

EXAMINATION OF GENDER EQUALITY COMPLIANCE UNDER THE RWANDAN LEGAL FRAMEWORK

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Abstract

This research investigated the position of Gender Equality in the Rwandan Legal Framework. The general objective of this study was to identify the challenges that impede the effective implementation of the principle of Gender Equality in Rwanda. The research concludes that over the past 25 years, Rwanda has achieved impressive progress in establishing legal and policy frameworks that support the principle of gender equality. The research reveals that there is still a lack of compliance with the effective implementation of the principle of gender equality in practice, along with some persistent legal challenges. The research recommends that the remaining gaps in the law should be amended to uphold the principle of gender equality. There is a need to improve the awareness of the true principle of Gender Equality to reduce the existing stereotypes in the community.

A. Introduction

Women and men are equal in ability and dignity, and they should also be equal in terms of opportunities. As Rwandans, as a global community, we need every member of our society to use his or her talents to the fullest if we are ever to reach our development goals. “With regards to empowering women and promoting their socio-economic and political participation, we continue to make modest progress. We believe that, besides improving

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gender relations in our country, this marks healthy progress towards realizing our vision of a united, democratic, and prosperous Rwanda.”¹

In a striking departure from traditional patriarchal norms, Rwanda has seen a notable increase in households headed by women, with 35 % of households under female leadership. This shift represents a significant departure from conventional gender roles, as women in Rwanda are taking on non-traditional responsibilities such as decision-making, financial management, house construction, and more. Additionally, 6.8 % of women in their 20s and 30s were married before turning 18 years old.² Rwanda has passed several laws after the end of the 1994 genocide against the Tutsi that safeguard gender equality throughout political, social, and economic areas.³

Currently, there are 91.7 % of the legislative frameworks necessary to promote, uphold, and monitor gender equality as measured by the SDG indicator, with a particular emphasis on violence against women.⁴ However, it was discovered that despite these admirable efforts, several practical obstacles still exist and prevent women and men from upholding the principle of gender equality. This paper examines the position of Gender Equality Compliance under the Rwandan Legal Framework.

B. Initiatives and Achievements of Gender Equality in Rwanda

It is helpful to take into account the specific context of Rwanda's recent historic trauma experience of genocide to understand the progress the country has achieved in mainstreaming gender in its development process.⁵ Below, a detailed discussion of the efforts for improving Gender Equality is provided;

I. Ratification status

Rwanda has ratified several International and Regional Human Rights Instruments that advocate for the promotion of Gender Equality. Among them, there are the International

- 1 President of the Republic of Rwanda at the 63rd United Nations General Assembly New York, 23 September 2008.
- 2 *UN-Women*, Rwanda, available at <<https://data.unwomen.org/country/rwanda>>, (accessed on 5/7/2023).
- 3 *Guariso Andrea, Ingelaere Bert, and Verpoorten Marijke*, When Ethnicity Beats Gender: Quotas and Political Representation in Rwanda and Burundi, 49(6), International Institute of Social Studies, 2018, p. 8.
- 4 *UN-Rwanda*, Fast Tracking Gender Equality in Law in Rwanda: Comprehensive Legal Analysis of Gender Compliance under Rwandan Law, available at <<https://rwanda.un.org/en/138522-fast-track-ing-gender-equality-law-rwanda-comprehensive-legal-analysis-gender-compliance>>, (accessed on 5/7/2023). See also the 2023 Rwanda Voluntary National Review, p. 32.
- 5 *Berry Marie*, Barriers to Women's Progress After Atrocity: Evidence from Rwanda and Bosnia-Herzegovina, 31(6), Gender and Society, 2017, p. 833.

Covenant on Civil and Political Rights (ICCPR),⁶ the International Covenant on Social, Economic, and Cultural Rights (ICESCR),⁷ the African Charter on Human and Peoples' Rights (ACHPR),⁸ International Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW),⁹ Optional Protocol to CEDAW,¹⁰ Protocol to the African Charter on Human and Peoples Rights on the Rights of Women in Africa (Maputo Protocol),¹¹ Convention on the Political Rights of Women,¹² Convention on the Nationality of Married Women,¹³ International Labour Organisation (ILO) Convention N°100 on Equal Remuneration,¹⁴ and Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages.¹⁵

Rwanda endorsed the Beijing Platform for Action and took proactive measures to address the twelve prioritized problem areas. Further, she ratified and complied with different legal texts such as the Millennium Development Goals (MDGs), UN Security Council Resolution 1325, the Universal Declaration of Human Rights (UDHR) of 10th December 1948, the New Partnership for Africa's Development (NEPAD), Southern African Development Community (SADC), The Common Market for Eastern and Southern Africa (COMESA), and others.¹⁶ All these tools emphasize gender as a crucial strategy for sustainable development.

- 6 International Covenant on Civil and Political Rights, 19 December 1966, 999 UNTS 171 (entered into force on 23 March 1976).
- 7 The International Covenant on Economic, Social and Cultural Rights, 16 December 1966, UNTS 993 (entered into force on 3 January 1976).
- 8 African Charter on Human and People's Rights, 1 June 1981, UNTS 1520 (entered into force on 21 October 1986).
- 9 Convention on the Elimination of all forms of Discrimination Against Women, 18 December 1979 (entered into force on 3 September 1981).
- 10 Optional Protocol to the Convention on the Elimination of Discrimination against Women, 6 October 1999 (entered into force on 22 December 2000).
- 11 The Protocol to the African Charter on Human and Peoples Rights on the rights of Women in Africa, 1 July 2003 (entered into force on November 25, 2005).
- 12 Convention on the Political Rights of Women, 31 March 1953 (entered into force 7 July 1954).
- 13 Convention on the Nationality of Married Women, 20 February 1957 (entered into force 11 August 1958).
- 14 ILO C100 – Equal Remuneration Convention, 1951 (No. 100), ratified on 2 December 1980.
- 15 Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages, 7 November 1962.
- 16 *RoR and EAC, Gender, and Community Development Analysis in Rwanda*, 2009, p. 4.

II. Rwanda's Obligations under International and Regional gender equality instruments

1. Convention on the Elimination of all Forms of Discrimination against Women and its Optional Protocol

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)¹⁷ and its Optional Protocol¹⁸ have been referred to as a worldwide bill of rights for women and offer a thorough framework to direct all rights-based initiatives for gender equality. "Any distinction, exclusion or restriction made based on sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, based on equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field," is defined as discrimination against women in the treaty.¹⁹ It puts specific duties on State Parties to denounce discrimination against women in all its manifestations and to actively work to end it.²⁰

By ratifying CEDAW, Rwanda is committed to taking all necessary steps, including passing legislation, to achieve the complete advancement of women to ensure that they can exercise and enjoy their human rights and basic freedoms on an equal footing with men.²¹ In addition, Rwanda has acknowledged the Committee on the Elimination of Discrimination Against Women's (the "Committee") authority to receive and consider individual communications or complaints from people alleging that their rights under the Convention have been violated by ratifying the Optional Protocol.²² Further, the Committee also explicitly welcomed Rwanda's efforts to implement legislative reforms aimed at fostering Gender Equality in its concluding observations on the combined seventh to ninth periodic reports of Rwanda.²³

¹⁷ CEDAW was adopted on December 18, 1979, and entered into force after two years, on September 3, 1981. Rwanda signed and ratified it on May 1, 1980, and March 2, 1981, respectively.

¹⁸ The Optional Protocol to CEDAW was adopted on October 6, 1999, and entered into force on December 22, 2000. It was acceded to by Rwanda on December 15, 2008.

¹⁹ Convention on the Elimination of all forms of Discrimination Against Women, 18 December 1979, art. 1.

²⁰ Id. art. 2.

²¹ Id. art. 3.

²² Optional Protocol to CEDAW was adopted on October 6, 1999, arts. 1 and 2.

²³ Committee on the Elimination of Discrimination against Women, Concluding observations on the combined seventh to ninth periodic reports of Rwanda, CEDAW/C/RWA/CO/7-9, 2017.

2. Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol)

The Maputo Protocol's adoption marked a significant turning point in the protection of women's rights on African soil. States Parties are required by the Maputo Protocol²⁴ to combat all forms of discrimination against women by putting in place the necessary governmental, institutional, and other measures.²⁵ They also promise to address social and cultural norms of behavior through public awareness campaigns, educational initiatives, and communication campaigns to end harmful customs based on gender stereotypes.²⁶

The Maputo Protocol places a strong focus on the rights to economic and social welfare, including the right to employment, professional development, and other economic opportunities,²⁷ the right to education and training,²⁸ the right to health, including reproductive health,²⁹ and the right to appropriate housing and food.³⁰ Additionally, it ensures that all women will have access to "third generation" rights including the right to a healthy environment and sustainable development.³¹

3. Convention on the Political Rights of Women

The Convention on the Political Rights of Women was the first convention to safeguard women's equal standing to exercise their political rights.³² The pact was approved by Rwanda in 2003,³³ the same year that its new Constitution was put into effect. At a pivotal juncture in the growth of Rwanda's current democracy, this showed the country's commitment to enhancing the involvement of women in political life.

4. Convention on the Nationality of Married Women

By establishing that women's nationality rights cannot be automatically impacted by marriage, divorce, or a change in the husband's nationality, the Convention on the Nationality

24 The Maputo Protocol was adopted and entered into force on July 1, 2003, and November 25, 2005, respectively. It was ratified by Rwanda in 2004. See Presidential Order No 11/01 of 24th June 2004, O.G. No Special of 24th June 2004.

25 Id, art. 1.

26 Id, art. 2.

27 Id, art. 13.

28 Id, art. 12.

29 Id, art. 14.

30 Id, arts. 15 and 16.

31 Id, arts. 18 and 19.

32 Adopted by the United Nations General Assembly in 1953 and entered into force on July 7, 1954. It was ratified by Rwanda in 2003.

33 Presidential Order No160/01 of 31st December, 2002, (O.G. No12ter of 15/06/2003).

of Married Women³⁴ aims to eradicate patriarchal traditions relating to nationality. The Convention also guarantees a woman's right to use privileged naturalization processes to acquire her husband's nationality, subject to any restrictions that may be put in place in the interest of public safety or policy.³⁵

5. Convention on Consent to Marriage, Minimum Age for Marriage, and Registration of Marriages

The Convention on Consent to Marriage, Minimum Age for Marriage, and Registration of Marriages was adopted in New York on 10th December 1962. It requires States Parties to guarantee protection against forced marriages³⁶ and to legislate a minimum age of marriage³⁷ and procedures for the registration of marriages. Rwanda ratified this convention on 26th September 2003. Under Rwandan law the minimum age of marriage is 21 years,³⁸ among the highest in the world.

C. Legal and Policy Framework

In Rwanda, the presence of an enabling legal and policy framework has significantly facilitated the advancement of women's interests across various diverse realization of gender equality. Among the selected initiatives are the following:

I. Rwanda's Legal Framework on Gender Equality

1. Gender Equality in Decision-making

The Constitution of the Republic of Rwanda recognizes the principle of Gender Equality. It states that all Rwandans are equal before the law.³⁹ Equality between men and women is among fundamental principles recognized in Rwanda and women must hold at least 30 % of the positions in decision-making bodies.⁴⁰ Further, Article 16 forbids sex-based discrimination, and it safeguards the right to marry, and find a family with full and free consent is safeguarded.⁴¹

³⁴ Adopted on February 20, 1957, and entered into force August 11, 1958, and acceded to by Rwanda on September 26, 2003.

³⁵ Convention on the Nationality of Married Women, 20 February 1957, arts. 1, 2, and 3.

³⁶ Convention on Consent to Marriage, Minimum Age for Marriage, and Registration of Marriages was adopted in New York on 10 December 1962, art. 1.

³⁷ Id, art. 2.

³⁸ Law N°32/2016 of 28/08/2016 governing persons and family, (O.G n°37 of 12/09/2016) art. 168.

³⁹ Constitution of the Republic of Rwanda, (O.G n° Special of 04/08/2023), art. 15.

⁴⁰ Id, art. 10.

⁴¹ Id, art. 17.

The constitutional principle of equal participation in political life is also reflected in various laws, such as the Law on Elections,⁴² which provides that any Rwandan without discrimination of at least eighteen years of age or who will have attained that age by election day is allowed to register to vote.⁴³ The Law on Political Organizations requires all political organizations to constantly reflect gender equality and complementarity, whether in the recruitment of members, leadership, and operations and activities.⁴⁴

2. Gender Equality in Criminal Matters

All forms of discrimination, including sex-based discrimination, are illegal under the law, which determines offences and penalties.⁴⁵ Discrimination is described in Article 163 as an action that "causes division among persons or a group of persons" or is "intended to deny a person or a group of persons the rights granted under Rwandan law or international conventions ratified by Rwanda based on race, ethnicity, origin, clan, family connection, the color of skin, sex, region, nationality, religion, political ideology, economic classes, culture, language, social status, physical or mental disability." This law also criminalizes sexual violence against a spouse (the victims of which are often women),⁴⁶ sexual harassment,⁴⁷ and denial of the ability to practice family planning.⁴⁸

3. Gender Equality in Labour Matters

The Labour Code,⁴⁹ which requires employers to provide employees with equal opportunity at work, guarantees equality between men and women. The Labour Code forbids discrimination of any form, including sex-based discrimination, and mandates that companies pay employees an equivalent remuneration for work of equal worth.⁵⁰ The Labour Code also outlaws sexual harassment in all its forms and expressly forbids firing an employee for disclosing or testifying about sexual harassment committed by a superior.⁵¹

Additionally, in the public sector, equality between men and women is not specifically addressed under Law N°017/2020 of 07/10/2020 establishing the general statutes governing

42 Organic Law N°004/2018.OL of 21/06/2018 governing elections, (O.G. N°26 of 25/06/2018).

43 Id, art. 6.

44 Organic Law N°10/2013/OL of 11/07/2013 governing Political Organizations and Politicians, (O.G. N° Special of 12/07/2013).

45 Law N°68/2018 of 30/08/2018 determining offenses and penalties in general, (O.G. No Special of 27/09/2018).

46 Id, art. 137.

47 Id, art. 147.

48 Id, art. 148.

49 Law N°66/2018 of 30/08/2018 regulating labour in Rwanda, (O.G. No Special of 06/09/2018).

50 Id, art. 9.

51 Id, art. 8.

public servants.⁵² However, it can be expected that the state as an employer would uphold the equality of men and women and respect the principle of non-discrimination set out under the Constitution. Gender-related issues are dealt with in the Presidential Orders implementing this law. For instance, Presidential Order N°65/01 of 04/03/2014 determines the modalities of imposing disciplinary sanctions on public servants. It ensures that sexual harassment and gender-based violence committed in the workplace are sanctioned by dismissal,⁵³ without prejudice to a criminal action that may also be commenced against a dismissed civil servant for the commission of the harassment. Further, Presidential Order N°144/01 of 13/04/2017 determines modalities for recruitment, appointment, and nomination of public servants without any kind of discrimination.⁵⁴

Moreover; a gender-responsive planning and budgeting program (GRB) was established by the Rwandan government to fulfill gender obligations. A rule that increased accountability for funding for gender equality and required mandatory gender-responsive planning and reporting through Gender Budget Statements (GBS) substantially strengthened the program's execution.⁵⁵

4. Equality in Family, inheritance, and land matters

Rwanda has also adopted laws to ensure the equality of men and women⁵⁶ in family, inheritance, and land matters, namely the Law on Persons and Family,⁵⁷ the Law on Matrimonial Regimes, Liberalities and Succession,⁵⁸ and Law N° 27/2021 of 10/06/2021 Governing Land.⁵⁹

The Law on Persons and Family ensures equality of both spouses by providing that spouses have the same rights and obligations, and owe each other mutual fidelity, help, and assistance.⁶⁰ The same Law also provides for equality of both spouses regarding household

52 Law N°017/2020 of 07/10/2020 establishing the general statutes governing public servants, (O.G. n° Special of 08/10/2020).

53 Presidential Order No65/01 of 04/03/2014 determining modalities of imposing disciplinary sanctions to public servants, art. 14.

54 Presidential Order N°144/01 of 13/04/2017 determining modalities for recruitment, appointment, and nomination of public servants, art. 19(3) and art. 33(2).

55 Organic Law N° 12/2013/OL of 12/09/2013 on State Finances and Property.

56 *Gender Monitoring Office*, the State of Gender Equality in Rwanda from Transition to Transformation, Kigali, 2019, p. 11.

57 Law N°32/2016 of 28/08/2016 governing persons and family, (O.G. N°37 of 12/09/2016).

58 Law N°27/2016 of 08/07/2016 governing matrimonial regimes, liberalities and succession, (O.G. N°31 of 01/08/2016).

59 Law N° 27/2021 of 10/06/2021 Governing Land, (O.G n° Special of 10/06/2021).

60 Law N°32/2016 of 28/08/2016 governing persons and family, (O.G. N°37 of 12/09/2016), art. 206.

management.⁶¹ The law also provides that parental authority is vested in the father and the mother of the child equally.⁶²

The Law on Persons and Family has also recently undergone amendments to promote greater gender equality. Notably, a significant change was made to Article 215(3) of the law, which initially stipulated that a widowed woman had to wait for 300 days after her husband's death before being allowed to remarry. This requirement was revised in a 2020 amendment.⁶³ This was done because men were not subject to the same waiting periods as women, this law was discriminatory. Further, the amendment states that there is no legal preference based on a parent's gender; rather, the best interests of the child are the only standard used to determine which parent should have custody of the kid.

In terms of managing family property and succession, men and women are treated equally under the Law on Matrimonial Regimes, Liberalities, and Succession (LMLS). It stipulates that partners managing their property jointly under the community property regime have the same rights to recover their assets if they are taken and to represent their assets in court.⁶⁴ Further, legitimate children of the deceased succeed in an equal share of items about succession, without any distinction between male and female children.⁶⁵

The principle of gender equality is also guaranteed under the Law governing land in Rwanda. It guarantees equal rights to land and any form of discrimination about access to land. The land rights of spouses depend on the type of matrimonial regime of their choice.⁶⁶ Thus, Land reform in Rwanda encouraged men and women to enjoy their land possessions equally, much like inheritance without any kind of discrimination.

II. Rwanda's Policy Framework on Gender Equality

The National Policy on GBV (2011) reflects a significant attempt to address this complexity, the unique characteristics of GBV in the nation, and to include the laws and policies already in place.⁶⁷ Additionally, Rwanda Vision 2020 believes that developing a legal and policy framework that is gender inclusive is a cross-cutting issue. The same issue was

61 Id. art. 209.

62 Id. art. 319.

63 Law N°001/2020 of 02/02/2020, amending Law N°32/2016 of 28/08/2016 governing persons and family.

64 Law N°27/2016 of 08/07/2016 governing matrimonial regimes, liberalities and succession, (O.G. N°31 of 01/08/2016), art. 6.

65 Id. art. 54.

66 Law N° 27/2021 of 10/06/2021 Governing Land, (O.G n° Special of 10/06/2021), art. 5.

67 *Isimbi Roberte, Simpunga Didier Manzi, and Domingo Pilar*, Policy and legal analysis notes: Rwanda A review of the National Policy against Gender-Based Violence, Gage publications, 2018, p. 1.

reflected in EDPRS II, the Seven-year Government Programme,⁶⁸ and the current National Strategy for Transformation (2017–2024).

Rwanda adopted the Girls' Education Policy to direct and support efforts that will gradually eliminate gender gaps in management structures, education, and training.⁶⁹ The goal of the National Gender Policy is to eradicate all gender-based discrimination from Rwandan society and to foster an environment where men and women may equally contribute to and benefit from the country's development objectives.⁷⁰ The National Policy against Gender-Based Violence's overarching goal is to gradually eradicate gender-based violence by creating an atmosphere that is preventive, protective, supportive, and transformative.⁷¹

The National Decentralization policy highlights the Rwandan government's dedication to giving its citizens the power to shape their future. It includes social inclusivity and gender equality as essential policy objectives.⁷² The Health Sector Policy focuses on "the well-being of individuals and communities," with a particular focus on women and children, and includes "people-centered services" as one of its guiding principles and values.⁷³

D. Challenges of Gender Compliance under the Rwandan legal framework

There is no guarantee that women will be able to use their legal rights. Despite significant legal changes for gender equality in Rwanda following the 1994 genocide against the Tutsi,⁷⁴ it is unclear how gender perceptions have changed. Since true gender equality cannot be achieved without consistency between gendered laws and attitudes, it is crucial to assess the existing challenges encountered in the effective implementation of the principle of Gender Equality.

There are some gaps presented under the Rwandan Legal framework. For instance, Law N°66/2018 of 30/08/2018 regulating labor in Rwanda does not address discrimination during the recruitment process because it only applies to the treatment of employees once a contract of employment is in place. Furthermore, Article 8 of the same law prohibits sexual harassment committed by a supervisor against his or her subordinate. However, the scope of this provision unnecessarily narrows the application of the protections it grants by limiting the definition of punishable sexual harassment to that committed by a supervisor against his or her subordinate alone. Therefore, the law should prohibit and sanction sexual harassment in the workplace committed by any other employee.

⁶⁸ *Republic of Rwanda*, Economic Development, and Poverty Reduction Strategy II, 2013 – 2018.

⁶⁹ Girls' Education Policy, 2008.

⁷⁰ National Gender Policy, 2010.

⁷¹ National Policy against Gender-Based Violence, 2011.

⁷² National Decentralization Policy, 2012.

⁷³ The Health Sector Policy, 2015.

⁷⁴ *Pierce Caroline*, The Status of Women's Rights in Rwanda, available at <<https://borgenproject.org/womens-rights-in-rwanda/>>, (accessed on 9/7/2023).

Gender stereotypes are preconceived notions about how individuals would behave depending on their gender, whereas gender normally refers to whether a person is male or female.⁷⁵ Some individuals in Rwanda assign particular duties to either males or women only, which feeds into existing prejudice. Moreover, despite legal safeguards that ensure women's legal rights to land ownership, societal perceptions often associate land ownership predominantly with men. In practice, even where women have co-ownership rights, they do not always have an equal voice in land management, as the authority and decision-making power frequently remain concentrated in the hands of men.⁷⁶ In 2012 USAID-Rwanda conducted a survey on gender assessment in Rwanda and found that, even though more women now hold decision-making roles in the government, particularly in the National Assembly, men continue to restrict women's autonomy and participation in family decision-making at the household level.⁷⁷

In addition to implementation inadequacies, several studies suggest that institutional changes have even backfired and had unforeseen, detrimental effects on women. For instance, testimonies from Rwandan women reveal that older males exhibit the greatest reluctance to shift gender norms in married relationships, often resorting to physical or psychological violence as payback.⁷⁸ It is nevertheless difficult for women to report spousal abuse as it is considered a shame.⁷⁹ Under this situation, some women choose to remain silent rather than use their legal rights for fear of social rejection, additional responsibilities, or unexpected repercussions. The situation in the home may then stay the same as it was before the passage of the equality laws, or it may get worse as husbands attempt to break the law.

Misunderstanding of the concept of Gender contributes to the practical challenges with the implementation of the principle of gender equality. Some men view gender equality as the advancement of women at the expense of their male counterparts. They often reject the idea of gender and do not wish to make any accommodations due to gender-based issues. For instance, a survey on gender equality in Rwanda conducted by the Rwanda Gender Monitoring Office (GMO) in 12 districts reveals that males believe that gender equality measures devalue them by taking away the traditional power of men that is ingrained in the local culture.⁸⁰

⁷⁵ *Gender Equality Law Center*, Gender Stereotyping, available at <<https://www.genderequalitylaw.org/gender-stereotyping>>, (accessed on 9/7/2023).

⁷⁶ *Ortiz Elena*, The Transformative Potential of High-level Gender Equality: The Relationship between Gendered Laws and Perceptions in Rwanda, Independent Study Project (ISP) Collection, 3132, 2019, p. 21.

⁷⁷ *USAID*, Gender Assessment in Rwanda, 2012, pp. 13–14.

⁷⁸ *Kagaba Mediatrice*, Women's experiences of gender equality laws in rural Rwanda: the case of Kamonyi District, *Journal of Eastern African Studies*, 9(4), 2015, pp. 574–592.

⁷⁹ *Ibid.*

⁸⁰ *Rwanda Gender Monitoring Office*, Perceptions Towards Gender Equality, 2013, p. 13.

Lack of awareness of gender equality contributes to the slow pace of the effective implementation of Gender Equality. In general, this lack of knowledge of gender laws among Rwandan citizens is reflected in other significant gaps and misunderstandings, including limited knowledge of gender equality principles and the accessibility of legal services, lack of knowledge of the principles of the rule of law related to gender, and lack of knowledge of human rights related to gender. This condition is likely to result in a lack of adherence to rules about gender equality, particularly when it comes to decision-making and disparities in the administration of family property and inheritance issues.

The non-ratification of international conventions poses a challenge to the implementation of the principle of gender equality. Several important ILO Conventions linked to improving gender equality have not yet been ratified or fully domesticated in Rwanda. These include Protocol 89 to the Convention concerning Night Work of Women Employed in Industry, Convention 131 on Minimum Wage Fixing, Convention 183 on Maternity Protection, Convention 189 on Domestic Workers, Convention 190 on Violence and Harassment, and Convention 156 on Workers with Family Responsibilities. Thus, there is a significant gender disparity that needs to be closed.

E. Conclusion

The worrisome global gender discrepancies in social and economic opportunities, property rights, and privileges serve as the foundation for the significance of mainstreaming gender in any nation's development initiatives as well as the necessity of monitoring and evaluating the mechanism's progress. The Government of Rwanda (GoR) has repeatedly shown through its positions and deeds that it is dedicated to reducing gender-based disparities and promoting gender equality and equity in all spheres of life. Despite these admirable initiatives made by the Rwandan government, numerous legal loopholes and practical obstacles that prevent women and men from achieving true equality persist, thus they should all be addressed to ensure that the principle of gender equality is implemented effectively.

F. References

I. Books

Gender Monitoring Office, the State of Gender Equality in Rwanda from Transition to Transformation, 2019.

Rwanda Gender Monitoring Office, Perceptions Towards Gender Equality, 2013.

Republic of Rwanda, Economic Development, and Poverty Reduction Strategy II, 2013 – 2018.

USAID, Gender Assessment in Rwanda, 2012.

RoR and EAC, Gender, and Community Development Analysis in Rwanda, 2009.

II. Journal Articles

Berry Marie, Barriers to Women's Progress After Atrocity: Evidence from Rwanda and Bosnia-Herzegovina, 31(6), Gender and Society, 2017.

Guariso Andrea, Ingelaere Bert, and Verpoorten Marijke, When Ethnicity Beats Gender: Quotas and Political Representation in Rwanda and Burundi, 49(6), International Institute of Social Studies, 2018.

Isimbi Roberte, Simpunga Didier Manzi, and Domingo Pilar; Policy and legal analysis notes: Rwanda A review of the National Policy against Gender-Based Violence, Gage publications, 2018.

Kagaba Mediatrice, Women's experiences of gender equality laws in rural Rwanda: the case of Kamonyi District, Journal of Eastern African Studies, 9(4), 2015.

Ortiz Elena, The Transformative Potential of High-level Gender Equality: The Relationship between Gendered Laws and Perceptions in Rwanda, Independent Study Project (ISP) Collection, 3132, 2019.

III. Online Sources

Gender Equality Law Center, Gender Stereotyping, available at <<https://www.genderequalitylaw.org/gender-stereotyping>>, (accessed on 9/7/2023).

Pierce Caroline, The Status of Women's Rights in Rwanda, available at <<https://borgenproject.org/women-rights-in-rwanda/>>, (accessed on 9/7/2023).

UN-Rwanda, Fast Tracking Gender Equality in Law in Rwanda: Comprehensive Legal Analysis of Gender Compliance under Rwandan Law, available at <<https://rwanda.un.org/en/138522-fast-tracking-gender-equality-law-rwanda-comprehensive-legal-analysis-gender-compliance>>, (accessed on 5/7/2023).

UN-Women, Rwanda, available at <<https://data.unwomen.org/country/rwanda>>, (accessed on 5/7/2023).

G. List of Legislation

I. International Instruments

International Covenant on Civil and Political Rights, 19 December 1966, 999 UNTS 171 (entered into force on 23 March 1976).

The International Covenant on Economic, Social and Cultural Rights, 16 December 1966, UNTS 993 (entered into force on 3 January 1976).

African Charter on Human and People's Rights, 1 June 1981, UNTS 1520 (entered into force on 21 October 1986).

Convention on the Elimination of Discrimination Against Women, 18 December 1979 (entered into force on 3 September 1981).

Optional Protocol to the Convention on the Elimination of Discrimination against Women, 6 October 1999 (entered into force on 22 December 2000).

The Protocol to the African Charter on Human and Peoples Rights on the Rights of Women in Africa, 1 July 2003 (entered into force on November 25, 2005).

Convention on the Political Rights of Women, 31 March 1953 (entered into force 7 July 1954).

Convention on the Nationality of Married Women, 20 February 1957 (entered into force 11 August 1958).

ILO C100 – Equal Remuneration Convention, 1951 (No. 100), ratified on 2 December 1980.

Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages, 7 November 1962.

II. Domestic Instruments

The Constitution of the Republic of Rwanda, (Official Gazette n° Special of 04/08/2023).

Law N°68/2018 of 30/08/2018 determining offenses and penalties in general, (O.G. No Special of 27/09/2018).

Law N°66/2018 of 30/08/2018 regulating labour in Rwanda, (O.G. No Special of 06/09/2018).

Law N°017/2020 of 07/10/2020 establishing the general statutes governing public servants, (O.G. n° Special of 08/10/2020).

Organic Law N° 12/2013/OL of 12/09/2013 on State Finances and Property, (O.G n° Special of 05/11/2013).

Law N°32/2016 of 28/08/2016 governing persons and family, (O.G. N°37 of 12/09/2016).

Law N° 001/2020 of 02/02/2020 amending Law N° 32/2016 of 28/08/2016 governing Persons and Family, (O.G n° 06 of 17/02/2020).

Law N°27/2016 of 08/07/2016 governing matrimonial regimes, liberalities, and succession, (O.G. N°31 of 01/08/2016).

Law N° 27/2021 of 10/06/2021 Governing Land, (O.G n° Special of 10/06/2021).

Organic Law N°004/2018.OL of 21/06/2018 governing elections, (O.G. N°26 of 25/06/2018).

Organic Law N°10/2013/OL of 11/07/2013 governing Political Organizations and Politicians, (O.G. N° Special of 12/07/2013).

Presidential Order N° 65/01 of 04/03/2014 determining modalities of imposing disciplinary sanctions to public servants, (O.G n° Special of 06/03/2014).

Presidential Order No. 160/01 of 31st December 2002, (O.G. No12ter of 15/06/2003).

Presidential Order N°144/01 of 13/04/2017 determining modalities for recruitment, appointment, and nomination of public servants, (O.G n° 18 of 01/05/2017).

H. List of Acronyms and Abbreviations

ACHPR: African Charter on Human and Peoples' Rights

CEDAW: International Convention on the Elimination of all Forms of Discrimination Against Women

COMESA: The Common Market for Eastern and Southern Africa
EDPRS: Economic Development and Poverty Reduction Strategy of Rwanda
GBS: Gender Budget Statements
GBV: Gender-Based Violence
GoR: Government of Rwanda
GRB: Gender-Responsive planning and Budgeting program
ICCPR: International Covenant on Civil and Political Rights
ICESCR: International Covenant on Social, Economic, and Cultural Rights
ILO: International Labour Organisation
MLMS: Law on Matrimonial Regimes, Liberalities, and Succession
MDGs: Millennium Development Goals
NEPAD: New Partnership for Africa's Development
O.G: Official Gazette
RoR: Republic of Rwanda
SADC: Southern African Development Community
SDG: Sustainable Development Goals
UDHR: Universal Declaration of Human Rights of December