

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	60
Land:	Rwanda
Kilde:	Amnesty International
Titel:	"Amnesty International report 2007 the state of the world's human rights"
Udgivet:	30. maj 2007
Optaget på baggrundsmaterialet:	30. maj 2007

you need a style #id for tooltiphover

you need a style #id for tooltiphover



[Blog](#)



[Homepage](#) > [Africa](#) > Rwanda

RWANDA

REPUBLIC OF RWANDA

Head of state: Paul Kagame

Head of government: Bernard Makuza

Death penalty: retentionist

International Criminal Court: not ratified

The government maintained tight control over all sections of civil society, whose work was conducted in a climate of fear and suspicion. Trials continued of people suspected of involvement in the 1994 genocide. There were concerns about the fairness of some of the trials. Several thousand detainees were held in long-term detention without trial in harsh conditions. Six hundred people remained on death row.

Background

The international community continued to depict post-genocide Rwanda as a success story. However, the authorities failed to provide basic health care and education to communities which were excluded from local governance. Cross- and inter-ethnic tensions persisted in the country.

In November, diplomatic tensions between Kigali and Paris reached crisis point after a French judge issued international arrest warrants for nine close aides of Rwandan President Paul Kagame.

Independent journalists under attack

Journalists were subjected to intimidation, harassment and violence. The authorities failed to conduct independent and impartial investigations into attacks or threats against journalists. The authorities repeatedly denied that there were restrictions on freedom of expression in Rwanda, accusing independent journalists of "unprofessionalism".

- Bonaventure Bizumuremyi, the news editor of Umuco, reportedly had his home in Kigali ransacked in January by four men armed with clubs and knives. Before this attack, Umuco had criticized the ruling party for ineptitude and for allegedly controlling the judiciary.

The judicial system remained compromised and regularly enforced laws that curtailed free expression.

- In August, the High Court upheld a suspended sentence of one year in prison and a fine imposed on Charles Kabonero, editor of Umuseso, for "public insult". In 2004, Umuseso had questioned the integrity of the parliamentary Deputy Speaker, Denis Polisi.

Human rights defenders

In June 2006, the National Commission for Human Rights released its 2005 annual report in Kinyarwanda. According to national newspapers, this report, which was supported by some Rwandan human rights organizations, showed a 95 per cent improvement in the human rights situation since 2004.

However, some human rights defenders said that their work was under intense scrutiny by the authorities, that freedom of expression remained severely controlled since the 2004 clampdown on human rights organizations, and that self-censorship was widespread.

At the end of 2006, parliament was working on a new bill to strengthen government control over the activities and publications of non-governmental organizations.

Genocide trials

Trials continued under the gacaca system - a community-based system of tribunals established in 2002 to try people suspected of crimes during the 1994 genocide. Concerns about the fairness of the gacaca system included a perceived lack of impartiality and reports that defendants were not allowed to defend themselves either during the information retrieval process prior to the trial or during the trial itself. In addition, the information-retrieval phase was reportedly controlled by grass-roots authorities (nyumbakumi) although the law assigned responsibility to the gacaca judges themselves.

Poorly qualified, ill-trained and corrupt gacaca judges in certain districts fuelled widespread distrust of the gacaca system.

- In Munyaga (Rwamagana district, East province) a judge reportedly visited people who had been summoned for questioning and asked them for money in return for an acquittal. In the same district, two people were sentenced to 30 years' imprisonment, despite doubts over their involvement in the genocide.

According to reports from local authorities and genocide survivors' associations, in the East province some genocide survivors were subject to intimidation, harassment and assault before testifying before a gacaca court.

- In November, at Rukumberi (Ngoma district, East province) Frédéric Musarira, a genocide survivor, was allegedly killed by a man who had recently been released from prison after confessing his involvement in the genocide. In retaliation, genocide survivors in the area reportedly killed at least eight people.

Rwandans fled the gacaca system to neighbouring countries throughout 2006. Some were afraid that the tribunals would expose their involvement in the genocide. Others fled out of fear of false accusations.

Approximately 20,000 Rwandan asylum-seekers fled from southern Rwanda to Burundi early in the year, according to the UN refugee agency UNHCR. The common issues forcing them to flee were persecution by local authorities, drought conditions and gacaca court summonses.

In July, further groups of Rwandans fled from the East province to avoid the gacaca system, including 40 people from Munyaga, Rwamagana district, who entered Uganda.

Pre-trial detention

Several thousand detainees remained incarcerated on a long-term basis without trial. Approximately 48,000 detainees were awaiting trial for alleged participation in the genocide.

- Dominique Makeli, a former journalist for Radio Rwanda, remained in detention without trial after almost 12 years. The charges against him have repeatedly changed. The authorities' latest accusation was that in 1994 he had incited genocide in a programme for Radio Rwanda in 1994.

- Two Catholic nuns, Sisters Bénédicte Mukanyangezi and Bernadette Mukarusine, remained in detention without trial after more than 12 years.

Prison conditions

Approximately 69,000 people were reportedly held in prisons during 2006. All prisons were overpopulated with the exception of Mpanga Prison. For example, Gitarama prison reportedly held 7,477 detainees although its official capacity

was 3,000.

Detention conditions remained extremely harsh and amounted to cruel, inhuman or degrading treatment. Underground cells were reported to exist in some prisons and detention centres.

- At least 50 people were reportedly held in harsh and insanitary conditions in an underground cellar in Gitarama prison for more than a year. These prisoners were seldom allowed to go outside.

Death penalty

Six hundred prisoners remained on death row. The last execution was carried out in 1998. In October, the political bureau of the ruling party strongly recommended abolishing the death penalty. The continued existence of the death penalty constituted one of the main obstacles preventing the transfer to Rwanda's national jurisdiction of detainees held by the International Criminal Tribunal for Rwanda (ICTR) or indicted genocide suspects living abroad.

Investigations of genocide and war crimes

The Commission of Inquiry set up in April 2005 to investigate the alleged role of the French military in the genocide started work in April 2006.

In May, the Rwandan Prosecutor General compiled a new list of 93 genocide suspects said to be living abroad. Concerns were raised over the accuracy of this list, as some of those named had apparently died, or were not in the named country. Few foreign governments initiated judicial proceedings against alleged Rwandan genocide suspects residing, sometimes under false identities, in their countries.

In November, a French judge investigating the shooting down of former President Habyarimana's plane in 1994 issued international arrest warrants for nine high-ranking Rwandan officials. He also requested that the ICTR issue an indictment for President Paul Kagame's arrest for his involvement.

The investigation by a Spanish judge into the murder of Spanish nationals and other crimes committed between 1990 and 2002 in Rwanda was reportedly completed. The investigation focused on the direct involvement of 69 members of the Rwandan Patriotic Front (RPF), some of whom were high-ranking figures in the military.

International Criminal Tribunal for Rwanda

Trials of prominent genocide suspects continued before the ICTR, which held 56 detainees at the end of 2006. Nine trials, involving multiple and single defendants, were ongoing. Seven cases were concluded in 2006. Two detainees were acquitted and the others were sentenced to terms of imprisonment. One case was pending appeal. Eighteen suspects indicted by the ICTR were still at large.

The ICTR was mandated by the UN Security Council to complete all trials by the end of 2008. It ceased to issue indictments for individuals suspected of involvement in genocide, war crimes and crimes against humanity in Rwanda.

Since its inception, the ICTR has tried only members and supporters of the government in place in April 1994. It did not fully implement its mandate by investigating all war crimes and crimes against humanity committed in 1994, notably those committed by the RPF.

Update: enforced disappearances

Augustin Cyiza, a prominent member of civil society, was reportedly a victim of enforced disappearance in 2003 during the run-up to elections. Rwandan officials denied knowledge of his whereabouts in 2005, but sources claimed he had been abducted and killed.

Léonard Hitimana, a member of the Transitional National Assembly, disappeared in April 2003. In April 2006, the President of the National Commission for Human Rights stated that the investigation into his case was confidential, and that results would be released in due course. The fate of Léonard Hitimana remained unknown.

Political prisoners

Pasteur Bizimungu, former President of Rwanda, and Charles Ntakirutinka were sentenced to 15 and 10 years'

imprisonment respectively in 2005 on charges of inciting civil disobedience, associating with criminal elements and embezzlement of state funds. Both men had, prior to their arrest, launched a new political party, the Democratic Party for Renewal (Parti Démocratique de Renouveau, PDR-Ubuyanja). Many human rights observers considered that their prosecution was an attempt to eliminate political opposition. They were held at the Central Prison, Kigali.

AI country reports/visits

Statements

- Rwanda: Freedom of expression under attack (AI Index: AFR 47/002/2006)
- Rwanda: Reports of extrajudicial executions in Mulindi military detention centre must be independently investigated (AI Index: AFR 47/004/2006)
- Rwanda: Appeal to the UN Security Council to ensure that the mandate of the International Criminal Tribunal for Rwanda is fulfilled (AI Index: IOR 40/045/2006)

Visit

AI delegates visited Rwanda in October.

Article tags : [Africa](#) , [Rwanda](#) , [death penalty](#) , [enforced disappearances](#) , [journalists](#) , [prison conditions](#) , [prisoners of conscience](#) , [war crimes and crimes against humanity](#)

[Close this box](#)

To:	
Recipient's email:	
From:	
Your name:	
Your email:	
Your message:	

Neither Amnesty International nor any other organisation will contact you or any of the email recipients without your permission.