

REPUBLIC OF RWANDA



MINISTRY OF JUSTICE

OPENING REMARKS BY THE MINISTER OF JUSTICE AND ATTORNEY GENERAL OF THE REPUBLIC OF RWANDA DURING THE WORKSHOP ON THE GUIDING PRINCIPLES FOR THE ESTABLISHMENT OF A NATIONAL PREVENTIVE MECHANISM IN RWANDA , January 29, 2018– Scheba Hotel-Kiyovu, Kigali

**Hon. Chairperson of the National Commission for Human Rights,
Hon. Commissioners of the National Commission for Human Rights,
Representative of the Association on Prevention of Torture,
Distinguished Participants,
Ladies and Gentlemen.**

Good Morning,

Allow me to first express our sincere thanks to the National Commission for Human Rights (NCHR) for having organized this two day workshop on the guiding principles for the establishment of a national preventive mechanism in Rwanda.

I wish as well to express our thanks to the Association for the Prevention of Torture (APT) for always being available to share their expertise with us.

Madam Chairperson,

Ladies and gentlemen,

Rwanda recognizes and appreciates the role and obligations it has under the Convention against Torture (CAT) and its Optional Protocol (OP-CAT). Rwanda's ratification of both instruments was intentional, deliberate and not last minute. The Government of Rwanda believes that it is in her best interest to respect, protect and promote the human rights of her citizens. Government, therefore, legislates for and delivers on her human rights commitments as obligations the Government owes the citizens.

This is why we have a legal, policy and institutional framework that seeks, at all times, to comply with international human rights norms and standards on the prevention and punishment of torture and ill treatment. That said, reforms continue to take place to ensure that we attain the best possible compliance standards.

Madam Chairperson,

Participants,

The prohibition of acts of torture and ill treatment is primarily enshrined in the Constitution where everyone's right to physical and mental integrity is guaranteed. Furthermore, the Constitution provides that no one shall be subjected to torture or physical

abuse, or cruel, inhuman or degrading treatment. In addition to the Constitution, many other laws, orders and instructions relevant to the prevention and punishment of torture are in place.

We have come this far with the help and development partners, civil society and other stakeholders. We will continue the journey with them. We value this relationship greatly and, permit me to take this opportunity to thank each and every partner for their individual or collective acts of partnership.

While, however, we recognize the contribution and place of partners, as well as the international legal instruments to which we are party, we nevertheless know that it is the business of Rwandans and their Government, through laws, policies and practices, to chart out and own the processes of the social, economic, political and governance transformation of the country. It is my conviction that the guiding principles that will be discussed at this workshop will build on this philosophy which, I believe, is not just Rwandan; building on national systems and processes is also the right way to do things.

It is in this spirit that Rwanda, in order to comply with her OP-CAT obligations to establish an independent National Preventive Mechanism, has chosen to reinforce the independent National Commission for Human Rights, which is the existing institution mandated to promote, protect and preserve human rights, rather than create an altogether new and separate institution which, to us, would add little value, but would, rather, create duplication and resource difficulties.

In keeping with the above, the Cabinet recently adopted a draft law modifying and complementing the current law determining the missions, organisation and functioning of the National Commission for Human Rights, and the draft law has been submitted to Parliament. The draft law gives specific powers and responsibilities to the National Commission for Human Rights, to prevent torture.

The preventive mechanism will be a department within the Commission. The Law, once it is passed, will provide the commission with the human and material resources sufficient to execute the added functions. This choice was arrived at through a consultative process that particularly focused on our obligations and how to ensure the most effective compliance in our institutional context. We are satisfied we have made the right choice.

Ladies and Gentlemen,

In conclusion, permit me to underscore the importance of this workshop and call upon those who will benefit from these two days to seize this opportunity to reflect on how best to integrate the guiding principles APT will share with us with our national systems and processes as this is the way to achieve best results and also to be responsible to ourselves, and not expect others to be responsible for us.

Secondly, again use this as an occasion to learn and compare our practices with what others, elsewhere, are doing as this has been our way of learning and making progress.

With these remarks, I would wish to once again thank you for your presence at this workshop and declare it open. I wish you all a fruitful time.

Thank you!
