

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	68
Land:	Rwanda
Kilde:	Freedom House
Titel:	Freedom in the World 2008
Udgivet:	2. juli 2008
Optaget på baggrundsmaterialet:	16. september 2008



Freedom in the World - ↑ Rwanda (2008)

Capital:
Kigali

Population:
9,300,000

Political Rights Score: 6
Civil Liberties Score: 5
Status: Not Free

Trend Arrow

Rwanda received an upward trend arrow due to reforms that permitted political parties to organize at the local level.

Overview

While the ruling Rwandan Patriotic Front (RPF) maintained its careful control over political life, there were some improvements in political rights during 2007. The government lifted a ban on political party offices at the local level, and former president Pasteur Bizimungu was released from prison after serving five years of a 15-year sentence. Rwanda's postgenocide reconciliation effort continued, with increased adjudication of cases through the traditional *gacaca* dispute-resolution mechanism and progress in major genocide trials at the International Criminal Tribunal for Rwanda. Also during the year, however, the press faced restrictions including the closure of an independent magazine and a number of incidents of harassment and persecution.

Belgian colonial rule in Rwanda, which began after World War I, exacerbated and magnified tensions between the minority Tutsi ethnic group and the majority Hutus. A Hutu rebellion in 1959 overthrew the Tutsi monarchy, and independence from Belgium followed in 1962. Hundreds of thousands of Tutsis were killed or fled the country in recurring violence over the subsequent decades. In 1990, the Tutsi-dominated Rwandan Patriotic Front (RPF) launched a guerrilla war from Uganda to force the Hutu regime, led by President Juvenal Habyarimana, to accept power sharing and the return of Tutsi refugees.

Habyarimana was killed when his plane was shot down near Kigali in April 1994. The perpetrators have never been identified, but Hutu extremists immediately pursued the complete elimination of the Tutsi people. This genocide was well planned, but by July the RPF had succeeded in taking control of Kigali and establishing an interim government of national unity.

The Hutu-dominated army and militia, along with as many as two million Hutu refugees, fled into neighboring countries, especially Zaire, now the Democratic Republic of Congo (DRC). International relief efforts that eased the suffering of these refugees also had the effect of allowing the retraining and rearming of the former army and militia forces. The United Nations, which had ignored specific warnings of the impending 1994 genocide, failed to prevent the new activity, and the RPF took direct action, attacking the refugee camps in the DRC.

Nearly three million refugees returned to Rwanda between 1996 and 1998 and

were peacefully reintegrated into society. Security improved considerably after 1997, although isolated killings and “disappearances” continued. The government, led by the RPF, closely directed the country’s political life. In 2000, President Pasteur Bizimungu, a moderate Hutu installed by the RPF, resigned and was replaced by Vice President Paul Kagame, who had already been the de facto leader of the country.

Rwanda’s extended postgenocide political transition officially ended in 2003, with a new constitution and national elections. The RPF’s preeminent position—combined with a short campaign period, the advantages of incumbency, and a pliant political culture traumatized by the effects of the genocide—ensured victory for Kagame in the presidential vote and for the RPF and its allies in subsequent parliamentary elections. The largest opposition party, the Hutu-based Democratic Republican Movement (MDR), was declared illegal by the authorities before the elections for allegedly sowing “divisionism,” or promoting ethnic hatred. In a sign of the extent of the RPF’s influence, even the MDR parliamentary delegation voted to ban itself.

A parliamentary commission issued a report in early 2004 that criticized a number of nongovernmental organizations (NGOs) for propagating “genocide ideology.” Subsequently, the organizations significantly limited activities that were potentially critical of the government and its policies. Also that year, Bizimungu was sentenced to 15 years in prison after being convicted of antistate activities, although Amnesty International and other independent observers questioned the fairness of the trial. The Supreme Court in February 2006 upheld Bizimungu’s prison sentence, but overturned the convictions of six of his codefendants.

While the RPF maintained its careful control in 2007, several improvements in Rwanda’s political rights occurred during the year. A ban on political party offices at the local level, which had resulted in a de facto limitation on party activities, was lifted in June, and several parties began organizing efforts. In April, Bizimungu was pardoned and released. Meanwhile, the UN International Criminal Tribunal for Rwanda (ICTR) moved ahead with its genocide cases, as did the traditional justice system of *gacaca*, used to adjudicate other genocide-related atrocities.

The government, however, continued to heavily restrict the press in 2007. The independent *Weekly Press* magazine, established by journalists who had left the progovernment press, was shut down after one edition, and there were a number of cases of harassment and persecution of journalists.

Rwanda’s relations with the DRC and Uganda remained tense during the year, due to continued political instability and violence in eastern Congo and Rwandan backing of a guerrilla army there.

Political Rights and Civil Liberties

Rwanda is not an electoral democracy. Presidential and parliamentary elections in 2003 presented Rwandans with only a limited degree of political choice. The 2003 constitution grants broad powers to the president, who can serve up to two seven-year terms and has the authority to appoint the prime minister and dissolve the bicameral Parliament. The 26-seat upper house, the Senate, consists of 12 members elected by local councils, 8 appointed by the president, 4 chosen by a forum of political parties, and 2 representatives of universities, all serving eight-year terms. The 80-seat Chamber of Deputies, or lower house, consists of 53 directly elected members, 24 women chosen by local councils, two deputies named

by a youth council, and one representative of a federation for the disabled. All serve five-year terms.

The constitution officially permits political parties to exist, but only under certain conditions. Parties closely identified with the 1994 genocide are banned, as are parties based on ethnicity or religion. The cabinet must consist of representatives from several different parties, and the largest party is not allowed to occupy more than half of the cabinet seats. The constitution also stipulates that the president, prime minister, and president of the lower house cannot all belong to the same party. Hutus have some representatives in the government, including Prime Minister Bernard Makuza, who belonged to the MDR before it was banned in 2003.

The constitution's emphasis on "national unity" as a priority has the effect of limiting political pluralism. The RPF dominates the political arena, and eight other parties associate themselves with the government rather than adopting fundamentally independent positions on issues. The constitutionally mandated Political Party Forum vets proposed policies and draft legislation before they are introduced in Parliament. All parties must belong to the Forum, which operates on the principle of consensus. In practice, the RPF guides its deliberations. Parliamentary committees have begun to question ministers and other executive branch officers more energetically, and some of these deliberations are reported in the local press.

The government has undertaken a number of anticorruption measures, but graft represents a significant problem. A number of senior government officials in recent years have been fired and faced prosecution for alleged corruption, embezzlement, and abuse of power, including several generals, the minister of agriculture, and the ambassadors to France, Ethiopia, and the African Union. Government institutions focused on combating corruption include the Office of the Ombudsman, the auditor general, and the National Tender Board. Rwanda was ranked 111 out of 180 countries in Transparency International's 2007 Corruption Perceptions Index.

The RPF has imposed a number of legal restrictions and informal controls on the media, and press freedom groups have accused the government of intimidating independent journalists. Publications such as the independent national weekly *Umuseso* have been closely watched, harassed, and repeatedly prosecuted. Journalists censor their own writing and say the authorities have made it clear that certain topics cannot be discussed. In June 2007, the *Weekly Post* magazine was shut down after its first issue. The editor of a local-language newspaper was brutally attacked by three men in February after a series of antigovernment articles. The Sunday editor of the progovernment *New Times* was fired in October for printing a picture of President Paul Kagame that was deemed unflattering. In October, the Rwanda Independent Media Group, publisher of several newspapers, announced that it would suspend its publications for an unspecified time due to government criticism.

The broadcast media are government controlled, although private radio and television stations can be licensed. There is limited but increasing internet access. The government has recently shown greater willingness to engage with independent media in organized events like presidential press conferences, where critical questions are entertained, and radio call-in shows, where the president and his ministers respond to comments and questions from average citizens. Government officials in 2007 also used these platforms to warn against abuse of

press freedoms.

Religious freedom is generally respected. Clerics were among both the victims and the perpetrators of the 1994 genocide. The implication of several Catholic clergymen in the genocide has complicated relations between the government and the Roman Catholic Church. Academic freedom is generally respected.

Although the constitution codifies freedoms of association and assembly, in reality these rights are limited. NGOs have complained that registration and reporting procedures are excessively time-consuming and onerous, and activities that the government defines as "divisive" are prohibited. In 2004, Parliament advised the government to ban five NGOs and several religious groups and also called for action against several international NGOs operating in the country. International human rights organizations expressed concern that these decisions were based on overly broad interpretations of the law, vague allegations, and insubstantial research. Responding to the ban threat, several organizations muted their independent and sometimes critical attitudes toward the RPF. Nevertheless, most civil society organizations function without direct government interference.

The constitution provides for the rights to form trade unions, engage in collective bargaining, and strike. According to the 2007 Annual Survey of Trade Union Violations compiled by the International Confederation of Free Trade Unions, while the government appears to be trying to improve relations with trade unions, its overall record of trade union rights has been poor, with pressure being exerted upon the unions often in subtle and indirect fashion. . The list of "essential services," in which strikes are not allowed, is excessively long. The largest union umbrella group, the Central Union of Rwandan Workers, was closely controlled by the previous regime but now has greater independence.

The judiciary has yet to secure its independence from the executive. However, new courts staffed with trained officials have been established, and much of the old legal code has been revised to better respect human rights. Planned reforms aim to streamline the judicial process, train a competent corps of judges, and assert enhanced oversight over the prosecutorial function. While their behavior does not appear to reflect official policy, individual police officers sometimes use excessive force, and local officials periodically ignore due process protections.

While those bearing the greatest responsibility for the genocide face trial in the regular courts, those facing lesser charges are being tried by *gacaca* courts, which are in the process of adjudicating some 700,000 cases. Amnesty International in 2007 expressed concerns about this process, reporting that "poorly qualified, ill-trained and corrupt *gacaca* judges in certain districts fuelled widespread distrust of the system." Government officials have claimed that the *gacaca* trials should be over by the end of 2008. The Tanzanian-based ICTR, established in 1997, has moved ahead with its work in a deliberate fashion and will begin to phase out its operations in 2008. By the end of 2007, trials for almost all of the defendants in custody were either under way or had been completed.

Equal treatment under the law is guaranteed, and legal protections against discrimination have increased in recent years. A national identity card is required when Rwandans wish to move within the country, but these are issued regularly. In previous years, there were cases of government officials forcing citizens to return to the districts listed on their identity cards, although this no longer appears

to be a problem.

The 2003 constitution requires women to occupy at least 30 percent of the seats in each chamber of Parliament. Rwanda has the highest percentage of women in national parliament in the world, with 48.8 percent representation in the lower house. In December 2003, the Senate elected Aloysia Cyanzaire as the first female chief justice of the Supreme Court. Women's rights to inherit land have been strengthened through legislation. An international report found in 2006 that Rwanda had made significant strides toward achieving an equal balance of girls and boys in primary school education and that special incentives exist to promote the advancement of girls in science-related study topics. Despite these improvements, ongoing de facto discrimination against women continues. Economic and social dislocation has forced women to take on many new roles, especially in the countryside.