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Head of state: **Paul Kagame**

The government continued to stifle legitimate freedom of expression and association. Cases of illegal detention and allegations of torture by Rwandan military intelligence were not investigated. Military support from Rwanda to the M23 armed group in the neighbouring Democratic Republic of the Congo (DRC) tarnished Rwanda's international image built on economic development and low levels of corruption. The international community's support for Rwanda wavered.

Background

A final report by the UN Group of Experts on the DRC, published in November 2012, contained evidence that Rwanda had breached the UN arms embargo by transferring arms, ammunition and military equipment to the M23. The report stated that Rwandan military officials were supporting the M23 by recruiting civilians in Rwanda and providing logistics, intelligence and political advice.

In an interim report addendum published in June, the Group of Experts had already named high-ranking Rwandan military officials – including the Minister of Defence – as having played a key role in providing this support. Rwanda published a detailed rebuttal, denying any support and criticizing the methodology and credibility of the sources used.

Major donors to Rwanda, including the USA, the EU, the UK, the Netherlands, Germany and Sweden, subsequently suspended or delayed part of their financial assistance.

In October, Rwanda was elected to hold a non-permanent seat on the UN Security Council for two years starting in 2013.

Community-based gacaca courts, set up to try genocide cases, completed their work in 2012 and were officially closed in June following several delays.

Impunity

The government failed to investigate and prosecute cases of illegal detention and allegations of torture by Rwandan military intelligence. In May and October, Amnesty International published evidence of illegal and incommunicado detention and enforced disappearances. The research included allegations of torture, including serious beatings, electric shocks and sensory deprivation used to force confessions during interrogations, mostly of civilians, in 2010 and 2011.

In May, the government categorically denied all allegations of illegal detentions and torture by Rwandan military intelligence before the UN Committee against Torture. In June, the Rwandan Minister of Justice acknowledged that illegal detentions had occurred, attributing them to operatives' "excessive zeal in the execution of a noble mission". On 7 October, the government issued a statement reaffirming that illegal detentions had taken place, but made no reference to investigations or prosecutions.

- Sheikh Iddy Abassi, a Congolese religious leader, was abducted in Rwanda on 25 March 2010. He was a known supporter of Laurent Nkunda, a leader of the former Congolese armed group, the National Congress for the Defence of the People (CNDP). His family reported him missing to the local police and military the following day, 26 March. Mary Gahonzire, the Deputy Commissioner General of the Rwanda Correctional Service, told the UN Committee against Torture that investigations were ongoing, but that indications pointed to Sheikh Iddy Abassi being in the DRC.

Freedom of expression

There was almost no space for critical journalism in Rwanda. The aftermath of a 2010 clampdown on journalists and political opposition members left few independent voices in the country. Private media outlets remained closed. Efforts to improve media freedom through legislative reform, technical improvement and private sector investment, were undermined by the continued imprisonment of journalists for their legitimate work. Defamation remained a criminal offence.

Laws on 'genocide ideology' and 'sectarianism'

Vaguely worded laws on "genocide ideology" and "sectarianism" were misused to criminalize legitimate dissent and criticism of the government. A new draft "genocide ideology" law was before parliament.

Journalists

Several media-related laws were approved by parliament and pending promulgation at the year's end.

- On 5 April, the Supreme Court reduced the prison sentences of Agnes Uwimana Nkusi, editor of the private Kinyarwanda tabloid newspaper Umurabyo, and her deputy editor, Saidati Mukakibibi, to four and three years respectively. In February 2011, the women were sentenced to 17 and seven years in prison respectively for publishing opinion pieces criticizing government policies and alleging corruption in the run-up to the 2010 presidential elections. The Supreme Court cleared Agnes Uwimana Nkusi of "genocide ideology" and "divisionism" charges but upheld a conviction for defamation. For both women, the sentence for threatening national security was reduced.

Unfair trial

Victoire Ingabire, President of the United Democratic Forces (FDU-Inkingi), was sentenced to eight years in prison on 30 October. She had returned to Rwanda in January 2010 after 16 years in

exile. She had hoped to register FDU-Inkingi prior to the August 2010 presidential elections, before she was first arrested in April 2010.

Despite international scrutiny, the trial was marred by violations of due process. The court failed to test evidence brought by the prosecution. Confessions of two co-accused incriminating Victoire Ingabire were made after a prolonged period of detention in a military camp where Amnesty International has documented allegations of the use of torture to coerce confessions. A defence witness claimed he had been held in military detention with one of the co-accused and alleged that the individual's confession had been forced.

In the build-up to the trial, official statements were made by the Rwandan authorities which posed problems in relation to Victoire Ingabire's presumption of innocence. The freedom of expression charges lacked a clear legal basis and certain charges were based on pieces of imprecise and broad Rwandan legislation punishing "genocide ideology" and "discrimination and sectarianism". The accused was not treated fairly during the trial and was regularly interrupted and subject to hostility.

Freedom of association

Certain political parties had still not been able to register. Members of political opposition parties reported being harassed and intimidated, and some were imprisoned for exercising their right to freedom of association.

- On 27 April, the Supreme Court upheld charges against Bernard Ntaganda, president of the Ideal Social Party (PS-Imberakuri). He is currently serving a four-year prison sentence after being found guilty on 11 February 2011 of "divisionism" for making public speeches criticizing government policies ahead of the 2010 elections, breaching state security and attempting to plan an "unauthorized demonstration".
- Eight members of Victoire Ingabire's FDU-Inkingi party – predominantly teachers and students – were arrested in September, after holding a meeting where they reportedly discussed development and education issues. They were charged with inciting insurrection or trouble among the population and remanded in pre-trial detention. One was released before the end of the year.

International justice

International Criminal Tribunal for Rwanda

The International Criminal Tribunal for Rwanda (ICTR) Trial Chamber transferred its first case to Rwanda, that of former Pastor Jean Uwinkindi. Several other cases were also transferred in 2012. Two ICTR staff were assigned to monitor referral cases on a temporary basis, pending agreement on trial monitoring with the African Commission on Human and Peoples' Rights. They were required to file monthly reports through the Registry to the President of the ICTR, or the President of the Mechanism for International Criminal Tribunals, as appropriate.

Universal jurisdiction

Judicial proceedings against genocide suspects took place in Belgium, Finland, Germany and the Netherlands.

- The European Court of Human Rights rejected Sylvere Ahorugeze's appeal against the Swedish government's decision to extradite him to Rwanda. He remained in Denmark at the year's end.

- Charles Bandora's extradition to Rwanda was pending. His case had passed through all stages of Norway's criminal justice system. His final appeal was pending.

Impunity for war crimes and crimes against humanity

The authorities did not investigate or prosecute allegations of war crimes and crimes against humanity committed by the Rwandan army in Rwanda and also the DRC, as documented in the UN Mapping Report.

Refugees and asylum-seekers

The implementation of a cessation clause for Rwandan refugees, invoked on 31 December 2011 by UNHCR, the UN refugee agency, was delayed until June 2013. Under the clause, refugees who left Rwanda up to and including 1998 would lose their status, but should be interviewed to establish any individual grounds for continued fear of persecution in Rwanda.

Prisoners of conscience

- Charles Ntakirutinka, a former Rwandan government minister and prisoner of conscience, was released on 1 March after serving a 10-year sentence following an unfair trial. He was arrested in April 2002 during a crackdown before the 2003 presidential elections, and convicted of "inciting civil disobedience" and "association with criminal elements".

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