



REPRESSION ACROSS BORDERS

Attacks and Threats Against Rwandan Opponents and Critics Abroad

January 28, 2014

Since the genocide which devastated the country and claimed more than half a million lives in 1994, Rwanda has made great strides in rebuilding its infrastructure, developing its economy, and delivering public services. But civil and political rights remain severely curtailed, and freedom of expression is tightly restricted. The government dominated by the Rwandan Patriotic Front (RPF)—a former rebel movement that ended the genocide—does not tolerate opposition, challenge, or criticism. In the 19 years since the RPF took power, Human Rights Watch has documented numerous cases of arbitrary arrests, detentions, prosecutions, killings, torture, enforced disappearances, threats, harassment, and intimidation against government opponents and critics. These abuses emerged in the immediate post-genocide period in the mid-1990s and have continued to this day.

In addition to the repression of critical voices inside Rwanda, dissidents and real or perceived critics outside the country—in neighboring Uganda and Kenya, as well as farther afield in South Africa and Europe—have been victims of attacks and threats.

This document highlights some of the cases involving attacks or threats against critics outside Rwanda since the late 1990s. This list is not exhaustive. Human Rights Watch has documented these cases or received reliable information indicating that the victims are likely to have been targeted because of their criticisms of the Rwandan government, the RPF or President Paul Kagame. There have been other cases of Rwandans who were

murdered, attacked, threatened, or who died in unclear circumstances in various countries, but are not included because of insufficient information surrounding these attacks.¹

Background on Attacks

The victims of the attacks abroad have tended to be political opponents or outspoken critics of the Rwandan government or President Kagame himself. Former RPF officials who have turned against President Kagame and become opponents in exile have particularly been targets of attacks and threats. There are similarities between attacks in high-profile cases, for example, the assassinations of former Minister of Interior Seth Sendashonga in 1998 and former Head of External Intelligence Patrick Karegeya in 2014, and the attempted assassination of former army Chief of Staff Kayumba Nyamwasa in 2010, the former in Kenya, and the latter two in South Africa.

A number of the victims had been granted refugee status in the country to which they had fled, in recognition of the risks they faced in Rwanda. The fact that even recognized refugees have fallen prey to such attacks has heightened fears among exiled Rwandans, who now believe that no one is out of reach.

The persistence of attacks on Rwandan government critics in exile, going back almost 20 years, is striking, with the latest such murder—that of Patrick Karegeya—taking place in January 2014. As critics or opponents of the government, the victims all share a certain profile; prior to these attacks many had been threatened by individuals who were part of, or close to, the Rwandan government. The fact that within Rwanda itself, many government opponents have also faced threats and attacks, and the context of the broader persecution of government critics, provide credibility to the allegation that these attacks were politically motivated. They also raise serious and plausible concerns about the possibility of official state collusion in, or tolerance of, these attacks.

¹ This document does not cover the many cases of human rights abuses against Rwandans inside Rwanda since the RPF took power. Human Rights Watch has published numerous reports and press releases on these cases. See <https://www.hrw.org/africa/rwanda>. One of the darkest moments in recent years was the period preceding the 2010 presidential elections, when an independent journalist and the vice-president of an opposition party were murdered, and several other opponents and critics arrested and threatened. For a chronology of these events, see Human Rights Watch, “Rwanda: attacks on freedom of expression, freedom of association and freedom of assembly in the run-up to presidential elections, January to July 2010” (August, 2010), <https://www.hrw.org/news/2010/08/02/rwanda-attacks-freedom-expression-freedom-association-and-freedom-assembly-run-presi>.

When there is an allegation or suggestion that there may have been collusion of state agents in a killing or an attack, international human rights law requires a prompt, public, independent, and effective investigation to examine the possibility of collusion, seriously and effectively.

However, an issue of concern in almost all the cases cited in this document is the failure to make progress in effective investigations capable of identifying the perpetrators, particularly those who ordered the attacks, and bringing them to justice. With the exception of the trial of six people accused of involvement in the attempted assassination of Kayumba Nyamwasa in South Africa in 2010, which was ongoing at the time of writing, there have been few arrests and even fewer prosecutions. Three men charged and tried in connection with the assassination of one of the most prominent victims, Seth Sendashonga, in Kenya in 1998, were acquitted. No one has been convicted of his murder.

The Rwandan Government Response

The Rwandan government has consistently denied any involvement in attacks and threats against its political opponents and critics, and reacted with indignation to allegations that these attacks may have been ordered or facilitated from Kigali.

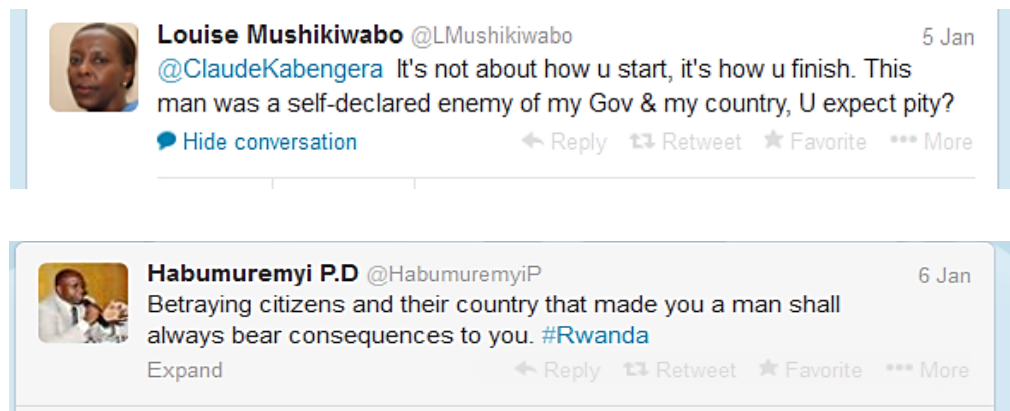
On occasion, Rwandan government officials have attempted to discredit or insult the victims soon after their death, especially when they have been outspoken government opponents.

For example, reacting to allegations that the Rwandan government may have been behind the murder of journalist Charles Ingabire in Uganda in November 2011, President Kagame told journalists: “That is merely one of the assumptions and I don’t think we need to work on just one assumption and neglect the facts. It is wrong, absolutely wrong.” Claiming that the Rwandan authorities had evidence that Ingabire had embezzled money before fleeing to Uganda, he said: “We have many cases like this in Rwanda of people committing crimes and claiming political persecution.”²

² Agence France Presse, reproduced by Capital FM (Kenya), “Kagame denies any link to Kampala journalist murder”, December 12, 2011, <http://www.capitalfm.co.ke/news/2011/12/kagame-denies-any-link-to-kampala-journalist-murder/>.

More recently, following the murder of Patrick Karegeya in South Africa in January 2014, the Rwandan president, prime minister and ministers of foreign affairs and defence all publicly used strong language, branding Karegeya as a traitor and an enemy and implying that he got what he deserved.

Minister of Foreign Affairs Louise Mushikiwabo wrote on Twitter on January 5, 2014: “It's not about how u start, it's how u finish. This man was a self-declared enemy of my Gov & my country, U expect pity?” The following day, Prime Minister Pierre Damien Habumuremyi tweeted: “Betraying citizens and their country that made you a man shall always bear consequences to you.”



An article in *News of Rwanda* quoted Minister of Defence James Kabarebe saying, during a speech in Gisenyi on January 11, 2014: “Do not waste your time on reports that so and so was strangled with a rope on flat 7 in whatever country³...When you choose to be a dog, you die like a dog, and the cleaners will wipe away the trash so that it does not stink for them. Actually, such consequences are faced by those who have chosen such a path. There is nothing we can do about it, and we should not be interrogated over it.”⁴

Most significantly, President Kagame came close to condoning Karegeya’s murder in a public speech on January 12, 2014, when he stated: “Whoever betrays the country will pay the price. I assure you. Letting down a country, wishing harm on people, you end up suffering the negative consequences. Any person still alive who may be plotting against

³ This is presumed to be a reference to reports that Karegeya was strangled.

⁴ News of Rwanda, “Gen Kabarebe on Karegeya: ‘When you choose to be a dog, you die like a dog’”, January 11, 2014, <http://www.newsofrwanda.com/featured1/21824/gen-kabarebe-on-karegeya-when-you-choose-to-be-dog-you-die-like-dog/>

Rwanda, whoever they are, will pay the price...Whoever it is, it is a matter of time.” He added: “I hear some of our people saying: we are not the ones who did it. It’s true they were not the ones who did it, but that is not my concern, because you should be doing it... What is surprising is that you are not doing it. People who dare to betray, betray the country!” Kagame referenced a series of grenade attacks in Kigali, which the government had previously blamed on Karegeya and his collaborators, and said: “And we have to be apologetic about that? Never!”⁵

On the same day, the following tweet was posted from the official twitter account of the President’s office: “I do not have to be apologetic about people who forgot that Rwanda made them who they are and kill innocent people and children”; and “Those who criticize Rwanda know how far they go to protect their own nation.”



The Role of Foreign Governments

In most cases, there is no suggestion that the host governments of the countries where the victims were living colluded in these attacks in any way. On the contrary, these incidents have at times strained diplomatic relations between Rwanda and some of its most important allies, such as Kenya, South Africa, and the United Kingdom.

⁵Translation from Kinyarwanda. For Kagame’s full speech at the National Leaders’ Prayer breakfast, January 12, 2014, see http://paulkagame.tv/podcast/?p=episode&name=2014-01-12_kagame_.mp3. Extracts of his speech were also broadcast on several Rwandan radio stations. While Kagame did not refer to Karegeya by name, there is little doubt that his comments were a reference to him and to his murder.

Uganda

The situation in Uganda is less clear, mainly because there has been a lack of transparency in the Ugandan authorities' efforts to investigate and bring to justice perpetrators of attacks on Rwandans in Uganda. Human Rights Watch is not aware of evidence that Ugandan government authorities have been officially or directly involved in particular incidents, though in at least one case, a high-ranking Ugandan police officer facilitated the forcible return of a Rwandan refugee from Uganda to Rwanda. However, longstanding personal relationships between some Ugandan and Rwandan officials may obstruct access to information about possible collusion to facilitate the commission of these crimes.

Many Rwandans initially flee to Uganda because of its proximity. However, it has become one of the least safe countries for Rwandans facing political persecution because of the close links between the police and intelligence services of the two countries. Diplomatic relations between Uganda and Rwanda have fluctuated over the years, but many senior Rwandan officials, particularly those who grew up in Uganda and served in the Ugandan security forces or intelligence services, retain close links in the country. Rwandan agents can therefore operate in Uganda with considerable ease.

In the past four years alone, numerous Rwandan refugees and asylum-seekers in Uganda have reported to Human Rights Watch a range of incidents, including personal threats by people they know or believe to be Rwandan, attacks on their homes, beatings, attempted abductions, and, in the most serious cases, killings or attempted killings. Some have also reported being threatened and intimidated by Rwandan diplomatic representatives in Uganda.

Refugees or asylum-seekers who are known to be political opponents, critics, or outspoken journalists, are particularly at risk. For example, following the 2010 presidential elections in Rwanda, several members of Rwandan opposition parties and journalists who had fled Rwanda for their safety were personally threatened in Uganda. Most of them have since moved to other countries.

Ugandan journalists who have investigated or reported on security threats against Rwandans in Uganda have also raised concerns for their own security, particularly in 2013.

Need for Action

Human Rights Watch calls on governments of host countries to heighten protection of Rwandan refugees and asylum-seekers who may have well-founded fears for their security in exile, and to carry out thorough investigations into attacks and threats against Rwandan government opponents and critics on their territory, in order to bring those responsible to justice. The Rwandan government should cooperate fully with such investigations.

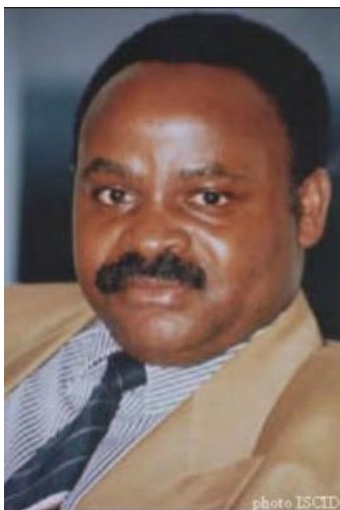
Donors and foreign governments with links to Rwanda should press for thorough investigations into these incidents and for full cooperation by the Rwandan government with the authorities of the countries concerned.

Attacks and Threats Against Rwandan Opponents and Critics Abroad: 1996—2014

October 6, 1996 **Assassination of Théoneste Lizinde and Augustin Bugirimfura** **Kenya**

Théoneste Lizinde—an RPF colonel, former member of parliament and former member of the intelligence services under the government of President Juvénal Habyarimana—and businessman Augustin Bugirimfura both disappeared from Lizinde’s home in the Kenyan capital Nairobi on October 6, 1996. Two days later, their bodies were found on the outskirts of Nairobi; they had been shot dead.

May 16, 1998 **Assassination of Seth Sendashonga** **Kenya**



Seth Sendashonga

Seth Sendashonga was minister of interior in the government formed by the RPF after the genocide. After challenging some of the RPF’s policies and protesting against human rights abuses, he resigned from the cabinet in August 1995 and fled to Kenya. From exile, he criticized the government more publicly and founded an opposition group. After surviving a first assassination attempt on February 26, 1996, in which he and his nephew were injured, he was shot dead in Nairobi in May 1998, along with his driver.⁶

⁶ For details, see “Human Rights Watch and the FIDH Condemn Assassination of Seth Sendashonga,” Human Rights Watch and FIDH joint news release, May 19, 1998, <http://www.hrw.org/en/news/1998/05/18/human-rights-watch-and-fidh-condemn-assassination-seth-sendashonga>.

Three men (one Rwandan and two Ugandans) were arrested and charged with conspiracy and murder. They were tried by a Kenyan court, found not guilty and released. In a statement on May 31, 2001, a Kenyan High Court judge said that he was persuaded that the murder of Sendashonga was political and that there was no evidence connecting the three accused to the “political clues”.⁷

A man who worked for the Rwandan embassy in Nairobi was arrested in connection with the 1996 assassination attempt, but Kenyan investigations were frustrated by the lack of cooperation of the Rwandan government, which refused to waive his diplomatic immunity. The suspect was released without trial.

April 7,
2003

Disappearance of Léonard Hitimana

Rwanda/
Uganda

Léonard Hitimana, a member of parliament for the *Mouvement démocratique républicain* (MDR) opposition party, disappeared on April 7, 2003, after leaving the house of another MDR parliamentarian in the Rwandan capital Kigali. The Rwandan police said his car was found near the Ugandan border. Hitimana’s fate remains unknown.⁸

⁷ See <http://www.kenyalaw.org/caselaw/cases/view/6012/>.

⁸ For details, see Human Rights Watch, *Preparing for Elections: Tightening Control in the Name of Unity*, May 2003, pps. 8-9, <http://www.hrw.org/reports/2003/05/08/preparing-elections>. It is believed Hitimana was probably killed in Rwanda, but his case is included here because of a possible link with Uganda.

April 23,
2003

Disappearance of Augustin Cyiza

Rwanda/
Uganda



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Augustin Cyiza

Lieutenant-Colonel Augustin Cyiza, a demobilized army officer, human rights activist, former president of the *Cour de Cassation* and vice-president of the Supreme Court, disappeared in April 2003. He was last seen in Kigali, but his vehicle was reportedly found near the Ugandan border. Cyiza's fate is unknown.⁹

June 19,
2010

Attempted Assassination of Kayumba Nyamwasa

South
Africa



© 2012 Reuters

Kayumba Nyamwasa

General Kayumba Nyamwasa, a former senior military official in Rwanda, narrowly escaped an assassination attempt in Johannesburg on June 19, 2010. He was seriously injured, but survived. The trial of six people (three of whom are Rwandan) accused of involvement in the assassination attempt is ongoing in South Africa at the time of writing.

⁹ For details, see Human Rights Watch, *Preparing for Elections: Tightening Control in the Name of Unity*, May 2003, p. 9, <http://www.hrw.org/reports/2003/05/08/preparing-elections>. As in the case of Hitimana, it is believed that Cyiza was probably killed in Rwanda.

Nyamwasa was a key figure in the RPF from its days as a rebel movement in Uganda, before the 1994 genocide in Rwanda. A close ally of Paul Kagame since the early 1990s, he held senior positions in the army, in the intelligence services, and in the gendarmerie. As chief of staff of the army in the late 1990s, he played a leading role in the counter-insurgency operations against elements of the former Rwandan army and militia—some of whom had participated in the 1994 genocide— who were mounting incursions into Rwanda from neighboring Congo.

In the following years, relations between Nyamwasa and Kagame deteriorated. Nyamwasa was marginalized and appointed ambassador to India in 2004. In February 2010, following a brief return to Rwanda, he fled to South Africa where he sought asylum and became an outspoken critic of Kagame. Together with several other former senior RPF officials (including Patrick Karegeya—see January 2014 entry below), Nyamwasa formed an opposition group in exile, the Rwanda National Congress (RNC).

In January 2011, Nyamwasa, Karegeya, and two other founding members of the RNC (Théogène Rudasingwa, former secretary general of the RPF and chief of staff of Kagame, and Gerald Gahima, former prosecutor general, both exiled in the USA) were tried *in absentia* by a military court in Kigali. They were found guilty of endangering state security, destabilizing public order, divisionism, defamation, and forming a criminal enterprise. Nyamwasa and Rudasingwa were each sentenced to 24 years' imprisonment and Karegeya and Gahima to 20 years.

May
2011

Threats to René Mugenzi and Jonathan Musonera

United
Kingdom



© Private

René Mugenzi

In May 2011, two Rwandans living in the UK—René Mugenzi and Jonathan Musonera—were warned by the London Metropolitan Police about threats to their life from the Rwandan government. Mugenzi and Musonera are associated with the opposition in exile, but

are not high-profile or prominent opponents. Musonera is a former RPF soldier and member of the RNC. Mugenzi has spoken publicly about human rights abuses in Rwanda, including to the British media and on Twitter.

A third Rwandan living in the UK, **Noble Marara**, associated with the opposition in exile, reported receiving threats too.

Previously, a number of Rwandan refugees reported being intimidated and harassed by Rwandan diplomatic representatives in the UK, in particular when they tried to organise public meetings on Rwanda.

November 30, 2011 **Murder of Charles Ingabire**

Uganda



Charles Ingabire

Exiled Rwandan journalist Charles Ingabire was shot dead in the Ugandan capital Kampala on November 30, 2011. A survivor of the genocide in Rwanda, he had fled to Uganda in 2007. From exile he had written articles for *Umuvugizi*, a popular Rwandan newspaper which was suspended by the Media High Council in Rwanda in 2010 but has continued publishing online. At the time of his death, Ingabire was the editor of the online publication *Inyenyeri News*. Some of his articles were very critical of the government. He had joined the RNC, but was not a prominent member. He survived a first attack about two months before his murder and had reported to friends that he had been threatened several times.¹⁰

In the aftermath of Ingabire's murder, the Ugandan police said they were investigating the case and held two people for questioning. However, to date, no one has been charged with Ingabire's murder.

August 22, 2012 **Attack on Frank Ntwali**

South Africa

Frank Ntwali is the brother-in-law of Kayumba Nyamwasa and chairperson of the RNC in South Africa, where he has been living for several years. On August 22, 2012, he was attacked in his car outside Johannesburg and stabbed repeatedly with a knife. He was injured but survived.

¹⁰ For details, see "Uganda/Rwanda: Investigate Journalist's Murder," Human Rights Watch news release, December 6, 2011, <https://www.hrw.org/news/2011/12/06/ugandarwanda-investigate-journalist-s-murder>.

Ntwali was due to testify at a South African court in the trial of the people accused of trying to assassinate Kayumba Nyamwasa.

October 25, 2013, **Forcible Return of Joel Mutabazi and Related Cases**

Uganda



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Joël Mutabazi

On October 25, 2013, former Rwandan presidential bodyguard Joel Mutabazi, a refugee in Uganda, went missing from a location in Kampala where he was living under 24-hour Ugandan police protection. His whereabouts were unknown for six days. On October 31, the Rwandan police confirmed he was detained in Rwanda but refused to disclose where. On November 13, he appeared before a military court in Kigali, with 14 co-accused, charged with terrorism and other offenses. An additional three co-accused appeared in court in a second hearing. His co-accused include at least two other Rwandans who disappeared in Uganda: Mutabazi's younger brother **Jackson Karemera**, who had gone missing in Kampala around October 25, and another former presidential bodyguard, **Innocent Kalisa**, who had gone missing in Kampala in August.

Ugandan government and police officials blamed the Deputy Director of Uganda's Criminal Intelligence and Investigations Directorate, Joel Aguma, for "mistakenly" handing Mutabazi over to Rwanda without following proper extradition procedures. According to the Ugandan police, Aguma was suspended, pending investigations. Human Rights Watch is not aware of further actions by the Ugandan authorities on this case.

Before his forced return to Rwanda, Mutabazi had already escaped an assassination attempt, as well as a bungled

abduction, both in Uganda. In July 2012, an armed man came to the house where he was living at the time and shot at him, but missed. On August 20, 2013, armed men abducted him from a safe-house in a suburb of Kampala, where he had been moved for his protection following the assassination attempt. He was released the same day, thanks to an intervention by the Ugandan police.

Mutabazi had been arrested in Rwanda in 2010 and held in Camp Kami, a military camp, for several months, where he was detained incommunicado and tortured. The Rwandan authorities suspected him of being close to Kayumba Nyamwasa.¹¹

January 1,
2014

Murder of Patrick Karegeya

South
Africa



Patrick Karegeya

Patrick Karegeya, former head of Rwanda's external intelligence services from 1994 to 2004, was found dead in a hotel room in Johannesburg on January 1, 2014. The South African police have launched an investigation.

Karegeya had been imprisoned twice in Rwanda, in 2005 and 2006,¹² and had then fled to South Africa where he had been living since 2007. After Kayumba Nyamwasa joined him in South

¹¹ For details on Mutabazi's forcible return from Uganda to Rwanda, see "Uganda/Rwanda: Forcible Return Raises Grave Concerns," Human Rights Watch news release, November 4, 2013, <http://www.hrw.org/news/2013/11/04/ugandarwanda-forcible-return-raises-grave-concerns>.

¹² For details of Karegeya's arrest and prosecution in Rwanda, see Human Rights Watch, *Law and Reality: Progress in Judicial Reform in Rwanda*, pps 65-66, <https://www.hrw.org/reports/2008/07/25/law-and-reality>.

Africa in 2010, the two men co-founded the RNC. Since then, Karegeya had been publicly outspoken in his criticisms of the Rwandan government and President Kagame.