

# UNIVERSAL PERIODIC REVIEW 2010

## RWANDA

NGO: European Centre for Law and Justice  
4, Quai Koch 67000 Strasbourg France

### RELIGIOUS FREEDOM IN THE REPUBLIC OF RWANDA

The laws and institutions of Rwanda generally protect religious freedom. However, those freedoms may sometimes be lost when in conflict with the nation's prohibitions on the support of "genocide ideology" and "divisionism."<sup>1</sup> These two prohibitions, which attempt to prevent divisions between the two main ethnic groups in the nation, arose in response to the horrific genocide of 1994.<sup>2</sup> Accordingly, the resultant tensions in the nation have less to do with religion than with the government's desire to maintain ideological control over the Rwandan population through, for example, strict control of the press.<sup>3</sup>

#### SECTION 1: *Legal Framework*

#### **I. Rwandan Constitutional Provisions on Religious Freedom and Freedom of Expression**

The Constitution of the Republic of Rwanda was adopted on 26 May 2003 and provides for numerous protections of religious freedom.<sup>4</sup> These protections include guarantees of "[f]reedom of thought, opinion, conscience, religion, worship and the public manifestation thereof,"<sup>5</sup> freedom of association,<sup>6</sup> and freedom of peaceful assembly.<sup>7</sup> The Constitution also provides that "[d]iscrimination of whatever kind based on, inter alia, ethnic origin, tribe, clan, colour, sex, region, social origin, religion or faith, opinion, economic status, culture, language, social status, physical or mental disability or any other form of discrimination is prohibited and punishable by law."<sup>8</sup> Partly based on a resolution "to fight the ideology of genocide and all its manifestations,"<sup>9</sup> the Constitution also provides for a National Commission for Human Rights that shall be an independent institution responsible for education and investigation concerning human rights

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<sup>1</sup> See Kenneth Roth, *The Power of Horror in Rwanda*, L.A. TIMES, Apr. 11, 2009, available at <http://articles.latimes.com/2009/apr/11/opinion/oe-roth11>.

<sup>2</sup> See Organic Law No. 18/2008 of 23/07/2008, Codes and Laws of Rwanda [Ministry of Justice], available at [http://www.amategeko.net/display\\_rubrique.php?Information\\_ID=2396&Parent\\_ID=30701065&type=public&Langue\\_ID=An](http://www.amategeko.net/display_rubrique.php?Information_ID=2396&Parent_ID=30701065&type=public&Langue_ID=An); Organic Law No. 47/2001 of 18/12/2001, Codes and Laws of Rwanda [Ministry of Justice] available at [http://www.amategeko.net/display\\_rubrique.php?Information\\_ID=1190&Parent\\_ID=30692280&type=public&Langue\\_ID=An](http://www.amategeko.net/display_rubrique.php?Information_ID=1190&Parent_ID=30692280&type=public&Langue_ID=An).

<sup>3</sup> See Roth, *supra* note 1.

<sup>4</sup> CONST. OF THE REP. OF RWANDA.

<sup>5</sup> *Id.* art. 33.

<sup>6</sup> *Id.* art. 35.

<sup>7</sup> *Id.* art. 36.

<sup>8</sup> *Id.* art. 11.

<sup>9</sup> *Id.* pmbl.

matters in Rwanda.<sup>10</sup> Despite these protections, there are reports that the Rwandan government has violated the religious freedom of some, especially of Jehovah's Witnesses.<sup>11</sup>

## **II. International and Domestic Laws Concerning Religious Freedom**

Rwanda is a party to the International Covenant on Civil and Political Rights (ICCPR),<sup>12</sup> the International Covenant on Economic, Social and Cultural Rights (ICESCR),<sup>13</sup> and the African (Banjul) Charter on Human and Peoples' Rights.<sup>14</sup> While these treaties protect religious freedom, several domestic statutes also govern the functioning of religious groups and individuals in Rwandan society. First, a penal code provision penalizes anyone who interferes with a religious ceremony or a religious minister's exercise of his or her professional duties.<sup>15</sup> Another statute requires that religious groups register with the government in order to assemble.<sup>16</sup> Yet another statute prohibits unauthorized nighttime meetings.<sup>17</sup> Also, Rwanda restricts areas in which religious groups may hold worship services; they are restricted to their own established houses of worship.<sup>18</sup> Further, Rwanda prohibits political parties from forming for a discriminatory purpose, including discrimination having a religious basis.<sup>19</sup> Finally, "genocide ideology"<sup>20</sup> and "divisionism" are prohibited.<sup>21</sup>

## **III. Human Rights Abuses**

The government uses the prohibitions on genocide ideology and divisionism against political opponents and others who disagree with government positions.<sup>22</sup> "Genocide ideology" consists of thoughts and acts "aiming at exterminating or inciting others to exterminate people" based on some discriminatory category, such as ethnicity or sex.<sup>23</sup> "Divisionism," also called "sectarianism,"<sup>24</sup> is "the use of any speech, written statement or action that divides people, that is

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<sup>10</sup> *Id.* art. 177.

<sup>11</sup> See U.S. DEP'T OF STATE, INTERNATIONAL RELIGIOUS FREEDOM REPORT (2009) [hereinafter 2009 RELIGIOUS FREEDOM REPORT], available at <http://www.state.gov/g/drl/rls/irf/2009/127250.htm>.

<sup>12</sup> International Covenant on Civil and Political Rights, 16 Dec. 1966, 999 U.N.T.S. 171.

<sup>13</sup> International Covenant on Economic, Social and Cultural Rights, 16 Dec. 1966, 993 U.N.T.S. 3.

<sup>14</sup> African (Banjul) Charter on Human and Peoples' Rights, adopted 27 June 1981, OAU Doc. CAB/LEG/67/3 rev. 5, 21 I.L.M. 58, entered into force 21 Oct. 1986, available at [http://www.africa-union.org/official\\_documents/Treaties\\_%20Conventions\\_%20Protocols/Banjul%20Charter.pdf](http://www.africa-union.org/official_documents/Treaties_%20Conventions_%20Protocols/Banjul%20Charter.pdf).

<sup>15</sup> 2009 RELIGIOUS FREEDOM REPORT, *supra* note 11.

<sup>16</sup> *Id.*

<sup>17</sup> *Id.* This statute was initially established to prevent political rebels from assembling under the guise of a religious service before attacking nearby targets. U.S. DEP'T OF STATE, INTERNATIONAL RELIGIOUS FREEDOM REPORT (2001), available at <http://www.state.gov/g/drl/rls/irf/2001/5743.htm>. Today, this statute remains in effect primarily as a means of noise control to prevent a public nuisance. 2009 RELIGIOUS FREEDOM REPORT, *supra* note 11.

<sup>18</sup> 2009 RELIGIOUS FREEDOM REPORT, *supra* note 11.

<sup>19</sup> Organic Law No. 16/2003 of 17/06/2003, Codes and Laws of Rwanda [Ministry of Justice], c.1, art. 5, available at [http://www.amategeko.net/display\\_rubrique.php?Information\\_ID=1448&Parent\\_ID=30694888&type=public&Langue\\_ID=An](http://www.amategeko.net/display_rubrique.php?Information_ID=1448&Parent_ID=30694888&type=public&Langue_ID=An).

<sup>20</sup> Organic Law No. 18/2008 of 23/07/2008.

<sup>21</sup> Organic Law No. 47/2001 of 18/12/2001.

<sup>22</sup> See Roth, *supra* note 1.

<sup>23</sup> Organic Law No. 18/2008 of 23/07/2008.

<sup>24</sup> HUMAN RIGHTS WATCH, LAW AND REALITY: PROGRESS IN JUDICIAL REFORM IN RWANDA 34 (2008), available at <http://www.hrw.org/en/reports/2008/07/24/law-and-reality-0>.

likely to spark conflicts among people, or that causes an uprising which might degenerate into strife among people based on discrimination.”<sup>25</sup>

As an example of the government’s use of the laws to suppress political disagreement, Pasteur Bizimungu (former president of Rwanda and founder of a political party), in 2000, and Victoire Ingabire (potential presidential candidate for the 2010 election), in 2010, were arrested because their opposition to the government was taken to constitute genocide ideology.<sup>26</sup>

The government’s use of these prohibitions especially restricts the freedom of the press. Freedom House categorizes the status of press freedom in Rwanda as “Not Free,” noting that “[t]he media are tightly controlled by the government in practice,” despite laws already in place to the contrary.<sup>27</sup> Tactics of this control include the suspension of media outlets for promoting genocide ideology, intimidation of newspaper editors and writers by the government, and failure to investigate disappearances of, or attacks upon, journalists.<sup>28</sup> Furthermore, a recently-passed law now “bans all Rwandan journalists without a university degree or certificate from working in the field[, but] most independent journalists have neither.”<sup>29</sup>

Regarding violations of religious freedom, the government recently threatened to fire Jehovah’s Witness teachers who refused, for religious reasons, to attend government-sponsored solidarity camps (government-run ideological training camps meant to produce uniformity in the nation and to prevent genocide ideology).<sup>30</sup> The government also arrested members of an Adventist church who refused to accept their national identity cards because they believed Scripture associated the cards with the number “666,” representing Satan.<sup>31</sup>

These instances reveal the government’s propensity to use the laws of genocide ideology and divisionism to justify a range of human rights abuses, including violations of religious freedom and freedom of the press.<sup>32</sup> The crimes of genocide ideology and divisionism are ambiguously defined.<sup>33</sup> The terms are often confused, and they are implemented in an oppressive manner, amounting in many instances to abusive restrictions to suppress those with whom the government disagrees.<sup>34</sup>

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<sup>25</sup> Organic Law No. 47/2001 of 18/12/2001.

<sup>26</sup> See BBC, *From President to Prison*, BBC NEWS, June 7, 2004, <http://news.bbc.co.uk/2/hi/africa/3728807.stm>; Hotel Rwanda Rusesabagina Found., *Rwandan Opposition Candidate Victoire Ingabire Arrested*, <http://hrrfoundation.org/rwandan-opposition-candidate-victoire-ingabire-arrested/> (available in appendix in full).

<sup>27</sup> Freedom House, *Map of Press Freedom 2009 – Rwanda* (2009), <http://www.freedomhouse.org/template.cfm?page=251&year=2009>.

<sup>28</sup> See Committee to Protect Journalists, *Rwanda shuts critical papers in run-up to presidential vote*, [http://www.ifex.org/rwanda/2010/04/14/papers\\_suspended/](http://www.ifex.org/rwanda/2010/04/14/papers_suspended/) (available in appendix in full); Nick Wadhams, *Is Rwanda’s Hero Becoming Its Oppressor?*, TIME, Apr. 24, 2010, <http://www.time.com/time/world/article/0,8599,1984315,00.html>; HUMAN RIGHTS WATCH, *WORLD REPORT 2010* 151–52 (2010), available at <http://www.hrw.org/world-report-2010>.

<sup>29</sup> WORLD REPORT 2010, *supra* note 28.

<sup>30</sup> Godfrey Ntagungira, *Jehovah’s Witnesses Shun Ingando*, NEW TIMES, Apr. 21, 2008, <http://www.newtimes.co.rw/index.php?issue=13508&article=5766> (available in appendix in full).

<sup>31</sup> Daniel Sabiiti, *Residents Arrested Over ID Rejection*, NEW TIMES, May. 14, 2010, <http://www.newtimes.co.rw/index.php?issue=14260&article=29131> (available in appendix in full).

<sup>32</sup> See Roth, *supra* note 1.

<sup>33</sup> LAW AND REALITY, *supra* note 24, at 42; see also Roth, *supra* note 1 (“[As a] tool of control . . . , the law outlawing ‘genocide ideology’ is written so broadly, that it can encompass even the most innocuous comments.”).

<sup>34</sup> *Id.*; Hotel Rwanda Rusesabagina Found., *supra* note 26.

## SECTION 2: *Incidents of Religious Persecution and Discrimination*

Below are selected incidents of human rights violations in Rwanda.

1. In July 2008, the government deported Tanzanian-born Fuhara Mugisha, the deputy managing editor of *Umuseso*, one of the leading independently-run newspapers in Rwanda. Officers told the editor they wanted to take him to their office to assist in an investigation, but instead took him to a border crossing and expelled him to Tanzania, prompting Reporters Without Borders to call this an “unacceptable act of intimidation that yet again highlights the Rwandan government’s inability to tolerate the few independent publications” in Rwanda.<sup>35</sup>
2. In April 2009, the government suspended a BBC radio service for “unacceptable speech” about the Rwandan genocide because of a planned debate on forgiveness among Rwandans after the genocide. The debate was supposed to feature comments by a former presidential candidate and by a Hutu man, both of whom questioned the refusal to allow Hutus to mourn the deaths of loved ones killed by the Rwandan Patriotic Front (RPF) during the genocide.<sup>36</sup>
3. In December 2009, *Umuseso* was accused of defamation of two governmental officials after publishing a story claiming to reveal an extra-marital relationship between the two officials. The officials claim the story is untrue.<sup>37</sup>
4. In February 2010, journalists Charles Kabonero, Didas Gasana, and Richard Kayigamba, who worked for the newspaper *Umuseso*, were sentenced to jail terms for invading the privacy of the subject of one of the newspaper’s articles. Reporters Without Borders called this a clear attempt “to silence one of the country’s few independent publications.”<sup>38</sup>
5. In April 2010, the Rwandan government suspended *Umuseso* and another independently-run newspaper, known for critical coverage of the ruling party, in the run-up to the presidential election in August 2010. The newspapers were accused of “insulting the head of state, inciting . . . insubordination, and creating fear among the public,” and the suspension was set for six-months—till just after the election. The Committee to Protect Journalists called this a “thinly disguised attempt at censorship” of alternative voices during the presidential-election season.<sup>39</sup>

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<sup>35</sup> Reporters Without Borders, *Deputy managing editor of independent weekly deported*, July 18, 2008, [http://www.ifex.org/rwanda/2008/07/18/deputy\\_managing\\_editor\\_of\\_independent/](http://www.ifex.org/rwanda/2008/07/18/deputy_managing_editor_of_independent/) (available in appendix in full).

<sup>36</sup> Media Institute, *Government suspends BBC radio service for “unacceptable speech”*, Apr. 29, 2009, [http://www.ifex.org/rwanda/2009/04/29/government\\_suspends\\_bbc\\_radio\\_service/](http://www.ifex.org/rwanda/2009/04/29/government_suspends_bbc_radio_service/) (available in appendix in full).

<sup>37</sup> Media Institute, *Tabloid accused of defaming government officials*, Dec. 15, 2009, [http://www.ifex.org/rwanda/2009/12/18/weekly\\_in\\_court/](http://www.ifex.org/rwanda/2009/12/18/weekly_in_court/) (available in appendix in full).

<sup>38</sup> Reporters Without Borders, *Court sentences three journalists to prison*, Feb. 23, 2010, [http://www.ifex.org/rwanda/2010/02/23/three\\_journalists\\_sentenced/](http://www.ifex.org/rwanda/2010/02/23/three_journalists_sentenced/) (available in appendix in full).

<sup>39</sup> Committee to Protect Journalists, *supra* note 28.

6. A presidential hopeful, Victoire Ingabire, was arrested on 21 April 2010 for propagating “genocide ideology” after she claimed that Hutus were also victims during the 1994 genocide.<sup>40</sup>
7. The government has refused to allow the registration of the United Democratic Forces Party, which opposes the current government, and has thus prevented the Party from providing opposing candidates for the 2010 presidential election.<sup>41</sup>
8. In March 2010, the government denied a visa to a Human Rights Watch worker, Carina Tertsakian, citing insignificant application errors. It further responded that it “was not satisfied” when the organization certified the application and explained the errors. This denial occurred on the application deadline for all international NGOs’ registration, and thus prevented the human rights worker from receiving the visa.<sup>42</sup>
9. In May 2010, the government arrested twenty-one people claiming to be members of the Adventist Church because of their refusal to accept their national identity cards. They refused based on religious reasons, claiming that the cards are identified with Satan through the number “666” inscribed on most of the documents.<sup>43</sup>
10. In April 2008, the government threatened to fire sixty Jehovah’s Witness teachers who failed to attend a government-run unity and reconciliation initiative. Officials stated that if the teachers skipped for religious reasons, as opposed to family or individual problems, they would be dismissed.<sup>44</sup> The U.S. State Department’s *2009 International Religious Freedom Report* states that, along those lines, 215 Jehovah’s Witness teachers were fired in 2009 for refusing, for religious reasons, to attend government-run solidarity camps.<sup>45</sup>

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<sup>40</sup> Hotel Rwanda Rusesabagina Found., *supra* note 26; Jeffrey Gettleman, *Presidential Candidate Is Arrested in Rwanda*, N.Y. TIMES, Apr. 22, 2010, at A12, available at <http://www.nytimes.com/2010/04/22/world/africa/22rwanda.html?ref=rwanda> (available in appendix in full).

<sup>41</sup> AMNESTY INTERNATIONAL, RWANDA: END HUMAN RIGHTS CLAMPDOWN BEFORE PRESIDENTIAL ELECTIONS (Apr. 24, 2010), available at <http://www.amnesty.org/en/library/asset/AFR47/003/2010/en/26e9e4e0-37b1-4e09-9191-96eb5ac72fa4/af470032010en.html> (available in appendix in full).

<sup>42</sup> *Id.*

<sup>43</sup> Sabiiti, *supra* note 31.

<sup>44</sup> Ntagungira, *supra* note 30.

<sup>45</sup> 2009 RELIGIOUS FREEDOM REPORT, *supra* note 11.

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### RELIGIOUS FREEDOM IN THE REPUBLIC OF RWANDA

#### APPENDIX

**1. Reporters Without Borders, Deputy managing editor of independent weekly deported**

Apr. 29, 2009

[http://www.ifex.org/rwanda/2008/07/18/deputy\\_managing\\_editor\\_of\\_independent/](http://www.ifex.org/rwanda/2008/07/18/deputy_managing_editor_of_independent/)

(RSF/IFEX) - Reporters Without Borders strongly condemns this week's deportation of Fuhara Mugisha, the deputy managing editor of Rwanda's leading independent weekly, "Umuseso". Despite having a Rwandan mother, Mugisha is a citizen of neighbouring Tanzania.

"This is an unacceptable act of intimidation that yet again highlights the Rwandan government's inability to tolerate the few independent publications," Reporters Without Borders said. "In the run-up to legislative elections, we remind the government that media diversity is an essential condition for the holding of democratic elections."

Plain-clothes police came to Mugisha's home in the north Kigali district of Kacyru at 4 a.m. (local time) on 12 July 2008 and said they wanted to take him to their office to assist in an investigation. But instead they drove him to the immigration department and from there he was taken to the Rumoso border crossing into Tanzania and expelled.

"This is all part of a desire to gag the press and uproot the independent media," weekly's publisher, Charles Kabonero, said. Employed by "Umuseso" since 2003, Mugisha was the victim of a knife attack in 2004 by assailants who were never identified.

With a Rwandan mother and a Tanzanian father, Mugisha used to have a Rwandan passport and ID card, but the authorities refused to renew them in 2005.

**2. Media Institute, Government suspends BBC radio service for "unacceptable speech"**

Dec. 18, 2009

[http://www.ifex.org/rwanda/2009/04/29/government\\_suspends\\_bbc\\_radio\\_service/](http://www.ifex.org/rwanda/2009/04/29/government_suspends_bbc_radio_service/)

(Media Institute/IFEX) - On 25 April 2009, the Rwandan government suspended the British Broadcasting Corporation's (BBC) local-language radio service in the country saying it threatened the country's national reconciliation by hosting people with views negating the 1994 genocide.

A press statement released by Information Minister and government spokesperson Louise Mushikiwabo attributed the closure of the BBC's Kinyarwanda service to "unacceptable speech" on the 1994 Rwanda genocide. She pointed out that the BBC's broadcasts, especially its local vernacular programme "Imvo n'Imvano" (Analysis of the Source of a Problem), had, despite repeated written and verbal protests from government, consistently showed total disregard for Rwanda's unity and reconciliation efforts.

"This action by government was prompted by one of their programme called 'Imvo n'Imvano' this Saturday morning which was previewed last night (24 April)," Mushikiwabo told the state radio.

The suspension followed the station's broadcast of a promotion of a forthcoming feature of its weekly program "Imvo n'Imvano" that was to include a debate on forgiveness among Rwandans after the genocide. The advance segment included comments by a former presidential candidate, Faustin Twagiramungu, opposing the government's attempt to have the country's entire Hutu population apologize for the genocide, since not all Hutu people had killed Tutsi or otherwise participated in the genocide. It also included a man of mixed Hutu-Tutsi ethnicity questioning why the government had refused to allow relatives of those killed by the Rwanda Patriotic Front (RPF) - led by President Paul Kagame that took over the country and stopped the genocide - to mourn for their loved ones.

The minister said she contacted the BBC on the issue expecting them to reconsider "after hearing from us, but the broadcaster took no heed, leaving the government with no option but to take decisive action to save millions of Rwandans from the past of genocide ideology."

"The divisive and disparaging nature of these programs as they stand today is no longer acceptable, in light of the hard-earned peaceful coexistence of the people of Rwanda over the last 15 years," the statement read, adding that the government can no longer stand anyone who tries to create the impression that there was double genocide (one by the Hutu and the other by the Tutsi-led RPF in a bid to end it) in 1994.

The 1994 genocide mainly targeting the minority Tutsis claimed about a million people in just 100 days. But critics of President Paul Kagame's government and his ruling RPF, especially those claiming to belong to the Hutu class in exile, have always contended that several Hutus were also killed in revenge by RPF soldiers during the 1994 mayhem. They assert that there were therefore two genocides, one of Tutsis by extreme Hutus and another by Tutsis, probably acting in revenge.

Rwanda has since banned the use of ethnic labels and established stringent laws against divisionism and "genocide ideology" - a reference to those who argue that the RPF is guilty of genocide too. Last year, the parliament passed a harsh anti-genocide law, and the current

controversial media law is the latest of the government's measures to bury the ghost of genocide.

3. a. **Media Institute**, *Tabloid accused of defaming government officials*

Feb. 23, 2010

[http://www.ifex.org/rwanda/2009/12/18/weekly\\_in\\_court/](http://www.ifex.org/rwanda/2009/12/18/weekly_in_court/)

(Media Institute/IFEX) - December 15, 2009 - Only days after a Rwandan newspaper filed an appeal against a conviction for defamation over a sex story implicating public figures, another paper is being targeted over a similar story. The weekly "Umuseso" has been dragged to court and to the Media Council for allegedly defaming Minister of Cabinet Affairs Protais Musoni and Kigali Mayor Aisa Kirabo Kakira. Media Institute (MI) has learned that the High Council of the Media (HCM) wants the controversial weekly to reveal the sources of a damning story detailing an extra-marital relationship between the two officials.

In November 2009, Jean Bosco Gasasira, the editor of another tabloid, "Umuvugizi", was found guilty of defaming the country's Deputy Prosecutor Jean Bosco Mutangana in a lengthy article detailing a complicated extramarital relationship. He was fined US\$5,720.

In the case of "Umuseso", Minister Musoni, who was transferred a few months ago from the Ministry of Local Government, wrote to the Council in late November claiming his alleged affair with Mayor Kakira was a fabrication aimed at defaming him. The letter was also copied to the Minister of Information.

Ironically, the Minister of Information is yet to be appointed since the last cabinet reshuffle saw fire-spitting Louise Mushikiwabo transferred to Foreign Affairs. Currently, Musoni is the one overseeing the ministry.

According to a letter from the Media Council, the "Umuseso" management was asked to give details about the story published on 16 November in Issue 382. In a later edition, the tabloid revealed how Deputy Editor Didas Gasana was interrogated by officials from the National Prosecuting Authority on 8 December.

(...)

The Prosecutions Authority says it intends to file a case against the tabloid for defaming senior government officials - but does not name them.

Sources have told MI that the two top politicians are fully behind the court case and they prefer to act behind the scenes to avoid any backlash from media watchdogs.

Investigators have apparently indicated that by mentioning President Kagame in the story, the authors intended to propagate the view that Kagame gives directives to anybody disregarding the law.



According to Gasana, he was interrogated for more than six hours at the Prosecutions office in Kacyiru, where an investigating officer indicated to him that he would be detained at a police station. The detention did not take place as the official said he had received other orders from “above” to release Gasana.

**b. Jeffrey Gettleman, *Presidential Candidate Is Arrested in Rwanda***

N.Y. TIMES, Apr. 22, 2010, at A12

<http://www.nytimes.com/2010/04/22/world/africa/22rwanda.html?ref=rwanda>

NAIROBI, Kenya — Rwandan authorities arrested a top opposition politician on Wednesday and charged her with genocide ideology — a contentious crime that many critics say has been used to stifle dissent — and with cooperating with a notorious rebel group.

The politician, Victoire Ingabire, has been one of the most vocal opposition figures in a country that seems to have grown increasingly intolerant of political challenges. She was summoned to a police station at 9 a.m., according to her assistant. Mrs. Ingabire, an accountant who had lived in Europe for years, has been under investigation since nearly the moment she returned to Rwanda in January and announced she was running for president.

Investigators have interrogated her several times on suspicion of instigating ethnic divisions. She said in an interview last month that she was being persecuted for simply challenging the government.

Rwandan officials have denied that they are cracking down on political opposition, and they point to the impressive strides the economy has made in the past 10 years as evidence that their leadership is improving the country. Rwanda is scheduled to hold a national election in August, and many analysts predict more turbulence — and more arrests — in the months to come.

Mrs. Ingabire is an ethnic Hutu, and the Rwandan government is dominated by ethnic Tutsis. Some Rwandans fear that their country is becoming ethnically polarized again, stirring bitter memories of 1994 when Hutu militias massacred hundreds of thousands of Tutsis.

By Wednesday afternoon, several police officers were still stationed outside Mrs. Ingabire’s upper-middle-class townhouse in Rwanda’s capital, Kigali. Her staff said they were scared to step outside.

“She was arrested this morning, but still now we can’t know many details,” said her assistant, Florence Hakurimina. “There are policemen here outside. We don’t have any news.”

Rwanda’s prosecutor general, Martin Ngoga, confirmed that Mrs. Ingabire was in police custody and that she was facing charges of genocide ideology, divisionism and

cooperating with the Democratic Forces for the Liberation of Rwanda, a brutal rebel army led by fugitives from the genocide in 1994. Earlier this year, one of Mrs. Ingabire's colleagues in her political party was jailed for crimes committed during the genocide.

As for the genocide ideology charge, it could stem from public statements in which Mrs. Ingabire has said that many Hutus — not just Tutsis — were also killed during the genocide and never officially mourned. She has repeatedly criticized the government's account of what happened in 1994 as being too simplistic.

Her arrest follows a recent shake-up in the military and the arrests this week of two high-ranking generals, who were accused of corruption and immoral conduct. In February, another senior Rwandan official and former general defected to South Africa, saying that his life was in danger because he disagreed with government policies.

**4. Reporters Without Borders, *Court sentences three journalists to prison***

Feb. 23, 2010

[http://www.ifex.org/rwanda/2010/02/23/three\\_journalists\\_sentenced/](http://www.ifex.org/rwanda/2010/02/23/three_journalists_sentenced/)

(RSF/IFEX) - On 22 February 2010, a court in the Kigali district of Nyarugenge imposed jail sentences on Charles Kabonero, the publisher of the weekly "Umuseso", Didas Gasana, its editor, and Richard Kayigamba, one of its reporters, after finding them guilty of invading privacy in one of their articles. Kabonero got 12 months, while the other two got six months.

"We firmly condemn these sentences, which deprive the newspaper's staff of three of its most important members," Reporters Without Borders said. "The authorities clearly want to silence one of the country's few independent publications."

The three journalists were also ordered to pay a fine of 1 million Rwandan francs (US\$1,800). They have not yet been taken into custody to begin serving their sentences and have 30 days to appeal. The court did not, fortunately, order the newspaper's closure. Kabonero and Gasana were previously given 12-month suspended jail sentences in another case.

Reporters Without Borders has written to French President Nicolas Sarkozy drawing his attention to the press freedom situation in Rwanda and asking him to raise it with his counterpart, Paul Kagame, during the official visit to Rwanda that he is due to begin in three days.

**5. Committee to Protect Journalists, *Rwanda shuts critical papers in run-up to presidential vote***

[http://www.ifex.org/rwanda/2010/04/14/papers\\_suspended/](http://www.ifex.org/rwanda/2010/04/14/papers_suspended/)

(CPJ/IFEX) - New York, April 13, 2010 - The Committee to Protect Journalists condemns today's decision by Rwanda's Media High Council to suspend two independent weeklies in the run-up to presidential elections. At a press conference attended only by state broadcasters and the pro-government radio station Contact FM, the Media High Council announced an

immediate six-month suspension of the private Kinyarwandan-language weeklies Umuseso and Umuvugizi.

The council accused Umuseso of insulting the head of state, inciting the police and army to insubordination, and creating fear among the public, council official Wilson Karamaga told CPJ. The council, a nominally independent body heavily influenced by the government, did not link these accusations to any particular article in Umuseso and did not specify the reasons for the suspension of Umuvugizi, local journalists said. Umuseso and Umuvugizi may challenge the council's suspensions in court, he said.

The six-month suspension will ensure both independent papers are unable to cover the presidential elections scheduled for August. Both papers are known for critical coverage of the ruling party, the Rwanda Patriotic Front.

“By silencing these two local-language newspapers the Media High Council is robbing Rwanda voters of crucial alternative voices during the presidential election campaign,” said CPJ Africa Program Coordinator Tom Rhodes said. “The ruling is a thinly disguised attempt at censorship. If the election is to be seen as free and fair, the council must reverse this ruling and ensure that all media are able to cover the campaign.”

The duration of the suspension raises questions as well. The council can legally suspend a weekly publication for a maximum of two weeks unless the paper is seen as a repeat offender. Umuseso Deputy Editor Didas Gasana said the paper has never been suspended before and should not face a six-month suspension under the law.

- 6. Hotel Rwanda Rusesabagina Found., Rwandan Opposition Candidate Victoire Ingabire Arrested**  
<http://hrrfoundation.org/rwandan-opposition-candidate-victoire-ingabire-arrested/>

Rwandan presidential opposition candidate Victoire Ingabire Umuhiza was arrested the morning of April 21 in Kigali, charged with “genocide ideology” and “spreading ethnic dissent.” Both of these are code phrases in Rwanda for someone who disagrees with the government, and speaks in public about the fact that both Tutsis and Hutus were killed in the terrible genocide of 1994. This is also unfortunately very typical treatment of opposition candidates for a government that does not tolerate dissent. Details are in the New York Times and on Mrs. Ingabire's blog, among other places.

- 7. Amnesty International, Rwanda: End Human Rights Clampdown Before Presidential Elections (Apr. 24, 2010)**  
<http://www.amnesty.org/en/library/asset/AFR47/003/2010/en/26e9e4e0-37b1-4e09-9191-96eb5ac72fa4/af470032010en.html>

On 21 April, presidential aspirant, Victoire Ingabire, President of the United Democratic Forces (FDU-Inkingi), a party seeking registration in Rwanda, was arrested, charged with “genocide ideology and minimising the genocide, divisionism and collaboration with a “terrorist” group”, and released the following day while proceedings continue.

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Amnesty International strongly condemned harassment and intimidation of opposition groups, including the Green Party and the Ideal Social Party, in February 2010. Past Rwandan elections have been marred by intimidation and the ability of members of the political opposition to carry out their activities in accordance with their human rights has been restricted.

**8. Amnesty International, Rwanda: End Human Rights Clampdown Before Presidential Elections, (Apr. 24, 2010)**

<http://www.amnesty.org/en/library/asset/AFR47/003/2010/en/26e9e4e0-37b1-4e09-9191-96eb5ac72fa4/afr470032010en.html>

Immigration authorities first cancelled the work visa of Human Rights Watch's Rwanda-based researcher, Carina Tertsakian, on 10 March. The authorities alleged discrepancies in her documents, relating to signatures of her employer which they claimed were inconsistent. They also cited an error in the date on the contract mistakenly dated October 2010, rather than 2009.

Rwanda's Criminal Investigation Department (CID) summoned Carina Tertsakian twice in March to respond to allegations of using false documents. She submitted a second visa application on 16 March with additional letters from the Human Rights Watch headquarters notarised to certify their authenticity.

Today the Immigration Authorities informed Carina Tertsakian that they were not satisfied with the explanations Human Rights Watch had submitted. They refused to provide a response in writing and reminded Tertsakian that as a British national she has 90 days to stay in the country. The 90 day period expires tomorrow.

The latest developments coincide with the deadline for all international NGOs based in Rwanda, including Human Rights Watch, to apply for renewal of their registration certificate. The original 31 March deadline was extended to 30 April.

The Rwandan Government has a history of clamping down on human rights work in advance of elections. In September 2008, the late Alison Des Forges, Human Rights Watch's Senior Advisor, was barred from entering Rwanda shortly before the Rwandan legislative elections. She was again refused entry in December 2008.

**9. Daniel Sabiiti, *Residents Arrested Over ID Rejection***

NEW TIMES, May. 14, 2010

<http://www.newtimes.co.rw/index.php?issue=14260&article=29131>

**RUHANGO** – Twenty one people said to be members of the Adventist Church in Ruhango district have been arrested and detained at Nyamagana Police Station for allegedly refusing to take possession of their national Identity cards, on account of their religion.

The District Police commander, Fred Simugaya, told The New Times that the group cited 'numbers 666' inscribed on the IDs as the reason for their rejection because it's contrary to their religious beliefs.

The law stipulates that every Rwandan above the age of 16 must possess a national identity[card], and such resistance is punishable, according to Police.

Police sources added that the group has rejected acquiring other forms of official documents issued by various public agencies. These include driving permits, enrolment on voter's registers and health insurance scheme.

"We cannot take possession of such documents on the account of the Biblical revelations and teachings that identify the numbers '666' inscribed on most of these documents with satan," one of those held known as Aaron Nyabyenda said.

However, a local pastor of the same Adventist Church differed with those arrested. Job Niyirema, the Adventist Church pastor in the area, said that the arrested christians have not heeded his call to change their attitude and beliefs that are largely based on what he termed as 'ignorance.'

In response the group[,] however, disputed Pastor Niyirema's claims, saying that the cause of their resistance was not due to ignorance but strong faith in God.

**10. a. Godfrey Ntagungira, *Jehovah's Witnesses Shun Ingando***

The New Times, Apr. 21, 2008

<http://www.newtimes.co.rw/index.php?issue=13508&article=5766>

About 60 teachers of Jehovah Witnesses' religious attachment who refused to attend Ingando for both primary and secondary schools across the country may face the axe, the State Minister for primary and secondary education, Théoneste Mutsindashyaka has said.

Over 40,000 teachers in both primary and secondary schools countrywide last week completed a seventeen-day solidarity camp organised under the auspices of Itorero ry'Igihugu, a national informal education programme.

"Teachers who willingly refused to attend will be dismissed if investigations reveal they shunned on grounds that Ingando was contrary to their religious beliefs," said Mutsindashyaka. Ingando is a Rwandan initiative to promote unity and reconciliation and discuss national development issues.

Mutsindashyaka noted that he has deployed people to investigate the matter and vowed that if it emerges that their refusal to attend was based on their religious attachment, tough measures would be taken.

For those who failed to attend due to different family or individual problems, the minister said: their case is well understood and the ministry has no problem with them. When contacted, a senior official at Jehovah Witnesses' offices in Remera distanced their sect from teachings which discourage members from abiding by government policies.

He referred this reporter to the book of Mathew 22: 21 which states that "Give back to Caesar what belongs to Caesar and God what belongs to God".

"I believe it was their individual decisions based on conscience and their level of maturity regarding spiritual matters," the official, who was found at the main headquarters of the religion said, although he declined to reveal his identity. He said that the people who have authority to speak on behalf of the religion do not live in Rwanda.

Jehovah witnesses are a religious grouping with several million of members around the world. They do not have churches, but have what is known as Kingdom Halls. Their congregations are grouped in small communities, usually numbering less than two hundred.

Several cases have come up over followers of the religion who shun government initiatives. Last year some Jehovah witnesses refused to have their homes sprayed during the anti-malaria campaign.

**b. U.S. DEP'T OF STATE, International Religious Freedom Report (2009)**  
<http://www.state.gov/g/drl/rls/irf/2009/127250.htm>

In April 2008 school officials in certain districts fired 215 Jehovah's Witnesses teachers for not participating in government-sponsored "solidarity training." None of the teachers was reinstated.