

## **Best practices and major challenges in addressing negative effect of terrorism on the enjoyment of all human rights and fundamental freedoms, particularly the right to life, liberty and security of person**

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The Rwanda National Commission for Human Rights hereby presents Rwanda's efforts in combating terrorism given the resolution 31/30 of the Human Rights Council on "Effects of terrorism on the enjoyment of all human rights" and reference made on the letter from the Office of High Commissioner for Human Rights requesting National Human Rights Institutions to provide their inputs concerning their best practices and major challenges in addressing the negative effects of terrorism on the enjoyment of all human rights and fundamental freedoms, particularly the right to life, liberty and security of persons.

Even though in Rwanda there has not manifested heavy acts of terrorism yet but considering that terrorism is a worldwide scourge to life and security of persons; Rwanda has been cautious to this security challenge in establishing security measures and enacting laws. The best practices include but are not limited to:

1. **The constitution of the Republic of Rwanda of 2003 revised in 2015** in its article 12 (right to life), article 13 (Inviolability of a human being), article 24 (Right to liberty and security of person), article 26 (Right to freedom of movement and residence) and article 158 (National defense and security organs).
2. **International Conventions**
  - The International Convention for the Suppression of Terrorists using high explosives adopted by the United Nations General Assembly Resolution on 15/12/1997 as ratified by Presidential Order n° 40/01 of 14/04/2002;
  - The International Convention against the Taking of Hostages adopted by the United Nations General Assembly on 17/12/1979 as ratified by Presidential Order n° 41/01 of 14/04/ 2002;
  - The International Convention for the Suppression of the Financing of terrorism adopted by the United Nations General Assembly on 09/12/1999 as ratified by the Presidential Order n° 43/01 of 14/04/2002;
  - The Convention on the Physical Protection of Nuclear Materials signed at Vienna on 26/12/ 1979 as ratified by the Presidential Order n° 45/01 of 14/04/2002;
  - The African Union Convention on the Prevention and Combating of terrorism signed at Algiers on 13/07/1999 as ratified by the Presidential Order n° 39/01 of 14/04/2002;

- The Tripartite Mutual Peace and Security Pact, signed at Kampala in Uganda on 20/02/2014 as ratified by the Presidential Order n° 159/01 of 18/11/2014;
- The convention on Cluster Munitions, signed in Oslo, Norway on 03 December 2008 as ratified by Presidential Order n° 171/01 of 23/12/2014;
- The mutual defense pact signed at Kampala, Uganda on 20 February 2014 as ratified by Presidential Order n° 158/01 of 18/11/2014.

### **3. Laws**

- Organic Law n° 01/2012/OL of 02/05/2012 instituting the Penal Code in its articles 169 on threat to commit an act qualified as terrorism , 497-528 on terrorism and its punishment and 653-658 on money laundering and terrorism financing;
- Law n°46/2010 of 14/12/2010 determining the powers, responsibilities, organization and functioning of the Rwanda National Police in its article 7 gives the National Police the responsibility of combating terrorism and that of ensuring safety and security of people and property;
- Law n° 30/2013 of 24/5/2013 relating to the Code of Criminal Procedure in its article 182 on the provisional detention procedure if the accused is suspected of having committed the crime of terrorism or treason;
- Law n°47/2008 of 09/09/2008 on prevention and penalizing the crime of money laundering and financing terrorism. This law aims at preventing, detecting, fighting and eradicating the use of the financial system or the other economic sectors for the purpose of money laundering and the financing of acts of terrorism whether related to money laundering or not.
- Law n° 45/2008 of 09/09/2008 on counter terrorism. This law clearly defines terrorism in its different forms and provides for its punishment;
- Law n° 31/2014 of 19/08/2014 governing private Security Services Providers;
- Presidential Order n° 101/01 of 18/06/2014 establishing the special statutes for the District Administration Security Support Organ;
- Rwanda's strategies for internal security policy approved by Cabinet, in its session of 09 July 2008 count to foster cooperation with other countries and International Organisations as part of fighting terrorism, traffic in persons and prevention of illegal proliferation of small arms.