**GUIDING QUESTIONS FOR THE FOCUS AREAS OF THE X SESSION OF THE OPEN-ENDED WORKING GROUP ON AGEING:**

**Social protection and social security (including social protection floors)**

***1. What are the legal provisions in your country that recognizes the right to social security and social protection, including non-contributory and contributory old-age benefits? Do they have a constitutional, legislative or executive foundation?***

1. **Legal provisions that recognize the right to social security and social protection in Rwanda:**

**1. a. Constitutional foundation**

According to the Article 51 of the constitution of the Republic of Rwanda of 2003 as revised in 2015, the State has the duty within the limits of its means, to undertake special actions aimed at the welfare of the indigent, the elderly and other vulnerable groups**.**

**1.b. Legislative or executive foundation**

* Law n°05/2015 of 30/03/2015 governing the organization of pension’s schemes and Decree law of 22/08/1974 modified and complemented by the Law no 6/2003 of 22/03/2013 governing Occupational Hazards scheme,
* Law n°29/2017 of 29/06/2017 governing a Long Term Saving Scheme (LTSS) for salaried and non-salaried people, poor and rich people, in formal and informal sector;
* Law n°003/2016 of 30/03/2016 to compensate all female employees absent from employment because of pregnancy, giving birth and subsequently caring for the new-born child;
* Law n°24/2001 of 27/04/2001 on the establishment, organization and functioning of health insurance scheme for government employees (OG n°13 of 01/07/2001; modified and completed by law n°29/2002 of 19/09/2002),
* Law n°03/2015 of 02/03/2015 governing the organization of the Community Based Health Insurance Scheme (CBHI),
* Law n°08/2012 of 29/02/2012 establishing Military Medical Insurance (MMI) and determining its mission, organization and functioning;
* National Social protection Policy (2005) and its strategy (2013) as all revised in 2018.
* Draft policy “National policy on elderly persons” which is under process of approval

1. **Availability**

***2.What steps have been taken to guarantee universal coverage, ensuring that every older person has access to social security and social protection schemes including non-contributory, contributory and survivor old-age pensions, to ensure an adequate, standard of living in older age?***

In additional to the pension and occupational hazards schemes which targeted only the salaried people, the Government of Rwanda established the Long Term Saving Scheme (LTSS) under law n°29/2017 of 29/06/2017 for salaried and non-salaried people, poor and rich people, in formal and informal sector. The main purpose of this law was to reduce the number of citizens not covered by social security and protection to ensure an adequate, standard of living in older age.

The vulnerable older persons who are unable to work, they receive the direct income support under the national program so called “Vision 2020 Umurenge Program (VUP)” to ensure their living conditions and their benefiting from various social protection programs (FARG, One cow per poor family, community-based health insurance).

1. ***What steps have been taken to ensure that every older person has access to social security and social protection schemes which guarantee them access to adequate and affordable health and care and support services for independent living in older age?***

To ensure elders in retirement have access to affordable health and care, Minister of Finance and Economic planning established ministerial instructions n°002/11/10TC of 24/05/2011 governing health insurance of old age pensioners. The instructions allow former employees who have reached old age retirement or are already in old age pension and were or have benefited from health insurance under RSSB before retirement. It also applies to their spouse and children without prejudice to other relevant laws.

The article 5 of law °48/2015 of 23/11/2015 governing the organization, functioning and management of health insurance schemes in Rwanda states that, a person who retires while having health insurance provided by a public health insurance shall continue to be covered by such a health insurance entity.

They also have access to Community Based Health Insurance Scheme (CBHI) which is designed to ensure easy accessibility of all Rwandan not covered by other existing medical insurance (Public and private) to affordable health and care services.

**Adequacy**

1. ***What steps have been taken to ensure the levels of social security and social protection payments are adequate for older persons to have access to an adequate standard of living, including adequate access to health care and social assistance?***

Increase of social security benefits to meet the standards of living conditions is provided under article 16 of law n°05/2015 of 30/03/2015 governing the organization of pension schemes in Rwanda.

In April 2018 for example, pension and occupational hazards benefits amounts paid by RSSB were increased as per the Presidential order n°069/01 of 13/04/2018 increasing pension and occupational hazards benefits. For those in social security, they get their pensions on monthly basis. Regarding the older persons in vulnerable situation, they get also their income support on monthly basis from social protection programs and complementary social protection package.

**Accessibility**

1. ***What steps have been taken to ensure older persons have adequate and accessible information on available social security and social protection schemes and how to claim their entitlements (rights)?***

To ensure older persons have adequate information on available social security benefits***,*** RSSB carries out regular sessions of sensitization to communicate rights of its beneficiaries, stakeholders and members in general. If need be, RSSB outsources its sensitization services to private media institutions and increases awareness of beneficiaries on social security benefits. The older persons who benefit from the social protection scheme, they get information through different channels like: citizen outreach and community work (umuganda).

1. ***The design and implementation of normative and political framework related to social security and social protection benefits included an effective and meaningful participation of older persons?***

Throughout the process of designing and implementing policies and laws related to social protection benefits, communities including older persons are consulted and their views are taken into consideration. The community participation in the planning and implementation process is encouraged, as beneficiaries of social protection scheme are selected by their community based on the different set criteria. To ensure an effective and meaningful participation of older persons in implementation of normative and political framework, RSSB liaises with Associations des retraités au Rwanda (ARR) a retiree’s association and other organizations like NSINDAGIZA. Currently there is also government established body which is Rwanda Elders Advisory Forum (REAF).

**Equality and non-discrimination**

***7. Which are the measures adopted to ensure equitable access by older persons to social security and social protection, paying special attention to groups in vulnerable situation?***

As all beneficiaries of social protection scheme are selected by their community, all they have equitable access to social protection benefits, including older persons as most of them are in the vulnerable situation.

**Accountability**

***8. What mechanisms are in place to ensure social security and social protection schemes are effective and accountable?***

RSSB operations are regularly audited by the Office of Auditor General, BNR as regulator, Internal audit and quality assurance, etc. Audit findings and recommendations are discussed and implemented accordingly.

9***. What judicial and non-judicial mechanisms are in place for older persons to complain and seek redress for denial of their right to social security and social protection?***

Retirees have the right to appeal to the Board of Directors of RSSB when they think they have been denied their right. They can also address their complaints to the Ombudsman or the courts.