

RWANDA

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1. POLITICAL GOVERNANCE

Changes in government tend to be frequent in Rwanda, and 2021 has again seen two replacements and the creation of a new ministry. On 31 August, President Kagame removed Justice Minister Johnston Busingye and appointed him High Commissioner to the UK amid international scrutiny over the trial of Paul Rusesabagina (see below in the section on justice). The official statement gave no reason for the dismissal of Busingye, who had served as justice minister and attorney general since 2013, but the move seems to have been linked to his handling of the Rusesabagina affair. On 17 September, he was replaced by Emmanuel Ugirashebuja, a former president of the East African Court of Justice and a seasoned lawyer. The second change took place in the context of the RPF's guarding and promoting of its narrative, a theme to which I'll return in a moment. On 14 July, the cabinet approved the creation of a Ministry of National Unity and Civic Engagement. Its aim was to "bring together Rwanda's efforts to deepen national unity, preserve the memory of the Genocide against the Tutsi and educate a new generation of Rwandans about the nation's fundamental civic values".¹ Four government institutions with similar objectives will be dissolved and their functions incorporated in the new ministry.² Reactions were mixed, with some comparing the move to the "North Korean model of education and citizen enlightenment".³ Only on 31 August was a minister appointed in the person of Jean-Damascène Bizimana, hitherto the executive secretary of the National Commission for the Fight Against Genocide (CNLG) and widely considered a radical guardian of the RPF's truth. The third change occurred on 10 December, when Alfred Gasana was put in charge of the newly re-established Ministry of the Interior, which also incorporates the Internal Security Ministry that was without an incumbent since General Patrick Nyumvumba was removed in April 2020. Before his appointment, Gasana was director general in charge of internal security at the National Intelligence and Security Services (NISS), and security seems to

¹ "Cabinet creates new ministry in charge of national unity", *The New Times* (Kigali), 15 July 2021; "New ministry to deepen national unity: Officials", *The New Times*, 15 July 2021.

² National Commission for the Fight Against Genocide (CNLG), National Unity and Reconciliation Commission (NURC), National Itorero Commission (NIC) and Fund for Support and Assistance to the Genocide Survivors (FARG).

³ "Mixed Reactions as President Kagame Establishes National Unity Ministry", *The Chronicles* (Kigali), 15 July 2021.

be the main brief of the ministry.⁴

The bolstering of the official narrative is not just the mission of the new Ministry of National Unity and Civic Engagement. In January, Yolande Mukagasana, a genocide survivor known to be a faithful regime supporter, launched a foundation with her name in a bid to fight genocide denial. She made clear that, in its mission of “keepers of memory”, “we cannot accept the distortion of the history of Rwanda and of the genocide in particular”.⁵ In February, the CNLG warned against genocide ideology and denial on social media platforms, reminding that “to promote divisions, undermine public order and to incite the masses into civil unrest” are actions punishable by law. “Providing wrong statistics about the (number of) victims of the Genocide” featured among the crimes cited, thus outlawing any scientific calculation.⁶ In April, a new bill proposed a reform of the national *itorero* service, “a holistic training system that includes civic education, cultural values, patriotism and social-political development of Rwandans”.⁷ A new “home-grown” notion emerged in November: *Ubudasa*, translated as “uniqueness” or “distinction”, stresses “Rwanda’s success as a model nation of excellence globally”. It is a “unique virtue backed with visionary leadership that has set the stage in shaping Rwanda, the new paradise, a stable and strong state”.⁸

However, the official narrative has come under increasing scrutiny, a development seen as threatening in Kigali, and which has led to a renewed polarisation between academics, journalists and activists sympathetic to and critical of the regime.⁹ Just as a book by Canadian journalist Judi Rever¹⁰ and its French translation¹¹ led to bitter debate, so did the one published by British journalist Michela Wrong in 2021.¹² To counter this description of a murderous regime deploying criminal violence inside Rwanda’s borders and well beyond, Kigali and its supporters abroad deployed all means available to destroy

⁴ “New Minister of Interior Takes Office”, *KT Press* (Kigali), 17 December 2021.

⁵ “New foundation to promote research, fight genocide ideology”, *The New Times*, 12 January 2021; “Yolande Mukagasana Launches Foundation to Fight Genocide Denial, Revisionism”, *KT Press*, 12 January 2021.

⁶ “Kwibuka 27: CNLG Warns Against Genocide Ideology, Denial on Social Media Platforms”, *KT Press*, 5 February 2021.

⁷ “New bill proposes comprehensive reforms to Itorero”, *The New Times*, 1 April 2021.

⁸ “Ubudasa: Rwanda’s collective identity?”, *The New Times*, 5 November 2021.

⁹ On this, see CHEMOUNI, B., “Faire de la recherche sur le Rwanda: le piège de la polarisation”, *Mediapart, Le blog de Politique africaine*, 24 July 2021.

¹⁰ REVER, J., *In Praise of Blood. The Crimes of the Rwandan Patriotic Front*, Toronto, Penguin Random House Canada, 2018.

¹¹ REVER, J., *Rwanda. L'éloge du sang*, Paris, Max Milo, 2020.

¹² WRONG, M., *Do not disturb. The story of a political murder and an African regime gone bad*, New York, Public Affairs, 2021.

this story. While the book was generally well received¹³, a barrage was set up by the regime and its sympathisers to discredit Wrong and her findings. The book was called a “racist hit job against the Rwandan leadership”¹⁴, “based on hearsay, unverified testimony, rumours, assumption, and deception”¹⁵. It was suggested that Wrong had had a love affair with one of her key informants and that she was in the pay of Ugandan president Museveni.¹⁶ Another commentator did a “hit job” against international favourable reviews of the book.¹⁷ Only one author proposed a balanced reading, suggesting to look at two Rwandas, the one “showing the reach of the Rwandan state into its opponents’ lives around the globe” (i.e. the one described by Wrong), the other highlighting “Rwanda’s substantial socioeconomic gains since the genocide”.¹⁸ However, the second was not the one Wrong set out to analyse.

Recent revelations have shown the extent of the regime’s violent operations across its borders. In a comparative study of transnational repression, Freedom House presented six case studies. One of them is Rwanda, alongside China, Russia, Saudi Arabia, Iran and Turkey. That this small and poor country figures among these (relatively) wealthy power houses is revealing in itself. The report calls Rwandan transnational repression “exceptionally broad in terms of tactics, targets, and geographic reach”, finds “the commitment to controlling Rwandans abroad and the resources devoted to the effort (...) stunning”, and claims that “the Rwandan government is among the most prolific transnational repression actors worldwide”.¹⁹ That the government is

¹³ See for instance THOMSON, S., “Rwanda is eating its own (aka why you should read Do Not Disturb)”, *African Arguments*, 9 March 2021; BIRRELL, I., “Do Not Disturb by Michaela Wrong review – the making of a monster”, *The Times*, 20 March 2021; SHAKESPEARE, N., “The making of a monster: Paul Kagame’s bloodstained past”, *The Spectator*, 27 March 2021; FRENCH, H.W., “The Dark Underside of Rwanda’s Model Public Image”, *The New York Times*, 30 March 2021; PARK, A., “The True Story of the Rwandan Genocide”, *Current Affairs*, 30 March 2021; FLETCHER, M., “Paul Kagame: the hidden dictator”, *New Statesman*, 14 April 2021; DOBBS, M., “He’s been hailed as Rwanda’s hero. But is he really his country’s villain?”, *The Washington Post*, 30 April 2021.

¹⁴ RUDATSIMBURWA, A., “Rudasingwa jumps on the bandwagon of Michela Wrong’s racist book, to no one’s surprise”, *The New Times*, 8 April 2021.

¹⁵ “Rwanda: Michela Wrong’s book ignores scientific evidence on the genocide, says Linda Melvern”, *The Africa Report*, 23 April 2021; along similar lines: MELVERN, L., “Rwanda: separating myths from reality”, *Scottish Review*, 28 April 2021.

¹⁶ NDIRIMA, M., “Michela Wrong set out to smear Rwanda and knew where to look”, *The New Times*, 2 May 2021.

¹⁷ GASANA, V., “Rwanda: ‘Do Not Disturb’ – Less about the RPF, more about rewriting history”, *The Africa Report*, 6 May 2021.

¹⁸ CLARK, P., “The Two Rwandas. Development and Dissent Under Kagame”, *Foreign Affairs*, May/June 2021.

¹⁹ FREEDOM HOUSE, *Out of Sight, Not out of Reach. The Global Scale and Scope of Transnational Repression*, February 2021, Case Study Rwanda, pp. 22-26. As usual, these findings were flatly denied by the RPF’s semi-official daily: “Freedom House should know that plotters of instability and their backers will never succeed”, *The New Times*, 12 February 2021.

investing heavily in these activities was confirmed just months later, when international media partners who set up the Pegasus Project confirmed information that had already circulated in 2019, namely that Rwanda uses the Israeli NSO Group's Pegasus spyware, which allows complete access to victims' smartphones, including messages, emails, media, microphone, camera, calls and contacts.²⁰ The spyware is used by authoritarian governments worldwide to follow rights activists, journalists, lawyers, opposition members and political leaders.²¹ One of the targeted persons was Carine Kanimba, the daughter of Paul Rusesabagina (see below), which allowed Kigali to also monitor her private calls and conversations with US, European and British government officials.²² As usual, the Rwandan government flatly denied the accusation: "Rwanda does not use this software system (...), and does not possess this technical capability in any form. These false accusations are part of an ongoing campaign to cause tensions between Rwanda and other countries, and to sow disinformation about Rwanda domestically and internationally. This is libel, and enough is enough".²³ Just days later, it appeared Rwanda not only targeted its own opponents in several countries, but also South African president Cyril Ramaphosa at a delicate moment, when the deployment of Rwandan troops to Mozambique was causing friction with SADC (see below), as well as Burundi's prime minister Alain-Guillaume Bunyoni.²⁴ Not only electronic surveillance causes unrest among Rwandan opponents living abroad. Though this was not proven, during 2021 the regime was suspected of involvement in the killings of exiled opponents like Seif Bamporiki in South Africa and Révoat Karemangingo in Mozambique.²⁵ Also in Mozambique, Cassien Ntamuhanga, a Rwandan asylum seeker and founder of an opposition movement, disappeared after being arrested by the police. Human Rights Watch feared that he risked being handed over to Rwanda, "where his rights would be vio-

²⁰ AMNESTY INTERNATIONAL, "Massive data leak reveals Israeli NSO Group's spyware used to target activists, journalists, and political leaders globally", 18 July 2021. It later became known that Cherie Blair, the wife of the former British Prime Minister who had acted as an attorney for a Rwandan general suspected of war crimes in 2015, is advisor to NSO ("Cherie Blair is advisor to NSO, the firm behind Pegasus spyware", *The Times*, 7 October 2021).

²¹ "Pegasus: Spyware sold to governments 'targets activists'", *BBC*, 19 July 2021.

²² "The Pegasus Project. Hotel Rwanda activist's daughter placed under Pegasus surveillance", *The Guardian*, 19 July 2021.

²³ "The Pegasus Project. Response from NSO and governments", *The Guardian*, 20 July 2021.

²⁴ DU PLESSIS, C., "Pegasus spying scandal: Rwanda targeted South Africa's Ramaphosa", *The Africa Report*, 23 July 2021.

²⁵ MAREE, A., "South Africa speechless following latest murder of Rwandan dissident", *The Africa Report*, 26 February 2021; "Un dissident rwandais tué par balles au Mozambique", *La Presse*, 14 September 2021; "Rwandan dissidents fearful after prominent critic of President Kagame gunned down in Maputo", *Daily Maverick*, 14 September 2021; "Rwanda: The mysterious deaths of political opponents", *DW*, 15 September 2021.

lated, including by being subject to an unfair trial and arbitrary detention”.²⁶ At the time of writing his whereabouts were unknown. It may well not be a coincidence that these incidents occurred while the Rwandan army was operating in Mozambique (see below in the section on regional relations).

Critical voices were also combated in less violent ways, in particular by the use of trolls on the internet and aggressive campaigning, very often with the support of sympathisers abroad. When Judi Rever was invited to participate in a panel on “Mass atrocities & R2P in the DRC” at the University of Cambridge Centre for Geopolitics in April 2021, 177 signatories²⁷ sent an open letter to the university’s vice chancellor protesting that a “platform” was given to “a known denier of the 1994 genocide against the Tutsi”. A similar letter was sent by representatives of survivors’ organisations. In a comparable move, many of the 177 signatories of the Cambridge letter published an op-ed in the French daily *Libération*²⁸, protesting the publication of the second edition of a book by this author.²⁹ In November 2021, genocide survivors attempted to prevent the launch of a book deemed “negationist” in the US.³⁰

Support for the regime also comes from less obvious sides. British MP Andrew Mitchell, a former Minister for International Development, has been a long standing staunch defender of the Rwandan regime. The House of Commons Register of Members’ Financial Interests as at 1 February 2021 shows that, “from 3 March 2020 until further notice”, he acts as “senior advisor on African matters” for the Kigali-based investment bank SouthBridge, where he is paid £39,600 per year “in return for a commitment of 9 days a year”. Mitchell launched the All-Party Parliamentary Group on Rwanda, which he chairs and which actively lobbies for Rwanda. Even more troubling is the role played by Kigali Archbishop Antoine Kambanda, who was elevated to Cardinal in 2020. In an interview with the French Catholic newspaper *La Croix* in June 2021, he closely toed the regime’s political line. He called the opposition “a smokescreen for those who want to ethnicise the debate”, denied that President Kagame had violated human rights, claimed that the Mapping Report on crimes committed in the DRC (see below) was “neither fair nor honest” and that accusations of massacres by the Rwandan army were “invented by those

²⁶ HUMAN RIGHTS WATCH, *Mozambique: Grave Concern for Rwandan Asylum Seeker. Acknowledge his Detention; Ensure Access to Lawyer; Block Any Return to Rwanda*, 15 June 2021.

²⁷ Only a handful were academic Rwanda experts, most of whom were either not invited or refused to sign. Most signatories have a long record of support for the Rwandan regime.

²⁸ “Génocide des Tutsis: un ‘Que sais-je ?’ qui ne sait pas grand-chose”, *Libération*, 21 September 2021.

²⁹ REYNTJENS, F., *Le génocide des Tutsi au Rwanda*, Paris, Presses universitaires de France, 2nd edition, 2021.

³⁰ “Genocide survivors protest pending launch of ‘negationist’ book in US”, *The New Times*, 15 November 2021.

responsible for the genocide against the Tutsi”.³¹ However, many in his flock were the victims of these crimes. That said, uncomfortably cosy links between the Catholic Church’s hierarchy and those in power in Rwanda aren’t new, as this was also the case during colonial days and in the first two republics.

While the regime officially pursues a practice of ethnic amnesia (“there are no longer Hutu, Tutsi and Twa, but only Rwandans”), it has in effect put in place an ethnocracy. In 2021, a survey of senior office holders whose ethnicity could be ascertained shows that 166 were Tutsi and 38 were Hutu. While Tutsi constitute 10-15% of the population, this is a ratio of 81:19 overall, but different areas revealed variations. 19 (66%) of the 29 members of the national government analysed were Tutsi. But at less visible levels, this trend was even more marked. 31 (86%) of 36 ambassadors were Tutsi, as were 13 (86%) of 15 major office holders in the army and security services, and 26 (96%) of 27 top positions in major parastatals and public agencies. All the positions in the senior staff in the Office of the President, the heads of the major religions, and the top roles in the national sports federations and main media houses were held by Tutsi. These trends are also found at the local level, with 20 (70%) of 29 identified district mayors being members of the same ethnic minority. Covering up and denying ethnic inequalities rather than addressing them is a dangerous strategy. Despite the banning of ethnic references, most available field research shows that ethnicity may have been eliminated from the public discourse, but that it remains a central factor in Rwandan social identity. Political elites may claim not to see ethnic differences, but most people know better in private.³²

This is confirmed by recent research. Mwambari finds that two different memory approaches are at work, where practices of vernacular memory by many ordinary Rwandans are used as arenas of resistance against a hegemonic memory imposed by the state.³³ Commemoration and remembrance of the genocide have thus become political tools without links to peoples’ lived experiences.³⁴ For their part, Purdeková and Mwambari observe “the stubborn lingering of racialized distinctions in popular culture” and even the rise of new social divisions based on Tutsi returnees’ countries of exile.³⁵

³¹ “Rwanda: pour l’archevêque de Kigali, ‘ce qui compte, c’est le pas franchi par Emmanuel Macron””, *La Croix*, 3 juin 2021.

³² REYNTJENS, F., “From ethnic amnesia to ethnocracy: 80% of Rwanda’s top officials are Tutsi”, *African Arguments*, 24 November 2021.

³³ MWAMBARI, D., “*Agaciro*, vernacular memory, and the politics of memory in post-genocide Rwanda”, *African Affairs*, Vol. 120, No. 481, 2021, pp. 611-628.

³⁴ BALDWIN, G., “Rwanda’s government now uses the annual genocide remembrance as a political tool”, *The Washington Post*, 7 April 2021; GUICHAOUA, A., “Rwanda: des commémorations du génocide rythmées par les agendas politique et diplomatique”, *The Conversation*, 25 April 2021.

³⁵ PURDEKOVÁ, A., MWAMBARI, D., “Post-genocide identity politics and colonial durabilities in Rwanda”, *Critical African Studies*, advance online, 2021.

2. SOCIO-ECONOMIC GOVERNANCE

Rwanda has continued to display vision and ambition in the socio-economic sphere. High modernism is pursued by an elite seeing itself as an enlightened and technocratic *avant-garde* convinced of its developmental mission and knowing the means needed to achieve it.³⁶ When parliament voted the law establishing the Rwanda Space Agency (RSA) in March 2021, Rwanda became one of twenty African countries putting into place such a structure. The RSA's responsibilities include advising the Government on creating and developing ways to implement the national and international space policies and strategies. It is also to provide geospatial services for development activities in various domains such as agriculture, urban planning, emergency response and weather forecasts. The country has operated two satellites since 2019. In November 2021, the Kigali International Financial Centre announced the establishment of a US\$250m investment fund with two main participants, the Qatar Investment Authority (QIA) and the national Rwanda Social Security Board (RSSB) (also see below). In December, the Kigali Innovation City master plan, to be built at a cost of US\$300million, was unveiled. At the occasion, the CEO of the Rwanda Development Board announced their ambition to become a "world class innovation hub".³⁷

In 2020 and 2021, Rwanda was among the strongest responders to the Covid-19 threat in Africa. Prevention measures, including lockdowns, were pursued vigorously and often even aggressively.³⁸ Both the Australia-based Lowy Institute and the WHO commended Rwanda for effectively confronting the pandemic.³⁹ In February 2021, the country started to roll out vaccination to high-risk groups, and by the end of the year around 40% of the population was fully vaccinated, making Rwanda among the best performers on the continent.

Despite achievements in public health, Rwanda's Human Development Index (HDI) stagnated. Although *The New Times* claimed that the UNDP hailed the country's efforts and that Rwanda recorded "the highest average annual HDI growth in the world"⁴⁰, this was not borne out by the UNDP's 2020 Human Development Report. Indeed Rwanda was ranked 109th out of 130 countries in 1990 and 160th out of 189 in 2019. In both these years, this rank corresponded to 84 out of 100, a stagnant score. Overall, the report notes that Rwanda's HDI of 0.543, while above the average of 0.513 in the low human

³⁶ CHEMOUNI, B., "La recherche sur l'État rwandais en débat", *Politique Africaine*, No. 160, 2020, p. 23.

³⁷ "Kigali Innovation City master plan unveiled", *The New Times*, 18 December 2021.

³⁸ Freedom House found that Rwanda's "public health rules were aggressively implemented, with scores of people arrested and abused in custody" (FREEDOM HOUSE, *Freedom in the World 2021*, p. 25).

³⁹ "Rwanda named among top 10 countries that responded best to Covid-19 outbreak", *The New Times*, 28 January 2021.

⁴⁰ "UNDP report hails Rwanda's homegrown initiatives", *The New Times*, 13 August 2021.

development group, is below the average of 0.547 for countries in Sub-Saharan Africa. When the value is discounted for inequality (Inequality-adjusted HDI – IHDI), the HDI falls to 0.387, a loss of 28.7% due to inequality in the distribution of the HDI dimension indices.⁴¹ Rwanda continues to perform poorly on a significant health indicator: 33% of children under age 5 are stunted, and 9% are severely stunted. The link with inequality is clear, as 49% of children in the lowest wealth quintile are stunted, as compared with 11% in the highest quintile.⁴²

Rwanda's good bureaucratic/technocratic governance is rightfully acknowledged, but doubts remain about its evidence base. In addition to critical reviews mentioned in earlier chronicles, a group of authors have raised questions about what they call a “statistical mystery”. The official data on education, employment and poverty among Rwandan youth indeed reveal a curious anomaly. Comparing an age group in the 2005/6 and 2016/17 surveys, 580,000 young people were missing. After examining several hypotheses, the authors were unable to explain this “disappearance of one out of six Rwandan youth”, thus leaving doubts about the accuracy of Rwandan official statistics.⁴³ A later report on aid fungibility expressed similar concerns about “transparency in fund reports and disbursements, sectoral disparities and irregularities in data reporting by the Rwandan government”.⁴⁴

While one of the key pillars of the Rwandan “success story” –poverty reduction– was shown in recent years to have been weaker than reported and that poverty actually increased, new research shows that another pillar –agricultural growth– “has largely been a mirage”. Food crop production from 2008-2013 up to the present was grossly overestimated “despite clear, publicly available evidence from official Rwandan and international sources showing agricultural output stagnation”. The author adds that the official doubling of food crop GDP between 2005 and 2018 is incompatible with the stagnation of food crop volumes, thus raising doubts about official GDP growth as well. This is particularly the case in a country where subsistence farming is still widespread. A major reason for this overestimation appears to be that both farmers and local agronomists report unrealistically high output growth to

⁴¹ UNDP, *The Next Frontier: Human Development and the Anthropocene. Human Development Report 2020*, entry on Rwanda.

⁴² NATIONAL INSTITUTE OF STATISTICS OF RWANDA, *Rwanda Demographic and Health Survey 2019-2020 Key Indicators Report*, Kigali, 2020. Even the semi-official *The New Times* noted that “In some indicators, the country has made gains since the previous survey was carried out back in 2014-2015, with others showing negligible improvements or even a decline” (“New local leaders should act on RDHS findings”, *The New Times*, 16 December 2021).

⁴³ ANSOMS, A. et al., “The disappearance of half a million young people from Rwanda's stats”, *African Arguments*, 26 January 2021.

⁴⁴ RANA, Z.A., KOCH, D.-J., “What happens to aid fungibility when the recipient government takes control? Effects of aid ownership in Rwanda”, forthcoming in *Development Policy Review*.

fulfil *imihigo* (performance contracts) targets without anyone questioning or double-checking data.⁴⁵

An important source of income and major contributor to Rwanda's GDP that has been under scrutiny for the last quarter century is the smuggling of natural resources from Congolese conflict zones. A piece of investigative journalism summarises the findings of the UN Group of Experts on the DRC, a case before the World Bank International Centre for Settlement of Investment Disputes and other sources. The information shows Rwanda's role in sophisticated illegal networks that extract gold and coltan from Congolese conflict zones and funnel them into the global supply chain. The smuggling also fuels military operations and human rights abuses, while damaging the region's corporate-supported efforts to regulate the minerals trade. The US mining investor Bay View Group, one of the largest investors in Rwanda's mining sector from 2006 to 2016, is seeking US\$95m damages from the Rwandan government, claiming the regime seized the company's assets because it refused to participate in the illegal trade. Supported by expert testimony, it estimated that the value of the true production from Rwandan mines is only about US\$20m annually, a small fraction of the US\$412m the government has claimed in its official export figures. 90% of all coltan exported from Rwanda was claimed to have originated in the DRC. According to the US based research group The Sentry, as much as US\$600m in gold is smuggled from the DRC annually, much of it through Rwanda.⁴⁶ This phenomenon is widely known, including by Rwanda's key donors, whose tacit acceptance allows these practices to continue. Supply chain regulation, increasingly outsourced to non-state actors, tends to be weak, and "cosmetic compliance" is frequent.⁴⁷

The regime's technocratic governance has also come under scrutiny domestically. In early 2021, the government's land registration policy had run into trouble. At least 1.5 million parcels remained unregistered, causing the government to "repossess" over 1.4 million plots countrywide, thus casting doubts on the effectiveness of its 15-year-old land policy.⁴⁸ In April, the Senate raised the issue of the lack of compensation for expropriations, noting

⁴⁵ HEINEN, S., "Rwanda's Agricultural Growth Mirage", *SOAS Blog*, 28 September and 6 October 2021. The full paper is HEINEN, S., *Rwanda's Agricultural Transformation Revisited: Stagnating Food Production, Systematic Overestimation, and a Flawed Performance Contract System*, London, SOAS Department of Economics, Working Paper No. 242, September 2021.

⁴⁶ YORK, G., REVER, J., "How 'blood mineral' traders in Rwanda are helping fund Congo rebels – and undermining global supply chains", *The Globe and Mail*, 8 April 2021. Also see United Nations, Security Council, *Final report of the Group of Experts on the Democratic Republic of the Congo*, S/2021/560, 10 June 2021.

⁴⁷ POSTMA, H., GEENEN, S., *Flagged and tagged by ITSCI: The potential and risks of non-state supply chain regulation*, Antwerp, Institute of Development Policy, Analysis and Policy Brief No. 40, June 2020.

⁴⁸ "Govt repossesses over 1.4 million plots of unregistered land", *The New Times*, 11 January 2021.

that by 2020, the government had accumulated Rwf 33bn (over US\$30m) in arrears.⁴⁹ More importantly, the Auditor General noted continued mismanagement of public funds, as he had done in previous years. In a thorough report, tabled in Parliament in May 2021, while noting improvements compared with previous years, he highlighted concerns with issues like inadequate management review controls, persistent cases of delayed contracts and abandoned works, idle assets and stalled projects, tenders awarded at prices higher than the budgeted cost⁵⁰, and unresolved fraud cases, among others.⁵¹ Later in the year, the Lower House discussed these findings, and called for criminal investigations into the mismanagement of public assets.⁵²

While this shows that both the Auditor General and Parliament seek to improve the use of public moneys and are given the space to do so, concerns have remained over risks incurred by the RSSB, and more particularly the investments of the pension fund. Participations in a number of companies, including subsidiaries of the RPF's Crystal Ventures Ltd., have not generated any dividend to date, resulting in the loss of dozens of millions of US\$. Nepotism may play a role here. The director general of the RSSB is a friend and former school mate of Ivan Kagame, a son of the president, whose daughter Ange is senior policy advisor in the President's Office. In 2020, Ivan Kagame himself was appointed to the board of the Rwanda Development Board (RDB).⁵³

3. JUSTICE

The case that attracted most media attention, including internationally, has been the prosecution for terrorism of the “hero” of the Hollywood production *Hotel Rwanda*, Paul Rusesabagina. The conflation of several aspects has considerably complicated these proceedings and their understanding: procedural issues, the merits of the case, controversy over the personal track record of the accused, and the political fallout in a polarised context.

First, the procedural concerns started at the moment of Rusesabagina's arrest and subsequent detention. With the assistance of a clergyman who acted as an agent for Rwandan intelligence, he was lured onto a private plane in Dubai which he thought was bound for Bujumbura, Burundi, but landed in Kigali instead. In a 26 February 2021 interview with Al Jazeera English's *Up-*

⁴⁹ “Senate urges end to expropriation malpractices”, *The New Times*, 2 April 2021.

⁵⁰ On which, see “Who is Benefiting From Tenders Inflated More Than 1500%?”, *The Chronicles*, 6 July 2021.

⁵¹ *Report of the Auditor General for the year ended 30 June 2020*, 153 pp.

⁵² “Lawmakers urge probe into mismanaged public assets worth billions”, *The New Times*, 10 November 2021.

⁵³ In October 2021, it was alleged that Ivan Kagame moved into a US\$6.9m Beverly Hills mansion registered to a company managed by a Nevada-based real estate agent said to be a known Kagame associate (“Rwandan President's Son Moves Into Lavish Beverly Hills Home”, *Dirt*, 26 October 2021).

Front, Justice Minister Johnston Busingye admitted that the Rwandan government paid for the plane.⁵⁴ While this was claimed by Rusesabagina supporters to amount to an illegal rendition or even a kidnap, practices like these have however also occurred elsewhere, including in democratic countries adhering to the rule of law. Another procedural issue was the interception of documents in contravention of lawyer-client privilege. In the same Al Jazeera interview, Busingye admitted that the prison authorities examined papers but justified this practice for safety reasons. However, he also implied that he had seen the communications in question. As he was the Attorney General, that would mean the prosecution would also be aware of their contents, which would be a grave breach of the principle of equality of arms and, again, of attorney-client confidentiality.⁵⁵ These admissions by Busingye were embarrassing enough to cause the Ministry of Justice to issue a statement clarifying that the minister's declaration "which was in part based on a private recording (...) does not reflect government policy".⁵⁶ As will be seen later, this incident cost Busingye his job. The third concern relates to the testimony of a "star witness" during the trial. US academic Michelle Martin testified on inculpatory material, such as screenshots, text messages and emails, she illegally collected while working as a volunteer at the Hotel Rwanda Rusesabagina Foundation.⁵⁷ However, according to a filing at the US Department of Justice, around that time she worked as a consultant for the Rwandan government and was paid a US\$5,000 monthly fee for a year.⁵⁸ Although this raises the issue of the credibility of the witness, it is not mentioned in the judgment, and doesn't seem to have come up during the proceedings. The final procedural fault is perhaps the most consequential. On several occasions, President Kagame publicly stated that Rusesabagina was guilty of the crimes for which he was arrested and prosecuted before the trial even started. This was contrary to the suspect's presumption of innocence and to the constitutional principle of the separation of powers, but more importantly in Rwanda's authoritarian context, it compromised judicial independence, as no judge would risk acquit-

⁵⁴ LATIF DAHIR, A., "Rwanda Official Admits Legal Violations in 'Hotel Rwanda' case", *The New York Times*, 27 February 2021.

⁵⁵ HUMAN RIGHTS WATCH, *Rwandan Judiciary Under Scrutiny. Interception of Rusesabagina's Attorney/Client Communications Raises Concerns*, 2 March 2021.

⁵⁶ Republic of Rwanda, Ministry of Justice, "Clarification on Aljazeera Interview", Kigali, 26 February 2021.

⁵⁷ "US scholar pins Rusesabagina on financing terror, genocide ideology", *The New Times*, 25 March 2021.

⁵⁸ US Department of Justice, OMB No. 1124-0006, Exhibit A to Registration Statement Pursuant to the Foreign Agents Registration Act 1938, as amended.

ting someone declared guilty by Kagame.⁵⁹

The procedural flaws have an obvious impact on the judgment rendered on 20 September: a guilty verdict on eight of the nine charges and a sentence of 25 years in prison. Twenty other suspects received sentences of between three and 20 years. Apart from some of the co-accused, only two witnesses seem to have testified against Rusesabagina, namely Michelle Martin, mentioned earlier, and Noël Habiyaemye who in 2010 was also called in the Ingabire trial. He restated the charge of support for the DRC-based rebel movement FDLR. Human Rights Watch called the trial “flawed” and claimed it showed that “the Rwanda courts are overpowered by political influence”.⁶⁰ That said, it is also a fact that in December 2018 in a YouTube video, Rusesabagina called for “the use of any means possible to bring about change in Rwanda as all political means have been tried and failed”. He pledged “unreserved support” to the FLN, presented as the armed wing of his political movement MRCD.⁶¹ The FLN claimed responsibility for several attacks in 2018 and 2019 in the Southern province during which civilians were killed and property was destroyed.

The procedure was polluted throughout by conflicting stories about the role Rusesabagina had played as acting manager of the *Hôtel des mille collines* in 1994, as if this should play a role in establishing facts that occurred in 2018-2019. While *Hotel Rwanda* is of course a dramatized version of history and does not claim to represent the detailed truth on how Rusesabagina saved over 1,200 individuals who sought sanctuary in the hotel, it was well received in Rwanda when it was premiered in Kigali in April 2005, including by genocide survivors.⁶² The film’s producer and director Terry George presented the film to a gathering of members of parliament, dignitaries and diplomats, including President Kagame and his wife. All were enthusiastic.⁶³ This changed the next

⁵⁹ These and other procedural aspects were discussed in two reports. One concluded that Rusesabagina’s fair trial rights were violated, “potentially to the irreparable prejudice of the defense, calling into question the fairness of any potential convicting verdict” (AMERICAN BAR ASSOCIATION, *The Case of Paul Rusesabagina*, June 2021). The second is a reaction to it written at the request of the Rwanda Bar Association “to provide an impartial view”, which however represents the view of the Rwandan government. It concludes that the ABA report “has dismally failed to deliver a neutral and drama-free view of the case” and that it “demonstrably lacks veracity, objectivity and usefulness” (UGIRASHEBUJA, E., *Review of the report published by the American Bar Association (ABA) on the Paul Rusesabagina case*, June 2021). Interesting detail: the author of this report replaced Johnston Busingye as Minister of Justice and Attorney General on 17 September 2021, three days before the verdict was delivered in the Rusesabagina case.

⁶⁰ HUMAN RIGHTS WATCH, *Rwanda: Paul Rusesabagina Convicted in Flawed Trial*, 20 September 2021.

⁶¹ [FULL VIDEO: Paul Rusesabagina pledges full support for FLN armed militia - Bing video](#).

⁶² “Stadium premiere for Hotel Rwanda”, *BBC News*, 5 April 2005.

⁶³ GEORGE, T., “Paul Kagame Celebrated ‘Hotel Rwanda’ – Until Its Hero Criticized him”, *Foreign Policy*, 25 February 2021.

year when Rusesabagina released his autobiography⁶⁴ in which he criticized Kagame, calling him a dictator. He was suddenly accused of being a cheat and even an accomplice to the genocide. Survivors who also happened to be RPF supporters published books calling into question his real role.⁶⁵ Some changed their story completely. For instance, after Rusesabagina's arrest, former Minister of State and senator Odette Nyiramilimo claimed that his hero status was a fiction⁶⁶, while a few years after the event she had spoken very highly of Rusesabagina as a saviour of the Tutsi in the hotel.⁶⁷ Based on selective sources and without considering the politics behind these turnarounds for a moment, even an academic author claimed that "survivor testimonies paint a very different picture of what happened in the real 'Hotel Rwanda'", and called the "misrepresented" narratives "biased or revisionist".⁶⁸

A final point on the Rusesabagina case concerns the political fallout. The proceedings and the eventual condemnation led to international protest and a diplomatic incident with Belgium, a country of which Rusesabagina is a national. When meeting her Rwandan counterpart Vincent Biruta in Brussels in April 2021, Belgian Foreign Minister Sophie Wilmès insisted on him getting a "just, equitable and transparent trial". In June, the Belgian parliament voted a resolution denouncing Rusesabagina's "forced disappearance, illegal rendition and incommunicado detention". On the day the judgment was rendered, Wilmès stated that Rusesabagina "did not benefit from a just and equitable trial, particularly with regard to his rights of defense (and) the presumption of innocence".⁶⁹ The Rwandan reaction was prompt. The Foreign Ministry said Wilmès' statement "reflects the contempt shown by the Government of the Kingdom of Belgium towards the Rwandan judicial system since the start of this trial". It also announced that a meeting between Biruta and Wilmès,

⁶⁴ RUSESABAGINA, P. with ZOELLNER, T., *An Ordinary Man. An Autobiography*, New York, Penguin Books, 2006.

⁶⁵ NDAHIRO, A., RUTAZIBWA, P., *Hotel Rwanda or the Tutsi Genocide as seen by Hollywood*, Paris, L'Harmattan, 2008; KAYIHURA, E., ZUKUS, K., *Inside the Hotel Rwanda: The Surprising True Story and Why it Matters*, Dallas TX, Ben Bella Books, 2014.

⁶⁶ "Senator Nyiramiriro exposes the fictions behind the Rusesabagina myth", *Virunga Post*, 17 September 2020. Contradictory views on Rusesabagina's role are summarized in HAMMER, J., "He Was the Hero of 'Hotel Rwanda'. Now He's Accused of Terrorism", *The New York Times Magazine*, 2 March 2021.

⁶⁷ GOUREVITCH, P., *We wish to inform you that tomorrow we will be killed with our families*, New York, Farrar Straus and Giroux, 1998.

⁶⁸ HITCHCOTT, N., "Seeing the Genocide against the Tutsi through someone else's eyes: Prosthetic memory and Hotel Rwanda", *Memory Studies*, Vol. 14, No. 5, 2021, pp. 935-948. It doesn't come as a surprise that British author and journalist Linda Melvern, who has consistently toed the RPF's line, holds a similar view (MELVERN, L., "There's little truth in *Hotel Rwanda*", *Scottish Review*, 13 October 2021). These positions were published after Rusesabagina's arrest, and one wonders why they weren't aired when the film came out.

⁶⁹ "La Belgique estime que M. Rusesabagina n'a pas bénéficié d'un procès juste et équitable", Communiqué de presse, 20 September 2021.

scheduled at the end of the month during the UN General Assembly in New York, would not take place, but did not rule out a future meeting in Rwanda.⁷⁰ On 26 October, in the margins of the AU-EU ministerial meeting in Kigali, Wilmès reiterated her concerns to Biruta, and announced that Belgium would closely follow up the situation. Nothing happened since, and it seems that the incident disappeared from Wilmès's radar.

Similarly, the US, where Rusesabagina is a lawful permanent resident, voiced concern. The State Department declared that “the reported lack of fair trial guarantees calls into question the fairness of the verdict” and urged the Rwandan government “to take steps to examine these shortcomings (...) and establish safeguards to prevent similar outcomes in the future”.⁷¹ The European Parliament adopted two resolutions on the issue. On 11 February 2021, the first contained a long list of concerns, including at a general level “media laws (having) adverse effects on freedom of expression”, the government having “arrested, detained and prosecuted critics and government opponents in politically motivated trials”, and “repeatedly threatened others outside the country, with some having been physically attacked and even killed”.⁷² The Rwandan parliament responded by resolving that the resolution amounted to an “attempt to improperly influence an ongoing judicial proceeding” and accused the European Parliament of “denying and negating” the genocide.⁷³ In a second resolution, adopted on 7 October 2021, the European Parliament reiterated its concerns about the case of Rusesabagina, but more generally deplored “the overall human rights situation in Rwanda and in particular the targeted persecution of dissenting voices; condemns politically motivated trials and the prosecution of political opponents; urges the Rwandan authorities to ensure the separation of powers, in particular the independence of the judiciary”. It went further by calling on the European External Action Service, the Commission and the EU Special Representative for Human Rights “to strengthen the human rights dialogue with Rwanda at the highest levels in the framework of Article 8 of the Cotonou Agreement, in order to ensure that the country abides by its bilateral and international commitments; stresses that in the context of international development work in Rwanda, much greater

⁷⁰ Republic of Rwanda, Ministry of Foreign Affairs and International Cooperation, “Response to Statement by Vice Prime Minister and Minister of Foreign Affairs of Belgium on the FLN verdict”, Kigali, 20 September 2021.

⁷¹ United States, Department of State, “Paul Rusesabagina Case Outcome”, Press Statement, 20 September 2021.

⁷² European Parliament, “Rwanda, the case of Paul Rusesabagina”, Resolution of 11 February 2021, 2021/2543(RSP). The resolution was adopted with 659 votes in favour, one against and 35 abstentions.

⁷³ Republic of Rwanda, Parliament, “Resolution by the Parliament of Rwanda on the European Parliament resolution of 11 February 2021 on Rwanda, the case of Paul Rusesabagina”, 15 February 2021; “Rwanda Parliament Accuses EU Parliament of Denying and Negating the 1994 Genocide”, *The Chronicles*, 13 February 2021.

priority should be given to human rights, the rule of law, and transparent and responsive governance”.⁷⁴

The case also had some political fallout in Rwanda itself. As mentioned earlier, just weeks before the verdict was announced in the Rusesabagina case, Justice Minister Busingye was replaced. While no reasons were given, this was suspected to have been linked to his clumsy dealing with the case, and particularly to the embarrassing Al Jazeera interview. He was appointed High Commissioner to the UK, but it remains to be seen whether he will be accredited.⁷⁵ On 7 June, prior to his replacement as Minister, the US-based Lantos Foundation for Human Rights & Justice filed a formal submission recommending Global Magnitsky sanctions against Busingye and the head of the Rwanda Investigation Bureau (RIB) Colonel Jeannot Ruhunga for their role in the violations of Rusesabagina’s human rights. On 9 September, the Lantos Foundation called on the UK to reject Busingye’s credentials, and on 15 December filed a Magnitsky submission to the Foreign Office. This followed a recommendation made on 8 December by the UK All-Party Parliamentary Group (APPG) on Magnitsky Sanctions to act against Busingye and Ruhunga.

In addition to the Rusesabagina case, two international judicial evolutions deserve mention. Félicien Kabuga, often dubbed “the financier of the genocide”, who was arrested in France last year, was indicted at the International Criminal Tribunal for Rwanda (ICTR) and is now held in The Hague awaiting his trial before the Mechanism for International Criminal Tribunals (MICT). Although he was widely accused of having imported machetes to be used in the genocide, this charge was dropped from a new amended indictment filed by the prosecutor on 15 January 2021 and confirmed by the court on 24 February. However, the transport and distribution of machetes in parts of Kigali and in the prefectures of Gisenyi and Kibuye were maintained.⁷⁶ This amendment shows the difficulties of writing Rwandan history, in this case on the issue of the planning of the genocide. Indeed I wrote in last year’s chronicle that “for instance, it will be hard for the prosecution to show that the importation of machetes by Kabuga had a link to the genocide”⁷⁷, a problem that is now con-

⁷⁴ European Parliament, “Rwanda, the case of Paul Rusesabagina”, Resolution of 7 October 2021, 2021/2906(RSP). The vote was 660 in favour, 2 against and 18 abstentions.

⁷⁵ Busingye’s appointment was eventually approved by the UK in March 2022.

⁷⁶ RUGIRIRIZA, E., SEHENE RUVUGIRO, E., “Why Kabuga is no longer accused of importing machetes for genocide”, *JusticeInfo*, 30 March 2021; “Case No. MICT-13-38-PT: Importing machetes removed from the indictment against Kabuga Félicien”, *The Rwandan*, 29 April 2021.

⁷⁷ REYNTJENS, F., “Rwanda”, in REYNTJENS, F. (ed.), *Political Chronicles of the African Great Lakes Region 2020*, Antwerp, UPA, 2021, p. 73, fn. 62.

firmed by the MICT.⁷⁸ At the end of the year, the MICT clashed with Niger, which through an agreement signed on 15 November 2021 had accepted to relocate nine people who had been acquitted or released after their prison terms. However, as a result of pressure from Rwanda⁷⁹, Niger issued an order on 27 December requiring these individuals to leave its territory within seven days. “Considering that the Expulsion Order appears to be in violation of both the spirit and the letter of the Agreement”, on 30 December the MICT president instructed the registrar “to take all necessary actions in order to ensure that the Expulsion Order does not cause any prejudice to the fundamental rights of the Relocated Persons”.

The judicial fallout of the genocide also continued in France. On the one hand, in May the Paris public prosecutor requested that the case against French military for their alleged role in the Biseseo killings in the shadow of *Opération Turquoise* be dismissed, much to the regret of the *Association Survie*, which called it a “denial of justice”. On the other, a third trial took place in France against a genocide suspect before the Paris Assize Court. On 16 December Claude Muhayimana was sentenced to 14 years in prison.

4. HUMAN RIGHTS

The US Department of State summarised human rights concerns as follows: “Significant human rights issues included: unlawful or arbitrary killings by the government; forced disappearance by the government; torture by the government; harsh and life-threatening conditions in some detention facilities; arbitrary detention; political prisoners or detainees; politically motivated reprisal against individuals located outside the country; arbitrary or unlawful interference with privacy; serious restrictions on free expression, press, and the internet, including threats of violence against journalists, censorship, and website blocking; substantial interference with the rights of peaceful assembly and freedom of association, such as overly restrictive nongovernmental organization laws; and restrictions on political participation”.⁸⁰ With an overall score of 21/100 (political rights 8/40, civil liberties 13/60), Freedom House ranked Rwanda as “Not Free”, along with 53 other countries.⁸¹

During the 37th Universal Periodic Review (UPR) at the Human Rights Council in Geneva on 25 January 2021, member states expressed concern

⁷⁸ On this issue, see TISSOT, R., “Les importations de machettes comme preuve de la planification du génocide contre les Tutsi? La place du Rapport Galand-Chossudovsky dans l’écriture de l’histoire du Rwanda”, 21 October 2020, online <https://tissotrparis.wixsite.com/rwandapccm>.

⁷⁹ “Rwanda seeks clarification over transfer of ex-ICTR detainees to Niger”, *The New Times*, 13 December 2021; “Ce qui a poussé le Niger à expulser huit Rwandais”, *DW*, 30 December 2021.

⁸⁰ United States, Department of State, *2020 Country Reports on Human Rights Practices*, 30 March 2021, Entry on Rwanda.

⁸¹ FREEDOM HOUSE, *Freedom in the World 2021*.

about torture and ill-treatment, extrajudicial killings, enforced disappearances, arbitrary detention and death in custody, as well as about freedoms of expression and the media.⁸² The UK's statement was severe. Noting "continued restrictions to civil and political rights and media freedom", it added: "As a member of the Commonwealth, and future Chair-in-Office, we urge Rwanda to model Commonwealth values of democracy, rule of law, and respect for human rights", a reference to the 1991 Harare Declaration. Concretely, the UK pointed at issues like extrajudicial killings, deaths in custody, enforced disappearances and torture, freedom of journalists, and the fate of "trafficking victims, including those held in government transit centres". The Rwandan reaction was furious. It regretted "the unfounded recommendations put forward by the UK mission in Geneva which have no basis in reality and go against established UPR peer protocol. (...) In the context of the UK's silence regarding blatant violations of human rights elsewhere in the region, this baseless attack on a partner country is deeply unfortunate".⁸³ As will be discussed in the section on international relations, this sour reaction can be understood in the context of shifting loyalties.

Media freedoms have continued to suffer from repression. Rwanda is ranked 156th out of 180 countries in the *2021 World Press Freedom Index of Reporters sans frontières*, the worst score in East Africa and the fifth worst in Sub-Saharan Africa. In the near absence of critical mainstream media⁸⁴, during the last few years mainly YouTube channels have been targeted. In February 2021, genocide survivor Yvonne Idamange, whose YouTube channel reached an average of 100,000 views per video, was arrested for "exhibiting behaviour that mixes politics, criminality and madness" after seizing upon the Covid crisis allegorically to air general discontent with government policies. She was sentenced to 15 years in prison in September. At the end of May, another genocide survivor earlier dismissed as a lecturer at the University of Rwanda, Aimable Karasira, was also arrested. On his YouTube channel *ukuri mbona* he had denounced injustice and dictatorship and, on the day before his arrest, described how his parents were killed by RPF soldiers. The RIB stated that he had received money from "criminal groups abroad" to tarnish the country's image, cause disorder and incite the population into insurrection. Several more journalists and members of Victoire Ingabire's unregistered opposition party Dalfa-Umurinzi were arrested in October. In November Dieudonné Niyonsenga, who ran the popular YouTube channel Ishema TV, was sentenced to seven years in jail. Around the same time, another YouTuber, Abdoul Ra-

⁸² See HUMAN RIGHTS WATCH, *UN: Countries Call Out Rwanda's Rights Record. Follow Up Universal Periodic Review With Concrete Action*, 1 February 2021.

⁸³ "UK, Rwanda Clash at UN Human Rights Review Panel", *The Chronicles*, 28 January 2021.

⁸⁴ *The Chronicles* have remained an exception, though the paper has come under increasing strain.

chid Hakuzimana, was arrested, and charged with denying and negating the genocide, spreading ethnic divisions and spreading rumours. The prosecution claimed that he had repeatedly said that “those who are not commemorated should also be accorded commemoration”, and that this showed his adherence to the so-called “double genocide” thesis.⁸⁵ Human Rights Watch noted that, “having effectively muzzled traditional media”, the regime has “gotten very efficient at online censorship”.⁸⁶

Like the press, the political opposition has continued to be constrained. On 16 March, Christopher Kayumba launched the Rwandese Platform for Democracy (RPD) “as a forum to advance, promote and contribute to the development of a freer, democratic, just, secure and sustainably peaceful and developed Rwanda”. Two days later, rape allegations were made against him. Within a week, the party’s mobilising secretary was arrested by the RIB on allegations of theft, impersonation and belonging to an illegal organisation. A day later, Kayumba himself was summoned by the RIB for interrogation for alleged rape, and his house was searched. In a “Letter to Fellow Rwandans”, Kayumba stated that he anticipated that “‘the system’ would make our life impossible”, but that “living in fear is the worst prison”. However prison was what awaited him. Just days after President Kagame called for “tough punishment” for sexual abuse, on 9 September Kayumba was arrested and charged.⁸⁷ During the bail hearing on appeal, he said he was warned by senior government officials that “if he wanted to live in Rwanda, he must renounce the political party, and apologise to President Kagame”.⁸⁸

Several extrajudicial executions by members of the police and the army were allegedly committed in the districts of Rulindo (March 2021), Rwamagana, Rubavu, Nyarubuye (all in April), Muhanga (August), Rubavu again (September) and Gicumbi (October).⁸⁹ In April, popular rapper Jay Polly (real name Joshua Tuyishime), after being arrested due to the breaking of Covid-19 regulations, developed a critical condition in a police cell, and died in hospital. The police failed to prevent many young people from attending his funeral in Rusororo, Kigali. Other older practices have continued. In the run-up

⁸⁵ “Detained YouTube Politician Tells Court that Prosecuting Investigator Tortured Him Psychologically”, *The Chronicles*, 17 November 2021; “Man arrested for allegedly denying, minimizing genocide”, *The New Times*, 28 October 2021.

⁸⁶ HUMAN RIGHTS WATCH, *What Press Freedom Looks Like in Rwanda*, 3 May 2021; also see HUMAN RIGHTS WATCH, *Rwanda: Arrests, Prosecutions over YouTube Posts. Urgent Reforms Needed as Commonwealth Summit Approaches*, 30 March 2021; HUMAN RIGHTS WATCH, *Rwanda: Crackdown on Opposition, Media Intensifies*, 19 October 2021.

⁸⁷ RPF-affiliated press set out to ruin his reputation and conducted trial by media, see e.g. RUDATSIMBURWA, A., “Profile: Dr. Kayumba, case of a man that ruined his own promising life”, *The New Times*, 11 September 2021.

⁸⁸ “The Inconsistencies Inside The Government Case Against Dr Kayumba Christopher”, *The Chronicles*, 4 November 2021.

⁸⁹ These reports came mainly from opposition sources and were not independently confirmed.

to the Commonwealth Heads of Government Meeting, scheduled for June 2021 (and postponed indefinitely in May because of the pandemic), authorities rounded up and detained gay and transgender people, street children and other people accused of “deviant behaviour that is harmful to the public”.⁹⁰ This practice of “cleaning up” capital cities before summits is unfortunately not unique to Rwanda.

A final point concerns the way in which the RPF continues to be faced with its past human rights abuse. In last year’s chronicle, I discussed the re-emergence of the 2010 Mapping Report on mass crimes committed in the DRC from 1993 to 2003. The 2018 Nobel Peace Prize laureate Dr. Denis Mukwege succeeded in putting it on the table again, and his plea for transitional justice to deal with these crimes was relayed nationally and internationally. As the Rwandan army was among the suspects, this was considered a threatening development in Kigali, which attempted to discredit both Mukwege and the Mapping Report.⁹¹ French journalist Patrick de Saint-Exupéry, a well-known sympathizer of the RPF, played an active part in that campaign, and it is no coincidence that he conducted the “research” for his book *La traversée*⁹² during the Summer of 2019, just six months after Mukwege’s acceptance speech in Oslo. He started his journey in Kigali, where he was “put on track” by General James Kabarebe, one of the main suspects of the massacres. Unsurprisingly, he set out to trash, ignore or discredit the evidence provided by the Mapping Report and many other sources on crimes committed by the Rwandan army and its Congolese allies, and did so on the authority of a handful of “witnesses” met by chance. While combating the “double genocide” thesis, at the same occasion he denied the material fact of deliberate massacres, whatever their legal qualification, or justified them.⁹³ Also unsurprisingly, the book was presented by the author in Kigali just weeks after it came out. Perhaps the most surprising fact about this manipulation is the quasi-unanimity with which it was favourably welcomed by the French media which, apart from rare excep-

⁹⁰ HUMAN RIGHTS WATCH, *Rwanda: Round Ups Linked to Commonwealth Meeting. Detention, Ill-Treatment of Poor, Gay, and Transgender People*, 27 September 2021. Human Rights Watch has documented abuse of vulnerable people at Gikondo Transit Centre on several occasions in the past.

⁹¹ REYNTJENS, F., “Rwanda”, *op. cit.*, pp. 76-78.

⁹² DE SAINT-EXUPÉRY, P., *La traversée. Une odysée au cœur de l’Afrique*, Paris, Les Arènes, 2021.

⁹³ On page 261 he writes “it was a war, these refugees were armed (...) By combating, they had renounced their refugee status”, thus spiriting away the atrocious fate of tens of thousands of unarmed children, women and elderly.

tions, failed to ask critical questions.⁹⁴

5. REGIONAL RELATIONS

As they have remained dismal, relations with Uganda can be dealt with briefly. Both countries have continued trading accusations of destabilising the other in speeches by their leaders, in the mainstream media and in blogs and social media accounts often run by their respective intelligence and security establishments. If anything, relations further soured as new contentious issues came up. In May, Museveni announced that Uganda was to build roads in neighbouring countries to bypass Rwanda in trade with the DRC and Burundi.⁹⁵ Next was the battle over the setting up of a Covid-19 vaccine production plant.⁹⁶ Even the marriage of a daughter of RPF historical leader Fred Rwigema became an occasion for a fight. In his speech at the wedding ceremony, Kagame regretted the absence of Rwigema's son Eric Gisa and said "Uganda authorities had attempted for all this long to antagonise his family with that of his childhood friend Rwigema".⁹⁷ As long as Museveni and Kagame are at the helm, an improvement of bilateral relations seems unlikely. The two men know each other too well, and their mutual dislike and distrust is deeply ingrained.

Relations with the DRC have considerably improved since Tshisekedi became president, but Congolese public opinion remains suspicious of Rwanda's intentions. At the end of June 2021, Tshisekedi and Kagame signed three bilateral agreements on the promotion and protection of investments, on taxation, and on the joint exploitation of Congolese gold by a Congolese and Rwandan company.⁹⁸ The two leaders also discussed security issues, and Kagame declared that Rwanda was willing to assist the DRC without however detailing what this contribution would be. Security arrangements are a balancing

⁹⁴ Such critical questions can be found in REYNTJENS, F., "Patrick de Saint-Exupéry, une 'traversée' qui ne convainc pas", *Afrikarabia*, 24 March 2021. Also see LE PAPE, M., BRADOL, H., "The 'disappeared' of Congo-Zaire, 1996-1997. The question of the massacres of Rwandan Hutu refugees in the Democratic Republic of Congo", *MSF-Crash Blog*, 30 March 2021; HENKINBRANT, L., "'La traversée' de Patrick de Saint-Exupéry: une autre forme de négationnisme?", *Mediapart*, 23 April 2021; TERZIAN, M., "Patrick de Saint-Exupéry: un faussaire au Congo", *Médecins sans frontières*, 28 October 2021.

⁹⁵ "Uganda Mulls Bypassing Rwanda For Its Exports to Burundi Like Congo Roads", *The Chronicles*, 15 May 2021.

⁹⁶ "Covid-19 Vaccine is New Supremacy Battlefront in EAC Bloc", *The Chronicles*, 12 July 2021; "Rwanda-Uganda Fight Now Goes Into Vaccine Production Plants", *The Chronicles*, 4 November 2021.

⁹⁷ "For First Time, President Kagame Speaks About Liberation Icon Fred Rwigyema's Family", *The Chronicles*, 7 November 2021. The "ownership" of Rwigema has been a bone of contention for some time, see for instance NDAHIRO, T., "Note to Kampala – Rwigema is ours, not yours", *The New Times*, 22 April 2021.

⁹⁸ The Congolese Société aurifère du Kivu et du Maniema (SAKIMA) would engage in extraction, the Rwandan Dither in refining.

act for Tshisekedi, as he also invited the Ugandan army onto Congolese soil to combat the ADF.⁹⁹ In light of the bad Rwando-Ugandan relations, Kigali resents the presence of Ugandan troops in what it considers its backyard, and it may well be tempted to intervene.¹⁰⁰ Not surprisingly after years of Rwandan military operations and economic exploitation in the DRC, security arrangements and economic cooperation are met with scepticism by many Congolese, particularly in the east. As they resent the presence of the Rwandan army, they express concern about the perspective of joint military operations and fear these could lead to the long held spectre of Congo's "Balkanisation".¹⁰¹

Such fears are fuelled by recent experience. 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 2020¹⁰², and many were not convinced by Kigali's denials.¹⁰³ Again in October 2021, an RDF company made an incursion in Buhumba which led to an exchange of fire with the Congolese army.¹⁰⁴ Both sides played the incident down.¹⁰⁵ A few weeks later, assailants allegedly coming from Rwanda and believed to belong to the old rebel movement M23 attacked Jomba in Rutshuru territory.¹⁰⁶ Again, the RDF denied any involvement¹⁰⁷, and even accused Uganda of being behind the attack.¹⁰⁸

In addition to military operations, Congolese opinion remains frustrated by Rwandan economic exploitation. Recent reports show that these practices continue. Gold is smuggled on a massive scale through neighbouring countries, including Uganda and Rwanda, and reaches the international market mainly via Dubai.¹⁰⁹ The UN Group of Experts arrived at similar findings in 2020 and pointed to the role of Rwanda-based Aldango Ltd in this trade. In

⁹⁹ The Allied Democratic Forces are originally a Ugandan rebel movement which has been operating on the Congolese side of the border for many years. The Congolese army has never been able to eradicate it.

¹⁰⁰ "L'intervention ougandaise, nouveau casse-tête pour Tshisekedi", *Jeune Afrique*, 9 December 2021.

¹⁰¹ LUALABA, Y., "DRC-Rwanda: Bilateral Trade Agreements Raise Fears of the Long Planned Balkanisation of DRC", *Afro American Network*, 26 June 2021.

¹⁰² United Nations, Security Council, *Midterm report of the Group of Experts on the Democratic Republic of the Congo*, S/2020/1283, 23 December 2020.

¹⁰³ Republic of Rwanda, "Rwanda refutes allegations from UN Group of Experts on the DRC Midterm Report", 8 January 2021.

¹⁰⁴ "Kibumba: une compagnie de l'armée rwandaise a fait incursion, il y a eu pillages et échanges de tirs (FARDC)", *Actualité.cd*, 18 October 2021.

¹⁰⁵ "Accrochage entre les forces congolaise et rwandaise à Kibumba: les explications de Vincent Karega", *Actualité.cd*, 18 October 2021; "Incursion des forces rwandaises : Kinshasa minimise, 'il ne faut pas considérer un incident qui du reste est mineur'", *Actualité.cd*, 21 October 2021.

¹⁰⁶ "Rutshuru: les assaillants sont venus du Rwanda, ils ont pris le contrôle des collines de Chanzu et Mbiza (Chef du groupement)", *Actualité.cd*, 8 November 2021.

¹⁰⁷ Rwanda Defense Force, "RDF not involved in M23 attack in DRC", 9 November 2021.

¹⁰⁸ "DR Congo army chief in Rwanda after M23 attack", *The New Times*, 10 November 2021.

¹⁰⁹ LEZHNEV, S., *Conflict Gold to Responsible Gold. A Roadmap for Companies and Governments*, Washington D.C., The Sentry, February 2021.

its 2021 report it found that cross-border smuggling of untagged tantalum and tin into Rwanda continued. Like in the past, Kigali denied and stated that “no cases of mineral smuggling (...) had been detected between November 2020 and April 2021”.¹¹⁰ This is contradicted by Rwanda’s own statistics: according to the Rwanda Revenue Authority, mining royalties in 2019-2020 were a mere US\$2.8m, down 40%, while the National Bank noted that export receipts were up 15% in the same year, led by a 754% surge in gold exports.

Past crimes also stand in the way of cordial relations. After the Mapping Report resurfaced due mainly to Dr. Mukwege’s campaign (see *supra*), in an interview with RFI and France 24 in May, President Kagame denied his country’s involvement in the crimes committed in the DRC and claimed that Mukwege was being manipulated. He also denied the presence of Rwandan troops on Congolese soil. Reactions of politicians and civil society spokespeople, as well as on social media, were furious, calling Kagame’s words an insult to victims and their families.¹¹¹ Pressed by his public opinion while attempting to maintain good relations with Rwanda, Tshisekedi tried to cool things down.¹¹²

The desire to normalise bilateral relations with Burundi was symbolised by the presence of Rwandan Prime Minister Edouard Ngirente at the Independence Day celebrations in Bujumbura on July 1st. Ngirente noted that “this is the right time for Burundi and Rwanda to build our existing strong foundation of historical and cultural linkages in order to achieve prosperity and development”. Burundian President Ndayishimiye stated that it was time for the two countries to write a new historic page in their relations: “Let us leave the past behind and open a new chapter”.¹¹³ Earlier in the year, Kigali already met a Burundian demand by prohibiting several Burundian media exiled in Rwanda since 2015 from operating there. Other issues remained unresolved, more particularly, on the Rwandan side, attacks by armed groups coming from Burundi, and, on the Burundian side, the presence in Rwanda of suspects of the 2015 attempted putsch Burundi wishes to have extradited. Despite these hurdles, a “marriage of reason” based on *Realpolitik* appears in the offing.¹¹⁴

In the wider region, Rwanda exhibited its military strength. On 9 July, the Ministry of Defence announced that it started the deployment of a 1,000-person contingent to Cabo Delgado province in Mozambique, which was the

¹¹⁰ “No Congolese Minerals Smuggled Into Rwanda For Six Months”, *The Chronicles*, 20 June 2021. Also see “Le rapport de l’ONU accusant le Rwanda d’exploiter illégalement les minerais de la RDC est une campagne de dénigrement (Vincent Karega)”, *Radio Okapi*, 14 August 2021.

¹¹¹ Reactions were largely reported in the Congolese media. A summary can be found in “Rwanda: tollé en RDC après les propos du président Paul Kagame”, *RFI*, 18 May 2021.

¹¹² “RDC: Félix Tshisekedi répond prudemment aux propos de Paul Kagame”, *RFI*, 20 May 2021.

¹¹³ “Rwanda ready to restore ties with Burundi – PM Ngirente”, *The New Times*, 1 July 2021; “Rechauffement diplomatique entre le Burundi et le Rwanda”, *RFI*, 2 July 2021.

¹¹⁴ “Rwanda-Burundi: vers un mariage de raison?”, *Iwacu*, 16 July 2021.

scene of a rebellion the Mozambique Armed Defence Forces were unable to contain.¹¹⁵ Contrary to Rwandan operations in the past in Darfur, Mali, Haiti and the CAR¹¹⁶, this was not a multilateral operation but one conducted at the request of the Mozambican government. The intervention was successful, and control of the region was quickly re-established. However, this came with political costs. The first affected relations with South Africa that had soured over the last few years.¹¹⁷ SADC, of which Mozambique is a member while Rwanda is not, had decided to send a standby force of some 3,000 troops, and resented the Rwandan initiative taken behind its back.¹¹⁸ A second was the suspicion that, contrary to its claim, Rwanda was not so much acting in the context of the Responsibility to Protect (R2P) doctrine, but rather to allow the French-owned energy company Total to recover its US\$20billion gas extraction operation in Cabo Delgado.¹¹⁹ In May, the situation was discussed in Paris between President Macron and the presidents of Mozambique, South Africa and Rwanda. Macron was in Kigali just weeks later, when cordial relations were resumed between France and Rwanda after 25 years of bitter resentment (see below). Though there is no proof of French funding for Rwanda's military intervention, the suspicion lingered that it acted as a proxy in a neo-colonial operation.¹²⁰ A third issue is that Rwanda and Mozambique established close relations only in 2018, when Kigali became increasingly concerned about the activities of Rwandan dissidents in Maputo. Finally, there are doubts about the intrinsic value and the aims of the military intervention. Presented as a fight against Islamist fundamentalism and terror, it raised questions about whether military force alone was an appropriate response to tackle the background of the insurgency in Northern Mozambique, which was fuelled by local resentment and frustration due to the neglect of the region by the central government.¹²¹

¹¹⁵ It is interesting to incidentally note that the close links between Rwanda and Qatar noted in earlier chronicles again came into play. C17 Globemaster planes of the Qatar Emiri Air Force were used to transport RDF troops and equipment to Cabo Delgado.

¹¹⁶ However, the operation in the CAR occurred in part outside the existing UN mission.

¹¹⁷ "SA-Rwanda relations remain strained, opaque amid alleged political assassinations", *Daily Maverick*, 10 July 2021.

¹¹⁸ "SADC Opposes Deployment of Rwandan Troops in Mozambique", *The Chronicles*, 1 June 2021; "Rwanda's deployment of forces into Mozambique irks SADC", *Daily Maverick*, 11 July 2021.

¹¹⁹ See for instance ALCOY, P., "Comment l'État français et Total poussent-ils à la militarisation du Mozambique?", *Révolution Permanente*, 30 August 2021.

¹²⁰ This was suggested in PRASHAD, V., "Rwanda's military is the French proxy on African soil", *The Mail & Guardian*, 12 September 2021.

¹²¹ A useful survey of these issues can be found in CLARK, P., "How big is the Islamist threat in Mozambique? And why are Rwandan troops there?", *The Conversation*, 19 September 2021.

6. RWANDA AND THE WORLD

The year was marked by an evolution, at first sight contradictory but related, which saw Rwanda making peace with France after 25 years of troubled relations, while distancing itself from trusted allies the UK and the US. In late May, French President Emmanuel Macron travelled to Rwanda with the aim of turning the page on the conflict over France's role in the 1994 Rwandan genocide. The door to Macron's visit was opened after a French government-sponsored commission led by historian Vincent Duclert found that the country bore "serious and overwhelming" responsibility for the genocide, though it also found that France was not complicit in this crime.¹²² The highlight of Macron's visit was a speech he gave at the genocide memorial in the capital, Kigali, in which he spoke of the need for France to "recognize its part of the suffering it inflicted on the Rwandan people". However, the visit papered over significant gaps between France and Rwanda in their understanding of this painful historical chapter. It thus missed an opportunity to pursue historical truth and accountability in both countries.

Weeks after the Duclert report came out, the Rwandan government released its own report, written by the American law firm Levy Firestone Muse LLP. The "Muse Report" asserted greater French culpability, stating that the Duclert Commission had erred in concluding that Paris "remained blind" to the looming genocide.¹²³ Still, Kagame praised the Duclert report, calling it "a big step forward". During Macron's speech at the Gisozi genocide memorial site in Kigali, he stuck to the script of the Duclert report, acknowledging France's political responsibility and expressing hope for forgiveness from the survivors. But he offered no apologies, denied any complicity in the genocide and defended the role of the French army, thus ignoring claims made for many years by the Rwandan regime. In his public remarks, Kagame did not seem to mind, thanking Macron for "telling the truth". It is true that Macron was very careful not to contradict a single tenet of the RPF's narrative of the genocide and avoided uttering even a moderate note of criticism regarding Rwanda's suppression of dissent and human rights abuses. Quite to the con-

¹²² Commission de recherche sur les archives françaises relatives au Rwanda et au génocide des Tutsi, *La France, le Rwanda et le génocide des Tutsi (1990-1994)*, Paris, 26 March 2021. A critical analysis can be found in DESROSIERS, M.-E., "Le rapport Duclert et le filtre des lendemains génocidaires", *Revue d'histoire contemporaine de l'Afrique*, 2021, pp. 9-27. Desrosiers' main criticism is that, by making the genocide the only key for understanding Rwanda, it offers a "backward" reading of history. Other comments can be found in *Leçons rwandaises* in the October 2021 issue of *esprit.presse*.

¹²³ MUSE, R.F., Levy Firestone and Muse LLP, *A Foreseeable Genocide: The Role of the French Government in Connection with the Genocide Against the Tutsi in Rwanda*, 19 April 2021. Despite the high cost the drafting of this report must have entailed for the Rwandan government, contrary to the Duclert report, the Muse report has had no impact, and quietly disappeared in a drawer.

trary, during his visit, Macron expressed full support for Kagame.¹²⁴ He may have thus unwittingly committed the same error that former President Francois Mitterrand was blamed for before and during the genocide: supporting a violent dictatorship.

The gap between what Macron declared in Kigali and what the Rwandan regime expected him to say shows that there is still no common reading of the genocide and of the nature of bilateral relations. Widely diverging views on these issues are still being expressed in both countries, as indicated in the previous paragraph. Historical debates around what actually happened in 1994 will thus continue to rage, and that ambiguity will remain in French-Rwandan relations for the foreseeable future. This is the price both Macron and Kagame appear willing to pay for their game of *Realpolitik*, in which truth is sacrificed at the altar of reconciliation.¹²⁵ Stephen Smith concluded that the appeasement policy practised by Macron toward Kagame “aims at protecting France of perpetual accusations and to free its hands in Africa”.¹²⁶ One could add that Macron is a narcissist who “likes to be liked”, not realising he has probably harvested disdain rather than respect in Kigali.

Like Macron, Kagame has much to gain from burying the hatchet. Rwanda’s relations with countries that had been solid allies in the past –the U.S. and the U.K. in particular– have soured in recent years, as they increasingly expressed concern over Rwanda’s human rights record and democratic credentials, and publicly voiced disagreement with Kigali’s official genocide narrative. The positions of Washington and London on the case of Rusesabagina, their criticism expressed in the UN Human Rights Council, calls for the application of Magnitsky sanctions against Rwandan officials, as well as, last year, their Explanations of Positions (EoP) during the UN General Assembly debate on the commemoration of the genocide were deeply resented in Kigali. This feeling was well translated in the RPF’s daily which claimed that “US and UK officials engaged in a sordid competition of genocide denial by issuing shameful statements in which the victims and the historical truth of what happened twenty-seven years ago were erased. (...) The irony is that even France (...) appears to have re-joined the community of civilised nations committed to fight genocide denial. Since they are always eager to fill a void, perhaps the UK and the US feel compelled to take over the role of the villain”.¹²⁷

¹²⁴ In his speech on 27 May, Kagame reciprocated by calling Macron “my friend”, something Habyarimana would never have said about Mitterrand.

¹²⁵ REYNTJENS, F., “France and Rwanda Sacrifice Truth at the Altar of Reconciliation”, *World Politics Review*, 9 June 2021.

¹²⁶ SMITH, S., “L’exception française au Rwanda”, *L’Opinion*, 4 August 2021; also see DE MIRAMON, M., “Paris-Kigali, la réconciliation à tout prix”, *L’Humanité*, 28-29-30 May 2021.

¹²⁷ “In the Washington Post, Baldwin justifies UK and US politicization of the Genocide against the Tutsi”, *The New Times*, 11 April 2021.

7. CONCLUSION

Developments during the year have again shown how post-genocide Rwanda has reconnected with its precolonial belief in military might, after a century-long interruption. The intervention in Mozambique is just the latest expression of an ideology rooted in a mythical past. As expressed in the RPF's semi-official daily, this belief knows no borders. The "meaning of Rwanda" was translated as "an ideal of humanity that transcends its physical borders" and that is based on fearlessness: "Historically, Rwandans in general and particularly Rwandan warriors, whose nom-de-guerre was 'Inkotanyi', were not afraid of death". "Rwandans are a revolutionary, internationalist people (...). And for a revolutionary army such as ours, the battleground against terrorism encompasses the whole world".¹²⁸ Such expressions may be seen as unrealistic and arrogant from the outside, but they are probably widely shared among Rwandan elites, who hear no counter-narrative.

Punching above its weight internationally does not merely express itself in military operations, be they legal or illegal, across borders, but also in other practices. One is that of transnational repression hunting opponents abroad or spending considerable amounts of money on expensive spyware and on capturing dissidents in order to repatriate and try them. Another is the way in which Rwanda punches above its weight in tackling the world. The assertive stance it has adopted against three nuclear powers and permanent members of the UN Security Council –France, the US and the UK– is astonishing. Even more surprisingly, this stance has worked because the Rwandan regime doesn't believe in soft power, while those it has opposed have attempted to practice it, in vain. Critical statements by these countries may be unpleasant for a moment –and the regime always rebukes them aggressively–, but words disappear if they're not followed by actions. What happened, or rather did not happen, after unpleasant statements by the European Parliament and the Belgian Foreign Minister only serves to comfort Kigali's boldness.

Internationally the regime is confident it doesn't need to fear much, while at the same time it believes that domestically it can keep the lid on the pot.¹²⁹ This includes maintaining control of two potential threats to its survival: intra-regime dissidence and wider popular resentment. Up to now, an excellent intelligence capacity, a good deal of elite rotation, and widespread repression have ensured this control. In light of the resilience of most Rwandans, these practices can ensure survival for a long time, but history in Rwanda and elsewhere shows that the time frame is not unlimited.

Antwerp, January 2022

¹²⁸ "RDF and RNP: A true internationalist, revolutionary movement", *The New Times*, 11 July 2021.

¹²⁹ An excellent survey of the contemporary functioning of the Rwandan state and its relations with society can be found in the dossier "Rwanda. L'État depuis le génocide", edited by Benjamin Chemouni in *Politique Africaine*, No. 160, 2020 published in early 2021.