

RWANDA

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1. INTRODUCTION

Over the last 12 months, the RPF's dominance has, if anything, tended towards further consolidation. In contravention of article 62 of the constitution, the party now holds 73 per cent of cabinet positions. It also occupies 84 per cent of all functions listed in Annex 2 of these *Chronicles*. In ethnic terms, Tutsi occupy 60 per cent of cabinet positions and 75 per cent of all listed functions. The predominance of returned refugees, at the expense of genocide survivors, is striking. These figures have remained relatively stable over the last ten years.

The political opposition, civil society and the media continue to be intimidated, both inside the country and abroad. While massacres committed by the RPF were well documented, they have escaped judicial condemnation. However, current attempts to revive the 2010 UN Mapping Report on crimes perpetrated in the DRC are seen as a threat in Kigali.

Regional relations have remained poor, particularly with Uganda and Burundi, and these conflicts continue to paralyse the East African Community. In addition, Rwanda keeps interfering in the DRC, under the form of both military operations and the exploitation of natural resources.

2. POLITICAL GOVERNANCE

Changes in the cabinet tend to be frequent in Rwanda, and the early months of 2020 were no exception. They occurred both as a result of a major reshuffle and the removal of individual ministers. On 6 February, the Minister of State for Constitutional and Legal Affairs Evode Uwizeyimana and his colleague in charge of Primary and Secondary Education Isaac Munyakazi resigned. The former had aggressively refused to undergo security procedures when entering a building a few days earlier, while the latter was alleged to have been involved in national exam fraud and doctoring school rankings in 2019.¹ Uwizeyimana's demise appears also to have been caused by his public attacks on the Catholic Church hierarchy, women, journalists and cabinet colleagues, which had led in the past to hostile comments against him in social media. Before joining the cabinet in 2016, he had been a staunch critic of the

¹ "Two ministers resign from Rwandan Cabinet", *The New Times* (Kigali), 7 February 2020.

regime while living in exile in Canada, until his return to Rwanda in 2014.² A week after these departures, on 14 February Health Minister Diane Gashumba also resigned. According to a tweet from the Prime Minister's office, this followed "a series of habitual gross errors and repeated leadership failures on the part of the Minister".³ A couple of days later, President Kagame made clear what these "failures" were. During the National Leadership Retreat (*Umwih-erero*) he accused Gashumba of lying to him about the availability of testing kits for Covid-19, and he hinted that more ministers could be "on their way out". Kagame specifically pointed to Defence Minister Major General Albert Musasira and Minister of Internal Security General Patrick Nyamvumba.⁴

Just days later, Kagame made a major reshuffle involving the entry into the cabinet or the moving to other portfolios of a dozen Ministers and Ministers of State.⁵ Some of these changes had been made necessary by the resignations/dismissals mentioned earlier. Her appointment as the new Minister of Cabinet Affairs confirmed the rise of Ines Mpambara, who had been the chief of staff in the President's office since 2009. Having operated in the centre of power, she was sometimes called "the real Prime Minister" and had trodden on many toes. Behind closed doors, officials expressed "admiration and loathing, in equal measure".⁶

Surprisingly, only weeks after this shakeup, two other members of the cabinet were shown the door, and both these sackings were revealing. On 9 April Minister of State Olivier Nduhungirehe was removed from office "for consistently acting based on personal opinions over Government policies". While he was known to be very vocal, including on social media, one tweet too many seems to have sealed his fate. On 7 April, the first day of the genocide remembrance period, he argued that politicians who were killed during the genocide should also be remembered.⁷ This caused strong reactions on Twitter, including from Lonzen Rugira, an opinion maker who regularly publishes in *The New Times*. He wrote that the commemoration "is not to remember politicians" and that "personal circumstances cannot be used to undermine

² On the incidents preceding Uwizeyimana's resignation see "Evode Uwizeyimana: The Eloquent Constitutional Lawyer Who Called President Kagame's Government 'Clique of Armed Gangs'", *The Chronicles* (Kigali), 7 February 2020.

³ "Health Minister Dr Gashumba resigns", *The New Times*, 14 February 2020.

⁴ "Rwandan President Kagame hints at firing more ministers", *The East African*, 18 February 2020.

⁵ "President Kagame Makes Major Cabinet Shakeup", *KTPress* (Kigali), 26 February 2020; "Kagame reshuffle cabinet, overhauls Health and Education Ministries", *The New Times*, 27 February 2020.

⁶ "The Meteoric Rise of Ines Mpambara (sic), New Minister for Cabinet Affairs", *The Chronicles*, 27 February 2020.

⁷ "Kagame drops vocal minister for defying government stance", *The East African*, 10 April 2020.

collective memory".⁸ During the exchange between the two, Rugira added an ominous reference to what happened to Victoire Ingabire in 2010: "A certain lady said something similar at the genocide memorial when she returned from exile. She wanted everyone to have a chance to mourn their own". Nduhungirehe's last reaction read: "This is the time for mourning, not for petty debates and intimidation. Goodbye". While he paid the price for appearing to contradict the official narrative on the genocide and its victims, this incident shows the sensitive nature of the issue of "truth" in today's Rwanda.⁹

This was not the end, as another spectacular sacking followed later the same month. On 27 April, Kagame removed General Patrick Nyamvumba from the post of Minister of Internal Security "owing to matters of accountability under investigation". Appointed only in November 2019, Nyamvumba was criticised by Kagame during the National Leadership Retreat in February, and his was probably the briefest ministerial career in the country's history. Before he became a Minister, Nyamvumba was the RDF Chief of Defence Staff. The way in which a top army officer was treated suggests tensions in the military establishment, although their nature and severity remain unclear.

After the reshuffles, the RPF made no attempt to hide its near monopoly in the cabinet. As was the case in the past, the government's composition contravenes article 62 of the constitution which stipulates that a party cannot have more than 50 per cent of cabinet members. However, out of a total of 31 members, the RPF holds 22 positions¹⁰, with the PSD having two and the PL one; five members have no official party affiliation, and the affiliation of one other could not be identified. A more covert way of controlling the government, that has also been in use for many years, is that if a minister is not a Tutsi of the RPF, the permanent secretary is (with just one exception) a Tutsi of the RPF, thus offering a way of controlling members considered "less reliable". While they constitute under 15 per cent of the country's population, Tutsi occupy 60 per cent of cabinet positions.¹¹ In terms of both party political and ethnic affiliation, these figures have remained relatively stable over the last decade.¹²

⁸ The uproar may be due to the fact that mentioning "politicians" in the context of the early 1990s could be seen as a reference to Hutu politicians, which would explain the recollection of Victoire Ingabire's arrest.

⁹ However, later in the year Nduhungirehe was appointed ambassador to The Netherlands.

¹⁰ Not counting the CEOs of the Rwanda Development Board and the Rwanda Mines, Petroleum and Gas Board who are members of the cabinet. They are both RPF.

¹¹ The composition of institutions can be found in Annex 2. Adding up all office holders in this annex who could be identified, the statistics are as follows: RPF 80/95 (84 per cent); Tutsi 75/100 (75 per cent). Of the latter, 59 are former refugees (78 per cent of Tutsi), showing marginalization of Tutsi genocide survivors.

¹² DE ROECK, M., REYNTJENS, F., VANDEGINSTE, S., VERPOORTEN, M., "Special data feature. Institutions in Burundi and Rwanda: A 20-year data overview (1995-2016)", in REYNTJENS, F., VANDEGINSTE, S., VERPOORTEN, M. (Eds.), *L'Afrique des grands lacs. Annuaire 2015-2016*, Antwerp, UPA, 2016, pp. 44-45.

As seen during the *Umwiherero* in February, President Kagame likes to keep the country's leaders on their toes. At the occasion of the signing of the performance contracts (*imihigo*) with local authorities, he insisted that Rwandans expect more of them, and that they should step up efforts, correct past mistakes and deliver.¹³ Districts are ranked according to their achievements in meeting *imihigo* targets.¹⁴ The consequences can be very real for local leaders. In January, 14 cell executive secretaries in Bugesera district were forced to sign a letter of resignation, although some of them doubted that the reason had anything to do with their performance.¹⁵ However, not all are evenly affected, for instance on the issue of corruption. In October, the Ombudsman openly complained: "People taking big bribes are not easy to capture. They have money, are powerful, very sophisticated in how they conduct their activities, and have protection networks".¹⁶ Coming from a high state official appointed by the President, this shows a commitment to tackle the problem. However, *The Chronicles* wondered why *udufi duto* (small fish) are caught but *ibifi binini* (big fish) are left alone, and added that "the question of who is responsible never gets answered – leaving President Paul Kagame and his team blaming the other".¹⁷ The Auditor General's 2018-2019 report showed an "unimaginable wastage of taxpayers' money" at all levels, from local districts to the Senate, but *The Chronicles* claimed that these practices generally remained unaddressed.¹⁸ There may be a link with the phenomenon of aid capture by ruling elites. A World Bank study of 22 most aid-dependent countries, including Rwanda, showed that aid disbursements coincide with significant increases in deposits held in offshore financial centres (haven deposits).¹⁹

In a context where it has increasingly been challenged in domestic and international opinion, the regime continued to aggressively protect its discourse. For instance, Rwandans are "invited" to march on the right track laid out by the RPF. Revealingly, "the two visions for society – the old and the new – being diametrically opposed means that they cannot coexist in the same political

¹³ "Stop justifying mediocrity, Kagame tells leaders", *The New Times*, 30 October 2020.

¹⁴ This is expressed in very precise (and quite surreal in their detail) percentages, ranging from 84 per cent for Nyaruguru district to 51.2 per cent for Karongi district ("PM Nigirente sheds light on 2019-2020 Imihigo performance", *The New Times*, 30 October 2020).

¹⁵ "14 Bugesera District Officials Summoned to Meeting and Given 'resignation letters'", *The Chronicles*, 23 January 2020.

¹⁶ "Ombudsman Says: Corrupt 'Big Fish' are Sophisticated, Have Protection Networks and Lots of Cash", *The Chronicles*, 31 October 2020.

¹⁷ "Rwanda's Corrupt: Its Men, Young and only 'Small Fish'", *The Chronicles*, 1 May 2020. Also see "Rwanda: la liste des hautes personnalités les plus corrompues enfin dévoilée", *Echos d'Afrique*, 30 June 2020.

¹⁸ "Enemies of Progress: The People Wasting Our Taxes", *The Chronicles*, 24 May 2020.

¹⁹ ANDERSEN, J.J., JOHANNESSEN, N., RIJKERS, B., *Elite Capture of Foreign Aid. Evidence from Offshore Bank Accounts*, World Bank Group, Policy Research Working Paper 9150, February 2020.

space. One must supplant the other".²⁰ The "one" is obviously that of the RPF. "Fighting the ideology of genocide" is a central part of this campaign, *inter alia* by bolstering the effectiveness of the National Commission for the Fight against Genocide (CNLG), including abroad, by giving it "an organisational structure that enables it to be somewhat aggressive abroad through working with Rwandan embassies and other organisations with similar responsibilities".²¹ Some foreign writers contribute to the dissemination of the RPF's discourse.²² Noting that, domestically, "genocide ideology cases are on the rise", parliament advocated more efforts in fighting genocide denial and trivialisation, including in the schools where "there are those who have not yet accepted to tell the truth".²³ As a consequence, "the young find themselves on the wrong side of history" because some teachers "have a different understanding and later a misrepresentation of the events from the past", while "there are still parents who continue to plant the seeds of divisionism".²⁴

The dangers inherent in this defensive and aggressive stance became clear when a speech delivered in November 2019 to a Tutsi audience²⁵ by General James Kabarebe, former Defence Minister and current defence and security advisor in the President's office, became public at the end of January 2020. In a "us v. them" vein, he warned against Hutu refugees, announcing "two opposing generations. On the one side, there is you, genocide survivors, who have the country, on the other there are those who have stabilised themselves and possess economic power (in the countries where they have settled). (...) Some are even here, inside the country, and they are really irreducible. (...) But we have the country, we have the army, we have the power and the might".²⁶ This sort of discourse sets up one group against another in contravention of the legislation outlawing divisionism and the official government de-ethnicisation project.

The internal opposition has continued to face grave difficulties. Inside Rwanda, there are only two opposition parties, one recognised, the other not. After Victoire Ingabire left the FDU-Inkingi to set up a new party, DAL-

²⁰ "Rwanda's liberation and Ingabire's incompatible vision for society", *The New Times*, 6 July 2020.

²¹ "Why government wants to reform anti-Genocide body", *The New Times*, 21 July 2020.

²² "Linda Melvern's new book exposes patterns of Genocide denial", *The New Times*, 27 February 2020. See MELVERN, L., *Intent to Deceive. Denying the Genocide of the Tutsi*, London-New York, Verso, 2020. In 2017, she and eight others received the Igihango National Order of Outstanding Friendship medal from President Kagame "in recognition of their exemplary service to the nation in various capacities". I have reviewed this book in *African Affairs*, Vol. 120, No. 478, 2021, pp. 144-145.

²³ "Lawmakers urge greater efforts to tame genocide ideology", *The New Times*, 17 October 2020.

²⁴ "Survivors concerned over genocide fugitives – report", *The New Times*, 4 November 2020.

²⁵ *The Association des étudiants et élèves rescapés du génocide* (AERG).

²⁶ Translation from a video recording of the speech in Kinyarwanda.

FA-Umurinzi, in November 2019, it remained unregistered like its predecessor. In February, DALFA-Umurinzi published a report that aimed to assess the degree of implementation of *Rwanda Vision 2020* and concluded that the government would not fulfil its ambitions. The report insisted that “there can be no sustainable development without democracy”, and therefore proposed four “pillars of democracy” that nevertheless remained vague.²⁷ The operation of the party continued to be hindered by harassment. Ingabire was regularly called in by the Rwanda Investigations Bureau (RIB), where she was kept for hours at a time. In June, her house was searched by the RIB, officially because of suspicion of involvement with “terrorist groups”. Party members were arrested, charged and sentenced for “subversion” (see below in the section on justice). The Democratic Green Party of Rwanda (DGPR) is the only opposition party represented in parliament by its president, Frank Habineza, and its secretary general, Jean Claude Ntezimana. Habineza was described as “soldiering alone like an orphan”. According to *The Chronicles*, as the only MP criticising government policies, he is considered “unpatriotic” by his fellow MPs, and he was summoned by the parliamentary disciplinary committee to tone down his “*urusaku*” (noise). However, after some lawmakers reported Habineza to the RPF Secretariat, it reportedly told them that they should see his efforts as a challenge to them, and that he was actually helping to keep the government on its toes.²⁸

Surveillance, control and monitoring possible dissent extends well beyond Rwanda’s borders. Previous political chronicles have detailed intimidation, kidnapping²⁹ and violence abroad. In November, the BBC showed leaked footage of an “oath” ceremony at the Rwandan High Commission in London. Such events, designed to instil fear and obedience among Rwandans abroad, appear to be frequent. Often under duress, participants pledge loyalty to the RPF, stating: “If I betray you or stray from the RPF’s plans and intentions, I would be betraying all Rwandans and must be punished by hanging” and promising “to fight the enemies of Rwanda, wherever they may be”. The High Commission didn’t even deny this had happened, and stated that members of the diaspora use its conference room for a variety of cultural events and that participation in an RPF loyalty pledge was legal. The BBC found out that the Rwandan government not only threatened members of the diaspora seen as disloyal, but also punished such people by targeting their relatives living in Rwanda.³⁰ In a similar vein, in October there was a leak of forms that the government distributed to local authorities to register people who left Rwanda, as

²⁷ DALFA-Umurinzi, “Rwanda Vision 2020 development programme scrutiny”, February 2020.

²⁸ “Green Party’s Frank Habineza: The ‘Orphan’ in Parliament”, *The Chronicles*, 19 October 2020.

²⁹ The case of Paul Rusesabagina will be discussed later.

³⁰ “The loyalty oath keeping Rwandans abroad in check”, *BBC News*, 18 November 2020.

well as their families staying inside the country. The form referred to “families whose members have gone to foreign countries (...) and who have joined opposition organisations against the state” and asked to “report these situations, if they exist in your district, using the following tables”.³¹

Concluding on political governance, all international rankings converge to paint a sombre image. The V-Dem Democracy Report places Rwanda 138th out of a total of 179; the country is ranked “not free”, with a score of 22/100, by Freedom House; Polity IV calls it a “closed anocracy”; its rank on the Economist World Democracy Index is 129 out of 151 with the label “authoritarian regime”; and the country ranks 96th out of 137 with the label “hard-line autocracy” in the Bertelsmann Transformation Index Democracy Report.

3. SOCIO-ECONOMIC GOVERNANCE

The contrast between poor political governance and ambitious socio-economic policies has been striking for many years, and 2020 has been no different. A brief glance at developments during the year shows vision and ambition. In January, the Infrastructure Minister unveiled a plan to develop a 35-hectare Sports Hub in the Remera neighbourhood of Kigali. This development, which would conform to international standards, is planned to include an aquatic centre, the extension of the existing Amahoro stadium, a hotel, a shopping mall, and an upgrading to 18 holes of the golf course.³² In March, American billionaire Howard Buffet, who first announced an ambitious plan to invest in the country’s agricultural development in 2015, pledged to establish Africa’s largest centre for agriculture research and extension in Bugesera. The stated aim is to modernise the sector and improve smallholder farmers’ livelihoods.³³ In May, the cabinet approved a draft law establishing the Rwanda Space Agency (RSA), which was expected to be operational by July.³⁴ The RPF also showed again that it is a learning organisation when Rwanda signed a seven-year agreement with South African QA Venue Solutions to manage the 10,000 seat multipurpose Kigali Arena, opened in August 2019, as “it had emerged that few if any local companies had experience managing facilities like Kigali Arena”.³⁵ Following the example of other African countries, the government decided in October to enter the cannabis growing industry for medical use expected to make billions of dollars. While noting the government’s tough stance on the production and use of cannabis, social media sug-

³¹ Translated from a document titled “Abaturage bagiye Uganda”, with subtitles “Ababiye Uganda” and “Imiryango ifite abantu bagiye mu bihugu by’iburayi n’ahandi muri Afurika”.

³² “Government to develop a sports hub in Remera”, *The New Times*, 30 January 2020.

³³ “American billionaire to build Africa’s largest agriculture research centre in Rwanda”, *The New Times*, 12 March 2020.

³⁴ “Rwanda Space Agency to be operational in July”, *The New Times*, 21 May 2020.

³⁵ “South African company secures contract to manage Kigali Arena”, *The New Times*, 8 October 2020.

gested that licensing its extensive production for medicinal use should come with its legalisation in the country.³⁶ Ambitions to promote the role of Kigali as a financial hub were confirmed by the appointment of former Credit Suisse CEO Tidjane Thiam³⁷ as chair of Rwanda Finance Ltd, a public company tasked with finding financing from non-traditional sources³⁸, and by the announcement that Kenyan banker James Mwangi would build Kigali Financial Towers in the context of developing the Kigali International Financial Centre (KIFC).³⁹ Throughout the year, the way in which the country dealt with the Covid-19 pandemic was very much “first world”, efficient and heavy-handed at the time, in line with the way the regime tends to tackle problems. By the end of 2020, Rwanda was the only country on the African continent whose travellers were not banned from entering the EU.

While the government’s vision and ambition must be acknowledged, implementation doesn’t always follow. Chemouni and Dye have shown the limitations of policies using the example of electricity production. What they call a flawed system that has created a system poorly attuned to the country’s energy demand profile and that is prohibitively costly, was caused by the bureaucracy’s relative weakness vis-a-vis a small group of RPF officials and the presidency. Adaptation towards more realistic policies remains ad hoc and erratic, and it is hampered by officials’ fear of speaking out. Issues observed in the electricity sector can be seen in other fields such as education.⁴⁰ Clearly there is a link between authoritarianism in politics and socio-economic development. Likewise, the Green Revolution which aimed to radically transform the rural landscape failed to produce the intended results, and even caused severe side effects, particularly for smallholder farmers. However, here again the RPF proved to be a learning organisation. Mounting grassroots resistance led to a decrease in rigidity with which agricultural policy restrictions were imposed, and policymakers started to engage with contestation. For instance, multi-cropping increasingly re-emerged as the rule rather than as the exception, and problems related to food security, crop failure and food price infla-

³⁶ “Rwanda Enters Lucrative Billion-Dollar Cannabis Industry”, *The Chronicles*, 13 October 2020.

³⁷ Ivorian national Thiam resigned from Credit Suisse in February as a consequence of a scandal caused by him authorising massive spying on some of the bank’s executives.

³⁸ “Ex-Credit Suisse CEO Tidjane Thiam Gets Influential Role in Rwanda”, *The Chronicles*, 12 November 2020; “Ex-Credit Suisse boss appointed Rwanda Finance Limited board chair”, *The New Times*, 12 November 2020.

³⁹ “Kenya’s Banking Tycoon Mwangi to build Kigali Financial Towers”, *The New Times*, 19 November 2020.

⁴⁰ CHEMOUNI, B., DYE, B.J., *The contradictions of an aspiring developmental state : energy boom and bureaucratic independence in Rwanda*, FutureDams Working Paper 008, February 2020.

tion were more openly debated in the national media.⁴¹

Other policies also ran into problems. The much-lauded *Mutuelle de santé* health insurance has been struggling with funding gaps for years, and at the end of 2019 ran a deficit of RWF 14.5 billion, which was almost half of its budget. Less than a month before the 30 June deadline, only 18 per cent of subscribers had managed to pay their fees.⁴² The government therefore decided to fine defaulters, meaning that those who cannot afford to pay will have to pay even more.⁴³ The land sharing scheme put in place in the early 2000s ran into increasing trouble as it provoked bitter and silent resistance. Cases of people contesting the scheme’s outcomes before the courts were on the rise, and some contestations developed ethnic undertones. Bribery, local politics and old land claims by former chiefs contributed to situations that were explosive in certain places.⁴⁴ Over the year, investigative journalism by *The Chronicles* unearthed several instances where ambitious infrastructure projects failed to materialise, leading to considerable loss of public funds. In Karongi district, Western Province, of the 384 houses promised in the form of a “model village”, only eleven had been built almost ten years after the start of construction work. Almost everything that could go wrong, did go wrong, and the Danish architect resigned and left the country, writing on her blog that “it was not politically possible to continue our collaboration” with the Rwandan authorities.⁴⁵ A 50 km road project in the Northern province was marred by arbitrary evaluations of expropriation compensation, corruption and poor construction work.⁴⁶ Ten years after its construction, a badly devised waste management facility in the Eastern province was abandoned.⁴⁷ Overall, the 2018-2019 national audit report submitted to parliament by the Auditor General listed a total of 65 contracts valued at 113 million USD as either delayed or abandoned. The autonomy and freedom of the Auditor General in documenting governance shortcomings must of course be noted, and it is in line with Kagame’s aforementioned ambition to keep the country’s leaders on their toes.

A final point on economic development worth noting is the long-stand-

⁴¹ ANSOMS, A., “The End of the New Green Revolution in Rwanda?”, *ROAPE Blog*, 11 February 2020.

⁴² “Only 18 per cent have paid Mutuelle de Santé premiums”, *The New Times*, 5 June 2020.

⁴³ “Mutuelle de Santé defaulters to be fined”, *The New Times*, 30 July 2020.

⁴⁴ “Ethnic Undertones, Bribery, Courts are Reversing RPF Land Sharing Scheme”, *The Chronicles*, 12 January 2020; “Family of Powerful Colonial Chief Blocks Land Compensation Program in Southern Rwanda”, *The Chronicles*, 13 October 2020.

⁴⁵ “Daylight Robbery: Local Government Ministry Planned for 384 Houses Model Village in Karongi, Only 11 Houses Built”, *The Chronicles*, 23 February 2020.

⁴⁶ “Exposed: The RTDA Extortion and Bribery Syndicate in AfDB-funded Road Project”, *The Chronicles*, 17 June 2020.

⁴⁷ “Confusion in East Rwanda Over Costly Waste Management Project Idle for 10 Years”, *The Chronicles*, 30 July 2020.

ing issue of the illegal transfer of Congolese mineral resources to Rwanda. The Canadian NGO Impact documented the export from Rwanda to Dubai of almost 600 kg of gold from January to May 2016. The report noted that the documented paucity of domestic gold production shows that the vast majority of this gold is not of Rwandan origin, and found that customs authorities in Rwanda (and Uganda) are either not completing due diligence or are ignoring suspect documentation. Some companies are phantom trading entities that exist only in Rwandan transit documents. In addition to artificially increasing Rwanda's GDP and fiscal revenue, these practices lead to massive losses for the Congolese treasury, money laundering, income for armed groups in the DRC and human rights abuse.⁴⁸ The UN Group of Experts on the DRC found that, in addition to gold, other minerals (such as coltan and wolframite) continued to be exported illegally to Rwanda, from where they found their way onto the world market.⁴⁹ Under these circumstances, it is ironic that some of Congo's neighbours (including Rwanda) blamed "mafia networks" for the illicit exploitation and trade of natural resources, and vowed to "jointly fight them".⁵⁰

4. JUSTICE

By far the most spectacular case brought before Rwandan courts was that of Paul Rusesabagina, a prominent opposition figure living in exile and a central character of the award-winning Hollywood film *Hotel Rwanda*. He flew from the US to Dubai, where he boarded a private jet that took him to Kigali. On 31 August, he was paraded before the media by the RIB. As he would not have gone to Rwanda of his own volition, questions were immediately raised about the circumstances of his arrest. Although the RIB first said it was the result of an international warrant, this was denied by the UAE, and it soon became clear that he had been tricked into boarding the plane that he apparently thought was bound for Bujumbura. It seems he was invited there for a speaking tour by a Burundian pastor acting as a Rwandan agent. This was implicitly admitted by President Kagame who said: "It's like you're calling a number (...) and you find you have dialled a wrong number – that's how it happened. There was no kidnap. It was actually flawless".⁵¹ On 13 September, Rusesabagina was charged with 13 counts linked to terrorist activities, allegedly

⁴⁸ IMPACT, *The Intermediaries. Traders Who Threaten the Democratic Republic of Congo's Efforts for Conflict-Free Gold*, September 2020.

⁴⁹ United Nations, Security Council, *Midterm report of the Group of Experts on the Democratic Republic of the Congo*, S/2019/974, 20 December 2019.

⁵⁰ "Congo's Neighbours Blame 'Mafia Networks' for Illegal Exploitation of its Minerals", *The Chronicles*, 7 October 2020.

⁵¹ "Rwanda Hints It Tricked 'Hotel Rwanda' Dissident Into Coming Home", *The New York Times*, 6 September 2020; Amnesty International, "Rwanda: Paul Rusesabagina must be guaranteed a fair trial", 14 September 2020.

committed by his *Mouvement rwandais pour le changement démocratique* (MRCD) and its military wing the *Front de libération nationale* (FLN)⁵², before the Kicukiro Primary Court. He pleaded not guilty and was refused bail.

As Rusesabagina is a well-known opposition figure, a Belgian citizen and a US resident who received several awards including the US Presidential Medal of Freedom from the hands of President George W. Bush, his arrest raised international concern and condemnation. The debate inside and outside Rwanda was polluted by the conflation of three distinct issues: his real role as "saviour of Tutsi" at the Hotel des Mille Collines in 1994⁵³, the legality of his arrest, and his involvement in violent acts causing loss of life committed by the MRCD/FLN in 2018. With regard to the latter, in a December 2018 video on YouTube Rusesabagina pledged "unreserved support" for the FLN, which had claimed responsibility for several attacks in the Southwest of the country. Despite this apparent admission of guilt, Amnesty International and Human Rights Watch raised fair trial concerns.⁵⁴ Human Rights Watch denounced a statement made on 6 September by President Kagame to the effect that Rusesabagina was guilty before any judicial process⁵⁵ and recalled its documentation of systematic patterns of torture, enforced disappearances, illegal and arbitrary detention, and unfair trials.⁵⁶

Besides the case in Rwanda, Rusesabagina's international lawyers launched other procedures. Claiming that he was subjected to enforced disappearance, extraordinarily rendered from Dubai, not promptly brought before a court, held incommunicado, denied his right to the presumption of innocence, and at risk of torture or other cruel, inhuman or degrading treatment, two international lawyers asked the UN Special Rapporteur on Torture to investigate

⁵² Their spokesperson Callixte Nsabimana was arrested in 2019 after being transferred from the Comoros under unclear circumstances reminiscent of Rusesabagina's transfer from Dubai. He is on trial on charges similar to those laid against Rusesabagina.

⁵³ Immediately after his arrest and years earlier, after Rusesabagina had fallen out with the Rwandan regime, witnesses came forward to claim that his hero status was a fiction. A case in point is Senator Odette Nyiramilimo who made such statements ("Senator Nyiramirimo exposes the fictions behind the Rusesabagina myth", *Virunga Post*, 17 September 2020), while in the past she had spoken very highly of Rusesabagina as a saviour of Tutsi in the hotel (GOUREVITCH, P., *We wish to inform you that tomorrow we will be killed with our families*, New York, Farrar Straus and Giroux, 1998).

⁵⁴ Amnesty International, "Rwanda...", *op. cit.*; Human Rights Watch, "Rwanda: Rusesabagina Was Forcibly Disappeared. Violations of Prominent Critic's Rights Raise Fair Trial Concerns", 10 September 2020.

⁵⁵ Kagame repeated his accusations that were in contravention of the principle of the separation of powers, see e.g. "Rusesabagina will have his day in court: Kagame", *The New Times*, 21 December 2020; "President Kagame on Rusesabagina: Those Who Defend Him Know Nothing About His Past", *KTPress*, 22 December 2020.

⁵⁶ An excellent summary of the facts of the case is offered in "How the Hero of 'Hotel Rwanda' Fell Into a Vengeful Strongman's Trap", *The New York Times*, 18 September 2020.

the situation.⁵⁷ In October, the Rusesabagina legal team filed a petition to the East African Court of Justice (EACJ), claiming that his arrest and detention violated the Community's treaty. His lawyers also filed a federal lawsuit in the US against GainJet Aviation, the Greek charter company that took him to Kigali, and Constantin Niyomwungere, the Burundian pastor who set him up on behalf of the RIB. Rusesabagina's family sought statutory and punitive damages under the Torture Victim Protection Act, the Alien Tort Statute and international law, in addition to alleging civil conspiracy, fraud, false imprisonment and intentional infliction of severe emotional distress.⁵⁸

Some less publicised court cases will now be briefly discussed. In January, six members of opposition party FDU-Inkingi were convicted and sentenced to between 7 and 12 years in jail by the High Court for armed rebellion. Four suspects were acquitted for lack of evidence. Another terror case involving 32 suspects allegedly linked to the Rwanda National Congress (RNC) is ongoing at the Military High Court. Some of the accused were active servicemen in the RDF at the time of their arrest in 2019. After the Court of Appeal upheld the conviction of Colonel Tom Byagamba and retired Brigadier General Frank Rusagara in December 2019, though reducing their sentence to 15 years⁵⁹, they took their case to the EACJ. They argue that their continued detention is unlawful and challenge their holding in solitary confinement as contrary to the EAC treaty and Rwandan law. In September, the Court of Appeal confirmed the life sentence of Léon Mugesera for publicly inciting ethnic hatred and persecution, as well as his acquittal in first instance for preparing and planning the genocide and conspiracy in genocide. On 27 November, the African Court on Human and Peoples' Rights condemned Rwanda for the "cruel, inhumane and degrading treatment" of Mugesera while in jail and ordered it to pay a compensation of RWF 25 million (around USD 25,000). Stating that Mugesera's petition was on the conditions of his detention, the court however refused to order his release or the dismissal of his life sentence.⁶⁰

At the level of international justice, the most significant development was the arrest, on 16 May in a Paris suburb, of Félicien Kabuga, often referred to as the "funder of the genocide". Indicted by the ICTR in 1997 on seven counts in relation to the genocide, he had escaped arrest ever since. In a communiqué,

⁵⁷ Perseus Strategies, Letter to Dr. Nils Melzer, Special Rapporteur on Torture, 7 September 2020.

⁵⁸ CONRAD, D., "Jailed 'Hotel Rwanda' Hero Sues Over Arrest in US Court", *Courthouse News Service*, 14 December 2020.

⁵⁹ Human Rights Watch considered their conviction a violation of their right to free speech and challenged the use of unreliable evidence in their trial (Human Rights Watch, "Rwanda: Free Speech Convictions Upheld", 13 January 2020).

⁶⁰ "Le Rwanda condamné pour traitement cruel et inhumain", *La Presse* (Montréal), 27 November 2020; "African Court Orders Rwanda to Compensate Genocide Convict Leon Mugesera \$25,000", *The Chronicles*, 28 November 2020.

the International Residual Mechanism for Criminal Tribunals (IRMCT) Chief Prosecutor thanked French law enforcement agencies and services from several countries, as well as Europol and Interpol. This late arrest raised obvious questions about protections Kabuga would have benefitted from during his long period of successful hiding.⁶¹ On 21 October, an IRMCT judge ordered Kabuga's transfer to The Hague, where he appeared before the court on 11 November. He pleaded not guilty. While it is not yet clear whether the case on the merits will take place in The Hague or Arusha, it is set to become a complex and possibly lengthy trial.⁶²

One case in third countries deserves mention. On 3 July, the investigating chamber of the Paris Court of Appeal upheld the 21 December 2018 decision of the investigating judges Herbaut and Poux, dismissing, for lack of sufficient evidence, the case regarding the 1994 missile attack against the plane of President Juvénal Habyarimana. Although the civil parties announced a cassation appeal, this decision means the abandonment of proceedings against nine suspects close to President Kagame. This outcome means that this was a crime without known perpetrators. The decision does not conclude that the RPF is innocent of this crime, but rules out the possibility of establishing its culpability before an assize court, despite a great deal of evidence pointing in this direction.⁶³

5. HUMAN RIGHTS

International reporting on the human rights situation continued to observe major problems. The executive summary of the US State Department's most recent annual world review summarized them as follows: "Significant human rights issues included: unlawful or arbitrary killings by state security forces; forced disappearance by state security forces; torture by state security forces; arbitrary detention by state security forces; political prisoners; arbitrary or unlawful interference with privacy; the worst forms of restrictions on free expression, press, and the internet, including threats of violence against journalists, censorship, website blocking, and criminal libel and slander laws; substantial interference with the rights of peaceful assembly and freedom of

⁶¹ "Rwanda: retour sur la cavale sous protection de Félicien Kabuga", *Jeune Afrique*, 16 May 2020.

⁶² GUICHAOUA, A., "Rwanda: What's at stake in the Kabuga trial", *Justiceinfo.net*, 1 October 2020. For instance, it will be hard for the prosecution to show that the importation of machetes by Kabuga had a link to the genocide (GUICHAOUA, A., "Y a-t-il eu importation de machettes en vue de préparer le génocide des Tutsis au Rwanda?", *The Conversation*, 30 August 2020; for more details see TISSOT, R., "Les importations de machettes comme preuve de la planification du génocide contre les Tutsi? La place du Rapport Galand-Chossudovsky dans l'écriture de l'histoire du Rwanda", 21 October 2020, online <https://tissotparis.wixsite.com/rwandapccm>).

⁶³ See REYNTJENS, F., *The RPF did it. A fresh look at the 1994 plane attack that ignited genocide in Rwanda*, IOB Working Paper 2020.05, October 2020.

association, such as overly restrictive nongovernmental organization (NGO) laws; and restrictions on political participation; criminal violence against women and girls, which the government took insufficient action to prevent or prosecute”.⁶⁴ Over the years, organisations such as Amnesty International and Human Rights Watch have voiced similar concerns.

Probably the most dramatic instance of abuse was the death in a police cell of popular gospel musician Kizito Mihigo. His woes had started in 2014, when he recorded a song, *Igisobanuro cy'Urufu* (the meaning of death), asking to remember all victims of the violence in 1994, and thus seen as challenging the official RPF narrative.⁶⁵ He was arrested and charged with conspiracy to commit murder, complicity in a terrorist act and conspiracy against the government. In February 2015, he was sentenced to ten years in prison, but received a presidential pardon in September 2018. On 14 February 2020, the RIB announced that he had been arrested, allegedly because he was attempting to illegally cross the border with Burundi, where it was claimed he intended “to join anti-Rwanda terror groups”.⁶⁶ Three days later, the police announced that he had committed suicide in his Remera station prison cell. The official explanation was met with disbelief, and Human Rights Watch, Amnesty International and the Commonwealth Human Rights Initiative demanded a prompt, thorough and independent investigation into the cause of his death, which a commentator called “the latest in a long list of dissidents to die under mysterious circumstances after tangling with Rwandan President Paul Kagame”.⁶⁷ Calls for a full investigation were echoed by two of Rwanda’s major allies, through the U.S. Assistant Secretary of State for African Affairs and the Africa Director of the British Foreign Office. Nothing of the kind happened. After voices close to the regime tried to sanitise the “suicide” thesis⁶⁸, on 26 February the National Public Prosecution Authority issued a statement which concluded, based on a post-mortem, witness statements and an investigation on the scene, that “Mr Kizito Mihigo’s death resulted from suicide by hanging and further finds no basis for criminal charges”.⁶⁹ No international partner

⁶⁴ United States Department of State, *2019 Country Reports on Human Rights Practices*, March 2020, entry on Rwanda.

⁶⁵ This was confirmed by a paper close to the RPF: the song “in which he came close to straying into the genocide deniers’ perversely tendentious theory of double genocide” (“Death of A Fallen Singing Angel, The Terrible End of Kizito Mihigo”, *KTPress*, 22 February 2020).

⁶⁶ “Disgraced singer Kizito Mihigo arrested”, *The New Times*, 14 February 2020.

⁶⁷ YORK, G., “Rwandan celebrity singer Kizito Mihigo found dead in police cell, latest in mysterious deaths of dissidents”, *The Globe and Mail*, 17 February 2020.

⁶⁸ For instance “Kizito Mihigo had shown signs of depression, investigators say”, *The New Times*, 18 February 2020; “Kizito Mihigo went from bringing joy to being used”, *The New Times*, 28 February 2020; “Kizito Mihigo: Manipulated in life and death”, *The New Times*, 1 March 2020.

⁶⁹ National Public Prosecution Authority, “Statement on Investigative Report on the Death of Mr Kizito Mihigo”, 26 February 2020.

of Rwanda appears to have insisted on a credible enquiry, and this was the end of the case.⁷⁰

A recurring issue is the treatment of people who, under a 2017 law, exhibit “deviant behaviour”, including street children, street vendors, sex workers, homeless people and beggars. For many years, Gikondo Transit Centre in Kigali has served as an unofficial detention facility where they are arbitrarily detained. According to a new report by Human Rights Watch, in addition to their unjustified detention, the children are underfed, regularly beaten, and held in overcrowded and unhygienic rooms, without judicial oversight or due process.⁷¹ The UN Committee on the Rights of the Child confirmed the substance of the report, and expressed concern about “the practice of rounding up street children and holding them arbitrarily in transit centres” as well as about “the high number of children engaged in worst forms of child labour and hazardous work”.⁷²

The media are still not free. In the Reporters Without Borders 2020 World Press Freedom Index, Rwanda is ranked 155th out of a total of 180. Article 19 and Access Now noted serious challenges to media freedom, including criminal defamation and insult provisions, broad surveillance powers, and online and offline attacks against journalists.⁷³ In April, several journalists and bloggers who reported on rapes by security forces and the impact of Covid-19 directives on vulnerable populations were arrested. The Rwanda Media Commission (RMC) stated that the detained journalists were not arrested in relation to their work and that online bloggers are not journalists and “are not

⁷⁰ On 17 August, dozens of Tutsi genocide survivors living abroad issued a statement inspired by the Kizito Mihigo case and other instances of survivor victimisation. They claimed to “have been a specific target of killings and persecution throughout the years by different security services of the current Rwandan government”. On Kizito Mihigo’s death more concretely, they stated: “Various eyewitnesses later refuted suicide as a possible cause of death, including a YouTube reporter who, after seeing Mr. Mihigo’s dead body, described seeing gashes on his face clearly caused by sharp objects rather than suicide by hanging as reported. The blogger has been incarcerated since without charge”.

⁷¹ Human Rights Watch, “*As Long as We Live on the Streets, They will Beat Us*”. *Rwanda’s Abusive Detention of Children*, 27 January 2020, 31 pp.

⁷² UN Committee on the Rights of the Child, “Experts of the Committee on the Rights of the Child hail progress in Rwanda, but express concern about street and refugee children and worst forms of child labour”, 28 January 2020; Also see Human Rights Watch, “Rwanda: UN Body Targets Abuse of Street Children”, 14 February 2020; “Bribery, Lashes, Death and TVET Skills: Stories from Rwanda’s Delinquent Rehabilitation Centers”, *The Chronicles*, 4 August 2020.

⁷³ Article 19 and Access Now, “Joint submission to the Universal Periodic Review of Rwanda by Article 19 and Access Now”, 9 July 2020.

authorised to interview the population”.⁷⁴ In December, the RMC launched an application system for registering YouTube channels, which it however suspended on 29 December “to have more consultation to streamline this service”. The critical blogger and genocide survivor Aimable Uzaramba Karasira was dismissed as a lecturer at the University of Rwanda for, among other reasons, the “expression of attitudes and opinions through controversial public statements”. *The Chronicles* remains the only news outlet operating more or less independently inside the country, but this has come at a price. On 9 July, the journal announced the suspension of publication without giving a reason, while at the end of the month its Managing Director, Dr Christopher Kayumba, was sentenced to one year in prison for causing a disturbance at Kigali International Airport. However, the paper reappeared in August, and it resumed its critical writing. While there seems to be more space to criticise aspects of public policies, even in the official *The New Times*, this generally relates to low and intermediate levels of government, and basic RPF tenets are not challenged. Issues considered “delicate” are not addressed. For instance, *The Chronicles* didn’t even mention the death of Kizito Mihigo.⁷⁵ Even international media are discouraged from covering stories not to the government’s liking. In February, a Congolese journalist working at BBC Africa in Dakar was fired for “serious misconduct” after an interview with Franco-Cameroonian author Charles Onana, a vocal critic of the RPF who sometimes flirts with genocide denial. His letter of dismissal said the broadcaster had received a complaint about the interview from the Rwandan government accusing the BBC of being “unfair, biased and inaccurate” and reserving the right to “take sanctions” against it.⁷⁶

Like in previous years, the RPF continued to get caught up by its past human rights record. In his Nobel Lecture delivered in Oslo on 10 December 2018, Congolese Peace Prize laureate Dr. Denis Mukwege made reference to the so-called Mapping Report, a major indictment of human rights abuses in the DRC between 1993 and 2003. He said it “is gathering mold in an office drawer in New York. It was drafted following a professional investigation into war crimes and human rights violations perpetrated in Congo. This investigation explicitly names the victims, the places and the dates, but leaves the

⁷⁴ Human Rights Watch, “Rwanda: Lockdown Arrests, Abuses Surge”, 24 April 2020. *The Chronicles* published a list of arrested or “disappeared” media people “after they fell on the wrong side of government’s preferred version of social media content” (“It Was a Threat, Now it’s Policy: Rwanda Government Comes Down Hard on Social Media ‘Lies’”, *The Chronicles*, 16 April 2020).

⁷⁵ Except by retweeting a statement on this affair by the UK Foreign and Commonwealth Office on its Twitter handle.

⁷⁶ Reporters Without Borders, “BBC Africa’s ‘disproportionate and dangerous’ dismissal of a journalist”, 13 February 2020; “RDC-Rwanda: BBC Afrique dans la tourmente suite au licenciement d’un journaliste congolais”, 16 February 2020.

perpetrators nameless. This Mapping Report by the office of the United Nations High Commissioner for Human Rights describes no fewer than 617 war crimes and crimes against humanity and perhaps even crimes of genocide”. While it also points an accusing finger to other parties, the report is particularly severe for the Rwandan army. When, ten years after its publication, Mukwege again tried to put it on the table, this caused considerable nervousness in Kigali. In May, Mukwege said the time had come to “unearth the Mapping Report”, and he reiterated his plea ever more loudly.

After President Tshisekedi picked up the idea to establish a transitional justice mechanism to deal with past crimes in August, the theme gained traction. Sensing the danger, the Rwandan regime set out to discredit both Mukwege and the Mapping Report.⁷⁷ General Kabarebe⁷⁸, former Rwandan Defence Minister and current senior advisor in Kagame’s office, denounced Mukwege on state television, and he became the target of attacks on social media and received death threats.⁷⁹ Several diplomats, as well as UN High Commissioner for Human Rights Michelle Bachelet came out in support of Mukwege and asked for his protection. In September, the European Parliament voted a resolution in support of the creation of an international criminal tribunal for the DRC and asked EU member states with a seat in the UN Security Council to take initiatives in that direction. For their part, Congolese civil society organisations issued statements and held demonstrations in support of the recommendations of the Mapping Report, a plea encouraged by the Congolese Minister for Human Rights. Rwandan opposition groups abroad followed suit, as did the UN Human Rights Council. Likewise, UN General Secretary António Guterres encouraged the Congolese government to “adopt a national strategy of transitional justice”.⁸⁰ In an important speech on 6 December, Tshisekedi announced as part of his programme “to obtain support,

⁷⁷ See for instance “Double genocide conspiracy in the DRC (Part One): When Mukwege meets Fayulu”, *The New Times*, 12 August 2020; “Double genocide conspiracy in the DRC (Part II): made up report, made up victims”, *The New Times*, 14 August 2020; “Debunking Lies: Did Gen. Kabarebe Threaten Nobel Prize Co-Laureate Dr. Mukwege?”, *KTPress*, 21 August 2020; “Dr Mukwege, Icône créé par l’Occident pour servir les intérêts des impérialistes”, *Igihe*, 25 August 2020; “Mukwege and Co fear the truth more than they fear Kabarebe”, *The New Times*, 1 September 2020; “Mukwege is Jussie Smollet”, *The New Times*, 6 September 2020; “Double genocide conspiracy in the DRC: Why has Dr. Denis Mukwege gone silent?”, *The New Times*, 21 November 2020.

⁷⁸ Kabarebe was the commander of the Rwandan troops that committed atrocities in the DRC, and he might be one of the main suspects to be charged in case an international tribunal is set up.

⁷⁹ Physicians for Human Rights, “Congo-Kinshasa: PHR Statement on Intimidation and Threats against Dr. Denis Mukwege, Human Rights Defender and Nobel Peace Prize Co-Laureate”, New York, 17 August 2020.

⁸⁰ “L’ONU encourage Tshisekedi dans sa décision de mettre en place une commission nationale de justice transitionnelle et la création d’un fonds en faveur des victimes de crimes graves”, *Actualité.cd*, 13 October 2020.

from the international community and the United Nations in particular, for the initiative to put in place an international criminal tribunal and mixed specialised courts in the DRC”.

This is obviously a dangerous development for the Rwandan regime, and it understands this very well. After the RPF had secured impunity for its crimes in Rwanda after the closure of the ICTR where, despite overwhelming evidence, none of its perpetrators were prosecuted⁸¹, it could now face justice for international crimes, including possibly genocide, committed in the DRC. The judicial determination of such crimes would be a major blow to the image of morality the RPF has been carefully projecting and protecting during the last quarter century.⁸² Nevertheless, Mukwege’s international visibility and support may have convinced the regime to cease its media campaign against him.

6. REGIONAL RELATIONS

Although conflicts between Rwanda and its neighbours have become less acute over the last year, the International Crisis Group warned about the potential side effects of Congolese President Tshisekedi considering inviting Rwandan, Ugandan and Burundian troops into the DRC to fight groups they respectively oppose, while at the same time they are accused of backing insurgents there. This could escalate support for allied militias while targeting enemies. As in the past, new proxy warfare could further destabilize eastern DRC and even lead to new regional security crises.⁸³

Although the risk of all-out war between the two countries has abated, relations between Rwanda and Uganda are still far from cordial, and there remains a great deal of verbal hostility. For instance, at the annual Diplomats’ Luncheon in Kigali on 29 January, Kagame devoted two-thirds of his speech to Uganda which he again accused of “associating with these (anti-Rwandan) groups you have been giving support to in order to destabilise our country”.⁸⁴ Just days before the third quadripartite (DRC, Angola, Uganda and Rwanda) summit resolved on 21 February that Uganda and Rwanda would release na-

⁸¹ CRUVELLIER, T., *Court of Remorse. Inside the International Criminal Tribunal for Rwanda*, Madison WI, The University of Wisconsin Press, 2010; Also see REVER, J., *In Praise of Blood. The Crimes of the Rwandan Patriotic Front*, Toronto, Random House Canada, 2018.

⁸² Another major claim of the RPF’s narrative was definitively debunked, the one that over a million Tutsi were killed during the genocide. In a forum “Calculating mortality in the Rwandan genocide” published in the *Journal of Genocide Research* (vol. 22, issue 1, 2020, pp. 77-141), the authors – independently from one another – arrived at casualty counts in the range of 500-600,000, obviously still a huge toll but about half the official figure. Also see REYDAMS, L., “More than a million’: the politics of accounting for the dead of the Rwandan genocide”, *Review of African Political Economy*, published online 27 July 2020.

⁸³ International Crisis Group, *Averting Proxy Wars in the Eastern DR Congo and Great Lakes*, Nairobi-Brussels, 23 January 2020.

⁸⁴ “Stop Giving Support to Groups Destabilizing our Country, Automatically the Borders Will Open”, *The Chronicles*, 30 January 2020.

tionals of each country, the regime press in Kigali accused Uganda of “brazen misinformation”, the telling of “outright lies” and “deliberately misleading”: “There’s nothing coming from Uganda that suggests this crisis is coming to an end any time soon”.⁸⁵ Similar claims were made in the days and weeks after the meeting.⁸⁶ In June, at the occasion of an ad hoc commission meeting between the two countries, Rwandan Foreign Minister Biruta made clear that the main bones of contention had not disappeared, claiming that “the harassment and persecution of Rwandan nationals in Uganda continue to grow” and denouncing “the activities carried out by Rwandan rebel groups on Ugandan territory”.⁸⁷ Ugandan online media close to the intelligence establishment were not outdone. When Kenyan intelligence services intercepted two trailers with firearms heading for Kampala, this was claimed to be an operation initiated by Rwanda’s defence intelligence “with the aim of waging war against the government of Uganda”. The objective was said to “logistically support opposition in Uganda during the next year’s election by making Kampala very ungovernable”.⁸⁸ The same outlet claimed that several millions of dollars had been transported from Rwanda into Uganda “to help opposition politicians in Uganda to overthrow the NRM ruling government”.⁸⁹

Relations remained similarly frosty with Burundi. While denying allegations from Congolese opposition leaders and civil society organisations that Rwandan troops were operating in eastern DRC, Kagame instead accused Burundi of having deployed forces there. At the same time, Burundi accused Rwanda of backing Burundian rebels in South Kivu.⁹⁰ Just days later, Rwandan and Burundian troops exchanged fire at Lake Rweru on their common border.⁹¹ Despite a meeting of both countries’ military intelligence chiefs intended to restore confidence in August⁹², later developments showed little improvement in relations. In September, Burundi refused to participate

⁸⁵ “Uganda-Rwanda crisis far from over”, *The New Times*, 10 February 2020.

⁸⁶ Among many hostile reactions: “Museveni still lying about the root cause of the Uganda-Rwanda crisis”, *The New Times*, 24 February 2020; “As if issuing passports to RNC terrorist wasn’t bad enough for business, Museveni stages Kabale rally to blame the victim”, *The New Times*, 25 February 2020; “Is Museveni serious on normalizing relations with Rwanda?”, *The New Times*, 4 March 2020; “Exclusive: New details show how Ugandan authorities nurtured marriage of convenience between RNC and FDLR”, *The New Times*, 20 March 2020.

⁸⁷ “Anti-Rwanda terrorist groups still operating in Uganda, Biruta says”, *The New Times*, 5 June 2020.

⁸⁸ “Guns Seized in Kenya Enroute to Uganda Linked to Rwanda”, *Command1Post*, 24 November 2020.

⁸⁹ “Rwanda Positions Self as Base for Anti Kampala Elements Ahead of 2021 Elections”, *Command1Post*, 24 November 2020.

⁹⁰ “Kagame: Burundi Troops Operating in DRC’s South Kivu Province”, *The Chronicles*, 27 April 2020.

⁹¹ “Rwandan, Burundian soldiers exchange gunfire at Lake Rweru”, *The New Times*, 10 May 2020.

⁹² “Rwanda, Burundi move to restore security ties”, *The New Times*, 27 August 2020.

in a quadripartite summit organized by Congolese President Tshisekedi to discuss regional security, saying it preferred bilateral talks.⁹³ A strange incident occurred at the end of September, when 19 combatants claiming to be part of Red Tabara, a Burundian armed group, were intercepted by the Rwandan army close to the border with Burundi. Burundi in vain asked that they be extradited, while it had in the past accused Rwanda of supporting Red Tabara.

Relations with the DRC were ambiguous and sometimes contradictory. On the one hand, together with his Angolan counterpart Lourenço, Tshisekedi attempted to promote better relations between Rwanda and Uganda and to jointly address regional security threats. On the other, Tshisekedi's rapprochement with Kagame was met with considerable distrust domestically. Political and civil society groups suspected Tshisekedi of allowing Rwandan troops to operate on Congolese soil, thus fuelling the fear of the country's "Balkanisation", a fear explicitly relayed by the Archbishop of Kinshasa Cardinal Ambongo Besungu.⁹⁴ Despite Kagame's repeated denials, the UN Group of Experts found that elements of the Rwanda Defence Force were indeed present and conducted operations in North Kivu from late 2019 to early October 2020 in violation of the sanctions regime.⁹⁵ Lack of transparency on these activities by both the Congolese and the Rwandan governments further encouraged speculation.⁹⁶

The delicate nature of bilateral relations became clear again when in August the Rwandan ambassador in Kinshasa, Vincent Karega, posted a tweet in which he seemed to deny a massacre the Rwandan army allegedly committed in Kasika in 1998. Although he deleted it, the reactions were furious. Civil society organisations called the tweet denialist and an insult to the Congolese nation and the memory of the victims. They called for Karega's expulsion and again relayed Dr. Mukwege's plea to follow up on the 2010 Mapping Report (see *supra*). Opposition politician Martin Fayulu, the real winner of the 2018 presidential election⁹⁷, followed suit. Several anti-Karega demonstrations subsequently took place in the streets of Kinshasa, but the ambassador stayed on.

For many years, alliances in the region have been constantly shifting, thus

⁹³ "Burundi Refuses to Participate in Goma Quadripartite Summit", *The Chronicles*, 12 September 2020.

⁹⁴ "Catholic Church Suggests There's Project to Cut Off Eastern Congo from DRC", *The Chronicles*, 4 January 2020. A Rwandan reaction to such claims can be found in "There is a hand in DR Congo affairs; not Rwanda and not that invisible", *The New Times*, 28 January 2020.

⁹⁵ United Nations, Security Council, *Midterm report of the Group of Experts on the Democratic Republic of the Congo*, S/2020/1283, 23 December 2020.

⁹⁶ "Militaires rwandais en RDC [1/2]: Kigali mène-t-elle une guerre secrète?", *RFI*, 23 April 2020; "Militaires rwandais en RDC [2/2]: Quelles preuves?", *RFI*, 24 April 2020.

⁹⁷ BERWOUTS, K., REYNTJENS, F., *The Democratic Republic of Congo: The Great Electoral Robbery (and how and why Kabila got away with it)*, Brussels, Egmont Institute, Africa Policy Brief, No. 25, 19 April 2019.

creating an unpredictable geopolitical landscape. Rivalries often play out in the DRC, where the government continues to struggle to reconstruct a weak state, including by gaining territorial control. This leaves space for neighbouring countries' armies and rebel groups, as well as a large number of Congolese non-state armed groups. Rwanda, Uganda and Burundi accuse each other of supporting insurgents across their borders and proxies on Congolese soil. In such a context, "President Tshisekedi's push for the three neighbours to send troops to root out rebels from the DRC is a high-stake gambit (...) heightening risks that neighbours use armed intervention in the DRC to reinforce their own proxies at the expense of their rivals"⁹⁸, a development that would further weaken rather than strengthen the Congolese state. One victim of the regional wrangling, and particularly the uneasy triangle Uganda-Rwanda-Burundi, is the East African Community. No Heads of State summit has taken place since February 2019, and several have been postponed ever since. In light of this virtual standstill, the lack of initiative of two founding countries without direct stakes in the conflicts, Kenya and Tanzania, is surprising.

7. RWANDA AND THE WORLD

As has been the case for many years, Rwanda remains at the centre of much heated debate in France. This is in large part due to a conceptual conflation of two issues only found there: the role played by France before and during the genocide and the evaluation of current day political governance in Rwanda. Simply put, those criticising the RPF defend the "honour of France", while those criticising France's role defend the RPF. In this very polarised landscape where two clear "camps" oppose each other, it seems impossible to criticise or to defend both France and the RPF. In addition, both "camps" refuse to engage in any meaningful debate, meeting as they do in their own bubbles where they preach to the converted. This again became obvious when a conference⁹⁹ was organised in the premises of the French Senate on 9 March 2020. The programme included some speakers critical of the RPF and accused of genocide denial in the past, and Rwandan and French groups close to Kigali launched a campaign to have the event cancelled.¹⁰⁰ It took place without incident, but this episode again showed how both camps remained in their

⁹⁸ International Crisis Group, *Averting Proxy Wars...*, *op. cit.*, p. 11.

⁹⁹ "L'Afrique des Grands Lacs. 60 ans de tragique instabilité".

¹⁰⁰ Among many attempts, see GISAGARA, R., "Génocide des Tutsi au Rwanda: des négationnistes s'invitent au Sénat français", *Jeune Afrique*, 4 March 2020; "Rwandans in France protest against conference welcoming genocide deniers", *The New Times*, 4 March 2020; "Au Sénat, un colloque sur le génocide des Tutsi provoque la colère de la communauté rwandaise", *Le Monde*, 9 March 2020. Other hostile reactions appeared after the event, see e.g. "Légitimer le négationnisme pour disculper l'Etat français", *Billets d'Afrique* (Survie), 7 April 2020; DUPAQUIER, J.-F., "9 mars 2020 au Sénat, le cluster raciste et négationniste du génocide des Tutsi du Rwanda", *Afrikarabia*, 28 June 2020.

trenches without even the beginnings of a dialogue.

The next fight erupted soon after. On 5 April, the commission established by President Macron in 2019 to study the archives on France's role in Rwanda published its interim report.¹⁰¹ A few sentences were enough to cause suspicion on the commission's true intentions. *Survie*, an association fighting "la Françafrique" for many years and sympathetic to the Kigali regime, reacted immediately. The interim report "already discreetly absolves French authorities of certain accusations", the commission commits "an ignominious distortion of the facts", and "the policy deployed by France is diametrically opposed to the soft presentation adhered to by the commission".¹⁰² Another RPF supporter suggested that secret military documents that could embarrass France had disappeared.¹⁰³ While the commission's less than transparent functioning doesn't help, reactions like these, formulated before the publication of the full report slated for April 2021, indicate that attempts are being made to influence its work, and that conclusions that don't fully adhere to a "camp's" position will be considered untrue. In other words, the report is likely to be rejected by one side or the other, and probably by both.¹⁰⁴

A third fight occurred on the occasion of the publication of the French translation of Canadian journalist Judi Rever's book *In Praise of Blood. The Crimes of the Rwandan Patriotic Front*.¹⁰⁵ Although a petition was launched to prevent publication¹⁰⁶, the book appeared in mid-September. Hostile debates for¹⁰⁷ and against¹⁰⁸ continued afterwards. Strong pressure and the threat of disturbances caused the city of Bayeux to withdraw Rever's invitation to the ceremony of the Bayeux-Calvados Award for war correspondents. Just

¹⁰¹ Commission de recherche sur les archives françaises relatives au Rwanda et au génocide des Tutsi (1990-1994), "Note intermédiaire remise au Président de la République", 5 April 2020.

¹⁰² *Survie*, "Note d'étape de la commission Duclert sur la France au Rwanda. La grande lessive a commencé", 7 April 2020.

¹⁰³ DUPAQUIER, J.-F., "Paris-Kigali: des documents secrets manquent à l'appel", *Afrikarabia*, 8 April 2020.

¹⁰⁴ An interesting analysis of the stakes surrounding this saga can be found in DUPUIS, S., "En attendant le rapport de la Commission Duclert, le procès fait à la France", Fondation Jean Jaurès, 14 December 2020. A sequel occurred in November, when a member of the commission, Julie d'Andurain, was led to resign after a campaign against her because of what she wrote about the genocide and the French Opération Turquoise in 2018. It is true that her presentation in terms of "massacres between Hutu and Tutsi" was unfortunate and historically wrong.

¹⁰⁵ REVER, J., *Rwanda. L'éloge du sang*, Paris, Max Milo, 2020. This book is reviewed in the book review section later in this volume.

¹⁰⁶ "Génocide contre les Tutsis: Max Milo ne doit pas publier un ouvrage négationniste", *Libération*, 15 August 2020; "Genocide survivors petition French publishing house over toxic book", *The New Times*, 21 August 2020.

¹⁰⁷ For instance "L'Eloge du sang": le livre de Judi Rever qui montre toute l'horreur du génocide au Rwanda", *Marianne*, 18 September 2020.

¹⁰⁸ For instance "Négationnisme – Le génocide à l'envers de Judi Rever", *Billets d'Afrique* (*Survie*), 8 November 2020.

as on previous occasions, the logic of the "camps" prevailed, and the angry exchanges on the book addressed little or nothing of substance, again showing the deep impasse the "debate" on Rwanda in France finds itself in.

In Belgium, the polarisation around Rwanda reached parliament, where it was decided in June to set up a commission to study the country's colonial past. When the composition of a panel of experts meant to assist the MPs in their work was made public in August, Rwanda invited itself on the scene. One of the invited experts was Rwandan lawyer Laure Uwase, a member of the association Jambo, known for its critical position toward the Kigali regime. As usual under these circumstances, she was labelled a genocide denier, and pressure to exclude her started.¹⁰⁹ It should however be added that Uwase has no particular expertise justifying her inclusion in the panel, and that party political manoeuvring by Flemish Christian Democrats may have played a role in her selection.¹¹⁰ The chairman of the Rwandan Senate sent a letter of protest to the speaker of the Belgian House of Representatives, and complained that the answer he received demonstrated a "colonial mindset".¹¹¹ Nothing was heard from Burundi and the DRC, two other countries included in the commission's brief.

Finally, a position taken by two of Rwanda's international allies, the US and the UK, caused considerable concern in Kigali, as it seemed to call into question the RPF's genocide narrative. In April, when the UN General Assembly was to routinely adopt a draft resolution entitled "International Day of Reflection on the 1994 Genocide against the Tutsi in Rwanda", both countries issued an Explanation of Position (EoP) in similar wording. The US was "concerned that changes made to the text (...) narrow the focus of the resolution to the Genocide *against the Tutsi* in Rwanda, and fail to fully capture the magnitude of the violence that was committed against other groups. Many Hutu and others were also killed during the genocide". The UK's EoP stated that "we disagree with the framing of the genocide purely as the '1994 genocide against the Tutsi' (...) We believe that Hutus and others who were killed should also be recognised". These EOPs came close to the words spoken by opponent Victoire Ingabire upon her return to Rwanda in 2010 that were considered denialist and led to her conviction to a long prison sentence. The regime reacted with outrage. In a letter to the UN Secretary-General dated 28 April 2020, Rwanda's Permanent Representative wrote that the EoPs "dis-

¹⁰⁹ "Anger as Genocide Denier is Included in Belgian Commission to Examine Colonial Past", *KTPress*, 7 August 2020; "Outrage as genocide denier is chosen expert on Belgian colonial role in Rwanda", *The New Times*, 8 August 2020; "Parliament raises concern over genocide denier named on Belgian probe commission", *The New Times*, 10 August 2020.

¹¹⁰ It is unclear why the commission made that choice, knowing (or needing to know) that this would be seen as a provocation in Kigali.

¹¹¹ "Rwanda Senate President Complains of 'Colonial Disrespect' from Speaker of Belgian Parliament", *The Chronicles*, 31 October 2020.

torted these very historical facts and ignored the Security Council resolutions and the International Criminal Tribunal for Rwanda jurisprudence to which they are both [US and UK] bound. (...) Rather than advancing reconciliation, the explanations of position (...) bring ambiguity that feeds the resurgent genocide denial movement". Rwandan media echoed these concerns.¹¹² An apparently unrelated incident showed how important policing its narrative is for the regime. After, for calendar reasons, Belgium held an event in Camp Kigali in memory of ten Belgian peacekeepers killed there in 1994 on 6 April instead of the "official" start of the genocide the next day, two Belgian diplomats were expelled. This choice of the "wrong" date was seen as an act denying the genocide against the Tutsi, more so since 6 April "is the same date Rwandan exiles, genocide sympathisers and some implicated in the genocide commemorate".¹¹³

8. CONCLUSION

All in all, 2020 was a routine year. Political trials, reshuffles in the state apparatus and public warnings about subversion suggest some internal threats and possible fragmentation, but the RPF's dominance was hardly challenged inside the country. The RPF continued to tightly police its narrative, although it tended to lose traction internationally, which is a development the regime is clearly concerned about. Domestically, the problem with this narrative is that it is not shared by many Rwandans, who rather see it as a weapon of oppression. For instance, the gap between the official victim status and the suffering of Hutu was dramatically exposed by the death in police custody of Kizito Mihigo, himself a Tutsi genocide survivor.

Overall, governance shows a mixed picture, displaying qualities like resilience, vision and ambition, but also darker traits like authoritarianism, paternalism and aggressive assertiveness. Other characteristics, such as patriotism, nationalism and anti-ethnism, lead to diverging appreciations depending on their use. These contradictions are more generally expressed in the confrontation between flawed political governance and efficient technocratic governance, a spread discussed in this and previous chronicles. Nic Cheeseman has identified a major question facing authoritarian development in Africa, namely whether the economic gains achieved under repressive rule

¹¹² "US, UK Want Review of '1994 Genocide Against the Tutsi' Appellation", *The Chronicles*, 26 May 2020; "Understanding UK-US 'Explanations of Positions (EOPs)' on the 1994 Genocide", *The Chronicles*, 27 May 2020; "The designation 'Genocide perpetrated against the Tutsi' has become 'Jus Cogens' of international law", *The New Times*, 3 June 2020; "The Genocide against the Tutsi is that and nothing but", *The New Times*, 5 June 2020.

¹¹³ "Editorial: What was behind the recalled diplomats' gesture?", *The New Times*, 3 June 2020. Also see "Rwanda: deux diplomates belges jugés indésirables par Kigali ont regagné Bruxelles", *Le Soir*, 1 June 2020; "Belgium Recalled Diplomats – Rwanda Says", *KTPress*, 2 June 2020; "Rwanda clarifies recall of two Belgian diplomats", *The New Times*, 2 June 2020

are sustainable. Based on recent events in Ethiopia, he argues that the case for authoritarian development falls apart, and that authoritarian politics can even have devastating development consequences.¹¹⁴

Looking at Rwanda through a predominantly ethnic lens must of course be avoided, but in light of the country's history it is impossible not to see the dangers of strong Tutsi dominance in the institutions. Although the regime practices a policy of de-emphasising ethnicity, the reality is that Rwandans do take ethnic belonging into account. Ethnocratic rule by a minority causes resentment that, together with other factors, fuels structural violence. Already in 2008, the US embassy in Kigali saw this problem well: "While the Rwandan government (GOR) presents itself as a champion of national unity and equal opportunity, de-emphasizing ethnic identity and ostensibly opening positions throughout society to those of skill and merit, political authority in the country does not yet reflect this ideal. Ethnic identity is still keenly felt and lived, and ordinary Rwandans are well aware of who holds the levers of power. The long-term stability of Rwanda depends upon a government and ruling party that eventually shares real authority with the majority population".¹¹⁵ Twelve years later, if anything the situation has further deteriorated, as the statistics given earlier in this chronicle show. The reality is that the ethnic amnesia imposed by the RPF mainly serves to hide ethnocratic rule, reminiscent of Burundi during the Bagaza years.

While Rwanda is not exceptional in this respect, the strong gap between the small urban elite and the rest of the country adds to this structural violence. The existence of "two Rwandas" is apparent every day in the RPF's daily *The New Times*, which addresses issues similar to those found in European newspapers. It is replete with first world themes and concerns, miles apart from the world in which 80 per cent of Rwandans live.¹¹⁶ This divide was reflected clearly in a decree on "Enhanced Covid19 Prevention Measures", which was a copy and paste of directives issued in high income countries with developed economies that are however not necessarily appropriate throughout the entire country and imposed a great deal of hardship and even violence on ordinary people.

International tolerance for the regime has been waning during the last few years. The RPF is understandably concerned by the critical stance expressed by countries like the US and the UK on Rwanda's human rights record and the RPF's narrative, as well as growing international support for the reanimation of the DRC Mapping Report. However, this need not result in concrete

¹¹⁴ CHEESEMAN, N., "The Conflict in Ethiopia Calls Into Question Authoritarian Aid", Carnegie Europe, 22 December 2020.

¹¹⁵ US Embassy, "Ethnicity in Rwanda – Who governs the country?", Kigali, 5 August 2008 (https://wikileaks.org/plusd/cables/08KIGALI525_a.html).

¹¹⁶ It must be said that *The Chronicles* do regularly enquire into issues affecting ordinary people, often sending reporters to faraway hills.

measures, for instance under the form of sanctions, as shown by the lacklustre reactions to Kizito Mihigo's suspect death in police custody. The reason is banal, namely that "there is no alternative". The risks now seen in destabilising Kagame are the consequence of decades of tolerance for his rule, with all the dangers this entails. The idea may well be that it is too late to act now and that, despite some apprehension, one must hope for the best. That said, what may threaten the regime is not so much the international community or rebel groups operating in the DRC, Burundi or Uganda, but internal fragmentation.

Antwerp, January 2021