Rwandan Position Submitted by

Human Rights First Rwanda Association

**Are there any restrictions of persons with disability to attend regular schools existing by law, policy and or social barrier?**

The Government of Rwanda having ratified most regional and international conventions and treaties, The United Nations Convention on Rights of Persons with Disabilities (CRPD) and its Optional Protocol were ratified in 2008, These International conventions were further domesticated by The Government for it is enshrined in the Constitution of the Republic of Rwanda ,under the second TITLE where FUNDAMENTAL HUMAN RIGHTS AND THE RIGHTS AND DUTIES OF THE CITIZEN are provided for

CHAPTER ONE under which FUNDAMENTAL HUMAN RIGHTS are stated encompasses Article 11 which states 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. “ [[1]](#footnote-1)*

The Ministry of Education (MINEDUC) has followed suit by giving mention to **Special Needs in Education**  under its well-publicized **Education Sector Policy.** In this policyit is stated that the number of children in Rwanda having special educational needs comprises a much larger proportion of the school-age population than would normally be expected, due to the war and genocide. In particular, disabled, orphans, street children and child heads of family represent particularly vulnerable groups for whom special provision is needed either within the ordinary school system or in special facilities. Some of the children in these categories have been mainstreamed in ordinary schools and facility, which is seen as a positive occurrence, while others attend the three existing special schools in Gatagara, Butare and Nyamirambo. There is no special consideration for the highly gifted children, which is still viewed as a major setback.

*In general, special needs education has not been given much attention in Rwanda and there is a lack of specialist equipment and trained teachers for special needs education. Currently, the Ministry of Health (MINISANTE) is planning a survey to establish an inventory of the nature, types, and severity of disabilities in Rwanda, including amongst children, and the Government hopes to make use of this information, when it becomes available, to plan the provision of appropriate Special Needs facilities.[[2]](#footnote-2)*

It is clearly evident, from the above, that mainstreaming is still an issue that needs serious addressing with focus by Governmental institutions being on specialized schools defeating the inclusive agenda that is trending.

**Progress on Social Inclusion in Schools**

As advocates of Social inclusion we at Human Rights First Rwanda Association assert that inclusive education is about restructuring the cultures, policies and practices in schools so that they respond to the diversity of students in their locality. This means that all children, including children with disabilities, not only have access to schooling within their own community, but that they are provided with appropriate learning opportunities to achieve their full potential. However, it is also essential that parents, children, teachers and community members alike are supported to change their attitudes and understanding of why inclusion matters, as this is what will sustain change

A national census on people living with disabilities found that despite improvements in national legislation, people and especially children who live with disabilities face great discrimination and stigma in Rwanda. They are often hidden and treated as outcasts, particularly if their disability is severe.[[3]](#footnote-3)This despite the fact that the Majority of people living with disabilities in Rwanda are still in their school going ages either at Primary Secondary or Tertiary level of education.

In a bid to promote principles of inclusion, equal rights and opportunities for all. The president of The National Union of Disabilities Organizations of Rwanda (NUDOR), a network that we at

Human Rights First Rwanda Association has ties with have over the years periodically called for this mainstreaming move urging Governmental Echelons to follow the inclusivity agenda.[[4]](#footnote-4)

Though the Government of Rwanda has put in place a legal framework for People with Disabilities, there is an understandable gap between policy and implementation.

Save for high end schools like The International School of Kigali, it is quite unfortunate that major focus still lies on the afore mentioned specialized schools. The plight of these school going children gets more dear when distance to and from these specialized schools becomes a great obstacle. Many dropout cases attribute this as a factor. [[5]](#footnote-5)

**MINISTERIAL INVOLVEMENT**

Much as disability is not regarded as a health issue per se, in Rwanda but rather a Human Rights notion. The Ministry of Health has however play a selective role in attempting to improve the livelihood of those physically impaired. In the distribution of Prosthesis and are also engaged in the ongoing process of attempting to include such specialized aiding equipment, wheelchairs and crutches into the national Health Insurance Scheme (mutuelle du santé)

The key ministries that are directly in touch with Disability Rights vis a vis education are the Ministry of Education, Ministry of Local Government. The Ministry of Finance is indirectly involved.

The Ministry of Education as will be highlighted in the latter part of this report, played a pivotal role by coming up with a binding document dubbed the **Special Needs in Education policy**.

This very policy lays down various strategies of ultimate inclusion for all categories of impaired students e.g. physical/motor, visual hearing and intellectual imparities. The beauty of this document is that it also caters for social inclusion of students that face other forms of discrimination like H.I.V in as well as those with learning achievement disorders. The ministry of Education thus rubber stamps its import on Education issues that arise in consideration of disability.

The Ministry of Local government through Public policy implementation as well as the Ministry of Finance through budgetary allocation also play a supplementary but significant role.

**HUMAN RIGHTS FIRST RWANDA ASSOCIATION’S PARTICIPATION IN DISSABILITY RIGHTS**

Having a mandate that aims at Promoting Justice to marginalized groups in Rwanda which includes the disabled. Over the last seven years we have had various empowerment drives that have predominantly featured Disabled women in Rural Communities in Rwanda. Access to Justice being one of them Human Rights First Rwanda Association has been in the fore in sensitizing as well as educating these individuals on how the Rwandan Legal framework can be used in promoting their fundamental rights as enshrined in the Constitution.

On women empowerment Human Rights First Rwanda Association has been vibrant in assisting Vulnerable Disabled women in the acquisition of Land Titles. These Titles in turn enable them transform their lives as well as their dependants at the same time to improve on their livelihoods by having immovable assets that can either be used for subsistence farming or economically in the acquisition of loans.

In the needs assessment of this particular venture house visits revealed that disabled women especially in the rural regions of Rwanda do not have the adequate security that is needed in order to have normalcy in their lives, we hence managed to help 15 disabled women to aquire land titles with their names registered there under.

 **LEGAL PRESCRIPTIONS PROHIBITING DISCRIMINATION IN MAINSTREAM SCHOOLS**

Setting the tone with constitutional provisions which is the pillar upon which all other subsidiary legislations are based upon, discriminative acts are strictly prohibited.

*All Rwandans are born and remain free and equal in rights and duties. Discrimination based on*

*, physical or mental disability or any other form of discrimination is prohibited and punishable by law.[[6]](#footnote-6)*

The Rwandan Penal Code also prescribes that any person who commits the crime of discrimination and sectarian practices shall be liable to a *term of imprisonment of more than five (5) to Seven (7) years and a fine that lies between 100,000 Rwandan Francs to 1,000,000 Rwandan francs[[7]](#footnote-7)* when estimated is equivalent to Eighty U.S. Dollars $80 to One Thousand Three Hundred U.S. Dollars. 1300$.

From above as exhibited a legal framework that deters discrimination in general and not just in mainstream schools is in place, that being said , the only impediment is the lack of facilitation for their effective studying, difficulties in peer relations and hindrances to social adjustment in these schools.

**THE GOVERNMENT OF RWANDA’S DEVELOPMENT PARTNERSHIPS**

Since its inception in 1982 Handicap International Rwanda has had a viable relationship with the Government of Rwanda. Some of the activities they have worked in tandem with include Advocacy on Disability Rights in as well as capacity building of Trainers for People with Disabilities.

 The Department for International Development through its UK aid Scheme has previously offered support for the disabled through initiatives like Support for the Disabled in Rwanda. This particular initiative having the financial catalyst from the British Government that has thus far raked in £ 817,000 in support of Disability Rights in Rwanda.[[8]](#footnote-8)

**FOCUS INDEX**

For the purposes of validating this input from a Rwandan perspective qualitative analysis was conducted on two people living with disabilities who represent a cross-section of the marginalized individuals.

Sample questions that were orally asked to them were aimed at deducing a comparative analysis of what was pre -existent what is in place at the present and what would be the apt way forward in as far as inclusive participation of People Living with Disabilities P.W.D.’S with particular focus on education circles is concerned.

The three persons interviewed included **Mr. Edward Musoni,** A teacher from a specialized school in Gatagara School for the blind in Rwamagana, which is in the Eastern Province in Rwanda.

In his three and a half stint as a teacher at this institution he has been able to assist over 5,000 disabled students in bettering their education levels. That being said there have been positives which highlight his experience at this as well as challenges which have served as learning experiences.

One highlight is the fact that there have been efforts by the Government to build the capacity of such teachers

Additionally, accessing physical structures like houses or vehicles, public places or offices, toilets, walkways, among other things, should be simplified for the handicapped.
Until this happens, Rwandans shall witness the end of the misery that handicapped children face while at schools and in public places.

The other interviewee was **Mrs. Uwimbabazi Sylvie**, The Director of Cross Cutting Programs from The Ministry of Education. Under the docket of planning within the same Ministry she gave particular insights on social inclusion in as far as The Rwandan Context is concerned.

Of the Five hundred thousand **(500,000)** Disabled people countrywide, there are Thirty two thousand, Four Hundred and eighty seven disabled pupils **(32,487)** in Rwanda with most of them in the lower echelons of academics, Primary Secondary levels.[[9]](#footnote-9)

The biggest challenge that the Government may have when it comes to social inclusion of disability rights is the lack of skilled man power and well-grounded teachers more so in special needs cases.

The government of Rwanda, however has a proximal future projection of establishing a fully-fledged Special needs in Education Centre at the Kigali Institute of Education, an initiative it is presumes the technical capacity of those who seek to assist the under privileged students will improve immensely, done to provide for a learning environment that caters for those who are physically impaired.

**Mr. Tuyizere Oswald,** The Director of Economic and Social Empowerment Unit at the National Council of Persons with Disabilities (NCPD) also gave us an insight from the perspective of the Apex National Body on Disability. Working under the Ministry of Local Government docket, they have a mandate of Advocacy and social mobilization on issues affecting people living with disabilities at national level.

Exclusion by society is the greatest hurdle to social inclusion but as he stated. But the positive intention of crosscutting learning mechanisms that were considered in the formulation of the Special needs in Education Policy is the leverage used in the efforts of its full implementation.

From the National Budget that is allocates funding to the Ministry of Local Government Five Hundred and Ninety Three Million, Five hundred and thirty three thousand, six hundred and nineteen Rwandan Francs (593,533,619). Rwf, roughly (927,000) USD. is allocated to the National Council for Persons with Disabilities (NCPD). This is further subdivided per district where depending on the needs, a minimum of Three million Rwandan Francs (3,000,000) RWF or (4700 USD) per annum is handed to each district.

It is from this funding that the progressive implementation of mainstream schools as stated in the Special needs in Education Policy is realized.

In his stint advocating for disability rights he comes to a deduction that inclusive education can without a doubt, produce better outcomes for all students. The experiences shared by both students and teachers/trainers can go a long way in ensuring full inclusion in the society for the disabled with emphasis on co-existence and correlative practices.

Is it any wonder that adults with disabilities struggle to find work in open employment, or have a real social life?

**NOTABLE MILESTONE, THE SPECIAL NEEDS EDUCATION POLICY**

Successes that have been noted by the Ministry is one of Special Needs Education Policy[[10]](#footnote-10) that was formulated in 2007.This policy was an amalgamation of Key stakeholders basing its principles on Universal Declarations like the world declaration on Education for all on Children’s Rights as well as the rights of People with disability. Furthermore the entire framework is based on successive education policies dating back from 1998 to present day Rwanda with a broader perspective that zeroes down on learners that require special needs.

An eye catching section in the aforesaid policy is the Government’s 2015 projection of eradicating 90% of all inhibitors of social inclusion in education circles for students with disabilities. With 2015 being is the target year of attaining this goal realism is noted by the framework that is already in place of establishing the Special needs in Education center as mentioned above.[[11]](#footnote-11)

Amongst the various strategies laid out in the Special Needs Education Policy is the tenth strategy which is the need to develop and *nurture partnerships between government and other key stakeholders from The Private sector as well as Civil Society in support of the inclusion of learners with special needs into the education system.[[12]](#footnote-12)*

**CONCLUSIVE ASSERTION**

The State having a duty of undertaking special measures that facilitate education for the disadvantaged has played its role in the effort of promoting social inclusion of disabled learners from Primary to Tertiary level evident by the formulation of the Special needs in Education Policy in 2007 and the establishment of a Special Needs in Education Centre at the Kigali Institute of Education. All these strides being in line with the second phase of Poverty Reduction Strategies EDPRS 2.

Legislative backing that prohibits Segregation and Discrimination Exclusion is in place from provisions of the Constitution that are based on the principle of Non-Discrimination as well as the penal code that is strict on segregate tendencies.

Despite these efforts they just but remain a single drop in the ocean of fully fledging total inclusion of the disabled especially in schools. Societal perceptions of categorizing disabled individuals as people with special needs instead of mainstreaming them in all aspects still remain a hindrance

Civil Society Role being very pivotal in ensuring the full realization of all these policies needs to be supported with emphasis with an aim of bridging the gap that exists for the marginalized students living with disabilities. Much as policy is already on paper full implementation can only be effectualized by civil society’s active involvement as a catalyst factor.

**APPRECIATION**

The drafting of this report would not have been made possible without the timely, concise relevant and invaluable input of.

**Mrs. Uwimbabazi Sylvie,** The Director of Crosscutting Programs at The Ministry of Education (MINEDUC)

**Mr.Musoni Edward** . A trainer at Gatagara specialized school for the Blind In Rwamagana, Eastern Province, Rwanda.

**Mr. Tuyizere Oswald.** The Director of the Social Empowerment Unit at The National Council For People with Disabilities (N.C.P.D.)

1. Article 11 Of The Constitution of The Republic Of Rwanda. [↑](#footnote-ref-1)
2. Page 13 of The Education Sector Policy published by The Ministry Of Education Rwanda [↑](#footnote-ref-2)
3. <http://www.google.rw/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CCsQFjAA&url=http%3A%2F%2Fuphls.org%2FIMG%2Fpdf%2FREPORT_CENSUS_PWD_01Janv11.pdf&ei=oR4fUqaRBO2P7Aarh4DQCw&usg=AFQjCNH0MMe5EDnSYd31osmNW4PjwxeZ1A&bvm=bv.51495398,d.ZGU> [↑](#footnote-ref-3)
4. <http://www.newtimes.co.rw/news/views/article_print.php?i=14975&a=52969&icon=Print> [↑](#footnote-ref-4)
5. <http://www.newtimes.co.rw/news/views/article_print.php?14432&a=35239&icon=Print> [↑](#footnote-ref-5)
6. Article 11 Constitution of the Republic of Rwanda. [↑](#footnote-ref-6)
7. Article 136 Of the Rwandan Penal Code. [↑](#footnote-ref-7)
8. Department for International Development D.F.I.D. Rwanda Archieves. [↑](#footnote-ref-8)
9. 2010 Ministry of Education Disability case Statistics as of 2010. [↑](#footnote-ref-9)
10. <http://library.educationcommons.rw/library/userslib/ahpzfmdsb2JhbC1sZWFybmluZy1wb3J0YWwtNnITCxILTGliUmVzb3VyY2UY5r8iDKIBE2VkdWNhdGlvbmNvbW1vbnMucnc> [↑](#footnote-ref-10)
11. Cap 6.4. Rwanda Special Needs in Education Policy. [↑](#footnote-ref-11)
12. Strategy No.10 Rwanda Special Needs in Education Policy. [↑](#footnote-ref-12)