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The situation of persons with disabilities

According to a Census of persons with disabilities carried out 2010 by the Government of Rwanda in cooperation with the African Decade of Persons with Disabilities (draft), persons with disabilities (PWD) constitute 5.02 per cent of the population (263,928 females and 258,928 males). However, given Rwanda's history of conflict and development, a more realistic representation of persons with disabilities in Rwanda is closer to 1.5 million based on estimations by the World Health Organization (WHO) that 15% of any population is likely to be PWD.

On the policy level, Rwanda is one of the most progressive countries in Africa in terms of promoting the rights of persons with disabilities. Some examples:

- Persons with disabilities are included in the national development programmes such as Ubudehe Programme and Vision 2020 Umurenge Programme (VUP). VUP and Ubudehe are the programmes aiming to reduce poverty and accelerate development.
- Persons with disabilities are offered vocational training, participate in income generating activities and are encouraged to join cooperatives
- Affirmative action is used in institutions of higher learning
- Vulnerable persons with disabilities receive medical insurance free of charge and also benefit from housing programs for the most poor
- Persons with disabilities are represented in National Assembly and EALA (local)

Still persons with disabilities are among the poorest. Exclusion of the group is caused both by attitudinal and physical barriers. They are often excluded from inheritance of land and assets, removing the opportunity for them to lead independent lives. Main challenges include:

- Mind-set and social attitudes towards persons with disabilities. People with disabilities are seen as objects of charity. They are underestimated and overprotected, and their potential and abilities are not recognised. Children with disabilities are seen as a source of shame and often hidden away. Name-calling is common. Women with disabilities find it difficult to get married and are more vulnerable to sexual abuse. People with disabilities suffer discrimination in employment and health care.

Negative attitudes are particularly strong towards those with severe disabilities, people with mental and psychosocial disabilities, blind and deaf people. These groups generally do not access information or services offered.

- Lack of self-esteem of persons with disabilities
- Lack of sufficient financial and human resources to execute the intended policies and programmes
- Many children with disabilities miss out on education because of the unawareness among parents and teachers

Whilst the situation is changing due to campaigning of civil society and a change of attitude amongst government, stigma and negative perceptions still exist. Legislation and policies now exist to protect the rights of people with disabilities and to improve their quality of life but implementation is slow. A lot of effort has also gone in to introducing positive terminology in Kinyarwanda for people with disabilities who traditionally would be referred to as 'things', 'objects', 'broken pots'. Organisations of persons with disabilities have been lobbying hard to change to more positive and respectful terms.

Legal and policy frameworks

The government has a positive attitude to the rights of persons with disabilities and has taken a range of legislative and policy steps that indicate commitment

to advancing the rights of persons with disabilities. In terms of binding **international commitments**, these steps include:

- Signing and ratifying (in 2008) the UN Convention on the Rights of Persons with Disabilities (CRPD) and the Optional Protocol. The CRPD is the first international, legally binding treaty aimed at protecting the human rights of persons with disabilities. Rwanda has still not submitted its initial report. Read the Convention at www.un.org/disabilities/convention/conventionfull.shtml.
- Signing and ratifying other treaties that advance the rights of people, including those with disabilities, for example the UN Convention on the Rights of the Child, the African Charter on Human and People's Rights, the Convention on the Elimination of All Forms of Discrimination against *Women* – all of which make some reference to protecting the rights of persons with disabilities to fair treatment, appropriate care, inclusion and full participation in society.
- Committing to the East African Community Policy on persons with Disabilities (2012) outlining joint policy commitments in line with the CRPD and country level recommendations.
- Signing the ambassadorial status with the Secretariat of African Decade of Persons with Disabilities (now African Disability Alliance) and adopting a National Plan of Action for the African Decade of Persons with Disabilities 2009-2019.
- Rwanda is represented in the East African Legislative Assembly. It is a legal requirement that among the Rwandan deputies elected to the assembly there is one representing persons with disabilities.

The African Commission on Human and Peoples' Rights has drafted a Protocol on the Rights of Persons with Disabilities. It was released for comment in April 2014 and once finalised, is likely to become part of Rwanda's policy framework for advancing disability rights. Other important upcoming tools in 2014 are the CRPD Toolkit for Africa and the Accountability Framework for Africa which is part of

the Common African position for Post 2015 Development.

In terms of **national laws and policies**, the following have the most direct bearing on the rights of persons with disabilities:

- *Rwanda Constitution of 2003* (amended 2010), which specifically mentions that "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 law" (Art 11). The Constitution also stipulates that persons with disabilities are represented in National Assembly and EALA. In the amendment of the constitution of June 2010, the National Council of Persons with Disabilities (NCPD) was established as an independent public body. Its responsibilities, organisation and functioning is established by law.
- *The Rwanda Disability Law No. 01/2007* which is protecting and promoting the rights of persons with disabilities.

Furthermore, the following policies are in place

- A national policy for Persons with disabilities
- Economic Development and Poverty Reduction Strategy (EDPRS): Persons with disabilities are included as a result of DPO advocacy at district and national level. Employers are encouraged to reserve a 5% quota of the work force to persons with disabilities.
- A social Protection Strategy: Persons with disabilities are included
- A comprehensive Policy of Special Needs Education has been developed and focuses on 'Inclusive Education' as an ideal educational model

Implementing Agencies

The National Council of Persons with Disabilities is a public and independent institution with legal personality and both financial and administrative autonomy. It is a forum for advocacy and social mobilisation on issues affecting persons with disabilities in order to build their capacity and ensure their participation in national development. The Council shall assist the Government to implement programs and policies that benefit persons with disabilities. Thus, it has an advocacy, implementing and monitoring role. The NCPD has elected representatives of persons with disabilities on all levels.

Disability issues on a national level are handled by the Ministry of Local Government, Good Governance, Community Development and Social Affairs. The ministry serves as a focal point for the National Council of Persons with Disabilities.

The Ministry of Education is responsible for implementing the policy on Inclusive Education. In 2011 the net enrolment rate in basic education was 95.9 per cent of children, according to official statistics. There are however no credible data on the nature and scale of disabilities amongst the in- and out-of-school population. Without further differentiation of non-existent data to unpack what 'disability' means, it is impossible to tailor a strategy to the different and often multiple special needs of excluded children. Children and youth with disabilities face many difficulties in getting proper education and it is likely that the out of school children to a large extent consist of children with disabilities. The main opportunities are still offered by special schools and centres, often run by philanthropists.

The Ministry of Health is responsible for providing health care services to persons with disabilities. In 2009, the Ministry adopted Guidelines on "Mainstreaming Disability into the Health System at Community Level". However, accessibility is still limited by long distances to the nearest health facility, insufficient number of health workers, negative attitudes and the cost involved. Especially women with disabilities have problems to access SRHR services.

There have been some efforts to tailor made HIV/AIDS awareness programmes to persons with disabilities, but no data exists on the prevalence in this group.

Accountability measures

The mission of the *National Commission for Human Rights* is to promote and protect the Human Rights as to install a culture of respect for the Human Rights and to reinforce the Rule of Law in Rwanda. It has been specifically entrusted to monitor the rights of persons with disabilities. The Disability Law of 2007 relating to protection of disabled persons, Article 10 states: "The National Commission for Human Rights shall provide special procedures of monitoring how rights of disabled persons are respected". It is unclear how it has fulfilled this role, but one report was found on the internet on the situation of students with disabilities in Universities.

The *National Council of Persons with Disabilities* is mainly an implementing body but also has monitoring functions in relation to the programmes implemented. It has for example produced reports on employment conditions for persons with disabilities.

Main civil society actors

The first attempts at creating a unifying structure came in the mid-2000s with the creation of a Federation of People with Disabilities (FENAPH), which was later enshrined in law. However, the ambiguous nature of this organisation – at once created by law, and therefore technically a government agency, but which also represented civil society – resulted in a lack of progress and an insufficient ownership by government. In 2010, after lobbying by civil society, the government of Rwanda agreed to amend the constitution of Rwanda and to create a National Council for People with Disabilities (in line with the National Council for Youth and for Women). This is a government agency with representative structure at all levels of government administration responsible for mainstreaming disability across government services and development programmes. In response, civil society organised itself into an umbrella organisation, National Union of Disability

Organizations of Rwanda (NUDOR) to serve as a coordinating and representative body for the movement and to build the capacity of member organisations. It currently has 8 members:

[Association Générale des Handicapés du Rwanda \(AGHR\)](#) is a cross disability organisation of disabled people which defends, protects and promotes the human rights and social and economic well-being of persons with disabilities. AGHR is Rwanda's oldest organisation for people with disabilities, created in December 1979.

Collectif Tubakunde advocates for children with intellectual impairments and focuses on improving standards of special education and health care for children with intellectual impairments. There are 38 schools and centres for children with intellectual impairments in 24 districts who are part of Collectif Tubakunde.

[National Organisation of User and Survivors of Psychiatry in Rwanda \(NOUSPR\)](#) was established in 2007 to provide a voice to all people with psychosocial disabilities in Rwanda. It is a part of a worldwide movement, called the [World Network of Users and Survivors of Psychiatry](#), which advocates for the rights of people with psychosocial disabilities as provided for in the UN Convention on the rights of persons with disabilities.

The *National Paralympic Committee (NPC)* promotes and co-ordinates sports for people with disabilities. Founded in 2001, NPC is made up of associations and sport clubs with people with disabilities as members.

The [Rwanda Union of the Blind \(RUB\)](#) was established in 1994. There is very low education level and extreme poverty among Blind people in Rwanda; this is further exacerbated by prevailing social stigmas and cultural attitudes. RUB advocates on behalf of its members for equal rights for people with visual impairments. They have well-established branches in 26 districts out of 30 and over 50 local RUB branches. In 2014 RUB received an international reward for its work.

The *Rwanda National Association of Deaf Women (RNADW)* was created in 2005 by a group of Deaf women to advocate for their rights.

[Rwanda National Union of the Deaf \(RNUD\)](#) is bringing together all categories of Deaf people to address their social, economic, cultural and political needs. RNUD was established in 1989 by Deaf people with the aim of uniting themselves, raising awareness of the issues/concerns and how to address them.

[Troup of Handicap Persons Twuzuzanye \(THT\)](#) was formed by a group of persons with disabilities in September 2007 in order to advocate and communicate for changed behaviour towards disability through sport and socio-cultural activities.

Other important actors are Association of Landmine Survivors and Amputees of Rwanda (ALSAR), Association Centre pour la Paix des Jeunes non voyants-ACPJENV and Rwanda National Decade Steering Committee (RNDSC).

There are different international civil society organisations involved in supporting disability programs in Rwanda, either directly or indirectly through local partners. They include Handicap International (HI), Christoffel Blinden Mission (CBM), Rotary International, the Liliane Foundation and the Rhenanie Palatinat. Rwanda is a program country for the Swedish organisation My Rights.

What Sweden can do – 7 questions to discuss

Within the broader context of the Swedish results strategy for Rwanda, with particular focus on strengthening of civil society capacity, empowerment of rights holders, equality, rule of law, economic empowerment of women and youth, access to education and skills training - Sweden has a great opportunity to include issues related to the rights of persons with disabilities. Questions to discuss:

- Could Sweden do more to keep up-dated with the developments within the area of disability rights in Rwanda? E.g. through for example the office of My Right?
 - Could Swedish civil society support modalities become more inclusive of DPOs and strengthen their capacity to raise awareness around disability rights and engage in monitoring of the implementation of legal and policy commitments?
 - Could Sweden do more to include and enable DPOs and persons with disabilities to participate in its professional networks, academic engagements and in social and cultural events?
 - Could Sweden do more to support development of accountability mechanisms in the area of disability (e.g. access to legal aid, capacitating of HR institutions, systematising of monitoring methods)? Monitoring tools can be downloaded [here](#).
 - Could Sweden do more to ensure accessibility for persons with various disabilities to economic empowerment programmes such as micro-credits, loans, vocational/skills training, agricultural and rural livelihood programmes and literacy programs - particularly for women and youth with disabilities? Examples of tools can be found [here](#).
 - Could Sweden do more to include women with disabilities in women networks, economic empowerment and in SRHR/GBV initiatives?
 - Could Sweden do more to bring a disability perspective into joint donor planning meetings with bilateral and multilateral agencies, taking into consideration that article 32 of the CRPD requires donors to do so? What support and additional information would the embassy need to take such initiative? E.g. Inclusion Made Easy - a quick programme guide to disability in development [here](#).
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Links to organisations

Christoffel Blindenmission (CBM): <http://www.cbm.org/Rwanda-253085.php>

HI Rwanda [http://www.handicap-international.org.uk/where we work/africa/rwanda](http://www.handicap-international.org.uk/where_we_work/africa/rwanda)

National Union of Disability Organisations in Rwanda <http://nudor.org/> and <https://www.facebook.com/NUDORRW>

National Commission for Human Rights in Rwanda <http://cndp.org.rw/>

National Council of Persons with Disabilities <http://www.ncpd.gov.rw/>

References

Sida's tools on disability: Disability as a human rights issue – conducting dialogue: http://www.sida.se/English/publications/Publication_database/publications-by-year1/2012/june/disability-as-a-human-rights-issue-conducting-a-dialogue/

Report from University visit National Council of person with disabilities Rwanda http://www.ncpd.gov.rw/index.php?id=121&eID=dam_frontend_push&docID=82

Study on employment for persons with disabilities, human rights commission Rwanda <http://www.ohchr.org/Documents/Issues/Disability/SubmissionWorkEmployment/CivilSociety/NationalCommissionHRRwanda.pdf>

DRPI Rwanda <http://drpi.research.yorku.ca/Africa/resources/EACDisabilityPolicy/Page2/Part2>

Census of 2010 http://uphls.org/IMG/pdf/REPORT_CENSUS_PWD_01Janv11.pdf

Rwanda disability law 2007, http://www.africanchildforum.org/clr/Legislation%20Per%20Country/Rwanda/rwanda_disability_2007_en.pdf

UPR on disability rights, 2010 http://www.undp.org/content/dam/rwanda/docs/demgov/RW_UPR%20Report%20submitted%20by%20the%20GoR.pdf

VSO Disability programme in Rwanda http://www.vsointernational.org/Images/Rwanda-disability-overview-June-2012_tcm76-37209.pdf

Discrimination in the work place <http://www.tuc.org.uk/international-issues/human-rights/promoting-rights-disabled-people-rwanda>

Education for children with disabilities http://www.unicef.org/infobycountry/rwanda_61318.html and <http://politicsreconsidered.net/2014/03/02/rwanda-disabilities/>

Mainstreaming Disability into the Health System at Community Level – Guidelines 2009

The human rights of persons with disabilities are a Swedish government priority. As a service to staff, briefs have been prepared to provide basic information about the situation of this (often forgotten) group and inspire discussions on what Sweden could do to better include disability rights in diplomacy and programming.