

REPUBLIC OF RWANDA



MINISTRY OF GENDER AND FAMILY PROMOTION

National Policy against Gender-Based Violence

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CONTENTS

ACRONYMS.....	iii
1. INTRODUCTION.....	4
1.1. <i>Definition of Gender-based Violence</i>	4
1.2. <i>Current Situation of GBV in Rwanda</i>	5
Nature and Extent of GBV	5
Consequences of GBV	5
Positive Cultural Values that aid in Prevention and Response to GBV	6
1.3. <i>Context and Justification</i>	7
1.3.1 <i>Statement of the problem: national context</i>	7
1.4. <i>Methodology</i>	10
2. GENERAL ORIENTATION	10
2.1. <i>Millennium Development Goals</i>	10
2.2. <i>Vision 2020</i>	10
2.3. <i>Economic Development and Poverty Reduction Strategy</i>	11
2.4. <i>The Current Seven Year Government Programme 2010-2017</i>	11
2.5. <i>The National Gender Policy</i>	11
2.6. <i>The National Decentralization Policy</i>	11
3. VISION AND OBJECTIVES OF THE NATIONAL POLICY AGAINST GBV	11
3.1. <i>Vision of the Policy</i>	11
3.2. <i>Mission of the Policy</i>	11
3.3. <i>Objectives</i>	12
General Objective.....	12
3.4. <i>Policy Principles and Statements</i>	12
National policy against gender-based violence.....	12
Laws and policies promoting human rights and development	12
Consideration of Cultural Issues.....	12
Involvement of men and boys	13
Importance of the Community and Responsibility of Individuals	13
4. STRATEGIES FOR REACHING GBV PREVENTION AND RESPONSE	13
4.1. <i>Introduction</i>	13
4.2. <i>Strategies</i>	13
5. INSTITUTIONAL FRAMEWORK FOR POLICY IMPLEMENTATION.....	17
5.1. <i>Introduction</i>	17
5.2. <i>National Coordination Framework</i>	17
5.3. <i>Stakeholders in policy implementation</i>	19
Ministry of Gender and Family Promotion	19
Ministry of Justice	19
Ministry of Education	19
Ministry of Health	19
Ministry of Public Service and Labor	19
Ministry of Internal Security	19
Ministry of Local Government.....	19
Ministry of Finance and Economic Planning	20
Ministry of Youth, Sports and Culture	20
Ministry of Defense	20
Ministry of Cabinet Affairs.....	20
The Parliament.....	20
Districts.....	20
National Women’s Council	21

Gender Monitoring Office	21
Rwanda National Police	21
National Public Prosecution Authority (NPPA)	21
National Youth Council	21
National Commission for Human Rights	21
Office of the Ombudsman	21
Rwanda Biomedical Centre	21
National Commission for the Fight against Genocide	22
National Institute of Statistics of Rwanda.....	22
Rwanda Governance Advisory Council	22
NGOs, CBOs and other civil society actors	22
Faith Based Organizations (FBOs)	22
Media.....	22
Private sector	22
International Organizations and Development Partners	23
6. CONCLUSION	23
7. FINANCIAL IMPLICATIONS	23

ACRONYMS

AIDS	Acquired Immuno-Deficiency Syndrome
CRC	Convention on the Rights of the Child
CBO	Community Based Organisation
DHS	Demographic and Health Survey
EDPRS	Economic Development and Poverty Reduction Strategy
FBO	Faith Based Organization
FFRP	Forum des Femmes Rwandaises Parlementaires
GBV	Gender-based Violence
GMO	Gender Monitoring Office
GOR	Government of Rwanda
HIV	Human Immuno-Deficiency Virus
ILO	International Labor Organization
MDG	Millennium Development Goals
MIFOTRA	Ministry of Public Service and Labor
MIGEPROF	Minister in the Prime Minister's Office in charge of Gender and Family Promotion
MIJESPOC	Ministry of Youth, Sports and Culture
MINECOFIN	Ministry of Finance and Economic Planning
MINEDUC	Ministry of Education
MINALOC	Ministry of Local Government
MINIJUST	Ministry of Justice
MININTER	Ministry of Internal Affairs
MINISANTE	Ministry of Health
NGO	Non-Governmental Organization
NWC	National Women's Council

1. INTRODUCTION

1.1. Definition of Gender-based Violence

There is no universal definition of gender-based violence (GBV). However, Article 1 of the UN Declaration on the Elimination of Violence against Women provides a starting point, defining violence against women as “any act of gender-based violence that results in physical, sexual or psychological harm or suffering, including threats of such acts, coercion or arbitrary deprivations of liberty, whether occurring in public or private life.” The General Assembly Resolution on the Elimination of Domestic Violence against Women expands the scope of violence to include “economic deprivation and isolation... [Which] may cause imminent harm to the safety, health or well-being of women”.¹ The definition can also be extended to include sexual abuse and harm.

With reference to what actions may be considered gender-based, gender can be seen as the allocation of roles, attitudes and values that are deemed by the community to be appropriate for each sex. These traits therefore are socially constructed and represent the perception of men and women, girls and boys in a given culture and society. These roles, which define the power relations between men and women in terms of who takes decisions and owns resources, are learned and reinforced through interactions in the home and in the community.²

Therefore, gender-based violence should be seen as physical, sexual, emotional or social harm or abuse directed against a person because of his or her gender role in a given society. Gender-based violence is defined in the Law on Prevention and Punishment of Gender-based Violence as:

“[Any] act that results in a bodily, psychological, sexual and economic harm to somebody just because they are female or male. Such act results in the deprivation of freedom and negative consequences. This violence may be exercised within or outside the household.”

The term “just because they are female or male” should be interpreted to mean any harm based on the gender of the victim.

The Law makes it clear that harm inflicted because of a person’s biological sex or based on the perceived “appropriate” roles of individuals is illegal. Despite this law, gender-based violence continues to be a persistent problem in Rwanda. Domestic violence, sexual violence, economic violence and other types of gender-based harassment in the workplace and in institutions are all prevalent. While women and girls statistically make up the majority of cases of gender-based violence with men and boys identified as the primary perpetrators, it is important to remember that men and boys are also victims of gender-based violence and women may be perpetrators.

The Gender Monitoring Office has defined the categories of GBV as:

- Economic violence: denial of economic rights to property, succession, employment or other economic benefits;
- Physical violence: the intentional use of physical force with the potential to cause harm, injury, disability or death;
- Sexual violence: act of forcing another individual, through violence, threats, deception, cultural expectation, weapons or economic circumstances, to engage in sexual behavior against her or his will; and
- Psychological violence: trauma to the victim caused by acts, threats of acts or coercive tactics; these threats are often related to sexual or physical violence³.

This policy uses the term “victim” to refer to an individual who is subjected to gender-based violence. Although the term “survivor” is often used to highlight the strength, resilience and capacity of victims to survive, “victim” has been adopted in order to avoid ambiguity and confusion, as the term “survivor” is used in Rwanda to refer solely to survivors of the 1994 genocide against the Tutsi.

¹ General Assembly Resolution 58/147, A/RES/58/147, 19 February 2004, para. 1(a).

² This policy adopts the principles of the definition of gender that is included in the Girls’ Education Policy of April 2008, as this definition provides a strong articulation of what “gender” means in society.

³ Gender Monitoring Office, Assessment of Intervention Programs for Gender-based Violence Prevention and Response, 2010, pp. 18-23.

1.2. Current Situation of GBV in Rwanda

Nature and Extent of GBV

Several studies over the past six years point to high levels of gender-based violence in Rwanda. In the 2005 Demographic Health Survey, 31% of women reported having suffered physical violence and 35% reported having suffered some form of marital violence. In the majority of cases, the perpetrators came from the community – predominantly husbands or ex-partners.

The data from the National Police shows different types of violence:

Table 1: Types of gender based violence cases reported to the Police in 2009 and 2010

Types of violence	Year 2009	Year 2010
Women battered by husbands	388	430
Men battered by their wives	84	94
Women murdered by their men	38	83
Men murdered by their wives	31	60
Women who committed suicide because of their husbands	9	20
Men who committed suicide because of their wives	18	31

Source: National Police, 2010

The increase in number of GBV cases reported is a result of awareness raised on GBV and measures taken to prevent and respond to GBV.

Despite the efforts made in GBV prevention and response, there are remaining challenges that need to be addressed:

- Limited knowledge of Laws, especially the Law on the Prevention and Punishment of Gender-based Violence;
- Persistence of some negative cultural beliefs;
- Economic/livelihood dependence on the perpetrator by the victim;
- Insufficiency of human, material and financial resources to address GBV cases,
- Poor response in emergency cases due to long distances between the crime site and service delivery centers as well as lack of communication amongst service providers and grassroots level volunteers (community health workers, members of Anti-GBV Clubs, etc.).
- Insufficiency of coordination mechanisms in service delivery

Consequences of GBV

The consequences of gender-based violence are numerous and far-reaching. In addition to death and suicide, GBV has serious negative health, physical and psychological effects. Research indicates that the impact of GBV goes beyond the primary victim⁴. GBV has become a public health issue. GBV has a direct impact on the individual's enjoyment of the rights to health, education, work and to freedom from torture, among others.

Physically, victims may suffer bruises, broken bones or even death. Gender-based violence has been called the most pervasive yet least recognized human rights abuse in the world. Accordingly, the Vienna Human Rights Conference and the Fourth World Conference on Women gave priority to this issue, which jeopardizes women's lives, bodies, psychological integrity and freedom. Violence may have profound effects – direct and indirect – on a woman's reproductive health, including:

⁴ See Kishor, S & K. Johnson, *Profiling domestic violence. A multi-country study*, Carlverton, Maryland: ORC Macro, 2004.

- Unwanted pregnancies and restricted access to family planning information and contraceptives,
- Unsafe abortion or injuries sustained during abortion following an unwanted pregnancy
- Sexually transmitted infections, including HIV⁵
- Persistent gynecological problems
- Psychological problems

There is a strong link between HIV/AIDS and GBV. Children of victims may be born with health complications or low birth weight. Many have difficulties performing in school and exhibit violent or delinquent behavior⁶. Both victims and those indirectly impacted by the violence often face mental health issues, such as depression, fear, low self-esteem and extreme stress. This may lead to further victimization and drug or alcohol abuse⁷.

Gender-based violence also serves – by intention or effect – to perpetuate male power and control. It is sustained by a culture of silence and denial of the seriousness of the health consequences of abuse. In addition to the harm exerted on the individual, these consequences also have a social cost and place a heavy and unnecessary burden on health services.

A number of studies have proven that gender-based violence both contributes to, and is exacerbated by, the economic and socio-cultural discrimination experienced by women. Women’s lack of economic empowerment is reflected in the lack of access to and control over economic resources in the form of land, personal property, wages and loans⁸.

Gender-based violence is a complex issue that affects everyone in the society. The serious negative consequences of gender-based violence on economic development and the realization of human rights are well documented⁹.

GBV threatens the economic development of Rwanda – as extensive resources must be dedicated to medical, psycho-social, law enforcement services, and as it reinforces existing inequities in society that prevent victims and those at risk from contributing to the development of the country.

Given the social, economic, physical and psychological costs associated with it, gender-based violence is a problem that must be dealt with urgently. Rwanda is on a positive path to economic development and the achievement of universal human rights. To continue this growth and advancement, preventing and responding to gender-based violence must be a priority at all levels.

Positive Cultural Values that aid in Prevention and Response to GBV

Culture can be seen as a set of shared beliefs, ideas, customs and ways of thinking or acting that guide the behavior of individuals in a society. Culture instills values and influences attitudes, many of which can promote human rights and development.

Culture is not static, but rather changes over time as attitudes and expectations change in society. Although Rwandan culture is undergoing changes, there are many historical cultural values that can have a positive impact on GBV prevention and effective response. These values, which must be supported and reinforced in today’s society, include but are not limited to¹⁰:

- Unity and social cohesion – the importance of the community and of the individual as well as collective responsibility for the well being of all members of the community,
- Respect and dignity – all individuals are entitled to respect and dignity,

⁵ Many studies have highlighted the links between GBV and HIV/AIDS. See e.g., UNFPA and UNIFEM, *Combating Gender-Based Violence: A Key to Achieving the MDGs*, March 2005, p. 17; Pan American Health Organization, *Fact Sheet: Gender-based violence and HIV/AIDS*, 2005.

⁶ E.g., Andrew R. Morrison and M.B. Orlando, *The costs and impacts of gender-based violence in developing countries: Methodological considerations and new evidence*, World Bank, 2004, p. 4.

⁷ United Nations General Assembly (UN-GA), *In depth study on all forms of violence against women: Report of the Secretary-General*, 2006.

⁸ See Andrew R. Morrison and M.B. Orlando, *The costs and impacts of gender-based violence in developing countries: Methodological considerations and new evidence*, World Bank, 2004.

⁹ Ibid

¹⁰ This list has been developed through consultation and takes into account the findings of a study conducted in 2010, see UNITY Club, “Analysis of Rwandan Culture as an Engine to Sustainable Development in Rwanda”.

- Importance of family – the value placed on family ties and the belief in ensuring the honor and security of family members,
- Non-violence – non-violent conflict resolution is an important aspect of daily life, with particular focus on the protection of and respect for the life of vulnerable groups,
- Empowering women – treatment of women with respect and empowering them as pillars of households,
- Passing on positive values to children – all children are to be taught the positive norms accepted by society.

1.3. Context and Justification

1.3.1 Statement of the problem: national context

Gender-based violence is a problem in Rwanda whose nature is fed by a number of factors. Some are linked to certain cultural beliefs and traditions, others include the legacy of the 1994 Genocide against Tutsi as well as current socio-economic development. One of the main obstacles to combating GBV is the entrenched idea of the distinct gender roles of men and women, boys and girls. Moreover, the concept of “gender” is misunderstood and generally taken to mean “women”.

The social environment and culture in which people are brought up contribute to their ways of thinking and to their value judgments. Therefore, men and women, boys and girls are all affected by GBV and all have an important role to play in changing social attitudes and preventing GBV. Nonetheless, men and boys are often left out of the dialogue and seen as opponents rather than partners in GBV prevention.

This misunderstanding of “gender” also leads to misinformation and misunderstanding of what gender-based violence is. Many acts of gender-based violence, particularly domestic violence, are not clearly understood. Spousal rape, although defined as a crime in the Law on Prevention and Punishment of Gender-Based Violence, is still not seen as such by many people. Many men and women see sexual intercourse as the husband’s conjugal right alone. Other forms of domestic violence such as beatings and physical injury of spouses, denial of property rights, verbal insults, psychological harassment, etc. are often perceived as “normal” in the family.

Many awareness raising activities are being undertaken by various stakeholders at the national, district and local levels. However, there is still a challenge of coordination of interventions.

Even effective awareness raising campaigns take time to change social attitudes. Therefore, prevention of GBV, in the short term, requires identification of those at risk as well as targeted support to prevent them from becoming victims. Although gender-based violence can affect anyone in society, certain individuals and groups are at particular risk. The situation analysis shows that groups and individuals at high risk include, but are not limited to:

- children without parental care, especially children who are heads of households or otherwise orphaned; they are particularly vulnerable due to their age and situation;
- children born out of rape who have to come to terms with the knowledge that their fathers are rapists and, in the case of children born out of rape during the 1994 genocide against Tutsi;
- people with disabilities who may be marginalized in society and vulnerable to exploitation and abuse, in some cases without the capacity to speak out or be heard.

Another challenge to be addressed is the establishment of a harmonized reporting system– particularly for violence in schools, institutions and at the workplace.

A wide variety of governmental and civil society actors provide services to victims of gender-based violence. These include medical, psycho-social, legal aid, protection and socio-economic services and support. However, some constraints exist in the availability, accessibility and in the quality of these services. Consultations have identified insufficiency of resources to provide appropriate services to GBV victims as well as the limited number of specialized services providers in terms of knowledge and skills. Some victims do not afford the cost for legal representation.

Due to limited knowledge of laws, of what constitutes GBV, and of one’s own rights, victims may fear coming forward, either from embarrassment or a sense that it is a “family matter” or because of the impact prosecution may have.

Gender-based violence both reflects and reinforces inequities between men and women and compromises the health, dignity, security and autonomy of its victims. It encompasses a wide range of human rights violations, including sexual abuse of children, rape, domestic violence, sexual assault and harassment, trafficking of women and girls and several harmful traditional practices. Any one of these abuses can leave deep psychological scars, damage the health of women and girls in general, including their reproductive and sexual health, and in some instances, results in death.

In all cases, preventing and responding to GBV requires collaboration – in awareness raising, identification, referral, service provision and access to justice.

Coordination of GBV prevention and response efforts must also be tied closely to the monitoring and evaluation of these programmes. Currently, reporting on GBV cases and programming lack in synchronization and cohesion from local up to national level. Without consistent data and a data sharing mechanism, stakeholders are not able to benefit from accumulated knowledge on best practices or lessons learned. Without baseline data and clear indicators, it will be impossible to measure the progress made in reaching the objectives of this policy and in identifying existing gaps and weaknesses.

ACHIEVEMENTS IN ADDRESSING GBV

The Government of the Republic of Rwanda recognizes the role of both men and women in national development. The legislative framework supports gender-based violence prevention and response, and provides an opportunity for further advancements.

The preamble to the 4th June 2003, the Rwandan Constitution as amended to date affirms the fundamental rights of all citizens of Rwanda as found in the United Nations Declaration of Human Rights and other human rights instruments.

Article 15 of the Constitution declares every person's "right to physical and mental integrity" and specifically prohibits torture, physical abuse and cruel, inhuman or degrading treatment.

Article 11 of the Constitution further asserts:

“All Rwandans are born and remain free and equal in rights and duties.

Discrimination of whatever kind based on, inter alia, ethnic origin, tribe, clan, color, sex, region, social origin, religion or faith, opinion, economic status, culture, language, social status, physical or mental disability or any other form of discrimination is prohibited and punishable by law”.

Article 16 of the Constitution of the Republic of Rwanda enshrines the principle of gender equality and the Government has committed to establishing equity and equality at all levels of society.

Combating gender-based violence requires a multi-sectoral approach, and therefore implicates a number of laws, including:

- Law No 59/2008 of 10th September 2008, on the Prevention and Punishment of Gender-based Violence;
- Law No 22/1999 of 12th November 1999, to supplement Book one of the Civil Code and to institute Part Five regarding Matrimonial Regimes, Liberalities and Successions;
- Organic Law No 08/2005 of 14th July 2005, Determining the Use and Management of Land in Rwanda;
- Law No 13/2009 of 27th May 2009, Regulating Labor in Rwanda;
- Law No 27/2001 of 28th April 2001, Relating to Rights and Protection of Children against Violence;

Existing national policies and strategies support the prevention and response to gender-based violence. These include the National Gender Policy, which specifically includes the fight against gender-based violence as one of its objectives, the National Action Plan (2009-2012) on UNSC Resolution 1325, the National Gender policy Strategic plan which takes into consideration CEDAW actions.

The Government of Rwanda's commitment to gender and to combating gender-based violence is also manifested through the establishment of the following "Gender machineries":

- The Ministry of Gender and Family Promotion,

- The Gender Monitoring Office and
- The National Women's Council.

Additionally, the Gender Cluster has been set up in order to coordinate the activities of different stakeholders in the domain of gender and gender-based violence. Moreover, there are two technical working groups on gender-based violence, one focusing on health aspects (under MINISANTE) and the other focusing on a comprehensive approach to combating gender-based violence (under MIGEPROF).

Other national institutions like the National Commission for Human Rights and the Office of the Ombudsman of Rwanda, play a key role in promoting gender equality and eradicating gender-based violence. It is also important to note the role that civil society and the private sector play in the prevention and the eradication of the gender based violence.

Furthermore, different mechanisms have been established to eradicate Gender - Based Violence (GBV):

The creation of anti-GBV and Child Protection Committees at different administrative levels provides an opportunity for awareness raising on gender-based violence. These Committees also provide an opportunity to gathering information and coordinating services.

The anti-GBV Clubs in schools, involving both girls and boys also help to empower youth to fight gender-based violence in schools, especially sexual harassment and abuse by teachers and fellow students. Such Clubs aim at promoting attitude and behavior change.

Community programmes to economically empower poor women and families play an important role in reducing their vulnerability and in preventing GBV.

On the side of response to GBV, many important achievements have also been made. Significant steps have been taken in the country to have dedicated staff and resources to provide services to victims and reduce impunity for GBV. The existing One-Stop Centers provide critical support to victims of GBV and can be used as a model for integrated care and support. The One Stop Centers provide short-term emergency accommodation to victims who fear to return home or who need intensive support and time to come to terms with what has happened to them. Most of them do return to their family or community without delay and the Center provides continued psycho-social support to them within their communities. This much needed support also offers a chance for victims to access legal aid as part of an integrated package.

Gender Desks exist in the Rwanda National Police and in the Rwanda Defense Force, with staff that has received special training on GBV. The Gender Desks provide services to victims and, in many cases, are the first point of reference at the Police station. Additionally, each District has an Access to Justice Office (AJO) or Maison d'Accès à la Justice (MAJ). One of the three staff in the AJO is specifically in charge of the fight against GBV. Several toll-free telephone hotlines are available for emergency calls, reporting crimes or accessing information – through the Rwandan National Police, the Rwandan Defense Force and the Prosecutor's Office. Extensive efforts are underway to enhance the capacity of law enforcement and medical/psychosocial professionals working in the Gender Desks, the One-Stop Centers and in the AJO/MAJ. There are also a number of organizations, both from the public and civil society sector which provide legal assistance to GBV victims.

Medical and psychological assistance is provided to GBV victims by the existing health infrastructure. This assistance includes, but is not limited to HIV testing, counseling, emergency contraceptives, anti tetanus vaccines and the referral system between health center and Police during the consultation to collect evidence which can be used in court. Medical assistance is free for victims of sexual violence, but this support needs to be expanded to all GBV victims. Service providers in GBV receive training on orientation and care to victims and on collaboration with other key stakeholders such as the Police.

The commitment of the Government of Rwanda is to have zero tolerance to gender-based violence; therefore a policy to prevent and respond to gender-based violence supports the realization of overall development objectives.

International Context

Under international law, consisting of such legal instruments as the Universal Declaration of Human Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the existing body of International Humanitarian

Law and International Criminal Law, the International Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, women are entitled to equal rights and freedoms¹¹.

The Government of Rwanda is actively implementing the above mentioned international instruments and other international Treaties, to which it is party, including:

- The African Charter on Human and Peoples' Rights;
- The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa;
- The UN Convention on the Rights of the Child;
- The African Charter on the Rights and Welfare of the Child;
- The ILO Convention 182 on the Worst Forms of Child Labor; and
- The Optional Protocol on the Convention of the Rights of the Child on Child Trafficking, Child Prostitution and Child Pornography.

The issue of gender-based violence has moved from being invisible to being embraced in the human rights programmes by state parties, human rights organizations and individuals¹².

1.4. Methodology

The development process for the National Policy against GBV has been highly consultative in nature. The policy has been developed by a Technical Team led by MIGEPROF and consisting of MINICAAF, MINECOFIN, MINISANTE, MINIJUST, MINALOC, the Rwanda National Police, the Rwanda Defense Force, the National Commission to Fight against HIV/AIDS, the National Women's Council, the Gender Monitoring Office and a team of Consultants.

The Team has held extensive consultations with both national and District level stakeholders within the Government of Rwanda, civil society, practitioners and victims of GBV.

The policy was discussed in large-scale consultation sessions in October-November 2010 and January-February 2011, which brought together the relevant stakeholders for preliminary discussions and pre-validation of the policy.

A validation workshop with Government, civil society stakeholders and development partners was held to gain broad consensus on the document before the submission of the white paper version of the National Policy against GBV and its Strategic Plan to the Cabinet for approval.

2. GENERAL ORIENTATION

The National GBV Policy is in line with other government national development programmes including the Millennium Development Goals, Vision 2020, the Economic Development and Poverty Reduction Strategy, the current Seven Year Government Programme (2010-2017), the National Gender Policy and the National Decentralization Policy. The National Population Policy and the Reproductive Health and Rights Strategy are also relevant to this policy.

2.1. Millennium Development Goals

The policy directly contributes to MDG3 which aims to promote gender equality & empower women, as eradicating gender-based violence, is clearly linked to gender equality and sustainable development. It also strongly supports the attainment of other MDGs such as the eradication of extreme poverty and hunger (MDG 1), universal education (MDG 2), the improvement of maternal health (MDG 5) and combating HIV/AIDS (MDG 6).

2.2. Vision 2020

Vision 2020 outlines the roadmap for development in Rwanda, which includes human development as one of the development pillars. The coordinated and comprehensive approach of the policy in preventing and responding to gender-

¹¹ The Usefulness of the Human Rights framework in addressing Gender-based Violence, Patience Gulu, PeaceWomen.org 2010.

¹² Ibid

based violence works towards this aim. It helps to create an environment that promotes social security, democratic principles of good governance and an all-inclusive socio-economic system that involves effective participation by all.

2.3. Economic Development and Poverty Reduction Strategy

This policy advances the realization of the Economic Development and Poverty Reduction Strategy's goal of achieving equity of voice, participation and accessibility to services in every sector. Social protection and universal access to justice including enactment and implementation of gender responsive laws can draw on this policy for effective implementation. GBV hinders the full participation of all citizens that is required for poverty reduction. GBV also requires large amounts of national resources (in education, health and justice) for treatment, legal processes and other services, which could be used for economic growth if gender-based violence were eradicated.

2.4. The Current Seven Year Government Programme 2010-2017

In Programme No.7 of the current 7-year Government Programme, paragraphs 47 and 48 stipulate that One-Stop Centers will be put in place in every Community Health Center, and that anti-GBV Committees at all levels will be empowered to totally eradicate GBV in Rwanda.

2.5. The National Gender Policy

This policy complements the National Gender Policy's major goal of gender mainstreaming in and across all sectors of development with a view to promoting gender equality and equity in Rwanda. The National Policy against GBV extends the "reach" of the National Gender Policy, which includes human rights and gender-based violence as two major areas of concern.

2.6. The National Decentralization Policy

The National Decentralization Policy underpins the commitment of the Rwandan Government to empower its people to determine their destiny. The existence of decentralized structures down to the lowest level of Umudugudu helps to ensure that gender-based violence is effectively addressed.

2.7 The National Population Policy

This policy clearly refers to the improvement of norms and attitudes (of both men and women) about women's participation in household decisions, contraceptive use, and the fight against gender and domestic violence as part of its goals.

2.8 The National Reproductive Health Strategy

The National Reproductive Health Strategy identifies prevention and response to sexual violence as one of its priorities.

3. VISION AND OBJECTIVES OF THE NATIONAL POLICY AGAINST GBV

3.1. Vision of the Policy

The overall vision of this Policy is to ultimately build a Rwandan society that is GBV-free and, in the interim, to have a Rwandan society that can effectively and efficiently prevent and respond to GBV.

3.2. Mission of the Policy

The main mission of this policy is to contribute to the socio-economic development and promotion of human rights in Rwanda through the prevention of and response to gender-based violence.

This will enhance people's ability to participate in all endeavors to end poverty and improve living conditions, without fear or threat of any form of gender-based violence.

3.3. Objectives

General Objective

The overall objective of the policy is to progressively eliminate gender-based violence through the development of a preventive, protective, supportive and transformative environment.

Specific Objectives

The specific objectives of the policy cover three main areas: a) Prevention, b) Response, c) Coordination, Monitoring and Building Evidence.

- a) Prevention
 - Foster a prevention-focused environment where gender-based violence is not tolerated;
 - Reduce vulnerability of groups most at risk to GBV

- b) Response
 - Provide comprehensive services to victims of gender-based violence;
 - Improve accountability and eliminate impunity for gender-based violence.

- c) Coordination, Monitoring and Building Evidence
 - Build coordination and monitoring systems and expand the data available on GBV

3.4. Policy Principles and Statements

National policy against gender-based violence

The Government of Rwanda does not condone any acts of gender-based violence;

The Government of Rwanda recognizes gender based violence as a violation of human rights;

The Government of Rwanda strongly believes in, and promotes gender equality, equity and empowerment of women as a crucial human resource for social and economic development;

The Government of Rwanda is committed to using its fullest powers to fight, prevent and provide response to all forms of gender-based violence in society; and

GBV interventions and responses must be conducted in all social, economic and political sectors..

Laws and policies promoting human rights and development

The legislative framework is comprised of laws that govern conduct in the society. The law provides a set of enforceable rules and guidelines that compel or prohibit certain types of behavior.

Policies enshrine government commitments and priorities and provide the framework for achieving these goals.

Laws and policies must therefore work hand in hand to achieve development goals, advance human rights and create a more just and equitable society.

Consideration of Cultural Issues

Gender based violence caused by misinterpretation, misunderstanding and misguided cultural values should not be ignored by Rwandan society. All stakeholders must work together to change negative attitudes on gender, culture and human rights in order to eliminate taboos and the culture of silence on GBV. On the other hand, positive cultural values that promote non-violence, respect and solidarity with victims can be reinforced to achieve a society that does not tolerate gender-based violence.

Involvement of men and boys

Women and girls statistically make up the majority of the victims of GBV worldwide and the same is true of Rwanda. However, GBV can include men, women and children as victims, and both men and women as perpetrators. Additionally, both sexes are affected by the impact GBV has on society and the country. Therefore, while GBV is often mistakenly seen as a “woman’s issue”, long-term solutions to prevent and respond to GBV must include the participation of men and boys.

Strategies to prevent and respond to GBV must therefore include dialogue between men and women, boys and girls, aimed at changing the cultural, social, economic and other systems and structures that deny human rights and equality between women and men. Existing efforts to involve men and boys in fighting GBV should be encouraged and be taken into account in prevention and response activities.

Importance of the Community and Responsibility of Individuals

The strength of the community is a strong and positive cultural tradition in the country. The support to victims and the care for the most vulnerable within the society that can be found in every Rwandan community must be harnessed to effectively prevent and respond to GBV.

Community groups and community leaders have a key role to play in preventing GBV and in providing support to victims. Moreover, individuals must recognize their responsibility – to report GBV cases, to support victims and to demonstrate to perpetrators that GBV will not be tolerated in the community.

4. STRATEGIES FOR REACHING GBV PREVENTION AND RESPONSE

4.1. Introduction

At national level, there is political will and commitment to address GBV as a violation of human rights and an impediment to economic development. However, preventing and responding to gender-based violence is rendered complex by the fact that it cuts across many sectors and reflects deeply rooted cultural and social practices.

Strategies for GBV prevention and response must address specific constraints for each objective and provide concrete solutions. In most cases, addressing the constraints effectively will require a combination of solutions. Additionally, many solutions will help to address multiple constraints.

Details of the actions to be undertaken under each strategic area will be included in the GBV Strategic Plan.

4.2. Strategies

STRATEGIC AREA 1: PREVENTION STRATEGIES	
Strategic Area 1a: Foster a prevention focused environment where GBV is not tolerated in society	
CONSTRAINTS	POLICY ACTIONS
Low understanding of the concept of gender, entrenched ideas of gender roles and negative social attitudes create an environment that fosters GBV	<ul style="list-style-type: none">• Promote gender equality and GBV prevention in educational institutions• Strengthen sensitization to promote understanding of gender and positive social norms and attitudes within the community• Actively engage men and boys in the fight against GBV• Provide appropriate sensitization for parents and guardians and actively engage them in creating a GBV hostile family environment• Educate people, especially the youth on reproductive health, specifically on sexuality and biological changes

<p>Knowledge and understanding of GBV – the law, legal rights and individual responsibilities – is low</p>	<ul style="list-style-type: none"> • Mobilize government and media to ensure awareness of GBV • Raise awareness of the GBV Law (and other relevant laws) and this Policy amongst the public, service providers and other stakeholders • Integrate work with perpetrators into long term prevention programming • Mobilize Government institutions, CSOs and the Private Sector to own the National Policy against GBV and to support dissemination of the GBV law and other laws that promote gender equality • Engage the media in broadening the knowledge of evidence about GBV so that every citizen in Rwanda understands the situation concerning GBV • Develop strategies to awaken individual responsibility in fighting GBV
<p>Insufficient coordination of prevention programmes and inconsistency in messaging and implementation</p>	<ul style="list-style-type: none"> • Improve coordination and messaging on gender and GBV • Build capacity of those coming into contact with victims of GBV and of those at high risk of GBV • Provide support to community-based prevention programmes • Ensure that issues of GBV are integrated into national policies, legislation and strategic plans

Strategic Area 1b: Reduce vulnerability of most at risk groups to GBV

CONSTRAINTS	POLICY ACTIONS
<p>Some individuals and groups in society are at particular risk of GBV and need specific attention, services and programmes to reduce their vulnerability</p>	<ul style="list-style-type: none"> • Put in place mechanisms at national, district and local levels to identify groups and individuals at high risk of GBV • Promote links between actors who can help to identify those at risk • Develop programmes to increase the capacity of vulnerable groups to protect themselves from GBV • Reinforce programmes for economic empowerment of vulnerable groups

STRATEGIC AREA 2: RESPONSE STRATEGIES

Strategic Area 2a: Provide comprehensive services to victims of GBV

CONSTRAINTS	POLICY ACTIONS
<p>Appropriate services are not available to all GBV victims in all communities.</p>	<ul style="list-style-type: none"> • Identify a minimum package of support to victims; • Provide every District hospital with a GBV focal point; • Build on existing services and develop new services that are victim-centered and take into account their special needs, including expansion of one-stop centres throughout the country • Expand access to short and long-term support services, with particular programmes targeting vulnerable groups; • Ensure adequate financial resources are allocated to support services

	at the community level.
Referral processes for victims are not clearly defined or known in the community and there is weakness in the coordination between service providers.	<ul style="list-style-type: none"> • Strengthen the referral process and coordination of multi-sectoral approach for interventions and for referral and reporting on cases
Available services are not always easily accessible to everyone due to the cost and distance to reach them and outreach is limited.	<ul style="list-style-type: none"> • Ensure access to services is free for victims; • Ensure a minimum package of support is available for victims in every community.
Some service providers lack specialized knowledge and skills to deal with vulnerable victims, including child victims.	<ul style="list-style-type: none"> • Mobilize and train community resources to respond to GBV; and • Build capacity of personnel coming into contact with victims to deal with their specific needs.
The small percentage of men and boys victims are often not recognized as victims and do not receive adequate support.	<ul style="list-style-type: none"> • Ensure that services are tailored to the individual needs of all victims, with particular programmes targeting men and boys that may fall victim to GBV.
Strategic Area 2b: Improve accountability and eliminate impunity for GBV	
CONSTRAINTS	POLICY ACTIONS
Ignorance of the law, fear or embarrassment of coming forward and anxiety about the consequences of prosecution on the family impacts on the reporting of GBV cases.	<ul style="list-style-type: none"> • Raise awareness of the GBV law and other laws as well as the legal process; • Improve systems of identifying and reporting GBV cases in a safe and confidential environment, without unnecessarily burdening the victims; • Ensure that law enforcement officers continue to receive training on dealing with victims, including those with special needs; • Ensure GBV perpetrators are adequately punished with a view towards deterrence, and that sentences are widely known; • Provide support to communities to promote understanding of gender and positive social norms and attitudes; • Develop alternative sentencing measures that hold perpetrators accountable while taking into account the best interests and social/financial needs of the victims; • Strengthen the community-based justice system/mediation to deal with GBV cases.
The time required for cases to be adjudicated through the legal system can be very lengthy and the victims are not kept informed of the progress	<ul style="list-style-type: none"> • Strengthen the capacity of the legal and judicial systems to process cases in a fair, expedient and just manner; • Ensure that there are sufficient numbers of judges and defense lawyers adequately trained to deal with GBV cases;

	<ul style="list-style-type: none"> • Consider how GBV cases can be handled by courts in a specialized way; • Promote transparency of cases and outcomes, while protecting the privacy of the victims;
The current system of dealing with offenders does not address underlying causes or prevent re-offending.	<ul style="list-style-type: none"> • Develop innovative measures for holding perpetrators accountable; • Provide support to spouses and families of imprisoned perpetrators; • Provide rehabilitative programmes for offenders.
In many communities, suspected GBV cases that do not involve sexual violence are dealt with by the local administration through a civil process, which minimizes the seriousness of GBV and does not provide adequate procedural protection for victims.	<ul style="list-style-type: none"> • Develop specific community-based justice mechanisms that deal solely with GBV cases; • Ensure that community-based justice mechanisms are used only when it is in the best interest of the victim.
STRATEGIC AREA 3: BUILD COORDINATION, MONITORING SYSTEMS AND EXPAND THE EVIDENCE AVAILABLE ON GBV	
Strategic Area 3a: Build coordination and monitoring systems	
CONSTRAINTS	POLICY ACTIONS
Inefficient coordination of multi-sectoral intervention at the implementation level has led to weakness and gaps in GBV prevention and response.	<ul style="list-style-type: none"> • Reinforce the system for coordinating implementation of the National Policy against GBV.
Reporting systems are not sufficiently synchronized, which limits the ability to effectively monitor GBV data and share information among stakeholders.	<ul style="list-style-type: none"> • Build a cohesive and common system for monitoring GBV data and implementation of the National Policy against GBV.
Strategic area 3b: Expand evidence available on GBV in Rwanda	
CONSTRAINTS	POLICY ACTIONS
Baseline data on GBV is incomplete, making progress and gaps in GBV prevention and response extremely difficult to measure.	<ul style="list-style-type: none"> • Establish GBV data collection/research centers under the leadership of the Gender Monitoring Office; • Define indicators and conduct periodic research to establish updated baseline data on GBV;

5. INSTITUTIONAL FRAMEWORK FOR POLICY IMPLEMENTATION

5.1. Introduction

In order for this policy to be successfully implemented, the Government of Rwanda as a whole will have to:

- o facilitate and empower public institutions and other structures to prevent and respond to gender-based violence;
- o ensure that the Law on Prevention and Punishment of Gender-Based Violence is sufficiently disseminated to the people of Rwanda and that it is well understood and respected;
- o ensure that mechanisms for coordination, monitoring and evaluation are put in place and functional.

Actors from different sectors (Government, CSOs, International Organizations and Development Partners) must be brought together to prevent and respond to GBV, as no single actor or sector alone can eliminate GBV.

From family level and local communities up to the highest level of Government, the implementation of this policy must be regarded as an urgent priority.

5.2. National Coordination Framework

Led by the Ministry of Gender and Family Promotion, the national coordination framework operates at the national and decentralized levels and takes into account political leadership, technical expertise and operationalization down to the local communities.

National Political Level

The National Steering Committee co-chaired by MIGEPROF and MINISANTE comprises of MINECOFIN, MINALOC, MINICYOUTH, GMO, NWC, MINIJUST, RNP, NPPA, National Children's Commission and relevant development partners represented at the highest level. The Steering Committee provides overall strategic direction and meets on a biannual basis to monitor implementation of the policy's objectives, share information and coordinate activities and responses.

Development partners will play a critical role in the coordination and implementation of the policy through the provision of technical assistance, national and international advocacy on gender equality and against gender-based violence, as well as the mobilization of resources to ensure a nationwide response to gender-based violence.

National Technical Level

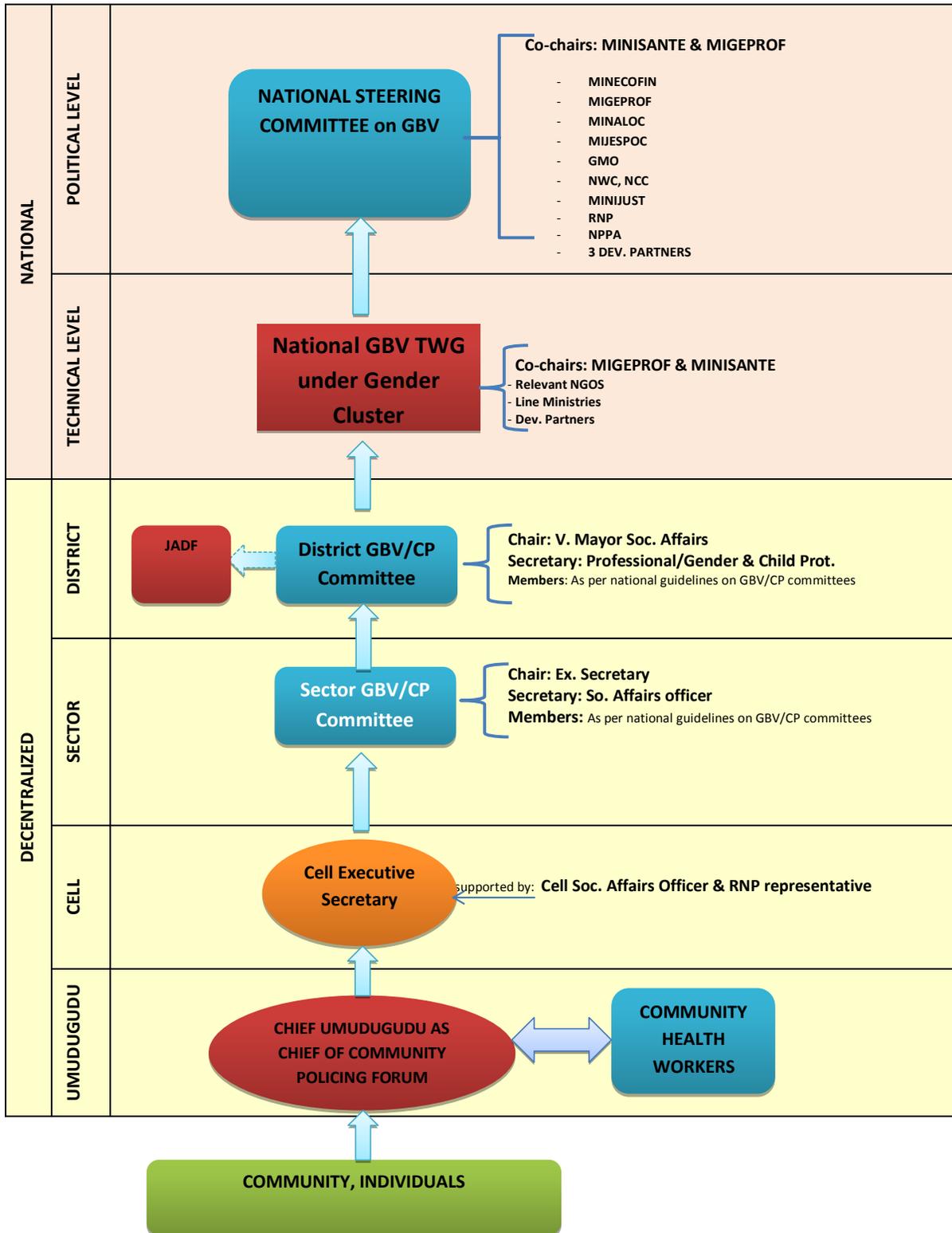
At the national level, the two Gender-based Violence Technical Working Groups chaired by MIGEPROF and MINISANTE respectively, operating under the Gender Cluster, will provide technical expertise pertaining to the policy and strategic plan objectives and report to the NSC on a quarterly basis.

Decentralized Level

Based on national guidelines, GBV and Child Protection Committees exist from the Umudugu level upwards. At the lowest level, the Chief of Umudugudu will gather information from the community policing committee and community health workers on GBV-related cases and activities. This information will be passed on to the Cell Executive Secretary, assisted by the Social Affairs Officer and a representative from the RNP, who will in turn pass on information to the Sector GBV/CP Committee.

At the district level, the GBV and Child Protection Committee chaired by the Vice-Mayor in charge of Social Affairs and assisted by the Gender and Child Protection Professional monitors the implementation of anti-GBV related activities in the District and collects information pertaining to challenges as well as implementation from the community level upwards. The District GBV/Child Protection Committee will liaise with the Joint Action Development Forum and provide anti - GBV programming inputs for utilization in local development planning. Further details regarding the roles, responsibilities and composition of the GBV/Child Protection Committees are available in the national guidelines on Anti - Gender Based Violence /Child Protection Committees.

COORDINATION FRAMEWORK



5.3. Stakeholders in policy implementation

Ministry of Gender and Family Promotion

This Ministry will oversee the implementation of the National Policy against Gender-Based Violence, playing a key role at the level of coordination as well as monitoring and evaluation, particularly in relation to working with other Ministries to put appropriate systems in place. It will also have the responsibility for disseminating the policy.

Ministry of Justice

This Ministry will take the lead in ensuring that the law on gender-based violence and all other relevant legislation is implemented effectively. This Ministry, working closely with other relevant stakeholders will take a proactive stance in ensuring that all legislation concerning sentencing and punishment for crimes of gender based violence is closely monitored and reviewed. The Ministry will also ensure the Access to Justice Offices work effectively, and that anti-GBV staff are permanent and have relevant capacity to deal with the issue.

Ministry of Education

This Ministry will ensure that the appropriate policies, training, codes of conduct, curricula and school-wide programmes are put into place to ensure not only the safety and security of teachers and children at school, but also to ensure that schools take a proactive stand in preparing children and young people to contribute to creating a GBV-free society. This Ministry will be responsible for monitoring and evaluating the success of its policies, training, codes of conduct and curricula in schools, colleges and Universities.

Ministry of Health

This Ministry will ensure that the appropriate policies and programmes are in place so that victims of gender based violence are able to access appropriate services. This will include taking a proactive position in ensuring the integration of a human rights-based approach into reproductive health services through to appropriate emergency measures in dealing with victims of violence (e.g. the morning-after emergency contraceptive pill). It will also make special provision to ensure community education in the area of violence and its link with HIV and AIDS. The Ministry of Health will also lead the scale up of the One-Stop Centers.

Ministry of Public Service and Labor

This Ministry will ensure that the appropriate policies, codes of conduct and programmes are in place to ensure that no one in his/her place of work has to endure sexual harassment or any other form of gender-based violence.

Ministry of Internal Security

This Ministry, particularly through the Rwanda National Police, will oversee the expansion of gender based violence programming to ensure that all communities have full access to rapid response and user-friendly services in relation to gender-based violence. The ministry will also ensure community mobilization in relation to its GBV programming (e.g. Toll free telephone lines) through the framework of the community policing strategy.

Ministry of Local Government

This Ministry is responsible for ensuring that all community members live within a protective environment. In the Social Protection Policy, it is clearly stipulated that the main groups that hold the attention of the Government are Genocide survivors, orphans, minors in difficult situations, widows, people living with HIV/AIDS, youth from destitute families, demobilized soldiers, people living with disabilities, repatriates, refugees, the elderly, victims of natural disasters, underdeveloped and marginalized victims of socio-cultural history, etc.¹³. In this regard the Ministry will ensure that this policy is appropriately applied to protect all vulnerable groups from all forms of

¹³ MINALOC, Social Protection Policy 2005, p.5

gender-based violence (on the roads, in the street, and in homes). This Ministry will also ensure adequate and secure housing for vulnerable women, such as widows, and for orphans and vulnerable children in Child Headed Households (CHH).

Ministry of Finance and Economic Planning

This Ministry will oversee the appropriate engendering of financial budgeting of all ministries involved as key actors in addressing gender-based violence by putting into place mechanisms for planning and monitoring spending in this area. This is critical in terms of ensuring funding for Women and Youth Councils and other organizations dealing with gender-based violence. The Ministry will be also responsible for providing guidelines for mainstreaming GBV interventions and response in various plans and budgets at all levels.

Ministry of Youth, Sports and Culture

Given the cultural context in which gender-based violence occurs, this Ministry will take the lead in overseeing the implementation of a cultural programme for raising awareness about the issues and for promoting positive cultural values with regard to gender. The Ministry will also take the lead in ensuring that youth sensitization programmes on gender and gender-based violence are implemented nationwide through National Youth Councils (NYC).

Ministry of Defense

This Ministry will ensure that preventing and combating gender-based violence is part of the peace-building process, and through the development of clear guidelines on appropriate codes of conduct for all the members of the Defense Force.

Ministry of Cabinet Affairs

As a Ministry responsible for facilitating and streamlining the smooth and effective functioning of the Government, the Ministry of Cabinet Affairs will ensure that this Policy is timely tabled for the Cabinet's review and approval.

The Parliament

In line with its mission to elaborate and vote laws, to legislate and control the action of Government on behalf of the people of Rwanda, the Parliament, especially through the committees on Gender and Family Promotion, will help in voting a gender sensitive budget. It will also oversee that all government institutions effectively implement this Policy.

Districts

The Ministry in charge of Gender and Family Promotion, in collaboration with the Ministry of Local Government, will facilitate and coordinate gender mainstreaming initiatives at the District and Sector levels. The department responsible for promoting gender equality at District level will perform the following duties:

- Ensure that GBV concerns are fully integrated into District development plans and budgets;
- Oversee and facilitate gender policy implementation at the District level;
- Undertake development programmes that are gender responsive;
- Help local GBV/Child Protection Committees work effectively;
- Encourage the reporting of GBV cases;
- Participate in GBV-related data collection.

National Women’s Council

In recognition of its representation at every administrative level, the National Women’s Council (NWC) is responsible for raising public awareness on the laws pertaining to GBV, and in doing so it ensures that women know their rights. It should also be proactive in identifying issues of gender-based violence at community level and link up with relevant organizations.

Gender Monitoring Office

The Gender Monitoring Office has the responsibility of carrying out the evaluation of compliance with gender indicators at national level, on a permanent basis. It has a specific responsibility for addressing gender-based violence. Overall it serves as a “watch dog” on all aspects of gender monitoring at the national level. GMO will be responsible for designing formats for the reporting of GBV cases and for defining the indicators on which to base assessments concerning GBV. In addition, the GMO processes, analyses and disseminates relevant and reliable national data on GBV.

Rwanda National Police

The Rwanda National Police through Gender Desk, will provide communities with rapid, victim-focused and user-friendly services to respond to GBV, including through the presence of a Police officer in each District hospital to deal quickly and appropriately with cases of GBV. The Police will also promote the understanding of the GBV Law and Criminal Code and will maintain statistics of reported cases.

National Public Prosecution Authority (NPPA)

The mission of the NPPA is to participate in upholding the security of people and their property, in prosecuting perpetrators of crimes, in bringing them to justice with equity of treatment in accordance with the provisions of the Constitution, laws and decrees in force and International Laws to which Rwanda is party. The NPPA, through its GBV Unit and in collaboration with other stakeholders will play an important role in preventing, prosecuting and punishing GBV-related offences.

National Youth Council

Taking into account its representation at every administrative level, the National Youth Council should be responsible for raising awareness on GBV laws among children and youth. The NYC should also be proactive in identifying issues of gender-based violence against children and youth at community level and link up to relevant organizations.

National Commission for Human Rights

This Commission will play a critical role in working across administrative levels to ensure the promotion of human rights and in identifying and reporting on human rights violations related to gender-based violence through its Human Rights Observatory.

Office of the Ombudsman

Through its mission of fighting against injustice and corruption in Rwanda, the Office of the Ombudsman should open a special window to deal with GBV-based injustices and gender-related corruption cases.

Rwanda Biomedical Centre

The RBC is responsible for raising awareness of the links between gender-based violence and sexually transmitted diseases in general, and HIV&AIDS in particular. It is also responsible for addressing issues of stigma particularly as it relates to sexual violence.

National Commission for the Fight against Genocide

Most of the survivors of the 1994 genocide are women who were raped. Some of them were infected with HIV/AIDS. As an independent national organ, the National Commission for the Fight against Genocide shall put in place a framework for exchanging ideas on the consequences of the rapes and on a strategy to deal with them. The Commission will continue to advocate for the scale up of interventions aimed at providing pschosocial care for survivors of rapes perpetrated during the genocide.

National Institute of Statistics of Rwanda

In recognition of the critical need for statistical data on GBV, the Institute will help to ensure that all research undertaken by the different ministries on gender-based violence contain appropriately disaggregated data, and it will ensure that data collection on violence can be used for advocacy, planning and monitoring.

The High Institutions of Learning

Their role will essentially consist of researching GBV. Formal teaching and short term training will include gender and related issues as appropriate. In this way, High Learning Institutions will participate in raising awareness on GBV and in building capacity for scholars to understand and be able to explain GBV-related matters in various fora.

Rwanda Governance Advisory Council

The Rwanda Governance Advisory Council is responsible for promoting and monitoring good governance in public, corporate and civil domains in Rwanda through research, advisory services, policy debates and networking. The RGAC should advise the government in all research-based policies and strategies and by doing so can strengthen the fight against GBV in the country.

NGOs, CBOs and other civil society actors

NGOs, CBOs and other civil society actors will continue their role as service providers, and will also strengthen and expand their role in advocacy. In this regard, the Civil Society Platform should play a greater role. In order to reduce their vulnerability, groups at high risk of GBV should be involved in designing and implementing programmes against GBV.

Faith Based Organizations (FBOs)

Given their key position in the daily lives of the Rwandan population, FBOs will engage in addressing gender-based violence and violence against children at community level. This will be achieved through education (e.g. pre-nuptial programming), economic empowerment of women, advocacy and pastoral counseling.

Media

The media will take up the role of raising awareness on GBV and breaking the culture of silence and shame surrounding it. The media will take the lead role in promoting positive individual and social attitudes and values surrounding gender, and will refrain from perpetuating negative stereotypes and traditions. The media will promote responsible reporting about GBV cases.

Private sector

In recognition of the links between gender-based violence and women's limited economic empowerment, the private sector should take on corporate responsibility towards supporting women through skills development, career promotion and not tolerating gender-based violence within their workplaces.

International Organizations and Development Partners

The Government of Rwanda does not have all the required financial and technical resources to implement this Policy. The various international organizations and development partners will support the Government of Rwanda throughout the implementation process.

6. CONCLUSION

In order to achieve its vision of having a society free of gender based violence, the Government of Rwanda has initiated this Policy against GBV, which is in line with the country's poverty reduction strategy and complements the National Gender Policy. Preventing and fighting against GBV should therefore be regarded as an integral part of national development as well as the fulfillment of the country's human rights' obligations.

This policy calls for a multi-sectoral approach towards the prevention of and response to all forms of gender-based violence. The policy's vision is to build a Rwandan society that is GBV-free and, in the interim to have a Rwandan society that can effectively and efficiently prevent and respond to GBV.

There are three overarching objectives of the policy: a) to prevent GBV, b) to respond effectively to instances of GBV and, c) to coordinate and gather the quantitative and qualitative evidence to ensure the first two objectives are met.

The situation analysis recognizes that more work must be done to change attitudes towards gender and GBV and to increase understanding of the laws and promote positive cultural values – through public education, advocacy and the involvement of all relevant stakeholders.

Efficient reporting mechanisms, testing, counseling, immediate protection and other follow-up services along with appropriate preventive and punitive measures are vital. At the highest level, laws and policies must guarantee that all the citizens can be assured of their safety and security. It is a goal that is within reach of the country, but one that will require sustained commitment and adequate human and financial resources.

7. FINANCIAL IMPLICATIONS

It is vital to avail sufficient financial resources for the implementation of the National Policy against Gender-based Violence. The activities required to implement the policy are outlined in a five - year Strategic Plan whose total costs are estimated at 36, 124, 383 USD. Gender based violence being a crosscutting issue, the budget required will be provided by all the respective partners. The budget allocated to GBV interventions by MIGEPROF and its various partners, from governmental and non-governmental, bilateral and multilateral cooperation agencies will be used for the implementation of the five- year Strategic Plan. Substantial linkages and good collaboration will facilitate resource mobilisation and lead to relatively quick implementation of this Strategic Plan.