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State of the World's Minorities and Indigenous Peoples 2012 - Rwanda

In 2011, a landmark visit by the UN Independent Expert on Minority Issues, as well as examinations by the UN Committee for the Elimination of Racial Discrimination (CERD) and the Universal Periodic Review (UPR) process, highlighted key concerns about treatment of the Batwa community. The Batwa number around 33,000, or roughly 1 per cent of Rwanda's population; according to the Independent Expert, they live 'in conditions of great hardship and poverty on the margins of mainstream society'.

In the aftermath of the 1994 genocide, in which as many as 800,000 to 1 million people – a large part of the country's minority Tutsi population, along with Batwa and moderate Hutus – were killed, the Rwandan government undertook to promote reconciliation between the ethnic groups by constitutionally outlawing ethnic distinctions. However, experts noted that the government's refusal to recognize the existence of minority or indigenous groups has had a negative impact, contravening international standards by which ethnicity can be recognized on the basis of self-identification and undermining official efforts to address inequalities.

Specifically, CERD voiced concern at the weak impact of government measures to help Batwa, who continue to suffer poverty and discrimination with regard to access to education, housing, social services and employment; and at the failure to replace lands expropriated from them for the creation of nature reserves, disrupting their traditional lifestyles.

One area of controversy in late 2010 and 2011 was the official 'Bye Bye Nyakatsi' programme for replacing traditional thatched roof houses with iron-roofed ones. While

the government described the programme as an effort to ensure adequate housing for all, experts argued that it affected Batwa disproportionately due to their frequent use of traditional building methods, and that it had in the short-term appeared to leave many without shelter.

Dealing with the legacy of the genocide

CERD, the Independent Expert and the UPR outcomes all expressed concern about vaguely worded laws prohibiting 'genocide ideology' and 'divisionism'. Though the authorities pledged to review the laws, they continued to be used to prosecute government critics, including journalists and opposition politicians, for what in many cases appeared to be the simple exercise of free speech.

The International Criminal Tribunal for Rwanda (ICTR) continued to prosecute those responsible for genocide and other serious violations of international humanitarian law during 1994. At the end of 2011 there was one person awaiting trial, three cases in progress, 44 completed cases, and nine accused still at large. A female former government minister, four senior military commanders and two leaders of the dominant political party in 1994 were among those found guilty and sentenced during 2011. For the first time, in 2011 three cases were transferred from the ICTR to Rwandan jurisdiction.