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In the run-up to presidential elections in 2017, the environment for free debate and dissent continued to be hostile. High-ranking army officers were handed heavy sentences after a flawed trial.

Background

President Paul Kagame announced a substantial cabinet reshuffle in October and the closure of the Ministry for Internal Security, whose responsibilities were taken over by the Ministry of Justice.

Rwanda hosted the African Union Summit in July.

Freedoms of association and assembly

In March, the Democratic Green Party of Rwanda, a registered opposition political party, announced that it would not participate in the 2017 presidential elections if the government did not respond to its demands for political and electoral reforms. The Rwanda Governance Board rejected the requested reforms in September. The party nominated their president Dr Frank Habineza as their presidential candidate on 17 December.

The United Democratic Forces (FDU-Inkingi), an unregistered opposition political party, continued to face serious challenges. Party member Illuminée Iragena went missing on her way to work on 26 March. People close to her believe she was unlawfully detained and tortured, and may have died. Family members who requested a police investigation were not given an official response.

Another FDU-Inkingi member, Léonille Gasengayire, was arrested and detained for three days in March after visiting the party's president, Victoire Ingabire, in Kigali Central Prison. She was arrested again in August in Kivumu, Rutsiro district, and charged with inciting insurrection. She remained in custody awaiting trial.

Freedom of expression

The Rwanda Law Reform Commission began discussions with media practitioners in early 2016 on revising the 2013 Media Law. In its roadmap for implementing the recommendations accepted during Rwanda's examination in 2015 under the UN Universal Periodic Review (UPR), the government pledged to decriminalize "defamation".

Journalist John Ndabarasa was last seen in Kigali on 7 August. After his disappearance was reported to police by the Rwanda Media Commission, the police announced that they were opening an investigation. It was not clear whether the disappearance was related to John Ndabarasa's

journalism or his family connections to Joel Mutabazi, President Kagame's former bodyguard serving a life sentence for treason.

Human rights defenders

On 28 May, Congolese national Epimack Kwokwo, programme co-ordinator of the regional NGO Human Rights League of the Great Lakes Region (LDGL), was expelled from Rwanda when his work permit expired after long delays in renewing the NGO's registration. He attended an appointment at the immigration offices, was notified of his expulsion and then driven to the border with the Democratic Republic of the Congo without being allowed to return home to collect his belongings or inform his family. LDGL's re-registration was granted in November.

Crimes under international law

Individuals suspected of involvement in the 1994 genocide faced trial in Rwanda and Sweden.

In March, the Congolese authorities transferred Ladislas Ntaganzwa to Rwanda to stand trial on charges of genocide and crimes against humanity, in line with an arrest warrant issued by the UN Mechanism for International Criminal Tribunals – the body responsible for following up the work of the International Criminal Tribunal for Rwanda, which closed in December 2015.

In April, Rwanda's High Court sentenced to life imprisonment Léon Mugesera, extradited from Canada in 2012. He was convicted of incitement to commit genocide, inciting ethnic hatred and persecution as a crime against humanity. He was acquitted of preparing and planning the genocide and conspiracy to commit genocide.

In May, a court in Sweden convicted Claver Berinkindi of genocide and sentenced him to life in prison. Damages of US\$3,900 to 13,000 were awarded to 15 people who had witnessed the loss of a relative or had survived the threat of being killed themselves.

In December, a French court confirmed the 25-year prison sentence of Rwandan former intelligence chief Pascal Simbikangwa for genocide and complicity in crimes against humanity.

Other action was taken against people suspected of genocide-related crimes.

In July, Enoch Ruhigira, who in 1994 was chief of staff of the then President, Juvénal Habyarimana, was arrested in Germany at the request of the Rwandan authorities, who are seeking his extradition on genocide charges.

On 28 September, university professor Léopold Munyakazi was deported from the USA to Rwanda. He was charged with committing genocide, complicity in genocide, conspiracy to commit genocide, extermination and genocide negation. He had been arrested after the genocide, but was released in 1999 due to a lack of evidence. Rwanda issued an international warrant for his arrest in 2006 a month after he gave a speech in which he described the massacres of 1994 as fratricide rather than genocide. In a hearing in October, Léopold Munyakazi pleaded not guilty.

On 12 November, genocide suspects Jean-Claude Iyamuremye and Jean-Baptiste Mugimba were extradited from the Netherlands and transferred to Kigali Central Prison. On 17 November, Henri Jean-Claude Seyoboka was deported from Canada, accused of involvement in the genocide. He had not disclosed his military background in his asylum application.

Unfair trials

On 31 March, the Military High Court of Kanombe sentenced Colonel Tom Byabagamba and retired Brigadier General Frank Rusagara to 21 and 20 years in prison respectively. Both were found guilty of inciting insurrection and tarnishing the image of the government when in a leadership position. In violation of their right to freedom of expression, their conviction was based on accusations of sharing critical online articles by email and for comments made in social gatherings. Colonel Byabagamba was additionally convicted of concealing evidence and for contempt of the flag, and stripped of his military rank and decorations. Frank Rusagara was additionally convicted of illegal possession of weapons. His former driver, retired Sergeant François Kabayiza, was sentenced to five years' imprisonment for concealing evidence. An appeal was lodged against the verdict.

The judges failed to address adequately François Kabayiza's complaints in court that he had been tortured during interrogation and his request for the resulting testimony to be set aside. The court found that he had not provided evidence that he was tortured, in violation of the principle that the prosecution bears the burden of proving beyond reasonable doubt that evidence was obtained lawfully. Rwanda's law on evidence and its production prohibits the use of evidence obtained through torture in court proceedings.

As both Frank Rusagara and François Kabayiza were retired from the military, their lawyers argued that they should not be tried in a military tribunal and asked for the cases to be separated. This was refused. Despite repeated requests, Frank Rusagara was not permitted to call his wife in the UK before her death from terminal cancer in August.

Refugees and asylum-seekers

Burundians continued to seek asylum in Rwanda, although at a slower rate than in 2015. At the end of 2016, Rwanda was hosting over 80,000 Burundian refugees. Following allegations of recruitment and military training of refugees from camps in Rwanda, the government announced in February that it planned to relocate Burundian refugees to third countries. It later clarified that it had no relocation plans and would continue to receive refugees from Burundi.

Reports continued of Eritrean and Sudanese asylum-seekers being sent from Israel to Rwanda (see Israel and the Occupied Palestinian Territories entry). In a joint press conference with President Kagame during his visit to Israel on 6 July, Israeli Prime Minister Benjamin Netanyahu said that these were not asylum-seekers but "job seekers". President Kagame said the two countries were discussing the issue.