



*Permanent Mission of Rwanda  
Geneva*

GE/22716/2016

Geneva, 26 October 2016

**Re**  
**Follow up on your visit to Rwanda**

Dear Ms. Izsàk-Ndiaye,

I have the honour to refer to your letter of 11 October 2016 in which you requesting an update on the implementation of the recommendations made following your visit to Rwanda in 2011.

Please find attached herewith the response of the Government of Rwanda.

Please accept, the assurances of my highest consideration.

  
Dr François Xavier NGARAMBE  
Ambassador  
Permanent Representative

**Ms. Rita Izsàk-Ndiaye**  
**Special Rapporteur on Minority issues**  
**United Nations High Commissioner for**  
**Human Rights**  
**GENEVA**



## **RESPONSES TO THE CONCERN OF THE SPECIAL REPORTEUR ON MINORITY ISSUES**

**87. Recommendation on Gacaca: “The independent expert urges the Government, as it brings the Gacaca to a close, to put in place a long-term strategy that recognizes the continuing need for community-centered reconciliation mechanisms”.**

- The Gacaca Courts came to a celebrated and successful end on 18 June 2012 after trying over 1.9 million cases. The Organic Law N° 04/2012/OL of 15/06/2012 terminating Gacaca Courts and determining mechanisms for solving issues which were under their jurisdiction ensures that any cases with pending concerns from the decisions of Gacaca Courts can be resolved through access to the formal court system. Gacaca as a home grown transitional justice mechanism is a model for post conflict societies across the world to continue to learn from Rwanda.
- In order to share Rwanda’s unique experience of the Gacaca Courts, the National Commission for the Fight against Genocide regularly holds international conferences where participants from across the world are invited to share experiences on the use of traditional mechanisms for strengthening justice, unity and reconciliation.

### **Recommendations on Batwa community (93, 95, 97, 99, 101, 102 and 105)**

- Rwanda undertook an initiative to consolidate its national unity and prevent ethnic conflicts as had happened in the past. The post-conflict government adopted a new policy according to which there is only one united Rwandan community composed of all Rwandans (Banyarwanda).
- The Government of Rwanda does not consider any group of Rwandans as a distinct indigenous people. However, the Government recognises the particular situation of some vulnerable populations under the category of “historically marginalised populations”. To that end; the government has adopted a series of measures to improve their living conditions, as well as integrating them into mainstream Rwandan society. All Rwandans are allocated necessary land to engage in agriculture using a modern methodology and manure which help in the productivity.

- Various programs have been undertaken to improve the socio-economic situation of historically marginalised people including; adult literacy, providing community health insurance, 12 years basic education and provision of free decent shelter programs.
- All people are treated equally in every sector: education, health, culture and justice. The Government of Rwanda took policies and programmes for the interest of all Rwandans without discrimination. There are life development programs that have been designed to benefit vulnerable groups including the Batwa and the poor in general. These are programs such as umuganda, ubudehe, Vision 2020, Umurenge Program (VUP), Membership of Mutual Health Insurance Scheme, Umurenge Sacco, One Cow per Poor Family (Girinka), removal of school fees in basic education system and school feeding. These programs are not established for any category of Rwandans but for all without distinction.
- According to the law governing **health** insurance, every person living in Rwanda including; nationals, immigrants, expatriates, refugees and asylum seekers must hold some form of health insurance.
- Achievements registered in the area of access to basic **education** for all include the continued guarantee of universal primary education for the first 12 years of education and the up-scaling of the one laptop per child project which started in 2007 and is on-going to date. Since 2011, over 140,000 laptops have been distributed to school going children across the country. Beneficiaries of all these programs are Rwandan children including the batwa community without discrimination.
- In the area of access to **justice**, a Legal Aid Policy was adopted in October 2014 to streamline the provision of legal aid and to coordinate the activities of all legal aid providers in the Country; it provides for a legal aid fund, legal aid law determining eligibility criteria, legal aid steering committee. Other policies include:
  - A justice for children policy was also adopted at the same time to improve access to justice for minors in conflict with the law;
  - A Legal aid week which is held each year to provide vulnerable people access to justice and fair trial. It specifically focus of providing legal assistance to minors in

conflict with the law as well as nursing and pregnant women and execute judgments

**100. The Government programme to demolish all Nyakatsi houses should be reviewed urgently to ensure that it has not impacted negatively on vulnerable individuals, families or communities. Local authorities should act only according to strict guidelines ensuring that no person is left without shelter due to their action.**

- The program to demolish Nyakatsi did not in any way negatively impact vulnerable individuals. Many Rwandans have indeed benefited from the program. Rwanda has adopted a settlement policy whereby people are advised and helped to stay in agglomerations in order to save land, space and facilitate easy access to public services and infrastructure such as schools, health centers, electricity and water. With the assistance of the Government and the participation of the population as well as the Rwandan diaspora, vulnerable families benefited from new houses through the bye-bye '*nyakatsi*' campaign. Grass thatched shelters have effectively been phased out of Rwanda since 2014.
- The 2012 Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination, appreciated Rwanda for its achievement in relation to decent housing. In that Report, the Special Rapporteur commended the Government of Rwanda on its understanding of the concept of decent housing and other efforts made including the policy of the development of village communities and the bye-bye 'Nyakatsi' program.