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[Home](#) [Rwanda](#)

Search

Text size

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[Advanced Search](#) | [Search Tips](#)

Regions

[Africa](#)[Americas](#)[Asia](#)[Europe](#)[Oceania](#)

Countries

Categories

[Country Information](#)[Legal Information](#)[Policy Documents](#)[Reference Documents](#)

Browse by

[A-Z Index](#)[Topics](#)[Publishers](#)[Document Types](#)

Resources

[Special Features](#)[Standards and Training](#)[Information Alerts](#)[Protection Starter Kit](#)[Library](#)[News](#)[Refworld Personalization](#)[External Links](#)

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Freedom in the World 2011 - Rwanda

Capital: Kigali**Population:** 10,400,000

Political Rights Score: 6 *

Civil Liberties Score: 5 *

Status: Not Free

Trend Arrow ↓

Rwanda received a downward trend arrow due to a severe crackdown on opposition politicians, journalists, and civil society activists in the run-up to a deeply flawed August 2010 presidential election.

Overview

In the lead-up to the August 2010 presidential election, the ruling Rwandan Patriotic Front (RPF) tightened its control over civic and political life. The government seriously increased restrictions on press freedom and party activity, while extralegal violence had a chilling effect on dissent. Journalists were threatened and assassinated, and some 30 newspapers, journals, and radio stations were suspended. All serious challengers for the presidency were prevented from running, leading to incumbent Paul Kagame's reelection.

Belgian colonial rule in Rwanda, which began after World War I, exacerbated and magnified tensions between the minority Tutsi ethnic group and the majority Hutu. A Hutu rebellion beginning in 1959 overthrew the Tutsi monarchy, and independence from Belgium followed in 1962. Hundreds of thousands of Tutsi were killed or fled the country in recurring violence over the subsequent decades. In 1990, the Tutsi-dominated Rwandan Patriotic Front (RPF) launched a guerrilla war from Uganda to force the Hutu regime, led by President Juvénal Habyarimana, to accept power sharing and the return of Tutsi refugees.

Habyarimana was killed when his plane was shot down near Kigali in April 1994. Hutu extremists immediately pursued the complete elimination of the Tutsi. During the genocide, which lasted approximately three and a half months, as many as a million Tutsi and moderate Hutu were killed. By July, however, the RPF had succeeded in taking control of Kigali and establishing an interim government of national unity.

The Hutu-dominated army and militia, along with as many as two million Hutu refugees, fled into neighboring countries, especially the Democratic Republic of Congo (DRC). These forces were able to retrain and rearm in the midst of international relief efforts to assist the refugees. The RPF responded by attacking refugee camps in the DRC in 1996.

Nearly three million refugees returned to Rwanda between 1996 and 1998 and were reintegrated

into society. Security improved considerably after 1997, although isolated killings and disappearances continued. The RPF-led government closely directed the country's political life. In 2000, President Pasteur Bizimungu, a moderate Hutu installed by the RPF, resigned and was replaced by Vice President Paul Kagame, a Tutsi.

Rwanda's extended postgenocide political transition officially ended in 2003 with a new constitution and national elections. The RPF's preeminent position – combined with a short campaign period, the advantages of incumbency, and a pliant political culture traumatized by the effects of the genocide – ensured victory for Kagame in the presidential vote and for the RPF and its allies in subsequent parliamentary elections. The largest opposition party, the Hutu-based Democratic Republican Movement (MDR), was declared illegal by the authorities before the elections for allegedly promoting ethnic hatred, as was a party created by Bizimungu in 2001.

A series of four parliamentary commissions between 2003 and 2008 investigated allegations of "genocide ideology" and "divisionism" in domestic and international nongovernmental organizations (NGOs), opposition political parties, the media, and schools. These commissions equated criticism of the RPF-led government with denial of the genocide, and made accusations against numerous individuals and organizations without recourse to due process, driving a number of government critics into exile and pushing some NGOs and political parties to curtail their activities. An August 2010 Amnesty International report on a 2004 law against "divisionism" and a 2008 law against "genocide ideology" indicated that they were overly broad and effectively criminalized legitimate dissent.

The RPF-led coalition handily won the 2008 parliamentary elections, taking 42 out of 53 elected seats in the lower house. Monitoring by a European Union observer team indicated that the actual RPF share of the vote was higher than reported, suggesting an attempt to make the elections appear more democratic.

In advance of the August 2010 presidential election, the government prevented two new political parties, the Democratic Green Party of Rwanda (DGPR) and the United Democratic Forces-Inkingi (FDU-Inkingi), from registering, keeping their presidential candidates off the ballot. The FDU-Inkingi's presidential candidate, Victoire Ingabire, and the party's general secretary and treasurer were arrested in March. The Social Party-Imberakuri was allowed to register, but its president and general secretary were also arrested in June. In July, DGPR vice president André Kagwa Rwisereka was assassinated. Although Kagame's name was not the only one to appear on the ballot, all serious challengers for the presidency were prevented from running. Kagame ultimately won reelection with 93 percent of the vote.

Special genocide courts continued to operate in 2010, trying those accused of more serious crimes that fell outside the jurisdiction of grassroots *gacaca* courts, which had officially completed their genocide-related cases in 2009. Thousands of accused remained in detention awaiting trial in the special genocide courts. By the end of 2010, the International Criminal Tribunal for Rwanda (ICTR) had arrested 81 individuals and completed cases against 50, with cases against 24 individuals ongoing. Meanwhile, charges against RPF officials have been leveled in both Spain and France for war crimes allegedly committed during the genocide. The February 2010 attempted assassination in South Africa of exiled Rwandan general Faustin Kayumba Nyamwasa, a former Kagame ally, strained relations between the two countries, though the RPF denied involvement.

With considerable international aid, Rwanda has improved earnings from coffee exports and increased grain and potato production, helping to maintain an economic growth rate of 7.5 percent in 2010. However, economic development has been unevenly distributed.

Political Rights and Civil Liberties

Rwanda is not an electoral democracy. International observers noted that the 2010 presidential and 2008 parliamentary elections, while administratively acceptable, presented Rwandans with only a limited degree of political choice. The 2003 constitution grants broad powers to the president, who can serve up to two seven-year terms and has the authority to appoint the prime minister and dissolve the bicameral Parliament. The 26-seat upper house, the Senate, consists of 12 members elected by regional councils, 8 appointed by the president, 4 chosen by a forum of political parties, and 2 representatives of universities, all serving eight-year terms. The Chamber of Deputies, or lower house, includes 53 directly elected members, 24 women chosen by local councils, 2 from the National Youth Council, and 1 from the Federation of Associations of the Disabled; all serve five-year terms.

The constitution officially permits political parties to exist, but only under strict controls. The charter's emphasis on "national unity" effectively limits political pluralism. The RPF dominates the

political arena, and parties closely identified with the 1994 genocide are banned, as are parties based on ethnicity or religion. These restrictions have been used to ban other political parties that might pose a challenge to RPF rule. In effect, only parties closely allied with the RPF are allowed to function. The constitutionally mandated Political Party Forum vets proposed policies and draft legislation before they are introduced in Parliament. All parties must belong to the forum, which operates on the principle of consensus, though in practice the RPF guides its deliberations. Parliament generally lacks independence, merely endorsing government initiatives. However, parliamentary committees have begun to question ministers and other executive branch officers more energetically, and some of these deliberations are reported in the local press.

Government countermeasures have helped limit corruption, though graft remains a problem. A number of senior government officials in recent years have been fired and faced prosecution for alleged corruption, embezzlement, and abuse of power, including the director of the National Institute of Statistics and permanent secretaries in the Ministries of Infrastructure and Education. Government institutions focused on combating corruption include the Office of the Ombudsman, the auditor general, and the National Tender Board. Rwanda was ranked 66 out of 178 countries surveyed in Transparency International's 2010 Corruption Perceptions Index.

The RPF has imposed numerous legal restrictions and informal controls on the media, and press freedom groups have accused the government of intimidating independent journalists. In April 2010, the two most important independent newspapers, *Umuko* and *Umuwugizi*, were banned for six months; their editors subsequently fled the country following death threats. In June, the deputy editor of *Umuwugizi*, Jean-Léonard Rugabage, was murdered outside his home after he reported in the newspaper's online edition about the assassination attempt on General Faustin Kayumba Nyamwasa. Two journalists from *Umurabyo* were arrested in July on charges of insulting the president and denying the genocide. Later that month, the High Council of the Media – a quasi-governmental regulatory body – suspended almost 30 newspapers, journals, and radio stations, some of which did not subsequently reopen. By year's end, the government no longer allowed any independent media capable of criticizing it to function in Rwanda. Authorities do not restrict access to the internet, and while access is limited by cost and infrastructure, internet penetration is growing.

Religious freedom is generally respected, though relations between religious leaders and the government are sometimes tense, in part because of the involvement of clergy in the 1994 genocide.

Fear among teachers and students of being labeled "divisionist" restrains academic freedom. After the 2004 and 2008 parliamentary commission reports on "divisionism," numerous students and teachers were expelled or dismissed without due process. An August 2010 Amnesty International report indicated that the 2008 law against "genocide ideology" continued to stifle academic freedom. The crackdown ahead of the 2010 presidential election also severely stifled general free discussion, with the Department of Military Intelligence closely monitoring the population.

Although the constitution codifies freedoms of association and assembly, in reality these rights are limited. Only progovernment demonstrations were allowed in the period before the 2010 presidential poll. Some NGOs have complained that registration and reporting procedures are excessively onerous, and activities that the government defines as "divisive" are prohibited. Several organizations have been banned in recent years, leading others to refrain from criticizing the RPF. However, most civil society organizations that are not focused on sensitive subjects, such as democracy and human rights, function without direct government interference.

The constitution provides for the rights to form trade unions, engage in collective bargaining, and strike. Public workers are not allowed to unionize, and the list of "essential services," in which strikes are not allowed, is excessively long. The 2009 labor code improved worker rights, though the government continues to pressure unions in subtle and indirect ways. Despite these problems, the International Trade Union Confederation reported in 2010 that relations between the government and unions had improved since the first union elections in 2007.

The judiciary has yet to secure full independence from the executive, though recent improvements in the judicial system include an increased presence of defense lawyers at trials, improved training for court staff, and revisions to the legal code. The *gacaca* courts have faced criticism from legal experts because of government interference and their failure to address genocide-era crimes allegedly committed by the RPF. An estimated 1.5 million cases were tried in the *gacaca* courts between 2002 and 2010. These courts routinely try politically motivated cases against journalists, civil society activists, and opposition politicians. While their behavior does

not appear to reflect official policy, individual police officers sometimes use excessive force, and local officials periodically ignore due process protections.

Equal treatment under the law is guaranteed, and legal protections against discrimination have increased in recent years. A national identity card is required when Rwandans wish to move within the country, but these are issued regularly.

The 2003 constitution requires women to occupy at least 30 percent of the seats in each chamber of Parliament. Women won 56 percent of seats in the lower house in the 2008 elections. Both the speaker of the lower house and chief justice of the Supreme Court are women. Legislation has strengthened women's rights to inherit land. Despite these improvements, de facto discrimination against women continues.

** Countries are ranked on a scale of 1-7, with 1 representing the highest level of freedom and 7 representing the lowest level of freedom.*

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