



Mandate of the Special Rapporteur on the rights of persons with disabilities

Questions for civil society:

1. Please provide information in relation to the existence, in your country or context of work, of legislation and policies concerning mainstream and/or specific social protection programmes with regard to persons with disabilities, including:

The rights of Persons with Disabilities are additionally protected by the National Laws N° 01/2007 on the Protection of Persons with Disabilities in general and N° 02/2007 on the Protection of Former War Combatants with Disabilities.

Article 11 of the Constitution stipulates

Rwanda recognized the Standard Rules on the Equalization of Opportunities for Persons with Disabilities.¹² Although not a legally binding instrument these represent a strong commitment of Governments to take action to achieve equal opportunities for Persons with Disabilities. Therefore progress towards a National Policy on Disability (2003) was made, and by 2007 Rwanda promulgated Law N° 01/2007 of 20 January 2007 relating to the protection of Persons with Disabilities in general.

Law N° 54/2011 of 14 December 2011 relating to rights and protection of the child also provides specific protection to children with disabilities.

A number of Ministerial Orders were adopted in 2009 relating to the measures to facilitate Persons with Disabilities in communication, travel, education, sport and leisure, medical care, and employment. Good progress has been made in application of existing law, though Government recognizes that more remains to be done. Several of the measures specified in Ministerial Orders have yet to be fully realized. Specific Ministerial programmes and plans vary in their attention to specific disability targeting and full inclusion, though some strong examples are emerging¹⁵.

Law N° 3/2011 of the 10 February 2011 determines the responsibilities, organization, and functioning of the National Council of Persons with Disabilities (NCPD), a public institution with financial and administrative autonomy. It is composed of representatives who are Persons with Disabilities from Cells, Sectors, Districts, Provinces, the City of Kigali, and the National level, with an executive staff appointed under public sector recruitment procedures.

Institutional framework in charge of its implementation;

In addition to the above information, There is a National Council of Persons with disabilities (NCPD) which is under the Ministry of Local Governance that is in charge of monitoring the implementation of laws and policies on the rights of persons

To civil society organizations

with disabilities, about implementation of legal framework, all institutions are obliged to respect, promote and protect these rights.

Legislative, administrative, judiciary and/or other measures aiming to ensure access of persons with disabilities to mainstream social protection programmes (e.g., poverty reduction, social insurance, health care, public work, housing);

EDPRS2 has mentioned Disability as a cross-cutting issue that needs to be mainstreamed into all laws, policies and programmes. The different laws and policies above mentioned are supposed to be implemented by all Government and non-Government institutions. The Ministry of Health (MoH) policies is talking about health insurances for persons with disabilities when they are categorized and are going to be supported depending on the level of disability and social aspect.

Creation of disability-specific programmes (such as disability pensions, mobility grants or others);

Non-specific disability programmes has been created up to now. All these issues are going to be solved after the categorization is completed (now in process). A disability Funds is in process to be established and it will be managed by civil society Umbrella organization-NUDOR

Fiscal adjustments or other similar measures.

Non fiscal adjustments or similar measures have been undertaken. We are expecting to have these in place once the categorization is done and figures are available according to each type of disability.

2. Please provide information on how persons with disabilities are consulted and actively involved in the design, implementation and monitoring of social protection programmes in your country or context of work.

The only form way is through National Council for Persona with Disabilities (NCPD) which is structured from cell level up to national level. In an informal way, the civil society organizations of persons with disability are consulted by some institutions because advocacy work done in last 4 years around involvement in all processes of country development.

3. Please provide information in relation to difficulties and good practices on the design, implementation and monitoring of mainstream and/or specific social protection programmes with regard to persons with disabilities, including:

- Conditions of accessibility and the provision of reasonable accommodation;
Good practices: there are laws and policies that aiming to address the issues affecting PWDs. Rwanda housing Authorities has established norms and standards of an accessible public houses, some district have allocated a specific budget to persons with disabilities, a SLI has been recruited on RTV (national language only)

Difficulties: mindset that is not change quickly (still discrimination seen in different locations), communication barriers, access to information still a challenge, etc

- Consideration of the specific needs of persons with disabilities within the services and/or benefits of existing programmes;
There is a lot changes but still have a long way to go. In some institutions, PWDs are not accessing services because of discrimination, self-discrimination, or do not have information about the availability of the services. Some services providers ignore the capacity and capability of PWDs.

- Difficulties experienced by persons with disabilities and their families in fulfilling requirements and/or conditions for accessing social protection programmes;
There is discrimination in families (some families) that prevent PWDs to enjoy social protection programmes.

- Consideration to age, gender and race or ethnic-based differences and possible barriers;

- Conflicts between the requirements and/or benefits of existing programmes, and the exercise by persons with disabilities of rights such as the enjoyment of legal capacity, living independently and being included in the community, or work;

These conflicts are observed in different domains, especially development programmes whereby, persons without disabilities think that PWDs cannot access the facilities because they are disabled (Programmes like VUP(Vision 2020 Umurenge programme) facilities, one cow per family, etc). They think and believe that they have always to be helped and cannot live independently.

- Allocation of grants to personal budgets; No grants allocated to persons with disability. ***The only support is coming through NCPD to support cooperative. another type of grant is a certain amount of money that is given to specilized schools and centres for children with disability. But specific grants in terms of doing business is not yet allocated. May be when the disability funds will be completely established, PWDs will benefit from it.***

- Disability-sensitive training and awareness-raising for civil servants and/or external partners;

In Rwanda, international partners played and are still playing a big role in terms of awareness-raising on the right of persons with disabilities. They have been supporting civil society organizations of persons with disabilities to get strong and stand for claiming for their rights. Capacities built throughout trainings they offered have produced results that are bringing changes to the government side in terms of inclusion.

- Existence of complaint or appeal mechanisms.
They exist but not specific ones. The complaint or appeal mechanisms established by Government are being used by everyone, no separate mechanisms for PWDs
4. Please provide any information or data available in your country or context of work, disaggregated by impairment, sex, age or ethnic origin if possible, in relation to:

- Coverage of social protection programmes by persons with disabilities;
- Rates of poverty among persons with disabilities;
- Additional costs or expenses related to disability.

Overall, 446,453 Persons with Disabilities aged five and above are living in Rwanda according to the 2012 Population and Housing Census, out of which 221,150 are male and 225,303 are female.⁴² There is only a small difference by gender, with a prevalence rate of 5.2% for males (aged five and above) and 4.8% for females. The share of Persons with a Disability is larger in rural areas than in urban areas at 5% and 3% respectively⁴³. 229,198 households are headed by a Person with a Disability. The economic activity status of household heads with and without a disability reflects the results on employment in general, as 58% of household heads with a disability are currently employed compared to 85% of household heads without a disability.

⁴²

For more details, please, consult: *National census done in 2012*

5. Please provide information in relation to the eligibility criteria used, in your country or context of work, for accessing mainstream and/or specific social protection programmes with regard to persons with disabilities, including:
 - Definition of disability and disability assessments used for eligibility determination;
 - Consistency of the eligibility criteria among different social protection programmes;
 - Use of income and/or poverty thresholds;
 - Consideration of disability-related extra costs in means-tested thresholds.