

# RWANDA 2022 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

Rwanda is a constitutional republic dominated by a strong presidency. The ruling Rwandan Patriotic Front party leads a governing coalition that includes four smaller parties. In 2017 voters elected President Paul Kagame to a third seven-year term with a reported 99 percent of the vote. One independent candidate and one candidate from an opposition political party participated in the presidential election, but authorities disqualified three other candidates. In the 2018 elections for parliament's lower house, the Chamber of Deputies, candidates from the Rwandan Patriotic Front coalition and two other parties supporting Rwandan Patriotic Front policies won all but four of the open seats. For the first time, independent parties won seats in the chamber, with the Democratic Green Party of Rwanda and the Social Party Imberakuri winning two seats each. In both the 2017 and 2018 elections, international monitors reported numerous flaws, including irregularities in the vote tabulation process. In 2019, 12 new senators were elected to the 26-member Senate via indirect elections. Faculty at public and private universities elected two other senators. President Kagame appointed another four senators, and the National Consultative Forum for Political Organizations designated two, in accordance with the constitution. In 2020 the National Consultative Forum for Political Organizations designated two new senators, including a member of the Democratic Green Party of Rwanda.

The Rwanda National Police, under the Ministry of Internal Security, is responsible for domestic security. The Rwanda Defense Force, under the Ministry of Defense, also works on internal security and intelligence matters alongside the Rwanda National Police. The Rwanda Investigation Bureau is responsible for investigative functions formerly performed by the Rwanda National Police, including counterterrorism investigations, investigation of economic and financial crimes, and judicial police functions. Civilian authorities maintained effective control over state security forces. There were reports members of the security forces committed some abuses.

Significant human rights issues included credible reports of: unlawful or arbitrary

killings; torture or cruel, inhuman, or degrading treatment or punishment by the government; harsh and life-threatening prison conditions; arbitrary detention; political prisoners or detainees; transnational repression against individuals located outside the country, including killings, kidnappings, and violence; arbitrary or unlawful interference with privacy; serious restrictions on free expression and media, including threats of violence against journalists, unjustified arrests or prosecutions of journalists, and censorship; serious restrictions on internet freedom; substantial interference with the freedom of peaceful assembly and freedom of association, including overly restrictive laws on the organization, funding, or operation of nongovernmental and civil society organizations; serious and unreasonable restrictions on political participation; and serious government restrictions on or harassment of domestic and international human rights organizations.

The government took some steps to prosecute or punish officials reported to have committed human rights abuses and acts of corruption, including within the security services, but impunity involving civilian officials and some members of the state security forces was a problem.

## **Section 1. Respect for the Integrity of the Person**

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

There were reports the government committed arbitrary or unlawful killings. The Rwanda Investigation Bureau (RIB) is responsible for conducting investigations into such killings. Under the Ministry of Justice, the National Public Prosecution Authority is responsible for prosecuting abuse cases involving police, while the Rwanda National Police (RNP) Inspectorate of Services investigates cases of police misconduct.

There were local press and social media reports that police killed several persons while in custody or while attempting to resist arrest or escape police custody. Observers reported cases of police and military personnel killing individuals suspected of theft. In September police reportedly killed a man in Gatumba Sector for resisting arrest. There were no public reports of investigations into these

killings.

The government did not follow through on conducting full, timely, and transparent investigations of the killing of Kizito Mihigo in 2020, a popular gospel singer and genocide survivor, nor the killings of several political opponents in previous years, such as the 2019 killing of Anselme Mutuyimana, a member of the unregistered United Democratic Forces-Inkingi (FDU-Inkingi) opposition party.

## **b. Disappearance**

There were no new reports of disappearances by or on behalf of government authorities, but the government did not take action to investigate previous high-profile cases.

The government failed to complete investigations of or take measures to ensure accountability for the disappearances of Rwandan poet Innocent Bahati and political opponents Venant Abayisenga, Eugene Ndereyimana, and Boniface Twagirimana.

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

## **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses**

The constitution and law prohibit such practices, but there were reports of abuse of detainees by police and corrections service officials. The law prescribes 20 to 25 years' imprisonment for any person convicted of torture and lifetime imprisonment for public officials who commit torture in the course of their official duties. There were no known cases where authorities applied this statute throughout the year.

Authorities reportedly sometimes subjected prisoners to torture. In January Dieudonne Niyonsenga (also known as Hassan Cyuma) reported being beaten regularly while in custody. Agnes Uwimana Nkusi reported being subjected to an intrusive, humiliating search by several corrections service officials when visiting Cyuma at the same facility. In May, prominent YouTube user and government

critic Aimable Karasira claimed corrections service officials at Mageragere Prison made threats that he would be killed after the Commonwealth Heads of Government Meeting concluded in Kigali the following month. Observers and human rights advocates continued to report police used torture and other forms of cruel, inhuman, or degrading treatment to intimidate or obtain information from individuals in unofficial detention centers (see also section 1.b.).

There were no reports of judges ordering an investigation into allegations of torture raised at trial about coerced confessions or dismissing evidence obtained under torture, and there were no reported prosecutions of state security forces personnel for torture. The National Commission for Human Rights (NCHR) indicated it engaged broadly with law enforcement agencies on the prevention of torture and regularly performed independent investigations to ensure no detainees were subject to torture, including following up on allegations in high-profile cases. It did not report any instances in which allegations were substantiated, and as such it did not report accountability being pursued in those cases.

The government took some steps to prosecute or punish members of security services who committed abuses or for misconduct. Impunity, however, was a problem, particularly in cases where government opponents were the apparent victims of abuses. Security services maintained an influential role in the government, and the NCHR, which is charged with holding government institutions accountable in these cases, did not usually address cases of concern without an indication those institutions were moving to do so themselves.

### **Prison and Detention Center Conditions**

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

**Abusive Physical Conditions:** Physical conditions in some prisons operated by the Rwanda Correctional Service (RCS) approached international standards in certain respects, but there were also reports of overcrowding and food shortages. As of July, local civil society organizations reported the country held 84,710

detainees in facilities with a total capacity of 61,320 persons. Local civil society organizations highlighted the need to use alternative punishments available under the law to address this problem, as did the NCHR in a separate activity report. On September 10, the government announced it would provisionally release 1,803 persons from prisons around the country who must comply with conditions of parole until the end of their sentences.

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. The law does not allow children older than age three to remain with their incarcerated mothers (see also section 6, Persons with Disabilities).

Convicted persons and individuals in pretrial detention in RCS prisons were fed once per day, and family members were allowed to deposit funds for convicts and detainees to purchase additional food at prison canteens. For those without outside assistance, lack of food continued to be a problem. Previous COVID-19 restrictions prohibiting family members from visiting prisoners loosened during the year, making it easier for families to make food deliveries. The government did not publicize statistics on deaths in custody beyond deaths of prisoners due to illness (who received medical treatment in custody); the government vaccinated vulnerable prisoners against COVID-19.

Reports from previous years indicated conditions were generally harsh and life threatening in unofficial or intelligence service-related detention centers, where individuals suffered from limited access to food, water, and health care.

Conditions were often harsh and life threatening at National Rehabilitation Service-operated district transit centers holding street children, street vendors, suspected drug abusers, persons engaged in commercial sex, homeless persons, and suspected petty criminals. Overcrowding was common in police stations and district transit centers. Human rights advocates reported local law enforcement officials regularly cleared the streets of homeless and other needy individuals and subjected them to abusive treatment and unsanitary conditions in transit centers before major international events or conferences in the country.

**Administration:** The RCS investigated reported abuses by corrections officers, and the same hierarchical structure existed in police and security forces for investigating abuses; there was no independent institution charged with investigating abuses or punishing perpetrators. Authorities generally allowed family members prompt access to detained relatives unless the individuals were held on state security charges or in unofficial or intelligence service-related detention facilities. During acute periods of the COVID-19 pandemic, prison officials restricted visitor access. Some prisoners in politically sensitive cases also reported the government did not allow them to have confidential consultations with their lawyers.

**Independent Monitoring:** The government restricted monitoring of prison conditions by independent nongovernmental observers. In some cases, the government placed specific prisoners under additional access restrictions. The government permitted monitoring of prison conditions and trials of individuals whom the UN International Residual Mechanism for Criminal Tribunals (IRMCT) had transferred to the country's jurisdiction for trials related to the 1994 genocide, per agreement with the IRMCT. Journalists could access prisons with a valid press card but required permission from the RCS commissioner to take photographs or interview prisoners or guards. Some civil society organizations were able to visit prisons for monitoring purposes, with the government's approval.

#### **d. Arbitrary Arrest or Detention**

The constitution and law prohibit arbitrary arrest and detention, but state security forces 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. There were no reports of any detainees succeeding in obtaining prompt release or compensation for unlawful detention.

#### **Arrest Procedures and Treatment of Detainees**

The law requires authorities to investigate and obtain a warrant before arresting a suspect. Arrest warrants must be served during daylight hours (between 6 a.m. and 6 p.m.), but there were reports of police conducting searches and arrests outside of these hours. The RNP institutionalized community relations training that included

appropriate use of force and respect for human rights, although arbitrary arrests and beatings remained problems. 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 previously disregarded these provisions and held individuals, sometimes for months and often without charge, particularly in security-related cases.

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 a detention every 30 days. By law it may not extend beyond one year; however, the RCS sometimes held suspects at the behest of state prosecutors indefinitely after the first authorization of investigative detention and did not always seek reauthorization every 30 days.

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. Detainees were generally allowed access to attorneys of their choice, provided that the attorneys were registered with the Rwanda Bar Association (RBA), were members of another international bar association that had a reciprocal agreement with the RBA or were from a foreign jurisdiction included in a regional integration agreement to which the country was a party. The government at times violated the right to habeas corpus.

The law allows judges to impose detention of equivalent duration and fines on state security forces and other government officials who unlawfully detained individuals, but there were no reports judges exercised this authority.

**Arbitrary Arrest:** The government continued to use arbitrary arrests (or the threat of arbitrary arrest) as a tool to discourage government critics, independent voices, and political opposition members. Observers reported state security forces sometimes held individuals incommunicado and subjected them to interrogation and threats to curtail their exercise of freedoms of speech and association. Human

rights NGOs previously reported individuals suspected of having ties to armed insurgent groups were detained unlawfully and held incommunicado for long periods in harsh and inhuman conditions.

Unregistered opposition political parties reported authorities detained their officials and supporters, including for lengthy periods. In April, Jean Bosco Nkusi, who was involved in the Rwandese Platform for Democracy (RPD), was sentenced to a 10-year prison sentence for forming a criminal organization and other charges. Prosecutors claimed Nkusi was complicit in kidnapping an individual and extorting him for money while posing as a tax official. Christopher Kayumba, the leader of the RPD, remained arrested on charges of assault and rape, although his trial was not complete. Kayumba claimed government officials threatened to “destroy” him criminally if he did not cease his activities.

Although there is no requirement for individuals to carry an identification document (ID), police and the District Administration Security Support Organ regularly detained street children, vendors, suspected petty criminals, 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. As in previous years, authorities held detainees without charge at district transit centers for weeks or months at a time before either transferring them to a National Rehabilitation Service rehabilitation center without judicial review or forcibly returning them to their home areas. Detainees held at district transit centers or National Rehabilitation Service rehabilitation centers could contest their detentions before the centers’ authorities but did not have the right to appear before a judge. Advocates raised concerns that detainees at transit centers were not adequately screened for human trafficking indicators.

**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 and prosecutors favoring imprisonment over alternatives, even if available in a case. NGOs reported for these reasons overcrowding in prisons reached 174 percent. As of August, a local civil society organization reported 11,450 of 84,710 prisoners were pretrial detainees. The law permits detention of genocide and terrorism suspects until trial.

The law provides pretrial detention, illegal detention, and administrative sanctions be fully deducted from sentences imposed. There were few reports of individuals being subjected to pretrial detention for periods exceeding the maximum sentence for the alleged offense. The law does not provide for compensation to persons who are acquitted.

### **e. Denial of Fair Public Trial**

The constitution and law provide for an independent judiciary, and the government generally respected judicial independence. Authorities generally respected court orders. Domestic and international observers noted 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.

Defendants have the right to a trial without undue delay. Human rights advocates and government officials noted shortages of judges, prosecutors, and defense attorneys as well as resource limitations within the criminal justice system resulted in delays for many defendants, particularly those awaiting pro bono government-provided legal aid.

By law detainees are allowed access to lawyers, but the expense and scarcity of lawyers limited access to legal representation. Some lawyers were reluctant to work on politically sensitive cases, fearing harassment and threats by government officials, including monitoring of their communications.

Defendants have the right to communicate with an attorney of their choice, provided the attorney is registered with the RBA. Many defendants could not afford private counsel. The law provides for legal representation of juveniles. The RBA and 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.

The law provides for a right to free interpretation, although interpreters were more

difficult to access in rural areas. By law defendants may not be compelled to testify or confess guilt. Judges generally respected these rights during trial. Nonetheless, previous reports indicated state security forces coerced suspects into confessing guilt in security-related cases and judges tended to accept confessions allegedly obtained through torture, failing to order investigations of alleged torture. The law provides for the right to appeal, and authorities respected this provision, although lack of access to computers necessary to file such appeals impeded some defendants' ability to exercise that right.

In previous years, the judiciary sometimes held security-related, terrorism, and high-profile political trials in closed chambers with no independent monitoring of defendant's rights.

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 IRMCT. The IRMCT continued to pursue the four remaining genocide fugitives subject to tribunal indictments. All were expected to be transferred to the country's jurisdiction and observed by the IRMCT if apprehended.

### **Political Prisoners and Detainees**

Local officials and state security forces continued to detain and imprison some individuals who had previously disagreed with government decisions or policies. Some government critics faced indictment under broadly applied charges of genocide incitement, genocide denial, inciting insurrection, rebellion, or attempting to overthrow the government. Others faced apparently unrelated criminal charges. Political prisoners were generally afforded the same protections, including

visitation rights, access to lawyers and doctors, and access to family members, as other detainees. The government did not generally give human rights or humanitarian organizations access to specific political prisoners; however, authorities continued to provide access for consular officials to see Paul Rusesabagina, who was previously convicted in a trial in which many observers concluded his fair trial guarantees had not been respected (see the *2021 Country Report on Human Rights Practices*).

Occasionally authorities held politically sensitive detainees in individual cells. International and domestic human rights groups reported the government held a small number of political prisoners in custody, including Christopher Kayumba (see section 3, Political Parties and Political Participation), Deo Mushayidi, Theoneste Niyitegeka, and eight individuals affiliated with the unregistered political opposition party DALFA-Umurinzi who were on trial during the year. Five FDU-Inkingi party leaders also remained in prison after being arrested in 2017 and convicted in 2020 on various charges that they alleged were a result of their political activities.

### **Transnational Repression**

There were reports the government attempted to pursue political opponents abroad.

**Extraterritorial Killing, Kidnapping, Forced Returns, or Other Violence or Threats of Violence:** The country is credibly alleged to have killed or kidnapped persons, or used violence or threats of violence against individuals in other countries, for purposes of politically motivated reprisal.

The government did not publicize any efforts to cooperate with the government of South Africa to investigate the 2021 killing of Rwanda National Congress official Seif Bamporiki in Cape Town, South Africa. The government reportedly cooperated with the government of Mozambique to investigate the 2021 disappearance of journalist, opposition figure, and asylum seeker Cassien Ntamuhanga and the 2021 killing of diaspora leader and refugee Revocat Karemangingo, but no information was forthcoming in either case.

**Threats, Harassment, Surveillance, and Coercion:** Advocates reported that citizens living overseas experienced digital threats, spyware attacks, and family

and personal intimidation and harassment. Advocates stated the government applied these measures as needed to put pressure on individuals who threatened government interests.

Advocates continued to report the government used surveillance tools to target critics both at home and abroad. In the first half of the year, Carine Kanimba, the daughter of Paul Rusesabagina, reported her mobile phone showed evidence of NSO Group Pegasus spyware for a second time. Additionally, in July *The Guardian* reported that forensic experts at The Citizen Lab had found that the mobile phone of Jean-Paul Nsonzerumpa, the nephew of Paul Rusesabagina, had been hacked nearly a dozen times in 2020 using Pegasus spyware. Amnesty International reported in 2021 that the government had potentially used the spyware to target up to 3,500 persons over an indeterminate period.

**Efforts to Control Mobility:** In previous years there were reports the government restricted the movement of citizens at home and abroad for politically motivated purposes. This included reports of Rwandan nationals outside the country being unable to obtain passports to travel to Rwanda. It also included reports of the government refusing to provide passports (imposing exit bans) for citizens inside the country to influence the actions of their family members who lived abroad.

**Bilateral Pressure:** There were credible reports that for politically motivated purposes, the government exerted bilateral pressure on another country to take adverse action against specific individuals. In April, international media reported that Robert Mukombozi, a leader in the exiled Rwanda National Congress (RNC) opposition group, was deported by Ugandan authorities. There were no reports regarding the reasons for or legal charges related to his deportation, or to where he was deported. His deportation came amid warming ties between Uganda and Rwanda and days after General Muhoozi Kainerugaba, son of Ugandan President Yoweri Museveni, wrote on Twitter that the “RNC has absolutely no space in Uganda!” In May, news reports indicated Ugandan security forces arrested Sergeant Major Robert Kabera on suspicion of smuggling weapons. He was released on bond the same month. Advocates claimed the government of Uganda arrested Kabera at the behest of the government of Rwanda, which accused him of defilement (statutory rape) as a pretext for his arrest and return to Rwanda because it viewed him as a political threat. The government accused Kabera of committing

a crime in Rwanda three days after Kabera claimed to have left Rwanda and arrived in Uganda.

Also in May, local media reported that Obed Katureebe, a senior official with the Uganda Media Centre, was taken from his home in Kampala by Uganda security forces and detained. Rwandan government Spokesperson Yolande Makolo had previously written on Twitter that Katureebe was someone the Ugandan government needed to act against to improve bilateral ties, claiming that he was the administrator of a Facebook page and website critical of President Kagame and the government. Local media also reported that Katureebe's wife alleged that her husband was abducted on the orders of General Muhoozi Kainerugaba at the behest of the Rwandan government. Katureebe was reportedly released in July after being detained for more than 60 days.

### **Civil Judicial Procedures and Remedies**

Mechanisms exist for citizens to file lawsuits in civil matters, including for abuses of human rights. The judiciary was generally independent and impartial in civil matters, with some exceptions involving state interests. 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 and the African Court on Human and Peoples' Rights, although these courts lacked mechanisms to enforce their judgments in the country.

### **Property Seizure and Restitution**

Reports of expropriation of land for the construction of roads, government buildings, and other infrastructure projects were common, in each case the government was obligated to provide timely compensation.

The government forcibly evicted individuals from dwellings across the country (primarily in Kigali) deemed to be in swamp land or other zones at high risk of flooding or landslides. Some of those who were evicted said the government refused to offer them compensation on the basis dwellings should never have been constructed in those locations. Others reported being offered compensation that was of inadequate value or not timely. In September, the government forcibly evicted those individuals who had not already left Kangondo II. Citizens who

joined litigation against the government (for example, persons who were notified in 2018 that they would be evicted from the Kangondo II neighborhood of Nyarutarama in Kigali) in some cases had previously reported threats and harassment to persuade them to drop their cases. Courts dismissed these cases in November. Negotiations on compensation (if not already agreed to and provided) reportedly remained ongoing in some cases as of year's end.

There were reports of irregular application of laws related to abandoned properties. Some property owners (especially those based overseas who leased their land to others) reported the government declared their properties abandoned so it could seize and sell the property at auction to others.

## **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, and personal and institutional communications. Government informants continued to work within internet and telephone companies, international and local NGOs, religious organizations, media, and other social institutions, and used sophisticated technical tools to gain access to electronic devices.

The law requires police to obtain authorization from a state prosecutor prior to entering and searching citizens' homes. According to human rights organizations, state security forces at times entered homes without obtaining the required authorization or did so outside the legal hours for conducting searches and arrests.

The government blocked some websites, including media outlets, that included content considered contrary to government positions.

## **g. Conflict-related Abuses**

In March, violence escalated in the eastern Democratic Republic of the Congo (DRC) along the Rwandan and Ugandan border between the DRC armed forces (FARDC) and the March 23 Movement (M23), which in previous years was found to have received Rwandan support. UN reporting during the year indicated Rwanda was once again supporting M23. There were reports that some units of

the FARDC collaborated with the Democratic Forces for the Liberation of Rwanda (FDLR), an armed group which had previously carried out attacks against Rwanda and had long been linked to genocide crimes which occurred in Rwanda in 1994.

There were reports of Rwanda Defense Force incursions into DRC territory ostensibly to take actions against the FDLR, although there were no indications of deliberate killings of civilians or noncombatants. Reports indicated during hostilities M23 deliberately targeted and killed civilians, including children. (For additional details, see Democratic Republic of the Congo report.)

As of September, the UN Conduct and Discipline portal listed one open allegation of sexual exploitation and abuse reported against a Rwandan military officer serving with the UN Multidimensional Integrated Stabilization Mission in the Central African Republic. The allegation was reported in September and concerned the rape of a child. An investigation remained pending.

## **Section 2. Respect for Civil Liberties**

### **a. Freedom of Expression, Including for Members of the Press and Other Media**

The constitution provides for freedom of expression, including for members of the press and other media “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. Government failure to investigate or prosecute attacks on human rights defenders and journalists led to de facto restrictions on freedom of expression.

The Rwanda Media Commission (RMC), a self-regulatory body, sometimes intervened on journalists’ behalf but was generally viewed as biased toward the government. Journalists reported most 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 topics, but broad interpretation of provisions in the law 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 it deemed sensitive.

Laws prohibiting divisionism, genocide ideology, and genocide denial were broadly applied and discouraged citizens, residents, and visitors to the country 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 a substantial monetary fine. 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 generally investigated individuals accused of threatening or harming genocide survivors and witnesses or of espousing genocide ideology.

A revised law enacted in 2018 incorporates international definitions for genocide and outlines the scope of what constitutes genocide ideology and related offenses. Specifically, the law provides any person convicted of denying, minimizing, or justifying the 1994 genocide is liable to a prison term of five to seven years and a substantial monetary fine. Authorities applied the statute broadly, and there were reports of its use to silence persons critical of government policy.

The RIB and RNP reported opening 68 new investigations related to genocide ideology statutes as of May, with 53 resulting in arrests as of September.

In September the government arrested a resident of Kangondo Village on charges of divisionism and genocide minimization for claiming government efforts to compensate and move villagers from Kangondo to another location were a kind of “genocide.” Many residents resisted the government’s relocation efforts and took the government to court seeking financial compensation in lieu of an alternative

lodging in another area.

**Violence and Harassment:** Media professionals reported the government continued to use lengthy interrogations and threats of arrests and physical violence to silence media outlets and journalists. Several journalists who fled in prior years remained outside the country. Failure to investigate or prosecute threats against journalists resulted in self-censorship. Several individuals who operated YouTube channels critical of the government who were arrested in previous years remained in jail, both after being convicted of crimes and while pending the conclusion of their trials.

The Committee to Protect Journalists reported that on October 5, a Kigali court acquitted and released journalists Damascene Mutuyimana, Shadrock Niyonsenga, and Jean Baptiste Nshimiyimana of charges of spreading false news that hurt the international reputation of the country and inciting insurrection. The three, who worked at Iwacu TV, were originally arrested in October 2018 and were held in pretrial detention since then.

**Censorship or Content Restrictions for Members of the Press and Other Media, Including Online 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.” Observers stated the government used ambiguities in these statutes to threaten journalists and suppress reporting deemed critical of the government. By law authorities may seize journalists’ material and information if a “media offense” occurs, but only under 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. Independent YouTube journalists reported the government used media laws and registration requirements to criminalize citizen reporting and threatened individuals producing content deemed sensitive or critical of the government. The RMC maintained unaccredited individuals conducting interviews and posting them on personal YouTube channels did not qualify as journalists. 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.

Observers reported harassment, suspicious disappearances, and the fear of prosecution pushed many journalists to engage in self-censorship. Journalists reported government officials frequently pressured them to produce news stories that presented the government favorably. Reporters Without Borders continued to report that censorship remained ubiquitous, and self-censorship was widely used to avoid running afoul of the regime. Reporters Without Borders historically reported that foreign journalists were often unable to obtain the visas and accreditation needed to report in the country, although many foreign journalists traveled to the country without incident to cover prominent stories. 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, Radio 10, and Radio Salus, had regular call-in shows that featured discussion of government programs or policies. For example, Radio Flash and Radio Isango Star hosted several debates in which participants criticized government policies on human rights and social topics.

**Libel/Slander Laws:** The law does not criminalize the use of words, gestures, writings, or cartoons to humiliate members of parliament, members of the cabinet, security officers, or any other public servant, including the president. Defamation of foreign and international officials and dignitaries remains illegal under the law, with sentences if convicted of three to five years' imprisonment. The law does not contain provisions criminalizing public defamation and public insult in general. The law contains provisions that criminalizes "humiliation" of religious rites, symbols, objects, or religious leaders. There were no reports of prosecutions under these provisions during the year.

**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 historically used these laws to intimidate critics of the government and journalists covering politically sensitive topics and matters under government investigation.

## **Internet Freedom**

The government restricted and censored some online content, and there were credible reports that the government monitored private online communications without appropriate legal authority. The government cited genocide denial, divisionism, and incitement statutes in some cases while taking legal action against digital content creators, particularly YouTube users, whom it accused of promoting hatred and disrupting national unity.

The 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 media law apply to web-based publications. 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.

According to a 2010 law relating to electronic messages, signatures, and transactions, intermediaries and service providers are not held liable for content transmitted through their networks. Nonetheless, service providers are required to remove content when handed a takedown notice, and there are no avenues for appeal.

Government-run social media accounts were used to debate and at times intimidate individuals who posted online comments considered critical of the government. Advocates reported the government often enlisted purportedly independent individuals as proxies to harass government critics online. In some cases, these proxies threatened critics’ safety or called on the government to take law enforcement action against them.

The government blocked access within the country to several websites critical of its policies, including websites of the Rwandan diaspora.

## **Restrictions on Academic Freedom and Cultural Events**

The government generally did not restrict academic freedom or cultural events, but students and professors practiced self-censorship to avoid accusations of engaging in divisionism or genocide ideology. 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 required visiting academics to receive official permission to conduct research.

## **b. Freedoms of Peaceful Assembly and Association**

The government restricted freedoms of peaceful assembly and association. The government's failure to investigate or prosecute attacks on human rights defenders also de facto increased such restrictions.

### **Freedom of Peaceful Assembly**

The constitution and law provide for freedom of peaceful assembly, but the government did not always respect this right. The law criminalizes demonstrating in a public place without prior authorization. Conviction of violating this provision is punishable by a prison sentence of eight days to six months or a substantial fine. The penalties are increased for illegal demonstrations deemed to have threatened security, public order, or health.

### **Freedom of Association**

While the constitution provides for freedom of association, the government limited the right. The law requires private organizations to register with the Rwanda Governance Board. Civil society organizations collaborating with the government's political and development plans were able to act relatively freely while those that did not faced difficulties. Although the government generally granted licenses to private organizations, 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, to include delays for groups which explicitly committed to work in human rights or other areas considered sensitive, and time-consuming requirements for annual financial and activity reports (see section 5). The law requires faith-based organizations to obtain legal status from the government before beginning operations. It also calls for their legal representatives and preachers with supervisory responsibilities to

hold academic degrees.

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

### **d. Freedom of Movement and the Right to Leave the Country**

The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights. The government accepted former Rwandan combatants who returned from the 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. The Musanze Child Rehabilitation Center treated former child combatants.

**In-country Movement:** During a January period of increased risk for public health due to the COVID-19 pandemic, the government enforced a curfew that prohibited in-country movement during certain hours of the day. As of September, no curfews were in effect.

**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 (see also section 1.e., Transnational Repression, Efforts to Control Mobility). The government continued to advise citizens to avoid traveling to Uganda due to safety concerns. The government at times characterized travel warnings as advisories rather than prohibitions.

**Exile:** The government reportedly denied passports for travel to the country to some citizens living abroad (see section 1.e., Transnational Repression, Efforts to Control Mobility).

## **e. Protection of Refugees**

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, and asylum seekers, as well as other persons of concern.

**Access to Asylum:** The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. An interagency committee convened to make individual status determinations on refugee's claims.

**Freedom of Movement:** The law does not restrict freedom of movement of asylum seekers, and the government provided refugees with identity cards and travel documents, if required.

**Employment:** No laws restrict refugee employment, and the government continued to support employment programs and financial inclusion initiatives benefitting both refugees and their host communities. Many refugees, however, were unable to find local employment. A 2019 World Bank study found local authorities and businesses often were unaware of refugees' rights with respect to employment.

**Durable Solutions:** The government assisted the safe, voluntary return of refugees to their countries of origin 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. In 2019 the government, UNHCR, and the African Union signed a memorandum of understanding to set up a transit mechanism for evacuating refugees from Libya. The mechanism provides a framework for the country to temporarily host these individuals, who would eventually be resettled in third countries, helped to return to countries where asylum had previously been granted, helped to return to their home countries, or granted permission to remain in Rwanda. More than 400 refugees were in the country under the auspices of the transit mechanism as of July. In cooperation with UNHCR and the government of Burundi, the government continued to facilitate the voluntary repatriation of

refugees to Burundi, reaching a total of approximately 30,000 persons since 2020.

**Temporary Protection:** The government provided temporary protection to individuals who may not qualify as refugees. For example, after the Taliban seized control of Afghanistan, the government allowed some Afghans (notably scholars and educators) to temporarily relocate to the country.

## **f. Status and Treatment of Internally Displaced Persons**

Not applicable.

## **g. Stateless Persons**

The government cooperated with international organizations to provide services to stateless persons. The law permits stateless persons to acquire Rwandan citizenship, provided they do not pose a threat to national security.

## **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 periodic 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. Additionally, broader restrictions on the political environment including limitations on freedom of expression by members of media, freedom of association, and peaceful assembly inhibited citizens' exercise of their political rights. The law provides for voting by secret ballot in presidential and parliamentary – but not local – elections. The Rwandan Patriotic Front (RPF) and allied parties controlled the government and legislature, and RPF candidates dominated elections at all levels.

## **Elections and Political Participation**

**Recent Elections:** In 2018 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; the remaining 27 seats were reserved for women, youth, and persons with disabilities and were allocated by special electoral colleges. The National Electoral Commission (NEC) claimed that 6.6 million

voters participated in the general voting, 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 Democratic Green Party of Rwanda (DGPR) and the Social Party Imberakuri (PS-Imberakuri) were awarded two seats each. Neither the DGPR nor PS-Imberakuri was represented in the previous parliament. During the 2018 polls observers reported irregularities in vote tabulation and consolidation and independent candidates struggled against bureaucratic hurdles to effectively pursue their candidacies. In 2017 the NEC announced voters had re-elected President Kagame to a third seven-year term with 99 percent of the vote. Observers noted irregularities and instances of ballot stuffing in this election.

In 2019, 12 new senators were elected to the 26-member Senate via indirect elections. Members of district councils and sector councils elected the 12 via secret ballot. Faculty at public and private universities elected an additional two senators. President Kagame appointed another four senators, and the National Consultative Forum for Political Organizations designated two, in accordance with the constitution. In 2020 the National Consultative Forum designated two new senators, including a DGPR member.

**Political Parties and Political Participation:** The constitution outlines a multiparty system but provides few rights for parties and their candidates. It was common for RPF principles and values to receive prominent attention during civic activities. Government officials often privately encouraged citizens to join the RPF. 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. Observers reported membership in the RPF sometimes conferred advantages for obtaining certain types of employment and business opportunities, including obtaining government procurement contracts. DALFA Umurinzi, an opposition political party that spun off from the FDU-Inkingi, remained unregistered. There were reports the government harassed or otherwise targeted DALFA Umurinzi and FDU-Inkingi members (see section 1.e., Political Prisoners and Detainees). Christopher Kayumba, founder of the Rwandese Platform for

Democracy, remained on trial and his party remained unregistered.

The law no longer required – but the government 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 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. As of September, the PS-Imberakuri and the DGPR were not represented in the cabinet.

**Participation of Women and Members of Minority Groups:** No law limits participation of women or members of minority groups in the political process, and they did participate. The constitution calls for women to occupy at least 30 percent of positions in decision-making organs, including the Chamber of Deputies and the Senate. The government consistently implemented this requirement. The government also involved persons with disabilities in the political process. Lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) organizations reported barriers to open participation in the political process in that candidates and government officials were unwilling to engage openly on LGBTQI+ concerns. Representatives of historically marginalized groups (such as the Batwa people) reported prohibitions on the registration of civil society organizations to advocate for persons of a specific ethnicity had the effect of making it more difficult for persons in those groups to receive special recognition and inclusion in government and civil society activities.

## **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 that include

imprisonment and fines, and the government generally implemented the law effectively. There were isolated reports of government corruption during the year. The law also provides for citizens who report requests for bribes by government officials to receive financial rewards when officials are prosecuted and convicted.

**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, as of September 15, the RNP had dismissed 386 police officers for corruption-related offenses. The Office of the Auditor General submitted a report to parliament’s Public Accounts Committee covering the office’s anticorruption efforts.

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. The law states corruption offenses are not subject to any statute of limitations. Specialized chambers at the intermediate court level handled corruption cases. During the year Minister of State for Youth and Culture Edouard Bamporiki confessed that he had committed bribery and was brought to trial on corruption charges, although as of September he had not been arrested. A director general of the Rwanda Housing Authority was arrested on corruption charges in February. Several leaders at the Integrated Polytechnic Regional Center (an educational institution) in Kigali were arrested in October for corruption, and their cases were ongoing. The government continued to pursue cases that had been initiated in previous years.

The government utilized a “bagging and tagging” system to aid companies with regional and international due diligence requirements related to conflict minerals. The law prohibits the purchase or sale of undocumented minerals from neighboring countries. Previous UN reporting found irregularities in the sources and official statistics on gold exports. Observers and government officials reported smugglers trafficked an unknown amount of undocumented minerals through the country.

## **Section 5. Governmental Posture Towards 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 abuses 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 and reported that state security forces monitored NGO activities and NGOs self-censored their comments. NGOs working on human rights and deemed to be critical of the government experienced difficulties securing or renewing required legal registration. For example, Human Rights Watch had no representatives operating in the country since the government had previously refused to renew its lapsed memorandum of understanding.

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 and utilized the Platform as a rubber stamp for public consultations on policies. Regulations require NGOs to participate in joint action and development forums at the district and sector levels, and local governments had broad powers to regulate activities and bar organizations that did not comply from operating in their jurisdictions.

The NGO 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.

The government sometimes used the registration process to delay programming and pressure organizations to support government programs and policies (see also section 2.b., Freedom of Association). During this process, officials often pressured organizations to change their proposed names or areas of work so they did not directly address topics such as human rights monitoring.

**Retribution against Human Rights Defenders:** Some NGOs expressed concern they were surveilled, or 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 living under constant fear that the government could arrest and prosecute them for the contents of their work.

Some domestic NGOs nominally focused on human rights abuses, but self-censorship limited their effectiveness. Most NGOs that focused on human rights, access to justice, and governance matters vetted their research and reports with the government and refrained from publishing their findings without government approval. Those NGOs that refused to coordinate their activities with progovernment organizations and vet their research with the government reported they were marginalized from government-led initiatives to engage civil society and found it more difficult to obtain funding for projects.

**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 2012 the International Criminal Tribunal for Rwanda, based in Tanzania, transferred its remaining genocide cases to the IRMCT, which maintained an office in Tanzania and continued to pursue genocide suspects. Four suspects remained fugitives as of September. The government cooperated with the IRMCT, but it remained concerned by the IRMCT's past practice of granting early release to convicts, especially when those released had not professed remorse for their actions.

**Government Human Rights Bodies:** The Office of the Ombudsman was empowered to act on cases of corruption and other abuses, including human rights cases (see section 4). During the year the office did not, however, report carrying out any major human rights investigations.

The government funded and cooperated with the NCHR. According to many observers, the NCHR did not have adequate resources or independence to investigate and act on reported abuses and remained biased in favor of the government. The NCHR performed investigations on human rights matters and drafted annual reports with their findings, but these reports usually found the

government met standards for human rights protections in various fields, even when other organizations disagreed.

## **Section 6. Discrimination and Societal Abuses**

### **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 substantial fines. 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 remained common. Civil society organizations and NGOs reported this trend appeared to increase during the COVID-19 pandemic, although precise data was unavailable. 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 free medical, psychological, legal, and police assistance to survivors of domestic violence.

The government continued its whole-of-government, multistakeholder 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 of six months' to one year's imprisonment and fines. 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, and enforcement was lax.

In May allegations surfaced that several individuals organizing the Miss Rwanda beauty pageant had over the years been complicit in sexual harassment and assault of participants in the pageant. As of September, an investigation into the charges remained ongoing.

**Reproductive Rights:** There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

According to the United Nations, the estimated maternal mortality ratio decreased from 373 deaths per 100,000 live births in 2010 to 248 in 2017, with a lifetime risk of maternal death of one in 94. The country's most recent Demographic Health Survey from 2019-2020 put the ratio at 203 deaths per 100,000 live births. Major factors influencing maternal mortality included hemorrhaging during or after birth as the main cause, followed by hypertensive disorders, low clinical capacity of health providers, absence of equipment and commodities, and patients delaying seeking timely care. UN reporting indicated that 94 percent of births were attended by skilled health personnel.

The United Nations reported 57 percent of women had access to modern family planning methods, whereas the most recent Demographic Health Survey reported 58 percent using modern methods of family planning. Parental consent is required for children (individuals younger than 18 years of age) to access family planning services. The country's adolescent birth rate was 32 births per 1,000 women between 15 and 19 years of age, according to UN sustainable development goal datasets. While there is no policy restricting reproductive health service access for LGBTQI+ persons, there are no protections, and LGBTQI+ persons and organizations reported societal discrimination as a barrier when seeking services.

In some households, there were cultural and social barriers to conversations regarding adolescents seeking reproductive health services.

Some women and girls missed classes at school due to economic factors that made it difficult for them to access menstrual hygiene products. By law schools are required to ensure pregnant girls continue their education, and the government enforced the law. Nonetheless, some pregnant girls stopped attending school due

to social stigma.

The government provided sexual and reproductive health services (including emergency contraceptives) for survivors of gender-based violence via the country's network of Isange One Stop Centers.

**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. There are no known legal restrictions on women's working hours or employment in the same occupations, tasks, and industries as men. Studies in previous years indicated few persons reported gender-based discrimination in workplaces, and most individuals were either unaware of it or unwilling to discuss it. Experts concluded gender-based discrimination remained underreported, in part because victims of discrimination feared 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. The law governing matrimonial regimes stipulates joint land title ownership for a husband and wife who are legally married. 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.

## **Systemic Racial or Ethnic Violence and Discrimination**

The constitution provides for the eradication of ethnic, regional, and other divisions in society and the promotion of national unity. Long-standing 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. 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 except for references to the genocide, which was officially termed “the genocide against the Tutsi in Rwanda” in the country and at the United Nations, and eliminated ethnic quotas for education, training, and government employment.

The law protects all citizens regardless of ethnic affiliation, and the government does not recognize any ethnic affiliation. Genocide denial and divisionism statutes criminalize efforts to minimize or deny genocide crimes against the Tutsi population in 1994. The law makes it illegal to discriminate against anyone based on ethnicity or country of origin or otherwise create fissures in the society along ethnic lines.

Some individuals said the government’s reconciliation policies and programs failed to recognize Hutu victims of violence during the genocide or crimes committed by the RPF after the end of the genocide, whereas others noted the government focused positive attention on Hutus who risked their lives to save Tutsis or members of mixed families during the genocide.

## **Indigenous Peoples**

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 number approximately 34,000, lost their official designation as an ethnic group, and the government no longer recognized groups advocating specifically for Twa needs, although favorable policies remained in place to assist individuals in poverty, including some Twa. Twa advocates believed this government policy denied them their rights as an Indigenous ethnic group in that it failed specifically to provide them with adequate economic and social protections (access to higher education opportunities, for example) commensurate with their historically marginalized status in society dating back to the precolonial period.

## **Children**

**Birth Registration:** Children derive citizenship from their parents. Children born

to at least one citizen parent automatically receive citizenship. Children born in the country to unknown or stateless parents automatically receive citizenship. Minor children adopted by citizens, irrespective of nationality or statelessness, automatically receive citizenship. Children retain their citizenship in the event of dissolution of the parents' marriage. Birth registrations were generally performed immediately at hospitals and birth centers. If a birth occurred elsewhere, the birth could be registered upon the presentation of a medical birth certificate at the sector level. The government cooperated with humanitarian organizations to conduct birth registration in refugee camps. There were no reports of unregistered births leading to denial of public services.

**Education:** The government provides compulsory and tuition-free universal public education for six years of primary education for boys and girls by law. By policy the government also provides six years of tuition-free secondary education, although only the first three years of secondary education are compulsory. Parents were not required to pay tuition fees, but they often had to pay high fees for teachers' incentives and meal expenses, according to domestic observers. This at times posed obstacles to education for members of marginalized groups and others with limited economic resources.

**Child Abuse:** The law criminalizes abuse, including violence against children, child abandonment, and forced begging. Officials enforced the law, and the president made public remarks regarding the importance of prosecuting offenders. 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 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.

**Child, Early, and Forced Marriage:** The minimum age for marriage is 21; the

government strictly enforced this requirement. Anecdotal evidence suggested child marriage sometimes occurred in line with traditional norms in rural areas and refugee camps but rarely in urban areas and not with government recognition.

**Sexual Exploitation of Children:** By law sexual relations with a child younger than 18 constitutes child defilement (statutory rape), which 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, and the government enforced these laws. Conviction statistics were not available. The law prohibits the commercial sexual exploitation of children.

**Displaced Children:** There were numerous street children throughout the country. Authorities gathered street children in district transit centers before returning them to their home areas or placing them in rehabilitation centers. Human Rights Watch previously reported authorities abused street children in the transit centers and held them under harsh conditions (see section 1.c., Prison and Detention Center Conditions). Conditions and practices varied at 29 privately run rehabilitation centers for street children.

**Institutionalized Children:** The country regulated and maintained facilities providing care for children with disabilities when needed. The government favored transferring orphans from institutional settings to host families for individual care.

## **Antisemitism**

There was a very small Jewish population, consisting entirely of foreigners; there were no reports of antisemitic acts.

## **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report*  
<https://www.state.gov/trafficking-in-persons-report/>.

## **Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex**

## Characteristics

**Criminalization:** No laws criminalize sexual orientation, consensual same-sex sexual conduct between adults, or so-called cross-dressing.

**Violence against LGBTQI+ Persons:** There were reports the government did not adequately respond to reports of abuses and violence against LGBTQI+ persons. NGOs reported many LGBTQI+ individuals were afraid to report abuses to authorities, either believing authorities would not take action or were complicit in the abuses. LGBTQI+ individuals reported harassment from authorities, with law enforcement officials disproportionately accusing LGBTQI+ persons of “deviant behaviors,” which human rights monitors stated included activities such as prostitution, substance use, begging, informal street vending; public drunkenness; or other crimes as a form of discrimination and abuse. Advocates previously reported law enforcement officials abused LGBTQI+ persons in transit centers, with transgender persons targeted for particularly severe hate speech, and physical and sexual violence. The government did not report investigating these cases.

**Discrimination:** The law prohibits gender discrimination but does not explicitly recognize or protect individuals on the basis of sexual orientation, gender identity or expression, or sex characteristics. There was significant discrimination against LGBTQI+ persons. The law does not recognize LGBTQI+ individuals, couples, or their families. The law does not explicitly prohibit discrimination against LGBTQI+ persons in housing, employment, nationality laws, or access to government services such as health care.

LGBTQI+ groups conducted public activities in Kigali during the year, including Pride festivities and a fashion show, indicating increasing tolerance and acceptance of LGBTQI+ persons in some parts of the country’s society.

**Availability of Legal Gender Recognition:** There is no legal method for individuals to update gender markers on identity documents.

**Involuntary or Coercive Medical or Psychological Practices Specifically Targeting LGBTQI+ Individuals:** There were no reports of involuntary or coercive medical or psychological practices specifically targeting LGBTQI+ persons, but there was social pressure on individuals to conform to traditional

gender norms or face ostracism from their families and societal groups.

### **Restrictions of Freedom of Expression, Association, or Peaceful Assembly:**

LGBTQI+-focused civil society organizations reported barriers registering with the Rwanda Governance Board due to legal provisions preventing any association from excluding according to ethnicity, religion, region of origin, or sexual orientation. LGBTQI+ advocates commented government officials appeared reluctant to openly cooperate with LGBTQI+ organizations due to prevailing social stigma against LGBTQI+ persons. Although LGBTQI+ persons could meet and held various events throughout the year, difficulty registering their own civil society organizations was a barrier to doing more activities.

### **Persons with Disabilities**

Persons with disabilities could access education, health services, public buildings, and transportation on an equal basis with others, although public infrastructure and facilities were in some cases inadequate to provide the needed accommodations. The law affords persons with disabilities the right of access to education, health services, public buildings, and transportation on an equal basis with others, but the government did not always enforce the law. Government information and communication was not usually available in accessible formats.

The law mandates access to public facilities (including schools and transportation services), 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, although a limited number of public buses could accommodate persons with disabilities. The National Council of Persons with Disabilities and the Rwanda National Union of the Deaf reported working to finalize a Rwandan Sign Language dictionary.

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities, and the government generally enforced these provisions.

Many children with disabilities did not attend primary or secondary school. Few

students with disabilities reached the university level because many primary and secondary schools did not provide reasonable accommodations.

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.

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 2018 parliamentary elections. Observers noted some polling stations were inaccessible to persons with disabilities and that some election volunteers appeared untrained on how to assist voters with disabilities.

### **Other Societal Violence or Discrimination**

Laws protecting persons with disabilities applied to persons with albinism, but persons with albinism continued to experience persistent societal discrimination.

The law provides for imprisonment of up to six months, a fine, 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. In 2020 the country completed a survey to assess HIV-related stigma and discrimination and inform advocacy efforts and adjustments to program design. The survey reported discrimination against persons with HIV and AIDS occurred, although such incidents remained rare. The government actively supported relevant public education campaigns, including by establishing HIV and AIDS awareness clubs in secondary schools and making public pronouncements against stigmatization of those with the disease.

The law 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 survivor and alleged perpetrator both undergo HIV testing.

According to RDF policy and in keeping with UN guidelines, the military did not permit members with HIV and 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**

The law provides for the right to form and join unions and employer associations, bargain collectively, and strike, but it places restrictions on these rights. For example, a union seeking registration must prove that its representatives have never been sentenced to prison terms of six or more months. There is a 90-day waiting period before a union is fully registered. Any union seeking majority representation in each sector must submit to an inspection of their membership registry and property by the labor administration. Military, police, and security personnel are prohibited from joining unions. An employer may refuse a recognized union access to the workplace, although the union may appeal this to the labor inspector. A union must include a majority of workers in the enterprise. The law protects the right to unionize but does not automatically provide for reinstatement of workers fired for union activity.

A ministerial order defines the implementation of the law and specifies guidelines for labor inspections, provides the modalities of electing employee representatives, lists acts considered gross misconduct, determines the core elements of a written employment contract, and defines essential services that may not be interrupted by a strike or lockout. Labor disputes are mediated by local and national labor inspectors before they may be referred to a court, which may refuse to hear the case. Labor officials encourage dialogue between employees and employers before involving the labor inspectorate and courts. The law applies to all employees with contracts. The right to collective bargaining is recognized by the law but it is subject to restrictions. Collective bargaining is limited to fully registered unions that must have published their articles of association in the official gazette before obtaining legal capacity. The law also gives the government authority to intervene in the settlement of collective labor disputes. In addition, in workplaces with multiple unions or employee organizations, all the available organizations must jointly work together to conduct collective bargaining. If they fail to agree, the union with the largest number of members automatically assumes the authority to collectively negotiate on behalf of all the workers.

The law and ministerial orders provide some workers the right to conduct strikes,

subject to numerous restrictions. Civil servants, military, police, and security officials are not allowed to strike. The law states that employees have the right to strike when the arbitration committee allows more than 15 working days to pass without issuing a decision, the conciliation resolution on collective dispute was not implemented, or the court award was not 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 all modes of transportation and fuel sales, security, health, education, water and sanitation, and all forms of telecommunications, which severely restricted the right to strike in these fields. Employees and employers are prohibited from exercising a strike or lock-out within 10 days preceding or following elections in the country or during a state of national emergency. The law does not address strikes in the informal sector.

Labor unions were organized into three confederations: 17 trade unions represented by the Rwanda Confederation of Trade Unions, six by the Labor and Worker’s Brotherhood Congress, and 10 by the National Council of Free Trade Union Organizations in Rwanda. All three federations were officially independent of the government, but some maintained close links with the government.

The right to collective bargaining generally was not respected by the government or employers. The government and employers pressured employees to settle grievances on an individual rather than collective basis. The government did not enforce applicable laws effectively. Penalties for violations were commensurate with those for similar offenses but were rarely applied. Many private-sector businesses did not allow 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, although there were few recent examples. The International Trade Union Confederation reported the government intervened in the settlement of collective bargaining disputes.

There were neither registered strikes nor reports of unlawful strikes during the year; the most recent recorded strike was by textile workers in 2011. In some

cases the government acted to resolve labor disputes in workers' favor to avert the threat of a strike. National elections for trade union representatives occurred on regular cycles depending on the trade union. The government usually maintained a significant degree of influence with union leaders.

Although not a formal strike, there was a protest directly pertaining to the rights of workers during the year – the first public protest of its kind since 1994. On January 13, groups of motorbike taxi drivers gathered to protest new metering requirements, objecting to the economic burden the new policy placed on ordinary taxi drivers. Demonstrations were significant but peaceful and police officials engaged demonstrators on their concerns with the new requirements, resulting in the demonstrations dispersing. A government spokesperson claimed demonstrators misunderstood the new policy whereas demonstrators stated they had clear concerns that mandatory contributions to taxi conglomerates combined with taxes and other government payments were too onerous.

The law does not specifically protect workers from antiunion discrimination. There were no functioning labor courts or other formal mechanisms to resolve antiunion discrimination complaints, and labor disputes moved slowly through the civil courts.

## **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's trafficking-in-persons national action plan included programs to address forced labor. A ministerial order provided details on the implementation of the law, including interagency responsibilities for law enforcement and protection services for victims of trafficking and forced labor. The law prescribes penalties of imprisonment and fines. Penalties for forced labor involving trafficking of a person were commensurate with those prescribed for other serious crimes, such as rape, with the penalties being higher if the victim was a child or a vulnerable person. Penalties for exploiting forced labor that did not involve coercion were one to three years imprisonment. Statistics on the number of victims identified in forced labor were not available. Suspected victims, including children, were reportedly sometimes detained in transit centers without proper screening or referral to care and assistance.

The law requires citizens ages of 18 to 65 to periodically (usually for several hours once a month) participate in community works projects under the auspices of the “Umuganda” program. This program has been a fixture in the country’s development for decades (including under the previous government), with the government hailing these community works projects as critical avenues for organizing citizens to work together to solve social and economic problems for mutual benefit. Individuals were encouraged to participate; those who did not could be fined, although those who stayed home usually were not fined.

Responsibility for implementing plans to combat forced labor was divided among the justice, labor, and local government ministries. Police, immigration officials, local government officials, and labor inspectors received training on identifying victims of trafficking. Government enforcement was inconsistent, particularly in cases involving domestic workers. Although not widespread, forced labor reportedly occurred in bars, restaurants, and mines, particularly in rural areas.

Also see the Department of State’s *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### **c. Prohibition of Child Labor and Minimum Age for Employment**

Please see the Department of Labor’s *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/> and the Department of Labor’s *List of Goods Produced by Child Labor or Forced Labor* at <https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods>.

### **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.

There were no known legal restrictions to women’s employment in the same occupations, tasks, and working hours as men. The government did not consistently enforce antidiscrimination laws, and there were reports of discrimination based on gender and disability. Women generally enjoyed equal

pay for the same work as men, although pay varied across occupations. The law officially protected persons with disabilities from employment discrimination, but persons with disabilities often faced discrimination in hiring and access to the workplace. Migrant workers enjoyed the same legal protections, wages, and working conditions as citizens, but they sometimes faced discrimination due to societal bias and informal hiring quotas tied to citizenship status.

## **e. Acceptable Conditions of Work**

**Wage and Hour Laws:** There is no official minimum wage. The law states the Ministry of Labor may establish a minimum wage by ministerial order, but as of November the ministry had not issued such an order.

The law provides a standard workweek of 40 hours (although many persons worked up to 45 hours per week) and 18 to 21 days of paid annual leave, in addition to official holidays. The same law, however, allows employers to determine a work schedule depending on the nature of the work. Most workers in the formal sector worked five or six days per week. The law provides employers with the right to determine daily rest periods. Most employees received a one-hour lunch break. The law states women employees who have given birth are entitled to a maternity leave of at least 12 consecutive weeks. A ministerial order states overtime is accrued after 45 hours worked per week and is compensated by a “rest period equal to the extra hours performed” within the following 30 days. If employees are not provided the rest period within 30 days, they are to be paid for hours worked. The rate for overtime work is the worker’s regular salary.

**Occupational Safety and Health:** The law states employers must provide for the health, safety, and welfare of employees and visitors, and enterprises are to establish occupational safety and health (OSH) committees. 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. Orders from the Ministry of Labor determined appropriate OSH conditions and the establishment and functioning of OSH committees. Workers’ right to remove themselves from dangerous situations without jeopardy to their employment is protected by law, but enforcement was lax.

**Wage, Hour, and OSH Enforcement:** The labor law does not include penalties for noncompliance with minimum wage laws. Employers are required to enter contracts with their employees, and these contracts must be written in a language the employee understands. A ministerial order requires employers to review their contracts with their employees to ensure those contracts complied with labor laws.

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 OSH standards. The Ministry of Labor maintained a list of dangerous professions subject to heightened safety scrutiny.

Wage, hour, and OSH laws applied both the formal and informal sector. The government did not effectively enforce the law. The number of labor ministry inspectors was not sufficient to enforce labor standards effectively. Violations of overtime and OSH standards were common in both the formal and informal sectors. Penalties for violations were commensurate with those for similar violations but were rarely applied against violators.

**Informal Sector:** The law was seldom applied in the informal sector. Families regularly supplemented their incomes by working in small businesses or subsistence agriculture in the informal sector, which included more than 75 percent of all workers, according to the National Institute of Statistics of Rwanda. Employers in the informal sector frequently failed to register employees for social security or occupational health insurance and pay into those benefit systems. The law that provides for the creation of trade unions and collective bargaining does not apply to informal sector workers with no employer.