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2019 Trafficking in Persons Report: Rwanda

RWANDA: Tier 2

The Government of Rwanda does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Rwanda remained on Tier 2. The government demonstrated overall increasing efforts by investigating and prosecuting more suspected perpetrators of transnational trafficking crimes. The government adopted a comprehensive anti-trafficking law and provided rehabilitation services to more former child combatants associated with armed groups in the Democratic Republic of the Congo (DRC). The government reported providing protection services to victim witnesses in government-run safe houses and training more front line officials than the previous reporting period, including facilitating an international anti-trafficking training event attended by 41 countries. However, the government did not meet the minimum standards in several key areas. The government did not convict any traffickers for internal trafficking crimes, despite the presence of sex trafficking and forced labor within the country. The government did not systematically or proactively identify victims or establish a formal mechanism to refer trafficking victims to care. The government identified fewer trafficking victims, did not identify any victims of internal trafficking, and did not adequately screen individuals in government detention facilities. The government did not cooperate with civil society to provide assistance to victims, or operate sufficient long-term care facilities for all trafficking victims. The government did not adopt an updated National Anti-Trafficking Action Plan to coordinate national anti-trafficking efforts.

PRIORITIZED RECOMMENDATIONS

Systematically and proactively identify trafficking victims, especially among vulnerable populations, including persons in prostitution and homeless children. • Cooperate and coordinate with civil society to provide all foreign and Rwandan trafficking victims with appropriate long-term protection services, including shelter and psycho-social care. • Develop and implement a victim-witness support program and expand training for prosecutors working with victim-witnesses. • Develop a formal mechanism to systematically refer trafficking victims to appropriate care. • Institutionalize training and provide resources, as feasible, to law enforcement officials, judicial officials, labor inspectors, and social workers on the implementation of the trafficking law and case prosecution, and victim identification procedures. • Increase effective trafficking

investigations and prosecutions, particularly perpetrators of forced labor and sex trafficking and focusing especially on internal trafficking, while respecting the rule of law and human rights, and administer adequate sentences to convicted traffickers. • Adopt and implement an updated National Anti-Trafficking Action Plan. • Continue to implement trafficking protection measures for Rwanda’s refugee population. • Expand anti-trafficking awareness campaigns.

PROSECUTION

The government increased law enforcement efforts to combat cross-border trafficking crimes but continued to make inadequate efforts to address internal trafficking crimes. In September 2018, the government adopted a standalone anti-trafficking law, the Law on the Prevention, Suppression, and Punishment of Trafficking-in-Persons and Exploitation of Others, which criminalized sex trafficking and labor trafficking. The law prescribed penalties of 10 to 15 years’ imprisonment and a fine of 10 million to 15 million Rwandan francs (\$11,240 to \$16,850), which increased to 20 to 25 years’ imprisonment and a fine of 20 million to 25 million Rwandan francs (\$22,470 to \$28,090) if the offense was transnational in nature. These penalties were sufficiently stringent, and with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. However, the law defined trafficking broadly to include illegal adoption without the purpose of exploitation.

The National Public Prosecution Authority (NPPA) reported increased efforts compared to the government’s previously reported timeframe, initiating 86 trafficking case investigations and prosecuting at least 53 alleged traffickers in 53 cases of suspected trafficking between October 2017 and September 2018. Of the 16 cases that courts ruled on, the NPPA reported obtaining convictions for at least 13 traffickers in 13 cases and prescribing penalties ranging from two to seven years’ imprisonment and fines between 1 million Rwandan francs (\$1,120) and 10 million Rwandan francs (\$11,240). During the previous reporting period, the government reported investigating 65 cases, prosecuting 25 cases, and convicting 12 traffickers. In 2018, the government did not vigorously prosecute and did not convict any perpetrators of internal sex and labor trafficking crimes, despite the presence of trafficking within the country. The government admitted difficulty prosecuting and convicting trafficking offenders due to limited investigative and prosecutorial anti-trafficking knowledge and resources, lack of victim testimony, and lack of cooperation by other governments. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

The Rwanda Investigation Bureau (RIB) continued to operate a 15-officer anti-trafficking unit in its Criminal Investigations Division. The Rwanda National Police (RNP) directorate for anti-gender-based violence (GBV) had three officers in each of the country’s 78 police stations who served as points of contact for trafficking victims. The government continued to provide anti-trafficking training as a part of standard training and professional development for immigration officers, police, labor inspectors, judicial officials, and social workers; the government provided training to 40 officials on referral and treatment of victims and 32 officials on investigation, interviewing, and reporting on

trafficking crimes. The RNP continued to convene quarterly meetings of provincial and district police, investigators, prosecutors, and immigration officials to provide ongoing training on Rwanda’s anti-trafficking laws, trafficking indicators and investigation techniques, which reached an additional 57 investigators. However, the government did not report provision of training to law enforcement personnel on a victim-centered approach and victim-witness support mechanisms. In partnership with international organizations, the government facilitated an international anti-trafficking training for 100 police, military and corrections officers from 41 African countries.

PROTECTION

The government maintained protection efforts, but did not address screening at transit centers, internal trafficking victim identification, or long-term shelter and assistance for victims of all forms of trafficking. Law enforcement and immigration officials identified 33 transnational trafficking victims in 2018; officials referred all 33 victims for assistance at the government’s one-stop centers, and provided rehabilitation assistance for 19 ex-child combatants in 2018. This compared to 56 transnational victims and four internal victims identified and assisted in 2017. However, the government did not report efforts to identify or assist any internal trafficking victims during the reporting period. The government reported providing counseling and funding the repatriations of three Burundian trafficking victims during the reporting period. Law enforcement and immigration officials and social workers in victim centers had victim identification guidelines; however, implementation appeared limited and officials still noted difficulty in screening specifically for trafficking indicators among the broader population of victims of GBV assisted at the centers. The government remained without a national referral mechanism for trafficking victims. The government did not adequately collaborate with civil society to identify and assist trafficking victims and did not provide protection services specifically catered to the needs of trafficking victims as distinct from victims of other crimes. The government reportedly continued to detain vulnerable persons, including persons in prostitution, destitute individuals, and homeless children at these centers, and advocacy groups continued to report that the transit centers operated without judicial oversight and functioned as de facto detention facilities in which the government did not screen for trafficking and held vulnerable individuals for arbitrary periods of time. The government reported that immigration officials continued screening children crossing the border for trafficking indicators and to verify they were traveling with the permission of their parents.

The government continued to operate its network of 44 Isange One-Stop Centers to assist GBV and trafficking victims. The government’s one-stop centers, located in hospitals and district capitals, provided short-term care and various psycho-social, medical, legal, and law enforcement services to victims. One-stop centers typically have “safe rooms” available that victims may use as temporary shelter for a few days. The government acknowledged that the extent and quality of services varied between locations, particularly regarding the provision of adequate psycho-social counseling, and that it did not always screen and identify trafficking victims as distinct from GBV victims. However, the government did not report how many trafficking victims it assisted at the one-stop centers. NGOs highlighted gaps in communication between

investigators in rural areas and police at one-stop centers, which may have impeded investigation and prosecution of crimes. In 2018, an international organization reported separating eight Rwandan children from armed groups in the DRC. The government continued to operate a rehabilitation center for former child combatants associated with armed groups in the DRC, which assisted approximately 19 children in 2018, an increase from the previous year; the center provided accommodation, psycho-social support, education, and reintegration services. However, in general, the government lacked long-term care facilities for the vast majority of trafficking victims. The NPPA continued to operate two safe houses for witnesses in criminal cases, which could include trafficking victims and reported using the safe houses for six trafficking victims during the reporting period for stays of approximately one month in duration. Participation of victims in the investigation and prosecution of traffickers continued to be a challenge and lack of sufficient victim testimony continued to hinder prosecution of traffickers. An NGO previously reported that seven of the one-stop centers were equipped with video recording equipment to help encourage the cooperation of witnesses in prosecutions via recorded testimony, but the government did not report utilizing this option. The anti-trafficking law protected the identity of victims by allowing court proceedings to be conducted in camera and allowing the use of a video link; but the government did not report providing any victims with these protections during the reporting period. The 2018 anti-trafficking law ensured that victims would be provided information in a language they understood and be provided with legal assistance. The anti-trafficking law permitted foreign victims to remain in Rwanda for a minimum of six months and until legal proceedings concluded, but the government did not report any victims obtaining such benefits during the reporting period. The anti-trafficking law did not provide foreign trafficking victims with specific legal alternatives to their removal to a country where they may face hardship or retribution; but, in practice, the government made efforts not to deport foreign victims who faced retribution in their home country. Government assistance to victims was not contingent upon a victim's participation in law enforcement investigations. The anti-trafficking law allowed victims to file civil suits against traffickers and stated that victims are exempt from paying any associated filing fees, but the government did not report any suits filed during the reporting period.

PREVENTION

The government maintained efforts to prevent trafficking. The government continued to operate its interagency anti-trafficking technical committee, which met once a quarter to coordinate public awareness campaigns and continued to work on adopting an updated National Anti-Trafficking Action Plan in partnership with an international organization. International organizations and NGOs reported that insufficient coordination among government agencies and resource constraints continued to hinder the government's anti-trafficking efforts. Throughout the reporting period, the government continued to conduct multiple national and local awareness raising anti-trafficking campaigns in schools and at community events; the awareness campaigns reached approximately 5,000 primary and secondary school students in six districts, a decrease compared to the previous reporting period. The government trained an unknown number of parents and community leaders on trafficking risk factors and how to identify potential trafficking victims; it continued to train volunteers at the local level

on child protection issues, including forced labor, and how to report cases to the police. These campaigns focused primarily on transnational trafficking and did not adequately address internal trafficking. The RIB continued to operate a national GBV hotline, which was staffed by social workers trained to identify and refer trafficking cases; however, the government did not report how many trafficking victims were identified or assisted in 2018 through use of this hotline. The government had policies to regulate labor recruitment companies, which required their registration with the Rwandan Development Board, licensing from the Ministry of Labor, and submission of monthly reports to the government. The government reportedly prosecuted fraudulent companies in the past; however, there were no reports of prosecutions during the reporting period. The government made efforts to reduce demand for commercial sex and forced labor. The government provided anti-trafficking training to its diplomatic personnel. With funding from an international organization, the government provided training to all Rwandan troops on gender sensitivity, human rights, and trafficking prior to their deployment as peacekeepers.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Rwanda, and traffickers exploit victims from Rwanda abroad. Traffickers exploit Rwandan children and young adults, some of whom are secondary school students between the ages of 13 to 18, in commercial sex in hotels, at times with the cooperation of hotel owners. Local human rights groups reported in 2017 that some Rwandan girls in domestic work who were terminated by their employers after becoming pregnant, and were therefore unable to return to their home villages, were subsequently exploited in prostitution. Homeless underage girls, between ages eight and 17, remain highly vulnerable to trafficking and there were reports that some men would coerce these girls into staying at their homes, for the purpose of sexual exploitation, by convincing them that the police had plans to arrest homeless youth. Traffickers subject some Rwandan men, women, and children to sex trafficking and forced labor in domestic work and in agricultural and industrial sectors in destinations around the world; the primary destinations for Rwandan victims are Uganda, the DRC, and other parts of East Africa. Traffickers reportedly exploit Rwandan victims in domestic servitude in the Middle East and sex trafficking in China. In 2016, some Rwandan girls were forced into marriages with men in Tanzania and may have experienced commercial sexual exploitation through these marriages. In 2018, an international organization reported separating eight Rwandan children from armed groups in the DRC. Traffickers in neighboring countries continue to pose as labor recruitment agents and recruit and transport small numbers of victims through and out of Rwanda.

Refugees fleeing conflict and political violence in Burundi and the DRC remain highly vulnerable to trafficking in Rwanda or are subjected to exploitation by traffickers in third countries after transiting Rwanda. According to an international organization, there has been an increase in sex trafficking of Burundian male and female teenagers through Rwanda to third countries since 2015. Traffickers subjected female child

refugees in a Congolese refugee camp in Rwanda to sex trafficking in nearby towns in 2015, allegedly facilitated by one civilian and three Rwandan Defense Forces soldiers assigned to the camp.

Between May and September 2015, traffickers recruited Burundian refugees residing in Mahama refugee camp in Rwanda into non-state armed groups supporting the Burundian opposition; Rwandan security forces charged to protect the camp population reportedly facilitated or tolerated the recruitment activity. Whistleblower refugees in 2015 alleged that recruiters—including both Rwandan officials and other refugees—threatened, intimidated, harassed, and physically assaulted those who refused recruitment attempts. Most recruits were adult males, but in three verified cases in 2015, Burundian refugee children were also identified as recruits from Mahama refugee camp. In 2015, refugees reported that Rwandan military personnel trained Burundian recruits, including women and children, in weaponry at a training camp in southwestern Rwanda. There were no reports of forcible or coerced recruitment out of Mahama refugee camp by Rwandan government officials since 2015.

ecoi.net summary:

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