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Subhrajit Chanda



BBA. LL.B. (Hons.) (Amity University, Rajasthan); LL. M. (UPES, Dehradun) (Nottingham Trent University, UK); PH.D. Candidate (G.D. Goenka University)

Subhrajit did his LL.M. in Sports Law, from Nottingham Trent University of United Kingdoms, with international scholarship provided by university; he has also completed another LL.M. in Energy Law from University of Petroleum and Energy Studies, India. He did his B.B.A.LL.B. (Hons.) focussing on International Trade Law.

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With this thought, we hereby present to you

THE ROLE OF THE LAW IN THE PROTECTION AND PROMOTION OF RIGHTS OF PRISONERS UNDER RWANDAN LAW

AUTHORED BY - DR. NSHIMIYIMANA DIDACE¹

Abstract

The rights of prisoners have long been a subject of significant legal scrutiny, both domestically within individual countries and internationally. Basically, prisoners are human beings, entitled to human rights and constitutional rights except those that are to be necessarily denied because of their condition of imprisonment. Under international law, prisoners are afforded certain fundamental rights aimed at upholding their dignity, ensuring humane treatment, and facilitating their eventual reintegration into society, among them includes Mandela rules. Therefore, all signatories' countries including must organize its legal systems in order to align with the standards, requirements and obligations enshrined in these international legal instruments in order to protect and promote the rights prisoners. The main objective of this study is to analyze the various legal frameworks for the protection and promotion of prisoners' rights in Rwanda. In this study, main legislations which are closely related to the rights of prisoners in Rwanda were qualitatively analyzed. The research found that even though Rwanda has established a legal framework intended to protect prisoners' rights, gaps remain in national legal frameworks in protecting prisoners and between law and practice concerning prison conditions, access to education, treatment of detainees. This contribution recommends updating existing laws and issuing regulations to better protect prisoners' rights.

Key Words: *Prisoners, Protection, Promotion, Challenges, Rwanda*

¹ Author is a Judge at High Court, and Part Time Lecturer at Kigali Independent University, Rwanda.

I. Introduction

The rights of prisoners have long been a subject of significant legal scrutiny, both domestically within individual countries and internationally. Under international law, prisoners are afforded certain fundamental rights aimed at upholding their dignity, ensuring humane treatment, and facilitating their eventual reintegration into society. The legal analysis of these rights encompasses a range of principles and standards established through various international treaties, customary international law, and judicial decisions. At the heart of this legal analysis lies the tension between the legitimate interests of states in maintaining order and security within their prisons and the inherent rights of prisoners to be treated with respect and fairness.²

Basically, prisoners are human beings. They being, human beings are to be entitled to human rights and constitutional rights except those that are to be necessarily denied because of their condition of imprisonment. In any case, the accused, under trials, suspects, and convicts do not cease to be human beings just because they are so named. Recent studies, reports, and research highlight that the failure to have legal instruments that protect effectively the rights of prisoners has severe consequences for the personality of prisoners, his/her children, and their families. A study by Fazel found that individuals who have been incarcerated are at a higher risk of developing mental health issues such as depression, anxiety, and post-traumatic stress disorder, violence within prisons, and even suicides;³ Western highlighted that high rates of incarceration in specific neighborhoods can lead to decreased job opportunities and economic instability. Not only that but also Mass incarceration can disrupt social cohesion within communities, leading to mistrust, fear, and a breakdown of social bonds.⁴ Notably, despite the existence of international legal frameworks aimed at protecting the rights of prisoners, significant disparities persist in the implementation and enforcement of these rights.

Thus, this study seeks to analyze the rights of the various legal policies and institutional

² The International Covenant On Civil and Political Rights (ICCPR), Adopted by The United Nations General Assembly in 1966, Sets Out Numerous Provisions Relevant to The Rights of Prisoners, Including The Right to Be Treated with Humanity and Respect for The Inherent Dignity of the Human Person (Article 10), The Prohibition of Torture and Cruel, Inhuman, Or Degrading Treatment or Punishment (Article 7), And The Right to a Fair Trial (Article 14). Similarly, The United Nations Standard Minimum Rule(SMRS) For The Treatment of Prisoners (The Nelson Mandela Rules), Adopted by The UN General Assembly in 2015, Provide Detailed Guidance On the Treatment of Prisoners and The Management of Correctional Facilities, Reflecting Internationally Accepted Norms and Best Practices in This Area.

³ Fazel S, Hayes AJ, Bartellas K, Clerici M, Trestman R. Mental health of prisoners: prevalence, adverse outcomes, and interventions. *Lancet Psychiatry*, 3(9), 2016, pp. 871-81.

⁴Western B., A. Braga A., Davis J., Sirois C., Stress and hardship after prison, *American Journal of Sociology*, 120, 2015, pp. 1512-1547.

framework for the protection of prisoner's right in Rwanda, the challenges and shortcomings within Rwandan legal system concerning prisoner's rights, with a focus on identifying potential solutions to bridge the gap between legal standards and their practical application in ensuring humane treatment and justice for incarcerated individuals, because if these concerns are not effectively addressed, the negative outcomes will continue to impact various of stakeholders, without proper reforms and interventions, prisoners will continue to face deteriorating mental health conditions and high rates of recidivism, the financial strain and emotional distress experienced by families will persist, leading to long-term socio-economic challenges, economic burdens will escalate, social cohesion will weaken, and the trust in the justice system will diminish. The traditional doctrinal methods helped in this paper. Hence, main legislations, which are closely related to the rights of prisoners are to be qualitatively analyzed. This article begins with the introduction. It proceeds to examine the Rwandan legal frameworks related to the rights of prisoners under Rwandan laws, including the constitution, criminal laws and law on correctional service, and the conclusion.

2. The Rights of Prisoners under the Rwanda Laws

2.1. The Rights of Prisoners under the Constitution of the Republic of Rwandan as amended to date

The constitution of Rwanda of 2003 as revised in 2015 like many constitutional frameworks in other countries contains a detailed Bill of Rights. The Bill of Rights in the constitution of Rwanda is enshrined in Chapter Four which deals with the freedoms and human rights. It is provided that a human being is sacred and inviolable.⁵ This means that individual human rights should never be taken as favors granted by states or anyone else, but are rights of the person by being created as such; thus the State and all organs for the public administration have the absolute obligation to respect protect, and defend all people.⁶ It is stipulated that everyone has the right to physical and mental integrity; no one may be subjected to torture, physical abuse, or cruel, inhuman, or degrading treatment.⁷ In line with the importance given to human rights, Rwanda has a responsibility to promote the human rights of its people. Moreover, the constitution of Rwanda⁸ confers on the judiciary the responsibility of being the guardian of the human rights and freedoms of Rwandans and guarantees fundamental human rights and

⁵ The Constitution of the Republic of Rwanda. Official Gazette n° Special of 04/08/2023.

⁶ Ibid. Article 13.

⁷ Ibid, Article 4 (1,2).

⁸ The Constitution of the Republic of Rwanda. Article 43.

freedoms, including the rights of detainees and prisoners.

Among these freedoms, the prisoners cannot enjoy some of them due to the nature of these freedoms, such as freedom to reside and to settle,⁹ freedom of profession, and freedom of movement.¹⁰ But there are other freedoms under Chapter Four that a prisoner can enjoy even behind bars, for instance, the freedom of expression, of press, and access to information¹¹ as well as the freedom to become a member of an association.¹² In addition, the Constitution of Rwanda provides for various other provisions, although they cannot be directly characterized as prisoners' rights, but may be relevant. Among them are in the provisions of Article 24 and Article 29.

Although the Rwandan Constitution has made a valuable step in protecting individual rights and freedoms, there are no express provisions related to prison justice or the rights of prisoners; but some other constitutions provide provisions about the protection of prisoners. The American Constitution addresses prisoners' rights primarily through several amendments, particularly the Eighth Amendment and the Fourteenth Amendment. These amendments establish fundamental protections against abuse and discrimination within correctional facilities, rights of prisoners by ensuring due process, it stipulates that prisoners retain their constitutional rights, and although they are limited in certain privileges, no one among them can be deprived of his liberty, life or property without due process of law,¹³ the prohibition of cruel and unusual punishment, the prison officials must protect inmates from violence by other inmates.

It is therefore important to note that prisoners also remain human beings and must enjoy their fundamental constitutional rights. This leads to the emphasis that the prisoner, whether convicted, awaiting trial, or in detention, does not cease to be a human being and that while in prison, he must enjoy all his fundamental rights as mentioned in the Constitution. The inclusion of prisoners' rights in the Constitution is therefore important because, as has been argued, for prisoners to be realistically reformed and rehabilitated, their fundamental rights must be

⁹ Ibid. Article 26.

¹⁰ Ibid. Article 30.

¹¹ Ibid. Article 38.

¹² Ibid. Article 39.

¹³ The constitution/bill of rights institute. <https://constitution.congress.gov/browse/amendment-4/>. Accessed 16/08/2025.

respected.

2.2. Penal code and criminal procedure code

The Rwandan Penal Code lays down the legal framework for the detention and treatment of prisoners. “Every person arrested shall be brought before a judge within twenty-four hours.” This provision aims to prevent arbitrary detention and ensure that individuals are brought promptly before a judicial authority. Prisoners also have certain responsibilities. They are expected to respect prison rules and regulations, behave in an orderly manner, and not engage in violent or disruptive activities. Prisoners who fail to comply with these rules may be prosecuted.

Prisons Service is responsible for managing prisons and ensuring that prisoners’ rights are respected. The service provides various services to prisoners, including healthcare, education, vocational training, and religious services. The service also works to rehabilitate prisoners and prepare them for reintegration into society upon release.¹⁴

The law relating to criminal procedure¹⁵ sets rules for the fair trial process and above all protects the rights of the accused during the criminal court proceedings; it protects Unlawful Detention. This Provision Exists within criminal procedures allowing individuals including prisoners to seek redress for unlawful detention through habeas corpus applications. Furthermore, this law further refines the procedures related to criminal investigations, prosecutions, and trials. It provides updated provisions, to enhance the protection of prisoner’s rights. In addition, article 257 of the criminal procedure provides that “the following persons are exempted from depositing court fees when filing a case: 1° indigent with a certificate issued by competent authority; 2° Government of Rwanda with the exception of its institutions and organs with legal status; 3° persons in prison; 4° children represented by the indigent”.

2.3. Rwanda Correctional Services Acts

Law n° 021/2022 of 29/09/2022 governing Rwanda Correctional Service sets rules to govern the Rwanda Correctional Service; it provides among others its mission, responsibilities,¹⁶

¹⁴ Law N°68/2018 of 30/08/2018 Determining Offences and Penalties in General. Official Gazette n° Special of 27/09/2018.

¹⁵ Law N° 027/2019 of 19/09/2019 Relating to the Criminal Procedure. Official Gazette n° Special of 08/11/2019.

¹⁶ Law N° 022/2022 Of 29/09/2022 Governing Correctional Service. Official Gazette n° 42 Bis of 17/10/2022, (See Article 8 and Article 9)

powers, organization, and functioning.¹⁷ The specific provisions relating to the rights of prisoners are enshrined in law n° 022/2022 of 29/09/2022 governing correctional service. This Law governs correctional services delivered to a person sentenced by a court of law to a term of imprisonment served in a correctional facility.¹⁸ For this purpose, this law provides for specific rights of prisoners namely: the right to receiving visitors and communication; the right to clothing, feeding and accommodation; the right to learn a trade or develop a skill and the right to engage in sporting activities; the right to environmental hygiene and Health care; the right to reform among others.

2.3.1. Right of Education

Prisoners while in prison should not lose their right to education. As stressed by Garland their time in prison can be used to teach them to read, to write, and to train them in vocational skills.¹⁹ Such training can enable them to live a safe life in the respect of law after their release. Formal education allows them to easily integrate into higher education institutions upon their release and vocational training allows them to create their own jobs and generate income.

The United Nations standards minimum rules for the treatment of offenders make it clear that prisoners have the right to pursue education if they so wish within the available resources.²⁰ In order to prevent mental deterioration and retardation and to improve their level of education and development, prisoners should have access to books and training in vocational activities.²¹ Vocational training is important in correctional facilitation because it provides them with skills they can use to create their own jobs once released.

Rwandan legal frameworks provide that in order to provide an educational program to a person sentenced to imprisonment served in a penal institution, the Rwanda Correctional Service shall, among others, establish literacy strategies and programs for a person sentenced to imprisonment served in a penal institution and establish an educational program for a person sentenced to imprisonment served in a penal institution with reference to the government's

¹⁷ Ibid, See Article 11 to 36.

¹⁸ Ibid, See Article 2

¹⁹ Garland, D., *Punishment and Welfare: A History of Penal Strategies*. The International Journal of Penology, Sage Publications, 21(3), 2018. pp. 267–274.

²⁰ Rule 75 of the United Nations Standard Minimum Rules for The Treatment of Offenders. https://www.unodc.org/documents/justice-and-prison-reform/Nelson_Mandela_Rules-E-Ebook.Pdf. Accessed 16/09/2025.

²¹ Omoni Grace Ego and Ijeh Scholastica, U., "Qualitative Education for Prisoners: A Panacea to Effective Reformation and Reintegration into The Society", *Edo Journal of Counseling*, 2 (1), 2010.

education programs at the primary, secondary and tertiary levels as well as technical and vocational training.²² Moreover, an incarcerated person sentenced to a term of imprisonment served in a correctional facility who has completed a general education program receives a diploma certificate for the courses taken while one who has completed a vocational training program receives a certificate for a profession in which he or she has been trained.

In addition, the organ of the correctional service provides training for incarcerated persons in social and civic education with a view to their social reintegration, it also develops and offers programs aimed at encouraging a person sentenced to a term of imprisonment served in a penitentiary establishment to become aware of the consequences of his or her behavior and to begin a personal process of change.²³ However, while the law guarantees the right to education for prisoners and specifies the type of education and the status of a prisoner released before taking the final exams, it is silent on issues such as the source and remuneration of prison teachers, the compulsory nature of education for young prisoners, and prisoners' access to books. This is a departure from international instruments on the treatment of prisoners, particularly the Standard Minimum Rules. Rwanda should ensure that education is compulsory for young prisoners, specify how prisoners continue their education up to tertiary level, prisoners' access to books, and address the issue of teachers and tutors of prisoners.

2.3.2. Right to access to his family visit

A prisoner should be allowed to keep in touch with family members, friends, and relatives. This helps maintain the social link between the prisoner and the outside world to which he must return after his incarceration. It also facilitates the possibility of social reintegration. Article 41 of the law N° 022/2022 of 29/09/2022 governing correctional services provides that an incarcerated person has the right to be visited by his or her family members and friends at the days and hours determined by the standard operating procedures of the prison in charge of correctional services. Exchanges between an incarcerated person and a visitor shall take place in the presence of an officer of the prison. Without prejudice to the principle of control of all objects entering and leaving a penitentiary establishment, an incarcerated person shall also have the right to receive a visit from his lawyer during working hours and to communicate freely

²² Law N° 022/2022 of 29/09/2022 Governing Correctional Services. O.G n° 42 Bis of 17/10/2022(See art 13)

²³ Ibid, Article 14

with him verbally or in writing about legal proceedings.²⁴ Further, on admission, an incarcerated person has the right to exchange written correspondence with a person from outside the correctional facility.²⁵

2.3.3. Religion

Prisoners should also be given an opportunity to accomplish their religious and spiritual needs. Garland in his article pointed out that this helps prisoners to reflect and remorse for past criminal deeds which is good for reformation and rehabilitation.²⁶ In Rwanda, this is provided for under article 42 of the law N° 022/2022 of 29/09/2022 governing correctional services. It is provided that an incarcerated person has the right to exercise his or her faith practices if his or her activities do not violate the standard operating procedures of the Organ of the correctional service.²⁷ A faith-based organization registered in Rwanda wishing to carry out religious activities in a correctional facility applies in writing for authorization from the chief of the prison.

In addition, a religious organization authorized to conduct religious activities in a correctional facility must comply with the standard operating procedures of that correctional facility. Religious sermons preached in a correctional facility must, to a large extent, be consistent with the correction of incarcerated persons. The prison or correctional service's standard operating procedures must provide for the arrangements for carrying out religious activities in that facility and determine the validity period of the authorization to carry out such activities.²⁸ This is in line with the United Nations Minimum Standard for the Treatment of Offenders and may have a significant impact on the reform and rehabilitation of prisoners.

2.3.4. Health

Exercises keep prisoners in good physical health and kill boredom. Therefore, in any prison, there ought to be recreational facilities for the prisoners to have regular exercise. This is supplied by international instruments on the treatment of prisoners.²⁹ Exercises and recreational

²⁴ Law N° 022/2022 of 29/09/2022 Governing Correctional Services. Official Gazette n° 42 Bis of 17/10/2022, See Article 41.

²⁵ Ibid. Article 44.

²⁶ Garland, D., Op.cit.

²⁷ Law N° 022/2022 of 29/09/2022 Governing Correctional Services. Official Gazette n° 42 Bis of 17/10/2022, See Article 42.

²⁸ Ibid, Article 50.

²⁹ Rule 105 of United Nations Standard Minimum Rules for The Treatment of Offenders.

activities also facilitate the social reintegration of prisoners with their communities through organizing competitions between inmates and community members.

Exercise for prisoners is provided for by article 40 of the law N° 022/2022 of 29/09/2022 governing correctional services which states that; an incarcerated person has the right to medical care. Every correctional facility has a medical service and medical officers to provide medical care to incarcerated persons. An incarcerated person, upon his or her admission into a correctional facility, undergoes medical screening in order to detect possible contagious diseases. When the test is positive, the provisions of relevant laws are applicable. In case an incarcerated person does not receive appropriate medical care from the medical service of the correctional facility, he or she is transferred to another public health facility at the cost of the correctional facility. He or she may be treated, when necessary, in a private health facility, at his or her own cost.³⁰ According to the amnesty international prisoners in Rwanda have access to healthcare services to ensure their physical and mental well-being while in custody. Medical professionals are available within prisons to provide necessary medical care and treatment.³¹

2.3.5. Right to Information

The prisoner has the right to be informed about his or her rights in a language he or she understands well. He or she is also informed about Laws and regulations governing him or her in the correctional facility.³² An incarcerated person has the right to information. Depending on available means, a correctional facility must have a library equipped with books, and computers using information technology to access court files and other tools deemed to provide information to the incarcerated person. Rwandan law on correction services provides that a correctional facility must avails the means permitting an incarcerated person to listen to the radio and to watch television for information and entertainment purposes, where possible.³³

3. Gaps in Prisoners' Laws governing correctional service and its Regulations

The government of Rwanda has made significant strides in reforming its penal system and

³⁰ Law N° 022/2022 of 29/09/2022 Governing Correctional Services. Official Gazette n° 42 Bis of 17/10/2022, See Article 40.

³¹ Amnesty International, <https://www.amnesty.org/en/wp-content/uploads/2021/06/pol100031995en.pdf>. Accessed 20/08/2025.

³² Law N° 022/2022 of 29/09/2022 governing correctional services. See Article 20.

³³ Ibid, Article 43.

enhancing the rights of prisoners since the end of the genocide against Tutsi in 1994. However, several challenges and gaps persist that hinder the effective protection and promotion of prisoners' rights. One of the challenges to the protection of prisoners' rights in Rwanda is lacunae in the law governing correctional service Prisons Act and its Regulations.

Normally, prisoners should be categorized to avoid contact between repeat offenders and first-time offenders or those who have not yet been convicted. The United Nations Standard Minimum Rules for the Treatment of Prisoners stipulate that prisoners should be held in separate institutions or parts of institutions, taking into account their age, sex, the legal reason for their detention, their criminal record, and the needs of their treatment. In his article, Johnson emphasized that prisoners should be categorized based on various criteria and that the classification of prisoners is crucial because it determines their rights, treatment, and legal status while incarcerated.³⁴ Rwandan legal frameworks only address the separation between men, women, and children. This is provided for in Article 25 of Law No 022/2022 of 29/09/2022 governing correctional services, which provides that men and women are placed in separate blocks,³⁵ that in a correctional facility hosting women and men, the block hosting women is supervised by female officers and the block hosting men is supervised by male officers. In fact, women prisoners refer to girls and women who are incarcerated in correctional facilities,³⁶ this category may also include women who have young children and are allowed to keep them with them in some cases. In Rwanda, there are two correctional Facility which is located in Nyamagabe in the Southern Province, Ngoma districts in Eastern Province which are reserved only for women, and Musanze district in the North Province which is mixed. It is understandable that, except for work or training purposes and only under strict supervision, male and female prisoners are held separately in separate prisons or separate parts of the same prison in order to avoid contact between them.

Moreover, article 25 of the law n° 022/2022 OF 29/09/2022 cited above provided that incarcerated minors are housed in a specific correctional facility and supervised by officers with skills related to the management of juvenile offenders.³⁷ Rwanda is a signatory to the International Convention on the Rights of the Child, which entered into force in September

³⁴ Rule 11 of The United Nations Standard Minimum Rules for The Treatment of Offenders.

³⁵ Law N° 022/2022 Of 29/09/2022 Governing Correctional Service. See Article 25.

³⁶ Women in prison/American civil liberties union. <https://www.aclu.org/issues/prisoners-rights/women-prison>, Accessed 20/08/2025.

³⁷ Law N° 022/2022 Of 29/09/2022 Governing the Correctional Services. See Article 25(14). _

1990 and to which 191 States parties are currently parties. The Convention provides certain special rights for juvenile offenders, taking into account their particular vulnerability and society's interest in their rehabilitation. In particular, article 37 of the Convention prohibits life imprisonment for juveniles and protects them from capital punishment. Imprisonment of juveniles should be a measure of last resort and, when imposed, should be for the shortest appropriate period. Article 37 further requires States parties to ensure that no child is subjected to torture or other cruel, inhuman, or degrading treatment or punishment.

Furthermore, Article 37 requires that juveniles in conflict with the law shall in all cases be treated with humanity and with respect for the dignity of the human person, and in a manner appropriate to their age. In this regard, any child deprived of liberty shall be separated from adults, unless it is considered that this is not in the best interests of the child. Detained children also have the right to maintain contact with their families through correspondence and visits, except in exceptional circumstances. Article 40, paragraph 1, emphasizes the desirability of promoting the rehabilitation of the child and enabling him or her to assume a constructive role in society. In this regard, Rwanda has special facilities and rehabilitation programs for juvenile offenders to ensure their well-being and reintegration into society. Rwanda has one juvenile correctional facility located in Nyagatare District.

More importantly, the law gives the structure of accommodations. It provides that incarcerated persons are housed in dormitories or individual cells depending on the capacity of a correctional facility, and the specific needs of women and men incarcerated are taken into consideration in each correctional facility building.³⁸

Accordingly, persons with disabilities and psychiatric disorders must have special treatment. The correctional facility management must do everything possible to facilitate incarcerated persons with physical disabilities or psychiatric disorders to have full and effective access to correctional facility infrastructures on an equitable basis.³⁹ This particular need is of paramount importance, as Wade H. and Dores M. McCree pointed out; these authors pointed out that many prisoners with mental or physical disabilities face serious threats to their safety, they may be vulnerable to extortion, exploitation, threats, and physical and sexual abuse by other prisoners.

³⁸ Law N° 022/2022 of 29/09/2022 Governing The Correctional Services. See Article 26.

³⁹ Ibid, Article 27(3)

For the, Prisoners with mental disabilities in particular may be manipulated by other prisoners into doing things that put them in serious disorder.⁴⁰ All in all, prisons or correctional services and detention centers should avoid separating prisoners with disabilities from other prisoners and should implement appropriate support measures to avoid the need for such separation, including supervision, mental health care, and single cells, where appropriate, among others.

Furthermore, the law provides that persons in pre-trial detention are separated from persons sentenced to a term of imprisonment served in a penitentiary establishment.⁴¹ It is therefore silent on how these persons are separated in practice and on how convicted or detained prisoners are categorized and separated as they may also be categorized according to the length of their sentence or the nature of their crimes, this situation calls for urgent directives in this matter.

It is important to note that the law governing correctional service remains silent on the issue of elderly prisoners, also known as older or aging inmates. These prisoners face unique challenges due to their difficulty adjusting to imprisonment, vulnerability to victimization by other inmates, and harsh physical conditions within prisons.⁴² From the above analysis, even though the Rwandan prison system has undergone significant reforms over the years to improve conditions and ensure the fair treatment of prisoners in accordance with national laws and international human rights standards, it can be concluded that the legislator has not fully defined how prisoners are classified in correctional institutions. Thus, the categorization should be also based on the health status of prisoners, age of prisoners, criminal history and type of offenses committed, as well as the length of sentence, among others, and each category may have specific rules governing its treatment, privileges, and access to programs aimed at rehabilitation or reintegration into society. This also makes this Rwandan law to fall short of the requirements of the international minimum standard for the treatment of the prisoners.⁴³ On the strength of the above we call for the amendment of the Rwandan laws to reflect the provisions of the Mandela Rules.

⁴⁰ Human Rights Watch, *Ill-Equipped: U.S. Prisons and Offenders With Mental Illness* 57 (2003), (Quoting Terry Kupers, *Prison Madness: The Mental Health Crisis Behind Bars And What We Must Do About It* 20 (1999). Available at: <https://www.hrw.org/reports/2003/usa1003/usa1003.pdf>. Accessed 20/08/2025.

⁴¹ Law N° 022/2022 Of 29/09/2022 Governing Correctional Services. o.g n° 42 Bis of 17/10/2022 (See art. 25)

⁴² Forgotten people-elderly in mates. <https://www.ojp.gov/ncjrs/virtual-library/abstracts/forgotten-people-elderly-inmates>. Accessed 20/08/2025.

⁴³ United Nations Standard Minimum Rules for The Treatment of Offenders, Rule 14.

4. Conclusion

The legal regime governing the rights of prisoners in Rwanda is shaped by both national legislation and international human rights standards. Rwanda's legal framework for the protection of prisoners' rights is primarily established through the Rwandan constitution, penal code, Rwandan correctional services, organization of prisons, and international treaties like the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights, etc.

The analysis and discussion of rights of prisoners in Rwanda about the legal regime and challenges in Rwanda found that even though Rwanda has established a legal framework intended to protect prisoners' rights, gaps remain in national legal frameworks in protecting prisoners and between law and practice concerning prison conditions, access to education, treatment of detainees. Therefore, it is essential to incorporate in Rwandan constitution the articles protecting prisoners' rights, and the legislative should introduce in Rwandan law that the categorization of prisoners must be based on sex, health conditions of prisoners, age of prisoners, criminal background and type of offenses committed, and the period of sentence among others, and each category may have specific rules governing their treatment, privileges, and access to programs aimed at rehabilitation or reintegration into society. Moreover, it is needed to updating the law governing correctional services in order to improve education programs in prisons by making the education compulsory for young prisoners and specify how prisoners continue their education up to tertiary level, prisoners' access to books, and address the issue of training and remunerations of teachers and tutors of prisoners.

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