



RESPONSES TO INFORMATION REQUESTS (RIRs)

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The Board		5 July 2007
About the Board	RWA102531.E	
Biographies		
Organization Chart	Rwanda: Situation of violence against women and girls outside the home; state protection available (2004 - May 2007)	
Employment	Research Directorate, Immigration and Refugee Board of Canada, Ottawa	
Legal and Policy		
References	This Response does not contain specific information on the current situation of women and girls who experienced violence during the 1994 genocide in Rwanda, nor does it contain specific information on reprisals against women and girls who have testified before the International Criminal Tribunal for Rwanda (ICTR) or Rwanda's Gacaca courts. This Response focuses on post-1994 violence against women and girls in Rwanda.	
Publications		
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Immigration Appeal Division	Crime statistics gathered by the Rwandan National Police (RNP) show that in the first three months of 2007, there were more rapes reported to the police than any other crime (<i>The New Times</i> 23 May 2007). A study published by Rwanda's Ministry of Family and Gender Promotion in 2004 shows that over a five-year period, 32.4 percent of women experienced verbal or physical abuse in their communities by someone other than their partner (Rwanda June 2004, 6). Violence women faced in their communities included being slapped, punched, threatened, beaten, kicked, being physically injured, being bound or blindfolded, being strangled, and sustaining bullet or knife wounds (<i>ibid.</i> , 29). Women also reported undergoing sleep, water and food deprivation, being abducted or confined, and being forced to witness violence against others (<i>ibid.</i> , 31). The study noted that the perpetrators of community violence included neighbours (65 percent), soldiers (16.6 percent), Local Defence Force officers and patrollers (11.2 percent), paramilitaries (8.9 percent), other persons (17.5 percent) and unknown assailants (9.9 percent) (<i>ibid.</i> , 33). The study results also show that one out of four women had experienced sexual assault in the preceding five years (<i>ibid.</i> , 6).	
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Recent Research	Further statistics show that in the two years between 2002 and 2004, there were 6,440 known instances of gender-based violence, between 75 and 80 percent of which were perpetrated against minors (UN 7 Aug. 2006; <i>The New Times</i> 23 May 2007). The Chief Superintendent of the RNP notes that cultural influences have resulted in low reporting rates for gender-based violence crimes, and that women are afraid to report these crimes to the police (<i>ibid.</i> ; see also HRW Sept. 2004, 29). Human Rights Watch (HRW) reports that Rwandan women who have experienced sexual violence are adversely affected by isolation and trauma as well as by the societal stigmatization of rape victims and of persons living with human immune-suppressant virus (HIV), and may as a result of these pressures be forced into prostitution (HRW Sept. 2004, 24, 29). Adult victims of violence are often blamed for inciting the attack (<i>ibid.</i> , 29).	
Media Centre		
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HRW reports that at the beginning of 2006, the police and Local Defence Forces illegally arrested street children and vagrants in Kigali (ibid. Jan. 2007; US 6 Mar. 2007, Sec. 2.c). Women who were illegally detained reported being raped by security officers; and children reported being abused by adult detainees (HRW Jan. 2007). The government shut down the "dilapidated warehouse" buildings that were serving as a makeshift detention centre after HRW published a report on the facility (ibid.).

Legislation and prosecutions

Writing with respect to the situation in 2004, Freedom House notes that "[i]mportant gaps remain in legal protections, especially to prevent violence against women" (2005, Sec. 2.21). Although the Rwandan Penal Code of 1997 criminalizes defilement, rape, torture and sexual torture, the act does not define these offences (HRW Sept. 2004, 32; see also Freedom House 2005, Sec. 2.21), although the law does specify that the death penalty is the required sentence in cases where a victim dies as a result of rape (HRW Sept. 2004, 32). Because the offences are not defined, there is a lack of awareness about violence committed against women and girls (ibid., 33). In an in-depth study conducted in 2004, HRW interviewed the prosecutor for Gisenyi province and the prosecutor for the city of Kigali, both of whom believed that women were often complicit in their own victimization (ibid., 34). The United States Department of State reports that "in recent years those convicted of rape generally received sentences of between 20 and 30 years imprisonment" (US 6 Mar. 2006, Sec. 5). It is unclear whether this statement refers to rape perpetrated during or since the genocide, or both.

With respect to violence against girls, a Child Protection Law passed in 2001 criminalizes sexual violence against children (HRW Sept. 2004, 45). Freedom House notes that since the genocide, young children are being raped in increasing numbers, and that the government has emphasized prosecutions for this crime although without adequate resources (Freedom House 2005, Sec. 2.21).

The United Nations (UN) Development Fund for Women (UNIFEM) reports that on 3 August 2006, the Rwandan House of Assembly unanimously adopted the *Draft Law on the Prevention, Protection and Punishment of Any Gender Based Violence* (UN 7 Aug. 2006; *The New Times* 23 May 2007). The draft law was formulated by the Forum for Rwandan Women Parliamentarians with support from UNIFEM and the UN Development Fund (UNDP) (UN 7 Aug. 2006). The bill, which will be finalized after necessary amendments are incorporated, has five sections:

[T]he first identifies the objectives of the law and definition of terms, the second addresses fundamental principles for the prevention of [Gender Based Violence] GBV, the third identifies the obligations of various stakeholders in preventing GBV, the fourth provides for the penalties for various categories of GBV-related crimes, and the fifth shows the relationship between the GBV bill and other penal laws. (ibid.)

Specific information on which gender based crimes are contained in the draft bill could not be found by the Research Directorate within the time constraints of this Response.

Policing

In Rwanda, police and state authorities bear the burden of proof for rape cases (HRW Sept. 2004, 23). HRW reports, however, that some women believe that they bear the burden of proof and so do not approach the police for lack of evidence (ibid.; ibid., 30).

HRW notes that the "Rwanda National Police (RNP) has devoted considerable effort to improving its capacity to address sexual violence cases" (ibid., 45). Cases

are reportedly treated as high priority and sent to prosecution quickly (ibid.). There is, however, a paucity of female police officers, which makes it more difficult for female victims to lodge a complaint (ibid., 49).

In partnership with UNIFEM and UNDP, Rwanda's National Police established a gender based violence desk in May 2005 (UN 3 Aug. 2006, 6; *East African Business Week* 8 May 2007). The purposes of the gender desk include preventing gender-based violence, providing "rapid response," helping victims gain access to help and collecting information on gender-based violence (UN 3 Aug. 2006, 6-7). The desk further aims to strengthen the judicial police unit, which responds to crimes on a daily basis, the Child and Family Protection Unit, which provides a victim referral service and the Community Policing Unit, which engages in community sensitization about gender-based violence (ibid.). As part of the collaboration, UNIFEM has equipped the police with motorcycles so they can respond rapidly to cases of domestic violence (ibid.). Victims alert police of incidents via a centralized national telephone hotline which then routes the call through to the appropriate response unit (ibid.). Information on the effectiveness of these systems could not be located by the Research Directorate within the time constraints of this Response. In May 2007, UNIFEM signed a memorandum of understanding with the RNP and provided 1,064,000 United States dollars (USD) to the gender based violence desk (*East African Business Week* 8 May 2007). The United Kingdom Department for International Development (DFID) is funding the gender based violence desk with a further USD1,000,000 for two years starting in 2007 (*East African Business Week* 8 May 2007).

Protection and support available to victims

A 2004 Human Rights Watch (HRW) report entitled *Struggling to Survive: Barriers to Justice for Rape Victims in Rwanda* makes general observations about the health services available to women and girl victims of sexual violence (HRW Sept. 2004, 38-39).

Rwanda's twelve provinces count 365 health centers, thirty-three hospitals at the health-district level, and five national referral hospitals for more advanced medical care. Existing health centers serve large geographic areas, with an average distance of four miles of rough, hilly terrain and the population it serves estimated to be 25,000 people. ... According to a May 2003 Rwandan government estimate, there are 300 doctors in the country. Nurses and medical assistants, in the absence of doctors, operate most health centres. Health centers dispense basic medication, such as aspirin, which is frequently in short supply. (ibid.)

Health care facilities in Rwanda reportedly lack "a uniform protocol" for examining rape victims, and as a result, evidence needed for investigations into the crime may not be gathered (ibid., 32).

Although it does not speak specifically to non-governmental organizations (NGOs) concerned with domestic violence, HRW notes that following the Rwandan genocide, "numerous NGOs have taken up the cause of women's and girl's rights" (HRW Sept. 2004, 38). These organizations provide various services, including legal aid, health care, counselling, and assistance with "violence, property rights, divorce, and custody" (ibid.).

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 additional sources consulted in researching this Information Request.

References

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Additional Sources Consulted

Oral sources, including: The Association des Femmes Chefs de Familles, the Gender Advisory Board Africa Regional Secretariat, Haguruka, the Rwanda Women's Network, the Rwandan Ministry of Gender and Women in Development (MIGEPROFE), and the United Nations Development Fund (UNDP) in Kigali did not provide information to the Research Directorate within the time constraints of this Response.

Internet sources, including: AllAfrica; Afrol News; Amnesty International (AI); British Broadcasting Corporation (BBC); European Country of Origin Information Network (ecoi.net); Fédération Internationale des Ligues des Droits de l'Homme (FIDH); Ligue Rwandaise pour la Promotion et la defense des droits de l'homme (LIPRODHOR); Office of the United Nations (UN) High Commissioner for Human Rights (OHCHR); Office of the UN High Commissioner for Refugees (UNHCR); Reliefweb; Reproductive Health for Refugees Consortium; Rwanda, Forum of Rwandan Women Parliamentarians (FFRP); Twese Hamwe/Pro Femmes; UN Integrated Regional Information Networks (IRIN).

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