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Country Report on Human Rights Practices 2018 - Rwanda

EXECUTIVE SUMMARY

Rwanda is a constitutional republic dominated by a strong presidency. The ruling Rwandan Patriotic Front (RPF) led a governing coalition that included four smaller parties. In August 2017 voters elected President Paul Kagame to a third seven-year term with a reported 99 percent of the vote and a reported 98 percent turnout. One independent candidate and one candidate from an opposition political party participated in the presidential election, but authorities disqualified three other candidates. In the September elections for parliament's lower house, the Chamber of Deputies, candidates from the RPF coalition and two other parties that supported RPF policies won all except four of the open seats. For the first time, independent parties won seats in the chamber, with the Democratic Green Party of Rwanda (DGPR) and the Social Party Imberakuri (PS-Imberakuri) winning two seats each. In both the 2017 and the 2018 elections, international monitors reported numerous flaws, including irregularities in the vote tabulation process.

Civilian authorities maintained effective control over state security forces (SSF).

Human rights issues included reports of unlawful or arbitrary killings by state security forces; forced disappearance by state security forces; torture by state security forces including asphyxiation, electric shocks, mock executions; arbitrary detention by state security forces; political prisoners; arbitrary or unlawful interference with privacy; threats to and violence against journalists, censorship, website blocking, and criminal libel; substantial interference with the rights of peaceful assembly and freedom of association, such as overly restrictive nongovernmental organization (NGO) laws; and restrictions on political participation.

The government occasionally took steps to prosecute or punish officials who committed abuses, including within the security services, but impunity involving civilian officials and some members of the SSF was a problem.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were numerous reports the government committed arbitrary or unlawful killings. For example, according to media reports, on April 13, Kigali attorney Donat Mutunzi disappeared after leaving for work. His family made repeated inquiries of police but was unable to confirm his arrest until April 18. At that time a police officer reportedly told them that Mutunzi was suspected of having defamed President Kagame by circulating false information on the internet. On April 22, prosecutors told an attorney and friend of the Mutunzi family that Mutunzi had been accused of rape. On April 23, police reported Mutunzi had committed suicide by hanging himself in his cell. An examination of the body revealed severe wounds on the face and temples. Mutunzi's family members told human rights advocates they believed Mutunzi had been beaten and strangled while in custody.

As of September 14, the government had not completed its investigation into 2017 Human Rights Watch (HRW) allegations that police or other security forces had killed 37 individuals between 2016 and 2017 for a variety of petty crimes, including theft of bananas, fishing with illegal nets, and unlawful border crossings. In 2017 Minister of Justice Johnston Busingye publicly called the HRW report "fake news."

b. Disappearance

There were several reports of disappearances by or on behalf of government authorities.

On October 7, United Democratic Forces-Inkingi (FDU-Inkingi) Vice President Boniface Twagirimana disappeared from Mpanga prison. A government spokesperson told press that Twagirimana and another prisoner had escaped by climbing over the prison wall. The FDU-Inkingi disputed this account and alleged foul play by government authorities, noting that authorities had transferred Twagirimana to Mpanga prison just five days earlier. The party released a press statement saying reliable sources inside the prison had indicated that security agents had taken Twagirimana away in a vehicle. As of November 6, Twagirimana's whereabouts remained unknown.

Domestic organizations cited a lack of capacity and independence to investigate security-sector abuses, including reported enforced disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution and law prohibit such practices, but there were numerous reports of abuse of detainees by police, military, and National Intelligence and Security Services (NISS) officials.

On September 27, the government enacted an updated penal code that prescribes 20 to 25 years' imprisonment for any person convicted of torture. The law mandates that when torture is committed by a public official in the course of his or her duties, the penalty for conviction is life imprisonment.

As of September 14, the government had not conducted an investigation into 104 cases of illegally detained individuals who were in many cases reportedly tortured in unofficial military detention centers between 2010 and 2016, as documented by a 2017 HRW report. According to the report, military intelligence personnel and army soldiers employed torture and other cruel, inhuman, or degrading treatment or punishment to obtain confessions before transferring the individuals to formal detention facilities. Detainees described asphyxiation, electric shocks, mock executions, severe beatings, and other mistreatment. HRW observed the trials of multiple individuals who alleged being tortured at unofficial military detention centers, including the Kami and the Mukamira military camps; a military base known as the "Gendarmerie" in Rubavu; and detention centers in Bigogwe, Mudende, and Tumba. According to the HRW report, many of the individuals told judges they had been illegally detained and tortured, but HRW was "not aware of any judges ordering an investigation into such allegations or dismissing evidence obtained under torture." There were no reported prosecutions of SSF personnel for torture.

Prison and Detention Center Conditions

Conditions at prisons and unofficial military detention centers ranged from harsh and life-threatening to meeting international standards. The government took steps to make improvements in some prisons, but conditions varied widely among facilities.

Domestic civil society organizations reported impediments for persons with disabilities, including lack of sign language interpreters at police stations and detention centers.

Physical Conditions: Physical conditions in prisons operated by the Rwanda Correctional Service (RCS) were generally considered adequate. There were no major concerns regarding inmate abuse. Convicted persons and individuals in pretrial detention in RCS prisons were fed once per day, and family members were allowed to deposit funds so that convicts and detainees could purchase additional food at prison canteens. Authorities held men and women separately in similar conditions, and authorities generally separated pretrial detainees from convicted prisoners, although there were numerous exceptions due to the large number of detainees awaiting trial. Overcrowding was common in police stations and detention centers, and poor ventilation often led to high temperatures. According to the RCS, the prison population rose by approximately 15 percent, from fewer than 52,000 inmates in 2015 to more than 61,000 in August, which greatly exacerbated prison overcrowding. There were reports that prison overcrowding remained an issue.

In contrast, conditions were generally harsh and life threatening in unofficial military detention centers, according to a 2017 HRW report. HRW reported that in addition to experiencing torture, individuals detained at such centers suffered from limited access to food, water, and health care.

Transit centers often lacked separate facilities for children. According to HRW, officials held children together with adults in the Muhanga, Mudende, and Gikondo transit centers.

The law does not allow children older than age three to remain with their incarcerated mothers.

The government held five prisoners of the Special Court for Sierra Leone in a purpose-built detention center that the United Nations deemed met international standards for incarceration of prisoners convicted by international criminal tribunals.

Administration: The RCS investigated reported abuses by corrections officers, and the same hierarchical structure existed in police and security forces; there was no independent institution charged with investigating abuses or punishing perpetrators.

Detainees held at the Iwawa Rehabilitation and Vocational Development Center did not have the right to appeal their detentions to judicial authorities.

Independent Monitoring: The government permitted independent monitoring of prison conditions on a limited basis by diplomats and the International Committee of the Red Cross. At times, however, it restricted access to specific prisoners and did not permit monitors to visit undeclared detention centers and certain military intelligence facilities. The government permitted monitoring of prison conditions and trials of individuals whom the UN Mechanism for International Criminal Tribunals (MICT) had transferred to Rwandan national jurisdiction for trials related to the 1994 genocide, per agreement with the MICT.

In June the UN Subcommittee on Prevention of Torture (SPT) formally cancelled its visit to the country. In October 2017 the visit originally was suspended due to obstructions imposed by the government such as limiting access to places of detention. On June 1, the UN assistant secretary-general wrote to the government concerning the lack of assurances given to the SPT that those interviewed or contacted during the visit would not face intimidation or reprisals.

Journalists could access prisons with a valid press card but required permission from the RCS commissioner to take photographs or interview prisoners or guards.

Improvements: Observers credited the RCS with continuing to take steps to improve prison conditions and eradicate abuses in formal detention facilities. In July the government closed the Kigali Central "1930" Prison, the oldest prison in the country, and moved remaining prisoners to a newer facility in Mageragere. The updated penal code removed provisions allowing solitary confinement of prisoners.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention, but SSF personnel regularly arrested and detained persons arbitrarily and without due process. The law provides for the right of persons to challenge in court the lawfulness of their arrest or detention; however, few tried, and there were no reports of any detainees succeeding in obtaining prompt release or compensation for unlawful detention.

According to HRW's October 2017 report, individuals "suspected of collaborating with enemies" were detained unlawfully and held "for up to nine months in extremely harsh and inhuman conditions," frequently incommunicado. HRW also documented cases "in which individuals believed to be held in military custody have never returned and appear to have been forcibly disappeared." Individuals detained by military intelligence were not registered in the formal law enforcement system, and "the period of their detention in military facilities [is] erased from public record," according to HRW.

Human rights advocates also reported that police officers killed suspects while making arrests. In May police shot and killed a motorcyclist in Kigali during a traffic stop. Eyewitnesses reported police handcuffed the motorcyclist and began kicking him when the motorcyclist argued with officers. The motorcyclist fled and was pursued by the officer, who proceeded to catch and shoot the motorcyclist. A police spokesperson told press the officer fired because the motorcyclist had attempted to seize the officer's weapon. Human rights advocates cast doubt on the police's version of events, noting that eyewitnesses said the motorcyclist was handcuffed and had his hands raised when he was shot.

Domestic observers and local media reported the Rwanda National Police (RNP) continued the practice of systematically rounding up and arbitrarily detaining street children, street vendors, suspected drug abusers, persons in prostitution, homeless persons, and suspected petty criminals. As in previous years, the RNP held detainees without charge at the Gikondo Transit Center before either transferring them to the Iwawa Rehabilitation and Vocational Development Center without judicial review or forcibly returning them to their home areas in the countryside.

Role of the Police and Security Apparatus

The RNP, under the Ministry of Justice, is responsible for internal security. The Rwanda Defense Force (RDF), under the Ministry of Defense, is in charge of providing external security, although the RDF also works on internal security and intelligence matters alongside the RNP. In April the recently created Rwanda Investigation Bureau (RIB) assumed some of the functions formerly performed by the RNP, including counterterrorism investigations, investigation of economic and financial crimes, and judicial police functions.

Civilian authorities generally maintained control over the RNP and the RDF, and the government had mechanisms to investigate and punish abuse and corruption. The RNP's Inspectorate General generally disciplined police for excessive use of force and prosecuted acts of corruption, but there were some instances of impunity. There were

reports SSF elements at times acted independently of civilian control. For example, there were reports RDF J-2 (intelligence staff), NISS, and RNP intelligence personnel were responsible for disappearances, illegal detention, and torture in unofficial detention centers.

The RDF normally displayed a high level of military professionalism and discipline, and it took action to investigate and punish misconduct. In August an RDF soldier was immediately arrested after he shot three individuals during a dispute at a bar in Rubavu, killing one. On December 4, a military court sentenced the soldier to life in prison and fined him 6.1 million Rwandan francs ($6,930).

Police at times lacked sufficient basic resources--such as handcuffs, radios, and patrol cars--but observers credited the RNP with generally strong discipline and effectiveness. The RNP institutionalized community relations training that included appropriate use of force and human rights, although arbitrary arrests and beatings remained problems.

To address reports of theft and abuse of street vendors by District Administration Security Support Organ (DASSO) employees, authorities expanded training for DASSO. For example, in April, 515 DASSO community-security-officer trainees participated in instruction designed to promote professionalism and discipline.

Arrest Procedures and Treatment of Detainees

The law requires authorities to investigate and obtain a warrant before arresting a suspect. Police may detain suspects for up to 72 hours without an arrest warrant. Prosecutors must submit formal charges within five days of arrest. Police may detain minors a maximum of 15 days in pretrial detention but only for crimes that carry a penalty for conviction of five years' or more imprisonment. Police and prosecutors often disregarded these provisions and held individuals, sometimes for months and often without charge, particularly in security-related cases. The SSF held some suspects incommunicado or under house arrest. At times police employed nonjudicial punishment when minor criminals confessed and the victims agreed to a police officer's recommended penalty, such as a week of detention or providing restitution.

The law permits investigative detention if authorities believe public safety is threatened or the accused might flee, and judges interpreted these provisions broadly. A judge must review such detention every 30 days, which may not extend beyond one year, but the SSF held numerous suspects indefinitely after the first authorization of investigative detention and did not always seek reauthorization every 30 days. Police also routinely circumvented arrest procedures by summoning suspects for daily interrogation, requiring them to spend up to 16 hours each day at Criminal Investigations Division headquarters without formally issuing charges.

After prosecutors formally file a charge, detention may be indefinite unless bail is granted. Bail exists only for crimes for which the maximum sentence if convicted is five years' imprisonment or less, but authorities may release a suspect pending trial if satisfied the person would not flee or become a threat to public safety and order. Authorities generally allowed family members prompt access to detained relatives,

unless the individuals were held on state security charges, or in unofficial or intelligence-related detention facilities. Detainees were generally allowed access to attorneys of their choice. The government at times violated the right to habeas corpus.

Convicted persons sometimes remained in prison after completing their sentences while waiting for an appeal date or due to problems with prison records. The law provides that pretrial detention, illegal detention, and administrative sanctions be fully deducted from sentences imposed, but it does not provide for compensation to persons who are acquitted. The law allows judges to impose detention of equivalent duration and fines on SSF and other government officials who unlawfully detained individuals, but there were no reports that judges exercised this authority.

Arbitrary Arrest: Unregistered opposition political parties reported authorities frequently detained their supporters and party officials but released most after detention of one week or less. Several, including FDU-Inkingi leaders, were detained much longer than one week. For example, the 11 members of the FDU-Inkingi Party arrested in September 2017 and charged with membership in a terrorist organization remained in custody as of September 14. In a July 30 court appearance, the attorney for the defense argued the arrests were politically motivated and asked the court to dismiss the case because prosecutors employed improper and illegal procedures in authorizing a communications intercept after the fact. On September 14, the Kigali High Court ruled that because the defendants stood accused of maintaining links to terrorist groups outside the country, the case ought to be transferred to the High Court's special chamber for international crimes and cross-border matters, which would resume the trial at a later date. HRW reported these arrests were government efforts to crush dissent and silence the opposition.

Although there is no requirement for individuals to carry an identification document (ID), police and the DASSO regularly detained street children, vendors, and beggars without IDs and sometimes charged them with illegal street vending or vagrancy. Authorities released adults who could produce an ID and transported street children to their home districts, to shelters, or for processing into vocational and educational programs.

Pretrial Detention: Lengthy pretrial detention was a serious problem, and authorities often detained prisoners for months without arraignment, in large part due to administrative delays caused by case backlogs. HRW reported that when some detainees were transferred from military detention facilities to official detention facilities, military, intelligence, or police officials made detainees sign documents stating they had been arrested on the date of their transfer rather than their actual date of arrest, thereby erasing their military detention from the record. The law permits detention of genocide and terrorism suspects until trial.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary, and the government generally respected judicial independence. There were no reports of direct government interference in the judiciary, and authorities generally respected court orders. Domestic and international observers noted, however, that outcomes in high-profile genocide, security, and politically sensitive cases appeared predetermined.

Trial Procedures

The constitution and law provide for the right to a fair and public trial, and an independent judiciary generally enforced this right. The law provides for a presumption of innocence and requires defendants be informed promptly and in detail of the charges in a language they comprehend.

Defendants have the right to a trial without undue delay. Despite the National Public Prosecution Authority's assertion that its prosecutors handled all cases without significant undue delay, defense lawyers reported there were an insufficient number of prosecutors, judges, and courtrooms to hold trials within a reasonable time.

By law detainees are allowed access to lawyers. The expense and scarcity of lawyers and most lawyers' reluctance to take on cases they considered sensitive for political or state security reasons, however, limited access to legal representation. Some lawyers working on politically sensitive cases reported harassment and threats by government officials, including monitoring of their communications and denial of access to evidence against their clients.

Defendants have the right to communicate with an attorney of their choice, although many defendants could not afford private counsel. The law provides for legal representation of minors. The Rwandan Bar Association and 36 other member organizations of the Legal Aid Forum provided legal assistance to some indigent defendants but lacked the resources to provide defense counsel to all in need. Legal aid organizations noted that the requirement that defendants present a certificate of indigence signed by their district authorities made it difficult to qualify for pro bono representation.

The law requires that defendants have adequate time and facilities to prepare their defense, and judges routinely granted requests to extend preparation time. The law provides for a right to free interpretation, but domestic human rights organizations noted that officials did not always enforce this right, particularly in cases of deaf and hard-of-hearing defendants requiring sign language interpreters. Defendants have the right to be present at trial, confront witnesses against them, and present witnesses and evidence on their own behalf. By law defendants may not be compelled to testify or confess guilt. Judges generally respected the law during trial. The law provides for the right to appeal, and authorities respected this provision.

The SSF continued to coerce suspects into confessing guilt in security-related cases. Judges tended to accept confessions obtained through torture despite defendants' protests and failed to order investigations when defendants alleged torture during their trial. The judiciary sometimes held security-related, terrorism, and high-profile political

trials in closed chambers. Some defense attorneys in these cases reported irregularities and complained judges tended to disregard the rights of the accused when hearings were not held publicly.

The RDF routinely tried military offenders, as well as civilians who previously served in the RDF, before military tribunals that handed down penalties of fines, imprisonment, or both for those convicted. Military courts provided defendants with similar rights as civilian courts, including the right of appeal. Defendants often appeared before military tribunals without legal counsel due to the cost of hiring private attorneys and the unwillingness of most attorneys to defend individuals accused of crimes against state security. The law stipulates military courts may try civilian accomplices of soldiers accused of crimes.

In 2012 the International Criminal Tribunal for Rwanda transferred its remaining genocide cases to the MICT. It continued to pursue eight genocide fugitives subject to tribunal indictments.

On September 3, authorities arrested five individuals wanted by the MICT for contempt of court and transferred them to the MICT offices in Tanzania.

Political Prisoners and Detainees

There were numerous reports that local officials and the SSF detained some individuals who disagreed publicly with government decisions or policies. Some opposition leaders and government critics faced indictment under broadly applied charges of genocide incitement, genocide denial, inciting insurrection or rebellion, or attempting to overthrow the government. Political detainees were afforded the same protections, including visitation rights, access to lawyers and doctors, and access to family members, as other detainees. Occasionally authorities held politically sensitive detainees in individual cells--even in facilities with severe overcrowding--to ensure they would not be mistreated while in detention. Numerous individuals identified by international and domestic human rights groups as political prisoners remained in prison, including Deo Mushayidi and Theoneste Niyitegeka.

On September 15, the government released FDU-Inkingi president and former 2010 presidential candidate Victoire Ingabire from prison after President Kagame commuted the remainder of her sentence. Ingabire had been convicted and sentenced to eight years' imprisonment in 2012 in what was considered a flawed trial based on politically motivated charges; in 2013 the Supreme Court upheld the conviction and increased her sentence from eight to 15 years' imprisonment. The FDU-Inkingi issued a statement saying the party hoped Ingabire's release represented a sincere democratic opening. Minister of Justice Busingye, on the other hand, told press there was nothing political about her release since there was nothing political about her imprisonment. On October 9, the RIB summoned Ingabire for questioning and informed her that she could face legal action if she continued to characterize her conviction as political and to refer to other political prisoners. As of September 13, the government had not responded to a November 2017 ruling by the African Court on Human and People's Rights that the government violated Ingabire's right to freedom of expression and that her 2012

conviction in a flawed judicial process violated her right to defense. The court ordered the government to take all necessary measures to restore Ingabire's rights and to submit to the court a report on the measures taken within six months.

In addition to Ingabire, on September 14, the government granted early release to 2,139 other prisoners. Among them was Kizito Mihigo, a popular musician who was serving a 10-year prison sentence for conviction of conspiracy to kill President Kagame and other government officials.

On December 6, a court acquitted presidential aspirant and vocal Kagame critic Diane Rwigara of forgery and inciting insurrection after ruling that the prosecution failed to produce sufficient evidence to substantiate the charges, which human rights organizations described as politically motivated. Diane Rwigara's mother, Adeline Rwigara, arrested at the same time, was also acquitted of all charges. The two women were detained for more than one year before they were released on bail on October 5. Associates of Diane Rwigara also reportedly experienced harassment during the year, with some denied diplomas, fired from jobs, or taken into police custody for days at a time before being released. Rwigara's sister, Anne Rwigara, was released in 2017.

Civil Judicial Procedures and Remedies

The judiciary was generally independent and impartial in civil matters. Mechanisms exist for citizens to file lawsuits in civil matters, including for violations of human rights. The Office of the Ombudsman processed claims of judicial wrongdoing on an administrative basis. Individuals may submit cases to the East African Court of Justice after exhausting domestic appeals.

Property Restitution

Reports of expropriation of land for the construction of roads, government buildings, and other infrastructure projects were common, and complainants frequently cited government failure to provide adequate and timely compensation. The National Commission for Human Rights (NCHR) investigated some of these cases and advocated on citizens' behalf with relevant local and national authorities but was unable to effect restitution in a majority of the cases. In one instance residents refused to vacate their land and took the government to court to contest the expropriation. The case was pending at year's end.

The government continued harassment of the family of Assinapol Rwigara whose death, the family claimed, was a politically motivated killing by SSF members via an automobile accident in 2015. After Assinapol's daughter, Diane, was disqualified from running in the 2017 presidential election, the government initiated criminal proceedings against the family for alleged nonpayment of taxes. In March, June, and October, authorities auctioned off assets belonging to the Rwigaras worth 2.2 billion Rwandan francs ($2.5 million) because of the alleged arrears.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or

Correspondence

Although the constitution and law prohibit such actions, the government continued to monitor homes, movements, telephone calls, email, other private communications, and personal and institutional data. Government informants continued to work within international and local NGOs, religious organizations, media, and other social institutions.

The law requires police to obtain authorization from a state prosecutor prior to entering and searching citizens' homes. According to human rights organizations, the SSF at times entered homes without obtaining the required authorization.

The penal code provides legal protection against unauthorized use of personal data by private entities, although officials did not enforce these provisions during the year.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

The constitution provides for freedom of expression, including for the press "in conditions prescribed by the law," but the government severely restricted this right. Journalists reported government officials questioned, threatened, and at times arrested journalists who expressed views deemed critical of the government on sensitive topics.

The Rwanda Media Commission (RMC), a self-regulatory body, sometimes intervened on journalists' behalf. Some journalists reported the RMC lost its independence following the 2015 ouster and subsequent exile of its elected chairperson Fred Muvunyi. Journalists reported all positions on the RMC board were filled in close consultation with the government and called into question the board's independence.

Freedom of Expression: There were no official restrictions on individuals' right to criticize the government publicly or privately on policy implementation and other issues, but broad interpretation of provisions in the penal code had a chilling effect on such criticism. The government generally did not tolerate criticism of the presidency and government policy on security, human rights, and other matters deemed sensitive. On occasion, journalists who criticized the government were later arrested on charges unrelated to their work. For example, on September 10, media reported police had detained independent journalist Robert Mugabe and were questioning him regarding allegations that he had engaged in sexual relations with a 17-year-old girl. Earlier in the month, Mugabe had used his Twitter account to question the results of the 2015 constitutional referendum and 2017 presidential election and to criticize the government for having arrested opposition politician Diane Rwigara. Mugabe had also reported that police had harassed him in 2017 by summoning him for questioning on a daily basis during the course of two weeks and that he had been accused of committing treason and threatening state security after criticizing the government in 2016.

In March, Joseph Nkusi, a founding member of the Ishema party, was convicted of inciting civil disobedience and spreading rumors and sentenced to 10 years' imprisonment by the Kigali High Court. Nkusi moved to Norway in 2009 where he applied for asylum and started a blog that was blocked by the Rwandan government. In 2016 he was deported back to his country of origin where he was arrested and charged. A date for his appeal had not been set by year's end.

Laws prohibiting divisionism, genocide ideology, and genocide denial were broadly applied and discouraged citizens from expressing viewpoints that could be construed as promoting societal divisions. The law prohibits making use of speech, writing, or any other act that divides the populace or may set them against each other or cause civil unrest because of discrimination. Conviction of "instigating divisions" is punishable by five to seven years' imprisonment and fines of 500,000 to one million Rwandan francs ($575 to $1,150). Authorities applied the laws broadly, including to silence political dissent and to shut down investigative journalism. The law also prohibits spreading "false information or harmful propaganda with intent to cause public disaffection against the government," for which conviction is punishable by seven to 10 years' imprisonment. The government investigated and prosecuted individuals accused of threatening or harming genocide survivors and witnesses or of espousing genocide ideology. For example, in July a court sentenced Leopold Munyakazi to nine years in prison for genocide denial. As evidence prosecutors cited a presentation Munyakazi had delivered abroad in which he described the events of 1994 as a civil war rather than a genocide.

In September the government enacted a revised genocide ideology law that replaced an earlier 2013 law. Like the previous version, the updated law incorporated international definitions for genocide and outlined the scope of what constitutes "genocide ideology" and related offenses. Specifically, the law provides that any person who denies, minimizes, or justifies the 1994 genocide is liable to a prison term of five to seven years and a fine of 500,000 to one million Rwandan francs ($575 to $1,150). Authorities applied the statute broadly, and there were numerous reports of its use to silence persons critical of government policy.

The RNP reported significantly fewer individuals arrested during the April genocide commemoration period for spreading genocide ideology than in the preceding year.

Press and Media Freedom: Vendors sold both private and government-owned newspapers published in English, French, and Kinyarwanda. According to the Rwanda Governance Board, there were 40 newspapers, journals, and other publications registered with the government, although fewer than 10 published regularly. Sporadically published independent newspapers maintained positions in support of, or critical of, the government but a lack of advertisement revenue and funds remained serious challenges to continuing operations. Most independent newspapers opted not to publish print editions and released their stories online instead. There were 36 radio stations (six government-owned and 30 independent) and more than 16 television stations, according to the board. Independent media reported a difficult operating environment and highlighted the reluctance of the business community to advertise on radio stations that might be critical of the government.

Media professionals reported government officials sought to influence reporting and warned journalists against reporting information deemed sensitive or critical of the government.

The law provides journalists the freedom to investigate, express opinions, and "seek, receive, give, and broadcast information and ideas through any media." The law explicitly prohibits censorship of information, but censorship occurred. The laws restrict these freedoms if journalists "jeopardize the general public order and good morals, an individual's right to honor and reputation in the public eye and to the right to inviolability of a person's private life and family." By law authorities may seize journalists' material and information if a "media offense" occurs but only under a court order. Journalists reported authorities often seized journalists' material and equipment without a court order. Courts may compel journalists to reveal confidential sources in the event of an investigation or criminal proceeding. Persons wanting to start a media outlet must apply with the "competent public organ." All media rights and prohibitions apply to persons writing for websites.

Violence and Harassment: In July Reporters Without Borders reported that, while there have been fewer abuses against journalists in recent years because most of the outspoken journalists have either fled abroad or have learned to censor themselves, the government continued to use threats, arrests, and physical violence to silence media outlets and journalists. For example, in May police arrested outspoken journalist John Williams Ntwali and interrogated him for 10 hours before releasing him. Ntwali had previously maintained a blog that was critical of the government. In July journalist Jean Bosco Kabakura fled the country after receiving threats related to his publication of an article examining the roles of police, military, and civilian authorities in the shooting of refugees from the Kiziba refugee camp earlier in the year. Several other journalists who fled in prior years remained outside the country.

Censorship or Content Restrictions: The law allows the government to restrict access to some government documents and information, including information on individual privacy and information or statements deemed to constitute defamation. Reporters Without Borders reported that journalists routinely censored themselves to avoid being targeted by the government.

Radio stations broadcast some criticism of government policies, including on popular citizen call-in shows; however, criticism tended to focus on provincial leaders and local implementation of policies rather than on the president or ruling party leadership. Some radio stations, including Radio 1, Radio Isango Star, and Radio Salus, had regular call-in shows that featured discussion of government programs or policies. For example, on June 13, Radio Isango Star broadcast a program in which government officials and human rights advocates discussed the government's progress in implementing recommendations made as part of the country's Universal Periodic Review. During the official campaign season in advance of the September parliamentary elections, the national public broadcaster interviewed independent candidates and representatives from all participating political parties. Candidates and political parties reported they received fair and equal treatment and were allowed to broadcast political advertisements.

Libel/Slander Laws: The updated penal code enacted in September included provisions that made it illegal to use words, gestures, writings, or cartoons to humiliate members of parliament, members of the cabinet, security officers, or any other public servant, with sentences for conviction of one to two years' imprisonment and fines of 500,000 to one million Rwandan francs ($575 to $1,150). The law also states that insulting or defaming the president is punishable by five to seven years' imprisonment and a fine of five million to seven million Rwandan francs ($5,750 to $8,050). Defamation of foreign and international officials and dignitaries remains illegal under the updated law, with sentences if convicted of three to five years' imprisonment. Unlike the previous penal code, however, the code enacted in September does not contain provisions criminalizing public defamation and public insult in general.

National Security: Under media laws, journalists must refrain from reporting items that violate "confidentiality in the national security and national integrity" and "confidentiality of judicial proceedings, parliamentary sessions, and cabinet deliberations in camera." Authorities used these laws to arrest and intimidate journalists covering politically sensitive topics and matters under government investigation.

Internet Freedom

The media law includes the right of all citizens to "receive, disseminate, or send information through the internet," including the right to start and maintain a website. All provisions of the media laws apply to web-based publications. Restrictions such as website blocking, however, remained in place. The government continued to monitor email and internet chat rooms. Individuals and groups could engage in the peaceful expression of views online, including by email and social media, but were subject to monitoring. As in the previous year, there were no confirmed reports monitoring led to detention or interrogation of individuals by the SSF. According to the International Telecommunication Union, 22 percent of the population used the internet in 2017.

Government-run social media accounts were used to debate and at times intimidate individuals who posted online comments considered critical of the government.

The government blocked access within the country to several websites critical of its policies. Such sites included websites of the Rwandan diaspora such as *Umuvugizi* and *Le Profete* and online newspapers such as *Ireme.com* as well as the news blogs of some independent journalists living in Rwanda.

Academic Freedom and Cultural Events

The government generally did not restrict academic freedom or cultural events, but because academic officials frequently suspended outspoken secondary and university students for divisionism or engaging in genocide ideology, students and professors practiced self-censorship. Local think tanks deferred to government officials in selecting subjects for research, and authorities often prevented or delayed the publication of studies that cast the government in a negative light. The government requires visiting

academics to receive official permission to conduct research; academics reported occasional harassment and denial of permission to conduct research on political issues, child labor, refugees, human rights problems, or the genocide.

b. Freedoms of Peaceful Assembly and Association

The constitution, law, or both provide for the freedoms of peaceful assembly and association, but the government limited these rights.

Freedom of Peaceful Assembly

The constitution and law provide for freedom of peaceful assembly, but the government did not always respect this right. The updated penal code states it is illegal to demonstrate in a public place without prior authorization. Violation of this provision is punishable by a prison sentence of eight days to six months or a fine of 500,000 to one million Rwandan francs ($575 to $1,150) or both. For illegal demonstrations deemed to have threatened security, public order, or health, the penalties are increased. Even with prior written authorization, public meetings were subject to disruption or arbitrary closure.

Freedom of Association

While the constitution provides for freedom of association, the government limited the right. The law requires private organizations to register. Although the government generally granted licenses, it impeded the formation of political parties, restricted political party activities, and delayed or denied registration to local and international NGOs seeking to work on human rights, media freedom, or political advocacy (see section 3). In addition the government imposed burdensome NGO registration and renewal requirements, especially on international NGOs, as well as time-consuming requirements for annual financial and activity reports (see section 5). On September 10, the government enacted legislation imposing additional registration requirements on faith-based organizations (FBOs). The law requires FBOs to obtain legal status from the government before beginning operations. It also calls for legal representatives of FBOs and preachers with supervisory responsibilities to hold academic degrees.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/ (http://www.state.gov/religiousfreedomreport/).

d. Freedom of Movement

The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights, although there were reports that passports were withheld for lengthy periods.

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern. As of September the government hosted more than 68,000 Burundian refugees and approximately 76,000 Congolese refugees. As of September there were also approximately 5,300 asylum seekers whose claims remained pending. The government continued to grant prima facie refugee status to Burundian refugees fleeing instability after Burundi's 2015 presidential election. For other nationalities significant delays existed in the application of individual refugee status determinations; UNHCR reported working with the government to improve the process.

UNHCR supported the Mahama Camp for Burundian refugees and five camps primarily for Congolese refugees with international and national NGOs, providing for basic health, water, sanitation, housing, food, and educational needs, in coordination with the government. Authorities sometimes restricted access to the camps. UNHCR reported good cooperation with the government and local community. The government continued to work with UNHCR on expanding the integration of refugees into the national education system, as well as on increasing livelihood opportunities. In January the government and UNHCR launched an exercise to verify the refugee status of refugees in urban areas and in the six camps, issue refugees identification cards, and enroll refugees in social service programs.

UNHCR, in agreement with the government and 14 host countries, recommended in 2015 the invocation of the "ceased circumstances" clause for Rwandans who fled the country between 1959 and 1998 with an agreement with African states hosting Rwandan refugees that refugees were to be assisted in returning to Rwanda or obtaining legal permanent residency in host countries by December 2017. The cessation clause forms part of the 1951 Refugee Convention and may be applied when fundamental and durable changes in a refugee's country of origin, such that they no longer have a well founded fear of persecution, remove the need for international protection. As of September more than three million exiled Rwandans had returned. The government worked with UNHCR and other aid organizations to assist the returnees, most of whom resettled in their districts of origin.

The government accepted former Rwandan combatants who returned from the Democratic Republic of the Congo (DRC). The Rwandan Demobilization and Reintegration Commission, with international support, placed adult former combatants in a three-month re-education program at the Mutobo Demobilization Center in Northern Province. After completion, each adult former combatant was enrolled automatically in the RDF Reserve Force and received a cash allowance. In June, 51 participants were discharged from the center under this program. The Musanze Child Rehabilitation Center treated former child combatants.

Foreign Travel: The law allows a judge to deprive convicted persons of the right to travel abroad as a stand-alone punishment or as punishment following imprisonment. Government officials must obtain written permission from the Office of the Prime Minister or the president before traveling abroad for official or personal reasons. The government restricted the travel of existing and former security-sector officials.

Protection of Refugees

Authorities generally provided adequate security and physical protection within refugee camps. The RNP worked with UNHCR to maintain police posts on the edge of and station police officers in refugee camps. Refugees were free to file complaints at both camp and area police stations. In February at least 10 refugees from the Kiziba refugee camp were killed after clashing with police in Kibuye, a town near the camp; several others were injured, as were seven police officers. Approximately 500 refugees had left the camp and marched to the UNHCR office in Kibuye to protest ration cuts and discrimination in the local labor market and voice other grievances. Security officials said police responded with force when some protesters began throwing rocks and pieces of metal at police officers. As of September, 15 refugees were arrested and awaiting trial. At the end of April and the beginning of May, one refugee was killed and several others were injured while clashing with police in the Kiziba camp. According to security officials, refugees had attempted to prevent police officers from conducting patrols in the camp.

The government agreed to implement the Comprehensive Refugee Response Framework adopted by the UN General Assembly in 2016. There were reports of Burundi-affiliated militia sympathizers infiltrating refugee camps in Rwanda during the year. On occasion police conducted security sweeps in the Mahama camp and expelled unauthorized individuals.

Access to Asylum: The law provides for the granting of asylum or refugee status. UNHCR, with government and donor support, assisted approximately 150,600 refugees and asylum seekers, mostly from Burundi and the DRC. Of these, approximately 5,300 were asylum seekers who continued to face delays in the adjudication of their asylum claims to settle in the country. An interagency committee that makes individual refugee status determinations in cases where claimants are not eligible for prima facie refugee status met infrequently.

In July an Israeli newspaper reported Israel was no longer deporting asylum seekers of Eritrean and Sudanese origin from Israel to Rwanda.

Freedom of Movement: The law does not restrict freedom of movement of asylum seekers, but refugees continued to experience delays in the issuance of identity cards and convention travel documents. As of September the government had conducted a joint verification exercise with UNHCR in Kigali, Huye, the Gihembe camp, and the Nyabiheke camp. As part of this exercise, eligible refugees received identity cards allowing them to move around the country and open bank accounts. UNHCR reported it intended to continue the verification exercise for the remainder of the year but did not expect to visit all camps by year's end.

Employment: No laws restrict refugee employment, and in 2016 the Ministry of Disaster Management and Refugee Affairs launched a livelihoods strategy with UNHCR aimed at increasing the ability of refugees to work on the local economy. As of August implementation continued, but many refugees were unable to find local employment.

Access to Basic Services: Refugees had access to public education through grade nine, public health care, housing within the refugee camps, law enforcement, courts and judicial procedures, and legal assistance. A limited number of refugees completed secondary education and were enrolled in universities. Kepler, a nonprofit higher education program, collaborated with UNHCR and Southern New Hampshire University to operate a campus in the Kiziba camp.

Refugees in the camps received basic health care from humanitarian agencies and had access to secondary and tertiary care coordinated by UNHCR. Some refugee children in urban areas had access to government health-care services, as did elderly urban refugees. During the year the government continued to work to allow urban refugees of all ages to access government health-care services.

Durable Solutions: The government did not accept refugees for resettlement from third countries. The government assisted the safe, voluntary return of refugees to their countries and sought to improve local integration of refugees in protracted stays by permitting them to accept local employment and move freely in the country and by establishing markets to facilitate trade between refugees and local citizens. The government did not facilitate the naturalization of refugees resident in the country.

Temporary Protection: The government provided temporary protection to individuals who may not qualify as refugees.

Section 3. Freedom to Participate in the Political Process

The constitution and law provide citizens the ability to choose their government through free and fair elections based on universal and equal suffrage, but government restrictions on the formation of opposition parties and harassment of critics and political dissidents limited that ability. The law provides for voting by secret ballot in presidential and parliamentary--but not local--elections. The RPF and allied parties controlled the government and legislature, and RPF candidates dominated elections at all levels.

Elections and Political Participation

Recent Elections: In September the government held parliamentary elections for all 80 seats in the Chamber of Deputies, the lower house of parliament. Of those, 53 seats were filled through general voting on September 3. The remaining 27 seats were reserved for women, youth, and persons with disabilities and were allocated by special electoral colleges on September 2 and September 4. The National Electoral Commission (NEC) claimed that 6.6 million voters participated in the September 3 vote, which

equated to a 93 percent turnout. According to the NEC, the RPF coalition won 74 percent of the vote and was awarded 40 of the 53 contested seats. The RPF-allied Social Democratic Party and Liberal Party claimed five and four seats, respectively. The DGPR and the PS-Imberakuri were awarded two seats each. Neither the DGPR nor PS-Imberakuri was represented in the previous parliament.

As had been the case in 2017 when the NEC announced that voters had re-elected President Kagame to a third seven-year term with a reported 99 percent of the vote, irregularities and instances of ballot stuffing undermined confidence in the integrity of the results. Observers were unable to effectively monitor the process of vote tabulation at polling stations and vote consolidation at the sector, district, and national levels due to inconsistent levels of access and transparency. Ballots were not numbered or adequately controlled and accounted for, either at the individual polling station, or at the sector, district, or national level. Observers noted that reported results in some polling rooms exceeded the number of voters observed throughout the day. Some independent aspirants experienced difficulties in obtaining the number of signatures required to register their candidacies ahead of the elections. For example, some independent candidates reported residents and local authorities attempted to prevent them from gathering signatures in certain areas. Four independent candidates managed to qualify for the ballot, but the compressed three-week campaign timeline and the prohibition on fundraising prior to the NEC's certification of candidacies severely hampered their ability to compete against registered parties. Of the four independent candidates, none received enough votes to obtain a seat in the chamber.

In 2015 the government held a referendum on a set of constitutional amendments that would allow the president to run for up to three additional terms in office. The NEC reported 98 percent of registered voters participated, and 98 percent endorsed the amendments. The text of the amendments was not generally available to voters for review prior to the referendum, and political parties opposed to the amendments were not permitted to hold rallies or public meetings to express their opposition to the amendments.

Political Parties and Political Participation: The constitution outlines a multiparty system but provides few rights for parties and their candidates. There were some reports that youth attending mandatory "ingando" civic and military training camps received instruction on RPF principles and were pressured to join the RPF. There were also reports local authorities pressured citizens to join the RPF or donate to the party. Political parties allied to the RPF were largely able to operate freely, but members faced legal sanctions if found guilty of engaging in divisive acts, destabilizing national unity, threatening territorial integrity, or undermining national security. DGPR officials reported that local authorities harassed DGPR members and pressured them to quit the party. Some members of other opposition parties faced arbitrary detention and, in some cases, intimidation and physical abuse.

The DGPR was registered officially as a political party in 2013, after the government blocked its attempts to register in 2009 and 2010. DGPR president Frank Habineza unsuccessfully challenged President Kagame in the 2017 presidential election, the first election in which the DGPR participated. DGPR leaders reported that in the run-up to

the September parliamentary election, government officials harassed many of the DGPR's nominees and pressured them to abandon their candidacies. Once the official campaign season began, however, the DGPR was generally permitted to hold campaign events without interference.

The government no longer required, but strongly encouraged, all registered political parties to join the National Consultative Forum for Political Organizations. The forum sought to promote consensus among political parties and required member parties to support publicly policy positions developed through dialogue. At year's end all 11 registered parties were members of the organization. Government officials praised it for promoting political unity, while critics argued it stifled political competition and public debate.

In accordance with the constitution, which states a majority party in the Chamber of Deputies may not fill more than 50 percent of cabinet positions, independents and members of other political parties allied with the RPF held key positions in government, including that of prime minister and foreign minister. As of September 14, the PS-Imberakuri and the DGPR were not represented in the cabinet.

Participation of Women and Minorities: No laws limit participation of women or members of minorities in the political process, and they did participate.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for conviction of corruption by officials and private persons transacting business with the government, which include imprisonment and fines. The law also provides for citizens who report requests for bribes by government officials to receive financial rewards when officials are prosecuted and convicted. While the government implemented anticorruption laws and encouraged citizens to report requests for bribes, corruption remained a problem.

Corruption: The government investigated and prosecuted reports of corruption among police and government officials. Police frequently conducted internal investigations of police corruption, including sting operations, and authorities punished offenders. For example, authorities fired the director and 23 other employees of the Rwanda Biomedical Center for acts of corruption including forgery and the issuance of illegal public tenders.

Investors reported that contract disputes with the government; late payments for services; pressure to renegotiate existing contracts; and arbitrary enforcement of tax, immigration, and investment rules hindered their ability to run and expand their businesses.

The National Public Prosecution Authority prosecuted civil servants, police, and other officials for fraud, petty corruption, awarding of public tenders illegally, and mismanagement of public assets. Under the Ministry of Justice, the authority is also responsible for prosecuting police abuse cases. The RNP Inspectorate of Services

investigated cases of police misconduct. As of August 23, the RNP had dismissed 189 staff members, including 35 officers, for indiscipline, corruption, misconduct, and abuse of power. At a December consultative meeting on anticorruption efforts, the chairperson of Transparency International Rwanda praised the RNP's policy of punishing and dismissing officers involved in corruption.

The government utilized a "bagging and tagging" system to aid companies with regional and international due diligence requirements related to conflict minerals. The government maintained a ban on the purchase or sale of undocumented minerals from neighboring countries. Observers and government officials reported smugglers trafficked an unknown amount of undocumented minerals through the country.

Financial Disclosure: The constitution and law require annual reporting of income and assets by public officials as well as reporting them upon entering and leaving office. There is no requirement for public disclosure of those assets, except in cases where irregularities are discovered. The Office of the Ombudsman, which monitors and verifies disclosures, reported 99 percent of officials complied with the requirement. In cases of noncompliance, the Office of the Ombudsman has the power to garnish wages and impose administrative sanctions that often involved loss of position or prosecution.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights

Several domestic human rights groups operated in the country, investigating and publishing their findings on human rights cases, and international groups also published reports on human rights abuses. The government was often intolerant of public reports of human rights violations and suspicious of local and international human rights observers, and it often impeded independent investigations and rejected criticism as biased and uninformed. Human rights NGOs expressed fear of the government, reported SSF monitoring of their activities, and self-censored their comments. NGOs, such as HRW, working on human rights and deemed to be critical of the government experienced difficulties securing or renewing required legal registration.

The government criticized HRW and other international human rights groups for being inaccurate and biased. In March a Ministry of Justice official stated the government would not renew its cooperation agreement with HRW unless the organization agreed to include the government's statements regarding the country's human rights situation in its reports. The official accused HRW of tarnishing the image of the country by fabricating unsubstantiated, politically motivated reports. As of September 12, the government had not renewed its lapsed memorandum of understanding with HRW, and HRW had no representatives operating in the country.

The government conducted surveillance on some international and domestic NGOs. Some NGOs expressed concern that intelligence agents infiltrated their organizations to gather information, influence leadership decisions, or create internal problems.

Individuals who contributed to international reports on human rights reported continued government harassment including short-term detention without charges, questioning, and threats of arrest and prosecution for the contents of their work.

Some domestic NGOs--including the Youth Association for Human Rights Promotion and Development and the Rwandan Association for the Defense of Human Rights--nominally focused on human rights abuses, but self-censorship limited their effectiveness. Most NGOs that focused on human rights, access to justice, and governance issues vetted their research and reports with the government and refrained from publishing their findings without government approval.

A progovernment NGO, the Rwanda Civil Society Platform, managed and directed some NGOs through umbrella groups that theoretically aggregated NGOs working in particular thematic sectors. Many observers believed the government controlled some of the umbrella groups. Regulations required NGOs to participate in joint action and development forums at the district and sector levels, and local government had broad powers to regulate activities and bar organizations that did not comply.

NGOs reported the registration process remained difficult, in part because it required submission of a statement of objectives, plan of action, and detailed financial information for each district in which an NGO wished to operate. NGOs reported the government used the registration process to delay programming and pressure them into supporting government programs and policies.

The United Nations or Other International Bodies: The government sometimes cooperated with international organizations, but it criticized reports that portrayed it negatively as inaccurate and biased. In July the SPT announced it had formally cancelled its visit to the country. The SPT had already suspended its visit in October 2017 due to government-imposed obstructions, such as limiting access to places of detention. In a July 4 statement, the SPT stated there was no realistic prospect of the visit's successful resumption and conclusion within a reasonable timeframe. In response the government issued a statement declaring the lack of cooperation allegations untrue, unfounded, and in bad faith.

In 2012 the International Criminal Tribunal for Rwanda, based in Tanzania, transferred its remaining genocide cases to a Tanzania-based branch of the MICT that continued to pursue genocide suspects. From 1994 through July, the tribunal completed proceedings against 80 individuals; of these, 61 were convicted, and 14 were acquitted. Two cases were dropped, and in the remaining three cases, the accused died before the tribunal rendered judgment. As of August 23, eight suspects remained fugitives. The government cooperated with the MICT, but it also expressed concern regarding the MICT's practice of granting early release to convicts.

Government Human Rights Bodies: The adequately funded Office of the Ombudsman operated with the cooperation of executive agencies and took action on cases of corruption and other abuses, including human rights cases (see section 4).

The government funded and cooperated with the NCHR. According to many observers, the NCHR did not have adequate resources to investigate all reported violations and remained biased in favor of the government. Some victims of human rights violations did not report the violations to the NCHR because they perceived it as biased and feared retribution by the SSF.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Women

Rape and Domestic Violence: The law criminalizes rape of men and women and spousal rape, and the government handled rape cases as a judicial priority. Penalties for conviction of rape range from 10 years' to life imprisonment with fines of one to two million Rwandan francs ($1,150 to $2,300). Penalties for conviction of committing physical and sexual violence against one's spouse range from three to five years' imprisonment.

Domestic violence against women and children was common. For example, on August 4, hip-hop artist Jay Poly was arrested on charges of aggravated assault and battery after he struck his wife and broke three of her teeth. On August 24, he was sentenced to five months in prison.

Authorities encouraged reporting of domestic violence cases, although most incidents remained within the extended family and were not reported or prosecuted.

Police headquarters in Kigali had a hotline for domestic violence. Several other ministries also had free gender-based violence hotlines. Each of the 78 police stations nationwide had its own gender desk, an average of three officers trained in handling domestic violence and gender-based violence cases, and a public outreach program. The government operated 44 one-stop centers throughout the country, providing medical, psychological, legal, and police assistance at no cost to victims of domestic violence.

The government continued its whole-of-government, multi-stakeholder campaign against gender-based violence, child abuse, and other types of domestic violence. gender-based violence was a required training module for police and military at all levels and was included for all troops and police preparing for deployment to peacekeeping missions abroad.

Sexual Harassment: The law prohibits sexual harassment and provides for penalties for conviction of six months' to one year's imprisonment and fines from 100,000 to 200,000 Rwandan francs ($115 to $230). The penalties are increased when the offender is an employer or other person of authority and the victim is a subordinate. Nevertheless, advocacy organizations reported sexual harassment remained common.

Coercion in Population Control: There were no reports of coerced abortion. There was one claim on social media of involuntary sterilization but it was found to be without merit.

Discrimination: Women have the same legal status and are entitled to the same rights as men, including under family, labor, nationality, and inheritance laws. The law allows women to inherit property from their fathers and husbands, and couples may make their own legal property arrangements. Women experienced some difficulties pursuing property claims due to lack of knowledge, procedural bias against women in inheritance matters, multiple spousal claims due to polygyny, and the threat of gender-based violence. The law requires equal pay for equal work and prohibits discrimination in hiring decisions. In a Transparency Rwanda study of gender-based corruption in workplaces, only 1 percent of participants reported gender-based discrimination as a factor in hiring decisions, whereas 75 percent of respondents indicated they were unaware of such discrimination or were unwilling to discuss it. The study's authors concluded that gender-based corruption was underreported, in part because victims of discrimination fear losing their employment.

After the 1994 genocide that left many women as heads of households, women assumed a larger role in the formal sector, and many operated their own businesses. Nevertheless, men owned the major assets of most households, particularly those at the lower end of the economic spectrum, making bank credit inaccessible to many women and rendering it difficult to start or expand a business.

Children

Birth Registration: Children derive citizenship from their parents. Children born to two Rwandan parents automatically receive citizenship. Children with one Rwandan parent must apply for citizenship before turning 18. Children born in the country to unknown or stateless parents automatically receive citizenship. Minor children adopted by Rwandans, irrespective of nationality or statelessness, automatically receive citizenship. Children retain their citizenship in the event of dissolution of the parents' marriage. Births were registered at the sector level upon presentation of a medical birth certificate. There were no reports of unregistered births leading to denial of public services. For additional information, see Appendix C.

Education: The government's 12-year basic education program includes tuition-free universal public education for six years of primary and six years of secondary education. Education through grade nine is compulsory. Parents were not required to pay tuition fees, but they often had to pay high education fees for teachers' incentives and meal expenses, according to domestic observers.

Child Abuse: While statistics on child abuse were unreliable, such abuse was common within the family, in the village, and at school. As in previous years, the government conducted a high-profile public awareness campaign against gender-based violence and child abuse. The government supported a network of one-stop centers and hospital facilities that offered integrated police, legal, medical, and counseling services to victims

of gender-based violence and child abuse. In partnership with UNICEF, the National Commission for Children (NCC) maintained a corps of 29,674 community-based "Friends of the Family" volunteers (two for each of the country's 14,837 villages) to help address gender-based violence and child protection concerns at the village level.

Early and Forced Marriage: The minimum age of marriage is 21. Anecdotal evidence suggested child marriage was more common in rural areas and refugee camps than in urban areas. For additional information, see Appendix C.

Sexual Exploitation of Children: By law sexual relations with a child younger than age 18 constitutes child defilement for which conviction is punishable by 20 years to life in prison depending on the age of the victim.

The law prohibits sexual exploitation of children and child pornography, which are punishable by life imprisonment and a fine of 10 million to 15 million Rwandan francs ($11,500 to $17,240). Conviction statistics were not available. The 2018 Antitrafficking law prohibits the commercial sexual exploitation of children, conviction of which is punishable by life imprisonment and a fine of 15 million to 20 million Rwandan francs ($17,240 to $23,000).

Child Soldiers: The government supported the Musanze Child Rehabilitation Center in Northern Province that provided care and social reintegration preparation for children who previously served in armed groups in the DRC (see section 2.d., Freedom of Movement).

Displaced Children: There were numerous street children throughout the country. Authorities gathered street children in district transit centers and placed them in rehabilitation centers. Conditions and practices varied at 29 privately run rehabilitation centers for street children.

UNHCR continued to accommodate in the Mahama refugee camp unaccompanied and separated minors who entered the country as part of an influx of more than 87,000 refugees from Burundi since 2015. Camp staff provided additional protection measures for them.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data.html (https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data.html).

Anti-Semitism

There was a very small Jewish community, consisting entirely of foreigners; there were no reports of anti-Semitic acts.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/ (http://www.state.gov/j/tip/rls/tiprpt/).

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities, and the government generally enforced these provisions. The law mandates access to public facilities, accommodations for taking national examinations, provision of medical care by the government, and monitoring of implementation by the NCHR. Despite a continuing campaign to create a barrier-free environment for persons with disabilities, accessibility remained a problem throughout the country, including in public buildings and public transport.

There were no legal restrictions or extra registration steps for citizens with disabilities to vote, and registration could be completed online. Braille ballots were available for the September parliamentary elections. Observers noted some polling stations remained inaccessible to persons with disabilities and that some election volunteers appeared untrained on how to assist voters with disabilities.

Many children with disabilities did not attend primary or secondary school. Those who attended generally did so with nondisabled peers. Few students with disabilities reached the university level because many primary and secondary schools were unable to accommodate their disabilities.

Some citizens viewed disability as a curse or punishment that could result in social exclusion and sometimes abandoned or hid children with disabilities from the community.

National/Racial/Ethnic Minorities

The constitution provides for the eradication of ethnic, regional, and other divisions in society and the promotion of national unity. Longstanding tensions in the country culminated in the 1994 state-orchestrated genocide that killed between 750,000 and one million citizens, including approximately three-quarters of the Tutsi population. Following the killing of the president in 1994, an extremist interim government directed the Hutu-dominated national army, militia groups, and ordinary citizens to kill resident Tutsis and moderate Hutus. The genocide ended later in 1994 when the predominantly Tutsi RPF, operating from Uganda and northern Rwanda, defeated the national army and Hutu militias and established an RPF-led government of national unity that included members of eight political parties.

Since 1994 the government has called for national reconciliation and abolished the policies of the former government that created and deepened ethnic cleavages. The government removed all references to ethnicity in official discourse--with the exception

of references to the genocide that is officially termed "the 1994 genocide against the Tutsi"--and eliminated ethnic quotas for education, training, and government employment.

Some individuals stated the government's reconciliation policies and programs failed to recognize Hutu victims of the genocide or crimes committed by the RPF after the end of the genocide.

Indigenous People

After the genocide the government banned identity card references to Hutu, Tutsi, or Twa ethnicity and prohibited social or political organizations based on ethnic affiliation. As a result the Twa, who numbered approximately 34,000, lost their official designation as an ethnic group. The government no longer recognizes groups advocating specifically for Twa needs, and some Twa believed this government policy denied them their rights as an indigenous ethnic group.

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

No laws criminalize sexual orientation or consensual same-sex sexual conduct between adults. The law does not explicitly prohibit discrimination against lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons in housing, employment, nationality laws, or access to government services such as health care. Cabinet-level government officials expressed support for the human rights of all persons regardless of sexual orientation, but LGBTI persons reported societal discrimination and abuse, including challenges to officially registering NGOs.

HIV and AIDS Social Stigma

The penal code provides for imprisonment of up to six months or a fine of up to 500,000 Rwandan francs ($575) or both for persons convicted of stigmatizing a sick person without the intention to protect the sick person or others. There were no reports of prosecutions under this statute. Discrimination against persons with HIV/AIDS occurred, although such incidents remained rare. The government actively supported relevant public education campaigns, including establishing HIV/AIDS awareness clubs in secondary schools and making public pronouncements against stigmatization of those with the disease.

The penal code also provides stiffer penalties for conviction of rape and defilement in cases of transmission of an incurable illness. In most cases of sexual violence, the victim and alleged perpetrator both undergo HIV testing.

According to RDF policy and in keeping with UN guidelines, the military did not permit its members with HIV/AIDS to participate in peacekeeping missions abroad but allowed them to remain in the RDF.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

In August the government enacted a law regulating labor. The law provides for the right to form and join unions and employer associations, bargain collectively and strike, but it places severe restrictions on these rights. An employer may refuse a recognized union access to the workplace, and the union must appeal this to the labor court. A union must include a majority of workers in the enterprise. Labor disputes are mediated by local, then national labor inspectors before they may be referred to a court, which may refuse to hear the case. The law applies to all employees with contracts. The law applies to informal sector employees with regard to occupational health and safety and the right to form trade unions and employers' associations, but it does not address strikes in the informal sector.

The law provides that ministerial orders define implementation of labor law in many respects; as of September 15, many orders had not been issued.

The law provides some workers the right to conduct strikes, subject to numerous restrictions. The law states that employees have the right to strike in compliance with the provisions of the law and that a strike is legal when the arbitration committee has allowed more than 15 working days to pass without issuing a decision, the conciliation resolution on collective dispute has not been implemented, or the court award has not been enforced. The law further states all strikes must be preceded by a notice of four working days. The law states that a strike or lockout must not interrupt the continuity of "essential services" as defined by the Ministry of Public Service and Labor. The ministry broadly defined essential services to include public transportation, security, education (during national exams), water and sanitation, and telecommunications, which severely restricted the right to strike in these fields.

There were 29 labor unions organized into three confederations: 15 unions represented by the Rwanda Confederation of Trade Unions (CESTRAR), seven by the Labor and Worker's Brotherhood Congress (COTRAF), and seven by the National Council of Free Trade Union Organizations in Rwanda. All three federations ostensibly were independent, but CESTRAR had close links to the government and the ruling RPF party.

Freedom of association and the right to collective bargaining generally were not respected. The government did not enforce applicable laws effectively and restricted these rights.

The government severely limited the right to collective bargaining, and legal mechanisms were inadequate to protect this right. Labor union officials commented that many private-sector businesses controlled by the RPF or the RDF were off limits to

collective bargaining negotiations. The government also controlled collective bargaining with cooperatives and mandatory arbitration. No labor union had an established collective bargaining agreement with the government.

Collective bargaining occasionally was practiced in the private sector. For example, in 2015 an international tea exporter renewed its 2012 collective bargaining agreement with its employees. CESTRAR, COTRAF, and the Ministry of Labor participated in the negotiations.

There were neither registered strikes nor anecdotal reports of unlawful strikes during the year; the most recent recorded strike was by textile workers in 2013.

National elections for trade union representatives were last held in 2015. Trade union leaders stated the government interfered in the elections and pressured some candidates not to run.

There were no functioning labor courts or other formal mechanisms to resolve antiunion discrimination complaints, and COTRAF reported it could take four to five years for labor disputes to be resolved through the civil courts. According to several trade unions, employers in small companies frequently used transfers, demotions, and dismissals to intimidate union members.

b. Prohibition of Forced or Compulsory Labor

The law prohibits forced labor and states it is unlawful to permit the imposition of forced labor. The government generally enforced the law. In 2014 the government issued a national trafficking in persons action plan that included programs to address forced labor; the government continued to update the plan during the year. In September the government enacted an updated law to prevent, suppress, and punish trafficking in persons. The 2018 Antitrafficking law prescribes penalties for conviction of imprisonment or fines. Penalties were sufficiently stringent to deter violations and were commensurate with those prescribed for other serious crimes, such as rape. Child trafficking convictions are subject to life imprisonment and a fine of 15 to 20 million Rwandan francs ($17,240 to $23,000). Conviction for subjecting a person to forced labor is punishable by at least five years in prison and a fine of not less than five million Rwandan francs ($5,750), with the penalties being higher if the victim is a child or a vulnerable person. Statistics on the number of victims removed from forced labor were not available. No reports indicate that forced labor by adults is a significant problem in the country.

Also see the Department of State's annual *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/ (http://www.state.gov/j/tip/rls/tiprpt/).

c. Prohibition of Child Labor and Minimum Age for Employment

The minimum age for full-time employment is 16, but children ages 13 to 15 are allowed to perform light work in the context of an apprenticeship. The law prohibits children younger than age 18 from participating in physically harmful work, including work underground, under water, at dangerous heights, or in confined spaces; work with dangerous machinery, equipment, and tools, or which involves the manual handling or transport of heavy loads; work that exposes the child to unsafe temperatures or noise levels; and work for long hours or during the night. A 2010 Ministry of Labor ministerial order determines the nature of other prohibited forms of work for a child.

In addition to national law, some districts enforced local regulations against hazardous child labor and sanctioned employers and parents for violations. Police, immigration officials, local government officials, and labor inspectors received training on identifying victims of trafficking.

The NCC took the lead role in designating responsible agencies and establishing actions to be taken, timelines, and other concrete measures in relation to the integrated child rights policy and various national commissions, plans, and policies related to child protection subsumed therein. At the local level, 149 child-labor committees monitored incidents of child labor, and each district was required to establish a steering committee to combat child labor. At the village level, 320 child-labor focal point volunteers were supported by 10 national protection officers appointed by the NCC and 48 social workers.

The Ministry of Labor conducted labor inspections of sectors of the economy known to employ children, focusing on domestic work and the agriculture sector. The RNP operated a child protection unit. District government officials, as part of their performance contracts, enforced child-labor reduction and school attendance benchmarks. Observers noted considerable political will to address child labor but also that the government remained sensitive to public attention regarding the extent of child labor in the country. For example, the government continued to refuse to “validate” a 2015 NGO report on the prevalence of child labor in the tea sector.

The government worked with NGOs to raise awareness of the problem and to identify and send to school or vocational training children involved in child labor. As of August 2, private-sector businesses had not responded to the Ministry of Labor’s invitation to sign a memorandum of understanding committing them to eradicate child labor. The government’s 12-year basic education program aided in reducing the incidence of child labor, although many children who worked also attended school because classes were held in alternating morning or afternoon shifts. The government fined those who illegally employed children or parents who sent their children to work instead of school.

The government did not enforce the law effectively. The number of inspectors was inadequate, and penalties were not sufficient to deter violations. The majority of child laborers worked in the agricultural sector and as household domestics. Child labor also existed in isolated instances in small companies and light manufacturing, in cross-border transportation, construction, and mining industries. Children received low wages, and abuse was common. In addition forced labor and child sex trafficking were problems.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/reports/child-labor/findings/ (http://www.dol.gov/ilab/reports/child-labor/findings/).

d. Discrimination with Respect to Employment and Occupation

The law prohibits discrimination based on ethnic origin, family or ancestry, clan, race, sex, region, religion, culture, language, and physical or mental disability, as well as any other form of discrimination. The constitution requires equal pay for equal work.

The government did not consistently enforce antidiscrimination laws, and there were numerous reports of discrimination based on gender, disability, and ethnic origin. Migrant workers enjoyed the same legal protections, wages, and working conditions as citizens.

e. Acceptable Conditions of Work

The law states the Ministry of Labor may establish a minimum wage by ministerial order, but as of September 13, such an order had not been issued.

The law provides a standard workweek of 45 hours and 18 to 21 days' paid annual leave, in addition to official holidays. The law provides employers with the right to determine daily rest periods. Most employees received a one-hour lunch break. The law states female employees who have given birth are entitled to a maternity leave of at least 12 consecutive weeks. The law states collective agreements must address the compensation rate for overtime.

The law states employers must provide for the health, safety, and welfare of employees and visitors and that enterprises are to establish occupational safety and health committees. The law also states employees are not required to pay any cost in connection with measures aimed at ensuring occupational health and safety. Authorities conducted public awareness campaigns to inform workers of their rights and highlight employers' obligation to register employees for social security and occupational health insurance and pay into those benefit systems. The law states the Ministry of Labor was to determine general occupational health and safety conditions by ministerial order, but as of September 13, such an order had not been issued.

The government did not effectively enforce the law. The number of inspectors was not sufficient to enforce labor standards effectively. The government employs 35 labor inspectors, although the International Labor Organization recommends that a country with the size of Rwanda's workforce employ roughly 156 inspectors. The many violations reported to labor unions compared to the few actions taken by the government and employers to remedy substandard working conditions suggested penalties were insufficient to deter violations.

Families regularly supplemented their incomes by working in small businesses or subsistence agriculture in the informal sector, which included approximately 90 percent of all workers. Most workers in the formal sector worked six days per week. Violations of wage, overtime, and occupational health and safety standards were common in both the formal and informal sectors. Local media highlighted the common problem of employers violating the law by not registering employees for social security or occupational health insurance and not paying into those benefit systems. Workers in the subcontractor and business process outsourcing sectors were especially vulnerable to hazardous or exploitative working conditions. Statistics on workplace fatalities and accidents were not available, but ministry officials singled out mining as a sector with significant problems in implementing occupational safety and health standards. There were no major industrial accidents during the year.

Workers did not have explicit rights to remove themselves from situations that endangered their health or safety without jeopardizing their jobs. The Ministry of Labor maintained a list of dangerous professions subject to heightened safety scrutiny.

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