

Rwanda

## Ministerial Order determining Appropriate Measures of Tracing Family Members of Unaccompanied Refugee Children for their Reunification

Ministerial Order 1-MIDIMAR of 2013

Legislation as at 9 December 2013

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Ministerial Order determining Appropriate Measures of Tracing Family Members of Unaccompanied  
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## Rwanda

# Ministerial Order determining Appropriate Measures of Tracing Family Members of Unaccompanied Refugee Children for their Reunification

### Ministerial Order 1-MIDIMAR of 2013

Published in Official Gazette 49 on 9 December 2013

**Assented to on 3 December 2013**

**Commenced on 9 December 2013**

*[This is the version of this document from 9 December 2013.]*

**The Minister of Disaster Management and Refugee Affairs,**

Pursuant to the Constitution of the Republic of Rwanda of 04 June 2003 as amended to date, especially in Articles 120, 121 and 201;

Pursuant to Law n° 54/2011 of 14/12/2011 relating to the rights and the protection of the child, especially in Article 49;

After consideration and approval by the Cabinet, in its session of 23/10/2013;

**HEREBY ORDERS:**

### **Article One – Purpose of this Order**

This Order determines appropriate measures within the framework of tracing family members of the unaccompanied refugee children for their reunification.

### **Article 2 – Definitions of terms**

For the purpose of this Order, the following terms shall have the following meanings:

- 1° **Family:** group of people by blood or marriage relations, either descending from others or from a common ancestor.
- 2° **Unaccompanied refugee child:** refugee who is under eighteen (18) years of age and separated from his/her parents and other close family members and not catered for by any adult assigned to this responsibility by Law.

### **Article 3 – Obligation to provide information on unaccompanied refugee child**

Any person who finds a refugee child separated from his/her family must inform the nearest local authority which must also inform the Directorate General of Immigration and Emigration.

Any person who finds an unaccompanied refugee child must deliver the child to the authority referred to in Paragraph One of this Article or inform him/her in writing.

Information provided by the refugee child shall only be communicated to the concerned authority.

#### **Article 4 – Prohibited language in the search for information on unaccompanied refugee child**

It is prohibited to use a language likely to offend a refugee child separated from his/her family while seeking information.

#### **Article 5 – Right of the child to express him/herself freely**

The unaccompanied refugee child who is capable of expressing him/herself shall have the right to give his/her opinion freely about reunification with his/her family.

#### **Article 6 – Elements to be considered when giving information about unaccompanied refugee child**

When giving the information about the refugee children separated from their families, the following elements must be considered:

- 1° names of the child;
- 2° date of birth;
- 3° names of parents;
- 4° names of other family members;
- 5° country of origin;
- 6° time of separation with his/her family;
- 7° place of separation;
- 8° child's current address.

#### **Article 7 – Tracing the family of unaccompanied refugee child**

During the search of the family of the refugee child, all means of communication that would facilitate their reunification must be used.

Before the unaccompanied refugee child is handed back to his/her family, sufficient evidence must be provided to prove that he/she belongs to that family.

#### **Article 8 – Reunification of unaccompanied refugee child with his/her family**

After collecting useful information, the refugee child must be reunified with his/her family, if traced.

When family members are abroad, reunification must comply with international principles on refugees and human rights.

In case the reunification is impossible, the unaccompanied refugee child must be provisionally assisted while waiting for tracing his/her family as provided for by laws.

## **Chapter IV**

### **Final provisions**

#### **Article 9 – Repealing provision**

All prior provisions contrary to this Order are hereby repealed.

#### **Article 10 – Commencement**

This Order shall come into force on the date of its publication in the Official *Gazette* of the Republic of Rwanda.