



# International Convention on the Elimination of All Forms of Racial Discrimination

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## Committee on the Elimination of Racial Discrimination

Seventy-eighth session

14 February–11 March 2011

## Implementation of the International Convention on the Elimination of All Forms of Racial Discrimination

### List of themes to be taken up in connection with the consideration of the thirteenth to seventeenth periodic reports of Rwanda (CERD/C/RWA/13-17)

The following is a list of themes identified by the Country Rapporteur in connection with the consideration of the thirteenth to seventeenth periodic reports of Rwanda. The list is meant to guide the dialogue between the State party delegation and the Committee and *does not require written replies*. This is not an exhaustive list as other issues will be raised in the course of the dialogue.

#### 1. Statistics on the ethnic composition of the population and socio-economic indicators

(a) Statistics or information on the number of persons who might be treated less favourably on the grounds of race, colour, descent or national or ethnic origin, or information on mother tongues, languages commonly spoken, or other indicators of ethnic diversity, together with any information about race, colour, descent, or national or ethnic origins derived from social surveys;

(b) Socio-economic indicators concerning the situation of the Batwa and of persons who left the State party as refugees and then returned.

#### 2. Implementation of the Convention in the domestic legal order, institutions or bodies responsible for combating racial discrimination (arts. 2, 4 and 6)

(a) Assessment and impact of the activities of the National Unity and Reconciliation Commission in terms of promoting tolerance and reconciliation among the various ethnic groups that make up the population of the State party;

(b) National Human Rights Commission: independence, complaints of racial discrimination, the follow-up given to those complaints and the means of investigation available to the National Human Rights Commission;

(c) Measures to bring the Criminal Code fully into line with all aspects of article 4 of the Convention;

(d) Information on complaints lodged, prosecutions initiated, sentences pronounced and compensation granted for acts of racial discrimination as set forth in article 4 of the Convention, and in particular against persons belonging to one of the various ethnic groups that make up the population;

(e) Statistics on complaints lodged, investigations conducted, sentences pronounced and compensation granted for acts of racial discrimination against persons belonging to one of the various ethnic groups that make up the population, in particular under Act No. 47/2001 of 18 December 2002, Act No. 13/2009 regulating employment in the State party, Act No. 22/2002 on public service and Act No. 20/2003 on education;

(f) Statistics on and assessment of the policy on the equitable sharing of power among all Rwandans and the promotion of non-discrimination and equal opportunity in employment, particularly in public service and in the army, including senior posts;

(g) *Gacaca* courts: assessment of the activities of these courts and their impact on national reconciliation; legal guarantees to ensure fair trials; assessment of the policy to reintegrate persons found guilty, most of whom are of Hutu origin; and compensation for persons detained for genocide or complicity in genocide but found not guilty, most of whom are Hutu.

### **3. Situation of the Batwa population (arts. 5 and 7)**

(a) Recognition of the minority status of the indigenous Batwa population;

(b) Measures taken to ensure that persons belonging to the Batwa population are not subjected to discrimination and that they enjoy equal treatment in access to health care and services, education, employment, adequate food and housing, as provided for by the Constitution;

(c) Measures taken to grant land to the Batwa population or to provide compensation to Batwa communities that have been dispossessed of or have lost their land and habitat as a result of forced relocations;

(d) Measures the State party has taken to consult the Batwa when designing or implementing projects that concern them;

(e) Measures taken and means provided to the Batwa population so that they can develop and preserve their own culture;

(f) Measures taken to combat, in general, stereotypes and discrimination against the Batwa;

(g) Measures taken to encourage the integration of the Batwa population and their participation, without discrimination, in the management of public and political affairs;

(h) Measures taken to reduce the poverty seen among persons belonging to the Batwa population.

### **4. Refugees and asylum-seekers (art. 5)**

(a) The situation of persons who left the State party as refugees and then returned: problems related to their reintegration and measures taken to improve their access to education, employment, social services and health care, without discrimination and on an equal footing with the rest of the population;

(b) Measures taken to improve refugee facilities;

(c) Measures taken to improve asylum procedures and to clarify the conditions for granting refugee status;

- (d) Measures taken to provide legal aid for asylum-seekers.
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