Legal Analysis of Access to Old-Age Public Pension Benefits in Rwanda :

Challenges and Trends

Odette Nyiramuzima

Odette Nyiramuzima's dissertation is a Legal analysis of access to Old-age public pension benefits in Rwanda: Challenges and Trends. Based on the approaches adopted by the ILO, the study's objective was the assessment of Rwandan pension legislation and its compatibility with international social security standards.

As part of the findings, the study identifies gaps in national pension legislation with regard to coverage and benefit adequacy in the social security branch of Old-age benefit and finds out the usefulness of adopted International Labour Organization (ILO) conventions. Due to their universal and legal character, ILO standards have power and influence in ratifying-states and in non-ratifying ILO Member states, respectively. Like many developing countries of Africa with low level of ratification of ILO C102, Rwanda has made progress in elaborating a basic legal framework for the regulation of national pension systems, since 1962, inspired by the principles laid down by ILO Social Security (Minimum Standards) Convention, 1952 (No.102).

However, from the assessment, the right to social security, including basic income security in old-age is not realized for many elderly people. The study finds out the reasons behind low pension coverage and inadequate benefits. Based on lessons from international experience and a comparative study between Rwanda, Kenya and Mauritius pension systems, the study suggests a combination of different approaches such as contributory and non-contributory pension schemes, supported by progressive formalization of the informal activities, as an effective strategy to achieve universal pension coverage and adequate benefits. The proposed strategy is in connection with the minima of ILO C102 and C128 (coverage and benefit levels) and the principles of ILO Social Protection Floors Recommendation, 2012 (No.202) which focuses on universal coverage. The provisions of these standards are reflected in the ILO two-dimensional approach for the extension of social security (*Horizontal dimension* and *Vertical dimension*). These findings were reached by using doctrinal legal approach and comparative legal approach complimented by a study of ILO social security standards and reports, International Social Security Association (ISSA) publication, Rwanda's pension legislation (Law No.05/2015 of 30/03/2015 governing the organization of pension schemes in Rwanda for mandatory pension schemes and Law No.29/2017 of 29/06/2017 governing the Long-Term Savings Scheme in Rwanda), and policies and Focus Group Discussion.

Odette's study, one of the very few on this subject and area, forms a useful basis for discussion and further research on pension rights enforcement, as it shows the feasibility of extending old-age pension coverage and providing more adequate benefits to all older people in a developing country context.