



# Convention on the Rights of Persons with Disabilities

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## Committee on the Rights of Persons with Disabilities Twenty-first session

### Summary record of the 442nd meeting

Held at the Palais des Nations, Geneva, on Friday, 15 March 2019, at 10 a.m.

*Chair:* Mr. Basharu

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*The meeting was called to order at 10 a.m.*

1. *At the invitation of the Chair, the delegation of Rwanda took places at the Committee table.*

### **Expression of sympathy in connection with the recent mass shootings in New Zealand**

2. **The Chair**, on behalf of all the members of the Committee, expressed sympathy to Mr. Martin and the people of New Zealand in connection with the recent mass shootings at two mosques in Christchurch.

3. **Ms. Mukabaramba** (Rwanda) said that she, too, wished to convey her condolences on behalf of the Rwandan delegation.

4. *At the invitation of the Chair, those present at the meeting observed a minute of silence.*

### **Consideration of reports submitted by parties to the Convention under article 35**

*(continued)*

*Initial report of Rwanda (continued) (CRPD/C/RWA/1; CRPD/C/RWA/Q/1 and CRPD/C/RWA/Q/1/Add.1)*

#### *Articles 11–20*

5. **Mr. Ndayisaba** (Rwanda), responding to questions put at the previous meeting, said that authorities that issued building permits in contravention of urban planning regulations or the authorization process could face administrative sanctions under a ministerial order issued in 2015. The sanctions included fines starting at 50,000 Rwanda francs (RF) and immediate rectification of the deficiency.

6. There were a large number of refugees in the country, most of whom had come from Burundi and the Democratic Republic of the Congo and approximately 3,000 of whom were persons with disabilities. The Government worked in collaboration with organizations such as the Office of the United Nations High Commissioner for Refugees (UNHCR) and Humanity & Inclusion to provide educational and material support to those persons. Refugees received services on an equal footing with Rwandan citizens.

7. The Government was committed to achieving Sustainable Development Goal 5 on gender equality and the empowerment of women and girls. Accordingly, the new National Policy on Persons with Disabilities gave priority to women with disabilities, recognizing the barriers and exclusion they faced in society. The policy focused on persons with disabilities as individual members of society and took account of all aspects of their daily lives through a life-cycle approach. The Vision 2020 Umurenge Programme had been extended in 2019 to provide direct support in the form of cash grants to women with disabilities and mothers of children with disabilities. The Government had increased support for a new organization that promoted sporting and cultural activities for women and girls with disabilities.

8. In 2019, the National Council of Persons with Disabilities had introduced a monitoring system to facilitate the collection of data from its partners. Every report produced by the Council's partner organizations had to be submitted through the system. In addition, the Council was conducting studies with a view to developing a disability management information system, which would be available in the forthcoming fiscal year. The partner organizations included the National Organization of Users and Survivors of Psychiatry, which provided support for persons with intellectual disabilities generally, and Collectif Tubakunde, which promoted the rights of children with intellectual disabilities.

9. Persons who struggled to care for children with disabilities, especially single parents or guardians, were identified and offered support. A programme developed by the Ministry of Gender and Family Promotion in collaboration with the National Commission for Children was aimed at closing centres for children with disabilities and placing such children with families. To that end, the National Council of Persons with Disabilities had signed a memorandum of understanding with the charity Hope and Homes for Children to

implement a three-year project to find alternative family-based care for children with disabilities. Thus far, 84 children from two centres had been placed with foster families. The project also supported families caring for children with disabilities in 13 districts. A set of minimum standards for child day-care centres would be adopted to prevent abuse.

10. In order to ensure that reasonable accommodation measures were taken wherever possible and to raise awareness of the concept, the National Council of Persons with Disabilities organized training courses for local authorities, public and private institutions, parents of children with disabilities and persons with disabilities themselves. Staff of media outlets had received training on the rights of persons with disabilities, and many outlets provided organizations of persons with disabilities with free airtime or print space for awareness-raising purposes. Moreover, journalists had formed an association that promoted the rights of persons with disabilities. In addition to the International Day of Persons with Disabilities, Rwanda celebrated Disability Week, during which activities were held in districts across the country, involving mayors and other local authority figures. The celebrations served as a strong advocacy tool.

11. The Government had run training courses for legal practitioners, including lawyers and police investigators, on the provisions of the Convention since the 2015/16 fiscal year. The courses had had a positive impact and would be held every year as part of the Council's action plan. While it was true that former combatants with disabilities had additional rights, psychosocial support was available to all Rwandan citizens, without exception. However, there were plans to combine the law on the protection of former war combatants with the law on the protection of persons with disabilities to ensure equal treatment of both groups.

12. Given that the local maintenance of assistive devices posed a challenge, financial support was given to orthopaedic workshops that repaired assistive devices such as wheelchairs. Moreover, a large Government-funded rehabilitation centre, which would supply prostheses and other orthopaedic devices, was under construction.

13. Emergency and disaster responders had received training on assisting persons with disabilities. The authorities were committed to stepping up efforts to ensure compliance with the Sendai Framework for Disaster Risk Reduction. Figures on the access of persons with disabilities to emergency and disaster services were available from the annual reports that were published on that subject. The Ministry had produced a manual on disaster management that would be revised in the very near future to make it more inclusive.

14. The health management information system contained data on persons with disabilities who had faced violence and abuse. The Gender Monitoring Office had a special desk for attending to victims of violence and abuse, and produced an annual report that also covered persons with disabilities. When abuse cases involved deaf or hard-of-hearing persons, sign language interpreters were dispatched to assist during the investigation process. The National Council of Persons with Disabilities had entered into a five-year cooperation agreement with the Rwanda Bar Association to provide free legal aid nationwide to persons with disabilities who had faced violence or abuse. The agreement had come about as a result of the training for lawyers on the rights of persons with disabilities.

15. **Ms. Umurungi** (Rwanda) said that the unfortunate case of the person with disabilities who had been arrested and imprisoned without legal representation was under appeal. He now had access to a lawyer who was following up on the case.

16. Although there were very few persons with disabilities in detention, their situation was taken into consideration and their specific needs were catered for. Persons with psychosocial disabilities enjoyed freedom of movement, and any offences committed against them were punishable by law. A national preventive mechanism was in place to ensure that persons with disabilities who were in detention facilities or mental health institutions were protected from torture and ill-treatment, and the National Commission for Human Rights was empowered to conduct unannounced visits to all such institutions.

17. The legal framework governing elections was quite dynamic and electoral laws were normally reviewed in the light of existing circumstances. They would be reviewed to

accommodate persons with disabilities, including intellectual disabilities, in order to ensure that such persons could exercise their electoral rights.

18. Pursuant to the agreement between the National Council of Persons with Disabilities and the Rwanda Bar Association, persons with disabilities who were in conflict with the law were entitled to pro bono legal assistance. Each district had an Access to Justice Bureau and three Ministry of Justice lawyers who provided free legal representation to indigent people and vulnerable groups, including persons with disabilities. In addition, persons with disabilities who required legal and judicial services could call the toll-free number 2425 for legal advice free of charge.

19. Some members of the National Council were qualified sign language interpreters. While judges, lawyers and prosecutors had been familiarized with the requirements of the Convention, none of them had yet received training in the use of sign language. It would therefore be useful to look into the possibility of providing the requisite training courses in the near future.

20. **Mr. Ndayisaba** (Rwanda) said that a local company produced computers that were accessible to users with visual impairments, and laptops had been provided to graduates with visual impairments. Information and communication technology (ICT) centres, which were inclusive for persons with disabilities, had been established in each of the five provinces. Telecommunication companies and financial institutions had been encouraged to provide accessible mobile phones, accessible automated teller machines and other facilities.

21. With regard to transport, space was reserved in buses for persons with disabilities and new roads were being rendered accessible. Discussions were under way with the Ministry of Infrastructure on measures to ensure that local and imported transport vehicles were accessible.

22. **Ms. Umurungi** (Rwanda) said that the Gender Monitoring Office had a special service for victims of gender-based violence and abuse and provided reports on such cases, with disaggregated data on women with disabilities. A total of 267 cases of gender-based violence had been reported during the period from 2014 to 2018: 64 cases in 2014; 51 cases in 2015; 38 cases in 2016; 57 cases in 2017; and 57 cases in 2018. Trained criminal investigation officers worked closely with the National Council officers responsible for inclusive communication and legal affairs, who dispatched sign language interpreters to assist with investigations. If a case resulted in legal proceedings, the victim received legal representation under the previously mentioned cooperation agreement between the Council and the Bar Association.

23. **Ms. Mukabaramba** (Rwanda) said that the implementation of a wide range of activities to promote the well-being of persons with disabilities called for the large-scale allocation of resources. The Ministry of Local Government therefore intervened when the budget was being prepared to ensure that the requisite resources were allocated for the purpose.

#### *Articles 21–33*

24. **Ms. Fefoame** said that the Committee would welcome additional information on access to Braille, large-print and Easy Read materials, and other facilities such as sign language, in contexts other than the judicial system. She wished to know whether information was made available in the required format in a timely manner and without extra costs when it was required for official interaction, to ensure privacy and to provide age-appropriate information, including on reproductive health and for education. It would also be useful to know what steps were being taken to ratify and implement the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled.

25. As States parties were required to enable persons with disabilities to acquire life and social development skills conducive to full participation in their communities, she wished to know what provision had been made, especially in rural areas, to enhance their mobility skills, to provide peer support opportunities for persons with intellectual disabilities and to promote sign language communication.

26. **Ms. Utami**, referring to paragraph 77 of the replies to the list of issues (CRPD/C/RWA/Q/1/Add.1), said that wheelchairs were an assistive device that could not be distributed in a single size for all. Accurate assessments were required, especially for children with disabilities. If the assessment was unreliable, the children might suffer deformities. She encouraged the State party to study the World Health Organization (WHO) guidelines on the provision of manual wheelchairs in less-resourced settings and to use its Wheelchair Service Training Package. She would be grateful for information on policies and measures related to assistive devices and technology, in particular training on wheelchair maintenance. She also wished to know whether assistive devices were included in health-care coverage for persons with disabilities in the State party, especially children living in rural areas. She would also welcome information on steps taken to build the capacity of health-care staff to deal with persons with disabilities, including psychosocial disabilities.

27. HIV prevalence in the State party currently stood at 3 per cent overall and 3.5 per cent among persons with disabilities, who still encountered social and institutional barriers to HIV prevention and other sexual and reproductive health services. The Committee would like to know about any policy measures taken to make HIV/AIDS policies and programmes more inclusive. It would also like information concerning measures taken to provide health insurance and to facilitate access to assistive devices pursuant to Ministerial Order No. 20/19 of 27 July 2009, which determined the modalities for facilitating access to medical care for persons with disabilities.

28. Action to secure the rights of persons with disabilities to social protection should be given top priority. She would be grateful for disaggregated data concerning direct support granted to persons with disabilities under the social protection strategic plan for 2018 to 2024.

29. **Mr. Alsaif** said that he would appreciate additional information concerning measures to ensure the accessibility of health-care facilities, furnishings and equipment and of information and communication related to health-care services for persons with disabilities, including free access to the medicines and supplies that they required.

30. He wished to know whether the State party had taken steps to ensure that persons with disabilities were fully involved in the implementation of the 2030 Agenda for Sustainable Development.

31. He would be grateful for updated information on the time frame for the establishment of independent monitoring mechanisms in line with article 33 of the Convention and the Paris Principles.

32. **Mr. Chaker** requested information on measures to ensure that all persons with disabilities could exercise their rights to marriage, family and parenthood on an equal basis with others without discrimination, measures to ensure that they had equal access to education and services related to sexual and reproductive health, and measures to ensure that parents could not be separated from their children on grounds of disability.

33. **Ms. Kayess**, noting from the State party's report that households headed by persons with disabilities experienced high levels of poverty and that persons with disabilities were for the most part self-employed and had limited access to salaried employment, said that she wished to know whether the State party planned to increase employment opportunities for persons with disabilities in the public sector or the civil service. In particular, she wondered whether there were plans to establish quotas, implement public-sector procurement policies for accessible workplace infrastructure, introduce targeted employment opportunities for women with disabilities, or promote the employment of young people with disabilities through internships, traineeships and graduate programmes.

34. She also wished to know whether persons with disabilities were entitled to individualized workplace adjustments and whether failure to respect that right was recognized under the law as a denial of reasonable accommodation. Did the laws prohibiting discrimination in employment cover recruitment, training, promotion and termination?

35. She asked whether the State party intended to repeal legislative impediments in order to ensure that persons with intellectual and psychosocial disabilities could exercise their right to vote, and whether blind and visually impaired persons and persons with print disability could cast an independent secret ballot.

36. **Ms. Gabrielli**, noting that the United Nations Office on Sport for Development and Peace (UNOSDP) had highlighted the key role played by sport in promoting sustainable development and peace, said that she would be interested in hearing whether the State party had recognized sport as a mechanism for the rehabilitation, inclusion and health of persons with disabilities. If not, she encouraged it to take the requisite action in that regard.

37. **Mr. Babu** said that, while he commended the State party's action to promote access for its citizens to health-care services, he regretted that the health needs of persons with disabilities, especially those of deaf and blind persons and persons with albinism, had not been appropriately addressed. For instance, the community health insurance scheme failed to cover rehabilitation services such as physiotherapy or assistive devices. He wished to know whether the scheme covered the health needs of persons with albinism, such as access to essential drugs and protection against skin cancer. He would also welcome information on measures taken to promote communication between health service providers and deaf, blind-deaf and visually impaired persons, and persons with psychosocial disabilities. Were there any plans to train health workers to communicate with and provide services to persons with disabilities?

38. He requested information on the steps taken by the State party to ensure that international development partners cooperated with organizations of persons with disabilities in devising programmes that were disability-inclusive.

39. **Mr. Shefer** said that he would appreciate information concerning access to technical and vocational training for persons with disabilities.

40. **Mr. Martin** asked whether governmental information, for instance concerning health care and participation in elections, was made available to persons with intellectual disabilities in Easy Read format.

41. **Mr. Ruskus** said that he would like information concerning measures taken by the State party to collect data on persons with disabilities, disaggregated by type of disability, age and gender, and on the barriers that such persons faced in society. The Committee would also like to receive data on children with disabilities in care centres, disaggregated by age and gender, and on persons with disabilities in care homes, mental health facilities and places of detention, disaggregated by gender and disability.

42. He would appreciate information on the progress made in making regular education inclusive and accessible to all children with disabilities, developing a curriculum based on individual needs, and providing inclusive classrooms, reasonable accommodation and support for teachers.

43. **Mr. Ishikawa** said that the Committee would welcome data, disaggregated by gender, type of disability and other socially relevant parameters, on the educational attainment of persons with disabilities.

44. **Mr. Kabue** (Country Rapporteur), following up on the questions asked on article 8 at the preceding meeting, said that he wished to know what plans had been made to ensure that efforts to raise awareness of the rights and dignity of persons with disabilities reached everyone in all parts of the country, not merely the people who might be called on to provide services to persons with disabilities. In that connection, it would be interesting to learn what could be done to ensure that women with disabilities were aware of mechanisms for the safe reporting of gender-based violence.

45. In relation to articles 19 and 28, he wondered whether Rwanda had considered making people with disabilities eligible for social welfare benefits on the basis of their individual circumstances rather than those of the households in which they lived, since they were often isolated or marginalized within those households. Turning to article 26, on habilitation and rehabilitation, he said that he wondered whether any plans had been made to ensure that the State party's health insurance system covered the costs of physiotherapy,

speech therapy, sunscreen and other products and services commonly used by persons with disabilities.

46. With regard to access to information, covered by article 21 of the Convention, he wished to know when the Rwanda Sign Language Dictionary Project, which had been launched five years earlier, would be seen through to completion. In much the same connection, he asked what plans had been made to require the State party's private broadcasters, not only its national public broadcaster, to make their programming accessible to persons who were deaf or hard of hearing. He would also welcome information on any plans to train and certify sign language interpreters and ensure that sign language interpretation was available in the country's public institutions of higher learning.

47. **Mr. Buntan**, referring to access to justice, said that he would welcome an example of how the State party's Integrated Electronic Case Management System was user-friendly for persons with disabilities. It would be interesting to know whether the State party's courts had ever found in favour of persons with disabilities who had been victims of discrimination or had ever convicted anyone who had been responsible for discrimination on grounds of disability. In addition, he wondered whether the State party's efforts to improve the accessibility of information were informed by internationally recognized accessibility standards.

48. He asked whether the Government provided financial or other support to organizations of and for persons with disabilities, which often lacked resources, to enable them to participate in monitoring the implementation of the Convention. Lastly, the list of priority assistive products that had recently been drawn up by WHO could inform policymaking in the State party and guide its efforts to make assistive devices affordable and widely available through measures such as the reduction or elimination of import duties or the introduction of incentives for local production.

49. **Mr. Martín** said that the Government of Rwanda should help people with intellectual disabilities, which were not the same as psychosocial disabilities, to set up organizations so that they could develop leadership skills. Self-advocacy was a growing phenomenon, including in Africa. It would be good to see Rwanda contribute to that trend.

50. **Mr. Babu** asked what steps were being taken to make deaf-blindness a separate category of disability. In follow-up to an earlier question, he asked what was being done to ensure that assistive devices were affordable and available throughout the country.

*The meeting was suspended at 11.30 a.m. and resumed at noon.*

51. **Mr. Rugema** (Rwanda) said that the National Council of Persons with Disabilities led multichannel efforts to ensure that persons with disabilities were provided with information in formats that were accessible to them. Health-care personnel had received training on the confidentiality of medical records and other privacy issues. The process of ratifying the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled was well under way. Ratification was expected shortly.

52. The Government was committed to ensuring that life-skills education, including for persons with disabilities, was a part of the educational curriculum throughout the country. Persons with physical disabilities, including children, were fitted for wheelchairs by trained personnel, and training was provided to ensure that wheelchairs and other assistive devices were properly maintained. The number of assistive devices that were covered by the public health insurance system was increasing steadily. The Government worked with civil society to ensure that such devices were available throughout the country.

53. An umbrella organization in Rwanda helped persons with disabilities who were living with HIV/AIDS gain access to the therapeutic and other services they needed. HIV-related services were provided at no cost, including to persons with disabilities, in all the country's health facilities. Other sexual and reproductive health services were also accessible to persons with disabilities.

54. The National Council of Persons with Disabilities was working with government ministries to ensure the application of Ministerial Order No. 20/19 of 27 July 2009 on the

access to health care of persons with disabilities. The process of categorizing disabilities by type had been completed and would facilitate the generation of disaggregated data. The Government's commitment to ensuring that persons with disabilities had access to rehabilitative and other health-care services had translated into relevant training for health-care personnel and measures to make health facilities more accessible.

55. Persons with disabilities could be awarded direct grants or other forms of support. Further information in that regard would be provided in writing in due course. Efforts to achieve the goals and targets contained in the 2030 Agenda for Sustainable Development were made with the active involvement of persons with disabilities.

56. The National Commission for Human Rights was in full compliance with the Paris Principles. It was accredited with A status by the Global Alliance of National Human Rights Institutions.

57. There were no discriminatory legal provisions that prevented persons with disabilities from marrying or becoming parents. Education in Rwanda was inclusive. Special needs education was also under consideration.

58. No data on the number of children removed from their families for disability-related reasons were available, but such removals were not encouraged. Government policy was to encourage the raising of children with disabilities in a family setting.

59. Although persons with disabilities could face physical or other obstacles to employment, discrimination on grounds of disability was prohibited by law. The authorities were committed to ensuring that, in accordance with the Building Code, public buildings were accessible to persons with disabilities. They were also willing to consider measures to increase the number of such persons employed in the public sector.

60. The Rwandan authorities fully appreciated the importance of sports as a means of integrating all members of society, including persons with disabilities, and as a vehicle for national reconciliation after the genocide that had been perpetrated in the country. There were several platforms through which the Government worked with development partners, and efforts had been made to ensure that organizations of persons with disabilities were involved in decision-making in that regard.

61. The National Electoral Commission was committed to ensuring that persons with disabilities had access to Easy Read information on election processes, government services and other topics. Although the data on disability currently collected by the National Institute of Statistics were not disaggregated to the level recommended by the Committee, the National Council of Persons with Disabilities was finalizing the launch of an information management system that would generate disaggregated data on persons with disabilities, the barriers they faced and their level of access to education and other services. Information disseminated on national television and radio stations served to raise awareness of the ways in which persons with disabilities could obtain access to justice. The National Council of Persons with Disabilities, whose main role was to advocate on behalf of persons with disabilities, also made efforts to raise awareness of issues surrounding their access to justice.

62. With regard to the social protection afforded to families that included a person with a disability, steps had been taken to ensure that decisions relating to such protection focused on the needs of the individual with a disability rather than the needs of his or her family. The Government was committed to ensuring that health insurance covered all services and assistive devices intended for persons with disabilities in all areas of the country and that such services and devices were affordable and accessible to all. Sign language interpretation was used for broadcasts of public events on State television, and steps would be taken to encourage private television companies to increase their use of such interpretation. The Government's policies on disability, including those relating to assistive technology and devices, were continually evolving in the light of international standards, WHO guidelines and the Committee's general comments. The Government was aware of the importance of respecting the distinction between intellectual and psychosocial disabilities and supported the establishment of organizations of persons with the former type of disability.



63. **Ms. Mukabaramba** (Rwanda) said that the type of support provided to persons with disabilities who lived with their families was determined in accordance with the type of disability concerned, the role of the person within the family and the extent to which he or she enjoyed access to education and health care. The list of medicines and devices covered by health insurance was reviewed and changed every year in accordance with the needs of persons with disabilities and, in 2018, the law governing health insurance had been amended to facilitate the provision of support to such persons.

64. **Mr. Ndayisaba** (Rwanda) said that responsibility for health insurance had been transferred from the Ministry of Health to the Rwanda Social Security Board. The National Council of Persons with Disabilities was currently working with the Ministry of Finance and the Board to ensure that all assistive devices were covered by health insurance. Currently, only prostheses were not covered. A fund had been established to increase the financial support provided to persons with disabilities. Since the start of 2019, approximately RF 2.2 billion had been allocated to over 24,000 families that included a person with a disability. That figure was set to rise to RF 2.8 billion by June 2019. Plans were in place to establish a system for allocating grants to persons with disabilities in accordance with the category of disability concerned. The Government had developed an inclusive employment policy in respect of persons with disabilities. As one of the partners responsible for the implementation of that policy, the National Council of Persons with Disabilities received an annual budget for training persons with disabilities and helping them to start their own businesses.

65. The Council and the Ministry of Labour were discussing the possibility of establishing a quota system for the employment of persons with disabilities. Legislative changes would be made to increase the number of persons with disabilities on the electoral roll and facilitate their participation in elections. The National Council of Persons with Disabilities worked with the National Paralympic Committee to promote the inclusion of persons with disabilities in sports. Rwandan Paralympic teams had enjoyed a significant level of success at both the regional and international levels.

66. **Ms. Umurungi** (Rwanda) said that the Integrated Electronic Case Management System enabled persons with disabilities to follow the progress of legal proceedings in which they were involved. The Government acknowledged that the system needed to be made more accessible for persons with disabilities who lacked appropriate assistance.

67. **Ms. Utami** said that she wished to know whether the Government would consider developing policies and programmes that would provide for the early identification of disability, mobility training for blind children, sign language training for the parents of babies born deaf and training for the parents of children with psychosocial disabilities.

68. **Ms. Mukabaramba** (Rwanda) said that she wished to thank the members of the Committee for the stimulating dialogue, which would allow the Government to reflect on how it could improve its implementation of the Convention.

69. **Mr. Kabue** said that he appreciated the delegation's frank answers to the Committee's questions and the acknowledgement that, in certain areas, the Government needed to step up its efforts to ensure that the Convention was fully implemented. The Committee hoped that the Government would continue to make progress in advancing the rights of persons with disabilities.

*The meeting rose at 12.55 p.m.*