Committee on the Rights of the Child
Eighty-third session

Summary record of the 2443rd meeting
Held at the Palais Wilson, Geneva, on Tuesday, 28 January 2020, at 10 a.m.

Chair: Mr. Pedernera Reyna

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The meeting was called to order at 10.10 a.m.

Consideration of reports of States parties (continued)

Combined fifth and sixth periodic reports of Rwanda (continued) (CRC/C/RWA/5-6; CRC/C/RWA/Q/5-6 and CRC/C/RWA/RQ/5-6)

1. At the invitation of the Chair, the delegation of Rwanda took places at the Committee table.

2. Ms. Marshall-Harris (Country Task Force) said that, while the State party was to be commended for its efforts to collect more data, insufficient information was being collected about street children and what happened to them. The Committee was concerned that street children could be exploited and eventually trafficked. It was essential for the State party to probe into the root causes of the large number of runaways and clarify, for example, whether they were fleeing abuse.

3. When seeking to reduce the number of homeless children, it was not enough to round them up in the street and transfer them to so-called transit centres, which appeared to resemble arbitrary detention centres. After promising to close the Gikondo transit centre, the State party had merely renamed it the Kigali transit centre and reportedly changed little else about it. There were allegations of severe overcrowding, insufficient food and severe beatings by guards at the centre. One girl had allegedly pretended to have HIV/AIDS in order to be sent back to the street. Were those allegations true? If abuse was occurring, the centre should be thoroughly investigated and its personnel vetted, and anyone found to have violated the rights of children should be brought to justice.

4. The Committee had noted that 30 social workers were currently deployed to help with street children and that their activities were supplemented by volunteers, who did not necessarily have the qualifications of a professional social worker. Whereas street children had previously been detained at the Gikondo centre because their activities on the street had been deemed criminal, the 2017 reform of the Penal Code had decriminalized vagrancy and begging. She therefore wished to know on what legal basis children were held, as well as who decided the location and duration of their detention.

5. She understood that 80 per cent of street children were male. Could the delegation confirm that statistic? Likewise, it would be useful to hear whether it was true that children who were drug users were not taken to medical facilities, as would be appropriate.

6. Although commendable legislation had recently been enacted in relation to refugee children, the Committee was concerned by reports that children in refugee camps were being mistreated and that girls were disappearing from them, possibly to be trafficked. She would suggest that more rigorous monitoring of refugee camps was needed in order to ensure that the new legislation was being properly implemented.

7. She would also suggest that the State party should examine whether there was some level of public tolerance towards sexual violence. Teenage girls continued to face unwanted pregnancies as a result of sexual abuse, but usually remained silent for fear of reprisals. She encouraged the State party to make greater use of the Isange one-stop centres to tackle the issue of sexual violence against girls.

8. The Committee did not consider the low number of criminal cases involving minors to be a justification for the absence of special juvenile courts and child-friendly courts in the State party. Judicial officials should be permitted, and indeed encouraged, to impose non-custodial measures, such as mediation, counselling and restorative justice, in cases involving juvenile offenders.

9. Ms. Nyirahabimana (Rwanda) said that all civil society organizations active in the area of children’s rights were welcome to be part of the Gender and Family Cluster and thus to play a role in the advancement of the State’s child protection agenda. Civil society organizations were important actors for the implementation of government policies on the ground and were not threatened or hindered in the execution of their mandates.

10. The National Commission for Children, which was responsible for coordinating child policies and strategies, received an annual budget and implemented projects in cooperation with partners in the health, education, justice and other sectors. The needs and wishes of children and their parents were taken into consideration in planning and
budgeting. The Ministry of Local Government ensured that planning started at the village level, where the opinions of the local population were canvassed through forums. The Government was serious about ensuring that children could exercise their right to be heard. They had that right in regular adoption proceedings, and the Government would take steps to ensure that a child’s right to be heard was also included in legislation governing simple adoption.

11. Discrimination was prohibited under national legislation, including the Constitution. However, the Government was aware that affirmative action, including the allocation of more resources, was required to address gaps in protection among children in situations of vulnerability.

12. All forms of corporal punishment were prohibited by law, and violators were subject to prosecution and punishment. The word “excessive” would be removed from Law No. 71/2018 relating to the protection of the child at its next revision.

13. Children could report incidents of violence through a hotline operated by the Rwanda Investigation Bureau. The authority responsible for information and communications technology oversaw the protection of children online and also operated a hotline. While there was some resistance to advancing the agenda for women’s rights in Rwanda, harmful traditional practices such as female genital mutilation were not part of the culture.

14. Child abandonment was criminalized and certain aggravating circumstances, such as leaving the child in a hidden place, led to increased penalties. She looked forward to receiving further guidance from the Committee on that matter. More than 3,000 children had been transferred from orphanages to family settings as part of the National Strategy for Childcare Reform. The Government intended to strengthen that policy to ensure that children could grow up in a loving and nurturing environment.

15. The National Rehabilitation Service for street children had been established in line with Law No. 17/2017 of 28 April 2017. A ministerial order of 19 April 2018 provided for the mission, organization and functioning of 28 transit centres, 27 of which were located in rural districts and 1 in Kigali. The centres were thus legally regulated. The centres were in no way intended for the arbitrary detention of street children, who were not considered criminals. They were intended to get the children off the street for their own protection.

16. Children remained in transit centres for periods of no more than 72 hours while their situation was being assessed to determine whether they could be returned to their families. Children who could not be returned to their families were then moved to rehabilitation centres, where they received care and assistance from social workers and psychologists. They also received schooling. Continuous efforts were made to reunite such children with their families, and a large number of them had been returned home. Information on such centres was well documented and publicly available. While she welcomed constructive criticism, she took issue with disparaging remarks based solely on negative media coverage and unreliable reports about her Government’s efforts to protect the rights of street children, who were at serious risk of abuse.

17. Mr. Rodríguez Reyes said that Committee members had extensive experience of holding constructive dialogues with States parties and they did not let themselves be influenced by unreliable sources of information. The purpose of the constructive dialogue was to gather information to enable the Committee to make appropriate recommendations for improvement, not to criticize or judge the Government.

18. Ms. Aho Assouma (Country Task Force) said that, while she appreciated the State party’s efforts to assist street children, she wondered why they were not placed directly in rehabilitation centres and why children with drug addictions were not taken into dedicated care centres. She also wondered what prevented the recruitment of a sufficient number of social workers to provide adequate support for street children. In addition, she would be interested to hear what measures had been taken to further reduce the maternal mortality rate, which at 248 deaths per 100,000 live births was still quite high. With regard to harmful traditional practices, while it was good news that female genital mutilation was not a concern in Rwanda, child marriage was. She had not heard a comment from the delegation in that regard.
19. **Ms. Nyirahabimana** (Rwanda) said that the Government was committed to upholding the rights and protecting the well-being of children and ensuring that not one was left behind. Given the country’s past, the consequences of discrimination and vulnerability were well understood. However, the Government lacked the resources to pursue all of the measures it wished.

20. Children were brought to transit centres to determine who they were, who their parents were and why the children were on the street. From there, the children were either returned to their families or relatives, transferred to rehabilitation centres or referred to hospital if they required medical treatment. The transit centres would not be closed until the issue of street children was resolved.

21. **Ms. Rwakazina** (Rwanda) said that numerous district-level officials, as well as social workers, were involved in the process of reuniting street children with their families. Between 2010 and 2015, the infant mortality rate had dropped from 50 to 32 per 1,000 live births, and the child mortality rate had decreased from 76 to 50 per 1,000 live births, according to figures from the Demographic and Health Survey. The National Strategy for Transformation for the period 2017–2024 had been developed to cover all of the Sustainable Development Goal indicators applicable to Rwanda, including those related to children’s rights.

22. **Ms. Uwera Kanyamanza** (Rwanda) said that children’s forums elected committees comprising a president, vice-president and two councillors. Children between 6 and 18 years of age were eligible to stand for election, and children with disabilities and those living in refugee camps or rehabilitation centres were represented.

23. **Ms. Umurungi** (Rwanda) said that complaints submitted by children to the Child Rights Observatory were referred to the National Commission for Human Rights, which investigated and followed up on the complaints and brought court action on behalf of children where necessary. The Observatory was staffed solely by volunteers, who worked at the district level under the coordination of the Commission.

24. Births were registered free of charge through the Irembo digital portal. Under the new law, which was pending promulgation, registrars would be stationed at health facilities, allowing families to register births before the mother was discharged. Staff were being trained in preparation for the law’s promulgation, which was expected to take place in February 2020. The birth certificate could be printed and delivered, at no charge, before the mother and child left the health facility. For births registered prior to the implementation of the electronic system, birth certificates, as well as a range of other public documents, could be requested through the Irembo portal for a nominal fee. Fines for failing to register births within 15 days of the birth had been abolished and awareness-raising campaigns on the right of every child to have a birth certificate had been carried out, particularly in rural areas. Local authorities, including at the village level, were reporting the number of births every month through the Irembo portal. The National Identification Agency was responsible for the coordination of birth registration activities and was providing training to relevant personnel.

25. **Mr. Rugema** (Rwanda) said that specific legal frameworks governed business practices in specific sectors, including the extractive industry. The Government was working with the Private Sector Federation and the Rwanda Development Board to review the frameworks to ensure that they were in line with the Guiding Principles on Business and Human Rights and that children’s rights were a foremost concern in business practices.

26. **Ms. Nyirahabimana** (Rwanda) said that children over 3 years of age whose mothers had been imprisoned were placed in the father’s care or, failing that, in the care of the extended family. Children below that age lived with their mothers in child-friendly facilities.

27. International adoption procedures complied with the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption. The procedures for intercountry adoption had been completed in two cases in 2019. Local adoption procedures fell into two categories. Full adoption was the normal procedure when the child had no extended family, whereas simple adoption was the procedure in cases where the family continued to have ties with the child. As had been indicated earlier, the Government would put in place a procedure to give children a say in simple adoptions.
28. Parents were encouraged to take children with disabilities to an early childhood development centre, where their status could be assessed. Provision was also made for home visits. More vigorous action was required to implement the existing policy and ensure that children with disabilities were fully included and benefited from all rights.

29. The health sector accounted for 16.5 per cent of the national budget, but it was difficult to obtain disaggregated data on the amount allocated to health services for children, such as immunization. Available data would be provided to the Committee in due course.

30. Blood transfusions were provided free of charge and the blood was donated on a voluntary basis. Drones were used to carry blood to remote areas at no cost to the beneficiaries. Street medicines did not exist in Rwanda and there were strict regulations to prevent the distribution of counterfeit medicines. Ninety-three per cent of children were currently vaccinated. Bednets to protect against malaria and related disorders were provided free of charge to pregnant women. They were also provided every three years to the general population. Hospitals and health-care centres were accessible throughout the country. Rwanda was a small country, and there were no really remote areas.

31. The exclusive breastfeeding rate currently stood at 89 per cent. Awareness-raising campaigns concerning healthy nutrition and lifestyles, including sport, had been organized to prevent obesity. There was also a monthly car-free day in the capital city and elsewhere, which helped to encourage physical activity.

32. According to the Demographic and Health Survey for 2015, 7.3 per cent of young women had their first babies when they were between 15 and 19 years of age. Measures to counter the phenomenon had been taken in collaboration with civil society and faith-based organizations. The Ministry of Health had developed a strategic plan 2018–2024 which prioritized access to contraceptive information and services, information on postpartum family planning and expansion of the marketing of modern contraceptives. Perpetrators of child defilement were brought to justice.

33. **Mr. Rodríguez Reyes** said that he wished to hear whether the State party had adopted a human-rights-based national plan aimed at the inclusion of children with disabilities in all aspects of life within clear-cut deadlines.

34. **Ms. Aho Assouma**, noting that an identity card was required for birth registration, asked whether all persons possessed an identity card and, if not, whether birth registration was nonetheless possible. She would be interested in hearing how many children had used the child hotlines to submit complaints. What were the hotline numbers? According to the Ministry of Health, 17,000 pregnancies of girls aged between 16 and 19 years had been registered in 2016. She wished to know whether teenage girls seeking an abortion tended to avoid mainstream hospital services and resort to traditional practitioners. Did they have access to sexual and reproductive health services that would enable them to obtain safe abortions? She understood that girls had been incarcerated for abortion, although they had subsequently been pardoned. She encouraged the State party to take effective measures to address cases of unwanted teenage pregnancy and to avoid imposing legislation that required them to obtain their parents’ consent and to submit birth certificates in order to have an abortion.

35. **Mr. Lumina** (Country Task Force) said that he wished to know what criteria were applied when the State party decided to invite specific civil society organizations to participate in thematic clusters. At the previous meeting he had requested information regarding investigations conducted into reported threats against civil society organizations and the action taken thereon. He had also asked how the State party ensured that the budget for the Integrated Child Rights Policy was allocated efficiently, since it was distributed among a number of ministries. He would be grateful if the delegation would reply to those questions.

36. **Ms. Otani** (Coordinator, Country Task Force) said that she would like further information on the action taken by the authorities on resolutions adopted at the National Children’s Summit. She wished to know whether Law No. 17/2017 recognized the principle of the best interests of the child and the right of children admitted to transit and rehabilitation centres to report abuse. It would be useful to know whether the State party...
planned to incorporate human rights education, including information on children’s rights under the Convention, in its National Early Childhood Development Programme.

The meeting was suspended at 11.40 a.m. and resumed at 12.05 p.m.

37. Ms. Nyirahabimana (Rwanda) said that the mental health policy provided for the decentralization of prevention and care services. Health-care workers were trained at the community level and cases were referred to clinical psychologists, nurses and counsellors at local health-care facilities. It was planned to guarantee 100 per cent access to water and electricity by 2024, and the Government was confident that goal would be achieved. Meanwhile, there was no discrimination in the distribution of water or electricity. The HIV prevalence rate had declined from 3 to 2.6 per cent in the previous five years, and 93.8 per cent of HIV-positive persons were receiving treatment, as a result of which life expectancy among the population with HIV was now the same as for the rest of the population.

38. While the Government’s policy was that public educational services should be of equal quality in rural and urban areas, the prevailing conditions in some rural areas could create differences. Steps were being taken to improve the conditions and livelihood of families in rural areas. Social protection was provided for vulnerable families so that children could pursue their schooling. School meals were also supplied to children from poor families. The switch from a knowledge-based to a competency-based curriculum in 2016 was bearing fruit. New material had been developed for English-language instruction. Practices such as charging extra fees were prohibited and any reports of such practices were investigated.

39. The net enrolment rate in nursery education in 2017 had stood at only 20.6 per cent. The National Transformation Strategy had originally sought to increase the rate to 45 per cent, but a decision had been made to raise the target to 100 per cent so that all children aged 3 to 6 could attend early childhood development centres.

40. Steps were being taken to combat the root causes of school dropout. Parents and communities were alerted to the need to prevent dropout, especially in cases involving child labour. Volunteers from the Child Rights Observatory helped to identify and report children who were not in school. The Government sought to prevent teenage pregnancy, especially because it impeded girls from completing their education. However, if a girl did have a child, she was encouraged to return to school and complete her education, although some might elect to pursue a vocational training course instead.

41. Children were tried in juvenile chambers and had the assistance of lawyers. Young offenders were incarcerated in child-friendly facilities. No complaints had been filed against the juvenile chambers. However, if the need arose, specialized courts might be set up.

42. Children who entered Rwanda as refugees and who claimed to have been involved in armed conflicts outside the country were offered rehabilitation to help them integrate into society. She would be grateful if the Committee would clarify its queries concerning the Optional Protocol on the sale of children, child prostitution and child pornography. She could assure the Committee, however, that the Government stood ready to address any relevant loopholes in national legislation. The Government was still studying the possibility of ratifying the Optional Protocol on a communications procedure.

43. Ms. Otani said that the new law on human trafficking went some way towards meeting the Committee’s concerns regarding the implementation of the Optional Protocol on the sale of children, child prostitution and child pornography, particularly with regard to organ trafficking. Nonetheless, the Committee was still troubled by the fact that, contrary to the provisions of the Optional Protocol, the possession of child pornography was not an offence. In addition, the dual criminality requirement inevitably narrowed the jurisdiction of national courts to consider offences that had been perpetrated abroad. The Committee was of the view, moreover, that the jurisdiction of national courts should be extended to cases committed against Rwandan children outside Rwanda.

44. Ms. Khazova said that she was concerned that mothers who abandoned their newborn children could be held criminally liable. She wondered whether any thought had been given to providing facilities that would enable women to give birth anonymously, if they wished to do so, after which the child could be placed with family members or put up for adoption.
45. **Ms. Marshall-Harris** said that she wished to know if the authorities intended to increase the amount that employers of child workers could be fined, as the current fine of just $14 was not high enough to have a deterrent effect. She sought assurances that no aspect of Act No. 17/2017, which regulated the National Rehabilitation Service and operational procedures in transit centres, was in conflict with the Constitution or the Convention.

46. **Ms. Nyirahabimana** (Rwanda) said that all non-governmental and civil society organizations had to be registered with the Rwanda Governance Board, which was the central authority for coordination between those bodies and government ministries. Any complaints lodged with the national authorities about threats against or ill-treatment of human rights defenders were taken seriously and investigated thoroughly. However, it was difficult for national authorities to pursue complaints made outside Rwanda.

47. A second integrated child rights strategy had been rolled out for the period 2018–2024, with a budget amounting to 122,345,494,000 Rwanda francs. As had happened with the first strategy, the second would be evaluated by means of audits and assessments conducted by the National Commission for Children. The first such evaluation – a midterm review – was due to take place shortly. The National Children’s Summit provided an opportunity for children to make their needs and expectations known on the national stage. The recommendations emerging from the Summit were then taken back by the children and applied at the grass-roots level.

48. All bodies that dealt with children, including rehabilitation centres, were guided by the principle of the best interests of the child. Transit centres were temporary facilities that provided a conducive environment in which to screen street children. The centres were not unconstitutional or at variance with the Convention. The screening process often took only 3 to 5 hours, much less than the maximum of 72 hours that the children could be held in a transit centre.

49. The Government was convinced of the importance of instilling human rights values in children from their earliest childhood. Accordingly, it intended to find age-appropriate ways of disseminating the Convention among young children, beginning with preschool education. Several child hotlines were available, the most popular being 116, the hotline of the Rwanda Investigation Bureau. Under a recent ministerial decree, girls aged under 18 who became pregnant were considered to be victims of child defilement and could legally undergo an abortion in hospital. The authorities would consider increasing the penalties for employers of child workers.

50. **Ms. Umurungi** (Rwanda) said that there might indeed be some gaps in the laws on human trafficking and child protection, as well as some inconsistences with regard to the Convention. That matter was being addressed by a legislative review commission, which sought to harmonize domestic laws with the country’s obligations under international treaties.

51. **Mr. Lumina** said that the State party was to be commended for the important strides it had made in the promotion and protection of children’s rights. He wished to thank the delegation for the readiness with which it had listened to the Committee’s questions and suggestions, which were intended to help the Government fulfil all its obligations under the Convention.

52. **Ms. Nyirahabimana** (Rwanda) said that the dialogue had been an inspiring learning experience. Her Government always strove to fulfil the country’s international commitments and welcomed any constructive criticism that helped it to achieve that end. Rwanda had placed the best interests of children at the top of its priorities as it moved to fulfil its Vision 2050, which sought to promote development by investing in the country’s human capital. That was to be achieved, first and foremost, by protecting children from the moment of conception, then nurturing them through childhood so that they could realize their full potential and, in their turn, become promoters of development.

*The meeting rose at 1 p.m.*