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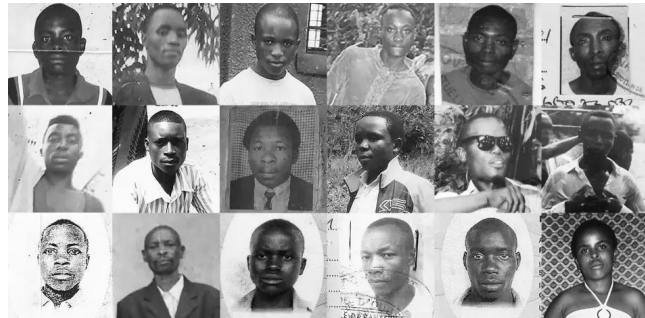
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Rwanda: Cover-Up Negates Killings

Officials Threaten Victims' Families
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(Brussels) – A report published on October 13, 2017 by Rwanda's National Commission for Human Rights (NCHR) attempting to discredit Human Rights Watch documentation of extrajudicial killings and enforced disappearances is full of falsehoods, compounding the injustice and abuse suffered by the victims' families, Human Rights Watch said today. Human Rights Watch has found that Rwandan government officials threatened and coerced victims' family members to present false information about what happened to their loved ones. Human Rights Watch is deeply concerned about the family members' safety.

The NCHR report purported to “know the truth” about a Human Rights Watch report released in July, that details how military, police, and auxiliary security units, sometimes with the assistance of local civilian authorities, apprehended suspected petty offenders and summarily executed them. The allegations in the NCHR report and its corresponding news conference were largely fabricated and misrepresented Human Rights Watch's work.



From left to right: Juma Ntakingora (executed on September 21, 2016); Alexandre Bemeriki (executed in October 2016); Benjamin Niyonzima (executed on December 16, 2016); Basabose Hakuzimana (executed on December 6, 2016); Elias Habyarimana (executed on March 25, 2017); Samuel Minani (executed on December 15, 2016); Jean de Dieu Habiyaemye (arrested in late November 2016 and executed two days later); Ernest Tuyishime (executed on August 5, 2016); Thaddée Uwintwali (executed on December 13, 2016); Emmanuel Ntamuhanga (executed in March 2017); Fulgence Rukundo (executed on December 6, 2016); Naftal Nteziriza (executed in late December 2016); Amulani Bazangirabate (executed in late December 2016); Jean Kanyesoko (executed on August 2, 2016); Claude Barayavuga (executed on April 27, 2017); Emmanuel Hanyurwabake (executed in late December 2016); Vedaste Renzaho (executed in late December 2016); Jeannine Mukeshimana (executed on December 16, 2016).

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“The allegations by the National Commission for Human Rights show that Rwandan authorities are unwilling to tolerate criticism or make meaningful attempts to improve the country’s human rights record,” said Ida Sawyer, Central Africa director at Human Rights Watch. “Instead of discussing the findings with Human Rights Watch – before publication – as requested and opening serious investigations, Rwandan officials presented false accounts and threatened those who dared to speak out about the killings.”

Human Rights Watch found that local officials or security forces detained family members of victims who refused to fabricate stories about what happened to their loved ones. “The local authorities asked me if I was ready to tell officials who would come to our village that [the victim] had died from illness at the hospital, but I refused,” a family member of one of the victims told Human Rights Watch. “I saw how [the victim] was killed, and I could not change the truth. A few days later, I was arrested.” He said he was released after several days.

A France 24 investigation, aired on October 31, found numerous discrepancies in the NCHR report and corroborated the circumstances surrounding four of the summary executions documented by Human Rights Watch.

Since the NCHR report was issued, Human Rights Watch has analyzed the report as well as the statements made during the October 13 news conference and the commission’s presentation to parliament on October 19. Human Rights Watch has also carried out further investigations into some of the killings. Some of the witnesses Human Rights Watch spoke to were shocked to learn what had been alleged in the NCHR report.

A case in point was the extrajudicial killing of Alphonse Majyambere. The NCHR produced a different person at its news conference – with the same name, but from a different sector and almost 30 years older than the person who was killed.

For the case of Elias Habyarimana, killed by security forces in March, the NCHR presented a woman named Pelagie Nikuze who said Habyarimana is her husband and that he is living in Belgium. Human Rights Watch found that the man who is said to be in Belgium is a different person. The man killed in March was a fisherman who never had a passport.

The NCHR acknowledged that Fulgence Rukundo was killed, contending it was for illegally crossing the border with the Democratic Republic of Congo. Yet several villagers confirmed to Human Rights Watch in late October that they and dozens of other people from their village had personally witnessed soldiers executing Rukundo for allegedly stealing and killing a cow on December 6, 2016, in Kiraga cell, several kilometers from the border.

“The death of [Rukundo] is a known story on the hill [where we live],” a witness told Human Rights

Watch on October 24. “The human rights commission was too afraid to come here. If they dared approach me now, I would spit in their faces, ready to suffer the consequences.”

The cases are included in the 40-page July report by Human Rights Watch, “‘All Thieves Must Be Killed’: Extrajudicial Executions in Western Rwanda,” which documents the extrajudicial executions of at least 37 suspected petty offenders and the enforced disappearances of four others between April 2016 and April 2017. Human Rights Watch has since documented at least one additional killing by police of a suspected thief in the same period. Family members were threatened when they tried to recover the bodies of their loved ones, and authorities spoke about the executions in public community meetings, using the killings as a warning to other would-be thieves. Since the Human Rights Watch report was released in July, the killings appear to have stopped.



Fulgence Rukundo was executed on December 6, 2016.

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The Human Rights Watch report is based on research in Rwanda between January and July 2017, including interviews with 119 witnesses to the killings, family members and friends of victims, government officials, and others knowledgeable about the arrests and executions. All interviews were conducted individually and privately. Human Rights Watch explained to each interviewee the purpose of the interview, its voluntary nature, the way the interview would be used, and the fact that no compensation would be provided, in accordance with the methodology Human Rights Watch uses in its research in over 90 countries.

The July report includes the names and other details about all the cases it documented and photos of many of the victims. Human Rights Watch provided a list of cases and requested meetings with Rwandan authorities before publication.

Human Rights Watch stands by its findings and strongly rejects the allegations made by the NCHR. Despite the cover-up in the NCHR report, Human Rights Watch continues to call for a constructive dialogue with the government and the NCHR and remains open to meeting and sharing information before publication of major reports, Human Rights Watch said.

The NCHR report was released three days after Human Rights Watch published a subsequent report documenting the systematic use of torture in Rwanda. Over the course of 10 months, Human Rights Watch repeatedly sought meetings with authorities, including the NCHR, to discuss those research findings. None of these meeting requests were granted.

“Rwandan authorities have disparaged and attacked Human Rights Watch for speaking out about egregious human rights violations, while threatening family and friends of victims who have already suffered immensely,” Sawyer said. “The government should immediately cease all intimidation and harassment of family members and other witnesses, take reports of killings and other grave violations seriously, and join the ranks of countries that work toward respecting fundamental human rights.”

Attempted Cover-Up with Deceptive Cases

Of the extrajudicial executions and enforced disappearances documented by Human Rights Watch, the NCHR claimed that seven individuals are still alive, that four died of natural causes, that six died in “various accidents,” that one was shot by Congolese soldiers, that eight were shot by Rwandan security forces while illegally crossing the border from Congo, that two were shot while resisting arrest, and that 10 others were “not known.”

The NCHR provided the most detailed information on two cases: Alphonse Majyambere and Elias Habyarimana. During the October 13 news conference, the NCHR presented a man named Alphonse Majyambere with a presumably valid national identification card from Bushaka cell, Boneza sector in Rutshiro District. Based on his ID, this man is 64 years old. The Alphonse Majyambere whose summary execution Human Rights Watch documented was from Nyagahinika cell, Kigeyo sector, in the same district. The Majyambere who was killed, a known thief in his village, was born in 1981 – making him around 35 years old at time of death. He was originally from Rukombe village.

In late October, Human Rights Watch spoke with people close to Majyambere in Rukombe who re-confirmed that Majyambere is dead and was killed by security forces in late September 2016. A family member who saw Majyambere’s body told Human Rights Watch on June 14 that, as the police were burying Majyambere’s body, “they announced to the crowd, ‘If we kill and bury him like this, let it be an example to those of you who want to steal.’” The same person told Human Rights Watch in late October that the NCHR report is “pure lies. Do these people think I am too stupid, as someone who saw his body, to

not to know he is dead?”

“Alphonse was a vagabond and a thief,” a different witness told Human Rights Watch in late October. “He would steal cows and move to different areas. His death is known. He could not have been an old man. He was born in 1981.”

For the second case, the NCHR presented a woman named Pelagie Nikuze who said she is the wife of one Elias Habyarimana, a former soldier who has been living in Belgium since 2009 and who is originally from Nyarubuye cell in Rutsiro District.

While Human Rights Watch does not discount the existence of Nikuze’s husband, Human Rights Watch had documented the killing of a different Habyarimana in Gabiro cell in Rutsiro District. He was from Nyagahinga village. Security forces killed this Habyarimana, who was approximately 30 years old, in late March on Lake Kivu for using an illegal fishing net. He was among 11 people executed for using illegal fishing nets in cases documented by Human Rights Watch. In late October, Human Rights Watch re-interviewed people close to Habyarimana and other witnesses to his execution. They confirmed that Habyrimana was indeed killed earlier this year.

“I heard that the government said [Elias] was alive,” someone close to Habyarimana said in late October. “I was shocked when I heard this. Elias is dead.” The Habyarimana who was killed was never a member of the army and was never in possession of a passport, the person said. “He did not even know how to read or write,” the person said. “How can people who did not know him be allowed to say that he is alive and living in Belgium? Instead of helping with his children who were made orphans by the state, they now persecute us with these lies.”

Government Intimidation and Threats

Numerous family members of victims told Human Rights Watch that local authorities had interrogated, threatened, or even detained them since the publication of the July report. Authorities attempted to coerce some family members to provide a false account of what happened to their loved ones. Human Rights Watch has also documented threats to local communities where the killings took place.

For example, in Nyagahinika, a resident said, “In August the local officials had a meeting and said, ‘We know some of you have been speaking to strangers about Majyambere [one of the victims]. Anyone who speaks of his death will have problems with us.’” Another family member of a victim told Human Rights Watch that he was threatened repeatedly by local authorities who wanted to know everything he had said to Human Rights Watch.

The family member of another victim said, “In July, the radio talked about those killed by men from the

security services in Rubavu and Rutsiro, including [the victim]. The local authorities started to threaten me to know if I was the one who gave this information to Human Rights Watch. Since then, the authorities suspect me. Then they used [the victim's] second wife to say that [he] died of a disease in the hospital, but this was a pure lie.”

Human Rights Watch is not the only international body concerned with reprisals against those who dare speak out. On October 19, 2017, the United Nations Subcommittee on Prevention of Torture, invited to visit Rwanda after its 2015 ratification of the Optional Protocol to the Convention against Torture, suspended its trip due to obstruction from the government and a fear of reprisals against people the subcommittee interviewed. It is only the third time in 10 years that the subcommittee has suspended a visit.

Attacks on Human Rights Watch Staff

The NCHR report triggered a torrent of disparaging and unfounded allegations against Human Rights Watch staff from government officials and parliament members. On October 13, Justice Minister Johnston Busingye tweeted allegations that certain staff were sympathetic to the Democratic Forces for the Liberation of Rwanda (*Forces démocratiques de libération du Rwanda*, FDLR), a largely Rwandan Hutu armed group active in Congo. On October 19, in an open debate at parliament, a member of parliament called the Human Rights Watch executive director a “dog of genocidaires.”

Human Rights Watch categorically rejects all accusations of collaboration with the FDLR or of political bias. The FDLR includes people who participated in the genocide in Rwanda in 1994 and others who have committed, and continue to commit, horrific human rights abuses in eastern Congo. As the Rwandan government is aware, Human Rights Watch has documented and denounced the FDLR's abuses in detailed reports and news releases, repeatedly called for those responsible to be brought to justice, and has testified in court about their crimes.

Rwandan officials have repeatedly accused those perceived to be “against” the government of collaboration with exiled opposition groups or armed groups such as the FDLR.

On October 19, the parliament recommended that the government re-evaluate its relationship with Human Rights Watch so that “ignominious acts tarnishing the image of Rwanda and Rwandan people could not continue.” The Memorandum of Understanding between the Justice Ministry and Human Rights Watch, which in theory allows the organization to be registered in Rwanda, expired in June 2017. Human Rights Watch requested a meeting with the ministry to renew this document but has not received a response.