

# **RWANDA 2015 HUMAN RIGHTS REPORT**

## **EXECUTIVE SUMMARY**

Rwanda is a constitutional republic dominated by a strong presidency. The ruling Rwandan Patriotic Front (RPF) led a governing coalition that included four smaller parties. In 2010 voters elected President Paul Kagame to a second seven-year term with 93 percent of the vote. Three other registered political parties participated in the presidential elections. In 2013 elections were conducted for parliament's lower house, the Chamber of Deputies. Candidates from the RPF and two other parties that supported RPF policies won all of the open seats, and election observers reported numerous flaws, including possible irregularities in the vote tabulation process. Rwanda held a constitutional referendum on December 18; the National Electoral Commission reported that 98 percent of registered voters participated, and that 98 percent endorsed a set of amendments that included provisions that would allow the president to run for up to three additional terms in office. Civilian authorities maintained effective control over state security forces (SSF).

The most important human rights problems in the country were government harassment, arrest, and abuse of political opponents, human rights advocates, and individuals perceived to pose a threat to government control and social order; security forces' disregard for the rule of law; and restrictions on civil liberties. Due to restrictions on the registration and operation of opposition parties, citizens did not have the ability to change their government through free and fair elections.

Other major human rights problems reported included arbitrary or unlawful killings; torture and harsh conditions in prisons and detention centers; arbitrary arrest; prolonged pretrial detention; government infringement on citizens' privacy rights and on freedoms of speech, press, assembly, and association; the alleged recruitment of Burundian-origin refugees, including possibly some children, to serve in armed groups in Burundi; government restrictions on and harassment of some local and international nongovernmental organizations (NGOs), particularly organizations that monitored and reported on human rights; and a small number of reports of trafficking in persons, government restrictions on labor rights, and child labor.

The government in many cases took steps to prosecute or punish officials who committed abuses, including within the security services, but impunity involving civilian officials and the SSF was a problem.

## **Section 1. Respect for the Integrity of the Person, Including Freedom from:**

### **a. Arbitrary or Unlawful Deprivation of Life**

There were reports the government committed arbitrary or unlawful killings, although the number of reports declined compared with previous years.

On February 25, Rwanda National Police (RNP) shot and killed Dr. Emmanuel Gasakure--the personal physician to the president--while he was in custody at the Remera Police Station. Officers at the station claimed that Gasakure assaulted and injured a guard; human rights advocates questioned why Gasakure was able to assault an officer while in custody. The human rights NGO League for Human Rights in the Great Lakes Region (LDGL) reported Gasakure's death as an extrajudicial execution.

On January 22, the Rubavu High Court convicted former RNP officers corporals Nelson Iyakaremye and Isaac Ndabarinze of the 2013 murder of an NGO official and sentenced them to 20 years in prison. Transparency International Rwanda Office Coordinator Gustave Makonene was strangled and his body dumped on the shores of Lake Kivu near the town of Rubavu; the government and domestic observers noted that Makonene was investigating cases of local police corruption and the trafficking of conflict minerals from the Democratic Republic of the Congo (DRC) at the time of his death.

The governments of Rwanda and Burundi publicly stated their support for an African Union-led investigation into the July to October 2014 appearance of corpses in Lake Rweru, which spans the border between the two countries, but no investigation commenced by year's end.

### **b. Disappearance**

In contrast to previous years, there were no reports of politically motivated disappearances during the year.

The government stated police opened missing persons investigations for all individuals reported missing by families or human rights organizations in 2014, including persons who reportedly disappeared during a March to September 2014 security operation in Musanze and Rubavu conducted by the Rwanda Defense Force (RDF) and the RNP. The government stated the majority of persons reported missing by human rights organizations had not been reported as missing

to police by family or community members, and questioned whether those reported missing were Rwandan citizens. Of those reported to police, the whereabouts of at least 150 persons remained unknown, although domestic observers reported the SSF informed some families of individuals reported missing in 2014 that their relatives were deceased. No perpetrators were identified or punished.

Police reported no further progress in the investigation into the June 2014 disappearance of the organizing secretary for the Democratic Green Party of Rwanda (DGPR), Jean Damascene Munyeshyaka, who disappeared after meeting with an unknown individual in Nyamata town, Bugesera District.

Local human rights organizations ceased investigating disappearances and publicly reporting on them in 2012 after reporting pressure from government officials, including threats and allegations of treason.

### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

The constitution and law prohibit such practices, but there were numerous reports of abuse of detainees and prisoners by police, military, and National Intelligence and Security Services (NISS) officials.

In 2012 the government signed into law a penal code that upgrades torture from an aggravating circumstance to a crime in itself. The law mandates the maximum penalty, defined by the extent of injury, for SSF and other government perpetrators. In February 2014 the government ratified and indigenized the Optional Protocol to the Convention Against Torture.

There were reports military intelligence personnel and the SSF employed torture and other cruel, inhuman, or degrading treatment or punishment to obtain confessions in military detention centers. The SSF used undeclared detention facilities to interrogate persons detained on security charges and military officials accused of insubordination. Human Rights Watch (HRW) reported in April that detainees held in the Rwandan Defense Force's Camp Kami and other facilities run by military intelligence, NISS, or the RNP "were tortured and pressured to confess to alleged crimes or to incriminate others."

There were numerous reports police at times beat newly arrested suspects to obtain confessions.

HRW and domestic observers reported the abuse of detained street vendors, commercial sex workers, and beggars at the Gikondo Transit Center, a detention facility in Kigali (locally known as “Kwa Kabuga”), by police and other detainees. The HRW report cites beatings and ill-treatment of detainees by police or other detainees by order or approval of police were commonplace. Former detainees reported routine beatings for actions as trivial as talking too loudly or not standing in line to use the toilet. Minister of Justice Johnston Busingye stated the Gikondo Transit Center is a rehabilitation facility designed to provide “social emergency assistance” as “part of the general Rwandan philosophy of rehabilitation rather than unnecessary incarceration.” Busingye also stated the government reviewed the HRW report and took steps to improve and increase oversight of the center.

### **Prison and Detention Center Conditions**

Prison conditions ranged from harsh and life threatening to meeting international standards. Domestic observers reported that the government improved prison conditions, although conditions varied widely among prisons.

According to the Rwanda Correctional Service (RCS), the prison population steadily declined in 2014 from 58,515 in 2011 to 53,600. The domestic organization Legal Aid Forum commended the RCS for reducing overcrowding in prison facilities, although the LDGL noted that some inmate populations exceeded prison design capacity.

Conditions were generally worse and often harsh and life threatening in detention and transit centers. HRW reported in April former detainees stated up to 800 persons were held at Gikondo Transit Center at times, in several large rooms, and some persons described up to 400 detainees held in one room.

Physical Conditions: Men and women were held separately in similar conditions, although overcrowding was more prevalent in men’s wards.

Approximately 140 children under age three lived with their mothers in prison.

Persons convicted of offenses related to the 1994 genocide comprised a majority of the adult prison population.

Authorities generally separated pretrial detainees from convicted prisoners, although there were numerous exceptions due to the large number of detainees awaiting trial.

Following two major prison fires in 2014, one of which led to loss of life, the RCS restricted access to electricity in the dormitory areas of prisons. There were no reported fires during the year.

The government held eight prisoners of the Special Court for Sierra Leone in a purpose-built detention center that the United Nations deemed met international standards for incarceration of prisoners convicted by international criminal tribunals. The government held international transfers and some high-profile “security” prisoners in similarly upgraded maximum-security wings of Kigali Central “1930” Prison.

Prisoner deaths resulted from anemia, HIV/AIDS, respiratory diseases, malaria, and other diseases at rates similar to those found in the general population. Medical care in prisons was commensurate with care for the public at large, because the government enrolled all prisoners in the national health insurance plan. Prisoners were fed once per day; the LDGL reported prison-feeding programs fell short of the UN Standard Minimum Rules for the Treatment of Prisoners. Authorities permitted family members to supplement the diets of vulnerable prisoners with health problems. Ventilation and temperature conditions improved while overcrowding declined. HRW stated mattresses were shared by several detainees and were often infested with lice and fleas. According to HRW the government upgraded the Gikondo Transit Center, including improvements to toilets and other sanitation facilities, but the conditions still fell short of international standards.

Conditions in police and military detention centers varied. Overcrowding was common in police stations and detention centers, and poor ventilation often led to high temperatures. Provision of adequate food and medical care was inconsistent, and some detainees claimed they were without food for several days at a time. There were complaints regarding inadequate sanitation in some detention centers, and not all detention centers had toilets. There were numerous reports of substandard conditions for civilians held in military detention centers.

Authorities transferred transit center male detainees and at-risk adults ages 18 to 35 to the Iwawa Rehabilitation and Vocational Development Center on Iwawa Island in Lake Kivu. Sanitation, nutrition, and health services at the center generally met international standards.

Administration: Recordkeeping on prisoners and detainees remained inadequate. Domestic and international human rights organizations reported instances of long delays and failures to locate prisoners and detainees. In February officials reported more than 7,000 prisoners convicted of genocide and related crimes by traditional gacaca courts remained in prison beyond their sentences. The government established a commission composed of officials of the Ministries of Justice and Internal Security, RCS, and the National Human Rights Commission (NHRC) to review recordkeeping and establish which prisoners were eligible for release.

In 2013 the government disarmed and detained more than 600 March 23 Movement (M23) Congolese rebel combatants who crossed into the country from the DRC after an internal power struggle within the M23 armed group. Authorities interned the combatants in a converted police training facility in Ngoma. As in 2014 detainees continued to depart or escape the Ngoma internment center, and the government was unable to account for their whereabouts.

In 2012 the government amended the penal code to allow community service as alternative sentencing for misdemeanors and petty offenses, and the Ministry of Justice instructed judges to utilize alternative sentencing in place of incarceration for nonviolent offenders.

The law provides for an ombudsman who has the power to carry out investigations of prisons. The NHRC also has legal authority to order the release of suspects held in pretrial detention and convicted prisoners. The ombudsman receives and examines complaints from individuals and independent associations relating to civil servants, state organs, and private institutions, and has the power to order completed court cases be retried. Prisoners and detainees had daily to weekly access to visitors with visitation rules established by prisons, and authorities permitted religious observance. Prison staff held regular meetings with prisoners and detainees to listen to inmates' complaints and took action to resolve them when possible.

Detainees held at the Iwawa Rehabilitation and Vocational Development Center did not have the right to appeal their detentions to judicial authorities.

Independent Monitoring: The government permitted independent monitoring of prison conditions on a limited basis by diplomats, HRW, local NGOs, and the International Committee of the Red Cross. At times, however, it restricted access to specific prisoners and did not permit monitors to visit undeclared detention centers and certain military intelligence facilities.

Journalists could access prisons with a valid press card but had to request permission from the RCS commissioner to interview or take photographs.

Improvements: There were continued improvements in the treatment of the general prison population. Overcrowding in prisons declined. The Ministry of Internal Security took full responsibility for providing food to prisoners. Under its strategic plan for 2012-17, the RCS renovated 14 prisons. Authorities recorded and submitted all juvenile cases to the Ministry of Justice and other government institutions quarterly. The Legal Aid Forum provided legal assistance to inmates.

#### **d. Arbitrary Arrest or Detention**

The constitution and law prohibit arbitrary arrest and detention, but SSF personnel regularly arrested and detained persons arbitrarily and without due process.

HRW reported in September the RNP systematically rounded up and arbitrarily detained street children, street vendors, sex workers, homeless persons, suspected petty criminals, and suspected serious offenders at Gikondo Transit Center. Detention ranged from a few days to several months. On average those interviewed by HRW were detained for 40 days and held without charge.

LDGL reported that in February, 31 individuals were detained and transferred from Rukara to the Iwawa Rehabilitation and Vocational Development Center without judicial review. Ministry of Justice officials stated that individuals in transit and rehabilitation centers were not detainees, although they could not leave the centers.

Unregistered opposition political parties reported authorities frequently arrested their supporters. Most were released after detention of one week or less.

Laurent Nkunda, the former leader of the Congolese armed group National Congress for the Defense of the People, which reportedly received support from the Rwandan government, remained under house detention without charge. The RDF detained Nkunda in 2009 when he returned to the country, reportedly for consultations with government officials. The government did not act during the year on the DRC's 2009 request for Nkunda's extradition.

#### **Role of the Police and Security Apparatus**

The RNP, under the Ministry of Internal Security, is responsible for internal security. The RDF, under the Ministry of Defense, is in charge of providing external security, although the RDF also works on internal security and intelligence matters alongside the RNP. Civilian authorities generally maintained control over the RNP and the RDF, and the government had mechanisms to investigate and punish abuse and corruption. The Inspectorate General of the RNP generally disciplined police for excessive use of force and prosecuted acts of corruption. The RDF normally displayed a high level of military professionalism, although there were reports elements of the SSF at times acted independently of civilian control. For example, there were reports the RDF J-2, NISS, and RNP intelligence personnel were responsible for disappearances, illegal detention, and torture in military and police intelligence detention centers, both declared and undeclared (see section 1.c.).

Police at times lacked sufficient basic resources--such as handcuffs, radios, and patrol cars--but observers credited the RNP with generally strong discipline and effectiveness. There were reports nevertheless of police indiscipline such as arbitrarily arresting and beating individuals and engaging in corrupt activities. The RNP institutionalized community relations training that included appropriate use of force and human rights. The National Police Academy offered an undergraduate program in police studies.

There were reports of abuse of suspects by the District Administration Security Support Organ. Established in 2013 and salaried, the 7,000-strong organization replaced the approximately 20,000-strong volunteer Local Defense Forces, phased out in 2014.

### **Arrest Procedures and Treatment of Detainees**

The law requires authorities to investigate and obtain a warrant before arresting a suspect. Police may detain suspects for up to 72 hours without an arrest warrant. Prosecutors must submit formal charges within five days of arrest. There were numerous reports police and prosecutors disregarded these provisions and held individuals for months without charge, particularly in security-related cases. The SSF held some suspects incommunicado or under house arrest. At times police employed nonjudicial punishment when minor criminals confessed and the victims agreed to the police officer's recommended penalty, such as a week of detention or restitution.



The law permits investigative detention if authorities believe public safety is threatened or the accused might flee, and judges interpreted these provisions broadly. A judge must review such detention every 30 days, and it may not extend beyond one year, but the SSF held numerous suspects indefinitely after the first authorization of investigative detention. The government attributed this to judicial backlog and delays in obtaining a court date and stated it generally completed investigations within 30 days. After prosecutors formally file a charge, detention may be indefinite unless bail is granted. Bail exists only for crimes for which the maximum sentence is five years' imprisonment, but authorities may release a suspect pending trial if satisfied the person would not flee or become a threat to public safety and order. Authorities generally allowed family members prompt access to detained relatives, unless the individuals were held on state security charges, at intelligence-related detention centers such as Camp Kami or Kwa Gacinya, or in undeclared detention facilities. The government at times violated the right to habeas corpus.

By law detainees are allowed access to lawyers, but the scarcity of lawyers and their reluctance to take on cases that were considered sensitive for political or state security reasons limited access to legal representation. Some lawyers working on politically sensitive cases reported harassment and threats by government officials and denial of access to the evidence against their clients. From July to August a series of lawyers withdrew from representing the DGPR in a lawsuit that sought to challenge efforts to amend the constitution, including changing presidential term limits in advance of the 2017 national elections to allow the president to run again. The Green Party reported government officials harassed and threatened its lawyers.

During a 2014 RDF and RNP security operation in Musanze and Rubavu, SSF reportedly detained persons incommunicado without access to legal representation for up to two months. SSF released numerous individuals without charge; however, the government charged 77 persons with crimes against state security, including collaborating with the rebel group Democratic Forces for the Liberation of Rwanda. Judges ordered the release of 33 of the 77 in 2014, while upholding charges against 44 in pretrial hearing. On March 12, six defendants were sentenced to life in prison, five were sentenced to 10-year prison terms, and three were acquitted. Local human rights organizations reported the defendants did not have legal counsel. Trials of additional defendants continued at year's end.

Defendants sometimes remained in prison after completing their sentences while waiting for an appeal date or due to problems with prison records. The law provides that pretrial detention, illegal detention, and administrative sanctions be

fully deducted from sentences imposed, but it does not provide for compensation to persons who were acquitted. The law allows judges to impose detention of equivalent duration and fines on SSF and other government officials who unlawfully detained individuals, but there were no reports that judges exercised this authority.

Arbitrary Arrest: Unregistered opposition parties claimed that police at times arbitrarily arrested their members (see section 3).

Although there is no requirement for individuals to carry identification, police and the DASSO regularly detained street children, vendors, and beggars without identification and sometimes charged them with illegal street vending or vagrancy. Authorities released adults who could produce identification and transported street children to their home districts, to shelters, or for processing into vocational and educational programs.

Pretrial Detention: Lengthy pretrial detention was a serious problem. The NHRC reported to parliament in 2013 that authorities often detained prisoners for extended periods without arraignment, and domestic human rights organizations reported the practice continued during the reporting period. The law permits detention of genocide suspects until trial. Authorities permitted the majority of convicted prisoners (those who confessed their genocide crimes) to return to their families, with prison time to be served after the suspended and community service portions of their sentences.

The government made strides toward eliminating the case backlog and reducing the average length of pretrial detention. The government and the Legal Aid Forum continued to train paralegals and Mediation Committees (Abunzi) mediators to handle minor civil cases through alternate dispute mechanisms outside the court system. In July the government promulgated new national regulations on the organization, jurisdiction, competence and functioning of cell- and sector-level Mediation Committees, whose members were elected locally, expanding their jurisdiction to include criminal cases. If one of the parties to a dispute rejected the sector-level Mediation Committee's decision, it could be appealed to the local Primary Court.

The inspector general of the National Public Prosecution Authority sanctioned government officials who abused regulations on pretrial detention with penalties, such as fines and suspensions.

### **e. Denial of Fair Public Trial**

The constitution and law provide for an independent judiciary, and the judiciary operated in most cases without government interference. There were no reports of direct government interference in the judiciary, and authorities generally respected court orders.

#### **Trial Procedures**

The law provides for a presumption of innocence. The law requires that defendants be informed promptly and in detail of the charges in a language they comprehend, and judges at times postponed numerous hearings because this requirement was not observed.

Defendants have the right to a fair trial without undue delay, and the Rwanda Governance Board reported in its 2014 Governance Scorecard that “in 2013 there were no reported backlogs, with all 11,575 cases carried forward from 2011-12 processed as reported by the National Public Prosecution Authority.” Despite improvements, lawyers reported there were an insufficient number of prosecutors, judges, and courtrooms to hold trials within a reasonable time. In the ordinary court system, the law provides for public trials, although courts closed proceedings in cases involving minors to protect witnesses or at the request of defendants. Judges, rather than juries, try all cases.

Defendants have the right to communicate with an attorney of their choice, although many defendants could not afford private counsel. The law provides for legal representation of minors. The law does not provide for an attorney at state expense for indigent defendants. The Rwandan Bar Association and 36 other member organizations of the Legal Aid Forum provided legal assistance to some indigent defendants but lacked the resources to provide defense counsel to all in need. Legal aid organizations noted the requirement that defendants present a certificate of indigence signed by their village chief made it difficult to qualify for pro bono representation.

The law requires that defendants have adequate time and facilities to prepare their defense, and judges routinely granted requests to extend preparation time. Defendants and their attorneys have the right to access government-held evidence relevant to their cases, but courts and prosecutors did not always respect this right. Defendants have the right to be present at trial, confront witnesses against them, and present witnesses and evidence on their own behalf. By law defendants may

not be compelled to testify or confess guilt, and judges generally respected the law during trial. There were numerous reports that the SSF coerced suspects into confessing guilt. There were also reports that judges accepted confessions obtained through torture despite defendants' protests and failed to order investigations when defendants alleged torture during their trial. The law provides for the right to appeal, and this provision was respected.

The RDF routinely tried military offenders and civilians who previously served in the RDF before military tribunals that rendered penalties of fines, imprisonment, or both. Military courts provided defendants with similar rights as civilian courts, including the right of appeal and access to government-held evidence relevant to their cases. Defendants often appeared before military tribunals without legal counsel due to the cost of hiring private attorneys and the unwillingness of some attorneys to defend individuals accused of crimes against state security. The law stipulates military courts may try civilian accomplices of soldiers accused of crimes. The government did not release figures on the number of civilians tried as co-perpetrators or accomplices of military personnel.

In 2012 the International Criminal Tribunal for Rwanda transferred its remaining genocide cases to a Tanzania-based branch of the Mechanism for International Criminal Tribunals (MICT). MICT continued to pursue genocide fugitives subject to Rwanda tribunal indictments.

### **Political Prisoners and Detainees**

There were reports local officials and the SSF briefly detained some individuals who disagreed publicly with government decisions or policies. Numerous individuals identified by international and domestic human rights groups as political prisoners remained in prison, including Victoire Ingabire, Deo Mushayidi, and Theoneste Niyitegeka.

President of the United Democratic Forces Victoire Ingabire was sentenced to eight years in prison in 2012 in what was considered a flawed trial based on politically motivated charges.

Former 2003 presidential candidate Theoneste Niyitegeka remained in prison following his 2008 conviction and sentence of 15 years in prison for complicity in genocide. International and domestic human rights organizations claimed the charges against Niyitegeka were politically motivated, and there were serious irregularities in Niyitegeka's appeal proceedings in sector-level courts.

## **Civil Judicial Procedures and Remedies**

The judiciary was generally independent and impartial in civil matters. Mechanisms exist for citizens to file lawsuits in civil matters, including for violations of human rights. They may appeal to the African Court on Human and Peoples' Rights (ACHPR) and the East African Court of Justice; during the reporting period, Victoire Ingabire appealed her conviction to the ACHPR, but the case remained pending at year's end. The Office of the Ombudsman processes claims of judicial wrongdoing on an administrative basis.

## **Property Restitution**

Following claims by the family of businessman Assinapol Rwigara that SSF killed Rwigara after a February 4 automobile accident, the City of Kigali seized real estate and in September demolished a hotel belonging to the Rwigara family. The City of Kigali claimed that the hotel had been built without proper permits and was structurally unsound; the family disputed the claim and provided copies of building permits to the press. The family claimed that the government and City of Kigali did not provide compensation for the loss of property and investment.

In August the Rwanda Revenue Authority stated businessman Tribert Rujugiro Ayabatwa was delinquent in paying taxes on the United Trade Center, a 144 billion Rwandan francs (\$20 million) shopping mall. In 2013 the City of Kigali had seized ownership of the center, claiming it was an abandoned property due to Rujugiro's residency in self-imposed exile in South Africa.

## **f. Arbitrary Interference with Privacy, Family, Home, or Correspondence**

Although the constitution and law prohibit such actions, there were numerous reports the government monitored homes, movements, telephone calls, e-mail, other private communications, and personal and institutional data. There were reports of government informants working within international NGOs, local civil society organizations (CSOs), religious organizations, and other social institutions.

The law requires police to obtain authorization from a state prosecutor prior to entering and searching citizens' homes. According to human rights organizations, SSF at times entered homes without obtaining the required authorization.

The penal code provides legal protection against unauthorized use of personal data by private entities, although these provisions were not invoked during the year.

RPF members regularly visited citizens' homes seeking contributions to the political party and the government's Agaciro Development Fund, and there were some reports of persons being denied public services if they did not contribute. Despite orders from cabinet ministers not to do so, there were reports that local leaders, employers, and others pressured individuals into donating a percentage of their salary to the Agaciro Development Fund.

In June, RPF members also launched the "Ishema Ryacu" ("Our Dignity") fund to pay bail for NISS Director General Karenzi Karake, who had been arrested in the United Kingdom on a Spanish warrant. Businessmen reported they were pressured to contribute to the fund and were not reimbursed when Karake was released in August.

## **Section 2. Respect for Civil Liberties, Including:**

### **a. Freedom of Speech and Press**

The constitution provides for freedom of speech and press "in conditions prescribed by the law," but the government restricted these rights. Journalists reported to the Rwanda Media Commission (RMC), a self-regulatory body, that government officials questioned, threatened, and at times arrested journalists who expressed views they deemed critical on sensitive topics or who were believed to have violated the law or journalistic standards. Numerous journalists practiced self-censorship.

Freedom of Speech and Expression: Individuals could criticize the government publicly or privately on policy implementation and some other issues, but the government generally did not tolerate criticism of the presidency and government policy on security matters. Laws prohibiting divisionism, genocide ideology, and genocide denial continued to discourage citizens from expressing viewpoints that might be construed as promoting societal divisions. The law prohibits the propagation of ideas based on "ethnic, regional, racial, religious, language, or other divisive characteristics." Public incitement to "genocide ideology" or "divisionism," including discrimination and sectarianism, is punishable by five to nine years in prison and fines of 100,000 to one million Rwandan francs (\$139 to \$1,392). The 2012 penal code expanded former provisions that prohibited the display of contempt for the head of state or other high-level public officials to

include administrative authorities or other public servants, with sentences of one to two years in prison and fines of 50,000 to 500,000 Rwandan francs (\$70 to \$696). Slander and libel of foreign and international officials and dignitaries are illegal, with sentences of one to three years in prison.

The 2012 penal code revised the crime of “spreading rumors aimed at inciting the population to rise against the regime” to “spreading false information with intent to create a hostile international opinion against the Rwandan state,” with much more severe penalties, including life in prison for conviction for acts committed during wartime and seven to 10 years in prison for acts committed in peacetime.

The family of deceased businessman Assinapol Rwigara stated that government officials threatened them with prosecution for “spreading rumors aimed at inciting the population to rise against the regime” after they publicly claimed that SSF killed Rwigara following a February 4 automobile accident (see section 1.e. Property Restitution).

In 2013 the government signed into law a revised genocide ideology law that introduced international definitions for genocide and narrowed the scope of what constitutes “genocide ideology” and related offenses to a more specific range of actions and statements. Specifically, the law states that “genocidal ideology” must be clearly linked to specific acts or statements, rather than the broader “aggregate of thoughts” standard defined in the 2008 law.

The government investigated and prosecuted individuals accused of threatening or harming genocide survivors and witnesses or of espousing genocide ideology, which the law defines as dehumanizing an individual or a group with the same characteristics by threatening, intimidating, defaming, inciting hatred, denying the genocide, taking revenge, altering testimony or evidence, killing, planning to kill, or attempting to kill someone.

The government reported prosecutions for divisionism and “genocide ideology-related crimes” declined from 772 cases from July 2012 through 2013 to 20 cases from January to August.

Press and Media Freedoms: Vendors sold both private and government-owned newspapers published in English, French, and Kinyarwanda. There were 53 newspapers, journals, and other publications registered with the government, although fewer than 10 published regularly. Sporadically published independent newspapers maintained positions both in support of and contrary to or critical of

the government. There were 27 radio stations (six government-owned and 21 independent), one government-run television station, and five independent television stations.

A set of five media laws passed in 2013 provide for greater press freedoms but had no discernable effect on those freedoms. Under these laws, professional journalists no longer are required to hold a journalism degree. The Media High Council served in a “capacity-building” role. The laws established the RMC, a self-regulatory body to oversee the media and accredit journalists.

Despite these reforms, media professionals reported government officials sought to influence reporting and warned journalists against reporting information deemed sensitive or critical of the government. The government frequently interfered in the work of the ostensibly independent RMC.

On June 1, the Rwanda Utilities Regulatory Authority accepted the recommendation of a commission of inquiry that the government’s October 2014 suspension of BBC’s Kinyarwanda service be continued indefinitely. The commission of inquiry into the BBC released a report on February 28 that found that the BBC had promoted “genocide ideology” by broadcasting a television documentary called “Rwanda’s Untold Story” about the Rwandan genocide in 2014.

Under the 2013 media laws, journalists must refrain from reporting items that violate “confidentiality in the national security and national integrity” and “confidentiality of judicial proceedings, parliamentary sessions, and cabinet deliberations in camera.” The laws provide journalists the freedom to investigate, express opinions, and “seek, receive, give, and broadcast information and ideas through any media.” Censorship of information is explicitly prohibited, but censorship occurred. The laws restrict these freedoms if journalists “jeopardize the general public order and good morals, an individual’s right to honor and reputation in the public eye and to the right to inviolability of a person’s private life and family.” Authorities may seize journalists’ material and information if a “media offense” occurs but only if a court orders it. Courts may compel journalists to reveal confidential sources in the event of an investigation or criminal proceeding. Persons wanting to start a media outlet must apply with the “competent public organ.” All media rights and prohibitions apply to persons writing for websites.

Violence and Harassment: There were reports police and the SSF at times detained and harassed journalists.



On May 11, RMC Chairman Fred Muvunyi resigned his position and left the country, reportedly due to fear of being detained or attacked. Muvunyi had argued against the government's calls to ban the BBC's Kinyarwanda language broadcast of "Rwanda's Untold Story," a documentary on the country's genocide. He also opposed a government proposal to transfer the RMC's powers to a state-run body. Muvunyi alleged Minister for Local Government Kaboneka accused him of treason and demanded an apology for criticizing the government's decision to suspend the BBC's Kinyarwanda service and for preparing a report on the state of media freedom that alleged government interference and restrictions on media freedoms. Ministry of Local Government spokesperson Ladislav Ngendahimana publicly stated Muvunyi had insulted Kaboneka and had apologized in writing.

Several journalists who fled in prior years remained outside the country.

Censorship or Content Restrictions: The law allows the government to restrict access to some government documents and information, including information on individual privacy and information or statements deemed to constitute defamation. Journalists reported editorial boards for major print and broadcast media companies censored information deemed to be critical of the RPF or government policies.

Radio stations broadcast criticism of government policies, including on popular citizen call-in shows. Some radio stations, including Radio 1, Radio Isango Star, and Radio Salus, had regular call-in shows that featured discussion of government programs or policies. Several radio stations hosted live debates on whether term limits should be lifted for the president.

Libel/Slander Laws: Defamation (libel and slander) is a criminal offense punishable by fines and imprisonment. There were no reports of libel laws being used to suppress freedom of speech or the publication of material that criticized government policies or government officials.

## **Internet Freedom**

The media law includes the right of all citizens to "receive, disseminate, or send information through internet," including the right to start and maintain a website. All provisions of the media laws apply to web-based publications. Restrictions such as website blocking remained in place, however. There were numerous reports the government monitored e-mail and internet chat rooms. Individuals and

groups could engage in the peaceful expression of views via the internet, including by e-mail and social media, but were subject to monitoring. In contrast to previous years, there were no reports monitoring led to detention and interrogation of individuals by the SSF. A public-private partnership launched a 4G wireless broadband network in Kigali. According to the International Telecommunication Union, 10.6 percent of the population used the internet in 2014.

Government-run social media accounts were used to debate and at times intimidate individuals who posted online comments considered critical of the government.

The government at times blocked access within the country to several websites critical of its policies. Such sites included websites of the Rwandan diaspora such as *Umuvugizi* and *Le Profete*.

### **Academic Freedom and Cultural Events**

The government generally did not restrict academic freedom or cultural events, but because academic officials frequently suspended outspoken secondary and university students for divisionism or engaging in genocide ideology, self-censorship was practiced. The government requires visiting academics to receive official permission to conduct research; academics reported occasional denial of permission to conduct research on political issues or the genocide.

### **b. Freedom of Peaceful Assembly and Association**

#### **Freedom of Assembly**

The constitution and law provide for freedom of assembly, but the LDGL reported in March that “political organizations do not benefit from a transparent and impartial party registration process, and opposition parties face significant bureaucratic hurdles.” In 2014 UN special rapporteur on the rights to freedom of assembly and association Maina Kiai reported “peaceful protests voicing dissent and criticizing government policies are reportedly not allowed.”

Authorities may legally require advance notice for public meetings and demonstrations and must respond to notification within one week or 15 days, depending on the type of event.

Prior to the 2013 Chamber of Deputies' elections, opposition parties reported local officials at times denied permission for political rallies or instructed citizens not to attend the rallies.

### **Freedom of Association**

While the constitution provides for freedom of association, the government limited the right. The law requires private organizations to register. While the government generally granted licenses, it impeded the formation of new political parties, restricted political party activities, and delayed or denied registration to local and international NGOs and CSOs seeking to work on human rights or political advocacy (see section 3). In addition the government imposed difficult and burdensome NGO registration and renewal requirements, especially on international NGOs, as well as time-consuming requirements for annual financial and activity reports (see section 5).

#### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at [www.state.gov/religiousfreedomreport/](http://www.state.gov/religiousfreedomreport/).

#### **d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons**

The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

The government cooperated with the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern. The government announced it would accept Burundians and grant prima facie refugee status and established a new refugee camp for them at Mahama. During the year more than 70,000 Burundian refugees entered Rwanda, fleeing instability before and after Burundi's presidential election. UNHCR administered the camp with international NGO, providing for basic health, water, sanitation, housing, feeding, and educational needs. UNHCR reported excellent cooperation with the government and local community.

UNHCR continued to recommend that countries invoke the “ceased circumstances” clause for Rwandans who fled their country between 1959 and 1998. During the year UNHCR reached an agreement with African states hosting Rwandan refugees that refugee status is to cease effective December 31, 2017. Refugees are to be assisted in returning to Rwanda or obtaining legal permanent residency in host countries through December 31, 2016. The cessation clause forms part of the 1951 Refugee Convention and may be applied when fundamental and durable changes in a refugee’s country of origin, such that they no longer have a well-founded fear of persecution, remove the need for international protection. Both UNHCR and the government agreed that since the end of the civil war and the 1994 genocide, the country has been peaceful, and more than three million exiled Rwandans have returned.

Foreign Travel: The law allows a judge to deprive convicted persons of the right to travel abroad as a stand-alone punishment or as punishment following imprisonment. Government officials must obtain written permission from the Office of the Prime Minister or the president before traveling abroad for official or personal reasons.

Members of the unregistered FDU-Inkingi party alleged authorities denied the issuance of or confiscated passports of party members and their relatives.

Exile: The law prohibits forced exile. Some political dissidents, journalists, social activists, and former “security” detainees who claimed harassment and intimidation by the government left the country in previous years and remained in self-imposed exile. In May, RMC Chairman Fred Muvunyi left the country following alleged threats (see section 2.a.).

Emigration and Repatriation: According to UNHCR the government accepted more than 27,000 nationals returning from other countries from 2011 through October 2014, most of whom resettled in their districts of origin. The government worked with UNHCR and other aid organizations to assist the returnees.

The government interned former Congolese M23 combatants in a detention facility in Ngoma, but many former combatants departed the facility during the year (see section 1.c., Prison and Detention Center Conditions).

The government continued to accept former Rwandan combatants who returned from the DRC. The Rwandan Demobilization and Reintegration Commission, with international support, placed adult former combatants in a three-month re-

education program at Mutobo Demobilization Center in Northern Province. Some 225 former combatants were demobilized at Mutobo in 2014. The Musanze Child Rehabilitation Center, relocated from Muhazi, Eastern Province, treated former child combatants in Northern Province. After a three-month re-education period, each adult former combatant was enrolled automatically in the RDF Reserve Force and received 60,000 Rwandan francs (\$84) and permission to return home. Two months later each former combatant received an additional 120,000 Rwandan francs (\$167).

### **Protection of Refugees**

Access to Asylum: The law provides for the granting of asylum or refugee status. In September the government appointed members to an Asylum Status Review Board empowered to adjudicate individual asylum claims.

UNHCR, with government and donor support, assisted approximately 140,000 refugees and asylum seekers. A protracted population of approximately 73,000 refugees was from the DRC, and resided in five UNHCR-administered camps. During the year more than 70,000 refugees of Burundian origin entered Rwanda, fleeing instability before and after Burundi's presidential election. Other refugees were from Angola, Chad, Eritrea, Ethiopia, Kenya, Somalia, Sudan, and Uganda.

Human rights organizations reported the government continued to accept asylum seekers of Eritrean and Sudanese origin deported from Israel to Rwanda, and that many of the deportees subsequently were transported to Uganda. During a press conference in April, the president stated Rwanda's Directorate General of Immigration and Emigration was working with Israel to accept deportees, but government officials declined to disclose the terms of the agreement.

Refugee Abuse: Authorities generally provided adequate security and physical protection within refugee camps. The RNP worked with UNHCR to station police officers in refugee camps, and refugees were free to file complaints at area police stations. Gender-based violence (GBV) continued to be a problem, and refugee leaders reported limited access to education after grade nine contributed to delinquency and GBV among youth. RNP officers at refugee camps received GBV training and instruction on investigation and protection in these cases.

From June through November, there were multiple reports refugees of Burundian origin from the Mahama refugee camp and Gashora transit center were systematically recruited and trained to join armed groups in Burundi. Refugees

International reported some refugees claimed SSF participated in training recruited refugees at a site in the Nyungwe Forest, and that at least six Burundian refugee children ages 15 through 17 were recruited. The government denied reports of recruitment and did not investigate the allegations.

Employment: No laws restrict refugee employment, and the Ministry of Disaster Management and Refugee Affairs supported efforts by refugees to work in the local economy. Officials acknowledged very few refugees were able to find local employment, however. Refugee camps offered periodic job training and livelihood programs to assist refugees in finding or creating income-generating opportunities.

Access to Basic Services: Refugees had access to public education through grade 9, public health care, housing within the refugee camps, law enforcement, courts and judicial procedures, and legal assistance. Refugees were registered and provided with biometric identification cards similar to the national identity cards. Refugees received basic health care in the camps and free treatment for more complicated cases through the national health insurance scheme. UNHCR and the government expanded access to secondary education beyond ninth grade, but full access was hindered due to the distance of some refugee camps from secondary schools and the cost of required school materials.

Durable Solutions: The government did not accept refugees for resettlement. The government assisted the safe, voluntary return of refugees to their countries and sought to improve local integration of refugees in protracted stays by permitting them to accept local employment, move freely in the country, and by establishing markets to facilitate trade between refugees and local citizens. The government did not facilitate the naturalization of refugees resident in the country.

Temporary Protection: The government provided temporary protection to individual asylum seekers who might not qualify as refugees.

### **Section 3. Freedom to Participate in the Political Process**

The constitution and law provide citizens the ability to choose their government through free and fair elections based on universal and equal suffrage, but government restrictions on the formation of opposition parties limited that ability in practice. The RPF and allied parties controlled the government and legislature, and its candidates dominated elections at all levels.

#### **Elections and Political Participation**

Recent Elections: Elections for parliament's lower house, the Chamber of Deputies, in 2013 were peaceful and orderly, but according to international observers did not meet the generally recognized standards for free and fair elections. Observers' confidence in the integrity of the results was undermined by their being denied access to vote tabulation at the polling station, district, and national level. Opposition parties experienced difficulties in registering candidates ahead of the election, depriving voters of a meaningful choice at the polls.

On December 18, the government held a constitutional referendum on a set of amendments that included provisions that would allow the president to run for up to three additional terms in office. The National Electoral Commission reported 98 percent of registered voters participated, and 98 percent endorsed a set of amendments that retained term limits and included provisions that shorten the terms in office of the president and prime minister from seven years to five years, but also provided an exception that would allow President Kagame to run for up to three additional terms in office (one seven-year term and up to two five-year terms). The text of the amendments was not generally available to voters for review prior to the referendum, and political parties opposed to the amendments were not permitted to hold rallies or public meetings to express their opposition to the amendments. No independent international observers monitored or reported on the conduct of the referendum.

Political Parties and Political Participation: The constitution outlines a multiparty system but provides few rights for parties and their candidates. There were some reports the RPF pressured youth into joining the party during mandatory "ingando" civic and military training camps held after secondary school graduation. There were also reports RPF members pressured teachers, clergy, and businessmen to join the party, and coerced political donations from both party members and nonmembers. Some parties were not able to operate freely, and parties and candidates faced legal sanctions if found guilty of engaging in divisive acts, destabilizing national unity, threatening territorial integrity, or undermining national security.

The government no longer required but strongly encouraged all registered political parties to join the National Consultative Forum for Political Organizations, which sought to promote consensus among political parties, and required member parties to support publicly policy positions developed through dialogue. At year's end all registered parties were members of the organization. Government officials praised

it for promoting political unity, while critics argued it stifled political competition and public debate.

To register as a political party, an organization must present a list of at least 200 members, with at least five members in each of the 30 districts, and it must reserve at least 30 percent of its leadership positions for women and provide a written party statute signed by a notary.

The DGPR was registered officially as a political party in 2013, after the government blocked previous attempts to register it in 2009 and 2010. Authorities granted the registration one working day before candidate lists for the 2013 Chamber of Deputies elections were due, and the DGPR was unable to register candidates for the election. DGPR leaders reported the party was permitted to publish policy proposals as alternatives to RPF policy and hold small meetings with party supporters. Local officials, however, often threatened DGPR members with dismissal from employment or the withholding of state services unless they left the party. In June 2014 the organizing secretary for DGPR, Jean Damascene Munyeshyaka, disappeared after meeting with an unknown individual in Nyamata town, Bugesera District. Police reported no developments regarding his disappearance during the year (see section 1.b.).

Party leaders for the unregistered Democratic Pact of the Imanzi People (PDP-Imanzi) and a splinter party, the People's Democratic Alliance (PDA), continued to seek permission to hold a founding party congress following the cancellation of the PDP-Imanzi congress in Gasabo District in 2013. The Ministry of Local Government and local officials continued to deny PDP-Imanzi and PDA permission to hold such meetings, citing the two parties' connections to Deo Mushayidi, who remained incarcerated on state security charges (see section 1.e., Political Prisoners and Detainees).

Opposition leaders reported police arbitrarily arrested some members of the unregistered PS-Imberakuri (Bernard Ntaganda faction) and FDU-Inkingi parties. Party members reported receiving threats because of their association with those parties.

In accordance with the constitution, which states a majority party in the Chamber of Deputies may not fill more than 50 percent of cabinet positions, independents and members of other political parties allied with the RPF held key positions in government, including that of prime minister. PS-Imberakuri and the DGPR were not represented in the cabinet.



## Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials and private persons transacting business with the government that include imprisonment and fines. The law also allows citizens who report requests for bribes by government officials to receive financial rewards when officials are prosecuted. While the government continued to implement anticorruption laws and encourage citizens to report requests for bribes, corruption remained a problem.

Corruption: Transparency International Rwanda and other CSOs reported the government investigated and prosecuted reports of corruption among police and government officials. Police frequently conducted internal investigations of police corruption, including sting operations. The Office of the Ombudsman released quarterly lists of persons convicted of corruption, but journalists and other observers noted corruption investigations focused on local officials and private persons. The government did not prosecute any senior officials for corruption during the year.

In April prosecutors announced that ambassador to Ethiopia and former minister of Sport and Culture Protais Mitali was under investigation for allegedly embezzling 50 million Rwandan francs (\$69,640) from the Liberal Party. Mitali refused to return and instead fled to Europe; the government subsequently issued an Interpol Red Notice for his arrest pursuant to corruption-related offenses.

There were reports district officials manipulated health insurance enrollment and socioeconomic classification statistics in order to appear to meet development targets.

International and domestic investors reported the government strongly supported the establishment of new businesses, including through one-stop business licensing efforts that generally resulted in business registration within 72 hours. Nevertheless, investors reported contract disputes with the government and arbitrary enforcement of tax, immigration, and investment rules.

Investors at times encountered business difficulties because of political disputes. For example, in August the Rwanda Revenue Authority issued a notice of delinquent taxes to investor Tribert Rujugiro Ayabatwa, although the City of Kigali had expropriated Ayabatwa's Union Trade Center in 2013 (see section 1.e).

The National Public Prosecution Authority (NPPA) prosecuted civil servants, police, and other officials for fraud, petty corruption, awarding of public tenders illegally, and mismanagement of public assets. Under the Ministry of Justice, the NPPA is also responsible for prosecuting police abuse cases. The RNP Inspectorate of Services investigated cases of police misconduct, and in March 2014 the RNP launched an anticorruption unit. From July 2013 to July 2014, the RNP dismissed 78 officers for corruption-related charges, suspended an unknown number of additional officers for corruption, abuse of power, or misconduct, and imposed administrative punishment on others for indiscipline. The RNP advertised a toll-free hotline number on local radio and in the press and provided deposit boxes in many communities to encourage citizens to report both positive and negative police and DASSO behavior.

The Office of the Auditor General worked to prevent corruption, including by investigating improper ministerial tendering practices. The RNP and the NPPA used the auditor general's annual report to pursue investigations into government-owned businesses. The Office of the Ombudsman led the National Anticorruption Council and had an active good governance program and several local-level anticorruption units. The Office of the Ombudsman launched a public comment initiative and installed information boxes in government offices and police stations to solicit anonymous reports of corruption but stated it received few reports. From January to June, the office investigated 174 cases of embezzlement and corruption and referred 27 cases for prosecution, the majority of which involved misuse of public funds. In 2013 the Office of the Ombudsman was granted legal authority to prosecute corruption cases, but it has yet to prosecute any cases. The Rwanda Governance Board monitored governance more broadly and promoted mechanisms to control corruption. The Rwanda Revenue Authority's Anticorruption Unit had a code of conduct and an active mechanism for internal discipline. The National Tender Board, the Rwanda Utilities Regulatory Authority, and the National Bureau of Standards also enforced their own regulations.

The government utilized a "bagging and tagging" system to aid companies with regional and international due diligence requirements related to conflict minerals. The government maintained a ban on the purchase or sale of undocumented minerals from neighboring countries. Observers and government officials reported smugglers succeeded in trafficking an unquantifiable amount of undocumented minerals through the country.

Financial Disclosure: The constitution and law require annual reporting of income and assets by public officials as well as reporting them upon entry into and exit

from office. There is no requirement for public disclosure of those assets, except in cases where irregularities are discovered. The Office of the Ombudsman, which monitors and verifies disclosures, reported 98 percent of officials complied with the requirement in 2013. In cases of noncompliance, the Office of the Ombudsman has the power to garnish wages and impose administrative sanctions that often involved loss of position or prosecution.

Public Access to Information: The government promulgated the Access to Information Law in 2013. The law grants wide access to government information upon request and in some cases to information held by private entities when disclosure is deemed to be in the public interest. The government may limit access to information if its release is deemed to be against the public interest or if the information pertains to national security, as determined by the Prosecutor General's Office.

An NGO dedicated to facilitating citizen access to information, the Open Democracy and Sustainable Development Initiative, reported difficulties in obtaining government responses to requests for information submitted under the Access to Information Law. As of October the Access to Information portal *Sobanukirwa*, which was launched in February, indicated that of 69 requests for information submitted to the government, seven were replied to and 62 did not receive answers.

### **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights**

Several domestic and international human rights groups operated in the country, investigating and publishing their findings on human rights cases. Human rights groups reported government officials generally were cooperative and responsive to their privately expressed views. They noted, however, the government was often intolerant of public reports of human rights violations and suspicious of local and international human rights observers, and it often rejected their criticism as biased and uninformed. Human rights NGOs expressed fear of the government, reported SSF monitoring of their activities, and self-censored their comments. NGOs working on human rights and deemed to be critical of the government experienced difficulties securing or renewing required legal registration.

The government criticized HRW, Reporters Without Borders, the Committee to Protect Journalists, Freedom House, and Amnesty International for being inaccurate and biased. The government reportedly conducted surveillance on some

international and domestic NGOs. Some reported authorities pressured individuals affiliated with them to provide information on their activities, and expressed concern that intelligence agents infiltrated their organizations to gather information, influence leadership decisions, or create internal problems.

Several domestic NGOs that contributed reports to Rwanda's Second Universal Periodic Review on Human Rights reported SSF temporarily detained and questioned members of the groups on content deemed to be critical of the government's human rights record. Some individuals alleged being threatened with arrest and prosecution for the contents of their reports.

A few domestic NGOs--including the League for the Protection of Human Rights, the Youth Association for Human Rights Promotion and Development, the Rwandan Association for the Defense of Human Rights, and the LDGL--focused on human rights abuses.

Attempts by the former leadership of the League for the Protection of Human Rights to retake control of the organization continued. The former leadership was deposed in 2013 after several members called an extraordinary meeting; observers stated the meeting violated the organization's bylaws and that the leadership was replaced due to its decision to withdraw the organization from the Collective of Leagues and Associations for the Defense of Human Rights, which the League's former leadership accused of being progovernment. On September 5, the league general assembly met to elect new leadership; after the election police intervened to disband the gathering and declared the election results invalid. The RNP stated that police intervened after a fight broke out in the general assembly. League members claimed the assembly had been peaceful but that police intervened after the election of leaders not approved by the government.

A progovernment NGO, the Rwanda Civil Society Platform, managed and directed some NGOs through umbrella groups that theoretically aggregated NGOs working in particular thematic sectors. Many observers believed the government controlled some of the umbrella groups.

In January 2014 the Office of the Prime Minister published regulations that required NGOs and CSOs to participate in Joint Action and Development Forums at the district and sector level. The regulations granted local governments broad powers to regulate activities, levy fees, and bar organizations that did not comply. NGO leaders expressed concern the forums' structure might further tighten

government control over NGO and CSO activities; the government responded the structure was intended to coordinate but not direct their activities.

In 2012 the government passed two NGO laws. The law on local NGOs moved their oversight from the Ministry of Local Government to the Rwanda Governance Board, replaced annual registration with one-time registration, and required submission of annual budgets and reports. The law allows local NGOs to lobby for political causes but not political candidates and permits government funding in exchange for greater government control over budgets and activities. Local NGOs welcomed the advent of one-time registration and permission to advocate for their causes but also worried the 2012 law would serve to increase government interference and control of programming.

The law on international NGOs allows for registration in up to five-year increments, depending on the duration of an NGO's funding, but provides for oversight by the Directorate General of Immigration and Emigration, which falls under NISS. In practice the government granted single-year registration to most international NGOs. International NGOs widely criticized the draft ministerial order implementing the 2012 law, particularly provisions that would give the government authority to preapprove hiring and personnel decisions by international NGOs. In response the government delayed publication of the ministerial order, which remained under review at year's end. In recent years the government limited the number of visas issued to the foreign staff of international NGOs.

Local and international NGOs often found the registration process difficult, in part because the process required a statement of objectives, plan of action, and detailed financial information for each district in which an NGO planned to operate. Another concern was the requirement to sign a memorandum of understanding with relevant government ministries before presenting registration applications to the Directorate General of Immigration. International NGOs reported the government used the registration process to pressure them into financially supporting government programs and supporting government policies. The government threatened legal action against organizations that did not submit reports or registration paperwork on time and threatened not to register NGOs whose scope of work was outside of government development policies or programs. Many international and some local NGOs complained that government delays and unpublished requirements caused late submissions and that the regulatory environment worsened.

The United Nations or Other International Bodies: The government sometimes cooperated with international human rights bodies but criticized the UN Group of Experts on the DRC for being inaccurate and biased.

Government Human Rights Bodies: The independent and adequately funded Office of the Ombudsman operated with the cooperation of executive agencies and took action on cases of corruption and other abuses, including human rights cases (see sections 1.e. and 4).

The government funded and cooperated with the NHRC. According to many observers, the NHRC did not have adequate resources to investigate all reported violations and remained biased in favor of the government. Some victims of human rights abuses did not report abuses to the NHRC because they perceived it as biased and feared retribution by the SSF.

In 2012 the International Criminal Tribunal for Rwanda, based in Tanzania, transferred its remaining genocide cases to a Tanzania-based branch of MICT. MICT continued to pursue genocide suspects. From 1994 through year's end, the tribunal completed 75 cases, with 52 convictions, 11 convictions pending appeal, and 12 acquittals. Nine suspects remained fugitives.

## **Section 6. Discrimination, Societal Abuses, and Trafficking in Persons**

The constitution provides that all citizens are equal before the law, without discrimination based on ethnic origin, tribe, clan, color, sex, region, social origin, religion or faith, political opinion, economic status, culture, language, social status, or physical or mental disability. The constitution and law are silent on discrimination based on sexual orientation, gender identity, age, language, HIV-positive status or having other communicable diseases. The government generally enforced the law's provisions, although problems remained.

### **Women**

Rape and Domestic Violence: The law criminalizes rape and spousal rape, and the government handled rape cases as a judicial priority. Penalties for rape ranged from five-years to life imprisonment with fines of 500,000 to one million Rwandan francs (\$696 to \$1,392). Penalties for spousal rape ranged from two months to life imprisonment with fines of 100,000 to 300,000 Rwandan francs (\$139 to \$417).

The law provides for imprisonment of three to six months for threatening, harassing, or beating one's spouse. Domestic violence against women was common. Many incidents remained within the extended family and were not reported or prosecuted. Authorities encouraged the reporting of domestic violence cases, and the RNP stated that reporting increased during the year. In July Ipas and the Great Lakes Initiative for Human Rights Development reported 48 percent of women experience physical or sexual violence in their lifetime. According to the Ministry of Health's 2012 Annual Report, 12,725 cases of GBV were reported at district hospitals; 10,410 victims were female and 2,315 were male.

Police headquarters in Kigali had a hotline for domestic violence. Several other government ministries also had free GBV hotlines. Each of the 78 police stations nationwide had its own gender desk, an average of three officers trained in handling domestic violence and GBV cases, and a public outreach program. The RNP Directorate against GBV handled all cases of such violence and child protection. Fifteen one-stop centers were established throughout the country, providing medical, psychological, legal, and police assistance at no cost to victims of domestic violence. The government continued to expand the network of one-stop centers in hospitals, districts, and refugee camps.

The government continued a whole-of-government, multistakeholder campaign against GBV, child abuse, and other types of domestic violence. GBV was a required training module for police and military at all levels, and was included as a module for all troops and police deploying to peacekeeping missions abroad.

Female Genital Mutilation/Cutting (FGM/C): According to the UN Office for the Coordination of Humanitarian Affairs, FGM/C was not widely practiced in the country. The government ratified the Maputo Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (2003), which prohibits "all forms of female genital mutilation, scarification, medicalization and para-medicalization of female genital mutilation and all other practices in order to eradicate them."

The law considers all sex-based practices carried out on children, regardless of form or method and including FGM/C, to be defilement, which is punishable by life in prison and a fine of 100,000 to one million Rwandan francs (\$139 to \$1,392). There were no reports of FGM/C perpetrated against children during the year.

Sexual Harassment: The law prohibits sexual harassment by employers or any other person and provides for penalties for conviction of two months' to two years' imprisonment and fines from 100,000 to 500,000 Rwandan francs (\$139 to \$696). Nevertheless, advocacy organizations reported sexual harassment remained common. The City of Kigali continued a program to combat sexual harassment of women and girls in public spaces, and government officials frequently spoke against sexual harassment and GBV. The effectiveness of government enforcement efforts was unknown.

Reproductive Rights: The government encouraged couples to have no more children than they could afford but also respected the right of couples and individuals to decide freely and responsibly the number, spacing, and timing of children, manage their reproductive health, and have the information and means to do so, free from discrimination, coercion, and violence. The government made available reproductive health services and contraceptives to all citizens regardless of age, sex, or ethnicity. The government promoted the involvement of men in family planning decisions and launched a campaign to reduce social stigma against vasectomies. More than 90 percent of the population participated in private or government-sponsored health insurance plans, and the poorest of the population received free coverage. There was a small copayment for obstetric services, but this fee was waived for women who completed the recommended four prenatal care visits. Insurance plans did not provide adequate coverage for more expensive medical care.

According to the United Nations, the estimated maternal mortality ratio in during the year was 290 deaths per 100,000 live births, with a lifetime risk of maternal death of one in 66. Major factors influencing maternal mortality included lack of skilled health-care attendants at birth, lack of access to health facilities due to cost or distance, and unhygienic conditions. According to the UN Population Fund, skilled birth attendants attended 91 percent of births in 2014.

According to the 2015 Demographic and Health Survey, the use of modern contraceptives among unmarried sexually active women was 35 percent, and 48 percent among married women. The Guttmacher Institute reported in 2013 that the unmet need for contraception declined from 36 percent in 2000 to 19 percent in 2010.

Ipas and the Great Lakes Initiative for Human Rights Development reported that an average of 25 percent of women in prison were serving sentences for illegal abortion, and were often arrested after seeking emergency health care for the



management of complications arising from abortion. The RCS disputed the findings, stating only 2 percent of women in prison were serving sentences for illegal abortion.

Discrimination: Women have the same legal status and are entitled to the same rights as men, including under family, labor, nationality, and inheritance laws. The law allows women to inherit property from their fathers and husbands, and couples may make their own legal property arrangements. Women experienced some difficulties pursuing property claims due to lack of knowledge, procedural bias against women in inheritance matters, multiple spousal claims due to polygyny, and the threat of GBV. The law requires equal pay for equal work and prohibits discrimination in hiring decisions (see section 7.d.). Women, however, were more likely to be paid in kind than in cash, and only one-third of married women with earnings made as much as their husband.

After the 1994 genocide, which left many women as heads of households, women assumed a larger role in the formal sector, and many operated their own businesses. According to the National Institute of Statistics' 2014 Integrated Household Living Conditions Survey, 26 percent of households were headed by women, and 24 percent of these households were in the lowest socioeconomic category. Women's work was more concentrated in the agricultural sector, with 79 percent of women engaged in agricultural work, compared with 59 percent of men. Women worked in sales and commerce in similar proportion to men.

Women comprised 64 percent of the Chamber of Deputies and one-third of cabinet ministers, but were a minority in district and sector-level government positions. The July organic law on cell- and sector-level Mediation Committees decreed that at least 30 percent of Mediation Committee members must be women. According to the Ministry of Industry and Commerce's 2011 Establishment Census, women managed approximately 26 percent of all formal enterprises. Men owned the major assets of most households, however, particularly those at the lower end of the economic spectrum, making bank credit inaccessible to many women and rendering it difficult to start or expand a business.

The government-funded National Women's Council served as a forum for women's issues and consulted with the government on land, inheritance, and child protection laws. The Ministry of Gender led government programs to address women's issues and coordinated programs with other ministries, police, and NGOs, including the national action plan for the implementation of UN Security Council Resolution 1325 on women, peace, and security. The government

provided scholarships for girls in primary and secondary school and loans to rural women. A number of women's groups actively promoted women and children's concerns, particularly those of widows, orphaned girls, and households headed by children. The government-run Gender Monitoring Office tracked the mainstreaming of gender equality and women's empowerment throughout all sectors of society and collected gender-disaggregated data to inform policy processes.

## **Children**

Birth Registration: Children derive citizenship from their parents. Children born to two Rwandan parents automatically receive citizenship. Children with one Rwandan parent must apply for citizenship before turning 18. Children born in the country to unknown or stateless parents automatically receive citizenship. Minor children adopted by Rwandans, irrespective of nationality or statelessness, automatically receive citizenship. Children retain their citizenship in the event of dissolution of the parents' marriage. Births are registered at the sector level upon presentation of a medical birth certificate. There were no reports of unregistered births leading to denial of public services.

Education: The government implemented a 12-year basic education program in 2012 that extended free universal public education to six years of primary and six years of secondary education. Education through grade nine is compulsory. Parents were not required to pay tuition fees, although the LDGL reported in March that "in practice, parents have to pay high education fees for teachers' incentives and meal expenses." The treatment of and attendance rates of girls and boys were similar.

According to the 2015 I Integrated Household Living Conditions Survey, 88 percent of children attended primary school in 2013/2014, and 23 percent attended secondary school. Attendance was higher among girls than boys for both levels of education: 89 percent for girls versus 87 percent for boys in primary school, and 25 percent for girls versus 21 percent for boys in secondary school.

Child Abuse: While statistics on child abuse were unreliable, such abuse was common within the family, in the village, and at school. Child abuse conviction statistics were not available. The government continued a high-profile public awareness campaign against GBV and child abuse. The government supported a network of one-stop centers and hospital facilities that offered integrated police, legal, medical, and counseling services to victims of GBV and child abuse.

Early and Forced Marriage: The minimum age for marriage is 21. Anecdotal evidence suggested child marriage was more common in rural areas and refugee camps than in urban areas.

Female Genital Mutilation/Cutting (FGM/C): For information for girls under 18, see women's section above.

Sexual Exploitation of Children: The law states sexual relations with a child under age 18 constitute child defilement and are punishable by life in prison and a fine of 100,000 to one million Rwandan francs (\$139 to \$1,392). According to 2013 RNP statistics, statutory rape topped the GBV crime list, representing 47 percent of total cases reported; the number of cases was not published. A 2013 report by the CSO Rwanda for Justice found the average age of child sexual abuse victims was nine and 49 percent of victims were ages four to eight. The report found neighbors and relatives were the most common perpetrators. In 2012 the director of Nyagatare Juvenile Rehabilitation Center reported the majority of juvenile detainees were serving time for child defilement (statutory rape), usually six-month sentences. Noting an increase in child sexual abuse and exploitation, UNICEF reported in 2012 that child heads of household, especially girls, were increasingly coerced into selling sex in exchange for money, basic goods, or protection.

The law prohibits commercial sexual exploitation of children and child pornography, which are punishable by penalties of six months to seven years in prison and a fine of 500,000 to 20 million Rwandan francs (\$755 to \$30,200). Conviction statistics were not available.

Child Soldiers: There were no reports of RDF recruitment of Rwandan children as child soldiers. There were reports that a small number of refugee children of Burundian origin were recruited into armed groups.

The government supported the Musanze Child Rehabilitation Center in Northern Province (relocated during the year from Muhazi, Eastern Province), which provided care and social reintegration preparation for children who previously served in armed groups in the DRC (see section 2.d., Emigration and Repatriation). The center provided education, psychosocial support, recreational and cultural activities, medical care, and agricultural vocational training.

Displaced Children: There were numerous street children throughout the country. Authorities gathered street children in district transit centers and placed them in

rehabilitation centers. HRW reported that in August 2014 authorities ceased placing street children in the Gikondo Transit Center, where HRW reported substandard conditions and alleged abuse. In 2012 the National Commission for Children (NCC) reported it provided psychological counseling, education, and vocational training to 161 former street children ages nine to 16 at the Gitagata Child Rehabilitation Center, the only government-run center for street children. According to center officials, 70 percent of children at Gitagata became street children due to poverty, 20 percent because they were orphaned, and 10 percent due to family conflict. The center mandated a one-year stay, after which children could be reintegrated with their families or paired with foster homes. Conditions and practices varied at 29 privately run rehabilitation centers for street children.

UNHCR reported that from April to October several hundred unaccompanied children entered the country as part of an influx of more than 70,000 refugees from Burundi. Unaccompanied minors were accommodated in the Mahama refugee camp and provided additional protection measures by camp staff.

Institutionalized Children: UNICEF reported in 2014 that one privately run and 30 government-run childcare institutions provided shelter, basic needs, and rehabilitation for approximately 3,000 orphans and street children. According to the NCC, 70 percent of children in orphanages were not orphans but had either run away from or been abandoned by their families. The government worked with international organizations and NGOs to provide vocational training and psychosocial support to orphans and street children, reintegrate them into their communities, and educate parents on how to prevent their children from becoming street children.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

### **Anti-Semitism**

There was a very small Jewish community, consisting entirely of foreigners, and there were no reports of anti-Semitic acts.

### **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

## Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, and the provision of other state services, and the government generally enforced these provisions (see section 7.d.). The law also mandates access to public facilities, accommodations for taking national examinations, provision of medical care by the government, and monitoring of implementation by the NHRC. The government generally implemented all of the foregoing provisions. Despite a continuing campaign to create a barrier-free environment for persons with disabilities, accessibility remained a problem throughout the country. For example, civil society groups reported a need for interpreters fluent in sign language in police stations and courts.

The National Council of Persons with Disabilities estimated in 2014 there were 3,500 primary school students in special centers established to serve children with disabilities. Few students with disabilities reached the university level because many primary and secondary schools were unable to accommodate their disabilities. Many children with disabilities did not attend primary or secondary school. Although resources were inadequate to train all teachers, the Ministry of Education and UNICEF collaborated to train teachers to be more sensitive in responding to the needs of children with disabilities. For example, in 2012 Murama Primary School in Bugesera District appointed a UNICEF-supported special needs education coordinator for students with hearing and speech disabilities and waived lunch and school supply expenses for children with disabilities as incentives to keep them in school. Institutes of higher education admitted students with disabilities, but only the National University of Rwanda and the Kigali Institute of Education were able to accommodate students with visual disabilities.

There was one government psychiatric referral hospital in Kigali, with district hospitals providing limited psychiatric services. All other mental health facilities were nongovernmental. Facilities were often underequipped and understaffed, although the government worked to improve staffing and equipment in health facilities throughout the country.

Some citizens viewed disability as a curse or punishment that could result in social exclusion and sometimes abandonment or the hiding of children from the community.

The National Council of Persons with Disabilities, which assisted government efforts to provide for the rights of persons with disabilities, designated one member with disabilities to the Chamber of Deputies. The National Union of Disability Organizations in Rwanda provided an umbrella civil society platform for advocacy on behalf of persons with disabilities. A disabilities coordination forum was organized every trimester.

Persons with mental disabilities were required to submit a medical certificate to be eligible to vote. Some disabilities advocates complained requirements for electoral candidates to hold secondary education diplomas or higher degrees, depending on position, disadvantaged persons with disabilities.

### **National/Racial/Ethnic Minorities**

Longstanding tensions in the country culminated in the 1994 state-orchestrated genocide that killed between 750,000 and one million of Rwandans, including approximately three-quarters of the Tutsi population. Following the killing of the president in 1994, an extremist interim government directed the Hutu-dominated national army, militia groups, and ordinary citizens to kill resident Tutsis and moderate Hutus. The genocide ended later in 1994 when the predominantly Tutsi RPF, operating from Uganda and northern Rwanda, defeated the national army and Hutu militias and established an RPF-led government of national unity that included members of eight political parties.

Since 1994 the government has called for national reconciliation and abolished the policies of the former government that created and deepened ethnic cleavages. The government removed all references to ethnicity in official discourse and eliminated ethnic quotas for education, training, and government employment.

Some individuals alleged the government's reconciliation policies and programs failed to recognize Hutu victims of the genocide or alleged crimes committed by the RPF after the end of the genocide.

The constitution provides for the eradication of ethnic, regional, and other divisions in society and the promotion of national unity. Most citizens know the regional or ethnic origin of their fellow citizens.

### **Indigenous People**

Beginning in the 1920s, colonial authorities formally assigned “racial” categories to all citizens and required them to carry identity cards indicating their designated ethnicity: Hutu, Tutsi, or Twa. Government authorities continued this practice until after the 1994 genocide. The postgenocide government banned identity card references to ethnicity and prohibited social or political organizations based on ethnic affiliation as “divisionist” or contributing to genocide ideology. As a result the Twa, who number approximately 34,000, lost their official designation as an ethnic group. The government no longer recognizes groups advocating specifically for Twa needs, and some Twa believed this government policy denied them their rights as an indigenous ethnic group. Nonetheless, the government recognized the Community of Rwandan Potters, an organization focused primarily on Twa community needs, as an advocate for the most marginalized. Most Twa lived on the margins of society with very limited access to health care and education, and other citizens viewed them generally as second-class citizens.

### **Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity**

There are no laws that criminalize sexual orientation or consensual same-sex sexual conduct, and cabinet-level government officials expressed support for the rights of lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons. LGBTI persons reported societal discrimination and abuse, and LGBTI rights groups reported occasional harassment by neighbors and police.

There were no known reports of physical attacks against LGBTI persons, nor were there any reports of LGBTI persons fleeing the country due to harassment or attack.

### **HIV and AIDS Social Stigma**

Discrimination against persons living with HIV/AIDS occurred, although such incidents remained rare. The government actively supported relevant public education campaigns, including establishing HIV/AIDS awareness clubs in secondary schools and making public pronouncements against stigmatization of those with the disease.

According to RDF policy and in keeping with UN guidelines, the military did not permit its members with HIV/AIDS to participate in peacekeeping missions abroad but allowed them to remain in the RDF.

## Section 7. Worker Rights

### a. Freedom of Association and the Right to Collective Bargaining

The 2009 labor law provides that “every worker in every enterprise,” except for certain senior public servants, police, and soldiers, has the right to form and join independent unions, conduct legal strikes, and bargain collectively. The law also permits informal sector workers to join unions, conduct strikes, and bargain collectively, but informal workers are exempt from other protections and provisions of the law. Most provisions of the law generally do not protect unregistered small businesses, cooperatives, and informal sector workers.

The law restricts voluntary collective bargaining by requiring prior authorization or approval by authorities and requiring binding arbitration in cases of nonconciliation. The law allows unions to negotiate with employers for an industry-level minimum wage in certain sectors. In practice these minimum wage agreements were not enforced.

The law provides some workers the right to conduct strikes, subject to numerous restrictions. Public servants, soldiers, and employees providing “essential services” generally are not permitted to strike, and participation in unauthorized demonstrations may result in employee dismissal, nonpayment of wages, and civil action against the union. A union’s executive committee must approve any strike, and the union must first try to resolve its differences with management through complex compulsory arbitration, conciliation, and mediation processes prescribed by the Ministry of Public Service and Labor.

Other provisions of the law frequently abrogated these rights. For example, a ministerial order that broadly defines essential services to include public transportation, security, education (during national exams), water and sanitation, and telecommunications severely restricts the right to strike in these fields.

Ministerial orders define the implementation of the labor law; there are no significant inconsistencies between the law and ministerial orders. All unions must register with the Ministry of Public Service and Labor. The application process was cumbersome, lengthy, and costly, and required unions to disclose their membership and property.

The law allows unions to conduct activities without interference, prohibits antiunion discrimination, and requires employers to reinstate workers fired for



union activity. Antiunion interference and discrimination are subject to penalties of up to two months in prison and fines of 50,000 to 300,000 Rwandan francs (\$70 to \$418), which were not sufficient to deter violations. Workers discriminated against or fired due to affiliation with a trade union did not receive restitution or compensation.

As of September there were 29 labor unions organized into three confederations: 15 unions were represented by the Rwanda Confederation of Trade Unions (CESTRAR); seven by the Labor and Worker's Brotherhood Congress (COTRAF); and seven by the National Council of Freed Trade Union Organizations in Rwanda. All three federations ostensibly were independent, but CESTRAR had close links to the government and the ruling RPF party.

Freedom of association and the right to collective bargaining generally were not respected. The government did not enforce applicable laws effectively and restricted these rights. Authorities forced some unions, such as those for rural workers, to reorganize as labor NGOs, reducing their legal protections and powers. In addition local government officials and employers routinely impeded workers from joining or forming unions. Employers often harassed union members and prohibited workers from meeting during work hours. Employers reportedly dismissed union representatives and members because of their union activities and did not reinstate them. CESTRAR reported employees of a textile manufacturing company alleged they were dismissed on false grounds as a result of their union activity.

The government severely limited the right to collective bargaining, and legal mechanisms were inadequate to protect this right. The government was heavily involved in the collective bargaining process, since most union members worked in the public sector. Labor union officials commented that many private sector businesses controlled by the RPF or the RDF were off limits to collective bargaining negotiations. The government also controlled collective bargaining with cooperatives. No labor union had an established collective bargaining agreement with the government. Employers, including the government, perpetually delayed agreements to bargain or bargained with employer-controlled unions. Employers across a number of industries, such as mining and construction, employed subcontractors in order to avoid hiring workers with bargaining rights or paying benefits required by law.

Collective bargaining occasionally was practiced in the private sector. For example, in February an international tea exporter renewed its 2012 collective

bargaining agreement with its employees. CESTRAR, COTRAF, and the Ministry of Public Service and Labor participated in the negotiations.

There were neither registered strikes nor anecdotal reports of unlawful strikes during the year; the last recorded strike was by textile workers in 2013.

National elections for trade union representatives were held in February. Trade union leaders alleged the government interfered in the elections and pressured some candidates not to run.

There were no functioning labor courts or other formal mechanisms to resolve antiunion discrimination complaints, and COTRAF reported it could take four to five years for labor disputes to be resolved through the civil courts. According to several trade unions, employers in small companies frequently used transfers, demotions, and dismissals to intimidate union members.

### **b. Prohibition of Forced or Compulsory Labor**

The law prohibits most forms of forced or compulsory labor, and the government generally enforced the law. In 2014 the government issued a National Trafficking in Persons action plan that included programs to address forced labor. Rwanda's penal code criminalizes human trafficking under a variety of articles. The law prescribes penalties for conviction of seven to 10 years' imprisonment or fines ranging from 5,444,600 to 10,958,120 Rwandan francs (\$7,583 to \$15,262) for internal trafficking, and up to 15 years' imprisonment for transnational trafficking, which are sufficiently stringent and commensurate with those prescribed for other serious crimes. Child trafficking convictions are subject to a minimum five-year prison term, while slavery convictions carry three- to 12-year prison terms. Statistics on the number of victims removed from forced labor were not available.

Also see the Department of State's annual *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The minimum age for full-time employment is 16. The law prohibits children under age 18 from participating in hazardous work, defined as night work from 7 p.m. to 5 a.m.; the worst forms of child labor as defined under International Labor Organization Convention 182; or any work deemed difficult, unsanitary, or dangerous by the Ministry of Public Service and Labor. Prohibited sectors include

work in industrial institutions, domestic service, mining and quarrying, construction, brick making, or applying fertilizers and pesticides. The law prohibits forced or compulsory labor by children; children in military service, prostitution, or pornography; and child trafficking and slavery. Children must have at least 12 hours of rest between work periods. The law provides six months to 20 years' incarceration and fines of 500,000 to five million Rwandan francs (\$696 to \$6,963) for violations. The law applies to contractual employment but not to noncontractual employment, such as subsistence family farming or casual labor in agricultural cooperatives, and thus leaves most working children unprotected. In addition to national law, some districts enforced local regulations against hazardous child labor and sanctioned employers and parents for violations. The government did not enforce the law effectively. Police, immigration officials, local government officials, and labor inspectors received training on identifying victims of trafficking.

The NCC took the lead role in designating responsible agencies and establishing actions to be taken, timelines, and other concrete measures in relation to the integrated child rights policy and various national commissions, plans, and policies related to child protection subsumed therein. At the local level, 149 child labor committees monitored incidents of child labor, and each district was required to establish a steering committee to combat child labor. At the village level, 320 child labor focal point volunteers were appointed, supported by 10 National Protection Officers appointed by the NCC and 48 social workers. The Ministry of Public Service and Labor conducted labor inspections of firms previously known to employ children, focusing on companies operating in the mining, construction, and agriculture sectors. The RNP operated a Child Protection Unit. District government officials, as part of their performance contracts, enforced child labor reduction and school attendance benchmarks.

The government worked with NGOs to raise awareness of the problem and to identify and send to school or vocational training children involved in child labor. The Ministry of Public Service and Labor invited private sector businesses to sign a memorandum of understanding committing them to eradicate child labor. The government's 12-year basic education program aided in reducing the incidence of child labor, although many children who worked also attended school because classes were held in alternating morning or afternoon shifts. The government fined those who illegally employed children or parents who sent their children to work instead of school. Teachers and local authorities received training on the rights of children and other human rights. The ministry raised public awareness of the worst forms of child labor through radio shows, television announcements, and

skirts. The government continued efforts to stop child prostitution through a high-profile public campaign to discourage intergenerational sex and sexual procurement.

The majority of child laborers worked in the agricultural sector and as household domestics. Child labor also existed in isolated instances in small companies and light manufacturing, in cross-border transportation, and in the brick making, charcoal, rock crushing, and mining industries. Unions reported government authorities often failed to enforce laws barring domestic child labor. Children received low wages, and abuse was common. In addition child prostitution and trafficking of children were problems.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at [www.dol.gov/ilab/reports/child-labor/findings/](http://www.dol.gov/ilab/reports/child-labor/findings/).

#### **d. Discrimination with Respect to Employment or Occupation**

The law prohibits discrimination based on race, ethnicity, national origin, gender, marital status, religion, political affiliation, pregnancy, disability, socioeconomic status, age, and "any other type of discrimination." The law does not specifically protect sexual orientation, gender identity, and HIV-positive status. The constitution requires equal pay for equal work.

The government sought to enforce antidiscrimination laws, but there were numerous reports not challenged in court of discrimination based on gender, pregnancy, disability, and political affiliation. Migrant workers enjoyed the same legal protections, wages, and working conditions as citizens.

#### **e. Acceptable Conditions of Work**

The national minimum wage has not been revised since 1974, when it was set at 100 Rwandan francs (\$0.14) per day, but the Ministry of Public Service and Labor set industry-specific minimum wages in the small formal sector. For example, in 2010 the minimum wage in the tea industry ranged from 500 to 1,000 Rwandan francs (\$0.70 to \$1.39) per day, while in the construction industry it ranged from 1,500 to 5,000 Rwandan francs (\$2.09 to \$6.96) a day, depending on skill level. In practice sector minimum wages were not enforced. Minimum wages provided a higher standard of living than that of the approximately 80 percent of the population relying on subsistence farming. As the country's largest employer, the government effectively set most other formal sector wage rates.

According to the 2015 Integrated Household Living Conditions Survey, the percentage of citizens living below the poverty line declined from 45 percent in 2011 to 39 percent in 2014, and the percentage living in extreme poverty declined from 24 percent to 16 percent.

The law provides a standard workweek of 45 hours and 18 to 21 days paid annual leave, in addition to official holidays. The law provides for premium pay for overtime for some salaried employees and sets prohibitions on excessive compulsory overtime, but these provisions often were disregarded and rarely enforced. The law provides employers with the right to determine daily rest periods. Most employees received a one-hour lunch break.

The law regulates hours of work and occupational health and safety standards in the formal wage sector. Ministerial orders determine the modalities for establishing and operating occupational safety and health committees, but the committees had not been established. The same labor standards applied to migrant and foreign workers as to citizens.

The ministry had 35 labor inspectors, with at least one in each district, who reported to district mayors. Inspectors did not enforce labor standards effectively. The many violations reported to labor unions compared to the few actions taken by the government and employers to remedy substandard working conditions suggested penalties were insufficient to deter violations.

Some workers accepted less than the minimum wage. Families regularly supplemented their incomes by working in small businesses or subsistence agriculture. Most workers in the formal sector worked six days per week. Violations of wage, overtime, and occupational health and safety standards were common in both the formal and informal sectors. Local media highlighted the common problem of employers not registering employees for social security or occupational health insurance and not paying into those benefit systems as required by law. Workers in the subcontractor and business process outsourcing sectors were especially vulnerable to hazardous or exploitative working conditions. Statistics on workplace fatalities and accidents were not available, but ministry officials singled out mining as a sector with significant problems in implementing occupational safety and health standards. There were no major industrial accidents during the year.

Workers did not have explicit rights to remove themselves from situations that endangered their health or safety without jeopardizing their jobs. The Ministry of Public Safety and Labor sought to promote the health and safety of workers by maintaining a list of dangerous professions subject to heightened safety scrutiny.