Article 1: All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2: Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3: Everyone has the right to life, liberty and security of person.

Article 4: No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5: No one shall be subjected to torture or to cruel,
Introduction

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Cover photo: Women walk past a poster for Rwandan President Paul Kagame at the Nyabugogo market in Kigali on August 7, 2010 ahead of Rwanda’s presidential elections set for August 9. AFP PHOTO/SIMON MAIN
Introduction

2014 marks the 20th anniversary of the genocide in Rwanda. Yet it remains a country of major violations of civil and political rights, which contrast with its economic successes and restrict all freedoms of expression. Major efforts for national reconciliation by the authorities are far from completed. Although the words ‘Hutu’ and ‘Tutsi’ are now banned from all official documents and political speeches, the official policy of ‘non-divisionism’ that underlies the repression of the political opposition perpetuates this community differentiation, which is a vestige of colonialism.

Rwanda is held up as an example in many respects: an effective policy for gender equality, the abolition of the death penalty and an exemplary presence to stop the ongoing massacres in the Central African Republic. Rwanda is undeniably developing economically. In the 20 years since the country was destroyed by genocide the gross domestic product per capita has increased fivefold, the annual growth rate has averaged 8% for the last 10 years and within a few years the poverty rate has dropped by approximately 25% (now down to 45%) and inequalities have been reduced.

However the consequences of government domestic and foreign policies are now catching up on Rwanda. Foreign aid, which represents some 40% of the country’s operating budget, has been decreasing for the last two years owing to the suspension of some Western aid following Kigali’s support for the armed groups who are destabilizing the east of the Democratic Republic of the Congo (DRC) and owing to its presumed responsibility in the assassination of opposition leaders abroad. Moreover, the disturbing role of Rwanda in the illegal exploitation of the natural resources of the east of the DRC is artificially boosting a resurgent economy.

Twenty years after the genocide, the Rwandan government is facing many challenges, including the need to democratize the regime in view of the fact that the international community is gradually opening its eyes to the excesses of the authorities. In support of its member organisations and civil society organisations that no longer have freedom of expression, FIDH has identified the major human rights’ abuses perpetrated in recent years by the Rwandan authorities. This note outlines FIDH’s grave concern for the respect and protection of human rights and fundamental freedoms in Rwanda at a time when the entire world remembers a particularly tragic event that FIDH had denounced more than a year before it was triggered1 and when the FIDH has civil party status in many legal proceedings against those accused of perpetrating acts of genocide in Rwanda.2

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1. A resurgence of human rights violations

Whereas Rwanda is often praised for the great progress it has made in the past twenty years in its expanding economy, improved quality of public services and to a certain extent its fight against corruption, the overall human rights situation in the country remains tarnished by the many infringements of civil and political rights and fundamental freedoms, the dwindling of democracy and numerous human rights violations. Paul Kagame’s rise to power almost 20 years ago has in fact led to the domination of the Rwandan Patriotic Front (FPR – Front patriotique rwandais), which since then has been fighting any opposition to the regime, be it civil or political, under the pretext of protecting national security.

The press and civil society are silenced, threatened and rendered powerless

In spite of laws that guarantee freedom of information and media self-regulation, Rwandan journalists are regularly subjected to harassment by police and the legal system. In particular Rwandan authorities are quick to use the law against defamation to intimidate and force the closure of certain media outlets. According to Reporters Without Borders (RWB), Rwanda ranks 162 on the list of 180 countries in the world listing of Freedom of the Press 2014.³

It was thus that in 2011 Agnès Nkusi Uwimana and Saidati Mukakibibi, editor-in-chief and co-editor-in-chief respectively of the popular independent newspaper Umurabyo, received prison sentences from the Kigali High Court of 17 and 7 years for, among other things, endangering state security, defamation and promoting divisionism. These penalties reflect the unjust and disproportionate court decisions against journalists aimed at silencing the press. These cases also show that there are prisoners of opinion in the country.⁴

In 2010 and 2011 two journalists were killed. On 24 June 2010 the co-editor-in-chief of the bi-monthly Umuvugizi, Jean-Léonard Rugambage, was murdered by four bullets fired at point-blank range in front of his home in Kigali. One of his murderers was found guilty and another set free. On 30 November 2011 Charles Ingabire, editor of the website Inyenyerinews.org, was also murdered in Kampala, where he had been in exile since 2007. The investigation has not led to any legal proceedings so far.

After having taken in hand again and silenced the national press during the 2010 presidential election, the regime took it out on journalists in neighbouring countries, mainly in Uganda,

⁴. On 5 April 2012 the sentences of Agnes Uwimana Nkusi and Saidati Mukakibibi were reduced by the Supreme Court respectively to four and three years’ imprisonment of prison on appeal. The facts case dates back to 2010, when shortly before the presidential election, several articles critical of president Paul Kagame were published in the Umurabyo. Accusations of ‘spreading rumours’ and of ‘promoting divisionism and popular discontent towards the authorities’ were quick to be made, leading to their arrest. Saidati Mukakibibi was freed on 25 June 25, 2013 after completing her sentence.
where journalists who report news about Rwanda regularly receive threats from the Rwandan authorities through their external intelligence and security services.

The Ugandan newspaper the *Daily Monitor* is a particular target of Rwandan media and services. On 10 February 2014 the Rwandan pro-government newspaper *The New Times* accused some Ugandan journalists of being instruments of propaganda for the Rwanda National Congress (RNC), an opposition party banned in Rwanda and led by the former head of the Rwanda intelligence services from exile in South Africa. On 14 February 2014 the *Daily Monitor* journalist was forced by his superiors to make a public apology after posting messages on Facebook against the president of Rwanda, Paul Kagame, following the assassination of the head of the RNC, Patrick Karegeya, in South Africa. On 18 February 2014 a controversial blogger named three *Daily Monitor* journalists who were being investigated by Rwandan services with the help of insiders. These journalists, who report on the situation in Rwanda, are currently receiving a lot of threats, and according to them death threats from the Rwandan authorities. Tom Malaba, a journalist with the online news agency *Ugandan Radio Network*, has been constantly threatened since a press conference on 18 June 2013 during which he had asked for a reaction from Mr Frank Mugambage, the Rwandan Ambassador to Uganda, to the allegations that he was in charge of the secret operations of tracking Rwandan exiles in Uganda. On 16 February 2014 Andrew Muhanguzi, brother of the exiled head of the news site *Umuvugizi*, was arrested by Ugandan police in Kampala and has not been seen since. The Ugandan police deny having any record of his arrest, leading one to believe that the Rwandan security services must have carried out the operation.

International media representatives are also subjected to pressure tactics and threats from the Rwandan authorities. According to RWB, “a foreign media correspondent in Uganda was forced to leave the country in November 2013 for security reasons, after receiving disturbing threats from agents of the Rwandan intelligence services agent causing him to fear for his life.” Likewise, Sonia Rolley, a *Radio France Internationale* (RFI) journalist, former correspondent in Rwanda, who was expelled from that country in June 2006, has also been subjected to a campaign of defamation for the last several few months by Rwandan authorities. In particular, she was the victim of threats on Twitter from @Richard Goldston, known to be an account belonging to President Paul Kagame himself or of a close ally of the president. For several months, Sonia Rolley has been investigating the murders of exiled Rwandan opponents and the possible instigators of these crimes. Similarly, journalists Steve Terrill, former correspondent with the *Agence France-Presse* in Rwanda, Ian Birrell of the *Guardian*, and Jeffrey Gettleman of the *New York Times* have been subjected to various threats for their work on the situation in Rwanda or on the links between the country and the armed group M23, which operates in the east of the DRC. Any journalist who publishes news deemed to be negative by the Rwandan authorities is subjected to harassment and even threats.

Human rights defenders are also subject to threats, arbitrary arrests and harassment. The murder on 17 July 17, 2013 murder of Gustave Makonene, coordinator of the Advocacy and Legal Advisory Centre of Transparency International Rwanda in Rubavu, in the north-western part of

7. The account @RichardGoldston (from the name of the first Prosecutor of the International Criminal Tribunal for Rwanda 1994) harassed Sonia Rolley for months. During a conversation asking @RichardGoldston to stop harassing Sonia Rolley, it was the official account of President Kagame that replied, implying that @RichardGoldston also has access to President Paul Kagame’s Twitter account. This was confirmed by the Rwandan president’s office a few days later in a communiqué indicating that “@RichardGoldston was an unauthorized account administered by an employee of the president’s office” and that the employee had been reprimanded.
the country, remains unsolved. The human rights defender, who was strangled, was working on allegations of corruption, some of which would have implicated the police.

 Freedoms of association and demonstration are also being suppressed. Since July 2013, the Rwandan League for the Promotion and Defence of Human Rights (Ligue rwandaise pour la promotion et la défense des droits de l’Homme – LIPRODHOR), a long-time standing independent human rights organisation in this country, has been subjected to an attempted take-over by pro-FPR elements, who illegally removed the current members of the board in office at the time. The “legitimate” members of the LIPRODHOR have taken legal action to nullify the decisions which have led to the takeover of the organisation. The first trial hearing was held on 6 March, 2014, but the matter case has been postponed until 10 April, 2014. Meanwhile, the “legitimate” chairman and several members of the administrative board of directors and secretariat section of the LIPRODHOR have received threats regularly since July 2013, particularly in the form of anonymous telephone calls and other verbal threats. LIPRODHOR’s situation is typical of the harassment suffered by Rwandan human rights organisations, aimed at silencing them, or at least controlling them.

 Already back in 2004, on the recommendation of a parliamentary committee on genocide, the Rwandan parliament had asked for the dissolution of LIPRODHOR on the grounds that the organisation promoted genocide ideology. After receiving repeated threats, some ten members of the Management board fled the country, followed by several other members in succeeding years. In 2008, the National Electoral Commission prevented LIPRODHOR from observing the parliamentary elections of 2008. Yet, LIPRODHOR is one of the few human rights organisations in Rwanda to have denounced the preparations for the genocide, notably alongside FIDH in March, 1993.

 Similarly since 8 July 2012, the Collectif des ligues et association de défense des droits de l’Homme au Rwanda (CLADHO), of which LIPRODHOR is a member, has had its steering committee and its executive bodies taken over by the Rwanda Governance Board (RGB), the government body responsible for supervising national non-governmental organisations (NGOs). On 8 July 2012 CLADHO’s General Assembly had voted unanimously to replace the steering committee because it was not submitting the members’ reports on the human rights situation in Rwanda but was merely promoting government propaganda. Thus, when the United Nations Human Rights Council examined Rwanda, CLADHO’s steering committee published a communiqué without consulting members, upholding the government’s positions and contradicting reports from the independent human rights organisations making up the Collectif.

 Faced with this display of independence from human rights organisations, the Rwandan authorities, via the RGB, immediately took over the reins of CLADHO by imposing a new steering committee, in violation of all the rules of internal governance and respect for national and international law.

12. Go to http://www.liprodhor.org/tag/cladho/
Civil society organisations are constantly being subjected to administrative pressures by the authorities. Under the February 2012 law, any NGO wishing to be registered and accredited must submit yearly its annual action plan, budget and, its funding sources and methods of financing. NGOs’ action plans must also be in line with the national and district development plans. Even if all the conditions are met, some requests applications may be rejected if the governmental authority deems that the actions of the organisation itself may undermine security, public order, health, morals and human rights. The NGOs that are deemed to be ‘suspects’ are put under onerous restrictions in registering making it very difficult to obtain agreement. The registration process for NGOs is an example of the pressure and shows how much control the government has over civil society.

As was stated by Mr Maina Kiai, the United Nations Special Rapporteur on the rights to freedom of peaceful assembly and of association, at the end of his visit to Rwanda in January 2014, the Constitution of Rwanda also guarantees freedom of association. But Mr Kiai said that in practice there are “onerous obstacles” to the registration process, constraints on the freedom of civil society to work in certain areas and government interference in the internal affairs of NGOs thought to be too critical of official policy. The expert pointed out that he was particularly worried about interference in the internal affairs of certain NGOs by the Rwanda Governance Board (RGB), the body responsible for regulating national non-governmental organisations (NGOs). “I see no justification for RGB involving itself in leadership wrangles within local NGOs,” he declared. He was astonished that whilst “Civil society groups can take months to register, while businesses can be formed in six hours or less,”

The government of Rwanda has maintained a vision that is very different from that of the United Nations Special Rapporteur, voiced the Minister of Justice, Johnston Busingye, “« the FPR is the best thing that happened to Rwanda since 1994 genocide.”».

13. Known as Vision 2020 and EDPRS respectively.
2. A marginalized and persecuted political opposition

The political opposition is not spared. The controversial law n° 18/2008 on ‘the ideology of genocide’ and ‘divisionism’ has been invoked several times in order to remove, arrest, even hand down heavy sentences to a good number of political opponents. It was under that law that Bernard Ntaganda, chairman of the Ideal Social Party (PS-Imberakuri), was sentenced to four years in prison for divisionism in February 2011. Bernard Ntaganda had been prosecuted for denouncing certain governmental actions in public during the 2010 presidential campaign. He was found guilty of ‘jeopardizing State security’ and ‘divisionism’. Another Rwandan opposition figure, Victoire Ingabire, chair of the Unified Democratic Forces – Inkingi, had been sentenced to eight years in prison by the High Court in Kigali in October 2012 at the end of a trial marked by numerous irregularities. The judgement on appeal made by the Supreme Court on 13 December 2013 increased her sentence to 15 years in prison with no possibility of remission for ‘conspiracy against the authorities by terrorism and war’, ‘minimization of genocide’ and ‘propagation of rumours with the intention of inciting the public to violence’.

At his press conference at the end of his visit to Rwanda, Mr Maina Kiai, United Nations Special Rapporteur on the rights to freedom of peaceful assembly and of association, said that Rwandan society was not ‘pluralist’. In fact, the authorities discourage criticism and do not allow political parties to express disagreement. He said it is also a “long, laborious and, in too many cases, arbitrary process” to register political parties. For example it took the Green Party four years to register. Other major opposition parties are still not registered. According to the UN rapporteur, “It seems that each dissident political leader who rejects this consensus approach preached by the authorities has problems with the law, the commonest accusations being denying genocide, sectarianism and corruption and even spreading rumours. In every case these politicians are accused of violence or of having links with violent groups, which sends a frightening and unacceptable message that peaceful public disagreement with the government is a crime,” he concluded.

However repression of political opponents goes further than criminalizing them. The last few months have seen several attempted kidnappings, kidnappings, disappearances and assassinations of known opponents of the régime living in exile. On 1 January 2014 Patrick Karegeya, former head of the Rwandan intelligence services and one of the founder members of the Rwandan National Congress party (RNC), was found dead in a hotel bedroom in Johannesburg, South Africa.

On 12 January 2014 the President of Rwanda, Paul Kagame, said, on the subject of the assassination of Patrick Karegeya in South Africa, that, “I was elected and sworn in as the leader of this nation so I can aggressively defend it. But each Rwandan has their role to play.

17. The Rwanda National Congress (RNC) is an opposition political party founded by former dignitaries of the regime who have fled the country.
My job as President is to confront and defend Rwanda against people who want to destroy what we have been building.” and added, issuing threats to other dissidents in exile, that, “Betraying your country and wishing the worst for it is costly. (...) Its a matter of time for anybody trying to undermine Rwanda to face consequences of their actions anywhere.”18

The United States also expressed concern at such statements when Jen Psaki, US State Department spokesperson, declared a few days later, “We are troubled by the succession of what appear to be politically motivated murders of prominent Rwandan exiles. President Kagame’s recent statements about “consequences” for those who betray Rwanda are of deep concern to us,” she declared.

On 4 March 2014 the home of General Kayumba Nyamwasa, former Armed Forces Chief of General Staff and member of the RNC, was attacked by armed men, in South Africa. Kayumba Nyamwasa had already escaped an assassination attempt in June 2010 in South Africa, where he had fled in February that year. According to information gathered by human rights organisations, Patrick Karegeya and Kayumba Nyamwasa had both received threats from people in or close to the Rwandan government shortly before the attacks.

The South African judicial authorities have begun investigating the murder of Patrick Karegeya and the attempted murder of Kayumba Nyamwasa. The South African political authorities have expelled three Rwandan diplomats and one Burundian diplomat for their presumed implication in these crimes.

On 28 January 2014 the ‘trial of terror’ opened in the Rwandan military courts. 16 people are appearing on seven charges, including terrorism, murder and plotting to kill a head of state. Joël Mutabazi, a former presidential bodyguard who fled to Uganda in 2011, is one of the accused. On 25 October 2013 he had disappeared in Kampala while he was under Ugandan police protection as the result of several attempted kidnappings and assassinations against him. On 31 October 2013 the Rwandan police confirmed that Joël Mutabazi was in detention in Rwanda but did not say where he was being held. According to the Rwandan authorities this trial will enable a terrorist network involving the Hutu rebels of the Democratic Forces for the Liberation of Rwanda (FDLR) and the opponents of the RNC who are in exile to be dismantled. Suspended for the moment, the next hearing is due to take place on 13 May 2014.

These recent assassinations and attempted assassinations are added to an already long list and reflect increased repression against all dissenting voices, and in particular the political opposition.

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2017 presidential election: temptations to manipulate the Constitution to allow Paul Kagame to seek a third term in office

The FPR consolidated its position at the last general election in September 2013. The coalition, dominated by the FPR, obtained more than 76% of the votes cast whilst the turnout reached a record high of 98.8%. However the electoral period was undermined by the almost total absence of opposition, many parties not having been able to take part in the elections or being in exile, and abusive practices such as intimidation by officials of the FPR.

The current situation of intensified repression is a reminder of what happened during the 2010 presidential election. At that time assassinations, arbitrary arrests and detention, threats and intimidation against political opponents and journalists had increased to the point where they provoked a tidal wave of violence. Today, three years before the president’s term of office expires, the political opposition is warning of the need to organize free, transparent and credible elections whilst demanding that the safety of political activists be guaranteed. In addition warnings are being issued that the FPR, which is in a position of strength, may try to manipulate the Constitution to allow Paul Kagame to remain in power. Article 101 of the Constitution of Rwanda adopted in 2003 provides that ‘the President of the Republic is elected for a period of seven years renewable only once’. Paul Kagame has therefore reached the constitutional limit and cannot stand again unless the Constitution is altered. Such a modification of the Constitution has to be adopted by a three-quarters majority of the members of the Lower House and the Senate. It would seem that the popular vote is calling for Paul Kagame to ‘remain for the people’. In contradiction of his declarations stigmatizing the ‘big men’ who monopolize power on the African continent, a third term of office would make Paul Kagame the President of Rwanda for 24 years without a break and in practice the real holder of power for 30 years.

20. From 1994 to 2000 Paul Kagame was officially Vice President of Rwanda. In 2000 he was elected President by the National Assembly following the resignation of Pasteur Bizimungu. Then in 2003 he was elected President at the time of the general election and reelected in 2010. In fact Paul Kagame has held power since 1994.
Establishing the facts
investigative and trial observation missions

Through activities ranging from sending trial observers to organising international investigative missions, FIDH has developed, rigorous and impartial procedures to establish facts and responsibility. Experts sent to the field give their time to FIDH on a voluntary basis.

FIDH has conducted more than 1 500 missions in over 100 countries in the past 25 years. These activities reinforce FIDH’s alert and advocacy campaigns.

Supporting civil society
training and exchange

FIDH organises numerous activities in partnership with its member organisations, in the countries in which they are based. The core aim is to strengthen the influence and capacity of human rights activists to boost changes at the local level.

Mobilising the international community
permanent lobbying before intergovernmental bodies

FIDH supports its member organisations and local partners in their efforts before intergovernmental organisations. FIDH alerts international bodies to violations of human rights and refers individual cases to them. FIDH also takes part in the development of international legal instruments.

Informing and reporting
mobilising public opinion

FIDH informs and mobilises public opinion. Press releases, press conferences, open letters to authorities, mission reports, urgent appeals, petitions, campaigns, website... FIDH makes full use of all means of communication to raise awareness of human rights violations.
inhuman or degrading treatment or punishment. Article 6: Everyone has the right to recognition everywhere as a person before the law. Article 7: All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination. Article 8: Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law. Article 9: No one shall be subjected to arbitrary arrest, detention or exile. Article 10: Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him. Article 11: (1) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty.

ABOUT FIDH

FIDH takes action for the protection of victims of human rights violations, for the prevention of violations and to bring perpetrators to justice.

A broad mandate
FIDH works for the respect of all the rights set out in the Universal Declaration of Human Rights: civil and political rights, as well as economic, social and cultural rights.

A universal movement
FIDH was established in 1922, and today unites 178 member organisations in more than 100 countries around the world. FIDH coordinates and supports their activities and provides them with a voice at the international level.

An independent organisation
Like its member organisations, FIDH is not linked to any party or religion and is independent of all governments.

Find information concerning FIDH’s 178 member organisations on www.fidh.org