

RWANDA

CEDAW A/39/45 (1984)

236. The Committee considered the initial report of Rwanda (CEDAW/C/5/Add.13) at its 38th and 41st meetings, held on 2, 3 and 4 April 1984.

237. The report was introduced by the representative of the State party who said that it was short because it had been prepared a long time before the general guidelines regarding the form and contents of reports had been adopted. She stressed that her country had been the first country from sub-Saharan Africa to sign the Convention and it had ratified or adhered to other international instruments dealing with the status of women.

238. Since the signature and ratification of the Convention, no legal or other measures had been adopted in her country because all the relevant measures were already in existence before the Convention had come into force. In Rwandese society, women had always played an important role in the survival of the family. However, as in other countries, women were victims of stereotyped attitudes and prejudices, which gave them a status inferior to men. In addition to that and because of the critical economic situation of the country, women and men in Rwanda were more preoccupied with the question of survival than with their legal status. The primary concern of the Government was to improve the living conditions of women in order to make them more receptive to the idea of equality with men.

239. Within the third five-year development plan, further integration of women in development was foreseen through an improvement in equality in the fields of education, employment and equal opportunities and through further research, in order to add greater value to the role of women in development.

240. Some progress had been made in the status of women under the provisions of the 1978 Constitution compared with the previous one. She also referred to certain articles contained in the Criminal Code and the Civil Code which protected women's rights. Prostitution and abortion were illegal and the husband was penalized if he abandoned his family. However, the Code contained a measure discriminatory against women in cases of adultery. She further enumerated the civil rights of women and the progress made in that field and spoke about a project to set up a national women's organization by the name of URAMA to increase awareness of women's problems. As Rwanda was mainly a rural country, 92.9 per cent of the working population was involved in agriculture. She spoke also about the special measures and programmes set up for rural women.

241. People had been made aware of the problem of women's integration in development through mass media and, since International Women's Year, at least one seminar had been organized annually in order to raise the consciousness of feminist groups and to make women aware of their role.

242. The Committee congratulated the representative of the State party for the introduction, which adequately supplemented the short report, although it would have been more useful if it had been

annexed to the initial report. The members of the Committee paid tribute to the fact that the report came from a developing country, as such countries often had greater difficulties in supplying statistical data; further, the report had been prepared before the adoption of general guidelines. Regrets were expressed that it did not contain any information on most articles of the Convention and that it did not give enough information on legislative and other measures taken by the Government to eliminate discrimination against women. Some experts wanted to receive a copy of the introductory statement.

243. Some members of the Committee asked whether measures against any form of discrimination were enforceable in courts and whether any agency was responsible for safeguarding the rights of women and for supervising the implementation of the provisions of the Covenant. Information was sought about the obstacles and factors which impeded the application of the Convention and whether a particular government programme dealt with the implementation of the Convention. One expert wanted to know whether the Government had made any reservation when ratifying the Convention.

244. A few experts inquired whether prostitution was prohibited in Rwanda, whether it constituted a widespread problem and whether a Criminal Code contained any provision for imprisonment or other penalty. A certain contradiction was also found in that respect between the provisions contained in articles 363 and 364. One expert asked for an explanation of the words “to maintain” in article 365 of the Criminal Code. Another one asked for clarification of the penalties in cases of aggravating circumstances, as mentioned in article 374, paragraph 10, if “the offence was committed by a public official or minister of religion”. An explanation was also requested of the strict punishment in cases of rape, as well as of the effect of the crimes discussed in the annex to the report on the development of the country.

245. With reference to article 9 of the law of 28 February 1967, it was asked whether single, divorced or widowed women practising a profession or trade could join professional organizations and participate in their administration or leadership. As regards article 9 of the Constitution, information was requested on the categories of citizens that were excluded from the right to vote and on the meaning of the phrase: “elections in the circumstances prescribed by law”.

246. Questions were asked about the percentage of women in the court system, in executive and managerial posts, in trade unions, in administrative posts and in professional organizations. One expert asked what steps were being taken to encourage women to assume higher decision-making posts.

247. Information was sought on the role of women in the political life and in the economic development of the country and on the percentage of women and men represented in the National Revolutionary Movement for Development.

248. It was pointed out that the report gave no information on rules governing the nationality of Rwandese women.

249. Many experts inquired about the illiteracy rate in the country, about the methods used to eliminate illiteracy, about the percentage of women, especially in rural areas, who availed themselves of educational facilities and about the educational facilities for adults in general. They

asked whether enrolment in primary schools was mandatory up to a certain grade and whether girls had the same educational and training possibilities as boys, what the drop-out rate of girls was and what measures were being undertaken to prevent girls dropping out of school. Another question concerned the vocational opportunities for women and the types of studies carried out by girls.

250. Several experts showed interest in the question of whether the rule of equal pay for work of equal value was implemented in the country, and what were the sanctions in cases of discrimination in employment because of pregnancy. One question referred to the percentage of women in the total labour force of the country. Another expert asked whether the 70 per cent of women quoted by the State party representative as assisting their husbands without pay were included in the 94.7 per cent of women who were working in that country.

251. Several other questions referred to the social security situation in Rwanda. The Committee wanted to know whether retirement and disability pensions were provided for women, what the age of retirement was and whether it was the same for men and women. Some questions concerned the availability of day-care centres and kindergartens and the length of paid maternity leave. One expert inquired about the availability of free services during pregnancy and nursing and whether maternity leave was given before the birth of a child.

252. The Committee was interested in the existence of non-governmental women's organizations and wanted to know if, in case such organizations existed, they helped women to defend their rights. Questions were asked about the rights of women with regard to ownership, inheritance, control and disposition of property and whether women could be financially independent.

253. Some experts requested information on rural women, whether they were members of producers' co-operatives, whether they had access to agricultural institutions, what the distribution of the work load between men and women was in rural areas, and on rural women's access to health facilities.

254. Other questions related to the legal capacity of women in civil matters and to their civic rights. One expert wanted to know whether the concept of "origin" referred to in article 393 of the Criminal Code as reason for the dismissal of a person included the person's sex.

255. Most experts asked questions centred around marriage and family relations in Rwanda. Some wanted to know whether wives were entitled to maintenance for themselves and their children in cases of dissolution of the marriage, about the incident of illiteracy and whether the position of children born out of wedlock was different from that of legitimate children. Others asked whether women were free to choose their spouses and inquired about the rights and responsibilities of parents in relation to their children. One expert asked about the percentage of female-headed households. Several experts requested an exact definition of the concept of abandonment, and inquired about serious grounds for abandonment of the family and the penal responsibility in such cases. One expert asked for clarification of article 25 of the Constitution, and wanted to know whether other forms of marriage existed that were not recognized by law. Some clarification of the right of divorce was sought. Another expert wondered why the penalty imposed under article 387 of the Criminal Code for abandonment that caused the death of a child was less than the penalty for offences against individual freedom, bearing in mind that the type of abandonment described was equivalent to

intentional homicide.

256. Several experts inquired why the penalties differed between men and women in cases of adultery and stated that that provision was contrary to the provisions contained in the Convention. They propounded the argument that adultery committed by the husband had the same sociological consequences if, as a result of the act done, children were brought into the family.

257. Several questions related to family planning in Rwanda. One expert asked whether abortion was forbidden under any circumstances. Another one inquired about the demographic policy of the country and about the growth rate of the Rwandese population, and wondered about the severe punishments for advertising means of abortion. Questions were asked about the number of children in an average Rwandese family.

258. In her replies given at the 41st meeting of the Committee the representative of Rwanda expressed gratitude for the interesting questions asked which would assist in preparing the next report.

259. Apart from the constitutional provisions which imposed monogamy, customary law and the Civil Code governed simultaneously the rights and duties connected with the family and were valid for all citizens. It was difficult for lawyers, at times, to know which one of the two to apply. It was pointed out, however, that written law did not contain any provisions referring to the matrimonial arrangements between spouses and to inheritance.

260. Under the Civil Code, which was largely inspired by the Napoleonic Code, the minimum age for marriage was 15 years for girls and 18 years for boys. If the future spouses were less than 21 years old, they needed the consent of their parents for the marriage. Furthermore, some had to obey their husbands and follow them anywhere. Parental authority meant paternal authority which was replaced by maternal authority only in the absence of the father.

261. As regards affiliation, the Code made a clear distinction between natural and legitimate children. Whereas children of parents who were not married could be recognized, children born out of adultery could not be recognized. An intensive campaign had been carried on in the country to give both categories of children the same rights. Paternity proceedings existed, but women hardly ever availed themselves of that possibility. Both spouses could ask for divorce, however, and adultery committed by the wife could result in her divorce, whereas adultery committed by the husband was not necessarily followed by a divorce. During the divorce proceedings, the woman could be permitted to leave the conjugal residence. After a divorce, the woman could receive an allowance for herself and her children, and, in any event, the interests of the children prevailed. Small children were entrusted to their mother. A widow had to wait 300 days after the death of her husband before she could remarry. It was hoped that the legislators would reconcile the new Civil Code with the provisions of the Convention. Its initial draft had already been debated at several levels, especially as regards the abolition of the dowry system and the status of natural children, but no time limit had been set as yet for its adoption.

262. Under customary law, marriage was the rule and society did not give much consideration to single mothers. In former times, the family of the young man had to be assured of the quality of the

girl. Currently, the two partners also had opinions in the matter. The celebration of the marriage as such was preceded by the engagement and the giving of a dowry. In case of non-payment of a dowry, the children belonged to the family of the woman. Women had to obey their husbands, they had to administer their goods without having the right to dispose of them and they had no right of inheritance. Because of women's importance, especially for the education of children, they were called the heart of the home. The families of both spouses tried to prevent their separation but, in the case of failure of the first marriage, women had the right to remarry.

263. Rwandese women had equal access to credit as men. Their major obstacles were the hard conditions imposed by the banks which were difficult for most women to fulfil.

264. The Constitution did not contain any provision which would secure the application of the Convention through national legislation. Internal social instruments would first have to become national laws in order to be integrated into the domestic jurisdiction.

265. Currently, only a minor part of the population benefited from social security, since about 93 per cent was employed in agriculture and lived from cash crops. The provisions applicable to the remaining 7 per cent of the population for professional risks and retirement pensions referred to women and men in the same way without any discrimination. Women received a retirement pension on the same footing as men at the age of 55 years.

266. Women could transmit their nationality to their children if the father had no nationality or his nationality was not certain or if paternity was not or could not be established because the father was a foreigner. A Rwandese woman did not lose her nationality through marriage to a foreigner and she could even choose her nationality in such a case, but she could not transmit her nationality to her foreign husband.

267. All Rwandese women could become members of the National Revolutionary Movement for Development although they were still underrepresented. There were only 9 women out of a total of 68 members in the National Council for Development. No other statistics were available on female representation in other bodies and in many other fields as asked for by the other experts. No governmental or non-governmental women's organizations existed as yet in the country nor any trade unions, although the formation of such entities was foreseen by the Statute of the National Revolutionary Movement for Development. Non-governmental women's organizations encountered many difficulties and were dissolved. Although women were underrepresented, they took part in the drafting of the new legislation.

268. As regards civic rights, the new electoral law listed those persons who were excluded, and those who were suspended, from the right to vote, as well as those persons who were not eligible.

269. Referring to questions about the educational provisions of the country, she explained that education had been introduced in the country during the colonial period. It was accessible, at first, only to boys. When the country reached its independence, the education of girls was intensified. In 1968, the university gave access to girls, and measures were taken to increase the number of girls in secondary schools. Since International Women's Year efforts were intensified and, in 1975, a secondary agricultural school was opened for girls. Since then, girls had had access to the police

force and the army. Under the Constitution, every Rwandese citizen was entitled to receive education; primary education was compulsory and free of charge. In order to accommodate the largest possible number of children, each teacher may have two groups, one in the morning, one in the afternoon. Since the 1981 school reform, primary education was of eight year's duration and during the last two years children were given practical training. Access to secondary school was subject to national competition. Apart from the mandatory schooling, the latest school reform introduced measures to reduce the drop-out rate and created centres for rural education and integrated handicrafts which were open to children who did not succeed at the competitive entrance exams to secondary schools. Although the education given in secondary schools was divided by sexes, the programmes were the same for boys and for girls. Among the female university graduates, there were doctors, lawyers, economists, sociologists and social workers. However, girls tended to choose disciplines belonging to the positive sciences rather than to the exact sciences. She did not have any statistical data in that field, but she promised that such data would be included in the next report.

270. As regards questions concerning the implementation of the Convention and obstacles encountered in that respect, she referred to what she had said in her introductory statement about the efforts undertaken by her country to achieve equality between the sexes and to what was foreseen by the third five-year development plan. In the next report, her Government would submit a detailed programme referring to the application of the Convention.

271. Speaking about the population policy of her country, she mentioned the creation of the National Population Office in 1981 and stated that the third development plan had set a specific target to halt the uninterrupted rise of the population and to limit the annual growth rate to 3.7 per cent. The objectives were to study the impact of the increase in population on socio-economic development, to make people aware of family planning methods and to reach a balance between agricultural production and population growth.

272. Rural women had few economic possibilities, their living conditions were very hard, they had no access to drinking water, all their labours did not allow them time for rest and education and the illiteracy rate among them was 75 per cent. Since health-care centres were very scarce, the Government was setting up a programme of preventive medicine. Rural women exercised the right of freedom of association, but because of their poor education and their poor economic means they had no access to agricultural credit. As regards the distribution of the work-load, she said that men did the work outside the house, which required physical strength, whereas women were responsible for the work inside the house.

273. Because of the limited means of the Government, no day-care centres were available as yet.

274. A small amount of prostitution existed only in urban areas and was forbidden by law. The Government had opened two centres for helping and re-educating recidivist prostitutes

275. All questions would be referred to her Government and any replies outstanding would be given in the next report.

276. Several experts congratulated the representative for the frankness of her answers and

appreciated the efforts made by the country for the advancement of women in spite of its economic difficulties.

CEDAW A/46/38 (1991)

224. The Committee considered the second periodic report of Rwanda (CEDAW/C/13/Add.13 and Amend.1) at its 181st meeting, on 28 January (see CEDAW/C/SR.181).

225. The representative of Rwanda, in replying to the questions asked by members, said that the statistical data requested would be supplied later, as he had asked his Government to provide them, but they had not yet arrived.

226. As regards general questions, he stated that the Government was making efforts to integrate the advancement of women into the country's development plans by promoting literacy and awareness among women. Once women were aware of their rights, he said, they could ensure that their concerns were included in all development plans. Development issues relating to women, such as the low rate of literacy, were the subject of reports submitted to the bodies and specialized agencies of the United Nations, such as the United Nations Children's Fund (UNICEF) and the United Nations Educational, Scientific and Cultural Organization (UNESCO).

227. In their additional questions, members asked whether the Government did not consider it necessary to introduce further legal measures to protect women's interests. The representative stated that the Convention had been ratified without a full study being made of how its provisions could be translated into national legislation. Members also expressed some concern that women's needs were not taken into account in the context of requests for international aid. The representative stated that the problems of women's illiteracy were dealt with by literacy campaigns carried out by UNICEF. UNESCO had also been approached for help. Community training centres had been set up to provide courses in reading, writing, hygiene and artisanal work.

228. Referring to article 2, he said that part I of the Civil Code, entitled "Family Code", had already entered into force. Some of the provisions that constituted progress for the status of women were that a man was no longer the presumed head of the family and that in the case of dissolution of marriage, the care for the children had to be subject to an agreement between the spouses. He said that the provisions concerning dowry had led to heated debate. No legislative measures other than the Civil Code had been taken yet to eliminate discrimination against women nor had the limitation on the appointment of women to the presidency been abolished.

229. Under article 2, additional questions referred to the relation of the Convention to the national legal system. It was asked whether the Convention became automatically part of the national legal system and whether it could be directly invoked before the courts. The representative explained that the Convention was in conformity with the Constitution, but in Rwanda it was not the Convention that was directly ratified by the Parliament, but the law to which the text of the Convention was annexed. Once the law concerning the ratification of the Convention had come into force, the Convention was accepted by the Parliament.

230. Turning to article 3, he said that Urunana rw' Abanyarwandakazi mu Majyambere (URAMA) was closely connected to the revolutionary movement and benefited from state subsidies. The representative provided no information on the number of women who had participated in its first congress nor on whether or not URAMA benefited from technical advisory services. As regards

violence against women, he said that it did not constitute a crucial problem and that only isolated cases had been reported.

231. Referring to questions under article 5 related to the distribution of the translation of the Convention in the national language in girls' schools only, the representative said the aim had been to increase awareness of the Convention among girls. He said that the text would, in future, be distributed in boys' schools also. He said that there was an intention to increase the number of coeducational schools. As regards the attempt to overcome traditional taboos, he said that the most important task was to eradicate existing discrimination in the curricula of primary schools. He said that there were programmes to teach the same skills to both girls and boys. Regarding the question as to whether any jobs were regarded as being associated exclusively with men or with women, he said that men tended to be associated with jobs that implied heavy physical work, whereas women were associated more with cleaning work. The most important policy of the Government regarding traditional attitudes was the adoption of coeducation in primary schools.

232. Additional queries referred to the statements made by the representative on article 5 that there were no taboos that would discourage men from assisting in the housework. Members suggested that a man might assist in the housework only on the rare occasions when a woman fell ill. The representative replied that it was difficult to reorganize the division of labour in the family, and, therefore, it was important to start changing attitudes at the primary-school level. Another query concerned his statement that violence against women did not constitute a problem. To the question as to whether it was a case of incidents not being reported or of women simply accepting the occurrence of violence, he said that, traditionally, women did not file complaints in case of rape or other acts of violence.

233. Concerning article 6, he said that prostitution was forbidden by law. As it was practised only in secret, no statistical data could be supplied on the number of women engaged in prostitution nor on the percentage of women in the centres of re-education and production.

234. Turning to article 7, he said that the only criterion determining women's eligibility to join professional organizations and to participate in their administration or leadership was their personal skill, and not their civil status. No data could be supplied on the percentage of women in the judiciary. The only criterion that counted in ensuring that women participated in the design and establishment of development and planning programmes was their level of education. As regards plans to improve the political participation of women, he said that programmes existed to increase women's awareness of their role in public life, and women were being called upon to submit their candidacy for public office. Most of those who ran were elected.

235. Regarding article 7, members asked whether the Government undertook any specific measures to provide for the adequate representation of women on the various policy-making bodies and whether temporary special measures pursuant to article 4 could accelerate the de facto equality of women. The representative stated that the presence of 12 women in Parliament proved that women were not excluded from decision-making. Women had to be made aware of the importance of their presence on legislative bodies. Furthermore, the problem of representation was primarily one of education.

236. On article 8, no information was given on the reasons why the number of female diplomats had decreased. The only woman diplomat was serving at the Rwandese Embassy at Washington.

237. On article 9, the representative stated that the law pursuant to which only the father could transmit his name and nationality to the child had not yet been changed.

238. Regarding article 10, the representative said that boys' and girls' schools had the same curricula. The country was trying to promote the education of girls in special girls' schools, and priests took care of the scholastic education of many boys in seminaries. The representative said that coeducation existed, but gave no indication of how many coeducational establishments there were. He said that figures were not readily available on: the progress that had been made in eradicating illiteracy among adult women; the drop-out rates for girls; the percentage of scholarships for males and females; and the percentage of male and female teachers at various educational levels. He said that the Government was encouraging girls to study agronomy. Progress had been made in increasing coeducation at the secondary level. Teaching at pre-school level was taken care of by parents' associations; the Government was concerned only with the training of pre-school teachers.

239. On article 10, members asked whether positive action or transitory measures were being taken to reverse the tendency that higher education was given only to boys. The representative explained that the question of equality was linked primarily to the question of schooling. Traditionally, women were supposed to take care of the home and men were supposed to take care of all the matters outside the home. When schooling had been introduced, women had not immediately taken part in it. He said that penalties existed for parents who did not send their children to school. There was, however, no gender-specific approach to the problem. Referring to the question of coeducation, he said that mathematics, physics and biochemistry were taught mostly to boys, but currently, both girls and boys could take courses in mathematics, depending on their abilities. As regards the high drop-out rate of girls from school, he said that parents, traditionally, were in favour of girls helping at home while they would permit boys to go on studying. Furthermore, at the end of their secondary education, girls preferred to get married because, in Rwandese society, an unmarried woman was of lesser value. He observed that it was important to fight against such deeply rooted attitudes, saying that progress would take a long time, but it was being made.

240. On article 11, he stated that the social security system did not provide for maternity benefits. If the professional qualifications of women and men were the same, they received the same pay for the same work. Women no longer needed the husband's consent to accept employment contracts.

241. Turning to article 12, he said that a child was considered the most precious resource a person could have. Family planning had been introduced, but the practice had not yet percolated through local traditions, and sterilization was neither an issue of discussion nor widely used. It could be carried out in a hospital on request. No special programmes were available to encourage women to take up the profession of physician. As abortion was prohibited by law and subject to a penalty, he said that it was difficult to provide estimates on its incidence. No data could be provided on the incidence of HIV infection/AIDS; on the number of women who died in childbirth; on the percentage of women using contraceptives; and on the infant mortality rates of girls and boys. The average number of births per woman was between six and seven; however, because many children were delivered at home, it was difficult to provide accurate data. He said that the high frequency

of pregnancies was considered an obstacle to the advancement of women. Female circumcision was not practised in Rwanda.

242. On article 12, concerning whether abortion was prohibited in all circumstances and how many cases of abortion had come before the courts, he said that abortion was carried out in hospitals only in the case of medical indication and in the case of rape. He said that as the Catholic religion, which forbade abortion, was firmly rooted in Rwanda, it was difficult to discuss the issue in the country and to attempt to legalize abortion. No details on the nature of sanctions could be given. Members asked whether family planning was available to all women. As there were cases of AIDS in Rwanda, the representative said that a training centre for dealing with the problem had been set up and information campaigns had been carried out on preventive measures. No statistics were available on the incidence of HIV infection/AIDS.

243. Turning to article 13, he said that women could obtain loans through the association called DUTERIMBERE whenever needed. Any woman, irrespective of her family status, was entitled to have access to loans. DUTERIMBERE acted as guarantor; however, no data on the frequency or the purposes of such loans were available.

244. On article 14, the representative said that improved access to safe drinking-water and to health facilities was part of a long-term plan. Most women and men were involved in the cooperative movement and about 90 per cent of the female population were members of cooperatives. Educated women were also involved in agricultural developmental programmes, although to a lesser degree than men. Those programmes put no special emphasis on the needs of women.

245. As regards article 15, there was no de jure discrimination against women, except for the provision in the penal code that dealt with the issue of adultery. A woman who committed adultery was punished more severely than a man because she might bring a child into the family that did not belong to the husband. The laws under which, in the case of adultery, women were penalized more severely than men were still in force, but an amendment was currently being discussed. A woman could obtain a passport and travel without her husband's permission, provided she had reached the age of majority.

246. Under article 16, he said that under the new Family Code, the minimum age for entering into marriage was 21 years for women and 25 years for men, because it was thought that women matured more quickly.

247. Under article 16, members asked whether there were plans to amend the existing law that discriminated against women with regard to their inheritance rights. The representative stated that the relevant part of the Civil Code was still a matter of discussion, because it was considered by some that women, if they inherited from their father, and upon marriage, and also from their late husband, might profit doubly.

248. Members expressed their appreciation for the early ratification by Rwanda of the Convention and for the fact that the Government had submitted the two periodic reports on time despite the enormous economic and social difficulties that the country faced. Members said that the Government's political will to adopt the principles of equality and its target-oriented process to

advance the status of women was evident. They recognized the fact that obstacles still existed and noted that even de jure equality had not been completely achieved. They therefore suggested that the Government should set up appropriate government machinery to deal with the advancement of women. They observed that development could never be achieved if the needs of women were not fully taken into account. They regretted that no statistics were available to measure whether the country had made progress, and hoped that this shortcoming would be remedied in the third periodic report.

249. In his reply, the representative said that he would welcome practical suggestions on the nature of the machinery that should be set up to assist in the achievement of equality.

CEDAW A/48/38 (1993)

451. The Committee considered the third periodic report of Rwanda (CEDAW/C/RWA/3) at its 227th meeting, on 1 February (see CEDAW/C/SR.227).

452. In presenting the third periodic report, the representative apologized for not being able to reply to the questions of the pre-session working group, which had been sent to the Government before the twelfth session. He said that communication problems between the permanent mission and the competent government offices had prevented him from doing so. He referred to the armed conflict that had been going on since October 1990, which had led to destabilization and a deterioration in the quality of life of the population, in particular of women and children. He noted that the establishment of a multiparty system had created uncertainty. He underlined the socio-economic factors that hampered the effective implementation of the Convention and pointed to the emphasis in the report on the situation of rural women, since they constituted the majority of women in Rwanda and carried out the most arduous tasks.

453. With regard to the political aspects of the status of women, the representative said that expenses had been incurred in the course of the war that should have been dedicated to the development of the country, in particular to the well-being of women. However, all political parties had included the advancement of women in their programmes, and a Ministry for the Family and the Advancement of Women had been created to help women become aware of their rights and liberties. Currently, there were three women ministers. Although there was no machinery to press for the recruitment of women in public service, the number of women in political positions has increased considerably. He noted, however, that the legislation referring to the elimination of discrimination against women could still be considerably improved.

454. Regarding socio-cultural aspects, the representative spoke about the Government's education and health policy and stated that women's associations like Urunana rw'Abanyarwandakazi mu Majyambere (URAMA) were currently stagnating because, in the past, URAMA had been attached to what had then been the only political party. Currently, however, URAMA and other non-governmental women's associations were trying to establish their identity and find new ways and methods of carrying out their work. The Government's health policy concentrated on the most vulnerable groups of society, namely, mothers and children.

General observations

455. Members pointed out that the Government should be fully aware that marginalization and the increasing impoverishment of women constituted a serious obstacle to society as a whole. Regarding government programmes and awareness-raising campaigns to promote the advancement of women, members wanted to know what those programmes were and what the practical results of those campaigns had been.

456. Asked whether any efforts were being undertaken to remedy the current lack of statistical data disaggregated by gender, the representative stated that the statistical service was not well developed, nor was the need for disaggregating data by gender properly understood in the country.

457. In reply to questions on the number and category of persons that had been affected by the civil war, the representative stated that the number of displaced persons was 320,828, among whom there were 18,828 children under five years of age, 2,832 orphans, 780 widows and 11,000 pregnant or lactating women.

458. Concerning the preparation of the third periodic report, members inquired whether it reflected national consensus and whether women's organizations had also been involved in its preparation.

Questions related to specific articles

Article 2

459. Considering that women were deprived of equal rights in many fields, such as inheritance, property, access to credit, legal capacity (of married women) and political representation, members asked whether there were plans to enact the necessary laws or to amend existing ones. The representative explained that it was difficult to make parents change their traditions and to make them understand that their daughters, even if married, still had the right to inherit from their parents. Traditionally, families assumed the debts of their members and were entities that belonged to men rather than to women. To change people's customary outlook was a very slow process.

460. Members asked why the President of the Republic had not enacted the family code although it had been adopted in 1988.

Article 3

461. Members asked whether specific programmes were being carried out in Rwanda to advance the status of women and what form they took.

462. When asked for a timetable of URAMA efforts to advance the status of women, for information about the relationship between that association and the national machinery for the advancement of women or other similar institutions, whether it was a legitimate organization and what its administrative structure was, the representative said that, previously, URAMA had had close links with the single existing party in the country. With the establishment of the multiparty system, the association had lost its identity and structure. Currently, there was no further close connection with the Government and subsidies would have to be sought. Only when democracy had taken hold could it be expected that URAMA would draw up a plan of action.

463. As it had been stated in the third periodic report that the monitoring of the implementation of the Convention was the responsibility of the Ministry of the Interior, members asked about the nature of the machinery for such monitoring and whether URAMA was also involved in the process.

Article 5

464. The representative explained that currently no change in traditional practices and customs was foreseen in any programmes.

Article 9

465. In view of the contradiction between the Law of 28 September 1963 regarding the conditions for transmission, retention, acquisition or change of nationality and the Convention, in that the Law was discriminatory to women, the representative agreed with the Committee's recommendation that the Government should do everything possible to revise the Law and bring it into line with the provisions of the Convention.

Article 10

466. Considering the low level of literacy in Rwanda, members inquired whether specific machinery existed to pursue the objective of URAMA to eliminate illiteracy among women. The representative replied that there was no special machinery to ensure that girls or boys received schooling, but that awareness-raising was being carried out through local community meetings, particularly as primary education was obligatory and free of charge.

Article 11

467. When asked about the existence of structural adjustment programmes, analyses of their negative effects and possible measures to secure the employment of women, the representative said that the effects in Rwanda had been devastating. A meeting with URAMA and the donor parties was planned to overcome the negative effects.

Article 12

468. With regard to a question about family planning services, the representative stated that family planning was dealt with by the National Office for Population. Its most important task was alerting women and men to the dangers that closely spaced pregnancies constituted for the lives of women and their children.

469. Members asked whether the statement in the third periodic report that Rwandese health policy remained "oriented towards mass medicine" and whether offering "priority care to the most vulnerable population groups" meant that contraceptives were easily available in Rwanda. They asked further what the contents of the family planning programmes and their results were, in view of the fact that a woman's fertility had a very important social meaning in African countries. In view of statistical data indicating that the most frequent offences for which women were imprisoned were illegal abortions, members inquired whether women had any access at all to safe and legal abortion.

470. The representative mentioned the recently created National Laboratory for the Fight against AIDS to raise people's awareness of the importance of using condoms. Awareness was being promoted through radio publicity, information distributed by local dispensaries and specific seminars. Members asked whether education programmes for young girls existed.

Article 14

471. Considering the large percentage of women living in rural regions, members asked whether any specific programmes had been implemented for them and whether there was the intention and means of evaluating, in monetary terms, the economic value of the domestic work undertaken by rural women. The representative stated that, apart from awareness-raising campaigns, there were no specific programmes for rural women. The five-year plans referred to development in general, but were not specifically geared to women.

472. Members asked under which exceptional conditions rural women could own land and obtain access to credit.

Concluding observations

473. While members of the Committee expressed appreciation for the timely submission of the third periodic report, in spite of the country's dire economic and political situation, and also for the frank presentation, they suggested that the third periodic report did not show the Government's commitment to advancing the status of women since it often referred to legal institutions that had been in force at the time of the previous report. It was not apparent whether the actual situation of women had changed and what measures had been taken to improve their situation. As the representative had not answered most of the questions that had been sent to the Government before the twelfth session, members asked that the answers be provided to the Secretariat in writing within a month and be circulated to them in the working languages. They urged that the Convention be disseminated as broadly as possible and hoped that it would be a useful instrument for Rwandese women to make the Government adhere to its international commitment to improve the status of women.

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301. The representative of Rwanda made an oral presentation, on an exceptional basis, at the 306th meeting of the Committee, on 31 January 1996 (see CEDAW/C/SR.306). She expressed appreciation for the interest the Committee was showing towards her country. She pointed out that Rwanda had reported four times to the Committee on progress in improving the status of women before the tragic and dramatic events, which included not only four years of war since 1990, but unprecedented genocide, with the massacre of an estimated one million people. There had been violations of human rights on a massive scale.

302. The representative pointed out some of the social, political and economic consequences of the events in her country, including physical, psychological, moral and spiritual destabilization of the population, total destruction of the structures of the State and an economy which is now dominated by humanitarian assistance. She pointed out that there had been systematic destruction of the means of production and public services.

303. The representative explained that efforts were under way to address the problems of the country and the effects of the genocide, including rehabilitation for those most affected in the population.

304. In describing the particular situation of women, she provided information on the total inadequacy of medical services, the extent of chronic malnutrition, the lack of clean water and the prevalence of HIV/AIDS, noting that women and girls were particularly vulnerable and that, between the ages of 14 and 40, the incidence of maternal death and infant death had increased substantially. They were also suffering from severe psychological effects; anxiety and depression were common.

305. With regard to education, women and girls were particularly affected by the damage to the educational system resulting from the war, as the customs and traditions had previously placed women and girls at a disadvantage and there had been no possibility for improvement under the circumstances.

306. She provided information on the small number of women in political life and noted factors that prevented women from playing a more active role in political decision-making, including poverty and lack of access to information.

307. The representative summarized efforts to promote the advancement of women, such as economic empowerment, greater sharing of responsibilities among men and women, better social services, legal reform and protection for young women, but emphasized that such efforts were contingent on the rebuilding of the country.

Concluding comments of the Committee

Introduction

308. The Committee expressed its appreciation that the distinguished representative of the

Government of Rwanda was able to make the oral presentation, taking into account the extremely difficult situation of her country. This was indicative of the commitment to the advancement of women in the country, even during this difficult period of the post-genocide situation. The Committee expressed its solidarity and sympathy with the people of Rwanda, particularly the women and children.

Factors and difficulties affecting the implementation of the Convention

309. The Committee identified as major factors and difficulties in implementing the Convention: the weak State machinery to effectively maintain the peace process; the difficult process of national reconciliation; the breakdown of public infrastructure and private support systems; the large number of Rwandan refugees and internally displaced persons; the great number of militias and some civilians who are still armed; and the shattered economy and extreme poverty.

Positive aspects

310. The Committee noted with appreciation the establishment of the committee of inquiry to investigate the genocide of 1994 to ensure justice for the perpetrators and safety and rehabilitation for survivors.

311. The Committee commended the Government for initiating a reconciliation process.

312. The Committee welcomed the attempt made by the Government to rebuild infrastructure and the economy.

313. The Committee commended the Government's efforts to rehabilitate traumatized people, both physically and psychologically, to enable them to regain their lost image.

314. The Committee noted with interest the establishment of a women's promotion office, which is under the Prime Minister's office, as well as a focal point to provide legal assistance, peace, education and the development of gender-sensitive programmes.

315. The Committee expressed great alarm at the continual supply of arms to all involved in the conflict, which could seriously obstruct the peace process.

316. The Committee reacted with scepticism to the information that the genocide and on-going problem with the country were not related to ethnic conflicts.

317. The slow repatriation and resettlement of refugees, the majority of whom are women and children, from neighbouring countries is an issue of concern to the Committee.

318. The Committee noted with concern the traditional customs, which are prejudicial to women.

319. The Committee regretted and expressed its concern at the high rate of illiteracy, particularly among women.

Principal subjects of concern

320. The Committee noted with deep concern the extreme poverty that prevailed, the decimated economy, the destruction of economic and social infrastructure and the lack of funding for medical assistance for the survivors of the war.

321. The Committee was dismayed at the deep psychological trauma, the unwanted pregnancies and the massive rape of women and girls during the genocide, which resulted in widespread HIV/AIDS and other sexually transmitted diseases. This can of course eventually lead to further illness and death for thousands of women and girls.

Suggestions and recommendations

322. The international community, including all United Nations agencies and Governments, must give massive support for poverty alleviation and education programmes aimed at eliminating human rights violations and rehabilitating Rwanda.

323. The Government should support women's quest for equal rights and their contributions in all areas of society, in particular in the reconciliation process and maintenance of peace.

324. Women and men should be equally represented on the International Tribunal for Rwanda; it must also have a focus on women's rights.

325. There must be a witness protection unit in the war crimes prosecutor's office to protect those who testify about rape, sexual violence and other crimes.

326. The monitoring unit of the Human Rights Field Operation in Rwanda must be educated and trained about sexual assault, rape, and systematic rape. It is strongly recommended that in appointing monitors women, in particular, be appointed, and that there be an emphasis on diversity of experience and familiarity with Rwanda's culture and language.

327. A thorough investigation of rape and sexual assault must be conducted.

328. The Committee recommends that the Government make every effort to include women in its rehabilitation efforts, at least on an equal basis with men.

329. The Government must put in place legal provisions that would advance women's reproductive and sexual rights, land titles to women and the right of women to be their children's legal guardian.

330. The Committee recommends immediate implementation of resolution 1995/5, entitled "Situation of human rights in Rwanda", as well as resolution 1995/14, entitled "Systematic rape and sexual slavery during periods of armed conflict", of the Subcommission on Prevention of Discrimination and Protection of Minorities.

331. The Committee considers that it is necessary to organize a consensus-building discussion concerning the repatriation of Rwandan refugees and internally displaced persons. The international

community should only encourage repatriation of refugees when there are clear signs from inside Rwanda that suggest such action.