
Committee on the Elimination of
Discrimination against Women
Third session

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Concluding comments of the Committee on the Elimination of
Discrimination against Women: Rwanda

Initial report

236. The Committee considered the initial report of Rwanda (CEDAW/C/5/Add.13) at its 38th and 41st meetings, held on 2, 3 and 4 April 1984.
237. The report was introduced by the representative of the State party who said that it was short because it had been prepared a long time before the general guidelines regarding the form and contents of reports had been adopted. She stressed that her country had been the first country from sub-Saharan Africa to sign the Convention and it had ratified or adhered to other international instruments dealing with the status of women.
238. Since the signature and ratification of the Convention, no legal or other measures had been adopted in her country because all the relevant measures were already in existence before the Convention had come into force. In Rwandese society, women had always played an important role in the survival of the family. However, as in other countries, women were victims of stereotyped attitudes and prejudices, which gave them a status inferior to men. In addition to that and because of the critical economic situation of the country, women and men in Rwanda were more preoccupied with the question of survival than with their legal status. The primary concern of the Government was to improve the living conditions of women in order to make them more receptive to the idea of equality with men.
239. Within the third five-year development plan, further integration of women in development was foreseen through an improvement in equality in the fields of education, employment and equal opportunities and through further research, in order to add greater value to the role of women in development.
240. Some progress had been made in the status of women under the provisions of the 1978 Constitution compared with the previous one. She also referred to certain articles contained in the Criminal Code and the Civil Code which protected women's rights. Prostitution and abortion were illegal and the husband was penalized if he abandoned the family. However, the Code contained a measure discriminatory against women in cases of adultery. She further enumerated the civil rights of women and

the progress made in that field and spoke about a project to set up a national women's organization by the name of URAMA to increase awareness of women's problems. As Rwanda was mainly a rural country, 92.9 per cent of the working population was involved in agriculture. She spoke also about the special measures and programmes set up for rural women.

241. People had been made aware of the problem of women's integration in development through mass media and, since International Women's Year, at least one seminar had been organized annually in order to raise the consciousness of feminist groups and to make women aware of their role.

242. The Committee congratulated the representative of the State party for the introduction, which adequately supplemented the short report, although it would have been more useful if it had been annexed to the initial report. The members of the Committee paid tribute to the fact that the report came from a developing country, as such countries often had greater difficulties in supplying statistical data; further, the report had been prepared before the adoption of general guidelines. Regrets were expressed that it did not contain any information on most articles of the Convention and that it did not give enough information on legislative and other measures taken by the Government to eliminate discrimination against women. Some experts wanted to receive a copy of the introductory statement.

243. Some members of the Committee asked whether measures against any form of discrimination were enforceable in courts and whether any agency was responsible for safeguarding the rights of women and for supervising the implementation of the provisions of the Convention. Information was sought about the obstacles and factors which impeded the application of the Convention and whether a particular government programme dealt with the implementation of the Convention. One expert wanted to know whether the Government had made any reservation when ratifying the Convention.

244. A few experts inquired whether prostitution was prohibited in Rwanda, whether it constituted a widespread problem and whether a Criminal Code contained any provision for imprisonment or other penalty. A certain contradiction was also found in that respect between the provisions contained in articles 363 and 364. One expert asked for an explanation of the words "to maintain" in article 365 of the Criminal Code. Another one asked for clarification of the penalties in cases of aggravating circumstances, as mentioned in article 374, paragraph 10, if "the offence was committed by a public official or minister of religion". An explanation was also requested of the strict punishment in cases of rape, as well as of the effect of the crimes discussed in the annex to the report on the development of the country.

245. With reference to article 9 of the law of 28 February 1967, it was asked whether single, divorced or widowed women practising a profession or trade could join professional organizations and participate in their administration or leadership. As regards article 9 of the Constitution, information was requested on the categories of citizens that were excluded from the right to vote and on the meaning of the phrase: "elections in the circumstances prescribed by law".

246. Questions were asked about the percentage of women in the court system, in executive and managerial posts, in trade unions, in administrative posts and in professional organizations. One expert asked what steps were being taken to encourage women to assume higher decision-making posts.

247. Information was sought on the role of women in the political life and in the economic development of the country and on the percentage of women and men represented in the National Revolutionary Movement for Development.

248. It was pointed out that the report gave no information on rules governing the nationality of Rwandese women.

249. Many experts inquired about the illiteracy rate in the country, about the methods used to eliminate illiteracy, about the percentage of women, especially in rural areas, who availed themselves of educational facilities and about the educational facilities for adults in general. They asked whether enrolment in primary schools was mandatory up to a certain grade and whether girls had the same educational and training possibilities as boys, what the drop-out rate of girls was and what measures were being undertaken to prevent girls dropping out of school. Another question concerned the vocational opportunities for women and the types of studies carried out by girls.

250. Several experts showed interest in the question of whether the rule of equal pay for work of equal value was implemented in the country, and what were the sanctions in cases of discrimination in employment because of pregnancy. One question referred to the percentage of women in the total labour force of the country. Another expert asked whether the 70 per cent of women quoted by the State party representative as assisting their husbands without pay were included in the 94.7 per cent of women who were working in that country.

251. Several other questions referred to the social security situation in Rwanda. The Committee wanted to know whether retirement and disability pensions were provided for women, what the age of retirement was and whether it was the same for men and women. Some questions concerned the availability of day-care centres and kindergartens and the length of paid maternity leave. One expert inquired about the availability of free services during pregnancy and nursing and whether maternity leave was given before the birth of a child.

252. The Committee was interested in the existence of non-governmental women's organizations and wanted to know if, in case such organizations existed, they helped women to defend their rights. Questions were asked about the rights of women with regard to ownership, inheritance, control and disposition of property and whether women could be financially independent.

253. Some experts requested information on rural women, whether they were members of producers' co-operatives, whether they had access to agricultural institutions, what the distribution of the work load between men and women was in rural areas, and on rural women's access to health facilities.

254. Other questions related to the legal capacity of women in civil matters and to their civic rights. One expert wanted to know whether the concept of "origin" referred to in article 393 of the Criminal Code as reason for the dismissal of a person included the person's sex.

255. Most experts asked questions centred around marriage and family relations in Rwanda. Some wanted to know whether wives were entitled to maintenance for themselves and their children in cases of dissolution of the marriage, about the incidence of illiteracy and whether the position of children born out of wedlock was different from that of legitimate children. Others asked whether women were

free to choose their spouses and inquired about the rights and responsibilities of parents in relation to their children. One expert asked about the percentage of female-headed households. Several experts requested an exact definition of the concept of abandonment, and inquired about serious grounds for abandonment of the family and the penal responsibility in such cases. One expert asked for clarification of article 25 of the Constitution, and wanted to know whether other forms of marriage existed that were not recognized by law. Some clarification of the right of divorce was sought. Another expert wondered why the penalty imposed under article 387 of the Criminal Code for abandonment that caused the death of a child was less than the penalty for offences against individual freedom, bearing in mind that the type of abandonment described was equivalent to intentional homicide.

256. Several experts inquired why the penalties differed between men and women in cases of adultery and stated that that provision was contrary to the provisions contained in the Convention. They propounded the argument that adultery committed by the husband had the same sociological consequences if, as a result of the act done, children were brought into the family.

257. Several questions related to family planning in Rwanda. One expert asked whether abortion was forbidden under any circumstances. Another one inquired about the demographic policy of the country and about the growth rate of the Rwandese population, and wondered about the severe punishments for advertising means of abortion. Questions were asked about the number of children in an average Rwandese family.

258. In her replies given at the 41st meeting of the committee the representative of Rwanda expressed gratitude for the interesting questions asked which would assist in preparing the next report.

259. Apart from the constitutional provisions which imposed monogamy, customary law and the Civil Code governed simultaneously the rights and duties connected with the family and were valid for all citizens. It was difficult for lawyers, at times, to know which one of the two to apply. It was pointed out, however, that written law did not contain any provisions referring to the matrimonial arrangements between spouses and to inheritance.

260. Under the Civil Code, which was largely inspired by the Napoleonic Code, the minimum age for marriage was 15 years for girls and 18 years for boys. If the future spouses were less than 21 years old, they needed the consent of their parents for the marriage. Furthermore, some had to obey their husbands and follow them anywhere. Parental authority meant paternal authority which was replaced by maternal authority only in the absence of the father.

261. As regards affiliation, the Code made a clear distinction between natural and legitimate children. Whereas children of parents who were not married could be recognized, children born out of adultery could not be recognized. An intensive campaign had been carried on in the country to give both categories of children the same rights. Paternity proceedings existed, but women hardly ever availed themselves of that possibility. Both spouses could ask for divorce, however, and adultery committed by the wife could result in her divorce, whereas adultery committed by the husband was not necessarily followed by a divorce. During the divorce proceedings, the woman could be permitted to leave the conjugal residence. After a divorce, the woman could receive an allowance for herself and her children, and, in any event, the interests of the children prevailed. Small children were

entrusted to their mother. A widow had to wait 300 days after the death of her husband before she could remarry. It was hoped that the legislators would reconcile the new Civil Code with the provisions of the Convention. Its initial draft had already been debated at several levels, especially as regards the abolition of the dowry system and the status of natural children, but no time limit had been set as yet for its adoption.

262. Under customary law, marriage was the rule and society did not give much consideration to single mothers. In former times, the family of the young man had to be assured of the quality of the girl. Currently, the two partners also had opinions in the matter. The celebration of the marriage as such was preceded by the engagement and the giving of a dowry. In case of non-payment of a dowry, the children belonged to the family of the woman. Women had to obey their husbands, they had to administer their goods without having the right to dispose of them and they had no right of inheritance. Because of women's importance, especially for the education of children, they were called the heart of the home. The families of both spouses tried to prevent their separation but, in the case of failure of the first marriage, women had the right to remarry.

263. Rwandese women had equal access to credit as men. Their major obstacles were the hard conditions imposed by the banks which were difficult for most women to fulfil.

264. The Constitution did not contain any provision which would secure the application of the Convention through national legislation. Internal social instruments would first have to become national laws in order to be integrated into the domestic jurisdiction.

265. Currently, only a minor part of the population benefited from social security, since about 93 per cent was employed in agriculture and lived from cash crops. The provisions applicable to the remaining 7 per cent of the population for professional risks and retirement pensions referred to women and men in the same way without any discrimination. Women received a retirement pension on the same footing as men at the age of 55 years.

266. Women could transmit their nationality to their children if the father had no nationality or his nationality was not certain or if paternity was not or could not be established because the father was a foreigner. A Rwandese woman did not lose her nationality through marriage to a foreigner and she could even choose her nationality in such a case, but she could not transmit her nationality to her foreign husband.

267. All Rwandese women could become members of the National Revolutionary Movement for Development although they were still underrepresented. There were only 9 women out of a total of 68 members in the National Council for Development. No other statistics were available on female representation in other bodies and in many other fields as asked for by the other experts. No governmental or non-governmental women's organizations existed as yet in the country nor any trade unions, although the formation of such entities was foreseen by the Statute of the National Revolutionary Movement for Development. Non-governmental women's organizations encountered many difficulties and were dissolved. Although women were underrepresented, they took part in the drafting of the new legislation.

268. As regards civic rights, the new electoral law listed those persons who were excluded, and those who were suspended, from the right to vote, as well as those persons who were not eligible.

269. Referring to questions about the educational provisions of the country, she explained that education had been introduced in the country during the colonial period. It was accessible, at first, only to boys. When the country reached its independence, the education of girls was intensified. In 1968, the university gave access to girls, and measures were taken to increase the number of girls in secondary schools. Since International Women's Year efforts were intensified and, in 1975, a secondary agricultural school was opened for girls. Since then, girls had had access to the police force and the army. Under the Constitution, every Rwandese citizen was entitled to receive education; primary education was compulsory and free of charge. In order to accommodate the largest possible number of children, each teacher may have two groups, one in the morning, one in the afternoon. Since the 1981 school reform, primary education was of eight year's duration and during the last two years children were given practical training. Access to secondary school was subject to national competition. Apart from the mandatory schooling, the latest school reform introduced measures to reduce the drop-out rate and created centres for rural education and integrated handicrafts which were open to children who did not succeed at the competitive entrance exams to secondary schools. Although the education given in secondary schools was divided by sexes, the programmes were the same for boys and for girls. Among the female university graduates, there were doctors, lawyers, economists, sociologists and social workers. However, girls tended to choose disciplines belonging to the positive sciences rather than to the exact sciences. She did not have any statistical data in that field, but she promised that such data would be included in the next report.

270. As regards questions concerning the implementation of the Convention and obstacles encountered in that respect, she referred to what she had said in her introductory statement about the efforts undertaken by her country to achieve equality between the sexes and to what was foreseen by the third five-year development plan. In the next report, her Government would submit a detailed programme referring to the application of the Convention.

271. Speaking about the population policy of her country, she mentioned the creation of the National Population Office in 1981 and stated that the third development plan had set a specific target to halt the uninterrupted rise of the population and to limit the annual growth rate to 3.7 per cent. The objectives were to study the impact of the increase in population on socio-economic development, to make people aware of family planning methods and to reach a balance between agricultural production and population growth.

272. Rural women had few economic possibilities, their living conditions were very hard, they had no access to drinking water, all their labours did not allow them time for rest and education and the illiteracy rate among them was 75 per cent. Since health-care centres were very scarce, the Government was setting up a programme of preventive medicine. Rural women exercised the right of freedom of association, but because of their poor education and their poor economic means they had no access to agricultural credit. As regards the distribution of the work-load, she said that men did the work outside the house, which required physical strength, whereas women were responsible for the work inside the house.

273. Because of the limited means of the Government, no day-care centres were available as yet.

274. A small amount of prostitution existed only in urban areas and was forbidden by law. The Government had opened two centres for helping and re-educating recidivist prostitutes.

275. All questions would be referred to her Government and any replies outstanding would be given in the next report.

276. Several experts congratulated the representative for the frankness of her answers and appreciated the efforts made by the country for the advancement of women in spite of its economic difficulties.