

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Rwanda is an associated country with ILO-IPEC,³⁷⁰⁹ and is one of seven countries participating in a USDOL-funded ILO-IPEC program to prevent the involvement of children in armed conflicts and support the rehabilitation of former child soldiers.³⁷¹⁰ In August 2001, UNICEF, along with the International Committee for the Red Cross, the World Food Program, the International Rescue Committee, and Save the Children (UK), set up a rehabilitation center to care for, rehabilitate and reintegrate former child soldiers in Rwanda, which now also serves street children.³⁷¹¹ The Ministry for Local Administration, Information and Social Affairs has opened safe houses for street children in each of the 12 provinces.³⁷¹² The government is also in the process of training its soldiers on child rights, and assists street children to receive vocational education.³⁷¹³ The government has established a list of the worst forms of child labor in Rwanda, and UNICEF is working with the government to address some of these worst forms.³⁷¹⁴

In April 2003, the government effectively eliminated primary school fees by agreeing to provide grants to all primary schools.³⁷¹⁵ However, by year's end, only some districts had benefited from these grants.³⁷¹⁶ In 2000, Rwanda's Ministry of Education, in conjunction with the World Bank, initiated a 6-year, USD 35 million program to build capacity in the education sector.³⁷¹⁷ The program includes school construction and components designed to increase access to primary schools, enhance the quality of education, improve teacher training and curriculum development, provide more textbooks, and strengthen the administration of and community involvement in the educational system.³⁷¹⁸ Since 1999, USAID has supported Rwandan girls to continue their secondary school education through the Ambassador's Girls Scholarship Program.³⁷¹⁹ UNICEF, in cooperation with other donors, is supporting the establishment of the government's National Education Statistical Information System, which will

³⁷⁰⁹ ILO-IPEC, *All About IPEC: Programme Countries*, [cited June 26, 2003]; available from http://www.ilo.org/public/english/standards/ipecc/about/countries/t_country.htm.

³⁷¹⁰ ILO-IPEC, *Prevention and Reintegration of Children Involved in Armed Conflict: an Inter-Regional Program*, project document, INT/03/P52/USA, Geneva, September 30, 2003.

³⁷¹¹ U.S. Embassy- Kigali, *unclassified telegram no. 1473*, August 14, 2003. See also UNICEF, *Hundreds of Ex-Child Soldiers Begin Rehabilitation in Rwanda- Newly Demobilized Children Get Trauma Counseling While Families Are Traced*, August 20, 2001; available from http://www.hri.ca/children/conflict/rwanda_200801.htm.

³⁷¹² U.S. Embassy- Kigali, *unclassified telegram no. 1473*.

³⁷¹³ U.S. Department of State, *Trafficking in Persons Report 2003- Rwanda*, Washington, D.C., June 11, 2003; available from <http://www.state.gov/g/tip/rls/tiprpt/2003/21277.htm#rwanda>. In 2001 UNICEF cooperated with government ministries to raise awareness among authorities and parents about the hazards that street children face. See Integrated Regional Information Networks, "Rwanda: UNICEF government launch sensitisation drive on street children", IRINnews.org, [online], November 5, 2001 [cited June 12, 2003]; available from http://www.irinnews.org/report.asp?ReportID=12806&SelectRegion=Great_Lakes&SelectCountry=RWANDA.

³⁷¹⁴ This is a requirement upon ratification of ILO Convention 182. The list includes domestic work outside the family; agricultural work on specified plantations; work in brickyards and quarries; stone crushing; and commercial sex. The list is contained in the 2003 Plan of Action Report by the Ministry of Labor and Public Service. See U.S. Embassy- Kigali, *unclassified telegram no. 1473*.

³⁷¹⁵ This fulfills stipulations in the Law Relating to Rights and Protection of the Child Against Violence of 2001, which made primary schooling compulsory and free. See *Ibid*.

³⁷¹⁶ U.S. Department of State, electronic communication to USDOL official, February 24, 2004.

³⁷¹⁷ World Bank, *Human Resource Development Project*, [online] November 5, 2003 [cited November 5, 2003]; available from <http://web.worldbank.org/external/projects/main?pagePK=104231&piPK=73230&theSitePK=40941&menuPK=228424&Projectid=P045091>.

³⁷¹⁸ World Bank, *Rwanda- Human Resources Development Project*, project appraisal document, no. PID8038, Washington, D.C., November 1, 1999; available from <http://web.worldbank.org/external/projects/main?pagePK=104231&piPK=73230&theSitePK=40941&menuPK=228424&Projectid=P045091>.

³⁷¹⁹ USAID, *The EDDI-funded Ambassador's Girls Scholarship Program is Making an Impact in Rwanda*, October 3, 2002 [cited June 25, 2003]; available from <http://www.usaid.gov/regions/af/ss02/rwanda3.html>.

facilitate data collection. UNICEF also works to facilitate achievement of universal quality primary education, and has established a national Education For All committee that has taken up the issue of girls' education.³⁷²⁰ The British Department for International Development also supports teacher training by the Kigali Institute of Education for Distance Learning.³⁷²¹ The World Food Program, in collaboration with the Ministry of Gender and Family Promotion, supported children in 200 schools in five provinces by providing food for them at school.³⁷²²

Incidence and Nature of Child Labor

In 2001, the ILO estimated that 41.3 percent of children ages 10 to 14 years in Rwanda were working.³⁷²³ Most children work in the agricultural sector.³⁷²⁴ Many Rwandan children are particularly vulnerable to exploitation because they either live in child-headed households or live on the streets. UNICEF utilizes estimates of 300,000 children living in 65,000 child-headed households, and an additional 7,000 street children in Rwanda.³⁷²⁵ Both children in child-headed households, and children living on the streets tend to lack access to education and basic health care, and households headed by girls are even more vulnerable.³⁷²⁶ Street children often participate in the informal economy as garbage collectors, vendors, or porters.³⁷²⁷ Children are exploited as domestic workers, and often cannot attend school.³⁷²⁸

Commercial sexual exploitation of children is also a problem. A study by the Ministry of Labor and UNICEF estimated that 2,140 children are engaged in prostitution in urban areas.³⁷²⁹ Children are trafficked internally in small numbers for the purposes of commercial sexual exploitation or labor.³⁷³⁰ While the Government of Rwanda no longer recruits children for the official Rwanda Defense Forces (RDF, formerly the Rwanda Patriotic Army, or RPA), Rwandan children had been deployed as soldiers in several regional conflicts under the RPA, volunteer ci-

³⁷²⁰ UNICEF, *At a glance: Rwanda, the big picture*, July 24, 2003 [cited July 24, 2003]; available from <http://www.unicef.org/infobycountry/rwanda.html>.

³⁷²¹ Integrated Regional Information Networks, "Rwanda: Education Sector Receives US \$3 million from Britain", IRINnews.org, [online], October 3, 2001 [cited June 12, 2003]; available from http://www.irinnews.org/report.asp?ReportID=11953&SelectRegion=Great_Lakes&SelectCountry=RWANDA.

³⁷²² U.S. Department of State, electronic communication, February 24, 2004.

³⁷²³ World Bank, *World Development Indicators 2003* [CD-ROM], Washington, D.C., 2003. A joint study by UNICEF and the Ministry of Labor and Civil Service (MIFOTRA) estimated that 340,761 children ages 5 to 18 are engaged in hazardous labor. See U.S. Embassy- Kigali, *unclassified telegram no. 1473*.

³⁷²⁴ U.S. Department of State, *Country Reports on Human Rights Practices- 2002: Rwanda*, Washington, D.C., March 31, 2003, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2002/18221.htm>.

³⁷²⁵ Integrated Regional Information Networks, "Rwanda: Interview with UNICEF representative Theophane Nikyema", IRINnews.org, [online], June 10, 2002 [cited June 12, 2003]; available from http://www.irinnews.org/report.asp?ReportID=28223&SelectRegion=Great_Lakes&SelectCountry=RWANDA. See also U.S. Department of State, *Trafficking in Persons Report- 2003: Rwanda*. A 2001 study by the Agency for Cooperation and Research in Development obtained a higher estimate of about 227,500 child-headed households across the country. Many of these children were orphaned by HIV/AIDS, or lost their parents during the genocide. See Human Rights Watch, *Rwanda - Lasting Wounds: Consequences of Genocide and War for Rwanda's Children*, Vol. 15, No. 6, New York, March 2003, 44-48; available from <http://www.hrw.org>.

³⁷²⁶ Human Rights Watch, *Lasting Wounds*, 44-48.

³⁷²⁷ *Ibid.*, 62-64.

³⁷²⁸ Some of these children were taken in by foster families, and given room and board but expected to perform domestic labor for the family. *Ibid.*, 49-50.

³⁷²⁹ Integrated Regional Information Networks, "Rwanda: Interview". Although the ages of these children are not known, the total population of children ages 10 to 14 in Rwanda in 2001 (the year the above statistic was collected) was slightly greater than 1,010,500. See U.S. Bureau of the Census, *International Data Base*, [database online] 2003 [cited December 23, 2003].

³⁷³⁰ U.S. Department of State, *Trafficking in Persons Report- 2003: Rwanda*. See also U.S. Department of State, electronic communication, February 24, 2004.

vilian militias called the Local Defense Forces, and armed groups opposing the Government of Rwanda.³⁷³¹ Since Rwanda's official withdrawal from the conflict in the Democratic Republic of the Congo (DRC) in October 2002, Rwanda-supported rebel groups engaged in combat against the Governments of the DRC and Burundi have continued to recruit child soldiers.³⁷³² Children have also been abducted by Rwandan-supported Congolese militia to serve as combatants, perform forced labor, or for sexual exploitation.³⁷³³

Primary education in Rwanda is compulsory from the ages of 7 to 12 years.³⁷³⁴ Although the government announced in 2003 that primary school would be free, many families had to pay fees to enroll their children in school. These fees are waived for orphans, however.³⁷³⁵ Additional costs include purchasing uniforms, school supplies, and possible contributions to the school to cover repairs or teachers' expenses.³⁷³⁶ In 2000, the gross primary enrollment rate was 118.6 percent, and the 1999 net primary enrollment rate was 97.3 percent.³⁷³⁷ Primary school attendance rates are unavailable for Rwanda. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school.³⁷³⁸ According to UNICEF, access to quality, equitable education is either limited or non-existent for a number of Rwanda's children.³⁷³⁹ Public schools lack basic supplies and cannot accommodate all primary age school children, and private schools are inaccessible or too costly for the majority of the population.³⁷⁴⁰ In 2001, of the children who enter the first grade, 75.5 percent were reported to reach the fifth grade. There is a high dropout and repetition rate among primary school children.³⁷⁴¹ Very few Rwandan children enroll in secondary school.³⁷⁴² Attendance rates are not available for Rwanda. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school.³⁷⁴³

³⁷³¹ Coalition to Stop the Use of Child Soldiers, *Child Soldiers 1379 Report*, November 2002; available from http://www.child-soldiers.org/cs/childsoldiers.nsf/displaysmessage/CSC_Publications?OpenDocument. See also Coalition to Stop the Use of Child Soldiers, "Rwanda," in *Global Report 2001*, London, May 2001; available from <http://www.child-soldiers.org/cs/childsoldiers.nsf/Report/Global%20Report%202001%20GLOBAL%20REPORT%20CONTENTS?OpenDocument>. The rebel Rwandan Liberation Army reportedly had several hundred child soldiers in their ranks, some of whom served in combat. See Human Rights Watch, "Rwanda: Human Rights Developments," in *World Report 2002*, 2002; available from <http://www.hrw.org/wr2k2/africa9.html#developments>. See also U.S. Department of State, electronic communication, February 24, 2004.

³⁷³² U.S. Department of State, electronic communication, February 24, 2004.

³⁷³³ U.S. Department of State, *Trafficking in Persons Report- 2003: Rwanda*. See also Human Rights Watch, "World Report 2002: Rwanda." There are also allegations of forced labor in mining in the DRC by the Rwandan army in some provinces, though the ages of the laborers are not specified. See U.S. Department of State, *Country Reports- 2002: Rwanda*, Section 6f. See also U.S. Department of State, electronic communication, February 24, 2004.

³⁷³⁴ Government of Rwanda: Ministry of Finance and Economic Planning, *Enquete à Indicateurs Multiples (MICS2) Rapport Preliminaire: Rwanda*, Kigali, January 11, 2001, 8.

³⁷³⁵ U.S. Department of State, *Country Reports- 2002: Rwanda*, Section 5. See also U.S. Department of State, electronic communication, February 24, 2004.

³⁷³⁶ Human Rights Watch, *Lasting Wounds*, 51.

³⁷³⁷ World Bank, *World Development Indicators 2003*. For an explanation of gross primary enrollment and/or attendance rates that are greater than 100 percent, please see the definitions of gross primary enrollment rate and gross primary attendance rate in the glossary of this report.

³⁷³⁸ For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

³⁷³⁹ Integrated Regional Information Networks, "Rwanda: UNICEF Lays Out Humanitarian Action Plan For 2002", [online], November 29, 2001 [cited June 27, 2003]; available from http://www.irinnews.org/report.asp?ReportID=16535&SelectRegion=Great_Lakes&SelectCountry=RWANDA.

³⁷⁴⁰ U.S. Department of State, *Country Reports- 2002: Rwanda*, Section 5.

³⁷⁴¹ Government of Rwanda: Ministry of Finance and Economic Planning, *Enquete à Indicateurs Multiples (MICS2)*, 4, 8.

³⁷⁴² Human Rights Watch, *Lasting Wounds*, 50-51.

³⁷⁴³ For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

Child Labor Laws and Enforcement

The Labor Code establishes the minimum age of employment at 16 years.³⁷⁴⁴ However, the Minister of Labor can make exceptions for children aged 14 to 16, depending on the child's circumstances. Article 11 of the Labor Code also requires permission from someone with parental authority for children ages 14 to 16 to work. Children under 16 are prohibited from night work or any work deemed hazardous or difficult, as determined by the Minister of Labor.³⁷⁴⁵ Forced labor is prohibited by Article 4 of the Labor Code.³⁷⁴⁶ Under Article 374 of the Criminal Code, trafficking for the purposes of sexual exploitation is an aggravated offense, with a doubled penalty for delivering a minor into prostitution upon entering or exiting the country.³⁷⁴⁷ Law No. 27/2001, Relating to the Rights and Protection of the Child Against Violence, sets the legal age of military service at 18.³⁷⁴⁸ The Ministry of Public Service and Labor and the Ministry of Local Government do not effectively enforce child labor laws.³⁷⁴⁹

The Government of Rwanda ratified ILO Convention 138 on April 15, 1981, and ILO Convention 182 on May 23, 2000.³⁷⁵⁰

³⁷⁴⁴ *Law No. 51/2001 Establishing the Labour Code*, (December 12, 2001); available from www.rwandainvest.gov.rw/lawlab.htm.

³⁷⁴⁵ Night work is defined by Article 60 as work between 7 p.m. and 5 a.m.; children also must have a rest period of at least 12 hours between work engagements, per Article 63. See *Ibid.*, Articles 11, 60-66.

³⁷⁴⁶ *Ibid.*, Article 4.

³⁷⁴⁷ According to The Protection Project, prostitution and compelling another person to become engaged in prostitution are prohibited by Articles 363-365 of the Criminal Code. Punishment for these crimes is imprisonment for up to 5 years and a fine. See The Protection Project, "Rwanda," in *Human Rights Report on Trafficking in Persons, Especially Women and Children: A Country-by-Country Report on a Contemporary Form of Slavery*, 2002; available from <http://209.190.246.239/ver2/cr/Rwanda.pdf>.

³⁷⁴⁸ The law was passed in April 2001, and entered into force in 2002. However, it apparently does not apply to government-organized civilian militia. See Human Rights Watch, *Lasting Wounds*, 16.

³⁷⁴⁹ U.S. Department of State, *Country Reports- 2002: Rwanda*, Section 6d.

³⁷⁵⁰ ILO, *Ratifications by Country*, in ILOLEX, [database online] [cited June 4, 2003]; available from <http://www.ilo.org/ilolex/english/newratframeE.htm>.