

REPUBLIC OF RWANDA | PROFILE 2021

MIGRATION
GOVERNANCE
INDICATORS



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Publisher: International Organization for Migration
17 route des Morillons
1211 Geneva 19
P.O. Box 17
Switzerland
Tel.: +41.22.717 91 11
Fax: +41.22.798 61 50
Email: hq@iom.int
Internet: www.iom.int

With research and analysis by



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MIGRATION GOVERNANCE INDICATORS



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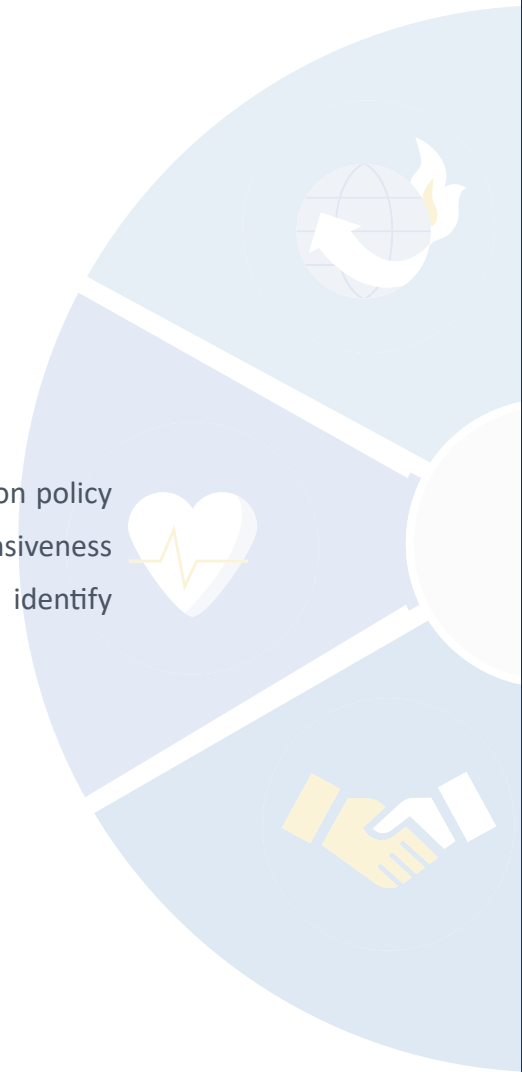
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OBJECTIVE

The MGI aims to support well-managed migration policy by helping countries assess the comprehensiveness of their migration governance structures and identify priorities on the way forward.



The MGI can be used to spark a discussion within governments, with other relevant stakeholders in the country, on their migration policy structures. It can help assess whether these structures, which have often been in place for several years, still address the main challenges and opportunities of today's reality.

INTRODUCTION

This is an era of unprecedented mobility, and the need to facilitate orderly, safe, regular and responsible migration and mobility is becoming increasingly relevant.¹ The need to face the challenges and to maximize the opportunities that this mobility brings has been recognized with the inclusion of migration in the 2030 Agenda for Sustainable Development, which highlights the positive contribution of migrants to inclusive growth and development. Migration is integrated in a number of Sustainable Development Goal (SDG) targets, such as ending modern slavery and addressing the vulnerability of migrant workers. However, the central reference to migration in the SDGs is Target 10.7 on facilitating “orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies”.²

The incorporation of Target 10.7 into the 2030 Agenda created the need to define “planned and well-managed migration policies”. This is why, in 2015, the International Organization for Migration (IOM) developed the Migration Governance Framework (MiGOF). This Framework offers a concise view of an ideal approach that allows a State to determine what it might need to govern migration well and in a way that suits its circumstances.³ The Framework was welcomed by IOM Member States in the same year.

In an effort to operationalize the MiGOF, IOM worked with The Economist Intelligence Unit to develop the Migration Governance Indicators (MGI), a standard set of approximately 90 indicators to assist countries in assessing their migration policies and advance the conversation on what well-governed migration might look like in practice.

The MGI helps countries identify good practices as well as areas with potential for further development and can offer insights on the policy levers that countries can use to develop their migration governance structures. However, the MGI recognizes that all countries have different realities, challenges and opportunities that relate to migration. Therefore, the MGI does not rank countries on the design or implementation of their migration policies. Finally, the MGI does not measure migration policy outcomes or institutional effectiveness. Instead, it takes stock of the migration-related policies in place and operates as a benchmarking framework that offers insights on policy measures that countries might want to consider as they progress towards good migration governance.

This country profile presents a summary of the well-developed areas of the migration governance structures of the Republic of Rwanda (hereinafter referred to as Rwanda), as well as the areas with potential for further development, as assessed by the MGI.⁴

The MGI Rwanda country profile was reviewed, finalized and validated with the support and collaboration of the following ministries: Directorate-General of Immigration and Emigration (DGIE), Ministry in Charge of Emergency Management (MINEMA), Ministry of Education (MINEDUC), Ministry of Finance and Economic Planning (MINECOFIN), Ministry of Foreign Affairs and International Cooperation (MINAFFET), Ministry of Health (MOH), Ministry of Public Service and Labour (MIFOTRA), National Institute of Statistics of Rwanda (NISR) and Rwanda Development Board (RDB).

¹ IOM Standing Committee on Programmes and Finance, seventeenth session (S/17/4 of 29 September 2015), article 2.

² IOM Council, 106th session, Migration Governance Framework (C/106/40 of 4 November 2015), page 1, footnote 1. Available at <https://governingbodies.iom.int/system/files/en/council/106/C-106-40-Migration-Governance-Framework.pdf>.

³ Ibid.

⁴ The MGI initiative is a policy-benchmarking programme led by IOM and implemented with the support of The Economist Intelligence Unit. Funding is provided by IOM's Member States.

CONCEPTUAL FRAMEWORK

MiGOF

The IOM MiGOF sets out the essential elements to support planned and well-managed migration. It seeks to present, in a consolidated, coherent and comprehensive way, a set of three principles and three objectives which, if respected and fulfilled, would ensure that migration is humane, orderly, and benefits migrants and society.

At the basis of

PRINCIPLES

1. **Adherence** to international standards and fulfilment of migrants' rights.
2. **Formulates** policy using evidence and "whole-of-government" approach.
3. **Engages** with partners to address migration and related issues.

OBJECTIVES

1. **Advance** the socioeconomic well-being of migrants and society.
2. **Effectively** address the mobility dimensions of crises.
3. **Ensure** that migration takes place in a safe, orderly and dignified manner.

MGI

WHAT IT IS



A set of indicators that offers insights on policy levers that countries can use to strengthen their migration governance structures



A tool that identifies good practices and areas that could be further developed



A consultative process that advances dialogues on migration governance by clarifying what "well-governed migration" might look like in the context of SDG Target 10.7

Which supports the measurement of

WHAT IT IS NOT



Not a ranking of countries



Not assessing impacts of policies



Not prescriptive



TARGET 10.7

"Facilitate orderly, safe, regular and responsible migration and mobility of people, including through implementation of planned and **well-managed migration policies.**"



KEY

FINDINGS

The MGI is composed of around 90 indicators grouped under the 6 different dimensions of migration governance that draw upon the MiGOF categories:



MIGRANTS'
RIGHTS
PAGE 12

Indicators in this domain look at the extent to which migrants have access to certain social services such as health, education and social security. It also looks at family reunification, access to work, and access to residency and citizenship. The international conventions signed and ratified are also included.



WHOLE-OF-GOVERNMENT
APPROACH
PAGE 14

Indicators in this area assess countries' institutional, legal and regulatory frameworks related to migration policies. This area also looks at the existence of national migration strategies that are in line with development objectives and overseas development efforts, as well as institutional transparency and coherence in relation to migration management.



PARTNERSHIPS
PAGE 16

This category focuses on countries' efforts to cooperate on migration-related issues with other States and with relevant non-governmental actors, including civil society organizations and the private sector.



WELL-BEING
OF MIGRANTS
PAGE 17

Indicators in this area assess countries' policies on the recognition of migrants' educational and professional qualifications, provisions regulating student migration and the existence of bilateral labour agreements between countries. Aspects of diaspora engagement in the country of origin and migrant remittances are also under this domain.



MOBILITY DIMENSION
OF CRISES
PAGE 19

This category looks at the type and level of preparedness of countries when they are faced with mobility dimensions of crises. The questions look at the processes in place for nationals and non-nationals both during and after disasters, including if humanitarian assistance is equally available to migrants as it is to citizens.



SAFE, ORDERLY
AND REGULAR
MIGRATION
PAGE 21

This area looks at countries' approach to migration management in terms of border control and enforcement policies, admission criteria for migrants, preparedness and resilience in the case of significant and unexpected migration flows, as well as the fight against trafficking in persons.



1

ADHERENCE TO INTERNATIONAL STANDARDS AND FULFILMENT OF MIGRANTS' RIGHTS

1.1. International conventions ratified

Table 1. Signature and ratification of international conventions

Convention name	Ratified
International Labour Organization (ILO) Migration for Employment Convention (Revised), 1949 (No. 97)	No
United Nations Convention relating to the Status of Refugees (also known as Geneva Convention), 1951	Yes (1980)
United Nations conventions on statelessness, 1954 and 1961	Yes (2006)
ILO Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)	No
United Nations Convention on the Rights of the Child (UNCRC), 1989	Yes (1991)
United Nations International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW), 1990	Yes (2008)

1.2. Migration governance: Examples of well-developed areas

All individuals working in Rwanda, including migrants with regular status, have equal access to social protection as nationals.⁵ The Law Governing the Organization of Pension Schemes (2015) establishes a mandatory pension scheme for all salaried workers, while individuals who are self-employed or unemployed, or those who work in the informal sector, may decide to participate on a voluntary basis. Both schemes are accessible to all categories of migrants residing legally in the country. In addition, employers must provide maternity benefits to all employees, regardless of nationality.⁶ The Law Regulating Labour in Rwanda (2018) requires employers to provide severance pay to all employees and does not distinguish between nationals and migrant workers.

Rwanda has an agreement with Burundi (1978) on the portability of social security entitlements and earned benefits for nationals of both countries.⁷ Rwanda also implements the provisions on social security portability within the East African Community (EAC) region under the EAC Common Market Protocol for Movement of Labour (2009).

Migrants with visitor visas are allowed to visit Rwanda and seek work. Once in the country, a migrant worker who is sponsored by their employer or whose occupation is on the Occupations in Demand List

⁵ Social protection includes old-age pensions, disability and survivor benefits, maternity leave, and severance pay.

⁶ Article 2 of the Ministerial Order No. 03 of 13/07/2010 Determining Circumstantial Leaves provides for four working days of circumstantial leaves with full payment in the event of a "worker's wife delivery", applying to "every worker", while Article 64 of Law No. 03 of 13/2019 Regulating Labour in Rwanda states that "[e]very employed woman has the right to a maternity leave of twelve (12) consecutive weeks".

⁷ This agreement was signed between Burundi, Rwanda and the then Zaire on 10 September 1978, based on the Treaty establishing the Economic Community of the Great Lakes Countries dated 20 September 1976.

(ODL)⁸ or a self-employed migrant may be issued a temporary or permanent residence permit, either of which acts as a work permit. Residence permit requirements vary by permit type and the sector of work but generally include a valid travel document, police clearance, a detailed curriculum vitae (CV) and a fee. Paying this fee is waived for citizens of the EAC. All work permit holders have the right to change employers, as outlined by the Law on Immigration and Emigration in Rwanda 2011 (Revised in 2018).

Non-nationals may apply for permanent residence after 10 years of residence in the country and under other specific conditions, set out in Ministerial Order No. 06/01 Relating to Immigration and Emigration (2019).⁹

All Rwandans – regardless of the country they live in – have the right to vote in national elections. The Law Governing Elections (2019) states that there is a voter register in every Rwandan embassy, where nationals living abroad may register to vote. In Rwanda’s 2008 elections, the National Electoral Commission facilitated diaspora voting in all Rwandan embassies, and almost 50 per cent of registered Rwandans abroad participated.

1.3. Areas with potential for further development

The Constitution of the Republic of Rwanda of 2003 (Revised in 2015) states that “[a]ll Rwandans have the right to good health”, and nationals have access to State-subsidized public health care. In addition, all refugees have equal access to health care as citizens. While migrants do not have access to public health care on the same basis as nationals, Law No. 48 Governing the Organization, Functioning and Management of Health Insurance Schemes in Rwanda (2015) stipulates in Article 3 that “[a]ny person, whether a Rwandan or a foreign national, who is on the Rwandan territory shall be required to have health insurance”. Any person entering the Rwandan territory without having any other form of insurance must subscribe to any insurance scheme of his or her choice within a period not exceeding 30 days. Therefore, migrants covered by the mandatory health insurance or upon full payment of fees may access public health-care services.

Migrants do not formally have equal access to Government-funded education as nationals. The Constitution states that only “[e]very Rwandan has the right to education”. Although it does not distinguish between nationals and migrants, the Law Governing the Organization and Functioning of Nursery, Primary and Secondary Education (2012) states that primary education is compulsory and free across Rwanda. In practice, both migrants and nationals can access private secondary and vocational education under the same conditions.

The Law Governing the Organization of Pension Schemes states that pension benefits are payable only in Rwanda and are not transferable abroad if the beneficiary no longer resides in the country. However, according to the Rwanda Social Security Board’s customer service, migrant workers who have contributed to pension schemes but left the country before retirement age can claim their pensions once they reach their retirement age, either in Rwanda or through Rwandan embassies abroad.

In general, Law No. 68 Determining Offences and Penalties in General (2018) penalizes crimes of genocide, crimes against humanity and war crimes towards “a national, ethnic, racial or religious group”. The Constitution also commits to the elimination of discrimination and has relevant sections, such as Article 11: “Discrimination of whatever kind based on, inter alia, ethnic origin, tribe, clan, colour, sex, region, social origin, religion or faith, opinion, economic status, culture, language, social status, physical or mental disability or any other form of discrimination is prohibited and punishable by law.”

⁸ The Ministerial Instructions No. 003/19.18 of 2013 Determining Occupations in Demand List mentions that the ODL “shall apply to all foreigners seeking employment in Rwanda on individual basis” as well as “foreigners whose countries of origin have signed agreements with Rwanda in regard to other specific occupations”.

⁹ These conditions include: they make an exceptional contribution to Rwanda; they are a key member of the staff of a multinational that is of interest to Rwanda; they are a member of the Rwandan diaspora but with a nationality that does not accept dual nationality; they have a spouse or parent who is a permanent resident; or “on humanitarian grounds to a person demonstrating the need for protection due to his/her personal circumstances or circumstances beyond his/her control”.



2

FORMULATES POLICY USING EVIDENCE AND WHOLE-OF-GOVERNMENT APPROACH

2.1. Migration governance: Examples of well-developed areas

The Rwanda Directorate-General of Immigration and Emigration (DGIE) is mandated to oversee and implement immigration policy. Its responsibilities include providing visas, permits and citizenship; overseeing border management; and collecting statistical data on border crossings. The National Migration Policy and Strategies was developed under the lead of the DGIE and adopted by the Cabinet in February 2008. The majority of the programmes and strategies outlined in the document fall under the DGIE's mandate for implementation.

Rwanda's National Migration Policy and Strategies was developed in consultation with various ministries and stakeholders, such as the Office of the President, the Ministry of Public Service and Labour, the Ministry of Trade and Industry, and the Ministry of Foreign Affairs and International Cooperation (MINAFFET), among others.¹⁰ The policy includes an institutional framework for migration policy implementation, monitoring and evaluation.

MINAFFET developed the Diaspora Policy (2009), which states among its objectives “[advocating] for the interests and rights of Rwandan Diaspora in their host countries and in their homeland” and mobilizing Rwandans living abroad to play a “significant role in the socio-economic development of Rwanda”. The Ministry's Rwanda Community Abroad Unit, founded in 2008 and formerly known as the Diaspora General Directorate, is tasked with addressing all concerns relating to the diaspora, providing services and organizing events. These services include providing information on visas and residence permits requirements for the diaspora as well as publishing the relevant laws and procedures.¹¹ The National Migration Policy and Strategies also includes as one of its objectives the facilitation of entry and residence of skilled migrants and members of the Rwandan diaspora to enable them to invest in Rwanda.

All laws pertaining to migration as well as visa options, requirements and application processes are easily accessible through the DGIE's website in Kinyarwanda, English and French.

2.2. Areas with potential for further development

IOM's draft Migration Profile for Rwanda¹² recommends that a migration interministerial coordination mechanism be established. Interministerial coordination mechanisms on other policy areas – such as clusters for socioeconomic development, health and gender – already exist in Rwanda and could be strengthened through a specific focus on migration.

The Law on Immigration and Emigration in Rwanda implements provisions of the National Migration Policy and Strategies. The policy highlights that women are particularly vulnerable to human trafficking, but it does not include a broader focus on gender-based differences and discrimination and how these shape the immediate needs, as well as the long-term interests, of women and men. Furthermore, it does not address migrant integration.

¹⁰ Other stakeholders include the Ministry of Local Government, the Ministry of Education, the Ministry of Internal Security, the Ministry of Justice, National Security Service, the Rwandan Office for Tourism and National Parks, the Rwanda Development Board, the Rwanda Investment and Export Promotion Agency, the Private Sector Federation, Human Resource and Institutional Capacity Development Agency, labour unions and the Rwandan diaspora.

¹¹ For instance, members of the diaspora with foreign passports do not pay entry visas and are issued permanent residence permits allowing them to reside in the country without having to acquire Rwandan travel documents.

¹² The Migration Profile for Rwanda (2019) is awaiting approval by the cabinet as of March 2021.

The National Migration Policy and Strategies document was written in accordance with Vision 2020 – Rwanda’s previous national development plan. It contributes to national development through facilitating tourism, attracting skilled migrant workers, skills transfer and the development of priority economic sectors, all of which are targets under Vision 2020. While the national development plan has since been updated to the National Strategy for Transformation 2017–2024, the National Migration Policy and Strategies is still under review to reflect the new strategy as of March 2021.

3

ENGAGES WITH PARTNERS TO ADDRESS
MIGRATION AND RELATED ISSUES

3.1. Migration governance: Examples of well-developed areas

Rwanda is a member of the Migration Dialogue from the Common Market for Eastern and Southern Africa Member States (MIDCOM) – a regional consultative process established in 2013 to improve the capacity of governments to manage migration, build harmonized data-collection systems, and develop immigration policy and legislation.

Rwanda engages in bilateral and multilateral negotiations and discussions on migration issues with various regional bodies, including the Economic Community of Central African States, the East African Community (EAC), the African Union, as well as other States. As members of the EAC – a regional economic community promoting free movement of persons, labour and services – Kenya, Rwanda and Uganda issue work permits without additional fees to EAC citizens wishing to work in their respective countries and grant them priority when competing for jobs with non-EAC nationals.

In 2019, Rwanda signed a memorandum of understanding (MoU) with the United Arab Emirates that aims to consolidate the cooperation between the two countries in regulating the recruitment of Rwandans by private-sector firms in the United Arab Emirates. In the same year, Rwanda signed an MoU with the African Union and the Office of the United Nations High Commissioner for Refugees (UNHCR) to establish an Emergency Transit Mechanism in Rwanda for refugees and asylum seekers stranded in Libya.

The Government of Rwanda engages members of the diaspora in policy development and implementation on an annual basis. Every year, the Government organizes the conference-style Rwanda Day, in close collaboration with active members of the Rwandan diaspora. The event engages the Rwandan community overseas with the Government and business community based in Rwanda to identify areas for collaboration.

Article 12 of Law No. 66 on Regulating Labour in Rwanda (2018) stipulates that the Ministry of Public Service and Labour (MIFOTRA), “after consultation with immigration and emigration service, issues an Order regulating employment for foreign employees in Rwanda”.

3.2. Areas with potential for further development

Rwanda only engages civil society organizations (CSOs) and the private sector on an ad hoc basis in agenda-setting or the implementation of migration-related issues. For example, Rwanda consults with the Rwanda Workers’ Trade Union Confederation (CESTRAR) – the largest trade union in Rwanda – and with the Private Sector Federation (PSF) on labour migration issues. Rwanda’s Labour Mobility Policy (2019) states that the management of labour migration requires dialogue between multiple stakeholders, including CSOs and the private sector. However, the policy’s legal implementation framework is yet to be approved as of March 2021.



4

ADVANCES THE SOCIOECONOMIC WELL-BEING OF MIGRANTS AND SOCIETY

4.1. Migration governance: Examples of well-developed areas

Rwanda accounts for migrant workers' skills and capabilities when deciding whether to admit them. Individuals applying for work permits must submit a detailed curriculum vitae (CV) outlining their skills, along with other relevant documents, to the Directorate-General of Immigration and Emigration (DGIE). There are also multiple programmes to attract migrants with specific skill sets – such as the Skilled Workers Programme, the Skilled Workers in Occupations in Demand programme and the Employer Sponsored Skilled Workers programme – which aim to minimize administrative barriers for the employment of skilled migrants in Rwanda.

Rwanda monitors the labour market demand for immigrants through the Occupations in Demand List (ODL), which was enacted by Ministerial Instructions No. 003/19.18 Determining Occupations in Demand List (2013) under the Ministry of Public Service and Labour and implemented by the DGIE. Under the National Strategy for Transformation 2017–2024, institutions are required to examine workforce capacity gaps and prepare annual capacity development plans. These capacity gaps feed into a nationwide assessment of the skills gaps, which is used to develop the ODL.

Rwanda has different types of visas to attract specific labour skills. There are 22 sector-specific temporary residence permits, examples of which include permits for those working in manufacturing and processing sectors, agriculture, transport and logistics, and information technology, along with skilled workers in the ODL.

Rwanda collects and publishes data on migration and the labour market through the quarterly Labour Force Survey (LFS) conducted by the National Institute of Statistics of Rwanda (NISR). The Labour Force Survey Annual Report 2019 (the most recent version)¹³ includes a chapter on “Migrant workers”, with data on the migrant labour force disaggregated by sex, the size of migrant and migrant worker populations, the labour force participation rate, employment-to-population ratio, unemployment rate of migrants and the percentages of employed migrants by economic activity. The survey covers both internal and international migrants – it defines a migrant as “any current resident, member of a private household in Rwanda of working age who has changed his or her district or country of usual residence in the last five years”.

Rwanda aims to promote the ethical recruitment of migrant workers through the National Labour Mobility Policy. The policy outlines comprehensive measures for the ethical recruitment and treatment of migrants, including ensuring non-discrimination and equality of treatment for all workers, conducting inspections to ensure that the employment of migrants is subject to labour standards and ensuring protection for migrants during the recruitment process by monitoring recruitment activities.

4.2. Areas with potential for further development

The inaugural ODL, published in 2013, was initially planned to be an annual exercise but has not been updated since. However, an updated version is being developed as of March 2021.

Rwanda does not have a national assessment for monitoring the domestic labour supply and the effects of emigrants on the domestic labour market. The quarterly LFS collects data on the demand and supply of labour for various sectors, disaggregated by level of education and qualification; however, this does not factor in emigration.¹⁴

¹³ The report for 2020 has not been published as of March 2021.

¹⁴ The National Skills Database also provides administrative data on employable graduates from higher-learning institutions to supply the needs of various sectors.

Rwanda has measures to promote gender equality in the labour force as outlined in the National Gender Policy (2010), but none are specifically targeted at migrants.¹⁵

Rwanda aims to protect the rights of its nationals abroad through the National Labour Mobility Policy. The policy states that the responsibilities of Rwandan missions abroad are to be expanded to protect the fundamental rights of Rwandan migrants and their families. It also states that labour attachés should be assigned to Rwandan diplomatic missions where there is a strong presence of Rwandan migrant workers in order to address issues related to workers' rights. This has yet to be implemented as of March 2021.

The Government of Rwanda does not actively promote the creation of formal remittance schemes. The National Migration Policy and Strategies states that the Government will develop a supportive environment for the receipt and investment of remittances, but it provides no details on how this will be achieved. Furthermore, the Diaspora Policy acknowledges the importance of harnessing remittances from the diaspora but does not provide a framework for doing so. The Rwanda Community Abroad Unit also promotes remittance transfers from the diaspora through safe and easy means such as MTN Rwanda's mobile money service, MoMo, regulated by the National Bank of Rwanda and other laws.

¹⁵ These measures include strategies to encourage recruitment and retention of women in key positions and to support capacity-building programmes for increased participation of women in the paid economy. The Government's Gender Monitoring Office also produces semi-regular reports on the state of gender equality, including in labour force participation, positions occupied by men and women in the labour market, and employed men and women by economic activity.



5

EFFECTIVELY ADDRESSES THE MOBILITY DIMENSIONS OF CRISES

5.1. Migration governance: Examples of well-developed areas

The displacement impact of disasters is addressed by the National Disaster Management Policy (2012) and the National Disaster Risk Management Plan (2013). These were developed by the Ministry of Disaster Management and Refugee Affairs (now known as the Ministry in Charge of Emergency Management, MINEMA) in collaboration with other ministries and non-governmental partners.¹⁶ The policy and plan both recognize the potential triggers for displacement – such as floods, droughts or epidemics – and propose measures to prevent and address them. They cater to displaced persons by stating that emergency communication, evacuation, rescue, temporary shelter, and essential provisions and services must be provided in affected areas. The plan also proposes several steps on how to mainstream gender in disaster preparedness measures.

There are eight individual national contingency plans published by MINEMA for each of Rwanda’s main disaster risks. They cover earthquakes, volcanic eruptions, droughts, storms, floods and landslides.¹⁷ The plans provide frameworks for how to prevent and react to disasters, along with guidance on scenario and planning assumptions, response management, and coordination, including for displacement.¹⁸

Rwanda has a National Contingency Plan for Population Influx (2018) to manage large-scale population movements in times of crisis. It provides guidelines to manage any influx and outlines the roles and responsibilities of relevant stakeholders as well as a framework of working mechanisms to ensure the safety of the migrating population and host communities. The plan caters to asylum seekers, refugees, internally displaced persons and “expellees”, but it does not distinguish between nationals and migrants who are already in the country.¹⁹

There are communication systems in place for the population to receive information on the evolving nature of crises. Sector Disaster Management Committees are set up in every community. They mobilize communities to identify the causes of their vulnerabilities to risks and implement risk reduction programmes through community engagement via meetings and word of mouth. During the COVID-19 crisis, the Ministry of Health provided daily updates on Twitter in French, Kinyarwanda and English, and messages were also shared on radio and television. Additionally, the Government partnered with MTN Rwanda – a telecommunications company – to better disseminate information about COVID-19, including through text messages and improved connectivity.

5.2. Areas with potential for further development

The National Disaster Management Policy states that the right to receive relief assistance during disasters “should be enjoyed by all citizens of Rwanda”. It does not mention migrants specifically.

¹⁶ These include the following: Ministry of Local Government (MINALOC), Ministry of Justice (MINIJUST), Rwanda National Police, Ministry of Defence (MINADEF), Ministry of Gender and Family Promotion (MIGEPROF), Ministry of Health (MOH), Ministry of Infrastructure (MININFRA), Ministry of Environment (MOE), United Nations (in particular the Office of the United Nations High Commissioner for Refugees), International Red Cross and Red Crescent Movement, and other international organizations.

¹⁷ The National Contingency Plans for Fire Incidents, Managing the Emergency Consequences of Terrorist Incidents, Earthquake, and Volcanic Eruption were all published in 2019, while the National Contingency Plans for Population Influx, Drought, Storms, and Floods and Landslides were all published in 2018.

¹⁸ The National Contingency Plans for Drought, Storms, and Floods and Landslides recognize the impact of climate change on extreme weather events; however, only the Plan for Drought includes climate-related mitigation measures, including educating water users and agencies on how to use climate information to plan for mitigation and drought response.

¹⁹ “Expellees” are defined as Rwandan migrants, both documented and undocumented, who have been deported from other countries.

The National Disaster Management Policy, the various national contingency plans, and the Law on Immigration and Emigration in Rwanda do not promote the sustainable reintegration of migrants who have fled the country during crisis. However, reintegration is addressed by the Comprehensive Solutions Strategy for Rwandan Refugees agreed between the Government of Rwanda and the Office of the United Nations High Commissioner for Refugees (UNHCR).



6

ENSURES THAT MIGRATION TAKES PLACE IN A SAFE, ORDERLY AND REGULAR MANNER

6.1. Migration governance: Examples of well-developed areas

The Directorate-General of Immigration and Emigration (DGIE) is responsible for border control and security and is the lead agency regarding the coordination of border posts, as outlined by the Law on Immigration and Emigration in Rwanda. The law also refers to a national border post steering committee responsible for overseeing the “operationalisation of border posts” (among others) – the Rwanda border posts steering committee, which was established by Presidential Order 129/01 Relating to Border Posts and the Border Posts Steering Committee (2020) and is chaired by the DGIE. The Committee’s members include all governmental institutions operating at the border – such as the police, customs and security organs – and its main objective is to ensure complementarity and cohesion among the different institutions and smooth operations at the border.

The Irembo platform offers several civil registration services for nationals, as well as immigration and emigration services such as registration for citizenship, visas and permits applications and renewals, or passport applications, among others. The platform is also used to monitor visas and residence permits; visa and permit holders usually receive a text message alerting them of the upcoming expiration of their visa/permit. Penalties are issued for overstays, which are detected by officers at border crossings.

Border staff receive regular training from the DGIE’s specialized training unit and international organizations on different topics. In addition, the DGIE collaborates on an ongoing basis with IOM for capacity-building, training, and technical assistance to establish a comprehensive information and communications technology strategy to better manage the DGIE’s workflow, streamline processes, and improve the efficiency of service delivery. IOM has also supported cascaded trainings on trafficking in persons.

Rwanda has policies to attract its diaspora back to the country. The National Migration Policy and Strategies states that members of the Rwandan diaspora (who do not have Rwandan citizenship) are welcome to return and are immediately granted five-year residence visas, and that Rwandans coming into the country with the potential for skills transfer will receive support to enter the labour market. The Diaspora Policy seeks to mobilize the diaspora and enable its members to contribute to Rwanda’s development through knowledge and skills transfers, among other methods. Members of the diaspora are offered assistance in buying land in Rwanda. They also have the opportunity to use local banks to obtain mortgages on foreign salaries and may appoint caretakers in Rwanda to look after their assets.

Rwanda has a law dedicated to combating human trafficking and exploitation – the Law Relating to the Prevention, Suppression and Punishment of Trafficking in Persons and Exploitation of Others (2018). It provides for the protection of, and assistance to, victims of trafficking and details prison sentences and fines for those violating the law. It focuses particularly on vulnerable persons, including pregnant women, the disabled and children. Further, the National Labour Mobility Policy forbids migrant exploitation and seeks to ensure decent working conditions and that the rights of migrant workers are protected. It pays specific attention to vulnerable groups, most of which are women migrants, including domestic workers. The Ministry of Public Service and Labour is the custodian of the policy and the leading ministry in its implementation.

Migrant detention is used only as a measure of last resort. The Law on Immigration and Emigration in Rwanda places emphasis on the deportation of migrants who violate immigration laws as opposed to detention, although it mentions that they may be subject to “imprisonment for a term of not less than thirty (30) days and not more than six (6) months”. Moreover, Article 52 of Ministerial Order No. 06/01

Relating to Immigration and Emigration (2019) specifies that “[a] foreigner subject to deportation may be hosted in a specified premise before his or her deportation from Rwanda”. The same order provides for administrative sanctions, such as fines, as an alternative to deportation.

6.2. Areas with potential for further development

Until 2014, Rwanda facilitated the reintegration of returning migrants through the One UN Sustainable Return and Reintegration of Rwandan Returnees Joint Programme, managed by the Government of Rwanda and jointly implemented with the Office of the United Nations High Commissioner for Refugees (UNHCR). The programme allowed United Nations agencies to support the Government in receiving all returnees when they arrive in Rwanda and provided them with assistance to reintegrate into their local communities.²⁰ While the programme still exists, activities stopped in 2014.

²⁰ The United Nations agencies include the World Food Programme, Food and Agricultural Organization, United Nations Development Programme, United Nations International Children’s Emergency Fund, United Nations Human Settlement Programme and IOM.



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ANNEXES

MiGOF: Migration Governance Framework²¹

In an attempt to define the concept of “well-managed migration policies”, the International Organization for Migration (IOM) devised a Migration Governance Framework (MiGOF), which was welcomed by the IOM Council in November 2015. For the purposes of the Migration Governance Framework, IOM defines governance as “the traditions and institutions by which authority on migration, mobility and nationality in a country is exercised, including the capacity of the government to effectively formulate and implement sound policies in these areas”.

The Framework sets out the essential elements of “good migration governance” – 3 principles and 3 objectives which, if respected and fulfilled, would ensure that migration is humane, safe and orderly, and that it provides benefits for migrants and societies.²² IOM’s view is that a migration system promotes migration and human mobility that is humane and orderly and benefits migrants and society:

When it:

- (i) Adheres to international standards and fulfils migrants’ rights;
- (ii) Formulates policy using evidence and a “whole-of government” approach;
- (iii) Engages with partners to address migration and related issues.

As it seeks to:

- (i) Advance the socioeconomic well-being of migrants and society;
- (ii) Effectively address the mobility dimensions of crises;
- (iii) Ensure that migration takes place in a safe, orderly and dignified manner.

The MiGOF does NOT create new standards or norms. In drafting the Framework, IOM relied on its expertise and analytical work, as well as on existing commitments, non-binding declarations and statements. It does NOT address global migration governance that is the international architecture for dealing with issues related to migration and human mobility. Instead, the focus is on the governance and management of migration from the point of view of the State as the primary actor. It does NOT propose one model for all States. The Framework presents a “high road” or ideal version of migration governance, to which States can aspire.

The MiGOF is based on the understanding that, as the primary actor in migration, mobility and nationality affairs, a State retains the sovereign right to determine who enters and stays in its territory and under what conditions, within the framework of international law. Other actors – citizens, migrants, international organizations, the private sector, unions, non-governmental organizations, community organizations, religious organizations and academia – contribute to migration governance through their interaction with States and each other.

²¹ IOM Council, Migration Governance Framework, 106th session, C/106/40 (4 November 2015). Available at <https://governingbodies.iom.int/system/files/en/council/106/C-106-40-Migration-Governance-Framework.pdf>.

²² Migration Governance Framework infosheet (2016). Available at <https://publications.iom.int/books/migration-governance-framework>.

The MGI process



1

Launch of the MGI process

The first step of the process is to explain what the MGI entails to key government officials, in order to ensure full understanding of the project and complete buy-in.



2

Data collection

The second step of the process is to start the collection and analysis of data, based on about 90 indicators grounded in the 6 dimensions of the MiGOF. A migration governance profile based on the analysis of the findings is then drafted and shared with the government counterparts.



3

Interministerial consultation

The third step of the process is to convene an interministerial consultation where all relevant ministries and other stakeholders discuss the good practices and main areas that could be developed further as identified in the draft migration governance profile, as well as priorities on the way forward. It is also an opportunity for them to comment and provide suggestions on the draft profile.



4

Publication of the report on the Global Migration Data Portal

After the migration governance profiles are finalized and vetted by government counterparts, they are published on the Global Migration Data Portal²³ and uploaded on the IOM Online Bookstore.²⁴

²³ You can find the profiles at <https://migrationdataportal.org/overviews/mgi#0>.

²⁴ Please see <https://publications.iom.int/>.





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 MGI@iom.int