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## Freedom in the World 2009 - Rwanda

**Capital:** Kigali

**Population:** 9,600,000

Political Rights Score: 6

Civil Liberties Score: 5

Status: Not Free

### Overview

The ruling Rwandan Patriotic Front won an overwhelming victory in September 2008 parliamentary elections. The process of judging perpetrators of the 1994 moved towards its conclusion during the year, with the docket of locally adjudicated cases emptying and the International Court for Rwanda receiving a one-year extension, to 2010, to finish its work. Rebel forces in eastern Congo with close ties to Rwanda made significant territorial gains amidst widespread violence and human rights abuses.

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

Habyarimana was killed when his plane was shot down near Kigali in April 1994. While the perpetrators have never been definitively identified, Hutu extremists immediately pursued the complete elimination of the Tutsi. During the genocide, which lasted for approximately three and a half months, as many as a million Tutsis and Hutu moderates were killed. By July, however, the RPF had succeeded in taking control of Kigali and establishing an interim government of national unity.

The Hutu-dominated army and militia, along with as many as two million Hutu refugees, fled into neighboring countries, especially the Democratic Republic of Congo (DRC). These forces were able to retrain and rearm in the midst of international relief efforts to assist the refugees. The United Nations, which had ignored specific warnings of the impending 1994 genocide, failed to prevent the new activity, and the RPF responded by attacking refugee camps in the DRC.

Nearly three million refugees returned to Rwanda between 1996 and 1998 and were peacefully reintegrated into society. Security improved considerably after 1997, although isolated killings and disappearances continued. The RPF-led government has closely directed the country's political life. In 2000, President Pasteur Bizimungu, a moderate Hutu installed by the RPF, resigned and was replaced by Vice President Paul Kagame, a Tutsi.

Rwanda's extended postgenocide political transition officially ended in 2003 with a new constitution and national elections. The RPF's preeminent position – combined with a short campaign period, the advantages of incumbency, and a pliant political culture traumatized by the effects of the genocide – ensured victory for Kagame in the presidential vote and for the RPF and its allies in subsequent parliamentary elections. The largest opposition party, the Hutu-based Democratic Republican Movement (MDR), was declared illegal by the authorities before the elections for allegedly promoting ethnic hatred.

A 2004 parliamentary commission report criticized a number of nongovernmental organizations (NGOs) for propagating "genocide ideology," causing these organizations to significantly limit criticism of the government. Bizimungu was sentenced to 15 years in prison after being convicted of antistate activities, although Amnesty International and other independent observers questioned the trial's fairness. The Supreme Court in February 2006 upheld Bizimungu's prison sentence, but overturned the convictions of six of his codefendants.

While the RPF maintained its control in 2007, several improvements in Rwanda's political rights occurred during the year. In April, Bizimungu was pardoned and released. A ban on political party offices at the local level was lifted in June, and several parties began organizing efforts. Meanwhile, the UN International Criminal Tribunal for Rwanda (ICTR) moved ahead with its genocide cases, as did the traditional justice system of *gacaca*, used to adjudicate other genocide-related atrocities. The government, however, continued to restrict press freedom and harass journalists.

The coalition led by the ruling RPF won handily in the September 2008 parliamentary elections, securing 78 percent of the vote and 42 out of 53 elected seats in the lower house. By contrast, the opposition Social Democratic Party secured seven seats, and the Liberal Party four.

By year's end, the ICTR had indicted a total of 91 individuals and completed 35 trials since its inception in 1994. Cases against 33 individuals were ongoing in 2008. In July, the ICTR extended its mandate for another year in order for the ICTR's work to be completed. A Spanish judge in February indicted 40 senior Rwandan military officers for alleged atrocities committed during the genocide; the judge also accused President Kagame of wrongdoing, but he is immune from prosecution as a sitting president. Meanwhile, the Rwandan government in August issued a report alleging French complicity in the genocide, and in April, the minister of justice called for international sanctions against both the Spanish judge and a French judge who in 2006 had issued an indictment against senior RPF military leaders on grounds of complicity in the downing of President Habyarimana's aircraft in 1994.

Positive results from the agricultural sector due to greater grain and potato production helped to increase economic growth to approximately 8 per cent in 2008. Meanwhile, in neighboring DRC, rebel forces with close ties to Rwanda led by General Laurent Nkunda made significant territorial gains in the eastern part of the country and were responsible for perpetrating widespread violence and human rights abuses. A U.N. report issued in December 2008 accused the Rwandan government of supporting General Nkunda's forces.

### Political Rights and Civil Liberties

Rwanda is not an electoral democracy. International observers have noted that the 2003 presidential and 2003 and 2008 parliamentary elections, while administratively acceptable, presented Rwandans with only a limited degree of political choice. The 2003

constitution grants broad powers to the president, who can serve up to two seven-year terms and has the authority to appoint the prime minister and dissolve the bicameral Parliament. The 26-seat upper house, the Senate, consists of 12 members elected by local councils, 8 appointed by the president, 4 chosen by a forum of political parties, and 2 representatives of universities, all serving eight-year terms. The Chamber of Deputies, or lower house, includes 53 directly elected members and 24 women chosen by local councils. All serve five-year terms.

The constitution officially permits political parties to exist, but only under certain conditions, and the constitution's emphasis on "national unity" has the effect of limiting political pluralism. The RPF dominates the political arena, and parties closely identified with the 1994 genocide are banned, as are parties based on ethnicity or religion. The constitutionally mandated Political Party Forum vets proposed policies and draft legislation before they are introduced in Parliament. All parties must belong to the Forum, which operates on the principle of consensus, though in practice the RPF guides its deliberations. Parliamentary committees, however, have begun to question ministers and other executive branch officers more energetically, and some of these deliberations are reported in the local press. In April 2008, the government ombudsman recommended that Parliament ban four of the eight registered political parties, alleging that they had failed to declare their assets, but this had not occurred by year's end.

The government has undertaken a number of anticorruption measures, but graft represents a significant problem. A number of senior government officials in recent years have been fired and faced prosecution for alleged corruption, embezzlement, and abuse of power. Government institutions focused on combating corruption include the Office of the Ombudsman, the auditor general, and the National Tender Board. Rwanda was ranked 102 out of 180 countries surveyed in Transparency International's 2008 Corruption Perceptions Index.

The RPF has imposed a number of legal restrictions and informal controls on the media, and press freedom groups have accused the government of intimidating independent journalists. Publications such as the independent national weekly *Umuseso* have been closely watched, harassed, and repeatedly prosecuted. Journalists censor their own writing and say the authorities have made it clear that certain topics cannot be discussed. In March 2008, Bonaventure Bizumuremyi, the founder and editor of the private newspaper *Umuco*, went into hiding to avoid facing prosecution on defamation charges for claiming that President Paul Kagame and other senior leaders committed human rights abuses in response to the genocide. The same month, the High Press Council, a quasi-governmental media regulatory entity, recommended to the authorities that *Umuco* be suspended for a year. The broadcast media are government controlled, although private radio and television stations can be licensed. The government has recently shown greater willingness to engage with independent media in organized events like presidential press conferences, where critical questions are entertained, and radio call-in shows. Government officials, however, have also used these platforms to warn against perceived abuses of press freedoms. There is limited but increasing internet access. Authorities do not restrict access to the internet, but its penetration in the country remains limited.

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

Although the constitution codifies freedoms of association and assembly, in reality these rights are limited. Some nongovernmental organizations have complained that registration and reporting procedures are excessively time-consuming and onerous, and activities that the government defines as "divisive" are prohibited. Several organizations have been banned in recent years or have refrained from criticizing the RPF. However, most civil society organizations which do not focus on sensitive subjects, such as democracy and human rights, function without direct government interference. Academic freedom is generally respected.

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

The judiciary has yet to secure full independence from the executive. Nevertheless, a 2008 report by Human Rights Watch noted some recent improvements in the judicial system, including the fairly successful functioning of the gacaca system, an increased presence of defense lawyers at trials, improved training for court staff, and revisions to the legal code. Government official stated that they expected the gacaca process to be finished in 2009. While their behavior does not appear to reflect official policy, individual police officers sometimes use excessive force, and local officials periodically ignore due process protections. In October 2008, two army captains were sentenced to eight years in prison for killing 13 priests in 1994, although their superiors were not found guilty.

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

The 2003 constitution requires women to occupy at least 30 percent of the seats in each chamber of Parliament. As a result of the 2008 elections, Rwanda became the first country in the world to have a majority of women in Parliament, with 56 percent of seats in the lower house held by women. Both the speaker of the lower house and chief justice are women. Women's rights to inherit land have been strengthened through legislation. An international report found in 2006 that Rwanda had made significant strides toward achieving an equal balance of girls and boys in primary school education, and special incentives exist to promote the advancement of girls in science-related study topics. Despite these improvements, ongoing de facto discrimination against women continues. Economic and social dislocation has forced women to take on many new roles, especially in the countryside.

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