

# RWANDA

Compilation of the recommendations of the  
Human Rights Committee

Prepared by the CCPR-Centre

## Introduction

This report was prepared for Rwanda's review by the Committee against Torture in November 2017. Rwanda was reviewed by the Human Rights Committee in 2016. Several elements of the review are also relevant for the assessment of the implementation of the Convention Against Torture.

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## 1. Torture and ill-treatment

The Human Rights Committee had received reports of the use of torture and ill-treatment, including beatings, electric shocks and techniques such as sensory deprivation and limitation of breathing, in a number of detention facilities in Rwanda. Moreover, prison conditions in general are degrading<sup>1</sup>.

The Committee asked the state to provide information on the investigations of such ill-treatment, actions taken and compensation for victims. **The government replied it had a zero-tolerance policy towards torture**<sup>2</sup>. It also stressed that no individual could be extradited if there was a risk of torture or of deprivation of the right to life<sup>3</sup>. Every allegation is investigated and perpetrators are brought before the competent authorities<sup>4</sup>, according to the delegation.

The Committee also asked for information concerning trainings given to law enforcement officials and legal professionals regarding torture and ill-treatment<sup>5</sup>, but no response was given.

Recommendation §20 of the Human Rights Committee:

**The State party should:**

- (a) **Make the legislative amendments necessary to ensure that the normal maximum period of detention before a suspect is brought before a judge is 48 hours;**
- (b) **Ensure that all persons deprived of their liberty are only detained in official places of detention and are provided in practice with all legal safeguards;**
- (c) **Ensure that allegations of unlawful detention, torture and ill-treatment are promptly investigated and that the perpetrators are brought to justice;**
- (d) **Guarantee that persons who have been victims of unlawful detention, torture and ill-treatment have an effective right to remedy and redress.**

## 2. Status of the Covenant in Rwandan domestic law

The Committee Against Torture is concerned about the compliance of domestic law with the Covenant and asks about domestic cases in which the Covenant was invoked (list of issues §3).

The Human Rights Committee had similar concerns. It noted with regret that the status of the Covenant in the domestic legal order has changed: **the Constitution and organic laws have now supremacy over international treaty law**<sup>6</sup>. The Committee

<sup>1</sup> Summary record of the 3250th meeting, UN Doc. CCPR/C/SR.3250, 22 March 2016, §22 (hereinafter Summary record part 1).

<sup>2</sup> Summary record part 1, §5.

<sup>3</sup> Summary record part 1, §7.

<sup>4</sup> Additional information from the state, available at [http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/RWA/INT\\_CCP\\_R\\_AIS\\_RWA\\_23382\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/RWA/INT_CCP_R_AIS_RWA_23382_E.pdf).

<sup>5</sup> Summary record part 1, §10.

<sup>6</sup> UN Human Rights Committee, *Concluding Observations on Rwanda*, UN Doc. CCPR/C/RW A/CO/4, 2 May 2016, §5 (hereinafter Cobs Human Rights Committee).

reminded the state of its obligation to ensure that domestic law is consistent with the Covenant, and recommended to raise awareness of its provisions among legal professionals<sup>7</sup>.

Recommendation §6 of the Human Rights Committee:

Recalling its general comment No. 31 (2004) on the nature of the general legal obligation imposed on States parties to the Covenant, the Committee reminds the State party of its obligation to ensure that domestic law, in particular organic laws, is consistent with the provisions of the Covenant. The State party should also make vigorous efforts to raise awareness about the Covenant and its direct applicability in domestic law among judges, lawyers and prosecutors. The Committee also recommends that the State party ratify the First Optional Protocol to the Covenant, which establishes an individual complaint mechanism.

The delegation said that the number of legal proceedings in which the Covenant was invoked, is increasing. This generally happens in support of the right to a fair trial<sup>8</sup>.

### 3. Detention

The Human Rights Committee was very concerned about detention in the state party: degrading conditions, unlawful deprivation of liberty and many other issues were noted by the Committee members.

Several reports have been published that individuals were held unlawfully by the military and police in unofficial detention centers, sometimes incommunicado and in some cases before being transferred to official places of detention. Torture and ill-treatment are used as a means to extract confessions. This was **categorically denied by the Rwandan delegation** and there was no information provided on the measures taken to investigate these allegations<sup>9</sup>. Moreover, the Code of Criminal Procedure stipulates that suspects can be detained for maximum 72 hours before being brought to a prosecutor, and 7 days before being brought to a judge<sup>10</sup>. This is incompatible with the prohibition of incommunicado detention.

The delegation clarified that the Rwanda Defence Force was precluded from arresting or detaining people by law. The military police, meanwhile, had the authority to apprehend and arrest military personnel who broke the law. Kamp Kami was not used as a location for the interrogation or detention of suspects. **There was no police detention centre known as Chez Gacinya** in Kigali or anywhere else in Rwanda<sup>11</sup>.

The Committee recommended the state party to amend its laws to ensure that the maximum period of detention before being brought before a judge is 48 hours, to

<sup>7</sup> Cobs Human Rights Committee, §6.

<sup>8</sup> Summary record part 1, §27.

<sup>9</sup> Additional information from the state, available at [http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/RWA/INT\\_CCPR\\_AIS\\_RWA\\_23382\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/RWA/INT_CCPR_AIS_RWA_23382_E.pdf) ; Cobs Human Rights Committee, §19 ; Reply to List of Issues, UN Doc. CCPR/C/RWA/Q/4/Add.1, 22 December 2015, §25 (hereinafter Reply to LOI).

<sup>10</sup> Summary record part 1, §20.

<sup>11</sup> Summary record of the 3251st meeting, UN Doc. CCPR/C/SR.3251, 23 March 2016, §3 (hereinafter Summary record part 2).

ensure that people are only detained in official centers and can enjoy all legal safeguards, to investigate all allegations of unlawful detention, torture and ill-treatment, and to guarantee the right to redress of victims<sup>12</sup>.

Recommendation §20 of the Human Rights Committee:

**The State party should:**

**(a) Make the legislative amendments necessary to ensure that the normal maximum period of detention before a suspect is brought before a judge is 48 hours;**

**(b) Ensure that all persons deprived of their liberty are only detained in official places of detention and are provided in practice with all legal safeguards;**

**(c) Ensure that allegations of unlawful detention, torture and ill-treatment are promptly investigated and that the perpetrators are brought to justice;**

**(d) Guarantee that persons who have been victims of unlawful detention, torture and ill-treatment have an effective right to remedy and redress.**

Moreover, the Committee was also concerned about foreigners awaiting deportation since they are detained in prisons<sup>13</sup>. It reminded the state of its obligation to respect the principle of non-refoulement<sup>14</sup>. The Committee also noted that people in pretrial detention are detained together with people serving sentences. The delegation said that every effort was made to ensure that there was no interaction between the two groups which were housed in separate blocs<sup>15</sup>.

According to international human rights organizations, people had been detained in the Gikondo Transit Centre without charge for periods ranging from a few days to several months. There was no provision for judicial oversight<sup>16</sup>. The delegation referred to a new directive of the City Council which provides for an oversight mechanism<sup>17</sup>.

Furthermore, the conditions in Rwandan detention facilities are deplorable. For example, in 2014 General Rwarakabije Paul<sup>18</sup> announced that there was a 130% surplus in prison population<sup>19</sup>. Moreover, there are concerns regarding the respect of the 'Ensemble des règles minimales des nations unies pour le traitement des détenus'. An analysis of the prison facility in Huye in April 2014 showed a number of 7893 prisoners for a capacity of 7000, or 112.76%. The total number of people in the prison system is around 50 000<sup>20</sup>. The state should take measures to address

<sup>12</sup> Cobs Human Rights Committee, §20.

<sup>13</sup> Cobs Human Rights Committee, §29.

<sup>14</sup> Cobs Human Rights Committee, §30 ; Reply to LOI, §34.

<sup>15</sup> Reply to LOI, §33.

<sup>16</sup> Summary record part 1, §19.

<sup>17</sup> Reply to LOI, §37.

<sup>18</sup> Commissaire général du service des prisons.

<sup>19</sup> Cf. <http://www.pdp-imanzi.org/blog-imanzi/20141211-la-problematique-des-prisonniers-inquiete-le-pdp-imanzi/>

<sup>20</sup> Additional information from the state, available at [http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/RWA/INT\\_CCP\\_R\\_AIS\\_RWA\\_23382\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/RWA/INT_CCP_R_AIS_RWA_23382_E.pdf).

overcrowding and guarantee the separation of pretrial detainees from convicted prisoners<sup>21</sup>. During the dialogue, the delegation confirmed that **facilities were still overcrowded**<sup>22</sup>.

The Human Rights Committee found the replies of the delegation to questions concerning detention unduly generic<sup>23</sup>, asked what measures were taken to improve the conditions<sup>24</sup> and to provide them with statistics<sup>25</sup>.

The delegation stated that several civil society organizations, including the International Committee of the Red Cross, Transparency International and the Legal Aid Forum, and their own National Commission for Human Rights, were allowed regular access to such centers and could make recommendations to the Government to improve the detention conditions<sup>26</sup>.

However, on 21 October 2017, the delegation of the Subcommittee on the Prevention of Torture was forced to suspend its mission in Rwanda on the fifth day, while seven days were originally planned. The Subcommittee noted the lack of cooperation of the Government and obstacles in getting access to the detention centres. According to the head of the delegation, Arman Danielyan, they were prevented from doing their job in certain facilities, and were severely limited in others. Private and confidential interviews with certain detainees were not possible, and others were afraid of reprisals.

#### 4. National Human Rights Commission

The Human Rights Committee was concerned about the independence of the National Human Rights Commission and its financial autonomy. Members are selected by a Committee, appointed by the President<sup>27</sup>, but this process should be transparent and independent, in line with the Paris Principles<sup>28</sup>. The delegation said the selection was done in an open and transparent manner. It referred to law no. 19/2013, which has strengthened the Commission's powers by giving it autonomous control over its budget and staff. The members have immunity from criminal prosecution<sup>29</sup>. It strongly rejected allegations that the Commission had actively sought to hinder or discredit the work of international human rights organizations or had pressured civil society organizations to withdraw shadow reports they had submitted to the Human Rights Council in the context of the most recent universal periodic review<sup>30</sup>. The Commission presents its activities to Parliament and not to any Government ministry<sup>31</sup>. In addition, funding has grown annually to 5.2 Billion Rwandan Francs<sup>32</sup>.

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<sup>21</sup> Cobs Human Rights Committee, §32.

<sup>22</sup> Summary record part 2, §35.

<sup>23</sup> Summary record part 1, §20.

<sup>24</sup> Summary record part 2, §11.

<sup>25</sup> Summary record part 2, §12.

<sup>26</sup> Summary record part 2, §36 ; Reply to LOI, §32.

<sup>27</sup> Cobs Human Rights Committee, §9 ; Summary record part 1, §12.

<sup>28</sup> Cobs Human Rights Committee, §10.

<sup>29</sup> Summary record part 1, §32.

<sup>30</sup> Summary record part 1, §33.

<sup>31</sup> Reply to LOI, §5.

<sup>32</sup> Reply to LOI, §6.

## 5. Gender-based violence

The Human Rights Committee welcomed the efforts made to combat gender-based violence, but some concerns remain. In Law no. 59/2008, victims are criminalized for refusal to testify on domestic violence and national legislation applies more lenient penalties to conjugal rape than to general rape<sup>33</sup>.

Recommendation §15 of the Human Rights Committee:

**While welcoming the various efforts made to combat gender-based violence, the Committee notes with concern that Law No. 59/2008 on prevention and punishment of gender-based violence criminalizes victims' refusal to testify with regard to the violence they suffered and that national legislation applies more lenient penalties to conjugal rape than to general rape. It is also concerned about the lack of statistical data that could be used to assess the prevalence of sexual and physical violence against women and children.**

The Committee asked for statistical information on this issue and recommended the state to amend the law on conjugal rape, to ensure that domestic violence cases are investigated, to guarantee protection of victims and to increase the numbers of support centers<sup>34</sup>.

Recommendation §16 of the Human Rights Committee:

**The State party should:**

- (a) Make the necessary legislative amendments in order to apply the same penalties to all types of rape and repeal the provision that criminalizes the victim's refusal to testify;**
- (b) Ensure that cases of domestic and sexual violence are thoroughly investigated, that the perpetrators are prosecuted and, if convicted, punished with appropriate sanctions, and that victims are adequately compensated;**
- (c) Guarantee the issuance of protection orders in order to ensure the safety of victims;**
- (d) Step up its efforts to guarantee the availability of a sufficient number of *Isange* one-stop centres and support services in all parts of the country.**

It also asked whether free medical assistance was provided to victims<sup>35</sup>.

The delegation stressed that it took a **zero-tolerance stance on gender-based violence** and had adopted a comprehensive policy on the subject in 2011, under which both prevention and accountability mechanisms had been strengthened<sup>36</sup>. The Rwanda National Police, the military and the National Public Prosecution Authority had all established gender-based violence desks and monitoring units, and the Access to Justice Bureaus each had one staff member assigned to gender-based violence cases. Police have also established a helpline and on-line services for

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<sup>33</sup> Cobs Human Rights Committee, §15.

<sup>34</sup> Cobs Human Rights Committee, §16 ; Summary record part 2, §9.

<sup>35</sup> Summary record part 1, §17.

<sup>36</sup> Reply to LOI, §14.

citizens to report child abuse and GBV<sup>37</sup>. Periodic awareness activities are held to create understanding about GBV in communities<sup>38</sup>. There were currently 23 Isange One-Stop Centres providing holistic care to victims of gender-based violence, but the plan was to have at least one in each of the country's 30 districts by the end of 2016<sup>39</sup>. A Ministerial Order executed in 2014, waives all court fees for claims related to GBV and violation of children's rights. This order has as a goal to facilitate victim's claims through the court process<sup>40</sup>. It replied that the Criminal Code was under review and the **concerns of the Committee would be taken into account**<sup>41</sup>. Health care treatment was available to victims free of charge<sup>42</sup>. The state also said that it would revise the legislation on victims who refused to testify<sup>43</sup>.

## 6. Human trafficking

Another concern of the Human Rights Committee that is also relevant for the Committee Against Torture, is the issue of human trafficking. It asked for statistics on this<sup>44</sup>. The delegation said to be monitoring the situation in cooperation with its development partners<sup>45</sup>.

The delegation clarified the current legislation on human trafficking in Rwanda : the law relating to Human Trafficking is contained in Chapter 8 of the 2012 Penal Code. The law relates to both the trafficking of persons within Rwanda and transnational trafficking. Penalties range from 8 to 15 years and include fines. The Law Relating to the Rights and Protection of the Child, enacted in 2012, also outlaws child trafficking, prostitution, and slavery under Article 51. Rwanda is also a signatory to almost all the core international treaties relating to human trafficking. Human trafficking cases handled by the National Public Prosecution Authority in 2014-2015 at the Prosecution level were 57, 21 of which were transmitted to court, 20 were closed, and 6 were transferred to the concern institutions<sup>46</sup>. Victims of human trafficking among others benefit from gender desks that have been created at all police stations. Each gender desk has a judicial police officer that has undergone training to identify and assist victims of trafficking. The training also includes techniques on investigating and prosecuting trafficking cases. Additionally, all newly hired immigration officers receive training on the identification of trafficking victims<sup>47</sup>. Victims can contact the One Stop Centers for support<sup>48</sup>.

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<sup>37</sup> Reply to LOI, §17.

<sup>38</sup> Reply to LOI, §18.

<sup>39</sup> Summary record part 1, §5 ; Reply to LOI, §19.

<sup>40</sup> Reply to LOI, §23.

<sup>41</sup> Additional information provided by the state, available at [http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/RWA/INT\\_CCP\\_R\\_AIS\\_RWA\\_23382\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/RWA/INT_CCP_R_AIS_RWA_23382_E.pdf).

<sup>42</sup> Summary record part 1, §35.

<sup>43</sup> Summary record part 2, §33.

<sup>44</sup> Summary record part 2, §20.

<sup>45</sup> Summary record part 2, §38.

<sup>46</sup> Reply to LOI, §49.

<sup>47</sup> Reply to LOI, §50.

<sup>48</sup> Reply to LOI, §51.



## 7. Independence of the judiciary

Furthermore, the Human Rights Committee had concerns about the independence of the judiciary, fair trial guarantees and the use of military courts.

There are reports about the unlawful interference of government officials in the judiciary. Moreover, the procedure for appointing judges could expose them to political pressure<sup>49</sup>.

Recommendation §33 of the Human Rights Committee:

**The Committee is concerned at reports about the unlawful interference of government officials in the judiciary and notes that the procedure for appointing judges of the Supreme Court and the presidents of the main courts could expose them to political pressure. While noting the closure of the *gacaca* courts in 2012, the Committee remains concerned at reports about the inability to reopen cases that were decided by *gacaca* courts and that may have involved a miscarriage of justice. The Committee also notes with concern that military courts are competent to try civilians in certain circumstances (art. 14).**

The Committee recommended the state to ensure that judges cannot be politically influenced, that appointments are made based on objective criteria, that cases of miscarriage of justice in *gacaca* courts can be challenged through a procedure compliant with article 14 of the Covenant, and that military courts do not have jurisdiction over civilians<sup>50</sup>.

Recommendation §34 of the Human Rights Committee:

**The State party should take the legislative and other measures necessary to ensure that:**

**(a) Judges are not subjected to any form of political influence in their decision-making and that the process of judicial administration respects at all times the principles of presumption of innocence and equality of arms;**

**(b) Judicial appointments are made according to the objective criteria of competence and independence and that the High Council of the Judiciary participates effectively in such decisions;**

**(c) Cases of miscarriage of justice in *gacaca* courts can be challenged through a procedure that meets the requirements of article 14 of the Covenant;**

**(d) Military courts are prevented from exercising jurisdiction over civilians.**

The delegation answered that all 83 courts in the formal court system of Rwanda were now fully computerized, and cases could be filed and followed online. The High Council of the Judiciary enjoyed administrative and financial autonomy, and its decisions on the appointment, promotion and disciplining of judiciary personnel were final<sup>51</sup>. Civil defendants in military courts had the same rights as in civilian courts<sup>52</sup>.

<sup>49</sup> Cobs Human Rights Committee, §33.

<sup>50</sup> Cobs Human Rights Committee, §34.

<sup>51</sup> Summary record part 1, §8.

<sup>52</sup> Summary record part 2, §52.

The Committee then asked what the composition of the High Council was. 70% of the members were judges, but it also included representatives of the National Commission for Human Rights, the Office of the Ombudsman and the Bar Association. The delegation said that the High Council reported to no one<sup>53</sup>.

The Committee also asked what training on international human rights law was provided to judges, including its impact on the national courts<sup>54</sup>. Since 2011, judges were trained on the application of international human rights law in national courts. In addition, the Institute for Legal Practice and Development periodically conducts capacity building trainings for judges and other judicial personnel. The Government of Rwanda has also facilitated free short courses on legal practice for judges and anticipates the inclusion of all judges by the end of 2015<sup>55</sup>.

The delegation stressed that the independence of the judiciary is safeguarded by financial and administrative autonomy, the independence of judges in their decision-making and the independence of the appointment and removal system. This is guaranteed in article 140 of the Constitution<sup>56</sup>. The Inspectorate Department investigates possible cases of corruption, as well as the Ombudsman<sup>57</sup>.

## 8. Corporal punishment

The Human Rights Committee also expressed concern about the practice of corporal punishment of children. It is prohibited, but the imposition of corrective measures such as compulsory work, is permitted<sup>58</sup>. This is not in compliance with the Covenant. The delegation replied during the dialogue that **it would work to ensure that its obligations under the Covenant in that respect were honoured**<sup>59</sup>.

## 9. Intimidation and threats of human rights defenders and journalists

The Human Rights Committee referred to reports of harassment of human rights defenders and journalists. Leaders of the Human Rights League in the Great Lakes Region were prevented from travelling freely in Rwanda and two members of the Rwandan League for the Promotion and Defence of Human Rights were arrested and charged with forging documents<sup>60</sup>.

According to the government, sufficient safeguards were in place to protect journalists and human rights defenders<sup>61</sup>.

## 10. Abortion

The Human Rights Committee noted that the Penal Code was amended in 2012 to

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<sup>53</sup> Summary record part 2, §36.

<sup>54</sup> Summary record part 2, §17.

<sup>55</sup> Reply to LOI, §41.

<sup>56</sup> Reply to LOI, §38.

<sup>57</sup> Reply to LOI, §39.

<sup>58</sup> Summary record part 2, §10.

<sup>59</sup> Summary record part 2, §34.

<sup>60</sup> Summary record part 2, §14.

<sup>61</sup> Summary record part 2, §43.

expand the exceptions for legal abortion. However, the requirements to seek permission are still burdensome: a court order recognizing rape, forced marriage or incest and the authorization of two doctors in the case of jeopardy to the health of the pregnant woman or the fetus. Pregnant women are therefore compelled to seek **clandestine abortion services that put their lives and health at risk**. The Committee did not receive information on the content of the draft bill on reproductive health, which would limit legal abortion even more to cases in which the pregnancy seriously threatens the mother's life, as confirmed by three doctors<sup>62</sup>. As usual, the Committee recommended to ensure access to reproductive health services and to increase education on this topic<sup>63</sup>. It asked statistics on the number of clandestine abortions, but the delegation said this number was not known<sup>64</sup>.

Recommendation §18 of the Human Rights Committee:

**The State party should:**

- (a) Ensure that women are not denied medical services necessary to protect their lives and health;**
- (b) Review its legislation to ensure that women are not prompted by legal obstacles to resort to clandestine abortions that put their lives and health at risk and guarantee that the provisions on voluntary termination of pregnancy in the draft bill on reproductive health are in full compliance with the Covenant;**
- (c) Ensure access for women and adolescent girls to reproductive health services throughout the country, particularly in rural areas, and increase education and awareness-raising programmes on the importance of using contraceptives and on sexual and reproductive rights and choices.**

## 11. Enforced disappearances

The Human Rights Committee was concerned about the disappearance of political figures even during the previous review of Rwanda<sup>65</sup>. These cases are still unresolved, and other political dissidents have since disappeared<sup>66</sup>. The state should investigate these cases<sup>67</sup>.

The Committee invited the delegation to comment on reports of the disappearance of Augustin Cyiza, a former President of the Court of Cassation; Léonard Hitimana, a Member of Parliament; and Jean Damascène Munyeshyaka, a leading member of the Democratic Green Party of Rwanda. It also asked comments on the alleged failure to properly investigate the killings of André Kagwa Rwisereka and Denis Ntare Semadwinga. The Committee wished to hear the State party's views on reports of assassinations and attempted assassinations of political dissidents abroad, such as the killing of Patrick Karegeya, former chief of the Rwandan external intelligence

<sup>62</sup> Cobs Human Rights Committee, §17 ; summary record part 1, §26.

<sup>63</sup> Cobs Human Rights Committee, §18.

<sup>64</sup> Summary record part 1, §35.

<sup>65</sup> UN Human Rights Committee, *Concluding Observations Rwanda*, UN Doc. CCPR/C/RWA/CO/3, 7 May 2009, §12.

<sup>66</sup> Cobs Human Rights Committee, §21.

<sup>67</sup> Cobs Human Rights Committee, §22.

service, in South Africa in 2014. The Committee was also interested in hearing the delegation's comments on the attempted assassination in South Africa in August 2014 of Kayumba Nyamwasa, an exiled Rwanda National Congress dissident and former Chief of Staff of the Rwanda Defence Force, and on the killing in Kampala in November 2011 of Charles Ingabire, an exiled Rwandan journalist who had been highly critical of the Government<sup>68</sup>. The delegation said in its replies to the list of issues that all of the cases brought to the attention of the Government Authorities are **treated as a matter of the highest priority** until the individual reported missing is found or until the matter is otherwise resolved<sup>69</sup>, but it did not answer any of these questions during the dialogue.

Recommendations §21 & 22 of the Human Rights Committee:

While noting the State party's statement that all cases of alleged disappearances or killings reported to the police are duly investigated, the Committee remains concerned that the disappearance of political figures referred to in the previous concluding observations (see CCPR/C/RWA/CO/3, para. 12) are still unresolved and that other political dissidents have since disappeared or been killed in Rwanda and abroad (arts. 6 and 9).

**The State party should systematically undertake prompt, impartial and effective investigations into reported cases of extrajudicial executions, enforced disappearances and murders, including any possible complicity in those acts by members of the police and security forces, and identify the perpetrators with a view to bringing them to justice. The State party should also take all measures necessary to prevent cases of disappearances and executions, establish the truth of the circumstances and the fate of the victims and provide full reparation to victims' families.**

## 12. Follow-up procedure of the Human Rights Committee

The Human Rights Committee selected four Concluding Observations to be followed-up on: violence against women and children, unlawful detention and allegations of torture and ill-treatment, prison conditions and freedom of expression<sup>70</sup>.

The government had to submit a follow-up report to the Human Rights Committee in March 2017 on the implementation of the selected recommendations, but **nothing was received**. A reminder was sent to the state party on 8 August 2017 (see [here](#)). The review of Rwanda by the Committee Against Torture is an opportunity to remind the state of its obligations in this regard.

## 13. Previous UPR recommendations (2011)

During the UPR review of Rwanda in 2011, the state rejected the recommendation to investigate urgently the cases of arbitrary arrest and detention, including those that can constitute enforced disappearances. In its response, Rwanda confirmed that

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<sup>68</sup> Summary record part 1, §21.

<sup>69</sup> Reply to LOI, §28.

<sup>70</sup> Cobs Human Rights Committee, §16, §20, §32, §40.

investigations had shown **some cases of unlawful arrest and detention**. These cases were being rectified and the responsible authorities punished.