

Flygtningenævnets baggrundsmateriale

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Freedom in the World 2015 - Rwanda

2015 Scores

Status

Not Free

Freedom Rating

(1 = best, 7 = worst)

6.0

Civil Liberties

(1 = best, 7 = worst)

6

Political Rights

(1 = best, 7 = worst)

6

Ratings Change:

Rwanda's civil liberties rating declined from 5 to 6 due to the narrowing space for expression and discussion of views that are critical of the government, particularly on the internet, amid increased suspicions of government surveillance of private communications.

Overview:

In April 2014, Rwanda commemorated the 20th year anniversary of the 1994 genocide, in which the majority ethnic Hutus killed as many as one million minority Tutsis and moderate Hutus. Around the commemoration period, numerous independent journalists were harassed or arrested, with charges against them including inciting violence and attempting to overthrow the government. The repressive media environment led a number of journalists to flee the country, and there was notable harassment of foreign journalists critical of the government.

The space for free and private discussion decreased amid indications the government was monitoring private communications following the 2013 enactment of the Law Relating to the Interception of Communications. The law authorizes security officials to monitor the communications of individuals considered to be potential threats to "public security." Authorities intermittently censored a growing number of independent online news outlets and opposition blogs.

Threats and attacks against critical opposition members residing outside of Rwanda increased. There were multiple forced disappearances. Patrick Karegeya, the former head of Rwanda's external intelligence services, was found dead in South Africa in January. Efforts to dismantle civil society organizations that criticize the government continued. In November, two members of the Rwandan League for the Promotion and Defense of Human Rights

(LIPRODHOR) known for their criticism of the government were arrested for allegedly forging documents that would oust the organization's progovernment leadership.

Political Rights and Civil Liberties:

Political Rights: 9 / 40 [\[Key\]](#)

A. Electoral Process: 2 / 12

Rwanda's 2003 constitution, which marked the end of a transition from the nation's postgenocide political period, 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 elected representatives of universities, all serving eight-year terms. The 80-seat Chamber of Deputies, the lower house, includes 53 directly elected members, 24 women chosen by local councils, 2 members from the National Youth Council, and 1 member from the Federation of Associations of the Disabled, all serving five-year terms. Parliament generally lacks independence, merely endorsing presidential initiatives.

Rwanda last held parliamentary elections in 2013. As anticipated, the coalition led by the ruling Rwandan Patriotic Front (RPF) won, taking over 76 percent of the vote and 40 out of 53 elected seats in the lower house. Independent observers found the elections to be peaceful, free, and fair, though the African Union observer mission noted that the ballot counting process was not fully transparent in some polling stations. East African Community observers noted an absence of opposition agents at most polling stations—increasing the election's susceptibility to manipulation—but did not observe any abnormalities. The 2003 constitution requires women to occupy at least 30 percent of the seats in each chamber of Parliament.

The 2010 presidential election was regarded as administratively acceptable, despite presenting Rwandans with only a limited degree of choice. With no serious challengers, President Paul Kagame won reelection with 93 percent of the vote.

B. Political Pluralism and Participation: 2 / 16

The constitution permits political parties to exist but under strict controls, and its emphasis on "national unity" effectively limits political pluralism. The RPF dominates the political arena. Parties closely identified with the 1994 genocide are banned, as are parties based on ethnicity or religion, though the RPF is still Tutsi-dominated. These restrictions have been used to ban other political parties that might pose a challenge to the RPF.

In 2013, Parliament authorized the Rwanda Governance Board to register political parties. It also banned foreign funding to political organizations. In advance of the 2013 parliamentary elections, 11 political parties were registered, five of which were part of the RPF's ruling coalition. In the run-up to the 2010 presidential poll, the government prevented new political parties from registering and arrested the leaders of several existing parties, effectively preventing them from fielding candidates. Victoire Ingabire Umuhoya, the leader of the United Democratic Forces–Inkingi (FDU–Inkingi) and one of Kagame's strongest challengers, was arrested twice in 2010, including before the election, and convicted in 2012 of engaging in terrorist activities. She received an increased prison sentence from the Supreme Court in 2013 upon appeal, a move that critics have seen as politically motivated. In October 2014, the African Union's African Court of People's and Human Rights agreed to hear Umuhoya's case on appeal of the increased sentence.

In recent years, the government has been suspected of infiltrating opposition parties in an attempt to dismantle or divide them. In 2013, Frank Habineza, the founder and chairman of the Democratic Green Party of Rwanda, alleged that the government was plotting to replace him with someone more closely aligned with the RPF. A similar tactic against the opposition Social Party–Imberakuri was reported in 2010. Opposition critics residing outside of Rwanda have also been increasingly threatened, attacked, forcibly disappeared, or killed. Former members of the Rwandan security forces living in exile have gone missing in previous years, while others have been targeted for assassination. In January 2014, Patrick Karegeya, the former head of external intelligence services and a public figure known for criticisms of Kagame's government, was found dead in South Africa. No suspects were arrested as of the end of 2014.

C. Functioning of Government: 5 / 12

Government countermeasures have helped limit corruption, but graft remains a problem. Rwanda was ranked 55 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index, one

of the best scores of any African country. A 2013 law provides comprehensive access to information, but implementation remained weak in 2014.

Few independent organizations and media outlets investigate or report on corruption issues out of fear of government reprisals. In 2013, Gustave Makonene, an anticorruption campaigner working for Transparency International Rwanda, was found murdered in northwestern Rwanda. In September 2014, the National Police arrested two suspects, alleging that they killed Makonene for his awareness of their smuggling operation. Legal proceedings against the two began in December.

Civil Liberties: 16 / 40 (-1)

D. Freedom of Expression and Belief: 4 / 16 (-1)

The government imposes legal restrictions and informal controls on freedoms of the press and expression. A vague 2008 law against “genocide ideology” prescribes heavy prison sentences and fines for a broad set of offenses, though amendments in 2013 aimed to make the law more definitive and limit punishments. A 2013 media law, at first lauded for expanding the rights of journalists and recognizing freedom for online communications, also threatened to limit press freedom, including through the creation of a government body with the power to set conditions for both local and foreign media outlets to operate. The government has increasingly censored online content in recent years. In 2014, a growing number of independent online news outlets and opposition blogs were intermittently inaccessible, including the websites of independent newspapers *Umuwugizi*, *Umusingi*, and *Inyenyeri News*.

Conditions for freedom of the press and expression in Rwanda deteriorated in 2014, with multiple cases of arrest, intimidation, and harassment of media workers and outlets. In April, Cassien Ntamuhanga, the director of a Christian radio station, was arrested alongside singer Kizito Mihigo for alleged association with the Rwanda National Congress (RNC)—an opposition party based in South Africa—and a Hutu rebel group. They were charged in December with conspiring to overthrow the government and inciting violence. Stanley Gatera, the editor of *Umusingi*, was arrested in April on charges of attempted extortion. In March, he had described the challenges of working as a journalist in Rwanda while a guest on Al Jazeera. Gatera was held for six hours and received death threats following his release, leading him to flee the country.

In October, authorities indefinitely suspended the radio broadcasts of the BBC Kinyarwanda language service in response to the broadcast of a BBC television documentary about the 1994 genocide that argues that the number of Hutus killed was higher than the Rwandan government recognizes. The Rwanda Media Commission, a self-regulatory body, declared the suspension illegal, prompting a wave of intimidation attacks against the body and its president.

Rwanda’s repressive media environment has led many journalists to work in exile. Eric Udahemuka of the *Isimbine* newspaper fled in April after harassment and threats for his critical articles about the government. Exiled opposition journalists and activists have been subject to intimidation and violence. The 2011 murder of Charles Ingabire, a Uganda-based editor and an outspoken critic of the Kagame government, remained unsolved in 2014. Foreign journalists who are critical of the government also faced harassment. Early in the year, a journalist for *Radio France Internationale* was repeatedly harassed on Twitter through an account that was revealed to be operated by the president’s office.

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

Following parliamentary commission reports on divisionism from 2004 and 2008, numerous students and teachers were expelled or dismissed without due process. Fear among teachers and students of being labeled “divisionist” restrains academic freedom.

The space for free and private discussion decreased in 2014 amid indications that the government monitors e-mail and other private communications. The Law Relating to the Interception of Communications, enacted in October 2013, authorizes high-ranking security officials to monitor e-mail and telephone conversations of individuals considered potential threats to what the government considers public security.

E. Associational and Organizational Rights: 2 / 12

Although the constitution codifies freedoms of assembly and association, these rights are limited in practice. A widespread fear of arrest often leads individuals and organizations to refrain from exercising their right to peaceful

assembly. Registration and reporting requirements for both domestic and foreign nongovernmental organizations (NGOs) are lengthy and onerous, and activities that the government defines as “divisive” are prohibited. Several organizations have been banned in recent years, leading others to self-censor, though civil society organizations that do not focus on democracy or human rights are able to function without direct government interference. The government has been accused of employing infiltration tactics against human rights organizations similar to those used against opposition political parties. In November 2014, two members of LIPRODHOR known for their critical stance toward the government were arrested for allegedly forging documents that would oust the organization’s progovernment leadership.

The constitution provides for the rights to form trade unions, engage in collective bargaining, and strike. Public workers are not allowed to unionize, and employees of the many “essential services” are not allowed to strike. The International Trade Union Confederation reported that although a 2009 labor code improved workers’ rights, the government continues to pressure unions in indirect ways.

F. Rule of Law: 3 / 16

Recent improvements in the judicial system include an increased presence of defense lawyers at trials, better training for court staff, and revisions to the legal code. However, the judiciary has yet to secure full independence from the executive. In 2013, Rwanda signed the Protocol to the African Charter on Human and Peoples’ Rights, which allows individuals and NGOs to take cases before the African Court on Human and People’s Rights.

The community-based *gacaca* courts completed their work in 2012 after prosecuting hundreds of thousands of people accused of involvement in the genocide. Legal experts criticized the courts for failure to address genocide-era crimes allegedly committed by the RPF and for routinely trying politically motivated cases. The national criminal court system tries those accused of more serious crimes related to the genocide, including those transferred from the International Criminal Tribunal for Rwanda (ICTR). In 2014, the ICTR ended its operations after completing cases against 92 individuals, sentencing 61 of them—of whom seven are appealing—and acquitting the remainder. An international crimes chamber was created within Rwanda’s High Court in 2012 to prosecute extradited suspects.

Police officers sometimes use excessive force, and local officials periodically ignore due process. The construction of new prisons during the past decade has improved prison conditions, even as the *gacaca* trials increased the inmate population. Alleged dissidents have been increasingly subject to unlawful imprisonment, torture, and ill-treatment in secret military detention centers. In 2014, more than a dozen Rwandans had reportedly gone missing or were forcibly disappeared, with many indications of involvement by state agents, according to Human Rights Watch.

Equal treatment for all citizens under the law is guaranteed, and legal protections against discrimination have been enacted in recent years. However, the Tutsi minority group is often accused of receiving preferential treatment for high-ranking jobs and university scholarships under the pretext of an affirmative action program for “genocide survivors.” Additional preferences are afforded to those who returned from exile communities, particularly in Uganda.

Same-sex sexual activity is not criminalized in Rwanda, though social stigma still exists for sexual minorities. No laws specifically provide protection against discrimination based on sexual orientation.

G. Personal Autonomy and Individual Rights: 7 / 16

There are no restrictions on property rights, freedom of travel, or choice of employment, residence, or institution of higher education, although Hutus often face unofficial discrimination when seeking public employment or government scholarships. A national identity card—which is easily attainable and no longer indicates ethnicity—is required to move within the country.

Rwanda was ranked 46 out of 189 countries in the World Bank’s 2014 *Doing Business* report, ranking third in sub-Saharan Africa. The country also ranked third in sub-Saharan Africa, and 62 out of 144 economies, in the World Economic Forum’s Global Competitiveness Report 2014–2015, indicating relatively well-functioning institutions and a low level of direct government control over the economy.

Women currently fill 10 of the 26 Senate seats and 51 of the 80 seats in the Chamber of Deputies. Legislation has strengthened women’s rights to inherit land; however, de facto discrimination against women continues. Domestic violence is illegal but remains widespread.

Scoring Key: X / Y (Z)**X = Score Received****Y = Best Possible Score****Z = Change from Previous Year**