

Guide for Employers on Hiring Refugees in Rwanda

The Law on Hiring Refugees

Refugees can be legally employed in Rwanda

Rwandan Law n°13ter/2014 of 21/05/2014 Art 18 says that persons in Rwanda who have “obtained refugee status shall enjoy the rights and liberties provided for by international instruments”, thus including the 1951 Refugee Convention Art 17 that says that refugees must be given “the most favourable treatment accorded to nationals of a foreign country in the same circumstances, as regards the right to engage in wage-earning employment” and that “Contracting States shall give sympathetic consideration to assimilating the rights of all refugees with regard to wage-earning employment to those of nationals”

In short: Employers in Rwanda can and should consider refugees for employment on par with Rwandans

Process for Hiring a Refugee

Refugees can be recruited just like any Rwandan

Refugees will always have a Proof of Registration (PoR) that is an official ID, also for employment purposes

Refugees should have an employment contract with rights and obligations as any other Rwandese national

Employer provide a copy of Proof of Registration to RSSB through online procedure instead of Rwandan ID Card

Kumenyesha abakoresha ibijyanye n’itangwa ry’akazi ku mpunzi ziri mu Rwanda

Itegeko ku itangwa ry’akazi ku mpunzi

Impunzi zemererwa n’Itegeko guhabwa akazi mu Rwanda

Itegeko n°13ter/2014 ryo kuwa 21/05/2014 ryerekeye impunzi, mu ngingo yaryo ya 18 havuga ko “Bitanyuranyije n’andi mategeko, umuntu wese wemerewe sitati y’ubuhunzi mu Rwanda afite uburenganzira n’ubwisanzure biteganywa mu masezerano mpuzamahanga yerekeye impunzi yemejwe na Leta y’u Rwanda”, harimo n’amasezerano yo mu mwaka w’1951 yerekeye impunzi, aho ingingo yayo ya 17 ivuga ko ibihugu byemeje aya masezerano “bigomba gufata kimwe impunzi nk’abandi banyamahanga bicumbikiye byemewe n’amategeko, ku bijyanye n’uburenganzira bafite bwo kubona akazi” kandi ibihugu byemeje aya masezerano bizaha impunzi uburenganzira bwo kubona akazi kimwe nk’abenegihugu.

Muri Make: mu Rwanda, abakoresha bagomba gufata impunzi kimwe n’abandi banyarwanda ku byerekeye itangwa ry’akazi.

Uburyo bukurikizwa mu gutanga akazi ku mpunzi

Impunzi zishobora guhabwa akazi nk’undi munyarwanda wese

Impunzi zigira ikiziranga kikaba ari icyangombwa cyemewe gishobora no gukoreshwa no mu gushaka akazi

Impunzi zigomba guhabwa amasezerano y’akazi yujuje ibisabwa nk’undi munyarwanda wese

Umukoresha agomba gutanga icyangombwa kiranga impuzi muri RSSB nkuko bisabwa, gisimbura ikarita ndangamuntu nyarwanda.

Frequently Asked Questions

1. Are Refugees allowed to work in Rwanda?

Yes

2. What IDs do refugees have and is Proof of Registration an official ID?

All refugees have a document called “Proof of Registration”, which is an official ID (in A4 paper format) issued jointly by the Government of Rwanda (MIDIMAR) and UNHCR. Employers should consider this document as a valid ID for all purposes. Some refugees may also have other IDs from either Rwanda or their home country.

3. Can refugees open a bank account?

Yes. Some banks (e.g. Equity Bank) allow refugees to open a bank account with their Proof of Registration.

4. Does an employer need to do any special registration with immigration or any government institution?

No

5. What are the education background of refugees?

Some refugees have technical or university degrees from either their home country or Rwanda, while others have only informal skills. Refugees are resourceful people that can contribute by providing their knowledge and skills in your organization and Rwandan society.

6. Do refugees pay taxes and social security as Rwandans?

Yes, Refugee status employees needs to present their proof of registration to RSSB system and they pay social security and taxes as any Rwandan employee. There is no special documentation nor procedures to make.

7. Can refugees become Rwandan citizens?

Yes. After being self-reliant (e.g. employed) for 5 years, according to Rwandan law, refugees are eligible to apply for Rwandan Citizenship.

Ibibazo bikunze kubazwa

1. Ese impunzi zemerewe gukora mu Rwanda?

Yego

2. Ni ikihe cyangombwa impunzi zifite? Ese icyangombwa kiranga impunzi kiremewe nk'icyangombwa cyemewe n'amategeko?

Impunzi zose zifite icyangombwa kiziranga cyemewe cyatanzwe na Leta y'u Rwanda (MIDIMAR) ifatanije n'Inshami ry'Umuryango w'Abibumbye ryita ku mpunzi (UNHCR). Abakoresha bagomba gufata icyo cyangombwa nk'icyemewe n'amategeko gishobora gukoreshwa ku mpamvu zitandukanye. Hari impunzi zishobora kuba zifite ikarita ndangampunzi zahawe n'u Rwanda cyangwa ibindi byangombwa zakuye mu bihugu byazo.

3. Ese Impunzi Zemerewe Gufungura Konti ya Banki?

Yego. Banki zimwe (Urugero: Equity Bank) zemeye ko impunzi zifungura konti zazo muri izo banki zikoresheje icyemezo kiziranga.

4. Ese umukoresha akeneye kwiyandikisha mu kigo gishinzwe abinjira n'abasohoka cyangwa ikindi kigo cya Leta kugira ngo akoreshe impunzi?

Oya

5. Ese impunzi ziri ku ruhe rwego mu bijyanye n'amashuri/ubumenyi?

Bamwe mu mpuzi bafite impamyabumenyi mu bijyanye n'imyuga, abandi bafite impamyabumenyi ku rwego rwa kaminuza babonye mu Rwanda ndetse no mu bihugu baturutseho. Impunzi zifite ubumenyi n'ubushobozi bitandukanye byagirira akamaro ikigo cyawe ndetse na sosiyete nyarwanda.

6. Ese impunzi zishyura imisoro n'ubwiteganyirize nk'abandi banyarwanda?

Yego, abakozi bafite sitati y'ubuhunzi bakoresha icyemezo kibaranga bakandikwa muri RSSB bagatanga ubwiteganyirize ndetse n'imisoro nk'abandi banyarwanda.

7. Ese impunzi yahabwa ubwenegihugu bw'u Rwanda?

Yego. Nyuma yo kwigira (urugero: afite akazi) mu gihe cy'imyaka 5, nk'uko biteganywa n'itegeko, impunzi yemerewe gusaba ubwenegihugu.

Major legal instruments

Rwandan Law n°13ter/2014 of 21/05/2014

Art. 18: without prejudice to other laws, any person having obtained refugee status in Rwanda shall enjoy the rights and liberties provided for by international instruments on refugees ratified by Rwanda

1951 Convention

1951 Convention on Refugees, Article 17 *WAGE-EARNING EMPLOYMENT*

1. The Contracting States shall accord to refugees lawfully staying in their territory the most favourable treatment accorded to nationals of a foreign country in the same circumstances, as regards the right to engage in wage-earning employment.

2. In any case, restrictive measures imposed on aliens or the employment of aliens for the protection of the national labour market shall not be applied to a refugee who was already exempt from them at the date of entry into force of this Convention for the Contracting State concerned, or who fulfils one of the following conditions;

- (a) He has completed three years' residence in the country;
- (b) He has a spouse possessing the nationality of the country of residence. A refugee may not invoke the benefit of this provision if he has abandoned his spouse;
- (c) He has one or more children possessing the nationality of the country of residence.

3. The contracting states shall give sympathetic consideration to assimilating the rights of all refugees with regard to wage earning employment to those of nationals,...

Amategeko n'amasezerano y'ingenzi

Itegeko N°13ter/2014 ryo kuwa 21/05/2014 ryerekeye impunzi

Ingingo ya 18: Bitanyuranyije n'andi mategeko, umuntu wese wemerewe sitati y'ubuhunzi mu Rwanda afite uburenganzira n'ubwisanzure biteganywa mu masezerano mpuzamahanga yerekeye impunzi yemejwe na Leta y'u Rwanda

Amasezerano ya 1951

Amasezerano mpuzamahanga ya 1951 yerekeye impunzi, ingingo yayo ya 17: ITANGWA RY'AKAZI GAHEMBA

1. Ibihugu byemeje aya masezerano bigomba gufata kimwe impunzi nk'abandi banyamahanga bicumbikiye byemewe n'amategeko, ku bijyanye n'uburenganzira bwo kubona akazi

2. Mu gihe hafashwe umwanzuro wo kutemerera abanyamahanga kubona akazi mu rwego rwo kurinda isoko ry'umurimo, uwo mwanzuro ntuzareba impunzi mu bihugu byemeje aya masezerano, cyangwa impunzi yujuje ibi bikurikira:

- a) Kuba imaze imyaka itatu mu gihugu;
- b) Kuba yarashakanye n'ufite ubwenegihugu bw'igihugu atuyemo. Impunzi ntiyemerewe ibiteganywa n'iyi ngingo mu gihe yatandukanye n'uwo bashakanye;
- c) Kuba afite umwana umwe cyangwa benshi bafite ubwenegihugu bw'igihugu atuyemo

3. Ibihugu byemeje aya masezerano bizaha impunzi uburenganzira bwo kubona akazi kimwe nk'abenegihugu babyo.

1951 Convention on Refugees, *ARTICLE 24. LABOUR LEGISLATION AND SOCIAL SECURITY*

'1. The Contracting States shall accord to refugees lawfully staying in their territory the same treatment as is accorded to nationals in respect of the following matters:

(a) In so far as such matters are governed by laws or regulations or are subject to the control of administrative authorities: remuneration, including family allowances where these form part of remuneration, hours of work, overtime arrangements, holidays with pay, restrictions on home work, minimum age of employment, apprenticeship and training, women's work and the work of young persons, and the enjoyment of the benefits of collective bargaining;

(b) Social security (legal provisions in respect of employment injury, occupational diseases, maternity, sickness, disability, old age, death, unemployment, family responsibilities and any other contingency which, according to national laws or regulations, is covered by a social security scheme), subject to the

(i) There may be appropriate arrangements for the maintenance of acquired rights and rights in course of acquisition;

(ii) National laws or regulations of the country of residence may prescribe special arrangements concerning benefits or portions of benefits which are payable wholly out of public funds, and concerning allowances paid to persons who do not fulfil the contribution conditions prescribed for the award of a normal pension.

2. The right to compensation for the death of a refugee resulting from employment injury or from occupational disease shall not be affected by the fact that the residence of the beneficiary is outside the territory of the Contracting State.

3. The Contracting States shall extend to refugees the benefits of agreements concluded between them, or which may be concluded between them in the future, concerning the maintenance of acquired rights and rights in the process of acquisition in regard to social security, subject only to the conditions which apply to nationals of the States signatory to the agreements in question.

4. The Contracting States will give sympathetic consideration to extending to refugees so far as possible the benefits of similar agreements

Amasezerano mpuzamahanga yo mu mwaka w'1951 yerekeye impunzi, Ingingo ya 24: *AMATEGEKO AGENGA UMURIMO N'UBWITEGANYIRIZE*

1. Ibihugu byemeje aya masezerano byemeye ko impunzi bicumbikiye mu buryo bwemewe n'amategeko zizafatwa kimwe nk'abenegihugu muri gahunda zikurikira:

(a) Mu gihe izo gahunda zitegenywa n'itegeko cyangwa zigenzurwa n'ubuyobozi: imishahara, harimo ibigenerwa umuryango mu gihe bikubiye mu mushahara, amasaha y'akazi, ibigenewe amasaha y'ikirenga, ibiruhuko byishyurwa, ibitemererwa gukorerwa mu rugo, imyaka fatizo yo gukora, amahugurwa, ibyerekeye akazi ku bagore n'abana ndetse n'inyungu z'iciririkanya rusange.

(b) Ubwiteganyirize (ibitegenywa n'itegeko mu gihe cy'impanuka y'akazi, indwara iturutse ku kazi, indwara itewe no gutwita, ubumuga, izabukuru, urupfu, kubura akazi, inshingano z'umuryango cyangwa indi ngoboka iyo ariyo yose itangwa na gahunda y'ubwiteganyirize mu buryo bwemewe n'amategeko) keretse ibitemewe kubera impamvu zikurikira:

(i) Mu gihe hari ubundi buryo buboneye bw'uburenganzira bugenwa

(ii) Amategeko y'igihugu ateganya uburyo bwihariye ku bigenewe abantu bitishyurwa ku mali ya leta, n'ibigenewe abantu batujuje imisanzu yangombwa kugira ngo bahabwe ubwiteganyirize bw'izabukuru

2. Uburenganzira ku ngurane mugihe cy'urupfu rw'impunzi rutewe no gukomerekerwa mu kazi cyangwa uburwayi butewe n'akazi, ntibuzahungabanywa n'uko ugenewe iyo ngurane ari hanze y'igihugu cyemeje aya masezerano.


3. Ibihugu byemeje aya masezerano, bizageza ku mpunzi ibigenwa n'amasezerano kuri ubu n'igihe kizaza ku birebana n'uburenganzira bafite cyangwa bazagira ku bwiteganyirize bwari bufitwe gusa n'abenegihugu.

4. Ibihugu byemeje aya masezerano, bizaha impunzi mu buryo bushoboka bwose ibitegenywa n'amasezerano yemejwe yerekeye impunzi n'andi ajyanye nayo.

What a proof of registration looks like?

Icyemezo kiranga impunzi gisa gite?

GOVT RWANDA / UNHCR - PROOF OF REGISTRATION / PREUVE D'ENREGISTREMENT

	Household Number / Numéro de Ménage: 653-16C00	Size/Taille	COA/PDA: Rwanda	Registration Date/Date Enregistrement	19-Feb-2016
	Ration Card # / # Carte de Ration:	3	COO/PDO	BDI / Bujumbura Mairie / Ngagara / / / Ngagara Q9 No. x	

Seq	Full Name / Nom Complet	Gender/Sexe	DoB / DdN	Rel to HR1/ Lien de Parenté	Individual#/#Individuel	Status	Ref ID# / #Carte Identité
01	xx	Female	16-Apr-1968	Principal Applicant	653-000	Refugee	
02	xx	Female	29-Aug-1997	Daughter	653-000	Refugee	
03	xx	Male	19-Oct-2000	Son	653-000	Refugee	

Photo1 Photo2 Photo3

I hereby acknowledge the receipt of the Proof Of Registration and consent to the sharing of biodata with the relevant Government of Rwanda authorities for the issuance of identity documents.
Je, soussigné, reconnais avoir reçu la Preuve d'Enregistrement et consens au partage des biodatas avec les autorités compétentes du Gouvernement du Rwanda pour l'octroi des documents d'identité

Date..... Signature

GOVT RWANDA/UNHCR Proof of Registration for -653-16C00 - Issued on 17/Aug/2017
GOVT RWANDA/UNHCR Preuve d'Enregistrement pour -653-16C00 - Emis le 17/Aug/2017

UNHCR-Rwanda