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The authorities took measures to respond to the Covid-19 pandemic and to promote the right to health. Ten girls and women were pardoned for abortion-related offences. Violations of the rights to a fair trial, freedom of expression and privacy continued, alongside enforced disappearances, allegations of torture and excessive use of force. People suspected of genocide were prosecuted and convicted.

Background

The Ministry of National Unity and Civic Engagement was created in July, replacing the Genocide Survivors Support and Assistance Fund, the National Commission for the Fight against the Genocide, the National Unity and Reconciliation Commission and the National Itorero Commission.

Also in July, armed forces were deployed to Mozambique to fight an armed group known locally as “Al-Shabaab”. With Mozambican forces, they regained several key towns in the north-eastern Cabo Delgado province.

Right to health

The government continued to impose restrictions to reduce the spread of Covid-19, including a nationwide curfew, mass testing, and localized lockdowns in January, February and July in Kigali and other districts. Rwanda was one of only 15 African countries to meet the global goal of 10% vaccination by the end of September. By December, 40% of the country's population was fully vaccinated.

Sexual and reproductive rights

In July, President Kagame pardoned 10 girls and women serving prison sentences for abortion-related offences. Abortion remained illegal in most circumstances, although the 2018 Penal Code introduced exceptions in cases of rape, incest or forced marriage.

Right to a fair trial

Paul Rusesabagina was convicted of terrorism offences in September, following a trial and pretrial period marred by serious fair trial violations. Alongside 20 co-accused, he was tried in relation to attacks by the National Liberation Forces, a group he had previously pledged support for. After his unlawful transfer from Dubai to Kigali on 28 August 2020, he disappeared for four days, during which time, according to his lawyers, he was tortured. He was then held in incommunicado detention for three days. The lawyer appointed by his family was denied access to him for his first six weeks of detention, during which time he was represented by two pro bono lawyers. The prison authorities inspected and confiscated privileged and confidential documents brought to him by his lawyers. This practice continued despite a court ruling that documents related to the case should not be confiscated (although other documents unrelated to the case could first be inventoried by the prison authorities). This ruling was the only action taken by the court to attempt to remedy the fair trial violations. From 12 March onwards, Paul Rusesabagina did not attend hearings because he believed his fair trial rights would not be respected.¹

Freedom of expression

Several bloggers and commentators active on YouTube were arrested and prosecuted. Yvonne Idamange was arrested in February after posting a video in which she claimed that the president was dead and called on people to march to his office. She also criticized lockdown measures and policies around genocide commemoration. She was convicted in September and sentenced to 15 years in prison, on charges including “inciting public disorder”, “disposing of or degrading evidence or information relating to genocide” and “publication of rumours”.

After being repeatedly summoned by the Rwanda Investigation Bureau, academic Aimable Karasira was arrested in May and charged with denying and justifying the genocide, instigating division and fraud. A genocide survivor, he had posted videos in which he said that Rwandan Patriotic Front soldiers had killed members of his family in 1994.

In October six people, including journalist Theoneste Nsengimana and members of the opposition political party DALFA-Umurinzi (Development and Liberty for All), were arrested, accused of “spreading rumours to cause unrest among the population”. Two days earlier, Theoneste Nsengimana had posted a video of a woman calling on people to celebrate “Ingabire Day” (named for DALFA-Umurinzi leader Victoire Ingabire) to honour jailed, abducted and killed opposition figures.

Right to privacy

In July, the Pegasus Project revealed that the phone of Paul Rusesabagina’s daughter, Carine Kanimba, was infected with the NSO Group’s Pegasus spyware. Rwanda is believed to be an NSO Group client. More than 3,500 phone numbers, including those of activists, journalists, political opponents, foreign politicians and diplomats of interest to Rwanda, had been selected as potential targets for the spyware.²

Right to truth, justice and reparation

In March, a French commission, established to review state archives concerning France’s role and engagement in Rwanda between 1990 and 1994, published its final report. The Duclert Commission found that, although not an accomplice to the genocide, France bore responsibility for its blindness to the preparation for a genocide and its slowness to break with the regime responsible for it. President Macron acknowledged France’s responsibility and sought forgiveness from the Rwandan people. In April the Muse Report, commissioned by the Government of Rwanda, went further, stating that France bore “significant responsibility for having enabled a foreseeable genocide”.

In March, the Prosecutor of the International Residual Mechanism for Criminal Tribunals filed a second amended indictment against Félicien Kabuga, acknowledged as a chief financier of the 1994 genocide. He was charged with genocide, incitement and conspiracy to commit genocide, and three counts of crimes against humanity: persecution on political grounds, extermination and murder.

In July, the High Court Special Chamber for International and Transnational Crimes convicted Jean-Claude Iyamuremye of genocide and sentenced him to 25 years in prison. He was accused of being a leader of the Interahamwe militia in Kicukiro during the genocide.

Genocide suspect Beatrice Munyenyezi was extradited from the USA to Rwanda in April to stand trial. The same month, Marcel Hitayezu, a Rwandan priest living in France was arrested on genocide charges. Another genocide suspect Venant Rutunga was extradited from the Netherlands in July. In September, two investigating judges in Paris ordered that Philippe Hategekimana be tried in France for genocide and crimes against humanity among other crimes. In October, genocide convict Oswald Rurangwa was deported from the USA to Rwanda.

Théoneste Bagosora, a former army colonel, died in September in Mali where he was serving a 35-year sentence for his role in masterminding the genocide.

Enforced disappearances

Rwanda backtracked on its previous commitments and rejected recommendations received during the Universal Periodic Review (UPR) process to ratify the Convention against Enforced Disappearance. During two previous UPR reviews, it first supported and then provisionally supported recommendations to ratify the Convention.³

Suspected enforced disappearances were reported and disappearances from previous years remained unresolved. In May, Rwandan asylum seeker and former radio director Cassien Ntamuhanga was arrested by Mozambican police; they have since denied any knowledge of his detention. Unconfirmed reports say he was handed over to the Rwandan embassy in June. He had been convicted alongside Kizito Mihigo (see below, Right to life) in Rwanda and escaped from prison in 2017.

Right to life

No independent investigation was carried out into the death in custody of popular musician Kizito Mihigo in 2020 despite renewed calls by civil society.⁴

In September popular rapper Joshua Tsyishime, also known as Jay Polly, died in custody. He was arrested in April for hosting a party at his home in violation of Covid-19 regulations.

Although in 2020 the president and minister of justice had publicly condemned the use by individual police officers of excessive force, and committed to holding perpetrators accountable, reports of police using excessive and at times lethal force, including in implementing Covid-19 restrictions, continued.

1. [*Rwanda: Ensure Remedy after Fair Trial Violations in Paul Rusesabagina Case* \(Index: AFR 47/4753/2021\), 20 September](#)
2. [*"Pegasus Project: Rwandan authorities chose thousands of activists, journalists and politicians to target with NSO spyware"*, 19 July](#)
3. [*Rwanda: Consideration of UPR Reports* \(Index: AFR 47/4370/2021\), 9 July](#)
4. [*Rwanda: Call for Independent Investigation into Rwandan Singer Kizito Mihigo's Death* \(Index: AFR 47/3799/2021\), 8 March](#)

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