



Document #2101192

IRB – Immigration and Refugee Board of Canada (Author)

Rwanda: Gender-based violence (GBV), including domestic violence; state protection and support services available (2021–October 2023) [RWA201663.E]

Research Directorate, Immigration and Refugee Board of Canada

1. Overview

According to Freedom House, domestic violence in the country "remains widespread and seldom reported" (Freedom House 2023-03-09, Para. G3). The US Department of State *Country Report on Human Rights Practices for 2022* states that "[d]omestic violence against women and children remained common" (US 2023-03-20, 28). The *New Times*, a Rwandan news publication, stated that data from the Ministry of Gender and Family Promotion from shows that GBV and domestic violence have "consistently been on the rise" over the past five years and that, while both men and women may be victims, women are "the most vulnerable and highly targeted victims of GBV" (*The New Times* 2022-12-08). The *Rwanda Demographic and Health Survey 2019-20* from the National Institute of Statistics of Rwanda and the Ministry of Health reports the following statistics on the experience of violence "committed by a spouse or anyone else":

- 45 percent of women aged 15 to 49 have experienced physical or sexual violence: 23 percent have experienced only physical violence, 9 percent have experienced only sexual violence, and 14 percent have experienced both physical and sexual violence.
- 32 percent of men aged 15 to 49 have experienced physical or sexual violence: 27 percent have experienced only physical violence, 2 percent have experienced only sexual violence, and 3 percent have experienced both physical and sexual violence.

- The percentage of women who have experienced physical violence since age 15 increased from 35 percent in 2014-15 to 37 percent in 2019-20, while the percentage among men decreased from 39 percent to 30 percent for the same time periods.
- Respondents who are divorced, separated, or widowed are "most likely" to have experienced physical violence, at 64 percent among women and 52 percent among men, followed by currently married respondents, at 42 percent for women and 32 percent for men. Respondents who have never been married were "least likely" to have experienced physical violence, at 23 percent for women and 27 percent for men.
- Divorced, separated, or widowed women are more likely to have experienced sexual violence than currently married women, at 42 percent and 22 percent respectively, and divorced, separated, or widowed men are more likely to have experienced sexual violence than currently married men, at 12 percent and 5 percent respectively (Rwanda 2021-09, 287-288).

According to a report authored and submitted by Rwanda to the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), for 2017-2018, there were 2,293 cases of GBV and child abuse with the prosecution winning 1,903 cases, for a conviction rate of 83 percent, and in 2018-2019, there were 2,537 cases and the prosecution won 1,985, for a conviction rate of 78.2 percent (Rwanda 2020-03-31). According to an article from the Ministry of Gender and Family Promotion, the Rwanda Investigation Bureau (RIB) investigated 12,715 cases of GBV in 2020 (Rwanda 2021-12-10). A report from Rwanda's National Public Prosecution Authority provides the following information on GBV cases from July 2021 to March 2022:

Crime	Received cases	Cases filed with the courts	Pronounced cases	Conviction rate percentage
Child defilement [1]	3,518	1,677	1,769	65.6
Rape	920	296	275	72.4
Harassment of spouse	2,668	1,620	1,365	95.1
Total	7,106	3,593	3,409	77.9

(Rwanda 2022-06a, 24)

According to an article from *Rwanda Today*, an English-language Rwandan newspaper, "rights groups" have called for attention to be brought to men facing domestic violence due to cultural and social pressures preventing men from reaching out for help and as result, "many" cases go unreported (2021-09-16). The article further notes that based on figures

from the RIB, women face physical abuse while the most common form of abuse for men is psychological, with physical abuse coming second (*Rwanda Today* 2021-09-16). The same article states that according to the RIB, "there is no inequality in ways the cases of gender-based violence are treated be it against women or men" (*Rwanda Today* 2021-09-16).

The New Times states that "[g]ender-related offenses include trafficking, harassment from a spouse, denial of freedom to practice family planning and soliciting or offering sexual favours, sexual harassment or sexual violence against a spouse, rape, and child defilement, among others" (*The New Times* 2022-12-08). An analysis of the *Rwanda Demographic and Health Survey 2019-20* by What Works, a programme in thirteen countries aiming to provide evidence on ways to prevent violence in low-middle income settings (What Works n.d.), identifies among the "common drivers" of violence against women in Rwanda:

- Deeply rooted social norms about gender and power, including gender roles, gendered expectations on men and women, and access to and control over resources, sustain power imbalances between men and women and are used to justify violence against women. Social norms surrounding men as the heads of household and decision-makers are particularly entrenched.

...

- Household poverty is a known risk factor for [intimate partner violence], and is also a barrier for women leaving violent relationships. While there is limited empirical evidence exploring these complex linkages in Rwanda, data [from Rwanda's National Institute of Statistics of Rwanda (NISR)] shows that women from households in the lower wealth quintiles report experiencing higher rates of physical and sexual violence. The global increase in food prices and other essential goods risk exacerbating economic drivers of [violence against women and girls] in Rwanda. (What Works 2022-09, 4, footnote omitted)

2. Legislation

The *Rwanda National Gender Statistics Report 2021* from the National Institute of Statistics of Rwanda notes that Rwanda had a National Action Plan (NAP) 2009-2012 and 2018-2022 to implement the United Nations Security Council Resolution 1325 (UNSCR 1325) on women, peace, and security (Rwanda 2022-06b, 30). The Ministry of Gender and Family Promotion states that UNSCR 1325, which was adopted in 2000, calls for the "elimination of GBV in all its forms and levels" and that Rwanda "domesticated" the agenda through the National Action Plans (Rwanda 2021-02, 13-14). The Ministry of Family and Gender Promotion also stated that a priority of the National Strategy for Transformation (NST1 2017-2024) is the "strengthening of the prevention and response strategies to fight against gender-based violence (GBV) and child abuse through establishing and strengthening family cohesion, home grown initiatives,

implementation of integrated health care services for GBV victims in partnership with the Private sector, CSOs, Faith Based Organizations as well community awareness campaigns" (Rwanda 2021-02, 18). The same source states that as of 2018, all districts have a District Development Strategy (DDS) which emphasizes gender equality and addressing GBV (Rwanda 2021-02, 18). In correspondence with the Research Directorate, Human Rights First Rwanda, a non-profit human rights organization which focuses on education, advocacy and providing legal services, noted that there are laws which specifically address GBV, including the *Law Relating to the Prevention and Punishment of Gender-Based Violence*, and which "define GBV offenses, establish penalties for perpetrators, and outline procedures for reporting and prosecution" (Human Rights First Rwanda 2023-09-29). *Law No. 59/2008 of 2008 on Prevention and Punishment of Gender-Based Violence* provides that:

Article 5: Conjugal rape

Both spouses have equal rights as to sexual intercourse, reproductive health and family planning.

It is forbidden to make sex with one's spouse without one's consent.

Article 6: Violence as the cause of divorce

Gender based violence shall be one of the causes of divorce.

At the time divorce is being decided, the rights of children from the spouses shall be taken into account in accordance with the law.

...

Article 16: Penalty for rape

Any person who is guilty with rape shall be liable to imprisonment of ten (10) years to fifteen (15) years.

Where rape has resulted in a bodily or a mental illness, the person guilty with rape shall be liable to imprisonment of fifteen (15) years to twenty (20) years and medical care fees for the person raped shall be borne [sic] by him/her.

Where rape has resulted in a terminal illness or death, the guilty person shall be liable to life imprisonment.

...

Article 20: Penalty for harassing one's spouse

Any person guilty of harassing his/her spouse shall be liable to imprisonment of six (6) to two (2) years.

...

Article 24: Penalty for sexual harassment of one's subordinate

Any employer or any other person guilty of exercising sexual harassment by way of orders, intimidation and terror over a person he/she leads shall be liable to imprisonment of two (2) years to five (5) years and a fine between one hundred thousand (100,000 Rwf) [C\$111.6] Rwandan francs and two hundred thousand (200,000 Rwf) [C\$223.2] Rwandan francs.

...

Article 36: Penalty for a person refusing to assist the victim of violence or to testify over the violence

Any person who refuses to assist the victim of violence or to testify over the violence against himself or herself or against someone else shall be liable to imprisonment of six (6) months to two (2) years and a fine between fifty thousand (50,000 Rwf) [C\$56] and two hundred thousand (200,000 Rwf) Rwandan francs or one of those penalties.

...

Article 38: Damages

Any victim of gender based violence or any other person affected by such violence shall have the right to claim for damages. (Rwanda 2008)

N°001/03 of 11/01/2012 Prime Minister's Order Determining Modalities in Which Government Institutions Prevent and Respond to Gender- based Violence states the following:

Article 3: General Responsibilities of Government Institutions in preventing and fighting Gender Based Violence

All Government institutions shall put in place programs aimed at preventing and fighting against gender-based violence as well as intervening and attending to its victims.

Government institutions shall continue to reinforce the anti gender – based violence committees at all levels with the aim of eliminating gender-based violence.

Article 4: Special responsibilities of Government Institutions in preventing and fighting gender based violence

Government Institutions, in particular Ministries, Public institutions, National Commissions, National Counsels, that may have any connection with the issue of gender based violence, each organ concerned or combined when necessary shall:

1. ensure that the attached organs respect government plans of preventing and fighting gender based violence;
2. quickly intervene and assist the victims of gender based violence;
3. devise means for the local government authorities to sensitize the victims of gender based violence to immediately report to the nearest health facility in order to get required assistance;
4. quickly put in place a "One stop center" mechanism in all public and semi-public health facilities and build their capacity;
5. pay particular attention to the issue of gender based violence;
6. put in place a special poverty reduction program for the destitute in order to prevent them from being the target of gender-based violence;
7. put in place a mechanism of prevention, protection and fighting against gender based violence including private and civil society institutions;
8. put in place a mechanism of information sharing about gender based violence;
9. follow up all activities aimed at preventing and fighting against gender based violence in the whole country and to advise on its eradication;
10. remind everybody to avoid gender- based violence related words and actions with help of the national media;
11. announce publically in the final judgment the names of those found guilty of gender based violence;
12. sensitize private media to participate in denouncing gender based violence;
13. public awareness of laws punishing gender based violence;
14. sensitize women particularly in preventing gender based violence and disseminate information whenever it occurs;
15. integrate at all levels in the education curricula a program related to human rights, gender and gender based violence;
16. train the youth to avoid such recreational activities, behaviours and other indecent acts that may lead to gender based violence;
17. investigate the nature and the effects of recreational activities that may contradict with good practices or public security and may lead to gender based violence;

18. put in place measures to prevent gender based violence that may target children and persons with disabilities;
19. sensitize parents to not allow their children to engage in labour or other acts that can lead to gender based violence;
20. render justice to the victims of gender based violence;
21. put in place a sustainable program to sensitize employers and employees to avoid acts that can lead to gender based violence in the public institution
22. speed up the execution of decisions from courts and other authorities in order to prevent and fight against gender based violence. (Rwanda 2012)

3. State Protection

According to the *US Country Report 2022*, "the government continued its whole-of-government, multistakeholder campaign against gender-based violence, child abuse, and other types of domestic violence" (US 2023-03-20, 29). Human Rights First Rwanda noted that the government has been "proactive" in addressing GBV through the use of legal reforms, awareness campaigns and support services (Human Rights First Rwanda 2023-09-29). The *US Country Reports 2022* states that women have the same legal status and rights as men but gender-based discrimination in the work place is "underreported" partly due to fear of losing employment (US 2023-03-20, 31). According to Freedom House, men and women are "generally" granted equal rights in marriage and divorce and "the penalties for spousal rape are much lighter than for other forms of rape" (Freedom House 2023-03-09, para. G3). The *US Country Reports 2022* notes that the government handled rape cases as a judicial priority and authorities "encouraged" cases of domestic violence to be reported but "most incidents" were not reported or prosecuted (US 2023-03-20, 29). The Ministry of Gender and Family Promotion indicates that there is a "gap" in the reporting of GBV cases with men feeling excluded, that there is limited participation of men in structures to address GBV at the community level, that specialized judicial services are lacking and referrals are ineffective, and both victims and perpetrators face "stigmatization, social exclusion, depression and recidivism mainly for the perpetrators" (Rwanda 2021-02, 40).

3.1 Legal System

Law N°001/03 of 11/01/2012 Prime Minister's Order determining modalities in which government institutions prevent and respond to gender- based violence provides the following:

Article 5: Complaints on the crime of gender based violence

When a case is lodged on gender based violence, the judicial police shall request the competent authority to expeditiously give the victim the support he/she needs.

Investigation on gender based violence cases shall be speeded up and cases be submitted to the investigation authority within the period provided for by the law.

The National Prosecution Authority must give priority to gender – based violence related cases, in order to preserve elements of evidence.

...

Article 9: Reports submitted by local authorities

Local government authorities shall submit a quarterly report on activities aimed at preventing and fighting against gender-based violence to their higher authorities. The reports are collected at Provincial level or at City of Kigali level and shall be submitted to the Ministry in charge of Local Government. (Rwanda 2012)

According to the EU 2021 *Annual Report on Human Rights and Democracy in the World*, there is a "good" legal framework addressing women's rights but there is "weak implementation of laws and policies" and social norms that are "discriminatory" (EU 2022-03-30, 137). What Works indicates that social and gender norms "have not changed at the same pace" as the policies on gender equality implemented by the government (What Works 2022-09, 14). The US 2021 *Country Reports* notes that the president called on judicial officials for tougher treatment of GBV offenders (US 2022-04-12, 33). According to an article from the Ministry of Gender and Family Promotion, the RIB and Legal System are "investing considerable resources to ensure that the perpetrators of GBV are dealt with appropriately" which includes new technologies for detecting, investigating and responding to "emerging threats" (Rwanda 2021-12-10). In a blog post promoting a government-led anti-GBV campaign, The Ministry of Gender and Family Promotion provides as examples of "progress" the introduction of a sex-offender registry, the creation of a forensic laboratory for the investigation of GBV cases, the provision of an annual budget for districts for the needs of GBV victims, and the presence, in "every district" of an Access to Justice Bureau providing legal aid services to the public, "with staff that is exclusively in charge of GBV cases" (Rwanda 2022-11-25). Human Rights First Rwanda stated that "the legal framework" was strengthened by legal reforms and a "commitment to prosecution" but that "challenges" such as case backlogs and "limited" access to justice services impact "timely justice for survivors" (2023-09-29). The same source notes that there are specialized chambers and courts of the judiciary which handle GBV cases, and the National Commission for

Human Rights in Rwanda can investigate cases of GBV and advocate for the rights of survivors (Human Rights First Rwanda 2023-09-29).

3.2 Police

Law N°001/03 of 11/01/2012 Prime Minister's Order determining modalities in which government institutions prevent and respond to gender- based violence provides the following:

Article 7: "Gender Desk"

The Rwanda National Police and the Rwanda Defence Forces particularly shall decentralize and reinforce gender desks with the purpose of preventing and fighting gender- based violence. (Rwanda 2012)

Human Rights First Rwanda noted that specialized units of the police such as the Gender Desk are staffed with officers trained to handled GBV cases "sensitively and efficiently," and the police and RIB have specialized units to respond to GBV, but "some areas" face resource constraints (Human Rights First Rwanda 2023-09-29). The US 2022 *Country Reports* states that police headquarters in Kigali has a domestic violence hotline; that each police station in the country has a gender desk, an average of three officers to handle GBV and domestic violence cases, and a public outreach program; and that there is required GBV training for all police and military (2023-03-20, 29). According to Human Rights First Rwanda, survivors of GBV can "generally expect appropriate consideration and support when filing a complaint with the police," as specialized units and trained officers put in place by the Rwandan National Police "prioritize the safety and protection of survivors"; however, the same source states that the quality of response "may still vary" depending on the location, the officers involved, and resource constraints (2023-09-29). An article from *Rwanda Today* cites the Prosecutor-General of the National Public Prosecution Authority as stating that prosecution of GBV cases is being hindered by a lack of evidence as the RIB, "[i]n most cases'," are not conducting immediate investigations such as taking samples of forensic evidence, leading to the dismissal of "thousands of cases" (*Rwanda Today* 2019-05-21).

4. Support Services

The *Rwanda Demographic and Health Survey 2019-20* states that the "most common" sources of help for individuals who have experienced physical or sexual violence and sought help are neighbours, for 40 percent of women and 32 percent of men, or their family, for 33 percent of women and 24 percent of men (Rwanda 2021-09, 294). The same source further indicates that 18 percent of women sought help from their husband or partner's family, 18 percent reached out to local authorities, and 11 percent contacted the police (Rwanda 2021-09, 294)

The US Department of State *International Religious Freedom Report for 2022* states that the Rwanda Interfaith Council, an organization which represents all major faith communities, coordinated with faith organizations and the government for campaigns to prevent GBV in their communities (US 2023-05-13, 7). The Rwanda Men's Resource Centre, an organization that promotes gender equality through male engagement, describes its program Bandebereho as a gender transformative initiative in collaboration with the Rwandan Ministry of Health, which "engages men in active fatherhood and caregiving, in maternal newborn and child health, and in the prevention of violence against women and children" (Rwanda Men's Resource Centre n.d.). The Ministry of Gender and Family Promotion notes that the "crucial step" for preventing violence is education through schools, community education, participant campaigns, and community-based initiatives, anti-GBV media campaigns, and government partnerships with religious leaders and non-governmental organizations (Rwanda 2021-12-10). The US *2022 Country Reports* noted that the government directed a public awareness campaign against GBV and, in partnership with UNICEF, the National Commission for Children maintained 29,674 volunteers, two in each of the country's villages, to address GBV at the village level (US 2023-03-20, 33). Sources state that the government operates 44 Isange One Stop Centres (IOSC) around the country which provide survivors of GBV with medical, psychological, and legal assistance (US 2023-03-20, 29; Rwanda 2022-11-25; UN 2023-07-31). Human Rights First Rwanda stated that "most" IOSC lack sign language for deaf or hard of hearing victims (2023-09-29).

Human Rights First Rwanda notes that there is "growing awareness and support for survivors, yet some may still face stigma or blame, especially in traditional or rural communities" (2023-09-29). The same source further stated that urban areas "often" have better resources, services, and awareness campaigns, which can result in "more responsive and supportive" treatment for GBV survivors, while rural areas face limited services and traditional beliefs that affect the treatment of survivors (Human Rights First Rwanda 2023-09-29). An article from the *New Times* quotes a "senior legal and policy expert" who stated that poverty hinders women's access to services such as DNA evidence because it is expensive (*The New Times* 2022-12-08). Human Rights First Rwanda states that individuals who are socioeconomically disadvantaged "may face greater challenges" accessing medical, support, and legal resources, and upper-class survivors "may face different societal expectations or concerns about reputation" (2023-09-29). The same source stated that victim with psycho-social disabilities are "rarely" believed and that people with diverse SOGIESC also face challenges and "rarely" report the violence they face (Human Rights First Rwanda 2023-09-29).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive

as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

Note

[1] *Law N°68/2018 of 30/08/2018 Determining Offences and Penalties in General* provides the following regarding the penalties for child defilement:

Article 133: Child defilement

...

If child defilement is committed between children aged at least fourteen (14) years without violence or threats, no penalty is pronounced. However, if a child aged fourteen (14) years but who is not yet eighteen (18) years commits child defilement on a child under fourteen (14) years, he/she is punished in accordance with the provisions of Article 54 of this Law.

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Additional Sources Consulted

Oral sources: Associate professor at an American college whose research focuses on gender-based violence in Africa; Empower Rwanda; Impanuro Girls Initiative; Institute of Legal Practice and Development – Rwanda Law Journal; Kvinna till Kvinna Foundation; law firm in Kigali that specializes in family law; Paper Crown Rwanda; professor of peace and conflict studies;

professor of political sociology at an American college who researches gender, politics and violence; Women for Women International.

Internet sites, including: Al Jazeera; American Academy of Pediatrics; Amnesty International; Asylos; Australia – Department of Foreign Affairs and Trade; Austrian Red Cross – ecoi.net; BBC; Belgium – Commissariat général aux réfugiés et aux apatrides; Bertelsmann Stiftung; *BMC Women's Health*; Care International; Denmark – Immigration Service; EU – European Union Agency for Asylum; *European Journal of Public Health*; France – Office français de protection des réfugiés et apatrides; Georgetown University – Department of Economics; Germany – Federal Office for Migration and Refugees; *Global Public Health*; *The Guardian*; Human Rights Watch; IGIHE; *The Independent*; International Association of Chiefs of Police; International Federation of Red Cross and Red Crescent Societies; Institute of Development Studies; The Institute of Legal Practice and Development; *Negotiating Gender Equity in the Global South*; The New Humanitarian; *The New York Times*; Norway – Landinfo; Organisation for Economic Co-operation and Development; Rwanda – Rwanda Investigation Bureau; Rwanda Initiative for Sustainable Development; UK – Home Office; UN – Office of the High Commissioner for Human Rights, Refworld, Security Council, UNDP, UNHCR, UN Population Fund; Unsilenced Voices; US – National Library of Medicine.

Associated documents

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Rwanda

Query response on Rwanda: Gender-based violence, including domestic violence (2021 - October 2023) (legislation; state protection; legal system; support services)

[Rwanda : information sur la violence fondée sur le genre, y compris la violence familiale; la protection offerte par l'État et les services de soutien accessibles \(2021-octobre 2023\)](#)
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