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The clampdown on political opponents continued before and after presidential elections, with cases of severe restrictions on freedoms of expression and association, as well as unlawful killings and unresolved disappearance cases.

Background

Presidential elections were held in August. President Kagame was re-elected with 98.79% of the vote. The Democratic Green Party of Rwanda won 0.48% of the vote and the independent candidate 0.73%.

The National Electoral Commission (NEC) decided that three aspiring independent candidates did not fulfil the eligibility requirements. One of them, Diane Rwigara, was accused of submitting forged signatures. On 14 July, she launched a new activist group, the People Salvation Movement.

Several diplomatic missions and civil society observers found that the electoral process had been peaceful; however, they raised concerns about irregularities including in the counting of ballots and vote tabulation.

Freedoms of association and assembly

Opposition political parties and independent candidates faced challenges in the lead-up to and following the August elections.

Shortly after Diane Rwigara announced her candidacy in May, nude photos allegedly of her appeared on social media. She complained to the police and the NEC that her representatives were intimidated as they travelled the country collecting the signatures needed to stand as an independent candidate.

Police interrogated Diane Rwigara and her relatives at their home in Kigali, the capital, on 29 August and prevented them from leaving their house. On 30 August, the police confirmed that an investigation was under way and that the family was not in detention. For several weeks the family was questioned by police and their movement restricted;

they were unable to communicate freely. On 23 September, the police arrested Diane Rwigara, her mother Adeline and sister Anne. On 3 October, the Public Prosecutor confirmed that they were being charged with “inciting insurrection or trouble among the population”, that Diane Rwigara would be charged with using counterfeit documents and her mother charged with discrimination and sectarian practices. Anne Rwigara was granted bail on 23 October; Diane and Adeline Rwigara were remanded in custody and remained in detention awaiting trial at the end of the year.

On 26 September, eight leaders and members of the unregistered United Democratic Forces-Inkingi (FDU-Inkingi) party were charged with forming an irregular armed group and with offences against the President. Théophile Ntirutwa, the party’s Kigali representative, was detained on 6 September and held incommunicado until 23 September. He was later charged with supporting an armed group.

Those arrested in September included FDU-Inkingi’s assistant treasurer Léonille Gasengayire. She had been arrested in March 2016 and remained in police detention for several days; she was rearrested in August 2016 and prosecuted on charges of “inciting insurrection or trouble among the population”. On 23 March 2017, she was acquitted and released.

Freedom of expression

In April, the NEC issued election regulations requiring presidential candidates to submit campaign materials to be published on social media networks for approval 48 hours in advance, leading to considerable debate in May. The Rwanda Utilities Regulatory Authority announced on 31 May that the NEC “has no mandate to regulate or interrupt the use of social media by citizens”. The next day, the NEC announced that it would adjust the regulations based on public feedback. This requirement was not implemented.

Enforced disappearances

Possible enforced disappearances were reported. Several cases of disappearances remained unresolved, and may potentially have amounted to enforced disappearances. There was no news on the fate or whereabouts of FDU-Inkingi member Illuminée Iragena, who went missing in March 2016 in Kigali.

Violette Uwamahoro, a British national and wife of a member of the outlawed Rwanda National Congress (RNC) opposition group, went missing as she arrived by bus in Kigali on 14 February. She had travelled from the UK to attend her father’s funeral in Rwanda. The authorities initially denied knowledge of her whereabouts. However, she was held in incommunicado detention until 3 March when the police announced that she was in their custody. She and her cousin, Jean Pierre Shumbusho, a police officer, were charged with revelation of state secrets, formation of an irregular armed group and

offences against the established government or President. She denied all charges; she was provisionally released on 27 March, after a judge ruled that there was insufficient evidence against her. She was allowed to return to the UK on 12 April.

Crimes under international law

Léopold Munyakazi, a university professor deported from the USA to Rwanda in 2016, was found guilty of genocide charges in July. The Intermediate Court of Muhanga sentenced him to life imprisonment in solitary confinement – a detention practice condemned by the UN Human Rights Committee as a violation of the prohibition of torture or other cruel, inhuman or degrading treatment.

Jean Twagiramungu, a former teacher, was extradited to Rwanda from Germany in August to stand trial. He was accused of planning and committing genocide in Gikongoro Prefecture (now in Southern Province).

The genocide trial of Ladislas Ntaganzwa, whose case was transferred from the International Criminal Tribunal for Rwanda (ICTR), continued at the Rwandan High Court's Chamber of International Crimes. In December, the Chamber found Emmanuel Mbarushimana, extradited from Denmark in 2014, guilty on genocide charges and sentenced him to life imprisonment.

Bernard Munyagishari, whose case was transferred from the ICTR to Rwanda in 2013, was convicted in April and sentenced to life imprisonment for genocide and crimes against humanity.

Henri Jean-Claude Seyoboka, who was deported from Canada in 2016 accused of involvement in the genocide, was denied bail by the Military High Court in February.

Enoch Ruhigira, who was arrested in Germany in 2016 on genocide charges, was released in March. The German General Prosecutor's Office cancelled the arrest warrant after a submission from the Ministry of Foreign Affairs stating that the Rwandan prosecution of Enoch Ruhigira was likely to be politically influenced.

Women's rights

Rwanda was reviewed by the CEDAW Committee in February. The Committee welcomed anti-discrimination legislation; however, it was concerned that certain discriminatory legal provisions remained. For example, while rape convictions ordinarily carry a prison sentence of at least five years, the punishment for marital rape is only two to six months' imprisonment and a fine. The Committee also expressed concern that maternal mortality was exacerbated by unsafe abortions. Abortion was allowed only in exceptional cases, requiring a court order in cases of rape, incest or forced marriage

and the authorization of two doctors, if the health of the pregnant woman or the fetus is in danger. Proposed amendments to the Penal Code would end the requirement for a court order.

Refugees and asylum-seekers

Rwanda continued to receive and host refugees from Burundi, with numbers reaching 89,146 at the end of the year.

International scrutiny

The UN Subcommittee on Prevention of Torture suspended its visit to Rwanda in October citing obstructions by the authorities, including limitations on access to places of detention and confidentiality of some interviews. The head of delegation reported that many of those interviewed expressed fear of reprisals. The Subcommittee suspended visits to only three countries in the past 10 years.

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