

UN CRC	Ratification Date	Care-Related Concluding Observations
	24 Jan 1991	CRC/C/RWA/CO/5-6
		10 February 2020
		https://tbinternet.ohchr.org/ layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fRWA
		%2fCO%2f5-6⟪=en
		III. Main areas of concern and recommendations
		A. General measures of implementation (arts. 4, 42 and 44 (6))
		Data collection
		10. The Committee welcomes the establishment in 2014 of a database on children in vulnerable situations and recommends that the State party:
		(a) Improve its data collection system and ensure that it covers all areas of the Convention and its Optional Protocols, with data disaggregated by age, sex, disability, nationality, geographic location, ethnic origin and socioeconomic background in order to facilitate analysis on the situation of all children, especially in the areas of health, violence, sexual exploitation, child labour, trafficking, child justice and of children in street situations and Batwa children;
		B. General principles (arts. 2, 3, 6 and 12)
		Non-discrimination
		15. Taking note of target 10.3 of the Sustainable Development Goals, the Committee recommends that the State party:



- (a) Ensure the full implementation of relevant laws prohibiting discrimination, including by adequately sanctioning perpetrators and providing child victims of discrimination with appropriate remedies;
- (a) Ensure full access to education, health and social services for children in disadvantaged or vulnerable situations, including children with disabilities, children in street situations, children affected by HIV/AIDS, children living in poverty or in childheaded households and children from "historically marginalized communities" including the Batwa;
- (b) Provide anti-discrimination training to government and law enforcement officials.

#### Best interests of the child

- 16. With reference to its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, the Committee notes with concern the removal of the principle of the best interests of the child from recently adopted Law No. 71/2018 and recommends that the State party:
  - (a) Strengthen its efforts to ensure that the principle of the best interests of the child is explicitly provided, appropriately integrated and consistently interpreted and applied in all legislative, administrative and judicial proceedings and decisions and in all policies and programmes that are relevant to and have an impact on children;
  - (b) Develop procedures and criteria to provide guidance to all relevant professionals for determining the best interests of the child in every area and for giving the best interests of the child due weight as a primary consideration;
  - (c) Evaluate, on the basis of the procedures and criteria described above, all practices, policies and services including the use of institutional care, orphanages and transit centres.

### Respect for the views of the child

- 17. Noting with concern that Law No. 32/2016 does not provide for children to express their views in adoption procedures or judicial decisions concerning custody or divorce, the Committee reiterates it previous recommendations (CRC/C/RWA/CO/3-4, para. 24) and recommends that the State party:
  - (a) Ensure that children's views are given due consideration in courts, schools and relevant administrative processes concerning children by, inter alia, amending Law No. 32/2016 so that



children's views are respected in administrative and judicial proceedings concerning custody, divorce and all types of adoption; training and developing operational procedures or protocols for professionals working with and for children to ensure respect for the views of children in administrative and judicial proceedings; and establishing specific activities at schools, such as a children's newspaper;

- (b) Allocate sufficient technical, human and financial resources to the effective functioning of the children's fora and the National Children's Summit and ensure that their outcomes are systematically fed into public decision-making and children receive the feedback;
- (c) Expedite the establishment of children's centres in all districts, and ensure that they are accessible, safe and adequately resourced;
- (d) Conduct awareness-raising activities to promote the meaningful and empowered participation of all children within the family, communities and schools, paying particular attention to girls, children with disabilities, children deprived of a family environment and Batwa children, and include children in decision-making in all matters related to children, including environmental matters.

# D. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)

## **Corporal punishment**

- 23. While noting with appreciation the repeal of parents' "right to correction" from legislation and the prohibition of corporal punishment in schools, the Committee remains deeply concerned with the still extensive use of corporal punishment in schools and in the home. The Committee reiterates its previous recommendations (CRC/C/RWA/CO/3-4, para. 28) and urges the State party to:
  - (a) Explicitly prohibit in legislation the use of corporal punishment in all settings, including in the home, childcare institutions and alternative care settings;
  - (b) Ensure that the prohibition of corporal punishment is adequately monitored and enforced and that cases of violations are referred to the competent administrative and/or judicial authorities;
  - (c) Strengthen efforts to raise awareness of parents, teachers, professionals working with and for children and the general public about the harm caused by corporal punishment and to promote positive, non-violent and participatory forms of child-rearing and discipline.



### Violence, abuse and neglect

24. The Committee expresses deep concern over the high incidence of violence, including physical, sexual and emotional violence, against children in the State party. In the light of its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence, and target 16.2 of the Sustainable Development Goals, the Committee urges the State party:

...

(c) To integrate data collection on violence against children into national data collection systems, and ensure the systematic collection of information and data disaggregated by age, sex, type of violence and relationship between the victim and the perpetrator on all causes of violence against children in families, schools, institutional care and refugee camps.

### Sexual exploitation and abuse

- 26. Taking note of target 5.2 of the Sustainable Development Goals, the Committee recommends that the State party:
  - (a) Establish effective mechanisms, procedures and guidelines for mandatory reporting of cases of sexual exploitation and abuse in the home, school, institutions and other settings, including online, and ensure the availability of accessible, confidential, child-friendly and effective reporting channels for such violations;

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E. Family environment and alternative care (arts. 5, 9-11, 18 (1) and (2), 20-21, 25 and 27 (4))

### Family environment

- 28. Noting with regret the continued criminalization of child abandonment, the Committee recommends that the State party:
  - (a) Ensure that families and parents who are unable to provide proper care for their children are



not prosecuted for child abandonment;

- (b) Allocate sufficient financial resources for the Inshuti z'Umuryango and other programmes aimed at supporting families in vulnerable situations, and ensure that they also address the psychosocial needs of child-headed households;
- (c) Recruit and increase the number of adequately trained social workers in all districts of the State party, who should supervise and provide technical support to volunteers of the Inshuti z'Umuryango programme and ensure appropriate referral of child protection cases.

### Children deprived of a family environment

- 29. The Committee notes with appreciation the measures taken to phase out the institutionalization of children deprived of a family environment and promote familybased care. Drawing the State party's attention to the Guidelines for the Alternative Care of Children (see General Assembly resolution 64/142, annex), the Committee recommends that the State party:
  - (a) Continue to support and facilitate family-based care for all children, including children with disabilities and children living in street situations, and ensure the effective implementation of the strategy for child care reform;
  - (b) Put in place adequate safeguards and clear criteria, based on the principle of the best interests of the child, for determining whether a child should be placed in alternative care and also ensure periodic review of the placement of children in foster care and alternative care centres, including centres for children with disabilities and the National Rehabilitation Centres, and monitor the quality of care of such institutions, including by providing accessible channels for reporting, monitoring and remedying maltreatment of children.

### **Adoption**

- 30. Noting the adoption of the 2016 law governing persons and family, the Committee recommends that the State party:
  - (a) Take further legislative and other measures to ensure that adoption procedures are in compliance with the Convention and the Hague Convention on Intercountry Adoption by establishing standard guidelines for the screening of potential adoptive parents, providing training and support to adoptive parents, and preserving information concerning the identity of the child's



parents;
(b) Ensure that the best interests of the child are the paramount consideration in all adoption
cases, and that the views of the child are heard and given due consideration in all types of
adoption cases;
(c) Ensure that professionals responsible for adoption cases are fully equipped with the expertise needed to review and process adoption cases, and strengthen coordination of relevant agencies and sufficient training of staff to ensure appropriate long-term support for adopted children and adoptive parents.
Children of incarcerated parents
31. The Committee recommends that the State party ensure that living conditions for children in prison with their mothers are adequate for the child's physical, mental and social development, and seek alternative measures to institutional confinement for pregnant women and mothers with small children, wherever possible.
G. Children with disabilities (art. 23)
32. The Committee welcomes the adoption of a national strategy for inclusive education and increased support for families of children with disabilities. However, it is seriously concerned that:
(c) Some families place their children with disabilities in residential care institutions so they can access specialized services that are not available in their communities;
33. With reference to its general comment No. 9 (2006) on the rights of children with disabilities, the Committee recommends that the State party:
(c) Continue efforts to deinstitutionalize children with disabilities and strengthen support to families with such children, including financial support, for their social integration and individual development;



(d) Take all measures necessary to ensure that children with disabilities leaving alternative care are integrated fully into all areas of social life, including by providing access to adequate housing, legal, health and social services and educational and vocational training opportunities;

J. Special protection measures (arts. 22, 30, 32-33, 35-36, 37 (b)-(d), 38-40)

### Asylum-seeking and refugee children

- 41. The Committee welcomes the various legislative and policy measures to protect the rights of asylum-seeking and refugee children. With reference to joint general comments No. 3 and No. 4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families No. 22 and No. 23 (2017) of the Committee on the Rights of the Child on the human rights of children in the context of international migration, the Committee recommends that the State party:
  - (a) Ensure that all reception centres for asylum-seeking and refugee children are child-friendly, and that all unaccompanied and separated children have prompt access to national refugee status determination procedures;
  - (b) Investigate any reports of alleged disappearance of children, in particular adolescent girls, from refugee camps, establish their whereabouts and prosecute those responsible for crimes involved in such disappearance;
  - (c) Continue to cooperate with UNHCR to address the aforementioned issues.

#### Children in street situations

- 44. While noting the explanation by the State party that transit centres are not places of detention, the Committee is deeply concerned at allegations of the detention, ill-treatment and beatings of children in street situations, sometimes for prolonged periods, in such centres, where they may be deprived of their liberty, albeit for a short time.
- 45. Drawing attention to its general comment No. 21 (2017) on children in street situations, the Committee recommends that the State party:



		<ul> <li>(a) Ensure that the rights of children in street situations are fully respected by the police, and that they are not subject to arbitrary detention and ill-treatment;</li> <li>(b) Issue guidance to the police and transit centre personnel on the child's right to freedom from all types of violence; investigate reported cases of ill-treatment, including beatings, of children in street situations by the police and transit centre personnel; and prosecute alleged perpetrators;</li> <li>(c) Develop programmes that facilitate the reunification of children in street situations with their families and communities when possible, taking into account the best interests of the child, and support their long-term education and developmental needs, including through the provision of psychological support.</li> </ul>
		Country Report
		CRC/C/RWA/5-6
		19 March 2019
		https://tbinternet.ohchr.org/ layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fRWA %2f5-6⟪=en
OPSC to CRC	Accession Date	Care-Related Concluding Observations
CRC/C/OPSC/RWA/CO/1	14 Mar 2002	8 July 2013
Concluding observations on the initial report of Rwanda submitted under		http://www2.ohchr.org/english/  V. Prevention of the sale of children, child prostitution and child pornography (art.
article 12 of the Optional Protocol to the		9, paras. 1 and 2)
Convention the sale of		Measures adopted to prevent offences prohibited under the Protocol
children, child prostitution and child		20. The Committee welcomes the adoption of the National Policy on Elimination of Child Labour in February



pornography, adopted by
the Committee at its
sixty-third session (27
May-14 June 2013)

2013. However, it is concerned that:

- (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;
- 21. The Committee urges the State party to adopt 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.

## **Child trafficking**

- 22. 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.
- 23. 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.
- 24. 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 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;



OPAC to CRC	Accession Date	and  (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.  Care-Related Concluding Observations
CRC/C/OPAC/RWA/CO/1	23 April 2002	8 July 2013
Concluding observations on the initial report of Rwanda submitted under article 8 of the Optional Protocol to the Convention on the involvement of children in armed conflict, adopted by the Committee at its sixty-third session (27 May–14 June 2013)		http://www2.ohchr.org/english/  VI. Protection, recovery and reintegration  Measures adopted to protect the rights of child victims
		19. In the light of the armed conflict in the neighbouring Democratic Republic of the Congo and the fact that the State party is hosting a large number of refugees, including children from there, 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 situations who may have been or who are at risk of being recruited or used in hostilities by armed groups abroad. The Committee is further concerned about:  (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  (b) The absence of training programmes for border and immigration personnel, police, lawyers, doctors, social workers and other persons working with or for children on such mechanisms and services.  20. 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 armed groups abroad;
		Demobilization and reintegration
		21. The Committee welcomes the establishment of the Rwanda Demobilization and Reintegration Commission in April 2002 and its efforts in repatriating Rwandan children recruited or used in hostilities by the armed groups in the Democratic Republic of the Congo and providing them with education, psychological counselling, social integration and family reunion services and programmes. 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 address specific challenges and needs of girls in the Disarmament, Demobilization and Reintegration (DDR) process.
		22. 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 Democratic Republic of the Congo, strengthen cross-border frameworks of cooperation and exchange of information with that country as well as seek the assistance and facilities of UNHCR, UNICEF, the International Committee of the Red Cross (ICRC) and other relevant international, regional and subregional 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 programmes.
ICCPR	Accession	Care-Related Concluding Observations
	Date	
	16 April 1975	
ICESCR	Accession	Care-Related Concluding Observations
	Date	
	16 April 1975	
CEDAW	Ratification	Care-Related Concluding Observations
	Date	
	1 May 1980	



CRPD	Accession Date	Care-Related Concluding Observations
CRPD/C/RWA/CO/1	15 Dec 2008	9 April 2019
		https://tbinternet.ohchr.org/ layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC %2fRWA%2fCO%2f1⟪=en
		III. Principle areas of concern and recommendations
		A. General principles and obligations (arts. 1–4)
		5. The Committee is concerned that the State party has not brought its domestic legislation into line with the Convention, and that its laws still contain pejorative terms and reflect the medical model of disability, in particular Laws No. 01/2007 on the Protection of the Rights of Persons with Disabilities in General, No. 02/2007 on the Protection of Former War Combatants with Disabilities, No. 54/2011 relating to the Rights and the Protection of the Child and No. 27/2001 relating to Rights and Protection of the Child Against Violence. The Committee is also concerned at the slow pace of adoption of a national disability policy, and that the Ministerial Orders of 2009 concerning persons with disabilities remain largely unimplemented.
		6. The Committee recommends that the State party's domestic legislation adhere to the Convention, taking measures to fulfil all its obligations under it and ensuring the human-rights based approach to disability. The Committee also recommends that the State party eliminate pejorative terminology relating to the rights of persons with disabilities. It also recommends that the State party adopt without delay the national disability policy in line with the Convention, including consultation and engagement with organizations of persons with disabilities, and take effective measures with clear timelines for its implementation. The Committee recommends that the State party take effective measures to implement the Ministerial Orders of 2009.
		7. The Committee is concerned about the absence of mechanisms to ensure that the views, opinions and concerns of persons with disabilities, particularly women, children and persons with intellectual or psychosocial disabilities, are included in the formulation of laws and policies, both at the national and local levels.
		8. The Committee recalls its general comment No. 7 (2018) on the participation of persons with



disabilities, including children with disabilities, through their representative organizations, in the implementation and monitoring of the Convention, and recommends that the State party establish accessible formal mechanisms to ensure the effective and meaningful participation and consultation with persons with disabilities, through their representative organizations, particularly women, children and persons with intellectual or psychosocial disabilities, including in the formulation, implementation and monitoring of laws and policies. The Committee also recommends that the State party provide sufficient budgetary resources to such organizations to enable their participation.

# B. Specific rights (arts. 5–30)

### Children with disabilities (art. 7)

- 13. The Committee is concerned about:
  - (a) The fact that legislation, including article 54 of the Law No. 54/2011 relating to the Rights and the Protection of the Child does not protect the rights of all children with disabilities;
  - (b) Prevailing discrimination and social exclusion of children with disabilities, particularly in remote or rural areas;
  - (c) Insufficient opportunities for children with disabilities to systematically participate in decision-making on matters that concern them;
  - (d) Limited support services provided for children with disabilities and their families within the community;
  - (e) Insufficient measures to promote inclusive alternative care in family settings for children with disabilities without parental care, and increasing separation of children with disabilities to live in segregated residential settings.

#### 14. The Committee recommends that the State party:

- (a) Take measures to review its laws, in particular Law No. 54/2011 relating to the Rights and the Protection of the Child, to ensure protection for the rights of all children with disabilities in line with the Convention;
- (b) Step up its efforts to allocate all necessary resources to eliminate discrimination against



and exclusion of children with disabilities, with a particular focus on children at risk of intersectional discrimination;

- (c) Establish policies and programmes to ensure the right of children with disabilities to express their views on all matters concerning them;
- (d) Take measures, including within the National Commission for Children, to ensure support services and facilities are available in the community for children with disabilities and their families to ensure their right to family life, in line with their best interests;
- (e) Adopt measures to support that children with disabilities live in family settings with appropriate support, including alternative care within the wider family or within the community in a family setting.

### Liberty and security of the person (art. 14)

- 27. The Committee is concerned about the deprivation of liberty of persons with disabilities on the basis of perceived or actual impairment, and the involuntary hospitalization and institutionalization of children and adults with intellectual or psychosocial disabilities, as is the case in 59 centres listed by the National Council of Persons with Disabilities.
- 28. In line with its guidelines on the right to liberty and security of persons with disabilities, the Committee recommends that the State party adopt and implement legislation that prohibits, under all circumstances, any involuntary confinement of persons with disabilities in the justice system or in mental health facilities on the basis of perceived or actual impairment. It also recommends that the State party put in place mandatory guidelines of admission to respect the dignity, integrity, will and preference of persons with intellectual or psychosocial disabilities, and to ensure that they are not deprived of their liberty.

### Freedom from exploitation, violence and abuse (art. 16)

29. The Committee is concerned about prevailing violence, abuse and neglect against persons with disabilities, particularly women and children, and those with intellectual or psychosocial disabilities, within health care and corrective institutions. It is also concerned about the lack of effective measures to prevent violence, including sexual and gender-based violence, particularly in homes, institutions, communities and refugee camps where persons with disabilities live, and measures to monitor such



prevention measures. It is also concerned about:
(a) The lack of effective protection and support services for persons with disabilities who are victims of exploitation, violence or abuse;
(b) The absence of concrete data on cases of violence and abuse against persons with disabilities;
(c) The lack of dedicated mechanisms for identifying, investigating and prosecuting instances of exploitation, violence and abuse against persons with disabilities;

30. The Committee recommends that the State party take all necessary measures to prevent and eliminate all forms of exploitation, violence and abuse against persons with disabilities, particularly women and children. It recommends that the State party ensure that members of the police, judiciary, health and social services receive regular and mandatory training on the prevention of violence and abuse of persons with disabilities. It also recommends that the State party:

(d) The lack of a direct ban on corporal punishment of children with disabilities in all settings.

- (a) Adopt effective measures to ensure that persons with disabilities, who are victims of violence have access to accessible services and information, including hotlines, shelters, victim support services, consultation and counselling;
- (b) Collect and publish data, disaggregated by sex and age, on violence and abuse against persons with disabilities in all settings, including the number of prosecutions, convictions and sentences imposed on the perpetrators;
- (c) Establish accessible and inclusive complaints mechanisms that have a mandate to, inter alia, provide compensation and impose sanctions against perpetrators, in accordance with article 16 (3) of the Convention;
- (d) Enact and enforce legislation which explicitly prohibits all corporal punishment of children, however light, in all settings, including the home and in institutions in accordance to target 16.2 on ending violence against children in the 2030 Sustainable Development Goals.

## Protecting the integrity of a person (art. 17)

31. The Committee notes with concern the lack of prevention and protection measures to fully ensure the integrity of persons with disabilities, in particular against forced treatment and forced sterilization of persons with disabilities, particularly those with psychosocial disabilities and women and girls with disabilities.



		32. The Committee recommends that the State party adopt legislative and other measures necessary to protect the integrity of persons with disabilities in all settings, including institutional settings where persons with psychosocial disabilities are still placed, and to prevent and stop forced treatment and forced sterilization of persons with disabilities, particularly those with psychosocial disabilities and women and girls with disabilities.
		Education (art. 24)
		43. The Committee is concerned that children with disabilities face barriers to the enjoyment of the right to quality, inclusive education in mainstream schools, especially children with disabilities in refugee camps and institutions. The Committee is deeply concerned that more than 40,000 children with disabilities remain out of school owing to long distances, insufficient mobility aids, and lack of accessibility and of reasonable accommodation, especially in remote or rural areas.
		44. Recalling its general comment No. 4 (2016) on the right to inclusive education and Sustainable Development Goal 4, especially its targets 4.5 and 4.a, the Committee recommends that the State party take all appropriate measures to ensure the right of all children with disabilities to quality and inclusive education, including by removing physical, communication, information, and other barriers and ensuring the provision of reasonable accommodation, assistive devices, support and accessible curricula, materials and environment.
UPR	Date of	Link to Page
OT K	Consideration	Link to I age
	4 Nov 2015	https://www.ohchr.org/EN/HRBodies/UPR/Pages/RWindex.aspx
Hague Intercountry	Accession	Link to Country Profile
Adoption	Date	
	28 Mar 2012 (Non-Member State)	http://www.hcch.net/index_en.php?act=states.details&sid=257



# **Acronyms and Abbreviations:**

CEDAW Convention on the Elimination of All Forms of Discrimination against Women CRC Convention on the Rights of the Child/Committee on the Rights of the Child

CRPD Convention on the Rights of Persons with Disabilities ICCRP International Covenant on Civil and Political Rights

ICESCR International Covenant on Economic, Social and Cultural Rights

OPAC to CRC Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict

OPSC to CRC Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography

UN United Nations

UPR Universal Periodic Review