

and flagrant errors of fact; and raises disturbing human rights issues related to the use of the death penalty, the limited possibilities for appeal, and retroactive provisions that create the impression of strong legislation. The report notes that within this legal context, not one case of sexual violence had been charged before the courts and, when questioned on this point, both the Prosecutor and the Minister of Justice replied that women do not come forward because of Rwandan culture, a belief widely shared among male prosecutors and investigators. The report also refers to problems in the administration of justice similar to those mentioned in the Special Representative's report (see "Commission on Human Rights").

The description of the situation of women in Rwanda at the time of the visit covers a number of points, including that: only recently, three years after the genocide and with the realization that their testimonies are needed in order to secure justice, have women started to tell their stories; in addition to the social stigma attached to being a victim of rape or sexual violence, many women bear permanent physical scars, deformities and health problems, including HIV/AIDS; the Ministry of Interior, Communal Development and Resettlement has made an effort to overcome these barriers by trying to convince local authorities — through information and awareness-raising campaigns as part of the reconciliation process — to involve women actively in rebuilding society by participating in income-generating projects; another project of the Ministry consists of constructing houses in a new communal setting on shared land, called *habitat regroupé*, especially for children and women heads of households, a style of living that has raised questions since it is contrary to Rwandan culture in which each house has its own land; the Ministry of Commerce is helping women survivors to participate in cooperative ventures to become financially self-sustaining; and one of the major obstacles to women's economic and social empowerment is that, particularly in urban areas, the widows of the genocide have only their husbands' house and property, the ownership of which is subject to the claims of the husbands' families. The SR notes that in the post-conflict period everyone — irrespective of race, ethnicity or sex — suffers the consequences of the genocide and is riddled with insecurities and mutual suspicions, a condition which generates fear of being killed or confronted with one's persecutors and of reprisals; and such fear, in particular in women, leads to severe depression which manifests itself in various forms, including sadness, lack of energy and courage, feelings of uselessness and contemplation of suicide. The reports also notes that: suppressed feelings of hatred are another consequence that genocide survivors face; the situation of women in the post-conflict period is especially difficult because of the great responsibility most of them bear for other survivors, such as their children and relatives, and the fact that the burdens of the wounds caused by the genocide are mainly carried by women, most of whom were raped or sexually humiliated and must live with their traumatic memories.

The report refers to a decision in 1996 by the Ministries of Health and Gender, Women and Social Affairs — with

support from the WHO and Italy — to initiate a comprehensive health project. The objectives of the project are to: improve the access of women victims to medical services; create national networks of women victims of violence; increase the technical capacity of the health personnel; encourage women to make use of the health services available to them; raise funds in support of women victims of violence; and, increase the availability of medical equipment and medication, especially for women victims of violence. While commending the project, the SR cited comments by doctors in Rwanda who expressed disappointment at the delayed intervention of the international community in the aftermath of the conflict, and remarked that the WHO should have started such a project in Rwanda more than three years earlier. Other services set up by the government are noted as including a National Trauma Centre in Kigali and an HIV/AIDS Counselling Centre where free testing and counselling are available and the right to privacy respected.

In the section concerning women in prison or detention centres, the report sets the context by stating that the genocide was characterized by a phenomenon which had not been observed in any armed conflict in history, namely the massive involvement of women as perpetrators of the violence. The report notes that survivors testify that not only did women take part in the general violence and fighting during the conflict, but were also actively involved in committing violence against other women, including acts of sexual violence. As a consequence of this phenomenon, there are a number of women being held in prisons and in detention centres awaiting trial (3.4 to 3.7 per cent of those being held in prisons, communal *cachots* — local lock-ups originally intended as temporary facilities, or detention centres around the country).

The conditions of imprisonment or detention in Butare Central Prison were noted as including: detention of up to three years, in substandard conditions, without any official charges brought against the majority of those being held; permission for a total of 30 of the 240 women being held to work outside on the prison grounds during the day; the absence of any other occupational activities for women prisoners; permission for women detainees to have only one outing per week of five or six minutes in the courtyard; officials or local health authorities who did not monitor the sanitary conditions, and an irregular supply of soap and sanitary napkins; and, the detention of approximately 60 to 70 mentally ill persons in the same facility as other prisoners, without any special medical attention and in violation of international standards which stipulate that persons who are found insane shall not be detained in prisons and are to be moved to mental institutions.

Conditions in Kigali Central Prison were described as including: 576 women in detention, with 572 having been charged under the Genocide Act and awaiting trial; prisoners given unregulated access to a courtyard within their compound; general medical services and social assistance available to women prisoners but no gynaecologist assigned; women sometimes giving birth without