

RWANDA

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1 Population indicators

1.1 What is the total population of Rwanda?

According to the fourth Rwanda Population and Housing Census, Rwanda has a total of 10 515 973 inhabitants.¹

1.2 Describe the methodology used to obtain the statistical data on the prevalence of disability in Rwanda. What criteria are used to determine who falls within the class of persons with disabilities in Rwanda?

The fourth Rwanda Population and Housing Census was used to obtain data on the prevalence of disability in Rwanda. The census questionnaire was used to collect data. This questionnaire contained a set of questions meant to obtain information about households with certain types of disability. Disabilities included impairments of sight, hearing, speaking, walking/climbing, learning/concentrating, as well as other disabilities.²

1.3 What is the total number and percentage of people with disabilities in Rwanda?

According to the fourth Rwanda Population and Housing Census (2012), 446 453 persons aged five years and over were reported to have disabilities.³

1 National Institute of Statistics of Rwanda (NISR) <http://www.statistics.gov.rw/survey-period/fourth-population-and-housing-census-2012> (accessed 15 February 2018).

2 As above.

3 As above.

1.4 What is the total number and percentage of women with disabilities in Rwanda?

According to the fourth Rwanda Population and Housing Census, there are 225 303 women (4,8 per cent) with disabilities in Rwanda.

1.5 What is the total number and percentage of children with disabilities in Rwanda?

No statistics were available on children with disabilities. The available statistics reflect data of persons aged five years and over.

1.6 What are the most prevalent forms of disability and/or peculiarities to disability in Rwanda?

The most common type of disability in Rwanda is that of walking or climbing, with a prevalence rate of 3 per cent among the population aged five years and over. The other forms of disability with the number of residents are as follows:⁴

- sight – 57 213
- hearing – 33 471
- speech – 16 256
- walking/climbing – 220 130
- learning/concentrating – 84 133
- other disabilities – 66 696
- types not stated – 1 967

2 Angola's international obligations

2.1 What is the status of the United Nation Convention on the Rights of People with Disabilities (CRPD) in Rwanda? Did Rwanda sign and ratify the CRPD? Provide the date(s).

Rwanda ratified the UN Convention on the Rights of Persons with Disabilities (CRPD) on 15 December 2008.⁵

⁴ As above.

⁵ The Republic of Rwanda. 'Initial Report of Rwanda on the Implementation of the Convention on the Rights of Persons with Disabilities'. (2015) http://www.minijust.gov.rw/fileadmin/Documents/International_Reports/Initial_report_UNCRPD_-_Final_Version_08th_April_2015.pdf (accessed 16 February 2018).

- 2.2 If Rwanda has signed and ratified the CRPD, when was its country report due? Which government department is responsible for submission of the report? Did Rwanda submit its report? If so, and if the report has been considered, indicate if there was a domestic effect of this reporting process. If not, what reasons does the relevant government department give for the delay?**

Rwanda's first report was due on 15 January 2011. The Ministry of Justice was responsible for the submission of the report. The Ministry has a department of International Justice and Judicial Cooperation which was tasked to lead the report-drafting process. Rwanda did submit its report, but the report has not yet been considered. This depends on the agenda of the Committee on the Rights of Persons with Disabilities.

- 2.3 While reporting under various other United Nation's instruments, or under the African Charter on Human and Peoples' Rights, or the African Charter on the Rights and Welfare of the Child, did Rwanda also report specifically on the rights of persons with disabilities in its most recent reports? If so, were relevant 'concluding observations' adopted? If relevant, were these observations given effect to? Was mention made of disability rights in your state's UN Universal Periodic Review (UPR)? If so, what was the effect of these observations/recommendations?**

Rwanda has acceded to, ratified or approved several key international and regional instruments on human rights and their additional protocols, in particular the Universal Declaration of Human Rights (Universal Declaration); the African Charter on Human and Peoples' Rights (African Charter); the International Covenant on Economic, Social and Cultural Rights (ICESCR); the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW); the Convention on Rights of the Child (CRC); and the United Nations Convention on the Rights of Persons with Disabilities (CRPD).⁶

International instruments

- **Convention on the Rights of the Child**

Rwanda submitted its third and fourth periodic reports to the CRC Committee in June 2013. Regarding the rights of children, the Committee commended Rwanda for adopting Law 54/2011 of 14 December 2011 relating to the Rights and Protection of the Child; Law 22/2011 of 28 June 2011 establishing the National Commission for Children; and Law 01/2007 of 20 January 2007 relating to the protection of the rights of disabled persons in general; The Hague 1993 Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption in March 2012; Law 13/2009 of 27 May 2009 regulating labour in Rwanda and its subsequent regulations, namely, Ministerial Order 06 of 13 July 2010 containing a list of the worst forms of child labour.

Based on the recommendation by the Committee, some guiding documents were drawn up, such as the development of bio-psychosocial guidelines for residential centres of persons with disabilities (December 2017); development of

6 As above.

mental health guidelines for persons living in centres (February 2017) and the establishment of the competence-based curriculum for mental disability in 2017.

- **International Covenant on Economic, Social and Cultural Rights**

Rwanda submitted its second and fourth periodic reports on the implementation of the ICESCR to the ESCR Committee in May 2013. As far as the rights of persons with disabilities are concerned, the Committee noted with appreciation the adoption of Law 01/2007 of 20 January 2007 regarding the protection of persons with disabilities by the Republic of Rwanda; and also welcomed the ratification of the CRPD on 15 December 2008; and the Optional Protocol to Convention on the Rights of Persons with Disabilities on 15 December 2008.⁷ The Committee recommended that Rwanda should implement effective measures to increase employment in favour of persons with disabilities.⁸ This is effected through the National Employment Programme (NEP) where 1 288 persons with disabilities underwent vocational training whereafter they are supported to obtain start-up kits and start-up loans. A Ministerial Order was enacted in 2009 which determines modalities for easy access to employment for persons with disabilities.⁹

- **UN Universal Periodic Review (UPR)**

The review of Rwanda was conducted at the second meeting on 24 January 2011. The report mentioned some key issues which included access to education and health, and respect for women, children and persons with disabilities. Rwanda was commended for the progress made towards access to education and health, respect for women and children and persons with disabilities. The country was encouraged to take further initiatives towards protecting the rights of marginalised and vulnerable groups and ending gender-based violence.¹⁰

Regional instruments

- **African Charter on Human and Peoples' Rights**

Rwanda signed the African Charter on 11 November and ratified it on 17 May 1983. The eighth periodic report was submitted to the Secretariat of the African Commission on 14 August.¹¹

Regarding the impact of the recommendations, Rwanda welcomed the recommendations by the relevant committees and committed itself to implementing these. Rwanda is currently in the process of finalising its periodic reports on the CEC and the African Charter on the Rights and Welfare of the Child (African Children's Charter). Both reports highlight steps made in improving the rights of children with disabilities.

7 ESCR Committee Concluding Observations on the 2nd to 4th periodic reports of Rwanda, adopted by the Committee at its 50th session, 29 April-17 May 2013: Committee on Economic, Social and Cultural Rights, 10 June 2013, E/C.12/RWA/CO/2-4, <http://www.refworld.org/docid/52d54c834.html> (accessed 21 February 2018).

8 As above.

9 As above.

10 United Nations General Assembly Report of the Working Group on the Universal Periodic Review, 14 March 2011, <https://reliefweb.int/sites/reliefweb.int/files/resources/G1111793.pdf> (accessed 18 February 2018).

11 African Union African Commission on Human and Peoples' Rights' Consideration of Reports submitted by State Parties under Article 62 of the African Charter on Human and Peoples' Rights http://www.chr.up.ac.za/images/files/documents/ahrdd/rwanda/rwanda_concluding_observations_recommendations_2002_2004.pdf (accessed 18 February 2018).

- 2.4 Was there any domestic effect on Rwanda's legal system after ratifying the international or regional instruments in 2.3 above? Does the international or regional instrument that has been ratified require Rwanda's legislature to incorporate it into the legal system before the instrument can have force in Rwanda's domestic law? Have Rwanda's courts ever considered this question? If so, cite the case(s).**

Rwanda has ratified and domesticated most international and regional instruments, including the CRPD and its Optional Protocol. Rwanda is a monist state; article 190 of the Constitution of Rwanda (revised in 2015) adopted the monist approach which entails that an international treaty provision becomes part of domestic law upon ratification.¹²

The Rwandan context is influenced by the adverse effects of the 1994 genocide against the Tutsi, which resulted in many additional persons with disabilities as well as persons with mental health challenges.

- 2.5 With reference to 2.4 above, has the United Nations CRPD or any other ratified international instrument been domesticated? Provide details.**

Rwanda is a monist state with the result that once international human rights instruments are duly ratified they become part and parcel of municipal law. Furthermore, Rwanda has enacted several domestic laws to implement ratified human rights instruments, such as Law 01/2007 of 20 January 2007, relating to the protection of disabled persons in general, and Law 02/2007 on the protection of former war combatants with disabilities. These laws were passed after ratification of the CRPD.

3 Constitution

- 3.1 Does the Constitution of Rwanda contain provisions that directly address disability? If so, list the provision, and explain how each provision addresses disability.**

The Rwandan Constitution of 2003, revised in 2015, contains provisions that directly address disability:

Article 51:

Welfare of persons with disabilities and other needy persons.

The state has the duty to establish special measures facilitating the education of persons with disabilities.

The state also has the duty, within its means, to undertake special actions aimed at the welfare of persons with disabilities.

The state also has the duty, within the limits of its means, to undertake special actions aimed at the welfare of the indigent, the elderly and other vulnerable groups.

¹² J Sikulibo 'Access to justice and the international law standard' LLM dissertation, University of Cape Town, 2009 https://www.memoireonline.com/06/10/3554/m_Access-to-justice-and-the-international-law-standards6.html (accessed 18 February 2018).

Article 75:

Composition of the Chamber of Deputies and election of its members.

The Chamber of Deputies is composed of 80 deputies. They originate and are elected from the following categories: one deputy elected by the National Council of Persons with Disabilities.

Article 139:

National commissions, specialised organs, national councils and public institutions.

The national commissions, specialised organs and national councils entrusted with the responsibility to help in resolving important issues facing the country are the following:

National Councils:

- (a) National Women Council
- (b) National Youth Council
- (c) National Council of Persons with Disabilities.

3.2 Does the Constitution of Rwanda contain provisions that indirectly address disability? If so, list the provisions and explain how each provision indirectly addresses disability.

The Constitution of Rwanda contains provisions that indirectly address disability with reference to 'persons affected by genocide, without discrimination or any other form of discrimination, right to life' in the following articles:

Article 16

Protection from discrimination

All Rwandans are born and remain equal in rights and freedoms. Discrimination of any kind or its propaganda based on, inter alia, ethnic origin, family or ancestry, clan, skin colour or race, sex, region, economic categories, religion or faith, opinion, fortune, cultural differences, language, economic status, physical or mental disability or any other form of discrimination are prohibited and punishable by law.

Article 20

Right to education

Every Rwandan has the right to education. Freedom of learning and teaching is guaranteed in accordance with conditions determined by law. Primary education is compulsory and free in public schools. Conditions for free primary education in schools subsidised by the government are determined by law. A law also determines the organisation of education.' Nonetheless, there is no mention of the disabled people in the revised Constitution.

Article 50

Welfare of needy survivors of the genocide against Tutsi.

The state, within the limits of its means and in accordance with the law, has the duty to undertake special actions aimed at the welfare of the needy survivors of the genocide against Tutsi.

4 Legislation

4.1 Does Rwanda have legislation that directly addresses issues relating to disability? If so, list the legislation and explain how the legislation addresses disability.

The rights of persons with disabilities are protected by the Constitution along with those of all other Rwandan citizens. The rights of persons with disabilities are further protected by the National Law 01/2007 on the protection of persons with disabilities in general; Law 02/2007 on the protection of former war combatants with disabilities; Law 27 of 2001 relating to the rights and protection of the child against violence; and Law 3/2011 of 10 February 2011 determining the responsibilities, organisation and functioning of the National Council of Persons with Disabilities.

- **Law 01/2007 of 20 January 2007, relating to the protection of disabled persons in general and Law 02/2007 on the protection of former war combatants with disabilities**

This legislation deals with the rights of persons with disabilities in matters related to education, health, employment, culture, entertainment and sports, transport and communication and access to infrastructure. This law is aimed at protecting and promoting the rights of persons with disabilities.¹³

- **Law 3/2011 of 10 February 2011 determining the responsibilities, organisation and functioning of the National Council of Persons with Disabilities**

The National Council of Persons with Disabilities (NCPD) is an independent public institution established by the state. The Council functions for all Rwandans with disabilities and consists of three organs, namely, the General Assembly; the Executive Secretariat; and the Executive Committee, which is represented from cell level to national level by elected persons with disabilities. The NCPD is a public and independent institution with legal personality, and both financial and administrative autonomy. It is a forum for advocacy and social mobilisation on issues affecting persons with disabilities in order to build their capacity and ensure their participation in national development. The Council assists the government in implementing programmes and policies that benefit persons with disabilities. It therefore has an advocacy, implementing and monitoring role. The NCPD has elected representatives of persons with disabilities on all level¹⁴s.

4.2 Does Rwanda have legislation that indirectly addresses issues relating to disability? If so, list the legislation and explain how the legislation addresses disability.

- **Law 27 of 2001 Relating to the Rights and Protection of the Child Against Violence**

This Act promotes the protection and promotion of children's rights, including children with disabilities. The Law covers a wide range of children's rights: a

13 J Mattingly J & P Suubi 'A study on children with disabilities and their right to education: Republic of Rwanda' (2015) Education Trust <https://www.unicef.org/esaro/Rwanda-children-with-disabilities-UNICEF-EDT-2016.pdf> (accessed 19 February 2018).

14 National Council of Persons with Disabilities Act of 2011.

child's responsibilities; crimes against children and their penalties; the crimes of rape and the use of a child for dehumanising acts; and the criminalisation of forced marriage of a child below the age of 21 years.¹⁵

• **Organic Law 01/2012/OL of 2 May 2012 Instituting the Panel Code**

Article 165 (Exemption from criminal liability for abortion) provides:

There is no criminal liability for a woman who commits abortion and a medical doctor who helps a woman to abort if one of the following conditions is met:

- (1) when a woman has become pregnant as a result of rape;
- (2) when a woman has been subjected to forced marriage;
- (3) when a woman has become pregnant due to incest in the second degree;
- (4) when the continuation of pregnancy seriously jeopardises the health of the unborn baby or that of the pregnant woman.

The exemption from criminal liability under items 1, 2 and 3 of Paragraph One of this article shall be permitted only if the woman who seeks abortion submits to the doctor an order issued by the competent court recognising one of the cases under these items, or when this is proven to the court by a person charged of abortion. The court where the complaint is filed shall hear and make a decision as a matter of urgency.

This article addresses the situation where a person with a disability fell pregnant through rape or forced marriage, and found herself committing the crime of abortion in Rwanda.

• **Organic Law 10/2013/OL of 11 July 2013 Governing Political Organisations and Politicians**

The Act provides that any Rwandan who is at least 18 years old has the right to join a political organisation. However, judges, prosecutors, members of the Rwanda Defense Force, members of the Rwanda National Police and members of the National Intelligence and Security Service may not be members of political organisations. Nobody is allowed to be a member of more than one political organisation at the same time.

5 Decisions of courts and tribunals

5.1 **Have the courts (or tribunals) in Rwanda ever decided on an issue(s) relating to disability? If so, list the cases and provide a summary for each of the cases with the facts, the decision(s) and the reasoning.**

Courts and tribunals play an important role in the promotion and protection of human rights through rendered judgments. However, no case law is recorded.

15 Children's Rights and Protection Against Violence Act 27 of 2001 http://www.chr.up.ac.za/undp/domestic/docs/legislation_06.PDF (accessed 19 February 2018).

6 Policies and programmes

6.1 Does Rwanda have policies or programmes that directly address disability? If so, list each policy and explain how the policy addresses disability

- **Special Needs Education Policy (2007)**

In 2013 this policy was reviewed and renamed the Special Needs and Inclusive Education Policy. The policy focuses on children with special educational needs and those with disabilities.¹⁶ The policy promotes the inclusive education model, since most children with special educational needs and disabilities fail to enrol in specialised schools due to distance, health issues and financial challenges.

- **Social Protection Policy**

The purpose of the revised social protection policy is to reduce vulnerability in general, and vulnerability of poor and marginalised people, in particular; to promote sustainable economic and social development by the reduction of social risk and coordination of saving activities; and the protection of vulnerable groups in the short, medium and long terms. The main beneficiary groups of social protection are survivors of the genocide against the Tutsi; orphans; children in difficult situations; widows; people living with HIV/AIDS; youths from broken families; demobilised ex-combatants; persons with disabilities; repatriated people; refugees; older people; disaster victims; and historically-marginalised groups.¹⁷

This policy implements the programmes that cater for vulnerable persons, including persons with disabilities. The programmes are the following: Vision 2020 Umurenge Programme (VUP); Genocide Survivors Support and Assistance Fund (FARG); Rwanda Demobilisation and Reintegration Commission (RDRC); the VUP Direct Support and Public Works programmes; and the FARG emergency assistance and subsistence allowances for disabled ex-combatants.

- **Economic Development and Poverty Reduction Strategy (EDPRS2) 2013-2018**

Persons with disabilities form part of the group of vulnerable people targeted by EDPRS2. The mission of EDPRS2 is to ensure that all poor and vulnerable people are guaranteed a minimum income and access to core public services and that those who can work are provided with the means to escape poverty. This provides a safety net that is delivered through cash transfers in the Vision 2020 Umerenge Programme (VUP), direct support programmes and public works programmes.

- **Family Policy and Policy on Protection of Orphans and Other Vulnerable Children**

The Family Policy was developed in 2005 and revised in 2013. This policy deals with the support and promotion of the family, with the emphasis on child rearing and the education and socialisation of children. The policy also addresses problems

16 The Republic of Rwanda 'Special Education and Inclusive Education Strategic Plan 2011-2015' (2011) Ministry of Education http://www.hiproweb.org/fileadmin/cdroms/Inclusive_Education_2014/StrategicPlanIERwanda20112015.pdf (accessed 19 February 2018).

17 The Republic of Rwanda. 'Initial Report of Rwanda on the Implementation of the Convention on the Rights of Persons with Disabilities'. (2015). http://www.minijust.gov.rw/fileadmin/Documents/International_Reports/Initial_report_UNCRPD_-_Final_Version_08th_April_2015.pdf (accessed 3 May 2018).

arising within families, such as domestic violence against spouses or child abuse. The policy on the protection of orphans and other vulnerable children defines orientations for the promotion of the rights of children with disabilities, namely:

- access to physical rehabilitation services;
- early prevention of disabilities among young children;
- access to formal and informal education;
- the promotion of community systems that enable children with disabilities to remain in the family and receive necessary family and community support with all other citizens.

• Ministerial Orders

In 2009 the government of Rwanda adopted several Ministerial Orders relating to the measures to facilitate communication, travel, education, sport and leisure, medical care and employment for persons with disabilities¹⁹. Some Ministerial Orders that protect the rights of the persons with disabilities are the following:

- (1) Ministerial Order 01/2009 of 19 June 2009 determining the modalities of facilitating persons with disabilities to practise and follow cultural, entertainment and sports activities;
- (2) Ministerial Order 20/18 of 27 July 2009 determining the modalities of classifying persons with disabilities into basic categories based on the degree of disability;
- (3) Ministerial Order 02/cab.m/09 of 27 July 2009 determining the modalities of facilitating persons with disabilities on necessary travels in the country;
- (4) Ministerial Order 20/18 of 27 July 2009 determining the modalities of classifying persons with disabilities into basic categories based on the degree of disability.
- (5) Ministerial Order 20/19 of 27 July 2009 determining the modalities of facilitating persons with disabilities access medical care;
- (6) Ministerial Order 03/19.19 of 27 July 2009 determining the modalities of facilitating persons with disabilities to easily access employment;
- (7) Ministerial Order 01/09/MININFOR of 10 August 2009 determining the modalities of facilitating persons with disabilities matters relating to communication.

6.2 Does Rwanda have policies or programmes that indirectly address disability? If so, list each policy and explain how the policy addresses disability.

National Policy against Gender-Based Violence

The Gender-Based Violence Policy does not directly protect children including those with disabilities, but indirectly affects children whose parents or guardians suffer gender-related abuse at home or the work place. This type of abuse can also affect the children emotionally or psychologically.²⁰

18 As above.

19 The Republic of Rwanda, Ministerial Orders (2009).

20 The Republic of Rwanda National Policy against Gender-Based Violence http://www.migeprof.gov.rw/fileadmin/_migrated/content_uploads/GBV_Policy-2_1_.pdf (accessed 11 December 2018).

7 Disability bodies

- 7.1 Other than the ordinary courts and tribunals, does Rwanda have any official body that specifically addresses violations of the rights of people with disabilities? If so, describe the body, its functions and its powers.**

The main responsibilities of the National Council of Persons with Disabilities (NCPD) include the mobilisation and representation of persons with disabilities; lobbying for rights of persons with disabilities; and encouraging them to participate in national development programmes. The NCPD also promotes the rights of persons with disabilities and monitor the respect for laws protecting persons with disabilities. The NCPD has an urgent need to build capacity and work for participation of persons with disabilities in national development.²¹

- 7.2 Other than the ordinary courts or tribunals, does Rwanda have any official body that though not established to specifically address violations of the rights of persons with disabilities, can nonetheless do so? If so, describe the body, its functions and its powers.**

Rwanda has the Office of the Ombudsman and National Commission for Human Rights with the overall mandate of investigating and addressing violations of rights, including the rights of persons with disabilities. For more details, see question 8 below.

8 National human rights institutions, Human Rights Commission, Ombudsman or Public Protector

- 8.1 Does Rwanda have a Human Rights Commission or an Ombudsman or Public Protector? If so, does its remit include the promotion and protection of the rights of people with disabilities? If your answer is yes, also indicate whether the Human Rights Commission or the Ombudsman or Public Protector of Rwanda has ever addressed issues relating to the rights of persons with disabilities.**

There is a National Commission for Human Rights (NCHR) in Rwanda, which is an independent public institution provided for by the Constitution. The NCHR functions in compliance with the Paris principles, and is composed of seven commissioners nominated from different categories of Rwandan society, including civil society. The NCHR's main mission is to promote and protect human rights; to educate and sensitise the public on human rights; to provide advice and draft laws related to human rights on request; and to integrate these in national legislation related to the rights of the child, women, persons with disabilities,

²¹ Republic of Rwanda 'Laws published in 2011' http://www.parliament.gov.rw/uploads/tx_publications/Published_Laws_in_2011.pdf (accessed 16 February 2018).

people living with HIV/AIDS, refugees, migrant workers and members of their families, and the elderly.²²

The office of the Ombudsman is also an independent institution established by the Constitution. The functions of the office of the Ombudsman is to prevent and fight injustice, corruption, and offences related to public and private administration. Furthermore, this office conduct sensitisation and public awareness activities in various institutions to urge them to find solutions to complaints from the population, including petitions lodged by persons with disabilities.²³

9 Disabled peoples organisations (DPOs) and other civil society organisations

9.1 Does Rwanda have organisations that represent and advocate the rights and welfare of persons with disabilities? If so, list each organisation and describe its activities.

There are organisations in Rwanda that represent and advocate the rights and welfare of persons with disabilities. They are the following:

- **Association Générale des Handicapés du Rwanda (AGHR)**

AGHR, established in December 1979, is one of Rwanda's oldest organisations for people with disabilities. AGHR is a cross-disability organisation of disabled people which defends, protects and promotes the human rights and social and economic well-being of persons with disabilities.²⁴

- **Collectif Tubakunde**

This is an organisation involved in children with intellectual impairments, focusing on improving the standards of special education and health care for children with intellectual impairments.²⁵

- **National Organisation of User and Survivors of Psychiatry in Rwanda (NOUSPR)**

NOUSPR's mandate is to provide a voice to all people with psychosocial disabilities in Rwanda. This organisation was established in 2007. It is part of a worldwide movement, called the World Network of Users and Survivors of Psychiatry, which advocates the rights of people with psychosocial disabilities as provided for in the CRPD.

- **National Paralympic Committee (NPC)**

The NPC was established in 2001, and its mandate is to promote and co-ordinate sports for persons with disabilities. The NPC is made up of associations and sport clubs with people with disabilities as members.²⁶

22 The Republic of Rwanda Initial Report (n 17).

23 As above.

24 Sida 'Disability rights in Rwanda' December 2014 <https://www.sida.se/globalassets/sida/eng/partners/human-rights-based-approach/disability/rights-of-persons-with-disabilities-rwanda.pdf> (accessed 19 February 2018).

25 As above.

26 As above.

- **Rwanda Union of the Blind (RUB)**

The RUB was formed in 1994. RUB on behalf of its members advocates equal rights for people with visual impairments. In 2014 RUB received an international reward for its work.²⁷

- **Rwanda National Association of Deaf Women (RNADW)**

RNADW was created in 2005 by a group of deaf women to advocate their rights.²⁸

- **Rwanda National Union of the Deaf (RNUD)**

RNUD is organisation which brings together all categories of deaf people to address their social, economic, cultural and political needs. RNUD was established in 1989 by deaf people with the aim of uniting themselves, raising awareness of the issues or concerns and ways of addressing these concerns.²⁹

- **Troup of Handicap Persons Twuzuzanye (THT)**

In September 2007 THT was formed by a group of persons with disabilities in order to advocate and communicate changed behaviour towards disability through sport and socio-cultural activities.³⁰

- **Umuryango Nyarwanda w'Abagore Bafite Ubumuga**

Umuryango Nyarwanda w'Abagore Bafite Ubumuga, known as UNABU, was created in 2004 by and for girls and women with disabilities. Its focus is on ensuring that 'women with disabilities enjoy equal and equitable opportunities and actively participate in the country's development'. UNABU's mission is to empower women with disabilities to become agents of change, to demand their rights and to affirm their dignity as human beings.

9.2 In the countries in Rwanda's region (East Africa) are DPOs organised/ coordinated at national and/or regional level?

The National Union of Disabilities Organisations of Rwanda (NUDOR) was formed in 2010, and serves as a platform for its 13-member organisation. NUDOR's key activity is advocacy to ensure the realisation of equal rights, opportunities and participation for persons with disabilities, ensuring access to quality and appropriate education for all children with disabilities so that they may lead successful and fulfilled lives.³¹

9.3 If Rwanda has ratified the CRPD, how has it ensured the involvement of DPOs in the implementation process?

Rwanda has ensured involvement of DPOs in the process of implementation of the CRPD. Disability issues on a national level are handled by the Ministry of Local Government, through the NCPD as its affiliated institution. The Ministry of Local Government serves as a focal point for the National Council of Persons with Disabilities.

Since 2012 the Disability Coordination Forum has been established by NCPD and it meets on a quarterly basis.

27 As above.

28 As above.

29 As above.

30 As above.

31 NUDOR 'National Union of Disabilities of Organisations of Rwanda' <http://www.rencp.org/about/member-organizations-1/nudor-national-union-of-disabilities-organizations-of-rwanda/> (accessed 17 February 2018).

The Ministry of Education is responsible for implementing the policy on inclusive education.

The Ministry of Health is responsible for providing healthcare services to persons with disabilities. However, accessibility remains limited due to long distances to the nearest health facility, an insufficient number of health workers, negative attitudes and the costs involved.³²

9.4 What types of actions have DPOs themselves taken to ensure that they are fully embedded in the process of implementation?

The National Council of Persons with Disabilities, was created by the Constitution on 3 June 2003 and it was established by Law 03/2011 of 10 February 2011, determining its responsibilities, organisation and functioning. It is a forum for advocacy and social mobilisation on issues affecting persons with disabilities in order to build their capacity and ensure their participation in national development. In response, civil society organised itself into an umbrella organisation, the National Union of Disability Organisations of Rwanda (NUDOR), to serve as a coordinating and representative body for the movement and to build the capacity of member organisations.³³

9.5 What, if any, are the barriers DPOs have faced in engaging with implementation?

- Lack of expertise, capacity and skills among DPOs.
- Limited knowledge about coordination and collaboration amongst the groups.
- Lack of awareness among people with disabilities of their rights; hence there is a need to capacitate DPOs on the knowledge of human rights.
- There is a need to sensitise the authorities especially at grass roots level about the rights and abilities of persons with disabilities.
- Poor monitoring of programmes implemented by DPOs in the rural areas.

9.6 Are there specific instances that provide ‘best-practice’³⁴ models’ for ensuring proper involvement of DPOs?

The establishment of the National Council of Persons with Disabilities provided DPOs with a platform for advocacy, the promotion of the rights of the persons with disabilities and involvement in the formulation and implementation of laws. The presence of the NCPD members at grassroots and national levels also enables civil society organisations such as NUDOR to collaborate and relate with them at different levels to advocate the rights of persons with disabilities.

9.7 Are there any specific outcomes regarding successful implementation and/or improved recognition of the rights of persons with disabilities that resulted from the engagement of DPOs in the implementation process?

See questions 9.4 and 9.6 above.

³² The Republic of Rwanda Initial Report (n 17).

³³ Sida (n 24).

³⁴ As above.

9.8 Has your research shown areas for capacity building and support (particularly in relation to research) for DPOs with respect to their engagement with the implementation process?

The research has shown that there is a need for capacity building and support for DPOs. See question 9.5 above.

9.9 Are there recommendations that come out of your research as to how DPOs might be more comprehensively empowered to take a leading role in the implementation processes of international or regional instruments?

- Coordination and collaboration: DPOs should be equipped with skills for coordination, collaboration and monitoring their programmes or projects.
- Capacity of DPOs on legislation, namely, the CRPD, The Rwanda Disability Law 01/2007 and the Rwanda Constitution of 2003 (revised in 2015).
- Research: DPOs are to be equipped with skills and resources to conduct their own research on persons with disabilities, including children under five years of age.

9.10 Are there specific research institutes in the region where Rwanda is situated (East Africa) that work on the rights of persons with disabilities and that have facilitated the involvement of DPOs in the process, including in research?

No.

10 Government departments

10.1 Does Rwanda have a government department or departments that is/are specifically responsible for promoting and protecting the rights and welfare of persons with disabilities? If so, describe the activities of the department(s).

Under the Ministry of Local Government, the National Council of Persons with Disabilities is the public institution in charge of promoting and protecting the rights of persons with disabilities. Its main activities are advocacy and inclusion.

See question 9.3 above for more details.

11 Main human rights concerns of people with disabilities in Angola

11.1 Contemporary challenges of persons with disabilities in Rwanda (for example, in some parts of Africa ritual killing of certain classes of PWDs, such as people with albinism, occurs.

Some people in Rwanda have a negative mind-set and social attitudes towards persons with disabilities. Their potential and abilities sometimes are not recognised. Children with disabilities are seen as a source of shame and a curse, and are often hidden by their parents. Women with disabilities find it difficult to get married and they are more vulnerable to sexual abuse. They also suffer discrimination in the area of employment, particularly as far as economic empowerment, owning property and obtaining loans from banks are concerned.

11.2 Describe the contemporary challenges of persons with disabilities, and the legal responses thereto, and assess the adequacy of these responses to:

- **Access and accommodation**

There are laws and policies aimed at addressing the challenge of access to accommodation by persons with disabilities. This includes Law 01/2007 of 20 January 2007, relating to Protection of Disabled Persons in General. Article 5 provides that '[a] disabled person has the right to live in the family in the same conditions as others'.³⁵ Article 16 of the law protecting disabled and former war combatants states that government has the responsibility of providing a residential home to the disabled war combatant who is in the first and second category if he or she cannot secure one.

The house should be constructed taking into consideration his or her disability and should be located near basic infrastructures such as roads, schools and health centres.

- **Access to social security**

Article 50 of the Constitution states that '[t]he state, within the limits of its means and in accordance with the law, has the duty to undertake special actions aimed at the welfare of the needy survivors of the genocide against Tutsi'. Article 51 further states that '[t]he state has the duty to establish special measures facilitating the education of persons with disabilities. The state also has the duty, within its means, to undertake special actions aimed at the welfare of persons with disabilities.'

The government also has a large-scale development programme (Vision 2020 Umurenge Programme (VUP)) for targeted vulnerable groups. The direct financial support is provided to households with no adults able to participate in public works, including those of the elderly, child-headed households, households with chronically sick persons, lactating mothers and persons with disabilities.³⁶

35 The Republic of Rwanda Initial Report (n 17).

36 As above.

- **Access to public buildings**

Law 01/2007 of 20 January 2007 relating to protection of disabled persons in general provides that all buildings must be equipped with the necessary facilities to enable persons with disabilities have access to services therein. In particular, a public or private building meant to provide services to the public must provide passage ways for persons with disabilities so as to have easy access to services offered.³⁷ On the ground, much more needs to be done to operationalise this law.

- **Access to public transport**

Law 01/2007 of 20 January 2007 relating to the protection of disabled persons in general provides that the state must adopt an appropriate programme to facilitate persons with disabilities in general to board public transport vehicles by requiring public transport vehicle owners to reserve seats and entrance doors for persons with disabilities.³⁸ Again, the practical implementation of this law remains a challenge.

- **Access to education**

Article 11 of Law 01/2007 OF 20 January 2007 relating to the protection of disabled persons in general provides that '[a] disabled person has the right to appropriate education in respect of the nature of his or her disability'.³⁹ Article 10 of Law 27 of 2001 relating to the rights and protection of the child against violence also provides that the child has a right to education.⁴⁰ Although much has been achieved, more effort is needed to secure inclusive education.

- **Access to vocational training**

There is a pilot programme under the National Employment Programme, NCPD, which supports persons with disabilities to enrol in Technical and Vocational Education Training (TVE/T) for short courses at two centres. This is aimed at persons with hearing and visual impairments.⁴¹

- **Access to employment**

Article 30 of the Constitution provides that '[e]veryone has the right to free choice of employment. All individuals, without any form of discrimination, have the right to equal pay for equal work.' This is the principle, but many persons with disabilities remain on the margin.

- **Access to recreation and sport**

Article 21 of Law 01/2007 OF 20 January 2007 relating to the protection of disabled persons in general provides that '[c]entres that cater for the disabled persons and educational institutions in general, are required to have special grounds meant for culture, entertainment and sports and trained tutors'. Disabled persons are entitled to join specialised associations related to sports, culture and entertainment⁴². An order of the Minister in charge of sports must determine the modalities of facilitating the disabled persons in matters related to participation in activities of culture, entertainment and sports.⁴³

- **Access to justice**

Article 29 of the Constitution guarantees that '[a]ll persons are equal before the law. They are entitled to equal protection of the law.' Article 8 of Law 01/2007 of 20 January 2007 relating to the protection of disabled persons in general guarantees

37 As above.

38 The Republic of Rwanda Initial Report (n 17).

39 As above.

40 As above.

41 Republic of Rwanda 'A study on children with disabilities and their right to education: Republic of Rwanda' Education Development Trust 2016, <https://www.unicef.org/esaro/Rwanda-children-with-disabilities-UNICEF-EDT-2016.pdf> (accessed 17 February 2018).

42 The Republic of Rwanda Initial Report (n 17).

43 As above.

that a person with a disability shall have the right to legal representation like any other person in the courts of law. The state must determine the modalities of providing legal aid to needy disabled persons who are not able to secure legal representation. Various organs are to facilitate disabled persons in the acquisition of the required services at any time it is considered necessary.⁴⁴

11.3 Do people with disabilities have a right to participation in political life (political representation and leadership) in Rwanda?

Persons with disabilities have the right to vote like any other Rwandan, and the right to be elected in an administrative organ at village, district, provincial as well as national levels.⁴⁵

They are also represented in Parliament.

11.4 Are people with disabilities' socio-economic rights, including right to health, education and other social services protected and realised in your country?

See question 11.2 above for education and other social services.

Articles 14 and 15 of Law 01/2007 of 20 January 2007 relating to the protection of disabled persons in general provides that the government shall facilitate a disabled person to receive medical care and prosthesis and orthosis appliances where required. The government also has an obligation to provide medical care to a needy disabled person and also provide prosthesis and orthosis appliances if required.⁴⁶

11.5 Specific categories experiencing particular issues/ vulnerability:

• Women with disabilities

Girls and women with disabilities are marginalised on the basis of sex and their health status, and as a result are denied assets such as land. In most cases they find it difficult to get married and are vulnerable to sexual abuse. They are at risk of sexual and gender-based violence, especially at a younger age. They normally face social barriers such as stigma, discrimination and isolation.

• Children with disabilities

Rwanda has several legislations about the rights of children and children with disabilities. This notwithstanding, children with disabilities still face challenges with regard to access to education, transport and health facilities. Most children with disabilities have to walk long distances to get to school, especially if there is no money for transport. It is very expensive for their parents and it takes a lot of time for them to accompany their children to and from school.

• Other (for example, indigenous peoples)

The prevalence of HIV among persons with physical disabilities is reported to be higher than that of the rest of the Rwandese population. However, further research needs to be conducted with regard to other categories of disability.⁴⁷

44 As above.

45 As above.

46 As above.

47 JB Munyimana et al 'Prevalence of HIV among people with physical disabilities in Rwanda' (2014) 60 *Central African Journal of Medicine* 62-69.

12 Future perspective

12.1 Are there any specific measures with regard to persons with disabilities being debated or considered in your country at the moment?

Rwanda is promoting an inclusive education model, the Special Needs Education Policy, for children with disabilities, especially learners with visual, hearing and intellectual impairments.

Persons with disabilities are encouraged to cast their votes in September to exercise their right to vote. With regard to access to free primary education, the parents who deny them their right to access education and hide them might be charged by the state.

12.2 What legal reforms are being raised? Which legal reforms would you like to see in Rwanda? Why?

Law 01/2007 of 20 January 2007 relating to the protection of disabled persons in general should more detailed about gender. The legislation should consider different needs of male and female persons with disabilities.