



HUMAN
RIGHTS
WATCH

“Join Us or Die”

Rwanda's Extraterritorial Repression



“Join Us or Die”

Rwanda’s Extraterritorial Repression

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Terminology and Acronyms

Diaspora: While there is no one agreed-upon definition of “diaspora,” the term can encompass people who have left their home country voluntarily or involuntarily and are living abroad, including asylum seekers, refugees, and other immigrants, sometimes referred to as expatriates, as well as their descendants. The International Organization for Migration (IOM) defines diasporas as “migrants or descendants of migrants, whose identity and sense of belonging ... have been shaped by their migration experience and background.” Some Rwandans living abroad interviewed for this report, when using the term “diaspora” or when talking about “joining the diaspora,” were referring to diaspora associations and the Rwandan Community Abroad (defined below).

Extraterritorial repression (also known as **transnational repression**): A systematic effort by a country’s authorities or their proxies to prevent political dissent beyond the country’s borders by employing a range of tactics to silence and control refugees, asylum seekers, and other members of the diaspora.

Interahamwe (“Those Who Stand Together” or “Those Who Attack Together” in Kinyarwanda): The militia attached to the ruling party, the National Revolutionary Movement for Development, under President Juvénal Habyarimana. In the lead up to and during the genocide, the Interahamwe carried out killings of Tutsi and moderate Hutu. From the start of the genocide, political leaders put the militia at the disposal of the military.

Interpol Red Notice: An alert by the International Criminal Police Organization (Interpol), issued at the request of a member state seeking the arrest and extradition of a wanted person.

RCA: Rwandan Community Abroad, a group of associations tied to Rwandan diplomatic missions and the Ministry of Foreign Affairs and International Cooperation, charged with mobilizing and monitoring the Rwandan community abroad, providing services on behalf of the government, and organizing gatherings such as “Rwanda Day.”

RNC: Rwanda National Congress, an opposition group in exile created by former officials of the RPF (Rwandan Patriotic Front).

RDF: Rwanda Defence Force, formerly the RPA (Rwandan Patriotic Army).

RPF: Rwandan Patriotic Front, a largely Tutsi politico-military movement and currently the ruling party in Rwanda. Before it took power in 1994, the RPF was a rebel group consisting mainly of Rwandan Tutsi refugees in Uganda.

Defining Extraterritorial Repression

Extraterritorial, or transnational, repression is the phenomenon of governments engaging in activities that involve or lead to the violation of human rights of specific targets outside of their territorial jurisdiction. Human Rights Watch, in this report, and drawing on decades of documenting individual cases of extraterritorial repression globally, is particularly concerned with systematic efforts by a country's authorities or their proxies to prevent political dissent beyond their territorial borders by employing a range of tactics to silence and control refugees, asylum seekers, and other members of the diaspora. The tactics include physical abuse, online harassment, exploiting technological vulnerabilities, the misuse of international and domestic law enforcement, and the manipulation of family ties to threaten, pressure, and punish real or perceived dissidents living abroad. Although awareness of extraterritorial repression has grown in recent years, many of the tactics used by governments to silence citizens living abroad, as well as the level of coordination that is exercised to monitor and control their activities, have been underreported.

Freedom House, which has done extensive work on extraterritorial repression, defines it as “governments reaching across borders to silence dissent among diasporas and exiles, including through assassinations, illegal deportations, abductions, digital threats, Interpol abuse, and family intimidation.”¹ The US Federal Bureau of Investigation (FBI), which has made transnational repression a priority, found that it can take the following forms: “stalking, harassment, hacking, assaults, attempted kidnapping, forcing or coercing the victim to return to the home country, threatening or detaining family members in the home country, freezing financial assets, [and] online disinformation campaigns.”²

Human Rights Watch, in this report, has documented killings, kidnappings and attempted kidnappings, enforced disappearances, and physical attacks targeting Rwandans living abroad. In addition, Human Rights Watch has found that the government of Rwanda has attempted to use global legal assistance mechanisms by issuing arbitrary Interpol Red

¹ Freedom House, “Defending Democracy in Exile,” June 2022, <https://freedomhouse.org/report/transnational-repression> (accessed September 26, 2023).

² Federal Bureau of Investigation, “Transnational Repression,” undated, <https://www.fbi.gov/investigate/counterintelligence/transnational-repression> (accessed September 25, 2023).

Notices and extradition requests and getting involved in the prosecution of a dissident in a foreign court. Interviewees also described how Rwandan authorities have sought to silence them by perpetrating serious human rights violations against their relatives in Rwanda and abroad, including enforced disappearances, arbitrary detention, alleged ill treatment or torture, suspected killings, harassment, restrictions on movements, and alleged land seizures.

In most cases, no definitive domestic or international investigations have been conducted to establish responsibilities and enforce accountability. Such impunity risks emboldening other governments to go after prominent journalists, human rights advocates, or dissidents, wherever they may be seeking protection.

Abuses against those who have fled the territory of the government which they have criticized have a particularly chilling effect, both at home and abroad. It is precisely the reason why some governments resort to these tactics: to send the message that nowhere is safe for those who criticize them.

Summary

When a Rwandan journalist living in London, United Kingdom, sat down on a bench in a public park, in August 2022, the first thing he said, after nervous introductions, was: “My wife didn’t want me to come. We have to be careful.” His eyes darting around to check if anyone was eavesdropping, he explains how some of his relatives in Rwanda are under surveillance and have been marginalized because of his work. In London, he lives afraid and isolated, and has suffered from panic attacks and depression. He has a flak jacket and security cameras at home. “I’ve stopped attending any gatherings of Rwandans. I never invite Rwandans around to my house anymore. But now, I am attacked online,” he said.³

Rwanda’s President Paul Kagame and the ruling Rwandan Patriotic Front (RPF) have often been credited with rebuilding a country left almost entirely destroyed after the 1994 genocide. As this report will show, however, the RPF, since it came to power in 1994, has also responded forcefully and often violently to criticism, deploying a range of measures to deal with real or suspected opponents, including extrajudicial killings, enforced disappearances, torture, political prosecutions, and unlawful detention, as well as threats, intimidation, harassment, and physical surveillance. Such measures are not limited to critics and opponents within the country.

The control, surveillance, and intimidation of Rwandan refugee and diaspora communities and others abroad can be attributed in part to the authorities’ desire to quash dissent and maintain control. By refusing to return to Rwanda and through their ability to criticize the Rwandan authorities from exile, refugees and asylum seekers also inherently challenge the image the authorities seek to project—one of a country from which people do not flee.

For this report, Human Rights Watch interviewed over 150 people in Australia, Belgium, Canada, France, Kenya, Mozambique, South Africa, Tanzania, the United Kingdom, the United States, Uganda, Zambia, and others related to them in Rwanda, to investigate the tactics used by the Rwandan government and its proxies to target Rwandans abroad.

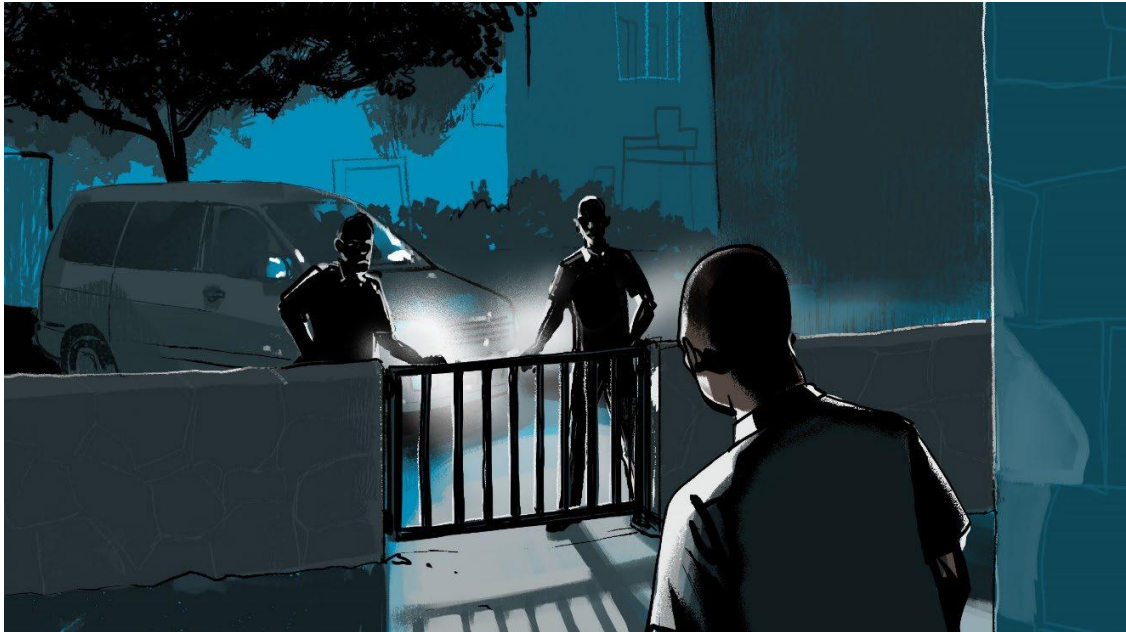
³ Human Rights Watch interview with “Joseph,” London, United Kingdom, August 27, 2022.



Joseph Mazimpaka fled Rwanda in 2013. He had refused to fight with the M23, an abusive armed group in eastern Democratic Republic of Congo which is supported by Rwanda. © 2023 John Holmes for Human Rights Watch



Mazimpaka spent some time in Uganda, but left when he was being followed. He eventually settled in Tanzania. © 2023 John Holmes for Human Rights Watch



In August 2017, a group of men attempted to kidnap Mazimpaka while living in Tanzania. The group was led by a Rwandan intelligence agent. © 2023 John Holmes for Human Rights Watch

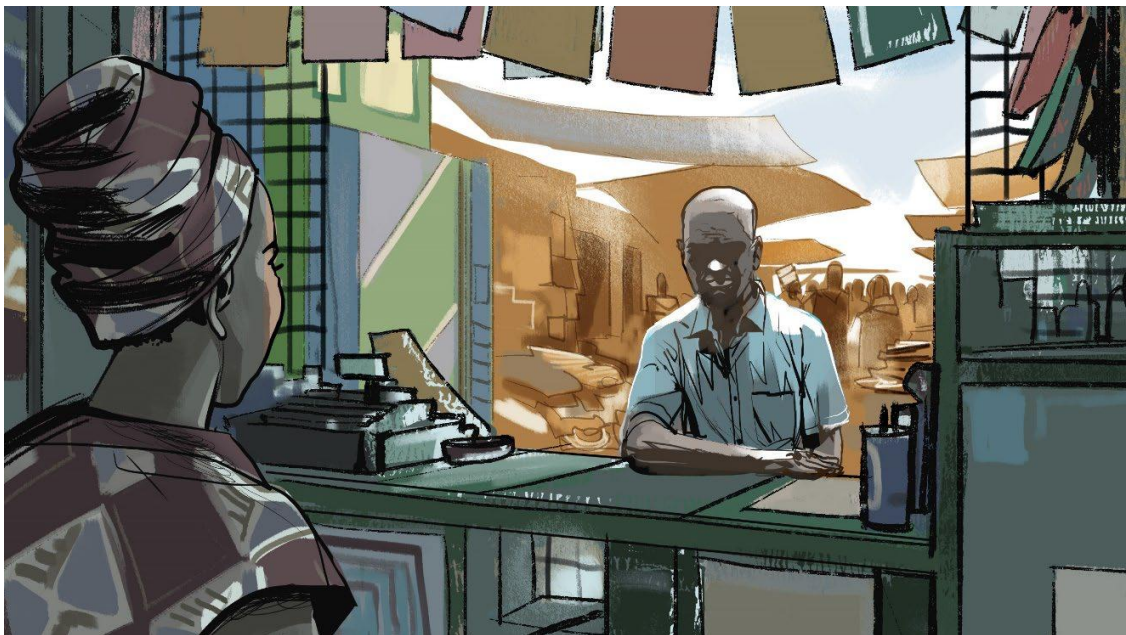


Tanzanian police intercepted the group's car, with Mazimpaka bound and blindfolded in the back. Mazimpaka and his kidnappers were arrested, put on trial and convicted of entering Tanzania illegally. However, given what he had been through, the judge decided to drop the conviction.

No charges were brought against the kidnappers for kidnapping or attempted kidnapping. © 2023 John Holmes for Human Rights Watch



Mazimpaka's brother in Rwanda went missing in 2016. Several other family members had to flee Rwanda and now live in refugee camps. © 2023 John Holmes for Human Rights Watch



Mazimpaka's wife was granted refugee status in a southern African country. On several occasions she was visited by men speaking Kinyarwanda – Rwanda's national language. The men accused her husband of being "an enemy of the country" and told her to separate from him. © 2023 John Holmes for Human Rights Watch

The research found that the authorities have created an environment where many Rwandans abroad, even those living thousands of miles away from Rwanda, practice self-censorship, refrain from engaging in legitimate political activism, and live in fear of traveling, being attacked, or seeing their relatives in Rwanda targeted.

In this report, Human Rights Watch documented over a dozen cases of killings, kidnappings and attempted kidnappings, enforced disappearances, and physical attacks targeting Rwandans living abroad.

The report also finds that the Rwandan government has sought to use global police cooperation, including Interpol Red Notices, judicial mechanisms, and extradition requests to seek deportations of critics or dissidents back to Rwanda.

In many cases, interviewees' relatives in Rwanda have themselves been targets of arbitrary detention, torture, suspected assassinations, harassment, and restrictions on movements to exert pressure on their family members abroad to stop their activism. This has effectively reduced many to silence. For example, one interviewee, who said his relative was tortured in a safe house in Rwanda for eight months because of his political activism in exile, told Human Rights Watch: "If you publish my name, they will kill him."⁴

Some of the cases detailed in this report expose the extraordinary lengths to which the government of Rwanda is willing to go, and the means at its disposal, to attack its opponents. The combination of physical violence, surveillance, misuse of law enforcement—both domestic and international—, abuses against relatives in Rwanda, and the reputational damage done through online harassment points to clear efforts to isolate the individuals socially and diminish their financial and professional prospects in their host country. The cases also illustrate the relentless nature of the attacks: multiple tactics are often used simultaneously and, if one fails, others will be used until the person they are targeting is worn down.

As Rwanda has grown more prominent on the international stage, leading multilateral institutions, and becoming one of the continent's largest peacekeeping troop contributors,

⁴ See p. 92 for more information on this case.

the United Nations and international partners have consistently failed to recognize the scope and severity of the country's dismal human rights record.

In Mozambique, for example, where the Rwandan troops' deployment in 2021 has been credited with restoring peace and security in the northern Cabo Delgado province, this research also found that at least three Rwandans have been killed or disappeared in suspicious circumstances, and two others have survived kidnapping attempts, since May 2021. Several Rwandan refugees said they were threatened by embassy officials and being told they would die if they did not fall in line. One Rwandan refugee interviewed in Maputo said: "I am afraid all the time. I am afraid when I see a car pull up behind me. I'm afraid when someone [comes to my workplace]. I am ready to be killed at any time now. I've refused to go back to Rwanda, so they will kill me. There is nowhere to go. It's not safe here, but it's not safe anywhere."⁵

The report focuses on abuses documented since 2017, the year when Kagame overwhelmingly won a third term with a reported 98.8 percent of the vote. A 2015 referendum entrenched his and the RPF's rule by allowing President Kagame to run for a seven-year term and two additional five-year terms thereafter—and potentially stay in power until 2034. Since it took power, the RPF has implemented an ambitious development agenda and strove to change Rwanda's image internationally and attract investments, tourism, and host high level events such as the first ever Basketball Africa League tournament in May 2021 and the Commonwealth Heads of Government Meeting in June 2022. However, these gains have not been matched with progress on civil and political rights – creating a "hostile international opinion" of the Rwandan government is a criminal offense that is regularly used to prosecute critics and journalists inside Rwanda and intimidate and silence critics.

The government of Rwanda actively seeks to discredit its critics abroad – particularly those who could undermine the RPF's legitimacy. There are three main categories of people who are targeted outside of Rwanda's borders: individuals who are influential—and often wealthy—figures in the Rwandan refugee community in their host country; political opponents or critics who use the relative safety of exile to criticize the government, including members of opposition and armed groups in exile or people suspected of having

⁵ See p. 54 for more information on this case.

ties to these groups; and former members of both the RPF and the Rwandan Patriotic Army (RPA), now the Rwanda Defence Force (RDF), who have fled Rwanda.

This research found that Rwandan embassy officials or members of the Rwandan Community Abroad (RCA), a global network of diaspora associations tied to the Ministry of Foreign Affairs and International Cooperation, have monitored and pressured Rwandan asylum seekers and refugees to return to Rwanda or stop their criticism of the government. For criticizing the government or the RPF, many Rwandans overseas were subjected to online attacks by websites and social media accounts that are alleged to have ties to Rwandan intelligence services and generally defend the government. The accusations disseminated on those sites range from supporting armed opposition groups to genocide denial. Rwandans living abroad – including Tutsi who fled Rwanda during or after the genocide – said that just the prospect of being targeted by such media deters them from speaking out. Several genocide survivors living in exile told Human Rights Watch that they had been attacked online for having criticized the RPF and had witnessed or were afraid to see their family members forced to denounce them on pro-government YouTube channels.

Human Rights Watch documented five cases of killings, three kidnappings and attempted kidnappings, and at least six cases of physical assaults and beatings – some of which appeared to be attempted killings – of Rwandan permanent residents, refugees, and asylum seekers in Kenya, Mozambique, South Africa, Tanzania, and Uganda. In some cases, the perpetrators spoke Kinyarwanda, Rwanda's national language, or were suspected of working for the Rwandan government. Some of the victims were told they would be handed over to Rwanda or were accused of working against the Rwandan government.

As critics or opponents, perceived or real, of the government, the victims all share a certain profile; prior to these attacks many had been threatened by individuals who were part of, or close to, the Rwandan government. The context of broader persecution of government critics inside Rwanda provides credibility to the allegation that these attacks were politically motivated. It also raises serious and plausible concerns about the possibility of official state tolerance, acquiescence, or even collusion in these attacks.

These violent abuses are alarmingly frequent, particularly in African countries and in countries where the Rwandan government has an active presence, including a military presence, embassies, diaspora associations, or economic partnerships. In almost all

cases, host government investigations have stalled or failed to result in any arrests or prosecutions. In some cases, the host country's authorities appeared to have colluded with Rwanda—or at the very least to have turned a blind eye. This has left many Rwandans feeling unprotected; unless action is taken, these abuses are likely to worsen because of Rwanda's expanding influence across the African continent.

This report also documented five cases where Rwandan authorities have sought to have Rwandans arrested and renditioned to Rwanda, particularly in East Africa, often through apparently unofficial requests made to local law enforcement. In some cases, law enforcement officials in the host country refused to carry out the deportations but failed to ensure adequate protection of the victim. In others, the detention and possible or confirmed rendition amounted to an enforced disappearance. Human Rights Watch documented three cases of Rwandans in Kenya and Uganda who narrowly escaped deportation to Rwanda after being arbitrarily detained by law enforcement officials. In at least one case, Kenyan authorities simply told the asylum seeker to leave the country for his protection. These tactics have created a deep-seated fear of traveling for many Rwandans living abroad. Many Rwandans interviewed in Europe and North America said they no longer travelled to Africa because they felt it was too dangerous.

When seeking to target dissidents, the Rwandan authorities showed little regard for the independence of the judiciary or the duties of protection of law enforcement in host countries. The Rwandan government misused Interpol Red Notices in two cases, and, in one of them, obtained the extradition of a Rwandan asylum seeker living in the US based on genocide accusations which were later overturned in a Rwandan court. He remains in prison in Rwanda, convicted of genocide denial.

Many interviewees who have chosen to continue their public criticism in exile have had to cut communications with their relatives in Rwanda. Several interviewees said their family members in Rwanda are under surveillance or have been denied passports, which prevents them from leaving Rwanda.

Two Rwandans living abroad—now naturalized citizens in France and the UK, respectively—were detained in Rwanda after traveling there for personal reasons. They were targeted apparently in retaliation for their relatives' political activism in France and the UK and subjected to Rwanda's arbitrary and abusive judicial practices. Foreign affairs officials

from those countries were aware of both cases and intervened to secure their release. The Rwandan authorities failed to respect due process in these cases, and the lack of credibility of the charges against both individuals highlights the risk of abuse and politicized prosecutions, even for refugees and other Rwandans who have acquired the citizenship of another country.

The targeting of relatives is a particularly vicious form of control which may explain why so much of Rwanda's prolific extraterritorial repression—which goes far beyond high-profile cases of assassinations, assassination attempts, and disappearances—has not been visible.

In targeting actual or perceived dissidents abroad and their relatives, Rwandan authorities have violated an array of rights including life, privacy, freedom of expression and association, physical safety, freedom of movement, freedom from torture, and the right to a fair trial.

On a global scale, extraterritorial abuses by governments and other actors against their own people have a particularly chilling effect, both at home and abroad. It is precisely the reason why some governments resort to these tactics: to send the message that nowhere is safe for those who criticize them.

Many of the host countries cited in the report—such as the UK and the US—have close partnerships with, and are major donors to, Rwanda. These and other governments should use their close ties to pressure the Rwandan government to improve its human rights record both domestically and abroad; yet they rarely—if ever—raise human rights concerns publicly in their bilateral or multilateral engagement. The UN refugee agency, UNHCR, and host countries' authorities should fully investigate reports of abuse and ensure adequate protection of at-risk Rwandan asylum seekers, refugees, permanent residents, and naturalized citizens. Countries in East and Southern Africa, where Rwandans are most prone to state sponsored attacks and renditions, should investigate and prosecute officials who have facilitated Rwanda's extraterritorial abuse.

The failure of the UN and international community to recognize the severity and scope of the Rwandan government's human rights violations both domestically and abroad, as well as the ruling party's growing hostility toward those it perceives as challenging its nearly 30

years in power, have left many Rwandans with nowhere to turn. Holding Rwanda accountable for its dismal domestic human rights record is now a necessity to tackle the government's extraterritorial repression.

Methodology

This report is based on in-person research conducted between October 2021 and December 2022 in Belgium, France, Kenya, Mozambique, South Africa, Tanzania, Uganda, the UK, and the US. Additional phone interviews were conducted with victims and witnesses in Australia, Belgium, Canada, the Democratic Republic of Congo, the Republic of Congo, France, Kenya, Mozambique, Rwanda, South Africa, Tanzania, Uganda, the UK, the US, and Zambia.

Human Rights Watch interviewed over 150 people, including victims of abuse, their relatives and lawyers, witnesses, independent journalists, representatives of international nongovernmental organizations and UN agencies, and government officials. Extensive corroboration was carried out to ascertain the credibility of sources and to obtain documentation supporting their claims, including multiple interviews with relatives, independent witnesses, and reviews of online harassment and other supporting documentation.

The victims include asylum seekers, refugees, refugees who have obtained permanent residency or citizenship in their host countries, and other members of the diaspora, including non-refugee residents or naturalized citizens.

Most of the interviewees feared for their security or the security of their family members and only spoke on condition that their names and other identifying information be withheld. Details about their cases or the individuals involved, including the location of the interviews, have also been withheld when requested or when Human Rights Watch believed that publishing the information would put interviewees or their family members at risk.

Interviews with victims, their relatives, or witnesses were conducted in confidential settings or through secure means of communication. Human Rights Watch informed all participants of the purpose of the interview, its voluntary nature, and how the information would be used. Each participant orally consented to be interviewed and were informed that they could refuse to participate or end the interview at any time.

Human Rights Watch did not make any financial payments or offer other incentives to interviewees. Care was taken with victims of trauma to minimize the risk that recounting their experiences could further traumatize them.

Whenever possible, Human Rights Watch also reviewed case files, medical records of victims, and death certificates. In addition, Human Rights Watch transcribed and translated all of the YouTube videos used as evidence of online harassment in this report.

Human Rights Watch sent multiple information requests and invitations to comment to a number of government authorities, private companies, institutions, and private individuals for this report. These include:

- Governments:
 - **Australian** Department of Foreign Affairs and Trade; Department of Home Affairs; the New South Wales Police; and the Australian Federal Police.
 - **Belgian** Foreign Affairs, Foreign Trade and Development Cooperation Federal Public Service: Africa South of the Sahara Department, Human Rights Department, and Special Envoy for Asylum and Migration.
 - **British** Foreign, Commonwealth and Development Office; and Home Office.
 - **French** Ministry for Europe and Foreign Affairs; and Ministry of Interior.
 - **Kenyan** Ministry of Interior and National Administration; and the Refugee Affairs Secretariat.
 - **Mozambican** Ministry of Justice, Constitutional and Religious Affairs; and Ministry of Interior.
 - **Rwandan** Ministry of Justice.
 - **South African** Ministry of Home Affairs; Ministry of Justice and Correctional Services; and Minister of Police.
 - **Tanzanian** Ministry of Constitutional and Legal Affairs; Ministry of Home Affairs; and Tanzania Communications Regulatory Authority.
 - **Ugandan** Ministry of Internal Affairs; and the Uganda Police Force.
 - **US** Department of Homeland Security; Department of Justice; and Federal Bureau of Investigation (FBI).
- Akin Gump Strauss Hauer & Feld LLP
- Chelgate

- Day Pitney LLP
- GainJet Aviation S.A.
- Millicom International Cellular S.A.
- Interpol
- Dr. Michelle Martin
- Myriad International Marketing LLC
- Racepoint Global
- Tigo Tanzania
- United Nations High Commissioner for Refugees' Division on International Protection, Regional Office for East, Horn of Africa & Great Lakes, and Regional Office for Southern Africa
- W2 Group, Inc.

Background

The Genocide and its Aftermath

Since Rwanda's independence in 1962, a number of factors, including cycles of ethnic-based violence, political instability, and human rights violations have pushed many Rwandans to flee. The Rwandan Patriotic Front (RPF), a politico-military movement made up largely of Tutsi, invaded Rwanda in 1990 with the declared aim of ensuring the right to return of refugees, many of whom had been living in exile for a generation, and of ending the rule of President Juvénal Habyarimana. Like most government officials at the time, Habyarimana was from the Hutu majority ethnic group. After nearly three years of alternating combat and negotiations, the RPF and the Rwandan government signed a peace treaty in August 1993 but an agreed-upon transitional government was never put in place.⁶ By 1993, there were an estimated 600,000 Rwandans living in neighboring countries.⁷

In April 1994, an airplane carrying Habyarimana was shot down, triggering ethnic killings across Rwanda on an unprecedented scale. Orchestrated by Hutu political and military extremists, the genocide that followed claimed more than half a million lives and destroyed approximately three quarters of Rwanda's Tutsi population in just three months.⁸ Many Hutu who attempted to hide or defend Tutsi and those who opposed the genocide were also targeted and killed. In July 1994, the RPF took control of Rwanda and drove the government and its defeated army out of the country. During this period in Rwanda—as later in the Democratic Republic of Congo, then called Zaïre—RPF soldiers committed serious violations of international humanitarian law, including massacres and summary executions of civilians.

Hundreds of thousands of Rwandans, most of them Hutu, who fled from the advancing RPF troops, settled in huge refugee camps in Congo, while others went to Tanzania and

⁶ Human Rights Watch/International Federation for Human Rights, *Leave None to Tell the Story: Genocide in Rwanda* (New York: Human Rights Watch/International Federation for Human Rights, 1999), <https://www.hrw.org/reports/pdfs/r/rwanda/rwanda993.pdf>.

⁷ Amnesty International, *Protecting their rights: Rwandese refugees in the Great Lakes region*, December 2004, <https://www.amnesty.org/en/wp-content/uploads/2021/09/afr470162004en.pdf> (accessed September 25, 2023).

⁸ Various figures have been advanced as to the total number of victims of the genocide, ranging from 500,000 to more than one million. The exact number of victims may never be known.

Burundi. The refugees were accompanied by people who had participated in the genocide, including members of the former government, army, and Interahamwe—a militia attached to the ruling party—who established control over some of the refugee camps. Little was done by the then-Zaïrian government or UN agencies to demilitarize the camps which Hutu extremists used as bases for preparing attacks on Rwanda and pursuing anti-Tutsi propaganda campaigns.⁹

Arguing the need to stop this threat, the Rwandan government twice invaded Congo in 1996 and 1998, occupying a resource-rich territory some 10 times the size of Rwanda. In November 1996, the new Rwandan army formed by the RPF, the Rwandan Patriotic Army (RPA), invaded Congo and, together with a hastily constituted Congolese rebel group it supported, the Alliance of Democratic Forces for the Liberation of Congo-Zaïre (Alliance des forces démocratiques pour la libération du Congo-Zaïre, AFDL) which was also backed by Uganda, set out to destroy the refugee camps. The rebels and their backers went on to overthrow the country's president, Mobutu Sese Seko, who had backed the Rwandan Hutu extremists, a few months later.¹⁰

Thousands of refugees were killed in the attacks on the camps, which forced the return to Rwanda of many of the surviving Hutu refugees. Many were arrested on their return on accusations of genocide; others were among thousands killed by the RPA in counterinsurgency operations in northwestern Rwanda in the late 1990s.¹¹ Those refugees who did not return to Rwanda, including large numbers who had not been involved in the genocide, fled deep into the forests of Congo, where Rwandan and AFDL troops massacred tens of thousands of them.¹² Many also fled south toward Malawi, Mozambique, South Africa, Zambia, and Zimbabwe.¹³

⁹ "Rwanda: Justice After Genocide—20 Years On," Human Rights Watch news release, March 28, 2014, <https://www.hrw.org/news/2014/03/28/rwanda-justice-after-genocide-20-years>.

¹⁰ Ibid.

¹¹ Human Rights Watch, *World Report 1998* (New York: Human Rights Watch, 1998), Rwanda chapter, https://www.hrw.org/legacy/worldreport/Africa-10.htm#P816_217123.

¹² "Rwanda: Justice After Genocide—20 Years On," Human Rights Watch news release, March 28, 2014, <https://www.hrw.org/news/2014/03/28/rwanda-justice-after-genocide-20-years>.

¹³ Human Rights Watch interviews with refugee leaders in Mozambique, March 2022, South Africa, November 2022, and Zambia, October 2022.

Today, Congo remains largely unstable, and violence continues in its eastern region, where more than 100 armed groups operate, including an armed group formed by some members of the former Rwandan army, Interahamwe militia, and other individuals suspected of having participated in the genocide. After changing its name a number of times, this group became known as the Democratic Forces for the Liberation of Rwanda (FDLR). Most current FDLR members are too young to have participated in the genocide in Rwanda, so it is incorrect to imply that all those fighting for the FDLR participated in the genocide. However, the FDLR leadership still includes some individuals believed to have participated in the genocide.

The FDLR have become weakened militarily in recent years and are only able to conduct rare attacks into Rwanda. In 2012, and again in 2022, Rwandan authorities sent troops across the border into eastern Congo, in support of the M23 armed group, which claims to protect Congolese Tutsi and to fight the FDLR.¹⁴ On both occasions, the Rwandan government condemned the threat that the FDLR could pose to Rwanda and accused the Congolese government of supporting them.

The M23 was originally made up of soldiers who participated in a mutiny from the Congolese national army in April and May 2012. These soldiers were previously members of the National Congress for the Defense of the People (Congrès national pour la défense du peuple, CNDP), a rebel group which was also backed by Rwanda. Human Rights Watch documented the widespread abuses that amounted to war crimes perpetrated by M23 forces that, with support from Rwanda, took over large parts of North Kivu province in 2012.¹⁵ In late 2021, the M23 began rebuilding its ranks. Since May 2022, Rwanda-backed M23 forces have once again overrun UN-backed Congolese forces in eastern Congo, committing war crimes in the process.¹⁶

¹⁴ “DR Congo: Resurgent M23 Rebels Target Civilians,” Human Rights Watch news release, July 25, 2022, <https://www.hrw.org/news/2022/07/25/dr-congo-resurgent-m23-rebels-target-civilians>.

¹⁵ “DR Congo: M23 Rebels Committing War Crimes,” Human Rights Watch news release, September 11, 2012, <https://www.hrw.org/news/2012/09/11/dr-congo-m23-rebels-committing-war-crimes>.

¹⁶ “DR Congo: Resurgent M23 Rebels Target Civilians,” Human Rights Watch news release and “DR Congo: Killings, Rapes, by Rwanda-Backed M23 Rebels,” Human Rights Watch news release, June 13, 2023, <https://www.hrw.org/news/2023/06/13/dr-congo-killings-rapes-rwanda-backed-m23-rebels>.

The Rwanda National Congress

In 2010, Gen. Kayumba Nyamwasa, a senior Rwandan military official who had held several top positions in the RPF and in the security forces, including army chief of staff, fled Rwanda to South Africa, where he became an outspoken critic of President Paul Kagame. Together with other former senior RPF officials, he founded the Rwanda National Congress (RNC), an opposition group in exile.

The Rwandan government has repeatedly accused the RNC of collaborating with the FDLR, and of supporting and conducting terrorist activities in Rwanda.¹⁷ The UN Group of Experts on Congo also pointed to collaboration between the two groups in 2019,¹⁸ although the RNC has denied it.¹⁹

In January 2011, Nyamwasa and three RNC cofounders—all former senior government and army officials—were tried in absentia by a military court in Kigali and found guilty of endangering state security, destabilizing public order, “divisionism,” defamation, and forming a criminal enterprise. Nyamwasa and Théogène Rudasingwa, the former secretary general of the RPF, were each sentenced to 24 years in prison, and Patrick Karegeya, the former head of external intelligence, and Gerald Gahima, the former prosecutor general, to 20 years each.²⁰

In May 2012, the government invalidated the Rwandan passports of Nyamwasa and six other members of the RNC without notification or possibility of appeal. In 2019, the African

¹⁷ “Kayumba plans to re-energize the FDLR – Col. Bisengimana,” *The New Times*, February 21, 2011, <http://www.newtimes.co.rw/section/read/28651/> (accessed September 25, 2023); “Terror suspects implicate Kayumba,” *The New Times*, June 23, 2011, <http://www.newtimes.co.rw/section/read/32365/> (accessed September 25, 2023); and Edwin Musoni, “Kayumba terror network busted,” *The New Times*, June 29, 2011, <http://www.newtimes.co.rw/section/read/32538/> (accessed September 25, 2023).

¹⁸ UN Security Council, Final Report of the Group of Experts on the DRC, S/2019/469, June 7, 2019.

¹⁹ Human Rights Watch interview with senior RNC official, Pretoria, South Africa, October 20, 2022.

²⁰ Human Rights Watch, *‘We Will Force You To Confess’: Torture and Unlawful Military Detention in Rwanda* (New York: Human Rights Watch, 2017), https://www.hrw.org/sites/default/files/report_pdf/rwanda1017_web2_o.pdf.

Court on Human and Peoples' Rights²¹ concluded that this constituted a violation of the right to freedom of movement²² and the right to participate in political life.²³

Several RNC members or suspected members have been attacked, in Rwanda and abroad.²⁴ Among the most prominent are Nyamwasa himself, who narrowly escaped an assassination attempt in South Africa in June 2010, and Karegeya, who was found strangled in a hotel room in Johannesburg, South Africa, in January 2014. Other RNC members, or people suspected of links with the RNC, have been arrested, prosecuted, and convicted in Rwanda.²⁵

Many Rwandan officials, including Kagame himself, grew up in Uganda and fought alongside Ugandan President Yoweri Museveni and his National Resistance Army/Movement (NRA/M), which took the reins of power in Uganda in 1986, after a five-year-long guerrilla war. Since the creation of the RNC, relations between the two governments have grown increasingly volatile as Rwanda regularly accuses Uganda of supporting and sheltering the RNC.

Human rights defenders in Uganda have documented dozens of cases of suspicious killings, disappearances, and deportations to Rwanda in the last decade, alleging Rwandan

²¹ The African Union created the African Court on Human and Peoples' Rights by a protocol to the African Charter adopted on June 10, 1998, which entered into force on January 25, 2004. The court has jurisdiction over cases and disputes concerning human rights violations and complements the Commission's mandate. See Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights, adopted June 10, 1998, CAB/Leg/67/3/Rev.5, entered into force January 25, 2004.

²² Article 12(2) of the African Charter on Human and Peoples' Rights states that: "Every individual shall have the right to leave any country including his own, and to return to his country. This right may only be subject to restrictions, provided for by law for the protection of national security, law and order, public health or morality." See African [Banjul] Charter on Human and Peoples' Rights, adopted June 27, 1981, OAU Doc. CAB/LEG/67/3 rev. 5, 21 I.L.M. 58 (1982), entered into force October 21, 1986, art. 12(2); *Kennedy Gihana and Others v. Republic of Rwanda*, African Court on Human and Peoples' Rights, Application No. 017/2015, November 28, 2019.

²³ Article 13(1) of the Charter provides that "Every citizen shall have the right to participate freely in the government of his country, either directly or through freely chosen representatives in accordance with the provisions of the law." See African [Banjul] Charter on Human and Peoples' Rights, adopted June 27, 1981, OAU Doc. CAB/LEG/67/3 rev. 5, 21 I.L.M. 58 (1982), entered into force October 21, 1986, art. 13(1).

²⁴ "Rwanda: Repression Across Borders," Human Rights Watch briefing, January 28, 2014, <https://www.hrw.org/news/2014/01/28/rwanda-repression-across-borders>.

²⁵ See, for example, "Ex-Military Officers Convicted Over Comments," Human Rights Watch news release, April 1, 2016, <https://www.hrw.org/news/2016/04/01/rwanda-ex-military-officers-convicted-over-comments>.

collaboration with Ugandan military intelligence agents and security forces.²⁶ One such case was that of Joel Mutabazi, a former presidential bodyguard, who was forcibly returned from Uganda to Rwanda in October 2013.²⁷ In October 2014, a military court in Rwanda found him guilty of terrorism, forming an armed group, and other offenses linked to alleged collaboration with the RNC and the FDLR, and sentenced him to life in prison.

Relations between the two countries soured in 2019. Rwanda accused Uganda of supporting the RNC and harassing Rwandans, while Uganda accused Rwanda of conducting illegal espionage. The former Ugandan Inspector General of Police, Kale Kayihura, was arrested in June 2018, brought before a military court and charged with failing to protect war materials, failing to supervise police officers, and abetting the kidnapping and forced repatriation of Rwandan refugees.²⁸ The land border between the two countries was closed for three years.²⁹ After some back and forth between officials from both countries, including Museveni's son Lt. Gen. Muhoozi Kainerugaba's visit to Kigali, the border was reopened in January 2022.³⁰

Justice and Free Speech

Since the genocide, Rwanda has made great strides in rebuilding the country's institutions and infrastructure, which were almost completely destroyed in 1994. The Rwandan government has developed the economy, delivered public services, and made progress in

²⁶ "Abuses against Rwandan refugees in Uganda: Has Time Come for Accountability?" International Refugee Rights Initiative, August 27, 2021, <http://refugee-rights.org/abuses-against-rwandan-refugees-in-uganda-has-time-come-for-accountability/> (accessed September 25, 2023).

²⁷ "Uganda/Rwanda: Forcible Return Raises Grave Concerns," Human Rights Watch news release, November 4, 2013, <https://www.hrw.org/news/2013/11/04/uganda/rwanda-forcible-return-raises-grave-concerns>.

²⁸ Human Rights Watch, *World Report 2019* (New York: Human Rights Watch, 2019), Uganda chapter, <https://www.hrw.org/world-report/2019/country-chapters/uganda>.

²⁹ Clement Uwiringiyimana, Elias Biryabarema, and Alison Williams, "Rwanda re-opens border with Uganda but says grievances remain," *Reuters*, January 31, 2022, <https://www.reuters.com/world/africa/rwanda-re-opens-border-with-uganda-says-grievances-remain-2022-01-31/> (accessed September 25, 2023).

³⁰ "Museveni sends Gen Muhoozi to Rwanda," *Nile Post*, January 21, 2022, <https://nilepost.co.ug/2022/01/21/museveni-sends-gen-muhoozi-to-rwanda/> (accessed September 25, 2023).

reducing poverty.³¹ It has set itself ambitious priorities for the country's development, which it has pursued with determination over the last two decades.³²

But the genocide continues to weigh heavily on the country. Delivering justice for mass atrocities was a daunting challenge, and the scale and complexity of the genocide would have overwhelmed even the best equipped judicial system.

The UN Security Council established the International Criminal Tribunal for Rwanda (ICTR) in 1994 in response to the genocide. The tribunal indicted 93 people, convicted and sentenced 62, and acquitted 14. It made significant contributions to establishing the truth about the planning of the genocide and providing justice to victims. However, the ICTR only handled a small number of cases and was unwilling to prosecute war crimes and crimes against humanity committed by the RPF.³³ The tribunal formally closed on December 31, 2015.³⁴ Remaining cases were to be tried before the International Residual Mechanism for Criminal Tribunals (IRMCT) or transferred to Rwanda.³⁵ The IRMCT was established to handle the outstanding functions of the ICTR and the International Criminal Tribunal for the former Yugoslavia (ICTY) once those tribunals closed. The mechanism has branches in Arusha, Tanzania, and The Hague, the Netherlands.

The Rwandan justice system also tried many genocide suspects, both in conventional domestic courts and in local, community-based *gacaca* courts. The standards of these trials varied enormously, and political interference as well as pressure resulted in some unfair trials. Other cases have shown greater respect for due process. The *gacaca* trials ended in 2012.³⁶

³¹ Collins Mwai, "Rwanda: The Emerging Economy To Watch," *Forbes*, December 5, 2018, <https://www.forbesafrica.com/economy/2018/12/05/rwanda-the-emerging-economy-to-watch/> (accessed September 25, 2023).

³² Ministry of Finance and Economic Planning, Republic of Rwanda, *Rwanda Vision 2020*, July 2000, <https://www.greengrowthknowledge.org/sites/default/files/downloads/policy-database/RWANDA%20%20Rwanda%20Vision%202020.pdf> (accessed September 25, 2023).

³³ "Rwanda Tribunal Should Pursue Justice for RPF Crimes," Human Rights Watch news release, December 12, 2008, <https://www.hrw.org/news/2008/12/12/rwanda-tribunal-should-pursue-justice-rpf-crimes>.

³⁴ "Rwanda: International Tribunal Closing Its Doors," Human Rights Watch news release, December 23, 2015, <https://www.hrw.org/news/2015/12/23/rwanda-international-tribunal-closing-its-doors>.

³⁵ "Rwanda: Major Step Toward Justice for Genocide," Human Rights Watch news release, May 18, 2020, <https://www.hrw.org/news/2020/05/18/rwanda-major-step-toward-justice-genocide>.

³⁶ Human Rights Watch, *Justice Compromised: The Legacy of Rwanda's Community-Based Gacaca Courts* (New York: Human Rights Watch, 2011), <https://www.hrw.org/report/2011/05/31/justice-compromised/legacy-rwandas-community-based-gacaca-courts>.

As it wound down its work between 2011 and 2015, the ICTR transferred several genocide cases to Rwandan courts. To provide for the transfer of those cases, as well as extraditions of genocide suspects from other countries, the Rwandan government undertook reforms to the justice system aimed at meeting international fair trial standards. But the technical and formal improvements in laws and administrative structure were not matched by gains in judicial independence and respect for the right to a fair trial.

“Genocide Ideology” and “Divisionism”

After the genocide, a transitional government consisting of representatives of the RPF and the other political parties that signed the 1993 Arusha Accords ruled the country. Elections were held in late 2003 and Paul Kagame, formerly vice president and minister of defense, was elected president. In the lead-up to the election, Kagame threatened political opponents and forced some into exile, promising to “wound” any who failed to understand and heed his message against “divisionism.”³⁷

From the outset, the RPF did not tolerate any criticism, dealing ruthlessly with real or suspected opponents through extrajudicial killings, enforced disappearances, torture, and unlawful detention, as well as threats, intimidation, harassment, and intense physical surveillance.³⁸

In the decades that followed the genocide, as some Rwandan officials were reforming technical and formal aspects of judicial administration, others were carrying forward a far-reaching campaign against what in Rwanda is known as “divisionism” and “genocide ideology.” This campaign has had a broad impact on many aspects of Rwandan life, particularly in the domains of judicial independence and the rights of the accused to present witnesses, to be presumed innocent, and to have equal access to justice.³⁹

³⁷ Paul Kagame, President of the Republic of Rwanda, on the occasion of International Water Day, Rebero, Bwisige, Byumba, March 31, 2003. For more information, see: “Rwanda - Preparing for Elections: Tightening Control in the Name of Unity,” Human Rights Watch Backgrounder, May 8, 2003, https://www.hrw.org/legacy/backgrounder/africa/rwanda0503bck.htm#P23_3864.

³⁸ “Rwanda: Repression Across Borders,” Human Rights Watch briefing.

³⁹ For more information, see: Human Rights Watch, *Law and Reality: Progress in Judicial Reform in Rwanda*, (New York: Human Rights Watch, 2008), <https://www.hrw.org/report/2008/07/25/law-and-reality/progress-judicial-reform-rwanda>.

Since 1994, Rwanda has passed several laws that were intended to prevent and punish hate speech of the kind that led to the genocide, but which have restricted free speech and imposed strict limits on how people can talk about the genocide and other events around 1994 and the subsequent 1996 Rwandan invasion of Zaïre. Accusations and charges of genocide ideology have been used routinely to silence prominent critics of the government.⁴⁰

Rwandan law defines genocide ideology as a public act that manifests an ideology that supports or advocates for destroying—in whole or in part—a national, ethnic, racial, or religious group.⁴¹ A 2013 revised version of the law defined the offense more precisely and required evidence of the intent behind the crime, reducing the scope for abusive prosecutions.⁴² But the revision of the law adopted in 2018 removed language requiring evidence of a “deliberate” act and added provisions that could be used to criminalize free speech. For example, under the 2018 revised law, “Affirm[ing] that there was double genocide,” which is often interpreted as referring to crimes committed by the RPF, and “providing wrong statistics about the victims of the Genocide” are punishable by up to seven years in prison.⁴³ Although these statements may be offensive to genocide survivors, and contrary to research findings by Human Rights Watch and other independent organizations, the law opens the way to misuse and for the government to effectively criminalize free speech.

The RPF contends that, although some RPA soldiers may have killed civilians when it invaded Rwanda, these crimes were the unfortunate result of wartime or were occasional acts of revenge and have been punished.⁴⁴ However, representatives of four UN agencies

⁴⁰ “Rwanda: Eight-Year Sentence for Opposition Leader,” Human Rights Watch news release, October 30, 2012, <https://www.hrw.org/news/2012/10/30/rwanda-eight-year-sentence-opposition-leader>; “Rwanda: Wave of Free Speech Prosecutions,” Human Rights Watch news release, March 16, 2022, <https://www.hrw.org/news/2022/03/16/rwanda-wave-free-speech-prosecutions>.

⁴¹ Law on the Crime of Genocide Ideology and Related Crimes, No. 59/2018 of 22/08/2018, <https://rwandalii.africanlii.org/sites/default/files/gazette/OG%2Bno%2BSpecial%2Bof%2B25%2Bo9%2B2018.pdf> (accessed September 25, 2023).

⁴² Law on the Crime of Genocide Ideology and Other Related Offences, No. 84/2013 of 11/09/2013, <https://www.ilo.org/dyn/natlex/docs/SERIAL/94191/110882/F-783402599/RWA-94191.pdf> (accessed September 25, 2023).

⁴³ Law on the Crime of Genocide Ideology and Related Crimes, arts. 5-6.

⁴⁴ Human Rights Watch, *Law and Reality*.

as well as international and Rwandan nongovernmental organizations have documented war crimes committed by the RPA.⁴⁵

In the text of Rwandan laws about “divisionism” and “genocide ideology,” and in public presentations, Rwandan officials often say they seek to eliminate these ideas to prevent future violence.⁴⁶ While this goal is certainly legitimate, the policies pursued by Rwandan authorities over the decades have shown that they have other reasons for seeking to eliminate certain views they deem inappropriate. Promoting conformity on certain important questions has been central to RPF practice from its early days, even before the genocide.⁴⁷

Refugee Returns

Over 3.5 million Rwandans became refugees in the wake of the 1994 genocide and armed clashes in northwestern Rwanda in 1997 and 1998, according to the UN refugee agency, UNHCR.⁴⁸ According to UNHCR, by 2013, all but an estimated 100,000 had returned to Rwanda, “owing to lasting peace and stability in their country.”⁴⁹

⁴⁵ Human Rights Watch/International Federation for Human Rights, *Leave None to Tell the Story*; UN Commission on Human Rights, Report on the situation of human rights in Rwanda, René Degni-Ségui, E/CN.4/1995/7, June 28, 1994, pp. 3, 13; United Nations, *The United Nations and Rwanda, 1993-1996*, Blue Books Series, volume X, (New York: United Nations Publications, 1996); UN High Commissioner of Human Rights, “Report to the Secretary-General on the investigation of serious violations of international humanitarian law committed in Rwanda during the conflict,” annexed to a letter dated July 21 from the Secretary-General to the President of the Security Council transmitting the report on the violations of international humanitarian law in Rwanda during the conflict, prepared on the basis of the visit of the United Nations High Commissioner for Human Rights to Rwanda (May 11-12, 1994), pp 313-315; UN High Commissioner for Refugees, “Update on the Rwanda emergency by the Executive Committee of the Programme of the United Nations High Commissioner for Refugees,” 26 September 1994, paragraph 13, p. 338; and UN Secretary-General, “Letter dated 1 October 1994 from the Secretary-General to the President of the Security Council transmitting the interim report of the Commission of Experts on the evidence of grave violations of international humanitarian law in Rwanda, including possible acts of genocide,” paragraphs 146-150 of the Commission report, p. 361. See also: United Nations Security Council, Resolution 1503 (2003), S/RES/1503 (2003) <http://unscr.com/en/resolutions/1503> (accessed September 25, 2023) and United Nations Security Council, Resolution 1534 (2004), S/RES/1534 (2004) <http://unscr.com/en/resolutions/1534> (accessed September 25, 2023); UN Security Council, Final Report of the Commission of Experts established pursuant to Security Council Resolution 935 (1994), S/1994/1405, 1994, paras. 146-147.

⁴⁶ Human Rights Watch, *Law and Reality*.

⁴⁷ Ibid.

⁴⁸ “Ending of refugee status for Rwandans approaching,” UNHCR briefing note, June 28, 2013, <https://www.unhcr.org/en-us/news/briefing/2013/6/51cd7dfo6/ending-refugee-status-rwandans-approaching.html> (accessed September 25, 2023).

⁴⁹ Ibid.

Many who fled the genocide were recognized in neighboring countries as refugees on a “prima facie” basis (as a group) due to the mass influx.⁵⁰ Many qualified as refugees under the persecution-based definition in the 1951 Refugee Convention and the 1969 African Refugee Convention,⁵¹ or under the latter’s expanded refugee definition, which also encompasses those fleeing “events seriously disturbing public order.”⁵²

In the decade that followed the genocide, even while some refugee displacement continued, hundreds of thousands of refugees returned to Rwanda.⁵³ After the conflict in eastern Zaïre escalated in October 1996, more than 600,000 Rwandans returned to Rwanda. And in December 1996, 500,000 Rwandans returned home from Tanzania after a controversial repatriation campaign.⁵⁴

Rwandan authorities organized “solidarity camps,” known today as *ingando*, to convey political lessons to refugees who had followed the genocidal government into exile and who returned in large numbers in late 1996 and 1997. The camps were meant to promote ideas of nationalism, to erase the ethnically charged lessons taught by the previous government, and to spur loyalty to the RPF. Salaried employees who wished to return to public or private employment and young people who wanted to return to education ordinarily had first to complete a training session at an *ingando* camp.⁵⁵

⁵⁰ “Working Paper No. 69: Prima facie status and refugee protection,” UNHCR working paper, October 2002, <https://www.unhcr.org/3db9636c4.pdf> (accessed September 25, 2023).

⁵¹ The 1951 UN Refugee Convention’s Article 1 definition of a “refugee” – a person who has fled their country and fears returning due to a “well-founded fear of persecution” for reasons of race, religion, nationality, membership of a particular social group, or political opinion – has been incorporated into the 1969 African Refugee Convention, Article 1(1). See Convention relating to the Status of Refugees, 189 U.N.T.S. 150, entered into force April 22, 1954, art. 1; Convention Governing the Specific Aspects of Refugee Problems in Africa (African Refugee Convention), 1001 UNTS 45, entered into force June 20, 1974, art 1(1).

⁵² Article 1(2) of the African Refugee Convention further expands the refugee definition to encompass those who have fled their country for reasons of “external aggression, occupation, foreign domination or events seriously disturbing public order.” The latter has been interpreted to include, among other things, situations of armed conflict or widespread violence.

⁵³ “A decade after genocide, Rwandans return home to reconcile and rebuild,” UNHCR news, April 7, 2004, <https://www.unhcr.org/news/latest/2004/4/407421b12/decade-genocide-rwandans-return-home-reconcile-rebuild.html> (accessed September 25, 2023).

⁵⁴ “UNHCR mounts campaign for return of 80,000 Rwandan refugees,” UNHCR news, November 6, 2003, <https://unhcr.org/news/latest/2003/11/3faa72027/unhcr-mounts-campaign-return-80000-rwandan-refugees.html> (accessed September 25, 2023), United States Committee for Refugees and Immigrants, *U.S. Committee for Refugees World Refugee Survey 1997 - Tanzania*, January 1, 1997, <https://www.refworld.org/docid/3ae6a8a637.html> (accessed September 25, 2023)

⁵⁵ Human Rights Watch, *Rwanda: The Search for Security and Human Rights Abuses*, vol. 12, Number 1 (A), (New York: Human Rights Watch, 2000), <https://www.hrw.org/reports/2000/rwanda/Rwan004-13.htm>.

Many Rwandans refused to return for fear of persecution, citing continuing disappearances, extrajudicial executions, arbitrary arrest and detention, unfair trials, as well as the illegal confiscation and occupation of property by government officials and security forces.⁵⁶

Yet the Rwandan government continued to seek the return of Rwandan refugees from neighboring countries and exerted pressure on governments in the region to cooperate in repatriations. Uganda, Burundi, and Tanzania all forcibly returned refugees to Rwanda without considering their individual cases on several occasions over the last few decades.⁵⁷

Rwanda pressured UNHCR and states hosting Rwandan refugees to invoke (by December 31, 2011) what is known as the “cessation clause” in both the UN and African refugee conventions.⁵⁸ Under the cessation clause, UNHCR and host countries can declare that a given group of refugees no longer needs international protection because they can avail themselves of the protection of their home government—allowing them to withdraw refugee status for the group—if they believe the circumstances leading to the original refugee displacement have ceased to exist.⁵⁹

⁵⁶ Amnesty International, “Rwanda Protecting their rights: Rwandese refugees in the Great Lakes region,” December 2004, <https://www.amnesty.org/en/wp-content/uploads/2021/09/afr470162004en.pdf> (accessed September 25, 2023).

⁵⁷ “Tanzania/Uganda: Prevent Forced Return of Refugees,” Human Rights Watch news release, June 19, 2009, <https://www.hrw.org/news/2009/06/19/tanzania/uganda-prevent-forced-return-refugees>; “Burundi: Review Rwandans’ Asylum Claims,” Human Rights Watch news release, October 16, 2009, <https://www.hrw.org/news/2009/10/16/burundi-review-rwandans-asylum-claims>; “Burundi: Stop Deporting Rwandan Asylum Seekers,” Human Rights Watch news release, December 2, 2009, <https://www.hrw.org/en/news/2009/12/02/burundi-stop-deporting-rwandan-asylum-seekers>; “Uganda/Rwanda: Halt Forced Returns of Refugees,” Human Rights Watch news release, July 17, 2010, <https://www.hrw.org/news/2010/07/17/uganda/rwanda-halt-forced-returns-refugees>.

⁵⁸ Human Rights Watch, *World Report 2012* (New York: Human Rights Watch, 2012), Rwanda chapter, https://www.hrw.org/sites/default/files/related_material/rwanda_2012.pdf.

⁵⁹ Article 1(c) of the 1951 Refugee Convention, known as the cessation clauses, allows for withdrawal of refugee status in six cases: 1) if the refugee has voluntarily re-availed himself of the protection of his country of nationality; 2) if he has voluntarily re-acquired a nationality that was previously lost or 3) acquired a new nationality and is enjoying the protection of the country of that new nationality; 4) if he has voluntarily re-established himself in the country he originally left ; or 5-6) if, “because the circumstances in connection with which he has been recognized as a refugee have ceased to exist,” the refugee can no longer “continue to refuse to avail himself of the protection of the country of nationality” or (in the case of a person with no nationality) “is able to return to the country of his former habitual residence.” [However, in the case of the former, such persons may still invoke “compelling reasons arising out of previous persecution” as to why they refuse to return]. Article 1(4) of the 1969 African Refugee Convention contains similar cessation clauses, with two additions: if the refugee “has committed a serious nonpolitical crime outside his country of refuge after his admission to that country as a refugee, or ... has seriously infringed the purposes and objectives of this Convention.” UNHCR stresses that the cessation clauses are “negative in character and exhaustively enumerated. They should therefore be interpreted restrictively, and no other reasons may be adduced by way of analogy to justify the withdrawal of refugee status.” UNHCR, “Handbook on

In June 2013, UNHCR recommended the implementation of the cessation clause for Rwandan refugees who left the country between 1959 and 1998.⁶⁰ Doing so had the effect of reinforcing the perception that Rwanda is stable and safe, and many Rwandans interviewed for this report thought it made it harder for Rwandan asylum seekers to obtain refugee status.

Several countries that followed UNHCR's recommendation and implemented the cessation clause encountered long delays in repatriations.⁶¹ Many other countries did not implement the clause but have established tripartite agreements with Rwanda and UNHCR to facilitate "voluntary" returns.⁶²

The invocation of the cessation clause reinforced the flawed assumption that positive developments in Rwanda ensured that refugees could return safely. While the mass violence of the genocide itself—"events seriously disturbing public order"—had ended, repression of political opinion and association in the aftermath of the genocide continued in the ensuing years, raising significant doubt that the key criteria of the cessation clause—that the circumstances that caused people to be recognized as refugees had "ceased to exist" to the extent that their home country would now protect them—had been met.⁶³

The failure of the UN and many governments to recognize the severity and scope of the RPF-dominated government's human rights violations, as well as its hostility toward those it perceives as challenging its nearly 30 years in power, has left many Rwandans with nowhere to turn. The threat of losing refugee status or of forcible return to Rwanda left tens

Procedures and Criteria for Determining Refugee Status and Guidelines on International Protection Under the 1951 Convention and the 1967 Protocol Relating to the Status of Refugees," reissued February 2019, <https://www.refworld.org/docid/5cb474b27.html> (accessed September 25, 2023), para. 116.

⁶⁰ "Ending of refugee status for Rwandans approaching," UNHCR briefing note, June 28, 2013, <https://www.unhcr.org/en-us/news/briefing/2013/6/51cd7dfo6/ending-refugee-status-rwandans-approaching.html> (accessed September 25, 2023).

⁶¹ Johnson Kanamugire, "African countries in a fix as Rwanda refugee status ends," *The East African*, January 20, 2018, <https://www.theeastafrican.co.ke/news/Rwanda-refugee-status-ends-/2558-4271610-w74qg5z/index.html> (accessed September 25, 2023).

⁶² By 2004, the government of Rwanda had signed repatriation agreements with Burundi, the Central African Republic, Malawi, Mozambique, Namibia, Republic of Congo, Tanzania, Uganda, Zambia, and Zimbabwe. See: "A decade after genocide, Rwandans return home to reconcile and rebuild," UNHCR news, April 7, 2004, <https://www.unhcr.org/news/latest/2004/4/407421b12/decade-genocide-rwandans-return-home-reconcile-rebuild.html> (accessed September 25, 2023).

⁶³ Legal scholars James C. Hathaway and Michelle Foster write that for circumstances to have "ceased to exist" per the cessation clause requires "clear evidence of such a fundamental transformation [that] refugee status comes to an end given the manifest absence of a need for surrogate national protection." *The Law of Refugee Status*, Second Edition, page 464.

of thousands of Rwandans living in countries that invoked the clause in a state of uncertainty about their future and immediate safety. Refugees interviewed for this report said the cessation clause had also caused a serious breakdown in trust between refugee communities and UNHCR, because the agency had complied with the Rwandan government's request.⁶⁴ Displaced Rwandans who are stripped of refugee status and do not return home risk becoming undocumented in their host country, which can impede their access to numerous basic services in violation of their rights.

Human Rights Watch wrote to UNHCR to seek information and requested its view on its invocation of the cessation clause and its impact on the protection of Rwandan refugees. UNHCR responded in a letter dated August 22, 2023, and by email in September 2023, noting that it had assisted with the return of 65,000 Rwandans between 2012 and 2022, including 63,500 from Congo.

UNHCR stated, "Presently, there are 28,000 Rwandan refugees registered in the East, Horn and Great Lakes region (Burundi, Djibouti, Ethiopia, Eritrea, Kenya, Somalia, South Sudan, Sudan, Tanzania, and Uganda), and 218,000 Rwandans refugees in Southern Africa Region (Angola, Botswana, DR Congo, Eswatini, Malawi, Mozambique, Namibia, Republic of Congo, South Africa, Zambia, Zimbabwe), amongst which 208,000 estimated in the DR Congo by the Congolese government and 10,000 registered in the other countries of the Southern Africa region. If we exclude the figure for Congo, which is an estimate, the number of Rwandan refugees in the two regions is declining compared to 1998." UNHCR said that the number of Rwandan refugees in the two regions dropped from 1.8 million in 1995 to 69,000 in 1998 and that the "majority of the Rwandan refugees had returned home spontaneously." UNHCR also noted that "The Congolese government updated the figures from 38,000 in 2014 to 245,000 following a pre-registration (estimation) exercise."⁶⁵

Rwanda's Influence on the International Stage

In recent years, Rwanda has become increasingly prominent on the international stage, building an ambitious foreign policy that has seen Rwanda or Rwandan officials taking an

⁶⁴ "Rwanda ready to receive all returning refugees as cessation clause comes into effect," Ministry of Disaster Management and Refugee Affairs press release, July 3, 2013, <https://reliefweb.int/report/rwanda/rwanda-ready-receive-all-returning-refugees-cessation-clause-comes-effect> (accessed September 25, 2023).

⁶⁵ Letter from Elizabeth Tan, Director of the Division of International Protection at UNHCR, to Human Rights Watch, August 22, 2023 and follow up email exchange on September 22, 2023 (edited by Human Rights Watch for style).

active role in multilateral institutions. Kagame, when he chaired the African Union (AU) in 2018, spearheaded a wide-reaching reform agenda and was a driving force behind the African Continental Free Trade Agreement (AfCFTA).⁶⁶ Rwanda is one of the largest contributors to peacekeeping operations on the continent and Rwandan troops are also intervening bilaterally in the Central African Republic and Mozambique.⁶⁷ At time of writing, Rwanda and Benin were holding talks on bilateral security assistance.⁶⁸

Rwandan officials have often cited their own country's violent past as their motivation for their government's contribution to peacekeeping operations and willingness to take a proactive role in resolving conflicts on the continent. It was indeed the international community's complete failure to speak out—let alone intervene—in Rwanda in 1994 that contributed to the deaths of so many. Kagame is the only African leader to have spoken out forcefully following the outbreak of the war in the Tigray region of northern Ethiopia, calling for action by the US, UN, and other African states.⁶⁹

However, Rwanda's contributions to multilateral operations, under the aegis of the AU and the UN, have also been used to stave off criticism of its human rights record, both domestically and abroad. In response to the UN Human Rights Mapping Report, which details serious crimes committed between March 1993 and June 2003, including by Rwandan troops,⁷⁰ Rwandan authorities threatened to withdraw troops deployed to Sudan as part of the UN-AU mission to Darfur.⁷¹ "Starting with Darfur, we have instructed our force

⁶⁶ Yarik Turianskyi, "Kagame's AU reforms will struggle to survive without him," *South African Institute of International Affairs*, February 25, 2019, <https://saiia.org.za/research/kagames-au-reforms-will-struggle-to-survive-without-him/> (accessed September 25, 2023).

⁶⁷ Federico Donelli, "Rwanda's Military Diplomacy. Kigali's Political Use of the Military Means to Increase Prestige and Influence in Africa and Beyond," *Notes de l'Ifri*, April 2022, <https://www.ifri.org/en/publications/notes-de-lifri/rwandas-military-diplomacy-kigalis-political-use-military-means-increase> (accessed September 25, 2023); Jessica Moody, "How Rwanda Became Africa's Policeman," *Foreign Policy*, November 21, 2022, <https://foreignpolicy.com/2022/11/21/how-rwanda-became-africas-policeman/> (accessed September 25, 2023).

⁶⁸ Pulcherie Adjoha, Clement Uwiringiyimana, Alessandra Prentice, Andrew Heavens, and Alexander Smith, "Benin says in talks with Rwanda over logistical aid to counter Islamist threat," *Reuters*, September 10, 2022, <https://www.reuters.com/world/africa/benin-talks-with-rwanda-over-logistical-aid-counter-islamist-threat-2022-09-10/> (accessed September 25, 2023).

⁶⁹ "Battlegrounds w/ H.R. McMaster: Rwanda and The African Union," Hoover Institution podcast, February 3, 2021, <https://www.hoover.org/research/battlegrounds-w-hr-mcmaster-rwanda-and-african-union> (accessed September 25, 2023).

⁷⁰ "DR Congo: Q & A on the United Nations Human Rights Mapping Report," Human Rights Watch, October 1, 2010, <https://www.hrw.org/news/2010/10/01/dr-congo-q-united-nations-human-rights-mapping-report>.

⁷¹ Federico Donelli, "Rwanda's Military Diplomacy. Kigali's Political Use of the Military Means to Increase Prestige and Influence in Africa and Beyond," *Notes de l'Ifri*, April 2022, <https://www.ifri.org/en/publications/notes-de-lifri/rwandas-military-diplomacy-kigalis-political-use-military-means-increase> (accessed September 25, 2023).

commander to make contingency plans for immediate withdrawal as we wait to see how the UN treats this report,” then-Foreign Affairs Minister Louise Mushikiwabo said at the time.⁷²

In June and November 2012, reports by the UN Group of Experts on Congo documented Rwanda’s command over the M23 armed group and its abuses in eastern Congo.⁷³ The Rwandan government instructed Akin Gump Strauss Hauer & Feld LLP, a US based law firm, to critically review the methodology of the Group of Experts’ interim report.⁷⁴ Human Rights Watch wrote to Akin Gump Strauss Hauer & Feld LLP to seek input on the evidence used for this report and its source, but at time of publication, had not received a response. Despite the experts’ grave findings that Rwanda had a direct hand in conflict in a neighboring state, on October 18, 2012, Rwanda was elected to a two-year term on the UN Security Council.⁷⁵

Over the years, even countries that were somewhat critical of Rwanda’s rights record have toned down their condemnation of its domestic and extraterritorial human rights abuse, as other strategic interests have become more prominent.⁷⁶ One example of this trade-off is the UK-Rwanda Migration and Economic Development Partnership. In April 2022, the UK announced that it had made an agreement, in the form of a Memorandum of Understanding, to send asylum seekers who enter the UK through “irregular” routes, such

⁷² “Rwanda threatens to withdraw peacekeepers from Darfur over UN report,” *France 24*, August 31, 2010, <https://www.france24.com/en/20100831-rwanda-threatens-darfur-peacekeeper-withdrawal-un-report-war-crimes> (accessed September 25, 2023).

⁷³ UN Security Council, “Final report of the Group of Experts on the DRC submitted in accordance with paragraph 4 of Security Council resolution 2011,” S/2012/843, November 2012, <https://www.un.org/securitycouncil/sanctions/1533/panel-of-experts/expert-reports> (accessed September 25, 2023); and UN Security Council, “Interim report of the Group of Experts on the DRC submitted in accordance with paragraph 4 of Security Council resolution 2011,” S/2012/348, June 2012, <https://www.un.org/securitycouncil/sanctions/1533/panel-of-experts/expert-reports> (accessed September 25, 2023).

⁷⁴ “Methodological and investigative shortcomings of the group of experts’ interim report,” Review of the Interim Report (S/2012/348) and Addenda (S/2012/348/Add.1 and S/AC.43/2012/Note.14) prepared at the request of the Government of Rwanda by Akin Gump Strauss Hauer & Feld LLP, October 9, 2012; Armin Rosen, “After the Fall of Goma: The M23 Conflict’s Western Front,” *The Atlantic*, November 20, 2012, <https://www.theatlantic.com/international/archive/2012/11/after-the-fall-of-goma-the-m23-conflicts-western-front/264935/> (accessed September 25, 2023).

⁷⁵ “Rwanda voted onto UN Security Council,” *BBC News Online*, October 18, 2012, <https://www.bbc.com/news/world-19998195> (accessed September 25, 2023).

⁷⁶ See on p. iii of this report for a full analysis of extraterritorial (or “transnational”) repression. Human Rights Watch defines it as a systematic effort to prevent political dissent beyond a country’s borders by employing a range of tactics to silence and control refugees, asylum seekers, and other members of the diaspora. The tools of repression include physical abuse, exploiting technological vulnerabilities, the misuse of international and domestic law enforcement, and the manipulation of family ties to threaten and punish real or perceived dissidents living abroad.

as by crossing the English Channel, to Rwanda.⁷⁷ The deal is a clear abrogation of the UK's international protection responsibilities and obligations towards asylum seekers and refugees, and was widely condemned.⁷⁸ In May, the UK Home Office published its safety assessment on Rwanda, intended to justify the agreement, and conclusion that Rwanda is a safe third country to which to send asylum seekers.⁷⁹ Reneging on its past criticism of Rwanda's human rights record, the UK government's report downplayed the risks asylum seekers may face if deported to Rwanda.⁸⁰ A Foreign Office memo, revealed in court proceedings to challenge the UK-Rwanda deal, stated that, in March 2021, UK officials had informed then-Foreign Secretary Dominic Raab that if Rwanda was chosen as a partner for the asylum deal, the government would need to "constrain UK positions on Rwanda's human rights record, and to absorb resulting criticism."⁸¹ Human Rights Watch wrote to the UK authorities to seek information and input on whether the asylum deal had been reviewed in light of the real risk of persecution Rwandan asylum seekers and refugees face in the UK. On October 2, Human Rights Watch received a letter from the Foreign, Commonwealth and Development Office, on behalf of the Foreign Secretary and the Home Secretary, broadly stating that, "Our positive relationship with Rwanda ensures that we uphold our commitment to addressing critical global challenges. We have worked closely together on the partnership to protect vulnerable people seeking safety and

⁷⁷ "World first partnership to tackle global migration crisis," UK Home Office news release, April 14, 2022, <https://www.gov.uk/government/news/world-first-partnership-to-tackle-global-migration-crisis> (accessed September 25, 2023). At time of writing, the UK had paid Rwanda £140 million for the scheme (£120 million into the economic development and growth of Rwanda, and £20 million for set-up costs). For more information, see: "Rwanda Asylum Partnership, Volume 824: debated on Wednesday 19 October 2022," UK Parliament, October 19, 2022, <https://hansard.parliament.uk/Lords/2022-10-19/debates/EBEFCBED-C7CA-444B-9C31-2F18E60CAF44/RwandaAsylumPartnership?highlight=rwanda#contribution-A62F3C20-29BD-43F3-A6D2-BE4AC554D91B> (accessed September 25, 2023).

⁷⁸ "Public Letter to UK Home Secretary on Expulsions to Rwanda," Human Rights Watch, June 11, 2022, <https://www.hrw.org/news/2022/06/11/public-letter-uk-home-secretary-expulsions-rwanda>. See also UNHCR, "Analysis of the Legality and Appropriateness of the Transfer of Asylum Seekers under the UK-Rwanda arrangement," June 8, 2022, <https://www.unhcr.org/uk/media/unhcr-analysis-legality-and-appropriateness-transfer-asylum-seekers-under-uk-rwanda> (accessed September 25, 2023).

⁷⁹ "Rwanda: country policy and information notes," United Kingdom Home Office, May 9, 2022, <https://www.gov.uk/government/publications/rwanda-country-policy-and-information-notes> (accessed September 25, 2023).

⁸⁰ "UK Statement on Rwanda," Government of the UK, 37th session of the Universal Periodic Review, United Nations, January 25, 2021, <https://www.gov.uk/government/speeches/37th-universal-periodic-review-uk-statement-on-rwanda> (accessed September 25, 2023).

⁸¹ Lizzie Dearden, "Government officials told Priti Patel not to do asylum deal with Rwanda, court hears," *The Independent*, July 19, 2022, <https://www.independent.co.uk/news/uk/home-news/rwanda-deal-priti-patel-asylum-law-b2126416.html> (accessed September 25, 2023).

opportunity; human rights are a key consideration. The UK and Rwanda are mutually committed to ensuring that this arrangement succeeds.”⁸²

In 2021, after decades of tense relations between France and Rwanda, a commission established by President Emmanuel Macron to investigate France’s role in the 1994 genocide published a 1,200-page report concluding that France has responsibilities it characterized as “serious and overwhelming,” including for being blind to the preparation of the genocide and being slow to withdraw support from the government orchestrating it.⁸³ Since then, the French government has increased political support for Rwanda in its role as “peacekeeper” on the continent, including by reportedly supporting the EU funding of 20 million euro for Rwanda’s bilateral intervention in Mozambique.⁸⁴ Rwandan troops were deployed to Mozambique’s Cabo Delgado region in July 2021, three months after TotalEnergies, a French oil and gas company, was forced to suspend a US\$20 billion liquefied natural gas project due to insecurity.⁸⁵ In addition, Rwanda has taken over peacekeeping operations in the Central African Republic, and filled the gap left, in part, by the departure of French forces announced in 2016 and fully implemented in December 2022. Human Rights Watch wrote to the French government to seek information and input on its support for Rwanda’s military in Mozambique, but at time of writing, had not received a response.

Rwanda’s prominent role in multilateral institutions has turned the country into a leading actor on the global stage while advancing its interests. Mushikiwabo is now the secretary general of the International Organization of La Francophonie (Organisation internationale de la Francophonie, OIF). Kagame was awarded the “*Ordre de La Pléiade*” by the Parliamentary Assembly of La Francophonie in July 2022, an award which recognizes individuals who have promoted the French language and made contributions to French speaking communities,

⁸² Letter from the Minister of State with responsibility for human rights (on behalf of the Home Secretary and Foreign Secretary of the UK) to Human Rights Watch, dated September 29, 2023 and received on October 2, 2023.

⁸³ Vincent Duclert, *La France, le Rwanda et le génocide des Tutsi (1990-1994)*, Commission de recherche sur les archives françaises relatives au Rwanda et au génocide des Tutsi, March 26, 2021, <https://www.vie-publique.fr/rapport/279186-rapport-duclert-la-france-le-rwanda-et-le-genocide-des-tutsi-1990-1994> (accessed September 25, 2023).

⁸⁴ Human Rights Watch interviews with diplomatic sources, Brussels, Belgium, September 5, 2022.

⁸⁵ Francois de Beaupuy, Paul Burkhardt, and Borges Nhamire, “Total suspends \$20BN LNG project in Mozambique indefinitely,” *Al Jazeera*, April 26, 2021, <https://www.aljazeera.com/economy/2021/4/26/total-suspends-20bn-lng-project-in-mozambique-indefinitely> (accessed September 25, 2023); “Rwanda Deploys Joint Force to Mozambique,” Rwanda Defence Force, July 9, 2021, <https://www.gov.rw/blog-detail/rwanda-deploys-joint-force-to-mozambique> (accessed September 25, 2023).

despite the fact that under his leadership, Rwanda has actively reduced the use of French in official affairs and imposed English as the sole medium of education.⁸⁶

Following this shift and Rwanda's rapprochement with the English-speaking world, Rwanda became a member of the Commonwealth in 2009. In 2022, President Kagame became Chair-in-office of the Commonwealth, after hosting the Commonwealth Heads of Government Meeting (CHOGM) in Kigali in June. The meeting among heads of state of the Commonwealth, which normally includes discussions on human rights, good governance, and freedom of expression, was muted on Rwanda's rights record. Journalists reported being blocked from entering the country and prevented from working independently.⁸⁷ Additional concerns about human rights violations connected to the meeting, including the arbitrary detention and ill treatment of poor and marginalized people to "clear" the streets, were ignored by the Commonwealth secretariat and its heads of states.⁸⁸ In May, a jailed critic said in court he was being beaten and tortured, and that "the prison staff tell us they will kill us after CHOGM."⁸⁹ In January 2023, John Williams Ntwali, an investigative journalist who had been warned by intelligence agents that, "If you don't change your tone, after CHOGM, you'll see what happens to you," died in suspicious circumstances.⁹⁰

Rwanda's Public Relations Strategy

The Rwandan government is known to invest significant resources in major entertainment, cultural, and sports events as part of a plan to overhaul the country's economy and attract foreign investors and tourists. Some of these communications campaigns have included the #VisitRwanda campaign and Rwanda's sponsorship of Arsenal Football Club. Although many countries invest in public relations to promote tourism and boost their economy,

⁸⁶ Chris McGreal, "Rwanda to switch from French to English in schools," *The Guardian*, October 14, 2008, <https://www.theguardian.com/world/2008/oct/14/rwanda-france> (accessed September 25, 2023).

⁸⁷ "Commonwealth Secretariat denies entry to at least 2 journalists seeking to cover summit in Rwanda; others left in limbo," Committee to Protect Journalists Alert, June 17, 2022, <https://cpj.org/2022/06/commonwealth-secretariat-denies-entry-to-at-least-2-journalists-seeking-to-cover-summit-in-rwanda-others-left-in-limbo/> (accessed September 25, 2023).

⁸⁸ Joint civil society letter to Commonwealth Heads of Government, June 10, 2022, <https://www.hrw.org/news/2022/06/10/call-commonwealth-leaders-speak-rights-rwandans>; "Rwanda: Round Ups-Linked to Commonwealth Meeting," Human Rights Watch news release, September 27, 2021, <https://www.hrw.org/news/2021/09/27/rwanda-round-ups-linked-commonwealth-meeting>.

⁸⁹ "Rwanda: Jailed Critic Denounces Torture in Prison," Human Rights Watch news release, June 13, 2022, <https://www.hrw.org/news/2022/06/13/rwanda-jailed-critic-denounces-torture-prison>.

⁹⁰ "Rwanda: Suspicious Death of Investigative Journalist," Human Rights Watch news release, January 20, 2023, <https://www.hrw.org/news/2023/01/20/rwanda-suspicious-death-investigative-journalist>.

some aspects of Rwanda's strategy have a darker side which may have fueled harassment of those who challenge the narrative it seeks to project.

According to contracts with public relations firms Human Rights Watch reviewed, the government's strategy includes investing significant resources in communications campaigns to promote tourism and encouraging investment in Rwanda. For example, on May 21, 2018, Myriad International Marketing LLC entered into a partnership with the embassy of Rwanda in Washington, DC. The agreement was renewed twice and on July 2, 2020, Myriad proposed a range of activities amounting to an annual budget of \$306,000, including \$42,400 earmarked for a journalist and "influencer"'s trip to Rwanda.

However, the Rwandan government's public relations strategy can also include far more aggressive campaigns using social media platforms and pro-government media to discredit critics. In 2009, then-Information Minister Louise Mushikiwabo signed a \$50,000-a-month agreement with W2 Group, a US-based public relations and advertising firm.⁹¹ In its statement of work, submitted to the US Department of Justice under the Foreign Agents Registration Act (FARA), the firm said that "Certain NGOs, such as Human Rights Watch, continue to advance a story of an unstable Rwanda as a means of continuing to attract donors and wield influence in the region [G]overnment officials have decided to implement a full-scale public relations blitz communicating the positive story of Rwanda." The following strategy was described to implement the "public relations blitz": "We will use a combination of digital and social media (to create our own news and perception cycle) and established print and broadcast media (e.g., The New York Times, The Economist) to leverage their influence with elites."⁹²

The statement of work describes Rwanda's public relations strategy and may offer some insight into the relentless online attacks and harassment many critics of the Rwandan government face: "We will erect, on free social networks, 'walls' of pro-Rwandan data that debunks myths and links to Rwanda's national web site. This will enable us to establish captive audiences on the web, even as we undercut opposition and advance Rwanda's organic search on stories that go beyond the genocide." This may explain why it has

⁹¹ "Registration statement submitted by W2 Group Inc pursuant to the Foreign Agents Registration Act of 1938, as amended," US Department of Justice, August 12, 2011.

⁹² Ibid.

become usual for social media posts, videos, and articles attacking and often publishing false information on individuals, including Human Rights Watch staff, journalists, human rights activists, and organizations, to emerge after they have published content critical of the Rwandan government.

Although many governments resort to public relations firms to manage their image, investigations by the Forbidden Stories consortium of journalists have exposed how reputation management can take the form of more perfidious disinformation campaigns. In February 2023, Forbidden Stories exposed how a team of Israeli contractors claimed to have manipulated more than 30 elections around the world using hacking, sabotage, and automated disinformation on social media.⁹³ In light of the Rwandan government's reported attempts to spread disinformation in the US, particularly to tarnish the reputation of government opponents, the vague description of public relations firms' activities on behalf of foreign governments in their FARA registration statements makes it difficult to assess what particular services firms actually provide and to what degree these may constitute disinformation.

Human Rights Watch wrote to W2 Group and Myriad International Marketing LLC to seek information on the steps taken to ensure that their work does not contribute to the harassment of Rwandan critics. Human Rights Watch spoke with Lawrence Weber, the CEO of W2 Group and Racepoint Global, on August 16, 2023, about the work Racepoint Global did for the Rwandan government at the time. Weber told Human Rights Watch that his firm was not instructed to counter specific critiques, but rather given a broader mandate to increase positive news coverage of Rwanda to counter negative press and diaspora critiques.⁹⁴ At the time of publication, Myriad International Marketing LLC had not responded.

⁹³ Céile Andrzejewski, "'Team Jorge': In the Heart of a Global Disinformation Machine," *Forbidden Stories*, February 15, 2023, <https://forbiddenstories.org/story-killers/team-jorge-disinformation/> (accessed September 25, 2023).

⁹⁴ Human Rights Watch phone interview with Lawrence Weber, August 16, 2023.

A Global Network of Surveillance

On November 16, 2019, Rtd. Gen. James Kabarebe, then-senior presidential adviser on security matters and recently appointed Minister of State for Foreign Affairs in charge of Regional Cooperation, gave a speech at an event organized by the Genocide Survivors Student Association (Association des Étudiants et Élèves Rescapés du Génocide, AERG).⁹⁵ “These Hutu... when they are refugees in camps in Malawi, Zambia, Mozambique, Lesotho, Zimbabwe, South Africa, Europe, or in the forests of the DRC... they reorganize and plan the next fight,” he said.

Speaking about the success of Rwandan children growing up outside the country, he listed three names that may be perceived as belonging to the Hutu ethnic group, and warned that “the problem is that their thinking is the same as their parents who wanted to destroy the country.” Kabarebe continued to say that these communities have become too powerful economically, and that their youth is “organizing”:

After 1994, our enemies fled to Congo, others to Tanzania, and in other countries in Africa. Those who had the means fled to Europe. [...] Our country is trying to divide them. I am so against genocide ideology I would be ready to use heavy weaponry against someone who criticizes the State. A person with genocide ideology is very dangerous and should never be tolerated. You must know the enemy is there. Everything they do is genocide ideology, for example what they call democracy, freedom of the press, or when they talk about human rights, behind that is always genocide ideology.

The speech provided an insight into the RPF’s continued hostility toward, and discomfort with, many Rwandans living outside the country, whom they sweepingly accused of having taken part in the genocide. It also confirms the government’s use of “genocide ideology” accusations to target Rwandans who disagree with the ruling RPF, including civil society

⁹⁵ James Kabarebe, former defense minister and then-senior presidential adviser on security matters, speaking at an event organized by the Genocide Survivors Student Association (Association des Étudiants et Élèves Rescapés Du Génocide, AERG), Intsinzi TV, November 16, 2019, https://www.youtube.com/watch?v=SEYYboG8iRw&ab_channel=FaustinNtaki (accessed September 25, 2023).

and media who have peacefully promoted democracy and freedom of expression with no reference to the genocide.

In part because of Rwanda's violent history, there is a large Rwandan diaspora and refugee community living around the world. From its early days in power, the RPF, which consists of many former refugees who grew up in exile in Burundi, Congo, and Uganda, has sought to mobilize support from the diaspora. Part of the government's strategy has been presented as trying to "harness" the potential for development in the diaspora—for example, Rwanda's development plan, Vision 2020, aimed to draw on their skills, investment, public relations, and networks.⁹⁶ However, as the government consolidated its power and quashed domestic opposition, it has also invested huge resources in monitoring and targeting potential threats to its rule that could emerge abroad.

The Rwandan Community Abroad

With hundreds of thousands of Rwandans still outside the country, in 2001, a unit was established in the Ministry of Foreign Affairs and International Cooperation (MINAFFET) to manage services for Rwandans abroad. In 2008, the Diaspora Desk was formalized into the Diaspora General Directorate (DGD).⁹⁷ "We always had a refugee problem. We wanted people to come back home. At that time, it wasn't about surveillance, but our culture is such that everyone is aware of what everyone else is doing. It's when Kayumba [Nyamwasa] left that everything took a very drastic turn," a former RPF member, who was a senior government official at the time, told Human Rights Watch.⁹⁸

In June 2013, US citizen Michelle Martin filed a registration statement under the US FARA, enclosing her consultancy agreement with MINAFFET. Pursuant to this agreement, Dr. Martin was tasked by MINAFFET to "research and analyze Rwanda's post-genocide negative 'conflict-generated diaspora' (CGD) and the impact on the conflict cycle in the Great Lakes Region." One of the proposed activities was to "Map virtual transnational network members, including organizational memberships, cross-network affiliations,

⁹⁶ Ministry of Finance and Economic Planning, Republic of Rwanda, *Rwanda Vision 2020*, July 2000, <https://www.greengrowthknowledge.org/sites/default/files/downloads/policy-database/RWANDA%29%20Rwanda%20Vision%202020.pdf> (accessed September 25, 2023).

⁹⁷ "Diaspora engagement mapping: Rwanda," European Diaspora Fund for Development, September 2020, https://diasporafordevelopment.eu/wp-content/uploads/2020/04/CF_Rwanda-v.2.pdf (accessed September 25, 2023).

⁹⁸ Human Rights Watch phone interview with a former government official, November 14, 2022.

researching and documenting propaganda dissemination involving genocide ideology, negation, and trivialization.”⁹⁹

Human Rights Watch wrote to Dr. Martin to seek more details on the nature and purpose of her research on behalf of the Government of Rwanda. Dr. Martin explained that her research focuses on ameliorating the relationships between home governments and the unsupportive, politically active segments of their diasporas, and that she completed a number of literature reviews and statistical mapping exercises, on a macro level, to determine which government practices were more likely to support peace processes.

Patrick Karuretwā, who was then Kagame’s personal secretary, signed the statement on behalf of MINAFFET. When asked whether she had ever worked with or taken any direction from Karuretwā, Dr. Martin stated that her research was self-directed and that, other than as specified in her consultancy agreement, she did not receive any specific instructions on what to research from him or anyone else in the government.

According to a former senior government official, Karuretwā was involved in developing the Rwandan government’s global surveillance structure. In 2021, Karuretwā, who is alleged to have been involved in the ongoing judicial case against former ambassador Eugene Gasana,¹⁰⁰ was promoted to the head of the RDF’s newly created Department of International Military Cooperation.¹⁰¹ In this new role, he coordinates with the defense attachés and associates in Rwandan embassies globally.¹⁰²

The Rwandan Community Abroad (RCA), a group of associations tied to embassies and the foreign affairs ministry, is charged with mobilizing Rwandans abroad.¹⁰³ The RCA has 68 affiliated associations in different parts of the world, including 32 in Africa, 22 in Europe, 8 in Asia, 4 in America, and 2 in Oceania. The Rwandan government has received support

⁹⁹ Work Plan for “Diaspora Effect” Consultancy Agreement, Registration Statement by Michelle Martin pursuant to the Foreign Agents Registration Act of 1938, as amended, June 12, 2013, on file with Human Rights Watch.

¹⁰⁰ See p. 84 for more information on the case.

¹⁰¹ “Col Karuretwā promoted, assumes new duties,” *Igihe*, November 5, 2021, <https://en.igihe.com/news/article/col-karuretwā-promoted-assumes-new-duties> (accessed September 25, 2023).

¹⁰² “Defence attachés to Rwanda briefed on RDF operations and regional security,” Rwanda Defence Force, Ministry of Defence news, July 13, 2022, <https://www.mod.gov.rw/news-detail/defence-attaches-to-rwanda-briefed-on-rdf-operations-and-regional-security> (accessed September 25, 2023).

¹⁰³ Human Rights Watch phone interview with a former government official, November 7, 2022.

from the International Organization for Migration (IOM) and the EU to devise and implement a global diaspora engagement strategy.¹⁰⁴ According to the EU Global Diaspora Facility (EUDiF), a project funded by the EU's Directorate-General for International Partnerships, the "success" of Rwanda's approach to diaspora engagement has been to work with RCA chapters, which are able to "mobilise people and resources quite effectively."¹⁰⁵ The Facility added that "the Government of Rwanda has also sought to reach out to those who are politically neutral and invite them to participate in Rwanda's development and reconstruction."¹⁰⁶

Engaging the diaspora and offering its members opportunities to meet and reconnect with their home country is not a human rights violation. However, according to this research, the Rwandan government's outreach goes beyond opportunities to reconnect and involves threats, surveillance, and harassment, as the government seeks to pressure Rwandans who do not support the RPF, including refugees and asylum seekers who have sought international protection from the Rwandan government itself.

For example, many asylum seekers and refugees expressed fear of Rwandan agents infiltrating domestic refugee agencies and UNHCR, particularly in East and Southern African countries. Some said that they refused to engage with the UN refugee agency on protection issues, or that they either refrained from requesting asylum or did so under a false name or nationality, to protect them from being targeted by the Rwandan government.

Some refugees, especially in Europe and the US, cited events organized by the RCA, such as "Rwanda Day," as examples of the diaspora community's attempts to mobilize and intimidate people, as well as an occasion to assess who does or does not support the ruling party. The government describes "Rwanda Day" as "a sort of gathering where the

¹⁰⁴ IOM Rwanda, "Migration Management Diaspora Mapping," September 2018, https://www.iom.int/sites/g/files/tmzbd1486/files/country/EEA/info_sheet_diaspora.pdf (accessed September 25, 2023).

¹⁰⁵ "Diaspora engagement mapping: Rwanda," European Union Global Diaspora Facility, September 2020, https://diasporafordevelopment.eu/wp-content/uploads/2020/04/CF_Rwanda-v.2.pdf (accessed September 28, 2023).

¹⁰⁶ In recent years, the government has invested a significant amount to entrench its influence over the diaspora and refugee communities. In its National Policy for Transformation (2017-2024), the government states that it aims to: "Expand services delivered to the diaspora community and sensitize the Rwandan diaspora to promote unity and reconciliation, increase participation in national development programs, and mobilize friends of Rwanda." The strategy also proposes to open more embassies globally, and to "intensify fight against genocide ideology in Rwanda and anywhere in the world." For more information, see: Government of Rwanda, *7 Years Government Programme: National Strategy for Transformation (NST1)*, 2017–2024, https://www.nirida.gov.rw/uploads/tx_dce/National_Strategy_For_Transformation_-NST1-min.pdf (accessed September 25, 2023).

Rwandan community abroad gets to understand its role in shaping the country's future.” MINAFFET describes “Rwanda Day” discussions as focused “on the country's development goals, business environment and opportunities available for those wanting to be part of a country on the move.”¹⁰⁷ An opposition figure living in exile in Belgium explained in an interview: “You have to be wise—either you go to their meetings and ‘Rwanda Day’ celebrations or you have to watch your back.”¹⁰⁸

Spreading Fear Abroad

“Before, the RCA were hiding. They are openly saying they work for Kigali now. Pressure increased after the speech by General Kabarebe.”¹⁰⁹

Many refugees and asylum seekers interviewed for this report described the RCA associations as arms of the Rwandan government abroad. They expressed concern about the harassment and pressure refugees and their family members face to join the association and to support the ruling party.

In Australia, Belgium, France, Kenya, Mozambique, and South Africa, interviewees said the Rwandan community was divided between what they referred to as the “diaspora”—members of the RCA or other Rwandans abroad who were able to travel freely to Rwanda—and the “refugee” community. However, some said that certain members of the “diaspora” had refugee status. The “diaspora” was generally perceived to be aligned to the RPF and the RCA, and many refugees described being afraid of its members and their campaign to have refugees join them.

In South Africa, many asylum seekers and refugees told Human Rights Watch that the RCA, in recent years, had become increasingly aggressive in its efforts to widen its membership base. Some said they were worried that the RCA was exploiting the precarious situation of Rwandan asylum seekers and refugees—where many struggle to get permanent refugee status, to renew or obtain permits and other identification documents allowing them to

¹⁰⁷ “Rwandan Community Abroad,” Ministry of Foreign Affairs and International Cooperation, undated, [https://www.minaffet.gov.rw/rwanda-community-abroad#:~:text=The%20Rwanda%20Community%20Abroad%20\(RCA\)%20is%20a%20Unit%20at%20MINAFFET,both%20inside%20and%20outside%20Rwanda](https://www.minaffet.gov.rw/rwanda-community-abroad#:~:text=The%20Rwanda%20Community%20Abroad%20(RCA)%20is%20a%20Unit%20at%20MINAFFET,both%20inside%20and%20outside%20Rwanda) (accessed September 25, 2023).

¹⁰⁸ Human Rights Watch interview with “David,” Brussels, Belgium, September 3, 2022.

¹⁰⁹ Human Rights Watch interview with a Rwandan refugee community leader, Cape Town, South Africa, October 21, 2022.

maintain legal status, and to get documentation allowing them to work, study, and travel—to convince them to join the RCA.¹¹⁰

“The RCA are trying to mobilize youth. They organize parties, and they tell youth: ‘don’t follow your parents, they committed genocide,’” said one Rwandan asylum seeker and parent in Cape Town, South Africa. “When you can’t afford enough for your children, they are there offering beer, allowing them to drink.... They tell them: ‘why are you living this life? [Rwanda] is good. Your parents are lying.’” Then, she said, the youths are offered passports and are told they can go back to Rwanda: “They were made to say the oath. You know what it says in the last line? If you betray the RPF you will die.”¹¹¹

The “oath,” a loyalty pledge to the RPF, is read out during ceremonies hosted at embassies. In November 2020, a video of such a pledge at the Rwandan High Commission in the UK was leaked online. It showed a group of people saying, “If I betray you or stray from the RPF’s plans and intentions, I would be betraying all Rwandans and must be punished by hanging.”¹¹² Those pledging promised to fight “enemies of Rwanda, wherever they may be.”¹¹³ Several refugees interviewed for this report expressed fear that once their fellow refugees had given in to pressure to join the RCA and pledged loyalty to the RPF, continuing to be in direct contact with them would put them at risk.

“The embassy created the RCA They have committees everywhere,” said one refugee leader in Cape Town. “If you have a business here in South Africa, they come and ask for money for Kigali.... They intimidate by sending someone and say, ‘if you don’t join the RCA you will have problems.’”¹¹⁴ Human Rights Watch reviewed one of the communications being circulated by the RCA requesting payments.

¹¹⁰ On the difficulties faced by refugees, asylum seekers, and migrants in South Africa, see: “Submission to the Africa Regional Review on Implementation of the Global Compact for Safe, Orderly and Regular Migration,” Human Rights Watch submission, July 6, 2021, <https://www.hrw.org/news/2021/07/06/human-rights-watch-submission-africa-regional-review-implementation-global-compact>, and Human Rights Watch, *“They Have Robbed Me of My Life”: Xenophobic Violence Against Non-Nationals in South Africa* (New York: Human Rights Watch, 2020), <https://www.hrw.org/report/2020/09/17/they-have-robbed-me-my-life/xenophobic-violence-against-non-nationals-south>.

¹¹¹ Human Rights Watch interview with “Jeanne,” Cape Town, South Africa, October 21, 2022.

¹¹² Andrew Harding, “The loyalty oath keeping Rwandans abroad in check,” *BBC*, November 18, 2020, <https://www.bbc.com/news/world-africa-54801979> (accessed September 25, 2023).

¹¹³ *Ibid.*

¹¹⁴ Human Rights Watch interview with refugee community leader “Marc,” Cape Town, South Africa, October 21, 2022.



Flyer circulated on WhatsApp to the Rwandan community in Cape Town, South Africa, requesting financial contributions to the Rwandan Community Abroad.

In Europe, Rwandans said that embassies could either facilitate or block access to services, for example to transfer land titles or requests for official documents, depending on whether the person requesting was a member of the RCA or not. A Rwandan living in France said that when he went to the Rwandan embassy to have his passport renewed in 2019, he was confronted about not being a member of the RCA. “Instead of accepting my application, they asked me for my RCA card. Since I didn’t have one, they took my passport photo and asked for 20 euro, and used them to create an RCA card,” he said. He explained that since he was forced to join the RCA, he felt pressure to explain why he could not accept invitations to events, including around visits by the Rwandan president, to avoid being flagged as someone who does not support the government.¹¹⁵

Several Rwandans who are known for being critics or related to government opponents said they were unable to get paperwork, from certificates of good conduct to the documents necessary to transfer title deeds to family members who remain in Rwanda, because the embassy perceived them as being “against the government.”¹¹⁶

A refugee who fled Rwanda after being unlawfully detained and tortured in 2010, said he continued to live in fear despite being resettled to the US in 2018. He was granted asylum due to the severe abuse he suffered in detention and the politicized trial he faced. “Since I’ve arrived in the US, I rarely let anyone come to my house. I never go out, and if I do, I always finish my drink before [it] leaves my sight,” he told Human Rights Watch in May 2022, sharing a widespread fear among Rwandans abroad of being poisoned.¹¹⁷ In May, he

¹¹⁵ Human Rights Watch phone interview with “James,” January 26, 2022.

¹¹⁶ Human Rights Watch interviews with Rwandan refugees living in London, Paris, and Brussels, August and September 2022.

¹¹⁷ Human Rights Watch interview with “Philippe,” US, May 15, 2022.

said he discovered that his closest friend was working with the Rwandan embassy after seeing him wearing clothing with the RPF logo on it. When he confronted him, his friend offered to connect him with the embassy: “He said he could help me work with the government. He said the embassy asked him to work to defend the Rwandan government.... He knows my habits and my movements. He’s been to my house.”¹¹⁸

Pressure to Return to Rwanda

Some refugees and asylum seekers in Mozambique, South Africa, and other countries in Southern Africa described how the government tried to convince or pressure them to return to Rwanda. Several refugees living in Mozambique, who had previously been vocal political opponents, have reportedly since returned for fear of being targeted by the government. In one case, a person interviewed by Human Rights Watch said he was under intense pressure to return to Kigali and described the constant threats he was facing.¹¹⁹ Months after the interview, some of his former contacts informed Human Rights Watch that he had returned to Kigali and that it was no longer safe to communicate with him. For their security, the names and identifying information of those who have returned to Rwanda have been withheld from this report.

Many Rwandan refugees said that they believe the increasing pressure to return is linked to the government’s efforts to open embassies and sign security partnership agreements with Southern African countries.

A diaspora leader in Cape Town was named by several refugees as the person coordinating RCA activities in Western Cape Province. “He is the person to go to once people agree to work for the government, and he organizes their passports and their return to Kigali,” said one refugee.¹²⁰ “They are coming for our children as well, because they can’t go to university here if they don’t have identity papers. They offer them passports, green cards, work permits, so they can go to school. I’m an Uber driver [working without papers], I can’t apply for a job or get a work permit here,” said another, stating concerns about the same diaspora leader.¹²¹

¹¹⁸ Ibid.

¹¹⁹ Human Rights Watch interview with “Jean,” Maputo, Mozambique, March 19, 2022.

¹²⁰ Human Rights Watch interview with “Marc,” Cape Town, South Africa, October 21, 2022.

¹²¹ Human Rights Watch interview with “Gaspard,” Cape Town, South Africa, October 25, 2022.

In Mozambique, a diaspora leader was also said to have approached refugees and told them to return. “In February [2022], [the diaspora representative] called my friend and told him to warn me that if I don’t want to die, I should go to the embassy,” said one refugee in Mozambique. He said that two weeks later, he was approached by a different person who told him he was in danger and should go to the embassy.¹²²

Another interviewee told Human Rights Watch about how his relative became afraid after Cassien Ntamuhanga, a Rwandan opposition activist and asylum seeker, was forcibly disappeared by Mozambican security forces, in the presence of a Kinyarwanda speaker in May 2021.¹²³ “He [the relative] joined the diaspora after Ntamuhanga was taken. He was afraid. He went to the embassy, and they sent him to Kigali.” Human Rights Watch confirmed this story with two other sources close to him, whom he had also informed of his decision to return due to his fear of the Rwandan government’s reach in Mozambique. The refugee said: “Today the embassy expects Rwandans to go to the embassy and then to Kigali to show they support the government. [The diaspora representative] used to give plane tickets [to Kigali] through the diaspora association, now it’s coordinated through the embassy.”¹²⁴

Asylum seekers and refugees in Mozambique explained that the situation had deteriorated since Rwanda opened an embassy in Maputo, the Mozambican capital, in June 2019.¹²⁵ “Once the embassy opened, the threats became terrible. They call us. They called me three times since Révocat [Karemangingo]¹²⁶ was killed saying: ‘if you don’t go to the embassy, we will accompany you to where Révocat is.’ They mean the graveyard,” said one refugee. “They call me from private numbers, but the person speaks Kinyarwanda. I don’t want to go. I’ve spoken to UNHCR and INAR [Instituto Nacional de Apoio aos Refugiados, the Mozambican National Institute for Assistance to Refugees] but nothing’s done.”¹²⁷

¹²² Human Rights Watch interview with “Sylvain,” Maputo, Mozambique, March 17, 2022.

¹²³ Ntamuhanga’s case is detailed on p. 65 of this report.

¹²⁴ Human Rights Watch interview with “Jean,” Maputo, Mozambique, March 19, 2022.

¹²⁵ “Minister Sezibera inaugurates Rwanda’s embassy in Mozambique,” *Igihe*, June 22, 2019, <https://en.igihe.com/news/minister-sezibera-inaugurates-rwanda-s-embassy-in.html> (accessed September 25, 2023).

¹²⁶ Révocat Karemangingo was killed in a suburb of Maputo, Mozambique, on September 13, 2021. His case is detailed on p. 56.

¹²⁷ For more information on Karemangingo’s case, see Section 2 of this report. Human Rights Watch interview with “Joel,” Maputo, Mozambique, March 21, 2022.

Another said: “The embassy has been meeting with a lot of Rwandans. They try and get them back to Rwanda. They take people back and show them how great Rwanda is. They say they want to unite Rwandans [...] but the government is always threatening people. There is no trust between people. If one person says something bad about the government, they will be afraid of people telling on them.”¹²⁸

Lionel Richie Nishimwe (Zambia)

One case is particularly revealing of the methods used by the Rwandan authorities and the outcomes for those who choose to return. Lionel Richie Nishimwe was a Rwandan refugee who spent most of his life in Zambia. A lawyer and leader in the local refugee community, Nishimwe was well-educated and an advocate for the Rwandan community in Zambia.

On May 3, 2016, Nishimwe repatriated to Rwanda, “after being enticed by the representatives of the Rwandan High Commission in Zambia,” according to a letter he later sent to his contacts outside the country. In the following days, Nishimwe posted photos of himself in a bathrobe, standing in front of the Diplomat Hotel in Kigali on Facebook.¹²⁹ In the following days, he continued to post photos of himself at the hotel. An invoice for his stay at Kigali’s Diplomat Hotel from May 3 to 20, 2016 was signed by Nishimwe “on behalf of NSS [National Security Services].”¹³⁰

In the months between May 2016 and early 2017, Nishimwe posted a series of articles refuting his previous criticism of the Rwandan government, including one titled “Why I Am No Longer a Rwandan Genocide Denier.”¹³¹ The tone of his articles and social media posts changed, and he began posting exclusively pro-government articles, attacking government critics, and claiming that he was misled by genocide deniers and opponents of the government outside the country.

¹²⁸ Human Rights Watch interview with “Jean,” Maputo, Mozambique, March 19, 2022.

¹²⁹ Maître Nishimwe Lionel Richie’s Facebook page, post dated May 6 to 8, 2016.

¹³⁰ “Approval of Service Received,” Kigali Diplomat Hotel, May 21, 2016.

¹³¹ Lionel Nishimwe, “Why I Am No Longer a Rwandan Genocide Denier,” *Face2Face Africa*, August 17, 2016, [https://face2faceafrica.com/article/rwandan-genocide-denier?fbclid=IwAR1m-y7vvKL_k-l_-4pAu4DQTXP9Byog59404-o8Xoc_g\)_MqtN1AtgPo74](https://face2faceafrica.com/article/rwandan-genocide-denier?fbclid=IwAR1m-y7vvKL_k-l_-4pAu4DQTXP9Byog59404-o8Xoc_g)_MqtN1AtgPo74) (accessed September 25, 2023).

On January 25, 2017, Nishimwe wrote privately to a contact outside the country to say “It is too much of these guys... Let them kill me if they want to. I am tired of their lies.”¹³² On February 1, 2017, he wrote to the same contact and another person based in the US and shared a letter and supporting documentation stating that he had fled across the border to Bukavu in eastern Congo. Human Rights Watch reviewed the communications and concluded that they are credible. Nishimwe also shared a video to prove his identity and his location.

In his letter and private exchanges, Nishimwe said that he was asked to confirm names of key Rwandan refugee leaders in Zambia, and when he refused to do so, was harassed and threatened. He said he was living in “extreme fear” and urged other refugees not to return to Rwanda.¹³³ He told a contact privately on February 1, 2017: “My house has just been repossessed. I was in Bukavu, but decided to come back so that I could entrust one of my relatives with the management of my inheritance.”¹³⁴ His contacts have told Human Rights Watch that they have not heard from him, and his previously active social media accounts have been inactive since then. Rwandan authorities did not respond to Human Rights Watch’s requests for information about his case.

KIGALI DIPLOMAT HOTEL
 E-MAIL: reservations@kigalidiplomathotel.com
 WEBSITE: www.kigalidiplomathotel.com
 TELEPHONE: (+250) 782083001, 252 581330
 TIN/VAT No. 101955081

DATE: 21/05/2016

APPROVAL OF SERVICE RECEIVED
 We accept that the following service has been received

Item No.	Description	Quantity	Unitary cost	Total Cost (Frw)
1	Restaurant (Food + Drinks)	-	-	1,100,000frw
2	Laundry + Dry cleaner	-	-	80,000frw
3	Accommodation for Nishimwe for 18 nights from 02 nd may up to 20 th may 2016	18	47,000frw	853,000frw
	Grand Total			2,054,500 frw

On behalf of NSS: NISHIMWE LIONELA Date: 21/05/2016
 On behalf of Kigali Diplomat Hotel: [Signature] Date: 21/05/2016

THE TREAT YOU DESERVE

Invoice for Services Received at the Kigali Diplomat Hotel, May 21, 2016.

¹³² Message exchange between Lionel Nishimwe and confidential source, January 25, 2017.

¹³³ Letter by Lionel Richie Nishimwe, dated in error February 1, 2016 [sic.—correct date was 2017].

¹³⁴ Message exchange between a Rwandan refugee and Lionel Richie Nishimwe, February 1, 2017.

Online Harassment

In recent years, numerous governments have waged intense disinformation wars to further their agendas.¹³⁵ In Rwanda, journalists and human rights activists, including Human Rights Watch staff, routinely face online harassment campaigns, including by online trolls, which seek to detract from reports that expose the government's serious human rights violations.¹³⁶ For example, John Williams Ntwali, a prominent investigative journalist who died in suspicious circumstances in January 2023, said to a contact shortly before his death: "I have had to reduce my use of Twitter and YouTube... Every time I switch on my phone, I see hundreds of people accusing me of bad things. If I write anything now, lots of people respond accusing me of hating the country."¹³⁷ Pro- and anti-government actors have created an often toxic media environment for many Rwandan activists and commentators, for the likely purpose of intimidating them and silencing information and commentary that displeases them.

It is difficult to prove who is directly responsible for the online harassment of dissidents via pro-government websites. However, judging by the content of these websites, they seem to be fully aligned, and sometimes work in tandem, with Rwanda's ruling party and security establishment. This conclusion is supported also by what they do not publish—as far as Human Rights Watch is aware, they never target powerful Rwandan officials for denigration or character assassination, and never question the Rwandan government's narrative of contested events, such as the death in custody of Kizito Mihigo.

Mihigo was a genocide survivor and gospel singer who died in suspicious circumstances on February 17, 2020.¹³⁸ He was a popular figure and advocate for reconciliation, and his death sent shockwaves through Rwandan society, prompting many to speak out and call

¹³⁵ UN General Assembly, Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, 77th session, A/77/288, August 12, 2022, <https://www.ohchr.org/en/documents/thematic-reports/a77288-disinformation-and-freedom-opinion-and-expression-during-armed> (accessed September 25, 2023).

¹³⁶ Susan Thomson, "Rwanda's Twitter-Gate: The Disinformation Campaign of Africa's Digital President," *African Arguments*, March 17, 2014,

<https://africanarguments.org/2014/03/rwandas-twitter-gate-the-disinformation-campaign-of-africas-digital-president-by-susan-thomson/> (accessed September 25, 2023).

¹³⁷ Human Rights Watch interview with "Victor," February 13, 2023.

¹³⁸ "Rwanda: 6 Months On, No Justice for Kizito Mihigo," Human Rights Watch news release, August 17, 2020, <https://www.hrw.org/news/2020/08/17/rwanda-6-months-no-justice-kizito-mihigo>.

for accountability.¹³⁹ Rwandan police announced that Mihigo had been found dead in his cell at the Remera Police Station in Kigali in an alleged suicide, four days after his arrest near the border with Burundi. Shortly before his death, he told Human Rights Watch that he was being threatened by security officials and told to provide a false testimony against political opponents, and that he wanted to flee the country because he feared for his safety.

Unrelenting state repression in Rwanda and against Rwandan activists adds to the unhealthy online environment.¹⁴⁰ This is particularly the case in Rwanda, where creating a “hostile international opinion” of the country is a criminal offense that is regularly used to prosecute critics and journalists.¹⁴¹

Some of the social media and outreach campaigns are openly focused on “protecting and preserving what Rwanda has achieved.”¹⁴² The founder of one such initiative described his mission as “to mobilize our people, Rwandans living abroad, in Rwanda, and friends of Rwanda to stand up against people who talk negativity and tarnish our image.”¹⁴³ A former official who lives abroad said Kagame told him: “We paid a lot to get this country back and we are never giving it up.... You are either with me or you are against me.”¹⁴⁴

In some of the cases examined by Human Rights Watch in this report, the individuals targeted in overseas repression were also subjected to pervasive online harassment by websites and social media accounts that are alleged to have ties to Rwandan intelligence services and the government. Rwandans living abroad said that the mere prospect of being targeted by such media deters them from speaking out. One former refugee in Australia who has since acquired citizenship, when asked about being named in this report, said: “You know how they go after people when they appear in your reports, please don’t give my name. They have a whole army of cyber bullies that will come after me and do character

¹³⁹ For more information, see: “Joint letter to All Commonwealth Heads of Government,” March 8, 2021, <https://www.hrw.org/news/2021/03/08/call-independent-investigation-rwandan-singer-kizito-mihigos-death>.

¹⁴⁰ Lewis Mudge, “The Cost of Speaking Up in Rwanda,” Human Rights Watch dispatch, July 7, 2022, <https://www.hrw.org/news/2022/07/07/cost-speaking-rwanda>.

¹⁴¹ Law No. 68/2018 of 30/08/2018 determining offences and penalties in general.

¹⁴² Marie Grace Munezero, “Rwandans Living Abroad Start Initiative To Support National Development,” *KT Press*, August 23, 2022, <https://www.ktpress.rw/2022/08/rwandans-living-abroad-start-initiative-to-support-national-development/> (accessed September 25, 2023).

¹⁴³ Ibid.

¹⁴⁴ Human Rights Watch interview with a former government official, November 7, 2022.

assassinations. I also still have family there [in Rwanda], I don't want to see them in the media forced to denounce me.”¹⁴⁵

Many refugees and asylum seekers interviewed for this report said that online attacks had become far more vicious and wide-reaching in recent years. Some pointed to the damage the enforced disappearance and rendition of Paul Rusesabagina had done to Rwanda's international image, others to the disillusionment and anger within refugee and diaspora communities at the 2020 death in custody of Kizito Mihigo.

Online attacks against government critics abroad often take the form of accusations of support to armed groups, alleged association with genocide perpetrators, and genocide denial. Sometimes, the online attacks come directly from government officials' public statements or social media accounts.¹⁴⁶

Controlling the Narrative

In recent years, even genocide survivors have been attacked online for speaking out against the RPF's abuse. One such online attack was against a group of genocide survivors who have become more vocal in their criticism of the RPF since the death of Mihigo, who was also a genocide survivor. Jean-Damascène Bizimana was appointed minister of the newly formed Ministry of National Unity and Civic Engagement on August 31, 2021.¹⁴⁷ Prior to becoming minister, Bizimana was executive secretary of the National Commission for the Fight Against Genocide (Commission nationale de lutte contre le génocide, CNLG) and gave a video interview on pro-government Intsinzi TV on February 18, 2021—the day after the first commemoration of Mihigo's death.

In the video, Bizimana launched a virulent attack against genocide survivors who criticize the RPF: “It is true that some survivors of the genocide argue that, as survivors, they cannot minimize the genocide. However, they use language that minimizes the genocide.

¹⁴⁵ Human Rights Watch phone interview with “Fabrice,” November 11, 2022.

¹⁴⁶ Government officials, such as government spokespeople or ambassadors, regularly attack critics on Twitter and in the media, including Human Rights Watch.

¹⁴⁷ Created in July 2021, the ministry will, ostensibly, focus on national unity, historical memory, and citizenship education. For more information see: Edwin Ashimwe, “Bizimana named minister of newly created unity ministry,” *The New Times*, August 31, 2021, <https://www.newtimes.co.rw/article/188963/News/bizimana-named-minister-of-newly-created-unity-ministry> (accessed September 25, 2023).

An example is when they impute killings to the RPF Inkotanyi, who put an end to the genocide. By criticizing them, they are spreading a lie....”¹⁴⁸ He then named genocide survivors, such as Yvonne Idamange,¹⁴⁹ Philippe Basabose, and Ariane Mukundente, accusing them of telling lies about the killing, harassment, and unjust prosecutions of survivors. “They give you examples like Kizito Mihigo, Diane Rwigara,¹⁵⁰ when it is not true. These people have committed crimes, they were legally prosecuted. Kizito Mihigo committed suicide in prison. How can the state be blamed for the case of a person who commits suicide? Those who spread this, they are spreading genocide ideology,” he said.¹⁵¹

The government argues that genocide ideology continues to represent a threat and that stringent laws are necessary to tackle it.¹⁵² While the persistence of hate speech between Rwanda’s two main ethnic groups several decades after the genocide is certainly of concern, the government’s definition of genocide denial and genocide ideology is so broad and poorly defined that, in many cases, calling for accountability for crimes committed against Hutu or criticizing the RPF can lead to such accusations.¹⁵³

Human Rights Watch’s position is that criminalizing genocide denial is only consistent with freedom of expression where the speech in question constitutes intentional incitement to imminent violence, hostility, or discrimination. However, our findings reveal that Rwandan authorities explicitly equate speaking about the RPF’s crimes with genocide denial, underscoring how having such vague laws in place does little but provide a political tool for yielding at will against those who do not show complete loyalty to the government.

¹⁴⁸ “Kwibuka si ukuzura inzigo” Dr. Bizimana | CNLG,” Intsinzi TV, February 18, 2021, video clip, YouTube, https://www.youtube.com/watch?v=WbofGEtRE58&ab_channel=IntsinziTV (accessed September 25, 2023).

¹⁴⁹ For more information on Yvonne Idamange’s case see: “Rwanda: Wave of Free Speech Prosecutions,” Human Rights Watch news release, March 16, 2022, <https://www.hrw.org/news/2022/03/16/rwanda-wave-free-speech-prosecutions>.

¹⁵⁰ Diane Rwigara is a genocide survivor who was arrested alongside her mother in 2017, just days after Rwigara was barred from running for office in the August 2017 presidential election. Assinapol Rwigara, a businessman and father of Diane Rwigara, died in a car accident in February 2015, according to police reports, but his family contested the authorities’ version of events. For more information on her case, see: Human Rights Watch, *World Report 2019* (New York: Human Rights Watch, 2019), Rwanda chapter, <https://www.hrw.org/world-report/2019/country-chapters/rwanda>.

¹⁵¹ “Kwibuka si ukuzura inzigo” Dr. Bizimana | CNLG,” Intsinzi TV, February 18, 2021, video clip, YouTube, https://www.youtube.com/watch?v=WbofGEtRE58&ab_channel=IntsinziTV (accessed September 25, 2023).

¹⁵² Jonathan R. Beloff, “Rwanda’s securitisation of genocide denial: A political mechanism for power or to combat ontological insecurity?,” *African Security Review*, May 17, 2021, pp. 184-203.

¹⁵³ For more information on genocide ideology in Rwanda, see p. 21.

Human Rights Watch interviewed several genocide survivors living in exile, who said they had been the targets of online attacks for criticizing the RPF, including by Bizimana. Philippe Basabose, a refugee living in Canada, signed a joint letter by 36 survivors calling for a joint, international investigation into Mihigo's death in February 2020.¹⁵⁴ "When we asked for the investigation into Kizito Mihigo's killing, we were accused of denying, trivializing, and revising the genocide. We were accused of being ideologues. To hear that when you yourself are a genocide survivor... it's so cynical," he said.¹⁵⁵

Basabose is among a group of genocide survivors who established an organization in August 2021 called *Igicumbi* ("dwelling" in Kinyarwanda), whose stated aim is to denounce abuses against survivors, including cases of genocide survivors who have been jailed and accused of genocide denial, and the government's politicization of the genocide.¹⁵⁶ He has been the subject of multiple attacks online, including from government-aligned genocide survivor associations such as Ibuka, that were relayed in pro-government online media. The organizations have accused Basabose of trying to "violate and demean the memory of those who were killed."¹⁵⁷ Another government-aligned account accused Basabose of supporting rebel groups.¹⁵⁸ Human Rights Watch reviewed several videos published on pro-government YouTube channels which attempted to discredit Basabose, and accused him of using the "same language as those who killed" or of "sowing division" among survivors.

In one video, a YouTube presenter visited Basabose's mother in Rwanda to ask her what support she is receiving from the state. He then used the footage to discredit Basabose's criticism of the government's policies and support system for genocide survivors: "To those who always hear Basabose saying that he created Igicumbi because the Rwandan

¹⁵⁴ "Request for a Joint International Investigation into the Death of the Tutsi Genocide Survivor, Gospel Singer and Peace Activist, Kizito Mihigo," *The Rwandan*, February 21, 2020, <https://www.therwandan.com/genocide-survivors-speak-out-over-the-suspected-assassination-of-kizito-mihigo/> (accessed September 25, 2023).

¹⁵⁵ Human Rights Watch phone interview with Philippe Basabose, October 18, 2022.

¹⁵⁶ "About Us," Igicumbi, <https://igicumbi94.com/about-us/> (accessed September 25, 2023).

¹⁵⁷ Nasra Bishumba, "Rwanda: Genocide Survivors Cautioned Against New 'Self-Seeking' Europe-Based Group," *The New Times*, August 4, 2021, <https://www.newtimes.co.rw/article/188240/News/genocide-survivors-cautioned-against-new-a-self-seeking-a-europe-based-group> (accessed September 25, 2023).

¹⁵⁸ Tweet by the Human Rights and Justice Foundation on July 30, 2021, <https://twitter.com/HumanRightsand3/status/1421221274899079173> (accessed September 25, 2023). The Human Rights and Justice Foundation has also attacked Human Rights Watch staff and called them "genocide deniers." See: <https://twitter.com/humanrightsand5/status/1613352716776132608?s=48&t=UJobDyySRb8BH8ggxnO8xQ> (accessed September 25, 2023).

government isn't interested in them, he should start by taking care of others, including his own mother."¹⁵⁹ The same person visited several other genocide survivors and attempted to discredit Basabose's organization. All the videos were released in April, during the genocide commemoration ceremonies—a highly sensitive period for many genocide survivors, including Basabose: "For a genocide survivor, this is a nightmare. It's just hell."¹⁶⁰

Another genocide survivor, who has faced online harassment but did not want to be identified for fear of retaliation against family members in Rwanda, said: "I was in pain when [Kizito Mihigo] died. I asked for an independent investigation. I also said that I thought the government was responsible because he was in their custody.... I was attacked and called a terrorist and an enemy of the government."¹⁶¹ Several genocide survivors said they received messages accusing them of supporting those who committed genocide and were often attacked in pro-government media. "It's very, very hard. Especially when you have lost your family during the genocide," said the same person who requested anonymity.¹⁶²

In August 2022, a video was published attacking a genocide survivor and critic of the RPF living abroad accusing her of collaborating with the Interahamwe, sharing the location where she and her children live, and encouraging other Rwandans living in that country to share their "comments" on her.¹⁶³

A refugee living in France said that the online harassment he experienced worsened after he helped organize a commemoration of Mihigo on his birthday: "They were sending us insults. A woman contacted us and harassed us. She even told us she had sworn an oath at the embassy. The government works through those people.... I was worried for my family because they live in difficult conditions [in Rwanda]."¹⁶⁴

¹⁵⁹"Waruzi ko maman wa Dr. Philipo Basabose ari mubarakotse Génocide bafashwa na Leta yirirwa asebya?" *Rwanda Canada News*, April 29, 2022, video clip, YouTube, https://www.youtube.com/watch?v=RODalcZcSLE&ab_channel=RWANDACANADANEWS (accessed September 25, 2023).

¹⁶⁰ Human Rights Watch phone interview with Philippe Basabose, October 18, 2022.

¹⁶¹ Human Rights Watch phone interview with "Marie-Louise," September 29, 2022.

¹⁶² Ibid.

¹⁶³ Video on file with Human Rights Watch.

¹⁶⁴ Human Rights Watch interview with "Jacques," Paris, France, August 3, 2022.

The online attacks also regularly target the Hutu diaspora. In some cases, the targets of these attacks are individuals who were or are related to people that were associated with Habyarimana's government. The Rwandan government and government-aligned genocide survivor associations have often sweepingly accused of genocide ideology members of the Hutu diaspora at large. As described above, genocide ideology is a broad accusation that can encompass speaking about crimes committed by the RPF in 1994 or questioning the government's official statistics related to the genocide.

"Denouncing" Relatives

Many Rwandans living abroad interviewed for this report said they were afraid to see—or had seen—their family members forced to "denounce" them on pro-government YouTube channels. In many cases, the individuals said they stopped contacting their family members, because they do not want the authorities to put them under increased pressure. Human Rights Watch is unable to establish exactly under what circumstances the pro-government YouTube channels conducted such interviews. In one case, Human Rights Watch was told that neighbors in Rwanda of a government critic now living abroad were instructed to criticize and give specific answers to discredit the individual in question. When researchers asked to speak with the neighbors, they said they were too afraid to be interviewed.

One YouTube channel in particular, Kasuku Media TV, has been prolific in producing videos seeking to discredit critics, including high-profile opposition leaders such as Victoire Ingabire, chairperson of the Development and Liberty For All-Umurinzi (Dalfa-Umurinzi) party. Human Rights Watch interviewed seven Rwandans living abroad whose relatives or close connections had appeared on Kasuku Media TV to "denounce" them.

Often the interviews with relatives or neighbors of critics living abroad aim to show the individual in a negative light, as the interviewee is asked whether they are supported by the individual in question, or accuses them of being against Rwanda. "These videos show us they know where we're from, and that they know our family," said one refugee, now a Belgian citizen, in Belgium. "We can't communicate with family members, we're afraid something will happen to them," said another Rwandan living in Belgium.¹⁶⁵ A Rwandan

¹⁶⁵ Human Rights Watch interview with "Fabienne," Brussels, Belgium, September 4, 2022.

living in France, who has been prominent in the opposition, said the same had happened to his family: “My sisters, brother, and their families are still in Rwanda. They were visited by agents from Kigali with their microphones—they come with cameras, ask questions, ask them if they’ve been in touch with me,” he said. “It’s all put online on YouTube. They push family members to distance themselves from me, to say I don’t help the family, that I am selfish and rich in Europe.”¹⁶⁶

To avoid possible further harassment for the individuals mentioned in the paragraphs above, Human Rights Watch has withheld their names and abstained from featuring links to the articles and videos in question.

¹⁶⁶ Human Rights Watch interview with “Emmanuel,” Brussels, Belgium, September 2, 2022.

Killings, Disappearances, Kidnappings, Physical Attacks

Killings, suspicious disappearances, kidnappings, and physical attacks on Rwandans abroad are alarmingly frequent, particularly in African countries and in countries where the Rwandan government has an active presence. This presence can manifest itself through Rwanda's military deployment, embassies, or economic partnerships. The trend is both concerning and likely to worsen because of Rwanda's expanding influence across the continent.¹⁶⁷

This research has established three main categories of people who are targeted with physical violence outside of Rwanda's borders. First, individuals who are considered influential—and often wealthy—figures in the Rwandan refugee community in their host country, with a strong capacity to mobilize against the government. The second category includes political opponents or critics who use the relative safety of exile to criticize the government. These can include members of opposition and armed groups in exile, or people with historical ties to these groups. Finally, those who were formerly part of the RPF, and particularly former members of the RPA, have also come into the line of fire—sometimes to stop them from organizing in exile, but also often as punishment for their decision to leave.

These cases, particularly the high-profile ones, are regularly used by embassy officials or members of the RCA when pressuring refugees to return to Rwanda or stop working against the government as warnings of what they may face if they refuse to comply. One Rwandan refugee conveyed how the targeting of Rwandan refugees in Mozambique since May 2021 has impacted the refugee community: "I am afraid all the time. I am afraid when I see a car pull up behind me. I'm afraid when someone [comes to my place of work]. I am ready to be killed at any time now. I've refused to go back to Rwanda, so they will kill me. There is nowhere to go. It's not safe here, but it's not safe anywhere."¹⁶⁸

¹⁶⁷ See Background section for more details and Paul-Simon Handy, "Rwanda: the emergence of an African 'smart power,'" *Institute for Security Studies*, September 27, 2021, <https://issafrica.org/iss-today/rwanda-the-emergence-of-an-african-smart-power> (accessed September 25, 2023).

¹⁶⁸ Human Rights Watch interview with "Jean," Maputo, Mozambique, March 19, 2022.

While the primary culpability for attacks on refugees and asylum seekers lies with the perpetrators, host states—as parties to both the UN and African refugee conventions—are responsible, in collaboration with UNHCR, to provide effective physical protection to asylum seekers and refugees within their territories. UNHCR has long condemned attacks on refugees and has said that governments should hold accountable those responsible for such attacks.¹⁶⁹

Killings

Since the RPF came to power almost 30 years ago, over a dozen high-profile government opponents and critics have been targeted outside Rwanda, including former Minister of Interior Seth Sendashonga, who was killed in 1998, and former Head of External Intelligence Patrick Karegeya, killed in 2014, and the attempted assassination of former Army Chief of Staff Kayumba Nyamwasa in 2010, the former in Kenya, and the latter two in South Africa.¹⁷⁰ In some cases, government officials, including Kagame, gloated about the killings.¹⁷¹

The five cases of suspicious killings of Rwandans in Uganda, Mozambique, and South Africa highlighted in this section of the report took place since 2021. Human Rights Watch received credible information regarding one further suspicious death of a Rwandan individual in South Africa.

Many of the victims were political opponents or outspoken critics of the Rwandan government. A number of them had been granted refugee status in their country of residence, in recognition of the risks they faced in Rwanda, or had requested asylum. In all the cases examined by Human Rights Watch, host government investigations have stalled or failed to result in any arrests or prosecutions.

As critics or opponents, perceived or real, of the government, the victims all share a certain profile: prior to these attacks many had been threatened by individuals who were part of,

¹⁶⁹ "Personal Security of Refugees No. 72 (XLIV) - 1993," UNHCR Executive Committee, October 8, 1993, <https://www.unhcr.org/en-us/excom/exconc/3ae68c4314/personal-security-refugees.html> (accessed September 25, 2023).

¹⁷⁰ "Rwanda: Repression Across Borders," Human Rights Watch briefing, January 28, 2014, <https://www.hrw.org/news/2014/01/28/rwanda-repression-across-borders>.

¹⁷¹ Lewis Mudge, "Rwandans Charged With Murder of Exiled Critic," Human Rights Watch dispatch, September 13, 2019, <https://www.hrw.org/news/2019/09/13/rwandans-charged-murder-exiled-critic>.

or close to, the Rwandan government. The context of broader persecution of government critics inside Rwanda provides credibility to the allegation that these attacks were politically motivated. It also raises serious and plausible concerns about the possibility of official state tolerance, acquiescence, or even collusion in these attacks.

Révoat Karemangingo (Mozambique)

Révoat Karemangingo, a refugee in Mozambique, was shot dead outside a pharmacy he owned in Matola, a city situated about 17 km away from Maputo, on September 13, 2021. Before the 1994 genocide, he was a lieutenant in the Rwandan army. Karemangingo was a successful businessman in Mozambique and a central figure in the Rwandan refugee community, according to over a dozen refugees interviewed in Mozambique. Many described him as a close friend.

Rwandans living in Maputo who were close to him said Karemangingo had met with FDLR and RNC representatives over the years he spent in Maputo. According to one person close to him, in the months before his killing, Karemangingo had received a warning from Mozambican intelligence services that he was at risk of being attacked by the Rwandan government, so he travelled to South Africa. “He found out he was on a list of Rwandans to be killed. When he found out about the list, he went to Johannesburg. He returned to Mozambique for business and was killed,” said one refugee close to him.¹⁷² In South Africa, Karemangingo met with the RNC.¹⁷³ He traveled back to Mozambique days prior to his assassination, according to someone close to him.¹⁷⁴

Almost all refugees interviewed in Maputo said Karemangingo’s killing sent a chilling warning to the community: “Révoat’s death was a message: ‘join us or die,’” said someone close to him.¹⁷⁵ Rwandan embassy staff used his death to threaten people into abandoning their opposition to the government. One embassy official, First Secretary Francis Kagame, a known intelligence operative behind many of the threats according to refugees interviewed in Mozambique, threatened one of the interviewees and told him he

¹⁷² Human Rights Watch interview with “Jean,” Maputo, Mozambique, March 19, 2022.

¹⁷³ Human Rights Watch interview with senior RNC official, Pretoria, South Africa, October 20, 2022.

¹⁷⁴ Human Rights Watch interview with “Miriam,” Mozambique, March 24, 2022.

¹⁷⁵ Human Rights Watch interview with “Jean,” Maputo, Mozambique, March 19, 2022.

would end up dead like Karemangingo if he did not join them.¹⁷⁶ Another refugee was given a business card of the Rwandan ambassador in Mozambique, Claude Nikobisanzwe, and told to go meet with him. He said he refused for fear of being killed.¹⁷⁷

To the best of Human Rights Watch’s knowledge, Mozambican authorities did not issue any arrest warrants or disclose the findings of their investigations. Mozambican authorities did not respond to requests for information from Human Rights Watch.

Seleman Masiya (Mozambique)

Seleman Masiya was murdered at his home in Nampula, in northern Mozambique, on July 6, 2022. He first fled to Mozambique in the late 1990s, before spending some time in Cape Town and returning to Mozambique in 2017, where he was a registered asylum seeker. Human Rights Watch’s investigation indicates that he was stabbed multiple times on his face and neck. Human Rights Watch received credible information that he was being pressured into working for the Rwandan government before his death.¹⁷⁸ A person working on the case said: “Since I’ve been working with [refugees], I’ve seen many cases of attacks against Congolese, Somalis, Rwandese, Burundians [in Mozambique]. But how Seleman was killed makes it very suspicious... it’s my first time to see a case so brutal.”¹⁷⁹

Masiya was a businessman and footballer. A friend in Cape Town described him as vocal in his criticism of the Rwandan government, although he was said to have refused to join opposition groups.¹⁸⁰ A person close to Masiya in Nampula said he was a central figure in the Rwandan community there, and had close relations with both Hutu and Tutsi refugees.¹⁸¹ Another friend in Nampula said: “When [Claude] Nikobisanzwe [the current Rwandan high commissioner in Mozambique and former permanent secretary at the Rwandan High Commission in South Africa] arrived in Mozambique, Seleman told me ‘I know Nikobisanzwe well. He is dangerous, he organized murderous missions [in South Africa].’”¹⁸² Nikobisanzwe was among the three Rwandan diplomats to be expelled from

¹⁷⁶ Ibid.

¹⁷⁷ Human Rights Watch interview with “Sylvain,” Maputo, Mozambique, March 17, 2022.

¹⁷⁸ Human Rights Watch phone interview with “Raoul,” November 4, 2022.

¹⁷⁹ Human Rights Watch phone interview with “Franco,” November 16, 2022.

¹⁸⁰ Message exchange with “Olivier,” November 1, 2022.

¹⁸¹ Human Rights Watch phone interview with “Raoul,” November 4, 2022.

¹⁸² Human Rights Watch phone interview with “Abel,” November 1, 2022.

South Africa in 2014, suspected of being involved in the January 2014 killing of Patrick Karegeya and the March attack on the home of Kayumba Nyamwasa—both former senior RPF officials who founded the opposition RNC and were living in South Africa.¹⁸³

After Masiya was killed, a Rwandan refugee in Nampula told Human Rights Watch that Rwandan refugees and asylum seekers are afraid to go out: “The Rwandan [army] is here.... Everyone is afraid.”¹⁸⁴

Seif Bamporiki (South Africa)

Seif Bamporiki, a Rwandan businessman and opposition leader, was shot dead in Nyanga township, Cape Town, South Africa, on February 21, 2021. Bamporiki arrived in South Africa in 1998, where he requested asylum before obtaining permanent residence. He had just returned to Cape Town from an RNC gathering in the Gauteng area. Three people close to Bamporiki said he received multiple phone calls from a supposed client for several days prior to his death, who was asking him to deliver a bed.¹⁸⁵ According to two relatives, he went to his office around 2 p.m. on February 21, and the client came to see him asking for the bed to be urgently delivered. When he arrived at the meeting place to deliver the bed in Nyanga township, he was shot dead, and his car was taken.

Although crime rates in South Africa are high, the planned element of this killing and Bamporiki’s high-profile opposition role point to a possible targeted killing rather than an armed robbery. In addition, people close to Bamporiki who followed the South African police investigation said they were warned to stop pressing for answers. One relative said a police officer told him: “You can’t follow this case anymore... If you do you will lose your life... This is full of politics.”¹⁸⁶ Bamporiki was an outspoken critic of the Rwandan government, who joined the RNC in the early days of its creation and was regularly threatened, according to people close to him who spoke to Human Rights Watch.¹⁸⁷

¹⁸³ Pascal Fletcher and Helen Nyambura-Mwaura, “South Africa, Rwanda expel diplomats in row over Rwandan exiles,” *Reuters*, March 14, 2014, <https://www.reuters.com/article/us-safrica-rwanda-idUSBREA261BS20140307> (accessed September 25, 2023).

¹⁸⁴ Human Rights Watch phone interview with “Paul,” July 7, 2022.

¹⁸⁵ Human Rights Watch interviews with “Sarah,” “Frank,” and “Felix,” Cape Town, South Africa, October 21, 22, and 25, 2022.

¹⁸⁶ Human Rights Watch interview with “Felix,” Cape Town, South Africa, October 25, 2022.

¹⁸⁷ Human Rights Watch interviews with “Sarah,” “Frank,” and “Felix,” Cape Town, South Africa, October 21, 22, and 25, 2022.

Theogène Bikorimana (South Africa)

Theogène Bikorimana, a refugee in South Africa, was shot and stabbed to death at Gallo restaurant in Milnerton, Cape Town, on March 25, 2022. Bikorimana was a Hutu and former soldier under Habyarimana's regime¹⁸⁸ and fled to South Africa in 2006 due to threats, pressure, and discrimination, after refusing to join the army, according to people close to him.¹⁸⁹

In Cape Town, Bikorimana had regularly been threatened and was the target of break-ins, especially in 2021, according to people close to him. On March 25, men with hoods and masks came into Gallo restaurant where he worked as a guard. They shot and stabbed him and stabbed his wife in the chest. She was able to escape. According to someone present, his valuables were not taken and the cashier was not attacked. His relatives told Human Rights Watch that no progress has been made on the South African investigations into Bikorimana's killing.

South African authorities did not respond to Human Rights Watch's request for information on investigations into the killings of Bamporiki and Bikorimana at time of publication.

Emmanuel Munyaneza (Uganda)

Emmanuel Munyaneza, who had refugee status in Uganda, was found dead in his house in a suburb of Kampala, the country's capital, on March 10, 2022, three days after the border between Uganda and Rwanda fully re-opened for citizens following three years of closure.¹⁹⁰ According to the medical report, experts believe he died sometime on March 8 or 9.

In Rwanda, Munyaneza was a member of parliament in the early days of the RPF government and a founding member of the Social Democratic Party (Parti social démocrate, PSD). He fled in 2007, first to the Democratic Republic of Congo, where he was

¹⁸⁸ Habyarimana was the president of Rwanda from 1973 until his assassination in 1994.

¹⁸⁹ Human Rights Watch interviews with "Sarah" and "Leah," Cape Town, South Africa, October 22, 2022.

¹⁹⁰ Glory Iribagiza, "Gatuna border fully reopens for ordinary passengers after 3 years," *The New Times*, March 7, 2022, <https://www.newtimes.co.rw/article/194099/News/gatuna-border-fully-reopens-for-ordinary-passengers-after-3-years> (accessed September 25, 2023).

threatened by individuals he believed to be working for the Rwandan government, and then to Uganda, according to a friend in Kampala. He was a member of the RNC.

The circumstances around his death are suspicious. According to people who saw the body at the scene, and as suggested in photos taken at the scene and later shared with Human Rights Watch, Munyaneza was beaten and injured before he died. Photos suggest he had been tied up and received blows to the head. Initial statements by the deputy spokesperson for the Kampala Metropolitan Police also indicated Munyaneza's death was being treated as suspected murder.¹⁹¹ An official of the Office of the Prime Minister said to the media, "We found marks on his neck. It is likely that he was strangled."¹⁹²

However, once his body was transferred to the morgue at Mulago Hospital, in Kampala, the narrative around his death changed. One person who saw the body said they received multiple phone calls from morgue officials who told them not to reveal what they had seen. The post-mortem report, reviewed by Human Rights Watch, stated "no anatomical cause of death seen" and that "no defects or physical injuries were seen."¹⁹³ Munyaneza's opposition role and the Rwandan authorities track record of targeting dissidents—especially in Uganda—suggest his killing may have been a targeted assassination.¹⁹⁴

Human Rights Watch wrote to Ugandan authorities to seek information on any investigations conducted into Munyaneza's death. On August 2, the Inspector General of Police responded that "a postmortem report was made which indicated that Emmanuel Munyaneza's death was natural/uncertain and the allegation of murder was ruled out and even his body was taken back to Rwanda his country of origin for a decent burial" and provided a copy of the postmortem report.¹⁹⁵

¹⁹¹ Rogers Atukunda, "Police Investigate Suspected Murder of Rwandan Refugee," *Soft Power News*, March 11, 2022, <https://softpower.ug/police-investigate-suspected-murder-of-rwandan-refugee/> (accessed November 18, 2022).

¹⁹² Ibid.

¹⁹³ Human Rights Watch reviewed the post-mortem examination (March 10, 2022) and the medical certificate establishing cause of death (March 16, 2022).

¹⁹⁴ "Rwanda: Repression Across Borders," Human Rights Watch briefing, January 28, 2014, <https://www.hrw.org/news/2014/01/28/rwanda-repression-across-borders>.

¹⁹⁵ Letter from the Inspector General of Police of Uganda to Human Rights Watch, August 2, 2023.

Kidnappings, Attempted Kidnappings, and Physical Attacks

Human Rights Watch documented cases of kidnappings, attempted kidnappings, physical assaults, and beatings of Rwandan refugees and asylum seekers in Kenya, Mozambique, South Africa, Tanzania, and Uganda, by Kinyarwanda speakers or people suspected of working for the Rwandan government. In some cases, the victims were told they would be handed over to Rwanda or were accused of working against the Rwandan government.

These cases include two attempted kidnappings of Rwandans that took place in the Maputo area since the arrival of Rwandan troops in Mozambique in July 2021. In one case, the kidnappers, who were speaking English, rather than Portuguese, told the victim, “We’re going to take you to Cabo Delgado. Kagame will be there to welcome you.”¹⁹⁶ The presence of Rwandan troops in Mozambique has instilled fear among the community and coincided with an increase in human rights abuses against the refugee community. In September 2021, the Rwandan Refugees Association in Mozambique denounced the targeting of Rwandan refugees in Mozambique by the Rwandan government.¹⁹⁷

These attacks heightened feelings of insecurity within the Rwandan refugee community. One victim of an attempted kidnapping in Maputo said: “I don’t have a phone anymore. I left my family and I sleep at [my workplace]. They follow me everywhere, there are cars with tinted windows—I recognize them. There is a Rwandan who comes to my [workplace] every day to check on me. There’s something off about him.”¹⁹⁸ In both cases, victims asked Human Rights Watch not to publish identifying details to avoid further retribution.

In Kenya, Tanzania, and Uganda, refugees and asylum seekers expressed fear of their host country’s physical and political proximity to Rwanda. A high-profile government critic said of a planned trip from Europe to Tanzania: “In February 2020, the week before I was meant to travel, my wife got a call from a friend who is a senior RPF official, and he said ‘we are waiting for your husband. He will never come back [home].’ She said I was not travelling

¹⁹⁶ Human Rights Watch interview with “Timothy,” Maputo, Mozambique, March 18, 2022.

¹⁹⁷ “Rwandan refugees denounce the Kigali regime’s target list and call for intervention by the Mozambican state,” Centro para Democracia e Desenvolvimento, September 26, 2021, <https://cddmoz.org/wp-content/uploads/2021/09/Rwandan-refugees-denounce-the-Kigali-regimes-target-list-and-call-for-intervention-by-the-Mozambican-state.pdf> (accessed September 25, 2023).

¹⁹⁸ Human Rights Watch interview with “Timothy,” Maputo, Mozambique, March 18, 2022.

anymore, and he responded, ‘thank God.’”¹⁹⁹ These types of warnings are common, since many who fled Rwanda still have ties with individuals who remain within the ruling party or the government.

Human Rights Watch interviewed over a dozen Rwandan refugees and asylum seekers living in Uganda—both in Kampala and in Kyaka II settlement—and all reported being afraid of beatings, kidnappings, and forced repatriations to Rwanda. Several showed threatening messages they received on their phones, written in Kinyarwanda and warning that their location is known.

One refugee said she has been repeatedly visited by Rwandan officials since she arrived in Uganda. “We changed neighborhoods, but last week some Kinyarwanda speakers came to our house and broke our window. One said, ‘I’m sure she lives here,’”²⁰⁰ she said in October 2021. In June 2022, a family friend living in Rwanda called her to warn her that she was at risk, and that Rwandan authorities had approached him to ask for his assistance in apprehending her.²⁰¹

One opposition member, who was arrested in Rwanda in 2018 and detained for over a year, fled to Uganda in 2019. Though he was granted refugee status in Uganda, he has lived in hiding for fear of being tracked down by Rwandan agents. His 2018 detention and torture in Rwanda have left him severely traumatized.²⁰² Since arriving in Uganda, he said he constantly receives threatening messages. In October 2020, his son—who also has refugee status since 2019—was physically assaulted by four Kinyarwanda speaking men near Kyaka settlement. “He was taken away and beaten by people who spoke Kinyarwanda. I had recently changed my phone number at UNHCR’s request, so [the attackers] were asking for my new number,” he said. “Since he [my son] gave it [to the men], I’ve started receiving threatening messages again. He was almost dead when policemen found him and saw the piece of paper where my number was written, so they called me.”

¹⁹⁹ Human Rights Watch interview with “Joseph,” August 27, 2022.

²⁰⁰ Human Rights Watch interview with “Consolate,” Kampala, Uganda, October 5, 2021.

²⁰¹ Audio recording of the call.

²⁰² Human Rights Watch interview with “Innocent,” Mbarara, Uganda, October 6, 2021.

Human Rights Watch interviewed the person's son, and reviewed photos taken of him after he was beaten as well as medical and police reports, which corroborated his account. His son said: "They were armed with guns and knives. I don't know what they beat me with, maybe a hammer. They just said 'where is your father? If you are not sure, we will kill you.' I gave them the information."²⁰³ A year later, on October 28, 2021, he said some men he could not identify tried to force him into a car, but he managed to run away. "I'm always afraid of being kidnapped so I stay at home all the time," he said.

In some cases, particularly in countries with high crime rates like South Africa, it can be difficult to distinguish general crime from targeted, politically motivated attacks. "The government of Rwanda understands very well the insecurities of this country and they capitalize on these crimes and make similar moves," said one refugee leader in Johannesburg. "For example, I was stabbed in 2020. My Rwandan friend called me and we shared a beer. After some time, he disappeared, and I went outside to look for him. I was stabbed by four guys.... I had to go to hospital to get stitches. I didn't bother going to the police."²⁰⁴

In another troubling case, Guillaume Rutembesa, a high-profile and vocal government critic living in Nairobi, Kenya, has not been heard from since early November 2020. He was last seen online on November 7, 2020, and his Twitter account has been suspended. The circumstances surrounding Rutembesa's disappearance remain unknown. However, given the many documented cases of RPF critics being targeted globally,²⁰⁵ including in Kenya, and the fact that his social media posts were seen by many as extremely critical of the RPF, his disappearance has raised serious concerns. Yet, in Rutembesa's case, as in many other cases Human Rights Watch investigated, the host country's authorities have failed to transparently investigate suspicious disappearances and attacks, let alone identify potential perpetrators and hold them to account. This failure feeds fear among refugee communities that they are at risk.

²⁰³ Human Rights Watch phone interview with "Janvier," November 7, 2022.

²⁰⁴ Human Rights Watch interview with "Pierre," Johannesburg, South Africa, October 19, 2022.

²⁰⁵ "Rwanda: Transnational Repression Origin Country Case Study," Freedom House Special Report, February 2021, https://freedomhouse.org/sites/default/files/2021-02/FH_TransnationalRepressionReport2021_revo20221_CaseStudy_Rwanda.pdf (accessed September 25, 2023).

In Western countries, Rwandan refugees have reported being afraid of attacks, even though physical violence is less prevalent. Many Rwandans interviewed for this report, including in Belgium, France, the UK, and the US, said they were afraid of meeting in person and many asked that identifying information be withheld. Although physical attacks on Rwandans in Europe or North America are far less frequent and severe than those in African countries, the fact that they take place at all contributes to a climate of fear among refugee populations, even when they live thousands of kilometers away from Rwanda.

Human Rights Watch interviewed five Rwandans living in the US, four living in the UK, three living in Australia, and one living in Belgium who said they were in contact with local law enforcement or intelligence agencies regarding their safety. The people interviewed are all either permanent residents or citizens of those countries.

A government opponent in Belgium said: “Belgian Intelligence and police officers came to my house after I was threatened.... My protection is secret, but if I have guests, I have to tell the authorities—the date, time, and names. I live five minutes away from a police station, that’s why I chose this house.”²⁰⁶ He said he is regularly threatened, and his family members in Rwanda are as well.

United Kingdom

Some Rwandans in the UK—cited below—described the extensive measures they had to take in order to hide from the Rwandan government. The fact that the British police has in the past sought to protect Rwandan dissidents, including by warning three prominent Rwandan exiles that the Rwandan government posed immediate threats to their lives in 2011, sent a message that the threat posed by the Rwandan government is credible.²⁰⁷ Several Rwandans interviewed for this report expressed concern that the

²⁰⁶ Human Rights Watch interview with former government official, Brussels, Belgium, September 3, 2022.

²⁰⁷ Jenny Cuffe, “Call to stop Rwandan aid over death threats to exiles,” *BBC*, August 2, 2011, <https://www.bbc.com/news/uk-14217337> (accessed September 25, 2023).

newly signed UK-Rwanda Asylum Partnership Arrangement would mean that their security may no longer be a priority for the UK government.²⁰⁸

Noble Marara, a former bodyguard of Kagame and now a vocal critic, was first warned by UK police that his life was at risk in 2011.²⁰⁹ In August 2017, he published a book, *Behind the Presidential Curtain*, about his time in the RPF. “The serious threats started in 2018, after I released the book. The police came back and said they have credible information that my home country wants to harm me. They were very serious,” he said. “They wanted to show me how to keep myself safe. They gave me a certain number that I should call if I’m being followed, told me to make my number plates invisible, and install security cameras. They kept checking on me.”²¹⁰

Marara claimed asylum in the UK in 2002 and is now a permanent resident. Marara is a cover name he took in 2009 to protect himself and he said he refuses to vote and has not had any property registered in his name to ensure his address does not become visible in public records. In 2021, he was visited again by police and intelligence officers. “They told me that they don’t think I need further protection, and that they had been reassured that no Rwandan will be threatened in the UK. I asked them if the Rwandan government said that they were responsible and how they know someone wanted to kill me. They said they can’t reveal that information.”²¹¹

Jonathan Musonera, a former RPA military officer who was also warned of an imminent threat to his life in 2011. After obtaining refugee status in the UK, he became a

²⁰⁸ In April 2022, the United Kingdom government announced plans to expel to Rwanda people seeking asylum in the UK through “irregular” routes. Asylum seekers sent to Rwanda will be processed under Rwanda’s asylum system and, if recognized as refugees, granted refugee status there, with Rwanda otherwise handling rejected claims. The plan is an abrogation of the UK’s international responsibilities and obligations to asylum seekers and refugees. The plans were challenged in the English High Court and on December 19, 2023, the court ruled that Rwanda is a safe third country and the plan was legal. On June 29, 2023, the English Court of Appeal (by majority) overturned the High Court’s decision that Rwanda is a safe third country, finding that until deficiencies in Rwanda’s asylum processes are corrected, the removal of asylum seekers to Rwanda will be unlawful. The UK government has confirmed its intention to appeal the decision to the UK Supreme Court. For more information, see: “Letter from Human Rights Watch to UK Home Secretary,” public letter to UK Home Secretary on expulsions to Rwanda, June 11, 2022, <https://www.hrw.org/news/2022/06/11/public-letter-uk-home-secretary-expulsions-rwanda>.

²⁰⁹ “Call to stop Rwandan aid over death threats to exiles,” *BBC*, August 2, 2011, <https://www.bbc.com/news/uk-14217337> (accessed September 25, 2023).

²¹⁰ Human rights Watch interview with Noble Marara, London, UK, October 5, 2022.

²¹¹ Ibid.

permanent resident and eventually a UK citizen. He said intelligence services in the UK have warned him about threats to his life, advised him to move houses, and to be cautious in the UK and when traveling. A relative was sent to the UK to convince him to return to Rwanda, and offered him large sums of money if he agreed. He refused.²¹²

Another Rwandan critic living in London said he was visited by two people he suspected of being Rwandan agents in 2015. He keeps a flak jacket and installed CCTV at his house.²¹³

Human Rights Watch wrote to UK authorities about these cases, but the Foreign, Commonwealth and Development Office and Home Office declined to comment on individual cases.²¹⁴

Rwandans in other European countries reported being afraid of physical attacks. In June 2019, for example, at a protest in Brussels organized in response to Kagame's participation in the European Development Days, a European forum on international partnerships, two refugees said several people were attacked or threatened by Kinyarwanda speakers.²¹⁵ Serge Ndayizeye, who runs the RNC's Itahuka radio out of the US, said he was attacked while attending a "Rwanda Day" in Amsterdam, the Netherlands, in 2015. "Five guys attacked me, put me to the ground, took my phone and ran to the convention center where Kagame was speaking," he said. "They were saying 'we're going to kill you, Serge. We're going to get you.' They ran to the convention center to join the other groups there."²¹⁶

²¹² Human rights Watch interview with Jonathan Musonera, London, UK, August 30, 2022.

²¹³ Human Rights Watch interview with "Joseph," London, UK, August 27, 2022.

²¹⁴ Letter from the Minister of State with responsibility for human rights (on behalf of the Home Secretary and Foreign Secretary of the UK) to Human Rights Watch, dated September 29, 2023 and received on October 2, 2023.

²¹⁵ Human Rights Watch interview with "Mohamed," September 5, 2022, Brussels, Belgium.

²¹⁶ Human Rights Watch phone interview with Serge Ndayizeye, October 6, 2022.

Joseph Mazimpaka (Tanzania)

Fleeing Rwanda

Joseph Mazimpaka is a 46-year-old Rwandan refugee in Tanzania. A former military trainee under the Habyarimana regime, he later integrated the RDF and became a military trainer at Nyakinama military academy, from 2003 to 2007. In 2008, he traveled to Darfur, Sudan, as part of a peacekeeping mission.

Upon his return to Rwanda, he was accused of working against the government: “The situation became bad when General Nyamwasa fled to South Africa. That situation brought many problems to those suspected of being in their circle... Many people were killed, persecuted, kidnapped, or isolated because they were suspected to be in close connection [with Nyamwasa].”²¹⁷ After his return, he was detained for five months on accusations related to the genocide, which were later dropped. In 2012, he was ordered to go fight with the M23 in Congo and decided to leave. He fled to Uganda in August 2013, while his wife fled through Tanzania to a Southern African country. After spending some time in Uganda and Kenya, he settled in Tanzania, where he eventually claimed asylum.

Attempted kidnapping

In the evening of August 3, 2017, a group of men led by Jean Christophe Irafasha, a Rwandan intelligence agent, attempted to kidnap Mazimpaka at his home in Ilala district, Dar es Salaam. “The men were dressed in civilian clothing but introduced themselves as police, and said they were looking for Mazimpaka. They led him out with eyes blindfolded and in handcuffs. It was only the next day that we found out they had lied,” said one of Mazimpaka’s neighbors.²¹⁸

Shortly afterward, Tanzanian police intercepted the car, with Mazimpaka bound and blindfolded in the back seat, and arrested the group. Irafasha, Mazimpaka, and a third man were put on trial for entering Tanzania illegally and for “fraudulent schemes,” but no charges were brought against Irafasha for kidnapping or attempted kidnapping.

²¹⁷ Voice note sent via WhatsApp, October 16, 2022.

²¹⁸ Human Rights Watch interview with “Maria,” Dar es Salaam, Tanzania, December 8, 2022.

The court case concluded in February 2022. Human Rights Watch reviewed the verdict and testimonies from the suspects and witnesses. Throughout the court proceedings, multiple police officers testified and provided evidence that Irafasha had been sent to Tanzania by the Rwandan government to kidnap Mazimpaka. In addition, a police officer testified that Irafasha had told him he was planning on paying a “friend” at the Tigo telecommunications company 70,000 Tanzanian shillings (US\$30) to hand over Mazimpaka’s communication records. According to court records, Mazimpaka said that at the time of his attempted kidnapping, Irafasha had a printout of his call records. Human Rights Watch wrote to Tigo Tanzania, Millicom International Cellular S.A., which owned Tigo Tanzania at the time of the incident, and the Tanzanian Communications Regulatory Authority (TCRA) to share information and seek input on these allegations. Tigo Tanzania referred Human Rights Watch to Millicom, and Human Rights Watch did not receive a response from either Millicom or the TCRA at time of publication.

Mazimpaka also said the kidnappers had a photo of himself he had sent to his brother Lambert Izabayo in Rwanda in 2016. Izabayo has been missing since October 2016, around the same time he received the photo from Mazimpaka (see more details on his case below).

In court, Mazimpaka said the men who kidnapped him handcuffed and blindfolded him, and ordered their driver to take him to Rusumo, near the border with Rwanda. Tanzanian police officers involved in the arrests and the investigations testified that Mazimpaka was targeted by agents sent by the Rwandan government. According to a police officer who interrogated him after his arrest, Irafasha “admitted to be a Rwandese intelligence person and that, he came to fetch [Mazimpaka]... to take him back to Rwanda for training but denied [that], he came to fetch [Mazimpaka] with a view to kill him.”²¹⁹ Another witness in the trial, who was present during the arrest of Irafasha and Mazimpaka, confirmed that Irafasha admitted to being in Tanzania to bring Mazimpaka back to Rwanda. He also said that “[Mazimpaka] had his face covered with a cloth and [...] he did not know if that was arrest or high jacking.”²²⁰

²¹⁹ *The United Republic of Tanzania v. Irafasha Kurawige Jean Christophe; Mazimpaka Joseph Bahati Mbanda Joseph; Habryarimana Innocent*, Resident Magistrate Court of Dar Es Salaam at Kisutu, Economic Crimes Case No. 74 of 2017, filed on November 22, 2017, judgement issued on February 28, 2022, testimony of S. Tarsis Mwenge.

²²⁰ *Ibid*, testimony of Inspector David Mabula.

Before the attempted kidnapping, Irafasha first asked a Tanzanian police officer for “assistance to get [Mazimpaka] arrested without involving the attention of the police.”²²¹ The police officer approached by Irafasha on August 1, 2017, said Irafasha did not provide an arrest warrant to support his claim that Mazimpaka was a family member who was wanted in Rwanda for theft.²²² When he called Irafasha on August 2, Irafasha told him he was at the Rwandan embassy in Tanzania.

During the trial, Mazimpaka was detained at Segerea prison, in Dar es Salaam, for almost five years. On February 28, 2022, he was acquitted of charges relating to forgery of documents but convicted of entering the country illegally. However, the judge eventually decided to drop the conviction and concluded that:

[the] accused deserves lenience and mercy ... he was rescued by our own police force. [T]hey arrested [Irafasha] who was, as per the evidence, sent from Rwanda to fetch [Mazimpaka] either to kill him or return him back to Rwanda for persecution as it was the case of others who were assassinated, detained and tortured by the government of Rwanda.

The judge also acknowledged that Mazimpaka had spent five years in custody waiting for the case to be finalized and decided to acquit him of all charges and release him.²²³

Irafasha pleaded guilty to the charges of “fraudulent schemes” and “unlawful presence in ... Tanzania” and was given a five year sentence. He was not charged with offenses relating to the attempted kidnapping of Mazimpaka.

Family Members Targeted

In 2016, Mazimpaka asked his younger brother, Lambert Izabayo, who was 22 years old at the time, to sell his property in Musanze district in Rwanda. He sent Izabayo a photo of himself to prove he was the one asking for the favor. Izabayo sold the property in October.

²²¹ Ibid, testimony of prosecution witness, Said Juma Hussein Malingumu.

²²² Ibid.

²²³ Ibid.

Some time between October 16 and 18, Izabayo disappeared and has not been seen since. A witness said he was forced into a pick-up as he was walking down a street in Kigali.²²⁴

Mazimpaka contacted Human Rights Watch on December 15, 2016, to report the disappearance. At the time, he told Human Rights Watch he was being targeted for refusing to take part in the 2012 M23 offensive in eastern Congo.²²⁵

Many of Mazimpaka's family members had to flee Rwanda after he decided to leave. After Mazimpaka left Rwanda, his wife fled to a southern African country, where she was granted refugee status. On August 28, 2022, she was walking to work in the capital when she was stopped by a Toyota Alphard car with tinted windows with two men and a woman inside. A man spoke to her in Kinyarwanda. "I got scared, but they pushed me inside the vehicle and sat me in between a man and a woman. They told me to tell the truth and hand over my phone and refugee ID card. They asked me if I call my husband, and I said no. They said they knew I had called him that morning," she said. "They asked me to remove the password from my phone, and the man with the gun asked for my husband's phone number. The woman took pictures of my ID and installed something on my phone. The man said, 'your husband is an enemy of the country.'" They told her they know where she lives, where she works, and should separate from her husband. "They said: 'think carefully—you won't escape us.' Then the man with the gun accompanied me out of the car and told me never to tell anyone about this," she said.²²⁶

A few months later, she said, a man came to her workplace and asked, "Where is your husband?" in Kinyarwanda.²²⁷ Human Rights Watch also interviewed an official of the host country who confirmed that Mazimpaka's wife had reported the threats to him in the weeks following the incident.²²⁸ The official and Mazimpaka's wife said that UNHCR was also informed of the incident, but at time of writing, no action had been taken.²²⁹

²²⁴ Human Rights Watch phone interview with "Alfred," November 21, 2022.

²²⁵ Human Rights Watch phone interview with Joseph Mazimpaka, December 15, 2016.

²²⁶ Human Rights Watch phone interview with Joseph Mazimpaka's wife, November 1, 2022.

²²⁷ Ibid.

²²⁸ Human Rights Watch phone interview with government official, November 8, 2022.

²²⁹ Human Rights Watch interviews with Mazimpaka's wife and a government official, November 1 and 8, 2022.

Host Country's Responsibility to Investigate and Prosecute Attacks

During an inquest into Karegeya's killing in 2014, South Africa's National Prosecution Authority issued arrest warrants for two Rwandans. The South African investigation into Karegeya's killing was the first time that the Rwandan government was implicated in an extraterritorial killing following a judicial inquiry.²³⁰ In September 2019, South Africa's special investigative unit said in a written testimony that Karegeya's murder and attacks on Rwanda's former Army Chief of Staff Gen. Kayumba Nyamwasa "were directly linked to the involvement of the Rwandan government." More recently, in February 2022, the judge in the case of Joseph Mazimpaka in Tanzania also directly pointed to the Rwandan government's involvement (see previous section).

Yet, according to Human Rights Watch's research, in the vast majority of cases, the authorities of host countries have failed to investigate and prosecute attacks against Rwandans on their soil, notwithstanding the context provides credible grounds to believe that many of these attacks were politically motivated. In some cases, it appears that the investigations have stalled.

When there is an allegation or suggestion that there may have been collusion of state agents in a killing or an attack, international human rights law requires a prompt, public, independent, impartial, and thorough investigation to examine the possibility of collusion, effectively.²³¹ However, an issue of concern in almost all the cases cited in this report is the failure to make progress in effective investigations capable of identifying the perpetrators, particularly those who ordered the attacks, and bringing them to justice. With some exceptions, including those mentioned in this report, there have been few arrests and even fewer prosecutions.

At time of publication, Kenyan, Mozambican, Rwandan, South African, Tanzanian, and UK authorities did not respond to requests for comments or input on investigations conducted on Rwanda's extraterritorial abuse documented in this chapter. On August 21, Belgian authorities responded to Human Rights Watch's request for information saying that "It is

²³⁰ Lewis Mudge, "Rwandans Charged With Murder of Exiled Critic," Human Rights Watch dispatch, September 13, 2019, <https://www.hrw.org/news/2019/09/13/rwandans-charged-murder-exiled-critic>.

²³¹ General Comment on Article 6 of International Convention on Civil and Political Rights (right to life), UN Doc. CCPR/C/GC/36, para. 28.

therefore absolutely unacceptable that the exercise of [...] fundamental rights should lead to any form of pressure and/or intimidation. In Belgium, the FPS Justice is responsible for safeguarding these fundamental rights and carrying out the necessary investigations” and that Belgian intelligence services were charged with monitoring interference activities.²³² On August 2, the Ugandan Inspector General of Police responded to Human Rights Watch’s request for information stating that “The Uganda Police Force provides equal security to all refugees irrespective of their countries of origin but goes an extra mile to provide security to those who feel threatened” and many Rwandans have been granted refugee status in Uganda on political grounds.²³³

²³² Email from the Belgian Foreign Affairs, Foreign Trade and Development Cooperation Federal Public Service to Human Rights Watch, August 21, 2023 (Human Rights Watch translation of French original).

²³³ Letter from the Inspector General of Police of Uganda to Human Rights Watch, August 2, 2023.

Judicial Harassment, Misuse of Law Enforcement, and Forced Returns

Throughout this research, Human Rights Watch found that Rwandan authorities have sought to employ national and international judicial and law enforcement processes across the world, at times leveraging the support received for the apprehension of genocide suspects, to target dissidents at large. In these cases, the authorities showed little regard for the independence of the judiciary and at times appear to have interfered in cases and evidence to request the arrest or extradition of individuals. The Rwandan government has also used Interpol Red Notices in two cases, which has led to many Rwandans living abroad maintaining a deep-seated fear of traveling.

Perhaps the most famous case of forced return to Rwanda is that of Paul Rusesabagina,²³⁴ whom Rwandan authorities had sought to have investigated and extradited back to Rwanda for years.²³⁵ For this report, Human Rights Watch also documented four cases of Rwandans arrested by authorities in Kenya, Mozambique, and Uganda, including one case which resulted in an enforced disappearance. In the three other cases, host country authorities told the victim that the Rwandan government had requested that they be deported back to Rwanda.

Arbitrary Detention Abroad and Actual or Attempted Forced Returns to Rwanda

Deportations, extraditions, or other forced returns to Rwanda within the contexts described in this report, in situations where host country authorities conducted or permitted the forced returns, violated—or, in the case of attempted deportations, would have violated—

²³⁴ For details on this case, see p. 75 of this report.

²³⁵ According to an FBI report leaked to the Organized Crime and Corruption Reporting Project, in 2011, the Rwandan government made a formal request to US authorities to investigate Rusesabagina for his alleged support of militants in Central Africa. For more information, see: <https://www.occrp.org/en/investigations/rwanda-fed-false-intelligence-to-us-and-interpol-as-it-pursued-political-dissidents-abroad> (accessed September 25, 2023). According to media reports, Belgian authorities also declined Rwanda's extradition requests for Rusesabagina. For more information, see: <https://abcnews.go.com/International/paul-rusesabagina-called-hero-hotel-rwanda-now-accused/story?id=76953569>.

the international legal prohibition on refoulement, or forced return to risk of persecution, torture, or other serious harm.²³⁶

Some victims of arbitrary detention and attempted deportation to Rwanda were traveling on foreign passports (from countries where they had obtained citizenship) at the time of the abuse. In other cases, they were asylum seekers or refugees. The cases of arbitrary detention and attempted deportation documented mainly took place in African countries, where Rwandan authorities appear to have more influence on law enforcement and security forces. In some cases, while authorities of these countries did not carry out the deportations, they still failed to ensure adequate protection of the victims.

For example, an asylum seeker in Kenya who fled due to persecution for his activism in Rwanda, was detained by Kenyan police in May 2020 in the capital Nairobi. After he gave a media interview while in Kenya, he said the Rwandan authorities sought to have him arrested:

I was on the road when [Kenyan police] arrested me, in May 2020. They were not wearing uniforms. There were four men with their IDs, guns, and the special walkie talkies. They had pictures of me, my name, my email. They put me in handcuffs and wanted to take me to a police station.... They drove me far from Ngara, which is where I was staying and the only place I knew. They said I am a criminal from Rwanda, and they will take me to the

²³⁶ The UN and African refugee conventions prohibit the refoulement of refugees to a place where their lives or freedom (or physical integrity, per the African Refugee Convention) would be threatened for reasons of race, religion, nationality, political opinion, or membership of a particular social group (or, per the African Refugee Convention, for reasons of external aggression, occupation, foreign domination, or events seriously disturbing public order). The UN Convention against Torture prohibits forced return of anyone to a country where there are substantial grounds for believing that the person might be tortured, and the UN Human Rights Committee has interpreted Articles 6 and 7 of the International Covenant on Civil and Political Rights as including an obligation not to expose anyone “by way of their extradition, expulsion or refoulement” to a country where they risk facing torture or ill-treatment not rising to the level of torture. UN Convention relating to the Status of Refugees, 189 U.N.T.S. 150, entered into force April 22, 1954, art. 33; African Refugee Convention, arts. 2(3) and 1(1)-1(2); United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Convention against Torture), adopted December 10, 1984, G.A. res. 39/46, annex, 39 U.N. GAOR Supp. (No. 51) at 197, U.N. Doc. A/39/51 (1984), entered into force June 26, 1987, ratified by the US in 1994, <https://www.ohchr.org/en/professionalinterest/pages/cat.aspx> (accessed September 25, 2023), art. 3; International Covenant on Civil and Political Rights (ICCPR), adopted December 16, 1966, G.A. Res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 52, U.N. Doc A/6316 (1966), 999 U.N.T.S. 171, entered into force March 23, 1976, ratified by the US in 1992, arts. 6 and 7; UN Human Rights Committee, CCPR General Comment No. 20: Article 7 (Prohibition of Torture or Other Cruel, Inhuman or Degrading Treatment or Punishment), March 10, 1992, <https://www.refworld.org/docid/453883fbo.html> (accessed September 25, 2023), para. 9.

[Rwandan] embassy the next morning. They said: ‘they want to take you back to Rwanda.’ I was begging, I tried to explain to [the police officer] my story. I showed him my story [in the news] and explained why I left my country. He understood, and he spoke to his chief. They took 30 minutes and they said: ‘we will release you because you are young, and you have a sad story. But leave this country—they want you.’ Since then, I’ve been staying inside my house. When I see the cars with black windows I run, I think they are coming to get me.²³⁷

Paul Rusesabagina

Paul Rusesabagina’s reappearance in Kigali three days after vanishing in Dubai, Kagame’s boastful remarks about the “flawless” operation that got him there, the fact that Rwandan authorities circumvented the legal process of extradition, and the highly publicized and flawed trial on terrorism charges, left a mark on many in the diaspora.²³⁸ The case sent the message that no one—not even the recipient of a US presidential medal of freedom, a US resident, and an EU citizen—is out of reach for the Rwandan authorities. Many refugees interviewed for this report spoke of Rusesabagina’s case to explain their fear of traveling and of being detained or kidnapped while in transit. Some high-profile critics said they had been told by law enforcement agencies in the UK, US, and Belgium to keep them abreast of their travel plans, or simply advised to avoid travel.

Rusesabagina, whose story was immortalized in the *Hotel Rwanda* film, fled to Belgium in 1996 and is now a Belgian citizen. He was a green card holder living in the US, when he traveled from the US to Dubai, United Arab Emirates (UAE), on August 27, 2020.

Rusesabagina was forcibly disappeared on the evening of August 27 until the Rwanda Investigation Bureau (RIB) announced it had him in custody in Kigali, on August 31.²³⁹ During that time, Rusesabagina was detained in an ungazetted detention facility—often referred to as a “safe house”—where he was beaten and kept with his hands and feet

²³⁷ Human Rights Watch interview with “Jerome,” Nairobi, Kenya, January 27, 2022.

²³⁸ See: “Rwanda: Rusesabagina Was Forcibly Disappeared,” Human Rights Watch news release, September 10, 2020, <https://www.hrw.org/news/2020/09/10/rwanda-rusesabagina-was-forcibly-disappeared> and “Rwanda: Paul Rusesabagina Convicted in Flawed Trial,” Human Rights Watch news release, September 20, 2021, <https://www.hrw.org/news/2021/09/20/rwanda-paul-rusesabagina-convicted-flawed-trial>.

²³⁹ “RIB Statement on the arrest of Paul Rusesabagina,” Rwanda Investigation Bureau statement, August 31, 2020, https://twitter.com/RIB_Rw/status/130035030037710594 (accessed on September 25, 2023).

bound. He was then transferred to Remera police station, where he was held for several weeks before being transferred to Nyarugenge prison in Kigali.²⁴⁰

In February 2021, as the trial of Rusesabagina and 20 co-defendants was set to begin, Al Jazeera broadcast excerpts from a call between then-Minister of Justice Johnston Busingye and two consultants from the British public relations firm Chelgate, which Al Jazeera said were “inadvertently” shared with them.²⁴¹ In the clips, Busingye prepares his responses to questions about Rusesabagina’s case with the consultants, and admits that Rwandan prison authorities intercepted privileged communications between Rusesabagina and his lawyers, in violation of his due process rights, and the government’s role in his August 2020 enforced disappearance and illegal transfer.²⁴²

In one of the clips aired on Al Jazeera, Busingye is heard asking the consultants: “So I should say, for example, I have no idea who paid [for the plane that transported Rusesabagina]?”²⁴³ When confronted by the journalist, Busingye admitted that the government paid for the flight. An invoice issued by GainJet Aviation S. A. sent to the office of the Rwandan president shows that a private jet was chartered to fly from Dubai to Kigali on August 27, 2020.²⁴⁴ Human Rights Watch contacted GainJet Aviation and Chelgate for comment. Due to pending litigation around these matters, GainJet’s representatives declined to provide comment to Human Rights Watch. Chelgate did not respond.

On September 20, 2021, Rusesabagina was convicted of murder, membership in a terrorist group, and other charges and handed a 25-year sentence, after a flawed trial. As Human Rights Watch previously reported, Rusesabagina’s privileged communications with counsel were intercepted, he was denied access to his trial documents, and was

²⁴⁰ Human Rights Watch phone interview with Paul Rusesabagina, August 3, 2023.

²⁴¹ “Rwanda paid for flight that led to Paul Rusesabagina arrest,” Aljazeera Up Front, February 26, 2021, video clip, YouTube, <https://www.youtube.com/watch?v=2uXvQpIOVEU> (accessed on September 25, 2023).

²⁴² Ibid.

²⁴³ Ibid.

²⁴⁴ Invoice by GainJet Aviation S.A. issued to Lt. Col. Innocent Gashugi, Director General of Finance and Administration at the Office of the President, Kigali, Rwanda, on August 31, 2020.

interrogated by Rwandan authorities outside the presence of counsel.²⁴⁵ His conviction was upheld on appeal in April 2022.²⁴⁶

On March 24, 2023, following high-profile advocacy on his behalf by the Belgian and US governments and Hollywood allies, Rusesabagina was released from detention. According to media reports, he was driven from detention to the home of Qatar's ambassador to Rwanda by American diplomats.²⁴⁷ Five days later he was reunited with his family in Texas, US.

Rusesabagina's relatives actively campaigned for his release, regularly meeting government officials and others to press for his release. According to the Pegasus Project, an international investigative journalism initiative, in 2021, the phone of Carine Kanimba, Rusesabagina's daughter, was "bombarded with Pegasus," malicious software manufactured by Israeli tech firm NSO Group.²⁴⁸ Analysis by Amnesty International's Security Lab, which lent technical assistance to the project, found that Kanimba's phone was successfully infected with Pegasus multiple times. Amnesty International's analysis found that Kanimba's phone was infected while she interacted with European, British, and US officials, and confirmed an attack on June 14, 2021, the day Kanimba met with then-Belgian Minister of Foreign Affairs Sophie Wilmès.²⁴⁹ Rwandan authorities have denied using Pegasus to spy on dissidents.²⁵⁰

²⁴⁵ "Rwanda: Paul Rusesabagina Convicted in Flawed Trial," Human Rights Watch news release, September 20, 2021, <https://www.hrw.org/news/2021/09/20/rwanda-paul-rusesabagina-convicted-flawed-trial>.

²⁴⁶ "Court upholds 25-year sentence for 'Hotel Rwanda' hero," *Al Jazeera*, April 4, 2022, <https://www.aljazeera.com/news/2022/4/4/court-upholds-25-year-sentence-for-hotel-rwanda-hero> (accessed September 26, 2023).

²⁴⁷ Declan Walsh, Michael D. Shear, and Abdi Latif Dahir, "How the U.S., Family and Hollywood Freed the 'Hotel Rwanda' Hero," *The New York Times*, April 3, 2023, <https://www.nytimes.com/2023/04/03/world/africa/hotel-rwanda-rusesabagina-kagame.html> (Accessed September 26, 2023).

²⁴⁸ Pegasus is a potent program that its developer, the Israeli company NSO Group, says it only sells to governments, and is capable of accessing a phone's contact lists, reading emails and text messages, tracking calls, collecting passwords, localizing the target device, and hijacking its microphone and video camera to turn them into surveillance tools. For more information, see: Ronen Bergman and Mark Mazzetti, "The Battle for the World's Most Powerful Cyberweapon," *The New York Times*, January 28, 2022, <https://www.nytimes.com/2022/01/28/magazine/nso-group-israel-spyware.html> (accessed September 26, 2023).

²⁴⁹ "Israeli Spy Tech Used Against Daughter of Man Who Inspired 'Hotel Rwanda,'" Organized Crime and Corruption Reporting Project (OCCRP), July 19, 2021, <https://www.occrp.org/en/the-pegasus-project/israeli-spy-tech-used-against-daughter-of-man-who-inspired-hotel-rwanda> (accessed September 26, 2023).

²⁵⁰ Edmund Kagire, "Rwanda Reaffirms It Doesn't Use Pegasus, Says Accusations Part of Smear Campaign," *KT Press*, July 20, 2021, <https://www.ktpress.rw/2021/07/rwanda-reaffirms-it-doesnt-use-pegasus-says-accusations-part-of-smear-campaign/> (accessed September 26, 2023).

On August 21, 2023, the Belgian authorities responded to Human Rights Watch’s request for information and said they had raised Rusesabagina’s case with Rwandan authorities during his detention and underlined their concerns with regard to his right to a fair trial but did not respond to questions regarding steps taken to raise concerns about his treatment or the treatment of his family.²⁵¹

Cassien Ntamuhanga (Mozambique)

Cassien Ntamuhanga is a former journalist and opposition activist who has not been seen since he was taken into custody by Mozambican police—working with a Kinyarwanda speaker—on May 23, 2021.²⁵² Despite multiple witnesses having seen Ntamuhanga in police custody, the Mozambican authorities have denied knowledge of his detention, and his whereabouts remain unknown at time of writing, amounting to an enforced disappearance.

Ntamuhanga traveled to Johannesburg, South Africa, shortly before his arrest, to meet with the RNC.²⁵³ Ntamuhanga was previously convicted in Rwanda after a highly politicized trial, alongside the singer and activist Kizito Mihigo, in February 2015.²⁵⁴ He escaped from prison in late 2017 and fled to Mozambique, where he requested asylum. He remained an asylum seeker at the time of his disappearance in 2021.

According to the Pegasus Project, Ntamuhanga’s phone number was on the list of numbers selected by NSO Group clients for targeting through Pegasus.²⁵⁵

Ntamuhanga’s disappearance revived fear and the sense of insecurity among Rwandans living in Mozambique. Two months later, Rwanda’s military intervention in Mozambique’s war-torn Cabo Delgado area, in July 2021, heightened concerns for the safety of Rwandan refugees and asylum seekers.²⁵⁶ Many Rwandans interviewed for this report said that the deployment of Rwandan troops exacerbated the harassment of and abuses against the

²⁵¹ Email from the Belgian Foreign Affairs, External Commerce and Development Cooperation Federal Public Service to Human Rights Watch, August 21, 2023 (translated by Human Rights Watch).

²⁵² “Mozambique: Grave Concerns for Rwandan Asylum Seeker,” Human Rights Watch news release, June 15, 2021, <https://www.hrw.org/news/2021/06/15/mozambique-grave-concerns-rwandan-asylum-seeker>.

²⁵³ Human Rights Watch interviews with two senior RNC officials, Johannesburg, South Africa.

²⁵⁴ For more information on the case of Kizito Mihigo, see p. 46-47.

²⁵⁵ “Israeli Spy Tech Used Against Daughter of Man Who Inspired ‘Hotel Rwanda,’” OCCRP.

²⁵⁶ “Rwanda Deploys Joint Force to Mozambique,” Government of Rwanda press release, July 9, 2021, <https://www.gov.rw/blog-detail/rwanda-deploys-joint-force-to-mozambique> (accessed September 26, 2023).

refugee community. One Rwandan refugee who had been living in Maputo since 2002 said: “Before the troops arrived, we didn’t really hear of Kigali much. I never heard anything about the embassy. But now it’s all over my life. I am followed. The cars don’t have number plates and have dark windows. The newspapers in Kigali attack us, we get messages through WhatsApp groups or email.”²⁵⁷

When authorities deprive someone of their liberty and refuse to acknowledge the detention or conceal the person’s whereabouts, they are committing an enforced disappearance, a crime under international law and prohibited under all circumstances.²⁵⁸ Those involved in and responsible for such acts should be held criminally responsible. Almost two years after Ntamuhanza’s disappearance, the Mozambican authorities are yet to provide any details about the case, or any information regarding their announced investigations. Human Rights Watch wrote to Mozambican authorities about the case, but at time of publication, had not received a response.

Robert Kabera (Uganda)

Sgt. Maj. Robert Kabera is a singer and former member of the RDF, who fled to Uganda on November 19, 2020, alleging political persecution. Four days later, on November 23, 2020, a press release by the RDF Military Prosecution Department announced an investigation into “defilement allegations” against Kabera, and alleged the crime was committed on November 21, 2020, after Kabera says he left the country.²⁵⁹ Kabera was granted refugee status in Uganda due to political persecution, according to the Ugandan police.²⁶⁰

Since Kabera’s arrival in Uganda, the Rwandan authorities have openly—and reportedly privately—included Kabera in demands made to Ugandan authorities to deport to Rwanda several high-profile government opponents.²⁶¹ In a September 14, 2021 police statement reviewed by Human Rights Watch and written in response to a protection request, a

²⁵⁷ Human rights Watch interview with “Joel,” Maputo, Mozambique, March 21, 2022.

²⁵⁸ United Nations Declaration on the Protection of All Persons from Enforced Disappearances, adopted December 18, 1992, G.A. res. 47/133, 47 U.N. GAOR Supp. (No. 49) at 207, U.N. Doc. A/47/49 (1992).

²⁵⁹ “RDF investigates criminal allegations over Sergeant Major Kabera Robert,” *Rwanda Defence Force news*, RDF/MPR/A/07/11/20, November 23, 2020, <https://www.mod.gov.rw/news-detail/rdf-investigates-criminal-allegations-over-sergeant-major-kabera-robert> (accessed September 26, 2023).

²⁶⁰ Letter from the Inspector General of Police of Uganda to Human Rights Watch, August 2, 2023.

²⁶¹ “Fleeing Rwandan Soldier, Robert Kabera, Arrested in Kampala,” *Chimp Reports*, May 16, 2022, <https://chimpreports.com/fleeing-rwandan-soldier-robert-kabera-arrested-in-kampala/> (accessed September 25, 2023).

Kampala city official stated that Kabera “needs help for protection because we cannot offer him the needed security,” because “his country is putting him in newspapers that he is training terrorists (rebels)” and requested that UNHCR and the Norwegian Refugee Council (NRC) take action to ensure his safety and security.²⁶²

On March 16, 2022, Rwandan government spokesperson Yolande Makolo tweeted:

Despite all the positivity and progress of the 2nd visit to Kigali by Lt. Gen Muhoozi Kainerugaba, there's still need to pay attention to underlying unresolved issues, raised from the start, of known hostile persons bent on destabilizing Rwanda, still operating in Uganda.

Also pending is continued hateful media propaganda produced by Uganda-based individuals incl. Obed Katurebe aka Robert Patrick Fati Gakwerere, Sula Nuwamanya, Gerald Tindifa, Robert Higirow, Asiimwe Kanamugire, etc. We patiently await action by Ugandan authorities on this unfinished business.²⁶³

Although Kabera is not explicitly named in her tweets, many of the people cited by Makolo are former government officials who have left the RPF or are RNC members, and many also have ties with Uganda.

On May 16, 2022, dozens of Ugandan policemen and military men came to arrest Kabera at his temporary home in Kampala, reportedly on charges of smuggling weapons.²⁶⁴ “They wanted to kidnap me. I saw the special forces, and the ‘drone’ car [unmarked vehicles, usually Toyota HiAce vans, locally known in Uganda as “Drones,” and which have been associated with the abduction of government opponents]. They were going to take me away to give me to Rwanda like a gift,” he said.²⁶⁵ After human rights defenders and

²⁶² Statement by Vice-Chairman of the Local Council, Lungujja Ssendawula village, Lubaga division, Kampala City Authority, September 14, 2021.

²⁶³ Tweet by Yolande Makolo, spokeswoman of the Rwandan government, March 16, 2022, <https://twitter.com/yolandemakolo/status/150419515527712774> (accessed September 25, 2023).

²⁶⁴ “Rwandan Soldier Kabera’s Kampala Home Searched for Illegal Guns,” *Chimp Reports*, May 16, 2022, <https://chimpreports.com/exclusive-rwandan-soldier-kaberas-home-searched-for-illegal-guns/> (accessed September 26, 2023).

²⁶⁵ Human Rights Watch interview with Robert Kabera, Uganda, September 19, 2022.

journalists started posting photos and alerts on social media, he was eventually taken into custody. Kabera said Ugandan police officers beat him and that he sustained a fracture to his ankle.²⁶⁶ An eyewitness who saw Kabera after his release confirmed his injury.²⁶⁷

During his detention, Kabera said he saw Rwandan officials at the police station, including some who work at the High Commission in Kampala. Kabera was released on bail on May 20, and moved to a new location in Uganda. His arrest warrant was later cancelled, and his case closed.

In late July, he was assaulted by a group of young men, who took his phone. “I couldn’t fight because I was still injured from when I was beaten in detention. The men said in Kinyarwanda: ‘we know where you are. We will take you back home, you will see.’” Kabera reported the incident to the police a week later, on August 1, 2022.²⁶⁸

On November 7, 2022, Kabera reported the disappearance of his wife from their home in Kampala to the police. A June 16, 2023, report from the Ugandan police sharing the result of their investigation, notes her disappearance and stated that, according to a very reliable source who has requested anonymity, she “was kidnapped by the Republic of Rwanda security operatives (agents) taken back to her country of origin (Rwanda) where is alive and well todate [sic].”²⁶⁹ Human Rights Watch was not able to independently confirm the circumstances of the alleged kidnapping.

Since then, Kabera said he lives in hiding: “Now I’ve moved to another place. I can’t even go home to get my things. I’m dirty. I can’t change. I’m moving around with only my backpack. I sleep like this. I go to places where nobody knows me,” he said.

In a letter to Human Rights Watch, the Ugandan Inspector General of Police confirmed that Kabera was granted asylum in Uganda on the basis of his claims of political persecution and was being provided with additional security by the police.²⁷⁰

²⁶⁶ Human Rights Watch phone interview with “Joan,” November 9, 2022.

²⁶⁷ Ibid.

²⁶⁸ Police report, Old Kampala Police Division, August 1, 2022, on file with Human Rights Watch.

²⁶⁹ Preliminary investigations report on a case of disappearance VIDE SD REF 07/07/11/2022 of Wakasanke Police Post C/O old Kampala Police Division Hates, June 16, 2023.

²⁷⁰ Letter from the Inspector General of Police of Uganda to Human Rights Watch, August 2, 2023.

Robert Mukombozi (Uganda)

Robert Mukombozi, an RNC member and former journalist living in Australia, was forced to leave Uganda two days after landing there to visit family in April 2022. Born in Uganda to Rwandan parents, Mukombozi has been living in Australia since 2009. He received refugee status in Australia and became a citizen in 2014. He traveled to Uganda on his Australian passport on March 31, 2022. After two days, Mukombozi was taken by military officials from the Ugandan People's Defence Force (UPDF) and Chieftaincy of Military Intelligence to a military intelligence facility in Mbuya, Kampala. "The people sent to talk to me said Rwanda wanted me back.... they said my life is in danger. They said... 'we are dealing with a powerful adversary,'" he told Human Rights Watch. "I was told that Kagame was pressuring them, but that they didn't want to hand over an Australian citizen."²⁷¹ He was driven to the airport and asked to leave the country.

On April 2, 2022, President Yoweri Museveni's son, Lt. Gen. Muhoozi Kainerugaba, who was then the commander of the Uganda military's land forces and a special presidential adviser, posted on Twitter: "This enemy of Uganda and Rwanda was picked up and sent back to wherever he came from."²⁷² On April 2, Kainerugaba also tweeted: "General Kayumba, I have warned you enough. You are playing with my country and the results will be terrible for you. RNC has absolutely no space in Uganda!"²⁷³

Following his expulsion, Mukombozi filed a complaint with the East African Court of Justice alleging that Kainerugaba "without just cause or due process ordered his officers to restrain the Applicant from accessing his home in Uganda on 1st April 2022 and forced him out of the country without any just cause."²⁷⁴ The case is ongoing.

Human Rights Watch wrote to Ugandan authorities to seek information about Mukombozi's detention and expulsion, but the Inspector General of Police provided no case-specific details in his response.²⁷⁵

²⁷¹ Human Rights Watch phone interviews with Robert Mukombozi, April 6, 2022, and November 9, 2022.

²⁷² David Lumu, "Muhoozi speaks out on deported Rwandan opposition figure," *New Vision*, April 3, 2022, <https://www.newvision.co.ug/articledetails/130831> (accessed September 26, 2023).

²⁷³ Tweet by Muhoozi Kainerugaba, April 2, 2022, <https://twitter.com/mkainerugaba/status/1510137795502911490?lang=en> (accessed September 26, 2023).

²⁷⁴ *Robert Mukombozi v. Attorney General of Uganda*, East African Court of Justice, "Amended Statement of Reference," No. 27 of 2022, filed on July 22, 2022.

²⁷⁵ Letter from the Inspector General of Police of Uganda to Human Rights Watch, August 2, 2023.

Use of International Law Enforcement

Throughout this research, it became apparent that law enforcement agencies around the world are well aware of the risks that Rwandan refugees, asylum seekers, and other diaspora members face, even after they have been granted citizenship in their host country. Many refugees and asylum seekers interviewed felt that living in Western countries gave them some protection against the—often more violent—abuses perpetrated apparently freely by the Rwandan government on the African continent, such as killings, kidnappings, and physical attacks. Most refugees interviewed in Australia, Canada, Europe, and the US said they no longer travelled to Africa because they felt it was too dangerous.

The research also exposed how Rwandan authorities misused law enforcement procedures, including extradition requests, in host countries. Human Rights Watch received information regarding two cases of misuse of the Interpol Red Notice system (alerts seeking the arrest and extradition of a wanted person). On August 16, Interpol wrote to Human Rights Watch confirming that Red Notices had been issued in both of these cases.

United States

In the US, on January 6, 2022, the FBI listed Rwanda as one of the foreign governments facilitating “transnational repression against US-based victims.”²⁷⁶ According to a 2015 FBI report leaked to the Organized Crime and Corruption Reporting Project (OCCRP), a global network of investigative journalists, the tactics employed by the Rwandan authorities include “providing poison pen [intentionally false or misleading] information to U.S. law enforcement agencies concerning alleged criminal violations through the use of double agents, as well as attempting to manipulate U.S. government immigration law and the Interpol Red Notice System.”²⁷⁷

In addition, the leaked report confirmed that Rwandan intelligence services sought to plant “derogatory information” through an intermediary to discredit RNC members and get them deported.²⁷⁸ The intermediary confessed to working on some 40 individual cases. The

²⁷⁶ “Foreign Government Officials Facilitate Transnational Repression against US-based Victims,” Federal Bureau of Investigation Counterintelligence Bulletin, January 6, 2022.

²⁷⁷ “Rwanda Fed False Intelligence to U.S. and Interpol as It Pursued Political Dissidents Abroad,” OCCRP.

²⁷⁸ *Ibid.*

person also provided false information alleging that RNC officials were plotting to kill Kagame in 2011 while he was on a visit to the US. Human Rights Watch interviewed five Rwandans who said they were in contact with the FBI, who had advised them to take measures for their security.

Human Rights Watch contacted the FBI to share information and seek information on its work on Rwanda's extraterritorial abuse. The FBI referred Human Rights Watch to the Department of Justice. The US Department of Homeland Security wrote to Human Rights Watch on September 11 summarizing measures taken to tackle transnational repression more broadly and to strengthen Interpol's ability to identify and respond to potentially abusive Red Notices. Both the Departments of Justice and of Homeland Security declined to comment on the cases raised below.

Eugene Gasana (United States)

“[Patrick Karuretwā] said: ‘we will stave off the criminal charges if [Gasana] comes quietly back to Rwanda. Kagame is understanding and forgiving and a good president.’”²⁷⁹

Eugene Gasana is a former senior RPF official who was part of Kagame's close entourage, even before Kagame became president of Rwanda. He held high-profile portfolios in the government and strategic diplomatic positions, including as minister of state in charge of international cooperation. He was the Rwandan permanent representative to the UN in New York from July 2009 to August 2016. In 2016, Gasana fell out with Kagame over his decision to amend the constitution and run for a third term in the 2017 election. He was removed from his position as ambassador and summoned back to Kigali. He refused to return and applied for permanent resident status in the US. His application was approved on October 4, 2018.

Gasana's refusal to return to Kigali marked the beginning of a series of attacks against him and his family, his professional life, his finances, and livelihood. Shortly after his dismissal, the authorities seized Gasana's bank accounts and land in Rwanda. In the months that followed, allegations of rape and sexual harassment were brought forward by

²⁷⁹ Human Rights Watch, interview with Eugene Gasana's immigration lawyer Michael J. Wildes, New York, US, November 7, 2022.

a former employee, Benita Uruhisho, who said Gasana assaulted her in 2014, while she worked at the UN mission.

Serious crimes such as sexual assault should be investigated without discrimination, and those responsible brought to justice and punished, through trials that respect due process and are fair for both complainants and accused. With respect to the veracity of these allegations, Human Rights Watch is not in a position to comment. However, as discussed further below, the evidence reviewed by Human Rights Watch during its year-long investigation into Gasana's case reflects the involvement of senior Rwandan government authorities.

When the allegations first surfaced, a criminal investigation was launched by the New York County District Attorney's Office Sex Crimes Unit, focusing on allegations of sexual assault and rape reported by Benita Uruhisho against Gasana. "After conducting an extensive investigation that started in late 2018 and ended in the fall of 2019, the NYCDA [New York County District Attorney] closed the case and did not file any criminal charges against Mr. Gasana," Gasana's criminal defense lawyer, Andrea Zellan, said in a January 8, 2021 letter.²⁸⁰

On June 14, 2019, Benita Uruhisho filed a civil complaint against Gasana to the New York State Supreme Court, New York County, seeking punitive damages for rape and gender-motivated violence.²⁸¹ That case was ongoing at time of writing.

On July 27, 2020, Rwanda's Prosecutor General issued an international arrest warrant for Gasana on charges of "rape, attempted rape, sexual harassment."²⁸² An Interpol Red Notice was issued on August 14, 2020, which Gasana challenged. On June 29, 2021, an Interpol commission reviewed Gasana's request and concluded that "there is a predominant political dimension to this case and that the retention of the data would not be compliant with Article 3 of INTERPOL's Constitution," and ordered for his files to be

²⁸⁰ Letter by Andrea Zellan regarding the criminal investigation into former Ambassador Eugene Gasana, dated January 8, 2021.

²⁸¹ *Benita Urushisho v. Eugene-Richard Gasana*, Supreme Court of the State of New York, County of New York, June 14, 2019.

²⁸² Commission for the Control of Interpol's Files, Decision of the Commission on the request concerning Eugene Gasana, Ref. CCF/117/R130.21, 117th session, June 29, 2021.

deleted from Interpol's database.²⁸³ Human Rights Watch wrote to Interpol, which confirmed that the Red Notice for Gasana was withdrawn after review by the Commission for the Control of Interpol's Files (CCF).²⁸⁴

Involvement of Rwandan authorities

Brig. Gen. Patrick Karuretwā was Kagame's personal principal private secretary from 2013 to 2021. He has been involved in running operations on behalf of the government of Rwanda in the US since at least 2013, when he signed Michelle Martin's foreign agents registration statement on behalf of the Rwandan ministry of foreign affairs.²⁸⁵ Since November 2021, Karuretwā has been head of the RDF International Military Cooperation (IMC), a recently established body which runs Rwanda's network of military and defense attachés in its embassies globally.

In 2017, Karuretwā approached Gasana's immigration lawyer Michael J. Wildes, who was supporting Gasana's application for permanent resident status in the US. Wildes said that in February, a private dinner was arranged by a friend, which Karuretwā attended.²⁸⁶ "Patrick [Karuretwā] said that Gasana was involved in abuse in Congo and that he was 'bad news,' and that I should be careful in representing him," said Wildes in an interview with Human Rights Watch, reading from detailed notes he had taken following the meeting. "He said: 'we will stave off the criminal charges if he comes quietly back to Rwanda. Kagame is understanding and forgiving and a good president.'" In a letter dated April 14, 2021, and submitted as evidence in the civil case against Gasana, Wildes said "President Kagame even contacted me personally through one of his private secretaries, Mr. Patrick Karuretwā, asking me to end my representation of the Gasana family."²⁸⁷

On January 18, 2022, according to communications submitted into evidence, Uruhisho's then-lawyer Steven A. Cash wrote to Gasana's lawyer, Charles Kambanda, confirming

²⁸³ Ibid.

²⁸⁴ Letter from Interpol's Executive Directorate of Legal Affairs to Human Rights Watch, August 16, 2023.

²⁸⁵ "Exhibit A to Registration Statement Pursuant to the Foreign Agents Registration Act of 1938, as amended," US Department of Justice, June 12, 2013.

²⁸⁶ Human Rights Watch interview with Michael J. Wildes, New York, US, November 7, 2022.

²⁸⁷ Letter by Michael J. Wildes regarding his representation of former Ambassador Eugene Gasana, dated April 14, 2021.

communication between Uruhisho and Karuretwu.²⁸⁸ The content of the communications is currently restricted by a protective order requested by Uruhisho's counsel. Human Rights Watch did not review the content of these communications.

On October 31, 2022, Cash resigned from the case. His resignation came days before the publication of an investigation by the OCCRP, which exposed the Rwandan government's manipulation of Interpol Red Notices and law enforcement agencies, including in Gasana's case.²⁸⁹

Human Rights Watch wrote to Cash's then-law firm, Day Pitney LLP, and Rwandan authorities, to seek further information on the involvement of Karuretwu in the case and any other direct or indirect support Rwandan authorities are providing to Uruhisho. Day Pitney LLP responded to refer Human Rights Watch to Benita Uruhisho's current counsel. Day Pitney LLP declined to answer Human Rights Watch's inquiries, except to confirm that Steven Cash is no longer employed by Day Pitney LLP and to provide contact information for Uruhisho's current counsel, Liston Abramson LLP. Liston Abramson LLP likewise declined to respond to Human Rights Watch's inquiries, noting that it regards much of the information sought as privileged and confidential, except to state that Uruhisho is a victim of rape and that her civil action against Eugene Gasana is ongoing.

Attacks on Gasana's reputation and targeting of family members

The Gasana case illustrates the wide array of insidious tactics that constitute the Rwandan government's playbook to attack opponents, including targeting their family members. In August 2017, Gasana's siblings in Rwanda were detained incommunicado for several weeks, and later transferred to Nyarugenge prison in Kigali and accused of fraud. To the best of Human Rights Watch's knowledge, no independent judicial process took place, and no evidence was presented against them. They were released two months later but several of Gasana's relatives' passports have been confiscated and they have been prevented from leaving the country. Human Rights Watch requested information from Rwandan

²⁸⁸ Email from Steven A. Cash, Attorney at Law representing Benita Uruhisho on behalf of Day Pitney LLP to Charles Kambanda, representing Eugene Gasana, Re: *Uruhisho v. Gasana*, Index No.155945/2019 | Identification of certain texts, January 18, 2022.

²⁸⁹ "Rwanda Fed False Intelligence to U.S. and Interpol As It Pursued Political Dissidents Abroad", OCCRP.

authorities on the cases against Gasana's relatives and any evidence to support the accusations but received no response.

On June 27, 2017, Paul W. Butler, an American lawyer representing the government of Rwanda for the US-based law firm Akin Gump Strauss Hauer & Feld LLP, wrote to Kofi Appenteng, the president and CEO of the Africa-America Institute, regarding Gasana's position on the Institute's board. The letter, reviewed by Human Rights Watch, said that the government had "evidence" that "Gasana engaged in unauthorized and unacceptable collaboration with foreign governments at the detriment of the GOR [Government of Rwanda]." ²⁹⁰ The letter then lists a number of accusations, without presenting any evidence or citations in the letter, including "attempts by him to cast unauthorized votes in international organizations directly contrary to directions given to him by the GOR," "an attempt to enlist a Rwandan US green card holder in a plan to transfer substantial dollar funds from a neighboring country through the international banking system under extremely problematic circumstances", and "reaching out to foreign governments, including their intelligence services, in a manner directly threatening the national security of the state of Rwanda." ²⁹¹ Finally, it concludes that the government of Rwanda will be "taking any and all steps available to it within the framework of the international legal system to protect Rwanda and its people from the threat posed by Gasana." Human Rights Watch wrote to Rwandan authorities and Akin Gump Strauss Hauer & Feld LLP to request further information on evidence to support the allegations against Gasana, but at time of publication, had received no response.

Akin Gump Strauss Hauer & Feld LLP also acted for the government of Rwanda in 2012, when the firm was retained to produce a report submitted to the DRC Sanctions Committee. Human Rights Watch reviewed the report, which questioned the methodology and integrity of the Congo UN Group of Experts Coordinator Steven Hege. In November 2012, the Group of Experts published a report accusing Rwanda of supporting the M23 rebellion in eastern Congo. ²⁹² The shadow report stated that Hege is "sympathetic towards

²⁹⁰ Letter from Paul W. Butler, Akin Gump Strauss Hauer & Feld, to Kofi Appenteng, President and CEO of the Africa America Institute, dated June 27, 2017.

²⁹¹ Ibid.

²⁹² "The Government of Rwanda continues to violate the arms embargo by providing direct military support to the M23 rebels, facilitating recruitment, encouraging and facilitating desertions from the armed forces of the Democratic Republic of the Congo, and providing arms, ammunition, intelligence and political advice." United Nations, Final report of the Group of Experts on the DRC submitted in accordance with paragraph 4 of Security Council resolution 2021 (2011) (S/2012/843).

the FDLR genocide movement” and accused him of “downplaying . . . the danger posed by the FDLR,” “bias,” and “poor judgement.”

Similar accusations were lodged in the media by Rwandan diplomats, who for example accused the Group of Experts coordinator of being “sympathetic towards the FDLR genocide movement.”²⁹³

Hege told Human Rights Watch: “When I volunteered to provide the Rwandan minister of foreign affairs [then Louise Mushikiwabo] a private briefing on our extensive findings regarding Rwandan support to the M23 rebellion, she did not dispute any factual evidence but only advised me against publishing it because of potential consequences for my career. I later understood the Akin Gump report [the Rwandan government] commissioned as part of those veiled threats had already been set in motion.”²⁹⁴

On September 20, 2017, Ambassador Valentine Rugwabiza, the permanent representative of Rwanda to the UN at time of writing, wrote to Steven Pfeiffer, the Chair of the Africa-America Institute, alleging, without providing citations or evidence, that Gasana had engaged in “illicit transactions with foreign governments and third parties,” including “targets of current international sanctions,” and was “actively engaging with intelligence services of some foreign governments in subversive activities against the interests... of Rwanda.”²⁹⁵ Gasana resigned from his position on the board of the Africa-America Institute on July 7, 2019. Human Rights Watch wrote to Rwandan authorities to request further information on and evidence to support the allegations, but at time of publication, had received no response.

Gasana’s case is a stark example of the lengths to which the government of Rwanda is willing to go, and the means at its disposal, to attack its opponents. The use of international law enforcement mechanisms, targeting of colleagues and relatives, and the seizure of property, among other steps, appear to constitute efforts to isolate Gasana

²⁹³ Olivier Nduhugirehe, then-first counselor of Rwanda’s permanent mission to the United Nations, quoted in: Armin Rosen, “After the Fall of Goma: The M23 Conflict’s Western Front,” *The Atlantic*, November 20, 2012, <https://www.theatlantic.com/international/archive/2012/11/after-the-fall-of-goma-the-m23-conflicts-western-front/264935/> (accessed September 26, 2023).

²⁹⁴ Message exchange between Steven Hege and Human Rights Watch, April 26, 2023.

²⁹⁵ Letter from Ambassador Valentine Rugwabiza to Steven Pfeiffer, September 20, 2017.

socially and diminish his financial and professional prospects. The case also illustrates the relentless nature of the attacks: if one tactic fails, others will be used until the individual it is targeting is worn down.

Leopold Munyakazi (United States)

Another case that exemplifies Rwanda's misuse of the international law enforcement system is that of Leopold Munyakazi, a former trade union official and Hutu opposition member in Rwanda who arrived in the US in 2004, where he requested asylum. His asylum case was pending at the time of his deportation.

On November 10, 2006, an "international arrest warrant" was issued by the government of Rwanda, stating that Munyakazi was charged with genocide, conspiracy to commit genocide, and negation of the genocide—a crime in Rwanda but not in the US.²⁹⁶ On September 18, 2008, Rwandan authorities issued another "international arrest warrant."²⁹⁷ On October 20, 2008, the government of Rwanda issued an indictment in which it requested that the US arrest and extradite Munyakazi.

In a 2009 press statement, Human Rights Watch said, "At least one charge in the indictment failed to conform to known historical facts, i.e., Dr. Munyakazi was charged with involvement with the Interahamwe, a militia associated with the National Revolutionary Movement for Development (Mouvement révolutionnaire national pour le développement, MRND). Yet in Rwanda in the 1990s it was well known that Munyakazi was an opponent of the MRND, which was a political party that had opposed Munyakazi taking a position at the head of the Rwandan labor movement."²⁹⁸ A leaked 2015 FBI report stated that the investigation was "almost certainly" compromised by a Rwandan intelligence agent and cast doubt on the allegations.²⁹⁹

In 2016, after the US Court of Appeals for the Fourth Circuit denied Munyakazi's appeal of his asylum denial, US Immigration and Customs Enforcement (ICE) authorities deported

²⁹⁶ See *Munyakazi v. Lynch*, U.S. Court of Appeals for the Fourth Circuit, Index No. 15-1735, Brief for Petitioner Munyakazi filed October 21, 2015; see also *Munyakazi v. Lynch*, 829 F.3d 291, 294 (4th Cir. 2016); *id.* at 302 (denying petition for review of asylum denial).

²⁹⁷ *Ibid.*

²⁹⁸ "Human Rights Watch statement on the Munyakazi case," Human Rights Watch statement, February 2009.

²⁹⁹ "Israeli Spy Tech Used Against Daughter of Man Who Inspired 'Hotel Rwanda,'" OCCRP.

Munyakazi to Rwanda.³⁰⁰ In Rwanda, in July 2017, he was first convicted of genocide, crimes against humanity, and genocide denial, and sentenced to life in prison. The first two charges were overturned on appeal, and he was sentenced to nine years in prison in July 2018 for genocide denial. The appeals court concluded that the witness testimonies were often contradictory and stated that it “saw no conclusive evidence that he has committed murders considered to be crimes against humanity or even evidence that he was complicit in commission of those crimes which are based on acts similar to those of the crime of genocide.” It maintained Munyakazi’s initial conviction of genocidal denial for a speech he gave at the University of Delaware in 2006 in which he said about the 1994 genocide: “I refer to it as civil war, not genocide; it was about political power.”³⁰¹ On February 18, 2021, Nyanza High Court Chamber of International and Cross-Border Crimes convicted Munyakazi of new charges of genocide denial and added another five years to his sentence. The conviction is based on statements he made ahead of the genocide commemorations in April 2017, in Muhanga prison. According to the verdict, Munyakazi said that the genocide was a consequence of the RPF’s attempted invasion of Rwanda in October 1990, and that if President Habyarimana’s plane had not crashed, there would not have been a genocide.

International human rights law prohibits hate speech that amounts to incitement of violence, discrimination, or hostility against a protected group. Such restrictions, however, must be consistent with what is “necessary” in a democracy. It is inconsistent with freedom of expression to criminalize hate speech without the requirement that the speaker be proven to have intended that their words incite violence, and that incitement was the foreseeable and imminent result of those words. Punishing criticism of government policies and prosecuting statements believed to be true by the speaker and made with no intention to incite violence, as in the case of Munyakazi above, represent abusive restrictions on free speech.

Human Rights Watch wrote to the Rwandan and US governments to ask what steps had been taken to ensure Munyakazi’s right to asylum, to freedom of expression, and to a fair trial had been respected. On August 22, 2023, the US Assistant Attorney General for National Security responded declining to comment on specific cases. The government of Rwanda did not respond.

³⁰⁰ “ICE removes Rwandan wanted for genocide,” US Immigration and Customs Enforcement press release, September 28, 2016, <https://www.ice.gov/news/releases/ice-removes-rwandan-wanted-genocide> (accessed September 26, 2023).

³⁰¹ Martin Mbugua, “Rwandan prof says 1994 killings were not genocide,” University of Delaware Archive, October 25, 2006, <https://www1.udel.edu/PR/UDaily/2007/oct/scholars102506.html> (accessed September 26, 2023).

Targeting Relatives

“When you are within the system, you know that if you go, your whole family will go.”³⁰²

Rwandan authorities regularly harass and threaten family members living in Rwanda of people they wish to pressure or punish. Human Rights Watch documented over a dozen cases of individuals harassed, forcibly disappeared, detained arbitrarily, or tortured in Rwanda in apparent retribution for their family members’ activities outside of Rwanda. Targeting family members is particularly used against RNC members and former RPF officials, due perhaps to their close ties with many RPF members and intimate knowledge of family connections. Some of the cases documented could not be included in this report to avoid drawing attention to individuals who are still in vulnerable positions inside Rwanda.

For example, one member of an opposition group who fled Rwanda in 2018 said that after he left, one of his relatives was detained in a safe house and brutally tortured for eight months. He found out when RPF officials contacted him through an intermediary, to tell him they would kill his relative if he didn’t comply with their orders. He refused and has had to cut ties with his relative to prevent him from facing further retribution. “If you publish my name, they will kill him,” he told Human Rights Watch.³⁰³

In a separate case, several relatives of a high-profile government opponent were summoned by the then-head of national intelligence, Gen. Joseph Nzabamwita, after the opponent decided to leave Rwanda permanently. “Nzabamwita summoned us twice to interrogate us. There was hatred in his eyes.... He said, ‘do you realize this will have repercussions on your whole family?’... He told us we were all going to pay the price [for this betrayal].”³⁰⁴ Several people said their family members in Rwanda are under surveillance or have been denied passports, which prevents them from leaving the country—violating their right to freedom of movement.

³⁰² Human Rights Watch interview with “Egide,” London, UK, August 28, 2022.

³⁰³ Human Rights Watch phone interviews with opposition member in exile, February 8, 2021, March 23, 2021, and November 8, 2022.

³⁰⁴ Human Rights Watch phone interview with “Beatrice,” November 28, 2022.

Knowing that their criticism could put their relatives at risk often impedes Rwandans' full enjoyment of their rights, including to free expression and association, even in countries where those freedoms are protected, making self-censorship the norm. Others who have chosen to continue their public criticism have had to cut all communications with their families. The few who remain in contact with their family members described those communications as limited to "talking about the weather" or other non-sensitive topics.

The psychological toll of knowing that their activities could put their relatives at risk—or are the cause of their harm—cannot be underestimated. This pattern of abuse is particularly insidious and contributes to the destruction of family ties and increasing isolation of Rwandans living abroad.

Harassment, Torture, Enforced Disappearances, and Suspected Killings in Rwanda

Refugees interviewed for this report explained how they worry that family members in Rwanda can be used to either punish or to trap a relative living abroad. For example, one relative of a high-profile opposition leader in exile in Europe described how Rwandan intelligence services attempted to "recruit" him in Rwanda: "A man came out with a gun and forced me into his car. They covered my eyes and handcuffed me... They asked many questions about me, [my relative], what we discuss.... They said I have to work for the country."³⁰⁵ He initially refused and was taken into a cell where he was beaten. "[The guard] told me that if I refuse, I will die.... I signed the paper without reading. They said once I start my internship at MINADEF [the ministry of defense], then I will know more about what I need to do. They said I could finish my studies and get a scholarship to Europe. They gave me 400,000 Rwandan Francs (US\$368) and told me to search for a room to rent."

He later fled through several countries in East and Southern Africa, where he was followed by Rwandan intelligence agents. In Mozambique, in April 2021, he was physically assaulted and severely injured: "I was walking down the street and some men came and pulled me into a car. Two men were inside, and they were speaking Kiswahili. I think they

³⁰⁵ Human Rights Watch phone interviews with "Fred," February 4, 2022, and Human Rights Watch interview with Fred's relative, Brussels, Belgium, September 3, 2022.

were Rwandese or from somewhere in our region...They took all my documents. They beat me so much I ended up in hospital. They didn't say anything. I thought they were going to kill me.”³⁰⁶ He went into hiding in hiding but reported seeing a Rwandan agent who had previously tried to recruit him in his new location in December 2022.

A Rwandan refugee in Uganda said her two daughters were detained and tortured in Rwanda after she fled in January 2020, due to her husband's political activities.³⁰⁷ “RIB [Rwanda Investigation Bureau] called me and said, ‘if you don't come back, you'll never see your children again.’ I said, ‘if you want to kill them, you kill them,’” she said. Her daughters, who eventually escaped and joined her, confirmed her account. Two weeks after she moved into a house in a suburb of Kampala, she said two men from the Rwandan embassy came to visit her: “They were very polite. They said: ‘don't be afraid, we want to ask you some questions to ensure your children are released.’ [...] I refused.... They phoned someone called Baguma to tell him I wouldn't come.” Ismail Baguma is a Rwandan intelligence agent based in Uganda, who was cited by several refugees as one of the coordinators of Rwanda's surveillance and harassment activities in Uganda. Her neighbors eventually intervened and said they needed an arrest warrant to detain her, and the men left.

Jennifer Rwamugira, the secretary general of the RNC, is at time of writing the chairperson of the RNC in South Africa, following the deaths of the two previous chairpersons Seif Bamporiki and Stanley Safari. Before fleeing Rwanda in 2012, Rwamugira studied nursing in South Africa. When she returned to Rwanda after completing her Master's in 2011, intelligence cadres accused her of working with the opposition, and threatened her relatives in Rwanda if she refused to work for the Rwandan intelligence service. Rwamugira said several relatives have died in suspicious circumstances in recent years, but Human Rights Watch was not able to independently corroborate the circumstances of their deaths. In 2014, Rwamugira reported her husband missing.

Four years later, Rwamugira's husband reappeared: “On August 30, [2018] my husband was released in a wheelchair. I received the photo from a friend in Canada. Then he called me via video call. He told me he couldn't walk. He didn't want to open up about what they had done to him, but he said he was constantly handcuffed for four years. He said I should

³⁰⁶ Human Rights Watch phone interview with “Fred,” February 4, 2022.

³⁰⁷ Human Rights Watch interview with “Consolate,” Uganda, October 5, 2021.

keep quiet.”³⁰⁸ Rwamugira said her husband went missing again on November 4, 2018, and has not heard from him since. Human Rights Watch wrote to Rwandan authorities to seek information about his whereabouts but did not receive a response.

A former senior military official, who did not want to be identified due to fears for the safety of his remaining family members in Rwanda, said:

They started using my family against me. They called them onto TV and radio, and tried to get them to say that I am a bad person. My brother was killed four years ago. He died after being taken into custody and interrogated about me.... He said he wouldn’t talk and wouldn’t cooperate....

My sister is still there—there’s no way to flee. She is controlled morning until evening. Two intelligence agents come to see her every morning and every evening.... Everyone reports back to them—staff in bars, restaurants, airports, motorbikes, taxis—everyone. I know the system well; I was in it.³⁰⁹

Human Rights Watch was not in a position to independently verify the allegation that the individual’s brother was killed.

Noël Zihabamwe (Australia)

Noël Zihabamwe left Rwanda in 2004 because of political tensions and attempts to make him join the RPF. He lost his Hutu father and Tutsi mother during the genocide, as well as several of his siblings. His parents’ property in Butare was seized by the RPF after the genocide, and Zihabamwe said the authorities told him he would be killed if he kept trying to claim it.³¹⁰

When he arrived in Australia, staff of the Rwandan High Commission in Singapore (which covers Australia) tried to recruit him, but he refused. At a meeting with the Rwandan community in Australia, which took place in Sydney on November 24, 2017, then-High

³⁰⁸ Human Rights Watch interview with Jennifer Rwamugira, Pretoria, South Africa, October 20, 2022.

³⁰⁹ Human Rights Watch interview with former senior military intelligence cadre, Europe, August 30, 2022.

³¹⁰ Human Rights Watch phone interview with Noël Zihabamwe, September 3, 2020.

Commissioner Guillaume Kavaruganda verbally attacked Zihabamwe publicly. According to Zihabamwe's relative, who was present at the meeting, Kavaruganda said all those who dare to oppose Rwanda will "die in vain," that this is what was going to happen to Zihabamwe, and that there is a "gun pointed at Zihabamwe."³¹¹ "I will never forget that meeting—it was terrifying. They just wanted to destroy him.... He said those threats looking straight at me," a relative said.³¹²

In February 2018, Australia's then-Minister for Foreign Affairs Julie Bishop wrote a letter to Zihabamwe's local member of parliament Chris Hayes encouraging Zihabamwe to report the threats to the police, and committing to raising the matter with Kavaruganda during his next visit to Australia.³¹³ After Zihabamwe reported to police, in July 2018, New South Wales Police wrote to inform him that they were unable to pursue an investigation and ultimately a prosecution of Kavaruganda because of his diplomatic immunity.³¹⁴

Because of the problems they were having with their land in Butare, and the threats by government officials, Zihabamwe's brothers Jean Nsengimana and Antoine Zihabamwe traveled to Nyagatare to look at new land to buy in 2019. Human Rights Watch spoke with three people close to them who confirmed that, by that point, they were receiving regular visits from security officials, including in the middle of the night, who asked them about Zihabamwe's work in Australia.³¹⁵

Antoine Zihabamwe, his wife, and two young children, and Nsengimana and his son, traveled to Nyagatare on September 10, 2019, and stopped in a restaurant there. According to eyewitnesses, men in civilian clothes came to take them away in two separate cars to Nyagatare police station. Antoine Zihabamwe's wife and young children were released after five days, while Zihabamwe, Nsengimana, and his son were kept in custody for 10 days. All three were brutally tortured, including through suffocation, electric shocks, and beatings using wires, sticks with metal spikes, and the butt of one of the guards' guns. According to one person present, when the guards beat Zihabamwe's two brothers one

³¹¹ Chronology of Noël Zihabamwe's persecution by Rwanda in Australia provided by Zihabamwe; Human Rights Watch phone interviews with a relative of Zihabamwe, November 8, 2022.

³¹² Ibid.

³¹³ Letter from former Minister Julie Bishop to MP Chris Hayes, February 5, 2018.

³¹⁴ Email from NSW police detective to Noël Zihabamwe, July 18, 2018.

³¹⁵ Human Rights Watch interviews with three people close to Jean Nsengimana and Antoine Zihabamwe on September 19, 20, and 22, 2020.

said: “You have someone in your family who refuses to work for us! You wait, you will see what’s going to happen! We can kill you. Why are you crying? You think you can survive?” Another guard told Zihabamwe’s relative: “Kayumba [Nyamwasa] is working with [Zihabamwe]... I can just kill you and no one will see you anymore.”³¹⁶

Not knowing they had been released, Nsengimana’s wife, who had remained in Butare, travelled to Nyagatare to look for her missing relatives later in September 2019. She was also arrested and held in an unknown location for one week, and then transferred to Nyagatare police station, where she was kept in custody for a further two weeks. Police officers threatened to beat her, accused her trying to go to Uganda to join “Kayumba’s rebellion” and of working with Noël Zihabamwe, and made her sign a confession.³¹⁷

Nsengimana and Antoine Zihabamwe, who had been released, left Kigali by bus on September 28, 2019, to look for Nsengimana’s wife. This was the last time they were seen alive. “Sometime between 2 and 3 p.m., police officers came onto the bus and called Jean and Antoine by their names. They were forcibly removed and taken away. The bus driver was told to continue the journey by the police officers, and they told him not to ask any questions,” said Noël Zihabamwe, after speaking the bus driver.³¹⁸

Since Zihabamwe went public about his family’s case in 2020, other family members in Rwanda have been repeatedly threatened and harassed.³¹⁹ Some who have managed to flee the country live in hiding, too afraid to even register as asylum seekers.

Since his brothers’ disappearance, Human Rights Watch has reviewed multiple articles by pro-government media attacking Zihabamwe. Well-known pro-government media have accused him of being affiliated with the RNC and the Rwandan Alliance for the National Pact (RANP Abaryankuna). The *New Times*, Rwanda’s main English language pro-government media, published several articles accusing Zihabamwe of being a genocide

³¹⁶ Human Rights Watch phone interview with an eyewitness, September 19, 2020.

³¹⁷ Human Rights Watch interviews with three people close to Jean Nsengimana and Antoine Zihabamwe on September 19, 20, and 22, 2020.

³¹⁸ Human Rights Watch phone interview with Noël Zihabamwe, September 3, 2020.

³¹⁹ Anna Patty and Leon Hartwell, “‘We need help’: Community leader faces alleged threats and intimidation,” *Sydney Morning Herald*, October 12, 2020, <https://www.smh.com.au/national/nsw/we-need-help-community-leader-faces-alleged-threats-and-intimidation-20201005-p56206.html> (accessed September 26, 2023).

denier, of trying to “defame the government of Rwanda,” and accusing Australia of hosting “terrorists.”³²⁰

In a radio interview on ABC Radio National’s Breakfast program with Fran Kelly, Rwandan government spokeswoman Yolande Makolo was asked about a man in Australia lodging a complaint about the disappearance of his two brothers in 2019. Makolo responded: “People tell lies to get refugee status in Australia.” When the presenter informed her that the person was already a refugee when the complaint was made, Makolo responded with new accusations: “He belongs to an opposition political party outside Rwanda that tells all sorts of lies to get political capital.”³²¹

On June 20, 2022, a video filmed in Zihabamwe’s village was posted on Kasuku Media TV’s YouTube channel. The presenter, who introduces himself as Kasuku, interviewed two people who were Zihabamwe’s neighbors. In the video, the presenter gives a lengthy introduction to the segment, in which he attacks Zihabamwe’s claims about his brothers’ disappearances. Two neighbors say that Zihabamwe’s brothers sold their land and houses and claim they went to Europe. The presenter asks them to “send a message” to Zihabamwe, and concludes that Zihabamwe is “propagating rumors” to advance his brothers’ asylum claims:

It’s a strategy that is used by a lot by people who think that if they lie about being threatened and tortured by the state, their claim will move forward. Let me tell Noël Zihabamwe—stop this stupidity and come back to build houses on your family’s land... stop this stupidity and these rumors to get help from human rights [institutions]. They can’t help you when they know that you are lying, which is why we are here in your home so that other

³²⁰ James Karuhanga, “How Australia became den of Genocide fugitives and subversive groups,” *The New Times*, October 24, 2020, <https://www.newtimes.co.rw/article/180971/News/how-australia-became-den-of-genocide-fugitives-and-subversive-groups> (accessed September 26, 2023) and James Karuhanga, “Rwandan community in Australia call out compatriot for trying to frame government,” *The New Times*, October 19, 2020, <https://www.newtimes.co.rw/article/180835/News/rwandan-community-in-australia-call-out-compatriot-for-trying-to-frame-government#.X46HMRx6TvE.whatsapp> (accessed September 26, 2023).

³²¹ “Rwandan Government defends ‘Hotel Rwanda’ dissident conviction,” *ABC Radio*, September 22, 2021, <https://www.abc.net.au/radionational/programs/breakfast/rwanda-government-defends-paul-rusesabagina-conviction/13554454> (accessed September 26, 2023).

Rwandans will know the truth when you claim your family has been kidnapped.³²²

Zihabamwe believes these claims about his brothers are not true and has not heard from his brothers since their disappearance. In his September 2022 annual report, the United Nations secretary-general highlighted the case of harassment and threats against Noël Zihabamwe and people related to him following his engagement with the UN Working Group on Enforced and Involuntary Disappearances on his brothers' case.³²³

Human Rights Watch wrote to Australian authorities to seek information on steps taken in response to the threats made against Zihabamwe. The Australian Department of Home Affairs said it has “encouraged Rwanda to continue to engage with the Working Group [on Enforced and Involuntary Disappearances] and to do whatever it can to help locate Mr Zihabamwe’s brothers,” and that the Australian authorities have raised the case with the Rwandan government.³²⁴

Judicial Harassment, Arbitrary Detention, and Prosecution of Family Members in Rwanda

Research for this report has exposed how, when attempting to pressure government opponents and critics, authorities have also sought to manipulate the Rwandan judiciary against their relatives.

Human Rights Watch documented two cases of Rwandans—both of whom had acquired citizenship in France and the UK—who were arrested and detained while visiting Rwanda, apparently in reprisal for their relatives’ political activities abroad. In both cases, the victims are related to high-profile government critics in exile. In both cases, the host governments

³²² Kasuku Media TV, “Nasuye Kwa Noel Zibahamwe wirirwa asakuza kumbuga nkoranya mbaga ko leta yashimutse umuryango we,” June 20, 2022, video clip, YouTube, https://www.youtube.com/watch?v=G4UrUnGWqYU&ab_channel=KasukuMediaTv (accessed September 26, 2023).

³²³ UN Secretary-General’s Assessment, “Report of the Secretary-General: Cooperation with the United Nations, its representatives and mechanisms in the field of human rights,” A/HRC/51/47, September 14, 2022, <https://www.ohchr.org/en/documents/thematic-reports/ahrc5147-cooperation-united-nations-its-representatives-and-mechanisms> (accessed September 26, 2023).

³²⁴ Letter from the A/g Assistant Secretary of the National Security and Resilience Group, Department of Home Affairs of Australia, to Human Rights Watch, August 30, 2023.

were asked by the relatives in question to intervene to help secure their release. Human Rights Watch wrote to French, UK, and Rwandan authorities regarding these cases, to seek information on the grounds for the detention of both individuals and steps taken to ensure their right to due process and to adequate detention conditions were respected. At time of publication, French authorities had not responded, and the UK authorities declined to comment on individual cases.³²⁵

Under Rwandan and international law, all detainees have the right to be promptly informed of the charges against them, to contact their family and lawyer, and to have their detention reviewed by a judge.³²⁶ The authorities' failure to respect due process in both cases, and the lack of credibility of the charges against both individuals, highlight the risk of abuse and politicized prosecutions even for Rwandans who have acquired the citizenship of another country.

Théobald Rutihunza and Jacques Nkurunziza (France and Rwanda)

Jacques Nkurunziza was born in Rwanda in 1975 and moved to France with his family in 2003, where he and his family were given refugee status. "We left Rwanda in 2003 because my father was in opposition to Paul Kagame," he said.³²⁷ Nkurunziza decided to return to Rwanda in 2010 to invest and do business: "As long as I stayed away from politics, and wasn't seen to be judging events in Rwanda, I was ok." He has travelled with both his Rwandan and French passports, having obtained a Rwandan passport in 2013.

Nkurunziza's father is Théobald Rutihunza, a former member of the opposition Democratic Republican Movement (Mouvement démocratique républicain, MDR) and a founding member of the Rwandan League for the Promotion and Defense of Human Rights (Ligue rwandaise pour la promotion et la défense des droits de l'Homme, LIPRODHOR).³²⁸ He

³²⁵ Letter from the Minister of State with responsibility for human rights (on behalf of the Home Secretary and Foreign Secretary of the UK) to Human Rights Watch, dated September 29, 2023, and received on October 2, 2023.

³²⁶ ICCPR, art. 14.

³²⁷ Human Rights Watch phone interview with Jacques Nkurunziza, September 21, 2022.

³²⁸ LIPRODHOR was singled out by the government in its crackdown on human rights groups. In 2004, the parliament requested the dissolution of the group and several others on the recommendation of a parliamentary commission on genocide ideology, which alleged that these organizations supported genocidal ideas. After receiving personal threats, about a dozen leading members of the group fled the country. Several others left in the ensuing years. For more information, see: "Rwanda: Parliament Seeks to Abolish Rights Group," Human Rights Watch news release, July 2, 2004, <https://www.hrw.org/news/2004/07/02/rwanda-parliament-seeks-abolish-rights-group>.

worked as prefect of Cyangugu from November 1994 to June 1996 and, after spending several years in jail without charge or trial, became a program manager at LIPRODHOR.

Rutihunza left Rwanda in 2002, before the MDR's then-leader, Faustin Twagiramungu, who was forced to flee in November 2003. In France, Rutihunza and other former members of LIPRODHOR established RIPRODHOR (Réseau International pour la Promotion et la Défense des Droits de l'Homme au Rwanda).

Although Rutihunza served as a public official under the RPF government, when his opposition to Rwandan government's policies grew more vocal, authorities began accusing Rutihunza and LIPRODHOR of damaging the image of the country and of propagating "ethnic ideology."³²⁹ In 2019, the National Commission for the Fight Against Genocide (Commission nationale de lutte contre le génocide, CNLG) published a 500-page report on the genocide in Cyangugu province.³³⁰ RIPRODHOR published a lengthy critique, signed by Rutihunza, in May 2020.³³¹

That's when they started seriously attacking me... there were repercussions for my family in Rwanda.... They were isolated, no one would even say hello.... My son was in Kigali, and people started asking him where I am, until they finally put him in prison. We had to ask for the intervention of the [French] foreign affairs ministry.³³²

On January 6, 2021, Nkurunziza was at his apartment in Kigarama, Kigali, to update electrical systems. Police arrived, detained Nkurunziza, and took him to the police station in the Gikondo neighborhood of Kigali.

I was kept handcuffed, with no water or food [until January 8]. My family asked the French embassy to find me. [The authorities] kept moving me

³²⁹ Government of Rwanda, *Rapport de la Commission Parlementaire ad hoc, créée en date du 20 janvier 2004 par le Parlement, Chambre des Députés, chargée d'examiner les tueries perpétrées dans la province de Gikongoro, l'idéologie génocidaire et ceux qui la propagent partout au Rwanda*, accepted by the National Assembly June 30, 2004.

³³⁰ "Jenoside yakorewe abatutsi mu yahoze ari perefegitura ya cyangugu," National Commission for the Fight against Genocide, 2019.

³³¹ "Communiqué du RIPRODHOR sur le rapport 2019 de la CNLG sur le génocide des Tutsi dans la préfecture de Cyangugu," RIPRODHOR press release, May 4, 2020.

³³² Human Rights Watch phone interview with Théobald Rutihunza, August 4, 2022.

around. [On January 8], in the early hours, they took me to a detention center in Kicukiro.... When the embassy found me, the police called me and asked me if I'm really French.³³³

During his time at Gikondo police station, Nkurunziza had access to his lawyer but was constantly in handcuffs and held without charge. He was held in a detention facility in Kicukiro until February 12. "There were men in civilian clothing, police, and military around. I was held with around 150 other people. It was horrible."³³⁴ On February 12, Nkurunziza was brought before a judge and accused of having "destroyed" electric equipment belonging to someone else. The ownership of the house had been contested by a woman claiming to be Rutihunza's daughter and the prosecution alleged that Nkurunziza had damaged electric meters belonging to her. Nkurunziza was granted bail and released on February 12.

On February 18, police detained Nkurunziza again, as well as his neighbor, and two other individuals, and took them to the police headquarters in Kacyiru, Kigali. They were held for a day, without access to a lawyer, and were interrogated by multiple RIB and police officers. "This time, [the woman] had filed a complaint saying that my family members had written to the police to say that my parents had given me money to kill her," said Nkurunziza. Police interrogated him for several hours, including on his father, and his age and whereabouts during the genocide, and released Nkurunziza and two others in the evening. Before releasing him, Nkurunziza said: "They were asking me why I came back to Rwanda."³³⁵ His neighbor was kept in detention.

The next day on February 19, around 8 p.m., 10 armed men came to arrest him a third time:

This time I was afraid. It was night, they took me to the police headquarters. My neighbor was there. They dragged us through seven places in one night. The day, police interrogated me. At night, it was intelligence. We were separated. They put something over my head.... I would go into a room, stay 15 minutes, and then was taken away. I was afraid, no one knew where I

³³³ Human Rights Watch phone interview with Jacques Nkurunziza, September 21, 2022.

³³⁴ Human Rights Watch phone interview with Jacques Nkurunziza, November 15, 2022.

³³⁵ Ibid.

was. I ended up at Kimironko around 2 a.m. The guards asked for my paperwork, and so the intelligence agent took a piece of paper and wrote ‘vagrant’ on it and said, ‘no one can see him.’³³⁶

On February 18 and 19, Rutihunza sent emails to French authorities to ask for their assistance locating his son and his neighbor.

The French embassy eventually tracked him down, and his lawyer visited him on February 21. Nkurunziza was taken to the RIB office in Kimihurura on February 22, where he was held and interrogated. He said: “They added accusations to scare me: ‘Why did you go to France with Rutihunza? Are you against the government? Why did you come back?’ [...] A police officer told me, ‘either leave the country or cut ties with your father.’”³³⁷ He was kept in detention at the RIB office in Kimihurura, until a Kicukiro court ordered Nkurunziza and his neighbor’s provisional release on March 19, 2021.³³⁸

It is unclear to what extent diplomatic pressure contributed to Nkurunziza’s release, but the case’s arbitrary and politically motivated nature is evident. “[French president] Macron was about to visit Rwanda, and I was advised [by the embassy] to go back to France for my own safety,” said Nkurunziza.

Violette Uwamahoro and Faustin Rukundo (UK and Rwanda)

Violette Uwamahoro, a Rwandan naturalized UK citizen, is the wife of Faustin Rukundo, a former senior official at the RNC and former refugee in the UK. Uwamahoro lives in Leeds, UK, with Rukundo and their children.

In 2017, Uwamahoro travelled to Rwanda to attend her father’s funeral. She was reported missing on February 14, 2017, after calling a family member to announce her arrival at the main bus station in Kigali.³³⁹ Her phone went dead a few minutes later.

³³⁶ Ibid.

³³⁷ Ibid.

³³⁸ Order RDP 00244/2021/TB/KICU/ on pretrial detention, March 19, 2021.

³³⁹ Ida Sawyer, “Rwanda Held Opposition Official’s Wife Incommunicado,” Human Rights Watch dispatch, March 3, 2017, <https://www.hrw.org/news/2017/03/03/rwanda-held-opposition-officials-wife-incommunicado>.

“I was afraid, something was wrong. Someone was watching me,” she told Human Rights Watch in 2022. When she tried to exit the bus, some people blocked her: “They said I am not going anywhere. They said they were secret services... I became numb. I froze. They threw me into the car like a bag of rice, they called me ‘Akantu’ [meaning worthless in Kinyarwanda].” The men handcuffed, blindfolded Uwamahoro, and took her phones away. “They made me lie down, maybe to hide me from checkpoints. I was three months pregnant,” she said.³⁴⁰

When she arrived at an unidentified house, probably in or near Kigali, she was taken to a room upstairs and asked to hand over her UK phone number and passport.

A man came and said they were going to hold me for some time. He said they wanted to ask me questions and work with me. They asked me: ‘your husband is a politician, why didn’t you go to the embassy in London to tell them you were coming, to distance yourself from him?’

They were lecturing me and asking me how I can live with someone who is against the government, why I don’t divorce him. I just said I can’t stop him doing something he thinks is right.

Uwamahoro was then taken to a different location where she slept on a mattress on the floor. “I was questioned morning, midnight, anytime of day or night for two weeks. They asked how they can get into my husband’s computers, how I can give them information.... [They asked] who my phone contacts were, my relationship with my local MP in the UK,” she said. “It was a safe house, no one knew where I was.”

When she started bleeding, she worried about her pregnancy. A doctor and a nurse were brought in, but she was too afraid to take the medication she was given. “They were trying to get me to work for them. They said: ‘your husband is a politician. You need to work with us, check his laptop, his phone. We know where your family is,’” she said.

³⁴⁰ Human Rights Watch interview with Violette Uwamahoro, Leicester, UK, August 28, 2022.

On February 28, 2017, Uwamahoro's then British MP Hilary Benn asked the secretary of state for foreign and commonwealth affairs what representations he had made to the government of Rwanda on her disappearance.³⁴¹

Eventually, on or around March 3, Uwamahoro was taken to Remera police station in Kigali. She was kept in a cell there for a further month. "The cell hadn't been cleaned.... There were so many mosquitoes, I worried about malaria. I was still in handcuffs," she said. A UK High Commission official visited her at Remera, and Uwamahoro was given access to a lawyer. On March 6, Benn was told: "Officials at the British High Commission in Kigali are in touch with local authorities and providing consular assistance to Violette Uwamahoro and her family following her arrest."³⁴²

The Rwandan police announced on March 3, 2017, that Uwamahoro was in police detention. She had been held incommunicado for more than two weeks. In a statement quoted by Rwandan media, the police spokesperson said that "Violette Uwamahoro was apprehended by Rwanda National Police (RNP) based on a tip-off that she is involved in criminal dealings constituting serious crimes, including attempts to recruit people into a criminal network."³⁴³

Uwamahoro was charged alongside a distant cousin, a police officer, with the revelation of state secrets, formation of an irregular armed group, and offences against the established government or president. She denied the charges and said she hadn't spoken to her cousin in years. A judge said there was no evidence to warrant her detention and released her on bail on March 27. She returned to the UK in the following weeks.³⁴⁴

Since then, her life has not returned to normal. "Anyone close to me is threatened," she said. "Here, the embassy goes through friends. They go after our family friends, and so they stay away from us because they don't want to be pressured and put in an impossible

³⁴¹ Question by Hilary Benn, Labour MP for Leeds [where Uwamahoro lives], UIN 66030, February 28, 2017, <https://questions-statements.parliament.uk/written-questions/detail/2017-02-28/66030/> (accessed September 26, 2023).

³⁴² Answer by Tobias Ellwood, Conservative MP, UIN 66030, March 6, 2017, <https://members.parliament.uk/member/413/writtenquestions?page=41#expand-706222> (accessed September 26, 2023).

³⁴³ Dan Ngabonziza, "British Woman Arrested In Rwanda, Faces Prosecution," *KT Press*, March 3, 2017, <http://www.ktpress.rw/2017/03/british-woman-arrested-in-rwanda-faces-prosecution/> (accessed September 26, 2023).

³⁴⁴ "British Rwanda 'plot' woman Violette Uwamahoro back in UK," *BBC News*, April 12, 2017, <https://www.bbc.com/news/world-africa-39579013> (accessed September 26, 2023).

position.”³⁴⁵ When Uwamahoro wrote to the Rwandan embassy in October 2019 to get a police clearance letter to apply to university in the UK, she was told she needed a Rwandan passport. She said she knew she would never get the documentation she needs.

In 2019, Rukundo was informed by international NGOs Citizen Lab and Amnesty International that his phone had been targeted with Pegasus spyware. “We are always changing phones, and they are always finding the number. The kids will say that someone has been calling them. We don’t know who it is,” said Rukundo. “It’s expensive, it’s difficult. It becomes part of your life.”³⁴⁶

³⁴⁵ Human Rights Watch interview with Violette Uwamahoro, August 28, 2022.

³⁴⁶ Human Rights Watch interview with Faustin Rukundo, Leicester, UK, August 28, 2022.

Recommendations

To Rwandan Authorities

The Rwandan authorities should respect the rights to peaceful expression and privacy, whether in Rwanda or abroad, and halt the use of a range of methods that are designed to muzzle and intimidate dissidents and are a form of reprisals for their dissident speech or activities.

The authorities should immediately end the use of methods intended to muzzle and intimidate critics and dissidents abroad, including:

- Character assassinations and online harassment in news websites and on social media;
- Surveillance of dissidents abroad, including physically trailing them, monitoring their activities, including through the use of embassies and diaspora associations, installing spyware programs on their smartphones;
- Physical attacks on dissidents or on their physical property, including kidnappings, beatings, and killings;
- Targeting family members of dissidents with harassment, threats, abusive police, administrative, or judicial action, as well as unlawful detention and torture;
- Politically motivated investigations against dissidents, or other unfair administrative measures, including property seizure and withholding travel documents;
- Politically motivated arrest warrants and extradition requests targeting dissidents and critics abroad.

Rwanda's highest executive authorities should reform the country's security and intelligence agencies, in a way that subjects them to independent oversight, and guarantee the transparency of such oversight, and of their operations, in accordance with international human rights standards.

These recommendations, if implemented, will not prevent Rwandan authorities from being able to prosecute any individual for which there is credible and compelling evidence of having committed an offense that is widely recognized as a criminal act.

To All Countries that Host Rwandan Asylum Seekers, Refugees, and Other Diaspora Members

- Provide effective physical and legal protection to Rwandans within the host country's territory or under its jurisdiction, including by enhancing security for individuals who report experiencing threats, harassment, attacks, or other abuses while in the country of refuge that they believe were perpetrated by Rwandan government authorities or other agents from Rwanda.
- In line with duties to protect refugees and to ensure public safety, thoroughly investigate, with a view to ensuring justice, all reported cases of threats, harassment, attacks, or other abuses perpetrated against Rwandan refugees, asylum seekers, or other members of the diaspora while in the host country's territory. Compile information and regularly report on these cases. Additionally, seek to investigate any attack that takes place outside the host country against Rwandans who are traveling, who have refugee or other resident status or citizenship in the host country.
- Publicly denounce the Rwandan authorities' tactics and patterns of repression and urge them to end their harassment of dissidents and perceived critics and respect their international human rights obligations. Call on the Rwandan authorities to ensure that all those facing criminal charges, including dissidents, benefit from their due process rights throughout the judicial process.
- Through diplomatic representations, closely monitor Rwandan authorities' use of criminal charges, harassment, arbitrary detention, torture, and restrictions to freedom of movement targeting relatives of Rwandans living abroad.
- Conduct an independent review of funding to the Rwandan government to ensure that financial support to development, security, or refugee and diaspora-focused programs is compliant with human rights obligations and does not result in or contribute to surveillance of and abuse against Rwandans in Rwanda or abroad.
- Impose targeted sanctions, including travel bans and asset freezes, on perpetrators of serious human rights abuses against Rwandans abroad.
- Coordinate with law enforcement agencies, intelligence services, and UNHCR or other officials working with refugees and asylum seekers to better mitigate the risk of extraterritorial abuse against Rwandans, and ensure individuals are protected.
- Apply additional vetting to extradition requests and Interpol Red Notices from Rwanda to prevent abuse of law enforcement and judicial processes, and urge

Interpol to clarify how it prevents abuses of the Red Notice system by the Rwandan government and how it would ensure that suspects returned to Rwanda are not subjected to ill-treatment or torture and persecution.

- Review extradition, legal cooperation, and intelligence sharing agreements with Rwanda. Identify agreements and processes that need additional oversight or that should be discontinued altogether to prevent abuse.

On Rwandan Embassies and the Rwandan Community Abroad

- Investigate the role of Rwandan embassies and the Rwandan Community Abroad in surveillance activities and assess their compliance with human rights obligations. Suspend funding to Rwandan diaspora associations until such an investigation by host countries' judicial institutions has been completed and publicly reported on.
- Screen applications for diplomatic visas to avoid granting accreditation to diplomatic personnel who have harassed, intimidated, or otherwise harmed exiles or diaspora members in the past.
- Investigate and sanction diplomats who are directly involved in Rwandan extraterritorial abuse, including through expulsion from the country.

On Refugee Protection and Asylum Processes

- Refrain from terminating the refugee status of Rwandans based on blanket applications of the UN and African refugee conventions' "cessation clauses."
- Ensure that adjudicators reviewing the asylum claims of Rwandans take into account reports on Rwanda's practices of domestic and extraterritorial repression when assessing whether the individual's fears of persecution are "well-founded."
- Uphold the principle of nonrefoulement by ensuring that no Rwandan refugee or asylum seeker with a pending claim is forcibly returned to Rwanda. Ensure that any refugee repatriations to Rwanda are fully informed, voluntary, dignified, and safe.
- Strengthen existing refugee resettlement programs by including resources to address the threat of extraterritorial abuses against refugees by agents or proxies of country-of-origin governments known for such abuses, including Rwanda.
- Ensure that Rwandan refugees and asylum seekers have access to an efficient process to renew identity documents and other documentation needed for legal status that does not require them to contact Rwandan embassies or authorities, in cases where they express fears of doing so.

- Given there is a risk of retaliation against family members, facilitate family reunification for Rwandan asylum seekers and refugees.

To Governments of East and Southern African Countries

- Investigate cases of killings, disappearances, abductions, assaults, and harassment of Rwandan refugees and asylum seekers, publish the findings, and hold accountable those responsible.
- Ensure that extradition procedures that are in place are transparent and followed by all relevant authorities. Such procedures must include safeguards to guarantee compliance with the prohibition on refoulement and other applicable human rights norms, including guarantees of respect for due process and fair trial norms. Extradition cases should normally be brought before a court of law.
- Notify and consult UNHCR when extradition requests are made concerning asylum seekers or refugees and take UNHCR's feedback into account when determining whether to proceed with the extradition. Allow UNHCR to monitor extradition proceedings, if and when these take place.

To the European Union and its Member States

- Express and provide support to Rwandan human rights activists and journalists in exile, in line with the EU Human Rights Guidelines on Freedom of Expression, on Human Rights Defenders, and with the EU's Action Plan on Human Rights and Democracy;
- Publicly speak up against the continued campaign against real and perceived opponents of the government at home or in exile;
- Independently review funding, security cooperation, and assistance to Rwanda, particularly to the Rwandan military, and make it conditional on tangible changes and indicators of compliance with human rights;
- Independently monitor and transparently report on the abuses against Rwandan refugees in Mozambique and reinforce oversight mechanisms to ensure the Rwandan military intervention in Cabo Delgado, financially supported under the European Peace Facility, does not contribute to or facilitate abuses against Rwandan refugees in Mozambique.

To the United Kingdom Government

- Rescind the agreement to transfer to Rwanda asylum seekers arriving “irregularly” in the UK, in light of the real risks to their safety in Rwanda and inadequate safeguards to guarantee their international protection.
- Investigate and transparently report on threats to Rwandan residents, asylum seekers, and refugees in the UK.
- Raise human rights abuses and threats against Rwandan residents and refugees in the UK with the Rwandan authorities at any possible opportunity and make any further assistance or agreement conditional on tangible and significant change in relation to these repressive practices, extraterritorial persecution, and human rights violations.

To the United States Government

- Investigate the role of US-based firms and bodies, including those that are not registered under the Foreign Agents Registration Act or whose statements give only vague information about the work they are conducting on behalf of the Rwandan government, to assess whether they have carried out apparent harassment or other extraterritorial abuse on behalf of the Rwandan government.

To the Commonwealth Secretariat

- Urge Rwanda to uphold the Commonwealth Charter of 2013, which states that member states should uphold human rights, freedom of expression, the rule of law, and the role of civil society.
- Support the call on the Rwandan authorities to allow an independent, impartial, and effective investigation into Rwanda’s extraterritorial repression.
- Urge member states to uphold their protection responsibilities and ensure the physical security of Rwandans and other refugees on their territory.

To the African Union and East African Community

- Urge member states to uphold their protection responsibilities and ensure the physical security of Rwandans and other refugees on their territory.

- Uphold the right to asylum and the principle of nonrefoulement and ensure all repatriations of Rwandan refugees are fully voluntary, dignified, and safe.

To the African Commission on Human and Peoples' Rights

- Issue a statement condemning and calling for a swift and complete end to acts of extraterritorial repression by Rwanda and any other AU member state and for those who have engaged in such acts to be held accountable.
- Coordinate a continent-wide investigation into cases of attacks on Rwandan refugees, asylum seekers, and other members of the diaspora.
- Establish a special rapporteur with a mandate to monitor and report on cases of extraterritorial abuse by African states across the continent, with a specific focus on abuses against political opponents, human rights defenders, and journalists.

To the United Nations

- Establish a standing UN mechanism to investigate cases of extraterritorial repression. Such a mechanism could be established by the UN General Assembly and activated at the request of any member state to help fast-track credible UN investigations of highly sensitive cases of extraterritorial killings and/or disappearances of prominent dissidents, human rights defenders, and journalists; and provide an alternate route for time-sensitive investigations. All UN member states would be expected to cooperate as needed, facilitating access to sites, evidence, witnesses, suspects, documents, intelligence, and all other sources needed to conduct the investigation. Any investigation under this new mechanism could complement and work in parallel to national investigations. Any investigation could identify perpetrators, and its final report should make recommendations to ensure accountability.
- Review and revise the protections that are offered to Rwandan human rights defenders and other activists who engage with the UN to better address the risk of reprisals, including for those living outside of their home country.
- Ensure any programs aimed to develop outreach to and monitoring of the diaspora communities, including by the International Organization for Migration, do not result in supporting harassment, surveillance, or other extra-territorial abuses by the Rwandan authorities or their proxies.

To UNHCR

- Work with host governments to ensure and enhance the physical security of Rwandan refugees and asylum seekers, and to ensure that cases of abuse and harassment are properly investigated and that perpetrators of such abuses are appropriately held accountable.
- Collaborate with law enforcement agencies in host countries to investigate allegations of abuses against Rwandan refugees and asylum seekers, and publicly report on UNHCR's monitoring and documentation of such abuses.
- Conduct a study to evaluate the direct and indirect impacts of UNHCR's recommendation that states invoke the cessation clause on the protection of Rwandan refugees who left Rwanda before December 31, 1998, and on asylum seekers who left after that date, and other consequences of that recommendation, and, in light of ongoing persecution and human rights violations committed by the same Rwandan government that was in power during part of the cessation period, the Division of International Protection should reassess the legal basis for recommending cessation of refugee status, and publicly report on that study.
- If UNHCR's study on the impact of the cessation clause finds its effects to have been harmful and its premise that circumstances that caused people to become refugees had "ceased to exist" proves to have been erroneous, publicly retract UNHCR's recommendation to invoke the cessation clause.
- Carefully and comprehensively monitor the human rights situation in Rwanda, including its use of extraterritorial repression, and amend country conditions assessments and guidance to asylum decision-makers to acknowledge and highlight the risk of persecution certain Rwandans may face, notably journalists, human rights activists, and dissidents, for reasons related to their actual or perceived political opinions, and the risks to family members and other close associates still living in Rwanda of refugees and dissidents living outside the country that the Rwandan government is seeking to threaten or coerce.
- In contexts where UNHCR is involved in refugee status determination procedures, ensure that full and fair individual consideration is given to all refugee claims by Rwandans, and take the abovementioned country conditions and relevant human rights reports into account.
- Ensure that all refugee repatriations to Rwanda are informed and fully voluntary, dignified, and safe, and monitor that there are no forced repatriations.

- Request to be informed and allowed to monitor any transfer procedure involving a Rwandan refugee or an asylum seeker.
- Work with governments to ensure extradition procedures contain the relevant safeguards to guarantee the rights of populations of concern at risk of extraterritorial persecution such as Rwandans, and that these safeguards are properly implemented.

To Foreign Countries Exporting Surveillance Technology:

- Halt all sales, exports, and transfers of surveillance technologies to Rwanda, pending the results of an inquiry on reports of unlawful Internet monitoring, software intrusion, and other forms of digital surveillance of journalists, political activists, and human rights defenders, and ensure there are appropriate controls to prevent the use of private surveillance industry products to facilitate human rights abuses.

To Interpol

- Apply additional vetting prior to issuing any Red Notices at the request of Rwanda in order to prevent abuse of law enforcement and judicial processes.
- Conduct monitoring to ensure that any Rwandans extradited under the Red Notice system are not subjected to serious human rights violations upon return, including torture and ill-treatment.

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“Join Us or Die”

Rwanda’s Extraterritorial Repression

Rwanda’s ruling party, the Rwandan Patriotic Front (RPF), has often been credited with rebuilding a country left almost destroyed after the 1994 genocide. However, the gains made by the RPF and the president, Paul Kagame, have not been matched with progress on civil and political rights. Rwandan authorities have severely restricted fundamental freedoms and targeted critics and opposition members both at home and outside Rwanda’s borders.

In *“Join Us or Die”: Rwanda’s Extraterritorial Repression*, Human Rights Watch documents a wide array of tactics that, when used together, form a global ecosystem of repression, aiming not only to muzzle dissenting voices, but also to scare off potential critics. The combination of physical violence, including killings and enforced disappearances, surveillance, misuse of law enforcement – both domestic and international –, abuses against relatives in Rwanda, and the reputational damage done through online harassment constitute clear efforts to isolate potential critics.

The failure of Rwanda’s regional and international partners to recognize the severity and scope of the Rwandan government’s human rights violations, both domestically and abroad, as well as the ruling party’s growing hostility toward those it perceives as challenging its power, have left many Rwandans with nowhere to turn. Holding Rwanda accountable for its domestic human rights record is now a necessity to tackle the government’s extraterritorial repression.



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