

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	126
Land:	Rwanda
Kilde:	Immigration and Refugee Board of Canada
Titel:	The Social Party Imberakuri (PS-Imberakuri), including treatment of its members by the authorities
Udgivet:	13. maj 2014
Optaget på baggrundsmaterialet:	12. januar 2015

[EN](#) | [DE](#)

- **Source:**
IRB - Immigration and Refugee Board of Canada
- **Title:**
Rwanda: The Social Party-Imberakuri (PS-Imberakuri), including treatment of its members by the authorities (2010-May 2013) [RWA104409.FE]
- **Publication date:**
13 May 2014
- **ecoi.net summary:** Query response on the political party Social Party-Imberakuri (PS-Imberakuri) from 2010 to May 2013 (split in 2009 and 2010; structure; opposition council; treatment of party members; arrest and conviction of Bernard Ntaganda; arrest of other party members) [ID 277670]
- **Countries:**
Rwanda
- **Original link** <http://www.irb.gc.ca/Eng/ResRec/RirRdi/Pages/index.aspx?doc=455351&pls=1>

Recommended citation:

IRB - Immigration and Refugee Board of Canada: Rwanda: The Social Party-Imberakuri (PS-Imberakuri), including treatment of its members by the authorities (2010-May 2013) [RWA104409.FE], 13 May 2014 (available at ecoi.net)
http://www.ecoi.net/local_link/277670/393957_en.html (accessed 04 September 2014)



Immigration and
Refugee Board of Canada

Commission de l'immigration
et du statut de réfugié du Canada

Rwanda: The Social Party-Imberakuri (PS-Imberakuri), including treatment of its members by the authorities (2010-May 2013) [RWA104409.FE]

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

1. Overview

The Social Party-Imberakuri (Parti Social-Imberakuri, PS-Imberakuri) is an opposition party in Rwanda (US 19 Apr. 2013, 3; *PHW* 2012, 1206; United Nations 28 Nov. 2011, para. 80). According to the *Political Handbook of the World 2012*, it is considered to be one of the main opposition parties in the country (*PHW* 2012, 1206). Given that a majority party may not fill more than 50 percent of the cabinet positions in Rwanda, the United States Department of State's *Country Reports on Human Rights Practices for 2012* indicates that PS-Imberakuri is the only officially recognized party that is not represented in the cabinet (US 19 Apr. 2013, 29).

According to Agence France-Presse (AFP), the party's name means [translation] "supporter of truth" (21 Feb. 2010). The PS-Imberakuri is supported mainly by Hutus (BBC 10 Dec. 2010; United Nations 28 Nov. 2011, para. 80).

The PS-Imberakuri was founded by Bernard Ntaganda (US 8 Apr. 2011, 4; Human Rights Watch 11 Feb. 2011) in 2008 (*PHW* 2012, 1206). He was arrested in June 2010 (US 8 Apr. 2011, 4; Human Rights Watch 30 Oct. 2012; PS-Imberakuri n.d.b). He was sentenced to four years in prison in February 2011 (Freedom House 2012; AI 1 Mar. 2012; Human Rights Watch 11 Feb. 2011). Details of the arrest and sentencing of Bernard Ntaganda may be found in Section 5.2 of this Response.

2. A Schism in the Party

A schism was created in the PS-Imberakuri (*The East African* 3 Nov. 2012; *PHW* 2012, 1206; Human Rights Watch 11 Feb. 2011). The party split between Bernard Ntaganda's supporters and Christine Mukabunani's supporters (*The East African* 3 Nov. 2012; *PHW* 2012, 1206; Human Rights Watch 2 Aug. 2010). Mukabunani was previously the party vice president (*PHW* 2012, 1206; Human Rights Watch 26 June 2010; The Rwanda Focus 31 May 2010).

Sources indicate that some members decided to remove Bernard Ntaganda from his duties in March 2010

(Human Rights Watch 11 Feb. 2011; *The New Times* 28 May 2010; The Rwandan Focus 31 May 2010). However, according to the *Political Handbook of the World*, the schism happened in 2009 (PHW 2012, 1206). Amnesty International (AI) states that the party was [translation] "infiltrated by dissident members" (AI 1 March 2012). Human Rights Watch states that, in March 2010, "a dissident faction of the PS-Imberakuri names Christine Mukabunani the new party president in an effort to oust Bernard Ntaganda" (2 Aug. 2010). According to Human Rights Watch, some dissident members of the PS-Imberakuri cooperated with some members of the Rwandan Patriotic Front, the party in power, and engineered [Human Rights Watch English version] "a takeover of the PS-Imberakuri and replaced Bernard Ntaganda with a new and compliant leadership" (Human Rights Watch 11 Feb. 2011). Corroborating information could not be found among the sources consulted by the Research Directorate.

3. Structure

According to the *Political Handbook of the World 2012*, supporters of Bernard Ntaganda created a new group in 2011 (PHW 2012, 1206). The PS-Imberakuri website affiliated with Bernard Ntaganda (PS-Imberakuri n.d.b) states that some members of the party's national committee met on 13 August 2011 to elect a new steering committee, because since [translation] "Bernard NTAGANDA's imprisonment on 24 June 2010, aside from the Secretary-General for youth, all of the other office members could not carry out their duties because they were either imprisoned or exiled" (ibid. n.d.a). The members of the steering committee identified on the PS-Imberakuri website are the following:

- Alexis BAKUNZIBAKE, Senior Vice President (acting as President)
- Immaculée UWIZEYE KASIIME, Secretary-General
- Jean-Baptiste ICYITONDERWA, Secretary-General for mobilization and recruitment
- Chantal MUKARUREMA, Head Treasurer
- Protais NIYITEGEKA, Permanent Secretary
- Théoneste NTAKIRUTIMANA, Secretary-General for youth and family (ibid.)

The PS-Imberakuri website affiliated with Bernard Ntaganda states that this party [translation] "remains the only officially recognized opposition party" (ibid. n.d.b). However, *Country Reports for 2012* states that the party faction led by Vice President Alexis Bakunzibake is not officially registered (US 19 Apr. 2013, 29). Similarly, according to an article published in the *East African*, a Kenyan newspaper that is published weekly, the PS-Imberakuri faction led by Christine Mukabunani remained officially registered (3 Nov. 2012).

4. Permanent Consultative Council of Opposition Parties

In 2010, the PS-Imberakuri and two other groups, the United Democratic Forces-Inkingi (Forces démocratiques unifiées-Inkingi) and the Democratic Green Party of Rwanda (Parti démocratique vert du Rwanda), created the Permanent Consultative Council of Opposition Parties (Conseil de concertation permanente des partis d'opposition) (PHW 2012, 1204; AFP 21 Feb. 2010). The AFP cites a news release of the group stating that the main objective of these three political parties was [translation] "to define common stances on issues and to carry out political advocacy and lobbying together before national and international public opinion" (ibid.). According to the AFP, the PS-Imberakuri was the only party of the three to be officially recognized by the authorities (ibid.). The AFP also points out that the members of the Council reported [translation] "a growing number of incidents of threats, assaults and harassment faced by the opposition with the nearing presidential election" of August 2010 (ibid.). In particular, according to the group, the PS-Imberakuri's [translation] "political work was hindered," since it could not access [translation] "either the population or the public media" (ibid.).

According to the media, Christine Mukabunani reported the group's news release as illegitimate because her faction of the PS-Imberakuri was not associated with it (The Rwanda Focus 31 May 2010; *The New Times* 28 May 2010).

Corroborating information on the group's activities could not be found among the sources consulted by the Research Directorate.

5. Treatment of Party Members

AI pointed out that [AI English version] "critics of the Rwandan authorities have been harassed, intimidated and imprisoned" (AI 25 March 2013). Human Rights Watch indicated that [Human Rights Watch English version] "[f]reedom of expression and association are severely restricted in Rwanda. Two years after presidential elections in which Kagame was re-elected with more than 93 percent of the vote, Rwanda still has no functioning opposition parties" (30 Oct. 2012). A Senior Researcher with Human Rights Watch also told the Reuters news agency that,

for opposition parties, a real "political space in Rwanda barely exists" (Reuters 30 Oct. 2012).

5.1 Period Before the August 2010 Presidential Elections

According to Human Rights Watch, members of the PS-Imberakuri [Human Rights Watch English version] "were subjected to persistent harassment and intimidation in the period leading up to presidential elections in August [2010]" (Human Rights Watch 15 Oct. 2010). According to Human Rights Watch, [Human Rights Watch English version] "[m]eetings of the PS-Imberakuri were disrupted, sometimes violently, by dissident members and other individuals" (ibid. Jan. 2011, 1).

Human Rights Watch states that, after dissident members' takeover of the PS-Imberakuri,

Ntaganda and party members faithful to him were subsequently subjected to other forms of intimidation and harassment. These included threats to themselves and their families, causing several party members to go into hiding or exile; administrative restrictions designed to paralyze their political activities; and a statement by members of the Senate's Political Affairs Commission in April that accusations of "genocide ideology" and "divisionism" against Ntaganda were well-founded (Human Rights Watch 11 Feb. 2011).

Sources explain that Bernard Ntaganda was asked to appear before the Senate in 2009 to respond to charges of conveying "genocide ideology" (ibid. 23 Apr. 2010; AI 18 Feb. 2010). According to AFP, this type of allegation is [translation] "very serious in this country that is still traumatized by the 1994 genocide" (AFP 21 Feb. 2010).

Bernard Ntaganda was supposed to be the PS-Imberakuri candidate at the 2010 presidential elections (PHW 2012, 1206; PS-Imberakuri n.d.b). However, although the party was able to officially register before these elections, it was prevented from presenting a candidate (Freedom House 2012; AI 2011; Human Rights Watch 11 Feb. 2011). The dissident members' takeover of the party was reportedly a hindrance to its ability to put forward a candidate (ibid.; AI 2011). Bernard Ntaganda's arrest also prevented his candidacy in the election (Freedom House 2012; PHW 2012, 1206).

5.2 Arrest and Conviction of Bernard Ntaganda

Bernard Ntaganda was arrested on 24 June 2010 (US 8 Apr. 2011, 4; Human Rights Watch 30 Oct. 2012). AI notes that his arrest occurred on the first day when the candidates could register for the 2010 presidential elections (AI 14 Feb. 2011).

In February 2011, Bernard Ntaganda was sentenced to four years in prison (ibid.; Freedom House 2012; Human Rights Watch 11 Feb. 2011). He was found guilty of threatening state security, of "divisionism" and of attempting to organize unauthorized demonstrations (ibid.; Freedom House 2012; AI 14 Feb. 2011). Human Rights Watch and AI note, however, that another member of the PS-Imberakuri was acquitted of trying to participate in unauthorized demonstrations (AI 14 Feb. 2011; Human Rights Watch 11 Feb. 2011). Human Rights Watch states that, in April 2012, the Rwandan Supreme Court confirmed the sentence against Bernard Ntaganda (ibid. 30 Oct. 2012).

Human Rights Watch states that the charges against Bernard Ntaganda [Human Rights Watch English version] "relate to his public statements criticizing government policies," adding that the organization was not aware that Bernard Ntaganda advocated violence in his statements (11 Feb. 2011). AI also states that [AI English version] "[Bernard Ntaganda's] prosecution for threatening state security and divisionism was solely based on speeches criticizing government policies" (1 March 2012).

5.3 Other Cases

Some PS-Imberakuri members were arrested in June (US 8 Apr. 2011, 4) and in July 2010 (AI 2011; Human Rights Watch 15 Oct. 2010). They were arrested after organizing demonstrations on 24 June 2010 (ibid.; US 8 Apr. 2011, 4). Some were subjected to physical violence by the police (ibid.; AI 2011; Human Rights Watch 15 Oct. 2010). AI and Human Rights Watch state that some were handcuffed to other prisoners, even while going to the toilet (ibid.; AI 2011). According to *Country Reports for 2010*, all of the detained were released on bail in July 2010 (US 8 Apr. 2011, 4). However, according to Human Rights Watch, while some detainees were released in July 2010, others were still detained in February 2011 (11 Feb. 2011).

According to Human Rights Watch, in August 2010, two members of the PS-Imberakuri were sentenced to

prison terms of two years and three years, respectively, for [Human Rights Watch English site] "destruction of property" and "rebellion" after a charge of breaking into the PS-Imberakuri office, after the landlord had repossessed it (Human Rights Watch 11 Feb. 2011). According to the PS-Imberakuri, the party headquarters in Nyamirambo was [translation] "closed by the police, who at the same time confiscated all materials, supposedly for investigation purposes. Despite many requests to open it, nothing happened and they were given no reason for this closure" (PS-Imberakuri n.d.a). Corroborating information could not be found among the sources consulted by the Research Directorate.

According to *Country Reports for 2012*, in September 2011, a member of the PS-Imberakuri was injured by bullets during an altercation with security forces (US 19 Apr. 2013, 3). According to the police, he was armed and "seeking a fight," but according to the party, he had no weapon and was targeted because he was a member of the PS-Imberakuri (ibid.).

According to *Country Reports on Human Rights Practices for 2012*, the police arbitrarily arrested some members of the PS-Imberakuri, as well as other parties belonging to the Permanent Consultative Council of Opposition Parties (US 19 Apr. 2013, 28). According to *Country Reports 2012*, some members of these parties also received threats (ibid.). Human Rights Watch also reported that some PS-Imberakuri members were [Human Rights Watch English version] "threatened, intimidated, and questioned by the police about their political activities" (Human Rights Watch Jan. 2013).

In September 2012, Alexis Bakunzibake, the vice president of PS-Imberakuri, was kidnapped by unknown persons and detained for two days before being released across the border, in Uganda (US 19 Apr. 2013, 6; Human Rights Watch Jan. 2013, 1,2). He was reportedly questioned about the PS-Imberakuri's activities, membership and funding (US 19 Apr. 2013, 6; Human Rights Watch Jan. 2013, 1,2). According to Human Rights Watch, he was also questioned about the PS-Imberakuri's links to other opposition groups (ibid.). According to *Country Reports for 2012*, he was also questioned about his conversations with Human Rights Watch, AI and foreign diplomats, as well as the PS-Imberakuri's plans for the 2013 parliamentary elections (US 19 Apr. 2013, 6). The same source also reported that the police did not launch an investigation into this incident because Alexis Bakunzibake did not file a formal complaint in person (ibid.).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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