



CIVIL SOCIETY PARTICIPATION IN THE LEGISLATIVE PROCESS

A STUDY SCRUTINIZING THE ROLE OF CSOs IN THE LAW-MAKING PROCESS

Center for Economic Governance and Leadership
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ACRONYMS

CBOs	Community Based Organisations
CCOAIB	Conseil de Concertation des Organizations d'Appui aux Initiatives de Base
CEGL	Center for Economic Governance and Leadership
CSOs	Civil Society Organisations
DFID	Department for International Development
EAC	East African Community
KIIs	Key Informants' Interviews
RLRC	Rwanda Law Reform Commission
MIGEPROF	Ministry of Gender and Family Promotion
MINALOC	Ministry of Local Government
MINIJUST	Ministry of Justice
NGOs	Non-Governmental Organisations
NST1	National Strategy for Transformation (2017-2024)
RGB	Rwanda Governance Board
UNDP	United Nations Development Programme
UoK-CEGL	University of Kigali Center for Economic Governance and Leadership
USAID	United States Agency for International Development

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¹For the complete list of all focus group participants please see Annex II of this report.

EXECUTIVE SUMMARY

Rationale for the study

Citizen participation in the legislative process plays a key role in ensuring democracy in a country. Participation of citizens in the passing of the law is not only a fundamental human right, but also guarantees that the needs of all social groups are considered and met through adequate equality laws. Apart from the ordinary mechanism for such participation which involves voting in periodic elections, citizens can also contribute to the legislative process by engaging with Civil Society organizations (“CSOs”) operating in various domains. CSOs are strongly recognised by the Government of Rwanda as an important pillar of good governance.

The important role of CSOs is emphasized in the NST1 under the theme Transformational Governance in areas including: (i) accountability, (ii) citizen empowerment and participation, as well as (iii) monitoring and ensuring effective service delivery. Equally, the importance of the involvement of CSOs in keeping the government accountable is emphasised in Rwanda’s Vision 2050. Despite this, the engagement of CSOs in Rwanda in policy formulation and legislative processes remains low (67.33%), according to the 2018 Rwanda’s Governance scorecard.

As an academic research-focused institution, the University of Kigali’s Center for Economic Governance and Leadership (“CEGL-UoK”) worked alongside civil society in Rwanda to support more effective participation of CSOs in the legislative process in the country. In particular, the Center conducted the present study with the aim of benchmarking CSOs’ participation in the legislative process in Rwanda as compared to regional best practices. Commissioned by the Rwanda Governance Board, the study sought to present comprehensive findings on the status of CSO participation in the Rwandan legislative process.

In particular, the study investigated the dynamics (both internal and external) of CSOs in relation to their participation in the legislative and policy formulation processes, and sought to understand the role of CSOs in those processes by engaging with the CSOs representing historically marginalized and vulnerable groups, such as women, youth, persons with disabilities and sexual minorities. The main purpose of the study was to use the findings to formulate actionable recommendations aimed at improving the effectiveness of the legislative process in Rwanda by acknowledging the role of CSOs in that process.

In line with this, the present study generated data from primary and secondary sources, through a range of methods, including a desk review of the relevant sources (i.e. reports, policies, laws, orders and instructions), Focus Group Discussions (“FGDs”) and Key Informants Interviews (“KIIs”). Respondents who participated in FGDs and KIIs came from organisations which could be considered as either state or non-state actors, such as community-based organizations (“CBOs”) that operate at community level, national CSOs and International Non-Governmental organizations (“INGO”).

Study results

1. Challenges faced by CSOs when participating in the legislative process

- Inadequate legal framework for providing practical guidelines for CSOs' engagement with the legislative process.
- Lack of awareness amongst many CSOs (in particular community-based organisations) of the opportunities, entry points and mechanisms for engaging with legislative processes.
- Lack of public information on the legislative agenda.
- Limited capacity of CSOs in terms of financial, human and technical resources.
- Inadequate evidence to inform policy advocacy.
- Poor coordination and consultation mechanisms for CSOs at the thematic level and at the level of existing forums (umbrellas).
- Lack of confidence amongst CSOs and tendency towards self-censorship..

2. Challenges faced by legislative institutions when engaging CSOs to participate in the legislative process

- Inadequate procedural and substantive guidelines for policy makers, legislators and the public to address the complexities of generating policy and its interplay with legislation.
- Poor coordination and diversity of CSOs which makes it difficult to ensure effective and comprehensive consultation.
- Government business is conducted with a high degree of haste, leaving limited room for long-term consultation.
- Although the broad government policy embraces partnership with CSOs, there are some individual government officials who do not fully embrace the role of CSOs in contributing to the legislative process.

3. Opportunities for leveraging CSO participation in the legislative process

- Affiliation with umbrella organizations.
- Funding opportunities to support advocacy work.
- Connection to community and sufficient understanding of issues.
- Harnessing the use of ICT in expanding the consultation and feedback mechanisms.
- Effective use of media tools to raise awareness.

Proposed recommendations

1. Legislative institutions

- ✓ Enact enabling legislation to guide comprehensive, effective and mandatory participation of CSOs and other relevant stakeholders in the legislative process.
- ✓ Harness ICT and innovative media in reaching out to different CSOs and other stakeholders during the consultation process.

2. Civil society organisations

- ✓ Strengthen legal and policy advocacy initiatives in their programs.
- ✓ Strengthen their financial and technical expertise to engage more actively in legal and advocacy interventions.

- √ Strengthen alliance building to better engage on different thematic advocacy issues.
- √ Improve consultation, coordination and information sharing by umbrella organizations to their member organizations in line with pursuing legal advocacy on issues pertinent to their member organizations.
- √ Strengthen the constituency base of CSOs in order to increase their legitimacy as voices of their constituents rather than being perceived as advocates of their own vested interests.

3. Other stakeholders (development partners, academia, media)

- √ Provide strategic funding to support CSOs' work on advocacy on a long-term basis, including robust research to generate evidence to influence public policy and legislation.
- √ Strengthen the financial and technical expertise required to enable effective CSO engagement in the legislative process.
- √ Increased synergy and collaboration between CSOs and other interest groups (academia, media, professional bodies, etc.) in effectively engaging with the legislation process.

1. INTRODUCTION

This research was inspired by reports of low participation of CSOs in public policy formulation in Rwanda. According to the 2018 Rwanda Governance Scorecard, civil society participation in policy formulation was among the lowest performing indicators, with a score of only 67.33% (Rwanda Governance Scorecard, 2019). This score has stagnated since 2017 to date. In line with this, the study aims to explore the participation of CSOs in the legislative process in the country as an integral component of public policy. It is one of the basic assumptions of this study that the effective participation of all key stakeholders (including CSOs) in the legislative process is not only a fundamental human right but also a guarantee of passing fair laws that can be easily implemented.

1.1. Study objectives and questions

The general objective of this research is to assess the role of CSOs in the legislative process in Rwanda.

The specific objectives of the study include:

- i. Assessing the current level of CSOs' participation in the legislative process in Rwanda, including the conception, formulation, adoption, implementation and assessment of laws;
- ii. Analyzing the strengths and weaknesses of CSOs' participation in the legislative process;
- iii. Assessing the challenges faced by CSOs in influencing legislative processes in the country;
- iv. Exploring challenges faced by the institutions involved in passing legislation (sector ministries, Parliament, Rwanda Law Reform Commission) in ensuring effective participation of CSOs in the legislative process;
- v. Identifying opportunities for CSOs in relation to the legislative process along with ways of maximizing those opportunities;
- vi. Documenting best practices of effective CSO participation in the legislative process in other jurisdictions within the East African Community ("EAC");
- vii. Formulating actionable recommendations for improving civil society participation in the legislative process.

In line with the above objectives, the study attempts to respond to the following key research questions:

- What are the overall political, economic, social, technological and legal factors underpinning CSOs' ability to effectively participate in the legislative process?
- What is the current level of participation of CSOs in the legislative process in Rwanda?
- To what extent is CSO participation and engagement in the legislative process in Rwanda effective?
- Are there success stories/best practices of CSOs' engagement with the legislative process that can be emulated?
- Does the level of participation vary in relation to different levels of the legislative cycle, including policy formulation, initiation and drafting of a bill, review of the bill by the Executive or the Parliament, adoption and promulgation of the law, implementation as well as review and monitoring of legislation?
- Does the level of CSO participation vary in relation to the type of law (organic law, international treaties and agreements ratified by Rwanda, ordinary law, and orders)?
- What actionable recommendations can be made to increase active and effective engagement

of CSOs in the legislative processes in Rwanda?

1.2. Methodology

The study adopted a qualitative research methodology which entailed three key data collection methods:

1. Desktop research. The bulk of data forming the basis of the literature review in this report was collected from online sources, such as policy documents, legislation, research reports, academic papers and newspaper articles.
2. Key informants interviews. These interviews sought to collect data on how the existing legislative process enables civil society participation. In identifying and selecting potential key informants, special attention was paid to the need to ensure that there was sufficient diversity in terms of the sectors from which the informants came. The informants interviewed for this study constituted CSO activists and employees, government agencies, development partners, academia and the media. Interviewers used a semi-structured questionnaire in which respondents were allowed a significant level of freedom to express their views and opinions on the themes of the discussion. Each interview took approximately an hour and a half to complete. The interviews were conducted between October and December 2019.
3. Focus group discussions. These discussions complemented the key informant interviews and enabled the researchers to gain a more in-depth insight into the problems, challenges and opportunities that characterize CSOs' participation in the legislative process in Rwanda. Each discussion typically lasted approximately an hour and a half. Each discussion was facilitated by one member of the research team using a discussion schedule while another member took notes.

Purposive sampling was used to identify respondents in order to ensure that the views of different types of CSOs are represented in the study, including foundations and umbrella organizations, public interest organizations, common interest organizations as well as religious organizations and community based informal organizations.

The study operated at a national level, covering two districts in each of the four provinces and three districts of the City of Kigali. A total of 228 participants were reached out to for the purpose of the study.

A pre-validation workshop was held to present and review the preliminary draft report at which participants provided valuable inputs that have informed the final report.

1.3. Overview of the normative framework

1.3.1. Highlights of Rwanda's legislative process

The study broadly considers the legislation process to refer to the passing of all forms of laws, namely, the constitution, organic laws, international treaties and agreements ratified by Rwanda, ordinary laws as well as presidential, prime ministerial and ministerial orders. The process of drafting and enacting laws in Rwanda is structured through a constitutionally secured separation of powers between executive and legislative branches of the government. The process of initiating the enactment of legislation begins with a bill.

A bill is a proposal of a new law which is presented before the Parliament for debate prior to enactment into law. It can also be presented in the form of a presidential, prime ministerial or ministerial order initiated by the relevant executive institution (president, prime minister or minister) and adopted by the cabinet for promulgation. A bill could also comprise of a proposed amendment to an existing law which is presented before Parliament for consideration and subsequent adoption into law, after complying with the relevant processes.

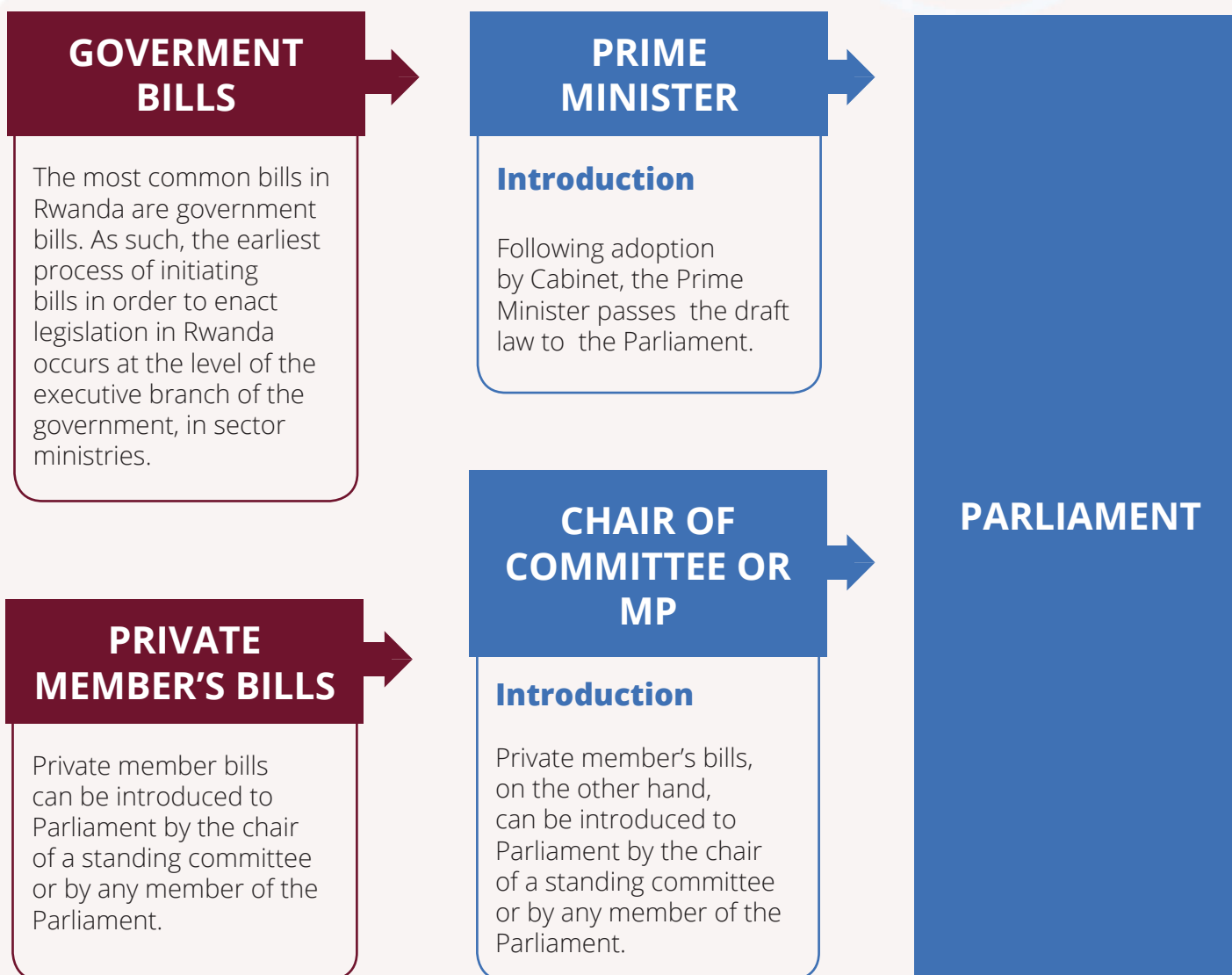
Two types of bills can be introduced to the Parliament: government bills and private member's bills.

Following the adoption of a draft law by Cabinet, the Prime Minister hands over the government bill to Parliament. Private member's bills, on the other hand, can be introduced before Parliament by the chair of a standing committee or by any member of Parliament.

The most common bills in Rwanda are government bills. As such, the earliest process of initiating bills in order to enact legislation in Rwanda occurs at the level of the executive branch of the government, in sector ministries.

Government and private member's bills - process (Art. 88, Constitution of the Republic of Rwanda)

2 TYPES OF BILLS



To this end, the Instructions of the Minister of Justice n°01/11 of 20 May 2005 on the procedure to be followed when drafting bills and orders provide a legal basis for the participation of CSOs in the government initiated legislative process in Rwanda. Specifically, Article 2 of these Instructions states that:

“[t]he drafting of laws initiated by Government shall begin in the Ministries as bills or draft bills. Before being approved as a relevant and well-elaborated bill, the latter must undergo a long process that includes discussion with all parties concerned”.

Article 3 further elaborates that:

“[a] law or an order is drafted to serve the concerned community. This being the reason why, when a Ministry initiates a bill or draft order affecting the public in general, it should first discuss its relevance with those concerned so that the resulting law or order can adequately address their situation”.

Similarly, Article 6 of the Instructions provides that:

“[t]he initiating Ministry in collaboration with the Ministry of Justice should first elaborate a bill or a draft order that has been the subject of consultation [with] those concerned”.

The participation of CSOs in the legislative process can occur in several ways. Once the policy in a particular area is clarified and drafted in legal language, the experts and lawyers initiating the law-making process are expected to consult external stakeholders (including CSOs) on the content of the bill. The same procedure applies to draft orders.

In addition, the Parliament can invite any institution it deems relevant to make a submission before the standing committee (Art. 114, Organic Law n°06/2006 of 15/02/2006 establishing internal rules of procedure of the chamber of deputies in the parliament as modified and complemented to date). Moreover, in principle, sessions for both plenary and standing committees are open to the general public, including CSOs.

Nevertheless, as will be illustrated in the subsequent sections of this report, the study found that despite the legal framework allowing CSO consultation during the legislative process, there are no systematic and adequate procedures and guidelines in place detailing how consultation with different stakeholders (specifically CSOs) should operate as part of the legislative process.

1.3.2. Role of CSOs in the legislative process

This study applies the definition of CSOs as adopted in Rwanda’s Civil Society Policy, namely “any organizations, whether formal or informal, that are not part of the apparatus of government, that do not distribute profits to their directors or operators, that are self-governing, and in which participation is a matter of free choice” (Final Draft Civil Society Policy, 2018). According to this definition and consistent with Law no. 04/2012 governing the functioning of national non-governmental organizations in Rwanda, the study targeted the following CSOs: foundations and umbrella organizations, public interest organizations, common interest organizations, international organizations, religious organizations and community-based informal organizations.

The benefits gained from the participation of civil society in the legislative process cannot be overestimated. The right to participate in Government and public service in all decision-making processes is guaranteed by Article 27 of the Constitution of Rwanda as well as core human rights instruments to which Rwanda is a party (e.g. African Charter on Human and People’s Rights, Art. 13). Other advantages of such participation include more fair, inclusive, just and stable laws as well as improved compliance with enacted laws.

On the other hand, the cost of non-participation in the legislative process is very high and includes unpopular laws which are unable to meet the needs of the society and constant

revisions of laws. Above all, lack of inclusion in the legislative process is a deprivation of the citizens' fundamental right to participate in all decision-making processes in the country. This is especially relevant to the most vulnerable and marginalized groups, such as women, young people, people with disabilities and other historically marginalized groups.

The legal and policy framework in Rwanda recognizes civil society as a key partner and stakeholder in national development, as stated in the Civil Society Policy: "CSOs play a role in identifying unaddressed problems and bringing them to public attention, in protecting basic human rights and in giving voice to the wide range of political, environmental, social and community interests and concerns" (Final Draft Civil Society Policy, 2018:11). Furthermore, the United Nations states that "[a]n organized civil society is an imperative condition for and an expression of democracy. It is an intermediary between state and society and a key element in good governance" (UN, 2010:33).

The right to participation is equally guaranteed under the law regulating national NGOs which explicitly provides that one of the fundamental rights of an NGO is "to put forward views in designing national policies and legislation in relation with the functioning of national non-governmental organizations" and, specifically, "to express opinions and views on national policies and legislation" (Art. 28 (1) & (3), Law n°04/2012 of 17/02/2012 governing the organization and the functioning of national non-governmental organizations).

Furthermore, CSOs are strongly recognized by the Government of Rwanda as an important pillar of good governance. The important role of CSOs is emphasized in the NST1 under the theme 'Transformational Governance' in areas which include: (i) accountability, (ii) citizen empowerment and participation as well as (iii) monitoring and ensuring effective service delivery. Equally, the importance of the involvement of CSOs in keeping the government accountable is emphasized in Rwanda's Vision 2050 report.

CSOs should be able to participate in different stages of the legislation cycle, including policy formulation, legislative drafting, parliamentary review of the bill at standing committee level, adoption by the parliament during plenary session, dissemination of the law as well as implementation, review and monitoring.

CSOs could play a two-fold role in this process. On one hand, CSOs are a suitable institutional tool for facilitating citizen participation in public policy. Civil society is an important channel for public participation. CSOs enable citizens to organize themselves as well as to express and advocate for their legitimate interests more effectively—all while the entire process of participation more transparent and democratic. On the other hand, CSOs are also a legitimate party to the legislative process—at least insofar as some of the human rights are also extended to CSOs (e.g. freedom of speech, freedom of association and free access to information).

1.4. Report outline

This report is composed of four parts: (i) introduction, (ii) description of the study methodology, (iii) presentation of key findings, and (iv) conclusion and recommendations.

Key findings are clustered under the following sub-themes: (i) the political, economic, social, technological, and legal factors underpinning CSO's ability to engage effectively in the legislative process; (ii) the extent of CSOs' participation in the legislative process at different levels; (iii) the challenges faced by CSOs when participating in the legislative process; (iv) the challenges faced by the legislative machinery in engaging with CSOs; (v) the opportunities for leveraging CSO participation in the legislative process and (vi) selected case studies of good practices from other countries.

2. SOURCES

2.1. Literature review

In order to strengthen the understanding of the context underpinning CSOs' participation in the legislative process in Rwanda, a literature review which involved the PESTLE analysis was conducted as part of the study.

This type of analysis can be helpful as a tool for assessing the risks involved in the impact of a variety of external factors on the operation and success of civil society organizations. It involves an assessment of political, economic, social, technological and legal factors that affect the CSOs' performance in the context of Rwanda.

This review will begin by briefly discussing the legislative process in Rwanda and will identify opportunities for engagement of CSOs in that process. Subsequently, it will use each of the PESTLE factors as tools for analyzing the extent to which CSOs in Rwanda are able to use those opportunities in practice. The review will conclude with a consideration of legal frameworks for the operation of CSOs in other countries within the EAC region in order to identify best practices.²

2.2. Focus group discussions

Eighteen focus group discussions ("FGDs") were conducted with different types of CSOs at both district and national levels. One district per province was covered as well as all the three districts of Kigali City. Each FGD was attended by eleven participants and each session lasted from two to three hours. In total, 193 participants participated in the FGDs. The following categories of CSOs were targeted for FGD discussions: national level umbrella organizations, public interest organizations and common Interest organizations (notably those representing the interests of women, youth, persons with disabilities and historically marginalized groups), community-based organizations, foundations and religious organizations.

2.3. Key informants interviews

Key informant investigations ("KIIs") were conducted with thirty selected key informants. Interviewed participants were selected from amongst employees of government institutions, development partners and international organizations and also included independent experts from the media and academia.

¹For the complete list of all focus group participants please see Annex II of this report.

3. PRESENTATION AND ANALYSIS OF FINDINGS

3.1. Political, economic, social, technological and legal factors underpinning CSO participation

The legislative process in Rwanda is based on the principle of separation of powers between the executive and the legislative branches of the government (Xanthaki, 2013), with the executive branch being primarily responsible for proposing policies and bills and the legislative branch holding power over the review, amendment and passing of bills (Ikiriza, 2013). Bills can be initiated at the sector ministry level, with the right to propose and amend legislation being vested in the parliamentary and executive levels acting through the cabinet (Ikiriza, 2012). The initiation of a bill is followed by a consultation process which disseminates drafts to relevant stakeholders for feedback as well as providing responses to the feedback (Xanthaki, 2013). Subsequently, the draft legislation is reviewed by the Rwanda Law Reform Commission and forwarded to the Ministry of Justice, and it is then transmitted to the cabinet for consideration and, later, at the request of the Prime Minister, to the Lower House of Parliament (to be considered by members of parliament) and to the Senate (Ikiriza, 2013). The key opportunities for the CSOs to participate in the legislative process in the country include impacting the government's policy prior to the beginning of the legislative process as well as providing feedback on proposed legislation during the drafting stage of a particular bill. The extent to which CSOs are allowed/enabled to do that in practice will be evaluated in the following sections.

- **Political analysis**

Given the scope of the review and its focus on the participation of CSOs in the legislative processes in Rwanda, there are two questions related to the political landscape of the country which are pertinent to a political analysis: (a) are there any established routes for the CSOs to impact government policy? and (b) are these routes effective in allowing the CSOs to impact government policy in practice? With regards to the first question, both the government's Vision 2020 and the 7 Years Government Program National Strategy for Transformation (NST 1) (7 Years Program) (2017) propose to involve civil society in the operation of government policy.

In particular, "Vision 2020" declares that the institutional framework for the implementation of the government's strategy "is within the ambitions of all players", including civil society and CSOs (2012:22). Equally, the 7 Years Program envisions that the participation of CSOs in the implementation of the program will be facilitated as part of joint sector reviews through sector working groups, bringing together the government, development partners, the private sector and civil society at a national level, and as part of the Joint Action Development Forum through district development strategies (2017:30) at a local level.

The existence of such channels does not guarantee that CSOs are able to effectively use them to influence government policy. Poor government accountability can negatively impact the ability of CSOs to participate in state policymaking, particularly where the existing governance system shows low levels of accountability and enforcement as well as high levels of corruption.

On a positive note, some reports confirm that CSOs are in practice regularly asked to engage in policy forming through individual consultations on policy which are relevant to their capacities

and aims, as well as through sector working groups, and sometimes through informal consultations as part of a knowledge-sharing process (Costantini et al., 2013:31). However, these are ad hoc consultations that are not streamlined in legislative making processes.

CSOs in Rwanda appear to be operating in a political environment which allows them to effectively influence public policy, and through that to have an indirect impact on the country's legislative processes.

CASE STUDY:

CSOs' engagement with revisions of the Penal Code

The passing of the current law determining offences and penalties in general (2018) and its predecessor, the organic law instituting the penal code (2012), involved an extended and successful civil society engagement. The advocacy journey can be phased into two major parts: phase 1 (2009-2012) and phase 2 (2012-2018).

Phase 1 (2009-2012)

In August 2009, Rwanda's civil society organizations embarked on an extended advocacy campaign to decriminalize the status of LGBTIs and sex workers under Rwanda's draft penal code. Criminalizing LGBTIs and sex workers were among the "new developments" proposed under the draft penal code which, upon promulgation, would replace the existing law that was in force since 1977. The draft penal code included Articles 217, which criminalized same sex relationships, and Article 221, which criminalized sex workers. Between 2009 and 2012 an informal network of 17 CSOs later named as the Civil Society Coalition on the Rights of Sexual Minorities successfully advocated for the repeal of Article 217. Also, while criminalization of sex work was maintained, some modest modifications were made which indicated progress towards potential future decriminalization.

Phase 2 (2012-2018)

Phase 2 of the advocacy campaign focused on decriminalization of sex work/prostitution and removing barriers to safe abortion under the 2012 penal code. The advocacy campaign was spearheaded by three CSOs: HDI, GLIDH and IMRO. Several CSOs were asked to sign petition letters submitted to the Parliament as well as different government agencies. The advocacy campaign yielded significant successes. Specifically, the campaign led to the decriminalization of sex work/prostitution under the modified law determining offences and penalties in general (2018). Prostitution, except when qualified as sexual exploitation, was also decriminalized under the new law on prevention, suppression and punishment of trafficking in persons and exploitation of others (2018). In relation to removing barriers to safe abortion, the new penal code included child defilement among exemptions from criminal liability for abortion and prescribed a legal procedure through which an application for child abortion could be made. Further, the requirement for a court order to be issued before an abortion in exceptional circumstances which was in place under the previous law was repealed. The new law empowers the Minister in charge of the Health Department to enact clear guidelines and conditions to be satisfied for a medical doctor to perform abortion legally. Due to the efforts of the coalition members and their advocacy, a Ministerial Order to this effect was also subsequently passed.

Strategies used

Strategies used included submission of two petitions to the National Parliament of Rwanda.

One petition concerned revisions to the penal code and the other related to the human trafficking law. Throughout the entire process, the coalition members worked closely with the Parliament's Standing Committee on Political affairs and Gender, and the Standing Committee on Unity,

Human Rights and the Fights against Genocide, which were respectively assigned to review drafts of the penal code and the human trafficking law. Other strategies included media campaigns which used the opinions of the relevant stakeholders, including the CSOs, youth, etc., as well as awareness raising through other outreach campaigns.

Lessons learned

- ✓ Members of Parliament, especially members of the parliament's standing committees, are very open minded and willing to consider civil society views when supported by strong evidence and presented as easy to read policy briefs and position papers.
- ✓ Advocacy is a long-term process which calls for resilience, possible changing of strategies and continuous updates of information on evolving trends.
- ✓ Multifaceted approaches for advocacy need to be deployed during advocacy campaigns to influence the content of legislation effectively.
- ✓ There is adequate space for meaningful and fruitful engagement between civil society and Government as well as Parliament. The Parliament is eager to listen to the civil society during the legislative process. Civil society in Rwanda can freely engage in sensitive human rights issues with no fear of any backlash.
- ✓ Advocacy is an art which must be anchored in solid evidence, adjusted to the political context and use multifaceted approaches.
- ✓ A successful advocacy campaign calls for strong coalition building, with a critical mass and a shared ideology, endowed with pragmatic leadership. Specifically, the involvement of the primary beneficiaries of the advocacy campaign is critical.
- ✓ There is significant potential within Rwanda's civil society to engage in successful policy making and legal reforms. However, there are many deficits in terms of capacity which need to be overcome first. For instance, there is a need to train civil society leaders to use a rights-based approach towards activism.
- ✓ Advocacy programs should be delivered in all CSOs in order to ensure sustainability and accumulation of skills in pursuing advocacy initiatives and avoid ad hoc interventions.

• Economic analysis

An analysis of the economic factors influencing an organization typically involves the assessment of conditions such as economic growth, poverty levels and average wages. In the context of the operation of CSOs and their impact on the legislative processes in the country, it is also necessary to consider the financial support provided to the CSOs, which influences their capacity to participate in such processes. Ambitious objectives involving economic improvement on both micro and macro levels are at the core of Vision 2020 and the 7 Years Program. In particular, the three main objectives of Vision 2020 include:

- i. macro-economic stability and wealth creation to reduce aid dependency,
- ii. structural economic transformation
- iii. creating a productive middle class and fostering entrepreneurship (2012:6-8). As part of its vision, the government committed to "fundamentally transform Rwanda into middle-income country" by increasing per capita income from US\$595 to US\$1,240 (as reported in 2011), decreasing the poverty rate to 20% from 44.9% (as reported in 2011) and extending average life expectancy from 49 years to 66 years (as reported in 2000) (Vision 2020, 2012:6). Similarly, under its 7 Years Program the government committed to creating 1,500,000 "decent

and productive” jobs for economic development, accelerating sustainable urbanization from 18.4% (2016/17) to 35%, establishing Rwanda as a globally competitive knowledge-based economy, growing exports by 17% annually as well as increasing domestic savings and positioning Rwanda as a hub for financial services (2017:3-10). As such, at the policy level Rwanda appears to be led by a strong government committed to fostering a prosperous economy in which CSOs could thrive due to the ability of the citizens to sustain them.

Nevertheless, this ambitious plan does not directly correlate with the availability of sufficient financial resources to the CSOs which would enable them to operate in a sustainable manner and effectively influence legislative processes. For instance, according to the Barometer 88% of the responding CSOs described the amount of finance available to them in order to achieve their goals as less than adequate (2015:73).

- **Social analysis**

An analysis of the social landscape in the context of assessing the participation of CSOs in legislative processes in Rwanda should be based on the following questions: (i) Do the CSOs effectively engage with the citizens in order to gauge their opinions about the legislative processes? and (ii) Do the CSOs meet the needs of the society, therefore gaining citizens’ trust to lobby on their behalf? With regards to the first question, the Barometer reports that the CSOs in Rwanda do indeed engage effectively with citizens by informing and educating them about a variety of issues, including: public issues (67.2%); ability of the citizens to organize themselves, mobilise resources and work together to solve common problems (70.7%); empowerment of vulnerable people (73.8%); empowerment of women (73%) and empowerment of youth (68.1%) (2015:62). While the survey carried out as part of the Barometer does not refer specifically to the CSOs’ conversations with citizens about their opinions on existing and proposed laws, it could be concluded that the high level of engagement with the public prevalent amongst CSOs enables them to develop a high level of understanding of problems faced by citizens. This, in turn, provides them with the necessary expertise to influence the legislative process on behalf of citizens. Similarly, the Barometer reports high levels of effectiveness of the CSOs in meeting societal needs through lobbying.

For example, 68.2% of the CSOs participating in the Barometer were found to be active or very active in lobbying for state service provision, while 59.6% were found to be active or very active in lobbying for poverty eradication (2015:63). The level of lobbying for environmental sustainability was slightly lower (62.7%), but still reasonably high given the profile of the country (2015:63). Equally, CSOs were found to be 75% effective in responding to priority social concerns expressed by the citizens (2015:64). Moreover, the National Policy on Civil Society (“Policy”) released by the Ministry of Local Government in 2018 acknowledges the important place of the civil society in Rwandan culture, stating that CSOs are seen as “an increasingly important agent for promoting good governance, including transparency, effectiveness, openness, responsiveness and accountability” (2018:11). The Policy further emphasizes the significant role of civil society within the upcoming Vision 2050 (2018:11). CSOs in Rwanda appear to be meeting the needs of the society to a significant extent, allowing them to build an appropriate level of trust with the citizens, required to lobby on their behalf. This level of trust coupled with expertise in recognizing the needs of the citizens gained through extensive engagement with the public puts the CSOs in a strong position as influencers of the legislative processes in Rwanda.

- **Technological factors**

A typical analysis of the technological landscape in which an organization operates involves consideration of the impact of any technological advancements on the operation of that

organization.

In the context of the impact of CSOs on the country's legislative processes, the main assessment relates to the following questions: (i) Do the CSOs require any specific tools/technologies in order to participate in the legislative processes in the country? and if this is the case, then (ii) Do the CSOs have easy access to such tools/technologies so they can influence legislative processes effectively? The technologies CSOs require in order to operate in a sustainable manner and maintain their capacity to participate in the legislative processes can be divided into two types. Firstly, the CSOs require access to basic tools that enable them to operate as a coherent entity such as computer-related technology, appropriate office facilities and effective recruitment systems.

Secondly, the CSOs require a system which provides them with routes of engagement with the legislative processes to be sufficiently easy to use so engagement does not constitute an undue burden on the CSO. With regards to the first type of technology, the Policy identified insufficient financial and human resources as one of the key constraints faced by the CSOs in Rwanda (2018:14). The Policy acknowledges that the "lack of financial resources is perceived to hold back at 90.5% the performance of local CSOs in Rwanda from implementing their projects, while the lack of skilled human resources is perceived to affect the performance of CSOs at the tune of 34.7%" (2018:14).

The challenge may be in capacity building of CSO's actors to use available technologies, including social media to advance and advocate for changes they want to see.

- **Legal analysis**

In the context of the ability of CSOs to influence the legislative processes in the country, it is necessary to consider the following questions: (i) Are the CSOs legally allowed to operate in the country? and (ii) Are the CSOs legally allowed to influence the legislative processes? In relation to the first question, the Constitution of the Republic of Rwanda (as amended in 2015) guarantees the citizens of the country a comprehensive range of basic human rights. Article 39 of the Constitution of the Republic of Rwanda (as amended in 2015) provides for the freedom of association without prior authorisation, which can be exercised by the citizens "under conditions determined by law". Moreover, according to Article 41, citizens can be prevented from exercising their right to free association if such association would be against public morals, public order, or the social welfare of the country. Articles 42 and 43 further confirm that the promotion of those rights is a responsibility of the state (Article 42) and that such rights should be protected by the judiciary (Article 43). The rights embedded in Articles 39 and 40 are standard rights which enable the successful operation of CSOs in any democratic society. Therefore, the basic legal framework of the state can be described as welcoming to CSOs.

This basic framework is further strengthened by the ongoing reforms to the legislative framework for establishing CSOs in Rwanda which occurred in 2012 and enabled the registration of over 2,000 CSOs between 2012 and 2018, compared to the 400 CSOs that existed before 2012 (Policy, 2018:13). The Policy created by the Ministry of Local Government in 2018 constituted yet another step towards making the legal environment in Rwanda even more CSO-friendly, since the Ministry announced in the Policy document that the framework included in that document would serve as the basis of further legal reforms in this area that would recognize the needs of CSOs even more (2018, pp. 9-13). In line with this, the Policy recognises the need for improvement of the legal framework related to CSOs, particularly with regards to the registration processes and the "general operational environment" (2018:14). This demonstrates that despite the significant improvement of the legal framework for the operation of CSOs in

Rwanda in the past decade, CSOs continue to face certain legal challenges which might impact their ability to influence legislative processes in the country.

The second question related to the legal assessment of the environment in which the CSOs in Rwanda operate concerns their ability to legally influence legislative processes.

The Instructions of the Minister of Justice n°01/11 of 20 May 2005 on the procedure to be followed when drafting bills and orders provides a legal basis for the participation of CSOs in the government-initiated legislative process in Rwanda. Specifically, Article 2 of these

Instructions provides: “[t]he drafting of laws initiated by Government shall begin in the Ministries as bills or draft bills. Before being approved as a relevant and well-elaborated bill, the latter must undergo a long process that includes discussion with all parties concerned”. Article 3 subsequently elaborates that: “[a] law or an order is drafted to serve the concerned community.

This being the reason why, when a Ministry initiates a bill or draft order affecting the public in general, it should first discuss its relevance with those concerned so that the resulting law or order can adequately address their situation”. Similarly, Article 6 of the Instructions provides that: “[t]he initiating Ministry in collaboration with the Ministry of Justice should first elaborate a bill or a draft order that has been the subject of consultation [with] those concerned”.

In addition, Parliament can also invite any institution deemed relevant to make a submission before a standing committee. In addition, CSOs have a right to express opinions and views on national policies and legislation (Art. 28, Law n°04/2012 of 17/02/2012 governing the organization and the functioning of national non-governmental organizations). Moreover, Art. 48 of the Constitution provides a right to participation “in the development of the country”, which may be construed as a right to participate in law-making.

Moreover, at the level of Parliament, the Organic Law N° 006/2018.OL of 08/09/2018 determining the functioning of the Chamber of Deputies (“Law on functioning of the Chamber of Deputies”) allows citizen’s participation through private petitions which could seek to amend or abrogate an existing law in whole or in part, initiate a new law (art. 156). According to a Key Informant, for such petition to be put on the agenda of a standing committee of Parliament, the initial test is one of credibility: is the petition addressing a new issue or an existing one, are the recommendations and findings based on sound research that Parliament can rely upon? Art. 68 of the Law on functioning of the Chamber of Deputies provides: “Committee meetings are open to the public but those attending them as observers are not given the floor.

However, the Committee may organise special sessions on a draft law or private member’s bill or an issue in which members of the public and journalists may be given the floor.” This provision calls for an interested party to apply in advance and justify why he should be given the floor.

Furthermore, in 2019 the Rwanda Law Reform Commission prepared a draft of the first edition of Rwanda’s Legislative Drafting Manual, which sets out the legislation drafting procedure to be followed. The Manual has now been further developed into a Draft Law on Legislative Drafting that is expected to ultimately be forwarded to Cabinet and Parliament for adoption. The Draft Law currently requires, in addition to conducting and reporting on the research conducted,

The institution initiating legislation, including members of parliament, are required to conduct consultations with (a) relevant State organs; (b) experts, (c) directly affected groups; (d) the general public; (e) civil society; (f) Private Sector Federation and (g) other interested groups. Most importantly, the initiating MP or ministry shall be required to submit a report

on consultations including institutions and people consulted (Art. 36, Draft Law on Legislative Drafting)). Consultations with civil society during the legislative process do indeed take place pending the introduction of the Law on Legislative Drafting (Gateraruke, 2012:38). However, such consultations are largely conducted in an ad hoc manner, with no systematic procedures being put in place (Gateraruke, 2012:38). Therefore, the introduction of the Law will be a significant step towards a more systematic inclusion of CSOs in legislative process in Rwanda.

International Framework on citizen's participation

The right to participation in the conduct of public affairs is a fundamental human right, which is set out in several international and regional human rights instruments. In most of these instruments, the right consists of at least two elements: a general right to take part in the conduct of public affairs; and a more specific right to vote and/or to be elected. Thus article 25 of the International Covenant on Civil and Political Rights ("ICCPR") provides:

Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions:

- a. To take part in the conduct of public affairs, directly or through freely chosen representatives.
- b. To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors".

Significantly, the ICCPR guarantees not only the "right" but also the "opportunity" to take part in the conduct of public affairs (Novak, 1999, 439). This imposes an obligation on states to take positive steps to ensure that their citizens have an opportunity to exercise their right to public participation. The right enshrined in article 25 must be understood in the light of article 19 of the ICCPR, which provides:

2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.

Both articles 19 and 25 guarantee not only the positive right to public participation, but simultaneously impose a duty on states to facilitate public participation in the conduct of public affairs by ensuring that this right can be realised. Taken together, they seek to ensure that citizens have the necessary information and the effective opportunity to exercise the right to political participation.

Since the adoption of the ICCPR, various regional human rights instruments and declarations have reaffirmed the right to political participation. The relevant regional human rights instrument in the context of our country is the African [Banjul] Charter on Human and Peoples' Rights ("African Charter"), adopted on 27 June 1981. Rwanda ratified the African Charter on 01/07/1983 (through Law n° 10/1983 of 01/07/1983 O.G. n°. 13 of 01/07/1983, p.343).

The African Charter is more specific than the ICCPR in spelling out the obligation of states

parties to ensure that people are well informed of the rights in the African Charter. The relevant articles are articles 9, 13 and 25 which provide:

“Article 9

Every individual shall have the right to receive information.

Every individual shall have the right to express and disseminate his opinions within the law.

....

Article 13

1. Every citizen shall have the right to participate freely in the government of his country, either directly or through freely chosen representatives in accordance with the provisions of the law.

Article 25

States parties to the present Charter shall have the duty to promote and ensure through teaching, education and publication, the respect of the rights and freedoms contained in the present Charter and to see to it that these freedoms and rights as well as corresponding obligations and duties are understood.”

Similarly, the American Convention on Human Rights provides in article 23 that all citizens shall enjoy the right and opportunity “to take part in the conduct of public affairs, directly or through freely chosen representatives” (American Convention on Human Rights, adopted 22 November 1969 (entered into force 18 July 1976) article 23(1)(a)). The Harare Commonwealth Declaration proclaims the “individual’s inalienable right to participate by means of free and democratic processes in framing the society in which he or she lives” (Harare Commonwealth Declaration of 1991, issued by Heads of Government in Harare, Zimbabwe, 20 October 1991, article 4.). The Inter-American Democratic Charter re-affirms that “the participatory nature of democracy in [the American] countries in different aspects of public life contributes to the consolidation of democratic values and to freedom and solidarity in the Hemisphere” (Inter-American Democratic Charter, adopted 11 September 2001, preamble. Article 2 of the Charter provides that “[r]epresentative democracy is strengthened and deepened by permanent, ethical, and responsible participation of the citizenry within a legal framework conforming to the respective constitutional order”). It further asserts that “[i]t is the right and responsibility of all citizens to participate in decisions relating to their own development. This is also a necessary condition for the full and effective exercise of democracy. Promoting and fostering diverse forms of participation strengthens democracy.” (Id, Article 6).

Nature and scope of the right

The precise nature and scope of the international law right to participate in the conduct of public affairs is a matter for individual states to determine through their laws and policies. Under article 25 of the ICCPR, states are to establish “powers and the means by which individual citizens exercise the right to participate in the conduct. of public affairs protected by article 25” in national constitutions and other laws. (Human Rights Committee General Comment No. 25: at para. 5). As the Human Rights Committee has explained, “[i]t is for the legal and constitutional system of the State party to provide for the modalities of such participation.”(Marshall v Canada No 205/1986, (1991) at para 5.4.)

The right to political participation has been described as an open-textured “programmatic” right, which is open to experimental reformulation and which will necessarily change in the

light of ongoing national experiences:

Fresh understandings and different institutionalizations of the right in different cultural and political contexts may reveal what an increasing number of states believe to be a necessary minimum of political participation for all states. That minimum should never require less of a government than provision for meaningful exercise of choice by citizens in some form of electoral process permitting active debate on a broad if not unlimited range of issues. But it could require much more. (Steiner (1988) at 134)



The right to take part in the conduct of public affairs must be realised through the programs and policies of states. But more importantly, the right to political participation must be left to gather its meaning and content from historical and cultural experience. What is required is for “States to adopt such legislative and other measures as may be necessary to ensure that citizens have an effective opportunity to enjoy the rights it protects.”

The right to political participation includes but is not limited to the right to vote in an election. That right, which is specified in article 25(b) of the ICCPR, represents one institutionalisation of the right to take part in the conduct of public affairs. The broader right, which is provided for in article 25(a), envisages forms of political participation which are not limited to participation in the electoral process. It is now generally accepted that modes of participation may include not only indirect participation through elected representatives but also forms of direct participation (Human Rights Committee, General Comment 28, at para. 1).

According to the Inter-Parliamentary Union, an international organisation of Parliaments of sovereign States, which serves as a focal point for worldwide parliamentary dialogue, “direct participation means that not only elected representatives, but citizens too are able to participate directly in public affairs, either through public debate and dialogue with elected representatives, referendums and popular initiatives or through self-organisation, guaranteed under the freedoms of expression, assembly and association” (Inter-Parliamentary Union and U.N. High Commissioner for Human Rights, at 121).

In this regard the Human Rights Committee has explained that:

“Citizens participate directly in the conduct of public affairs when they exercise power as members of legislative bodies or by holding executive office. This right of direct participation is supported by paragraph (b). Citizens also participate directly in the conduct of public affairs when they choose or change their constitution or decide public issues through a referendum or other electoral process conducted in accordance with paragraph (b). Citizens may participate directly by taking part in popular assemblies, which have the power to make decisions about local issues or about the affairs of a particular community and in bodies established to represent citizens in consultation with government.

....

Citizens also take part in the conduct of public affairs by exerting influence through public debate and dialogue with their representatives or through their capacity to organize themselves. This participation is supported by ensuring freedom of expression, assembly and association.” (Human Rights Committee, at

paras 6 and 9).

The right to political participation can therefore be realised in many ways. As one commentator has observed of article 25 of the ICCPR:

[T]he right to political participation can be realized in multiple ways, and it is not possible to derive from this provision one single means of realizing it. In this context, the heterogeneity of the parties' political systems and the different degrees of political participation provided for.

Democratic systems and theories may be more or less focused upon representation and may balance the division of powers between central and local authorities differently. For some theories on democracy, the right to vote for representatives is satisfactory. Other theories are more expansive and place a higher value on participatory elements in society. The latter approach suggests citizens' participation before local authorities with decentralized power and public involvement in local government." even in democratic states, should not be overlooked (Ebbesson, 1997, at 70)



The idea of allowing the public to participate in the conduct of public affairs is not a new concept. In this country, the traditional means of public participation include but are not limited to Umuganda/Abunzi/Gacaca. This is a participatory consultation process that was, and still is, followed within the Rwandan community. It is used as a forum to discuss issues affecting the community. This traditional method of public participation, a tradition which is widely used by the government, is both a practical and symbolic part of our democratic processes. It is a form of participatory democracy.

CASE STUDY:

CSOs' engagement with the modification of the national NGO law

The ongoing process of revising law n°04/2012 of 17/02/2012 governing the organization and the functioning of national non-governmental organizations is a solid example of CSO's involvement in the legislative process. Since 2018, the Rwanda Governance Board ("RGB") has extensively engaged national NGOs in providing inputs into the draft law. In particular, several consultative meetings were held between representatives of CSOs and the RGB to discuss both the content and the spirit of the law.

Specifically, an informal network of CSOs referred to as the Civil Society Advocacy Team proposed detailed amendments of the draft law related to the establishment, organization and functioning of national NGOs, including recommendations related to several draft articles. The inputs were submitted to the RGB through the Rwanda Civil Society Platform in March 2019.

As a result of extensive consultation, the presentation of the bill to the Parliament was significantly delayed. However, such a delay ensured that the law passed reflected the needs of the society.

Lessons learned

- ✓ Government, and particularly the RGB, is fully committed to consulting with all relevant national NGOs on the content of the law.
- ✓ The contributions/views of CSOs are taken seriously during the drafting of different laws and policies.
- ✓ There is need for CSOs to mobilize themselves and share resources in terms of delivering advocacy work. Advocacy is not a one-time event, but rather a cyclical process involving continuous engagement and learning through the collection and analysis of evidence.

3.2. Current level of CSO participation in the legislative process in Rwanda

Overall CSO participation

Overall, the majority of study participants describe the level of participation of CSOs in the legislative process as low. The majority of FGD participants (especially CBOs and rural based CSOs) reported that they have never participated in the legislative process in any manner. An issue consistently highlighted on the question of CSO's participation in the legislative process is the flow of information (or lack thereof). There is no formal requirement for government institutions to consult CSOs, hence CSOs must constantly remain alert and seek information on developments in ministries through backdoor channels.

We have never participated in any consultation regarding any law.
FGD participant, Rubavu

This perception was reported across the majority of FGDs. The study further reveals that the majority of respondents during FGDs expressed ignorance or indifference towards their right to influence the policy making and legislative process through participation.

I think the process of enacting laws is the duty of our MPS and I think they do it well. I do not see our role in that.
FGD Participant, Muhanga

In order to ensure that there is effective CSO participation in the legislative process, CSOs must embrace it as a fundamental human right and incorporate it into their core program areas. Otherwise, active participation from CSOs is likely to remain limited.

Good practices of CSO participation in the legislative process

The level of participation was higher among umbrella organisations and well-resourced national level CSOs.

We have been consulted by parliament on a number of different laws such as the tax law, access to justice laws.

FGD participant from an umbrella organisation

Another FGD participant from an umbrella organisation added:

Civil society organisations have influenced a number of laws. For example, HDI, GLIDH and IMRO successfully advocated for increased grounds of legal abortion as well as the decriminalisation of sex workers/prostitution under the new penal code.

Yet another participant – also a member of an umbrella organisation – reflected:

Currently, RGB is in consultation with civil society organisations in the process of modifying the current law regulating national NGOs. We have raised a number of issues which we want to be addressed in the new law.

Based on such remarks, it can be concluded that while participation in the legislative process may be low amongst CSOs in general, there are good practices of umbrella organisations and well-resourced CSOs operating at a national level which could inspire an increased level of participation in the legislative process by other CSOs.

Conversely, while umbrella organisations demonstrated a higher level of participation in the legislative process, it also highlighted that there is inadequate consultation between umbrella organisations (the majority of which are grass-root CSOs) and their constituents.

For example, when questioned on the extent to which grass-root organisations are consulted by their umbrella orga

Sometimes we are informed by our umbrellas that they have advocated on some laws, without our contribution.

FGD participant, Kayonza

This view was widely shared by common and public interest organisations as well as CBOs interviewed during the study.

More focus on service delivery than on public policy advocacy agenda

The majority of CSOs interviewed as part of the study are focused on a service delivery agenda rather than on a public policy agenda. Those CSOs do not embrace public policy advocacy/influence within their mandate. They admit that policy advocacy is not fully mainstreamed or considered as a stand-alone programme within their respective strategic action plans. This effort at participation is additionally hampered by the limited resources of CSOs who cannot

afford to have dedicated personnel assigned to this intelligence gathering task on legislative developments in the executive

CSO participation varied in a number of aspects

The study also revealed that the level of civil society engagement in the legislative process varies depending on the institution that initiated the law and the importance of the proposed law. Respondents confirmed this while listing institutions that engage more frequently and effectively with CSOs when a bill is initiated. These are the Ministry of Justice (“MINIJUST”), the Ministry of Gender and Family Promotion (“MIGEPROF”) and the Rwanda Law Reform Commission (“RLRC”). Findings of the study show that civil society participation in the legislative process in Rwanda varies according to the nature of the law being initiated. Some respondents agreed that in the case of a bill which reflects the mission and interest of the beneficiaries of the CSO’s programme, the CSO’s participation is very active. However, when it comes to other laws the CSOs do not consider it important to participate in the legislative process. This was confirmed by representatives of women’s organisations reached by a survey, who affirmed that it would be impossible for their organisations not to participate in the passing of laws that may have an implication for gender issues or women’s rights. This was also the case with youth organisations and other organisations working on advocacy for specific issues and specific categories of individuals.

3.3 Effects of limited CSO participation in the legislative process

The study’s findings show that the legislative process with minimal civil society participation or a lack of it generates laws full of gaps in terms of citizens’ interests. In addition, such laws do not properly address the needs of the citizens and often require repeated amendments and revisions, without which they are otherwise left unused. The findings also demonstrate the waste of governmental resources associated with repetitive amendments of laws that had not involved CSOs during the legislative process, which means that failure to do so affects the fair management of public resources (i.e. the national budget). Another issue advanced by the respondents that affects laws adopted without or with little participation of civil society organisations is the fact that CSOs and citizens lack ownership of the law. In other words, they judge the law to be of poor quality because of lack of inclusiveness. This argument is often the starting point of litigation against the institution which passed the law – a litigation which calls into question the reputation of that institution.

CASE STUDY: THE NEW INCOME TAX LAW

In 2018, a modified law establishing taxes on income was promulgated, which introduced substantive reforms with implications on the day to day operations of National NGOs. CSOs were caught off-guard about the content of the modified law. Less than a year after the publication of the law, CSOs began to question the content of the law. Consultative meetings were called to discuss the implications of the new law on the operation of CSOs. One such engagement convened CSOs and the Rwanda Revenue Authority (“RRA”) on 21st February 2019. Earlier, on 18th December 2018, the AJPRODHO had convened a CSO stakeholders’ workshop under the theme “Analysis of the implications of the new income tax law on National NGOs, opportunities and challenges”. Key concerns raised included taxing surplus income for National NGOs, mandatory declaration of financial statements which was to be made not later than the 31st of March following the end of the tax period, certification of NGOs’ financial statements by RRA certified auditors, taxing facilitation fees, including transport and communication for board

members, volunteers, beneficiaries and staff.

Subsequently, in March 2019 CSOs from the Rwanda Civil Society Platform petitioned the Government (specifically the MINECOFIN) with a copy to the Rwanda Revenue Authority and the Rwanda Governance Board, highlighting that they had not been “meaningfully consulted” during the amendment of the law despite the serious impact of that law on their day to day operations. In the petition, CSOs made a number of pleas including a request to convene a dialogue colloquium in the nearest future bringing together the representatives of national NGOs and the relevant government agencies, including the MINECOFIN, the RRA and the RGB, They requested that such a platform should be aimed at achieving common understanding of the provisions of the current law and other tax related laws shared by the civil society and the Government. They also requested a grace period of one year in order to fully comply with the requirement to file a declaration of financial statements. They further requested that the Government postpones the submission date for the declaration of financial statements until the 30th of June. In addition, the CSOs requested that financial audits for NGOs be carried out by duly accredited auditing firms in Rwanda instead of certified auditing firms by the RRA, as required under the new law. They also requested for an exemption on transport and facilitation fees received by board members, staff, volunteers and beneficiaries of NGOs, which is equal to or less than Thirty Thousand Rwandan Francs (30,000 Rwf). More specifically, they requested for timely and extensive consultation of civil society on future laws and policies relating to taxation.

Lessons learned:

- ✓ It is imperative that CSOs are given an opportunity to be pro-active rather than reactive to the law-making process in order to raise their issues before a law is promulgated. At minimum, the Rwanda Civil Society Platform in consultation with its member organisations should be able to monitor the upcoming draft laws to analyse their implications and make timely petitions requesting relevant modifications.
- ✓ Sharing the cost of convening the advocacy sessions amongst the CSOs is effective at getting the CSOs to participate in legal and policy advocacy campaigns.
- ✓ Both the Government and the Parliament ought to engage all relevant stakeholders before passing a law to avoid subsequent criticisms of the law from different interest groups, which leads to lack of ownership of the law and subsequent modifications of the law.
- ✓ The Rwanda Civil Society Platform is a key connection between the Government and the CSOs.
- ✓ Individual advocacy initiatives delivered by CSOs should be encouraged and supported by umbrella organisations, especially the Rwanda Civil Society Platform.
- ✓ There is high political will from the Government to listen to and engage with CSOs with regards to valid and genuine requests. Issues raised by the civil society were positively received by the Government which was committed to give them due consideration.

3.4. Challenges faced by CSOs when participating in the legislative process

The study highlights the following challenges inhibiting CSO participation in the legislative process:

- Inadequate legal framework for providing practical guidelines for CSOs’ engagement with the legislative process, including policy formulation, drafting as well as debating and final enactment of legislation. CSOs that engage with the legislative process struggle

in terms of access to draft laws and are not provided with sufficient notice to deliver their inputs.

- Lack of awareness amongst many CSOs (in particular community-based organisations) of the opportunities, entry points and mechanisms for engaging with legislative processes. This is further exacerbated by a lack of clear guidelines for engaging with the legislative cycle.
- Lack of public information on the legislative agenda. The Government and the Parliament often refrain from informing the public about the content of draft laws in preparation. This practice hampers the ability of CSOs to provide input. Even when CSOs try to engage on a particular bill, it is sometimes hard for them to get a copy of the bill in advance of the review and submit their inputs. Moreover, there is a lack of awareness on the part of public officials in charge of policy and legislation of the role of civil society organisations in the policy making and the legislative processes.
- Limited capacity of CSOs in terms of financial, human and technical resources. The majority of CSOs interviewed stated they had limited financial and technical resources to support their interventions. Most CSOs' funds are prepared ad hoc and often secured on an annual or project basis. This perpetuates civil society's vulnerability and undermines their ability to engage with the Government on a long-term basis.
- Inadequate evidence. CSOs often undertake small pieces of research which are not adequate to inform policy change at a national level. They lack the capacity to generate representative and timely supporting data for effective policy engagement. Successful and constructive engagement is highly demanding of CSOs' capacity, particularly in terms of meeting the required standards of data gathering and understanding the process of engagement (i.e. who to engage with and when).
- Poor coordination and consultation mechanisms for CSOs at the thematic level and at the level of existing forums (umbrellas). The voices of individual CSOs are still relatively weak, whereas influencing public policy and legislation calls for a strong and united voice. This is attributed to unhealthy competition between single organisations and forums/umbrellas over resources, which has led to further CSO fragmentation, inadequate connections between CSOs working on similar issues and insufficient links between international and national CSOs as well as between national CSOs and grassroots organisations.
- Lack of confidence amongst CSOs and tendency towards self-censorship. CSOs are aware of the sensitivity of some policy questions in Rwanda and are wary of raising issues that they fear will provoke a negative reaction from the Government. This results in a tendency towards self-censorship, which is in part justified by the context, but often results in excessive risk aversion and inaction on the part of CSOs.

3.5. Challenges faced by legislative institutions when engaging CSOs to participate in the legislative process

The legislative machinery (both government agencies and the Parliament) have limited experience in managing their engagement with CSOs. For example, CSOs complained that they were given only five days to comment on the Government's draft of the National Strategy for Transformation. The Government is also not experienced in listening to CSOs' points of view, often tending to regard policy and planning forums (for example, the JADF or the Sector Working Groups) as an opportunity to communicate government plans and mobilise implementation support from CSOs. The government often appears less interested in the "soft" contributions of CSOs (e.g. policy advice) and more concerned with securing their contribution to delivering hard infrastructure and services, which tend to be the main focus of Imihigo targets.

The legislative institutions (both the executive and the legislature) face a number of challenges

in the process of engaging with CSOs in the legislative process:

- ✓ Inadequate procedural and substantive guidelines for policy makers, legislators and the public to address the complexities of generating policy and its interplay with legislation.
- ✓ Poor coordination and diversity of CSOs which makes it difficult to ensure effective and comprehensive consultation.
- ✓ Government business is conducted with a high degree of haste, leaving limited room for long-term consultation.
- ✓ Although the broad government policy embraces partnership with CSOs, there are some individual government officials who do not fully embrace the role of CSOs in contributing to the legislation process.

3.6. Opportunities for leveraging CSO participation in the legislative process

The study identifies the following opportunities for leveraging CSOs' participation in the legislative process:

- ✓ Affiliation with umbrella organizations. The 2011 Civil Society Index Rwanda report conducted by the CCOAIB revealed that the majority of CSOs in Rwanda are grouped under umbrella organisations. The same study shows that around seven out of ten organisations are members of such umbrellas or other similar platform organisations. Close to 67% of CSOs are members of more than one umbrella organisation. As such, membership in a stronger organisation is vital for individual CSOs, as it can provide them with an opportunity for capacity building for member organisations as well as voicing their concerns, building synergies and more effectively conducting advocacy actions. It is worth noting that for this to be achieved, the umbrella organisations need to be independent and strong as well as working with a significant degree of professionalism. This study's findings confirm that opportunities for CSOs to effectively participate in the legislative process exist in Rwanda, since the majority of CSOs are affiliated with umbrellas and networks which can serve as discussion and consultation forums on the law-making process.
- ✓ Funding opportunities to support advocacy work. Among other opportunities listed by the respondents, the CSOs highlighted the fact that some donors have an interest in policy advocacy, which could be further leveraged by the CSOs.
- ✓ Connection to community and sufficient understanding of issues. CSOs are close to the community and are assumed to have sufficient information on the living conditions of their constituencies. As such, they are considered to be legitimate voices of their constituencies which are equipped with sufficient information that should be considered during the legislative process.
- ✓ Harnessing the use of ICT in expanding the consultation and feedback mechanisms. ICT solutions can make the legislative process easier, faster and more inclusive. ICT solutions involving the creation of e-platforms can enable both bill initiators and the Parliament to restructure business processes, providing communication and information exchange as well as creating new bonds between lawmakers, stakeholders and citizens. By applying a modern and technologically advanced e-legislative solution, connected stakeholders could use information and communication technologies to support the primary functions of law-making more effectively.
- ✓ Effective use of media tools to raise awareness. The majority of focus group participants

recommended that a way to reduce barriers against the engagement of CSOs participation in the legislative process would be to effectively use already existing media tools. Rwanda currently has thirty-six radio stations and twelve TV stations.

3.7. Good practices from other countries

This section presents a selection of good practices of CSOs' engagement with the legislative process from different countries in the EAC region and beyond. Such good practices could serve as inspiration for future legal and policy reforms.

Kenya

The legislative process in Kenya ensures that citizens and CSOs are given sufficient time and space to provide their input into any bill before it is passed as law. One of the best practices in Kenya is that involvement of people (stakeholders' consultations) is gazetted as the fourth step of the thirteen main stages of the legislative process (Kenya Law Reform Commission, 2015:68). Further, at the parliamentary level, before any bill is tabled for discussion it is first published in a special supplementary issue of the Kenya Gazette in order to notify the public and invite representations through elected members or through direct submission of memoranda and petitions (Kenya Law Reform Commission, 2015:69).

Tanzania

The legal framework in Tanzania provides opportunities for CSOs to participate in the legislative process. The process of drafting government bills in Tanzania commences with a sponsoring ministry engaging all stakeholders who are likely to be affected by the proposed enactment. There is also a requirement that bills approved by the cabinet (i.e. government bills) must be published in the official gazette with a statement of their objectives and reasons, signed by the minister responsible for introducing the bill in the National Assembly or by the attorney general (Order 82(2) and 17(2) of the Standing Orders by the Office of the Clerk of the National Assembly established by Art. 87(1) of the Constitution of United Republic of Tanzania). The main rationale for publishing draft bills before their introduction into the Parliament is to promote citizen awareness and encourage their participation by providing inputs and comments. There is an acknowledgement of the need for objective scrutiny of a draft bill from stakeholders who may be more knowledgeable and, therefore, better placed to provide insight based on their expertise, especially on technical aspects of a bill. After the first reading, a proposed bill is referred to an appropriate standing committee for consideration. This committee then issues a notice inviting members of the public (or a particular individual) to appear before it to give their views on the bill to the committee. Such views may then be reflected in the standing committee's report to the full Assembly (Majamba, 2017, pp. 4, 6 & 8).

Uganda

In Uganda, there exists the "Manual on the Legislative Process". The Manual provides that the executive branch initiating legislation may "consult with stakeholders as to the contents of the Bill". More importantly, all bills must be published in the Ugandan Gazette before being introduced to the Parliament (Ministry of Justice and Constitutional Affairs, 2014:4). During the first reading in the Parliament, the sessional committee will typically relevant stakeholders to state their views on the provisions of the bill. In some cases, the committee even holds

separate dedicated hearings for this purpose.

South Africa

In South Africa, the constitutional duty to facilitate public involvement in the legislative and other processes is found in section 59(1)(a) of the NA, section 72(1)(a) of the NCOP and section 118(1)(a) of the provincial legislatures. The nature of public participation radically changed with the drafting of the new South African Constitution in 1996. The new constitution asserts that South Africa is a constitutional democracy which upholds representative and participatory democracy. In a representative context, the members of parliament represent the views of the electorate, whereas in a participatory democracy the public is actively involved in decision-making processes such as law making and oversight. The intention of public participation and involvement in democratic processes is primarily to influence decision-making processes that reflect the 'will of the people'.

Public participation in South Africa includes the duty to facilitate public involvement in legislative and other processes, such as the duty to conduct the business of a legislature in an open manner by holding plenary sittings and committees in public, and the duty not to exclude the public or the media from sittings of the house or committees unless it is reasonable and justifiable to do so in an open and democratic society. The above definition was endorsed by the Constitutional Court in *Doctors for Life International v Speaker of the National Assembly and Others* and in *Matatiele Municipality and Others v President of the RSA and Others*.

The judgement of the Court in *Doctors for Life* explains the meaning of public involvement and provides guidance on what is expected of a legislature in fulfilling this obligation. The Court found that the plain and ordinary meaning of the words "public involvement" or "public participation" refers to the process by which the public participates in something: "[f]acilitation of public involvement in the legislative process, therefore, means taking steps to ensure that the public participate in the legislative process". Since the *Doctors for Life* judgment requires legislators to consider consulting with groups, it provides an incentive for civil society to develop and sustain itself in the hope that groups will have an influence on the legislative process. The judgment in *Doctors for Life* possibly provides an incentive for the Government to assist groups to develop, i.e. to help people who will be affected by controversial legislation to find each other and engage in the kinds of democratic talk that allows them to identify solutions they can live with and advocate for (Czapanskiy & Manjoo, 2008:18).

Selected European countries: Bosnia and Herzegovina, Hungary, Romania and the United Kingdom

The handbook of the Organisation for Economic Cooperation and Development ("OECD"), "Citizens as Partners: OECD Guide to Information, Consultation and Public Participation in Policy Making", distinguishes three levels of cooperation between citizens and public bodies, such as Information, Consultation and Active participation.

Information: this is a one-way relationship – information flows in one direction, from the government to citizens. The government informs the citizens about its decisions and initiatives as it sees fit or citizens extract information on their own initiative. An example of this relationship is public access to documents of public significance, official

gazette, and the government's internet pages.

Consultation: the government requests feedback from citizens in the process of shaping public policy. This is a two-way relationship in which the government determines the participants. In order to receive sound feedback, the government ensures that citizens are provided with pertinent information in advance. An example of this type of relationship is comments to draft laws.

Active participation: this is a higher degree of a two-way relationship. Citizens are actively involved in shaping public policies, e.g. through membership in working groups commissioned to prepare draft laws. The improved collaboration with citizens and other social actors does not absolve the government from its ultimate responsibility to choose and implement a particular public policy.

Legal nature of the right to participate

One of the first challenges policy makers need to confront in developing the mechanism for citizen/CSO participation in legislative processes is to understand where the right to citizen participation/consultation fits into their respective legal systems. Is it a constitutional right per se or is it a right derived from other rights that enjoy direct constitutional protection? Is it a declaratory right which cannot be enforced or a right the breach of which is effectively sanctioned?

The level of CSOs' engagement in the legislative process is assessed under the following issues pertinent to public participation:

ISSUES PERTINENT TO PUBLIC PARTICIPATION	COUNTRY EXPERIENCES			
	 BOSNIA AND HERZEGOVINA	 HUNGARY	 ROMANIA	 UNITED KINGDOM
Forms of public consultation (according to OECD model)	Consultation and active participation	Consultation	Consultation	Consultation
Types of legal instruments encompassed by public consultation	Laws and other general regulations	Laws and other general regulations	Laws and other general regulations	Laws and other general regulations
Private actors that may participate in public consultation	Groups of citizens, private legal entities (i.e. legal entities which are not part of the government's structure), citizens	Citizens, associations and other private legal entities	Citizens and associations that have been established and operate in accordance with law, citizens	Citizens, associations and other private legal entities

<p>Scope of persons directly encompassed in public consultation procedures</p>	<p>Private legal entities and groups of citizens that are on the list of relevant ministries or other state institutions.</p>	<p>Customary practice: citizens, associations and other private legal entities that are on the list of relevant ministries</p>	<p>Association of employers and other associations established and organised pursuant to the law, with regards to general regulations that may influence their position and legitimate interests, citizens</p>	<p>Citizens, associations and other private legal entities</p>
<p>Procedure for public consultation</p>	<p>Consultation at any stage of drafting a law or regulation. A draft is posted on the web page of the ministry or other relevant institution; all persons on the consultation list are called upon to submit their comments.</p>	<p>Customary practice: consultations in any stage of drafting a law or regulation; a draft is posted on the web page of the ministry; all persons on the consultation list are called upon to submit their comments.</p>	<p>A public announcement on preparation of a draft is made by one or more ways as prescribed by law (internet, announcement through local or national media, etc.). A draft is submitted to all persons who “expressed interest”.</p>	<p>Consultations in early stages of development of public policy (implicitly includes preparation of draft laws); especially with persons whose interests may be affected and those who are expected to take a “proactive” stand in the process of shaping the public policy, developing draft laws.</p>
<p>Deadlines for submission of comments</p>	<p>It appears that the deadline for submission of comments may not be shorter than twenty-one days (minimum consultation) i.e. 30 days (legal provisions with a significant impact on the public).</p>	<p>The Law on Administrative Proceedings requires “a sufficient deadline” necessary for preparation of sound comments; depending on nature and significance of a legal instrument, the deadlines for submission of comments is thirty, fifteen or five days.</p>	<p>The relevant administrative body issues an announcement on at least thirty days before a draft is opened for public debate; the announcement must state a deadline for submission of comments in writing, which may not be shorter than ten days.</p>	<p>At least twelve weeks, in the stage of formulating a public policy or drafting a legal instrument; an administrative body may set a longer period for consultations (for example, during summer holidays)</p>

<p>Exemptions from mandatory consultations</p>	<p>Only at instances of broader consultations: extraordinary circumstances, unforeseen international obligations or court's annulment of a law or part thereof.</p> <p>N/A</p>	<p>Not specified. Implicitly, with regard to a draft law or regulation which does not directly affect interest of CSOs and individuals they represent.</p> <p>Extraordinary</p>	<p>Extraordinary circumstances on which an expeditious promulgation procedure applies. Extraordinary</p>	<p>Extraordinary circumstances, which include: duties arising from membership in EU and other international organisations; those that arise from obligations to enact state budget; in order to protect public health and security, etc.</p>
<p>Sanctions for breach of obligations for public consultation</p>	<p>The Council of Ministers may refuse to consider a draft, which did not heed rules on consultation.</p>	<p>Ministers may refuse to consider a draft, which did not heed rules on consultation. Potential political and disciplinary sanctions for heads or employees in state administration.</p>	<p>Ministers may refuse to consider a draft, which did not heed rules on consultation. Potential political and disciplinary sanctions for heads or employees in state administration. Political and disciplinary sanctions for heads and employees in state administration.</p>	<p>Ministers may refuse to consider a draft, which did not heed rules on consultation. Potential political and disciplinary sanctions for heads or employees in state administration. Political and disciplinary sanctions for heads and employees in state administration. Political and disciplinary sanctions for heads and employees in state administration.</p>

Source: Golubović, D. (undated) Citizen participation in legislative processes: a short excursion through European best practices, the European Center for Non-Profit Law, http://www.ecnl.org/dindocuments/274_Brochure%20on%20citizen%20participation%20ENG.pdf (access on 6th January 2020).

4. CONCLUSION AND RECOMMENDATIONS

4.1 General Conclusion

Increasing civil society engagement and participation in the legislative process underlines the complementary relationship with representative democracy in Rwanda. When effectively engaged, civil society organisations can bring knowledge and expertise to the law-making process. Therefore, in order to ensure influence, relevance, added value and practical applicability of civil society involvement in the legislative process, it is necessary for government institutions to define the new pathways and opportunities, levels and means of engaging civil society in the process.

This requires the relevant decision-makers to consider the following factors:

- Determining the specific benefits of CSO participation in the different steps of policy development, including law establishment, should involve the participation of both CSOs and their stakeholders. This includes participation in agenda setting, drafting strategies, implementation, monitoring, review, and reformulation of the law.
- In terms of levels of participation, the provision of information, consultation, dialogue, and partnership between CSOs and public authorities must be reformed with emphasis being placed on appropriate partnership and collaboration mechanisms.
- Means and tools that enable and support the process of participation must be well-established as they form the basis of and guidance for meaningful and effective civil society participation.

4.2 Recommendations

Numerous recommendations have been generated along with the study on benchmarking the role of civil society organisations in the legislative process. Considering the different actors in the legislative process, the recommendations are as follows

Sectoral Ministries

- ✓ Effectively and meaningfully consult CSOs on each of the upcoming draft policies, laws, and orders. Specifically, thematic working groups can be better used as a consultation framework with CSOs and other stakeholders.
- ✓ Avail easy access to draft policies, laws, orders to all interested stakeholders, especially CSOs to allow them ample time to provide their inputs. In particular, the Study recommends that all Sectoral Ministries should publish all draft policies, laws, and orders at the Sectoral Ministries' website to enable easy access for interested stakeholders to provide their inputs.

Rwanda Law Reform Commission

- ✓ Publish all draft laws and policies on its website to enable all key stakeholders specifically, CSOs to make their inputs into draft laws and orders.
- ✓ Provide for mandatory consultation for CSOs in the upcoming Law on legislative drafting.

Rwanda Governance Board

- ✓ Advocate for increased funding to Civil Society Organizations from the national budget in order to increase CSOs' financial and technical capacity to pursue its mission, more specifically as the interlocutor between citizens and the Government.
- ✓ Sustain civil society grants mechanism with increased allocation of total share earmarked for CSOs interventions around policy research and advocacy.
- ✓ Support CSOs initiatives aimed at increasing alternative forms of financial autonomy including but not limited to policy and legal reforms aimed at increasing domestic philanthropy towards supporting the work of CSOs.

Parliament

- ✓ Parliament should increase its outreach strategy to CSOs and other relevant stakeholders to provide inputs into draft laws. Specifically, monthly, weekly, and daily schedules of parliament business should be publicly shared on its website and through other social media platforms to inform all interested parties to prepare in advance and in time to contribute to the discussions.
- ✓ Publish draft laws before parliament for review, to enable easy access to draft bills by all interested parties.
- ✓ Increase outreach consultation sessions with the public, CSOs representatives and other interest groups on draft bills.
- ✓ Use Radio Inteko as well as other private and public radio and TV Stations as a forum of discussion and engagement with different stakeholders on different draft bills before parliament in order to allow feedback from citizen's specifically CSOs.

Civil Society Organisations

- ✓ Mainstream, legal and policy research and advocacy alongside programmatic interventions.
- ✓ Intensify innovative efforts aimed at mobilizing financial, technical, and human resources to sustain their advocacy interventions. Use of volunteers, university students, running income generating activities and engaging domestic philanthropists are examples of such innovative strategies to sustain CSOs interventions.
- ✓ Engage proactively with Parliament, sectoral ministries, and the Rwanda Law Reform Commission on upcoming policies and laws to provide their inputs right away from the beginning of initiation of draft policies, laws and Orders.
- ✓ Umbrella organisations should establish solid mechanisms of consultation with their members organisations to enable them to provide their inputs into draft laws and policies.
- ✓ The Rwanda Civil Society Platform should establish thematic working groups including all CSOs regardless of their affiliation to Umbrella organizations to ensure an inclusive consultation process on upcoming draft bills and policies. Besides, interested CSOs should be encouraged to form loose coalitions around areas of common interest and provide inputs into draft laws and policies related to their areas of interest.
- ✓ CSOs should explore mechanisms of active engagement with parliament to seek review, introduce new laws or abrogate existing ones. Such engagement should be informed of existing laws by robust draft. Specifically, CSOs may elaborate a draft bill which may be

discussed and presented as a private member bill to be passed by parliament.

- ✓ CSOs should pro-actively engage with existing fora, especially Sector Working Groups to influence public policy and legislation processes.

Development Partners

- ✓ Continue supporting CSOs financially and technically to pursue its mandate. Specifically, Development Partners should consider increasing support to CSOs, especially funding allocated to policy research and advocacy interventions.

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10	MIRAGE Jean Bosco	AGAPE	0782345620
11	UWIMANA Clementine	COSERGI	0788915460

Focus group with Community Based Organisations GICUMBI District: 08/11/2019

	NAME	INSTITUTION	CONTACT DETAILS
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2	BIZIZMANA MGABO PACIS	TUZAMURANE	0738674189
3	BIZUMUREMYI Emmanuel	TWITEZIMBERE	0768314798
4	BWIZA RUSANGWANWA Gisele	NOTHERN VETERAN COOPERATIVE	0788397618
5	BYIRINGIRO Sad	ACPLRWA	0786798184
6	CYUZUZU Bana	TUJYANE NIGIHE	0726781090
7	DUSENGE Dickine peggi	TWIVANE MUBUKENE	0782304022
8	GANZA Abba Gabin	HANGA UMURIMO	0732408227
9	GIKUNDIRO Vassau	KIBN	0734022821
10	HAGENIMANA Henry Kenny	GISIRUHU	0730428221
11	HIRWA Bertrand	KUTARIRA UBWIYUNGE	0728204210

Focus group with Common and Public Interest Organisations MUSANZE District: 06/11/2019

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3	UWAMAHOHO Jennifer	JUSTICE ET PAIX	0788257282
4	MUSABWASONI Emerance	HAGURUKA	0788463810
5	NIMAJYAMBERE Asia	COP.ABANYAMURAVA	0788449030
6	NIYITEGEKA Phillipe	COP. AMIZERO	0788483285
7	MWUMVANEZA Alain	FXB RWANDA	0788647077
8	KARAMAGE Emmanuel	IMBARAGA	0788434504
9	RUKUNDO Alain	UBUMWE	0788593225
10	HABIYAKARE Thomas	RWAMREC	0784253642
11	MUKAMULIINDA Elisabeth	IMBARAGA	0788856031

Focus group with Common and Public Interest Organisations NYAGATARE District: 12/11/2019

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2	UMUHIRE Liliane	RWN	0727071807
3	NTAHO BATUYE Giles	RDO	0788595184
4	NGABONZIZA Ariel	HAGURUKA	0780712348
5	NIRERE Jeanette	IMBARAGA	0787593417
6	IRADUKUNDA Innocent	DUTERIMBERE NGO	0788947210
7	UMUGWANEZA Christine	RWANDA RED CROSS	0788633408
8	DUKUNDANE Onesphere	FVA	0724339017
9	SARAMBUYE Patrick	REDEEMED CHRISTIAN CHURCH OF GOD (RCCG)	0734615110
10	NDATIMANA Seraphina	RWANDA PENTECOSTAL ASSOCIATION OF GOD (RPAG)	072479937
11	UWIZEYIMANA Solange	FIYO	0788619041

Focus group with Community Based Organisations KAYONZA District: 12/11/2019

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2	GAKURU Theophile	COOPERATIVE NCPD	0788767383
3	GISA Shakila	SOLIDARITY RWANDA	0788109271
4	MUGUME Viateur	CYABAJWA SMART COMPANY	0782843871
5	BYIRINGIRO Clement	COOPERATIVE NCPD	0781060981
6	UWIMANA Phionah	CYINZOVU POULTRY COOPERATIVE	0785710102
7	MUKAKALISA Regine	COOPERATIVE KATK	0788422042
8	YAFASHIJE Felicia	URUBYIRUKO	0788251341
9	MUKAMURIGO Liberatha	COCULILE	0789077698
10	NTAGANDA Pierre	CDC CYINZOVU	0786169442
11	MAKERERI Henri	RDA NGWINOMA	0782735618

Focus group with Common Interest Organisations NYARUGENGE District: 20/12/2019

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3	MUGISHA Christian	THT	0786723149
4	MATEKA J. Claude	AFCF	0780345923
5	UFITEINEMA Claudine	CENTRE IWACU	0732678190
6	KAMALIZA Rosine	ASSOCIATION NDABAGA	078203950
7	UWASE Joselyne	ASSOCIATION NZAMBAZA MARIYA VENERANDA	0721008157
8	UWITEKA Josiane	ASOFERWA	0781246410
9	MUJAWAMARIYA Odette	WIF	0720134068
10	KAMANA Pierre	RNUD	0723401981
11	UWIRAGIYE Jean de Dieu	AHR	0789370616

Focus group with Public Interest Organisations NYARUGENGE District: 20/12/2019

	NAME	INSTITUTION	CONTACT DETAILS
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2	GAHIMA Martin	ARDHO	0788539975
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4	MUSHIMIYIMANA	BENIMPUHWE	0738467930
5	MURENZI Hussna	FADA	0787672769
6	MUTONI Fidele	GLIDH	0788435530
7	IZIHIRWE Divine	JOC.F	0788624341
8	MUGISHA Gilbert	INALAS	0789946014
9	NDEKEZI Eric	FAAS RWANDA	0788581103
10	MANZI Gerald	PAXPRESS	0788305782

Focus group with Public Interest Organisations KICUKIRO District: 20/12/2019

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2	KAYITESI Brenda	HRFRA	0788538772
3	SENGOGA Chris	HDI	0788315136
4	HABIMFURA Jackson	FRIENDS PEACE HOUSE	0788433049
5	TUYIZERE Jeanette	IBUKA	0724988461
6	KARISA Benoit	AVP	0780278059
7	SHUMBUSHO David	SERUKA	0788841793
8	MANIFASHA Emmanuel	HUGUKA	0786080624
9	GAHIGI Jean D'amour	AVODI	0784337982
10	MUKAMANA Esperence	DUHAMIC-ADRI	0788457814

Focus group with Common Interest Organisations KICUKIRO District: 20/12/2019

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2	INGABIRE Alexis	COPORWA	0788572300
3	MUKESHIMANA Clemence	AGR	0723208888
4	MUGISHA Arsene	UWEZO YOUTH ORGANIZATION	0724242680
5	NGABO Mulisa	RNUD	0729066287
6	MUKAMANA Agnes	RULP	0788277322
7	GAHIGI Moses	FIYO	0788305118
8	NGABO Clovis	KORA	0728891021
9	NDIKUYAYO Kalisa	IBUKA	0783400560
10	NIYONKURU Gasore	CVC	0780575779

Focus group with Public Interest Organisations GASABO District: 19/12/2019

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2	GATABAZI N. Olivier	SJI	0738836371
3	BAYUBAHO Theophile	FOUNDATION TUMURERE	0723429124
4	UMUHOZA Alice	AJA	0788561313
5	KANYANGUSHO Fabien	MPEDH	0788522497
6	NDABUNGUYE Eric	NCR	0788321434
7	MURISA Rashid	RDI	0788004323
8	MUGWANAEZA Dativa	CMS	0788432270
9	KARAMBIZI Daniel	ASSOCIATION DUKANGUKE	0780234371
10	MAJARIBU J.Claude	ASSOCIATION GIRANEZA	0788367981
11	SIBOMANA Gaspard	RESEAU CULTUREL SANGWA	0784732025

Focus group with Faith Based Organisations GASABO District: 19/12/2019

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2	NYIRASAFARI Monique	MISSION OF HOPE	0736146072
3	NIYONKURU Pacifique	UCFR	07887204020
4	GASORE Apollinaire	CARITAS	07847486033
5	ISHIMWE Valence	UMIUSHUMBAMWIZA	0720280620
6	KAMANZI Selee	ARTC	0788916023
7	NIRERE Jeanette	YWCA	0783605920
8	MUSHUMBAMWIZA Theopista	CSP	0780583250
9	IYAMUREMYE Anitha	AEE	0735060748
10	MUHIRWE Allain	LAWYERS OF HOPE	0785067809
11	MANIRAREMA Paul	UCFR	0780362801

Focus group with Public Interest Organisations GASABO District: 19/12/2019

	NAME	INSTITUTION	CONTACT DETAILS
1	NSENGIMANA Andre	CSDI	0785062734
2	BANYUBAHE Valans	UMC	0780583226
3	TUYISHIME Ephraim	MY RIGHT	0788342240
4	KANAMUGIRE J.bosco	CCN	0786649348
5	KARANGWA Venuste	CJP	0788334413
6	NYAMUNDU Clemantine	AKWOS	0788334441
7	RWOMUSHANA Dominique	YURI	0788462257
8	TUYISHIME Jerome	DREAM VILLAGE	0786598072
9	KARANGWA Zakaria	IMBARAGA	0788642113
10	NDABARORA Efrayime	RESEAU DES FEMMES	078484418
11	NDABARASA Eric	SETECOM	0788849072

Focus group with Public Interest Organisations GASABO District: 19/12/2019

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3	NIZEYIMANA Vedaste	CERULAR	0784175505
4	NSHIMIYIMANA Vestine	GOVERNANCE FOR AFRICA	0784796071
5	KANAKUZE Jeannette	KANYARWANDA	0724769071
6	RUTAYISIRE Bosco	LIWOHA	07836742170
7	RUTURWA Yves	RISD	07836947127
8	NISINGINZWE Vivine	ATEDEC	0786967210
9	NIIYONSHUTI Thacienne	UMUSEKE	0726527169
10	RUMANYIKA Jean Claude	RWAMREC	0785627164

Focus group with Common Interest Organisations GASABO District: 19/12/2019

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1	KANANGA Richard	AJPRODHO	0788574706
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3	UWIDUHAYE Aparto	NPC	0788708261
4	IYAMUREMYE Ivan	FIOM	0733807632
5	HATEGIKIMANA Richard	RYOSD	0788304401
6	NYIRAMANA Claudine	HAGURUKA	0783814353
7	IYAKAREMYE Yvonne	CREDI	0788319062
8	UMURERWA Sandra	RUB	0738048010
9	KALISA Batiste	AVEGA	0788324450
10	NYIRAKAMANA Susan	RECOPDO	0783124120
11	MUKASHYAKA Euphrasie	COLLECTIF TUBAKUNDE	0788850516

Focus group with Umbrella Organisations GASABO District: 18/12/2019

	NAME	INSTITUTION	CONTACT DETAILS
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2	SENYABATWARE Jean Bosco	CCOAIB	0788898912
3	MURWANASHYAKA Evariste	CLADHO	0788300685
4	KALISA Ben	COALITION UMWANA KW'ISONGA	0783767709
5	MUNEZERO Clarisse	LAF	0788429846
6	MUKAMANA Aline	PROFEMMES TWESEHAMWE	0788472089
7	MUSAFIRI	RYOF	0788744322
8	BIRABONEYE Africa	CESTRAR	0788587073
9	MULEMA Jean Baptise	NUDOR	0788400887
10	RUSIMBI John	RNGOF	0788519430
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ANNEX III – Participants in Pre-Validation Workshop held on 15 August 2020 at Classic Hotel, Kigali

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4	Laura Musiime Executive Director	Urusaro Women of Change - UWC	0786589256
5	Benjamin IShimwe Legal Advisor	Coaliton Umwana ku Isonga	
6	Ngabonziza Jean Claude Legal advisor	Uwezo Youth Empowerment	0788961252
7	Vedaste Nizeyimana Progem Officer	Center for Rule Law Rwanda - (CERULAR)	0787372034
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30	Musafiri n Adock Executive Secretary	Rwanda Youth Organisation forum - RYOF	0788744322
31	Felicien Usengumukiza Head Of Research department	RGB	
32	Hakizimana Alain Photographer	UoK	0782221800
33	Hategekimana Richard	Rwanda Youth Organisation for Sustainable	0788304401
34	Karemera Emmanuel Project Officer	CLADHO	0788571617
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40	Isingizwe Aime Fabrice	CEGL Usher	0783124942
41	Tuyishime Elise	CEGL Usher	0787393166