

RWANDA

Filip Reyntjens

1. INTRODUCTION

Unlike the regional situation, the internal political scene was uneventful in 2022. As no particular political development needs to be treated in detail, this chronicle will only address two broad domestic issues, namely recent insights on general regime orientation and the policing of the RPF's truth and moral right to rule. Attention will also be paid to socio-economic governance, justice, and human rights. As in previous chronicles, the focus on political governance results in an undeniable imbalance. Socio-economic development is only tangentially addressed, while this is the area where the regime has had a remarkable performance, certainly when compared to most other African countries.¹

More space than usual is devoted to regional dynamics, and in particular the deepening rift between Rwanda and the DRC. This is a dangerous evolution, which is reminiscent of a similar situation ten years ago, when the Congolese rebel movement M23 was defeated by a multilateral military force, combined with strong international pressure on Rwanda to make it cease its support for the M23. While impartial international observers, in particular the UN Group of Experts on the DRC, have become increasingly precise in their accusations of Rwandan military presence in the DRC on the side of the M23 and of gross human rights abuse by Rwanda's rebel proxy, Kigali has consistently denied this reality, just as it did in 2012-2013. Again like ten years ago, these denials have irritated Rwanda's international allies, who have become increasingly critical of the Kigali regime, and applied pressure on it to cease its involvement across its borders.

2. POLITICAL GOVERNANCE

Noting that assessments of Rwanda's evolution after the genocide remain polarised, McDoom proposed the concept of securocratic state-building to bridge the gap. This term captures, first, the regime's developmental

¹ That there are two Rwandas, one exhibiting good technocratic/bureaucratic governance, the other showing flawed political governance, can be seen in international rankings. For instance, in the 2022 Ibrahim Index of African Governance (IIAG), Rwanda scores high on technical items such as health (8 out of 54), education (18/54) and social protection and welfare (17/54), but low on political ones such as participation (32/54) and rights (42/54) (https://assets.iiag.online/2022/2022_Country_Scorecards.pdf).

but non-doctrinaire ambitions, synthesising liberal and illiberal precepts, and second, its prioritisation of security over liberty, and stability over peace. Mc-Doom finds a fundamental tension at the heart of the model, namely that the regime's aspiration for unity is at odds with its preoccupation with security. He argues that this strategic contradiction threatens the long-term sustainability of the model.² In a detailed report, the International Federation for Human Rights found that Rwanda's political space is a hostage of the RPF. It observed that "democratic space has become non-existent in Rwanda and, aside from the ruling party, only façades of political groups remain. What is left of civil society and the opposition is strangled by repression". The report explores the arsenal of measures to achieve this: surveillance, harassment, kidnapping, murder and assassination disguised as forced disappearance, used against journalists, YouTubers, musicians, writers, and ordinary citizens.³

In an ethnocratic context, the rhetorical appeals to unity and ethnicity denial serve to conceal power concentration by a small Tutsi elite. These appeals are used in a strategic fashion to shape regime relations with domestic and international audiences in ways that reinforce power. I have argued that this is a dangerous strategy in the long run.⁴ However, Ingelaere *et al.* propose a corrective to that pessimistic outlook, finding that the regime's limited input legitimacy⁵ is to some extent compensated by output legitimacy.⁶ They conclude that, for this reason, the gap in perceived political representation by Hutu and Tutsi has narrowed over time.⁷ A nuanced view of authoritarian rule is also offered in a different vein by Mullikin *et al.* They find that the aesthetics⁸ of high modernism are mobilised as a biopolitical tool of discipline and control, as well as to legitimise the state's governance strategies. At the same time, the authors also observe that ordinary citizens exert agency within a strong state context. In other words, just as it is everywhere else, state power

² McDOOM, O., "Securocratic state-building: The rationale, rebuttals, and risks behind the extraordinary rise of Rwanda after the genocide", *African Affairs*, Vol. 121, No. 485, 2022, pp. 535-567.

³ Fédération internationale pour les droits humains, *Rwanda. L'espace démocratique, otage du Front patriotique rwandais (FPR). Violation des droits humains en 2022*, July 2022.

⁴ REYNTJENS, F., "Rwanda: Ethnic amnesia as a cover for ethnocracy, and why this is dangerous", forthcoming in *The Africa Governance Papers*.

⁵ Pointing to people's belief that the ruling elite is justified to exercise power.

⁶ Pointing to the ability to provide security, well-being and services to the population.

⁷ INGELAERE, B., NDAYIRAGIJE, R., VERPOORTEN, M., *Political representation in the wake of ethnic violence and post-conflict institutional reform. Comparing views from Rwandan and Burundian citizens*, UNU-WIDER, Working Paper 2022/142, November 2022.

⁸ Attention for aesthetics or "what things look like" may also explain the high women's representation in parliament. What Bjarnegård and Zetterberg call "autocratic genderwashing" is in their view part of a strategy to draw attention away from the regime's undemocratic practices (BJARNEGÅRD, E., ZETTERBERG, P., "How Autocrats Weaponize Women's rights", *Journal of Democracy*, Vol. 33, No. 2, April 2022, pp. 60-75).

in Rwanda is continually negotiated.⁹ Despite its monolithic outlook, other research has similarly found that the state is constantly “reworked”, both from its inside and its margins.¹⁰

The regime has routinely continued to police and spread its narrative, and to combat alternative frames. This was made clear by President Kagame when he “tasked” researchers to “document history” at the opening of a Franco-Rwandan “scientific” conference held in September (see below).¹¹ Earlier in the year, the US law firm Levy Firestone and Muse, that had produced a “scientific” report on France’s role in the 1994 genocide against the Tutsi, was retained by the Rwandan government “to investigate historical matters related to the First Congo war/crisis in Africa’s Great Lakes Region”, an obvious attempt to produce a counterweight to the 2010 DRC Mapping Report which resurfaced during the last couple of years. A former member of the ICTR Office of the Prosecutor now working for Levy Firestone and Muse became an ardent supporter of the Kigali regime on Twitter (@BarbaraMulvaney). The policing of the “truth” again became clear when Professor Philippe Denis of the University of Kwazulu-Natal launched a book on the genocide in Kigali in May.¹² Although the book is very understanding of the RPF, even moderate departures from the official narrative are aggressively resented. Present at the launch, the Minister for National Unity and Civic Engagement Jean-Damascène Bizimana said that the “book should be corrected to tell the factual truth as it is”. For instance, the casualty figure of “only 800,000” was below the official toll of 1,074,017 Tutsi killed, and “not using the right figure is not a simple issue”. Bizimana also noted that Denis “seemed to imply that the RPF Inkotanyi also committed crimes”, while “the RPF/A fought to end the genocide, that’s all”.¹³ Another commentator put forward advice on what the author “should correct or state more clearly before the book could be considered a true history”. History “must be told as it is (and) not be told in any other way”.¹⁴

In addition to “establishing facts”, the RPF preserves its moral high ground and Rwanda’s superiority. The “genocide credit” remains an often

⁹ MULLIKIN, J.D., ANSOMS, A., MARTER-KENYON, J., COTTYN, I., LEGRAND, V., NIYONKURU, R.-C., NYENYEZI BISOKA, A., “The aesthetics of space and state formation in post-2000 Rwanda”, *Geoforum*, No. 133, 2022, pp. 43-55.

¹⁰ CHEMOUNI, B. (Ed.), “Rwanda. L’État depuis le génocide”, *Politique africaine*, No. 160, 2020/4.

¹¹ “Genocide: Kagame tasks historians, researchers to document history”, *The New Times*, 11 September 2022.

¹² DENIS, P., *The genocide against the Tutsi and the Rwandan Churches. Between grief and denial*, Kampala, Fountain Publishers, 2022.

¹³ “Bizimana requests revision of book analysing church’s role in Genocide”, *The New Times*, 7 May 2022.

¹⁴ RWAGATARE, J., “Rwandans mind that their history is told correctly”, *The New Times*, 10 May 2022.

used tool in this endeavour. For instance, faced with increasing international criticism, President Kagame often reminds “big and powerful countries” that “they have no lessons to offer because they are part of history that led to what happened here (which) is the very reason they do not give us peace. They want to cover up their deeds”.¹⁵ In a similar vein, an influential RPF opinion maker reminded that “[h]aving stopped the genocide against the Tutsi in the context of international indifference, the RPF could assert its moral right to preventing the occurrence of another genocide”.¹⁶ As these moral insights must be transmitted to the next generation of leaders, in October the RPF set up a leadership academy “that will equip youth with the party’s principles, values, norms, discipline, and standards of leadership”.¹⁷

3. SOCIO-ECONOMIC GOVERNANCE

As in the past, the regime has displayed vision and ambition, and practised good technocratic governance. In general economic terms, Rwanda registered GDP growth of about 8 per cent, double that of the continent overall. Wishing to become an innovation hub, a Centre for the Fourth Industrial Revolution (C4IR) was launched in Kigali on 31 March. In the words of ICT and Innovation Minister Paula Ingabire, this will be part of “truly making Rwanda a proof-of-concept hub and an enabler of the innovation and startup ecosystem”.¹⁸ A follow-up announcement came in May with the news that Kigali was to host the headquarters of a new UNDP innovation financing facility, Timbuktoo, as part of efforts to stimulate Africa’s startup initiatives.¹⁹ In the same line, Norrsken Kigali House, a start-up hub that opened in December 2021 and has construction scheduled for completion by March 2023, aims to become a continental entrepreneurship support infrastructure commissioned by the Swedish Norrsken Foundation.²⁰ In another field, Rwanda is preparing to join a number of African countries in nuclear energy production. After signing a deal with Russian Rosatom in October 2019 to build a centre of nuclear science and technologies, scheduled to be constructed in the Bugesera industrial park, the country plans to build two Small Modular Reactors (SMR), each with a capacity of around 100 megawatts.²¹ Russia is also training a number of future nuclear scientists.²² While Rwanda was among the African

¹⁵ “The hard, bad lessons should never be put to waste – Kagame”, *The New Times*, 7 April 2022.

¹⁶ RUGIRA, L., “The RPF and moral legitimacy”, *The New Times*, 11 January 2022.

¹⁷ “RPF-Inkotanyi to set up leadership academy”, *The New Times*, 25 October 2022.

¹⁸ “Rwanda launches center for fourth industrial revolution”, *The New Times*, 31 March 2022.

¹⁹ “Rwanda to host Pan-African innovation hub”, *The New Times*, 19 May 2022.

²⁰ “Kigali is building its way to becoming ‘the Silicon Valley of Africa’”, *Inside Africa*, 19 October 2022.

²¹ “Rwanda, Kenya, Uganda Eying Nuclear Energy”, *The Chronicles*, 25 August 2022.

²² “Over 100 Rwandans set to graduate in nuclear science”, *The New Times*, 19 July 2022.

countries that managed to fully vaccinate at least 40 per cent of its population against Covid-19 by the end of 2021, this campaign also showed the tense relations between technocratic/bureaucratic and political governance. Many Rwandans indeed appear to have been vaccinated against their will. People told *Deutsche Welle* that “police officers held us to the ground, and we were vaccinated”. Widely shared video footage showed an elderly man refusing to be vaccinated sitting on the ground while a man in military uniform restrained him and another administered a jab.²³ In October, the Minister of Infrastructure announced that US\$500m (i.e. five per cent of GDP) funding had been secured for a major electrification drive. Another US\$600m would be needed to achieve the universal electrification target by 2024, but the source of funding was unclear. The Minister referred to “a lot of loans”, suggesting that the country’s debt ratio was set to further increase (see below).²⁴

High ambitions naturally entail the risk of failure. A multi-million US\$ investment by the Rwandan Pension Fund in the startup Merrimack Pharmaceuticals that later became L.E.A.F. Pharmaceuticals owned by US-based Rwandan Clet Niyikiza, turned sour. The expectation that L.E.A.F. would help to turn Rwanda into a hub for research & development and pharmaceutical manufacturing didn’t materialise. In November 2022, the government sued L.E.A.F. and its CEO Niyikiza, accusing them of defrauding the pension fund of US\$40m.²⁵ The ambitious plans of building a major continental airport in Bugesera have gone from one postponement to the next. Initially slated for completion in 2015, later announced for 2020, in May 2021 the inauguration was announced for December 2022. However, at the time of writing the building work has hardly begun. Ambitious targets are announced with fanfare, but when they’re not achieved they quietly leave the media. For instance, a Volkswagen assembly plant launched in 2018 with a target of 1,000 cars a year had only assembled between 200 and 250 vehicles in the early 2020s.²⁶

Continuous investments have an obvious fiscal impact. In mid-2021, Rwanda’s external public debt stood at US\$5.9bn, an increase of over ten per cent compared to a year earlier. Its total debt to GDP ratio was 66.6 per cent in 2021, as compared to 60.7 per cent in 2019 and just 22.7 per cent in 2012. In May 2022, Fitch Ratings affirmed Rwanda’s Long-Term Foreign-Currency

²³ “Rwanda forcibly vaccinating people against COVID, victims say”, *DW*, 18 January 2022.

²⁴ “Rwanda earmarks Rwf500bn for major electrification drive”, *The New Times*, 19 October 2022. In light of Rwanda’s needs, one heard with surprise the announcement of Zimbabwe’s President Emmerson Mnangagwa that “Kagame helped Zimbabwe to secure US\$800 million funding for its rural electrification programme” (“Kagame mobilises \$800m for Zimbabwe’s rural electrification”, *The New Times*, 9 October 2022).

²⁵ “Rwandan Government Sues LEAF Pharma for Alleged Investment Fraud”, *Bloomberg Law*, 1 November 2022.

²⁶ “Volkswagen to introduce new car brand on Rwandan market”, *The New Times*, 17 December 2022.

Issuer Default Rating (IDR) at B+, but with a Negative Outlook.

The modernisation drive often does not benefit the less well off. A new tax law presented as “pro-poor” benefited investments in the Kigali International Financial Centre (KIFC), startups, and workers in the formal sector, which is a small minority in the country’s population.²⁷ In September 2022, the sector council in Nyagatare urban district ordered the uprooting of all maize gardens “for purposes of beautification and to remove hiding places for criminals”. Owners were fined Rwf 50,000 (US\$50).²⁸ Thousands of poor Kigali residents made way for new roads and a US\$300m “Kigali Golf Resort and Villas” project with “a five-star hotel, sports bar, bistros, restaurant, champagne bar, conference room, gyms, a club for children, and tennis courts”.²⁹ The small (around 36,000) Twa community, renamed “historically marginalised community” after 1994, continued to live marginally in poverty and illiteracy. Their spokespersons wanted the government to allow them to “go back to the forest” and initiate programmes that would help them to survive without impacting on nature conservation schemes.³⁰ Perhaps quite tellingly, while Rwanda tends to score well in technocratic rankings, it ranks 143th out of 146 counties in the *World Happiness Report 2022* (three year average 2019-2021). Only Zimbabwe, Lebanon and Afghanistan have a worse score.³¹

That said, the RPF is a learning organisation with the capacity to adapt. Based on reform in agriculture, energy and education, recent research however highlights weaknesses in the adaptation process. It hinges on a very small group of people which needs the green light of the very top, i.e. President Kagame himself. As a result, it tends to be poorly institutionalised, and therefore often sudden, unsystematic, *ad hoc* and unpredictable. Nevertheless the process is not haphazard, and the study shows patterns, such as the role of the presidency, of behind-the-scenes pressures from donors, of bottom-up pressures from society, and of evidence of conspicuous failures that might damage the country’s image. The authors conclude that policy adaptation is inherently fragile in an authoritarian regime, and wonder how sustainable the trajectory

²⁷ “Six key changes in proposed pro-poor income tax law”, *The New Times*, 13 October 2022.

²⁸ Twitter post @ChroniclesRW, 29 September 2022.

²⁹ “Over 1,300 households to make way for new Kigali roads”, *The New Times*, 14 December 2022; “Over \$300m to be invested in real estate project near Kigali Golf Club”, *The New Times*, 21 December 2022.

³⁰ “Historically Marginalised Community or ‘Batwa’ of Rwanda Want to Go Back to Forest Life”, *The Chronicles*, 14 July 2022.

³¹ *World Happiness Report 2022* <https://worldhappiness.report/ed/2022/>. After President Kagame took issue with these findings, Gallup CEO Jon Clifton confronted him with the likely reasons for Rwanda’s poor ranking (CLIFTON, J., “A Letter to Rwandan President Paul Kagame”, *Gallup Blog*, 21 December 2022).

can be over the longer term.³² This observation in reality again addresses the gap between Rwanda's political and bureaucratic/technocratic governance.

4. JUSTICE

Judicially, the case against Paul Rusesabagina and co-defendants came to a close on 4 April 2022, when the Court of Appeal upheld their conviction by the High Court Chamber for International and Cross Border Crimes. Most sentences were maintained, including Rusesabagina's 25 years in jail. Another leading defendant, Callixte Nsabimana a.k.a. Sankara saw his 20-year jail term reduced to 15 years "due to the fact that he pleaded guilty throughout the various stages of the trial, in addition to providing key information that exposed the terror activities of militias fighting against Rwanda".³³ While local voices expressed satisfaction with the outcome, and some even found the sentence too lenient³⁴, international protest continued. Even before the appeal judgment, the US House Foreign Affairs Committee passed a resolution calling for Rusesabagina's release.³⁵ On 22 February, Rusesabagina's wife and children filed a complaint in the Federal District Court for the District of Columbia against the Republic of Rwanda and four high-ranking officials. The suit called for US\$400m in costs, compensatory and punitive damages for kidnapping and wrongful detention. On 18 March, the UN Working Group on Arbitrary Detention found that the Rwandan government abducted and arbitrarily detained Rusesabagina, requested his immediate, unconditional release, and urged Rwanda to accord him an enforceable right to compensation and other reparations.³⁶ A 46-page report by Trialwatch published in April was very severe. It did not take a position on whether Rusesabagina was innocent or guilty, but found many major procedural flaws, and concluded that the pro-

³² ANSOMS, A., AOUN, E., CHEMOUNI, B., NIYONKURU, R.-C., WILLIAMS, T.P., "The politics of policy-making in Rwanda: adaptation and reform in agriculture, energy, and education", *Journal of Eastern African Studies*, advance publication online 15 November 2022.

³³ "Rusesabagina's 25-year jail term upheld, Nsabimana's reduced to 15", *The New Times*, 4 April 2022. Nsabimana earlier claimed he had made a deal with the prosecution in exchange for a more lenient sentence, which prosecutor Ruberwa denied ("Has Government Reneged on 'Agreement' With Nsabimana Callixte alias Sankara?", *The Chronicles*, 2 February 2022).

³⁴ "Paul Rusesabagina should have been handed life sentence", *The New Times*, 5 April 2022.

³⁵ "House Foreign Affairs Committee Passes Castro/Kim Resolution Calling On Republic Of Rwanda To Release Paul Rusesabagina", 8 February 2022. <https://castro.house.gov/media-center/press-releases/house-foreign-affairs-committee-passes-castro/kim-resolution-calling-on-republic-of-rwanda-to-release-paul-rusesabagina>.

³⁶ Robert F. Kennedy Human Rights, "UN Confirms that Rwandan Authorities Abducted and are Arbitrarily Detaining Paul Rusesabagina. The UN Working Group on Arbitrary Detention requests the immediate, unconditional release of the Hotel Rwanda hero", Press release, 31 March 2022. <https://rfkhumanrights.org/press/un-confirms-that-rwandan-authorities-abducted-and-are-arbitrarily-detaining-paul-rusesabagina>.

ceedings were “more public spectacle than judicial undertaking”.³⁷

Other court cases with a political connotation were related to the opposition party Rwandese Platform for Democracy (RPD) launched in 2021 by academic Christopher Kayumba, who was arrested on allegations of rape and attempted rape. He was refused bail and kept in solitary confinement in the same cell area as YouTuber and former computer science lecturer Aimable Karasira accused of genocide denial, although himself a genocide survivor.³⁸ While his case is ongoing at the time of writing, five other party leaders, including Jean-Bosco Nkusi in charge of recruitment and mobilisation, were each sentenced to ten years in jail. They had been arrested days after the party's creation for alleged involvement in violent theft. Officials claimed that their cases “were not in any way related to their political activities”.³⁹

In the case against Jean Twagiramungu, extradited from Germany in 2017, prosecution witness Ngiriyumwami told the court he had been tortured into testifying against the defendant and, along another prosecution witness, stated that Twagiramungu was innocent.⁴⁰ The outcome of the case was unknown at the time of writing. On the other hand, three journalists of Iwacu Web TV were acquitted on 5 October. They were arrested in October 2018 for inciting insurrection and spreading false information, and spent four year in pretrial detention.⁴¹ However, acquittals are no guarantee that justice is meted out fairly. In December 2018, Diane Rwigara, who was barred from competing in the 2017 presidential election and arrested, was acquitted by the High Court for lack of evidence. The prosecutor was enjoined by the Justice Minister to withdraw his appeal against the acquittal. While this outcome may be seen as a sign of judicial independence, this is not certain. On the one hand, the Minister anticipated a condemnation by the UN Human Rights Council⁴²; on the other Diane Rwigara ended her political activities after her acquittal, meaning that a deal cannot be excluded, which would rather suggest political

³⁷ Trialwatch. Fairness Report, “The case of Paul Rusesabagina”, Clooney Foundation Justice Initiative, April 2022. <https://cfj.org/wp-content/uploads/2022/04/Paul-Rusesabagina-Fairness-Report-April-2022.pdf>.

³⁸ “Kayumba Chistopher in Same Isolated Prison Cell with YouTuber Aimable Karasira”, *The Chronicles*, 18 November 2022. Just before his arrest, in one of his video posts Karasira claimed that family members, who had survived being killed by *interahamwe* genocidal militia, were killed by elements of the RPF.

³⁹ “Political Associate of Dr Kayumba Christopher, Sentenced to 10 Years”, *The Chronicles*, 28 April 2022.

⁴⁰ “Witness in Genocide Trial Recants Testimony After 25 Years”, *The Chronicles*, 12 July 2022.

⁴¹ “Rwanda: trois journalistes de Iwacu TV acquittés après quatre ans sous les barreaux”, *RFI*, 6 October 2022.

⁴² Human Rights Council, Working Group on Arbitrary Detention, *Opinion No. 24/2019 concerning Diane Shima Rwigara and Adeline Rwigara (Rwanda)*, 13 June 2019.

manipulation of the course of justice.⁴³

The main ICTR leftover for the Mechanism for International Criminal Tribunals (MICT) in The Hague is the case of Félicien Kabuga, the alleged “funder” of the genocide arrested in a Paris suburb in March 2020. The poor health of the 89 year old defendant and relations of distrust between him (and some members of his family) and his lawyer have slowed the start of the trial, which finally began on 29 September 2022. Kabuga is charged with seven counts, including genocide, incitement to commit genocide, conspiracy to commit genocide, and crimes against humanity. Another ICTR leftover are eight people who were acquitted or released after serving their sentences. Having been relocated to Niger pursuant to a relocation agreement, they were expelled “for diplomatic reasons” on 27 December 2021. Those reasons became clear, as the decision was taken after a telephone conversation between Niger President Mohamed Bazoum and French President Macron, when Kagame was in Paris.⁴⁴ The expulsion order that violated the agreement between the UN and Niger took place against a cynical geopolitical game involving Niger as the main supplier of uranium to French nuclear energy provider AREVA, Rwanda’s deployment in Mozambique and French TotalEnergies US\$20bn gas operation there, and the spectacular improvement of French-Rwandan relations since 2021 (also see below). Although the MICT ordered Niger to suspend the expulsion, this caused a total impasse with the eight “freed” people caught in the middle.⁴⁵

Two cases at the continental level must be briefly mentioned. On 30 August, the East African Court of Justice ruled that the seizure of exiled businessman and opponent Tribert Rujugiro Ayabatwa’s Union Trade Centre (UTC) Mall by the Rwandan government in 2013 was illegal, and awarded him US\$1m, 6 per cent interest and court costs. Given the Rwandan government’s record of lack of respect for international judicial decisions, this may however not be more than a symbolic victory. The former chairman of the well-established independent human rights group Liprodhor fled the country after the government took control of the association, and challenged this take-over in the African Court of Human and Peoples’ Rights in Arusha. After the court declared that the petition was inadmissible because domestic remedies had not been exhausted, this decision was severely criticized by Kenyan activist Maina Kiai, who regretted that the court had not seized “a unique opportunity to deliver justice on Rwanda and demonstrate its independence”.⁴⁶ The reaction in Kigali was furious. The arguments in Kiai’s paper “betray a

⁴³ The fact that Diane Rwigara refuses to discuss this issue tends to reinforce this suspicion.

⁴⁴ “Niger government breaches UN treaty under pressure from Rwanda and France”, *Al Mayadeen*, 9 January 2022.

⁴⁵ “UN, Tanzania Stuck With Genocide Convicts”, *The Chronicles*, 8 February 2022.

⁴⁶ KIAI, M., “Rwanda gets free pass at African Court”, *African Arguments*, 3 March 2022.

superficial understanding of Rwanda, which distorts the lived reality of the people whose freedoms he claims to defend". His analysis was "context-free", and the Kenyan author was summoned to adopt "an African centred perspective on concepts such as freedom of expression, justice, and democracy".⁴⁷

The profound polarisation of things Rwandan in France has continued to find its way into courtrooms. On 15 February, the *cour de cassation* confirmed the judgment in appeal that closed the enquiry into the 6 April 1994 attack against President Habyarimana's plane, the spark that ignited the resumption of the civil war and the genocide against the Tutsi. The RPF suspects in this case will not be prosecuted before an assize court "for lack of sufficient evidence". Contrary to what has been claimed in some quarters, this doesn't mean that the RPF's innocence was established but rather that judicially this will remain a crime without perpetrators.

Judicial procedures have also been used to settle battles of opinion. In July 2018, civil society organisations lodged a criminal complaint against journalist Natacha Polony for having said during a radio broadcast that the conflict in Rwanda was a case of "bad guys against other bad guys" ("*des salauds face à d'autres salauds*"), clarifying that she did not believe that "there were good guys on one side, and bad guys on the other" ("*Il n'y avait pas d'un côté les gentils et de l'autre des méchants*"). On 20 May, the court held that to see a denial or minimisation of the genocide in these words amounted to "an extrapolation of her declaration". In the opinion of the court, "it did not constitute the offense of denying the genocide committed against the Tutsi in Rwanda". Polony was acquitted, much to the chagrin of the regime in Kigali. The judgment was rendered by a "kangaroo court of Caucasians" whose "objective is to shield from scrutiny French bastards who have never faced justice for their complicity in the crime of crimes". Claiming that the RPA were bastards "is just racism and poor upbringing".⁴⁸ Just a few days earlier, on 16 May, the same court condemned former French officer Guillaume Ancel for defamation of Hubert Védrine, former permanent secretary at the Élysée and Foreign Minister. In tweets and articles on his blog, Ancel accused Védrine of "having collaborated with the Rwandan Nazi" and compared him to Maurice Papon, a senior civil servant condemned for crimes committed during the Shoah. The court held that Ancel, "lacking a factual base, could not express such serious

⁴⁷ MUSHIMIRE, O., "Shouldn't African Arguments and courts focus on African views? Responding to Maina Kiai", *The New Times*, 8 March 2022. It is likely that the Rwandan government had not forgotten about Kiai's critical assessment of Rwanda as UN special rapporteur in 2014 (United Nations, Human Rights Council, *Report of the Special Rapporteur on the rights to freedom of peaceful assembly and association. Mission to the Republic of Rwanda*, 10 June 2014 http://freemassembly.net/wp-content/uploads/2014/06/A-HRC-26-29-Add2_en.pdf).

⁴⁸ MUSHIMIRE, O., "French court absolves Natacha Polony's genocide denial because it shields the real bastards from scrutiny", *The New Times*, 24 May 2022.

accusations in such strong terms. (...) He has gone beyond the admissible limits of freedom of expression, and cannot benefit from the excuse of good faith". A third opinion case concerns the Franco-Cameroonian author and publisher Charles Onana against whom three human rights organisation filed a complaint in late 2020 for denying or downplaying the genocide against the Tutsi. A date for a trial had not been set at the time of writing.

One more case in France that does not please Rwanda must be briefly mentioned. In September, the investigating judges decided not to prosecute French army officers for their alleged role in the massacre of hundreds of Tutsi on the hills of Bisesero in western Rwanda during the *Opération Turquoise*. In their ordinance of September 1st, they found that the investigation, which started in 2005, "has not established the direct participation of French military forces in abuses committed in refugee camps, nor any complicity through aid or assistance to the genocidal forces, nor complicity by abstention of French military on the Bisesero hills".⁴⁹ Although this decision contradicted the "findings" of the 2008 Rwandan Mucyo commission, the Rwandan government and the regime media refrained from reacting, obviously in light of the re-establishment of friendly bilateral relations in 2021 (also see below).

5. HUMAN RIGHTS

The US Department of State painted a bleak picture of the general human rights situation, and observed that nearly every conceivable right was violated. "Significant human rights issues included credible reports of: unlawful or arbitrary killings by the government; forced disappearance by the government; torture or cruel, inhuman, or degrading treatment or punishment by the government; harsh and life-threatening prison conditions; arbitrary detention; political prisoners or detainees; politically motivated reprisals 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 rights 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".⁵⁰

⁴⁹ "Génocide au Rwanda: non-lieu dans l'enquête sur l'armée française à Bisesero", *Agence France-Presse*, 7 September 2022 ; "France Closes 17 Year Probe Into Role of its Commandos in Genocide", *The Chronicles*, 8 September 2022.

⁵⁰ United States, Department of State, *2021 Country Reports on Human Rights Practices*, 12 April 2022, Rwanda.

Human Rights Watch was no less severe: “The ruling Rwandan Patriotic Front (RPF) continued to target those perceived as a threat to the government. Several high-profile government critics were arrested or threatened. Authorities failed to conduct credible investigations into the suspicious death in police custody of well-known singer and activist, Kizito Mihigo, in February (2021). Arbitrary detention, ill-treatment, and torture in official and unofficial detention facilities continued. Fair trial standards were routinely flouted in many sensitive political cases, in which security-related charges are often used to prosecute prominent government critics”.⁵¹ In the Freedom House index, Rwanda scored 22nd from the bottom globally; with a “political rights” score of 8/40 and a “civil liberties” score of 14/60, it is ranked “not free”.⁵²

It is also significant that the Paris headquartered *Fédération internationale pour les droits humains*, which in the past showed a great deal of tolerance for the regime, came out with a very severe report on lack of democratic space and human rights abuse (see *supra*). In addition to what it called the “confiscation” of political rights, it noted interference by the state in freedoms of association, opinion, and expression, as well as noting the putting into place of systems of online surveillance of real or supposed opponents.⁵³

These poor results should not come as a surprise, knowing that the National Commission for Human Rights chairperson Marie-Claire Mukasine told Parliament that “there is no single political prisoner in Rwanda’s jails, arguing all convicts are in prison for committing offences prescribed by law”. She also said that “no inmate is inhumanely treated”.⁵⁴ Despite this optimistic view, people have continued to be arbitrarily arrested and “disappeared” because of the peaceful exercise of their freedom of expression. The disappearance of poet and teacher Innocent Bahati attracted international attention. Having “disappeared” in 2017 after posting a critical comment on Facebook, he reappeared in police custody, and was subsequently imprisoned without trial, although he was not charged for any offence. He “disappeared” again in February 2021 in Nyanza district, and was never seen again. A year after his disappearance, more than 100 authors from around the world called on President Kagame to intervene. The routine explanation given by the Rwanda Investigation Bureau (RIB) that Bahati might have left the country to join rebel movements only added to the concern.⁵⁵

⁵¹ Human Rights Watch, *Rwanda. Events of 2021*.

⁵² Freedom House, *Freedom in the World 2022*.

⁵³ Fédération internationale pour les droits humains, *Rwanda...*, *op. cit.*

⁵⁴ @ChroniclesRW, 12 November 2022, 8:14am.

⁵⁵ FLOOD, A., “Margaret Atwood joins writers calling for urgent action over missing Rwandan poet”, *The Guardian*, 7 February 2022; YORK, G., “Disappearance of poet Innocent Bahati casts a global spotlight on Rwandan government’s intolerance of dissent”, *The Globe and Mail*, 16 March 2022; “Disparition d’Innocent Bahati: pour ‘une enquête sérieuse, impartiale et concluante’”, *Les univers du livre. Actualité*, 2 May 2022.

Bahati was just one of many cases. In March, Human Rights Watch expressed concern about “a wave of free speech prosecution”. It documented cases against the political opposition, threats against several journalists and YouTubers, and the dangers involved in expressing “sensitive commentary”, including by Tutsi genocide survivors such as Aimable Karasira and Yvonne Idamange. One of the issues considered as crossing a red line is speaking about the crimes committed by the RPF in the aftermath of the genocide, or sometimes even simply commemorating Hutu who were killed during or after the genocide.⁵⁶

6. REGIONAL RELATIONS

6.1. Rwanda, the DRC and M23

This section on regional issues is longer than in previous chronicles because cross-border dynamics have been more prominent and threatening than before. However, they’re not new and have been a *longue durée* characteristic since the mid-1990s. The regional situation is extremely complex and constantly shifting, even over brief periods of time. Conflict dynamics are produced by many factors: continued state weakness in the DRC, mainly expressed by incomplete territorial control and the presence of many domestic and foreign armed groups; Rwanda’s extraterritorial military operations and its recently emerging military diplomacy; ambiguous bilateral relations between Uganda and Rwanda, made more complex against the Congolese background; transborder economic interests in a partly informal and criminalised environment; ethnic loyalties across national borders; and many more. The major factor remains that state armies from neighbouring countries and dozens of non-state armed groups operate almost unhindered on Congolese soil, because the regimes that have succeeded “state destroyer” Mobutu have been unable to recapture the essential functions of state sovereignty, particularly in the east of the country but also elsewhere.

State weakness in the DRC has been exacerbated by constant Rwandan and, to a lesser extent, Ugandan interference. Jason Stearns has recently proposed a useful reading of Rwandan motives for its aggressive behaviour. He argues that the bias towards belligerency can be understood by three structural regime characteristics: the dominance of the security establishment, divisions within the ruling elite, and highly secretive decision-making processes.⁵⁷ Apart from real or perceived security threats, economic interests have been prominent since Rwanda first intervened in the DRC in 1996. Profit was first made

⁵⁶ Human Rights Watch, *Rwanda: Wave of Free Speech Prosecutions. Free Journalists, Commentators, Opposition Members*, 16 March 2022.

⁵⁷ STEARNS, J. K., *The War That Doesn't Say Its Name. The Unending Conflict In The Congo*, Princeton-Oxford, Princeton University Press, 2021, pp. 77-78.

through pillage, later through institutionalised extraction, and lately through smuggling and illegal trade.⁵⁸ Although ethnic solidarity with Congolese Tutsi is frequently suggested, its role appears to be more limited than often thought. This was well expressed by an ex-officer of the Tutsi-dominated Congolese rebel group CNDP who lamented: “Don’t believe for one second that Rwanda supported us because they were our friends, or that they sympathised with Congolese Tutsi. They supported us because they needed us. And when they no longer needed us, they turned on us”.⁵⁹

Since the RPF took power in 1994, relations with Zaire/DRCongo have overall been conflictual. Rwanda twice invaded its huge but weak neighbour, in 1996 and 1998, each time hiding behind a Congolese rebel proxy. After officially withdrawing its troops in 2003, it continued its presence in a covert way by supporting armed groups in Eastern DRC, first the CNDP and later the M23. In 2013, strong international pressure forced Kigali to cease its support for the M23 which was defeated by a Force International Brigade deployed alongside the UN peacekeeping mission MONUSCO. The Rwandan presence was accompanied all along by grave human rights abuse and the illegal exploitation of Congolese natural resources.

Relations improved after Félix Tshisekedi became Congo’s president in 2019. In mid-2021, he and Rwandan president Paul Kagame signed bilateral agreements on investment, taxation and the joint exploitation of gold. The two leaders also discussed security issues that are always a delicate regional balancing act. Indeed in November 2021 Tshisekedi invited the Ugandan army onto Congolese territory to combat the Allied Democratic Forces (ADF), originally a Ugandan rebel movement which has been operating on the Congolese side of the border for many years. In light of the bad Rwandan-Ugandan relations at the time, Kigali resented the presence of Ugandan troops in what it considers its backyard. The UN Group of Experts on the DRC found that the Rwanda Defence Force (RDF) was present in North Kivu as late as in October 2020⁶⁰, an accusation denied by Kigali, as always.⁶¹

Wishing to maintain cordial relations with Congo’s neighbours, Tshisekedi at first avoided escalating the situation. However, on 8 February 2022, Kagame seemed to threaten to invade the DRC during a speech in the Rwandan parliament: “All our eyes are on Congo. We are focussed there because of the armed groups based there that threaten us. (...) When someone crosses a

⁵⁸ Idem, pp. 83-87.

⁵⁹ Idem, p. 88. This ambivalence is not new. For such feelings among the Banyamulenge in the late 1990s, see REYNTJENS, F., *The Great African War. Congo and Regional Geopolitics, 1996-2006*, New York, Cambridge University Press, 2009, pp. 204-205.

⁶⁰ United Nations, Security Council, *Midterm report of the Group of Experts on the Democratic Republic of the Congo*, S/2020/1283, 23 December 2020.

⁶¹ Republic of Rwanda, “Rwanda refutes allegations from UN Group of Experts on the DRC Midterm Report”, 8 January 2021.

red line, we don't ask anybody for permission to intervene. (...) To whoever wants war from us, we give it to him". Tshisekedi reacted two weeks later by suggesting, without naming Rwanda, that a neighbour offered a rear base to armed groups. He concluded that "in any case it is unrealistic and unproductive, even suicidal, for a country of our sub-region to believe that a dividend can be gained from manufacturing conflicts or tensions with its neighbours".

The threat became concrete on 28 March, when elements of the M23 attacked Congolese army positions on several strategic hills in Rutshuru territory. The spokesperson of the North Kivu governor immediately accused the RDF of supporting the attackers, a claim relayed the next day by the Congolese Foreign Minister when he summoned the Rwandan ambassador in Kinshasa. Kigali "categorically refute[d] the baseless accusations" and asked to have them verified by the Extended Joint Verification Mechanism (EJVM) of the International Conference on the Great Lakes Region (ICGLR). Paradoxically, on 29 March, the day after the attack, the DRC joined the East African Community (EAC). The conflict thus became one between member states, like the ones that had opposed Rwanda to Uganda and Burundi in the recent past.

The situation continued to escalate in May. On the 23th, Rwanda accused the Congolese army of shelling Rwandan territory, injuring several civilians and damaging property. On 26 May, Congolese Foreign Minister Christophe Lutundula claimed that the RDF attacked Rumangabo military camp, an important FARDC base close to the North Kivu provincial capital Goma. On the 27th, the Rwandan government spokesperson accused the FARDC of collaborating with the old Rwandan rebel movement Democratic Forces for the Liberation of Rwanda (FDLR), which has remained active in the DRC since the 1990s. The next day, the Congolese government reiterated its accusation of Rwandan support for the M23, suspended all recently signed accords with Rwanda and banned RwandAir from Congolese airspace. On 10 June, both countries traded accusations of cross-border shelling. The situation further escalated when on 12 June the Congolese government formally summoned Rwanda to cease its support for the M23 and abstain from all acts jeopardising regional peace and stability. On 13 June, the M23 took control of Bunagana, an important trading centre on the DRC-Uganda border.

Congolese accusations against Rwanda were vindicated by the UN Group of Experts on the DRC. In a public report published on 14 June, it found that Rwanda and Uganda had provided rear bases and other support to the M23.⁶² The Group was much more explicit in a leaked July confidential update. It had gathered "solid evidence" of military operations by the RDF on Congolese territory and of support by the RDF to M23 operations. It also accused the M23 of indiscriminate shelling, the killing of civilians, and attacking MO-

⁶² United Nations, Security Council, *Final report of the Group of Experts on the Democratic Republic of the Congo*, S/2022/479, 14 June 2022.

NUSCO. On the other hand it found that some Congolese army members forged *ad hoc* alliances with local armed groups, including the FDLR, to fight M23. The Group also expressed concern about the increase of hate speech, hostility and violence against Rwandophone populations in eastern DRC.⁶³

In his address to the UN General Assembly in September, Tshisekedi again accused Rwanda of “direct military aggression” and “occupation” of DRC territory. As in the past, Kigali vehemently denied the accusations and insisted that the DRC was collaborating with anti-Rwanda groups. The verbal warfare deteriorated further, when on 25 October the Congolese government denounced Kagame’s “permanent strategy of interference” and Rwanda’s “traditional deceitful rhetoric”, and reaffirmed its determination “to put an end to the criminal and terrorist activities of M23 supported by Rwanda”. The expulsion of the Rwandan ambassador to the DRC on 30 October signalled a new low in bilateral relations.

In the meantime, long overdue regional leaders’ involvement attempted to bring under control a situation that threatened regional peace and security and was an embarrassment for the East African Community (EAC). Two regional peace initiatives were launched, one led by Angolan president João Lourenço on behalf of the African Union (UA), the other by former Kenyan president Uhuru Kenyatta on behalf of the EAC, of which both Rwanda and the DRC are members. On 26 June, an EAC conclave held in Nairobi resolved to constitute a regional force “to stabilise and secure the peace in the DRC”. It also directed that “an immediate ceasefire should be enforced and cessation of hostilities should commence immediately”, without however specifying the parties involved nor mentioning Rwanda or the M23. Kenya has since taken the lead, both politically and militarily. Politically, Kenyatta has actively taken up his role as mediator for the EAC by practising a good deal of shuttle diplomacy. Militarily, the deployment of the EAC regional force decided in June effectively started. On 12 November, the first Kenyan contingent arrived in the North Kivu provincial capital Goma. The total strength of the force is to include two battalions from Kenya, Uganda and Burundi each, and one from South Sudan.

These political and military developments took place as Rwanda was increasingly pushed onto the defensive internationally. The massacre of well over one hundred civilians by M23 in Kishishe at the end of November was met with worldwide condemnation of the M23 and Rwandan support for it by countries like the US, Germany, Belgium, and even France that had recently

⁶³ Group of Experts on the Democratic Republic of the Congo, “Confidential Update: July 2022”.

become a loyal Rwanda ally.⁶⁴ Rwanda however continued to deny any involvement, even after in December the UN Group of Experts again documented the direct intervention of the RDF on the territory of the DRC in detail. The Group found substantial evidence attesting to violations of the arms embargo and sanctions regime, including direct intervention of the RDF, either to reinforce M23 or to conduct military operations against the FDLR; provision of weapons, ammunition and uniforms to M23; and support to several Congolese armed groups by FARDC members in Rutshuru territory. The Group also noted with concern the proliferation of xenophobia and incitement to violence, notably against Rwandophone populations perceived as supporting the M23.⁶⁵ The report only confirmed what was widely known, and condemnations of Rwanda's active involvement became near unanimous. The US, the EU and France now openly came out against Kigali.⁶⁶ The UK's silence was thought to be linked to the migration deal discussed below.⁶⁷ European NGOs asked the EU to suspend a €20m package from its European Peace Facility in support of the Rwandan operation in Mozambique (see below).

The evolution in the field is comparable to the one that prevailed in 2012-2013, when the combination of international pressure on Rwanda and the deployment of an international force succeeded in putting an end to the M23 rebellion. However, ten years ago, this combination of political and military means failed to produce a lasting solution to the problem, and it remains to be seen whether that lesson will be learned this time.

⁶⁴ MONUSCO, "Au moins 131 civils tués par le M23 à Kishishe et Bambo en représailles à des affrontements avec des groupes armés, selon une enquête préliminaire", Communiqué de presse, Kinshasa, 7 December 2022. Two Kigali-based journalists known as fervent supporters of the Rwandan regime, Marc Hoogsteens and Albert Rudatsimburwa, broadcast "reports" from Kishishe minimizing the role of the M23 in this massacre and Rwandan support for the rebel group. They made themselves pass as Al Jazeera reporters, a claim denied on 13 December by the Managing Director of Al Jazeera English.

⁶⁵ United Nations, Security Council, *Midterm report of the Group of Experts on the Democratic Republic of the Congo*, S/2022/967, 16 December 2022. The Congolese government issued its own white paper on the situation since the M23 first became active again in late 2021: Democratic Republic of Congo, *White Paper. Documented aggression against the Democratic Republic of Congo by Rwanda and international crimes committed by the Rwanda Defense Forces and M23 (21 November 2021 – 08 December 2022)*, Kinshasa, December 2022.

⁶⁶ "US Secretary of State Calls On Rwanda To Use Its Influence on M23 To Bring About Peace in DR Congo", *HumAngle Media*, 16 December 2022; European Council, "Democratic Republic of the Congo: Statement by the High Representative on behalf of the EU on the publication of the recent UN Group of Experts report", Press release, 31 December 2022; "France openly accuses Rwanda of supporting DRC's M23 rebels", *The East African*, 21 December 2022; "Paris 'condamne le soutien' du Rwanda au M23", *Jeune Afrique*, 20 December 2022.

⁶⁷ "UK foreign minister criticized for silence over Rwandan rebels behind massacre", *The Telegraph*, 9 December 2022.

6.2. Rwanda - Uganda frenemies

In light of the situation that developed in the DRC and its regional relations throughout 2022, it is paradoxical that barely two years earlier Tshisekedi, alongside Lourenço, attempted to act as an honest broker between Rwanda and Uganda after they fell out again in 2019. By early 2022, on the verge of war with Rwanda, Tshisekedi was no longer in a position to mediate. Relations between Rwanda and Uganda remained dismal until President Museveni's son Muhoozi Kainerugaba entered the scene, showing again how personalised African politics tend to be. At a time he began actively promoting himself as a candidate for his father's succession in 2026, in a campaign known as the "Muhoozi Project", the First Son travelled to Kigali to meet President Kagame in January 2022. On a subsequent visit two months later, Kagame offered cows to his guest. Kagame's sons Ivan and Brian were present at this "special bonding ceremony" between two "cow culture people"⁶⁸, and this "peace pact" was supposed to symbolically "bind Rwanda and Uganda".⁶⁹ In an avalanche of daring and diplomatically reckless tweets⁷⁰, Kainerugaba (@mkainerugaba) then started referring to Kagame as "my uncle", and stated that after receiving his cows, "I am now officially 'Inkotanye' [sic]" (@mkainerugaba, 16 April 2022 7:31pm). A week later, "President Kagame has arrived in Uganda where he will be attending the celebrations for Gen @mkainerugaba 48th birthday later this evening" (@UrugwiroVillage, 24 April 2022, 3:33pm). In October, Kainerugaba visited Rwanda again.

A week after Kainerugaba's January visit, the Gatuna border crossing was reopened after three years of closure. The situation at the border remained confused, as trucks were allowed to cross but not ordinary travellers. This restriction seemed linked to the need to establish joint Covid-19 protocols, but there was more behind it. On 31 January, Rwandan deputy government spokesman Alain Mukuralinda told Rwanda TV that although the border was re-opening, Uganda had not yet addressed all of Kigali's grievances. "It does not mean that cases of beatings, torture and deportations of Rwandan nationals are over. It does not mean that the people, based in Uganda, who want

⁶⁸ Implicit reference to Rwandan Tutsi and Ankole Hima.

⁶⁹ "African culture bonds President Kagame and Gen. Muhoozi", *The New Times*, 18 March 2022.

⁷⁰ On which, see for instance TITECA, K., "The 'Muhoozi Project' in Uganda: Testing the water or preparing the ground?", *Democracy in Africa*, 27 May 2022. After Kainerugaba tweeted on 3 October 2022 that Uhuru Kenyatta should have stood for a third term in office and that "it would take us, my army and me, 2 weeks to capture Nairobi", on 4 and 5 October respectively, the Ugandan Ministry of Foreign Affairs and Museveni himself felt compelled to send messages to the Kenyan government apologising for the First Son's behaviour. The Foreign Ministry insisted that "the Government of the Republic of Uganda does not conduct its Foreign Policy and other official business through social media".

to destabilise Rwanda have stopped”, he stated.⁷¹ That relations hadn’t fully returned to normal was confirmed by Rwandan Prime Minister Ngirente when he said this was a process, “not something that is achieved in one day”.⁷² The “pending concerns” remained basically the same as before: “1) the free reign of Rwanda National Congress (RNC) operatives in Uganda as they mobilised to destabilise Rwanda; 2) the harassment, arrest and torture of Rwandans in Uganda; 3) the sabotage of Rwandan trade passing through Uganda to Mombasa port”.⁷³ Complaints were also heard on the Ugandan side.⁷⁴ All this is hardly proof of excellent bilateral relations. They remain ambiguous and are overshadowed by the situation in the DRC where both Rwanda and Uganda have stakes that are often contradictory.

6.3. Military diplomacy

Rwanda has a long history of contributing to multilateral military operations under the auspices of the United Nations (UN) and the African Union (AU). Although these interventions have generally been presented as resulting from a moral obligation from a country having experienced genocide, they have also been used to build influence and stave off criticism of the regime’s authoritarian rule and its military interference in the DRC, in addition to being a money earner.⁷⁵ In 2020, Rwanda started deploying troops on a bilateral basis, first in the Central African Republic (CAR), where it already participated in the UN Multidimensional Integrated Stabilisation Mission (MINUSCA), and from 2021 in Mozambique’s Cabo Delgado province. This bilateral approach gives Rwanda considerable leeway to further its own interests. In the CAR, this led to cooperation agreements in four sectors: economic development, security sector reform, mining, and transport. These agreements have also involved the Rwandan private sector. In the case of Mozambique, security cooperation agreements were the prelude to establishing economic partnerships.⁷⁶ The presence there also allows to more closely monitor and com-

⁷¹ “Rwanda re-opens border with Uganda but says grievances remain”, *CNBC Africa*, 31 January 2022 <https://www.cnbc.com/2022/rwanda-re-opens-border-with-uganda-but-says-grievances-remain/>; “Confusion at Gatuna/Katuna Border Crossing After Reopening”, *The Chronicles*, 31 January 2022.

⁷² “Premier Ngirente: Restoration of Rwanda-Uganda ties is a process”, *The New Times*, 16 March 2022.

⁷³ RUDATSIMBURWA, A., “Noticeable progress in efforts to restore Uganda-Rwanda relations, despite pending concerns”, *The New Times*, 20 May 2022.

⁷⁴ See for instance “Ugandan goods still blocked by Rwanda”, *The Monitor*, 1 July 2022; “Wife names Rwanda, CMI in missing husband’s case”, *The Monitor*, 6 July 2022.

⁷⁵ In 2022, Rwanda had 5,752 troops deployed in UN missions (third after Bangladesh and India). The UN pays around US\$1,500 per soldier per month. Rwanda receives US\$171m in reimbursements for the costs of peacekeeping operations.

⁷⁶ DONELLI, F., *Rwanda’s Military Diplomacy. Kigali’s Political Use of the Military Means to Increase Prestige and Influence in Africa and Beyond*, Notes de l’Ifri, April 2022.

bat Rwandan opposition figures living in Mozambique. In September 2022, Benin announced that it was seeking logistical and military assistance from Rwanda for its conflict with Jihadists operating in the north of the country.

For a small and intrinsically poor country, Rwanda punches well above its weight, but it can do so thanks to its excellent army. In this way, it reconnects with a *longue durée* tradition of military excellence and aggressive neighbourly relations dating back to the precolonial period.⁷⁷ In addition to giving cover for poor domestic governance, human rights abuse, and its disruptive role in the region, participation in multilateral operations gives political leverage in international affairs.⁷⁸ Bilateral operations fill a gap in the security market, as can be seen well in the case of the deployment in Mozambique, where a US\$20bn gas project by French multinational TotalEnergies is at stake. At a time when Western interventions in Africa are falling out of favour, as highlighted by France's eviction from Mali in August 2022, the use of an African proxy has become increasingly appealing.⁷⁹ This became even clearer in September 2022, when the European Union announced a €20m package from its European Peace Facility in support of the Rwandan operation in Mozambique. It is probably no coincidence that the initiative for this funding came from French President Macron.⁸⁰

At the 6th EU-AU summit in Brussels on 17 February 2022, Kagame advocated a “blended bilateral and multilateral approach”, and gave the examples of the CAR and Mozambique. He of course expressed the need for “a more predictable and sustainable international financing system for bilateral and regional military interventions”. However, the situation in the CAR shows that combining multilateral and bilateral interventions can be a delicate balancing act. Multilaterally, Rwanda operates within MINUSCA following UN rules, while bilaterally it not only co-operates with the government army FACA, but also with Russian Wagner mercenaries, and even, according to some sources, with Syrian mercenaries who had been fighting with Russian contractors in Libya and were subsequently sent to the CAR.⁸¹ Gross human rights abuse by both FACA and the mercenaries have become deeply problematic, and risks

⁷⁷ PURDEKOVA, A., REYNTJENS, F., WILÉN, N., “Militaryisation of governance after conflict: beyond the rebel-to-ruler frame – the case of Rwanda”, *Third World Quarterly*, Vol. 39, No. 1, 2018, pp. 158-174; REYNTJENS, F., “Understanding Rwandan politics through the *longue durée*: from the precolonial to the post-genocide era”, *Journal of Eastern African Studies*, Vol. 11, No. 3, 2018, pp. 514-532.

⁷⁸ “Rwanda's ambitions as a security provider in Sub-Saharan Africa”, International Institute for Strategic Studies, *Strategic Comments*, Vol. 28, No. 23, November 2022.

⁷⁹ MOODY, J., “How Rwanda Became Africa's Policeman”, *Foreign Policy*, 21 November 2022.

⁸⁰ The operations of the RDF in the DRC have however raised concerns, and have led to calls for the suspension of this package (cf. *supra*).

⁸¹ LISTER, T., WARD, C., “‘It was our children they killed’. Russian mercenaries implicated in the torture and killing of civilians in Central African Republic”, *CNN World*, 15 June 2021.

placing Rwanda between two fires, particularly since Macron described CAR President Touadéra as a hostage to the Wagner group, and France suspended military cooperation with Bangui.⁸² Fearing that the RDF support Touadéra's attempts to run for an unconstitutional third term, opposition parties and civil society organisations staged demonstrations to get the Rwandan army out of the country.⁸³

7. RWANDA AND THE WORLD

Rwanda has again experienced that being in the limelight comes with a price, namely that international attention is drawn to the country's flawed political governance and human rights record. This price was paid twice in 2022, on the occasion of the partial outsourcing of the UK's illegal migration problem and the organisation of the Commonwealth summit in Kigali.

On 14 April, UK Home Secretary Priti Patel and Rwandan Foreign Minister Vincent Biruta signed a "Migration and Economic Development Partnership" in Kigali. At an initial cost to the UK of £120m, the deal provides that people seeking asylum in the UK may be flown to Rwanda where their claims would be processed.⁸⁴ Nevertheless, precedents were not reassuring. In 2015, Rwanda recruited, trained and armed Burundian refugees engaged in a rebel force against their home country.⁸⁵ In February 2018, 12 Congolese refugees were killed by police in western Rwanda. Over 60 more refugees were arrested and charged with participating in illegal demonstrations against a 25 per cent reduction in food rations. The violence was left unpunished.⁸⁶ Another ominous experience served as an additional warning. Almost all of several thousand Eritrean and Sudanese migrants who were deported from Israel under a so-called "voluntary departure programme" between 2014 and 2017 left Rwanda almost immediately. They were not given the opportunity to apply for asylum, were left destitute, and many attempted to return to Europe

⁸² *Idem*.

⁸³ "Centrafrique: pourquoi une partie de l'opinion veut voir l'armée rwandaise quitter le pays", *Jeune Afrique*, 12 August 2022.

⁸⁴ On top of the £120m up-front payment to the Rwandan government, the UK will also foot the bill for an additional £12,000 per asylum seeker, forced removals (£15,000 per individual) and flights (£9,700 per individual) ("The UK-Rwanda deal is a crisis of responsibility, not a crisis of migration", London, ODI, 14 July 2022).

⁸⁵ See e.g. Refugees International, *Asylum Betrayed: Recruitment of Burundian Refugees in Rwanda*, 14 December 2015.

⁸⁶ Human Rights Watch, *Rwanda: A Year On, No Justice for Refugee Killings. Police Shot Dead at Least 12 During Protest*, 23 February 2019; Human Rights Watch, *UK's Rights Assessment of Rwanda Not Based on Facts. Abuses Overlooked to Justify Cruel Asylum Policy*, 12 May 2022.

using dangerous smuggling routes.⁸⁷

The initial reactions to the deal were negative. Labour called it “unworkable and unethical”, while the UNHCR expressed concern, and stated it “does not support the externalisation of asylum states’ obligations”.⁸⁸ Rwandan opposition politicians also criticised the deal, saying that wealthy western nations should own up to their international obligations, and that Rwanda should focus on solving its own political and social issues causing people to seek refuge abroad.⁸⁹ In a scathing intervention, the archbishop of Canterbury stated that the plan did not “stand the judgment of God”.⁹⁰ In private, then Prince Charles reportedly called the policy of deporting migrants “appalling”.⁹¹ Patel’s own civil servants expressed opposition to the scheme on practical, legal and ethical grounds, and the Home Secretary was forced to issue a ministerial direction to overrule their concerns.⁹² Earlier, other UK officials, including a High Commissioner to Rwanda, raised serious human rights and fraud concerns.⁹³ In March 2021, Foreign Office officials told the Foreign Secretary that if Rwanda was selected for the deportation policy, “we would need to be prepared to constrain UK positions on Rwanda’s human rights record, and to absorb resulting criticism from UK parliament and NGOs”.⁹⁴ Even more surprisingly, Rwanda appears not to have been on a shortlist of seven countries with which to further explore the deal, but rather figured on a separate list

⁸⁷ SHOHAM, S., BOLZMAN, L., BIRGER, L., “Moving under Threats: The Treacherous Journeys of Refugees who ‘Voluntarily’ Departed from Israel to Rwanda and Uganda and Reached Europe”, Oxford, University of Oxford, Faculty of Law, 12 October 2018; “Rwanda’s history of receiving deportees raises concerns for potential UK scheme”, *The Guardian*, 17 January 2022; “What happened when Israel sent its refugees to Rwanda”, *BBC World Service*, 23 June 2022.

⁸⁸ “UK to send asylum seekers to Rwanda for processing”, *The Guardian*, 13 April 2022.

⁸⁹ “Rwandan opposition criticises deal to accept UK’s asylum seekers”, *The Guardian*, 14 April 2022; INGABIRE, V. U., “Le Rwanda doit résoudre ses problèmes politiques internes avant d’accueillir des réfugiés (carte blanche)”, *Le Vif*, 9 May 2022.

⁹⁰ “Rwanda plan is ‘against the judgment of God’, says Archbishop of Canterbury”, *The Observer*, 16 April 2022.

⁹¹ “Prince Charles criticises ‘appalling’ Rwanda migrant scheme – reports”, *The Guardian*, 10 June 2022.

⁹² “Priti Patel could face Home Office mutiny over Rwanda asylum plan”, *The Guardian*, 16 April 2022; “Home Office staff threaten mutiny over ‘shameful’ Rwanda asylum deal”, *The Guardian*, 20 April 2022. Also see SEN, P. *et al.*, “The UK’s exportation of asylum obligations to Rwanda: A challenge to mental health, ethics and the law”, *Medicine, Science and the Law*, Vol. 62, No. 3, 2022, pp. 165-167.

⁹³ “UK officials raised concerns over Rwanda policy, documents show”, *The Guardian*, 19 July 2022; “Priti Patel was advised against Rwanda deportation plan, court documents reveal”, *Sky News*, 20 July 2022.

⁹⁴ “Suella Braverman restates Rwanda deportation goal after court ruling”, *The Guardian*, 19 December 2022.

of 14 countries not to do business with.⁹⁵ The deal also met legal challenges from several charities including Asylum Aid, Freedom from Torture, Detention Action and Care4Calais, as well the PCS union, whose members include Home Office staff and Border Force officers.⁹⁶

On 14 June, the European Court of Human Rights (ECHR) decided to grant an urgent interim measure in the case of N.S.K., an asylum-seeker from Iraq who was facing imminent removal to Rwanda. The Court indicated that the applicant should not be removed to Rwanda until three weeks after the delivery of the final domestic decision in his ongoing judicial review proceedings. As a consequence, a first flight scheduled to leave for Rwanda on that evening with fewer than ten people was cancelled very shortly before its departure.⁹⁷ On 19 December, the High Court ruled that the asylum scheme did not breach the UN's refugee convention or human rights laws, but also held that the cases of the eight asylum seekers at the origin of the legal challenge had not been "properly considered" and needed to be reconsidered. Appeals are inevitable, and it could be months before they are dealt with.⁹⁸

As was to be expected, the Rwandan regime's record soon entered the debate, and the "Partnership" was an occasion to point at rigged elections, a muzzled press, the hunting down and forcible disappearance of regime critics, and the recruitment of refugees to conduct armed operations in neighbouring countries.⁹⁹ In the run-up to the Conservative Party leadership election, Liz Truss was accused of delaying publication of the Foreign Office annual report on global rights over criticism of Rwanda's record.¹⁰⁰

The organisation of the Commonwealth Heads of Government Meeting (CHOGM) in Kigali from 20 to 25 June again drew attention to Rwanda's political record. On 10 June, a consortium of 24 civil society organisations stated in a joint open letter that "the silence of the Commonwealth on Rwanda's human rights record risks undermining the organisation's human rights

⁹⁵ "How red flags were brushed aside to push through Rwanda deal", *The Guardian*, 9 September 2022.

⁹⁶ "Priti Patel's Rwanda asylum seeker plan faces first legal challenge", *The Guardian*, 27 April 2022.

⁹⁷ A useful factual presentation of early developments of the scheme can be found in GOWER, M., BUTCHARD, P., *UK-Rwanda Migration and Economic Development Partnership*, Research Briefing, House of Commons Library, 28 June 2022.

⁹⁸ "Rwanda migrant plan is lawful, High Court rules", *BBC*, 19 December 2022.

⁹⁹ See e.g. BLOODWORTH, J., "The West lets guilt blind it to reality in Rwanda. The British government wants to send asylum seekers to a dictatorial regime rife with human rights abuses", *The New Statesman*, 20 April 2022; WRONG, M., "Priti Patel is playing into Paul Kagame's hands", *The Spectator*, 23 April 2022; FODEN, G., "The UK's view of Rwanda is deeply ignorant – I once fell prey to it myself", *The Guardian*, 24 May 2022.

¹⁰⁰ "Liz Truss accused of delaying human rights report over criticism of Rwanda", *The Guardian*, 19 August 2022.

mandate, as well as its integrity and credibility”.¹⁰¹ The Committee to Protect Journalists protested that several critical journalists were refused accreditation by the Commonwealth Secretariat.¹⁰² The Australian Human Rights Institute called for increased scrutiny of Rwanda’s human rights record, noting “a string of high profile disappearances and abductions in Rwanda over the past year”.¹⁰³ Op-eds in the UK press seized the opportunity to publish critical comments on the human rights situation and to oppose the migration deal.¹⁰⁴ Kagame was not impressed. In his comments at the end of the summit, he said that “when it comes to values, we don’t need any lessons from anyone [...]. I want to assure you that there is no one [...] who [knows] values better than us here in Rwanda”. Dismissing accusations over the detention of political opponents, he stated that “there is no one in Rwanda who is in prison who should not be there, because we have a judicial system which is in fact functional and just”.¹⁰⁵

After France and Rwanda established friendly relations last year, bilateral links have been uneventful, were it not for a strange “international scientific conference” that brought together Rwandan and French participants in Kigali and Huye in September. Only a handful of the hundred odd participants were internationally recognised Rwanda scholars, and not a single French scholar critical of the Rwandan government was invited.¹⁰⁶ The event was organised by the Rwandan Ministry of National Unity and Civic Engagement, a ministry created last year to guard the RPF’s truth, and by the French president’s office. Both Macron and Kagame addressed the opening session by video, and didn’t make an effort to hide the political objectives of the meeting. Kagame “tasked” historians and researchers “to document history”, while Macron said that the conference was “a major step on the way of truth and lucidity in

¹⁰¹ “Call for Commonwealth Leaders to Speak Up for Rights of Rwandans”, Joint letter to Commonwealth Heads of Government, 10 June 2022.

¹⁰² “Commonwealth Secretariat denies entry to at least 2 journalists seeking to cover summit in Rwanda; others left in limbo”, Committee to Protect Journalists, 17 June 2022.

¹⁰³ Australian Human Rights Institute, “Calls for increased scrutiny of Rwanda’s human rights record as leaders meet for CHOGM”, Media Release, n.d.

¹⁰⁴ See e.g. WRONG, M., “Rwanda is a brutal, repressive regime. Holding the Commonwealth summit here is a sham”, *The Guardian*, 22 June 2022; “Stars urge Commonwealth to oppose UK plan to send refugees to Rwanda”, *The Guardian*, 25 June 2022..

¹⁰⁵ “Sommet du Commonwealth: ‘pas de leçon à recevoir’ sur les valeurs, se défend Paul Kagame”, *RFI*, 26 June 2022.

¹⁰⁶ The weekly *Marianne*, which has always been critical of the Rwandan regime, noted that, “among the French participants one finds some researchers who have always tracked dissident voices on the Rwandan tragedy, assimilating them to genocide denial and therefore susceptible of being condemned in a court of law” (“Colloque sur le génocide au Rwanda: vraie recherche ou pure manœuvre politique de Macron et Kagame?”, *Marianne*, 9 September 2022).

which both countries are engaged”.¹⁰⁷ At the time of writing, the texts of the communications were not available, and the publication of proceedings was not announced, thus precluding peer comments and assessments. A follow-up conference to be held in France is slated for September 2023. Just like the 2021 Duclert report¹⁰⁸, initiatives like this mainly serve to act in support of the ongoing recalibration of bilateral relations between France and Rwanda. As noted by Claudine Vidal, the two missions of the Duclert commission and the international conference –on the one hand furthering cordial bilateral relations, on the other hand establishing the historical truth– are contradictory and mutually exclusive.¹⁰⁹

8. CONCLUSION

The Rwandan government has again faced the reality that the country’s involvement in events beyond its borders inevitably raises critical assessments of its mode of governance and human rights record. Exhibiting striking continuities with its precolonial history, the regime displays an extraordinary sense of superiority and entitlement, and it seems to be genuinely surprised when being in the limelight attracts international attention for its darker traits. At the international level, this behaviour creates embarrassing dilemmas for countries like the UK and France that are or wish to be genuine allies. In the region this attitude generates distrust and ill will. Although relations have been hostile at times with each of Rwanda’s four neighbours, during the year under review this reality has of course been particularly clear in its relations with the DRC. While that neighbour is indeed a dysfunctional state, it is counterproductive to constantly remind the Congolese that “we are better” as Rwandan regime tweeps and media often do. This attitude creates frustrations and ill will, and exacerbates rather than diminishes the conflict potential. In the longer run, it is not in Rwanda’s interest to have a much larger and (potentially) richer neighbour that feels it has a bill to settle.

In a region where similar ethnic groups are found in several countries, Rwanda’s extraterritorial ambitions also threaten Rwandophones, and more particularly Tutsi, in the DRC. Contrary to the discourse heard in Kigali, anti-Rwandan/anti-Tutsi feelings are the consequence, not the cause of the RDF’s intervention on the side of the M23. History shows this well. In 1998 (RCD), 2006 (CNDP), 2012 (M23) and again from the end of 2021 (M23), suspected Rwandan support for these Tutsi-led rebel groups encouraged eth-

¹⁰⁷ “Genocide: Kagame tasks historians, researchers to document history”, *The New Times*, 11 September 2022.

¹⁰⁸ Critical readings can be found in DESROSIERS, M.-E., “Le rapport Duclert et le filtre des lendemains génocidaires”, *Revue de l’histoire contemporaine de l’Afrique*, 2021, pp. 9-27; “Réflexions sur le rapport Duclert”, Paris, Fondation Jean Jaurès, 21 January 2022.

¹⁰⁹ VIDAL, C. in “Réflexions...”, *op. cit.*

nic engineering and anti-Tutsi pogroms. In a similar vein, local coalitions between the FARDC and armed groups, among them the FDLR, emerged after, not before the M23 started operating again, and were a response to its rapid advance on the ground. Therefore, while the Rwandan government understandably condemns the manipulation of anti-Rwandan feelings in the DRC, it is itself at least in part responsible for this violence.

As said in the introduction, this chronicle's focus on political governance obscures the undeniable performance in the socio-economic sphere. However, there is a potentially dangerous link between good technocratic governance and flawed political governance. Long term political stability may be the victim of the latter which may in the end threaten the achievements of the former. In an insecure regional environment with shifting alliances and a domestic context that has shown its potential for violence in the *longue durée*¹¹⁰, international tolerance for the darker sides of the regime may store up dramatic surprises. For the donor community, only money and political embarrassment are at stake, but Rwandans and other people in the region risk their lives.

Antwerp, January 2023

¹¹⁰ Since the late 18th century, not a single succession at the head of the Rwandan state occurred in a constitutional and peaceful fashion.