Rwanda Alternative Report on the implementation of the Convention on the Rights of Persons with disabilities

To be submitted to the Committee on the Rights of Persons with Disabilities

BY

National Union of Disability Organizations in Rwanda

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NUDOR
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ABBREVIATIONS AND ACRONYMS

AGHR Association Générale des Handicapés du Rwanda
CAT Convention against Torture and Other Cruel, Inhuman or Degrading Treatment.
CLCs Community Legal Centres
CRC Convention on the Rights of the Child
CRPD Committee on the Rights of Persons with Disabilities
CTO Compulsory Treatment Orders
DFID Department for International Development
DSF Disability Support Fund
DPOs Disability People’s Organizations
DRF Disability Right Fund
EDPRS Economic Development and Poverty Reduction Strategy
GoR Government of Rwanda
GBV Gender Basic Violence
GMO Gender Monitoring Office
ICCPR International Convention on Civil and Political Rights
ICF International Classification Functioning
ITO Involuntary Treatment Order
MAJ Maisons d’Accès à la Justice
MHRT Mental Health Review Tribunal
MINALOC Ministry of Local Government
NCPD National Council of Persons with Disabilities
NCC National Commission of Children
NDIS National Disability Insurance Scheme
NDS National Disability Strategy
NGOs Non-Government Organisations
NOUSPR National Organisation of Users and Survivors of Psychiatric
NPC Rwanda National Paralympic Committee of Rwanda

Our Vision is a society where People with Disabilities enjoy equal human rights, opportunities and full participation as other citizens. Our Mission is to serve as a platform for organizations of people with disabilities to share their experience and express their views and to support them in strengthening their capacities and achievements.
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ACKNOWLEDGEMENT

To agree internationally on provisions and standards for human rights is one thing. To live by them is another matter. The fact that the international community now has fully recognized that the exclusion and discrimination facing people with disabilities is a human rights concern for all nations in the world is of extreme importance for hundreds of millions of persons/people with disabilities.

The Convention on the Rights of Persons with Disabilities (CRPD) offers great opportunities to improve their living conditions of person with disabilities. However, real change can only be achieved, if we learn to identify, describe and report human rights violations against people with disabilities. We must use our efforts to develop our capacity in monitoring the situation through a sharp human rights lens. Persons with disabilities themselves must play the major role in this pioneering work.

This report scrutinize an evidence based information on implementation status of laws, policies and Programs within the country that protect and promote the human rights of persons with disabilities in conjunction with personal experiences, societal attitude with the information published in media outlets.

On behalf of National Union of Disability Organizations of Rwanda, we would like to express sincere gratitude to the persons with disabilities participating in the Individual Experience Interviews, Site coordinators, Monitors and monitoring assistants for their incredible engagement to share and document the personal experience of human rights violations of persons with disabilities and worked very hard to make this report possible.

We want to thank in particular, Mr. NZEYIMANA Celestin, DRPI National Coordinator for the invaluable inputs in terms of ideas and creativity for the data analysis and completion of the report, especially also to Dr. Marcia Rioux the chairperson of DRPI (Disability Rights Promotion International) for the useful and guidance tools and methodology to collect and analyse data.

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We are also very thankful to International Disability Alliance (IDA) for the capacity building support as well as the invaluable comments to this report.

Heartfelt thanks also goes to our Member Organizations/ DPOs: Rwanda Union of Blind (RUB), Rwanda National Union of Deaf (RNUD), National Paralympic Committee of Rwanda (NPC-Rwanda), General Association of Persons with Disabilities (AGHR Asbl), Rwanda National Association Deaf Women (RNADW Asbl), Troupe des Handicapées Twuzuzanye (THT), National Users and Survivors of Psychiatry of Rwanda (NOUSPR), Umbrella of parents of children with mental disabilities (Collectif Tubakunde), Uwezo Youth Empowerment, Rwanda ex-Combatants and other people with disabilities organization (RECOPDO), Umuryango Nyarwanda w’Abagore Bafite Ubumuga “Rwanda Organisation of Women with Disabilities” (UNABU). We also want to say thank you to the following organization’s for their inputs on the earlier versions of this report: Initiative of Refugees with Disabilities (IRD) and Human Rights First Rwanda Association (HRFRA).

We are extremely grateful to Disability Right Fund (DRF) for the financial contribution, and technical support provided over the past three years. Without your contribution and strong commitment in the whole process, this report would not have be possible. DRF has been showing remarkable commitment towards our common goal of promoting and protecting the rights of persons with disabilities in Rwanda. Furthermore, we would like to express our gratitude to the Government of Rwanda through District authorities, NCPD Coordinators, the National Commission of Human Rights, and Ministry of Justice, Stakeholders, and Key partners of NUDOR for their invaluable support.

Bizimana Dominique

The Legal representative of NUDOR

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EXECUTIVE SUMMARY


Disabled People’s Organizations (DPO’s) in Rwanda have come together to prepare an alternative report of the implementation of the UNCRPD. The process of developing the alternative report was backed up by an extensive research which included interviews to collect individual experience of persons with disabilities both in rural and urban settings, analysis of the existing laws, polices and development programs.

The Government of Rwanda has put in place a legal framework to protect and promote the rights of persons with disabilities. The right to equality and non-discrimination of Persons with Disabilities are guaranteed by the Rwandan Constitution as revised in 2015 (Articles 10 (2), 15 and 16)\(^1\) and by various other laws, especially Law No. 01/2007 of 20 January 2007 relating to protection of Persons with Disabilities in General; and Law No. 02/2007 of January 2007 relating to Protection of disabled former war Combatants. Rwanda has also put in place institutional mechanisms such as the National Council for Persons with Disabilities (NCPD), and the National Commission for Human Rights (NCHR) to promote and protect the rights of persons with disability as well as monitoring the implementation of the government’s commitments on disability, including implementation of the UNCRPD.

The analysis conducted revealed that the existing laws and policies on disability, notably the Law No. 01/2007 of 20 January 2007 relating to protection of Persons with Disabilities in general and Law relating to Protection of disabled former war Combatants – all adopted before the ratification of the UNCRPD - are based in the outdated medical model of disability. For instance, the legal definitions of disability in both pieces of legislation are explicitly anchored in

\(^1\) The constitution of the republic of Rwanda of 2003 as revised in 2015

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the medical model and are out of sync with the CRPD definition. The law on persons with disabilities in general cover limited scope of rights, therefore affords limited protection to the majority of persons with disabilities. Women’s with Disabilities have limited access to sexual and reproductive rights, and barriers to access justice persist for those victims of exploitation and violence. Despite Rwanda being recognized as champion on women’s representation in leadership positions, women’s with disabilities are not represented in those positions. Person’s with mental and psychosocial disabilities are still deprived their legal capacity in contravention of the CRPD article 12. They are deprived of entering into contracts, to vote or stand for election.

Refugees and descendants of refugees are still seen as second-class citizens, subjected to different treatment than afforded to national citizens. They still struggle to get decent employment, health insurance and access to education. Children’s refugees with disabilities are victims of violence including sexual violence in refuge camps. Minority communities with disabilities face social and economic exclusion. Majority of persons with disabilities are illiterate, and leave in extreme poverty.

Furthermore, the government plans and programs such as Vision Umurenge Program\textsuperscript{2} the Economic Development and Poverty Reduction Strategy (EDPRS)\textsuperscript{3}, one cow per poor family\textsuperscript{4},

\textsuperscript{2} The National Institute of Statistics of Rwanda defines Vision 2020 Umurenge Programme (VUP) as an Integrated Local Development Program to Accelerate Poverty Eradication, Rural Growth, and Social Protection. It is an initiative by the Government of Rwanda (GoR) in collaboration with development partners and NGOs.

\textsuperscript{3} EDPRS is Government of Rwanda’s medium term framework for achieving the country’s long-term development aspirations embodied in Rwanda Vision 2020, the seven year Government of Rwanda (GoR) programme, and the Millennium Development Goals. Two phases of EDPRS were phased out and the government is elaborating phase 3 of EDPRS to align with Vision 2050 to be aligned to the Sustainable Development Goals (SDGs).

\textsuperscript{4} Mutuelle de Sante or Community Based Health Insurance is a government of Rwanda’s policy that requires citizens in the non public sector to pay premiums that in turn allows them equitable access to health services. The government covers these costs for the eligible population as well as other vulnerable groups.

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Health Insurance Scheme Mutuelle de Sante\(^5\), school feeding program\(^6\), Technical Vocational Training (TVET) schools, do not fully include persons with disabilities. Without including persons with disabilities in national and local development programs, Rwanda will not be able to achieve the Sustainable Development Goals.

The National Human Rights Commission (NHRC), institution responsible for monitoring, protection, and promotion of human rights, is weak both in terms of human and financial resources to be able to fully execute their mandates. Further, NHRC has a general mandate whose workload makes it complicated to focus on the issues of persons with disabilities. To date, the NHRC is yet to be formally designated to fulfill the mandate under UNCRPD article 33.2.

It is important that the Government of Rwanda, urgently reform comprehensively the legal framework to conform with the principles and rights stated in the UNCRPD. An important part of this process should be to review the law on persons with disabilities in general to fully comply with the CRPD, and refrain from categorization of persons with disabilities. The Government must tackle the multiple forms of discrimination faced by women, children, refugees, and indigenous people, among other groups. Further, the government of Rwanda should consider recognizing Rwandan sign language as official language, an important step to ensure effective inclusion of deaf persons in society. The government should put a strong focus on inclusive planning and budgeting, establishing strong monitoring and compliance mechanisms for existing normative framework and adequate resources for institutions with the mandate of promoting the human rights, including the rights of persons with disabilities.

\(^5\) One cow per poor family was set up by the government of Rwanda with the central aim of reducing child malnutrition rates and increasing household incomes of poor farmers to achieve increased access to, and consumption of milk, by providing poor households with a heifer.

\(^6\) Program is to have preschool and school children in Rwanda fed during lunchtime to improve study concentration, performance and dropout reduction. Target groups for the larger programme are preschool, primary and secondary students plus the small-scale farmers.

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REVIEW OF STATE IMPLEMENTATION OF THE UNCRPD

Article 1: Definition of disability

In 2007, the Rwandan Government enacted the General Law for Pprotection of Ddisabled Persons as well as a law protecting former war combatants. In these laws, disability is defined as “...the condition of a person’s impairment of health ability he or she should have been in possession, and consequently leading to deficiency compared to others”. A disabled person is defined as, “any individual who was born without congenital abilities like those of others or one who was deprived of such abilities due to disease, accident, conflict or any other reasons, which may cause disability”.

Disability is further defined in the law determining the responsibilities, organization and functioning of the national council of persons with disabilities of February 2012 as “the state of losing human physical ability or of lacking certain human ability compared to others and thereby being disadvantaged as compared to others”. The legal definitions of disability and persons with disabilities in the aforementioned pieces of legislation are strongly anchored in the medical model and are out of sync with the CRPD definition.

The disability community in Rwanda calls upon the CRPD Committee to inquire the Government of Rwanda on the following:

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7 Law, N° 01/2007 OF 20/01/2007 Relating to Protection of Disabled Person in General.
8 Law N°02/2007 of 20/01/2007 relating to Protection of Disabled Former war Combatants.
9 With some variations, the definitions across all others instruments reflect the dominant medical approach. For instance, the Law that established the NCPD defines both disability and persons with disabilities as follows: Disability, “ability or of lacking certain human ability compared to others and thereby being disadvantaged as compared to others”. Person with disability, “an person who was born with limited human ability compared to others or who lost his/her ability due to illness, accident, war or any other cause”.

Our Vision is a society where People with Disabilities enjoy equal human rights, opportunities and full participation as other citizens. Our Mission is to serve as a platform for organizations of people with disabilities to share their experience and express their views and to support them in strengthening their capacities and achievements.
1. Please provide information on the steps taken by the State Party to align the definition of disability and persons with disabilities in policies and laws - specifically the law on persons with disabilities in General and the Law on ex-combatants with disabilities - to conform to the human rights approach and the UNCRPD?

Articles 3 and 4: General principles and obligations

Involving persons with disability in the development and implementation of legislation and policies

The Government of Rwanda enacted the Law that determines the responsibilities, organization, and functioning of the National Council of Persons with Disabilities (NCPD)\textsuperscript{10}. Subsequently, the NCPD established offices of persons with disabilities at each district.

While the above is highly commendable, not much has been achieved in terms of effectively involving people with disability and their organizations at all relevant stages of planning, implementation and/or monitoring the implementation of the UNCRPD. Moreover, representation of Persons with disabilities is not all-inclusive to take into consideration different types of disabilities and some of the marginalized groups. For example, women with disabilities, persons with psychosocial disabilities, deaf blind, and persons with albinism are not adequately represented in all the established structure of the NCPD. The general practice is that persons with physical impairment and mostly male have dominated opportunities of representation in decision making forums.

In 2007, the Rwandan Government enacted two pieces of legislation: Law relating to Protection of disabled former war Combatants, and Law relating to protection of disabled persons in general.\textsuperscript{11} The law on ex-combatants gives special benefits to disabled former war combatants. For instance, they are entitled to housing provided by the State,\textsuperscript{12} priority in job opportunities\textsuperscript{13},

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\textsuperscript{10} Law No. 3/2011 of 10 February 2011 Official Gazette n° Special of 21/02/2011.
\textsuperscript{11} Both pieces of legislation are available here: www.ncpd.gov.rw/index.php/id=565.
\textsuperscript{12} Ibid, Article 16.
\textsuperscript{13} Ibid, Article 14.

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an allowance provided by the State\textsuperscript{14}, among others. The law related with protection of disabled persons in general does not afford the same benefits to persons with disabilities who are not former war combatants. It is our understanding that this amounts to differential treatment which contravene the State obligations to protect all persons with disabilities in spite of the cause of the impairment. The government should instead provide adequate support in way that all persons with disabilities can live a dignified life.

The Government of Rwanda has put in place development programs such as Economic Development and Poverty Reduction Strategy (EDPRS II) and Vision Umurenge program,\textsuperscript{15} one cow per poor family among others. Disability is considered as crosscutting issue, but there is no specific indicator to messuer inclusion of persons with disabilities, and as result this group is not benefitting from the implementation of those programs.

The disability community in Rwanda calls upon the CRPD Committee, to inquire the State Party on the following:

2. Please provide information on the steps taken by the State Party to review the law on persons with disabilities in general (Law, N\textsuperscript{o} 01/2007 of 20/01/2007) with a view to accord with the principles and articles of the UNCRPD?

3. Please provide information on the steps taken by the State Party to ensure that existing mechanism of participation of persons with disabilities are inclusive of different types of impairments, are gender sensitive and include marginalized groups within the disability movement.

4. Please provide information on the steps taken by the State Party to ensure that organizations of persons with disabilities, including women and children with disabilities, persons with

\textsuperscript{14} Idem, Article 17.

\textsuperscript{15} Vision Umurenge Program is "Vision 2020 Umurenge Programme (VUP) - is an Integrated Local Development Program to Accelerate Poverty Eradication, Rural Growth, and Social Protection. This project is an initiative by the Government of Rwanda (GoR) in collaboration with development partners and NGOs, assisted by the Ministry of Local Government, Good Governance, Community Development and Social Affairs (MINALOC) and supported by the Ministry of Finance and Economic Planning (MINECOFIN)."

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psychosocial disabilities, are meaningfully consulted in development of policies and legislation.

5. Please provide information on whether and in which extent development programs are accessible to persons with disabilities, and specific indicators and guidelines for implementation that are in place to ensure that persons with disabilities actually benefit from those programs.

Article 5: Right to Equality and non-discrimination

The Constitution of Rwanda in its Article 10 paragraph 2 prohibits discrimination to every Rwandan including persons with disabilities. “The State of Rwanda commits itself to upholding the following fundamental principles and ensuring their respect...eradication of discrimination and divisionism based on ethnicity, region or on any other ground...” 16

The constitutions further provides for the right to equality as “All Rwandans are born and remain free and equal in rights and duties. Discrimination of whatever kind based on, inter alia, ethnic origin, tribe, clan, colour, sex, region, social origin, religion or faith, opinion, economic status, culture, language, social status, physical or mental disability, or any other form of discrimination, is prohibited and punishable by the law.” 17

Despite the constitutional provision stated above, disability based discrimination prevails in Rwanda. 18 Women’s with disabilities suffer double discrimination. For instance, a female respondent of the questionnaire on individual experiences shared the following “...After one year of marriage I got sick and became totally blind. My husband left me and married a second wife. His family considered me as a useless woman who could not take care of the family... [to be close to the hospital for treatments]... I stayed at my cousin’s house ... she never greeted me by shake of hands. She felt that I could contaminate her with my blindness. The cup and plate that I used were separated from the rest and I was prohibited to

16 The Constitution of the Republic of Rwanda of 2003 as revised to 2015, art 16, p.38
17 Idem, art 16, p.38
18 Republic of Rwanda (Ministry of Local Government) and African Decade of Persons with Disabilities (Rwanda National Decade Steering Committee), Census of People of Disability, in Rwanda, November 2010 pg.

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touch their newborn and whoever touched on me had to wash hands before doing anything else. I feel so discriminated and disrespected." There is clear discrepancy between the existing laws and the practice.

The disability community in Rwanda calls upon the CRPD Committee, to inquire the State Party on the following:

6. Please provide information on the steps taken by the State Party to prevent disability based discrimination.

7. Please provide information on the steps taken by the State Party to review the existing anti discrimination provision to ensure that it addresses disability based discrimination and intersectional discrimination, and recognize denial of reasonable accommodation as discrimination.

8. Please provide information on the steps taken by the State Party to establish accessible and effective complain mechanism.

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Article 6: Women with Disability

The Rwandan government enacted Law No 01/2007 of 20/01/2007 relating to protection of disabled persons in general but it does not address the issues of gender and disabilities. Discrimination on the basis of gender or disabilities or both - gender and disabilities - are also missed out in article 130 of the law instituting the penal code when it comes to the repression of the crime of discrimination and sectarian practices. Women and girls with disabilities are also not recognized in the law on prevention and punishment of gender based violence.

Despite the recognition in both gender policies and strategies of the higher risk of GBV among women/girls with disabilities there are no measures for prevention/repression of such behaviors’ recurrence in the future nor do policy makers develop strategies of empowering women/girls with disabilities to challenge them.

The gender based violence indicators, developed by Gender Monitoring Office (GMO) do not include indicators on women’s/girls with disabilities.

Despite growing number of women in leadership position in Rwanda, women with disabilities rarely hold position of power. In Parliament for instance, there is no woman with disability.

Women with disabilities represent only 33.8% of members- of the structures on the National Council of persons with disabilities. Currently, four women are sitting in the District councils. There is no documentation of presence of any women/girls with disabilities on both National Youth council or National Women’s council.

Women/girls with disability still suffer more from cases of Gender Based Violence as compared to women without disability. Few cases reported to the National Police, are either not investigated enough or followed up.

20 GMO mandated with monitoring of gender mainstreaming in Rwanda.
21 Gender Monitoring office, Gender based violence indicators developed by GMO, August 2011
23 Republic of Rwanda, The combined 7th, 8th and 9th periodic report on the implementation by Rwanda of the convention on the elimination of all forms of discrimination against Women, September 2014, p. 30

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The policy on girl’s education does not explicitly mention any strategy for inclusion of girls with disabilities.\textsuperscript{24} There is still gender disparity with high rate of illiteracy among women with disabilities with a half of them having no education.\textsuperscript{25} The data show similar enrolment of both boys and girls with disabilities in mainstream primary education; however things tend to change when it comes to secondary education where the number of girls with disabilities declines to 5% compared to 8% among males with disabilities and 11.2% among girls without disabilities.\textsuperscript{26} The situation at Universities is worse with less than one percent of women with disabilities having reached the higher education.\textsuperscript{27}

Women with mental and psychosocial disabilities are victims of domestic violence, rape, and forced sterilization. In most circumstances, these cases are not even reported to the police due to the fact that the existing complaints mechanisms do not accessible to persons with disability. For fear of being mocked, most victims of violence choose to remain silent about their situations.

The disability community in Rwanda calls upon the CRPD Committee, to inquire the State Party on the following:

9. Please provide information on the steps taken by the State Party to protect women with disabilities, including those with psychosocial and intellectual disabilities, from violence, abuse, exploitation and harmful practices in their homes, community and institutions.

10. Please provide information on the steps taken by the State Party to develop policies and programs meant to empower women and girls with disabilities.

11. Please provide information on the steps taken by the State Party to ensure effective participation of women with disabilities in policy development and decision-making process that affect their lives.

\textsuperscript{24} Republic of Rwanda, Girls Education Policy, 201
\textsuperscript{26} National Institute of Statistics in Rwanda, \textit{Fourth Population and Housing Census, Rwanda 2012}, The analytic report: Socio-economic characteristics of persons with disabilities, 2014, p. 28
\textsuperscript{27} Ibidem

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12. Please provide information on the steps taken by the State Party to develop specific indicators and collect disaggregated data on women with disabilities.

13. Please provide information on measures adopted by the State Party, including affirmative actions to ensure representation of women with disabilities in leadership positions, from local to national level.

14. Please provide information on the steps taken by the State Party to provide necessary psychological and legal assistance for the women and girls with disabilities, who are victims of exploitation, violence and abuse.

15. Please provide information on the steps taken by the State Party in order to establish a baseline of disaggregated data against which future progress towards achievements on CRPD can be measured.
Article 7: Children with Disability

Rwanda enacted a law relating to the rights and the protection of the child. The law provides that, "Children with physical or mental disability shall be entitled to a special protection from the Government and enjoy all the rights recognized to the child without any form of discrimination related to their state or any other situation which would result from it". But this law is restrictive to only two types of impairment (physical and mental) leaving out several other types of impairment.

Rwanda has a national children Commission and has allocated a specific desk office to deal with children with disabilities. The office is charged with promoting, advocating and enquiring into the rights of children with disability in Rwanda. However, this commission recognizes and supports only children living in special centers. There is no specific support or focus to other children with disabilities in their families and community. There are cases where families still hide their children at home because having a disability is considered a shameful thing for the child and the family.

According to the NCPD, there are 59 centers in Rwanda dealing with children with disabilities. A 2016 study by the Children Commission has documented 49 centers caring for 4,349 children and young adults with disabilities in Rwanda. Among them 29% a day care Centers, while 71% are residential care. The Report indicates that the number of children in those Centers has been increasing since 2013. The study noted gaps in data collection, with centers not being able to provide accurate disaggregated data by gender and impairment type. These centers operate at full capacity, the quality of services is variable, with some centers providing very high quality services while others providing very low quality services. While traditionally conceived to

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29 Supra note 8.


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provide services to children with disabilities, “50% of the institutions do offer services to adults with disabilities”. This trend shows that Centre were unable to support inclusion of children with disabilities into their communities, such that they “…become institutionalized in the centers as they grow older”. Further, there is no clear plan to transition those centers into inclusive centers.

The disability community in Rwanda calls upon the CRPD Committee, to inquire the State Party on the following:

16. Steps taken by the Government of Rwanda to Review the law 27/2001 related to the rights of children to ensure that it includes children with all types of impairment.

17. Provide disaggregated data by gender and disability on children’s with disabilities in care centers operating on boarding regime?

18. Please provide information on steps taken by the Government of Rwanda to generate disaggregated data on the situation of children with disabilities in Rwanda, using the Washington group set of question and CRPD standards.

19. Please provide information on steps taken to provide support to children with disabilities and their families to ensure that they exercise their rights on equal basis with other children without disabilities.

Article 8: Awareness-Raising

The Government of Rwanda has done some work in awareness raising through activities of Ministry of Local Government (MINALOC), NCPD and National Human Rights Commission (NHRC). However, in Rwanda, stigma and prejudice toward persons with disabilities persist and represent a huge barrier to the realization of the rights of persons with disabilities. The Government of Rwanda has not done enough as regards to disability awareness. There is a lack of concerted action by the Rwandan government to address discrimination, stigma and prejudice faced by persons with disabilities in public and private spaces. While some of the areas of the country are covered, others are not. The existing legislation such as the law on persons with disabilities in general, lack effective enforcement and complaint mechanism. In addition despite

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efforts by DPO’s and other stakeholders to raise awareness among persons with disabilities about their rights, there is still limited knowledge among this group of existing legal framework. Some awareness raising initiatives by the Government, have failed to positively represent persons with disabilities, as they still use derogatory terms not consistent with the CRPD.

The disability community in Rwanda calls upon the CRPD Committee, to inquire the State Party on the following:

20. Please provide information on steps taken by the Government of Rwanda to put in place a national action plan on raising awareness on the rights of persons with disabilities across all government institutions, private and the general public including at community level.

21. Please provide information on steps taken by the government to train media professionals on the rights of persons with disabilities and appropriate language to portray persons with disabilities.

22. What the Government of Rwanda is doing to increase the coordination of provision of awareness raising, to ensure that it is comprehensive and reach all corners of the country?

Article 9: Accessibility

In 2009, the Government of Rwanda approved the building control regulation, which includes a section (3.3.15) on facilities for persons with disabilities. It meant to be applied to “public building, hotel, dormitory or any other building where a group of persons are accommodated”. In 2011, the Government of Rwanda published a booklet to further operationalize the section 3.3.15 from the building control act. However, these instruments are limited in scope as does not regulate accessibility for persons with disabilities in urban environment (side walks, streets, etc), among others. While accessibility for built environment is somehow regulated, accessibility for persons with disabilities to information and Communication Technology remains largely unregulated.

31


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The disability community in Rwanda calls upon the CRPD Committee, to inquire the State Party on the following:

23. Please provide information on steps taken to develop standards to ensure Information and Communication Technologies are accessible for persons with disabilities?

24. Provide information on steps taken to review the section 3.3.15 of the building control act, to ensure that is aligned with CRPD including the concept of universal design and that it is clearly stated that it is applied to public and private entities?

Article 10: Right to life

The Constitution, in Article 12, guarantees the right to life and the right to physical and mental integrity. It stipulates, “Every person has right to life. No person shall be arbitrary deprived of life”.

However, across the region there is an on going phenomenon of attacks against persons with albinism. There are beliefs that albinoid body parts have magical properties, and bring richness and prosperity. Individuals known as “albinoid hunters” have targeted people with albinism. Despite lack of data to on cases of attacks against persons with albinism in Rwanda, these attacks represent a real treaty to integrity of persons with albinism in Rwanda. Further, lack of access to sunscreen by persons with albinism have put these group in danger situation of acquiring skin cancer.

The disability community in Rwanda calls upon the CRPD Committee, to inquire the State Party on the following:

25. Please provide information on steps taken to protect persons with albinism against abduction and killings.

26. Please provide information on steps taken to ensure persons with albinism have access to sunscreen, an essential drug to prevent them of acquiring skin cancer.

27. Please provide information on steps taken by the Government of Rwanda to raise awareness about the rights of persons with albinism.

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Article 11: Situations of risk and humanitarian emergencies

The law protecting persons with disabilities in general provides for the protection of persons with disabilities in Article 9. It requires a person with disability to be catered for and assisted particularly in times of conflict, accidents and other disasters.

The national institutions charged with disaster planning and management have not put in place policies and procedures that addresses the specific needs of persons with different types of disability during preparation, planning, implementation and post disaster recovery phases of emergency and disaster management.

Persons with disabilities have raised issues of lack of infrastructure set up that could facilitate persons with disability in case of fire outbreaks, heavy rains and landslides. In case any of these humanitarian emergencies occurred, it would be difficult for them to be evacuated due to limited skills of rescue teams, buildings that do not conform to the basic requirements of accessibility for persons with disability, transport infrastructure that is not user-friendly to persons with disability and most hospitals in rural areas that do not have accessible infrastructure to cater for persons with disability in situations of risk and emergency situations.

The disability community in Rwanda calls upon the CRPD Committee, to inquire the State Party on the following:

28. Please provide information on steps taken to include persons with disabilities in disaster preparedness, management and recovery phase?

29. What action did the government of Rwanda took to train and equip emergency response teams with knowledge and skills to assist persons with disabilities in disaster risk situations?

Articles 12: Equal Recognition before the Law

The Rwandan constitution in its preamble and fundamental principles article 10 (4)) commits to build a State governed by the rule of law, based on the respect for human rights, freedom and on the principle of equality of all Rwandans before the law as well as equality between men and women. The constitution further provides all persons are equal before the law and that they are entitled to equal protection of the law.

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However, the Rwandan Civil Code deprives the exercise of legal capacity by persons with mental disabilities and it considers the mental condition of the person as ground to permanently prohibit the exercise of legal capacity by the concerned person. Section II, article 151 specifically states “the competent court declares legally incapacitated an adult with mental disability and appoint a guardian for that adult when the later lives in a habitual state of mental deficiency even if such deficiency shows lucid intervals.” In the same way, the electoral law prohibits persons with mental and psychosocial disabilities to vote or stand for office. These laws are an example of widespread discriminatory legislation that unfairly and disproportionately targets persons with mental and psychosocial disabilities.

The disability community in Rwanda calls upon the CRPD Committee, to inquire the State Party on the following:

30. Please provide information on steps taken to review the legal framework, notably the Civil Code, the Electoral law among others, to comply with the CRPD article 12 and paradigm shift embedded in it?

31. Please provide information on number of persons with mental and psychosocial disabilities currently in guardianship.

32. Please provide information on steps taken to repeal guardianship regimes to supported decision making regimes.
Article 13: Access to Justice

People with disability in Rwanda do not have access to the justice system on equal basis with others. Participation in community justice mechanisms like mediation committee, access to courts, access to affordable or free legal services and access to disability support and rehabilitation in correction facilities continue to allow discrimination on the grounds of disability. Further, the failure to acknowledge the credibility of people with intellectual and psychosocial disability before the court, whether as witnesses or victims, enables perpetrators of abuse and criminal assault, to avoid the normal consequences for such acts.

Moreover, when a member of family or caregiver is victim of violence, access to justice is often denied. Stereotypical beliefs about the mental competency of women and girls with disabilities regarding their capacity to understand and report sexual violence often compromise the administration of justice. Physical accessibility of the venues of the services provided and the limited access to information on the existence of such services makes it extremely difficult for persons with disabilities including women/girls to access justice on equal basis with others. Furthermore, there is no provision in either disability or gender policies providing for representation of women/girls with disabilities.

In 2007, Rwanda promulgated Law No 01/2007 of 20 January 2007 relating to the protection of Persons with Disability in General. The Law did not establish an individual right of complaint in relation to breaches of UNCRPD by Rwanda as the law was enacted prior to the ratification of the convention.

Respondents of the survey conducted by NUDOR, reported situations in which they experienced discrimination as follows: 36.39% of 200 interviewees said that they were not able to report due to lack of access to appropriate administrative and/or legal structures or lack of access to information about how to proceed to make a claim, 29.18% interiorized feelings of shame and inferiority, 19.07% said thought nothing would have happened in making claim and 15% were limited by lack of financial means and having fear to make a claim.

The disability community in Rwanda calls upon the CRPD Committee, to inspire the State Party on the following:

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33. Please provide information on steps taken by the government of Rwanda to ensure that the justice system is accessible for persons with disabilities, especially those with intellectual and psychosocial disabilities and to provide for procedural accommodation to ensure full participation for all persons with disabilities to the justice system.

34. Provide information on steps taken to train the justice system (policy, magistrates, judges, lawyers, among others) on disability rights and to be able to deal with the diversity of persons with disabilities - as witness, victim, perpetrator - in the justice system?

35. Please provide disaggregated data by gender and type of disabilities on persons with disabilities without economic means, assisted by government to access justice?

36. Which steps the government of Rwanda took to empower persons with disabilities to know their rights, including the available complain and redress mechanism?

**Article 14: Liberty and Security of the Person**

In Rwanda, the legal framework explicitly prohibits the deprivation of liberty without lawful and justifiable reason. However there are some practices that deprive persons with disability their liberty as compared to the rest of the population. For example, the widely prevalent guardianship regimes for adult person with mental and psychosocial disabilities in practice often result in deprivation of liberty of the concerned persons. Adults with disabilities are often deprived and institutionalized in the name of care. Currently, there is 59 centers that were listed by NCPD, providing psychotherapy and mental health care facility based services. The exactly number of children’s in those institutions is unknown and the once children’s, often transitions to adulthood still living in those center.\(^{32}\)

The disability community in Rwanda calls upon the CRPD Committee, to inquire the State Party on the following:

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37. Provide information on steps taken for the government of Rwanda to establish mandatory guidelines of admission - whether in psychiatric institutions or in the justice system - to ensure integrity and that people with psychosocial disabilities are not unlawfully deprived of their liberty?

Articles 15: Freedom from torture or cruel, inhuman or degrading treatment or punishment

Interviews with persons with disability revealed evidence of widespread abuse, inhumane treatment and neglect, particularly in relation to persons with cognitive and psychosocial disabilities and persons with dementia. Medical model solutions and approaches, behavior management regimes and significant levels of human rights ignorance by disability and medical professionals all contribute to the abuse and inhumane treatment experienced by people with disability. Significant concerns are also raised about the poor treatment and neglect of people held by the police and prosecution as well as those who seek treatment from medical personnel that is ignorant or refuses to recognize psychosocial disability as a type of disability.

The disability community in Rwanda calls upon the CRPD Committee, to inquire the State Party on the following:

38. Please provide information on steps taken to enact legislation and administrative masseurs for the protection of persons with disability against torture or cruel inhuman degrading treatment.

39. Please provide information on steps taken to prevent violence faced by persons with psychosocial disability in health facilities and other institutions where persons with disabilities are detained?

40. Please provide information on steps taken by the government of Rwanda to train state officials on the rights of persons with disabilities with the view to prevent torture cruel inhuman and degrading treatment.

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41. Please provide information on steps taken to empower person’s with disabilities to know the existing mechanism of protection against torture cruel and inhuman and degrading treatment.

**Article 16 - Freedom from exploitation, violence and abuse**

There are a number of laws that protect persons with disability from exploitation, violence and abuse in Rwanda.  

Girls and women with disabilities face four times higher risk of Sexual Gender Based Violence (SGBV) than their peers without disabilities, especially at younger ages. The risk is even higher among young women with intellectual disabilities. Social barriers such as stigma and discrimination among others, isolation and dependence among girls/women with disabilities increase the risk of exposure to SGBV. Cultural, social beliefs and norms in the family and community also act as barriers to the recovery process of the victim and for punishment of the perpetrator.

Despite the recognition of high risk of GBV among women/girls with disabilities, there are no measures to increase their protection from such practices. There are significant barriers to the

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33 They include; the Law protecting the Persons with Disabilities in General, the Law determining the responsibilities, organization and functioning of the National Council of Persons with Disabilities, Ministerial Order establishing modalities of State assistance to a needy disabled person, Ministerial Order determining the modalities of constructing buildings providing various public services to ease the access of persons with disabilities. Ministerial order determining the nature of documents that ex-combatants with disabilities of first and second category, The Ministerial Order governing Modalities for Assisting People with Disabilities in case of Conflicts, Accidents and disasters, Ministerial Order Determining the modalities of facilitating persons with disabilities access medical care, Ministerial Order determining the modalities of facilitating persons with disabilities to easily access employment, Ministerial Order determining the modalities of facilitating persons with disabilities in matters relating to communication, The Prime Minister’s Order determining the responsibilities, organization and functioning of the organs of the National Council of Persons with Disabilities, Ministerial Order determining the modalities of facilitating persons with disabilities to practice and follow cultural, entertainment and sports activities, among others.

34 Rwandan Organisation of Women with Disabilities (UNABU), Human Rights First Rwanda Association and Uwezo, *Alternative report to the Pre-sessional Working Group of the 56th session of the CEDAW Committee*


36 Ibid.
justice system that prevent people with disability from reporting crimes and having them prosecuted.

For refugees with disabilities, the struggle is even worse. Plan International, reported that from April to December 2015, about 800 refugee children with and without disabilities (mainly from DRC and Burundi) were victims of violence and an average of 43% were victims of sexual violence in refugees camps.37

The Gender Monitoring Office (GMO) is the government entity tasked to monitor the respect and compliance of gender related commitments including regional and international human rights treaties; monitor the quality of services offered to Gender Based Violence victims and effectiveness of Gender Based Violence prevention and response mechanisms; among others. However, the GMO tools and reports (from 2011 to 2016) reviewed do not raise or address any issue related to women/girls with disabilities. In addition, there is no disaggregated data publicly available in relation to exploitation, violence and abuse against people with disability. Identification is hindered by the uneven and inadequate collection of disaggregated data and a lack of national research and analysis on the issue. Ultimately, when disabilities are not included in data collection efforts, they are equally absent from policy discussions and budget allocations.

The disability community in Rwanda calls upon the CRPD Committee, to inquire the State Party on the following:

42. Please provide information on steps taken by the Government of Rwanda to address exploitation, violence and abuse faced by persons with disabilities, especially women, children’s – in care centers - and those with psychosocial disabilities?

43. Please provide information on steps taken by the government of Rwanda to train state officials on the rights of persons with disabilities with the view to prevent and protect them from exploitation violence and abuse.

44. Please provide information on steps taken to empower person’s with disabilities to know the existing mechanism of protection against exploitation, violence and abuse against persons with disabilities.

45. Provide information on existing Mechanism with the mandate to protect persons with disabilities against exploitation, violence and abuse.

**Article 17: Protecting the Integrity of the Person**

Existing mental health legislation, policies and practices, especially in relation to Compulsory Treatment Orders (CTO) do not adequately protect integrity of persons with disabilities. There is lack of safeguards and resources (financial and human) which contribute to persistent violation of person’s integrity. Special attention is taken to the persons with visual impairment, Deaf People and Persons with cognitive and psychosocial disability as well as people with dementia.

There is no legislation on mental health. The ministry of health drafted a mental health bill but it has been in a draft form for several years and still not officially presented to the parliament for debate.

The disability community in Rwanda calls upon the CRPD Committee, to inquire the State Party on the following:

46. Please provide information on steps taken by the Government of Rwanda to protect persons with disability integrity especially in the context of mental health treatment.

47. Please provide information on existing safeguards aimed to prevent violation of integrity of persons with disability.

**Article 18: Liberty of movement and nationality**

The Rwandan constitution guarantees the right to nationality and no Rwandan can be banished from his or her country according to article 25. The same article provides for the right to dual nationality. The constitution also guarantees the right to liberty of free movement in article 26. Every Rwandan has the right to move freely and to reside anywhere in Rwanda.

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Despite the continued campaign by DPOs “to create a barrier-free environment for persons with disabilities, accessibility remained a problem throughout the country”. Accessible transportation still scarce and public infrastructure such as roads, sidewalks are not accessible for persons with disabilities. In rural areas the situation is worse. Refugees with disabilities still face challenges to get official documentation (ID’s, passport, etc.) which impact on their ability to move freely in the country and abroad.

The 2014/15 Demographic and Health Survey indicated that overall, only 56 per cent of children were registered with Civil Registration and Notary Services. However, the demographic health survey does not provide disaggregated data relating to children with disability. Due to discrimination and stigma around disability, can be inferred that majority of children with disabilities are not registered.

The disability community in Rwanda calls upon the CRPD Committee, to inquire the State Party on the following:

48. Please provide information on steps taken by the government of Rwanda to create a barrier free environment for persons with disabilities both in rural and urban areas.

49. Please provide information on steps taken to speed up and facilitate access to refugees with disabilities to identification documents and others that enable them to move freely in the country and abroad.

50. Please provide information on steps taken to ensure all newborn with disabilities are registered at birth.

Article 19 - Living independently and being included in the community
The existing and new public infrastructure, at all levels, is not accessible for persons with disabilities, despite the fact that the government approved in 2009 the Rwandan Building Control Act, and in 2011 a booklet with specific standards of accessibility for persons with disabilities was published. Those

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40 Rwanda Housing Authority, facilities for persons with disabilities, 2017.

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infrastructures include schools, hospitals, and sport facilities, among others, making it difficult for persons with disabilities to have access to those services independently or with minimum assistance.

Interviews with persons with disabilities revealed that there are persons with disability who spend their whole life locked up at home, due to stigma and discrimination within the family and communities and lack of services and/or inaccessibility of existing ones. This leads to removal of their personhood, and basic decisions are taken from them.

The disability community in Rwanda calls upon the CRPD Committee, to inquire the State Party on the following:

51. Please provide information on steps taken to establish support services for persons with disabilities in the community to enable them to live independently and maximize their participation in the general community.

52. Please provide information on steps taken by the government of Rwanda to ensure that persons with disabilities have control over their resources and they are able to choose where and with whom they live.

53. Please provide information on steps taken to raise awareness to challenge and overcome attitudes and beliefs that perpetuate segregation and discrimination in communities.

54. Please provide information on steps taken by the government of Rwanda to move away from institutional based care to community based care?

55. Please provide information on steps taken by the government of Rwanda to ensure affordability and accessibility of public services in the communities, including public and social housing.

Article 20 Personal mobility

Access to assistive devices and equipment that promote mobility and independence, is still out of reach for many persons with disabilities in Rwanda specially those living in rural areas. This is mainly due to “high cost of and unavailability of assistive devices and technologies such as

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wheelchairs, prostheses, hearing aids, visual aids on the Rwandan market. Assistive devices are not covered by health insurance “mutuelle de santé”, making it impossible for ordinary persons with disabilities, who are also poor, to have access.

The state report notes that, Rehabilitation services are provided in a number of specialist reference units producing mobility appliances where needed: these are the Rwandan Military Hospital, University Hospital Huye, Gihundwe District Hospital, Ruhengeri District Hospital, Kigali Central Hospital with other non-state providers in Mulindi Japan; Gatagara and Gikondo centres, and Gahini.

The disability community in Rwanda calls upon the CRPD Committee, to inquire the State Party on the following:

56. Please provide information on steps taken by the government of Rwanda to ensure availability and affordability of assistive devices in the local market.

57. Please provide information on steps taken by the government of Rwanda to ensure that persons with disabilities who have no means have access to assistive devices.

58. Please provide information on steps taken by the government of Rwanda, to produce assistive devices locally and ensure maintenance capabilities.

**Article 21: Freedom of expression and opinion and access to information**

The Rwandan constitution guarantees the freedom of press, of expression and of access to information. The law protecting persons with disability emphasizes that Persons with disabilities are entitled to the right of freedom of expression on any general national issues, on any particular issue of their concern and where possible, persons with disabilities shall be consulted and they shall give views on activities and services accorded to them. The law further requires the use of gestures, braille writings and other ways that aid the persons with disabilities in communication, where possible, to be used in conferences and meetings, news reading and other public debates. Despite these measures Rwanda’s private media does not facilitate access to information to persons with disabilities especially persons with visual impairment and the deaf people. The


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clause “limits within the available resources” inserted in article 2 of the ministerial order, without appropriate monitoring, makes it difficult for public and private entities to comply. The clause provides an escape window to media owners not to honor the obligation of disseminating information in accessible formats for people with disability. Additionally, sign language is not recognized in Rwanda as an official language under the Rwandan Constitution. The recognition of sign language as official language is a fundamental step to promote the use of sign language nationally. The Government of Rwanda started in 2014, the development of sign language dictionary and its finalization has been delayed, and to date is yet to be finalized. The dictionary is fundamental step toward recognition of sign language as an official language.

It doesn't provide information on the availability of sign language interpreters, and the steps being taken to increase availability and ensure persons with disability can access appropriate communication support in a timely and cost-effective manner.

The disability community in Rwanda calls upon the CRPD Committee, to inquire the State Party on the following:

59. Please provide information on steps taken by the government of Rwanda to ensure access to public information to all persons with disabilities.

60. Please provide information on steps taken by the Government of Rwanda to recognize sign language as official language and steps taken to finalize and approve the sign language dictionary.

61. Please provide information on steps taken by the government of Rwanda to train sign language interpreters and ensure that public information is available on alternative means of communication.

62. Please provide information on steps taken to ensure information and communication technologies are accessible to persons with disabilities.

63. Provide information on steps taken by the government of Rwanda to recognize sign language as official language.

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Article 22: Respect for privacy

While the Constitution, in Article 22, prohibits any arbitrary interference in the private life of a person, his or her family, his or her home or his or her correspondence, in practice, persons with disabilities right to privacy is being violated given the traditional role played by the family or caregivers, which do not respect the personhood of the person involved. In the health sector, the right to privacy is not respected given lack of support and trained personnel to deal with person the disabilities. People with psychosocial disabilities are impacted disproportionately given the prevalent preconception of capacity.

The disability community in Rwanda calls upon the CRPD Committee, to inquire the State Party on the following:

64. Please provide information on steps taken by the State to ensure persons with disabilities right to privacy is respected in all areas of life.

Article 23: Respect for Home and the Family

The Rwanda Constitution guarantees the respect for home and family including the right to marry and found a family in article 23 (2). Many people with disability experience discrimination and neglect in relation to their rights to sexual expression, choice of relationships, having a family and parenting — all of which are taken for granted by those without disabilities. Stigma and discriminatory attitudes around disability, gender and sexuality throughout Rwanda impact how women with disabilities exercise their rights to sexual and reproductive health services and family planning. Their needs are overlooked in policies and planning making it challenging to access needed services and information important for family planning. In addition, the inaccessible infrastructure at health facilities, absence of trained health personnel, further excludes women's with disabilities to access sexual and reproductive health services. For women and girls from more marginalized impairment groups such as women with intellectual disabilities, Deaf blind women, women with albinism, the discrimination and exclusion is more acute.

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The guardianship regimes under the Rwanda Civil Code restrict the ability of persons with disabilities, specially those with psychosocial disabilities to decide over their assets, having to do so through a guardian. Widespread discrimination against parents with disability occurs in relation to child protection agencies and their interface with the disability support system leading to much higher rates of children being removed from parents with disability.

The Integrated Household Living Conditions Survey survey document “higher poverty incidence among households headed by a person with a disability (about 9% of the population lives in such households, half of which are poor)”.42

The disability community in Rwanda calls upon the CRPD Committee, to inquire the State Party on the following:

65. Please provide information about steps taken by the government of Rwanda to provide support to families headed by persons with disabilities?

66. Please provide information on steps taken by the Government of Rwanda to increase the information about family planning among young and adult persons with disabilities?

67. Conduct an urgent national inquiry into the legal, policy and social support environment that gives rise to the removal and / or threat of removal of babies and children from parents with disability.

68. Collect appropriate statistical and research data on the number of parents with disability in contact with the child protection system and the number of children removed from parents with disability, disaggregated by gender, and other relevant variables, in order to guide policy, funding, and support development.

69. Establish comprehensive and intensive gender specific parenting and family support measures for parents with disability, to assist with maintaining children with their parents and within their own family homes.


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70. Please provide information on steps taken by the government of Rwanda to increase awareness in the general community, in the judiciary and agencies involved in child protection about the right to parent, particularly for people with intellectual and psychosocial disability and promote positive images of parents with disability in the community.

71. Resource sexuality, relationship and human rights training and information for persons with disability, including providing support for agencies that provide access to sexual services.

72. Provide significant investment in supports and measures to ensure that families are able to provide appropriate support to their children with disability without needing to resort to relinquishment. Such measures should include methods for the collection of consistent, cross-jurisdictional data about the relinquishment of children with disability by families.

Article 24: Education

The Rwandan legal framework for the promotion of education for persons with disability is progressive and DPOs commends the government of Rwanda’s efforts in continuing to support and promote education for persons with disability.

DPOs specifically appreciates, the National Program on the Promotion of the Rights of Persons with Disabilities (2010-2019) detailing extra efforts overseen by the ministry of local government to reinforce actions to promote inclusive education, accessibility and full participation of Persons with Disabilities and integration of ex-combatants with disabilities.

However, Education in Rwanda at primary, secondary and university or tertiary education does not fully respond to the needs of persons with disabilities. Although Rwanda is under the process of developing an all-inclusive education at the College of Education, trained personnel at all levels of education are still lacking and accessible learning materials remains a serious obstacle. Most universities in Rwanda do not offer education to the deaf and the blind. Most lecturers at Universities in Rwanda acknowledge shortage of skills to train and equip students with disabilities especially the Deaf and Visual Impaired People.

Regarding refugees with disabilities, The Rwanda Education Policy expects that all children should benefit from the twelve Years Basic Education program and Special Education and Inclusive Education is an integral part of the approved Education Sector Plan (2013–17). However, the highest education level offered by schools in refugee camps is 9 years, instead of 12 instituted by the government of Rwanda.

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Thus pupils are required to complete 3 remaining years in host community schools, which are always far away from the refugee camps making it physically inaccessible.

The disability community in Rwanda calls upon the CRPD Committee, to inquire the State Party on the following:

73. Please provide information on steps taken by the government of Rwanda to produce disaggregated data on disability, in the education sector, using the Washington group set of questions.

74. Please provide information on steps taken by the Government of Rwanda to ensure inclusive quality education at all levels for persons with disabilities including refugees and other minority communities.

75. Please provide information on steps taken by the Government of Rwanda to provide support for families with children’s with disabilities to ensure they actually attend education.

76. Please provide information on steps taken by the Government reform the curriculum of teacher training as well as the school curriculum to ensure it support the goal of inclusion of persons with disabilities in education.

77. Please provide information on steps taken by the Government of Rwanda to move away from special education schools to inclusive education for children with disabilities.

78. Please provide information on steps taken by the government of Rwanda to increase awareness about the rights to education for children with disabilities and to reduce stigma and bullying in schools and communities.

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Articles 25: Health

DPOs commend the government of Rwanda for the legal and policy framework regarding the promotion of the right to health for people with disabilities. The constitution, the law protecting persons with disabilities, special ministerial orders provide for the promotion of the right of health to persons with disability.

However, DPOs concerned that, access to community health, acute care and specialist disability health expertise remains limited in Rwanda. Access to reproductive health rights for persons with disabilities at all district health centers in the rural areas remains a challenge. Hospital settings and infrastructure especially for hospitalization lack adequate accommodation standards for persons with disabilities.

Access to health services especially communication with health personnel with the deaf is even more limited, particularly in remote areas, often leading to additional disabling health conditions.

Patient’s rights especially consent from the blind and deaf are usually violated by health practitioners mainly due to ignorance and lack of appropriate skills to communicate with the patient.

The adolescent sexual and reproductive health and the maternal and child health policy are silent about the rights and needs of women/girls with disabilities regarding Sexual Reproductive Health. The community health based insurance known as “Mutuelle de Santé” does not cover the rehabilitation services like physiotherapy and occupational therapy nor assistive devices, which most women with disabilities need to ensure their inclusion and participation in society on an equal basis with others- in education, employment, political participation etc. The lack of physical accessibility as well as the financial accessibility due to the prevalent poverty among persons with disabilities and women with disabilities in particular constitutes a major barrier to accessing rehabilitation services.

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The situation of refugees with disability is more complicated when it comes to health care in Rwanda. Health care is paid for via a variety of health insurance schemes. Persons with Disabilities who are not capable of paying their insurance subscriptions are eligible to benefit from subsidy paid by the State. This is done through Community Based Insurance, commonly known as Mutuelle de Santé. However, Refugees in general and refugees with disabilities in particular, are not eligible for the Mutuelle de santé because that insurance is exclusively for the nationals.

The disability community in Rwanda calls upon the CRPD Committee, to inquire the State Party on the following:

79. Please provide information on steps taken by the Government of Rwanda to ensure that the refugees with disabilities have access to health services on equal basis with other.

80. Please provide information on steps taken by the Government of Rwanda to ensure that girls and women with disabilities have access to sexual and reproductive health services in their own communities.

81. Please provide information on steps taken by the government to ensure that the general health services are accessible for persons with disabilities, and its provision respect the privacy the right to consent and information of the person, including those with intellectual and psychosocial disabilities.

82. Please provide information on steps taken by the Government of Rwanda to generate disaggregated data using the Washington group set of question within the health sector.

83. Please provide information on steps taken by the Government of Rwanda to train health officials with a view to increase their competences to deal with persons with all types of impairment.

Article 26: Habilitation and rehabilitation

Whilst 85% of persons with disabilities in Rwanda have some form of health insurance, many...
assistive devices such as orthosis, prosthesis, white canes, hearing aids and certain types of psychiatric medicine are not available. Furthermore specialist services such as audiology and speech and language therapy are not covered nor readily available. Rehabilitation services, which could help people to participate fully in society, are limited. There are also many barriers to general healthcare, including services such as sexual and reproductive healthcare, for example physical accessibility and communication barriers. The availability of services at the community is limited and access to existing ones, is difficult due to rugged relief. Further, the number of professionals available is limited.

The disability community in Rwanda calls upon the CRPD Committee, to inquire the State Party on the following:

84. Please provide information on steps taken by the government of Rwanda to ensure that persons with disabilities have access to the services they need at the community.

85. Please provide information to ensure that assistive devices such as orthosis, prosthesis, white canes, hearing aids and certain types of psychiatric medicine are available.

86. Please provide information on steps taken by the Government of Rwanda to increase the number of rehabilitation professions including audiologists, physiotherapists, occupational therapists and speech language pathologists in Hospitals, Healthy centers, and healthy posts both in rural and urban areas.

Article 27: Work and Employment

While there are various government labor market initiatives in place to support employment of people with disability, rates of job placement among person with disabilities specially young are very low. Little has been done to address structural and systemic barriers in the workplace that limit the employability of many people with disabilities.

A baseline study carried out in the city of Kigali by UWEZO, a youth empowerment organization revealed that Youth with disability face challenges of accessing vocational training schools at the rate of 98% while only 33% had received training in their respective professional
Another study by UWEZO reveals that lack of access to education and training, lack of financial resources, inaccessible financial opportunities and lack of enabling work environment including perceptions about disability and disabled persons are considered to be responsible for exclusion of persons of disability from the labor market.

Consequently, the population affected by disability tends to be more concentrated in self-employed jobs (informal sector) than the population without disability, largely because salaried jobs pose higher barriers to persons with disabilities than self-employed work. On a positive note however, Rwanda now has a group of graduates among the blind even in the law schools but still not employed by the Judiciary and legal fraternity. They are still not employed in the police, prosecution and in courts as judges.

Regarding employment, findings from the NCPD assessment on disability and employment conducted in all 30 districts of Rwanda revealed that the largest proportion of women with disability were not actively participating in community based cooperatives on an equal basis with male counterparts and women without disabilities. Yet, cooperatives are the key main source of collective economic enterprise at the community level in Rwanda.

The disability community in Rwanda calls upon the CRPD Committee, to inquire the State Party on the following:

87. Please provide information on steps taken by the Government of Rwanda to remove structural barriers that prevent persons with disabilities to compete on equal basis with other to access work and employment opportunities.

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44 UWEZO Youth Empowerment, *Baseline study on the barriers faced by youth with disabilities when accessing work and employment. Youth with Disabilities in Kigali: Views about employment for youth with disabilities in Rwanda*

45 NCPD, *Assessment on disability and employment, 2015*

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88. Please provide information on steps taken by the Government of Rwanda to increase the competences among persons with disabilities to enable them to get needed skills to compete in the job market.

89. Please provide information on steps taken by the Government of Rwanda to reform the antidiscrimination legislation in the workplace to ensure it includes denials of reasonable accommodation as type of discrimination.

Article 28: Adequate standard of living and social protection

According to the report on Integrated Household Living Conditions Survey (2012), a “higher poverty incidence is recorded among households headed by a person with a disability. About 9% of the population lives in such households, half of which are poor.” The Government of Rwanda has done a categorization of persons with disabilities. This categorization aimed to determine the persons who need support. However, in practice, this categorization impacted negatively in particular groups of people with disability, especially those who have sensory or invisible disabilities, and doesn’t seem to be a fair or useful strategy for promoting employment for people with disability.

Government development plans and programs such as VUP Program, the Economic Development and Poverty Reduction Strategy (EDPRS), One cow per poor family; Health Insurance Scheme (Mutuelle de Sante), School Feeding Program, Technical Vocational Training (TVET) schools, among other, do not fully include persons with disabilities as the requirement to benefit from them are not accessible to persons with disabilities.

Rwanda does not have a Disability Support Pensions or schemes and or a special disability fund to enable the persons with disabilities to earn a living in the community. While it should be commendable that there is disability-mainstreaming officer at each district, the concept of not putting in place mechanisms for support for persons with disabilities remains a great concern. Rwanda’s approach to consider disability as “cross cutting issues” demonstrates a positive spirit but unfortunately, there is no specific indicators on disability.

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country’s first use of braille ballots and other accommodations for elderly persons and voters with disabilities.” However, observers also noted, that “some polling stations remained inaccessible to persons with disabilities and that some election volunteers appeared untrained on how to assist voters with disabilities”.

Persons with disabilities especially women and those who are deaf and deaf blind, are excluded from decision-making platforms from local to national level. In cases where persons with disabilities are part of the process, these forums are not accessible, making it difficult for them to meaningfully participate. For instance, leader of the disabled Rwanda Union of Deaf Women (RNADW) reported

“Despite several engagement with the National Platform on Social protection RNADW is still ignored due to misconception and stigma about disability. When we (RNADW) are invited, they usually do not provide sign language interpreter, making it difficult for us to meaningfully participate and raise our concerns”.  

The electoral laws do not consider Braille voting for the blind and provides that children aged maximum 14 years can assist the blind. This renders them vulnerable to children under the age of 14 who are allowed by law to ‘assist them in the voting process’. Political participation should be one’s own making and choice.

The disability community in Rwanda calls upon the CRPD Committee, to inquire the State Party on the following:

93. Please provide information on steps taken to review the electoral law to ensure all persons with disability equally participate in the election process either as candidate or as voter.

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The Local government initiatives consider disability as a crosscutting subject. This makes the local government not to allocate specific budgets for disability mainstreaming. This undermines the very essence of the established office at every district in charge of disability mainstreaming.

The disability community in Rwanda calls upon the CRPD Committee, to inquire the State Party on the following:

90. Please provide information on steps taken by the Government of Rwanda to ensure the living standard of persons with disabilities are improved and they have the support needed to live a dignified life.

91. Please provide information on steps taken by the government of Rwanda to review the existing social and development programs to ensure it includes persons with disabilities.

92. Please provide information on the purpose of categorization of persons with disabilities and how this process contributes for improvement of services and opportunities for them.

Article 29: Participation in Political and Public Life

The Rwandan Constitution provides for a representation of persons with disabilities in the Rwandan Parliament and that the National Council of Persons with Disabilities is constitutionally mandated to among others elect two candidates with disabilities to the Parliament Chamber, of which one Member of Parliament is elected to the National Parliament and another to the East African Legislative Assembly of the East African Community.

However, DPO’s concerned that the current legislation relating to electoral processes still allow some categories of people with disability particularly those with intellectual and psychosocial disability to be automatically exempted from voting on the basis of lack of mental capacity, unless it can be proven otherwise.

On a positive note and after huge advocacy campaign from DPO’s, during 2017 the Government of Rwanda “provided sign language interpreters during the presidential campaign”. There where significant improvements compared with previous electoral cycles including the

46 US State Department, Rwanda Human Rights Report 2017

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94. Please provide information on steps taken by the Government of Rwanda to ensure persons with disabilities also participate in decision-making forums and leadership position from local to national level.

Article 30: Participation in Cultural Life, Recreation, Leisure and Sport

The government, through the National Paralympic Committee of Rwanda (NPC Rwanda), has called on persons with disabilities to participate in sports especially sitting volleyball, Goal Ball for blind and Athletics for all types of disabilities. However, there is not much infrastructure to support such programs including sports kits/equipment and accessible playgrounds for training sessions of created clubs. This is more complicated in rural areas, even in urban areas; there is scarcity of accessible sport venues and materials in the various kinds of sports. No coordinated sport activities for Intellectual disability and Deaf People. Further, the recreational and leisure spaces are scarce, and the existing venues are also not accessible to persons with disabilities both in rural and urban areas.

The disability community in Rwanda calls upon the CRPD Committee, to inquire the State Party on the following:

95. Please provide information on steps taken by the Government of Rwanda to support the development of sport for persons with disabilities both in rural and urban areas.

96. Please provide information on steps taken by the Government of Rwanda to increase accessible spaces of recreation and leisure both in rural and urban areas and to ensure that the existing venues are accessible for persons with disabilities.

97. Please provide information on steps taken by the Government of Rwanda to support the involvement and Participation of person with disability in all aspects of the arts including professional development.

Article 31: Statistics and Data Collection

The 2012 Rwanda household census includes mention of persons with disabilities. The data is presented in a thematic study on the socio-economic characteristics of persons with disabilities, which provides both qualitative and quantitative data disaggregated by sex, age, area of...
The study partially adopted the International Classification Functioning (ICF) methodology focusing on the concept of functional limitations. The definition of disability and the questions used does not meet either the Washington Group’s or the CRPD’s standards. As a result, the prevalence of disability is fixed at 5%, which is below the official WHO estimation, which puts people with disabilities at 15% of the population. The disability community in Rwanda calls upon the CRPD Committee, to inquire the State Party on the following:

98. Please provide information on the steps taken by the Government to systematically collect disaggregated data on disability using international agreed standards?

99. Please provide information on steps taken to ensure that the next general census collect data on disability using international agreed standards?

Article 32: International Cooperation and Development

Some development partners in Rwanda are committed to ensure that development cooperation is inclusive of disability. The Department for International Development (DFID) of the United Kingdom came up with disability advisory committee, which include DPOs and which the objective is to consult on how best to mainstream disability on their program. However, this is an exception among the development partners and many programs financed or implemented by them are not inclusive of persons with disabilities. Examples include development programs such as one cow per poor family, which are exclusive of person with disabilities. Government of Rwanda must work with development partners to ensure that DPOs are included in, contribute to and benefit from all international development policies, programs, monitoring and evaluation, including having leadership roles within international development structures.

The disability community in Rwanda calls upon the CRPD Committee, to inquire the State Party on the following:


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100. Please provide information on steps taken by the Government of Rwanda to ensure that international development partners work with DPOs to develop programs that are disability inclusive.

101. Please provide information on steps taken to ensure that development programs supported through international development partners extend to the poorest and most marginalized members of society.

102. Please provide information on steps taken by the Government of Rwanda to ensure that international development partners support capacity of DPOs to take on leadership roles within international development policy and activities.

Article 33: National Implementation and Monitoring

The National Council for Persons with Disabilities (NCPD), established by the Constitution\(^{51}\) and governed under the Ministry of Local Government (MINALOC), is the body designated by the Rwandan government to “assist the Government to implement programs and policies that benefit persons with disabilities”.\(^{52}\) Among others, the NCPD is tasked to elect “one Deputy representing persons with disabilities in the Chamber of Deputies of Parliament and elect two candidates from whom will be elected a representative of persons with disabilities in the East African Legislative Assembly.”\(^{53}\) Government departments are responsible for implementing related activities and programs in specific sectors, while the NCPD is tasked to monitor governmental programs on disability. The Rwandan National Commission for Human Rights (NCHR), which holds “A” status, is the body designated to independently monitor implementation of human rights, which implicitly involve rights of persons with disabilities. However, the state party is yet to formally designate the NHRC with the mandate under CRPD article 33 (2).

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\(^{51}\) Constitution of the Republic of Rwanda, Article 188bis.
\(^{52}\) Law n°03/2011 of 10/02/2011, Determining the Responsibilities, Organizations and Functioning of the National Council of Persons with Disabilities.
\(^{53}\) Constitution of Republic of Rwanda, Article 177.

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Despite the existence of this framework, they are not effective mainly due to shortage of resources and limited capacity within these institutions. In addition, there is limited representation of persons with disabilities at staff level of the NCPD.

The disability community in Rwanda calls upon the CRPD Committee, to inquire the State Party on the following:

103. Please provide information on steps taken by the Government of Rwanda to formally designate the NHRC to fulfill obligations under CRPD article 33 (2).

104. Please provide information on steps taken by the Government of Rwanda to increase effectiveness of the NCHR on its mandate to protect, monitor and promote the rights of persons with disabilities.

105. Please provide information on steps taken by the Government of Rwanda to ensure representation of all types of impairment and gender balance in the NCPD structure from local to nation level.

THE END