST has uploaded the recommendations to the website but no other type of dissemination was done.	The recommendations have not been widely disseminated and need actions by relevant Government institutions.	MINIJUST
3.	Para 39: The Committee recommends that the initial report and written replies submitted by the State party and related recommendations (concluding observations) adopted be made widely available, including through the Internet (but not exclusively), to the public at large, civil society organizations, media, youth groups, professional groups and children, in order to generate debate and awareness of the	The initial report and written replies submitted by the State party and related recommendations have not been widely disseminated	The Government of Rwanda should disseminate State party reports, written replies and concluding observations countrywide	MINIJUST

	Optional Protocol, its implementation and monitoring.			
4.	Para 26: (a) Establish an effective legislative framework and adopt all necessary administrative procedures, including through the development of a code of conduct with tourism industry, to prevent, prosecute and eliminate exploitation of children in the commercial sex industry, including in the tourism industry;	A code of conduct with tourism industry, to prevent, prosecute and eliminate exploitation of children in the commercial sex industry, including in the tourism industry is not yet developed.	The Government of Rwanda should develop a code of conduct with tourism industry, to prevent, prosecute and eliminate exploitation of children in the commercial sex industry, including in the tourism industry.	RDB
5.	Para 9: The Committee requests the State party to expedite, as a matter of priority, the process of elaboration and adoption of the bills complementing the provisions of the newly adopted Penal Code.	There is no specific Law relating to the Prevention, Prosecution, and Repression of Human Trafficking that complement the Penal Code. However, Article 51 of the Law n° 54/2011 of 14/12/2011 relating to the rights and the protection of the child prohibits all forms of economic exploitation of a child including "... prostitution, beggary, child trafficking, slavery and kidnaping, pornography business, or any other form of exploitation and incitation."	Elaborate and adopt a specific law relating to Prevention, Prosecution, and Repression of Human Trafficking that complement the Penal Code	MINIJUST RLRC

ANNEX 1: International instrument: Convention on the Rights of the Child

N°	Findings of the Committee	Concluding observations	Institutions concerned	Findings	Observations based on the findings	Level of implementation
I	Cluster: Implementation					
1	The Committee regrets that some of the Committee's concluding observations from 2004 on the State party's second periodic report under the Convention have not been fully addressed but still remain valid. [para 7]	The Committee urges the State party to take all necessary measures to address all those recommendations from the 2004 concluding observations (CRC/C/15/Add.234, 2004) that still remain valid. The Committee notes the progress made in the areas of data collection and awareness raising but recommends that the State party further: (a) Strengthen its data collection system to ensure availability of up to date data on children in the most vulnerable situations, including children heading their own households, children with disabilities and living in poverty, children	MINIJUST, MIGEPROF MINALOC, MIGEPROF, NCC, NISR MIGEPROF, NCC	(a) In relation to data collection systems the Demographic Health Survey, the Integrated Household Living Conditions Survey and Rwanda Population Census have been mentioned amongst others. The mapping on the Most Vulnerable Children is being undertaken by MIGEPROF in collaboration with MINALOC and NCC and is under finalization stage. The data include children heading their own households, children with disabilities and living in poverty, children affected by HIV/AIDS. Different surveys and censuses and their statistical reports related to children and datasets are guided and published on the NISR Website (www.statistics.gov.rw) and relevant Government institutions. (b) Public awareness initiatives on child rights have been widely undertaken through the use of	The Concluding observations are not disseminated widely. The public education has been undertaken targeting different professionals working for and with children through different human rights trainings and awareness sessions. More emphasis should be put on training law makers and enforcers (parliamentarians, lawyers, judges, police etc.) on the CRC and its optional protocols with the lead of MIGEPROF and MINIJUST.	75 % implemented

		<p>affected by HIV/AIDS and from marginalized Batwa communities. In this regard, the National Commission for Children, the Child Rights Observatory and the National Institute for Statistics should coordinate and harmonize their data collection to avoid duplication and discrepancies in data and information on children; and</p> <p>(b) Intensify the public education and training on the provisions of the Convention for all professionals working for and with children, in particular parliamentarians, judges, lawyers and law enforcement officials at the provincial, district and sector levels. [para 8]</p>		<p>media, regular media campaigns and programs, different community programs targeting the Rwandans at large such as family campaigns, anti-teenage pregnancy campaigns and “Umugoroba w’ababyeyi”.</p> <p>Government institutions carried out trainings for lawyers, local authorities, law enforcers and CSOs on a number of human rights instruments such as the Convention Against Torture, African Charter on Human and People’s Rights including the UPR and the component of child rights has been on the agenda of the same. Case of MINIJUST.</p> <p>The National Action Plan for Human Rights is under the approval process (MINIJUST) and covers the rights of the child where public education and trainings on the convention of the child and its optional protocols are also planned to take place.</p>		
2	The Committee notes with concern that the implementation of	The Committee recommends that the State party undertake	MIGEPROF, MINIJUST, NCC	Existence of the law N° 54/2011 of 14/12/2011 relating to the rights and the protection of the		100 % implemented

	<p>national legislation related to the promotion and protection of the rights of children remains weak and inconsistent in the State party. [para 9]</p>	<p>all measures, including the establishment of effective monitoring mechanisms to ensure that child-related laws are effectively and consistently implemented at national, provincial, district, and sector levels and address disparities in the fulfilment of children's rights. [para 10]</p>		<p>child is an important legal framework. The same law does also give responsibility for compliance with and control of child's rights by following up his/her education and development (Article 66).</p> <p>The National Commission for Children was established in 2011 by the law N°22/2011 OF 28/06/2011 and has a mandate to coordinate all child rights related activities.</p> <p>The Justice for Children Policy adopted in 2014 where children enjoy justice and fairness.</p> <p>Moreover, in each District, Sector and Cell, there is a person in charge of children affairs. There is also a person who is responsible for family issues (friends of families) in each village.</p> <p>On an annual basis, the Legal Aid Week is conducted by the Ministry of Justice in collaboration with MAJ and different stakeholders whereby children benefit from legal aid.</p>		
--	--	---	--	--	--	--

				<p>At the same time different issues are raised and solutions found.</p> <p>In order to continue providing vulnerable children with legal support and justice, MINIJUST has signed contracts with the Rwanda Bar Association.</p>		
3.	<p>While commending the adoption of the Integrated Child Rights Policy (ICRP) and its Strategic Plan in 2011, the Committee expresses concern that their implementation is weak and hampered by the lack of clear and adequate budgetary allocations. [para 11]</p>	<p>The Committee recommends that the State party strengthen the implementation, monitoring and evaluation of the Integrated Child Rights Policy and its Strategic Plan and increase its budgetary allocations. [para 12]</p>	MIGEPROF	<p>NCC conduct an assessment of the 7 ICRP pillars and how they should be implemented.</p> <p>The guidelines defined by the assessment determine the role of each institution. The budget also results from the activities planned by all those institutions.</p>	<p>MIGEPROF/NCC to evaluate and publish the implementation level of the ICRP</p>	50 % implemented
4	<p>While noting the positive response of the development partners towards supporting efforts of the State party to fulfil children's rights, the Committee is concerned that reliance on donors to implement the various activities, including under the ICRP, could affect</p>	<p>In light of its Day of General Discussion in 2007 on "Resources for the Rights of the Child - Responsibility of States" and with emphasis on articles 2, 3, 4 and 6 of the Convention, the Committee recommends that the State party:</p>	MIGEPROF, NCC, MINIJUST	<p>(a) Budgetary allocations for policies, plans and structures concerning the implementation of children's rights particularly the implementation of the Integrated Child Rights Policy (ICRP) requires full involvement of other Government institutions as pointed out by</p>	<p>There is a need to clearly describe the budget allocation mechanism applied in budgeting for child focused sectors and ensure that allocated budget can be tracked as the budget is implemented.</p>	75 % implemented

	<p>continuity and sustainability. The Committee is also concerned about the absence of mechanisms to assess the impact of budgetary allocations for children. [para 15]</p>	<p>(a) Effectively increase budgetary allocations for policies, plans and structures concerning the implementation of children's rights, particularly the ICRP and NCC, and adopt strategies towards achieving sustainability;</p> <p>(b) Establish a budgeting process with a child-rights perspective to adequately take into account child rights and areas of need and concern, and which has clear allocations for children in the relevant ministries and agencies, as well as specific indicators and a tracking system;</p> <p>(c) Define strategic budgetary lines for children in disadvantaged or vulnerable situations that may require affirmative social</p>		<p>MIGEPROF whereby each institution should have sufficient financial and human resources to implement its part. For example MINEDUC is responsible for the education component, MIGEPROF for social affairs and child protection, MIFOTRA for children and employment, MINIJUST for justice, children in conflict with the law etc.</p> <p>(b) Each Ministry/Government institution coordinates the budgeting process depending on its operational area.</p> <p>(c) The social protection programs (VUP, Ubudehe program, Girinka, Community Based Health Insurance etc.) have been designed and implemented targeting vulnerable families that</p>		
--	---	--	--	--	--	--

		<p>measures (for example, children living in poverty, children with disabilities, Batwa and other minorities, refugee children) and make sure that those budgetary lines are protected even in situations of economic crisis, natural disasters or other emergencies; and</p> <p>(d) Establish mechanisms to monitor assess and evaluate the adequacy, efficacy and equitability of the distribution of resources allocated for the implementation of the Convention and disseminate information in this regard. [para 16]</p>		<p>accommodate those children.</p> <p>(d) Mechanisms to monitor, assess and evaluate the adequacy, efficacy and equitability of the distribution of resources allocated for the implementation of the Convention were not established.</p>		
5	<p>The Committee notes that Law N. 54/2011 prohibits some violent forms of punishment against children; however, the Committee is gravely concerned that:</p>	<p>The Committee urges that the State party:</p> <p>(a) Develop the National Plan of Action to fight violence against children, based on the recommendations from</p>	<p>MIGEPROF, MINEDUC, MINIJUST</p>	<p>(a) There has been no information on the development of the mentioned Plan of Action to fight Violence against Children based on the recommendations from the national</p>	<p>There is need to accelerate the adoption of the Ministerial Order on prohibition of corporal punishment in schools [MINEDUC, MINIJUST/RLRC]</p>	<p>66 % implemented</p>

<p>(a) The use of corporal punishment is considered appropriate in education and is still widespread in all settings, including families and schools;</p> <p>(b) The draft ministerial order on general regulation of preschool, primary and secondary education, prohibiting corporal punishment in school has not yet been adopted;</p> <p>(c) There is an absence of legislation that explicitly prohibits corporal punishment in alternative care settings; and</p> <p>(d) Parents have a “right of correction” under Article 347 of the 1988 Civil Code, which may lead to corporal punishment. [para 27]</p>	<p>the national conference held in 2011;</p> <p>(b) Introduce sustained public education, awareness-raising and social mobilization programmes, involving children, families, communities and religious leaders, on the harmful effects, both physical and psychological, of corporal punishment, with a view to changing the general attitude towards this practice, and promote positive, non-violent and participatory forms of child-rearing and discipline as an alternative to corporal punishment in the family, schools, alternative care and penal institutions;</p> <p>(c) Immediately adopt and implement the ministerial order on prohibition of corporal punishment in schools</p>		<p>conference held in 2011.</p> <p>(b) The public education, awareness and community mobilisation initiatives have been widely undertaken around the issue of physical and psychological effect of corporal punishment by the Government and different stakeholders including NGOs.</p> <p>Below are some of the initiatives to mention:</p> <ul style="list-style-type: none"> - The Community Based Child protection structures “Inshuti z’Umuryango” being established and strengthened nationwide to create awareness and to respond to the issues related to violence against children; - Legal Aid Week that provides opportunities to raise public awareness on 	<p>and</p> <p>MIGEPROF has to speed up the process to adopt the ministerial order related to alternative non-violent measures to corporal punishment in all settings as suggested by the law No 54/2011 in its article 25.</p> <p>MIGEPROF/NCC as leading institutions needs to ensure that the legal and policy review processes that take place address the issue of full prohibition of corporal punishment in all settings.</p>	
--	---	--	--	---	--

		<p>and widely publicize the order in all educational institutions;</p> <p>(d) Explicitly prohibit corporal punishment of children in alternative care settings;</p> <p>(e) Immediately repeal all provisions that authorize corporal punishment, including the “right of correction” in the Civil Code; and</p> <p>(f) Ensure adequate follow-up measures to all corporal punishment. [para 28]</p>		<p>violence against children whereby Legal support is provided to vulnerable Children and victims from violence;</p> <ul style="list-style-type: none"> - The Human Trafficking training Manual has been developed to create awareness and be used during different trainings; - Conducted awareness campaigns against drugs, human trafficking etc. <p>(c) The Ministerial Order on prohibition on corporal punishment in schools is not yet in place.</p> <p>(d) Under-progress</p> <p>(e) The Civil code is under review and in the draft the "right of correction" in article 347 has been removed.</p> <p>(f) Measures to follow-up all corporal punishments</p>		
--	--	---	--	---	--	--

				are in place.		
6		<p>Recalling the recommendations of the United Nations study on violence against children of 2006 (A/61/299), the Committee recommends that the State party prioritize the elimination of all forms of violence against children. The Committee further recommends that the State party take into account general comment No. 13, the Right of the Child to Freedom from All Forms of Violence, (CRC/C/GC/13, 2011), and in particular:</p> <p>(a) Develop a comprehensive national strategy to prevent and address all forms of violence against children;</p> <p>(b) Adopt a national coordinating framework to address all forms of</p>	MIGEPROF, NCC	<p>(a) The ICRP considers the issue of violence against children under its different pillars. It has also got a comprehensive strategy to prevent and address all forms of violence against children.</p> <p>(b) As part of the NCC mandate, the commission with its partner organisations intervening in area of child protection has established a National Network on Violence against Children.</p> <p>(c) Law No 59/2008 on the prevention and punishment of gender based violence, Organic Law No 01/2012/OL of 02/05/2012 instituting the penal code, national gender policy of 2010 and its strategic plan, Isange One Stop centres at District levels, GBV</p>	MIGEPROF/NCC should continue ensuring that the ICRP fully prevents and responds to all forms of violence against children.	100 % implemented

		<p>violence against children;</p> <p>(c) Pay particular attention to and address the gender dimension of violence; and</p> <p>(d) Cooperate with the Special Representative of the Secretary-General on violence against children and other relevant United Nations institutions.</p> <p>[para 34]</p>		<p>desk at sectors and police stations, community policing including awareness raising campaigns and programs carried out at national and local levels.</p>		
7	<p>The Committee is concerned about the weak implementation of the Early Childhood Development (ECD) Policy and Strategic Plan of 2011 and the limited coverage of children with ECD services. The Committee is also concerned that there is inadequate funding for the improvement and implementation of early childhood development and that programmes and services for</p>	<p>Referring to its general comment No. 7 (2005), the Committee recommends that the State party further improve the quality and coverage of its early childhood care and education, and in particular:</p> <p>(a) Scale up the investment and implementation of the Early Childhood Development Policy and Strategic Plan, and ensure that ECD is provided in a holistic</p>	<p>MINEDUC, MIGEPROF, MINALOC</p>	<p>Efforts have been invested to ensure that the Early Childhood Development is prioritized.</p> <p>(a) The ECD Policy has been approved in 2016 by MIGEPROF and will ensure a holistic, successive and uninterrupted interventions to make children healthy, physically developed, socially adapted, emotionally balanced and productive citizens. It will also ensure that stakeholders and</p>	<p>Government concerned institutions to continue efforts to implement the Early Childhood Development</p>	<p>100 % implemented</p>

	<p>children between the ages of 0-6 are not harmonized and integrated among the various ministries and agencies. [para 54]</p>	<p>manner that includes overall child development, nutrition, health care, stimulation and early learning and the strengthening of parental capacity and participation; and (b) Strengthen effective coordination among all Ministries to ensure that early childhood development programmes and services are integrated and harmonised, and that such services meet quality standards, are affordable and accessible for all children, including children in vulnerable situations. [para 55]</p>		<p>different partners are engaged to effectively participate in the successful implementation.</p> <ul style="list-style-type: none"> - In the Pre-primary Education, 1,983,660 children have been enrolled in 2015 and 2,618 pre-schools have been built. - Modelling 3 ECD Centres in every District by providing ECD Kits, outdoor ECD equipment and financial support to improve infrastructure; making a total of 90 ECD modal centres national wide. - Training caregivers on the use of ECD Kits - Training ECD stakeholders (pre-school teacher and head teacher, heads of health centres, Sector Education officers, district Education Officers) on 		
--	--	--	--	---	--	--

				<p>the Early Childhood Development program.</p> <p>(b) In 2014, The Ministry of Gender and Family promotion took the lead and coordination of the Early Childhood Development program due to incomparable role of the family in children's early childhood development. Since then, MIGEPROF started the revision of ECD Policy and its strategic plan.</p> <p>It is to be noted that since 2011, the Early Childhood Development policy and its Strategic plan was implemented under the coordination of the Ministry of Education.</p>		
8		The Committee recommends that the State party take all appropriate measures to ensure that the present	MINIJUST, MINAFFET	MINIJUST has uploaded the concluding observations to the website but no other type of dissemination was done.	The concluding observations have not been widely disseminated and need actions by relevant	0 % implementation

		recommendations are fully implemented by, inter alia, transmitting them to the Head of State, Parliament, relevant ministries, the High Court, and to heads of provincial and district authorities for appropriate consideration and further action. [para 67]			Government institutions.	
9		The Committee further recommends that the third and fourth periodic report and written replies by the State party and the related recommendations (concluding observations) be made widely available in the languages of the country, including (but not exclusively) through the internet, to the public at large, civil society organizations, media, youth groups, professional groups and children, in order to	MINIJUST, MIGEPROF, NCC	Institutions visited did not indicate how the third and fourth periodic report, written replies and recommendations (concluding observations) were widely made available to generate debate and awareness of the Convention and its Optional Protocols and of their implementation and monitoring. There has not been any translation of the same into national language to facilitate their wider dissemination.	Periodic report, written replies and recommendations (concluding observations) should be translated and disseminated countrywide	0 % implementation

		generate debate and awareness of the Convention and its Optional Protocols and of their implementation and monitoring. [para 68]				
10		The Committee invites the State party to submit its next combined fifth and sixth periodic reports by 22 February 2018 and to include in it information on the implementation of the present concluding observations. The Committee draws attention to its harmonized treaty-specific reporting guidelines adopted on 1 October 2010 (CRC/C/58/Rev.2 and Corr. 1) and reminds the State party that future reports should be in compliance with the guidelines and not exceed 60 pages. The Committee urges the	MINIJUST, MIGEPROF, NCC	Visited institutions noted the elements highlighted by the committee and which need to be taken care of in the next reporting period.	The preparation process for the next reporting has not started yet but will need to comply with the requirements as raised by the CRC committee.	On-going implementation

		<p>State party to submit its report in accordance with the guidelines. In accordance with General Assembly resolution 67/167 of 20 December 2012, in the event a report exceeding the page limitations is submitted, the State party will be asked to review and resubmit the report in accordance with the above-mentioned guidelines. The Committee reminds the State party that if it is not in a position to review and resubmit the report, translation of the report for purposes of examination of the treaty body cannot be guaranteed. [para 69]</p>				
11		<p>The Committee also invites the State party to submit an updated core document in accordance with the requirements of the common core document in the</p>	<p>MINIJUST, MIGEPROF, NCC</p>	<p>The core document in accordance with the requirements of the common core document in the harmonized guidelines on reporting has already been submitted by MINAFFET. This</p>		<p>100 % implemented</p>

		harmonized guidelines on reporting, approved at by the fifth Inter-Committee Meeting of the human rights treaty bodies in June 2006 (HRI/GEN/2/Rev.6, chap. I). [para 70]		information has been confirmed by MINIJUST.		
II	Cluster: Access to justice					
12	The Committee notes that the adoption of the Law on the Rights and Protection of the Child (Law N° 54/2011) is an important step in addressing some of the shortcomings of juvenile justice in the State party. However, the Committee regrets that notwithstanding its previous recommendation (CRC/C/15/Add.234, para. 74, 2004), the State party has not established independent children's courts. In particular, the Committee expresses concern that:	The Committee recommends that the State party bring the juvenile justice system fully in line with the Convention and with other relevant standards, including the Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), the Rules for the Protection of Juveniles Deprived of their Liberty (the Havana Rules), the Vienna Guidelines for Action on Children in	MINIJUST, MIGEPROF, MININTER, NCC Supreme Court	(a) An alleged minor offender is tried in the first instance by a specialized Juvenile Chamber of Intermediate Court. For the aspect of separate children's courts, It was pointed out that limited numbers of cases of minors in courts do not justify the establishment of separate courts. (b) A street child is not mistaken for an offender and he is always placed in a rehabilitation center before returning to his family or to a foster family. In this case, two priorities are needed: to	Separate children's courts have not been established, and specialized Juvenile Chambers have not been extended to both lower and high courts.	75 % implemented

<p>chamber' established for hearing children's cases operates under an ad hoc arrangement, does not exist at the high court and the lower courts, and lacks judges and lawyers specialized in children's rights and juvenile justice;</p> <p>(b) Children in vulnerable situations, such as children living in street situations and victims of child prostitution continue to be perceived as offenders and detained in an unofficial detention centre in Gikondo under poor living conditions and without any charges; and</p> <p>(c) The draft Justice for Children Policy and the Legal Aid Policy are yet to be finalized and adopted. [para 62]</p>	<p>the Criminal Justice System; and the Committee's general comment No. 10 (2007). In particular, the Committee urges the State party to:</p> <p>(a) Take all measures to establish separate children's courts at the High Court and the lower courts, and in the meantime extend specialized Juvenile Chambers at both the lower courts and the High Court levels;</p> <p>(b) Ensure that children in street situations, child victims of prostitution and other crimes are treated as victims rather than offenders by law enforcement and judicial authorities;</p> <p>(c) Permanently close all unofficial places of detention, including the detention centre in Gikondo and stop the arbitrary detention of</p>		<p>know why this child was in the street and to help his family to prevent him back in the street.</p> <p>(c) Kigali Rehabilitation Transit Center (see Kigali City Council Instructions n° 001/2015 of 01/11/2015 in Official Gazette n° 44 bis of 02/11/2015) is not a place of detention and children who are there are separated from adults. Furthermore, the National Rehabilitation Service has been established and will manage the Transit Centers.</p> <p>(d) Justice for Children Policy and the Legal Aid policy were adopted in 2014.</p>		
---	---	--	--	--	--

		<p>children in need of protection, such as children in street situations and child victims of prostitution, and conduct thorough investigations of acts of arbitrary detention, ill treatment, and other abuses occurring in the centres; and</p> <p>(d) Expedite the adoption of the Justice for Children Policy and the Legal Aid Policy to address the concerns raised in surveys conducted by the Ministry of Justice in 2006 and the Legal Aid Forum in 2007. [para 63]</p>				
13		<p>The Committee recommends that the State party ensure, through adequate legal provisions and regulations, that all children victims and/or witnesses of crimes, including child victims of abuse, domestic</p>	MINIJUST	<p>MINIJUST provided legal aid assistance through MAJ and in collaboration with Rwanda Bar Association. There has been the adoption of the legal aid policy of 2014 which aims at increasing the level of access to justice for all Rwandans particularly by expanding the legal aid provision, streamlining and</p>		100 % implemented

		violence, sexual and economic exploitation, abduction, and trafficking and witnesses of such crimes, are provided with the protection required by the Convention and that the State party take fully into account the United Nations Guidelines on Justice in Matters Involving Child Victims and Witnesses of Crime (annexed to Economic and Social Council resolution 2005/20). [para 64]		improving the alternative dispute resolution system. There has also been the justice for children policy of 2014 to ensure that the justice system is more responsive to the needs of the children including their protection.		
14		The Committee encourages the State party, in order to further strengthen the fulfillment of children's rights, to ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure. [para 65]	MINIJUST MIGEPROF	The Optional Protocol to the Convention on the Rights of the Child on a communications procedure has not yet been ratified yet by Rwanda. The Optional Protocol being new is also not widely known.	The Government of Rwanda should ratify the 3rd Optional Protocol to the Convention on the Rights of the Child on a communications procedure.	0 % implementation
III	Cluster: Education and welfare					
15	The Committee notes	In the light of Article	MINALOC,	(a) The accessibility of	The separate section	75 %

<p>that the State party is revising the 2007 Special Needs Education Policy. However, the Committee is deeply concerned that children with disabilities lack access to inclusive education, adequate health care and social protection measures and are often discriminated due to cultural stigma and superstition. In particular, the Committee is concerned that:</p> <p>(a) Children with disabilities mostly attend special schools in the urban areas;</p> <p>(b) The Special Needs Education Policy lacks the necessary resources and a strategic plan; consequently, schools and institutions do not have adequate capacities to meet the needs of children with disabilities, including</p>	<p>23 of the Convention and in light of its general comment No. 9 (2006), the Committee urges the State party to:</p> <p>(a) Ensure that children with disabilities have equal access to adequate social and health services, including psychological support, counseling services, parental guidance for families of children with disabilities, and tailored services for children with mental disabilities and behavioural disorders, and raise awareness about all services available. Furthermore, measures should be taken to ensure accessibility to buildings and installations;</p> <p>(b) Undertake intensive public enlightenment campaigns in cooperation with NGOs, to challenge</p>	<p>MIGEPROF, MINEDUC, NCPD</p>	<p>buildings for people with disabilities is provided by law No 01/2007. The Construction One Stop Centre ensures that public buildings are inclusive and respect Rwanda Building Code and Rwanda Housing Authority guidelines [2015]).</p> <p>Children with disabilities benefit from community based health insurance scheme ‘mutuelle de santé’. With CHUK/CHUB, the mutuelle de santé provides orthotics and prosthesis to people with disabilities.</p> <p>The strategy for National childcare reform was endorsed by the cabinet of Ministers in March 2012 and the “Tumurere Mu Muryango (TMM)” program initiated to ensure that all children including children with</p>	<p>dedicated on children hasn’t been established.</p> <p>MIGEPROF/NCC/ NCPD to follow up and ensure that the revision of the law No 54/2011 takes into consideration its article 42.</p> <p>Concerned institutions such as NCPD, MINEDUC, MIGEPROF and NCC to continue efforts to ensure that programs targeting children with disabilities benefit all children including those in rural areas</p>	<p>implemented</p>
--	---	---------------------------------------	--	---	---------------------------

<p>trained professionals and essential facilities for therapy and education for children with a mental disabilities;</p> <p>(c) The National Council of People with Disabilities (NCPD) established in 2011 lacks a designated division focusing on children with disabilities and lacks adequate capacities; and</p> <p>(d) Article 42 of Law N°54/2011 contradicts the right of the children with disabilities to live and play an active part in the community on an equal basis, as guaranteed under the Convention since this law stipulates that children with physical and mental disabilities ‘shall be placed in special institution for care and medical treatment,’ without specifying time limit</p>	<p>cultural norms and abandon the superstitious beliefs surrounding children with disabilities;</p> <p>(c) Increase budget allocations, including for the implementation of the 2007 Special Needs Education Policy with a view to achieving inclusive education as far as possible for all concerned Rwandan children, and the elimination of all barriers that lead to educational disparities for children with disability;</p> <p>(d) Finalize the revision of the Special Needs Education Policy of 2007 in collaboration with other stakeholders, detailing implementation strategies, activities and resources to realize the rights of children with disabilities, including</p>		<p>disabilities benefit from family based care.</p> <p>The rights of children with disabilities are also included and catered for by the EDPRS II, 7YGP, Social Protection Policy and strategy-2013.</p> <p>Children with Disabilities are engaged in children fora and the national children’s summit organized with the lead of NCC and MIGEPROF on annual basis where those children get an opportunity to advocate for their issues.</p> <p>(b) Public campaigns on radio and TV are organised to educate and inform the public at large the rights of children with disability, Sensitization campaigns at community level and trainings are organised and conducted in collaboration with Local Government Leaders</p>		
--	--	--	--	--	--

	<p>for such placement. [para 43]</p>	<p>children with mental disabilities; (e) Ensure that the NCPD includes a dedicated section on children, and strengthen its capacity to introduce and monitor programmes promoting the rights of children with disabilities, deinstitutionalization and community education about the rights of children with disabilities, and provisions to support such children and their families; and (f) Repeal Article 42 of the Law N°54/2011 and ensure that the placement of children with disabilities in institutions is used only as a measure of last resort, when it is absolutely necessary and in the best interests of the child. [para 44]</p>		<p>aiming at challenging cultural norms and to abandon the superstitious beliefs surrounding children with disabilities. Newsletters have been produced on the rights of People with Disabilities including children.</p> <p>National Partnership on CWDs was established by Government of Rwanda, UNICEF and other NGOs where different issues related to children with disabilities are discussed and solutions found.</p> <p>The Government provides support to centres taking care of Children with Disabilities.</p> <p>(c) Specific budgets have been allocated by Districts to cover issues related to children with disabilities like buying for them orthotics and</p>		
--	--------------------------------------	--	--	---	--	--

				<p>prosthesis. The budget is usually increased or decreased depending on how much money has been allocated to the Education Sector. The Rwandan constitution has provisions for Children with disabilities and the right to education especially in its article 51. In order to continue supporting children with disability and to keep inclusion, a sign language dictionary is under development with the lead of NCPD.</p> <p>(d) The Government contributes in construction of special schools for CWDs and avails the salaries for teachers and medical staff working in special schools (i.e.: Gatagara and Rilima) and centers respectively.</p>		
--	--	--	--	---	--	--

				<p>The inclusive and special needs education department has been initiated and now operational in the education college of the Rwanda University to educate and train high level professionals that can provide quality education to children and people with disabilities.</p> <p>A ministerial order was adopted in March 2016 to support children with disabilities that are poor and to contribute to the implementation of the special needs education policy.</p> <p>Regarding education services, the Special Needs Education policy has been revised and approved where education issues related to people and children with disabilities were addressed.</p> <p>Apart from children with specific disability needs, other children with</p>		
--	--	--	--	--	--	--

				<p>disabilities attend ordinary schools with other children (inclusive education) and benefit from the free 9 and 12 years basic education.</p> <p>(e) NCPD doesn't have a specific section for children but the social economic empowerment department accommodates the social rehabilitation officer that is responsible for different issues including children (education, health...).</p> <p>(f) The Law N° 54/2011 is under revision and will ensure that 'Article 42' clearly highlights that the placement of children with disabilities in institutions is used only as a measure of last resort, when it is absolutely necessary and in the best interests of the child.</p>		
16	The Committee notes as	The Committee draws	MINISANTE,		There has been no	90 %

<p>positive the adoption of the National Policy for Child Health, the Three-year Multisectoral Strategy to Eliminate Malnutrition in 2009, and the implementation of the Integrated Management of Childhood Illness strategy (IMCI) since 2006, which have led to a significant improvement in child health and well-being. The Committee also notes the innovative community based health insurance scheme (CBHI) system aimed at increasing access to medical services for the population, including children. However, the Committee is concerned at the regional disparities in health among children living in urban and rural areas and the several existing</p>	<p>the State party's attention to its general comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health, and recommends that the State party:</p> <p>(a) Ensure equitable access to health care services, particularly in rural and remote areas, by improving health infrastructures, trained staff and supplies and ensuring accessibility to the health insurance scheme programme for children living in rural areas and children in poverty or other vulnerable situations;</p> <p>(b) Strengthen efforts to address, as a matter of urgency, the high rates of child malnutrition, and develop educational programmes, including educational campaigns to inform parents and families about basic</p>	<p>MIGEPROF</p>	<p>(a) The National Health Sector Policy of 2015 ensures that the health sector supports the increasing role of the community and of the private sector that need to be enhanced in a manner that ensures increased accessibility and quality of health services.</p> <p>The policy notes that some isolated community and under privileged population still have problems with geographic and financial accessibility to health services.</p> <p>The community health program has achieved nationwide coverage. In each village of the country, three community health workers are available equipped with e-health system with mobile phones to connect them with health facilities.</p>	<p>information on the establishment of Baby Friendly Hospitals and adoption of a Code on the Marketing of Breast Milk Substitutes with appropriate controls on the marketing of artificial infant formula</p>	<p>implemented</p>
--	---	------------------------	--	---	---------------------------

	<p>obstacles in accessing health services for children living in remote areas and in poverty, such as lack of infrastructure, long travel distance to health centres and inability to pay for health insurance. [para 45]</p>	<p>child health and nutrition, hygiene and environmental sanitation;</p> <p>(c) Promote exclusive breastfeeding and establishment of Baby Friendly Hospitals and adopt a Code on the Marketing of Breast Milk Substitutes with appropriate controls on the marketing of artificial infant formula;</p>		<p>Community Health Workers help patients before they are transported to hospitals and health centers. The health insurance scheme programme covers the entire population and needy people pay nothing for their affiliation.</p>		
17	<p>The Committee is seriously concerned at the high level of child malnutrition, particularly widespread stunting in the Northern and Western Provinces, and lack of prenatal and neonatal care, resulting in high new-born mortality. The Committee further notes with concern that the Ministry of Health has not established budgetary lines specifically for children's health. [para 46]</p>	<p>(d) Increase the availability and accessibility to emergency obstetric care and skilled birth attendants at sector and district-level health facilities, and improve the quality of interventions to prevent new born child mortality and strengthen in particular neonatal care. The State party should also establish monitoring mechanisms in each province and district</p>		<p>(b) National Food and Nutrition Policy of 2014 focuses on the national resolve to substantially reduce the prevalence of stunting among children under 2 years of age and to improve household food security particularly among the most vulnerable families. The policy also highlights the need to eliminate the issue of child malnutrition and stunting through the District plans and dealing with many household food security problems faced by many</p>		

		<p>under the Ministry of Health to monitor the implementation of various health policies and strategic plans in place;</p> <p>(e) Provide accessible, age appropriate and adolescent friendly health services for girls and boys, including confidential services related to sexual and reproductive health, with a focus on prevention of HIV/AIDS and STIs, and the prevention of substance abuse; and</p> <p>(f) Establish specific budgetary lines for children's health and nutrition under the Ministry of Health, and seek financial and technical assistance from, inter alia, UNICEF and the World Health Organization (WHO), in this regard. [para 47]</p>		<p>districts.</p> <p>Regular public awareness campaigns are organized to address the high rates of child malnutrition. Different initiatives and programs such one cup of milk per child, "akarima k'igikoni", etc are designed to address the same. Educational programmes to promote exclusive breastfeeding have also been widely undertaken. A Joint Action Plan to Eliminate Malnutrition that brings together MIGEPROF, MINALOC, MINAGRI, MINISANTE, NCC and NWC developed.</p> <p>(c) Awareness campaigns have been organized and carried out countrywide to promote exclusive breastfeeding. Hospitals and health centres constitute pediatric sections that caters for children.</p>		
--	--	--	--	---	--	--

				<p>(d) There has been an increase in facility based deliveries and emergency obstetrical and neonatal care in all district hospitals, there has also been clinical integrated management of childhood illnesses in all health facilities.</p> <p>The health system has a pyramidal structure, consisting of three levels: central, intermediary and peripheral. The central level includes the Ministry of Health, Rwanda Biomedical Center (RBC) and the national referral hospitals. The central level elaborates policies and strategies, ensure monitoring and evaluation, capacity building and resource mobilization. It organizes and coordinates the intermediary and peripheral levels of the</p>		
--	--	--	--	--	--	--

				<p>health system, and provides them with administrative, technical and logistical support (Health Sector Policy 2015).</p> <p>(e) The health sector policy of 2015 prioritizes adolescents' among others. It is to be noted that countrywide, the adolescents' programs have been initiated to educate, inform and train the adolescents on health related issues and on other topics that would be their great concerns such as HIV/AIDS and the reproductive health while providing youth friendly services.</p> <p>(f) The Integrated Child Rights Policy (ICRP) provides that budgetary allocation be made by each institution implementing its specific pillars.</p>	
--	--	--	--	---	--

18	<p>While commending the existence of several policies to combat poverty and strengthen child protection, including through direct support through cash and in-kind transfers to children in vulnerable situations under its Vision 2020 Umurenge Programme, the Committee is nonetheless concerned that up to 60 per cent of the State party's children live below the poverty line. [para 48]</p>	<p>The Committee calls on the State party to:</p> <p>(a) Take all necessary measures to address the high levels of child poverty and vulnerability through, inter alia, improved social protection, income and family support services to the disadvantaged families, including targeted community based programmes for families and child-headed households who are particularly vulnerable to poverty; and</p> <p>(b) Assess the impact of policies such as the Vision 2020, the National Strategic Plan of Action for Orphans and Other Vulnerable Children and the National Social Protection Strategy on reducing child poverty and ensure that children get equitable access to</p>	<p>MIGEPROF, MINALOC</p>	<p>(a) Adoption of the national social protection policy of 2011 ensuring that all poor and vulnerable people are guaranteed a minimum income and access to core public services, those who can work are provided with the means of escaping poverty, and that increasing numbers of people are able to access risk sharing mechanisms that protect them from crisis and shocks. The policy also highlights children and vulnerable groups such as older people as part of its key priorities.</p> <p>MINALOC earmarked transfers funds to District cater for vulnerable people needs including children.</p> <p>Social protection programs like VUP-components (Direct Support, public works, finance Services),</p>	<p>Government institutions such as MIGEPROF, NCC, MINALOC to ensure that programs benefit all children with particular focus on child poverty and programs assessed to find out if they respond to children needs.</p>	<p>100 % implemented</p>
----	--	---	---------------------------------	---	--	---------------------------------

		<p>social services, health care, education and social protection measures. [para 49]</p>		<p>FARG-components, RDRC-components, Girinka, CBHI, Ubudehe program, etc benefited by the vulnerable households.</p> <p>The Historically marginalised people (HMP) are beneficiaries of special support in form of paying for them tuitions fees for their studies , TVET and purchase of start-up toolkits and are mainstreamed in various government programs (Land, CBHI, SACCOs, etc).</p> <p>Expanded public works are intended for extremely poor households (i.e. in Ubudehe Category 1 in the 2015 Ubudehe categorisation) with only one worker and caring responsibilities.</p> <p>(b) The assessment of key national programs have been conducted to</p>		
--	--	--	--	--	--	--

				understand the level of achievements and areas for improvement. This has also informed the national plans of actions and different programs. The assessments done included the Vision 2020, EDPRS, MDGs etc.	
19	The Committee notes the government's initiative to construct decent housing as an effort to improve the living conditions of the Rwandan people, including children. However, it is concerned that housing initiatives, such as of the "Bye-Bye Nyakatsi" campaign has rendered hundreds of families homeless in the interim, and has disproportionately affected Batwa children due to their vulnerable economic situation. [para 50]	The Committee strongly urges the State party to ensure that children, including the marginalized Batwa, and their families displaced during the "Bye-Bye Nyakatsi" programme be immediately provided new places of residence which conform with international standards relating to the right to housing. The Committee also urges the State part to ensure that its housing programmes are carried out in accordance with the concept of the right to decent housing. [para	MINALOC, MININFRA, RHA	Displaced families during the Bye-Bye Nyakatsi have been settled in new places of residence. The Housing Programmes provided them with decent houses with irons sheets or tiles roof.	100 % implemented

		51]				
20	<p>While welcoming the State party's various initiatives to improve educational outcomes for children, including the Education Sector Strategic Plan (ESSP) 2010-2015, a five-year (2008-2013) campaign, titled 'Making a difference for girls' and increased budgetary allocations, the Committee is concerned about the following:</p> <p>(a) The inadequate quality of education and unequal educational outcomes, including disparities between urban and rural areas, and limited access to education for children with disabilities, Batwa children and girls, especially at the upper secondary school;</p> <p>(b) Hidden education</p>	<p>The Committee recommends that the State party:</p> <p>(a) Increase spending on quality education, including the number of well-trained teachers, school infrastructure, and children's access to school materials;</p> <p>(b) Take further measures to eradicate regional disparities and closely monitor the implementation and outcomes of the ESSP and campaign for girls' education as well as school enrolment and retention for boys and children in vulnerable situations, particularly Batwa children, children with disabilities and children living in poverty;</p> <p>(c) Take immediate measures to eliminate all types of hidden educational costs in the school system to ensure</p>	<p>MINEDUC, REB, NCC, MINALOC</p>	<p>a) Qualified teacher ratio has improved from 64:1 in 2010 to 62:1 in 2015 in Primary Education and from 32:1 in 2014 to 29:1 in Secondary Education; but more efforts are still required to meet the 2017/2018 ESSP target of 48:1</p> <p>The classroom ratio improved from 42:1 in 2010 to 39:1 in 2014 for Secondary education while the ESSP target for 2017/2018 is 40:1.</p> <p>-Reinforcing monitoring and evaluation through inspection. Inspected schools were suggested to improve the quality of education and teaching methodologies;</p> <p>b) Some measures to ensure the same education standards both in rural and urban areas were taken :</p> <p>- During the fiscal year 2013, the number of TVET trainees has increased from 83,893 to 93,024 countrywide.</p>	<p>MINEDUC should conduct a survey to find out the root causes and extent of dropouts especially for boys.</p>	<p>83 % Implemented</p>

	<p>fees that prevent children from accessing education, especially children living in poverty and children in vulnerable situations;</p> <p>(c) The remaining challenges to implementing the change in language of instruction policy from French to English, including the urgent need to develop teachers' capacities and training in both the English language and teaching methodology; and</p> <p>(d) The lack of disaggregated data on enrolment and retention rates of children in vulnerable situations, such as children living in poverty, children with disabilities,</p>	<p>unhindered and equal access to education for all children;</p> <p>(d) Intensify its efforts to develop the capacity of teachers through English language and pedagogical training at all levels of the educational system, and monitor the impact of the language policy on learning outcomes;</p> <p>(e) Undertake studies to identify the root causes and extent of dropouts from school, especially of boys and implement effective measures to address the issues identified; and</p> <p>(f) Strengthen the collection and analysis of disaggregated data on the participation in education by the most vulnerable children, including rural children, adolescent girls, children with disabilities, of orphans, children living with</p>		<p>-In the framework of TVET, Training of Trainers (ToT) on Development Plan and Trainers' Qualifications Framework is in place. Seven hundred and twenty nine (729) teachers were trained during the fiscal year 2013/2014, with much emphasis on competence based;</p> <p>- Besides, various activities were undertaken in order to address the quality of education including:</p> <p>-The new competence-based curriculum for pre-primary, Primary and Secondary education is under implementation since early 2016, to ensure the consistency and coherence across all levels of education in Rwandan schools;</p> <p>-The access to teaching and learning materials in schools (provision of books, etc..)</p> <p>c) Parents are required to contribute a small amount of money to show their interest as</p>		
--	--	--	--	---	--	--

	<p>orphans, adolescent girls, as well as the decrease in the enrolment rate for boys. [para 52]</p>	<p>HIV/AIDS and children living in poverty, and ensure that these children are fully integrated in educational settings in order to prevent segregation and discrimination. [para 53]</p>		<p>regard the education of their children while those from vulnerable families are fully covered by the Districts' Fund.</p> <ul style="list-style-type: none"> - The education system in Rwanda has been design and implemented to be benefit for all children. <p>d) Teachers were trained in English proficiency to improve their level of teaching.</p> <p>There has been an increase of qualified teacher recruited and deployed in rural and urban areas.</p> <p>TVET trainers have been trained on pedagogical and ICT skills;</p> <ul style="list-style-type: none"> -The implementation of the 9YBE and its upgrading to 12YBE program allowed the construction of new classrooms that contributed to the improvement of the pupil classroom ratio both in rural and urban areas; -The In Charge of Education at the District level were trained in 		
--	---	---	--	---	--	--

				<p>school management.</p> <p>e) There has been no survey conducted to find out the root causes and extent of dropouts especially for boys.</p> <p>f) The Ministry of education has disaggregated data of all categories of children.</p>		
IV	Cluster: Protection					
21	<p>The Committee notes that the National Commission for Children (NCC) was recently established under the Ministry of Gender and Family Promotion (MIGEPROF) as the leading coordinating body for the protection and promotion of children's rights. However, it is concerned that the NCC lacks sufficient stature, independence and adequate capacity, including decentralized coordination structures at the district and sector</p>	<p>The Committee strongly recommends that the State party take all the necessary measures to provide the NCC with the stature, authority and independence as well as the human, technical and financial resources to effectively coordinate and influence necessary actions for children's rights across all technical sectors at national level and among all provinces, districts and sectors. Furthermore, the Committee</p>	<p>MIGEPROF,</p> <p>NCC</p>	<p>According to the Law N° 22/2011 of 28/06/2011 establishing the National Commission for Children and determining its mission, organization and functioning, the Commission shall enjoy autonomy in the administrative, financial and human resource management.</p>		<p>100 % implemented</p>

	levels, to perform its role effectively. [para 13]	recommends that the State party strengthen the capacity of the NCC to monitor and evaluate the implementation of all activities to fulfil children's rights under the Convention. [para 14]				
22	The Committee notes the existence of the Child Rights Observatory under the National Commission for Human Rights; however, it is seriously concerned that this body lacks adequate human and financial resources. The Committee is further concerned that due to the lack of professional capacity, the Child Rights Observatory depends on volunteers at the district and sector levels to carry out its core functions, which could compromise its professionalism as well as accountability to the	The Committee recommends that the State party take all the necessary measures to provide the Child Rights Observatory with adequate human, technical and financial resources in order to secure its independence and ability to effectively monitor children's rights in sectoral ministries and among all provinces, districts and sectors. Furthermore, the Committee encourages the State party to raise awareness among children concerning the Child Rights Observatory in their	NCHR	The Child Rights Observatory which operates under the National Human Rights Commission is responsible for monitoring of the fulfillment of children rights with the staff in charge of protection and monitoring of human rights.		100 % implemented

	National Commission for Human Rights. Furthermore, it is concerned that there is no mechanism to facilitate children's access to the Observatory or ensure that their complaints are heard. [para 17]	respective provinces, districts and sectors, and ensure that children can easily access the Observatory, and have their complaints addressed in a child-sensitive manner. [para 18]				
23	The Committee expresses deep concern over reported threats, harassment, intimidation and arrests of human rights defenders, including journalists in the State party which has greatly reduced the scope for Rwandan organizations to report, inter alia, on children's rights violations and thereby contribute to the realisation of children's rights in the State party. The Committee also notes with concern that some relevant NGOs working in the field of children's rights do not	The Committee reminds the State party that human rights defenders deserve special protection as their work is critical for promoting human rights for all, including children and thus strongly recommends that the State party take immediate action to allow journalists, human rights defenders and all NGOs to exercise their right to freedom of expression and opinion without threats and harassment. The Committee also urges the State party to ensure that reported	MINIJUST, RGB	Registration space for NGOs is provided for in the following laws: Law n° 04/2012 of 17/2/2012 governing the Organisation and the Functioning of the National Non-Governmental Organisations and Law n° 05/2012 of 17/2/2012 governing the Organisation and the Functioning of the International Non-Governmental Organisations Organized dialogues between RGB and CSOs Law N° 02/2013 of 08/02/2013 regulating media. The Law N° 04/2013 of 08/02/2013 relating to access to		100 % implemented

	<p>have the opportunity to participate in the development of laws, policies and strategies on children. [para 19]</p>	<p>instances of intimidation and harassment of NGOs, human rights defenders or civil society activists are promptly and independently investigated, and those responsible for such abuses are held accountable. The Committee further recommends that the State party systematically involve all NGOs working in the field of children's rights in the development, implementation, monitoring and evaluation of laws, policies and programmes related to children. [para 20]</p>		<p>information.</p> <p>The Law N° 41/2011 of 30/09/2011 determining mission, organization and Functioning of the Rwanda Governance Board takes into consideration the role of RGB towards CSOs</p> <p>Annually RGB provides opportunities for CSOs strengthening and provides them with funding:</p> <ul style="list-style-type: none"> - Non-competitive grant (Annually local NGOs are provided with grants to run their programs. The grants goes up to 10.000 USD for individual organisations depending on the available budget and the number of CSOs can vary according to the available budget) - Competitive grant involves call for proposals to individual organisations and umbrellas/Networks from different areas (Human Rights, Media, Culture, Youth empowerment, environment,...). For Umbrellas/ Networks, the 		
--	---	---	--	--	--	--

				<p>grant goes to 80.000USD whereas individual organisations get 30.000USD.</p> <p>-</p> <p>In 2015, 26 CSOs were funded whereby 4 were Umbrellas and 22 were individual organisations;</p> <p>In 2016, 19 CSOs are being supported, with one Umbrella and 18 individual organisations.</p> <p>Quarterly TOT for CSOs which includes Human Rights Based approach.</p>	
24	<p>The Committee notes the establishment and promotion of the yearly National Children's Summit since 2004. Nevertheless, the Committee is concerned that due to traditional attitudes and resistance, respect for the views of the child remains limited within the family, in schools and village councils. The Committee is further</p>	<p>The Committee draws the State party's attention to its general comment No. 12 (2009), and recommends that it continue to ensure the implementation of the right of the child to be heard in accordance with article 12 of the Convention. In doing so, it recommends that the State party promote the meaningful and</p>	<p>MINALOC, MIGEPROF</p>	<p>The law No 54/2011 relating to the rights and the protection of the child grantees children with the right to be heard especially in its article 7 which clearly highlights that children will be heard in any judicial or administrative procedure concerning the child.</p> <p>There was also the establishment of Children's Forum from village to national level where all children participate without any form of discrimination. The</p>	<p>100 % implemented</p>

	<p>concerned that mechanisms for facilitating meaningful and empowered participation of children with disabilities, without parental care or from marginalized communities, such as Batwa, in legislative, policy and programme development processes which impact on them, are almost non-existent. [para 23]</p>	<p>empowered participation of all children within the family, community and schools, and develop and share good practices. Specifically, the Committee recommends that hearing the views of the child be a requirement for all official decision-making processes that relate to children, including custody cases, child welfare decisions, criminal justice, immigration, and environmental matters. The Committee also urges the State party to ensure that children with disabilities, without parental care, Batwa children and other children in vulnerable situations have the possibility to express their views, concerns and complaints during the preparation,</p>		<p>National Children's Summit is annually organised for children to interact with government high level officials and to express their views.</p> <p>Children's views are also collected through different consultations and meetings organised.</p>		
--	--	---	--	--	--	--

		planning and implementation of laws, policies and programmes relating to children. [para 24]				
25	The Committee notes as positive the establishment of the Gender-Based Violence Technical Working Committee under the Ministry of Gender and Family Promotion (MIGEPROF) which is co-chaired by the Ministry of Health (MOH) and mandated to implement the recently approved National Policy to fight Gender-Based Violence (2011-2016).The Committee also notes that the State party has established 'Isange One Stop Centre' at the National Police Hospital and thirteen districts, to prevent and respond to inter alia, child survivors of domestic and gender	The Committee urges the State party to: (a) Enforce effectively legislation relating to sexual violence and abuse, and ensure that perpetrators of such crimes are brought to justice and punished with sanctions proportionate to their crimes; (b) Facilitate the expansion and strengthen the implementation of the 'Isange One Stop Centre' initiative in all districts to respond to the shelter, health, legal and psychosocial needs of child victims of sexual exploitation and violence; (c) Establish, as a matter of urgency, effective and child-	MINIJUST, RNP, MININTER, MIGEPROF, NCC	a) Law No. 54/2011 relating to the rights and the protection of the child and the Law N°59/2008 of 10/09/2008 Law on prevention and punishment of gender- based violence provide for the protection of children, while The organic law instituting the Penal Code provides the punishments of such perpetrators in its articles 191 to 195. b) The Isange One Stop Centres have been expanded to 28 District Hospitals and efforts are underway to cover all 30 Districts. The Isange One Stop Centers provide victims with safe treatment and environment. c) Free child helpline (116 and 3512) for children's issues now operational. There is a Department in	In the next periodic report, Information on violence against children, in particular sexual violence against girls, and on the number of investigations, including information on the penalties against perpetrators, and on redress and compensation offered to the victims to be provided to the committee.	100 % implemented

<p>based violence. However, the Committee is alarmed at the high prevalence of sexual violence against children, including in schools and in the community. In particular, the Committee is gravely concerned that: (a) According to the annual statistics of the National Police, the most commonly reported form of violence is child sexual abuse and that 65 per cent of survivors treated at the ‘Isange’ in Kigali are children, with 94.5 per cent being girls; (b) Child victims of sexual violence have limited access to counselling and psychological services and; (c) The State party’s report lacks comprehensive statistical data on</p>	<p>friendly procedures and mechanisms, including free helpline access for children, to receive, monitor and investigate complaints; (d) Undertake awareness-raising in all communities and among children, especially among girls, to encourage the reporting of sexual violence and abuse in schools and communities; and (e) In its next periodic report, provide the Committee with information on violence against children, in particular sexual violence against girls, and on the number of investigations, including information on the penalties against perpetrators, and on redress and compensation offered to the victims. [para 30]</p>		<p>charge of gender and children within the Rwanda National Police. The police conduct investigations on violations committed against children and forward the file to the National Public Prosecution Authority. There is also a Gender desk in each Police Station which is in charge of children and GBV issues. Police officers working in such Gender Desks are were trained on how to receive and interact comfortably with victims.</p> <p>d) The Rwandan Government through its different institutions and stakeholders have widely carried out awareness raising campaigns in all communities and among children, to encourage the reporting of sexual violence and abuse in schools and communities. The Rwanda National Police has also sensitize local authorities and produces radio/TV programmes and brochures on those issues.</p>		
---	---	--	--	--	--

	<p>violence against children, including sexual violence as well as on investigations, prosecutions, convictions and penalties applied against perpetrators. [para 29]</p>					
26	<p>The Committee notes as positive that the Law No. 42/1988, instituting the Family Code, sets the minimum age of marriage at 21 years. The Committee nevertheless remains concerned about the persistence of early marriages in the State party, particularly in refugee communities. [para 31]</p>	<p>The Committee urges the state party, in collaboration with civil society, to:</p> <p>(a) Effectively enforce the Family Code to prevent and prohibit early marriage, including among refugee communities and ensure that perpetrators of such acts are brought to justice;</p> <p>(b) Strengthen its strategies for awareness-raising and sensitization of families, traditional or religious leaders, refugee families and the general public in order to encourage a change</p>	<p>MINIJUST, MIGEPROF</p>	<p>(a) Rwandan legislation fully prohibits early marriage and sets punishment provisions in the penal code. The penal code states that anyone who attempts to live together with a child as a husband or wife shall be liable to the same penalty as a person who defiles a child.</p> <p>(b) In addition to the legislation, the Government of Rwanda and its stakeholders have carried out media and community based campaigns to address the issue of early child marriage. Early child marriage has also been raised in a number of internationally recognized celebration days.</p>		<p>100 % implemented</p>

		of attitudes towards harmful practices, such as early marriage; and (c) Put in place effective monitoring systems to assess progress towards the eradication of early marriages. [para 32]		(c) Legislations, institutions in charge and community based structures are in place.		
27		The Committee recommends that besides the general hotline in the country, the State party establish a specific toll free, three digit helpline for children which would operate nationwide and have the necessary financial, human and technical resources to respond effectively to children's complaints and calls for help. The State party is encouraged to seek NGO and international cooperation in this regard. [para 33]	NCC, RNP	The Rwanda National Police in partnership with child focused stakeholders have established the '116' child helpline.		100 % implemented
28	The Committee is seriously troubled by the State party's non-	The Committee recommends that the State party include	MINALOC, MINJUST, MIFOTRA	The Rwandan legislation and the constitution of the Republic of Rwanda sets that all Rwandans	ILO Convention 169 concerning Indigenous and Tribal Peoples in	100 % implemented

<p>recognition of the existence of minority and indigenous people, including the Batwa community, which leaves them with no legal status or recognition. Furthermore, the Committee is deeply concerned that Batwa children continue to experience severe marginalization and discrimination as many live in extreme poverty and lack access to basic services, including adequate housing, safe drinking water and sanitation, education and health care. The Committee is specifically concerned that:</p> <p>(a) Batwa communities, including children, have been forcibly displaced from their ancestral forest lands without consent or compensation and</p>	<p>information in its next periodic report on measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State party and in follow-up to the Declaration and Program of Action adopted at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, as well as the outcome document adopted at the 2009 Durban Review Conference. The Committee specifically recommends that the State party:</p> <p>(a) Grant Batwa children and families recognition of their special status, recognize their rights to the natural resources of the forests, and develop initiatives to reconnect</p>		<p>are born and remain equal in rights and freedoms. Any kind of discrimination is prohibited and punishable by law.</p> <p>All programs that benefit Rwandans in general including the social protection programs are benefited by all Rwandans including the historically marginalised people.</p> <p>Those programs include:</p> <ul style="list-style-type: none"> - Vision Umurenge Program. - Ubudehe program - Earmarked transfers - Girinka munyarwanda - CBHI etc. - Education support <p>ILO Convention 169 concerning Indigenous and Tribal Peoples in Independent Countries. [para 57] is not ratified</p>	<p>Independent Countries. [para 57] is not ratified</p>	
---	--	--	--	---	--

	<p>deprived of their traditional livelihoods, which has resulted in serious damage to their distinct lifestyles, livelihoods and culture;</p> <p>(b) Batwa children, specifically girls, experience significant obstacles to their right to education compared to other population groups, including very high dropout rates, low levels of enrolment, and poor education outcomes; and</p> <p>(c) There is an absence of official information and disaggregated data on Batwa children, including on their socio-economic conditions, access to education, adequate standard of living, and health care. [para 56]</p>	<p>them with their ancestral habitats and cultural practices, as recommended by the African Commission on Human and Peoples' Rights International Work Group for Indigenous Affairs, the United Nations Independent Expert on minority issues and the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living;</p> <p>(b) Adopt all necessary measures to combat all forms of discrimination faced by Batwa children and take immediate steps to ensure that in law and practice, Batwa children have full and equal access to education, adequate housing, health care and all other government services without discrimination. In these</p>				
--	---	---	--	--	--	--

		<p>efforts, the Committee calls upon the State party to ensure that adults and children from Batwa communities and civil society organizations representing Batwa communities are consulted;</p> <p>(c) Take all necessary measures to address child poverty, inadequate standard of living and vulnerability among Batwa populations, through, inter alia, targeted programmes for families and communities in order to address poverty and discrimination against Batwa children. The Committee also recommends that the State party ensure that funding and other support, including housing and welfare services, provided to Batwa children are</p>				
--	--	--	--	--	--	--

		<p>comparable in quality and accessibility to services provided to other children in the State party and are adequate to meet their needs;</p> <p>(d) Set up a comprehensive data collection system and analyse the data collected on the situation of Batwa children and assess progress achieved in the realization of their rights. Data should be disaggregated by age, sex, geographic location, and socio-economic background to inform policy decisions and programmes at different levels; and</p> <p>(e) Ratify ILO Convention 169 concerning Indigenous and Tribal Peoples in Independent Countries. [para 57]</p>				
29	While the Committee	The Committee	MINIJUST,	(a) Child labour inspectors have	The Government of	85 %

<p>notes that the State party adopted a policy and five-year strategic plan for the elimination of child labour in 2012, it reiterates its previous concern (CRC/C/15/Add.234, para. 64, 2004) about the high prevalence of child labour in rural areas and particularly in the domestic and agriculture sectors. The Committee is especially concerned that:</p> <p>(a) Child labour has increased up to 27 per cent in the State party, according to the 2010 Rwanda Demographic and Health Survey, and that despite legal prohibitions, approximately 65,628 children are involved in hazardous work ;</p> <p>(b) There is a lack of clarity in the definition of child labour, specifically in legislation covering</p>	<p>recommends that the State party:</p> <p>(a) Intensify efforts to investigate and prosecute individuals involved in the worst forms of child labour, including by increasing resources for the labour inspectors and making information publicly available on investigation and prosecutions of individuals involved in child labour;</p> <p>(b) Take steps to establish a unified mechanism for systematic data collection and analysis on incidences of hazardous child labour and working conditions, disaggregated by age, sex, geographical location, socio-economic background and type of work as a form of public accountability for protection of the rights</p>	<p>MIFOTRA, RLRC, MINAFFET MIFOTRA</p>	<p>been working hand in hand with different concerned institutions such as police in making sure that different cases are investigated and justice provided.</p> <p>(b) Some mechanisms were put in place to collect data on incidences of hazardous child labour:</p> <ul style="list-style-type: none"> - Steering Committee at the District level (Vice Mayor In Charge Social Affairs, In charge of Education, In charge of GBV, all Executive Secretaries of Cells, NGOs operating in child rights field) meets twice a term to discuss all issues related to child labour including incidences occurred. - The Steering Committee at the National level is composed of (MIFOTRA, MINEDUC, MIGEPROF, NCC, MINISPOC, MININFRA, MINAGR and NAEB) meets once a term - MIFOTRA in collaboration with WINLOC (NGO) are developing a data collection system on the monitoring of child labor. 	<p>Rwanda should consider ratifying the ILO Convention No.189 of 2011 on Decent Work for Domestic Workers</p>	<p>implemented</p>
---	---	---	---	---	---------------------------

<p>domestic work by young workers above the minimum age of employment, exposing them to risk of abuse and exploitation;</p> <p>(d) Law N° 54/2011 relating to the Rights and Protection of the Child, specifies that children aged under 18 may work in underground mines;</p> <p>(e) The Labour Code does not cover workers in the informal sector where children are mostly employed, including in family agricultural or domestic work; and</p> <p>(f) Work-related injuries and illness among children are common in the State party; and</p> <p>(g) Labor inspectors, operating under the Ministry of Public Service and Labour (MIOFTRA) lack adequate resources to</p>	<p>of children;</p> <p>(c) Amend existing legislation, including the legislation covering domestic work to ensure that they include both provisions to prohibit child labour as well as provisions to ensure that work performed by workers who are under the age of 18 and above the minimum age of employment does not deprive them of compulsory education, or interfere with opportunities to participate in further education or vocational training. In this regard, the Committee recommends that the State party strengthen interagency and inter-ministry collaboration to eliminate child labour</p> <p>(d) Amend Law No 13/2009 to ensure that the law covers workers</p>		<p>(c)&(d) The amendment of Law n° 13/2009 of 27/5/2009 regulating labour in Rwanda is not necessary as many legal provisions and programs exist on prohibition of child labour (Rwandan Constitution of the Republic of Rwanda of 2003 revised in 2015, art .20; Law n° 54/2011 of 14/12/2011; Law n° 13/2009 of 27/05/2009; Ministerial Order n° 001/2016 of 08/01/2016)</p> <p>(e) The Law n° 54/2011 of 14/12/2011 relating to the rights and protection of the child does not need to be amended with the aim of providing a definition of child labour, because the definition is already provided in Law n° 13/2009 of 27/05/2009 regulating labour in Rwanda (art. 4, art.6 and art.72)</p> <p>The list of worst forms of child labour is also determined by the Ministerial Order n° 6 of 13/07/2010.</p> <p>(f)awareness raising campaigns</p>		
---	--	--	--	--	--

	effectively carry out their functions. [para 60]	<p>in the informal sector, including in family agricultural or domestic work and not just contractual employment;</p> <p>(e) Identify hazardous domestic and agricultural work carried out by children and prohibit and eliminate such work for children under the age of 18. In this regard, the State party should amend Law N° 54/2011 relating to the Rights and Protection of the Child to legally prohibit employment of children under 18 in underground mining activities; and (f) Require employers of agricultural and child domestic workers to report all work-related injuries and serious illnesses to the labour inspectors at the district level in order to monitor the situation</p>		<p>have been carried out to sensitize employers to report all incidences of injuries and any issue faced by all children with more emphasis in eradicating worst forms of child labour.</p> <p>(g) ILO Convention No.189 of 2011 on Decent Work for Domestic Workers is not yet ratified.</p>		
--	--	--	--	---	--	--

		and collect and publish better statistics than are currently available about such incidents; and (g) Ratify ILO Convention No. 189 (2011) concerning Decent Work for Domestic Workers. [para 61]				
30		The Committee recommends that the State party continue its cooperation with the African Committee of Experts on the Rights and Welfare of the Child of the African Union towards the implementation of the Convention, the African Charter on the Rights and Welfare of the Child and other human rights instruments, both in the State party and in other African Union member States. [para 66]	MINAFFET, MINIJUST	There has been a positive engagement with different African Union Human Rights mechanisms including the African Committee of Experts on the Rights and Welfare of the Child and State Party reports are regularly submitted.		100 % implemented
V	Cluster: Legislation					

31	<p>The Committee welcomes the State party's efforts to address discrimination, such as the revision of all discriminatory provisions against women. These efforts have, for example, enabled women in the State party to attain very high participation in decision making. It also welcomes the various policies and strategies focusing on specific categories of children in disadvantaged situations, such as the National Policy for Orphans and Other Vulnerable Children (OVCs). However, the Committee remains concerned at the stigma and persistent discrimination faced by persons who were born as a result of rape during the genocide, children affected by</p>	<p>The Committee urges the State party to:</p> <p>(a) Prevent and eliminate discrimination in development, education, health and basic services against children with disabilities, children affected by HIV and AIDS, children living in street situations and in poverty, and in child-headed households. In this context, the Committee requests the State party to pay particular attention to girls and intensify the measures to ensure that children in vulnerable situations are well protected, have equitable access to all services and are fully included in society; and</p> <p>(b) Intensify measures, including awareness raising and timely implementation of relevant policies and</p>	<p>MINEDUC, MINALOC, NCPD</p>	<p>a) As it has been highlighted in the previous sections, the Government of Rwanda and its partners has put in place different legislations and policies, independent institutions and programs to ensure that the issue of children with disabilities, children affected by HIV and AIDS, children living in street situations and in poverty, and in child-headed households are provided with justice, health, education, socio-economic opportunities etc without any form of discrimination.</p> <p>(b) The awareness campaigns to the population are organised at all levels.</p> <p>Different policies and programs including social protection programs were put in place to target all the categories mentioned.</p> <p>The School Health Policy takes into consideration the inclusion of children affected by HIV/AIDS. The School Health Strategic plan was adopted in</p>		<p>100 % implemented</p>
----	---	---	--	---	--	-------------------------------------

	<p>HIV and AIDS, and children with disabilities, especially girls. The Committee is also deeply concerned about continued discrimination against children living in poverty, children in street situations and child-headed households, children in residential care, orphans, and children from minority Batwa or ‘historically marginalized communities’ with regard to their access to social services, health care and education. [para 21]</p>	<p>strategic plans to combat stigma against children from ‘historically marginalized communities’, children with disabilities, especially girls, and persons who were born as a result of rape during the genocide. [para 22]</p>		<p>2014.</p> <p>Health Information Management Systems (HIMS) captures the data of CWDs to inform planning process.</p> <p>Different initiatives and advocacy measures to address the issues related to people with disability and vulnerable people have been undertaken and addressed by the Government of Rwanda:</p> <ul style="list-style-type: none"> - The constitution of the Republic of Rwanda of 2003 revised in 2015 took into consideration disability issue during its revision and in its article 16 emphasises the principal of equality and non-discrimination to all citizens. - EDPRS II included disability aspect as a crosscutting issue - 7 Years Government Program and District Development Programs included disability issues and consider budgeting for it 		
--	---	---	--	--	--	--

				<ul style="list-style-type: none"> -Special Needs and inclusive education policy - Employment policy of 2015 - Health sector policy of 2015 - Girl education policy of 2008 - Support the creation of cooperatives of parents having children with disabilities to support their economic development initiatives, projects and trainings. <p>Adapted materials for people with disabilities to create awareness on HIV/AIDS.</p>		
32	While the Committee notes that Law N° 54/2011 of 14 December 2011 relating to the Rights and Protection of the Child provides for the right to name and nationality, it is concerned that only 63 per cent of the children were registered	The Committee recommends that the State party strengthen its efforts to ensure free and immediate birth registration, including the issuance of birth certificates for all children, by means of accessible and expeditious registration	MINALOC, MINIJUST, RLRC MINISANTE	<p>(a)The registry services at sector levels are scheduled and community members are sensitized of the issue of birth registration.</p> <p>Birth registration services started being done at hospitals and health centres.</p> <p>(b)Awareness campaigns on</p>		100 % implemented

<p>with civil authorities and less than 7 per cent had birth certificates in 2010 according to the latest Rwanda Demographic and Health Survey. The Committee further notes with concern that:</p> <p>(a) Despite efforts to improve birth registration through legislative reforms and birth registration campaigns, children born to refugee parents and children of migrants are still not registered in the State party, partly due to inconsistent implementation of the Law N°14/2008 of 04/6/2008 Governing the Registration of the Population and Issuance of the National Identity Card;</p> <p>(b) Birth registration procedures are complicated in the State party and do not</p>	<p>procedures. The Committee further recommends that the State party:</p> <p>(a) Increase availability and access to registry services and strengthen sensitization and training for registration officers on relevant laws to ensure the registration of all children, including refugee children immediately after birth;</p> <p>(b) Intensify community sensitization and public awareness on the importance of birth registration, including among refugee populations and in urban areas;</p> <p>(c) Amend Law N° 14/2008 in order to remove penalties of imprisonment and all legal and procedural barriers that impede birth registration; and</p> <p>(d) Seek technical</p>		<p>birth registration undertaken countrywide. Sensitizations made through media, Community Work (Umuganda), conferences and workshops organized at all levels.</p> <p>Capacity building conducted for the In Charge of Civil Status, Data Managers of Health Centres, Good Governance Officers in matter related to civil registration specifically on importance of birth registration.</p> <p>(c)The Family Code is being reviewed; barriers that impede birth registration will be removed.</p> <p>(d)The Government of Rwanda has strong collaboration with all UN Agencies including UNICEF and UNHCR especially during the preparation of periodic report.</p>		
--	---	--	--	--	--

	<p>facilitate the ready issuance of birth certificates; and (c) Law N° 14/2008 imposes penalties, including prison sentence on families who fail to register their children within the first 45 days, which could deter parents or guardians from registering their children and result in the separation of the parents from their children, which is not in the best interests of the child. [para 25]</p>	<p>assistance from UNICEF and UNHCR among others, for the implementation of these recommendations. [para 26]</p>				
33	<p>The Committee notes that the Organic Law No 01/2012/OL of 2 May 2012 criminalizes child abandonment in order to prevent and remedy child abuse and neglect. However, the Committee is concerned about the unintended consequences of criminalization measures on</p>	<p>The Committee urges the State party to: (a) Review Organic Law No 01/2012/OL to ensure that families and parents who are unable to provide proper care of their children due to reasons such as poverty are not prosecuted for child abandonment, and that necessary reforms in law are introduced to</p>	<p>MINIJUST, RLRC, MINALOC</p>	<p>Rwanda put in place family strengthening programs to create safe environment for their children including different social protection programs to help poor and other vulnerable families. Parents who abandon their children or neglect them arguing poverty are not tolerated.</p> <p>(a)The offence of abandonment or neglect of a child is punished</p>		<p>100 % implemented</p>

<p>economically and socially disadvantaged parents or families, particularly those living in poverty, and the negative effects that criminalisation would have on the efforts to trace parents or guardians for family reunification purposes. [para 35]</p>	<p>facilitate the process of family reunification under such circumstances;</p> <p>(b) Identify the root causes of child abandonment, including poverty, domestic violence, homelessness and substance abuse and strengthen efforts to address such issues, including through direct and specialized services to the families;</p> <p>(c) Ensure that families in vulnerable situations are adequately supported with financial and technical resources, appropriate information and integrated social services which should be regularly monitored; and (d) Pay specific attention to children heading their own households, by, inter alia, collecting reliable and up-to-date data on the specific challenges they face to guide the</p>		<p>by Article 231 of the Penal Code.</p> <p>(b)The root causes of child abandonment have been identified and informed the design and implementation of different programs to address those issues including the family strengthening programs.</p> <p>(c)Families in vulnerable situations are supported with financial and technical resources through different programs:</p> <p>The programs include:</p> <ul style="list-style-type: none"> - Vision Umurenge Program. - Ubudehe program - Earmarked transfers - Girinka munyarwanda - CBHI etc. - Education support - Direct support - Public workers <p>(d)Information related to child headed households and issues that they faced are collected to design programs and to meet their psychosocial needs. The</p>		
<p>The Committee also notes with concern that the State party has one of the highest proportions of child-headed households in the world as a result of the 1994 genocide and HIV/AIDS, and regrets the lack of reliable and comprehensive data on the situation of child-headed households, community-based services for child-headed households and family-based care for children without parental care, such as foster care and kinship</p>	<p>facilitate the process of family reunification under such circumstances;</p> <p>(b) Identify the root causes of child abandonment, including poverty, domestic violence, homelessness and substance abuse and strengthen efforts to address such issues, including through direct and specialized services to the families;</p> <p>(c) Ensure that families in vulnerable situations are adequately supported with financial and technical resources, appropriate information and integrated social services which should be regularly monitored; and (d) Pay specific attention to children heading their own households, by, inter alia, collecting reliable and up-to-date data on the specific challenges they face to guide the</p>		<p>by Article 231 of the Penal Code.</p> <p>(b)The root causes of child abandonment have been identified and informed the design and implementation of different programs to address those issues including the family strengthening programs.</p> <p>(c)Families in vulnerable situations are supported with financial and technical resources through different programs:</p> <p>The programs include:</p> <ul style="list-style-type: none"> - Vision Umurenge Program. - Ubudehe program - Earmarked transfers - Girinka munyarwanda - CBHI etc. - Education support - Direct support - Public workers <p>(d)Information related to child headed households and issues that they faced are collected to design programs and to meet their psychosocial needs. The</p>		

	care. [para 36]	formulation of appropriate policies to address their needs including their access to education, health care, counselling and community-based services. The Committee also recommends that the State party design comprehensive programmes to meet the psychosocial needs of child headed households. [para 37]		ICRP also stresses financial support and protection services to child headed households.		
34	The Committee notes as positive the launching of the National Strategy for Child Care Reform in 2012 and that the State party is in the process of developing the Ministerial instructions governing the placement of children into foster care. However, in the meantime, the Committee is concerned that the timeframe for the full implementation	The Committee recommends that the State party: (a) Review the National Strategy for Child Care Reform, with the view to expand the timeframe for its implementation, introduce monitoring mechanisms with clear indicators to measure the outcomes and provide follow up procedures. The Committee further	MINALOC, MIGEPROF, NCC	(a) The National strategy for Child Care Reform was reviewed and its timeframe for its implementation has been expended. Social workers and psychologists are introduced at the District levels. The community based child protection structure “Friends of Families” have also been introduced from village level to work as para-professionals that are handling children	The Government of Rwanda should consider the adoption of the Ministerial instructions governing the placement of children into foster care and to continue efforts in supporting all children deprived from parental care.	66 % implemented

<p>of the National Strategy for Child Care Reform is short and that the number and locations of service providers are very limited. The Committee is further concerned that there are cases of “spontaneous reintegration” of children without adequate preparation or proper assessment, monitoring and follow up. [para 38]</p>	<p>recommends that the State party increase the number of professionals working with or for children and provide them adequate training and vocational training and supervision; (b) Intensify its efforts to provide appropriate care and assistance to all children deprived of a family environment and those living in vulnerable situations, through the provision of education, health care, counselling and community-based services with timely responses at the local level; and (c) Expedite the adoption of Ministerial instructions governing the placement of children into foster care. [para 40]</p>		<p>issues.</p> <p>(b) The education, health care, counselling and community based services are given to children through their families or foster carer families. This include the social protection and the family strengthening programs.</p> <p>(c) The placement of children in foster care is suspended until the publication of the Civil Code and the preparation of the regulations concerning foster care. The adoption of the Ministerial instructions will be done after the Civil Code is published in the Official Gazette</p>		
<p>The Committee is concerned about the over-reliance on NGOs for the provision of institutional care for children deprived of a family environment and the limited availability of community-based services for children living with disabilities, children living in street situations and those separated from their families and/or placed into institutions. [para 39]</p>					

35	<p>The Committee notes with concern that despite the ratification of the Hague 1993 Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, the State party has not yet adopted implementing regulations for the law or established necessary structures and mechanisms to implement the Hague Convention. The Committee further notes with concern that there is no provision on post-adoption and follow-up services. [para 41]</p>	<p>The Committee recommends that the State party:</p> <p>(a) Intensify its efforts to adopt a comprehensive legislation and effective mechanisms to ensure compliance with the Convention and the Hague Convention on Protection of Children and Cooperation in Respect of Inter-Country Adoption;</p> <p>(b) Set up an appropriate system for the selection and preparation of future adoptive parents as well as post adoptive services for children and their families in need;</p> <p>(c) Ensure strict transparency and follow-up controls mechanism with regard to international adoption and ensure a regular follow-up of the conditions of adopted children; and</p>	<p>MINIJUST, MIGEPROF, NCC</p>	<p>The compliance with the Convention and the Hague Convention on Protection of Children and Cooperation in Respect of Inter-Country Adoption will be in accordance with the Civil Code that will be published.</p> <p>International adoptions were suspended while the new Civil Code is waiting for publication.</p>	<p>The Civil Code should consider taking into account the Hague convention on Protection of Children and Cooperation in Respect of Inter-Country Adoption.</p> <p>The Government of Rwanda should consider providing detailed information and disaggregated data on domestic and international adoptions in its next periodic report.</p>	<p>0 % implementation</p>
----	--	---	---------------------------------------	--	---	----------------------------------

		(d) Provide detailed information and disaggregated data on domestic and international adoptions in its next periodic report. [para 42]				
36	The Committee expresses deep concern that the present law on asylum, Law No. 29/2006 Modifying and Complementing Law No. 34/2001 relating to Refugees, and its draft amendment of 2011-2012 have a number of provisions that are contrary to the 1951 Convention, relating to the Status of Refugees including the right to derivative status which is narrowly interpreted in Article 37 of the present law and does not include other family members besides spouses and children under the age of 18, which affects family unifications for	The Committee notes that amendment of the law is still underway and therefore, urges the State party to adopt a flexible and expansive approach to ensure implementation of the right to family reunification for all children and family members without distinctions based on their legal status. [para 59]	MIDMAR, RLRC	The law No 13/2014 of 21/05/2014 relating to refugees has been published in the official gazette and its article 12 states that the identity card is issued to the person granted refugee status, his/her spouse, children under the age of 18 and persons under his/her dependence.	The law does not consider including other family members besides spouses and children under the age of 18	0 % implementation

	refugees and asylum-seekers. [para 58]					
--	--	--	--	--	--	--

ANNEX 2: Optional Protocol to the Convention the Rights of the Child on the involvement of children in armed conflict

N°	Findings of the Committee	Concluding observations	Institutions concerned	Findings	Observations from the findings	Level of implementation
I	Cluster: Implementation					
1	While welcoming the information provided by the State party that the National Commission for Human Rights (NCHR) with the support of United Nations Development Programme (UNDP) has translated the Optional Protocol into Kinyarwanda, the Committee is concerned that awareness of the principles and provisions of the Optional Protocol is low among the public at large and, in particular, children. [para 7]	Pursuant to article 6, paragraph 2, of the Optional Protocol, the Committee recommends that the State party enhance its efforts to make the principles and provisions of the Optional Protocol widely known to the public at large, and to children in particular. [para 8]	MIGEPROF, NCC, NCHR	The principles and provisions of the Optional Protocol are disseminated accordingly to the availability of budget. Training Workshops and lectures are prepared in the framework of public awareness. In this framework, trainings on the content of the Optional Protocol to the Convention on the involvement of children in armed conflict were organized for different categories of the population, including civilians, Military and Police Officers.		100 % implemented
2	The Committee is gravely concerned about the situation on the Rwandan-Democratic Republic of Congo (DRC) border where several reports,	The Committee urges the State party to take immediate actions to end such practices occurring within its jurisdiction. The Committee specifically	RDRC, MIDIMAR, MIGEPROF, NCC	As stipulated in Law No. 13 TER/2014 of 21/5/2014 relating to refugees, the refugee camps are located far from the border and does not facilitate the crossing of refugees (art. 23: Refugees coming in mass influx	Rwanda Government should provide information in its next periodic report on the specific measures taken to implement these	100 % implemented

	<p>including the UN Group of Experts on the DRC in 2012, indicate that the armed groups operating in the eastern DRC, particularly M23 and the Democratic Forces for the Liberation of Rwanda (FDLR) continue to recruit Rwandan children and refugee children in the territory of Rwanda and use them in hostilities. While the Committee notes the establishment and expansion of the Joint Verification Mechanism (JVM) in September 2012, it is concerned that the JVM lacks a child protection mechanism within its structure to respond to the specific risks and needs of children who may have been recruited or used in hostilities. [para 15]</p>	<p>recommends that the State party:</p> <p>(a) Adopt and implement, as a matter of urgency, a comprehensive time-bound plan of action to halt the use and recruitment of Rwandan and refugees children by non-State armed groups operating in the DRC, including by closely controlling its borders and mobilising communities. In this regard, the State party is encouraged to seek assistance from the UN, including UNICEF, to protect children from unlawful recruitment within Rwanda;</p> <p>(b) Strengthen cross borders frameworks of cooperation and exchange of information with the DRC to repatriate children involved in armed conflict from the DRC to the State party,</p>		<p>situation shall be transferred to a settlement camp distant from border).</p> <p>-Ministerial Instructions No. 02/2016 of 13/5/2016 determining the management of refugees and refugee camps (Art. 2: Prohibited acts and behaviours for refugees, Art.18: Security searching)</p> <p>There is a mechanism for child protection within the Joint Verification Mechanism (JVM). With collaboration of MONUSCO, sensitization by media, documentary films, testimonies through skype.</p>	<p>recommendations.</p>	
--	---	--	--	--	-------------------------	--

		<p>and to ensure that children, particularly those living in areas closer to the border with DRC and in refugee camps are not re-recruited by the non-State armed groups;</p> <p>(c) Independently and promptly investigate serious allegations of facilitating recruitment and use in hostilities of children for M23;</p> <p>(d) Ensure that individuals found responsible for supporting and facilitating the recruitment and use of children in hostilities by armed groups, including M23 are apprehended and prosecuted;</p> <p>(e) Encourage and advocate the establishment of a mechanism for child protection within the Joint Verification Mechanism (JVM), in</p>				
--	--	--	--	--	--	--

		collaboration with the other members of the JVM, to respond to the specific risks and protection concerns of children who are or may have been recruited or used in hostilities; and (f) Provide information in its next periodic report on the specific measures taken to implement these recommendations. [para 16]				
3	In light of the armed conflict in the neighboring DRC and the fact that the State party is hosting a large number of refugees, including children from the DRC, the Committee is concerned about the absence of a comprehensive mechanism to identify at the earliest stage refugee and asylum-seeking children or children in migrant	The Committee recommends that the State party: (a) Establish a comprehensive mechanism to identify at the earliest stage refugee and asylum-seeking children and children in migrant situations who may have been or who are at risk of being recruited and/or used in hostilities by the armed groups abroad;	MIDIMAR, NCC, GMO, MIGEPROF, MINIJUST	There is no comprehensive mechanism to identify at the earliest stage refugee and asylum-seeking children and children in migrant situations who may have been or who are at risk of being recruited; and no specific measures were taken to assist and support them.	MIDIMAR, in collaboration with its partners, should put in place a mechanism to identify refugee and asylum-seeking children and children in migrant situations who are at risk of being recruited by the armed groups abroad. All personnel dealing with those children should be trained in order to aware of the	0 % implemented

	<p>situations who may have been or who are at risk of being recruited or used in hostilities by the armed groups abroad. The Committee is further concerned about:</p> <p>(a) The lack of procedures to provide care and services to those children, including for their psychosocial and physical recovery and social rehabilitation and reintegration; and</p> <p>(b) The absence of training programs for border and immigration personnel, police, lawyers, doctors, social workers and other persons working with or for children on such mechanisms and services. [para 19]</p>	<p>(b) Take all necessary measures to address the physical and psychological recovery needs of those children, including girls, and develop and implement a programme of assistance and support for them. The State party is encouraged to seek technical assistance from relevant UN agencies and programmes, including UNHCR and UNICEF; and</p> <p>(c) Ensure that all personnel dealing with children, in particular authorities working for and with asylum seeking and refugee children, such as border and immigration personnel, and police lawyers, judges, medical professionals, social workers receive adequate training on such mechanism and services and on the</p>			<p>functioning of such a mechanism and the services they should deliver.</p>	
--	---	--	--	--	--	--

		Optional Protocol. [para 20]				
4	<p>The Committee welcomes the establishment of the Rwanda Demobilisation and Reintegration Commission in April 2002 and its efforts in repatriating Rwandan children recruited or used in hostilities by the armed groups in the DRC and providing them with education, psychological counseling, social integration and family reunion services and programs. However, the Committee is deeply concerned about the information provided by the State party that the rate of repatriation of Rwandan children, particularly girls remains low. The Committee is further concerned about the absence of gender specific programmes to</p>	<p>The Committee recommends that the State party expedite its efforts to identify and repatriate Rwandan children recruited and used in hostilities by the armed groups in the DRC, strengthen cross borders frameworks of cooperation and exchange of information with the DRC as well as seek the assistance and facilities of the UNHCR, UNICEF, ICRC and other relevant international, regional and sub-regional bodies. The Committee further recommends that the State party give particular attention to girls, including teenage mothers and their children, in the development and implementation of the DDR policies and</p>	<p>RDRC, MIDIMAR, MIGEPROF</p>	<p>Rwanda is stepping up efforts to repatriate all Rwandan combatants who are abroad and provides special care to children in general and to girls in particular.</p> <p>To meet the needs of rehabilitation of these children, including girls, an assistance and support program was developed and implemented: This includes: -Scholarship for 2 years. -Financial support to their families for 2 years to enable them to integrate those children by creating micro-projects. -Rehabilitation Center of Muhoza (Musanze District) to assist and support them in physical and psychological needs before joining their families. -VTCs Amizero (Kayonza District) and Gacuriro (Gasabo District)</p>		<p>100 % implemented</p>

	address specific challenges and needs of girls in the Disarmament, Demobilization and Reintegration (DDR) process. [para 21]	programmes. [para 22]				
5		The Committee welcomes the active role played by the State party as a member of the Great Lakes Region and East African Community, including during the International Conference on the Great Lakes Region. In this regard the Committee recommends that the State Party, in accordance with article 7 of the Protocol, strengthen its bilateral and multilateral cooperation, particularly with countries in the region in the implementation of the Optional Protocol, particularly to eliminate the	MINEAC, MINAFFET	Some bilateral and multilateral strategies have been adopted to strengthen the cooperation among countries in the region: -Bilateral engagements and advocacy. -On-going harmonization process of laws relating to the Optional Protocol. -USHILIKIANO IMALA (Professional Army without children). -Regional Committee of Police. -EAC Regional Security Committee (Cross border crimes in EAC).		100 % implemented

		recruitment and use of children in armed conflict. [para 23]				
6		The Committee recommends that the State party take all appropriate measures to ensure the full implementation of the present recommendations by, inter alia, transmitting them to the Head of the State, the Parliament, the High Court, relevant ministries, including the Ministry of Defence, and to heads of provincial and district authorities for appropriate consideration and further action. [para 24]	MINIJUST	All recommendations and concluding observations of different treaty bodies have been widely disseminated and transmitted to relevant authorities.		100 % implemented
7		The Committee recommends that the initial report and written replies submitted by the State party and the related concluding observations adopted by the Committee be made	MINIJUST	The initial report and written replies submitted by the State party and the related concluding observations adopted by the Committee have been made widely available.		100 % implemented

		widely available in the languages of the country including (but not exclusively) through the internet, to the public at large, civil society organizations, youth groups, professional groups and children, in order to generate debate and awareness of the Optional Protocol, its implementation and monitoring. [para 25]				
8		In accordance with article 8, paragraph 2, the Committee requests the State party to include further information on the implementation of the Optional Protocol and the present concluding observations in its next combined third and fourth periodic report due on 22 February 2018. [para 26]	MINIJUST	This recommendation will be assessed at the time of the preparation of the next report.		On-going implementation
II	Cluster: Education and welfare					
9	The Committee regrets that human rights,	The Committee recommends that the	MENEDUC, NCHR, NCUR	Peace values, tolerance and unity have been included in		100 % implemented

	tolerance, and peace education, as well as knowledge on the Optional Protocol, is not specifically incorporated as a mandatory part of the primary and secondary school curricula and in the teachers' training programme. [para 11]	State party include human rights, tolerance and peace education in the curricula of all schools and teacher training programmes with special reference to the Optional Protocol. [para 12]		Social Studies curriculum from P1 to P6, in Civic Education and in History curricula from S1 to S6. Since 2003, Human rights are crosscutting components of education programs and are included in the curricula of schools at all levels.		
III	Cluster: Protection					
10	The Committee notes with concern that despite the January 2009 arrest of Laurent Nkunda, a rebel leader from the DRC who has been implicated in recruitment and use of children in hostilities, the State party has not taken any concrete legal actions against him in response to these allegations nor has extradited him to the DRC. [para 17]	The Committee urges the State party to show tangible efforts to apply a zero tolerance policy, with a view to promoting accountability for violations of the Optional Protocol in the State party, including by initiating prompt, independent and impartial investigations into the allegation of recruitment and use of children in hostilities by Laurent Nkunda and other suspected perpetrators of such crimes who may be	MINIJUST	No information.		-

		within the jurisdiction of the State party and prosecute them if charged, or extradite them to the DRC in accordance with the State party legal procedures. The Committee further recommends that the State party accede to the Rome Statute of the International Criminal Court (ICC). [para 18]				
IV	Cluster: Legislation and policies					
11	While noting that the State party organised training on children's rights for members of the National Police and armed forces at all levels, the Committee regrets the lack of specific training on the provisions of the Optional Protocol in the curricula provided to military and law enforcement personnel, including those involved in international	The Committee encourages the State party to provide training on the Optional Protocol for all military and civilian personnel of the armed forces, including those involved in international peacekeeping operations and systematically include the provisions of the Optional Protocol in the curricula provided to them. It further	MINIJUST, MINADEF, POLICE, NCHR	Three employees from MIGEPROF and three others from NCC participated in a civilian and military/Police training jointly organized by Rwanda Peace Academy and East African Standby Force. The trainings focused on: -Protection of Civilians in peace Operations, special focus on child Soldiers; -Protection of Civilians (Child rights included); -TOT child protection in Armed Conflict; -Child Protection in PSO;		100 % implemented

	<p>peacekeeping operations. The Committee is further concerned that these efforts mainly targeted the national armed forces and were not sufficiently directed at the other professionals working with or for children. [para 9]</p>	<p>recommends that the State party ensure that all personnel working with and for children, in particular authorities working for and with asylum seeking and refugee children, police, lawyers, judges, military judges, medical professionals, social workers and journalists receive training on the Optional Protocol. [para 10]</p>		<p>-Child Protection in Armed Conflict. This is also part of the RMA GAKO's package (curricula) provided to all troops preparing for peacekeeping operations.</p> <p>The content of these trainings reflects, somehow the whole idea of the Kigali Principles adopted by GoR in International Conference on the Protection of Civilians held in Kigali from 28th-29th May 2015 under the theme "Protection of Civilians through Peacekeeping: from Mandates Design to Implementations".</p> <p>NCHR organised a training for Military and civilian personnel of the armed forces, and 5 trainings for Police officers.</p> <p>The Military prosecution service provides periodic training on international conventions to all military personnel undergoing ordinary military training in all military training institutions and to personnel undergoing UN</p>		
--	--	--	--	---	--	--

				mission's peacekeeping pre-deployment training. Rwanda trains at least 6 Battalions per year and each Battalion is supported by a military lawyer for legal advisory during the course of the mission abroad.		
12	While welcoming that several national laws establish the age of voluntary recruitment into the armed forces at 18 years, including in the National Police Force and the Local Defence Forces (LDF), the Committee is concerned about the absence of an explicit criminalisation in the domestic legislation of the recruitment and use in hostilities of children by the State armed forces and by the non-State armed groups. [para 13]	The Committee recommends that the State party enact in its domestic legislation an explicit criminalisation of the recruitment and use in hostilities of children under 18 years by the national armed forces and non-State armed groups. [para 14]	MINIJUST, RLRC, NCC	Organic Law n° 01/2012/OL of 02/05/2012 instituting the Penal Code in Article 221 provides penalties for exploiting a child by involving him/her in armed conflicts. In reviewing the Penal Code, it is proposed to increase the highest penalties to discourage the commission of this offence.		100 % implemented

ANNEX 3: Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography

International instrument: Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography						
N°	Findings of the Committee	Concluding observations	Institutions concerned	Findings	Comments by the monitors	Level of implementation
I	Cluster: Implementation					
1.	The Committee notes with concern the lack of a comprehensive data collection system and analysis of information covering all offences under the Optional Protocol, which would enable the State party to inform policy decisions as well as analyse and assess progress in the implementation of the Optional Protocol. [Para 6]	The Committee recommends that the State party urgently establish a comprehensive and systematic mechanism of data collection, analysis, monitoring and impact assessment covering all areas of the Optional Protocol. The data should be disaggregated by, inter alia, sex, age, national and ethnic origin, geographical location and socioeconomic status, with particular attention to children in the most vulnerable and marginalized situations. Data should also be collected on the number of prosecutions and	MIGEPROF, RNP, NCC, NPPA, Supreme Court	RNP has all data concerning children trafficking, sale and those related to pornography. MIGEPROF and RNP also work together on GBV issues and they have another joint project which will be funded by IOM. Within Rwanda National Police, it was set up a Directorate in charge of human trafficking which is under CID which will be gathering information and data.		100 % implemented

		convictions, disaggregated by the nature of the offence. [Para 7]				
2.	The Committee welcomes that the State party established the National Children's Commission, under the Ministry of Gender and Family Promotion, as the leading inter-agency body responsible for the coordination of the implementation of policies and programmes on child protection, including on the Optional Protocol. However, the Committee is concerned about the inadequate capacity and authority of the Commission to coordinate and evaluate all the activities under the Optional Protocol at the provincial, district and sector levels. [Para 12]	The Committee urges the State party to take all measures to ensure that the National Children's Commission has full authority and capacity to coordinate the implementation of the and agencies as well as among Optional Protocol across all ministries provincial, district and sector levels. The Committee specifically recommends that the State party allocate sufficient and adequate human, technical and financial resources to the Commission to fulfil its mandate. [Para 13]	NCC, MIGEPROF	The commission has the ability and the authority to coordinate activities related to the content of the Optional Protocol. The National Commission for Children was established in 2011 by the law N°22/2011 OF 28/06/2011 and has a mandate to coordinate all child rights related activities.		100 % implemented
3.	The Committee is concerned that the State	The Committee recommends that the	NCC, MIGEPROF	(a) A number of awareness raising programmes have	There is a need to consider translating	50 % implemented

	<p>party lacks a systematic and comprehensive approach to the dissemination of the Optional Protocol prohibiting sale of children, child prostitution and child pornography, which has contributed to a low level of understanding and awareness of the Optional Protocol among the public, children themselves, and professionals working for and with children. The Committee further notes with concern that the Optional Protocol has not been translated into the local languages of the State party. [Para 14]</p>	<p>State party strengthen its efforts to make the provisions of the Optional Protocol widely known to the public at large, including to children in a child-friendly manner, their families and communities. The Committee further recommends that the State party:</p> <p>(a) Develop, in close cooperation with relevant government agencies, civil society organizations, the media, the private sector, communities and children, awareness-raising programmes, including campaigns on issues covered by the Optional Protocol and protection provided against such practices in national laws. These programmes should be made available in the local languages of the</p>		<p>been conducted by both the Government institutions and other Non-Governmental stakeholders. Communication, educational materials have been developed, media and community campaigns are ongoing particularly in local language covering the content of the protocol.</p> <p>(b) The translation of the optional protocol in national language and dissemination of the Optional Protocol have not yet been made.</p>	<p>the optional protocol and to get it widely disseminated from national to local levels.</p>	
--	--	---	--	---	---	--

		State party and in forms that are accessible to children; and (b) Translate the Optional Protocol into the local languages of the country and widely disseminate it among the government agencies, the general population, children and their family members, especially children in vulnerable situations. [Para 15]				
4.	The Committee notes as positive the training provided to the legal advisors in the Bureaus of Access to Justice (<i>Maisons d'Accès à la Justice</i>) and the law enforcement personnel on child protection, including on identifying and assisting victims of trafficking. The Committee is, however, concerned that the State party does not provide systematic and specialized training in	The Committee urges the State party to provide specialized and systematic training on the Optional Protocol to all professionals working with and for children, especially the police, judges, prosecutors, teachers, social workers, health personnel and other groups of professionals. The Committee further urges the State party to earmark the necessary resources to conduct	NCC, MIGEPROF	Trainings on the content of the Optional Protocol to the Convention on the sale of children, child prostitution and child pornography were organized for different categories of the population, including civilians, Military and Police Officers.		100 % implemented

	all areas covered by the Optional Protocol, in particular the sale of children, child prostitution and child pornography to professionals working with and for children. [Para 16]	such training. [Para 17]				
5.		In the light of article 10, paragraph 1, the Committee encourages the State party to continue to strengthen international cooperation through multilateral, regional and bilateral arrangements, especially with neighbouring countries, including by strengthening procedures and mechanisms to coordinate the implementation of such arrangements, with a view to improving prevention, detection, investigation, prosecution and	MINAFFET	Rwanda has bilateral, regional and international cooperation which are complimentary to other government efforts. The establishment of Interpol's I - 24/7 communication system at all exit and entry points in 2013 has enhanced the capacity to detect movement transnational criminals. Rwanda being a member of the East African Community, it has been working with the East African Legislation Assembly to fight against issues of sale of children, child prostitution and child pornography especially human trafficking.		100 % implemented

		punishment of those responsible for any of the offences covered under the Optional Protocol. [Para 37]				
6.		The Committee recommends that the State party take all appropriate measures to ensure that the present recommendations are fully implemented by, inter alia, transmitting them to the Head of the State, the Parliament, relevant ministries, the High Court, and to heads of provincial and districts authorities for appropriate consideration and further action. [Para 38]	MINIJUST	MINIJUST has uploaded the recommendations to the website but no other type of dissemination was done.	The recommendations have not been widely disseminated and need actions by relevant Government institutions.	50 % implemented
7.		The Committee recommends that the initial report and written replies submitted by the State party and related recommendations (concluding observations) adopted be made widely	MINIJUST	The initial report and written replies submitted by the State party and related recommendations have not been widely disseminated	The Government of Rwanda should disseminate State party reports, written replies and concluding observations countrywide	0 % implemented

		available, including through the Internet (but not exclusively), to the public at large, civil society organizations, media, youth groups, professional groups and children, in order to generate debate and awareness of the Optional Protocol, its implementation and monitoring. [Para 39]				
8.		In accordance with article 12, paragraph 2, the Committee requests the State party to include further information on the implementation of the Optional Protocol and these concluding observations in its next periodic report under the Convention on the Rights of the Child, in accordance with article 44 of the Convention. [Para 40]	MINIJUST	The information has been noted and this will be addressed in the next periodic reporting		On-going implementation
II	Cluster: Protection					
9.	The Committee welcomes the adoption	The Committee urges the State party to adopt	NCC, MIGEPROF	Strong community awareness to inform the public about the		100 % implemented

<p>of the National Policy on Elimination of Child Labour in February 2013. However, it is concerned that:</p> <p>(a) The State party has not adopted effective and adequate prevention strategies, such as early identification of groups of children vulnerable to sale, prostitution and pornography, or taken adequate measures to address the root causes of the sale of children, child prostitution and child pornography, such as poverty, unemployment, discrimination, violence, HIV/AIDS and absence of parental care;</p> <p>(b) Refugee and asylum-seeking children lack access to basic services, such as birth registration and basic and upper secondary education;</p>	<p>a comprehensive and targeted approach to assess and address the relevant root causes and risk factors of offences under the Optional Protocol, including poverty, violence, discrimination, HIV/AIDS and absence of parental care, and to target children in the most vulnerable situations. The Committee specifically recommends that the State party:</p> <p>(a) Undertake all measures for an early identification of children who are especially vulnerable to becoming victims of the sale and other crimes covered by the Optional Protocol, and link such measures to existing child protection programmes and poverty reduction strategies, including the Vision 2020 Umurenge</p>	<p>MINALOC</p>	<p>Optional Protocol on the sale of children, child prostitutions and child pornography while calling community members to report any related incident. There has also been the establishment of anti-crimes in schools.</p> <p>The social protection programs through Vision 2020 Umurenge Programme are also benefited by children in the most vulnerable situations.</p> <p>Asylum seeks and unaccompanied refugee children benefit from free birth registration system and necessary health care. Refugee children also benefit from free primary education thanks to the collaboration of MIDIMAR, UNHCR and other NGOS.</p> <p>Child Protection measures established from national level do also include historically marginalized groups and refugee children as part of the wider target.</p>		
--	--	-----------------------	---	--	--

	<p>and (c) Girls from historically marginalized groups and refugee children are not adequately protected against sexual abuse, exploitation and harmful practices, such as early marriage. [Para 20]</p>	<p>Programme and the 2003 National Strategic Plan of Action for Orphans and Other Vulnerable Children; (b) Ensure the provision of adequate protection measures for unaccompanied asylum-seeking and refugee children, including by providing them free birth registration through expeditious and effective registration procedures and equitable access to free primary education, secondary education, health and social services at the community level; and (c) Take all necessary measures to protect children, especially girls, from historically marginalized groups and refugee children from sexual abuse, exploitation and</p>				
--	--	--	--	--	--	--

		harmful practices, such as early marriages, and ensure that such incidents are effectively investigated and perpetrators are prosecuted. [Para 21]				
10	The Committee is deeply concerned at the increase of the cases of child trafficking in the State party, as reported by the Rwandan National Police, and that children, particularly refugees, are victims of trafficking to other East African countries and other destinations where they are exposed to forced agricultural and industrial labour, domestic work and prostitution. The Committee notes with concern that, although Law No. 59/2008 on gender-based violence prohibits sex trafficking, it does not define that act. [Para	The Committee recommends that the State party define and prohibit all cases of trafficking of children, in accordance with the provisions of the Optional Protocol, and adopt a comprehensive policy with targeted measures to address the root causes of child trafficking and which focuses on children in the most vulnerable and marginalized situations. The Committee further urges the State party to: (a) Immediately investigate the reports of disappearances of adolescent girls from the refugee camps, discover their whereabouts and ensure	NCC, MIGEPROF, MIDIMAR, RNP	The Government of Rwanda through the Ministry in charge of refugees, MIDIMAR works with the UN agencies especially UNHCR and other Non-Governmental Organisations to respond to the needs of refugees in accordance with the provisions of the Optional Protocol. It has put in place legislation measures to ensure the same such as the Ministerial Instructions N° 02/2016 of 13/5/2016 determining the management of refugees and refugee camps, Art. 17: Entry and exit movements in refugee's camps, Art. 2: Human trafficking is prohibited for refugees and has put in place the Ministerial order N° 01/MIDIMAR/13 of 03/12/2013 determining appropriate measures of tracing family members of unaccompanied		100 % implemented

	<p>22]</p> <p>The Committee is further concerned about the reports which indicate that there are cases of adolescent girls disappearing from the refugee camps without their family being aware of their whereabouts. [Para 23]</p>	<p>that they are safely reunited with their families and provided with all necessary support, including psychosocial counselling and health care. The Committee further recommends that the State party ensure that individuals responsible for such abductions and possible child trafficking are immediately arrested and prosecuted; and</p> <p>(b) Strengthen international assistance in connection with investigations or criminal or extradition proceedings brought in respect of the offences covered by the Optional Protocol to deal with the existing problem of cross-border trafficking for the purpose of forced labour and sexual exploitation. [Para 24]</p>		<p>refugee children for their reunification.</p> <p>MIGEPROF and different institutions fight against human trafficking in cooperation with its partners and the Rwanda National Police prevents and conducts investigations immediately after any incident has been reported. The Rwanda National Police also partners with the Interpol at different levels where victims are supported and offenders brought before the justice.</p>		
--	---	---	--	---	--	--

11	<p>The Committee is concerned that, despite many cases of children being exploited in the commercial sex industry and trafficked for prostitution, there is insufficient legislation and lack of other measures, such as awareness-raising, to effectively prevent child sex tourism in the State party. [Para 25]</p>	<p>The Committee calls on the State party to:</p> <p>(a) Establish an effective legislative framework and adopt all necessary administrative procedures, including through the development of a code of conduct with tourism industry, to prevent, prosecute and eliminate exploitation of children in the commercial sex industry, including in the tourism industry;</p> <p>(b) Carry out awareness-raising programmes on sexual exploitation of children, including child pornography for children and their families who are vulnerable to such offences; and</p> <p>(c) Widely disseminate the World Tourism Organization's Global Code of Ethics for Tourism among</p>	<p>RLRC, MINIJUST, RDB</p>	<p>The Organic law instituting the penal code put in place punishment measures for human trafficking offenders.</p> <p>Article 252 of the Penal Code states that the penalty for human trafficking is a term of imprisonment of seven to 10 years and a fine of Rwf5 million to Rwf 10 million.</p> <p>Even if there is no specific Law relating to the Prevention, Prosecution, and Repression of Human Trafficking that complement the Penal Code, Article 51 of the Law n° 54/2011 of 14/12/2011 relating to the rights and the protection of the child prohibits all forms of economic exploitation of a child including "... prostitution, beggary, child trafficking, slavery and kidnaping, pornography business, or any other form of exploitation and incitation."</p> <p>If committed at an international level, it is noted that the offender shall be liable to a term of imprisonment of ten to fifteen</p>	<p>The Government of Rwanda should develop a code of conduct with tourism industry, to prevent, prosecute and eliminate exploitation of children in the commercial sex industry, including in the tourism industry.</p>	<p>66 % implemented</p>
----	--	--	---	--	---	------------------------------------

		travel agents and tourism agencies, and encourage those enterprises to become signatories to the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism. [Para 26]		years and a fine of ten million to twenty million Rwandan Francs. The Rwanda National Police has widely carried out sensitization campaigns and urging people to report suspicious characters by giving timely and accurate information on free toll lines: 112, 113 and 3512. Awareness-raising programmes are organized on sexual exploitation and child pornography by different Government institutions and partners.		
12	The Committee is concerned about the weak enforcement of existing legislation concerning the offences covered under the Optional Protocol, including Law No. 22/2009 of 12 August 2009 governing media, which prohibits the sale, exhibition, access and distribution of pornographic and other inappropriate	The Committee urges the State party to: (a) Enforce the legislation in place for the protection of children from all forms of offences covered under the Optional Protocol, by actively investigating those cases and prosecuting and sanctioning all offenders, with a view to strengthening the deterrent effect of its	RLRC, MINIJUST RNP, NPPA	Institutions met indicated that the issue related to the sale of children, child prostitution and child pornography is on their agenda and efforts have been put in establishing mechanisms to prevent, report and respond to it. Investigations are conducted and cases are prosecuted. Activities aiming at sensitising the population on the content of the Optional Protocol on the sale of children, child prostitution and child pornography are	The Government of Rwanda to provide specific information on investigations, prosecutions and punishment of perpetrators of offences under the Optional Protocol in its next periodic report and ensure that such information is easily and publicly available in the State party.	100 % implemented

	<p>information to children and youth. The Committee is further concerned about the lack of resources and capacity of law enforcement agencies in some provinces to arrest and prosecute those involved in crimes under the Optional Protocol. [Para 29]</p>	<p>existing legislation; (b) Take all necessary measures to increase human, technical and financial resources and capacity of law enforcement officials to investigate, prosecute and convict individuals involved in the offences under the Optional Protocol; and (c) Provide specific information on investigations, prosecutions and punishment of perpetrators of offences under the Optional Protocol in its next periodic report and ensure that such information is easily and publicly available in the State party. [Para 29]</p>		<p>conducted. It has also been reported that there has been efforts in increasing human, technical and financial resources.</p>		
13	<p>The Committee is concerned that the State party's legislation does not establish its extraterritorial jurisdiction over the</p>	<p>The Committee urges the State party to take the necessary legislative measures to introduce and establish extraterritorial</p>	<p>RNP, Supreme Court, MINIJUST</p>	<p>According to the Organic Law No. 1/2012/OL of 02/05/2012 instituting the Penal Code in its article 16 provides the punishment of international and cross boarder crimes including</p>	<p>The Government of Rwanda to assess consideration of using the Optional Protocol as a legal basis for extradition in</p>	<p>On-going implementation</p>

	<p>offences referred to in article 3, paragraph 1, of the Optional Protocol when committed by one of its nationals in the territory of another State, and that the legislation is subject to the requirement of double criminality. The Committee is also concerned that the State party does not rely on the Optional Protocol as a legal basis for extradition. [Para 31]</p>	<p>jurisdiction for the prosecution of offences referred to in article 3, paragraph 1, of the Optional Protocol when they are committed by one of its nationals abroad, and to repeal the requirement of double criminality for the prosecution of such offences. The Committee further calls on the State party to use, where necessary, the Optional Protocol as a legal basis for extradition, in conformity with article 5 of the Optional Protocol. [Para 32]</p>		<p>the trafficking in human beings especially children. Article 18 of the same law related to extradition, highlights that extradition shall be governed by the Rwandan law or by international conventions ratified by Rwanda. The extradition shall be permitted if there is a convention on extradition concluded between the Rwanda and the country requesting the extradition.</p>	<p>conformity with article 5 of the Optional Protocol</p>	
14	<p>While noting that the State party has established a special unit under the National Public Prosecution Authority for the follow-up and prosecution of gender-based violence crimes, the Committee is nevertheless concerned</p>	<p>The Committee recommends that the State party strengthen measures to protect the rights and interests of child victims of offences under the Optional Protocol and, in particular: (a) Provide them with free and quality</p>	<p>MINIJUST, MINISANTE, RNP</p>	<p>There is a law no 54/2011 Of 14/12/2011 relating to the rights and the protection of the child; Children victims are provided with legal aid, psychological, medical and social support through Isange one Stop Centers. Holding Legal Aid Week in</p>		<p>100 % implemented</p>

<p>that:</p> <p>(a) The measures taken by the State party to ensure the rights and interests of child victims and witnesses at all stages of the criminal justice process are inadequate;</p> <p>(b) There is a lack of adequate resources and procedures for effectively screening child victims of trafficking and sexual exploitation, including children from foreign countries;</p> <p>(c) The State party's legislation does not ensure that all child victims of offences under the Optional Protocol have access to procedures which enable them to claim compensation, without any discrimination; and</p> <p>(d) Some child victims of sale and trafficking are re-victimized as they are</p>	<p>legal aid, psychological, medical and social support, and put in place a mechanism to ensure quality control of the legal assistance provided to children;</p> <p>(b) Adopt clear measures to screen for child victims of sale, prostitution and pornography and guide the rescue, repatriation, rehabilitation and reintegration of child victims of sale, prostitution and pornography, as well as adopt clear procedures for special assistance and repatriation for foreign child victims through increased collaboration between the police and the Ministry of Gender and Family Promotion and non-governmental organizations, based on the "best interests" determination and follow-up;</p>		<p>collaboration with MAJ at Country level intervening especially for children.</p> <p>Contracts between MINIJUST and the Bar Association as regard the representation of vulnerable children before the Court.</p> <p>This is done through combined action of Interpol and authorities that are responsible reintegrate them into their communities.</p> <p>Child victims do not receive compensation for the harmful acts that they underwent</p> <p>Victims are supported and remedies provided as per the decision of court. This also includes compensation related to the case.</p> <p>The Justice for Children Policy of 2014 caters for that child victims and child witnesses of offences.</p>		
---	--	--	---	--	--

	detained at the transit centres, sometimes for weeks or months without any charges. [Para 33]	(c) Enact legislation to ensure that remedies are available to child victims of sale, prostitution and pornography, including adequate compensation; and (d) Ensure that child victims and child witnesses of offences under the Optional Protocol are protected at all stages of the criminal justice process and that they are not subjected to lengthy waiting periods prior to return or deportation and that they are treated as victims not as criminals by law enforcement and judicial authorities. [Para 34]				
15	The Committee notes as positive the existence of Isange One Stop Centre and transit centres that provide multi-sectoral services, such as medical, psychological	The Committee urges the State party to further strengthen measures to provide appropriate assistance to victims of all offences under the	RNP, MIGEPROF	The Rwanda Government has invested in strengthening the Isange One Stop Centres and currently operational in 28 District Hospitals with plans to continue expanding.		100 % implemented

	<p>support, social reintegration, short-term shelter, and police and legal assistance to child victims of trafficking and commercial sex work. However, it is concerned that the State party's recovery and reintegration measures are limited to victims of trafficking and commercial sex work and that existing child protection programmes do not adequately take into account the needs of children victims of sale, prostitution and pornography. [Para 35]</p>	<p>Optional Protocol, including their full social reintegration and physical, psychological and psychosocial recovery. In this regard, the Committee recommends that the State party strengthen and expand Isange One Stop Centre in other provinces and adopt specific measures for the reintegration of refugee and asylum-seeking child victims, who are especially vulnerable to becoming victims of the offences covered under the Optional Protocol. [Para 36]</p>				
III	Cluster: Legislation					
16	<p>The Committee welcomes the fact that the new Penal Code, Law No. 01/2012/OL, has strengthened the protection of children against sale, prostitution and pornography. However,</p>	<p>The Committee requests the State party to expedite, as a matter of priority, the process of elaboration and adoption of the bills complementing the provisions of the newly adopted Penal Code.</p>	<p>RLRC, MINIJUST</p>	<p>There is no Law relating to the Prevention, Prosecution, and Repression of Human Trafficking that complement the Penal Code even if Article 51 of the Law n° 54/2011 of 14/12/2011 relating to the rights and the protection of the child prohibits all forms of economic</p>	<p>Elaborate and adopt the law relating to Prevention and Repression of Human Trafficking that complement the Penal Code.</p>	<p>0 % implemented</p>

	the Committee is concerned that the bills complementing the current provisions of the Penal Code, such as the Bill on the Prevention, Prosecution, Repression of Human Trafficking are yet to be finalized and adopted. [Para 8]	[Para 9]		exploitation of a child including "... prostitution, beggary, child trafficking, slavery and kidnaping, pornography business, or any other form of exploitation and incitation."		
17	While welcoming the existence of various plans of action relevant to the Optional Protocol, in particular the Integrated Child Rights Policy and its strategic plan (2011), the National Strategic Plan of Action for Orphans and Other Vulnerable Children (2007–2011), and the National Strategic Plan on Street Children (2005), the Committee is nevertheless concerned by the lack of a comprehensive plan and programmes addressing all issues	The Committee recommends that the State party review the Integrated Child Rights Policy and develop a comprehensive programme of action specifically targeting all offences covered under the Optional Protocol. In implementing these recommendations, the State party should take into account the Declaration and Agenda for Action and the Global Commitment adopted at the First, Second and Third World Congresses against Sexual	NCC, MIGEPROF, MINIJUST	It was indicated that additional guidelines to the ICRP on its pillars are being developed and will take into consideration the optional protocol. There is also an anti-GBV policy and its strategic plan.	The guidelines being developed with the lead of MIGEPROF/NCC should fully cover the optional protocol as raised by the committee. The implementation of the concluding observations should also consider the Declaration and Agenda for Action and the Global Commitment adopted at the First, Second and Third World Congresses against Sexual Exploitation of	On-going implementation

	specifically covered under the Optional Protocol. [Para 10]	Exploitation of Children, held in Stockholm in 1996, in Yokohama in 2001 and in Rio de Janeiro in 2008. [Para 11]			Children	
18	The Committee regrets the insufficient resources for the implementation of the Optional Protocol, including identifiable budgetary allocations particularly for the prevention of offences and the provision of assistance to child victims. [Para 18]	The Committee recommends that the State party take all measures to ensure that sufficient human, technical and financial resources are allocated equitably throughout the country for the development and implementation of programmes aimed at the prevention, protection, physical and psychological recovery and social integration of victims. [Para 19]	NCC, MIGEPROF, MINALOC, RNP	The Government of Rwanda through different concerned Ministries and institutions has and continues to invest in human, technical and financial resources for the development and implementation of the programmes related to the content of the Optional Protocol. The increase in number of the Isange One Stop Centers and Police to prevent offences and protect victims is promising.	Efforts should continue to be invested in human, technical and financial resources for the development and implementation of the programmes related to the content of the Optional Protocol	100 % implemented
19	The Committee welcomes the criminalization of the procurement or sale of a child for prostitution and child pornography. However it notes with concern that, despite the incorporation of some	The Committee recommends that the State party revise its Criminal Code and bring it into full compliance with articles 2 and 3 of the Optional Protocol. In particular, the State	RLRC, MINIJUST	The penal Code is under revision	MINIJUST/RLRC/ MIGEPROF should ensure that the revision of the penal code is in full compliance with articles 2 and 3 of the Optional Protocol	On-going implementation

<p>of the provisions of the Optional Protocol into national laws, domestic legislation is still not in full compliance with all the provisions. In particular, the Committee notes with concern that:</p> <p>(a) The newly adopted criminal law does not define and prohibit all acts of sale of children, including the transfer of organs of the child and engagement of the child in forced labour, as defined in articles 2 and 3, paragraph 1 (a), of the Optional Protocol; and</p> <p>(b) Despite the provisions of articles 229 and 230 of the Criminal Code which criminalize many acts and activities referred to in article 3, paragraph 1 (c), of the Optional Protocol, the law does not cover all</p>	<p>party should ensure that all offences under the Optional Protocol are criminalized, including:</p> <p>(a) The sale of children by offering, delivering or accepting, by whatever means, a child for the purpose of transfer of organs of the child for profit and engagement of the child in forced labour; and</p> <p>(b) Producing, distributing, disseminating, importing, exporting, offering, selling or possessing child pornography as defined in article 2. [Para 28]</p>				
---	--	--	--	--	--

crimes, such as possessing child pornographic representations and pornographic materials involving children. [Para 27]					
---	--	--	--	--	--

ANNEX 4: ATTENDANCE LIST

Validation workshop of the report on the findings of the assessment conducted on the implementation of the concluding observations of the third and fourth periodic reports of Rwanda on the convention on the rights of child (CRC) and on the Rwanda's initial report under the optional protocol on the involvement of children in armed conflict (CRC-OP-AC) and the optional protocol on the sale of children, child prostitution and child pornography (CRC-OP-SC).

No	Names	Institution	post	E-mail address	Phone Number
1	Jean d'Amour BIZIMANA	MIGEPROF	Legal Advisor	Jeandamour2010@gmail.com	0788799278
2	RUZINDANA Paul	MIFOTRA	Legal	ruzindanapaul@yahoo.com	0788022881
3	Jonathan KIRABO	MINEAC	Health and community development officer	jkirabo@mineac.gov.rw	0788610282
4	CIP Alexis GASANA	RNP	H/Services Quality & inspection	alexisgasana1968@gmail.com	0788609471
5	Me HITIMANA Sylvestre	GMO	Legal officer	Sylvestre@gmail.com	0788312218
6	BUSSIEN Olathalie	UNHCR	Child protection officer	bussien@unhcr.org	0788384150
7	NKUSI Faustin	NPPA	National prosecutor	nkusif9@gmail.com	0788675575
8	WERABE Emmanuel	RDB	Quality inspection	Emmanuel.werabe@rdb.org	0788827900
9	MAZIMPAKA Eddy	MINIJUST	State Attorney	Eddy.minijust@minijust.gov.rw	0788273187
10	MUGABO Fidele	HAGURUKA	Lawyer	fidelen@haguruka.org.rw	0788642411
11	NAYEBARE Naome	GMO	ICTO	nayebare.naome@gmo.gov.rw	0785054118
12	Maj Jonas GATERA	MINADEF	Legal Advisor	gaterajo@yahoo.fr	0788636375
13	Francois BISENGIMANA	NCC	DAPPR	Bifranc1983@gmail.com	
14	TUYIZERE Osuald	NCPD	DESE	otuyizere@ncpd.gov.rw	0788893900
15	HABINEZA Valens	MININTER	Legal Advisor	Valens.habineza@mininter.gov.rw	0788494253
16	AMAHIRWE Denyse	Save the Children	SRCP&CRG Specialist	denyse.amahirwe@save the children.org.rw	0788678656
17	NYANDWI Alypio	MINISANTE	Sector M&E Specialist	alypio.nyandwi@moh.gov.rw	0788777122
18	KAYIRANGA J.Baptiste	MINALOC	Legal advisor	kayjeba@yahoo.fr	0788671384

19	BARIYO Joy	MININFRA	HR Officer	Joy.bariyo@mininfra.gov.rw	0788312812
20	NDAYISABA Eugene	RBA/RTV	Cameraman	eugenda@yahoo.fr	0788354883
21	NKURUNZIZA Ferdinand	Amazing grace Radio	Journalist	Nkurunzizaferdinand71@gmail.com	0785177373
22	IRAGENA Liliane	Intambwe.net	Journalist	Lilianegenal@gmail.com	0787629619
23	URINZWENIMANA Mia	Radio Umucyo	Reporter	urinzwenimanam@gmail.com	0786150121
24	MUKAMABANO Gloria	Rayal TV/ Royal Fm	Reporter	muyoglo@gmail.com	0788906323
25	NZITONDA Hrvé	RBA	Cameraman	nzitondaelve@yahoo.fr	0785533529
26	NZANZIMANA Ernest	Makuruki.rw	Reporter	nsanzernes@gmail.com	0784588796
27	Nadine Evelyne UMUBYEYI	Umuseke.rw	Reporter	unecady@gmail.com	0788201428
28	UMUTONI Nassira	V O Africa	Journalist	Umunasira59@gmail.com	0786008304
29	NSENGIMANA Jean	Radio Huguka	Journalist	jjeansen@gmail.com	0782755682
30	UWANYIRAWÉ Didieu	Royal TV	Cameraman	Didosvideo@gmail.com	0789411496
31	KARANGWA Frederic	NCHR	HRPMO	Karangwafr2004@yahoo.fr	0788470116
32	NGABONZIZA Theophile	NCHR	Legislation and compliance officer	Ngaboth2000@yahoo.fr	0782068167
33	NYIRAHABIMANA Athanasie	NCHR	HRPMO	nyiratha@yahoo.fr	0788760740
34	NYIRAMAJORO Eugenie	NCHR	Advisor	majeuni@yahoo.fr	0788413110
35	KANZAYIRE Rose	NCHR	Legal	rosekanzayire@yahoo.fr	0788648982
36	MUKAMWEZI Clementine	NCHR	ODE	muclmm@yahoo.com	0788774646
37	MAZIMPAKA NGANGO Hilaire	NCHR	IHRM&RC	mnhilaire@yahoo.fr	0788487788
38	KARONGO Phionah	NCHR	Internee	Phionah7@gmail.com	0782186733
39	UWIZERA ALICE	NCHR	HRES Officer	uwizeraalicia@oo.fr	0788757033
40	BYUKUSENGE Josephat	NCHR	P.M&E		0788355859
41	GATERA Emmanuel	NCHR	Commissioner	Gatem2006fr@yahoo.fr	0788307374
42	NIWE RUKUNDO Claude	NCHR	Director of planning	Cniwe2@yahoo.fr	0788530140
43	BWIZA Liliane	NCHR	Internal Auditor	Lilifly77@gmail.com	0788622878
44	NDATUWERA J.Claude	NCHR	PR&CO	ndatuwera@gmail.com	0788470214
45	KANYEMERA Sam	NCHR	Commissioner	skanyemera@yahoo.com	0788302829
46	MUTUYEMARIYA Emeritha	NCHR	SG	mutuyemariya@yahoo.com	0788905904
47	KARANGIRWA Adrienne	NCHR	Promotion officer	karangirwaadrienne@yahoo.com	0788424892

