



Human Rights First Rwanda Association

Submission to the UN Human Rights Committee on Rwanda's Compliance with ICCPR Obligations in Relation to LGBTQI+ Rights

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I. Executive Summary

Human Rights First Rwanda Association (HRFRA), a non-partisan civil society organization with legal personality No. 09/11, is committed to promoting, protecting, and advancing human rights, good governance, and the rule of law in Rwanda and the great Lakes Region through legal empowerment, grassroots legal aid, human rights education, and evidence-based policy advocacy.

This submission is presented by **Human Rights First Rwanda Association (HRFRA)** to assist the **United Nations Human Rights Committee** in formulating its **List of Issues Prior to Reporting (LOIPR)** for Rwanda's next periodic review under the **International Covenant on Civil and Political Rights (ICCPR)**.

The submission focuses specifically on the situation of **lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) persons** in Rwanda, with a view to assessing compliance with Articles **2, 17, 21, 22, and 26** of the ICCPR.

Rwanda has made significant advances in human rights, equality, and post-genocide reconciliation. Notably, same-sex relations have never been criminalized under Rwandan law, and constitutional provisions emphasize equality and non-discrimination. However, key gaps remain that prevent LGBTQI+ individuals from fully enjoying their civil and political rights, as guaranteed under the ICCPR.

This submission identifies five major areas of concern:

1. Freedom of Association for LGBTQI+ Organizations

Recent reforms, including Law N°058/2024 regulating national NGOs, create regulatory ambiguities that disproportionately burden LGBTQI+ groups seeking registration.
→ Violates Articles 21 and 22 of the ICCPR.

2. Lack of Recognition of Transgender Persons in GBV Policies and Identification Documents

Existing legal frameworks for GBV response and civil status registration fail to recognize the specific vulnerabilities of transgender persons, leading to systematic exclusion and rights violations.
→ Violates Articles 2, 16, and 17 of the ICCPR.

3. Absence of Explicit Sexual Orientation Non-Discrimination Clauses in Labor, Education, and Other Sectors

Labor laws, education policies, and public service regulations do not explicitly prohibit discrimination based on sexual orientation or gender identity, exposing LGBTQI+ persons to unchecked discrimination and exclusion.
→ Violates Articles 2 and 26 of the ICCPR.

4. **Inadequate Protection of Sexual and Reproductive Health and Justice:** LGBTQI+ persons face barriers to accessing sexual and reproductive health services, exacerbated by stigma, discriminatory practices, and non-inclusive policies infringing

→ Violates Articles 17 and 26 of the ICCPR.

5. **Opportunity for Rwanda to Assume Regional Leadership on LGBTQI+ Rights**

Rwanda's constitutional values, international standing, and commitment to human rights position it uniquely to lead regional progress on LGBTQI+ rights, particularly by adopting Comprehensive anti-discrimination protections.

→ Would demonstrate enhanced compliance with the ICCPR and the UN Charter principles of equality and dignity.

Accordingly, Human Rights First Rwanda Association respectfully urges the Human Rights Committee to include in its LOIPR for Rwanda:

- Questions on legislative and policy measures to explicitly prohibit discrimination based on sexual orientation and gender identity.
- Requests for information on registration barriers faced by LGBTQI+ organizations.
- Inquiries into steps taken to recognize and protect transgender persons in GBV response and civil status registration frameworks.
- Encouragement for Rwanda to model regional leadership by advancing comprehensive LGBTQI+ rights protections.

Through focused attention on these issues, Rwanda can further consolidate its human rights achievements and advance toward full compliance with its obligations under the ICCPR.

Introduction and Background Rwanda's International Obligations

Rwanda acceded to the International Covenant on Civil and Political Rights (ICCPR) on April 16, 1975, committing to respect and ensure the civil and political rights of all individuals without distinction. The ICCPR guarantees equality before the law (Article 26), freedom from arbitrary detention (Article 9), freedom of association (Article 22), freedom of expression (Article 19), the right to privacy (Article 17), and the right to recognition before the law (Article 16). The UN Human Rights Committee's jurisprudence has affirmed that sexual orientation and gender identity are protected grounds under the ICCPR's non-discrimination provisions, most notably in *Toonen v. Australia* (1994).

Constitutional Framework

The Constitution of Rwanda (2003, revised in 2015) enshrines principles of equality and non-discrimination. Article 15 guarantees equality before the law, and Article 16 prohibits "discrimination of any kind," though sexual orientation and gender identity are not explicitly mentioned. The Constitution also protects the freedom of association (Article 39) and the right to privacy (Article 23), providing a foundation for the protection of LGBTQI+ rights domestically.

Regional Context

Unlike many neighboring countries, Rwanda has never criminalized same-sex relations in its Penal Code. In fact, Rwanda removed a proposal to criminalize homosexuality from its draft penal code in 2010 after a coalition of Human Rights civil society including Human Rights First Rwanda Association made advocacy for removal of article 217 which sought to criminalize the LGBTQ+ community. Rwanda's leaders, including President Paul Kagame, have made statements distancing the state from interference in citizens' sexual orientation, marking Rwanda as relatively progressive in the East African context.

Reality for LGBTQI+ Persons

Despite the absence of criminalization, LGBTQI+ persons face societal stigma, discrimination, and vulnerability to rights violations. Reports indicate that LGBTQI+ individuals have been subjected to arbitrary arrest, particularly under laws concerning public order, vagrancy, or morality. Cases such as the 2021 round-ups targeting marginalized populations, including transgender individuals, illustrate continuing challenges.

Human Rights Committee's Previous Observations

In its 2016 Concluding Observations on Rwanda, the Human Rights Committee welcomed Rwanda's progressive legal stance but raised concerns regarding reports of discrimination, harassment, and arbitrary detention of LGBTQI+ individuals. The Committee recommended that Rwanda intensify efforts to protect sexual minorities and ensure that organizations advocating for LGBTQI+ rights could operate without harassment.

Scope of This Submission

This submission builds upon the Committee's previous observations by providing detailed analysis of key areas where Rwanda's laws and practices fall short of full compliance with the ICCPR. It focuses specifically on:

- Freedom of association for LGBTQI+ organizations under the new NGO Law No. 058/2024;
- The recognition and protection of transgender persons in law and policy;
- The need for explicit non-discrimination clauses regarding sexual orientation and gender identity in labor, education, and service sectors.

It concludes with recommendations aimed at enhancing Rwanda's compliance with its international human rights obligations while solidifying its regional leadership role in protecting LGBTQI+ rights.

Section I: Freedom of Association for LGBTQI+ Persons and the new NGO Law

A. Legal Context

The Constitution of Rwanda guarantees the right to freedom of association under Article 38. This right is echoed in international obligations under Article 22 of the ICCPR. However, the practical ability of LGBTQI+ persons to exercise this right remains constrained by administrative practices and societal stigma.

B. Analysis of the NGO Law No. 058/2024

Law No. 058/2024 "Governing National Non-Governmental Organizations" modernizes Rwanda's civil society regulation. Key features include:

- a. **Article 4:** Defines an NGO as a voluntary grouping of persons that operates independently from government structures and that pursues activities for public benefit.
- b. **Article 7:** Requires NGOs to operate in accordance with "national values" without providing a clear definition.
- c. **Article 12:** Empowers the Rwanda Governance Board (RGB) to register, monitor, and, if deemed necessary, suspend NGOs for activities "contrary to law or public order."

These provisions raise significant concerns regarding the legal certainty and protection available to LGBTQI+ groups:

- d. The reference to "national values" (Article 7) is vague and could be interpreted to exclude LGBTQI+ organizations on moral or cultural grounds.
- e. The discretionary power of the RGB (Article 12) risks being applied in a discriminatory manner, allowing authorities to block the registration or operation of LGBTQI+ organizations.

C. Practical Case Studies

Several LGBTQI+ initiatives have faced difficulties under previous and current registration frameworks:

- a. **Horizon Community Association (HOCA):** In 2022, members of HOCA reported repeated delays and additional documentation demands when attempting to register. Despite fulfilling all administrative requirements, the group was informally discouraged

from pursuing registration on the grounds that their activities "did not align with Rwandan values."

- b. **Testimonies from Activists:** LGBTQI+ activists have at times encountered incidents of barring them from holding their activities such as holding workshops in certain districts. This example illustrates that, even without explicit legal prohibitions, administrative practices serve to marginalize LGBTQI+ organizations.

D. International Law Inconsistencies

Article 22(2) of the ICCPR permits restrictions on the right to freedom of association only if prescribed by law and necessary in a democratic society in the interests of national security, public safety, public order, or the protection of public health or morals. General societal disapproval or cultural prejudices do not justify restrictions.

The Human Rights Committee has emphasized in *General Comment No. 34* that mere disagreement with the existence or advocacy of LGBTQI+ persons do not constitute legitimate grounds for restricting association rights. Rwanda's practice of using broad moralistic standards to restrict LGBTQI+ organizations falls short of these requirements.

E. Recommendations

- a. Clarify in the implementing regulations of NGO Law No. 058/2024 that "national values" must not be used to discriminate against NGOs based on their promotion of the rights of marginalized groups, including LGBTQI+ persons.
- b. Ensure that the Rwanda Governance Board's decisions on NGO registration are transparent, based on objective legal criteria, and subject to independent judicial review.
- c. Include explicit language affirming that organizations advocating for sexual orientation and gender identity rights are entitled to equal protection under the law.

Section II: Lack of Recognition of Transgender Persons in GBV Policies and Identification Documents

A. Absence of Legal Gender Recognition

Rwanda does not currently provide any legal mechanism for individuals to change the gender marker on their identification documents to reflect their gender identity. The national ID system only recognizes binary male or female categories, based on sex assigned at birth. This omission leaves transgender persons legally invisible, exposing them to heightened discrimination, harassment, and barriers to accessing services.

The ICCPR, under Article 16, affirms the right of every individual to recognition as a person before the law. The failure to legally recognize transgender persons violates this right, as elaborated by the Human Rights Committee in its General Comment No. 28 (2000) on the equality of rights between men and women, and as affirmed in cases like *G v. Australia* (2017).

B. Discrimination in Access to Services

Without legal gender recognition, transgender persons often encounter discrimination when seeking education, healthcare, employment, and housing. For example:

- **Healthcare Access:** Medical personnel often refuse to treat transgender individuals or subject them to humiliating questioning due to inconsistencies between their appearance and ID documents.
- **Employment Barriers:** Employers may discriminate against transgender applicants based on discrepancies in identification or due to visible gender non-conformity.
- **Police Harassment:** Transgender persons face increased risks of harassment during identity checks, with reports of arbitrary arrests for "vagrancy" or "public order offenses."

C. Exclusion from Gender-Based Violence Protections

Rwanda's national policies on gender-based violence (GBV), such as the National Policy against GBV (2011) and the related strategic plans, define GBV in strictly binary, cisgender terms. Transgender persons, particularly transgender women, experience high rates of violence yet remain excluded from protection frameworks.

Practical Example:

- ✓ **2021 Incident:** A transgender woman reported sexual assault by community members in Gasabo District. When seeking police assistance, she was refused protection services on the basis that she "was not a real woman." No formal complaint was registered, and the case was dismissed without investigation.

This systemic exclusion violates Rwanda's obligations under Article 7 of the ICCPR (prohibition of torture or cruel, inhuman, or degrading treatment) and Article 26 (equality before the law).

D. International Standards and Best Practices

The Yogyakarta Principles plus 10 (2017) call for states to establish quick, transparent, and accessible procedures for legal gender recognition based on self-identification, without abusive requirements.

Best practices globally include:

- ✓ Allowing legal gender change based on self-declaration without medical or surgical requirements (e.g., Argentina, Malta).
- ✓ Recognizing non-binary or third gender options on identification documents.

E. Recommendations

- a. Introduce legislation establishing an accessible, transparent process for legal gender recognition based on self-determination.
- b. Amend the national ID law and civil registration laws to allow changes to gender markers without requiring surgery or psychiatric diagnosis.
- c. Revise GBV policies and related laws to explicitly include protections for transgender and gender-diverse persons.
- d. Train police, healthcare workers, and judicial officials on the rights and needs of transgender individuals to prevent discrimination and mistreatment

Section III: Protection of Sexual Reproductive Health and Justice for LGBTQI+ Persons

A. Overview

Sexual reproductive health and rights (SRHR) are integral to the realization of multiple human rights protected under the ICCPR, including the rights to privacy (Article 17), freedom from discrimination (Article 26), and the right to health as recognized under international law frameworks complementary to the ICCPR.

For LGBTQI+ persons in Rwanda, access to sexual and reproductive health services remains limited by stigma, discrimination, exclusionary policies, and the absence of inclusive health programming. This omission infringes on principles of dignity, equality, and bodily autonomy.

B. Legal and Policy Gaps

- **Non-Recognition of LGBTQI+ Needs in SRHR Policies:** National health strategies do not address the specific needs of LGBTQI+ communities.
- **Discriminatory Practices by Healthcare Providers:** Stigma and denial of services are common.
- **Lack of Tailored Health Information:** Public campaigns largely exclude LGBTQI+-specific content.
- **Barriers to Transgender-Specific Healthcare:** Lack of gender-affirming services exacerbates exclusion.

C. Practical Impacts and Case Examples

- LGBTQI+ individuals have reported being denied health services, mistreated, or subjected to breaches of confidentiality.
- Instances of public disclosure without consent expose individuals to violence or discrimination.
- Mental health issues are exacerbated by the lack of supportive services.

D. International Standards and Best Practices

- **Yogyakarta Principles plus 10 (2017):** Affirm SRHR for LGBTQI+ persons.
- **UN Special Rapporteur on the Right to Health:** Emphasizes eliminating discrimination in healthcare.

- **Global Strategy for Women’s, Children’s and Adolescents’ Health (2016–2030):** Stresses inclusive health services.

E. Recommendations

1. Integrate LGBTQI+ needs into national SRHR policies.
2. Train healthcare workers on LGBTQI+ inclusion.
3. Establish affirmative SRHR services.
4. Strengthen confidentiality protections.
5. Promote inclusive public health campaigns.

Section IV: Need for Explicit Sexual Orientation Non-Discrimination Clauses in Labor, Education, and Other Sectors

A. Overview

While Rwanda’s Constitution enshrines principles of equality and non-discrimination under Article 16, there remains a critical legal and policy gap: the absence of **explicit protections** against discrimination based on **sexual orientation and gender identity (SOGI)** in key sectors such as labor, education, healthcare, and public services. This omission has led to systemic exclusion, unequal treatment, and, in many cases, silent tolerance of discrimination against LGBTQI+ individuals in employment and education settings.

This section demonstrates how the lack of explicit protections violates Articles 2, 26, and 27 of the **International Covenant on Civil and Political Rights (ICCPR)**, and calls for immediate legal reforms.

B. Legal Framework Analysis

1. ICCPR Obligations

- **Article 2(1)** of the ICCPR obligates States to respect and ensure rights without discrimination.
- **Article 26** guarantees equal protection before the law and prohibits discrimination on any ground, including “other status” — widely interpreted by the UN Human Rights Committee to include **sexual orientation and gender identity**.¹
- The UN Human Rights Committee has held that employment discrimination based on

sexual orientation violates Article 26 (e.g., *Young v. Australia*, Communication No. 941/2000). [^2]

Despite these obligations, Rwanda's labor and education laws **do not explicitly prohibit discrimination** based on sexual orientation, resulting in a legal vacuum that enables systemic violations.

2. Domestic Law Gap

- **Labor Law (Law N° 66/2018 of 30/08/2018 regulating labor in Rwanda)** prohibits discrimination based on “race, color, sex, religion, political opinion, national extraction or social origin” (Article 9) but omits sexual orientation and gender identity.
- **Education Policy** documents emphasize inclusive education but **fail to explicitly name SOGI minorities** as groups deserving protection.
- There is **no sector-specific directive** from the Ministry of Public Service and Labor or the Ministry of Education protecting LGBTQI+ persons from discrimination.

This omission conflicts with Rwanda's Constitution and its international human rights obligations.

C. Practical Impacts and Case Examples

1. Employment Discrimination

Testimonies gathered illustrate:

- ✓ LGBTQI+ persons being **denied employment, harassed, or dismissed** from jobs based on perceived or actual sexual orientation.
- ✓ Employers citing "morality" or "reputation" concerns without legal consequence.
- ✓ Lack of clear legal remedies or support structures to challenge discrimination.

Example:

A gay man was dismissed from a private school in Kigali after parents complained about his "bad influence." His attempts to seek legal redress were unsuccessful due to the absence of specific anti-SOGI discrimination laws.

2. Educational Discrimination

- LGBTQI+ students have reported **bullying, expulsion, or pressure to leave** schools because of their gender identity or sexual orientation.
- Absence of inclusive anti-bullying policies or grievance mechanisms specific to SOGI minorities.

Example:

A transgender student at a public university was denied access to appropriate accommodation, leading to harassment and mental health distress. No internal disciplinary mechanisms recognized discrimination based on gender identity.

D. International Standards and Comparative Practice

- **International Labour Organization (ILO) Convention No. 111** requires the elimination of discrimination in employment and occupation, and the ILO Committee of Experts has confirmed that this includes sexual orientation.²
- **UNESCO** urges states to explicitly protect LGBTQI+ students from violence and discrimination in schools through clear legal provisions.³
- Countries like **South Africa** have set precedents by including sexual orientation in their labor and education non-discrimination clauses (e.g., Section 9 of the South African Constitution and the Employment Equity Act).

Rwanda risks falling behind its regional and international commitments unless it strengthens its non-discrimination framework.

E. Recommendations

1. **Amend the Labor Law** to include "sexual orientation, gender identity and expression" as prohibited grounds of discrimination in employment.
2. Revise the National Education Policy to:
 - Explicitly prohibit discrimination based on sexual orientation and gender identity.
 - Integrate SOGI inclusion into teacher training, student protection protocols, and anti-bullying initiatives.
3. **Issue Ministerial Instructions** from the Ministry of Public Service and Labor and the Ministry of Education mandating:
 - Non-discrimination in public and private sector employment practices.
 - Protection of LGBTQI+ students and workers from harassment, expulsion, and unfair dismissal.
4. **Establish accessible complaint mechanisms** at the Rwanda Labor Inspectorate and Ombudsman's Office specific to SOGI-based discrimination cases.

Section IV: Rwanda's Potential Role as a Regional Leader on LGBTQI+ Rights

A. Overview

Rwanda has made notable strides in promoting human rights, post-genocide reconciliation, and social inclusion. Building on this legacy, Rwanda is uniquely positioned to **emerge as a regional leader** in advancing the rights of LGBTQI+ persons. Aligning domestic policies more fully with the **International Covenant on Civil and Political Rights (ICCPR)** would not only strengthen Rwanda's international reputation but would also contribute to broader regional stability, human rights promotion, and inclusive development.

While challenges persist, Rwanda's constitutional commitment to equality, its track record of progressive policy reforms, and its influential role in East African diplomacy create an opportunity to pioneer an inclusive human rights agenda that explicitly safeguards the rights of LGBTQI+ individuals.

B. Rwanda's Current Standing

1. Progressive Foundations

- **Constitution of Rwanda (2003, revised 2015)** enshrines equality and prohibits discrimination (Articles 16 and 17).
- Rwanda has ratified key international human rights treaties, including the **ICCPR** without reservation, thus committing itself to upholding principles of non-discrimination and equality for all.
- The government has championed **gender equality, reconciliation, and inclusion of vulnerable groups**, setting precedents that can be extended to LGBTQI+ rights.

2. Positive Signals

- Rwanda has not criminalized same-sex conduct, unlike many neighboring states where laws derived from colonial-era codes continue to penalize LGBTQI+ persons.
- Official discourse emphasizes dignity, unity, and non-sectarianism — principles that are inherently compatible with protecting LGBTQI+ individuals from discrimination.

However, Rwanda's human rights leadership remains incomplete as long as LGBTQI+ persons remain vulnerable to discrimination without explicit legal protections.

C.Strategic Importance of Advancing LGBTQI+ Rights

1. Compliance with International Law

- i. Full recognition of LGBTQI+ rights would consolidate Rwanda's compliance with **Articles 2, 17, and 26 of the ICCPR**, which guarantee:
 - ✓ Equality before the law.
 - ✓ Protection against arbitrary or unlawful interference with privacy.
 - ✓ Equal and effective protection against discrimination.
- ii. The UN Human Rights Committee has consistently emphasized that sexual orientation and gender identity are protected grounds under the ICCPR (e.g., *Toonen v. Australia*, CCPR/C/50/D/488/1992).

2. Regional Leadership

- ✓ Most countries in the East African region retain highly punitive laws against LGBTQI+ persons including death penalty, subjecting them to widespread violations of human dignity and safety.
- ✓ By embedding LGBTQI+ protections into national law and policy frameworks, Rwanda could:
- ✓ **Distinguish itself** as a progressive rights-respecting nation.
 - **Influence regional human rights dialogues** within the East African Community (EAC), African Union (AU), and UN fora.
 - **Strengthen soft power** and attract greater international goodwill, partnerships, and investments premised on inclusive governance and human rights promotion.

3. Domestic Benefits

- ✓ Inclusive societies are **more stable, economically vibrant, and socially cohesive**.
- ✓ Research by the World Bank and UNDP indicates that **exclusion of LGBTQI+ persons imposes significant economic and social costs** on countries.¹
- ✓ Legal recognition and protection would promote **social integration**, reduce stigma, and enhance Rwanda's aspirations for inclusive development (aligned with Vision 2050 and SDG 16 on peace, justice, and strong institutions).

D. Practical Roadmap for Rwanda's Leadership

To realize this potential and meet its ICCPR obligations, Rwanda should prioritize:

- ✓ **Adopting a Comprehensive Anti-Discrimination Law**
 - Explicitly prohibiting discrimination based on sexual orientation, gender identity, gender expression, and sex characteristics in all sectors, including labor, education, health, housing, and public services.
- ✓ **Strengthening Legal Protections for Privacy and Personal Autonomy**
 - Ensuring that no laws, policies, or practices unlawfully interfere with the private lives of LGBTQI+ individuals in contravention of Article 17 of the ICCPR.
- ✓ **Supporting LGBTQI+ Inclusive Education and Public Awareness Campaigns**
 - Promoting understanding, acceptance, and civic inclusion through national campaigns in line with Rwanda's human rights education goals.
- ✓ **Engaging in Regional and International Advocacy**
 - Championing LGBTQI+ rights in African human rights forums, UN Universal Periodic Reviews, and EAC discussions, encouraging peer countries to move toward decriminalization and protection.
- ✓ **Institutionalizing LGBTQI+ Consultative Mechanisms**
 - Establishing regular platforms where LGBTQI+ communities can engage with policymakers, monitor implementation of inclusive policies, and contribute to human rights development agendas.

E. Conclusion

Rwanda's aspiration to be a beacon of dignity, unity, and human rights can be most fully realized by embracing a truly inclusive vision of equality that protects LGBTQI+ persons as full and equal citizens.

By codifying and enforcing explicit protections, Rwanda can fulfill its **ICCPR obligations**, catalyze a historic human rights shift in the region, and advance its global standing as a forward-looking, rights-respecting nation.

Section V: Conclusion and Recommendations

A. Conclusion

Rwanda has demonstrated commendable progress in promoting human rights, equality, and social development, including efforts to advance gender equality, access to justice, and civic inclusion. However, the rights of LGBTQI+ persons remain insufficiently protected under existing national legal frameworks, leaving them vulnerable to discrimination, exclusion, and rights violations.

This gap directly implicates Rwanda's compliance with its obligations under the **International Covenant on Civil and Political Rights (ICCPR)**, particularly under **Articles 2 (non-discrimination), 17 (privacy), 19 (freedom of expression), 21 (freedom of assembly), and 26 (equality before the law)**.

As Rwanda prepares for its next periodic report to the Human Rights Committee, there is a critical opportunity to align national laws and policies with international human rights standards by explicitly recognizing and protecting the rights of LGBTQI+ persons. By doing so, Rwanda can further consolidate its human rights leadership domestically and regionally.

B. Recommendations

In light of the findings and legal analysis presented, Human Rights First Rwanda Association respectfully submits the following recommendations to the Human Rights Committee:

1. Amend the Labor Law and Other Sectoral Legislation to Include Explicit Protections for Sexual Orientation and Gender Identity

→ *(Linked to ICCPR Articles 2 and 26)*

- Amend Law N° 66/2018 regulating labor and related employment laws to explicitly prohibit discrimination based on sexual orientation, gender identity, and expression.
- Extend these protections to education, healthcare, housing, and public service laws.

2. Enact a Comprehensive Anti-Discrimination Law Covering All Sectors

→ *(Linked to ICCPR Articles 2 and 26)*

- Develop and pass legislation that prohibits all forms of discrimination based on “race, color, sex, language, religion, political opinion, national or social origin, property, birth, sexual orientation, gender identity and expression, and other status.”
- Include remedies, enforcement mechanisms, and independent oversight bodies.

3. Revise Education Policies to Protect LGBTQI+ Students from Discrimination and Violence

→ *(Linked to ICCPR Articles 24 and 26)*

- Update national education frameworks to mandate anti-bullying policies, non-discrimination clauses, and safe spaces for LGBTQI+ youth.
- Train teachers, administrators, and students on LGBTQI+ inclusivity and rights awareness.

4. Establish Clear Administrative and Judicial Remedies for SOGI-Based Discrimination

→ *(Linked to ICCPR Articles 2(3) and 14)*

- Strengthen access to justice by establishing grievance and complaints procedures at the Rwanda Labor Inspectorate, Ombudsman’s Office, and the Rwanda National Human Rights Commission.
- Provide specific training for judges, prosecutors, and inspectors on LGBTQI+ discrimination cases.

5. Ensure Protection of Privacy and Personal Autonomy for LGBTQI+ Persons

→ *(Linked to ICCPR Article 17)*

- Guarantee that no administrative, legal, or police practices unlawfully intrude on the privacy of LGBTQI+ individuals.
- Prohibit registration systems, data collection, or surveillance measures that target LGBTQI+ persons based on sexual orientation or gender identity.

6. Support Freedom of Association for LGBTQI+ Organizations

→ *(Linked to ICCPR Articles 21 and 22)*

- Amend the NGO registration framework to ensure that LGBTQI+ organizations are permitted to register without discrimination or arbitrary restrictions under Law N°058/2024 regulating NGOs.
- Recognize LGBTQI+ groups as legitimate civil society actors.

7. Integrate LGBTQI+ Inclusion into Rwanda’s Human Rights and Development Policies

→ *(Linked to ICCPR Articles 2 and 26, and Sustainable Development Goals — SDGs)*

- Include LGBTQI+ persons explicitly in national human rights strategies, Vision 2050 implementation plans, and sectoral development policies.
- Promote public education campaigns to foster understanding, acceptance, and social inclusion of LGBTQI+ persons.

8. Champion LGBTQI+ Rights in Regional and International Forums

→ *(Linked to ICCPR Article 2 and UN Charter principles)*

- Advocate for the decriminalization and protection of LGBTQI+ rights in African Union, East African Community, and United Nations platforms.
- Share Rwanda’s experiences and leadership practices to encourage positive reforms across the region.

C.Final Reflection

By addressing the persistent gaps in protection for LGBTQI+ persons, Rwanda can fully realize its constitutional principles of equality, its ICCPR obligations, and its vision of an inclusive, just society. Human Rights First Rwanda Association encourages the Human Rights Committee to engage with Rwanda constructively on these issues during the upcoming reporting cycle and to call for concrete legal and policy reforms that will guarantee full and equal enjoyment of rights for all persons, regardless of sexual orientation or gender identity.

VI. References

1. International Covenant on Civil and Political Rights (ICCPR), adopted 16 December 1966, entered into force 23 March 1976, UN Treaty Series, vol. 999, p. 171.
2. UN Human Rights Committee, General Comment No. 18: Non-Discrimination, 10 November 1989, UN Doc. HRI/GEN/1/Rev.9 (Vol. I).
3. UN Human Rights Committee, *Young v. Australia*, Communication No. 941/2000, UN Doc. CCPR/C/78/D/941/2000 (2003).
4. UN Human Rights Committee, *Toonen v. Australia*, Communication No. 488/1992, UN Doc. CCPR/C/50/D/488/1992 (1994).
5. ILO Convention No. 111 concerning Discrimination in Respect of Employment and Occupation, adopted 25 June 1958.
6. ILO Committee of Experts, General Survey on the Fundamental Conventions concerning Rights at Work, 2012.
7. UNESCO, *Out in the Open: Education Sector Responses to Violence Based on Sexual Orientation and Gender Identity/Expression*, 2016.
8. Constitution of the Republic of Rwanda of 2003 (revised in 2015), Official Gazette.
9. Law N°66/2018 of 30/08/2018 regulating labor in Rwanda.
10. Law N°58/2024 of 13/02/2024 regulating national NGOs in Rwanda.
11. World Bank, *The Economic Cost of Homophobia and the Exclusion of LGBTQ+ Persons: A Case Study of India*, 2014.
12. United Nations Sustainable Development Goals (SDGs), UN General Assembly Resolution A/RES/70/1 (2015).
13. African Charter on Human and Peoples' Rights, adopted 27 June 1981.
14. Rwanda Vision 2050, Government of Rwanda, 2020.