

REPUBLIC OF RWANDA



MINISTRY OF JUSTICE

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Remarks by the Hon. Minister of Justice/Attorney General at the High level Stakeholders' Consultation on Rwanda's Second Universal Periodic Review 17/12/2015

- Your Excellency, ONE UN Resident Coordinator, Mr. Lamin Momodou MANNEH,
- Your Excellency, Ambassador Michael RYAN, Head of Delegation of the European Union to Rwanda,
- Your Excellencies, Ambassadors and Heads of Diplomatic missions in Rwanda
- Chair of the Human Rights Commission,
- Fellow Representatives of the Government of Rwanda,
- Development Partners of the Justice Sector,
- Civil Society Organisations represented,
- Ladies and Gentlemen ;

Thank you all for honouring the invitation of the Ministry of Justice to come and plan with us for the implementation of recommendations from Rwanda's second Universal Periodic Review. A few months ago, on the 11th of March, most of us were gathered in this very place to have a final discussion on the implementation of the recommendations from our first review.

We have said before the UPR process for us represents, not an attempt to show the HRC

in Geneva that we are good at protecting, promoting and defending human rights, it represents a new and innovative approach to governance the success of which is the measure of achievement of the country's rule of law and socio-economic development objectives. Rwandans come first, Geneva second.

UPR FROM 2011 TO 2015

Following that and several other consultations, a comprehensive report on the Human Rights situation in Rwanda since 2011 was submitted by the Government to the Human Rights Council in June 2015.

That report highlighted developments in Rwanda including efforts to implement the 67 recommendations accepted in the first cycle of the UPR. 95 percent of those recommendations were fully implemented by the time of the second review in November 2015. Four recommendations equivalent to 5 percent are in the process of implementation and will be achieved soon.

I want to thank all the individuals, governmental institutions, organisations and Countries who walked with us for the 4 year journey towards Geneva 2015. Your material and technical support, your physical and virtual presence fortified us in many ways towards full implementation.

Each recommendation was specific and required specific resources to implement. Because of your contribution, we made tremendous progress. I thank the team that proof read and made final edits to the report. That last mile effort made our report a complete masterpiece. I want you to know that while I delivered the report and took lots of credit, I know it was because of your tireless effort.

HUMAN DEVELOPMENT INDEX VS HUMAN RIGHTS OBSERVANCE

I know that human rights protection is for ever work in progress. Achievement creates a

requirement for the next level. I would therefore be wrong to say that Rwanda is the perfect society. I also haven't heard of the perfect country; I would quickly go there and purchase the template.

Rwanda has just been ranked one of the fastest performing countries, globally on human development indicators. Education, clean water, electricity, food security, health, rolling back HIV Aids, maternal health, safety, clean environment, shelter, life expectancy are some of the indicators that measure human development. I have had occasion to indicate the results of a variety of surveys showing how Rwandans perceive the state of rights and freedoms in the country.

Permit to make three arguments:

1. These are fundamental human rights just like any other. If one thinks about them seriously, they can determine when one is human or not.
2. They can only be achieved in a whole and comprehensive environment where all other rights, especially civil and political rights are being observed, promoted and seriously defended. A gain when one thinks about the environment seriously that is an obvious conclusion. Access to justice, accountability, combating corruption, media freedom, access to information, a free press, the right of expression and association must certainly exist for a country to be ranked the fastest in human development globally. Any attempt to separate the two is a self-defeating as it is unscientific.
3. The human development ranking just mentioned is a direct dividend of our delivery on our civil, political, social and economic rights objectives. To assert otherwise is simply to drive a false narrative.

UPR FROM 2015 TO 2019

Today we are at the commencement of another cycle. This time we want to hit the ground running. We want it to be as participatory as possible.

Rwanda's second review took place on the 4th and 6th of November this year. During that

review, 89 Countries participated in the interactive dialogue with Rwanda. Interventions were made regarding the implementation of the recommendations from the first review as well as the general environment for the promotion and protection of human rights in Rwanda. We are very grateful for the engaging and interactive deliberations we had with the Governments that were represented in those discussions at the human rights Council.

Out of that dialogue, Rwanda received 83 distinct recommendations, 50 of which were accepted for implementation over the next four years. We will have the opportunity in this meeting to have a look at all of the accepted recommendations so that we can begin to think about how we can all work together to ensure that they are implemented 100 percent. As we did with the 2011 recommendations we will keep looking at the whole spectrum of human rights beyond the 50. Our objective is no human rights should be left out.

The accepted recommendations cover a broad range of issues ranging from Civil and Political Rights as well as Economic, social and cultural rights.

Some of the key accepted recommendations include;

- Completion of the National Human Rights Action plan
- Continued strengthening of the capacity of the National Human Rights Commission and the Office of the Ombudsman
- Continuation of efforts to ensure freedom of the media and freedom of association and assembly.
- Implementation of the Optional Protocol to the Convention against Torture.
- Continued efforts to increase the participation of women in all levels of leadership
- Increase of investment in Education for all, including children with disabilities and other vulnerable children.

These accepted recommendations demonstrate the continued commitment of the Government of Rwanda to deliver on the obligation to respect, protect and defend the human rights of

every Rwandan and every person living in Rwanda as is provided in our Constitution

During the review, some recommendations which were not in line with our national priorities and the Governance principles applied in Rwanda did not enjoy the support of Rwanda and were therefore not accepted.

Specifically, recommendations relating to the Batwa as indigenous Rwandans or a distinct group of citizens separate from other Rwandans were rejected and they will continue to be rejected. That there are indigenous Rwandans in Rwanda is not true and is not supported by any scientific or historical finding. Indeed in Rwanda the notion of indigenous and other citizens is more of a political invention than a fact of history. We know of a factual definition of indigenous peoples in various parts of the world and no Rwandans fit the definition. That said, today is the wrong time for such politics. National policy today is about building Rwandanness

The ICC debate is a bit complex. Rwanda has indicated that we are part of the international justice system and have been involved with it more than most countries. We have indicated however that the ball is in the ICC's Court not Rwanda's. There are specific issues of concern to Africa which need to be resolved. Also the assertion that the choice is either ICC or impunity is highly questionable

CIVIL SOCIETY ORGANIZATIONS ENGAGEMENT

This week the RGB with partner support is in the process of empowering civil society organizations.

Permit me to thank the Civil Society organizations which submitted alternative reports.

The Government of Rwanda believes that the relationship between Civil Society and Government is one of mutual support, dialogue, honest, candid and constructive criticism as well as mutual accountability. We both work to build a Country that we should be proud to call ours. Neither Government nor Civil Society Organizations therefore would have any reason to behave as a subterranean opposition against the other qualified only in

finding faults. Civil Society Organizations which submitted alternative reports perhaps helped us to compile a better report than we would have done.

Indeed that is as it should be because at the end of the day Rwanda belongs to all of us. I was told that some CSOs thought or imagined that we were discomfited by the alternative reports or by the fact that they were submitted. This is far from the truth. We need to hear what you have to say and there is nothing that should cause us discomfort if it is truthful, researched, scientific and done in good faith for Rwanda's benefit. Even when a report is untruthful, unresearched and unevidenced, we still owe the author a duty of candid engagement over what we think is incorrect. We equally expect to be seriously taken on by any CSO on any issues touching on the rights of Rwandans. Neither side should interpret engagement as interference.

At the risk of blowing my own trumpet, you must have witnessed that our report was more comprehensive than the alternative ones because it had to respond to all concerns raised by many reports. Because of you therefore, we did a good job and for that we are grateful.

DEVELOPMENT PARTNERS

Let me most sincerely thank our development partners for their support. Your support, largely unconditional, led us to a stellar performance at Geneva. We do not take it for granted. If you had chosen not to support us, we would have no case against you.

The Government of Rwanda takes the UPR process very seriously. The 50 accepted recommendations; we believe will be completely implemented in the next four years. There are no national secrets in these recommendations. Feel free to engage or partner with us on the implementation of any or all of them. And if you think we are not delivering please do not go to report us to the Embassies of our development partners so they speak up for you. This distorts and undermines your independence and sometimes our relationship. Face and engage

us directly because we have equal interest as Rwandans to develop Rwanda.

As we continue to look more closely at those recommendations, I look forward to hearing from you regarding how best to accomplish 100 percent implementation. I hope we can count on the same active support from all of you as we had during the first cycle. Civil Society Organizations especially should work with us to develop a detailed road map and implementation plan for the recommendations so that together we can do even better than we did in the first UPR.

THANK YOU, MERRY CHRISTMAS TO YOU ALL AND A VERY HAPPY NEW YEAR!!