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IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC,  
SOCIAL AND CULTURAL RIGHTS

Initial reports submitted by States parties to the  
Covenant concerning rights covered by articles 10  
to 12, in accordance with the second stage of the  
programme established by the Economic and Social  
Council in its resolution 1988 (LX)

Addendum

RWANDA

[27 September 1985]

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I. ARTICLE 10: PROTECTION OF THE FAMILY, MOTHERS AND CHILDREN

A. Protection of the family

1. The first paragraph of article 24 of the Constitution of the Rwandese Republic states that "The family, which is the natural basis of Rwandese society, is protected by the State". The Constitution specifies that "Only monogamous marriage, performed under the conditions established by law, is recognized". According to the laws in force, the family, which is the basis of Rwandese society, consists of three component elements: the man, the woman and the children whose rights and obligations are specified. It is the right and responsibility of parents to raise their children (Constitution, article 24, second paragraph). The law establishes the family structure as being based on monogamous marriage.

2. Men and women may enter freely into marriage, provided that they are over 21 years of age. Upon reaching that age, they may marry without the consent of those exercising parental authority over them. Before they are 18 and 15 years of age respectively, a man and a woman may not enter into marriage, unless a dispensation has been granted by the President of the Republic for compelling reasons. Furthermore, the Civil Code states that any marriage contracted without the free consent of either spouse may be contested by that spouse. The law further states that, when an error has been made as to an essential aspect of the physical, civil or legal status of one of the spouses, the marriage may be contested.

3. This shows how Rwandese law stresses the freedom of marriage. There are still no legal provisions to facilitate the founding of a family and to assist in supporting, strengthening and protecting the family. There are only professional tax reductions for wage-earners in government employment in respect of their dependants (wife and children).

B. Protection of motherhood

4. Special protection is granted by Rwandese legislation to mothers for recuperation, during a reasonable period before and after confinement. In addition to the statutory leave of 30 days to which they are entitled each year, women professionals working for the Central Government are granted special leave of 60 calendar days after confinement.

5. In practice, this special leave is combined with the statutory leave to allow a longer rest period. Upon submission of a medical certificate, pregnant women are allowed a rest period in the afternoon for one month before confinement.

6. A national sub-commission has been created for the private sector. The Minister with responsibility for labour questions determines the type of work and the categories of enterprise in which minors, women and pregnant women may not be employed.

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7. The Labour Code provides inter alia that the labour inspector may require women to be examined by a qualified physician in order to determine whether the work assigned to them does not exceed their strength or undermine their health. If it is found that the work in which they are employed exceeds their strength, they must be assigned suitable work. If this is impracticable, the labour contract must be terminated and an indemnity paid in lieu of notice.

8. The law further provides that any woman whose pregnancy has been medically certified may leave work without notice and without being required to pay an indemnity for the resulting breach of contract. All women employed by an industrial, commercial or agricultural establishment (or by a branch of the establishment) are entitled to 12 consecutive weeks of maternity leave, including at least six weeks after the confinement.

9. Employers may not require women to work during the period of six weeks following confinement. During this period of suspension of the contract, women receive from their employer free medical care and two thirds of the salary being paid at the time of the suspension of work. They retain the right to allowances in kind. In addition, nursing mothers are in all cases allowed two half-hour breaks a day for breast-feeding. During the period of 15 months following the birth of a child, they may leave work without notice and without being required to pay an indemnity for the resulting breach of contract.

10. In cases where a woman is absent from work and remains absent for a longer period because of an illness medically certified to be a consequence of her pregnancy or confinement, which makes it impossible for her to resume work, her employer may not dismiss her until a six-month period has elapsed.

11. Lastly, Rwanda has already ratified the Convention on the Elimination of All Forms of Discrimination against Women.

#### C. Protection of children and young persons

12. Under the Constitution (article 24), parents have the right and duty to raise their children. Rwandese legislation gives special protection to children and adolescents. For example, article 358 of the Penal Code stipulates that any indecent assault with violence, trickery or threats against a person under 16 years of age is punishable by imprisonment for a period ranging from 5 to 20 years. If the assault causes the death of the victim, the guilty party receives the death penalty.

13. Similar provisions protecting children are laid down in respect of all offences under the Penal Code but special punishment is provided for child abandonment or exposure. The law punishes fathers, mothers or guardians who, through ill-treatment, harmful examples of habitual drunkenness or notorious misconduct, lack of care or lack of necessary guidance, seriously endanger the health, safety or morality of one or more of their children or wards.

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14. Under article 383, any person who has exposed or caused to be exposed, abandoned or caused to be abandoned, in a place which is not isolated, a child who is unable to protect himself by reason of his physical or mental state is liable to a prison term ranging from one month to one year.

15. The sentence is a prison term ranging from three months to two years and a fine of from 1,000 to 2,000 francs if the acts mentioned in the preceding paragraph were committed by the legitimate or natural parents or by persons to whom the child was entrusted. Similar sentences are meted out to any person who incited the parents (or parent) to abandon a child, born or expected, or who made the future parents or parent sign an agreement to abandon an expected child.

16. If the child is left in an isolated place and is unable to protect himself, the offender shall be sentenced to a prison term ranging from six months to three years. The sentence will be a prison term ranging from one to five years (and a fine of 2,000 to 10,000 francs) if the offender is the father or the mother whether legitimate or natural, or a person to whom the child or disabled person was entrusted. Harsher penalties are imposed if the child is mutilated or maimed as a result of this abandonment, if he contracted a serious illness or suffered permanent disability or if the abandonment caused his death.

17. In case of divorce of the parents, custody of the children is awarded to the spouse who obtained the divorce, unless the court orders, in the children's best interest, that all or some of them should be placed in the custody of the other spouse or of a third party. This decision may be taken at the request of the guilty spouse, of a member of the family, or of the Ministère Public or ex officio. In any case, both the mother and father retain the right to monitor the support and upbringing of their children and are required to contribute thereto, to the extent of their ability. In addition, the law stipulates that the dissolution of marriage by divorce does not deprive the issue of that marriage of any of the benefits which they were guaranteed by the laws or the ante-nuptial agreements of the father and mother.

18. With respect to bodily harm, the law severely punishes, by a prison sentence, ranging from one to five years, anyone who intentionally beats or wounds a child under 14 years of age or any person who intentionally deprives such a child of food or care so that his health is endangered. The harsher penalties are imposed if there was premeditation. The penal provisions which permit the spouse or relatives of the perpetrator of the crime or attempted crime (up to and including the fourth degree) to escape responsibility for failing to denounce the crime are not applicable in the case of crimes against children under 14 years of age.

19. With respect to public film shows, the law has specially provided for protection of children. Hence, persons under 18 are not allowed to attend public film shows except for films authorized by the inspection board. Furthermore, public announcements of film shows must specify "children admitted" or "children not admitted"; this indication must be prominently displayed at the entrance to the cinema and on every poster, advertisement and programme. Operators or managers of cinemas (and their staff) are required to take all necessary steps to abide by these regulations and may admit to shows only persons allowed to attend them. Any breach of these regulations may lead to temporary or permanent closure of the cinema.

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20. The Labour Code contains provisions for the protection of the child. For example, the employment of children or adolescents under 18 years of age at night in industrial establishments or in their branches is forbidden. The rest period for women and minors between two work periods must be a maximum of 12 consecutive hours.

21. The Minister with responsibility for labour questions, after consulting the sub-commission for the private sector and having regard to the exceptional circumstances or the special nature of the profession or the needs of apprenticeship or of vocational training, determines which exceptions may be allowed for workers under 18 years of age. Similarly, he determines the type of work and the categories of enterprise in which minors may not be employed.

22. Children may not be employed in any enterprise, even as apprentices, before the age of 14, unless an exception has been decreed by the Minister with the responsibility for labour questions, in view of the special circumstances. The labour inspector must always arrange for a qualified physician to check whether the work assigned to minors exceeds their strength or is harmful to their health. Minors may not be kept in a job which has been recognized in this manner as exceeding their full strength or being harmful to their health and should be assigned suitable work. If this is impracticable, the labour contract must be cancelled and an indemnity paid in lieu of notice.

23. Young people under 18 years of age are entitled to two working days' leave for each month of continuous work.

## II. ARTICLE 11: RIGHT TO AN ADEQUATE STANDARD OF LIVING

### A. Measures adopted

24. Among the main tasks of the Third National Economic, Social and Cultural Development Plan for 1982 to 1986 (Act No. 33/1982 of 28 September 1982), mention should be made of the organization and adjustment of the national economy to permit the advancement and development of the Rwandese people and the establishment of a free society with no exploitation of man by man. Investments in all areas must be geared to raising the living standard of the population.

25. The Plan adopted must establish the aims and objectives which should motivate the efforts of all those responsible for the economy, so that well-being may be attained by all. The Plan must complete all the following tasks set in the Second Plan: meet the food needs of the population; promote a better utilization of human resources; improve individual and collective living conditions; improve the position of Rwanda with regard to other countries. The key to the entire development strategy recommended under the Third Plan is thus the development of production and productivity.

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B. Right to adequate food

26. One task of the Third Plan will be to meet the food needs of the population; in other words, to achieve self-sufficiency as regards quality and quantity of foodstuffs.

27. Food crops will be given priority. In practice, this will mean that projects for the improvement of food crops are given preference in the allocation of financial resources, supervisory personnel, other inputs and newly reclaimed and developed land. A production support mechanism must be established to co-ordinate the production of agricultural inputs, the activities of institutions in rural areas and agricultural industries, in order to increase production.

28. An important role has been assigned to livestock rearing and fisheries in order to improve the quality of foodstuffs. Suitable arrangements must be evolved.

29. The programme envisaged must achieve regional specialization and complementarity. During the transition period, while programmes for regional improvement and specialization are introduced, food aid will be required.

30. Food aid will also be sought in case of major drought, and to form the first buffer stocks; the aim, however, will be to make such aid unnecessary, at least in its current form of regular aid, so as to avoid establishing new eating habits which the country would not be able to satisfy. In addition, parallel action must be taken to support this effort to increase agricultural production:

(a) Nutrition education aimed at inculcating habits of food hygiene and correct utilization of new products;

(b) Provision of drinking water and public health efforts, to break the vicious circle of bad health and malnutrition.

31. The main objective of the plan for the agricultural sector is to increase production. This means increasing production per cultivated surface unit for vegetable production and per type of animal for animal production. The areas requiring attention in Rwanda have been determined through applied research work, either at the test stations of the Institute for Agronomic Sciences of Rwanda, or within the agricultural projects themselves.

32. The main areas, and those most frequently encountered, involve the following topics:

(a) Linkage of agriculture and animal husbandry. This linkage, which aims at the conservation and improvement of soil fertility through the use of organic fertilizer, and more balanced nutrition for people through additional production of animal protein by means of selected animals, has been the subject of publicity campaigns in the cities;

(b) Development of terraces, digging of ditches or planting of hedges to combat erosion;

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(c) Regionalization of crops by provision of selected seeds to those regions best suited for them, and organization of the collection of products and their industrial processing;

(d) Use of better plant and equipment;

(e) Improved cultivation methods, including sowing in furrows and to the right density, appropriate thinning, crop rotation to enhance soil fertility conservation and crop health and, finally, fallow land cultivation;

(f) Development of small areas of marshland in such a manner that the work required could be carried out largely by the farmers themselves, without requiring capital investment that they would later have difficulty reimbursing;

(g) Application of plant health treatments, depending on the crops and the region where they are applied;

(h) Improved use of rural institutions training personnel at all levels for the agricultural sector, establishment of a marketing system promoting profitable prices for the producer, establishment of short-term, medium-term and long-term farm loans tailored to the most promising areas of technique and to the ability of the farmer to repay;

(i) Establishment of industries upstream and downstream of the rural sector, for the provision of inputs and the processing of agricultural and animal husbandry products, to increase their value and step up production..

33. With regard to the distribution of food products, the plan stresses that, in order to be able to step up production, the farmer must have physical access to inputs - in other words, they must be available close to where he works - and financial access - in other words, he must earn enough to be able to buy them. These two aspects of this trade circuit must be taken into account if it is to function and achieve agricultural development. This will have to be part of an overall programme which is beyond the reach of the traditional trades people.

34. Presidential Decree No. 173/06 of 23 February 1984, on the organization and competence of the central administrative services, established within the Ministry of Agriculture, Animal Husbandry and Forests a division responsible for plant protection which includes among its tasks:

(a) Testing of plant health products and control of their utilization;

(b) Organization of seasons and harvests;

(c) Inventory of pests and diseases which attack plants and stored agricultural products;

(d) Development of a quarantine policy for agricultural products and plants;

(e) Study of ways of destroying plants declared to be harmful.

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35. For animal husbandry, the same Decree established a division responsible for animal health, which includes among its responsibilities:

- (a) Monitoring of slaughter houses and meat inspection;
- (b) Veterinary pharmacy and the supply and inspection of veterinary clinics;
- (c) Relations with animal health research institutes;
- (d) Vaccination and disease detection campaign;
- (e) Quarantine centres;
- (f) Control of ticks and other vectors.

36. Apart from these Government programmes, we would also mention the existing legislation and the establishment of public bodies and societies as well as semi-public organizations to implement these programmes.

37. Under the Legislative Order of 20 August 1927 on measures to prevent food shortages, every adult male is obliged at harvest time to put aside a stock of grains and legumes to feed his family. This Order appears to have lapsed, but the practice of laying in stocks for lean periods has been encouraged by the establishment of the National Office for the Development and Marketing of Foodstuffs and Animal Products (OPROVIA) under Decree-Law No. 24/75 of 2 July 1975. This Office lists among its objectives:

(a) To put into practice and apply the country's general policy with regard to development of the production and marketing of foodstuffs and stock breeding products, their treatment and processing;

(b) To organize and manage the storage and conservation of buffer stocks of foodstuffs and animal products, their treatment and their processing.

38. Under the Legislative Order of 26 March 1942 concerning food trade and exports in Rwanda, the export of foodstuffs is subject to the existence of a harvest surplus. If a shortage of food occurs or is expected, the authorities may prohibit the export of food products from part or all of the territory of the country. A Presidential Decree was enacted on 27 December 1961 to prohibit the export of food products. Under the provisions of that decree, "all exports from Rwanda of food products (other than potatoes, barley and wheat) shall be prohibited for an indefinite period".

39. The Legislative Order of 10 May 1940 governs the trade possession and consumption of foodstuffs. Under this Order, the authorities may oblige traders and all those possessing foodstuffs to periodically declare their stocks of foodstuffs and may take whatever measures are necessary to enable the stocks to be verified by designated officials.

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40. The Order of 9 April 1915 enumerates measures for the conservation and preservation of trees and shrubs. These measures are intended to prevent the spread of disease and to ensure the destruction of infectious agents. Thus, all imported seeds or plants must have a certificate of origin which declares that they are free of any cryptogamic diseases or infectious agents. Products which are found to carry cryptogamic or other diseases are to be treated at the expense of the importer and, where necessary, destroyed.

41. In the Order of 3 October 1934 on assistance in the control of invasions of grasshoppers and locusts, acridian invasions into Rwandese territory are declared to be public disasters. Special measures are prescribed for the destruction of grasshoppers: collection and destruction of the eggs by fire, catching and destroying of locusts in ditches, collection and destruction of adult insects. The same Order forbids driving or allowing the driving of locusts towards neighbouring lands.

42. With regard to prices of agricultural products, price stabilization and maintenance measures are laid down in the Act of 5 July 1967 on price control. Article 3 of that Act stipulates that price control must in particular promote conditions of equality, and real competition between all businessmen, especially through the abolition of all forms of economic colonialism likely to maintain or place Rwandese nationals at a disadvantage in the market place.

43. Measures have been taken for soil conservation and utilization. The Act of 30 March 1982 forbids practices which would hinder soil protection and stipulates measures which are required to maintain the fertility of the land. For example, it is forbidden:

(a) To deforest or clear sloping ground or land showing signs of deterioration;

(b) To grow crops on slopes, without first taking effective measures to prevent erosion;

(c) To grow crops which are harmful to the conservation of soil fertility;

(d) To farm pastureland without taking the measures required to avoid its deterioration.

Farmers may be ordered to take measures to prevent erosion. A soil commission was established to implement this legislation.

44. Measures have also been taken to regulate the protection, conservation and improvement of pastureland. The commission established for that purpose includes among its tasks that of advising the Minister with responsibility for stock breeding on any questions concerning the improvement of animal husbandry.

45. Among measures taken to ensure that food products are safe for consumption, mention should be made of the Presidential Decree of 13 November 1975 on the control of the health of plants and plant products intended for import and export and on certificates concerning quality and spoilage.

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46. Under this Presidential Decree, "all plants and plant products intended for import or export shall be subject to inspection and be accompanied by a phytosanitary certificate". This inspection is intended to detect all pests harmful to plants and crops and all dangerous plant and crop diseases. Plant health control consists of: (a) a general inspection of all consignments of plants or plant products intended for export; and (b) a special inspection of a representative sample from consignments which have undergone a general inspection. The phytosanitary certificate may not be issued if the presence of plant pests or disease germs is clearly noted in the consignment or sample of plants or plant products intended for export. In addition, the certificate may be issued only if the shipment conforms to the plant health regulations in force in the importing countries. The flower and plant protection authorities are also empowered to issue, upon request, statements of quality or spoilage for plants intended for export or import.

47. As an example of an agreement on international co-operation with regard to food, mention may be made of the Agreement concerning the project for storage and marketing of foodstuffs, signed with the United States of America on 20 December 1974 and approved and ratified on 6 February 1975.

48. We do not yet possess statistics or other data concerning the implementation of the right to adequate food.

#### C. Right to adequate clothing

49. The Rwandese Government has always encouraged measures to ensure that all citizens enjoy the right to adequate clothing. The Third National Plan will involve suitable effort to improve clothing.

50. Textile firms are classified in the Rwandese Investment Code as priority enterprises. Such enterprises are entitled to acquire all rights which are useful for the exercise of their activities in Rwanda: real estate rights, industrial rights, concessions, administrative authorizations and permits and their renewal, and participation in public contracts under the same conditions as Rwandese enterprises. They cannot be subject to discriminatory measures in the field of commercial or industrial legislation and regulations. In addition, such enterprises benefit from the system of approval exempting them from the import duties and taxes levied on certain materials which they need and enjoy an exemption from or reduction in export duties on finished, manufactured and industrial products, with the permission of the Minister of Finance. The system of approval exempts priority enterprises from payment of the profits tax for the first five years.

51. Industries that have so far benefited from these measures are the Rwanda textile agency (RWANTEXCO, which is largely publicly owned) and the Rwanda textile mill (UTEXRWA, which is entirely privately owned).

52. The Rwandese Government has made considerable effort to ensure that citizens have clothing that is suitable and affordable on small incomes.

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#### D. Right to housing

53. Among the legal texts regarding the right to housing, we may cite the Ministerial Decree of 20 December 1972 setting out the conditions under which a worker is to be housed. In accordance with this Decree, any worker who is hired to execute a work contract in a place more than five kilometres from his normal residence and who cannot, by his own means, secure adequate housing for himself and his family must be housed at the expense of his employer unless transport is provided for him to make the outward and return journey each day or unless his travel expenses are reimbursed in each wage payment. The conditions which such housing must fulfil are specified, with a distinction between housing for families and housing for single persons.

54. The employer is responsible for the maintenance in good working order of collectively used dwellings and facilities as well as for the collection and disposal of household refuse, and the worker is responsible for the day-to-day upkeep of the dwellings and facilities. As regards the housing of State employees, the Presidential Decree of 14 October 1980 governing conditions of housing for State employees specifies that housing shall be the responsibility of the State.

55. However, subject to availability, the State may provide housing to its employees according to the criteria of post held and service requirements, the former being the determining factor. Since the State's resources are limited, however, only a small proportion of its employees are now housed; the Third Plan has made housing one of its main priorities. Thus, during the Plan, efforts must be continued to provide adequate housing for all strata of the population. To this end, a number of activities will be encouraged.

56. Use of local construction materials. It is recommended that the production and use of domestic raw materials should be intensified, particularly in rural areas, in order to reduce average building costs. The execution of industrial projects designed to replace imported materials by construction materials produced locally will be accelerated. The replacement of thatched roofs by more solid roofing will be among the priority actions to be encouraged.

57. Housing loans. The availability of loans for low-income families will be facilitated, in particular by instituting a savings and loan scheme and by extending the period of repayment.

58. Development of housing estates in urban areas. Special attention will be given to the restructuring and equipment of existing housing estates and to the development of new residential areas together with the establishment of reception infrastructures.

59. Availability of facilities for families. The choice of investments to be made for the supply of water and electricity will be guided more by social considerations than by the pursuit of immediate financial profitability. The interior fittings of housing will undergo an improvement made possible by increased production in the handicraft sector. A priority programme for installing water points will be launched in both urban and rural areas. A system of self-management of these local infrastructures by the beneficiary populations will be introduced.

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60. The Plan maps out specific programmes for both rural and urban areas.
61. In urban areas, the main programmes to be undertaken are as follows:
- (a) Establishing new estates and improving unplanned and central estates;
  - (b) Making existing estates more viable and establishing reception networks;
  - (c) Developing activity zones to facilitate the setting up of industrial and handicraft enterprises.
62. In rural areas, the Plan provides for the continued establishment of centres of urbanization, combining non-agricultural activities and socio-administrative infrastructures. It is proposed to develop 30 rural centres under the Plan, which will serve as a trial for the possible introduction of a national policy to rebuild the housing stock.
63. Within the overall framework of regional development, a rural borough survey is to be launched to determine characteristics and provide a typology for the classification of rural and communal centres of trade destined to serve as hubs of economic and regional growth.
64. Concerning the problem of water supply and sanitation in rural areas, the projects to be executed under the Development Plan should, once realized, make it possible to improve the national network and increase the quantity of water distributed to the population. To this end, a national water management plan has been drawn up and a national inventory of water resources will be made to complement the evaluation of water capacity and to consider the potential for using underground water. An extension of drinking water supply networks, construction of effluent purification systems in central areas, development of small springs and construction of pumping works are also proposed in view of the growing population to be supplied.
65. It is also planned to establish a national water engineering service and to carry out an institutional and legal study relating to water. This study will propose an institutional structure for the development, management and maintenance of waterworks and draw up legislative proposals that can be applied to the special situation prevailing in our country. The National Committee for Water and Sanitation was set up for the co-ordination of activities and the proper planning of water resources and needs for the future.
66. At present, it is not easy to gather statistics and other available data concerning the realization of the right to housing.

### III. ARTICLE 12: RIGHT TO PHYSICAL AND MENTAL HEALTH

67. The right to physical and mental health is recognized by the Universal Declaration of Human Rights, which stipulates in article 25, paragraph 1, that everyone has the right to a standard of living adequate for the health and

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well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

68. The National Revolutionary Movement for Development, which is the only political association, has included in its social programme the principle that every citizen should enjoy the best conditions to be more useful to society by maximizing his physical, intellectual and moral capabilities. Investment in the area of health care should be promoted by virtue of the very fact that it improves the health of the population, a crucial factor in our development effort.

69. Community medicine is given preference in the guidelines and objectives of the Third Plan in the area of health care. A programme of preventive vaccination has been launched to combat the most common infectious diseases (measles, tuberculosis, tetanus, poliomyelitis, whooping cough, diphtheria). This action is directed above all at mothers and infants. Most communes have been reached by this programme.

70. Health policy will aim at better articulation of the different structural elements of the health care network in order to increase its accessibility and effectiveness. The preventive vaccination programme should achieve almost total coverage of infants and be extended to the population of school age. Emphasis is to be placed on better distribution of health care infrastructures, properly staffed and equipped to cope with the most common diseases so as to reduce the predominance of major diseases within the overall sickness rate of the population. The system of free medicines is to be reviewed to eliminate the distortions and anomalies that would prevent the availability of medicines to the entire population. The Plan also proposes to relaunch the programme to improve environmental sanitation, with particular emphasis on refuse collection, sewerage and purification of effluent and the building of public toilets.

Measures for the reduction of the stillbirth rate and of infant mortality and for the healthy development of the child

71. It is expected that preventive action taken in this area under the Third Plan will lead to a decrease in the overall death rate through a decrease in infant mortality and in deaths of children between the ages of 1 and 5. Basic health efforts - hygiene instruction, the promotion of healthy eating and nutritional habits, and maternal and child care, including family planning, the provision of water supplies and environmental sanitation, vaccination against the major infectious diseases, the prevention and control of locally endemic diseases and the provision of essential medicines - will be extended to cover the entire national territory. For that purpose, mother and child care centres, nutrition centres and vaccination services will be established in many communes.

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Measures for the protection and improvement of public hygiene  
and hygiene in the workplace

72. As has been mentioned above, the Third Plan places special emphasis on improving environmental hygiene by attaching particular importance to refuse collection. Public hygiene has long been the subject of special legislative attention in Rwanda. For example, by virtue of the Decree on hygiene and public health of 19 July 1926, the President of the Republic may take steps to prevent the introduction, forestall the outbreak and stop the spread of contagious diseases in order to safeguard and improve public, industrial and child health.

73. He determines the diseases considered to be contagious and the health regulations which apply in each case and may oblige individuals to declare immediately to the authorities cases of contagious diseases of which they are aware and any deaths resulting therefrom. Violations of these regulations were punished by heavy fines and long prison sentences. Other legislation has since been introduced that relates specifically to the extermination of insects, public hygiene in large urban centres, regulations concerning the public health aspect of the irrigation of crops, restrictions on the provision of drinking water to the population, hygiene in areas away from the urban centres, and the campaign against quarantinable, epidemic and other transmissible illnesses.

74. The same legislation has established health commissions to deal with all aspects of public health, to study public health questions, and to advise the competent authorities on measures to be taken to improve sanitation and eradicate epidemics. The members of this commission are officers of the criminal police who are authorized to seek and report violations of public hygiene and health legislation.

Hygiene measures adopted

75. The general and specific hygiene and safety conditions of the workplace have been the subject of a considerable quantity of legislation:

(a) The Decree of 8 January 1952, which established regulations on safety and health at work in Rwanda;

(b) The Order of 20 March 1958, which established general provisions concerning safety at the workplace. It dealt with: protection against injury caused by machinery and mechanical equipment; protection against injury caused by debris, splinters or any other substance; falls; the handling, transport inside buildings and the warehousing of heavy, bulky or dangerous objects; precautions against fire, explosions and the accidental escape of harmful or inflammable gases; work in places likely to contain dangerous gases; precautions to be taken during workers' rest periods; general provisions for all types of work;

(c) The Order of 24 July 1953 on safety and health in the building industry establishing the safety conditions for: digging work; work on roofs, steeples, chimneys, etc.; installation and removal of arches, stanchions and coffering; protection of openings; general precautions;

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(d) The Order of 3 December 1956 on the storing of calcium carbide, the production of acetyline and the use of blowlamps;

(e) The Order of 13 May 1955 providing regulations for the safety measures to be observed in open-cast mining;

(f) The Order of 12 May 1914 and its amendments, establishing the régime applicable to engines, boilers and steam engines;

(g) The Order of 7 April 1954 which required that the weight should be indicated on heavy packages carried by sea, inland waterway, rail or road;

(h) The Order of 6 April 1954 establishing safety and hygiene committees in enterprises;

(i) The Order of 29 June 1959 regulating the installation and operation of hoisting devices;

(j) The Order of 31 October 1957 on the loading, unloading, building, repair and maintenance of ships and boats;

(k) The Order of 1 February 1952 on safety and health in the workplace and the use of aerosol paints;

(l) The Order of 14 February 1952 on medical checks for silicosis;

(m) The Order of 16 August 1955 on digging works and excavations of any kind.

76. To conclude the list of health legislation, we would also mention the legislation concerning: phytosanitary inspection of plant products; hygiene in hotels, restaurants and bars; hygiene in prisons and public performance halls; hygiene relating to domestic animals and foodstuffs; inland waterway navigation and air traffic sanitary inspection; sanitary supervision of immigration; health inspection of international travellers; international health regulations.

#### Existing system of medical care

77. Medical care for State employees is regulated by the Decree-Law of 14 March 1974, which established the principle of payment for consultations, examinations and medical care, except in the case of persons entitled to free services. Those who are so entitled are: State employees; and persons holding a medical card.

78. This card is issued by the Minister responsible for public health:

(a) Persons in possession of a certificate testifying to their poverty issued by the authorities of their commune;

(b) Schoolchildren and students;

/...



(c) Members of the armed forces and the young people's civic service;

(d) Persons detained in penal establishments;

(e) The spouse, legitimate children, legally-adopted children, legally-recognized natural children and legal wards of the persons listed above.

79. These persons are entitled, without payment, to medical consultations and examinations and laboratory tests, and to related care in hospitals, health centres and government or government-recognized clinics.

80. Persons (and their families) sent on mission abroad by the Government are entitled to free medical treatment.

81. These persons and the members of their family may seek medical care, including scientific tests and treatment for sterility in foreign hospitals at State expense on the following conditions:

(a) The illness must have a satisfactory prognosis;

(b) The treatment required must be unobtainable in Rwanda.

Expenses covered are the medical costs to which such persons are entitled free of charge and death expenses, board and lodging for the duration of the treatment, and the outward and return travel. If the patient has to be accompanied, the ensuing expenses are also borne by the State.

82. In the case of workers in the private sector, the labour legislation determines the general and specific conditions for hygiene and safety in the workplace and makes it obligatory for all firms and establishments to provide a medical service or health clinic and the requisite treatment and medicines for employees and their families. The employer must at his own expense provide a first-aid kit for the use of his employees.

83. The current state of the country's records does not permit the collection of statistics and other data concerning the realization of the right to health.

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