



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**
Forty-third session

Summary record of the 884th meeting

Held at the Palais des Nations, Geneva, on Wednesday, 4 February 2009, at 10 a.m.

Chairperson: Ms. Gabr

later: Ms. Neubauer (Vice-Chairperson)

later: Ms. Gabr (Chairperson)

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The meeting was called to order at 10 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention

Combined fourth to sixth periodic report of Rwanda (CEDAW/C/RWA/6, CEDAW/C/RWA/Q/6 and Add.1)

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

2. **Ms. Mujawamariya** (Rwanda), introducing the combined fourth to sixth periodic report of Rwanda (CEDAW/C/RWA/6) by means of a computerized slide presentation, said that her country, located in the Great Lakes region of central East Africa, had an estimated population of 9.3 million, of which 47.8 per cent were men, with 52.2 per cent women. The policy of ethnic and regional discrimination and exclusion practised after independence in 1962 had culminated in the April 1994 genocide that had plunged the country into mourning, claiming more than a million victims, with serious and far-reaching effects on the women of the country. A Government of National Unity had been put into place in July 1994 composed of the Rwandan Patriotic Front and political parties that had not taken part in the genocide, in order to ensure a transition period towards a Government elected by the people, while meeting the challenge of reconstruction and reconciliation. The transitional government and people of Rwanda had faced huge challenges: disease, internal displacement, trauma and meeting the needs of vulnerable groups including widows, orphans and survivors of the genocide without shelter or other resources.

3. The report being presented was the first submitted to the Committee since the genocide, although an oral report had been made in 1996. The Government was fully committed to the empowerment of women and the promotion of their socio-economic and political participation in the life of the country, based on its belief that the country could not move forward without including women in all areas of its vision for a united, democratic and prosperous Rwanda.

4. The Constitution of 2003 stated that every citizen had a right to education. Primary education was compulsory and was provided free of charge in public schools, without any gender discrimination. Under the

national development plan Vision 2020, the goal was 85 per cent literacy by 2015, with a goal of 100 per cent by 2020. A gender-sensitive revised school curriculum had recently been put into use. The Constitution also enshrined the principle of equal pay for equal work and any form of discrimination in employment was prohibited in the public sector.

5. In the health sector, Rwandans in general were aware of at least one method of family planning, but rates of use were still low. Maternal mortality rates were still quite high, but had dropped from 1,071 per 100,000 live births in 2000 to 750 per 100,000 in 2005, and the decline in that rate was expected to continue. Most women received some form of prenatal care, but many delivered at home, especially in rural areas, despite the fact that 85 per cent of the population had social security benefits and health insurance. Infant mortality also remained high, with a rate of 107 deaths per thousand in 2000, which had fallen to 86 per thousand in 2005. Almost 99 per cent of the population knew how HIV/AIDS was transmitted and was aware of at least one prevention method. AIDS had become known as a women's disease, as more women than men were HIV-positive. Other sexually-transmitted diseases (STDs) were not as well known among the population.

6. Rwanda had made good progress towards gender parity in political representation. The Constitution established a minimum quota of 30 per cent women in decision-making posts at all levels. Currently, women represented 56.2 per cent of members of Parliament, 36 per cent of the Government, 50 per cent of Supreme Court judges and 40 per cent in local government. Efforts to increase women's participation in the economy included the establishment of a Guarantee Fund to provide small business loans. The Chamber of Women Entrepreneurs had created a women's savings and loan association as well. The Government strategy also included training for women in income-generating activities.

7. National mechanisms for the advancement of women included the Ministry of Gender and Family Promotion, which she headed, the Beijing Secretariat, which oversaw implementation of the Beijing Platform for Action, the National Women's Council, a grassroots organization, the Office of the Ombudsman and the Gender Monitoring Office. A Gender Observatory had also been created. The Constitution of 2003 was gender-sensitive, and a number of discriminatory laws in the area of marriage and family, nationality and land

ownership had been amended. A national gender policy had been adopted in 2004 that included a gender-responsive budgeting initiative, requiring her Ministry to review all sectoral budgets for their gender impact before forwarding them to the Ministry of the Economy and Finance.

8. Poverty was among the main constraints to the advancement of women, along with the lingering effects of the genocide. Along with constraints, however, came opportunities. The political will existed in the Government to eliminate gender discrimination from top to bottom of Rwandan society. The gender-sensitive legal framework, the gender budgeting initiative and a strong institutional framework, including a Supreme Court which had achieved gender parity, decentralization of Government, accountability at all levels and affirmative action to promote women into decision-making positions even in the private sector, were among efforts under way.

9. Plans for the way forward included strengthening of monitoring and evaluation mechanisms and adoption of development strategies that would include gender mainstreaming in all development programmes and projects and awareness-raising towards the eradication of discriminatory stereotypes and customs. Moreover, given the large number of women victims and survivors of the genocide, prosecutions of the perpetrators must continue. Another important issue was gender-based violence (GBV): there were plans to open more domestic violence shelters in addition to the four already opened and to submit a bill on gender-based violence to Parliament for adoption. The GBV committees at the grass-roots level must be strengthened and an institute of higher learning established to train future leaders.

Articles 1 to 6

10. **Ms. Šimonovič** commended Rwanda for the high level of representation of women in its Parliament. It was regrettable that representatives of non-governmental organizations (NGOs) had not been able to attend the presentation of the report because of visa problems, as she would like more information about their cooperation in the preparation of the report. It was a good practice to submit the report to Parliament before its presentation, and to submit the concluding observations as well. She would also like to have an update on progress in adoption of the optional protocol to the Convention.

11. With regard to the position of the Convention in the domestic legal system, the Beijing Platform for Action was mentioned as a key component of the framework for the advancement of women, yet it was a policy document rather than a legally binding international instrument. If the Convention was directly applicable in the domestic legal system, she was curious to know why no cases where it had been invoked were reported. Perhaps that indicated the need for more education for the judiciary on the Convention. She also questioned the continued existence of discriminatory laws, in the Family Code and the Commercial Code for example, which were not in line with the Constitution, if the Convention had precedence over domestic law. It was also important to have specific legislation prohibiting discrimination.

12. **Ms. Popescu** asked for specific information on measures to involve women in the prosecution of perpetrators of genocide, whether in the special tribunals or *gacaca* courts. She also asked about guarantees of equal justice for women victims of sexual violence and protection for victims and witnesses. More information was needed on how sustainable support was provided for women and girls who had suffered trauma, injury and loss. She would also like to hear more about the situation of child soldiers and whether former girl soldiers received sufficient attention in their rehabilitation and reinsertion into society. The Committee on the Rights of the Child had mentioned the possibility that children from refugee camps in Rwanda were being abducted and used as soldiers in the Democratic Republic of the Congo, and she would like to learn more about that situation.

13. She asked for additional information on the functioning of the national mechanisms for women and whether they had enough funding and human resources to meet their ambitious objectives. The relationship among the gender institutions should be clarified, as it appeared that the Convention needed increased visibility. She wondered how coherence was achieved among such institutions as the Gender Observatory, the National Human Rights Commission and the Ombudsman's Office.

14. Turning to Vision 2020, she asked if the gender pillar of that development plan involved gender mainstreaming by sectors or a specific gender strategy. Finally, she asked if there were any plans to adopt specific legislation defining and prohibiting gender

discrimination as described in article 1 of the Convention.

15. **Ms. Patten**, referring to temporary special measures under article 4, commended the quota system which had led to such significant political representation of women. She asked for details on the dialogue with the private sector, and whether any such measures had been applied there as well. In seeking to establish an enabling environment for substantive equality, temporary special measures in education, employment and recruitment were also important. Such measures should also be aimed at discriminatory cultural practices and stereotypes. It would be important to receive data on the number of women beneficiaries of credit and loan programmes and their impact. Finally, she asked if the Government had considered temporary special measures for women subject to multiple forms of discrimination.

16. **Ms. Mujawamariya** (Rwanda) said that all international agreements to which Rwanda was party took precedence over all domestic laws but the Constitution. No statistics were currently available for the number of cases where the Convention had been invoked before the courts; they would be provided in due course. Discrimination was prohibited in the Constitution; a separate law prohibiting discrimination would also be a duplication of provisions in the act on gender-based violence. Some discriminatory provisions indeed remained in the Commercial Code, which was being amended; in the meantime the Government had demonstrated the political will to promote women's involvement in economic activity. As for the relationship between the Beijing Secretariat and the Convention, the Convention had constitutional rank and took precedence over the Beijing Secretariat. The Convention was viewed as an important tool to show that national decisions in the area of women's empowerment were supported at the international level.

17. Regarding cooperation with civil society organizations in the preparation of the report, it was unfortunate that no NGOs had received invitations from the Committee to participate in the consideration of the report; they had been unable to find

support for their travel under the circumstances.

18. Women were actively involved in the courts and in prosecution of the perpetrators of genocide. Among 11 prosecutors, 7 were women; the Executive Secretary

of the *gacaca* courts and over 50 per cent of magistrates in those courts were women. Women were increasingly involved in the justice system because they were viewed as less corruptible than men. Witnesses and victims of rape and violence in the *gacaca* courts could give their testimony in a special chamber where they could not be seen by the accused, and their voices were even altered if necessary in order to protect witnesses. Long-term support to victims was provided by the Genocide Survivors Fund, a Government agency, and the Association of Genocide Widows (AVEGA), an NGO, which provided ongoing medical assistance, counselling and shelter to survivors, with special attention to issues affecting women.

19. Rwanda was not at war, and there were no child soldiers in the country. The Government had contested the United Nations report asserting their presence, which was not in accordance with current realities. Any former girl soldiers, who would currently be young women, had not been excluded from rehabilitation and reintegration programmes and had received the education and medical care to which they had a right on the same basis as boys. Children currently in camps in Rwanda were refugees from such neighbouring countries as the Democratic Republic of the Congo. They still had access to schooling provided by the Government, and their rights were respected.

20. The Government of Rwanda recognized that women's involvement in economic life was crucial for development and that the country could not progress if they were left behind. Women were in the majority among victims of poverty, and when their situation improved the country's GDP would rise as well. Women no longer required their husband's permission to take out a loan under the amended Commercial Code. The private sector also saw that women were needed for its development, which had led to the establishment of the Chamber of Women Entrepreneurs, an association that provided small business loans for women. In 2008, women represented 40 per cent of the beneficiaries of the Guarantee Fund, a small percentage compared to the number of women living below the poverty line.

21. Turning to the links between the national institutions for human rights and women's empowerment, she said that her Ministry, the Ministry of Gender and Family Promotion, was part of the Office of the Prime Minister. It had a gender

mainstreaming unit and an economic empowerment unit, and also coordinated the gender component of the programmes of all other ministries to ensure that gender was being tackled and that they were accountable for results. The Gender Observatory was an independent body, also in the Office of the Prime Minister; the Beijing Secretariat was attached to the Ministry of Gender and Family Promotion. Her Ministry was a member of the national steering committee for human rights, which oversaw national policy and institutions in that area.

22. Progress in implementation of Vision 2020 was being evaluated, including the gender pillar. The accomplishments of the action plan for 2008 included beginning operations of the Gender Observatory, establishment of the National Women's Council, training and amendment of discriminatory laws. Men had also become gender-sensitive, in that they had learned the benefit of women's empowerment, and had begun supporting those amendments. The strategy to include women in decision-making encompassed all levels, from the grass-roots to the highest levels. In addition to special temporary measures like the quota for women in elected office, long-term measures had focused on providing more educational opportunities for girls, including special coaching to prepare for national examinations. There were 18 institutions of higher learning where women were able to continue their education in evening classes, for which the Government provided transportation.

23. **The Chairperson**, speaking as a member of the Committee, pointed out that the Committee did not invite NGOs to participate in its sessions. Representatives of those organizations could apply to the Secretariat to speak at the informal meetings it held with NGOs, and in turn apply to the host country for visas.

24. Progress had been made in overcoming negative stereotypes of women, but extra effort was needed, through changes to the school curriculum, cooperation with human rights bodies, civil society organizations, the media and regional and international organizations. Commendable efforts had also been made to eradicate gender-based violence through legislation, but stronger action was needed by the Ministry. She would like to hear more about any cooperation among countries of the region regarding best practices in addressing domestic violence. Early marriage was another practice

detrimental to women, although recent progress had been made in countering it.

25. **Ms. Murillo de la Vega** asked if there were any measures aimed at closing the gender gap among professors at the secondary and university levels, where 83 per cent were male. She wondered if the laws on genocide addressed violence specifically against women, and if so, whether women survivors received compensation from their aggressors.

26. **Ms. Awori** asked for an update on progress towards the adoption of the bill on trafficking in persons, which was not covered under the Criminal Code. She wondered what measures were in place to protect refugee women and asylum-seekers and other vulnerable groups from trafficking for sexual exploitation and labour and assist victims while the bill was awaiting adoption. Although the delegation had stated that there were no Rwandan children in refugee camps, she would still like to know if trafficking in children remained an issue. She was also interested to know how the efforts to prevent women from turning to prostitution because of poverty were working in the districts, and whether women refugees, asylum-seekers and rural women were being reached. Finally, she requested comment on the concluding observations of the Committee on the Rights of the Child that mentioned an increasing number of victims, whether girls, orphans or abandoned children, of sexual exploitation and child pornography.

27. **Ms. Chutikul**, noting that poverty had been mentioned as a root cause of prostitution, asked to hear more about the poverty reduction strategy, including examples of successes. She would like more details on the content of the bill on trafficking, and whether the definition it contained followed the one given in the Palermo Protocol. Because prostitution was illegal, it was important to learn the role of the police in dealing with it. She asked if there was a special unit to deal with women and children, whether there were women police officers, how prostitutes who were still minors were dealt with, and what treatment clients received.

28. *Ms. Neubauer, Vice-Chairperson, took the Chair.*

29. **Ms. Mujawamariya** (Rwanda) said that her delegation agreed that strong action was needed to meet targets concerning violence against women, along with joint efforts by all stakeholders. Rwanda had joined the East African Commission, of which it was the current chair, and had placed gender issues at the

top of the agenda for its tenure. With regard to the gender gap in the faculties of secondary schools and universities, women were the majority of teachers at the primary school level, but most women who had earned advanced degrees in Rwanda did not appear to be interested in teaching. Education for women in Rwanda began 40 years later than education for men, so women still lagged behind men in that area.

30. On the subject of trafficking in persons, she said that there had not yet been any prosecutions, but a bill on prevention of trafficking was currently in Parliament. The National Police headed a steering committee on prevention under the auspices of the President. Measures to protect victims included assistance to former sex workers through alternative income-generating activities and a revolving fund to provide capital to start small businesses.

31. She reiterated that there were no child soldiers in Rwanda. Most asylum-seekers were economic refugees from neighbouring Burundi who moved across the border frequently and were a source of insecurity in the country because of the criminal activity attributed to them. In cases of prostitution, both the women and the male clients were breaking the law, so both were subject to arrest. She also denied the assertions concerning child sexual exploitation and pornography, areas which came under the supervision of her Ministry.

32. Figures for 2006 showed that in the public university, 4,850 of the 16,193 students were women. In the private university, 10,615 of the 20,966 students were women, just over 50 per cent. Most women attended private institutions because of the availability of evening classes that allowed them to combine education with work and family responsibilities.

33. The following was the definition of trafficking as contained in the bill recently submitted to Parliament: "Trafficking is a practice that makes a person a product for the purpose of exploitation or transfer to another place or in another country by means of fraud, threat, use of force or coercion, abuse of power, especially with the intention of harming him or her or of illicit exploitation using humiliating practices, prostitution, illicit practices, practices similar to slavery, subjecting him or her to torture or ill-treatment or using him or her as a slave in domestic work by abusing a position of vulnerability resulting from his or her problems with administration, pregnancy of women heading a

household, illness, disability and other problems that may facilitate the person in performing those acts."

34. **Ms. Ameline** asked whether the concept of respect for the equality of men and women had directly and significantly changed the cultural context related to the history of the genocide and whether women and men were helping the nation to overcome those memories. She asked about the status of the search for perpetrators of the violence, and how it was possible to help the younger generation of girls see themselves as agents of development rather than victims.

35. With regard to gender budgeting, she asked if a portion of each institution's budget was targeted to gender issues or if supplemental funds were provided.

36. **Ms. Hayashi** noted, regarding the application of the Convention and the Beijing Platform for Action, that the Convention was a legally binding international instrument, and as such, its status in the legal system should be reviewed. She was curious to know if the special tribunals and the *gacaca* courts collaborated or shared caseloads in any way, and if the decisions of the International Criminal Tribunal for Rwanda (ICTR) had any influence on the decisions of domestic courts.

37. *Ms. Gabr, Chairperson, resumed the Chair.*

38. **Ms. Popescu** said that an indication of the lack of visibility of the Convention in the domestic legal system was the lack of cases invoking it, and she would like to hear more about measures taken to disseminate it and provide training for the judiciary and law enforcement. She asked if the act on gender-based violence was already in force and if so, the main forms of violence it covered. She had concerns regarding the criminalization of adultery, *concubinage*, abortion and prostitution, and asked for information about the situation of women and girls imprisoned for those offences. She would also like more information on the situation of Rwandan women returnees who had either been displaced or in refugee camps.

39. **Ms. Šimonovič** asked how far the process of ratification of the Optional Protocol to the Convention had progressed and what discriminatory legislation was currently under review.

40. **Ms. Ara Begum** asked if gender-based violence shelters could also be found in rural areas as well as towns, what rehabilitation programmes were available for young women victims of genocide and violence and how many had benefited, how many perpetrators had

been punished and if there were any programmes to support young women in overcoming trauma.

41. **Ms. Rasekh** asked if there were any laws punishing or criminalizing sexual harassment.

42. **Ms. Mujawamariya** (Rwanda) said that, as an example under the gender-budgeting process, if the Ministry of Education planned to use the school construction fund to build lavatories, it must show that it was building them for girls as well as boys. As another example, a health centre must show that it used its funding for birth control for methods to be used by both men and women. Her Ministry had its own gender mainstreaming and women's empowerment budget.

43. Article 9 of the Constitution of Rwanda listed the Convention among international instruments directly applicable in domestic law. The Convention had been translated into Kinyarwanda, the local language, to help in its dissemination. Its provisions were also respected by the ICTR and the *gacaca* courts.

44. An act on punishment for gender-based violence remained to be promulgated by the President, but some steps were already being taken. The act covered domestic violence and sexual harassment. The practice of *concubinage* was criminalized because it usually involved abuse of the rights of the partner and of any children of the union. Although it was criminalized as well, education before punishment was the approach taken to adultery. Measures were also being taken to help women leave the life of prostitution. Under the Constitution of Rwanda, life was defined as starting at conception; therefore abortion was criminalized because it was killing. Reintegration of women returnees took place mainly through poverty reduction programmes; they did not face any discrimination because of their status as returnees. The gender-based violence shelters mentioned were in rural areas, where most domestic violence took place. They provided education in gender sensitivity and family counselling to partners.

45. **Ms. Niwemfura** (Rwanda) said that civil society had been involved in the preparation of the report. It had been drafted by the Ministry of Gender and Family Promotion with help from the Beijing Secretariat. The national committee to review the report had been composed of grass-roots organizations and associations for the advancement of women, the Catholic and Protestant churches and Muslim representatives, donors, United Nations agencies and the private sector

through the Chamber of Women Entrepreneurs. All those stakeholders had reviewed the report before its submission to the Government.

46. As for ratification of the Optional Protocol, the Council of Ministers had approved it in 2007. It had been seen by the Cabinet and would next go to Parliament, which would in turn send it to the President. The Convention, like other important international instruments, had been translated into Kinyarwanda and sent out to district leaders and members of national women's and youth councils.

47. The gender gap on the university faculty was in some measure the fault of the former colonial government. Only in 1960 were women allowed to begin studying sciences and other academic subjects; before that date their education was limited to homemaking and child care.

Articles 7 to 9

48. **Ms. Belmihoub-Zerdani** noted that Rwanda led the world in women's representation in Parliament at 56 per cent, displacing Sweden, an achievement of which it should be duly proud. Women's representation in local government, however, was only 40 per cent. More effort was needed to provide women with the education they needed to fill increasingly responsible posts, and women in decision-making posts at the local level were in a better position to defend women's interests.

49. She would like to know what international assistance had been received for implementation of the Convention and in providing long-term support to victims, widows and orphans of the genocide, whether from the United Nations, bilateral donors or the African Union.

50. She requested clarification whether Rwandan women married to a foreigner had the right to transmit their nationality to their children on an equal basis with men.

The meeting rose at 1 p.m.