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IRB – Immigration and Refugee Board of Canada

Rwanda: Treatment of people who have opposed the Rwandan government in the past, including their family members (2000–July 2021) [RWA200729.E]

Research Directorate, Immigration and Refugee Board of Canada

1. Treatment of Political Opponents by the Authorities

Sources indicate that the ruling Rwandan Patriotic Front (RPF) led by President Paul Kagame has targeted political dissidents, journalists, and human rights activists, including Rwandans residing abroad (Wrong 23 July 2021; Bertelsmann Stiftung 2020, 10–11, 13).

Sources stated that both Hutu and Tutsi critics of the government have been targeted (Associate Teaching Professor 28 July 2021; Associate Professor 26 July 2021; Professor of political science 4 Aug. 2021). In an interview with the Research Directorate, a professor of political science and international relations at Boston University whose research focuses on state-society relations in Africa reported that although both Hutu and Tutsi have been targeted, Hutu typically face "greater scrutiny" (Professor of political science 4 Aug. 2021).

According to sources, the authorities can suppress "any" political dissension (Freedom House 3 Mar. 2021, overview, Sec. C3; Bertelsmann Stiftung 2020, 6, 9–10), including through "pervasive surveillance, intimidation, rendition, torture, and suspected assassinations" (Freedom House 3 Mar. 2021, overview, Sec. C3) or demotion, detention or forcing an individual to leave Rwanda (Bertelsmann Stiftung 2020, 6, 9–10). In correspondence with the Research Directorate, a professor of African history and political studies who is retired from France's Centre national de la recherche scientifique (CNRS), who is also a fellow of the Atlantic Council (Washington, DC) and has authored two books on the Rwandan genocide, stated that physical violence including "murder, beatings and detention" against political opponents is "now more rare" than before, and that common treatment includes

confiscations of property ... harassment (physical and via phone or internet), financial prosecution, harassment of relatives, deprivation of legal documents, temporary detention without causes followed by release without explanation, prosecution for non-existent crimes, spying on mail and e-mail correspondence, threats to relatives living abroad ... housebreaking, stalking and other general measures designed to make ... life difficult. (Professor of African history 6 Aug. 2021)

Sources report that some government critics and political opponents have been accused by the government of spreading "divisionism" or "genocidal ideology" (HRW 30 Mar. 2021; Associate Professor 26 July 2021). Bertelsmann Stiftung's Transformation Index (BTI) 2020, which "assesses the transformation toward democracy and a market economy as well as the quality of governance in 137 countries," indicates that "[t]he judiciary is the tool by which the government perpetuates authoritarian rule by prosecuting opponents and critics" (Bertelsmann Stiftung 2020, 2, 11). Sources reported that genocide-related accusations can sometimes be used against an opponent, but can, in other cases, be legitimate (Associate Professor 26 July 2021; Mudge 29 July 2021).

According to sources, Rwandan political opponents have been targeted by Pegasus spyware produced by the [Israeli surveillance company (Amnesty International 19 July 2021)] NSO Group (Wrong 23 July 2021; FT 29 Oct. 2019). The Professor of political science reported that Rwanda is one of the "most aggressive" users of NSO Group's spyware technology (Professor of political science 4 Aug. 2021). A 2021 Amnesty International article citing evidence gathered by Forbidden Stories, a France-based non-profit journalist network promoting collaborative investigations (Forbidden Stories n.d.), with technical support from Amnesty International, reports that since 2016, Rwandan authorities have used NSO Group's Pegasus spyware to target over 3,500 phone numbers belonging to "activists, journalists, political opponents, foreign politicians, and diplomats" (Amnesty International 19 July 2021).

2. Treatment of People Who Opposed the Rwandan Government in the Past

In an interview with the Research Directorate, a senior lecturer of history at the University of Glasgow, who has conducted research on the Rwandan genocide, reported that the Rwandan government maintains an interest in the activities of any vocal critic of the RPF and Kagame, past or present, or anyone working in the field of human rights (Senior Lecturer 2 Aug. 2021). Sources reported that once a person is perceived as a political opponent by the government, it is difficult to shed this label (Mudge 29 July 2021; Professor of political science 4 Aug. 2021).

Sources reported that the passage of time does not diminish the risk faced by political opponents of the government (Associate Teaching Professor 28 July 2021; Mudge 29 July 2021; Professor of political science 4 Aug. 2021). The Senior Lecturer indicated that the authorities keep watching individuals "in a lot of cases," and the situation could escalate over "any minor infraction" (Senior Lecturer 2 Aug. 2021). In correspondence with the Research Directorate, an Associate Teaching Professor at Iowa State University who has conducted research on the RPF reported that, based on their research and follow-up interviews with known critics of the RPF, these individuals faced difficulties accessing employment, education and health care resources, and were "constantly harassed" by authorities (Associate Teaching Professor 28 July 2021). However, in an interview with the Research Directorate, an associate professor of anthropology at a university in the US reported that the treatment depends on whether the person remains in opposition and continues to publicly criticize the Rwandan government, how they opposed the government in the past, and whether they maintain a high profile (Associate Professor 26 July 2021).

According to the Senior Lecturer, if an individual stops criticizing the government after being called in for questioning by the police, it is "possible" for the person to continue on with their lives, but they would be kept under surveillance for "a long period of time" (Senior Lecturer 2 Aug. 2021). The same source indicated that if the individual does not silence their criticism at that point, their situation "can escalate quite quickly" and result in "prison time" (Senior Lecturer 2 Aug. 2021). In a phone interview with the Research Directorate, Lewis Mudge, the Central Africa Director of Human Rights Watch (HRW), indicated that there are cases of former political elites who faced repression that have since limited their political activities and are no longer "in danger of being disappeared," provided they maintain self-censorship (Mudge 29 July 2021). The Professor of political science noted that government critics who are "rehabilitated" through self-censorship are "rare" (Professor of political science 4 Aug. 2021). Mudge indicated that if a political opponent wants to remain in Rwanda, they must stay quiet (Mudge 29 July 2021). According to the Professor of African history, political opponents "never get to a safe situation" and their situation can "flare up anytime for any reason" (Professor of African history 6 Aug. 2021). In correspondence with the Research Directorate, a country of origin information (COI) expert on Rwanda, who authored a book on the RPF, reported that there is "a growing number" of Tutsi and Hutu who "acquiesc[ed]" or "submit[ted]" to the government while they remained in Rwanda, but are targeted when they flee Rwanda, since they are no longer under the government's control (COI Expert 4 Aug. 2021).

Freedom House reports that the Rwandan government has targeted political opponents abroad, including former high-level members from Kagame's government (Freedom House Feb. 2021, 23). The Associate Professor indicated that the former members of the RPF, who leave Rwanda and criticize the RPF, President Kagame or other government officials, including officers in the Rwandan Defence Force, would be "most seriously pursued" by the government (Associate Professor 26 July 2021). Sources indicate that the government focuses on former RPF insiders because they can challenge state narratives (Freedom House Feb. 2021, 23; Professor of political science 4 Aug. 2021). In correspondence with the Research Directorate, a PhD candidate in the department of political science at Tulane University who studies Rwandan elite politics and the government's mechanisms of repression, reported that the government has also targeted some "business elites" given their "larg[e] platform from which to challenge the regime," and "individuals with knowledge of the RPF's business dealings (through Crystal Ventures, Prime Holdings Ltd., Horizon Group, etc.)" are also "common targets" (PhD candidate 16 Aug. 2021).

When asked whether the Rwandan government would continue to target a political opponent who criticized the Rwandan government 10, 15, or 20 years ago, the Senior Lecturer responded that if the individual has a high level of "political subversion," they would still be targeted, and it is "probably not safe [for them] to return" to Rwanda (Senior Lecturer 2 Aug. 2021). The COI Expert reported that people who witnessed RPF crimes during and after the genocide, but who are not cooperating with the Rwandan government or Rwandan embassy officials are "particularly vulnerable or at risk" (COI Expert 4 Aug. 2021).

The Associate Professor reported that someone with a low profile is "probably less likely" to be pursued over time (Associate Professor 26 July 2021). The Senior Lecturer indicated that an activist who focused on a single issue may be able to return to Rwanda, but it "depends on the particular issue" and there is also a tendency to assume that someone who has challenged the government over one issue "might be likely" to challenge the government on another issue (Senior Lecturer 2 Aug. 2021). The Professor of political science indicated that it is not only high-profile opponents that

are targeted by the government, but rather that "everyone feels watched and is scared" and that individuals "at the grassroots" level are also regularly arrested or go missing (Professor of political science 4 Aug. 2021).

The Senior Lecturer reported that Rwandan-born Tutsi genocide survivors can sometimes be targeted by the government because of their different experience of the genocide from those within the RPF, and some have been "demoted" or "imprisoned" (Senior Lecturer 2 Aug. 2021).

Sources reported that individuals who were abroad and have returned to Rwanda [or have been deported back to Rwanda (Senior Lecturer 2 Aug. 2021)] are viewed with suspicion upon their return (Professor of political science 4 Aug 2021; Senior Lecturer 2 Aug. 2021).

2.1 Examples of Treatment of People Who Have Opposed the Rwandan Government in the Past

2.1.1 Paul Rusesabagina

According to sources, Paul Rusesabagina is a ["prominent" (HRW 10 Sept. 2020)] long-time "critic" of the RPF (HRW 10 Sept. 2020; Wrong Mar. 2021, 454). Sources indicate that Rusesabagina has not lived in Rwanda since 1996, when he fled the country (Freedom House Feb. 2021, 24; AP 14 Sept. 2020; AFP 25 Sept. 2020). The Associate Professor reported that Rusesabagina was critical of the Rwandan government in the past and has remained consistently critical as of July 2021 (Associate Professor 26 July 2021). Sources report that Rwandan authorities "lure[d]" Rusesabagina to Rwanda (*The New York Times* 27 May 2021; Associate Professor 26 July 2021). Sources note that in August 2020, Rusesabagina was arrested in Rwanda (*The New York Times* 27 May 2021; HRW 10 Sept. 2020; AP 14 Sept. 2020). Sources indicate that Rusesabagina has been charged with multiple crimes, including terrorism (*The New York Times* 27 May 2021; AP 14 Sept. 2020; Associate Professor 26 July 2021), forming an armed rebel group (AP 14 Sept. 2020; Associate Professor 26 July 2021), arson (*The New York Times* 27 May 2021; Associate Professor 26 July 2021), abduction, and armed robbery (Associate Professor 26 July 2021). According to sources, Rusesabagina co-founded (HRW 10 Sept. 2020), or is the president of (Freedom House Feb. 2021, 24), the Rwandan Movement for Democratic Change (Mouvement rwandais pour le changement démocratique, MRCD), a coalition of opposition groups (HRW 10 Sept. 2020; Freedom House Feb. 2021, 24). Sources indicate that the MRCD has an armed wing called the National Liberation Forces (Forces de libération nationale, FLN) (HRW 10 Sept. 2020; AFP 25 Sept. 2020; Freedom House Feb. 2021, 24).

2.1.2 Kizito Mihigo

According to sources, in February 2020 the popular gospel singer Kizito Mihigo was found dead in police custody, after being arrested while trying to cross the Burundi border (HRW 17 Feb. 2021; Wrong Mar. 2021, 437–438). Sources report that Mihigo's death was deemed a suicide, but many considered this to be unlikely (Wrong Mar. 2021, 438; Senior Lecturer 2 Aug. 2021). In an interview with HRW, Mudge stated that the Rwandan government's targeting of Mihigo dates to 2014, when he released a song that challenged the official narrative of the 1994 genocide (HRW 17 Feb. 2021). According to a February 2020 BBC article, in 2015 Mihigo was convicted of planning to assassinate President Paul Kagame and sentenced to 10 years in prison; he was pardoned in 2018 (BBC 17 Feb. 2020). In the HRW interview, Mudge stated that after Mihigo's release from prison, "[v]ery high-level people were pressuring him into giving false testimony against political dissidents" and he felt his life was "in danger" (HRW 17 Feb. 2021). The same source also reported that "up until the end," Mihigo had been attempting to reveal cases of "torture" in the country's detention centers (HRW 17 Feb. 2021).

2.1.3 Kayumba Nyamwasa

According to an opinion article by Michela Wrong, a journalist and author who writes about Africa (*The Guardian* n.d.), published in the *Guardian*, Kayumba Nyamwasa who co-founded the opposition group Rwanda National Congress (RNC) was notified in 2019 by the software application WhatsApp that his phone had been compromised by NSO Group's Pegasus spyware (Wrong 23 July 2021).

Sources report that in 2011 Nyamwasa was sentenced in absentia to approximately 20 years in prison on charges including threatening state security (Freedom House Feb. 2021, 23; BBC 22 Sept. 2011). According to Freedom House, Nyamwasa reported that he has been targeted for assassination on at least four occasions as of 2019 (Freedom House Feb. 2021, 23). Wrong indicates that Nyamwasa survived "repeated" assassination attempts in South Africa where he has relocated (Wrong 23 July 2021).

3. Treatment of the Family Members of People Who Have Opposed the Rwandan Government in the Past

Sources report that the Rwandan government targets family members to control Rwandans residing abroad (Freedom House Feb. 2021, 25; Professor of political science 4 Aug. 2021). The same sources indicate that family members can face "harassment" (Freedom House Feb. 2021, 25; Professor of political science 4 Aug. 2021) or "intimidation" (Freedom House Feb. 2021, 25). In an interview with the Research Directorate, Lewis Mudge indicated there have been cases of "acute pressure" on

family members of political opponents who have left Rwanda (Mudge 29 July 2021). According to the Senior Lecturer, targeted family members face a "standard pattern of escalation" from authorities, which goes from "surveillance and detainment, to potential torture" (Senior Lecturer 2 Aug. 2021). The Associate Professor reported that overseas family members who return home might be detained, charged with crimes, or prevented from leaving the country (Associate Professor 26 July 2021).

Sources indicate that fears over the safety of family members back in Rwanda are common concerns amongst Rwandans abroad who feel targeted by the government (Freedom House Feb. 2021, 25; Associate Professor 26 July 2021). The Associate Professor reported that the "general perception" is that if a political opponent stays in Rwanda, their family members are "not typically targeted" (Associate Professor 26 July 2021). The Professor of political science, however, indicated that family members will not be spared just because the opponent has remained in Rwanda (Professor of political science 4 Aug. 2021).

Sources reported that opponents' spouses are common targets (Associate Professor 26 July 2021; Senior Lecturer 2 Aug. 2021). The Associate Professor provided an example of a Rwandan human rights activist living in the US, whose wife returns to Rwanda occasionally and finds herself "closely monitored by people she assumes are intelligence officials or Rwandan government" (Associate Professor 26 July 2021). According to the Senior Lecturer, siblings have also been targeted (Senior Lecturer 2 Aug. 2021). Mudge reported that the brother-in-law of a former high profile government official was detained, questioned, and physically assaulted (Mudge 29 July 2021). The Associate Professor reported that children are also likely to be targeted (Associate Professor 26 July 2021). The Senior Lecturer indicated that while they were not aware of small children being directly targeted, the "shadow" of the actions of the political opponent "hangs over" their adult children or grandchildren (Senior Lecturer 2 Aug. 2021).

The Senior Lecturer reported that the "closer the affiliation" one has to a political opponent, "the more likely" one is to be targeted themselves (Senior Lecturer 2 Aug. 2021). The Professor of political science stated that family members must keep a low-profile, as they are "more likely to face trouble" from the authorities stemming from "any missteps" (Professor of political science 4 Aug. 2021). The COI Expert indicated that the government views family members of opponents as "pressure points" that can be used by the authorities to "influenc[e] or [break]" the political opponent (COI Expert 4 Aug. 2021).

According to the Associate Teaching Professor, the targeting of an opponent's family members does not diminish over time (Associate Teaching Professor 28 July 2021). Mudge, however, reported that after "an acute period of real harassments and threats and fears," the treatment of the family member would "dissipate into a more bureaucratic harassment" including difficulty maintaining or finding employment, sudden accusations of tax fraud, and confiscation of property (Mudge 29 July 2021). Sources noted that family members of political opponents remain under surveillance (Professor of political science 4 Aug. 2021; Professor of African history 6 Aug. 2021), even after ten years (Professor of political science 4 Aug. 2021). The Professor of political science reported that the authorities "are always going to be aware" of the family and are "looking for infractions to seize upon" (Professor of political science 4 Aug. 2021).

The Senior Lecturer reported that in the case of low-profile political opponents, the treatment of family members is "not so extreme" (Senior Lecturer 2 Aug. 2021). The same source added, however, that "a fear of persecution" and anxieties of diminished livelihoods for these people remain (Senior Lecturer 2 Aug. 2021). The Senior Lecturer added that the family members of high-profile political opponents can face "pressure" from the authorities, including receiving phone calls, whenever the media reports on the political opponent (Senior Lecturer 2 Aug. 2021). The same source adds that authorities will also call family members of Rwandan academics when those scholars write "the wrong way" (Senior Lecturer 2 Aug. 2021).

3.1 Examples of Treatment of Family Members of People Who Opposed the Rwandan Government in the Past

3.1.1 Daughter of Paul Rusesabagina

Amnesty International reports that Carine Kanimba, the daughter of Paul Rusesabagina, has had her phone compromised by NSO Group's Pegasus spyware (Amnesty International 19 July 2021). In an interview with Kanimba's sister, the Guardian reports that both her and her family suspected their emails were also being monitored by Rwandan authorities (The Guardian 19 July 2021). According to Amnesty International, several of Rusesabagina's associates were also targeted by Pegasus spyware (Amnesty International 19 July 2021).

3.1.2 Nephew of Patrick Karegeya

According to the Financial Times (FT), a global business publication, David Batenga, whose uncle, Patrick Karegeya, was a former Rwandan intelligence chief and a founder of the RNC before his murder in 2014, had his phone hacked by the NSO Group's Pegasus spyware (FT 29 Oct. 2019).

Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

3.1.3 Daughters of Deo Nyirigira

According to Amnesty International, Deo Nyirigira is a pastor living in Uganda, who fled Rwanda in 2001 "citing persecution" (Amnesty International 20 Dec. 2019). CNN reports that Nyirigira was a "prominent" member of the RPF (CNN 24 Dec. 2019). Sources report that he is accused of supporting the RNC (CNN 24 Dec. 2019) or recruiting for the RNC (Amnesty International 20 Dec. 2019). According to Amnesty International, since Nyirigira's daughters Lilian Umutohi, Axelle Umutesi, and Jackie Umuhiza returned to Rwanda in 2013, 2014, and 2016, respectively, they have been "repeatedly" questioned by authorities about his activities dating back to late 2017 and were arrested and held for one week in March 2019, and had their Ugandan national identity cards and passports seized (Amnesty International 20 Dec. 2019). According to sources, all three daughters were arrested on 27 November 2019; while two of the daughters were released the following day, Jackie Umuhiza remained in detention on suspicion of treason and espionage as of December 2019 (Amnesty International 20 Dec. 2019; CNN 24 Dec. 2019). CNN indicates that all three sisters have been fired from their jobs since their arrest (CNN 24 Dec. 2019).

3.1.4 Brothers of Noël Zihabamwe

Sources report that in September 2019 Jean Nsengimana and Antonine Zihabamwe, the brothers of Sydney-based Rwandan refugee and human rights activist Noël Zihabamwe, were abducted by Rwandan police while riding a bus and have been missing since (ABC 17 Oct. 2020; Australian Human Rights Institute 4 June 2021). According to sources, Noël Zihabamwe, an Australian citizen, believes his brothers were arrested because he refused to act as an agent of influence for the Rwandan government in Australia (ABC 17 Oct. 2020; Australian Human Rights Institute 4 June 2021; The Sydney Morning Herald 12 Oct. 2020). According to a 2021 article by the Australian Human Rights Institute, since Zihabamwe publicly discussed his brother's arrest, his family in Rwanda has been "harassed, intimidated and questioned by the authorities" (Australian Human Rights Institute 4 June 2021).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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studies memory, trauma, and narrative in postcolonial African culture; professor of government at a university in Massachusetts who studies ethnicity and the state in Africa; UN – UNHCR, representation in Rwanda.

Internet sites, including: Al Jazeera; Belgium – Commissariat général aux réfugiés et aux apatrides; ecoi.net; Factiva; Fédération internationale pour les droits humains; Fondation Hirondele – Justice Info; France – Office français de protection des réfugiés et apatrides; *Foreign Policy*; *The EastAfrican*; *The Globe and Mail*; *Political Handbook of the World 2018-2019*; Reuters; UN – Refworld; US – Department of State; Voice of America.

ecoi.net summary:



Query response on
Rwanda: Treatment of political
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